

ASSIGNED

FILE#: G 13801

DELMER MCCLEAN

MCCLEAN, JO

BOX 18

DIAMOND, OR 97722

Date filed

Priority

Action suspended until

Return to applicant

Date of approval

CONSTRUCTION

Date for beginning JUL 31 1997

Date for completion OCT 1 1999

Extended to 10-1-04

Date for application of water OCT 01 1999

Extended to 10-1-04

PROSECUTION OF WORK

Form "A" filed

Form "B" filed

Form "C" filed

FINAL PROOF

Blank mailed

Proof received

Date certificate issued

Application No. G13801

Permit No. G12639

Certificate No.

Stream Index, Page No. 12

FEES PAID

Date	Amount	Receipt No.
8-30-94	628.-	116086
10-1-02	100.00	116086
4-3-02	25.00	ACCOUNT
4-8-03	100.00	59208
Cert. Fee		

FEES REFUNDED

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

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
4/3/02	Boaring Spring Ranch Inc.	HC 72 Box 50, Fendholt, OR 97736	9	195

REMARKS

No Pump test as of 9/22/08

Stacy Davies

Roaring Spring

Permit- 12639

(541) 495 2263

RSprings © OregonTrail.net



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

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

December 6, 2019

ROARING SPRINGS RANCH INC.
985 NW 2ND ST
KALAMA WA 98625

Reference: Application G-13801 Permit G-12639

The Department has been reviewing the Claim of Beneficial Use (claim) report and map, received on May 27, 2003. The Department is prepared to issue a proposed certificate for this permit; however the Department has identified an issue that must be resolved before the issuance of a certificate.

The Pump Test requirement for the permit has not yet been satisfied. Oregon Administrative Rule 690-217-0020(1) requires that ground water permit holders with a priority date on or after December 20, 1988 submit the results of a pump test for each well listed in your claim of beneficial use before a water right certificate can be issued. These rules also allow the well owner to request one of two types of exemptions related to the testing of the well(s). The first type of exemption request is for an "Unreasonable Burden." This exemption can be requested if testing the well(s) would place an unreasonable burden on the well owner (OAR 690-217-0015(3) and (4)). Examples could include a) an economic hardship or b) the test would cause an interruption of services to customers or possible other necessary uses from the well (domestic, livestock, ect.). The second exemption request allows an owner with multiple wells to request that a qualifying, previously approved pump test on one of their wells be used to satisfy the requirement for additional wells under their ownership (OAR 690-217-0020(3)). No fee is required to request either type of exemption. Exemptions must be requested in writing using one of the two exemption forms before being considered. A one page description of the Pump Test Program along with the necessary forms to request either type of exemption or perform the test is attached. Should you have any additional questions concerning the Pump Test requirements, please contact Halley Barnett at 503-986-0879 or send an email to: wrd_dl_pumptestsupport@oregon.gov

Please see enclosures which include 1) a Pump Test Packet and 2) draft certificate for Application G-13801. Please contact the Department and let us know how you wish to proceed. If you have any questions please contact me at 503-986-0813.

Sincerely,

Jonnine Skaug
Certificate Section

enclosures

Cc: File G-13801
WM # 10
Chris Palmer, CWRE - M A Palmer & Sons Inc.

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROARING SPRINGS RANCH INC.
985 NW 2ND ST
KALAMA WA 98625

confirms the right to the use of water perfected under the terms of Permit G-12639. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-13801

SOURCE OF WATER: ONE WELL IN THE RIDDLE CREEK BASIN, WITHIN THE MALHEUR LAKE BASIN

PURPOSE or USE: IRRIGATION OF 48.4 ACRES

MAXIMUM RATE: 0.61 CUBIC FEET PER SECOND

PERIOD OF USE: BETWEEN MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: AUGUST 30, 1994

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
28 S	33 E	WM	31	NW SE	2485 FEET NORTH AND 3345 FEET EAST FROM SW CORNER, SECTION 31

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	33 E	WM	31	SW NE	2.8
28 S	33 E	WM	31	SE NW	13.0
28 S	33 E	WM	31	NE SW	24.8
28 S	33 E	WM	31	NW SE	7.8

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a 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 water user to report general water-use information, including the place and nature of use of water under the right.
- B. The water user 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.

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

The wells shall be maintained 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 the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

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

This right 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 right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued _____

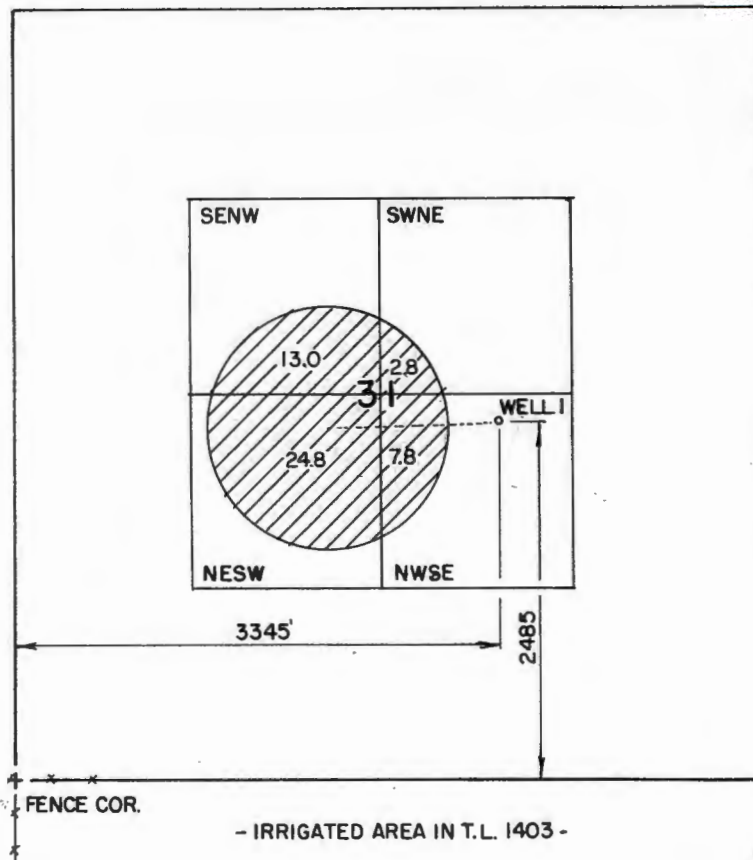
Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

RECEIVED

MAY 27 2003

WATER RESOURCES DEPT.
SALEM, OREGON

T 28 S, R 33 E, WM



THE PURPOSE OF THIS MAP IS TO
IDENTIFY THE LOCATION OF THE
WATER RIGHT. IT IS NOT INTENDED
TO PROVIDE INFORMATION RELATIVE
TO THE LOCATION OF PROPERTY
OWNERSHIP.

FINAL PROOF SURVEY

UNDER
APPLICATION G-13801
PERMIT G-12639

IN THE NAME OF
ROARING SPRINGS
RANCH, INC

Scale: 4" = 1 MILE

Date: APRIL 2003

Job: 1440-03

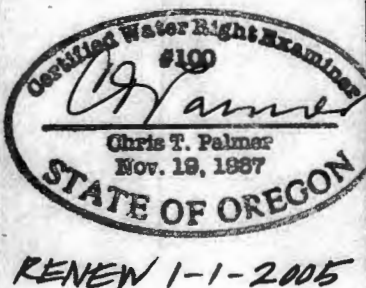
Dsn:

M. A. PALMER & SONS, INC.
ENGINEERING & SURVEYING
254 N. Alder - Box 61
Burns, Oregon 97720

Sht. No.

Ckd:

of 1

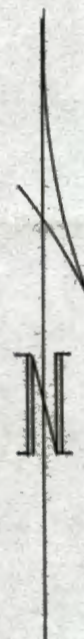
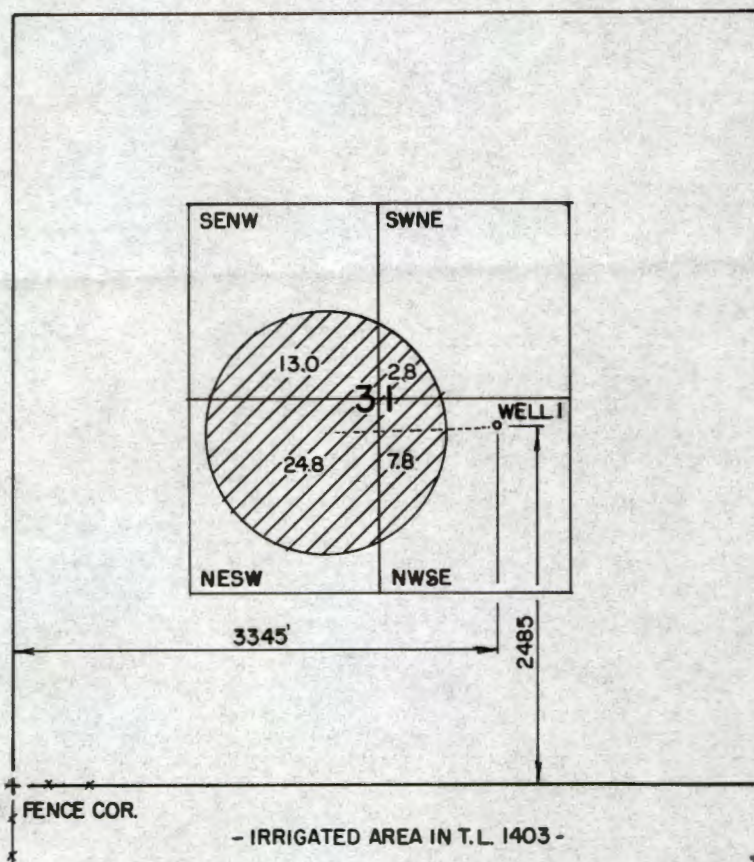


RECEIVED

MAY 27 2003

WATER RESOURCES DEPT.
SALEM, OREGON

T 28 S, R 33 E, WM



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP.

RENEW 1-1-2005	FINAL PROOF SURVEY			IN THE NAME OF ROARING SPRINGS RANCH, INC.	
	UNDER APPLICATION G-13801 PERMIT G-12639				
	Scale: 4" = 1 MILE	Date: APRIL 2003		Job: 1440-03	
	Dsn:	M. A. PALMER & SONS, INC. ENGINEERING & SURVEYING 254 N. Alder - Box 61 Burns, Oregon 97720		Sht. No.	
	Drn: CHRIS			of 1	
Ckd:					

MEMO –Proof to Satisfaction (March 17, 2014)

Application # <u>G-13801</u>	Permit # <u>G-12639</u>	Transfer #
WRD Reviewer <u>J Skaug</u>	Date <u>11-8-19</u>	
WRD Peer Reviewer <u>C. Holmes</u>	Date <u>11-13-19</u>	

Research

- ☒ Organize file in chronological order
- ☒ Pull CBU Report & Map(s), Application Map, relevant Permit, Certificate, or Transfer Order, most recent Assignments, Extension Orders, SWL Measurements, Fish Screen Certification Documents, Water Use Reports & Pump Tests
- ☒ Search for Water Right Location using Interactive Mapper. Identify Tax Lots & check for Area of Interest (AOI)
- ☒ Water Organization identified using AOI? ☒ No ☐ Yes
If "Yes" cc: _____ & Add to Mailing List
- ☒ Print Tax Lot Map from ormap.net for the original Place of Use, and confirm Current Ownership & Address with County Assessor tax lot 1403 & 501 (same owner & address)
If there is a new owner, Add to Mailing List, including the owner(s) name & tax lot number
- ☒ Print Platcard & check for Place of Use Conflict? ☒ No ☐ Yes
If "Yes", provide copy of certificate & relevant map
- ☒ Print BLM Cadastral Survey
- ☒ Does Claim Map identify correct DLC, Gov't Lots, QQ's? ☐ No ☒ Yes
If "No", either _____ WRD amend map OR _____ prepare Order of Certification

Reviewing Claim

Have conditions on relevant permit, certificate, or transfer order been complied with? Yes, No, OR N/A

- ☐ Fish Conditions
 - ☒ Meter/measuring device "(under terms & conditions)"
 - ☒ Water Use Reporting - Reported in 2001
 - ☒ Pump Test (post December 19, 1988) no pump test submitted
 - ☒ Other Conditions _____
- ☐ SWL
 - ☒ C-Date 10-1-1999 (ext 10/1/04) claim filed 5-27-03
See attached
 - ☒ Run Capacity Calculator and Print Findings (for pump, sprinklers, pipes, ditches, as appropriate)

NOTES:

Dohn's Palmer, M A Palmer & Sons inc

NO PUMP TEST

Developed 48.4 of 173.2 draft proposed cert.

Determination

___ I've determined that the permit/transfer was fully developed as authorized and that a **FINAL** Certificate should be issued.

___ I've determined that the permit/transfer was not fully developed as authorized and that a **PROPOSED** Certificate should be issued. A proposed Certificate should be issued for the following reason(s):

____ I've determined that beneficial use was NOT made within the terms and conditions and that a **Proposed Order of Certification** (denial) should be issued. A proposed Order of Certification should be issued for the following reason(s):

✓ draft cert w/ letter letting them know we need a pump test

Processing

Stamp PROPOSED or Assign CERT# _____ or ORDER OF CERTIFICATION (circle one)

____ Draft Certificates or Proposed Order of Certifications are available in the Application directory.

____ Prepare Mailing List. Include Applicant(s); Receiving Landowner(s); Current Owner(s); Water Organizations; CWRE. Indicate records to be marked.

___ Record marking: App _____ Permit _____ Cert _____
 App _____ Permit _____ Cert _____
 App _____ Permit _____ Cert _____
 App _____ Permit _____ Cert _____

NOTES:

[illegible]

Pump Capacity Calculator
using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 15
Efficiency = 7.04
Lift = 92
PSI = 20

Results Calculated

$(hp)(\text{efficiency}) = 105.6$
Head based on psi = 50.8
Total dynamic head = 142.8
(head + lift)

Pump Capacity = 0.739 cubic feet per second

claim says 0.69 CFS
 $180 \times 48.4 = 0.609$ (0.61 CFS)



Tax Lots

Identify Tax Lots

[OR Map](#)

- ☐ Off
☒ On

County: Harney
 Taxlot: 28S33E000001403
 Owner1: ROARING SPRINGS RANCH INC
 Owner2:
 Owner Address: 985 NW 2ND ST, KALAMA WA 98625-9647
 Site Address: 50005 LAVA BED RD, DIAMOND, OR 97722
 Acres: 2515.1
 TRSQQ: WM28.00S33.00E0XXXX
 Effective Date: May 1, 2019

Note: Tax lot information provided here is for general query purposes. It may not be up to date or may not be an official record. Please contact the respective county tax assessor's office for more current and specific information.

It is recommended to zoom to a detailed extent before query.

Tax Lots

Identify Tax Lots

[OR Map](#)

- ☐ Off
☒ On

County: Harney
 Taxlot: 28S32E000000501
 Owner1: ROARING SPRINGS RANCH INC
 Owner2:
 Owner Address: 985 NW 2ND ST, KALAMA WA 98625-9647
 Site Address: , , OR
 Acres: 301.7
 TRSQQ: WM28.00S32.00E0XXXX
 Effective Date: May 1, 2019

Note: Tax lot information provided here is for general query purposes. It may not be up to date or may not be an official record. Please contact the respective county tax assessor's office for more current and specific information.

It is recommended to zoom to a detailed extent before query.

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2020

NOT OFFICIAL VALUE

November 12, 2019 3:34:09 pm

Account # 92462

Map # 28S33E000001403

Code - Tax # 0720-92462

Tax Status ASSESSABLE

Acct Status ACTIVE

Subtype NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name ROARING SPRINGS RANCH INC

Agent

In Care Of

Mailing Address 985 NW 2ND ST
KALAMA, WA 98625-9647

Deed Reference # See Record

Sales Date/Price See Record

Appraiser COREY HILL

Prop Class 559 MA SA NH Unit
RMV Class 559 05 00 072 10511-1

Situs Address(s)	Situs City
ID# 50005 LAVA BED RD	DIAMOND

Code Area	RMV	MAV	Value Summary AV	RMV Exception	CPR %
0720 Land	938,460			Land	0
Impr.	126,410			Impr.	0
Code Area Total	1,064,870	459,130	191,688		0
Grand Total	1,064,870	459,130	191,688		0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0720	1	☐		EFRU-1	Farm Use Zoned	100	A	47.37	2	006*	118,430
0720	2	☐		EFRU-1	Farm Use Zoned	100	A	178.63	5	006*	98,250
0720	3	☐		EFRU-1	Farm Use Zoned	100	A	2,288.08	7A	006*	686,420
0720	4	☐		EFRU-1	Farm Use Zoned	100	A	1.00	HS	006*	360
0720	7	☐		EFRU-1	Farm Use Zoned	100	A	0.00	IW	006*	7,000
0720					SITE AMENTIES	100					14,000
0720					SITE AMENTIES	100					14,000
Grand Total								2,515.08			938,460

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown	TD%	Total Sq. Ft.	Ex%	MS Acct #	Trended RMV
0720	16		311	MAINLINE 8"		100	949			9,600
0720	1	1971	441	MS Single wide		100	11,822		R - 75398	500
0720	13		303	GP SHED		100	48			480
0720	12		303	GP SHED		100	264			790
0720	11		110	Residential Other Improvements		100	0			1,950
0720	15		110	Residential Other Improvements		100	0			1,810
0720	5		303	GP SHED		100	288			1,150
0720	14		390	MISCELL		100	0			4,500
0720	4		361	LIVESTOCK SHED		100	2,304			11,950
0720	3		304	GP BUILDING		100	2,240			22,410
0720	2	1987	452	MS Double wide		100	2,087		R - 75936	71,270
Grand Total							20,002			126,410

MS Account(s): 0720-R-75398, R-75936

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2020

NOT OFFICIAL VALUE

November 12, 2019 3:34:59 pm

Account # 92461

Map # 28S32E000000501

Code - Tax # 0720-92461

Tax Status ASSESSABLE

Acct Status ACTIVE

Subtype NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name ROARING SPRINGS RANCH INC

Agent

In Care Of

Mailing Address 985 NW 2ND ST
KALAMA, WA 98625-9647

Deed Reference # See Record

Sales Date/Price See Record

Appraiser TAMMY ATTLEBERGER

Prop Class 550 MA SA NH Unit
RMV Class 550 05 00 072 10510-1

Situs Address(s) Situs City

Code Area	RMV	MAV	Value Summary AV	RMV Exception	CPR %
0720 Land	132,250			Land	0
Impr.	0			Impr.	0
Code Area Total	132,250	50,920	9,714		0
Grand Total	132,250	50,920	9,714		0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0720	1	☐		EFRU-1	Farm Use Zoned	100	A	160.00	5	006*	88,000
0720	2	☐		EFRU-1	Farm Use Zoned	100	A	35.00	6	006*	12,250
0720	3	☐		EFRU-1	Farm Use Zoned	100	A	106.65	7A	006*	32,000
Grand Total								301.65			132,250

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown	TD%	Total Sq. Ft.	Ex% MS Acct #	Trended RMV
Grand Total								0	0

Water Use Report Based on Water Right



Permit: G 12639 *

ROARING SPRINGS RANCH INC. 31437 HWY 205 FRENCHGLEN, OR 97736

Records per page: 10 [View All](#)

Acre-feet (AF) of Water Used

<u>Water Year*</u>	<u>Report ID</u>	<u>Facility</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sep</u>	<u>Total Water Used</u>	<u>Irrigated Acres</u>
2001	37602	WELL 1 (HARN 1932)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	195.00	195.00	195.00	195.00	0.00	780.00	
2001	37603	WELL 2 (HARN 1554)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	97.50	97.50	97.50	97.50	0.00	390.00	

*The water year is named for the calendar year in which it ends. Example: the 2018 water year begins Oct. 1, 2017 and ends Sep. 30, 2018.

- The Water Resources Department makes reasonable efforts to screen the data for quality control; however, the Department cannot accept responsibility for errors, omissions, or accuracy of the information. Notification of any errors is appreciated. Send notifications to wateruse@wr.state.or.us or call (503) 986-0905.
- Water use is reported by point of diversion (POD), rather than by water right.
- If a POD is shared with multiple water rights, it is not feasible to separate out the amount used under the water right being queried from water used by other rights using this same POD.
- Monthly amounts indicate:
 - For diverted rights, the total amount diverted during the month;
 - For storage rights, the amount generally stored in the reservoir/pond during the month, as represented by the volume of water impounded on approximately the same day each month.
- Water use amounts have all been converted to "acre-feet" (AF), regardless of the original measurement unit reported. One AF is the volume of water that will cover an acre of ground one foot deep = 325,850 gallons.
- Zeroes indicate that a report was received stating that no water was used during those months; if a year is not listed, no report of water use was received for that year.



Oregon Water Resources Department
Water Rights in the Same Area

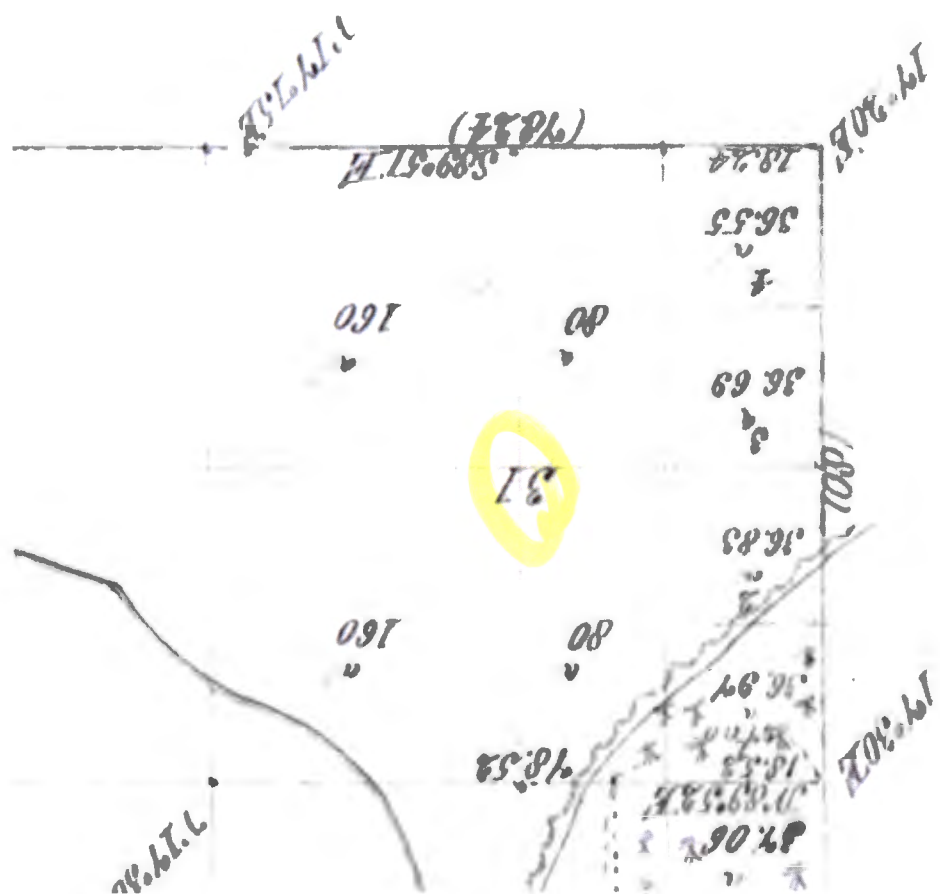
no conflict

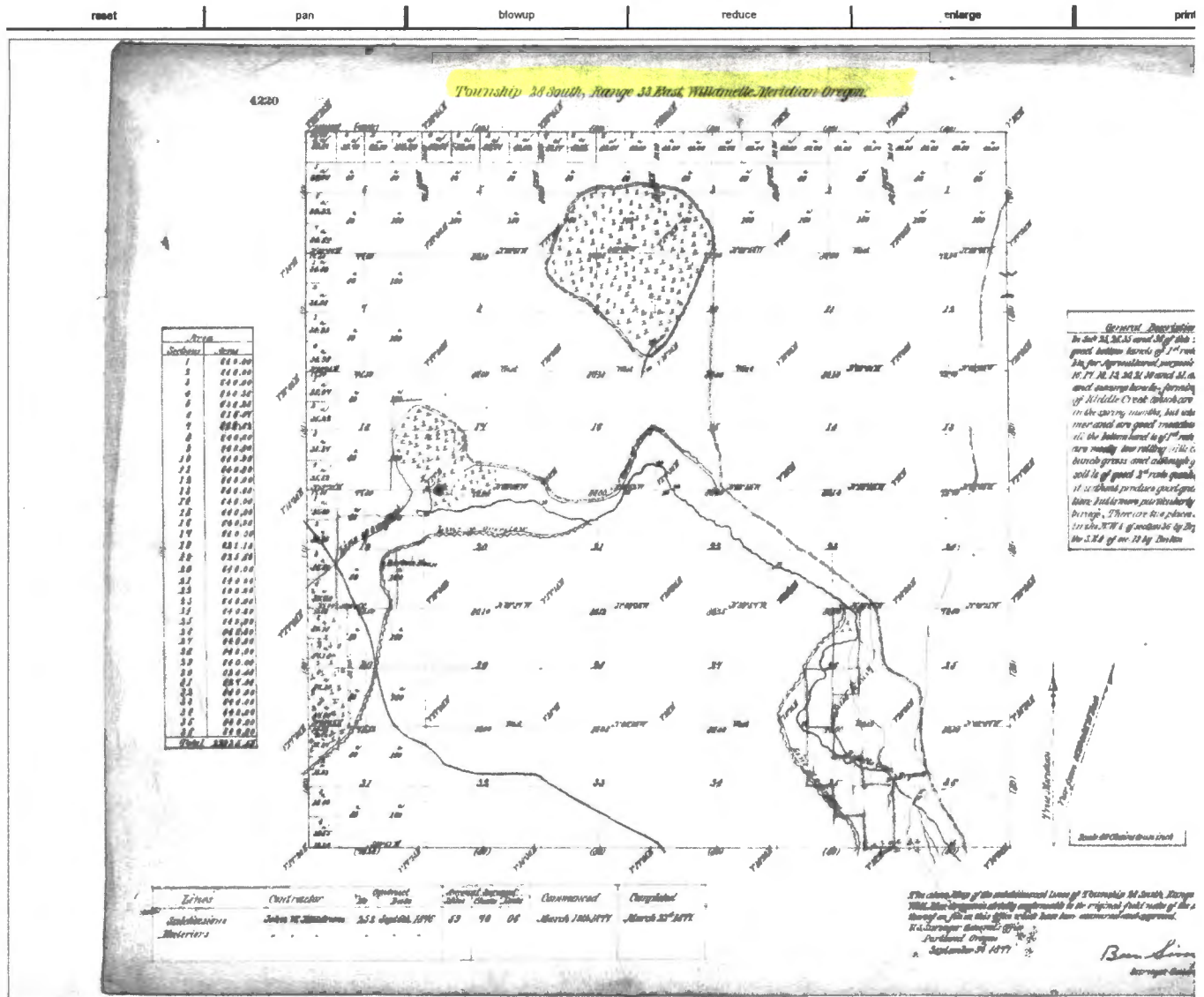
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[Return](#)
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Places of Use from Water Rights in the Same Area

The following rights have acreage in the same quarter-quarter as Permit: G 12639 *

Right	Name	Decree	App	Permit	Cert	Priority	Status	Use	T-R-S-QQ	DLC	Gov't Lot	Acres
<u>CLAIM:SW 90 *</u>	RICHARD JENKINS					12/31/1876	NC	IR	28.00S-32.00E-36-SENE			1.4000
								IR	28.00S-33.00E-31-NENW			2.6000
								IR	28.00S-33.00E-31-NWNW			18.0000
<u>CERT:69602 OR *</u>	JO MCLEAN	R-75491			69602	1/1/1993	NC	LV	28.00S-33.00E-31-NWSE			
								LV	28.00S-33.00E-31-NESW			
								LV	28.00S-33.00E-31-NWSW			
								WI	28.00S-33.00E-31-NWSW			
								WI	28.00S-33.00E-31-NESW			
								WI	28.00S-33.00E-31-NWSE			
<u>CERT:23299 OR *</u>	RICHARD J JENKINS	S-19453	S-15046	23299	8/6/1941	NC	IR	28.00S-32.00E-36-SENE				1.4000
								IR	28.00S-33.00E-31-NWNW		1	18.0000
								IR	28.00S-33.00E-31-NENW			2.6000





STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO *Assigned:*
Roaring Spring Ranch Inc
DELMER AND JO MCLEAN
BOX 18
DIAMOND, OREGON 97722

(541) 493-2484

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

APPLICATION FILE NUMBER: G-13801

SOURCE OF WATER: *one* TWO WELLS IN THE RIDDLE CREEK BASIN, WITHIN THE MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF ~~173.2~~ *48.4* ACRES

MAXIMUM RATE: ~~216~~ CUBIC FOOT PER SECOND *$\frac{1}{80} \times 48.4 = 0.605$ (0.61 CFS)*

PERIOD OF USE: BETWEEN MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: AUGUST 30, 1994

POINT OF DIVERSION LOCATION: NW ~~1/4~~ SE 1/4 AND NW ~~1/4~~ NW 1/4, SECTION 31, T28S, R33E, W.M.; WELL 1 - 2485 FEET NORTH & 3345 FEET EAST; WELL 2 - 4560 FEET NORTH & 1155 FEET EAST, BOTH FROM THE SW CORNER, SECTION 31

not included in the claim
The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

~~SW 1/4 NE 1/4 5.0 ACRES~~

~~SE 1/4 NE 1/4 30.8 ACRES~~

~~NE 1/4 SE 1/4 1.8 ACRE~~

~~SECTION 36~~

TOWNSHIP 28 SOUTH, RANGE 32 EAST, W.M.

~~SW 1/4 NE 1/4 1.5 ACRE~~ *2.8*

~~NE 1/4 NW 1/4 5.2 ACRES~~

~~NW 1/4 NW 1/4 16.0 ACRES~~

~~SW 1/4 NW 1/4 36.7 ACRES~~

~~SE 1/4 NW 1/4 28.4 ACRES~~ *13.00*

~~NE 1/4 SW 1/4 24.6 ACRES~~ *24.8*

~~NW 1/4 SW 1/4 9.8 ACRES~~

~~NW 1/4 SE 1/4 13.4 ACRES~~ *7.8*

~~SECTION 31~~

TOWNSHIP 28 SOUTH, RANGE 33 EAST, W.M.

Application G-13801 Water Resources Department

PERMIT G-12639

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, shall keep a complete record of the amount of water used each month and shall submit a 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.
- 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.

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.

Well #2 is not on claim
Well #2 shall be cased and sealed into a consolidated formation at least 50 feet below the land surface.

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.

pump test never submitted
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.

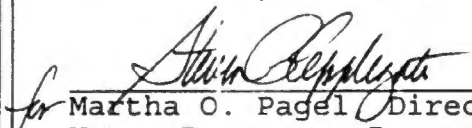
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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 July 31, 1996

A date = 7.31.1997
B date = 10.1.1998
C date = 10.1.1999
ext 10/1/04


Martha O. Pagel Director
Water Resources Department

Application G-13801
Basin 12

Water Resources Department
Volume 1 Basin 12 Misc.
MGMT.CODE 7BG, 7BR

PERMIT G-12639
District 10



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

ROARING SPRINGS RANCH INC.
HC 72 BOX 50
FRENCHGLEN, OR 97736

Subject: Water Right Permit Number G- 121639

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 HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DELMER AND JO MCLEAN
BOX 18
DIAMOND, OREGON 97722

(541) 493-2484

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

APPLICATION FILE NUMBER: G-13801

SOURCE OF WATER: TWO WELLS IN THE RIDDLE CREEK BASIN, WITHIN THE MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 173.2 ACRES

MAXIMUM RATE: 2.16 CUBIC FOOT PER SECOND

PERIOD OF USE: BETWEEN MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: AUGUST 30, 1994

POINT OF DIVERSION LOCATION: NW 1/4 SE 1/4 AND NW 1/4 NW 1/4, SECTION 31, T28S, R33E, W.M.; WELL 1 - 2485 FEET NORTH & 3345 FEET EAST; WELL 2 - 4560 FEET NORTH & 1155 FEET EAST, BOTH FROM THE SW CORNER, SECTION 31

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NE 1/4 5.0 ACRES
SE 1/4 NE 1/4 30.8 ACRES
NE 1/4 SE 1/4 1.8 ACRE

SECTION 36

TOWNSHIP 28 SOUTH, RANGE 32 EAST, W.M.

SW 1/4 NE 1/4 1.5 ACRE
NE 1/4 NW 1/4 5.2 ACRES
NW 1/4 NW 1/4 16.0 ACRES
SW 1/4 NW 1/4 36.7 ACRES
SE 1/4 NW 1/4 28.4 ACRES
NE 1/4 SW 1/4 24.6 ACRES
NW 1/4 SW 1/4 9.8 ACRES
NW 1/4 SE 1/4 13.4 ACRES

SECTION 31

TOWNSHIP 28 SOUTH, RANGE 33 EAST, W.M.

Application G-13801 Water Resources Department

PERMIT G-12639

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, shall keep a complete record of the amount of water used each month and shall submit a 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.
- 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.

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.

Well #2 shall be cased and sealed into a consolidated formation at least 50 feet below the land surface.

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.

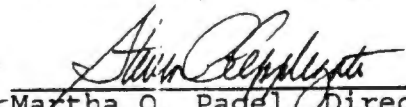
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 July 31, 1996


for Martha O. Pagel, Director
Water Resources Department

Application G-13801
Basin 12

Water Resources Department
Volume 1 Basin 12 Misc.
MGMT.CODE 7BG, 7BR

PERMIT G-12639
District 10

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: _____ 1/4: _____ 1/16: _____ 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 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: _____

PUMP TEST DATA SHEET

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

Recovery Data

[illegible]



M. A. PALMER & SONS, INC
ENGINEERING & SURVEYING
711 Ponderosa Village
P.O. Box 61
Burns, Oregon 97720

RECEIVED

MAY 27 2003
WATER RESOURCES DEPT.
SALEM, OREGON

Chris Palmer, P.E., P.L.S., C.W.R.E.
Cork Palmer, P.E., P.L.S., C.W.R.E.

Phone 541-573-6451
Fax 541-573-6431

SITE REPORT

for

CLAIM OF BENEFICIAL USE

UNDER:
Application G-13801
Permit No. G-12639

IN THE NAME OF:
Roaring Springs
Ranch, Inc

I. GENERAL INFORMATION

On April 10, 2003 I conducted a site survey of the irrigation lands located in Section 31, T 28 S, R 33 E, WM, Harney County, Oregon. There is one well supplying one pivot. The crops being irrigated are alfalfa and grass hay.

II. SURVEY METHODS

The field survey was done with the use of a "NIKON" DTM-430 total station with related field equipment. The control point was the southwest corner of Section 31.

III. SOURCE OF WATER

Well Drilled to a depth of 118 feet by Delmer McLean in 1992 with 1/4" thick X 12" diameter steel casing to 20 feet, capped with concrete with a 1-1/2" diameter inspection port, and with a static water level at 55 feet.

Motor: "Fairbanks-Morris", 15 hp, 60 cps, 3 phase, 1765 rpm.

Pump: Vertical line shaft turbine set at 92 feet, make & model unknown.

Meter: None.

IV. DISTRIBUTION SYSTEM

6' of 8" diameter steel pipe from well to 15' of 6" steel to 1195' of 6" pvc to the center of a "Valley" irrigation pivot with a wetted radius of 819 feet. The pivot has 80 sprinkler heads varying in size from 0.24 gpm to 6.72 gpm at 20 psi. The pivot also has an 2 hp end gun.

RECEIVED

MAY 27 2003

WATER RESOURCES DEPT.
SALEM, OREGON

FINAL PROOF CALCULATIONS

pumping level	85 feet
column loss	3 feet
pipng loss	12 feet
elevation loss	3 feet
pivot loss	20 feet
pressure (20 psi)	46 feet
misc. losses	<u>5</u> feet
Total.....	174 feet

$$\begin{aligned} Q &= (\text{HP} \times \text{Eff} \times 3960) / H \\ &= (15+2 \times .80 \times 3960) / 174 \\ &= 309.5 \text{ gpm} = 0.69 \text{ cfs} \end{aligned}$$

There are 48.4 acres beneficially irrigated.

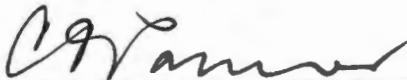
Per Permit G-12639 the maximum rate = 1/80 cfs/ac

$$Q = 48.4 \text{ ac} / 80 \text{ cfs/ac} = 0.61 \text{ cfs}$$

Therefore the system will irrigate the 48.4 acres at the maximum rate of 1/80 cfs/ac.

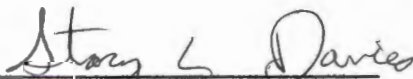
CERTIFICATION

I, Chris T. Palmer, Certified Water Rights Examiner, registered in accordance with the laws of the State of Oregon, do hereby certify that the final survey and inspection of the use was found to be completed under the terms and conditions of Permit G-12639 and was completed by me on April 10, 2003 and the facts contained in this report and accompanying final proof map are correct to the best of my knowledge.



Chris T. Palmer, CWRE # 100

I Stacy Davis, Manager for Roaring Springs Ranch, Inc, do hereby agree to the above findings of Chris T. Palmer, Certified Water Rights Examiner, and do hereby submit this site report and map as our Claim of Beneficial Use of the water as provided under the terms and conditions of Permit G-12639.



Stacy Davis, Manager
Roaring Springs Ranch, Inc

Stacy L. Davis



2000

Oregon Water Resources Department
October 2000 through September 2001
Annual Water Use - Monthly Quantities Form

2001



Facility  POD-ID 	Well #1 37602 T335	Well #2 37603 T335			
October - 2000	0	0			
November - 2000	0	0			
December - 2000	0	0			
January - 2001	0	0			
February - 2001	0	0			
March - 2001	0	0			
April - 2001	0	0			
May - 2001	195	97.5			
June - 2001	195	97.5			
July - 2001	195	97.5			
August - 2001	195	97.5			
September - 2001	0	0			
TOTAL *	780	390			

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: AF acre feet. If use is irrigation, total number acres irrigated 390
I certify this information is true and accurate to the best of my knowledge.Don Barnes

Signature

manager

Title

Rex Clemens Ranch

Reporting Entity

5-7-02

Date

DON BARNES

Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
158 12th Street NE; Salem, OR 97310-0200



OREGON WATER RESOURCES DEPARTMENT SUMMARY OF WATER RIGHTS FOR WATER USE REPORT



Dear Water User: Your water use report for October 2000 to September 2001 has not been received by our office. This information is important for water management in Oregon. Please complete the form on the reverse side for the water rights listed below. If you have questions, or need more time please, contact me at 503-378-8455 ext. 333. Thank you for your attention to this matter. Mary

REX CLEMENS RANCH INC
P.O. BOX 427
PHILOMATH OR 97370

USER-ID 28819

POD-ID	FACILITY	CERT	PERMIT	APPL	PRIORITY	USE	L/S	TWP	RANGE	SEC	Q/Q	RATE	SOURCE	TRIBUTARY TO				
37602		0	G	12639	G	13801	8/30/1994	IR	L	28	S	33	E	31	NWSE	2.16 C	P WELL 1	UNN STR
37603		0	G	12639	G	13801	8/30/1994	IR	L	28	S	33	E	31	NWNW	2.16 C	A WELL 2	UNN STR



OREGON WATER RESOURCES DEPARTMENT SUMMARY OF WATER RIGHTS FOR WATER USE REPORT



Dear Water User: It is a new water year! All water use reports for October 2001 to September 2002 are requested to be submitted by January 1, 2003. This information is important for water management in Oregon. Please complete the form on the reverse side for the water rights listed below. If you have questions, or need more time please, contact me at 503-378-8455 ext. 333. Thank you for your attention to this matter. Mary Grainey

USER-ID 9043

ROARING SPRINGS RANCH
HC 72 BOX 50
FRENCHGLEN OR 97736

POD-ID	FACILITY	CERT	PERMIT	APPL	PRIORITY	USE	L/S	TWP	RANGE	SEC	Q/Q	RATE	SOURCE	TRIBUTARY TO
37602	WELL 1	0	G	12639	G 13801	8/30/1994	IR	L	28 S	33 E	31 NWSE	2.16 C	P WELL 1	UNN STR
37603		0	G	12639	G 13801	8/30/1994	IR	L	28 S	33 E	31 NWNW	2.16 C	A WELL 2	UNN STR
37682		0	G	12697	G 13945	1/20/1995	IR	L	33 S	31 E	31 SESE	1.63 C	P A WELL	DONNER UND BLITZEN

old Prop Clemens Ranch
UDs 13195
a 28819

USER-ID

9043

Water Resources Department

MEMO

February 5, 1996

TO Application G-13801
FROM GW: Michael Zwart
(Reviewer's Name)
SUBJECT Scenic Waterway Interference Evaluation

☐ Yes
☒ No

The source of appropriation is within or above a Scenic Waterway.

☐ Yes
☒ No

Use the Scenic Waterway condition (Condition 7J).

PREPONDERANCE OF EVIDENCE FINDING: (Check box only if statement is true)

☒

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.

FLOW REDUCTION: (To be filled out only if Preponderance of Evidence box is not checked)

Exercise of this permit is calculated to reduce monthly flows in _____ Scenic Waterway by the following amounts expressed as a proportion of the consumptive use by which surface water flow is reduced.

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

13801

**Water Right Conditions
Tracking Slip**

Groundwater/Hydrology Section

FILE ## G-13801

ROUTED TO: Water Rights

TOWNSHIP/

RANGE-SECTION: T28S/R33E-31

CONDITIONS ATTACHED? ☐ yes ☒ no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Michael Zwart

13801

**Water Right Conditions
Tracking Slip**

Groundwater/Hydrology Section

FILE ## 6-13801

ROUTED TO: WATER RIGHTS

TOWNSHIP/

RANGE-SECTION: 28S/33E-31

CONDITIONS ATTACHED? ☒ yes ☐ no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: D. Woodcock

TO: Water Rights Section

Nov 28, 1994.

FROM: Groundwater/Hydrology Section D. Woodcock

Reviewer's Name

SUBJECT: Application G- 13801

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) ;
 - 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) 4I;
 - 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: INCLUDE THIS CONDITION ON PERMIT: WELL # 2 SHALL BE
CASED AND SEALED INTO A CONSOLIDATED FORMATION AT LEAST 50 FEET
BELOW LAND SURFACE.

(Well Construction Considerations on Reverse Side)

WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Groundwater/Hydrology Files

Date Nov 28, 1994

FROM: D. WOODCOCK

SUBJECT: Groundwater Application G- 13801

Phone: _____

Name: McLEAN

Applicant(s) seek _____ gpm (2.17 cfs) from _____ 2 well(s) in the

Proposed use: IRRIGATION _____ basin
 _____ sub basin
 _____ sub basin.

Pertinent 7 1/2 - minute quads

DIAMOND

BARTON LAKE

Well 1 WRD# HARN 1932 T 28 S R 33 E S 31 Q QNWSE County HARNEY

Legal Description 2485' N + 3345' E of SW COR SEC 31

Well is 50 ft from INTERMITTENT CR (river/stream)

Well is _____ ft from _____ (river/stream)

Well elevation 4195 ft. River/stream elevation SAME ft.

Well elevation - river/stream elevation _____

Well depth 115 SWL SS on 4-30-92

Sealed to 20 Depth first water found 57

Cased to 20 Perforations/screens _____

Lined to _____ Perforations/screens _____

Well tests and types _____

Confined or unconfined? UNCONFINED Hydraulically connected? NO

Potential to cause substantial interference? NO

Well 2 WRD# NOT CONSTRUCTED YET T 28 S R 33 E S 31 Q QNWSE County _____

Legal Description 4560' N + 1155' E of SW COR SEC 31

Well is 700 ft from IRRIGATION DITCH (river/stream)

Well is 1200 ft from CONTROLLED DRAINAGE - INTERM. CR (river/stream)

Well elevation 4152 ft. River/stream elevation NEARLY SAME 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? PROBABLY UNCON. Hydraulically connected? SHALLOW WATER YES

Potential to cause substantial interference? NOT IF CONDITIONED TO SEAL OFF UPPER UNCONSOLIDATED MATERIAL.

Conditioned water rights in area: NONE

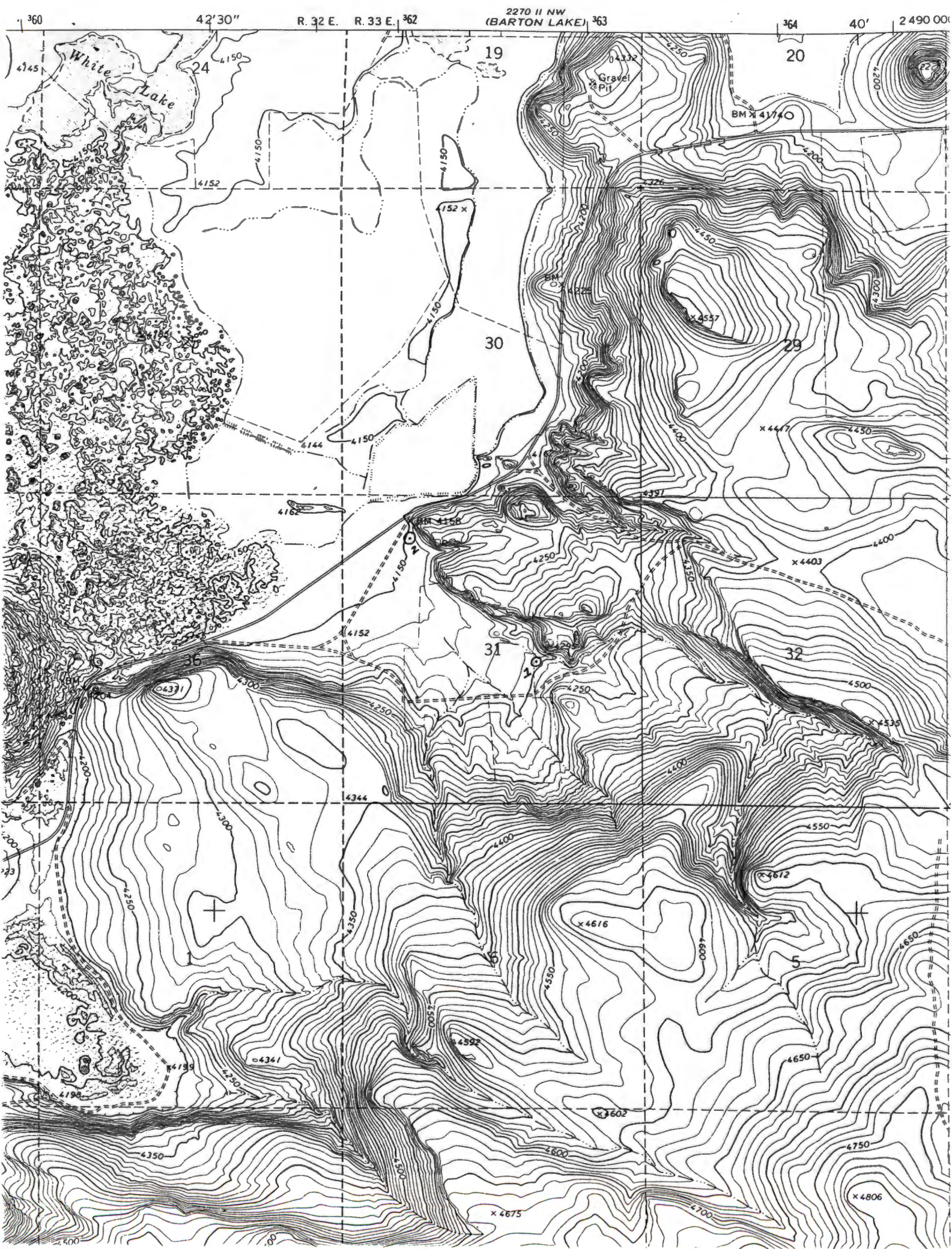
Other nearby water rights of record: SEE ATTACHED SPECIAL INDEX

Density of nearby wells of record: 1. LOW

Comments 2 WELLS W/ ONE CONSTRUCTED. THE AQUIFER MATERIAL CONSISTS OF CONSOLIDATED & UNCONSOLIDATED VOLCANICLASTIC ROCKS & DEBRIS. THE SWL IN WELL #1 IS ~ 50' BELOW ADJACENT CREEK (4-30-92) & WILL NOT POSE AN INTERFERENCE PROBLEM. PROPOSED WELL #2 IS WITHIN 1/4 MILE OF AN INTERMITTANT STREAM AND IN AN AREA WITHOUT EXISTING WELL REPORTS. CONDITION WELL #2 TO BE CASED & SEALED INTO A CONSOLIDATED UNIT.

References used: GEOLOGICAL MAP OF THE BURN'S ROAD. GREENE, CTAL (1972)

CONVERSATION W/ BILL SEAL (11-28-94) "INTERMITTANT STREAMS AT SOUTHERN END OF THE VALLEY ARE IRRIGATION DITCHES AND CONTROLLED DRAINAGES. THE DRAINAGES HAVE BEEN MOVED TO FOLLOW PROPERTY LINES AND ONLY CONVEY WATER FOR A COUPLE OF WEEKS IN VERY EARLY SPRING - AND ONLY IF RAPID SNOWMELT OCCURS."



Two wells

REVIEW CHECKLIST

FOR G- 13801

☒ Xerox appropriate parts of the stream index.

☒ Estimate number of wells within one mile radius and identify types.

one in file
other not found Verify that the well log is in application file. If not, provide one.

☒ List of state observation wells within five mile radius.

☒ List groundwater permits within five mile radius with extraordinary conditions.

WELLS:

Harney #12

	ir	lv	do					(7)
28S 33E 31	1	1						2
28S 33E 32								—
29S 33E 5								—
29S 33E 6								—
29S 32E 1								—
28S 32E 36			1					1
28S 32E 25								—
28S 33E 30								—
28S 33E 29								—

OBSERVATION WELLS:

none found

APPLICATIONS WITH PERMIT CONDITONS:

none found

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

Mailing List for Extension FO Copies

**Application #G-13801
Permit #G-12639**

FO Date: November 4, 2004

Original mailed to:

**Roaring Springs Ranch Inc.
Attn: Stacy L. Davies
HC 72, Box 50
Frenchglen, OR 97736**

Copies Mailed
By: <u> P </u> (SUPPORT STAFF)
on: <u> 11-9-04 </u> (DATE)

For Extension FO's - Copies sent to:

1. WRD - Appl. File #G-13801 / Permit #G-12639
2. WRD - Watermaster District: #10 - June Miller, Burns
3. WRD - Regional Manager - Eastern Region, Jerry Rodgers
4. WRD - Support Staff, Salem

Other interested parties:

5. Chris Palmer, CWRE

CASEWORKER: LJJ/JJU

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-13801

Final Order
Extension of Time for Permit Number G-12639

Appeal Rights

This is a final order other than contested case. Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition the Director for reconsideration of this order or petition for judicial review of this order. As provided in ORS 536.075, this order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 day time period specified by ORS 183.484(2).

Application History

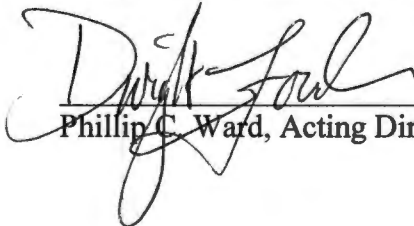
On April 7, 2003, Roaring Springs Ranch, Inc. submitted an application to the Department for an extension of time for permit number G-12639. The Department issued permit number G-12639 on July 31, 1996. The permit called for completion of construction of the water development project by October 1, 1998, and complete application of water to beneficial use by October 1, 1999. In accordance with OAR 690-315-0050(2), on July 27, 2004, the Department issued a Proposed Final Order proposing to extend the time to complete construction of the water development project and the time to fully apply water to beneficial use to October 1, 2004. The protest period closed September 10, 2004, in accordance with OAR 690-315-0060(1). No protest was filed.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 537.248, 537.630, 539.010(5) and/or OAR 690-315-0040(2).

Order

The extension of time for Application Number G-13801, Permit Number G-12639, therefore, is approved. The deadline for completing construction is extended to October 1, 2004. The deadline for applying water to full beneficial use is extended to October 1, 2004.

DATED: November 4, 2004


Phillip C. Ward, Acting Director

If you have any questions about statements contained in this document, please contact Lisa Juul at (503) 986-0808.

If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900.

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DELMER AND JO MCLEAN
BOX 18
DIAMOND, OREGON 97722

(541) 493-2484

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

APPLICATION FILE NUMBER: G-13801

SOURCE OF WATER: TWO WELLS IN THE RIDDLE CREEK BASIN, WITHIN THE MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 173.2 ACRES

MAXIMUM RATE: 2.16 CUBIC FOOT PER SECOND

PERIOD OF USE: BETWEEN MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: AUGUST 30, 1994

POINT OF DIVERSION LOCATION: NW 1/4 SE 1/4 AND NW 1/4 NW 1/4, SECTION 31, T28S, R33E, W.M.; WELL 1 - 2485 FEET NORTH & 3345 FEET EAST; WELL 2 - 4560 FEET NORTH & 1155 FEET EAST, BOTH FROM THE SW CORNER, SECTION 31

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NE 1/4 5.0 ACRES
SE 1/4 NE 1/4 30.8 ACRES
NE 1/4 SE 1/4 1.8 ACRE

SECTION 36

TOWNSHIP 28 SOUTH, RANGE 32 EAST, W.M.

SW 1/4 NE 1/4 1.5 ACRE
NE 1/4 NW 1/4 5.2 ACRES
NW 1/4 NW 1/4 16.0 ACRES
SW 1/4 NW 1/4 36.7 ACRES
SE 1/4 NW 1/4 28.4 ACRES
NE 1/4 SW 1/4 24.6 ACRES
NW 1/4 SW 1/4 9.8 ACRES
NW 1/4 SE 1/4 13.4 ACRES

SECTION 31

TOWNSHIP 28 SOUTH, RANGE 33 EAST, W.M.

Application G-13801 Water Resources Department

PERMIT G-12639

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-13801

Final Order

Application History

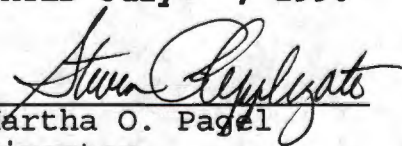
On August 30, 1994, DELMER & JO MCLEAN submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on June 4, 1996. The protest period closed July 19, 1996, and no protest was filed.

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

Order

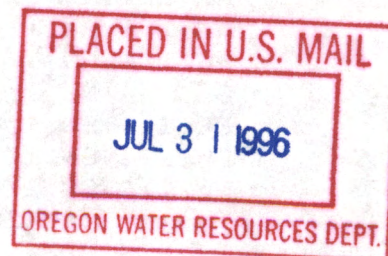
Application G-13801 therefore is approved as proposed by the Proposed Final Order, and Permit Number G-12639 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED July 31, 1996

for 
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.



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, shall keep a complete record of the amount of water used each month and shall submit a 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.
- 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.

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.

Well #2 shall be cased and sealed into a consolidated formation at least 50 feet below the land surface.

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.

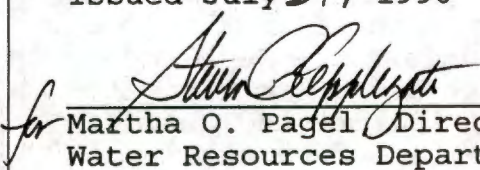
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 July 31, 1996

for Martha O. Pagel Director
Water Resources Department

Extension "Final Order" Checklist

Application # G-13801 / Permit # G-12639

Permit Holder's Name Roaring Springs Ranch, Inc

This Final Order is processed under: ☒ Div. 315 Rules -or- ☐ Div. 320 Rules

- 1 1. Date Extension Request submitted: 4-7-03
- 2 2. Date permit was issued: 7-31-96
- 3 3. Original "B" Date from permit: 10-1-98
(Date for completion of construction)
- 4 4. Original "C" Date from permit: 10-1-99
(Date for complete application of water)
- 5 5. Extension PFO Date: 7-27-04
- 6 6. WRD recommends extending "B" Date to: 10-1-04
and extending the "C" Date to: 10-1-04
- 7 7. Protest Deadline Date from PFO: 9-16-04
- 8 8. Any written Protests or written Comments received within the Protest period? Yes / No

Reviewer's Name: [Signature]

Date: 7/19/04

2nd
10/26/04

Application # G-13801 / Permit # G-12639

Route Slip ... Extension of Time

per Division 315 Rules... (Extensions received on July 1, 2001 or after)

♦ WRIG...

Money Received: \$100.00 on 4-7-03

♦ Lisa Juul...

Extension Completeness:

Cert. letter sent 4-25-03
✓ If NOT complete, send certified letter requesting add'l information.)

If Extension Appl complete and \$100 fee submitted, route to...

♦ Jonnine Fuss...

Initial 30-day Public Notice: 4/29/03n

Update Extension Database: 4/29/03n

Files back to filing cabinets: Back to Lisa

At the close of the Initial 30-day Comment Period...

♦ Lisa Juul...

Pull files for Ext PFO review: _____

Extension PFO completed: _____

Once Extension PFO signed by Dwight French...

♦ Jonnine Fuss...

Prepare Ext PFO for mailing to applicant: _____

Mail to those who commented and paid copy fee: _____

Include Ext PFO on weekly Public Notice: _____

Within 60 days after the close of the 45-day PFO Protest Period...

(PFO Protest Period ends 45 days from PFO sign date)...

♦ Lisa Juul...

Issue an Extension FO: _____

EXTENSION REVIEW CHECKLIST for PFO... per Div. 315 Rules

Application #: G-13801 / Permit #: G-12639

Permittee's Name: Roaring Springs Ranch Inc,

Permittee's Mailing Address: HC 72, Box 50, Frenchglen, OR 97736

POD Location: Township 28-S Range 33-E Section 31 $\frac{1}{4}$ $\frac{1}{4}$ NWSE NWNW

Stream Basin: #12 Malheur lake w/m #10 County: Harney
June Miller

✓ 1. Has the applicant completely filled out the updated Extension Application form? Yes / No

***If "No"..... has certified request for the new extension form been sent? Yes / No

\$100-Yes

✓ 2. Shortcomings of Extension Request..... based upon review of updated extension form Yes / No

*****(NOTE:** Any missing Extension information that is needed before an Extension PFO can be completed???)

• Meter installed • How much water used? • Cost to date? • Remaining cost?

✓ 3. Date Permit was issued: 7-31-96 (priority = 8-30-94)

✓ 4. Source: Two Wells in the Riddle Creek Basin

✓ 5. Use: Irrigation of 173.2 Ac

✓ 6. "Q": 2.16 cfs

✓ 7. Original "B" Date: 10-1-98 Original "C" Date: 10-1-99

8. Conditions of Permit: Original "A" Date: 7-31-97

• Before water use begins → shall install a meter or other suitable meas. device
• shall keep monthly record of water use & report annually to WPD
Well #2 shall be cased & sealed into a consolidated formation at least 50 feet below land surface.
not done
not drilled

9. Extension request received: 4-7-03 Request Number (...1st 2nd, 3rd): 1st

10. Last Authorized "B" Date: 10-1-98 Last Authorized "C" Date: 10-1-99

11. Proposed "B" Date: 10-1-04 Proposed C Date: 10-1-04

12. Amount Invested to date: N/A Estimated Total Cost: N/A

not provided by permit holder (***) Estimated Remaining Cost: N/A)

___13. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit. **Yes / No** ***If "No"..... What permit terms and/or conditions have not been met?

___14. Work on the water development project completed to date includes: _____

___15. The work remaining to be completed consists of: _____

___16. Progress in perfecting the permit is being held up by: _____

___17. Has the applicant pursued perfection of the right in good faith and with reasonable diligence? **Yes / No**

Some Factors that may be considered in determining "Reasonable Diligence" [OAR 690-315-040(3)]

- a. The amount of construction completed within the time allowed in the permit or previous extension;
- b. The amount of beneficial use made of the water during the permit or previous extension time limits;
- c. Water right permit holder conformance with the permit or previous extension conditions; and
- d. Financial investments made toward developing the beneficial water use.

___18. Determination of the market and the present demand for water or power to be supplied: _____

Some factors to consider in determining the Market and the Present Demand for water or power [OAR 690-315-040(4)]:

- a. The amount of water available to satisfy other affected water rights and scenic waterway flows;
- b. Special water use designations established since permit issuance (such as...state scenic waterways, federal wild and scenic rivers, serious water management problem areas, water quality limited sources, etc.);
- c. The habitat needs of sensitive, threatened or endangered species, in consultation with ODFW;
- d. Economic investment in the project to date;
- e. Other economic interests dependent on completion of the project; and
- f. Other factors relevant to the determination of the market and the present demand for water or power.

___19. Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

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

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

___20. Conditions to be included on Extension PFO: _____

Extension "PFO" Dates

Checklist Last Revised: 9 / 12 / 2001

Mailing / Issuance Date: _____ **Reviewer's Name:** _____

Protest Deadline Date: _____ **Date:** _____

13. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit. Yes/ No ***If "No"..... What permit terms and/or conditions have not been met?

• meters in place - conversation 7/19/04

14. Work on the water development project completed to date includes: _____

- construction of 1 well
 - one operational plot - distribution system
 - installation of flowmeter.
- Applied water to 70 acres

15. The work remaining to be completed consists of: _____

- completion of ~~well~~ construction
- complete application of water to beneficial use.

16. Progress in perfecting the permit is being held up by: _____

- permit holder was not aware of the incomplete status of permit when purchasing property in 2002.

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

Some Factors that may be considered in determining "Reasonable Diligence" [OAR 690-315-040(3)]

- The amount of construction completed within the time allowed in the permit or previous extension;
- The amount of beneficial use made of the water during the permit or previous extension time limits;
- Water right permit holder conformance with the permit or previous extension conditions; and
- Financial investments made toward developing the beneficial water use.

- Permit holder has completed approximately N/A % of the construction.
- Permit holder has beneficially used N/A % of the total permitted quantity of water.
- Has the permit holder complied with conditions? Yes/No
—If No, reasons why not? _____
- Permit holder has invested approximately N/A % of the total estimated cost to complete the project.
- Other: _____

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

Some factors to consider in determining the Market and the Present Demand for water or power [OAR 690-315-040(4)]:

- The amount of water available to satisfy other affected water rights and scenic waterway flows;
- Special water use designations established since permit issuance (such as...state scenic waterways, federal wild and scenic rivers, serious water management problem areas, water quality limited sources, etc.);
- The habitat needs of sensitive, threatened or endangered species, in consultation with ODFW;
- Economic investment in the project to date;
- Other economic interests dependent on completion of the project; and
- Other factors relevant to the determination of the market and the present demand for water or power.

Is the POD/POA located.....

- If a GW permit, is GW hydraulically connected to SW (see original Div. 09 GW review)? no
- within or above a state scenic waterway? no
- within a ground water limited/critical area? no
- within a segment that has been identified as a federal wild and scenic river? no
- within an area that ODFW has identified as an ST&E Area? yes
- within an area that ODFW has identified as a low Needs Ranking Area for streamflow restoration for fish?
- within an area that DEQ has identified as being water quality limited? yes
- Other: _____

___19. Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

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

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

___20. Conditions to be included in Extension PFO (if applicable)? Yes / No

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

☐ 5-year Progress Report Checkpoints

☐ Other: _____

___21. Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:

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

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

☐ **COBU Requirement - Surface Water - post July 9, 1987**

"Pursuant to ORS 537.230(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use."

☒ **COBU Requirement - Ground Water - post July 9, 1987**

"Pursuant to ORS 537.630(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use."

NOTES:

App. File # G-13801

☒ PFO peer review by JD

___ final PFO preparation

___ move file to "done" and print out

___ set up e-mail notification, if NW region

___ prepare FO checklist

___ prepare FO draft

___ update workingcopy.xls

___ update personal tracking db

Extension "PFO" Dates

Checklist Last Revised: 3/4/ 2004

Mailing / Issuance Date: _____ WRD Project Manager: [Signature]

Protest Deadline Date: _____ Date: 7/19/04

7-19-04

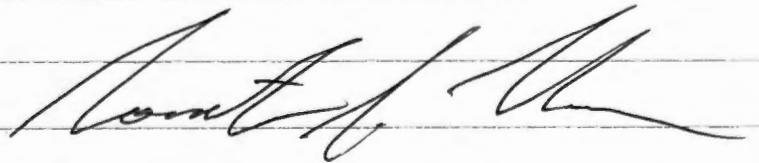
In a phone conversation on

7-19-04 Permit Holder

Said that flow meters were installed

when they bought the property

in 2002.

A handwritten signature in cursive script, appearing to read "Robert J. [unclear]".

**Oregon Water Resources Department
Water Rights Division**

Application for Extension of Time

In the Matter of the Application	)	
for an Extension of Time for	)	
Permit #G-12639, Water Right	)	PROPOSED FINAL ORDER
Application #G-13801	)	
(Roaring Springs Ranch Inc.)	)	

Permit Information

Application File #G-13801 / Permit #G-12639

Basin: #12 - Malheur Basin / Watermaster District: #10

Date of Priority: August 30, 1994

Authorized Use of Water

Source of Water:	Two Wells in the Riddle Creek Basin, within the Malheur Lake Basin
Purpose or Use:	Irrigation of 173.2 acres
Maximum Rate:	2.16 cubic feet per second (cfs)

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

Please read this Proposed Final Order in its entirety.

This Proposed Final Order applies only to Permit #G-12639, water right Application #G-13801. A copy of Permit #G-12639 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- grant the extension for complete construction of the water system from October 1, 1998, to October 1, 2004; and
- grant the extension for complete application of water from October 1, 1999, to October 1, 2004.

AUTHORITY

ORS 537.230 and ORS 537.630(1) provide in pertinent part that the Water Resources Department shall, for good cause shown, order an extension of time within which: irrigation or other works shall be completed; the well or other means of developing and securing ground water shall be completed; or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5).

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

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

FINDINGS OF FACT

Background

1. Permit #G-12639 was granted by the Water Resources Department on July 31, 1996. The permit authorizes the use of up to 2.16 cfs of water from two wells in the Riddle Creek Basin, within the Malheur Lake Basin, for irrigation of 173.2 acres. The permit specified that construction of the wells was to be completed by October 1, 1998, and that complete application of water was to be made on or before October 1, 1999.
2. The permit holder submitted an "Application for Extension of Time" to the Department on April 7, 2003, requesting the time in which to complete construction of the water system be extended from October 1, 1998, to October 1, 2004, and the time in which to accomplish beneficial use of water to the full extent under the terms of Permit #G-12639 be extended from October 1, 1999, to October 1, 2004. This is the first permit extension requested for Permit #G-12639.
3. Notification of the permit holder's extension of time request for Permit #G-12639 was published on the Department's Public Notice dated April 29, 2003. No public comment on the extension application was received.

Review Criteria [OAR 690-315-0040(1)(2)]

As set forth under OAR 690-315-0040(1)(2), the time limits to complete construction or to apply the water to a beneficial use may be extended upon showing of good cause for the untimely completion. This determination shall consider the applicable requirements of ORS 537.230, 537.248¹, 537.630 and 539.010(5).

Other Governmental Requirements [ORS 537.230(2)]

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

Start of Construction [ORS 537.630]

¹ ORS 537.248 applies to reservoir permits only.

5. Construction of the well and water system began within the time specified in the permit, being July 31, 1997.

Financial Investment [ORS 539.010(5)]

6. As of April 7, 2003, the work completed thus far consists of construction of one well, the installation of a flow meter, and partial construction of the distribution system. No information regarding the amount invested to date or the cost to complete construction was provided by the permit holder.

Reasonable Diligence and Good Faith of the Appropriator [ORS 537.230(1), 537.630(1) and 539.010(5)]

Reasonable diligence during the permit period constitutes a continuing test of whether and under what conditions to grant an extension [ORS 537.260, OAR 690-315-0040(3)].

In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:

Amount of Construction

7. The following construction was completed within the time allowed in the permit or previous extension:
 - a. Construction of one well began within the time specified in the permit, being July 31, 1997. The work thus far consists of construction of one well, the installation of a flow meter, and partial construction of the distribution system.

Beneficial Use of Water

8. The following beneficial use was made of the water during the permit or previous extension time limits:
 - a. Since the issuance of Permit #G-12639 on July 31, 1996, 70 acres have been irrigated. The permit holder has not provided an estimate of the amount of water applied to beneficial use.
 - b. Delay of full beneficial use of water under Permit #G-12639 was due to the new permit holder being unaware of the incomplete permit status when purchasing the property in May, 2002.

Compliance with Conditions

9. The water right permit holder's conformance with the permit or previous extension conditions.

- a. The record does not raise concerns about the permit holder's compliance with conditions.

Do you want to put anything in here about the condition for annual water use reporting?

Financial Investments

10. Financial investments made toward developing the beneficial water use.
 - a. As of April 7, 2003, the work completed thus far consists of construction of one well, the installation of a flow meter, and construction of the distribution system. No information was provided by the permit holder regarding the amount invested in the project to date or the cost to complete construction.

The Market and Present Demands for Water [ORS 539.010(5) and OAR 690-315-0040(4)]

In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

11. The amount of water available to satisfy other affected water rights and scenic waterway flows.
 - a. The Department determined on November 28, 1994, that this use of ground water will, if properly conditioned, adequately protect the surface water from interference. Conditions were, therefore, placed upon Permit #G-12639 in order to avoid injury to existing rights or to the ground water resource.
 - b. The permitted points of appropriation (the wells), authorized under Permit #G-12639, are not located within the boundaries of any designated ground water limited area.
 - c. The permitted points of appropriation (the wells), authorized under Permit #G-12639, are not located within or above the designated boundaries of any state scenic waterway.
12. Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d).

- a. The permitted points of appropriation (the wells), authorized under Permit #G-12639, are located within an area of the Riddle Creek Basin which has been identified by the Oregon Department of Fish and Wildlife as a "low" needs ranking area for streamflow restoration for fish. Additionally, Riddle Creek has been designated by the Oregon Department of Environmental Quality as a water quality limited stream. The Department determined on November 28, 1994, however, that this use of groundwater will, if properly conditioned, adequately protect the surface water from interference. The Department, therefore, placed conditions upon Permit #G-12639 in order to avoid injury to existing rights or to the ground water resource. Because of this determination, this application does not raise concerns about surface water impacts.
 - b. The permitted points of appropriation (the wells), authorized under Permit #G-12639, are not located within a designated reach of any federal wild and scenic river.
13. The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife.
- a. The permitted wells are located within a designated sensitive, threatened or endangered species area for aquatic species utilizing surface water resources, as identified by the Oregon Department of Fish and Wildlife. The Department determined on November 28, 1994, however, that this use of groundwater will, if properly conditioned, adequately protect the surface water from interference. The Department, therefore, placed conditions upon Permit #G-12639 in order to avoid injury to existing rights or to the ground water resource. Because of this determination, this application does not raise concerns about surface water impacts.
14. Economic investment in the project to date.
- a. As of April 7, 2003, the work completed thus far consists of construction of one well, the installation of a flow meter, and construction of the distribution system. No information was provided by the permit holder regarding the amount invested in the project to date or the cost to complete construction.
15. Other economic interests dependent on completion of the project.
- a. None have been identified.
16. Other factors relevant to the determination of the market and present demand for water and power.

- a. None have been identified.

Fair Return Upon Investment [ORS 539.010(5)]

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

Duration of Extension [OAR 690-315-0040(1)(c), ORS 539.010(5)]

As set forth under OAR 690-315-0040(1)(c), time extensions granted shall be for the reasonable time period necessary to complete construction and application of water to beneficial use.

18. As of April 7, 2003, the remaining work to be completed consists of completion of well construction and complete application of water to beneficial use.
19. Unforeseen events extended the length of time needed to fully develop and perfect the permit, caused by the new permit holder being unaware of the incomplete permit status when purchasing the property in May, 2002.
20. Given the amount of development left to occur, the Department has determined that the permittee's request to have until October 1, 2004, to complete construction of the water system and to accomplish the application of water to beneficial use under the terms of Permit #G-12639 is both reasonable and necessary.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.230 and ORS 537.630.
2. The applicant has submitted a complete extension application form and the fee specified under ORS 536.050(1)(k), as required by OAR 690-315-0040(1)(a).
3. The applicant demonstrated that actual construction on the project began within the time specified in the permit, as required by OAR 690-315-0040(1)(b).
4. Completion of construction and full application of water to beneficial use can be accomplished by October 1, 2004², as required by OAR 690-315-0040(1)(c).

² Pursuant to ORS 537.630(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use

5. The Department has considered the requirements of other governmental agencies, the financial investment made, the reasonable diligence and good faith of the appropriator, the market and present demands for water and the fair return upon the investment, and has determined that the applicant has shown good cause exists for an extension to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

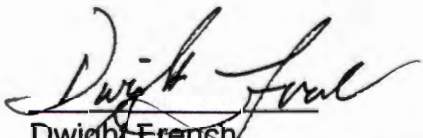
Proposed Order

Based upon the foregoing findings of fact and conclusions of law, the Department proposes to issue an order to:

Extend the time for complete construction of the water system under Permit #G-12639 from October 1, 1998, to October 1, 2004.

Extend the time for complete application of water to beneficial use under Permit #G-12639 from October 1, 1999, to October 1, 2004.

DATED: July 27, 2004


Dwight French
Water Rights Section Manager

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may request a contested case hearing on the proposed final order. Your request for contested case hearing must be in writing and must be received by the Water Resources Department no later than **Friday, September 10, 2004**, being 45 days from the date of publication of the proposed final order in the Department's weekly public notice.
2. A written request for contested case hearing shall include:
 - a. The name, address and telephone number of the petitioner;

(or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use.

- b. A description of the petitioner's interest in the final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the petition upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
 - a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a request for contested case hearing has been submitted, and:
 - A. Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - B. The applicant submitted a timely request for a contested case hearing.

If you have other questions about the Department, or any of its programs, please contact our Water Rights Information Group at (503)986-0801. Address all other correspondence to:

**Water Rights Section
Oregon Water Resources Department
725 NE Summer Street, Suite A
Salem, OR 97301-1271
Fax #: (503)986-0901**

If you have any questions about statements contained in this document, please contact Lisa Juul at (503)986-0808.

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

If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503)986-0900.

Mailing List for Extension PFO Copies

Application #G-13801
Permit #G-12639

PFO Date: July 27, 2004

Original mailed to:

Applicant: Roaring Springs Ranch Inc.
Attn: Stacy L. Davies
HC 72, Box 50
Frenchglen, OR 97736

Copies Mailed
By: <u>[Signature]</u> (SUPPORT STAFF)
on: <u>7-27-04</u> (DATE)

For Extension PFO's - Copies sent to:

1. WRD - Appl. File #G-13801 / Permit #G-12639
2. WRD - Watermaster District: #10 - June Miller, Burns

Other interested parties:

3. Chris Palmer, CWRE

CASEWORKER: LJJ/JJU

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

158 12TH ST. N.E.
SALEM, OR 97301-4172
378-8455 / 378-8130 (FAX)

RECEIPT # **59208**

INVOICE # _____

RECEIVED FROM: Stacy L. Davies
BY: _____

APPLICATION	See
PERMIT	below
TRANSFER	

CASH: ☐ CHECK: ☒ 1658 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 200.00

0401 TREASURY	0417 WRD MISC CASH ACCT
0407 COPIES	<u>G-13945 100.00</u> \$
OTHER: (IDENTIFY)	<u>G-13801 100.00</u> \$
OTHER: (IDENTIFY)	\$

0427 WRD OPERATING ACCT

MISCELLANEOUS		
0407 COPY & TAPE FEES		\$
0410 RESEARCH FEES		\$
0408 MISC REVENUE: (IDENTIFY)		\$
TC162 DEPOSIT LIAB. (IDENTIFY)		\$
0240 EXTENSION OF TIME		\$ <u>200.00</u>
WATER RIGHTS:		
0201 SURFACE WATER	EXAM FEE \$	0202 \$
0203 GROUND WATER	EXAM FEE \$	0204 \$
0205 TRANSFER	EXAM FEE \$	
WELL CONSTRUCTION		
0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$	0219 \$
LANDOWNER'S PERMIT		0220 \$
OTHER (IDENTIFY)		

0536 TREASURY	0437 WELL CONST. START FEE
0211 WELL CONST START FEE	\$
0210 MONITORING WELLS	\$
OTHER (IDENTIFY)	

0607 TREASURY	0467 HYDRO ACTIVITY	LIC NUMBER
0233 POWER LICENSE FEE (FW/WRD)		\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HYDRO APPLICATION		\$

TREASURY OTHER / RDX

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

ECEIPT: **59208**

DATED: 4/2/03

BY: K. J. Hall

**APPLICATION FOR EXTENSION OF TIME
TO THE WATER RESOURCES DIRECTOR OF OREGON**

I, Rearing Springs Ranch Inc.
NAME
AL72 Box 50 Frenchglen OR 97736 541-498-2863
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. 613801, Permit No. 612639, do hereby request that the time in which to:

- ☒ complete the construction of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1999, be extended to October 1, 2004,

and/or the time in which to:

- ☒ accomplish beneficial use of water to the full extent under the terms of the permit, which time now expires on October 1, 1999, be extended to October 1, 2004.

NOTE: The extension of time requested should be long enough to finish the project. Should this request be approved, it will be the Department's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.

Attached is an instruction sheet to assist you in completing the information on the permit extensions application form. Oregon Water Law and Administrative Rules requires this information to be considered by the Water Resources Department when reviewing a permit extension. All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information that would aid us in making our decision. Please use additional sheets of paper as needed to fully respond to the questions.

After reviewing the application form and the instruction sheet, if you have any questions, you may contact the Department at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.

1. Did water system construction/well drilling begin within the time specified in the permit [yes/no]?
One of the 2 wells has been drilled.
2. Has construction of diversion/appropriation works, distribution system, and use of water, if any, been accomplished consistent with the limitations and conditions of this permit [yes/no]?
One of 2 pivots is installed and operating

- A) Please describe how you have complied with each applicable permit condition (**NOTE: the instruction sheet for permit extension applications provides some direction as to what is an "applicable" condition at time of permit extension review**).

Not Sure will evaluate as part
of claim of Beneficial use & correct deficiencies

- B) If you have not complied with all applicable conditions, please explain the reasons why and indicate a date certain, in the near future, by which time you will be in compliance with applicable conditions.

3. I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit:

- A) Within the past year or, if a prior extension was authorized, during the last permit extension period:

~~one well is drilled and one pivot is in operation~~

- B) Prior to the past year or, if a prior extension was authorized, prior to the last extension period:

One well is drilled and one pivot is operational. This work was completed prior to the purchase.

- C) I have accomplished beneficial use of water under the permit to the extent of (amount of water used or acres irrigated):

approximately 70 acres irrigated

4. Cost of project to date Don't know. Estimated remaining cost to complete the project not sure.

5. Please list the reasons why the project was not constructed, and/or water not beneficially used within permit time limits under the appropriate categories below. Please provide supporting information for each reason identified:

A) The project is of a size and scope that the original intent was to phase it in over a period longer than the timeframes allowed in the permit.

We purchased the land in May of 2002 and did not know the water rights process was incomplete

B) Financing and/or cash-flow needs to develop the project precluded completion of the project within authorized timeframes.

This will need to be evaluated as the claim of beneficial use process is performed.

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

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

6. Please identify the economic market or markets to which beneficial use of water under the permit is responding.

Our ranch is financially secure and profitable and has grown with this irrigation ~~not~~ does benefit the overall operation.

A) Has there been any change in this market since the permit was issued?

Not sure.

B) Have these changes, if any, affected the economic feasibility of your project?

7. Are there other present competing demands for water in your community?

Very few

A) Has there been any change in these demands for water since the permit was issued?

No

- B) Are you aware of alternative sources of water that may be able to satisfy the competing demands?

There is no competition or other demands.

- C) Are you aware of any adverse affects on your source of water that may have been caused by recent changes in use of water in your community?

No

8. Will the income or use from the water development project authorized by this permit provide reasonable returns against the investment in the project?

Yes

9. If the extension request is denied, is the current level of water use economically feasible?

it would be illegal to continue irrigating

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

Stacy L Davis for P.S.P. Inc
Signature

April 3, 2003
Date

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$100 TO:

**WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES DEPARTMENT
158 12th STREET NE
SALEM, OREGON 97301-4172**

revised: November 23, 2001

RECEIVED

APR 07 2003

**WATER RESOURCES DEPT.
SALEM, OREGON**

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## G-13801

ROUTED TO: WATER RIGHTS

TOWNSHIP/

RANGE-SECTION: 28S/33E-31

CONDITIONS ATTACHED? [☒]yes [☐]no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: D. Woodcock

TO: Water Rights Section

Nov 28, 1994

FROM: Groundwater/Hydrology Section D. Woodcock

Reviewer's Name

SUBJECT: Application G- 13801

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) ;
 - 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) 4I;
 - 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: INCLUDE THIS CONDITION ON PERMIT: WELL # 2 SHALL BE
CASED AND SEALED INTO A CONSOLIDATED FORMATION AT LEAST 50 FEET
BELOW LAND SURFACE.

(Well Construction Considerations on Reverse Side)

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. ☐ review of the well log;
 - b. ☐ field inspection by _____;
 - c. ☐ report of CWRE _____;
 - d. ☐ other: (specify) _____
6. THE WELL construction deficiency:
- a. ☐ constitutes a health threat under Division 200 rules;
 - b. ☐ commingles water from more than one groundwater reservoir;
 - c. ☐ permits the loss of artesian head;
 - d. ☐ permits the de-watering of one or more groundwater reservoirs;
 - e. ☐ other: (specify) _____
7. THE WELL construction deficiency is described as follows: _____
8. THE WELL
- a. ☐ was, or constructed according to the standards in effect at the time of
 - b. ☐ was not original construction or most recent modification.
 - c. ☐ I don't know if it met standards at the time of construction.

RECOMMENDATION:

- A. ☐ I recommend including the following condition in the permit:
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. ☐ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. ☐ REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit

_____, 199____.
(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: _____

_____, 199____.
(Signature)

WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Groundwater/Hydrology Files

Date Nov 28, 1994

FROM: D. Woodcock

SUBJECT: Groundwater Application G- 13801

Phone: _____

Name: McLEAN

Applicant(s) seek _____ gpm(2.17 cfs) from _____ 2 well(s) in the

Proposed use: IRRIGATION

basin
sub basin
sub basin.

Pertinent 7 1/2 - minute quads

DIAMOND
BARTON LAKE

Well 1 WRD# HARN 1932 T 28S R 33E S 31 QQNWSE County HARNEY

Legal Description 2485' N + 3345' E OF SW COR SEC 31

Well is 50 ft from INTERMITTENT CR (river/stream)

Well is _____ ft from _____ (river/stream)

Well elevation 4195 ft River/stream elevation SAME ft.

Well elevation - river/stream elevation _____

Well depth 115 SWL 55 on 4-30-92

Sealed to 20 Depth first water found 57'

Cased to 20 Perforations/screens _____

Lined to _____ Perforations/screens _____

Well tests and types _____

Confined or unconfined? UNCONFINED Hydraulically connected? NO

Potential to cause substantial interference? NO

Well 2 WRD# NOT CONSTRUCTED
45T T 28S R 33E S 31 QQNWNW County _____

Legal Description 4560' N + 1155' E OF SW COR SEC 31

Well is 700 ft from IRRIGATION DITCH (river/stream)

Well is 1200 ft from CONTROLLED DRAINAGE - INTERM. CR (river/stream)

Well elevation 4152 ft River/stream elevation NEARLY SAME 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? PROBABLY UNCON. Hydraulically connected? SHALLOW WATER - YES

Potential to cause substantial interference? NOT IF CONDITIONED
TO SEAL OFF UPPER UNCONSOLIDATED MATERIAL.

Conditioned water rights in area: NONE

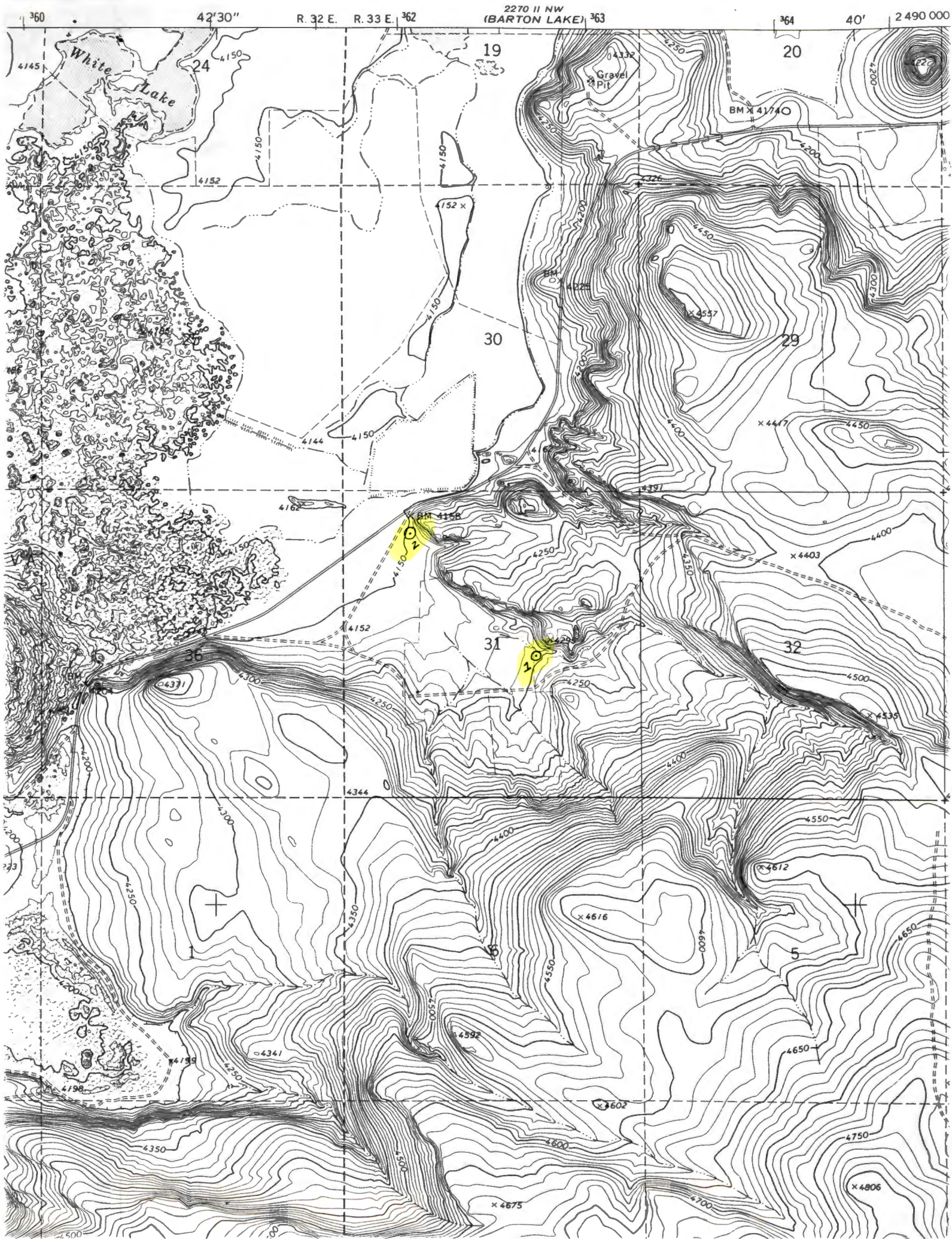
Other nearby water rights of record: SEE ATTACHED STREAM INDEX

Density of nearby wells of record: V. LOW

Comments 2 WELLS w/ ONE CONSTRUCTED. THE AQUIFER MATERIAL CONSISTS OF CONSOLIDATED & UNCONSOLIDATED VOLCANICLASTIC ROCKS & DEBRIS. THE SWL IN WELL #1 IS ~ 50' BELOW ADJACENT CREEK (4-30-92) & WILL NOT POSE AN INTERFERENCE PROBLEM. PROPOSED WELL #2 IS WITHIN 1/4 MILE OF AN INTERMITTENT STREAM AND IN AN AREA WITHOUT EXISTING WELL REPORTS. CONDITION WELL #2 TO BE CASED & SEALED INTO A CONSOLIDATED UNIT.

References used: GEOLOGIC MAP OF THE BURNS QUAD. GREENE, CTAL (1972)

CONVERSATION w/ BILL SEAL (11-28-94) "INTERMITTENT STREAMS AT SOUTHERN END OF THE VALLEY ARE IRRIGATION DITCHES AND CONTROLLED DRAINAGES. THE DRAINAGES HAVE BEEN MOVED TO FOLLOW PROPERTY LINES AND ONLY CONVEY WATER FOR A COUPLE OF WEEKS IN VERY EARLY SPRING - AND ONLY IF RAPID SNOWMELT OCCURS."



Two wells

REVIEW CHECKLIST

FOR G- 13801

☒ Xerox appropriate parts of the stream index.

☒ Estimate number of wells within one mile radius and identify types.

one in file
Other not
found Verify that the well log is in application file. If not, provide one.

☒ List of state observation wells within five mile radius.

☒ List groundwater permits within five mile radius with extraordinary conditions.

WELLS:

Harney #12

	ir	lv	do					⑦
28S 33E 31	1	1						2
28S 33E 32								—
29S 33E 5								—
29S 33E 6								—
29S 32E 1								—
28S 32E 36			1					1
28S 32E 25								—
28S 33E 30								—
28S 33E 29								—

OBSERVATION WELLS:

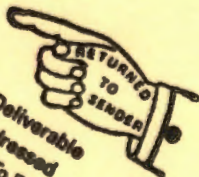
none found

APPLICATIONS WITH PERMIT CONDITONS:

none found

c-date notice
sent + returned
8/23/99

G- 13801



☐ Not Deliverable
As Addressed

☐ Insufficient Forward
Unable To Forward

☐ Moved, Left No Address

☐ Unclaimed ☐ Refused

☐ Attempted - Not Known
☐ No Such Street ☐ Member

Route No.
Carr./Initials

DELMER MCCLEAN
MCCLEAN, JO

Box 18
Diamond OR 97722
UNDELIVERABLE



Oregon

Theodore R. Kulongos

July 28, 2003

Stacy L. Davies, Manager
Roaring Spring Ranch Inc
HC 72 Box 50
Frenchglen, OR 97736

Reference: Application No

Dear Mr. Davies:

I received a call from Mr. Palmer, concerning my letter of July 23, 2003. At the request of Mr. Palmer, I would like to clarify the permit holder is ultimately responsible for providing the necessary information to satisfy the Department proof that use of water was completed within the terms and conditions of the permit.

Nothing in our records would indicate you have complied with all the conditions of the permit. If you wish to receive a certificate of water right, you will need to comply with the permit conditions.

In addition to the information requested in my letter of July 23, the claim of beneficial use report indicates you have not installed a meter nor has the Director approved an alternative suitable measuring device prior to the use of water under the permit. I am asking you to either install a meter or provide a request to measure the amount of water by other means.

Your permit also requires you to record the amount of water used each month and submit annual reports of the amount of water used. To this date we have yet to receive any reports of the amount of water used.

The Department is requesting you comply with supplying the information contained in this letter and letter of July 23, 2003. The requested information should be submitted to this office within 60 days. Failure to comply will result in the Department initiating cancellation of the permit for failure to make proof of the use of water to the satisfaction of the Department.

Sincerely,

Steve Brown
Certificates

c: Mr. Palmer, CWRE
Mr. Rodgers, Region Manager

APP. 6-12601 PER 6-12639
STEVE & LISA COBURN
w/ meter install.
11/06/2003
I AM TAKING NO ACTION AT THIS TIME AS AN
INCOMPLETE COPY HAS BEEN SUBMITTED AND AN APP FOR
EXTENSION OF TIME HAS ALSO BEEN RECEIVED.
11-12-03
Waiting for meter, per call when proceed
w/o meter. letter to permittee & CWRE for
compliance/completion reqs. Owner to install MTR.

ent
ding
NE
172
739
130



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

July 28, 2003

Stacy L. Davies, Manager
Roaring Spring Ranch Inc.
HC 72 Box 50
Frenchglen, OR 97736

Reference: Application No. G-13801, Permit No. G-12639

Dear Mr. Davies:

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Sincerely,

Steve Brown
Certificates

c: Mr. Palmer, CWRE
Mr. Rodgers, Region Manager



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

July 23, 2003

Chris Palmer, CWRE
M. A. Palmer & Sons, Inc.
Engineering and Surveying
P.O. Box 61
Burns, OR 97720

Reference: Application No. G-13801, Permit No. G-12639 - Roaring Springs Ranch, Inc.

Dear Mr. Palmer:

The Department received a claim of beneficial use and site report (Report) describing the use of water under the above referenced permit.

The date for completion of construction described in the permit is October 1, 1998 and date for complete application of water to beneficial use is October 1, 1999. Unfortunately, your report and the file lacks any information as to the date completion of construction of the water system and date complete application of water to beneficial use was accomplished.

Please complete and submit the enclosed forms for reporting the dates of completion. The permittee or you may describe when the project was completed and when water was completely applied to beneficial use. Normally, the file contains sufficient information as to when these events occur, however an extension of the time limits was submitted indicating additional time was necessary to complete the project.

Please keep in mind we require confirmation of the dates of beginning of construction, completion of construction and complete application of water to beneficial use in your reports.

If the project, described by the Report was completed within the terms of the permit, you may wish to withdraw your request for extension of the time limits of the permit.

The remainder of the claim appears to be complete, however there is one condition contained in the permit yet to be satisfied before a recommendation that proof to the satisfaction of the Department has been accomplished. The condition in question states:

"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."



Page Two

Application No. G-13801, Permit No. G-12639

Roaring Springs Ranch, Inc.

July 23, 2003

Enclosed are standards and criteria for submitting pump tests. There is an opportunity for land owners to request an exemption from pump tests under certain conditions. You may request a waiver of the requirements from our Groundwater/Hydrology Section.

Please feel free to contact me if you have any questions and I will be happy to address any concerns you may have.

Sincerely,

Steve Brown
Certificates

c: Roaring Springs Ranch

enclosures

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## G-13801

ROUTED TO: Water Rights

TOWNSHIP/

RANGE-SECTION: T28S/R33E-31

CONDITIONS ATTACHED? ☐ yes ☒ no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Michael Zwart

MEMO

February 5, 1996

FROM GW: Michael Zwart
(Reviewer's Name)

SUBJECT Scenic Waterway Interference Evaluation

☐ Yes☒ No

The source of appropriation is within or above a Scenic Waterway.

☐ Yes☒ No

Use the Scenic Waterway condition (Condition 7J).

PREPONDERANCE OF EVIDENCE FINDING: (Check box only if statement is true)

8

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.

FLOW REDUCTION: (To be filled out only if Preponderance of Evidence box is not checked)

Exercise of this permit is calculated to reduce monthly flows in _____ Scenic Waterway by the following amounts expressed as a proportion of the consumptive use by which surface water flow is reduced.

[illegible]

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

G-13801
ROARING SPRINGS RANCH
ATTN: STACY DAVIES
HC72 BOX 50
FRENCHGLEN, OR 97736

2. Article Number

(Transfer from service label)

7002 2410 0004 9157 7382

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Henry L Davies

☒ Agent

☐ Addressee

B. Received by (Printed Name)

S. DAVIES

C. Date of Delivery

5/6/03

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

UNITED STATES POSTAL SERVICE



MAY 8
AM
2003
17721

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

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

Oregon Water Resources Dept
158 12th Street NE
Salem, Oregon 97301-4172

RECEIVED
MAY 12 2003
WATER RESOURCES DEPT
SALEM, OREGON





Oregon

Theodore R. Kulongoski, Governor

CERTIFIED MAIL
Return Receipt Requested

Water Resources Department

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

April 25, 2003

Roaring Springs Ranch
Attn: Stacy L. Davies
HC72 Box 50
Frenchglen, OR 97736

REFERENCE: File #G-13801 (Permit #G-12639)

Dear Mr. Davies:

The Department is currently in the process of evaluating your request for an extension on the above referenced permit. However, based upon continued review, the Department has determined that additional information is necessary in order to evaluate your extension request. The following information must be received:

1. **Has a meter or other suitable measuring device been installed, as required by the permit?**
2. **What is the maximum instantaneous rate of water that has been put to beneficial use under Permit #G-12639?** The extension application indicates that water has been applied to approximately 70.0 acres of land, however, the actual quantity of water used (in gallons per minute or cubic feet per second), is not provided.
3. The extension application indicates that the amount of money invested into the project to date is unknown because you are not the original permit holder. This information is, however, a necessary part of the extension review process. **To the best of your ability, please provide an estimated amount of money invested in the project thus far by the prior permit holder.**
4. **To the best of your ability, please provide the estimated amount of money necessary to complete development of the water use project under Permit #G-12639.** If no additional investment in the project is needed, please indicate so.

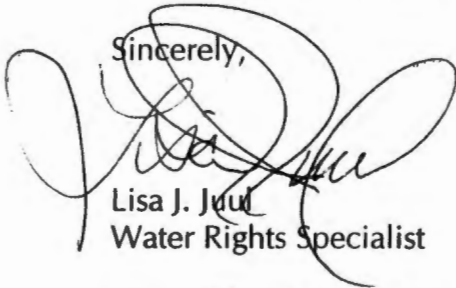
Please submit this information by **Monday, May 26, 2003**. Failure to submit the requested information by this deadline **may** result in the proposed rejection of your extension request.



If you need to request additional time to submit the information requested above, a written request must be received in the Salem office of the Department by the deadline above. The Department will evaluate timely requests and determine whether or not the request may be granted.

If you should have any questions concerning your extension request or the required materials listed above, you may contact me at (503) 378-8455, extension 272.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa J. Juul', is written over the word 'Sincerely,'. The signature is fluid and cursive, with a large loop at the end.

Lisa J. Juul
Water Rights Specialist

cc: File #G-13801 (Permit #G-12639)
Mitch Lewis, Watermaster District #10

ROARING SPRINGS RANCH, INC.

Jerry Sauter
Water Rights Program Analyst
Water Resources Department
Commerce Building
158 12th Street NE
Salem OR 97301-4172

Reference: Application G13801, Permit G12693
And
Reference: Application G13945, Permit G12697

April 3, 2003

Dear Water Resources Department:

Roaring Springs Ranch purchased the land that these two permits apply to in May of 2002. The complexity of closing the purchase and number of people involved created some confusion and a situation where certain items were lost.

After receiving your certified letter regarding these two permits I have made my best effort to obtain the necessary information to complete either the extension of time request or complete the claim of beneficial use.

It appears that the well and irrigation equipment associated with permit G12697 is complete and operational. I have contacted Chris Palmer and he feels he can complete the claim of beneficial use by June 1, 2003.

In regards to Permit G12639 one well is operational with one pivot in place. The second well is not drilled and probably will not be. Chris Palmer will finalize the claim of beneficial use by June 1 2003 as well.

I am not sure if all the conditions of the permits were met. We will analyze that as part of the work that Chris Palmer performs and correct any deficiencies.

I request an extension of time until October of 2003 to complete the claim of beneficial use on these two permits and allow time for correction of any deficiencies.

The application for extension of time will be mailed and postmarked April 4, 2003. This letter will accompany it as well as by fax transmission for your immediate information.

Sincerely ,

Stacy L Davies
Ranch Manager



RECEIVED

APR 07 2003

WATER RESOURCES DEPT.
SALEM, OREGON

ROARING SPRINGS RANCH, INC.

Jerry Sauter
Water Rights Program Analyst
Water Resources Department
Commerce Building
158 12th Street NE
Salem OR 97301-4172

Reference: Application G13801, Permit G12693

And

Reference: Application G13945, Permit G12697

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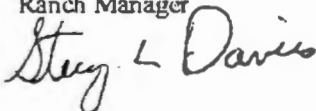
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Sincerely ,

Stacy L Davies
Ranch Manager



PERMIT STATUS REVIEW BY jd DATE 1/2/03 FILE # G13801

1. Per Dwight French, do not send "C" DATE NOTICE PACKET if:

note on JS list

no Permit is for municipal or quasi-municipal use or in Bonanza study area
(per DF, when in doubt about MU/QM, change database code)

no Extension pending _____ final _____

no Assignment is pending _____

no Cancellation is requested _____ final _____

no Dept. has already sent a certified "Form 100" letter (date _____, # _____)

Was 60 days notice allowed? _____

Was mail deliverable as addressed? _____ date _____

Send cancellation letter _____

no Claim of beneficial use and final proof map (COBU) have been received by Department

Date information received _____

2. IF NONE OF THE ABOVE APPLY

yes Send certified "C" date notice packet to permit holder.

"C" DATE 10/1/99

WATERMASTER DISTR # 10

WATERMASTER NAME Theresa Lewis

CWRE or AGENT _____

Chris T. Palmer

M. A. Palmer & Sons, Inc.

P.O. Box 61

Burns OR 97720

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

GI380JST1105 1939
ROARING SPRINGS RANCH INC
HC72, BOX 50
FRENCHGLEN OR 97736

2. Article Number

(Transfer from service label)

7001 2510 0005 1105 1939

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Elaine Davis

☐ Agent

☐ Addressee

B. Received by (Printed Name)

ELAINE DAVIES

C. Date of Delivery

2/6/03

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

UNITED STATES POSTAL SERVICE

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

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

WATER RESOURCES DEPT
ATTN: J. SAUTER
158 - 12TH STREET NE
SALEM OR 97301-4172

WATER RESOURCES DEPT.
SALEM, OREGON

FEB 11 2003

RECEIVED



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

February 3, 2003

Certified mail number 1105 1939
Return receipt requested

ROARING SPRINGS RANCH INC
HC72, BOX 50
FRENCHGLEN OR 97736

Reference: Application G13801, Permit G12639

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 1999.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use, to include a final proof survey map of the development. The map and claim of beneficial use was to have been submitted to our Department within one year of October 1, 1999. A list of certified water right examiners is enclosed for your use.

If you are not finished with the development of your permit, you need to file for an extension of time to complete your development. An extension form is also enclosed with this letter.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. A cancellation form is enclosed, if you are interested in this option.

If you have not submitted either a Claim of Beneficial Use or a request for an extension of time of your permit, within 60 days of the date of this letter (April 4, 2003) the Department may cancel your permit without further notice.

Please give me a call if you have questions. My phone number is 503-378-8455 extension 274.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosures (3)

cc: OWRD Watermaster District 10
CHRIS T PALMER, CWRE M A PALMER & SONS INC
PO BOX 61, BURNS OR 97720

File G13801





Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

August 15, 2002

ROARING SPRINGS RANCH INC
HC72 BOX 50
FRENCHGLEN OR 97736

REFERENCE: File G13801

The assignment of Permit G-12639 from DELMER AND JO MCLEAN to you has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request for assignment is enclosed.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

JS/jd
Enclosure

cc:
Watermaster #10, Mitch Lewis
WRD Data Center

Delmer and Jo McLean
PO Box 18
Diamond OR 97222

Schwabe, Williamson & Wyatt, P.C.,
Attn: M. Pagel (file 107502-121309)
Pacwest Center, Suites 1600-1900
1211 SW 5th Avenue
Portland OR 97204-3795

Oregon

WATER RESOURCES DEPARTMENT

Commerce Building
158 12th Street NE
Salem, OR 97301-4117

☒ Not Deliverable
☐ As Addressed
☐ Unable To Forward
☐ Insufficient Address
☐ Moved, Left No Address
☐ Refused
☐ Unclaimed - Not Known
☐ Attempted - Not Known
☐ No Such Street
Route No. _____
Date _____
Carr./Initials FO



Delmer and Jo McLean
Box 18
Salem, OR 97301-4117

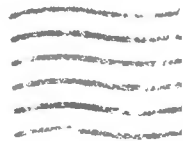
PRESORTED
FIRST CLASS



RECEIVED

AUG 30 2002

WATER RESOURCES DEPT.
SALEM, OREGON



Made from Recycled Paper



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

August 15, 2002

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HC72 BOX 50
FRENCHGLEN OR 97736

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Jerry Sauter
Water Rights Program Analyst

JS/jd
Enclosure

cc:
Watermaster #10, Mitch Lewis
WRD Data Center

Delmer and Jo McLean
PO Box 18
Diamond OR 97222

Schwabe, Williamson & Wyatt, P.C.,
Attn: M. Pagel (file 107502-121309)
Pacwest Center, Suites 1600-1900
1211 SW 5th Avenue
Portland OR 97204-3795

REQUEST FOR ASSIGNMENT

I, Delmer and Jo McLean
(Name of Applicant / Permit Holder)

P.O. Box 18 Diamond, Oregon 97222
(mailing address) (City) (State) (Zip) (Phone #)

CHECK ONE

- ☒ ...hereby assign all my interest in and to application/permit;
- ☐ ...hereby assign all my interest in and to a portion of application/permit;
(You must include a map showing the portion of the application/permit to be assigned.)
- ☐ ...hereby assign a portion of my interest in and to the entire application/permit;

Application # G-13801, Permit # G-12639;
-OR-

GR Statement # _____, GR Certificate of Registration # _____

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

Roaring Springs Ranch Inc.
(Name of New Owner)

HC72, Box 50 Frenchglen, Oregon 97736 (541) 495-2263
(mailing address) (City) (State) (Zip) (Phone #)

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

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 22nd day of March, 2002.

Applicant/Permit holder Delmer and Jo McLean Trust
by Jo McLean Trustee

Applicant/Permit holder _____

DO NOT WRITE IN THIS BOX

STATE OF OREGON, }
County of Marion, } as
I certify that the within was
received by me on the 3rd day of
April, 2002 at 9 o'clock
A.M., and was recorded in the
Miscellaneous Records, Vol. 9
Page 195
Water Resources Director

The completed "Request for Assignment" form *must be* submitted to the Department along with the appropriate recording fees:

- ◆ \$25 for the first page, and **APR 03 2002**
- ◆ \$5 for each additional page - WATER RESOURCES DEPT
- [as required by ORS 536.050(1)(d)] SALEM, OREGON

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

RECEIVED



SCHWABE, WILLIAMSON & WYATT, P.C.
ATTORNEYS AT LAW

PACWEST CENTER, SUITES 1600-1900 • 1211 SOUTHWEST FIFTH AVENUE • PORTLAND, OREGON 97204-3795
TELEPHONE: 503.222.9981 • FAX: 503.796.2900 • www.schwabe.com

MARTHA O. PAGEL

Direct Line: Portland 503.796.2872;

Salem 503.399.7712

E-Mail: mpagel@schwabe.com

April 2, 2002

Dwight W. French
Manager
Oregon Water Resources Department
Water Rights Section
158 12th Street NE
Salem, OR 97310

Re: Clemens Ranch Assignment
Our File No. 107502-121309

Dear Dwight:

Enclosed for filing is a Request for Assignment submitted on behalf of our client, Roaring Springs Ranch, Inc. The assignment relates to a ground water permit appurtenant to land recently acquired by Roaring Springs.

Please deduct the \$25 filing fee from our firm account with the Water Resources Department. If you have questions or need additional information, please let me know.

Sincerely,

Martha O. Pagel

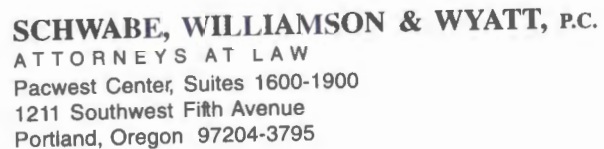
MOP:msj

cc: Stacy Davies

RECEIVED

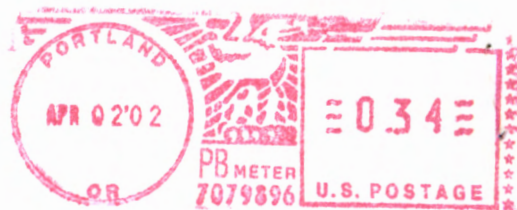
APR 03 2002

WATER RESOURCES DEPT.
SALEM, OREGON



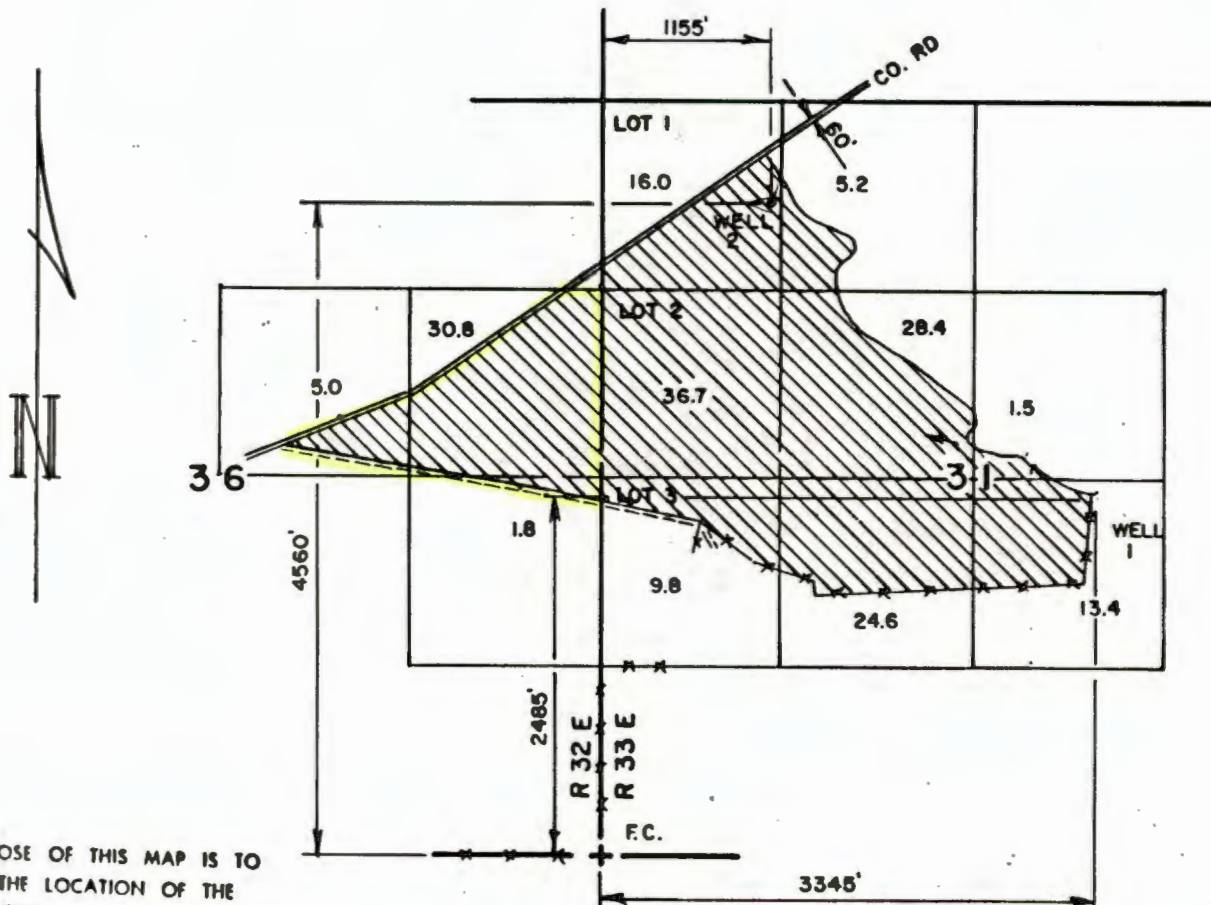
Dwight W. French
Manager
Oregon Water Resources Department
Water Rights Section
158 12th Street NE
Salem, OR 97310

5750149172 05



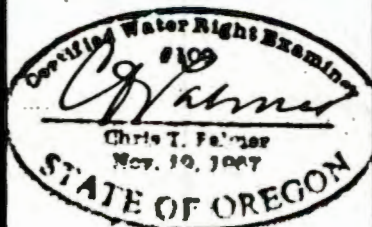
WATER RESOURCES DEPT.
SALEM, OREGON

T. 28 S., R. 32 E.,
R. 33 E., W.M.



Application No. G13801
Permit No. G12639

REVISD APRIL 28, 1994 - ADDED WELL 2



DELMER & JO MCLEAN

DIAMOND, OR

WATER RIGHT APPLICATION MAP

Scale: 4" = 1 MILE

Date: MARCH 1993

Job: 1440

Dsn:

Drn: CHRIS

Ckd:

M△P's

M. A. PALMER & SONS, INC.
ENGINEERING & SURVEYING
254 N. Alder - Box 61
Burns, Oregon 97720

Sht. No.

of 1

September 6, 1994

DELMER MCCLEAN
MCCLEAN, JO
BOX 18
DIAMOND, OR 97722

REFERENCE: File(s) G-13801

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 until a water right permit has been issued by the Department.

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. In general, applications are processed in the order in which they are received. However, Department staff work through Oregon's 18 river basins on a rotation basis often completing work on all applications within a single basin, then proceeding to the next basin.

The processing of an application does not guarantee that a water right permit will be issued. Each application must undergo specialized analysis called a technical review and a public interest review. Until your application is reviewed, it is not possible to determine whether your particular proposed water use will be recommended for a permit.

The Water Resources Commission is considering the adoption of rules to protect stream flows for fish species. This action is being contemplated in response to current and future Endangered Species Act fish listings, including many runs of salmon, steelhead and resident fish throughout the state.



REFERENCE: File(s) - G-13801

The proposed rules, if adopted, could limit the issuance of new water right permits in certain areas of the state. If and when the Commission adopts these rules, new criteria or restrictions may be imposed on water use applications received after:

July 17, 1992, for use of water in the Upper Columbia/Snake Basin (above Bonneville Dam), including the mainstem Columbia and Snake Rivers and the Hood, Deschutes, John Day, Umatilla, Grande Ronde, Powder, Malheur and Owyhee Basins;

April 8, 1994, for use of water in the North Coast, Mid Coast, South Coast, Rogue and Umpqua Basins and the Clackamas Subbasin of the Willamette Basin; and

June 3, 1994, for use of water in all Oregon basins.

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.

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, the demands of prior right holders and other conditions to conform the water use to particular standards.

Please contact a Water Rights Research Assistant 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.

Sincerely,



Cory C. Engel
Water Rights Research Assistant
Water Rights/Adjudication Division

cc: CWRE



Chris Palmer, P.E., P.L.S.
Cork Palmer, P.E., P.L.S.

M. A. PALMER & SONS, INC.
ENGINEERING & SURVEYING

254 N. Alder
P.O. Box 61
Burns, Oregon 97720

RECEIVED

AUG 30 1994

WATER RESOURCES DIVISION
SALEM, OREGON

Phone 573-6451

May 5, 1994

BILLING STATEMENT

Delmer & Jo Mclean
Box 18
Diamond, OR 97722

RE: Water right and pivot survey and mapping JO 1440

Wt. Rt. surveying and mapping, March 1993.....	\$ 470.00
Survey and staking of two pivots, March 1994..	500.00
Revision of Wt. Rt. mapping, April 1994.....	<u>86.00</u>
Total amount due.....	\$ 1056.00

Thank you,

CHRIS

Chris Palmer, PE
M.A. PALMER & SONS, INC

David

Application No. G 13801
Permit No.

RECEIVED

**Land Use Information Form: Permits, Hydroelectric Licenses, Water Uses in
Addition to Classified Uses**

AUG 30 1994

WATER RESOURCES DEPT.
SALEM, OREGON

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. **DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.**

Applicant's Name: DELMER & JO MCLEAN
Address: BOX 13
City: DIAMOND State: OR Zip: 97722 Day Phone: 423-2484

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
<u>28,32 T.L. 600</u>				
<u>28,33 T.L. 1400</u>				
<u>& 2200</u>				

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

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 can not 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): Article 3, Sec, 3.010. 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

(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: Carol J. Smith

Title: Planning Director

Date: March 19, 1993

Phone: 573-6655

Signature:

Carol J. Smith

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 image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

RECEIVED

AUG 30 1994

HARN 1932

well #1

Permit #

(START CARD) # 32951

(1) OWNER:

Name Delmer McLean Well Number SALEM, OREGON
Address LAVA Bed Road Box 18
City DIAMOND State ORE Zip 97722

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD:

☐ Rotary Air ☐ Rotary Mud ☒ Cable
☐ Other

(4) PROPOSED USE:

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

(5) BORE HOLE CONSTRUCTION:

Special Construction approval ☐ Yes ☒ No Depth of Completed Well 115 ft.
Explosives used ☒ Yes ☐ No Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
16"	0	20	CEMENT	0	18	12

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☐ Other

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

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

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	12"	1	26	250	☒	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
Liner:					☐	☐	☐	☐
					☐	☐	☐	☐

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

☐ Perforations Method _____
☐ Screens Type _____ Material _____

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

(8) WELL TESTS: Minimum testing time is 1 hour

☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
380	45	102'	1 hr.

Temperature of Water 60 Depth Artesian Flow Found _____

Was a water analysis done? ☒ Yes By whom _____

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

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata: _____

(9) LOCATION OF WELL by legal description:

County HARNEY Latitude _____ Longitude _____
Township 28 N or S. Range 33 E or W. WM.
Section 31 NW 1/4 SE 1/4
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) _____

(10) STATIC WATER LEVEL:

55 ft. below land surface. Date 4/30/92
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 57

From	To	Estimated Flow Rate	SWL
57	118	400	55

(12) WELL LOG:

Ground elevation _____

Material	From	To	SWL
Top soil (SANDY loam)	0	3 1/2	
LAVA ROCK	3 1/2	6	
Clay / GRAVEL	6	25	
SAND med	25	31	
ROCK BROKEN, clay	31	38	
Lime GRAY	38	43	
SANDSTONE	43	48	
SANDSTONE ROCK	48	54	
ROCK	54	57	
SAND med w B	57	103	55
GRANITE (GREEN)	103	110	55
GRANITE GRAY SAND FINE (caving)	110	118	55

Date started 8-18-91 Completed 4/30/92

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Material used and information reported above are true to my best knowledge and belief.

Signed _____ WWC Number _____
Date _____

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

Signed Delmer McLean WWC Number _____
Date 5/10/92

OCT 16 1989

NOT AN IRRIGATION WELL
EXAMPLE LOG ONLY 28S/33E/31C
(START CARD) # 13745

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

WATER RESOURCES DEPT.
SALEM, OREGON

(1) OWNER:

Name Delmer McLean Well Number: _____
Address _____
City Diamond State Or Zip 97722

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD

☐ Rotary Air ☐ Rotary Mud ☒ Cable
☐ Other _____

(4) PROPOSED USE:

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

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes No Depth of Completed Well 335 ft.
Explosives used ☐ Yes ☒ No Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
12"	0	18	Cement	0	18	8 sacks
8"	18	335				

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☐ Other _____

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

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	8"	+1	20	250	☒	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
Liner:					☐	☐	☐	☐
					☐	☐	☐	☐

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

☐ Perforations Method _____
☐ Screens Type _____ Material _____

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

(8) WELL TESTS: Minimum testing time is 1 hour

☒ Pump ☐ Bailer ☐ Air ☐ Flowing
☐ Artesian

Yield gal/min	Drawdown	Drill stem at	Time
42 gpm	154'	300'	101 hr.

Temperature of water 60° Depth Artesian Flow Found _____

Was a water analysis done? ☒ No ☐ Yes By whom _____

Did 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 Harney Latitude _____ Longitude _____
Township 28S N or S, Range 33E E or W, WM.
Section 31 NE SW
Tax Lot 2200 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) _____

(10) STATIC WATER LEVEL:

86 ft. below land surface. Date 10/10/89
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 240'

From	To	Estimated Flow Rate	SWI
301	330	50 gpm	86

(12) WELL LOG:

Material	From	To	SWI
Clay Loam	0	2	
Claystone Tan	2	12	
Clay/sand, med hard	12	19	
Claystone tan	19	30	
Clay/ sand med tan	30	103	
Claystone, tan	103	105	
Clay/sand, med	105	118	
Sand, med/ clay	118	125	
Clay/ sand, med tan	125	175	
Clay sand, med grey	175	240	
Sand/clay, grey	240	300	
Sand stone brn	300	301	
Sand coarse, blk	301	317	86
Clay brn	317	319	86
Sand coarse blk	319	330	86
Clay, brn/ sand coarse	330	335	86

Date started 9/27/89 Completed 10/10/89

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.

WWC Number _____

Signed _____ Date _____

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

WWC Number 426

Signed [Signature] Date 10-12-89

COPY CHECK-OFF SHEET FOR TECHNICAL REVIEWS

CC: FILE # G-13801

WATERWATCH

ODF&W - County: HARNEY

WATERMASTER #: 10

REGIONAL MANAGER: EASTERN

CWRE: CHRIS T. PALMER + 109

DEO

OREGON ASSOCIATION OF NURSERYMEN INC.

KEN STAHR

DIVISION 33 LIST: ODFW - Portland Office; COLUMBIA RIVER INTERTRIBAL FISH COMMISSION;
NORTHWEST POWER PLANNING COUNCIL; U.S. FISH & WILDLIFE SERVICE;
AND NATIONAL MARINE FISHERIES

OTHER ADDRESSES:

copy to Everett Decker

- STEVE SCHNEIDER
21881 RIVER ROAD NE
- ST PAUL, OR 97137

210 S. Fifth

Redmond OR 97756

503 548-3036

CASEWORKER (initials/date) 12/22/94 Stahmer ORIGINAL TO APPLICANT 12/6/94

TECHNICAL REVIEW CHECKLIST

11/4/94

1. Application: G-13801
2. Review Date: 12/22/94

S indicates information was completed or adequately addressed.
 U indicates information is needed, or incomplete, or inadequately addressed
 N/A indicates Not Applicable

SUMMARY	
<u>S</u>	Land Use
NA /yes/no	Substantial SW interference w/GW (if yes, see results of surface water availability analysis)
<u>S</u>	Conflicts
<u>N/A</u>	Water Availability () (Water Availability sub-basin#)
<u>U</u>	The application, map and supporting data are complete and free of defects.
yes/ NA	A TMDL letter has been received for this source or tributary. If yes, the period of use has been adjusted.

3. U The applicant has certified that the information provided in the application is an accurate representation of the proposed use and is true and correct to the best of their knowledge. An oath is required before a permit is issued regardless of the application's priority date.

5. S Application fees:

Examination fee:	\$ 200
Recording fee:	\$ 428
TOTAL REQUIRED	\$ 628
TOTAL SUBMITTED	\$ 628
AMOUNT DUE prior to issuance of permit	\$ <u>0</u>
AMOUNT OVERPAID refund due applicant	\$ <u>0</u>

1221 173²
 -10 @ 100
 164 @ 2 = 328
 428

6. S Proposed dates of beginning and completion of construction, and complete application of water.
7. S A satisfactory map of the proposed place of water use prepared by a certified water right examiner, unless exempt under OAR 690-14-150(3). (A CWRE map is not required for applications filed before November 9, 1987.)
8. U A written copy of the legal description of the property on which the water is to be used.

9. N/A A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.
10. N/A No statement of ownership was required for applications filed before August, 1990.
11. S The proposed use is not restricted or prohibited by statute.
12. S The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.
13. S One or more of the use(s) are allowed under the basin program; OAR 690 - 500-010. JK
initials
- Uses applied for: IRRIGATION
- Discussion: _____
- _____
- _____

Water Quality Check

14. N/A DEQ has provided notice to the WRD concerning limitations of appropriation from surface water sources designated as TMDL streams. This application does not propose to appropriate water from a source that has been identified by the DEQ as a TMDL stream.
15. N/A This application proposes to appropriate water from a source that has been identified by the DEQ as a TMDL stream and has been limited to months when water quality will not be impaired.

Land Use Compatibility: As expressed by the Planning Department of Harvey.

15. S The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section Art 3 Sec 3.010).
16. N/A The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.
17. N/A The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For reservoir applications:

18. N/A Plans, specifications and supporting information for the dam and impoundment area must be approved by dam safety before a technical review is issued. Plans and specifications are not required for dams less than 10 feet in height and store less than 9.2 acre-feet. (OAR 690, Div 20) t:\chk6 11/4/94

G-13801

I/We certify that the information I have provided in application # G-13801 is an accurate representation of the proposed water use and is true and correct to the best of my knowledge.

<u>Belmer & Jo McLean, Trust</u>	<u>Jo McLean Trustee</u>	<u>11/27/95</u>
Name	Title	Date

_____	_____	_____
Name	Title	Date

_____	_____	_____
Name	Title	Date

_____	_____	_____
Name	Title	Date

RECEIVED

DEC - 1 1995

WATER RESOURCES DEPT.
SALEM, OREGON

The United States of America

To all to whom these presents shall come, Greeting:

OR 32978

000795

RECEIVED

DEC - 1 1995

WATER RESOURCES DEPT.
SALEM, OREGON

WHEREAS

Delmer McLean and Jo McLean, husband and wife,

are entitled to a Land Patent pursuant to Sec. 206 of the Act of October 21, 1976
(43 U.S.C. 1716) of the following described lands:

*Hope this is what
you need. - Delmer
passed away about this
time & in the scramble
of straightening things out
this was misplaced.
Sorry about this.*

*Jo McLean
Trustee.
If not,
Please let me know.*

Meridian, Oregon
S. 33 E.,
W $\frac{1}{2}$ SW $\frac{1}{2}$ and SE $\frac{1}{2}$ SW $\frac{1}{2}$;
W $\frac{1}{2}$ and S $\frac{1}{2}$ SE $\frac{1}{2}$;
E $\frac{1}{2}$ E $\frac{1}{2}$ and SW $\frac{1}{2}$ SE $\frac{1}{2}$;
Lot 4, NE $\frac{1}{2}$ and NE $\frac{1}{2}$ SE $\frac{1}{2}$;
All;
All.

S. 32 E.,
S. 32 E. and E $\frac{1}{2}$ NW $\frac{1}{2}$;
E $\frac{1}{2}$;
All.

S. 33 E.,
W $\frac{1}{2}$ SW $\frac{1}{2}$;

Sec. 4, Lots 2, 3, and 4, SW $\frac{1}{2}$ NE $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{2}$ and S $\frac{1}{2}$;
Sec. 5, All;
Sec. 6, All;
Sec. 7, All;
Sec. 8, All;
Sec. 9, All;
Sec. 10, SW $\frac{1}{2}$ SW $\frac{1}{2}$.

The areas described aggregate 7,309.94 acres, according to the official plats of the surveys of the said lands on file in the Bureau of Land Management;

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES unto the said Delmer McLean and Jo McLean, the lands above described; TO HAVE AND TO HOLD the said lands with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said Delmer McLean and Jo McLean, their successors and assigns, forever;

EXCEPTING AND RESERVING TO THE UNITED STATES from the lands so granted:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States. Act of August 30, 1890 (43 U.S.C. 945);

OR 32978

The United States of America

To all to whom these presents shall come, Greeting:

000795

RECEIVED

DEC - 1 1995

WATER RESOURCES DEPT.
SALEM, OREGON

WHEREAS

Delmer McLean and Jo McLean, husband and wife,

are entitled to a Land Patent pursuant to Sec. 206 of the Act of October 21, 1976 (43 U.S.C. 1716), for the following described lands:

Willamette Meridian, Oregon

T. 28 S., R. 33 E.,

Sec. 20, $W\frac{1}{2}SW\frac{1}{4}$ and $SE\frac{1}{4}SW\frac{1}{4}$;

Sec. 29, $W\frac{1}{2}$ and $S\frac{1}{2}SE\frac{1}{4}$;

Sec. 30, $E\frac{1}{2}E\frac{1}{2}$ and $SW\frac{1}{4}SE\frac{1}{4}$;

Sec. 31, Lot 4, $NE\frac{1}{4}$ and $NE\frac{1}{4}SE\frac{1}{4}$;

Sec. 32, All;

Sec. 33, All.

T. 29 S., R. 32 E.,

Sec. 1, $E\frac{1}{2}$ and $E\frac{1}{2}NW\frac{1}{4}$;

Sec. 11, $E\frac{1}{2}E\frac{1}{2}$;

Sec. 12, All.

T. 29 S., R. 33 E.,

Sec. 3, $W\frac{1}{2}SW\frac{1}{4}$;

Sec. 4, Lots 2, 3, and 4, $SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$ and $S\frac{1}{2}$;

Sec. 5, All;

Sec. 6, All;

Sec. 7, All;

Sec. 8, All;

Sec. 9, All;

Sec. 10, $SW\frac{1}{4}SW\frac{1}{4}$.

The areas described aggregate 7,309.94 acres, according to the official plats of the surveys of the said lands on file in the Bureau of Land Management;

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES unto the said Delmer McLean and Jo McLean, the lands above described; TO HAVE AND TO HOLD the said lands with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said Delmer McLean and Jo McLean, their successors and assigns, forever;

EXCEPTING AND RESERVING TO THE UNITED STATES from the lands so granted:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States. Act of August 30, 1890 (43 U.S.C. 945);

Patent Number

36-89-0026

DEC - 1 1995

WATER DEPT.
SALEM, OREGON

WARRANTY DEED

BOOK

95 PAGE 170

H-2453

RA 101
5/55-

KNOW ALL MEN BY THESE PRESENTS, That MYRTLE BARNES, a widow, JAMES HARDIN and MARIE N. HARDIN, also known as MARIE HARDIN, husband and wife, and CHARLES H. MOORE and LOUISE A. MOORE, husband and wife, hereinafter called the grantor, in consideration of TWO HUNDRED FORTY FOUR THOUSAND TWO HUNDRED and no/100 (\$244,200.00) DOLLARS, to grantor paid by DELMER McLEAN and JO McLEAN, husband and wife, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Harney and State of Oregon, described as follows, to-wit:

In Twp. 28 S., R. 32 E., W.M.:Sec. 36: $S\frac{1}{2}$, $NW\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$ In Twp. 28 S., R. 33 E., W.M.:Sec. 31: Lot 3, $E\frac{1}{2}W\frac{1}{2}$, $W\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$ In Twp. 29 S., R. 32 E., W.M.:Sec. 23: $SE\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}$ Sec. 26: $NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}NE\frac{1}{4}$ Sec. 27: $SE\frac{1}{4}NE\frac{1}{4}$ Sec. 35: $NE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$ In Twp. 30 S., R. 34 E., W.M.:Sec. 1: Lot 3, $SW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$ Sec. 12: $W\frac{1}{2}$, $W\frac{1}{2}E\frac{1}{2}$, $NE\frac{1}{4}NE\frac{1}{4}$ Sec. 13: $E\frac{1}{2}W\frac{1}{2}$, $W\frac{1}{2}E\frac{1}{2}$, $E\frac{1}{2}NE\frac{1}{4}$ Sec. 24: $NE\frac{1}{4}$ In Twp. 30 S., R. 35 E., W.M.:Sec. 5: $S\frac{1}{2}SW\frac{1}{4}$ Sec. 6: Lot 7, $SE\frac{1}{4}SE\frac{1}{4}$ Sec. 7: Lot 1, $SE\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$,
 $NE\frac{1}{4}SW\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, $N\frac{1}{2}NE\frac{1}{4}$ Sec. 8: $N\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$

including all water rights and grazing rights
and subject to rights of way and easements of
record.

TO HAVE and to HOLD the above described and granted
premises unto the said grantee and grantee's heirs, suc-
cessors and assigns forever.

And said grantor hereby covenants to and with said

Delmer/Jo McKeen
COMPLETENESS DETERMINATION CHECKLIST

Application #	Review Date	Reviewer
G - 13801	11/14/95	(D)

Due Dec 14, 1995
COMPLETED

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

- ☒ 1. Examination fees (and recording fees, if for PFO/FO).
- ☒ 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.

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

DELMER MCLEAN
MCLEAN, JO
BOX 18
DIAMOND OREGON 97722

4a. Article Number

P56276

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

X NOV. 18, 1995

5. Signature (Addressee)**8. Addressee's Address (Only if requested and fee is paid)****6. Signature (Agent)**

X Ernest Starkuch

UNITED STATES POSTAL SERVICE



Official Business

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



• **WATER RESOURCES DEPARTMENT**
158 12th ST NE
SALEM OR 97310 •

CERTIFIED MAIL
Return Receipt Requested

November 14, 1995

WATER
RESOURCES
DEPARTMENT

DELMER MCLEAN
MCLEAN, JO
BOX 18
DIAMOND OREGON 97722

RE: Application File # G-13801

Dear Mr. and Mrs. McLean,

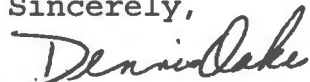
On **December 8, 1994**, a letter was sent from the Department requesting additional information necessary to complete your application for water use. As of today, these items have not been received:

- ▶ The amount of water to be used. Your application is for the use of two wells for 2.17 acre-feet; the specific quantity of water from each well is also required.
- ▶ An oath that the information in the application is true and accurate. Please sign and return the enclosed oath.
- ▶ 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.

Please submit these items by **December 14, 1995**. If we do not receive the items requested above by this date, we will reject your application consistent with ORS Chapter 537. If your application is rejected, any fees submitted in excess of the examination fee will be refunded; however, the examination fee is non-refundable and will not be returned. In addition, the priority date associated with your application will be lost.

Should you have any questions regarding your application or the required materials listed above, or if you need to request an extension of time, please call me personally at 1-800-624-3199, extension 327.

Sincerely,



Dennis Oakes
Completeness Specialist



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

N.1 Bagin/Z
Misc

Basin: Malheur Lake

WAB:

Township 24S Range 32E Section 36 1/4 1/4 _____

33E

34

No.

Yes

None

2. Is second groundwater review necessary? (objection) No

Force

No

No

No

Allowed

No.

40

Duty 5.0

Irrigation Season March -> Oct 51

March $\rightarrow$ Oct

N/A 13.

N/A 14

Now identified by T.R.

or Large (≥ 1.5 cfs, ≥ 100 AF)? 2.16 cfs

* ✓ 17.

7B

$$173.2 \text{ ac} \times \frac{1}{80} = 2.165 \text{ cfs}$$

✓ 20. Documents used in determination are attached and highlighted

a. Does Ken Stahr need to be on the CC list (Rate, Duty and Period of Allowed Use changes) 1/2

✓a. Does Ken Stahr need to be on the CC list (Rate, Duty and Period of Allowed Use changes)?

✓ 23. Final PFO has been saved to m:\t\pfo\done\week#\application #

Date: 014-96

Date: 014-96

OREGON WATER RESOURCES DEPARTMENT
ADMINISTRATIVE RULES
CHAPTER 690
DIVISION 512
MALHEUR LAKE BASIN PROGRAM

Minimum Perennial Streamflows

690-512-001

The minimum perennial streamflows listed in Table 1 are hereby adopted or established.

Water Availability

690-512-040

Not in Significant Interference

(1) Except as provided in section (3) of this rule, the Department shall not accept an application for permit, or issue a permit, for any use of surface water, or of groundwater the use of which has the potential to substantially interfere with surface water, in the Malheur Lake Basin unless the applicant shows, by a preponderance of evidence, that unappropriated water is available to supply the proposed use at the times and in the amounts requested. The evidence provided shall be prepared by a qualified hydrologist or other water resources specialist and shall include:

(a) Streamflow measurements or gage records from the source or, for use of groundwater, the stream in hydraulic connection with the source; or

(b) An estimate of water availability from the source or, for use of groundwater, the stream in hydraulic connection with the source which includes correlations with streamflow measurements or gage records on other, similar streams and considers current demands for water affecting the streamflows.

(2) The criteria used in determining if the use of groundwater has the potential to substantially interfere with surface water shall be those established in OAR Chapter 690, Division 9.

(3) This rule shall not apply to issuance of:

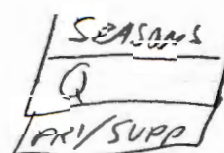
(a) Instream water rights,

(b) Permits for storage of water between March 1 and May 31 if the application is not required to be referred to the Commission under OAR 690-11-080 (2)(a)(C), or

(c) Permits for use of water legally stored.

Table 1
Malheur Lake Basin
Minimum Perennial Streamflows
(cfs)

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Priority Date
Trout Creek at USGS gage 10406500 in Sec. 25, T 39 S, R 36 E.	5	5	5	5	5	5	5	5	5	5	5	5	11/3/83
Willow Creek at Whitehorse Road	3	3	3	3	3	3	3	3	3	3	3	3	11/3/83



STATE OF OREGON

INTEROFFICE MEMO

WATER RESOURCES DEPARTMENT
NORTHWEST REGION

May 16, 1995

TO: Steve Applegate, ACT, Region Managers, Watermasters
FROM: Tom Paul *TP*
SUBJECT: Irrigation Seasons for New Groundwater Permits

This memo is continuation of discussions dating from 1993. The issues still exist. I would like to final this memo and provide it to WRD staff. For field staff, this should be in the form of a new section to be included in the Enforcement Manual. Please review the discussion regarding irrigation seasons for groundwater and return any comments to me. If you are comfortable with what is written, then I would propose forwarding this to ACT for their consideration.

Watermasters have raised questions regarding how irrigation seasons for groundwater are determined. The questions are prompted as watermasters received and reviewed water right application technical reviews.

I would propose dividing groundwater sources into two different categories:

Groundwater determined not to be hydraulically connected to surface water, and

Groundwater determined to be hydraulically connected to and which has the potential to cause substantial interference with surface water.

This is further complicated by groundwater which is requested to supplement an existing water right.

Technical reviews and resulting water use permits now contain beginning and ending dates for the irrigation season. Irrigation season dates should be consistent within each Basin. I have noticed that technical reviews and resulting groundwater permits in the same basin contain different irrigation seasons. Consistency in assigning irrigation seasons will save watermasters time when regulating water use.

Following is my recommendation for selecting the appropriate irrigation season:

GROUNDWATER DETERMINED NOT TO BE HYDRAULICALLY CONNECTED TO SURFACE

WATER

The irrigation season for all groundwater determined not to be hydraulically connected, should be March 1 through October 31 for primary groundwater use permits.

GROUNDWATER DETERMINED TO BE HYDRAULICALLY CONNECTED TO SURFACE WATER

The irrigation season for groundwater should match that established in the basin program for surface water. An irrigation season of March 1 through October 31 should be used if a season is not identified in the basin program. This only applies if the surface water stream has not been adjudicated.

The irrigation season for groundwater produced in areas which have been adjudicated should match the surface water season established by the courts. In adjudicated areas where the courts did not state a season, an irrigation season of March 1 through October 31 should apply.

In all cases where the groundwater is to be a supplemental source, the irrigation season should match the season of the primary water right.

The assigned irrigation season may be more restrictive depending on water availability and public interest determinations.

It is not uncommon to find that the courts, through the adjudication process, established unusual and restrictive seasons based on stream flows and historic surface water availability in the area. In these situations, groundwater water use permits should be issued to allow both primary and supplemental water use. The supplemental season would match that of the right being supplemented and the primary to authorize water use during the water use period not allowed for surface water between March 1 and October 31.

Water right applications requesting to use groundwater outside of the established irrigation seasons should be considered. Permits for out of season use should only be issued if the need is justified and water is available. Groundwater use outside the usual season is to be described as primary, as depicted above.

gwis

Application No. G-13801



State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water

Applicant(s) DELMER & JO MCLEAN
(Please print or type - use dark ink)

Mailing Address: BOX 18
DIAMOND OR 97722 493-2484
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.): 2 WELLS

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

Distance from development to stream: —

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: _____ Depth in feet: _____

Type and size of well casing: _____ No. of feet: _____

Estimated depth to water: _____

Type of access port or measuring device: _____

Wells to be drilled by: _____

Address: _____

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

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: 2.17 cubic feet per second, OR _____ gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each: _____

3. **INTENDED USE(s) OF WATER:** IRRIGATION

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

If for **DOMESTIC** use, state the number of households to be supplied; —

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.)
—

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

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

Irrigation	✓ 173.2
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).

COMBINATION OF CIRCLE PIVOTS AND
WHEEL LINES

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

Proposed date construction work will begin APR. 1994

Proposed date construction work will be completed JULY 1994

Proposed date water use will be completed APR. 1995

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.

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 ☒ 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):

☒ Applicant _____ 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: _____

NOTE: The permit, when issued, is for the beneficial use of water without waste. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Delmer McLean
Signature of Applicant

Aug. 23 1994
Date

Jo McLean
Signature of Co-Applicant, if any

Aug. 23-1994
Date

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 30th day of August, 1994, at 8:00 o'clock, A M.

APPLICATION NO: G-13801

December 22, 1994

WATER
RESOURCES
DEPARTMENT

DELMER MCCLEAN
MCCLEAN, JO
BOX 18
DIAMOND, OR 97722

Reference: File G 13801

Dear Applicant:

The Water Resources Department has finished the first step of its analysis of your application. Enclosed is a copy of this first report, which is called the Report of Technical Review.

The technical review is the Department's legal and scientific analysis of the application, including a calculation of the expected availability of water for your proposed use, an analysis of whether the use would conflict with other existing water rights, and if the use is compatible with the Department's river basin programs and local land use plans. Step two, is the 60-day public review period.

In the case of your application, the Technical Review was satisfactory, and it concluded that water would be available for this use for the time period described in the permit conditions of the attached Report. The Report also includes other conditions which may be placed in the water right permit to protect other water users, the public or fish and wildlife resources.

The Report of Technical Review is only the first step of the review process and does not authorize you to construct a water system or to use the public waters. The Report does not represent any commitment by the Department ultimately to approve your application. Before a permit may be granted, the Department must complete a public interest review.

In this second step of the review process, state regulations require that other water users and the general public be given an opportunity to object to your proposed water use. You also may object to any of the Department's findings or proposed permit conditions contained in the technical report. If you wish to object, you must file your objection with the Department in writing by 5 p.m. on or before **MARCH 2, 1995**. Interested parties must also submit their objections before the same deadline.

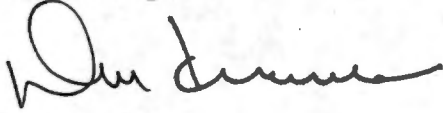
Please review the enclosed informational sheet which describes the appeals process and the steps that must be taken by any party objecting to your Report of Technical Review or by parties wishing to protest issuance of the permit.



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

If you have questions, please feel free to telephone me or any of the Department's Water Rights Division staff members. My telephone number is 378-3739 in Salem, or you may call toll-free from within the state to 1-800-624-3199.

Sincerely,

A handwritten signature in dark ink, appearing to read "Don Knauer", written in a cursive style.

Don Knauer
Adjudication Specialist

Enclosures

Report Date: December 22, 1994

OREGON WATER RESOURCES DEPARTMENT
SATISFACTORY REPORT OF TECHNICAL REVIEW
FOR WATER USE PERMIT(S)

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 158 12th ST N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE: MARCH 2, 1995

1. APPLICATION FILE NUMBER -G 13801
2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:

DELMER MCLEAN
MCLEAN, JO
BOX 18
DIAMOND, OR 97722
COUNTY OF HARNEY

503-493-2484

Date application received for filing and/or tentative date of priority: 8/30/1994

SOURCE: TWO WELLS IN RIDDLE CREEK BASIN

Purpose and/or use: IRRIGATION OF 173.2 ACRES.

Flow: 2.17 CUBIC FEET PER SECOND

Point of Diversion Location:

NW 1/4 SE 1/4, SECTION 31, T 28 S, R 33 E, W.M.;
2485 FEET NORTH & 3345 FEET EAST FROM SW CORNER, SECTION 31.
NW 1/4 NW 1/4, SECTION 31, T 28 S, R 33 E, W.M.;
4560 FEET NORTH & 1155 FEET EAST FROM SE CORNER, SECTION 31.

Place of use:

SW 1/4 NE 1/4 5.0 ACRES
SE 1/4 NE 1/4 30.8 ACRES
NE 1/4 SE 1/4 1.8 ACRES
SECTION 36

TOWNSHIP 28 SOUTH, RANGE 32 EAST, W.M.

SW 1/4	NE 1/4	1.5	ACRES
NE 1/4	NW 1/4	5.2	ACRES
NW 1/4	NW 1/4	16.0	ACRES
SW 1/4	NW 1/4	36.7	ACRES
SE 1/4	NW 1/4	28.4	ACRES
NE 1/4	SW 1/4	24.6	ACRES
NW 1/4	SW 1/4	9.8	ACRES
NW 1/4	SE 1/4	13.4	ACRES

SECTION 31

TOWNSHIP 28 SOUTH, RANGE 33 EAST, W.M.

GROUNDWATER AVAILABILITY

This is an application for use of groundwater. The Groundwater/Hydrology Section report indicates that:

Pursuant to OAR 690-09-040, the proposed groundwater withdrawal will, if properly conditioned, adequately protect the surface water from interference.

In addition, the Groundwater/Hydrology Section has reported the water use will, if properly conditioned, avoid injury to existing rights or to the groundwater resource.

CONFLICTS WITH OTHER WATER RIGHTS:

There are no existing rights from this point of diversion.

There are no existing water rights appurtenant to the lands described in the application.

REPORT CONCLUSIONS:

Based on the Department's review of water availability and Oregon Administrative Rules, water in the amount of 2.17 CFS is likely available for 8 months.

Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

THE PROPOSED WATER USE, AS CONDITIONED, SATISFIES THE REQUIREMENTS OF THIS TECHNICAL REVIEW.

This Report of Technical Review sets out the Director's technical analysis of the application. In addition to this technical analysis, the Director will evaluate this application to determine whether the proposed water use might impair or be detrimental to the public interest under the standards set out in

ORS 537.170(5) and OAR 690-11-195. Matters relating to public interest in the proposed water use which are raised in objections will be evaluated following the 60-day objection period.

PROPOSED PERMIT CONDITIONS

Application: G 13801

The following conditions will apply to water use under the permit, and will appear in the permit, if issued.

1. Use of water under this permit is subject to all prior rights.
2. Period of allowed use: BETWEEN MARCH 1 AND OCTOBER 31.
3. Rate of use: 2.71 CFS
4. Water use development requirements:
 - A. Begin construction by (one year from issuance of permit).
 - B. Complete construction by October 1, 1996.
 - C. Completely apply the water to beneficial use by October 1, 1997.
5. 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, shall keep a complete record of the amount of water used each month and shall submit a 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.
 - 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.
6. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.

7. The permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
8. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
9. The well 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 of water shall be limited when it interferes with any prior surface or ground water rights.
10. 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.
11. The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3 acre-feet for each acre irrigated during the irrigation season of each year.
12. 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.
13. Well #2 shall be cased and sealed into a consolidated formation at least 50 feet below land surface.

PFO ACCURACY CHECKLIST

Application #: G-13801

1. ☒ CHECK NAME(S)/COMPANY NAME
 - * Assigned
 - * Signature Name
 - * Correct Name(s)/Company throughout PFO
 - * Correct Address & Phone Number on Draft Permit
2. ☒ CHECK SOURCE AND TRIBUTARY
 - * Consistent throughout PFO and Draft Permit
3. ☒ CHECK RATE OF USE
4. ☒ CHECK PRIORITY DATE & TR/IR DATES
5. ☒ CHECK POD IN DRAFT PERMIT
 - * Check Map against permit
 - * Check Township, Range and Section
6. ☒ CHECK POU IN PFO AND DRAFT PERMIT
 - * Check Map against both
 - * If Acres on Application do not agree with Map, use Map info
 - * Check Township, Range and Section
7. ☒ ADD VOLUME NUMBER/NAME AT END OF DRAFT PERMIT
8. ☒ COMPLETE READ THROUGH OF PFO
 - * Sentence Structure
 - * Punctuation
 - * Spelling, etc.

Name:
LKS

Laura Suedaker

Date:

3-14-96

FO CHECKLIST

FILE # G-13801

PFO TO FO CONVERSION

REVIEW DATE: 7/1/96

WEEK # 35

INITIALS: JTG

In preparing the FO, you should check the following:

1. Y / N Were comments or protests received in response to the PFO?
2. ✓ Verify names and addresses on the PFO CC list. **ALL** commentors (regardless of comment date), affected landowners, and those who paid the \$10 fee should be listed.
3. ✓ 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
4. Y / N Is the file lacking a signed oath of accuracy for the application?
5. Y / N Has ODFW asked for self certification on screening condition?
6. Y / N Is water use prohibited for one or more months of the normal use period?
7. Y / N If #6 = "Y", is short season letter on file?
8. Assign permit numbers to files with oath, fees, and no protests or other issues

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

Initials JTG

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)

Modify FO as needed to:

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

Once FO document is completed:

14. ✓ Save WordPerfect document in M:\T\FO\WEEK 45 & delete duplicates
15. ✓ Print final draft of document and submit to team leader for review
16. Y / N Team leader review completed

✓

$$\begin{array}{r} \text{EXAM} - 200 - \\ 10 \text{ AC} = 100 \\ 164 \times 2 = \underline{328} \\ 628 \end{array}$$

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-13801

Proposed Final Order

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

Application History

On August 30, 1994, DELMER AND JO MCLEAN submitted an application to the Department for the following water use permit:

- Amount of Water: 2.17 CUBIC FEET PER SECOND (CFS)
- Use of Water: IRRIGATION OF 173.2 ACRES
- Source of Water: TWO WELLS IN THE RIDDLE CREEK BASIN
- Area of Proposed Use: Harney County within SECTION 36, TOWNSHIP 28 SOUTH, RANGE 32 EAST, W.M., AND SECTION 31, TOWNSHIP 28 SOUTH, RANGE 33 EAST, W.M.

The Department mailed the applicant notice of its Technical Review December 22, 1994, determining that WATER IS AVAILABLE BETWEEN MARCH 1 AND OCTOBER 31 FOR IRRIGATION OF 173.2 ACRES. The 60-day objection period closed MARCH 2, 1995.

No objections were received within that period.

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

- comments by or consultation with another state agency
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available
- the rate and duty for the proposed use
- pending senior applications and existing water rights of record
- designations of any critical groundwater areas
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any general basin-wide standard for flow rate and duty of water allowed
- the need for a flow rate and duty higher than the general standard
- any comments received

Findings of Fact

The Malheur Lake Basin Program allows the following uses: IRRIGATION OF 173.2 ACRES

Senior water rights do not exist on TWO WELLS IN RIDDLE CREEK BASIN.

THE TWO WELLS IN THE RIDDLE CREEK BASIN ARE not within or above a State Scenic Waterway.

Water is available for further appropriation for the period MARCH 1 THROUGH OCTOBER 31.

The Department finds that no more than 2.16 CFS would be necessary for the proposed use. The amount of water requested, 2.17 CFS, shall be restricted to 2.16 CFS.

Conclusions of Law

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

The proposed use requested in this application is allowed in the Malheur Lake 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.

The Director does not find, based on 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.

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.

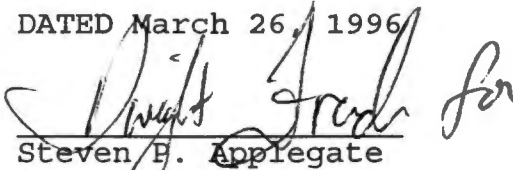
In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

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 March 26, 1996


Steven B. 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.

Your protest must be received in the Water Resources Department no later than May 10, 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.

LKS

DRAFT
STATE OF OREGON

COUNTY OF HARNEY

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

DELMER AND JO MCLEAN
BOX 18
DIAMOND, OREGON 97722

PHONE: (541) 493-2484

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

APPLICATION FILE NUMBER: G-13801

SOURCE OF WATER: TWO WELLS IN THE RIDDLE CREEK BASIN, WITHIN THE MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 173.2 ACRES

MAXIMUM RATE: 2.16 CUBIC FOOT PER SECOND

PERIOD OF USE: BETWEEN MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: AUGUST 30, 1994

POINT OF DIVERSION LOCATION: NW 1/4 SE 1/4 AND NW 1/4 NW 1/4, SECTION 31, T28S, R33E, W.M.; WELL 1 - 2485 FEET NORTH & 3345 FEET EAST FROM SW CORNER, SECTION 31, WELL 2 - 4560 FEET NORTH & 1155 FEET EAST FROM SE CORNER, SECTION 31

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NE 1/4 5.0 ACRES
SE 1/4 NE 1/4 30.8 ACRES
NE 1/4 SE 1/4 1.8 ACRE
SECTION 36
TOWNSHIP 28 SOUTH, RANGE 32 EAST, W.M.
SW 1/4 NE 1/4 1.5 ACRE
NE 1/4 NW 1/4 5.2 ACRES
NW 1/4 NW 1/4 16.0 ACRES

SW 1/4 NW 1/4 36.7 ACRES
SE 1/4 NW 1/4 28.4 ACRES
NE 1/4 SW 1/4 24.6 ACRES
NW 1/4 SW 1/4 9.8 ACRES
NW 1/4 SE 1/4 13.4 ACRES

SECTION 31

TOWNSHIP 28 SOUTH, RANGE 33 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, shall keep a complete record of the amount of water used each month and shall submit a 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.
- 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.

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.

Well #2 shall be cased and sealed into a consolidated formation at least 50 feet below the land surface.

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.

Application G-13801

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

Water Resources Department
Director

Application G-13801
Basin 12
LKS

Water Resources Department
Volume 1 Basin 12 Misc.
MGMT.CODE

PERMIT DRAFT
District 10

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **116086**

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

INVOICE # _____

RECEIVED FROM: Delmer McLean
BY: _____

APPLICATION	13201
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 124-12 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 628.-

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

COST CENTER AND OBJECT CLASS

CASH ACCT.

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	\$	842.002	\$
842.003	GROUND WATER	\$ <u>200.-</u>	842.004	\$ <u>428.-</u>
842.005	TRANSFER	\$	842.006	\$

WELL CONSTRUCTION

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 #	
_____	OTHER (IDENTIFY)			

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 # **116086**

DATED: 8-30-94 BY: D. Bushnell

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

Oregon

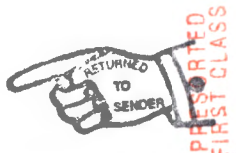
WATER RESOURCES DEPARTMENT

Commerce Building
158 12th Street NE
Salem, OR 97301-4172

Address Service Requested

JO MCLEAN
BURNS, OR 97720

- ☐ Not Deliverable As Addressed
☐ Unable To Forward
☒ Insufficient Address
☐ Moved, Left No Address
☐ Unclaimed ☐ Refused
☐ Attempted - Not Known
☐ No Such Street ☐ Number
☐ Vacant ☐ Illegible
☐ No Mail Receptacle
☐ Box Closed - No Order
☐ Returned For Better Address
☐ Postage Due _____



57720/97720/4172



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

November 9, 2000

Dear Water User:

In an effort to obtain accurate information about the amount of water being used in Oregon, the Water Resources Department has required an annual water use report as part of some water rights. Our records indicate that a water right (or water rights) in your name has such a requirement. Enclosed you will find a summary report listing these water rights by their points of diversion and a blank water use reporting form for the 2000 water year (October 1999 - September 2000). To assist you in completing the form, I have also enclosed an example.

If you have already reported your use under the right(s) listed, we thank you for your cooperation, but would appreciate it if you could resubmit the report on the enclosed form. If you no longer have an interest in a water right listed, please contact us with any information you may have about the person who now is responsible for the right.

Completing the Water Use Reporting Form:

- Enter your USER_ID from the summary report in the upper right hand corner.
- Report the monthly volume of water from each point of diversion (POD) for each month. This should be reported in gallons, cubic feet, or acre feet.
- Enter the POD_ID from the summary report for the POD you are reporting in one of the five columns of the report. (Please make additional copies of the form if you have more than five POD's)
- If you have adopted names for your POD's (e.g. Well A1, Well A2), feel free to add your facility name above the POD_ID. We will update our system to reflect your adopted names for future filings.
- Enter the monthly use volumes (or the volume in storage on the first of the month for reservoir permits) for the POD_ID into the appropriate row in the column.

We are requesting that annual water use reports be submitted prior to January 1, 2001.

If your water right is still in permit status, reporting your use will not only benefit the Water Availability Program, but will assist in making sure your permit conditions have been met when it comes time for certification.

If you have any questions regarding water use reporting, please contact John Wynn, Water Use Reporting Coordinator, at 1-800-624-3199, ext 302, or me.

Yours truly,

Gary L. Ball, PE, PLS
Hydrographics / Measurement & Reporting Manager
Phone: 503-378-8455, ext. 245
Fax: 503-378-5203
E-mail: Gary.L.BALL@wrdd.state.or.us



USER-ID 99999Oregon Water Resources Department
October 1999 through September 2000
Annual Water Use - Monthly Quantities Form

Note: 11016 & 11018 should be combined.

Facility POD-ID	Badger Lake 11017	Threemile Ditch 11015	Badger Pump 11016-11018	Res. Pump 50897	
October - 1999	100 AF	100 AF	0	0	
November - 1999	110 AF	0			
December - 1999	440 AF				
January - 2000	660 AF				
February - 2000	660 AF				
March - 2000	660 AF				
April - 2000	660 AF				
May - 2000	600 AF	0	0	0	
June - 2000	500 AF	1500 AF	325.8 MG		
July - 2000	400 AF	1240 AF	250 MG		
August - 2000	300 AF	1262 AF	300 MG		
September - 2000	200 AF	62 AF	57 MG	0	
TOTAL *					

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: staff gage / Parshall flume /
flow meters If use is irrigation, total number acres irrigated 3500

I certify this information is true and accurate to the best of my knowledge.

John A. Waterman
Signature

Title

Reporting Entity

Date

11/15/2000JA Waterman
Name - Please PrintPlease complete and mail to: Water Resources Department; Water Use Reporting Program;
158 12th Street NE; Salem, OR 97310-0210



OREGON WATER RESOURCES DEPARTMENT SUMMARY OF WATER RIGHTS FOR WATER USE REPORT

Reporting
Entity

JOHN Q

WATERUSER

USER_ID:

99999

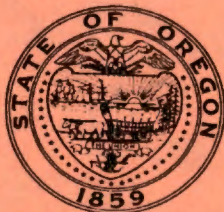
PO BOX 9999
SOMECITY

, OR

99999

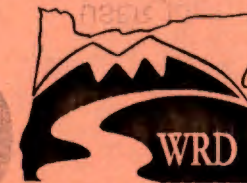
PHONE:

POD_ID	FACILITY	CERT	PERMIT	APPLN	L/S	PRIORITY	TWP	T	RGE	R	SEC	Q/Q	USE	RATE	U	P/A/S	SOURCE	TRIBUTARYTO
11017		26641	R 773	R 13087	L	10/21/1929	0.00		0.00		0		IR	532	A	P	BADGER L/UNN STRS	BADGER CR
11017		26641	R 773	R 13087	L	03/11/1941	0.00		0.00		0		IR	68	A	P	BADGER L/UNN STRS	BADGER CR
11017		26641	R 773	R 13087	L	02/02/1942	0.00		0.00		0		IR	60	A	P	BADGER L/UNN STRS	BADGER CR
11015		48532	S 15165	T 604	L	10/21/1929	3.00	S	11.00	E	32	SWNE	DO	.14	C	P	THREEMILE CR	WHITE R
11015		48532	S 15165	T 604	L	10/21/1929	3.00	S	11.00	E	32	SWNE	IR	12.06	C	P	THREEMILE CR	WHITE R
11015		48532	S 15165	T 604	L	10/21/1929	3.00	S	11.00	E	32	SWNE	LV	.14	C	A	THREEMILE CR	WHITE R
11016		48532	S 15165	T 604	L	10/21/1929	3.00	S	10.00	E	16	SWSW	IS	11.8	C	S	BADGER LAKE RES	BADGER CR
11018		76222	S 22633	T 4312	L	04/12/1941	3.00	S	10.00	E	16	SWSW	IR	11.96	C	P	BADGER CR	WHITE R
11018		76222	S 22633	T 4312	L	03/20/1951	3.00	S	10.00	E	16	SWSW	IR	12.61	C	P	BADGER CR	WHITE R
50897		76222	S 22633	T 4312	L	04/12/1941	3.00	S	11.00	E	29	NESW	IR	11.96	C	A	RES	BADGER CR
50897		76222	S 22633	T 4312	L	03/20/1951	3.00	S	11.00	E	29	NESW	IR	12.61	C	A	RES	BADGER CR



Oregon Water Resources Department
October 1999 through September 2000
Annual Water Use - Monthly Quantities Form

USER-ID _____



Facility					
POD-ID					
October - 1999					
November - 1999					
December - 1999					
January - 2000					
February - 2000					
March - 2000					
April - 2000					
May - 2000					
June - 2000					
July - 2000					
August - 2000					
September - 2000					
TOTAL *					

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: _____. If use is irrigation, total number acres irrigated _____

I certify this information is true and accurate to the best of my knowledge.

Signature

Title

Reporting Entity

Date

Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
158 12th Street NE; Salem, OR 97310-0210



OREGON WATER RESOURCES DEPARTMENT SUMMARY OF WATER RIGHTS FOR WATER USE REPORT



Reporting

DELMER

MCCLEAN

USER_ID:

28819

Entity

MCCLEAN, JO

BOX 18

DIAMOND

, OR

97722

PHONE:

POD_ID	FACILITY	CERT	PERMIT	APPLN	L/S	PRIORITY	TWP	T	RGE	R	SEC	Q/Q	USE	RATE	U	P/A/S	SOURCE	TRIBUTARYTO
37602		0	G 12639	G 13801	L	08/30/1994	28.00	S	33.00	E	31	NWSE	IR	2.160	C	P	WELL 1	UNN STR
37603		0	G 12639	G 13801	L	08/30/1994	28.00	S	33.00	E	31	NWNW	IR	2.160	C	A	WELL 2	UNN STR

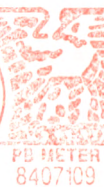
Oregon

WATER RESOURCES
DEPARTMENT

Commerce Building
158 12th Street NE
Salem, OR 97301-4172

613861 →

PRESORTED
FIRST CLASS



- ☐ Not Deliverable
- ☐ As Addressed
- ☐ Unable To Forward
- ☐ Insufficient Add
- ☐ Moved, No
- ☐ Uncle
- ☐ At

RECEIVED

APR 16 2001

WATER RESOURCES DEPT.
SALEM, OREGON



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

April 6, 2001

DELMER MCCLEAN
MCCLEAN, JO
BOX 18
DIAMOND, OR 97722

REFERENCE: USER_ID 28819

Dear Water User:

Our records indicate that you have not yet submitted your water use report for the 2000 water year. If we are in error, please let us know. This letter is a reminder that an annual water use report that reports the monthly quantity used from each point of diversion is required by conditions in your permit. If for some reason, you have not recorded those monthly quantities, you may submit estimates of your monthly usage using power consumption or hour meter readings.

We appreciate your cooperation with this program. Not only is the information important in order to maintain compliance with your permit, the information you are providing is valuable for water management in Oregon. Please contact me if you have any questions or I can provide further information or assistance.

Yours truly,

John A. Wynn
Water Use Reporting Coordinator
Phone: 503-378-8455, ext. 302
Toll free: 800-624-3199, ext. 302
E-mail: John.A.WYNN@ wrd.state.or.us



NUMBER 97296

Check 628 NO Cash

 Surface Application

 Reservoir Application

X Ground Water Application ²⁰⁰/₄₂₈

 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



DEPARTMENT

Commerce Building
158 12th Street NE
Salem, OR 97301-4172

Address Service Requested

PRESORTED
FIRST CLASS



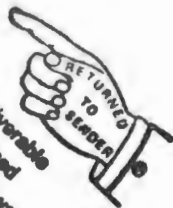
28819

Try Del McClean
Bureau OR 97720

DELMER MCCLEAN
MCCLEAN, JO

[Redacted address line]
[Redacted address line]

- ☐ Not Deliverable
As Addressed
- ☐ Insufficient Address
- ☐ Moved, Left No Address
- ☐ Attempted - Not Delivered
- ☐ Unclaimed - Not Delivered
- ☐ Route No. Changed
- ☐ Return to Sender



[Redacted return address line]