

Application No. **G-19153**

FEES PAID

Name G-19153
By Hermreck at the Y Ranch, LLC
Address P.O. Box 4
Paulina, OR 97751

Permit No. _____
Certificate No. _____

Date	Amount	Receipt No.
6-8-2021	2560. ⁰⁰	135484
	Cert. Fee	

Date

DENIED _____

MISFILED _____

Volume | Page

WITHDRAWN _____

CANCELLED _____

FEES REFUNDED

Date	Amount	Receipt No.

Priority 6-8-2021
County Crook WM# 11

RELATED FILES

ASSIGNMENTS

Date	To Whom	Address

DEVELOPMENT Date
Completion _____
Extended to _____

Final Proof received _____
Proposed Cert. Mailed _____

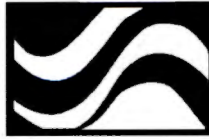
REMARKS _____

MAP LOCATION _____

Laura A. Schroeder
Oregon, Idaho,
Nevada, Washington & Utah

Therese A. Ure Stix
Oregon & Nevada

Caitlin R. Skulan
Nevada & Idaho



SCHROEDER
LAW OFFICES, P.C.

William F. Schroeder
(1928 - 2015)

James Browitt
Of Counsel
Idaho & Washington

March 11, 2024

VIA ELECTRONIC & U.S. MAIL

Adam Frederick
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301
Email: adam.m.frederick@water.oregon.gov

Received

MAR 13 2024

OWRD

RE: Request for Administrative Hold for Application G-19153

Dear Mr. Frederick:

Our office represents Susie Hermreck on behalf of Hermreck at the Y Ranch, LLC, regarding Application G-19153.

Pursuant to the Initial Review dated February 9, 2024, we are requesting an administrative hold of 180 days to work with our client and the Oregon Water Resources Department ("OWRD") on options to revise Application G-19153 that could allow approval. Given our reading of the denial, we will work with the Applicant and OWRD to develop a mitigation plan and/or provide evidence to overcome this finding in the Initial Review, evidence demonstrating compliance with well construction standards, and a legal description of the property from which the water is to be diverted and/or any property on which the water is to be used as depicted on the map. If the administrative hold is granted, we will proceed as outlined above.

Very truly yours,
SCHROEDER LAW OFFICES, P.C.

A handwritten signature in blue ink, appearing to read 'Laura A. Schroeder', written in a cursive style.

Laura A. Schroeder

LAS:rms

cc: Client

1915 NE Cesar E. Chavez Boulevard, Portland, Oregon 97212 (503) 281-4100

10615 Double R Boulevard, Suite 100, Reno, Nevada 89521 (775) 786-8800

www.water-law.com counsel@water-law.com



SCHROEDER
LAW OFFICES, P.C.

1915 NE Cesar E. Chavez Boulevard
Portland, Oregon 97212

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Adam Frederick
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301

97301-126673



Mailing List for IR Copies

Application G-19153

IR Date: February 9, 2024

Original and map mailed to applicant:

HERMRECK AT THE Y RANCH, LLC
PO BOX 4
PAULINA OR 97751

Sent via auto email:

1. Applicant – awsmhermie@gmail.com
2. Agent – hayes@ham-engr.com
3. WRD – Watermaster #24, Bill Nashem
4. WRD – Carolyn Sufit, SCR
5. WRD – SW Section

Copies sent to:

1. WRD – File G-19153
2. Crook County Planning Department (by email)

Application Specialist: Adam Frederick

Copies Mailed	
By:	<u>KMWF</u> (SUPPORT STAFF)
On:	<u>FEB 09 2024</u> (DATE)



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

Water Right Application Initial Review

February 9, 2024

HERMRECK AT THE Y RANCH, LLC
PO BOX 4
PAULINA OR 97751

Reference: Application G-19153

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

Preliminary Determinations under Oregon Administrative Rule (OAR) 690-310-0080:

1. Application G-19153 proposes the appropriation of 0.47 cubic foot per second (CFS), further limited to 154.5 acre-feet (AF) annually, of water from Well 9 (CROO 2757) and Well 10 (CROO 2758) in Beaver Creek Basin for irrigation of 51.5 acres from April 1 through October 1 of each year.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. Irrigation is allowed under the Deschutes Basin Program. OAR 690-505-0400.
4. The proposed groundwater use is not within a designated critical groundwater area. OAR 690-310-0080(1)(a).
5. An assessment of groundwater availability has been completed by the Department. A copy of this assessment is in the file and can be viewed on the Department's website. Groundwater for the proposed use is not over-appropriated; however, groundwater for the proposed use is not available within the capacity of the resource. **Therefore, groundwater is not available for the proposed use.** OAR 690-310-0080(1)(b); OAR 690-300-0010(57).
6. The Department has determined that the proposed groundwater use will not have the potential for substantial interference (PSI) with surface water. OAR 690-310-0080(1)(b); OAR 690-009-0040.

7. If properly conditioned (and if authorized), the proposed use of groundwater will not injure other water rights.
8. The proposed use is located above the Deschutes Scenic Waterway, as designated under Oregon Revised Statute 390.826. The Department has determined, based upon OAR 690-310-0260, that there is a preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife. The one CFS limit prescribed in OAR 690-310-0260(11) has been exceeded. Please refer to the **Additional Information Opportunity** section below for more information.
9. The Department has determined that Well 9 (CROO 2757) and Well 10 (CROO 2758) do not meet current minimum well construction standards. The well reports indicate that the well head is flush with land surface. To meet minimum well construction standards, the well head must be extended so that it is at least one-foot above land surface. See the **Minimum Well Construction Standards – Repair Required** section below for more information.
10. Documentation has been submitted from the relevant land-use planning jurisdiction that indicates the proposed use is allowed outright.
11. See **Additional Information Required** section below for deficiencies with the application.

Summary of Preliminary Determinations
The appropriation of 0.47 CFS, further limited to 154.5 (AF) annually, of water from Well 9 (CROO 2757) and Well 10 (CROO 2758) in Beaver Creek Basin for irrigation of 51.5 acres from April 1 through October 1 of each year is not allowable.

Additional Information Opportunity:

As noted above, the Department has determined that there is a preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife. When the Department makes this finding, the Department must deny the application unless:

- A. Mitigation is provided in accordance with provisions of ORS 390.835(9) and (10); or
- B. Evidence to overcome the finding is submitted.

If you would like to pursue a permit under this application, you must submit a mitigation proposal accompanied by a \$790 fee (ORS 536.050(1)(b)(B)) or evidence to overcome the finding. The Department will consider the information and determine if the proposal will ensure the maintenance of the free-flowing character of the scenic waterway in quantities necessary for recreation, fish and wildlife. If you choose to provide mitigation, please provide mitigation that would legally protect and maintain the following amount instream, year-round: 0.083 CFS. This is the amount by which the proposed water use would reduce monthly flows in the scenic waterway.

Please submit the information no later than **March 14, 2024**. If you are unable to submit the information listed above, you may request an administrative hold for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If an administrative hold is granted, your application will not be processed further until the requested information is received or the extended deadline has passed. Please note that an administrative hold does not extend the stop processing deadline discussed in the later section.

Minimum Well Construction Standards – Repair Required:

Prior to the issuance of any Proposed Final Order that may recommend approval, evidence demonstrating compliance with well construction standards must be submitted and approved by the Department. In repairing the well(s), you should work closely with the Department and/or a licensed well constructor to ensure that repairs are carried out in a manner that will not violate well construction or other rules. You are encouraged to contact Tommy Laird of the Department's Well Construction and Compliance Section at 503-302-8618 to determine how to proceed.

Please submit this information no later than March 14, 2024. If you are unable to submit the information listed above by this date, you may request an administrative hold for up to an additional 180 days. You must submit the request in writing, stating how much more time is needed and why you need additional time. If an administrative hold is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

Please also note that regardless of the outcome of this application, you will need to work with the Department to either repair or abandon the well(s) to comply with the minimum standards for the construction, conversion, alteration, maintenance, and abandonment of water supply wells in order to protect the state's groundwater supply (OAR 690-200).

Additional Information Required:

Although it is unlikely that a permit will be issued, if the Department's findings change, additional information will be required prior to issuance of any Proposed Final Order. Please provide the following:

- A. The Department must receive a copy of the legal description of the property from which the water is to be diverted, any property crossed by the proposed ditch, canal or other work, and any property on which the water is to be used as depicted on the map, as required by OAR 690-310-0040(1)(a)(I). The legal description is often found on a deed, land sales contract, or title insurance policy.

Please submit this information no later than March 14, 2024. If you are unable to submit the information listed above by this date, you may request an administrative hold for up to an additional 180 days. You must submit the request in writing, stating how much more time is needed and why you need additional time. If an administrative hold is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

If we do not receive the information requested above or a request for an administrative hold by the above date, the Department may reject the application.

Public Comment:

Public interest issues and/or public comments will be addressed as the Department prepares a Proposed Final Order. If significant public interest issues are identified, they could have an impact on the eventual outcome of the application.

At this time, you must decide whether to proceed or to withdraw the application.

- **To Proceed** - If you choose to proceed with the application, you do not have to notify the Department. The application will 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.
- **To Withdraw** - You may withdraw the application and receive a refund (minus a \$310 processing fee). You must notify the Department **in writing by February 23, 2024**. For your convenience you may use the enclosed "STOP PROCESSING" form.

Although it is unlikely that a permit will be issued, if the Department's findings change and a permit is issued, it will likely include the following conditions:

1. Construction of the well shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the construction deadline to begin is missed.
2. If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.
3. **Water Use Measurement, Recording, and Reporting:**
 - A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the device in good working order.
 - B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The permittee shall keep a complete record of the volume of water used each month, and shall submit an annual report which includes the recorded water-use measurements to the Department annually, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
 - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

4. Groundwater Level Measurement, Reporting, and Shut-Off Condition:

For each well on this authorization, beginning on the permit signature date for existing wells or in the year well construction is completed for new wells, and each year thereafter, the permit holder must report a static water-level measurement ("measurement") taken in March. The measurement is required whether the well is used or not. If pumping is to commence following completion of the well and prior to the next March, then a measurement must be made at least one week following well completion and before pumping commences.

Measurements must be properly reported within 30 days of measurement using forms specified by the Department. A measurement will be properly reported if the submission includes all required information as listed in the document attached. Measurements must be made with equipment that is accurate to the standards specified in Oregon Administrative Rule (OAR) 690-217-0045. Measurements must be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed land surveyor, licensed well constructor, pump installer licensed by the Construction Contractors Board, or Department staff. The Department is not responsible for regular measurement of the static water level, but Department staff may measure the well during the normal course of groundwater level monitoring or to confirm the submitted measurement(s).

For each well on this permit, the Department will establish a reference groundwater level using the best available data. The reference level is intended to represent the highest elevation (shallowest depth) static water level that has been measured or can be reasonably estimated to have existed within each well at any time before its reference level is set. If the permit holder fails to measure and report the static water level within 12 months of permit issuance, or of completion of the well(s), then Department staff will estimate the static water level using available data, including measurements in surrounding wells. In case the permit is amended or the subsequent certificate is transferred, the Department may establish a new reference level for any new or additional wells under new permits or certificates issued under this right. The reference level for a new or additional well should reflect the highest static water level in that well or, if that measurement occurred after the time represented by the original reference level, then the water level that would have been measured in that well, if the well existed and was measured at the time represented by the original reference level.

All water use authorized under this permit must immediately stop if any of the following occur:

- Any annual high elevation static groundwater level in any well on this permit declines 25 or more feet below the reference level for that well, or
- Any groundwater right with an earlier priority date and whose source is the same groundwater reservoir (as determined by the Department) has exceeded any water level decline condition listed in its permit, or
- Groundwater levels are not measured and properly reported as specified above for any completed well that is authorized on the permit for two consecutive years, or

- Hydraulic interference contributes to a decline of 25 or more feet in any neighboring well with senior priority, at any time during the year.

The Department will determine when any of the above conditions have occurred and may order the permit holder to stop all water use under this permit. The permit holder is also responsible for stopping all water use if they become aware that any of the conditions have occurred, even without notice from the Department. Following such a stop, water use under this permit will not be allowed and may only resume once the permit holder receives notice from the Department. If the permit holder fails to stop use, then the Department may take control of the controlling works of any wells authorized under this permit and may reduce the amount of groundwater pumped until the unlawful use is eliminated.

The permit holder acknowledges that that one or more of the conditions requiring stoppage of use may occur prior to any use of any well on this permit.

The Department may allow the permit holder to pause annual water level measurement and reporting requirements from some of the permitted wells if measurements from those wells are redundant with other data being collected by the Department. The permit holder must receive written notification of such an allowance before stopping measurements. If this happens, the Department may reinstate the measurement requirements at any time.

5. Scenic Waterway:

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.

6. Well Identification Tag:

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

The water source identified in the application may be affected by an Agricultural Water Quality Management Area Plan. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders, and help to ensure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to explore ODA's website at www.oregon.gov/ODA to learn more about the plans and how they may affect the proposed water use.

For Further Information:

Feel free to contact me at Adam.M.Frederick@water.oregon.gov or 971-707-8400 if you have any questions regarding the contents of this letter or the application. Please include the application number in all correspondence. General questions about water rights and water use permits should be directed to our customer service staff at 503-986-0900. When corresponding by mail, please use this address: Adam Frederick, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,

Adam Frederick

Adam Frederick
Water Right Application Specialist
Oregon Water Resources Department

Enclosures: Application Process Description
Stop Processing Request Form

G-19153
WAB: No PSI
Proposed to Deny

APPLICATION FACT SHEET

Application File Number: G-19153

Applicant: HERMRECK AT THE Y RANCH, LLC

County: CROOK

Watermaster: BILL D. NASHEM, #24, SCR

Priority Date: JUNE 8, 2021

Source: WELL 9 (CROO 2757) AND WELL 10 (CROO 2758) IN BEAVER CREEK BASIN

Use: IRRIGATION OF 51.5 ACRES

Rate/Quantity: 0.47 CUBIC FOOT PER SECOND, FURTHER LIMITED TO 154.5 ACRE-FEET ANNUALLY

Period of Use: APRIL 1 THROUGH OCTOBER 1

Basin Name & Number: DESCHUTES, #5

Well Location(s):

POD Name	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
WELL 9	16 S	24 E	WM	31	SW NW	1860 FEET SOUTH AND 250 FEET EAST FROM NW CORNER, SECTION 31
WELL 10	16 S	24 E	WM	31	SW NW	1810 FEET SOUTH AND 230 FEET EAST FROM NW CORNER, SECTION 31

Places of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
16 S	23 E	WM	36	NW NE	14.3
16 S	23 E	WM	36	SW NE	34.5
16 S	23 E	WM	36	SE NE	0.2
16 S	23 E	WM	36	NW SE	2.5

PUBLIC NOTICE DATE: February 13, 2024

14 DAY STOP PROCESSING DEADLINE DATE: February 23, 2024

30 DAY COMMENT DEADLINE DATE: March 14, 2024

APPLICATION PROCESS DESCRIPTION FOR GROUNDWATER, SURFACE WATER AND REGULAR RESERVOIR APPLICATIONS

In order to use the waters of Oregon, an application must be submitted and a permit obtained from the Water Resources Department. The water must be used for beneficial purpose without waste. For more information about water right topics, weekly public notice, forms and fees please visit our website at: www.oregon.gov/owrd

1. Pre-application considerations

- Follow instructions in the application packet.
- If you have questions about completing an application or would like to arrange a pre-application conference contact the Department's Water Rights Customer Service Group at (503) 986-0900.

2. Application filing

- Application with fee is received by the Department.
- Department determines completeness of application.
- If use is not allowed by statute (ORS 538), the application and fees are returned to the applicant.
- An incomplete application and fees are returned to the applicant.
- Only a complete application receives a tentative priority date, is assigned a caseworker, and moves forward for processing.

3. Initial Review (IR)

- Caseworker reviews application by considering basin plans, water availability, statutory restrictions, and all other appropriate factors.
- Caseworker sends IR report to Applicant.
- Four days after date of the IR, it is included in Department's weekly Public Notice.
- Public comments must be submitted within 30 days after the Public Notice.

4. Proposed Final Order (PFO)

- Caseworker evaluates application against required criteria and develops draft permit, if appropriate.
- PFO includes instructions for filing of protests.
- Caseworker considers public comments and mails PFO to Applicant.
- The PFO is included in Department's weekly Public Notice.
- Public protests to the PFO must be submitted within 45 days after the Public Notice.

5. Final Order (FO)

- If no protest is filed, Final Order is issued.

The protest process

If one or more protests are filed, the process consists of:

- settlement discussion;
- contested case hearing;
- Proposed Order;
- period of time to file exceptions; or
- possible hearing by Water Resources Commission.
- Final Order is issued.

Permit holder responsibilities

- Comply with all water use conditions of the permit.
- Advise Department of address change or assignment to new permit holder.
- If need arises, request extension of time or authorize cancellation of permit.
- Submit timely claim of beneficial use (COBU) to the Department.
- Most permits require COBU to be prepared by a Certified Water Right Examiner.
- Permits may be canceled by the permit holder or by the Department for failure to comply with or one or more permit conditions.

STOP PROCESSING REQUEST FORM

FOR GROUNDWATER, SURFACE WATER AND REGULAR RESERVOIR APPLICATIONS

- Stop processing deadline is within 14 days of Initial Review.

Applicant notification to withdraw Water Right Application **G-19153**.

After reviewing the Initial Review for my application, I request that processing be stopped, and fees be refunded (minus a \$310 processing fee). I understand that without a valid permit, I may not legally use the water as requested in my application.

Signature _____ Date _____

Signature _____ Date _____

Under ORS 537.150(5) and 537.620(5), timely submission of this request authorizes that the water right application process be stopped, and all filing fees (except \$310 processing fee) be returned.

- This notice must be received by the Water Resources Department no later than:

February 23, 2024

- Return the notice to:

OWRD, Water Right Services Division
STOP PROCESSING
725 Summer Street, NE - Suite A
Salem, OR 97301-1266

Application for a Permit to Use Groundwater

RECEIVED

JUN 08 2021

OWRD



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

NAME Hermreck at the Y Ranch, LLC		PHONE (HM) (805)440-2423	
PHONE (WK)	CELL		FAX
ADDRESS P.O. Box 4			
CITY Paulina	STATE OR	ZIP 97751	E-MAIL* awsmermie@gmail.com

Organization

NAME Same		PHONE		FAX
ADDRESS			CELL	
CITY	STATE	ZIP	E-MAIL*	

Agent – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME Hayes McCoy/H.A. McCoy Engineering & Surveying		PHONE (541)923-7554		FAX
ADDRESS 1180 SW Lake Road #201			CELL	
CITY Redmond	STATE OR	ZIP 97756	E-MAIL* hayes@ham-engr.com	


Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

I (we) affirm that the information contained in this application is true and accurate.


 Applicant Signature

Susan M Hermreck / owner
 Print Name and Title if applicable

3-31-2021
 Date

Applicant Signature

Print Name and Title if applicable

Date

SECTION 2: PROPERTY OWNERSHIP

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.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, 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).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map. *SEE MAP*

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
9	Beaver Creek		
10	Beaver Creek		

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).*

RECEIVED

JUN 08 2021

OWRD

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 0.47 (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the 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 to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
9	<input type="checkbox"/>	<input checked="" type="checkbox"/>	CROO 2757	<input type="checkbox"/>	10	0-25	N/A	0-25	15'	Basalt	385	211	113
10	<input type="checkbox"/>	<input checked="" type="checkbox"/>	CROO 2758	<input type="checkbox"/>	10	0-25	N/A	0-25	55'	Basalt	385	211	113
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* 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.

** 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.

RECEIVED

JUN 08 2021

OWRD

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of appropriation (POA) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:
https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POA is located, please call the customer service desk at (503) 986-0801.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the well or proposed well located in an area where the Upper Columbia Rules apply?

Yes No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

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Lower Columbia - OAR 690-033-0220 thru -0230

Is the well or proposed well located in an area where the Lower Columbia rules apply?

Yes No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as

appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, you will be required to provide the following information, if applicable.

Yes No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

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Statewide - OAR 690-033-0330 thru -0340

Is the well or proposed well located in an area where the Statewide rules apply?

Yes No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve “no loss of essential habitat of threatened and endangered (T&E) fish species,” or “no net loss of essential habitat of sensitive (S) fish species.” If conditions cannot be identified that meet the standards of no loss of essential T E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	April 1 - October 1	154.5

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).

Primary: 51.5 Acres Supplemental: Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 154.5

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: (**Exempt Uses:** Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.)

For Department Use: App. Number: _____

- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*): _____

SECTION 6: WATER MANAGEMENT

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A. Diversion and Conveyance

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

- Pump (give horsepower and type): 60hp
- Other means (describe): _____

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

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (*attach additional sheets if necessary*)

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters (*attach additional sheets if necessary*).

WATER IS NEEDED FOR IRRIGATION OF AGRICULTURAL CROPS. IRRIGATION PIVOT PROPOSED FOR MOST EFFICIENT USE OF WATER.

SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: 1/1/21
- b) Date construction will be completed: 3/1/21
- c) Date beneficial water use will begin: ASAP

SECTION 8: RESOURCE PROTECTION

In granting permission to use water the state encourages, and in some instances requires, careful control of activities that may affect adjacent waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: IRRIGATED & PLANTED FIELDS MINIMIZE EROSION POTENTIAL & RUNOFF. PIVOT IRRIGATION PREVENTS OVERWATERING AND RUNOFF
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.
Describe planned actions and additional permits required for project implementation: _____

- Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:
List: _____

SECTION 9: WITHIN A DISTRICT

Check here if the point of appropriation (POA) or place of use (POU) are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application (*attach additional sheets if necessary*).

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Attachment 2: Land Use Information Form

Land Use Information Form

OWRD



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

Applicant

NAME Hermreck at the Y Ranch, LLC			PHONE (HM) (805)440-2423		
PHONE (WK)		CELL		FAX	
ADDRESS P.O. Box 4					
CITY Paulina		STATE OR	ZIP 97751	E-MAIL* awsmermie@gmail.com	

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. 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.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
16S	24E	31	SWNW			<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	POA
16S	23E	36	NWNE			<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	POU
16S	23E	36	SWNE			<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	POU
16S	23E	36	NWSE			<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	POU

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Groundwater Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond Groundwater Surface Water (name) _____

Estimated quantity of water needed: 0.04 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

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.

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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.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Agricultural uses outright uses in County's ECU zone
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) see below If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

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:	
N/A		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

Crook City Code 18.16.010

NAME <u>Ann Beier</u>	TITLE: <u>Community Devel. Dir</u>
SIGNATURE <u>A Beier</u>	PHONE: <u>591-447-3211</u>
GOVERNMENT ENTITY <u>Crook County Community Devel. - Planning</u>	DATE: <u>5/5/21</u>

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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Legal Description for Water Rights Application

Hermreck at the Y Ranch, LLC

May 3, 2021

Point of Appropriation

Well 9 – 1860 feet south and 250 feet east from the northwest corner of Section 31.

Well 10 – 1810 feet south and 230 feet east from the northwest corner of Section 31.

All in Township 16 South, Range 24 East, W.M., Crook County, Oregon

Place of Use

Located in the northwest one-quarter of the northeast one-quarter, southwest one-quarter of the northeast one-quarter, the southeast one-quarter of the northeast one-quarter, and the northwest one-quarter of the southeast one-quarter, all in Section 36, Township 16 South, Range 23, East, W.M., Crook County, Oregon.

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WATER RIGHTS APPLICATION MAP

TOWNSHIP 16 SOUTH, RANGE 23 EAST, SECTION 36, W.M., CROOK COUNTY, OREGON, MAY, 2021

NORTHWEST CORNER OF SECTION 31

TAX LOT 1600 (MAP 16 24 00)

NW-NW-S31

PROPOSED POINT OF APPROPRIATION (WELL 10, CR002758)
EXISTING POINT OF APPROPRIATION FOR IRRIGATED LANDS UNDER CERTIFICATION 88752. LOCATED 1810 FEET SOUTH AND 230 FEET EAST FROM NORTHWEST CORNER OF SECTION 31, T16S, R24E, W.M.

PROPOSED POINT OF APPROPRIATION (WELL 9, CR002757)
EXISTING POINT OF APPROPRIATION FOR IRRIGATED LANDS UNDER CERTIFICATION 88752. LOCATED 1860 FEET SOUTH AND 250 FEET EAST FROM NORTHWEST CORNER OF SECTION 31, T16S, R24E, W.M.

PROPOSED PIPELINE

PAULINA SUPLEE RD.

SW-NW-S31

T16S, R24E SECTION 31

TAX LOT 1800 (MAP 16S23E)

T16S, R23E SECTION 36

NE-SE-S36

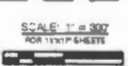
NW-NE-S36
EXISTING: 10.8 ACRES
PROPOSED: 14.3 ACRES

NE-NE-S36
EXISTING: 26.5 ACRES

SE-NE-S36
EXISTING: 18.0 ACRES
PROPOSED: 0.2 ACRES

SW-NE-S36
EXISTING: 0.3 ACRE
PROPOSED: 34.5 ACRES

NW-SE-S36
PROPOSED: 2.5 ACRES



- LEGEND**
- X.X ACRES
 - LANDS IRRIGATED UNDER POI
 - PROPOSED PIPELINE
 - POINT OF APPROPRIATION

EXISTING WATER RIGHTS, CERT. 88752
53.4 TOTAL ACRES, PRIORITY 2005

PROPOSED PLACE OF USE, PRIMARY IRRIGATION
51.5 TOTAL ACRES

NO.	REVISION	DATE
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

H.A. McCoy
Professional Engineer
No. 12345
CROOK COUNTY, OREGON

PROJECT: HERMECK RANCHES WATER RIGHTS
PROJECT LOCATION: CROOK COUNTY
CLIENT: HERMECK AT THE Y RANCH, LLC

WATER RIGHTS APPLICATION MAP

JOB NO. 19-045
DRAWN BY JLM
DRAWING
WR1.0

FILE: J:\Draws\19-045\19-045.dwg
DATE: 5/12/21 3:14 PM
USER: jlm

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

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.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Well Development
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Project Schedule
- SECTION 8: Resource Protection
- SECTION 9: Within a District *NOT APPLICABLE*
- SECTION 10: Remarks

Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (must be an original) *CROOK COUNTY PROVIDED VIA EMAIL* or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$ 2560
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - 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 diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050. The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$260. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$410.00 for the applicant and \$810.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate

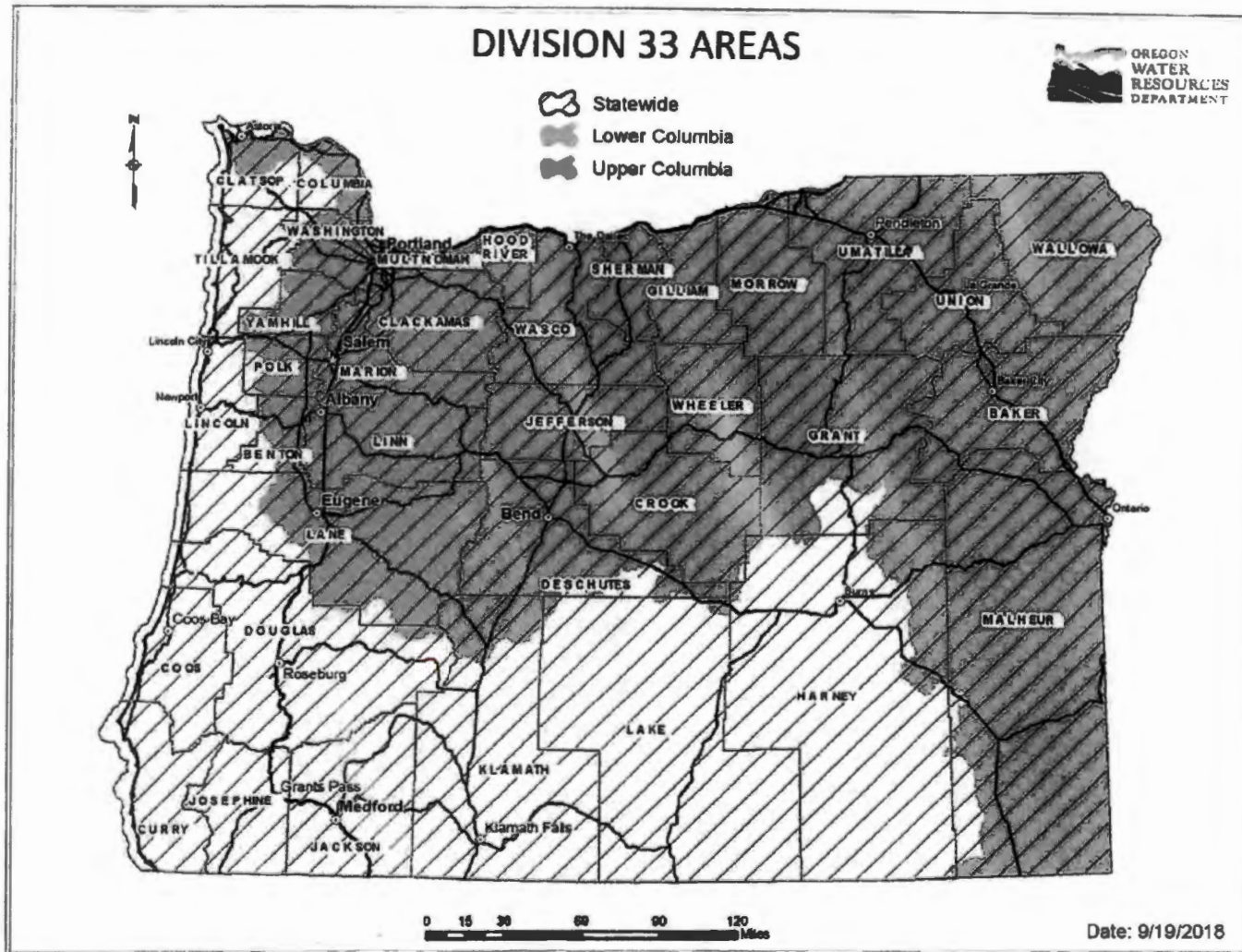
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Figure 1: Map of Division 33 Areas

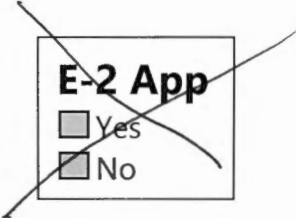


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For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the Division 33 rules apply: https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/



Standard Application Completeness Checklist

Groundwater and Surface Water Applications Only

Minimum Application Requirements (OAR 690-310-0040 &-0050)

For use by WRD staff only

2 POA

Application #:	G-19153	Receipt #:	135484
Applicant Name:	Hammreck @ the Y Ranch LLC	Amount Requested:	0.47 cfs
Priority Date:	6-8-2021	Proposed Use:	IR
County:	Cook	POD's TRS &TL:	16s, 23/24E, 31/36 TL: 1800
WM #:	11	Caseworker:	<input type="checkbox"/> KF <input checked="" type="checkbox"/> LG
Reviewed by:	CM.	Reviewed Date:	June 16, 2021

Applicant/Organization Name and Mailing Address

Signature of **all** applicants (include title or authority of representative if applicant is an organization or corporation). Note: Applicant's agent may NOT sign the application on behalf of the applicant.

Property Ownership: Does the applicant own all the land for the proposed project? Yes No

If No:

The affected landowner's name(s) and mailing address(s) must be listed.

A signed statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.

For a SW Application: Source of water must be indicated.

If the source is stored water, is the stored water component filled out and does the applicant own the reservoir or include a non-expired agreement for stored water? (ORS 537.400)

If for stored water, is the source authorized under a permit, certificate, or decree?

Permit or Certificate issued: Y N Permit or Certificate #: [REDACTED]

NOTE: An expedited secondary (E2) application and a reservoir application cannot be filed at the same time. The reservoir must be legally authorized first, under an existing water right, in order to accept and process an E2 application.

For a GW Application: Well development table completed and a well log report included (if existing)

Division 33 (Sensitive, Threatened, Endangered, Fish Species)

Proposed Water Use:

Amount of water from *each* source in GPM, CFS, or AF

Period of use indicated

If for supplemental irrigation, primary acreage or underlying permit or certificate number listed.
(Note: Primary and Supplemental Irrigation counts as 2 uses)

Water Management Section

Resource Protection Section

- Project schedule. (Note: If system is already completed, indicates "existing.", (Note: Estimates are okay if the water system has not been designed))
- Supplemental data sheets enclosed (if needed)
 - Form M (Municipal or Quasi-Municipal)
- A completed **Land-Use Form** or receipt signed and dated by the appropriate planning department. Please be certain that the Land-Use form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months.
- A **Legal Description** of all the properties involved where water is diverted, conveyed, and used. The legal description includes a metes and bounds or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or applicant may submit a lot book report prepared by a title company. Copies of tax bills are not acceptable
- The proposed source IS IS NOT restricted or withdrawn from further appropriation. **NOTE:** If it is withdrawn under ORS 538, reject/return application and fees.
- The **map** must meet all the minimum requirements of OAR 690-310-0050.
 - Township, Range, Section
 - Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU)
 - Place of use, 1/4-1/4's and tax lot clearly identified
 - Even map scale not less than 4" = 1 mile (1" = 1320 ft.); examples: 1" = 100 ft., 1" = 200 ft.
 - Location of **each** diversion point or well by reference to a recognized public land survey corner.
 - Multiple wells shall be uniquely labeled, and identified on well logs, if existing.
 - Reference corner on map
 - North directional symbol
 - Number of acres per 1/4 1/4 if for irrigation, nursery, or agriculture

Fees: Amount of Water Requested: 0.47 cfs Name on Check: HA McCoy Engineering + Survey, LLC

Exam Fee Due:	\$ 2040. ⁰⁰
Exam Fee Submitted:	\$ 2040. ⁰⁰
Difference:	\$ X
Recording Fee Paid?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No \$ 520. ⁰⁰
Total:	\$ 2560. ⁰⁰

**Oregon Water Resources Department
Groundwater Application**

-  [Main](#)
-  [Help](#)
-  [Return](#)
-  [Contact Us](#)

Today's Date: Wednesday, June 16, 2021

Base Application Fee.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	0.47	\$350.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed groundwater points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	2	\$350.00
Subtotal:		\$2,040.00
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st groundwater point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$2,560.00



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

June 16, 2021

Dear Applicant:

The Oregon Water Resources Department has received your groundwater application for a water use permit. Your application has been assigned file number **G -19153**. Please refer to this number when contacting the Department. Should you have any questions about your application, please contact the following Water Rights Specialist assigned to your application:

Lisa Graham, Water Rights Specialist	Phone: 503-986-0808
	Email: elisabeth.a.graham@oregon.gov

A description of the steps that are used for processing a water right application are shown on the reverse side of this letter.

The first step in the water rights process is the completion of a groundwater review by the Department. This review can take approximately 6-9 months to complete, sometimes longer. Once the groundwater review is completed, you will receive a copy of an Initial Review that summarizes the Department's preliminary determinations. Copies of the Proposed Final Order and Final Order will also be mailed to you.

Please note that your application is subject to review and comment from other state agencies and interested parties.

Sincerely,

Cory Middleton
Customer Service Representative
Oregon Water Resources Department

cc: File
Hayes McCoy/H.A. McCoy Engineering & Surveying, Agent.

Water-Use Permit Application Processing Steps

Oregon Water Resources Department

1. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$260. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

2. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

3. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the Initial Review, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

4. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$410.00 for the applicant and \$810.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

5. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit will specify the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

WORK COPY

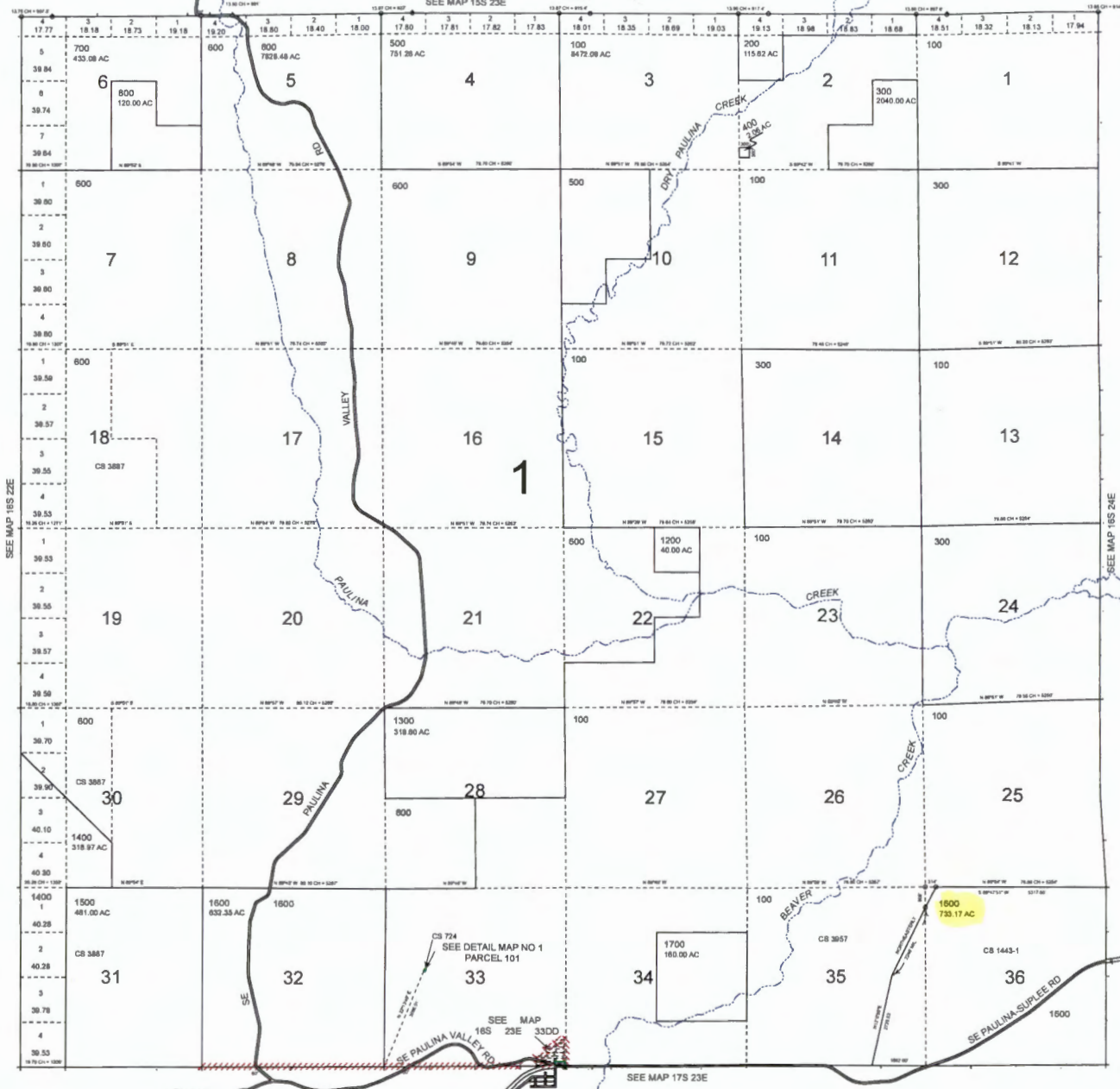
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



T.16S. R.23E. W.M. CROOK COUNTY 1" = 2000'

16S23E & INDEX

CANCELLED:
102
900
1000
1100



Revised: MA 2/14/2013 & INDEX 16S23E

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # **135484**

INVOICE # _____

RECEIVED FROM: HA McCoy Engineering & Surveying, LLC
 BY: _____

APPLICATION	G-19153
PERMIT	
TRANSFER	

CASH: CHECK:# 2680 OTHER: (IDENTIFY)

TOTAL REC'D \$ 2,560.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____ 4611
 0410 RESEARCH FEES \$ _____
 0408 MISC REVENUE: (IDENTIFY) \$ _____
 TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
 0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER	\$ _____	0202	RECORD FEE	\$ _____
0203 GROUND WATER	\$ <u>2040.00</u>	0204		\$ <u>530.00</u>
0205 TRANSFER	\$ _____			

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	\$ _____	0219	LICENSE FEE	\$ _____
LANDOWNER'S PERMIT		0220		\$ _____
OTHER (IDENTIFY)				

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **135484**

DATED 6-8-2021

BY: Mindy Carlson

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

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

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TRANSFER	

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1083 TREASURY 4170 WRD MISC CASH ACCT

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

4270 WRD OPERATING ACCT

MISCELLANEOUS 46111

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

WATER RIGHTS:	EXAM FEE		RECORD FEE
0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$ 2040.00	0204	\$ 530.00
0205 TRANSFER	\$		
WELL CONSTRUCTION	EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$
OTHER (IDENTIFY) _____			

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

WATER RIGHTS APPLICATION MAP

TOWNSHIP 16 SOUTH, RANGE 23 EAST, SECTION 36, W.M,
CROOK COUNTY, OREGON. MAY, 2021

RECEIVED

JUN 08 2021

OWRD

DRAWING STATUS:	DATE:	REVISION:
<input checked="" type="checkbox"/> WATER RIGHTS	05/04/21	
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		

H.A. MCCOY
ENGINEERING & SURVEYING, LLC
1111 SW Lee Street, Salem, OR 97306
P.E. B.L.S. CWRB
541-424-7854
hays@hmc-engineering.com

PROJECT: HERMRECK RANCHES WATER RIGHTS
PROJECT LOCATION: CROOK COUNTY
CLIENT: HERMRECK AT THE Y RANCH, LLC

SHEET TITLE:
WATER RIGHTS APPLICATION MAP

JOB NO. 19-045
DRAWN BY: JJW
DRAWING: **WR1.0**

NORTHWEST CORNER OF SECTION 31

TAX LOT 1600 (MAP 16 24 00)

NW-NW-S31

PROPOSED POINT OF APPROPRIATION (WELL 10, CR002758)
EXISTING POINT OF APPROPRIATION FOR IRRIGATED LANDS UNDER CERTIFICATION 89752. LOCATED 1810 FEET SOUTH AND 230 FEET EAST FROM NORTHWEST CORNER OF SECTION 31, T16S, R24E, W.M.

PROPOSED POINT OF APPROPRIATION (WELL 9, CR002757)
EXISTING POINT OF APPROPRIATION FOR IRRIGATED LANDS UNDER CERTIFICATION 89752. LOCATED 1860 FEET SOUTH AND 250 FEET EAST FROM NORTHWEST CORNER OF SECTION 31, T16S, R24E, W.M.

PROPOSED PIPELINE

PAULINA SUPLEE RD.

SW-NW-S31

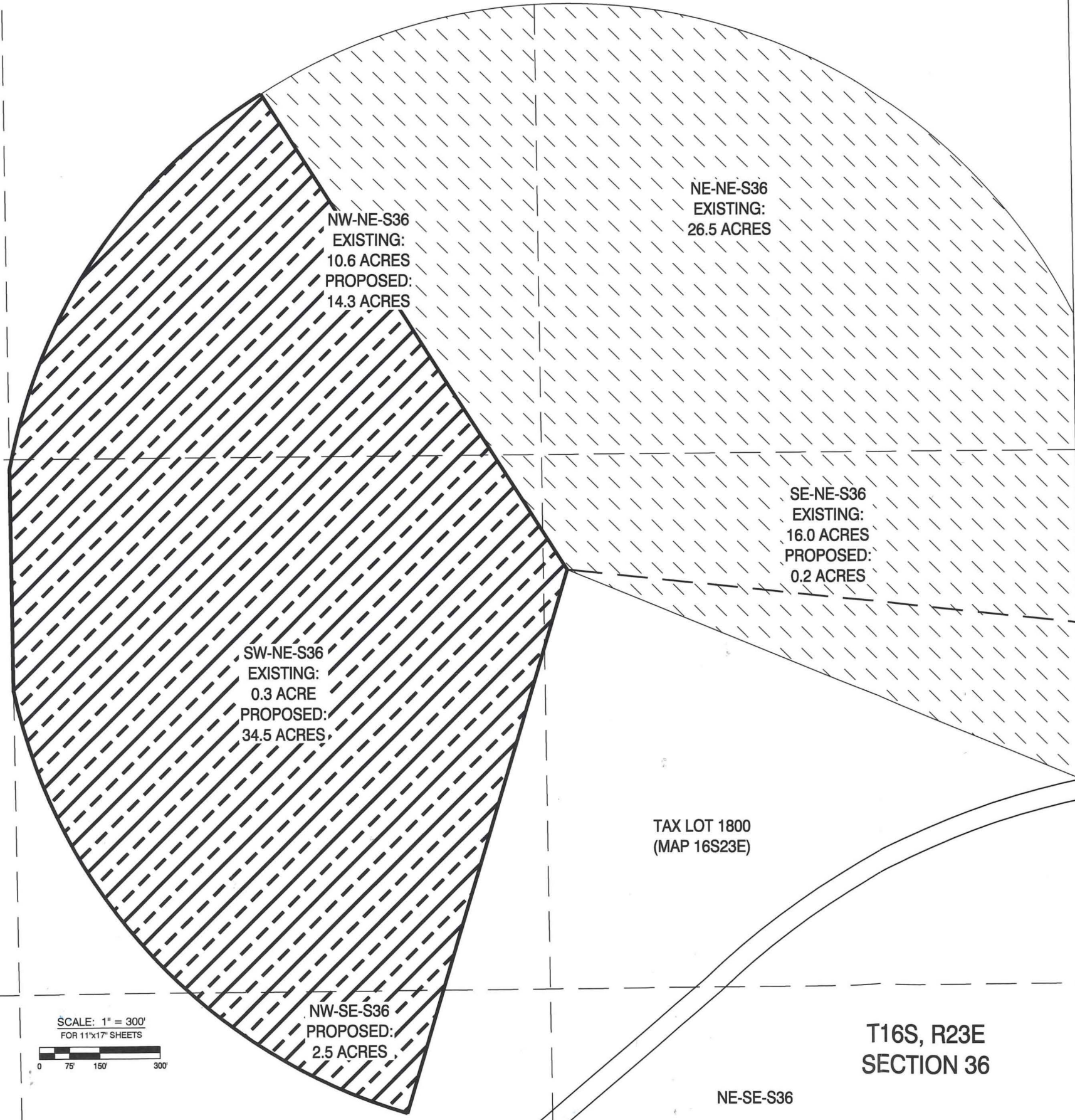
T16S, R24E SECTION 31

T16S, R23E SECTION 36

NW-SW-S31

NE-SE-S36

TAX LOT 1800 (MAP 16S23E)



NW-NE-S36
EXISTING:
10.6 ACRES
PROPOSED:
14.3 ACRES

NE-NE-S36
EXISTING:
26.5 ACRES

SE-NE-S36
EXISTING:
16.0 ACRES
PROPOSED:
0.2 ACRES

SW-NE-S36
EXISTING:
0.3 ACRE
PROPOSED:
34.5 ACRES

NW-SE-S36
PROPOSED:
2.5 ACRES

SCALE: 1" = 300'
FOR 11"x17" SHEETS