

Name Roaring Springs Ranch G-17861
By 31437 Hwy 205
Address Frenchglen, OR 97736

Application No. G17861
Permit No. G-18817
Certificate No. _____

FEES PAID		
Date	Amount	Receipt No.
5-15-14	2800.00	112042
	Cert. Fee	

C28

Priority May 15, 2014

County HARNEY WM# 10

_____ Date _____

DENIED _____

MISFILED _____ Volume _____ Page _____

WITHDRAWN _____

CANCELLED _____

FEES REFUNDED		
Date	Amount	Receipt No.

RELATED FILES

DEVELOPMENT _____ Date _____

Completion 11-10-2028

Extended to _____

Final Proof received _____

Proposed Cert. Mailed _____

ASSIGNMENTS

Date	To Whom	Address

REMARKS _____

MAP LOCATION _____

Mailing List for Permit Copies

Application G-17861

Permit G-18817

Copies Mailed
By: <u>K MWF</u>
(SUPPORT STAFF)
On: <u>NOV 10 2023</u>
(DATE)

Original mailed to applicant:

ROARING SPRINGS RANCH INC.
31437 HWY 205
FRENCHGLEN OR 97736

Sent via auto email:

1. Applicant – roaringspringsranch@gmail.com
2. Agent – Darryl Anderson – darryla@andersonengineering.com
3. WRD – Watermaster District #10, Donald Swindlehurst
4. WRD – Jason Spriet, ER

Copies sent to:

1. WRD – File G-17861
2. Scott Yanky – syanky@newtonconsultants.com

Application Caseworker: Amanda Mather



Oregon

Tina Kotek, Governor

Water Resources Department
North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.oregon.gov/owrd

November 10, 2023

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

Reference: Application G-17861

Dear Applicant:

On January 27, 2020, the Oregon Water Resources Department (Department) issued a Final Order and draft permit for Application G-17861. Issuance of a permit was contingent upon the submission of evidence that determines Well 1 (HARN 1704) complies with minimum construction standards.

The Department received evidence that the well was repaired to meet minimum well construction standards. Permit G-18817 for water use from Well 1 (HARN 1704) for irrigation of 246.83 acres is enclosed with this letter.

Please feel free to contact me at 971-718-7937 or Amanda.L.Mather@water.oregon.gov if you have any questions.

Sincerely,

Amanda Mather

Amanda Mather
Water Right Program Analyst

Enclosure: Permit G-18817

CC: WM #10
File

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROARING SPRINGS RANCH INC.
31437 HWY 205
FRENCHGLEN OR 97736

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-17861

SOURCE OF WATER: WELL 1 (HARN 1704) IN DRY CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 246.83 ACRES

MAXIMUM RATE: 3.09 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MAY 15, 2014

WELL LOCATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
34 S	31 E	WM	23	NW SE	2553 FEET NORTH AND 10 FEET EAST FROM S1/4 CORNER, SECTION 23

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 and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Acres
34 S	31 E	WM	22	NE SE	8.36
34 S	31 E	WM	22	SE SE	10.55
34 S	31 E	WM	23	SW NW	7.54
34 S	31 E	WM	23	SE NW	8.49
34 S	31 E	WM	23	NE SW	39.93
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34 S	31 E	WM	23	SW SE	13.46
34 S	31 E	WM	26	NW NE	0.17
34 S	31 E	WM	26	NE NW	14.45
34 S	31 E	WM	26	NW NW	13.23
34 S	31 E	WM	27	NE NE	0.01

1. Water Use Measurement, Recording, and Reporting Condition:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the device in good working order.
- B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The permittee shall keep a complete record of the volume of water used each month, and shall submit an annual report which includes the recorded water-use measurements to the Department annually, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

2. Static Water Level Condition:

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and

D. Certify the accuracy of all measurements and calculations reported to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or
- B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water-level measurements reveal a water-level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

3. Dedicated Measuring Tube Condition:

Wells with pumps shall be equipped with a minimum 3/4-inch diameter, unobstructed, dedicated measuring tube pursuant to figure 200-5 in OAR 690-200. If a pump has been installed prior to the issuance of this permit, and if static water levels and pumping levels can be measured using an electrical tape, then the installation of the measuring tube can be delayed until such time that water levels cannot be measured or the pump is repaired or replaced.

4. Well Identification Tag Condition:

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

STANDARD CONDITIONS

1. 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.
2. If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.
3. If substantial interference with surface water or 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.
4. The well(s) shall be constructed and maintained in accordance with the General Standards for the Construction and Maintenance of Water Supply Wells in Oregon. The works shall be equipped with a usable access port adequate to determine water-level elevation in the well at all times.
5. Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.
6. Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.
7. 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.
8. 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.
9. Construction of the well shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the construction deadline to begin is missed.
10. Complete application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

11. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

ISSUED NOV 10 2023

Katherine Ratcliffe

Katherine Ratcliffe
Water Rights Section Manager, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

FRENCH Kim R * WRD

From: LAIRD Tommy K * WRD
Sent: Thursday, September 1, 2022 1:24 PM
To: FRENCH Kim R * WRD
Cc: GRAHAM Elisabeth A * WRD
Subject: RE: G-17861 Roaring Springs Ranch - well construction compliance

Hello Kim,

I reviewed the 3 well reports for this well ID number. [HARN 52929 \(state.or.us\)](#) appears to address the sealing issue. Resealed the well with bentonite, which is an approved grout, to 18 feet.

Let me know if you need anything else,

Tommy Laird
Well Construction Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A Salem, OR 97301
Cell 503-302-8618



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: FRENCH Kim R * WRD <Kim.R.FRENCH@water.oregon.gov>
Sent: Thursday, September 1, 2022 11:01 AM
To: LAIRD Tommy K * WRD <Tommy.K.LAIRD@water.oregon.gov>
Cc: GRAHAM Elisabeth A * WRD <Elisabeth.A.GRAHAM@water.oregon.gov>
Subject: G-17861 Roaring Springs Ranch - well construction compliance

Hello,

There was a final order issued for this application with a draft permit. Issuance of a permit was contingent on the well (HARN 1704) complying with min construction standards. The final order said this:

3. The Department will issue a permit when evidence is submitted to the Department that determines Well 1 (HARN 1704) complies with minimum construction standards by being resealed, with an approved grout, to a minimum depth of at least 18 feet below land surface. Evidence must be submitted within one year of Final Order issuance, or this application is deemed denied.

I see that there are other well logs for that well id# (L119895). Do any of them address this issue?

If they have completed what they needed to do, then we can issue a permit for this one.

Let me know what you know.

Thanks,

Kim French | Water Rights Application Specialist

Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301

Phone: 503 979-3168 Email: kim.r.french@water.oregon.gov

Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

Life is too short to spend one minute unhappy! Be Happy!

The Salem office re-opened to the public on May 1, 2022. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8 a.m. - 5 p.m. every day. **Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members.** Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

**Oregon Water Resources Department
Water Right Services Division**

Water Right Application G-17861 in the name)
of ROARING SPRINGS RANCH INC.)
)

FINAL ORDER

Summary: Order approving Application G-17861 and issuing a draft permit, contingent upon well construction compliance for Well 1 (HARN 1704).

Authority

The application was processed in accordance with Oregon Revised Statute (ORS) 537.615 through 537.628, and 390.826, and Oregon Administrative Rule (OAR) Chapter 690, Divisions 5, 8, 9, 33, 300, 310, 400, 410 and the Malheur Lake Basin (OAR 690-512). These statutes and rules can be viewed on the following website: <https://www.oregon.gov/OWRD/programs/policylawandrules/Pages.default.aspx>.

The Department's main page is <https://www.oregon.gov/OWRD>.

This Final Order is issued pursuant to ORS 537.625 and OAR 690-310-0200.

FINDINGS OF FACT

1. On May 15, 2014, Roaring Springs Ranch Inc. submitted an application to the Department for a water use permit.
2. On July 21, 2015, the Department issued a Proposed Final Order recommending approval of the application. The protest period closed September 4, 2015 and no protest was filed.
3. **The Department will issue a permit when evidence is submitted to the Department that determines Well 1 (HARN 1704) complies with minimum construction standards by being resealed, with an approved grout, to a minimum depth of at least 18 feet below land surface. Evidence must be submitted within one year of Final Order issuance, or this application is deemed denied.**

CONCLUSIONS OF LAW

1. The conclusions of law in the Proposed Final Order are incorporated herein.
2. The proposed use, as conditioned, will ensure the preservation of the public welfare, safety and health.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is a Final Order in other than contested case. This order is subject to judicial review under ORS 536.075 and ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to OAR 137-004-0080 you may 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.

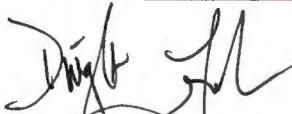
NOTE: When issuing permits, ORS 537.628(1) authorizes the Department to include limitations and conditions which have been determined necessary to protect the public welfare, safety and health.

ORDER

Application G-17861 is approved and a draft permit is issued. **The Department will issue a permit when evidence is submitted to the Department that determines Well 1 (HARN 1704) complies with minimum construction standards.**

Evidence must be submitted within one year of Final Order issuance, or this application is deemed denied.

DATED JAN 27 2020



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

-
- If you have any questions about statements contained in this document, please contact Kim French at Kim.R.French@oregon.gov or 503-986-0816.
 - 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

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

ROARING SPRINGS RANCH INC.
31437 HWY 205
FRENCHGLEN OR 97736

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-17861

SOURCE OF WATER: WELL 1 (HARN 1704) IN DRY CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 246.83 ACRES

MAXIMUM RATE: 3.09 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MAY 15, 2014

WELL LOCATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
34 S	31 E	WM	23	NW SE	2553 FEET NORTH AND 10 FEET EAST FROM S1/4 CORNER, SECTION 23

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 and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

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1. Water Use Measurement, Recording, and Reporting Condition:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the device in good working order.
- B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The permittee shall keep a complete record of the volume of water used each month, and shall submit an annual report which includes the recorded water-use measurements to the Department annually, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

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The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
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- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or
- B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water-level measurements reveal a water-level decline of 25 or more feet; or
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The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

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

STANDARD CONDITIONS

- 1. 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.
- 2. If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.
- 3. If substantial interference with surface water or 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.

4. The well(s) shall be constructed and maintained in accordance with the General Standards for the Construction and Maintenance of Water Supply Wells in Oregon. The works shall be equipped with a usable access port adequate to determine water-level elevation in the well at all times.
5. Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.
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7. 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.
8. 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.
9. Construction of the well shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the construction deadline to begin is missed.
10. Complete application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.
11. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued _____

DRAFT – THIS IS NOT A PERMIT

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

Mailing List for FO Copies

Application #G-17861

Original mailed to applicant:

ROARING SPRINGS RANCH INC.
31437 HWY 205
FRENCHGLEN OR 97736

Copies Mailed

By: TM
(SUPPORT STAFF)

on: 1/27/2020
(DATE)

Sent via auto email:

1. Applicant - roaringspringsranch@gmail.com
2. Agent - Darryl Anderson - darryla@andersonengineering.com
3. WRD - JR Johnson - # 10
4. WRD - Jason Spriet - ER

Copies sent to:

1. WRD - File G-17861
2. Scott Yanky - syanky@newtonconsultants.com

Application Specialist: Barbara Park Poage

Water Right Application G-17861 in the name)
of ROARING SPRINGS RANCH INC.)
)

ORDER

Application G-17861 is approved and a draft permit is issued.

DATED _____

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

-
- If you have any questions about statements contained in this document, please contact Kim French at Kim.R.French@oregon.gov or 503-986-0816.
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STATE OF OREGON

COUNTY OF HARNEY

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MAXIMUM RATE: 3.09 CUBIC FEET PER SECOND

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- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

2 Static Water Level Condition:

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or
- B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water-level measurements reveal a water-level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

3. Dedicated Measuring Tube Condition:

Wells with pumps shall be equipped with a minimum 3/4-inch diameter, unobstructed, dedicated measuring tube pursuant to figure 200-5 in OAR 690-200. If a pump has been installed prior to the issuance of this permit, and if static water levels and pumping levels can be measured using an electrical tape, then the installation of the measuring tube can be delayed until such time that water levels cannot be measured or the pump is repaired or replaced.

4. Well Identification Tag Condition:

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

STANDARD CONDITIONS

- 1. 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.
- 2. If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.
- 3. If substantial interference with surface water or 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.

4. The well(s) shall be constructed and maintained in accordance with the General Standards for the Construction and Maintenance of Water Supply Wells in Oregon. The works shall be equipped with a usable access port adequate to determine water-level elevation in the well at all times.
5. Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.
6. Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.
7. 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.
8. 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.
9. Construction of the well shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the construction deadline to begin is missed.
10. Complete application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.
11. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued _____

DRAFT – THIS IS NOT A PERMIT

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

Mailing List for FO Copies

Application #G-17861

Original mailed to applicant:

ROARING SPRINGS RANCH INC.
31437 HWY 205
FRENCHGLEN OR 97736

Copies Mailed

By: _____
(SUPPORT STAFF)

on: _____
(DATE)

Sent via auto email:

1. Applicant - roaringspringsranch@gmail.com
2. Agent – DARRYLA@ANDERSONENGINEERING.COM
3. WRD - JR Johnson - # 10
4. WRD – Jason Spriet - Jason.D.Spriet@oregon.gov
5. Scott Yanky – syanky@newtonconsultants.com

Copies sent to:

1. WRD – File G-17861

Application Specialist: Barbara Park Poage

Final Order Checklist for Standard Applications

Reminder: use a different colored pen for changes and Date and Initial changes.

Application #: G-17861 Applicant: ROARING SPRINGS RANCH INC.

Basin # 12

☒ Name and/or address changed or assignment received? ☒ No ☐ Yes

☒ PFO Date 7/21/15 Protest Period Ended 9/4/15

☒ Well construction meets minimum standards? ☐ NA ☐ Yes ☐ No (deny)

☒ PFO conclusions require modification due to typos, errors or omission of conditions: ☐ No ☐ Yes

If so: _____

☒ If PFO requires modification; include FO MOD hearing rights ☐ NA ☐ Yes

☒ Municipal Use? ☒ NA ☐ for MU - **change construction finding to 20 years in Permit**

Copy to: ☐ NCR ☒ WM10 ☐ SW Section (If SW, GW w/PSI, or SWW (include copy of yellow sheet))

☒ Agent UNAVAILABLE SCOTT YANKY - SYANKY@NEWTONCONSULTANTS.COM

☐ CWRE _____

☐ A.L.O. _____

☐ Commenter(s) _____

☐ WMCP Yes cc: Kerri Cope

☐ Ann Reece (if application is for an Irrigation District)

☒ Was a standing paid for? ☒ No ☐ Yes (if yes and no protest, refund standing fee) _____

EXAM FEE REQUIRED

2350

RECORDING FEE REQUIRED

450

EXAM FEE PAID

2350

RECORDING FEE PAID

450

STILL OWED

0

STILL OWED

0

☒ FO w/Draft permit: still need ☐ FO w/ Permit # _____

☐ FO to deny

☐ Recording Fees

Refund \$ _____

☐ Easement

☐ Storage Water Contract

☐ Approved Dam Plans & Specs

☐ Land Use Approval

Name: Kim French Date Completed: 12/30/19

Peer Reviewer: Hx

Date: 8/23/19

Manager: _____

Date: _____

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PFO Checklist

Application #: G-17861 Applicant: STACY DAVIES

☒ IR requested add'l info ☒ No ☐ Yes WCC < permit

☒ Have conflicts been addressed? ☒ NA ☐ No ☐ Yes

☒ IR date Oct 3, 2014 Noticed on Oct 7, 2014 Comment Deadline Nov 6, 2014

☒ Electronic/written comments? ☒ No ☐ Yes Comment eval? ☐ No ☐ Yes

no PSI
☒ SW availability ☒ NA ☐ 80% ☐ 50%

☒ Is second gw review necessary? ☐ NA ☒ No ☐ Yes Complete? ☐ No ☐ Yes Add'l fees ☐ necessary ☐ collected ☐ needed

☒ DIV 9 ☐ NA ☐ will likely be available... ☐ will not likely be available... ☒ will, if properly conditioned...

well no PSI has PSI with

GW conditions

☒ Conditions 7B 7N 7P 7T

☐ Small ≤ 0.1 CFS, ≤ 9.2 AF ☐ Medium > 0.1 CFS but < 0.5 CFS, > 9.2 AF but < 100 AF ☒ Large ^{TFM} ≥ 0.5 CFS, ≥ 100 AF

☒ Allowed Use/Rate/Season IR 246.83ac / 3.09 g/s / MAR 1 - OCT 31 Limit 1/00 Duty 3.0

Make specific finding in PFO if ☐ Rate/Limit higher-than-standard ☐ Duty higher-than-standard

☒ Confirm POD/POU are correct per the map

☒ SWW ☒ NA ☐ above ☐ within If GW and interference, copy form for Stahr.

☒ Application was filed prior to 10/23/99 ☒ No ☐ Yes (If Yes, add A date requirement)

☒ Land Use ☒ allowed outright ☐ decision obtained ☐ being pursued ☐ not being pursued (add text box - deny)

☒ Needed before permit ☐ NA ☐ fees Evidence of well repair ☐ LU ☐ easement ☐ plans/specs ☐ storage contract

☒ Changes from IR determinations

none

☒ Notes

WCC < permit

✓ Copy to Reg Manager _____ WM # 10 CWRE same → (Agent) DARRYL A @ ANDERSON ENGINEERING .COM

(DO NOT EM PFO TO APPLICANT)

✓ Fees 3.09 CFS Base 1150⁻
— AF Up to 1 CFS 300⁻
3 Add'l CFS 900⁻
Up to 20 AF —
— Add'l AF @ \$1 —
Add'l — POD/POA — use + —

Exam Fee Required = 2350⁻ Rec Fee Req'd 450⁻
Exam Fee Paid (2350)⁻ Rec Fee Paid (450)⁻
Still Owed Ø Owed before permit Ø

*1 well
1 use*

EXAM FEE REQUIRED	<u>2350</u> ⁻	RECORDING FEE REQUIRED	\$400 / <u>450</u> ⁻
EXAM FEE PAID	<u>-(2350)</u> ⁻	RECORDING FEE PAID	<u>-(450)</u> ⁻
STILL OWED	<u>Ø</u>	STILL OWED	<u>Ø</u>

Name: Barbara Park Date: 12/10/2014

Peer Reviewer: KAC 12/11/14

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IR CHECKLIST

Application #: G-17861 Applicant: STACY DAVIES

Use(s): IRRIGATION USE ON 246.83 ACRES Priority Date: May 15, 2014

✓ Requested Use/Rate/Season IR 246.83 AC 3.09 CFS Irrigation Season Limit 100 Duty 3.0

Allowed Use/Rate/Season IR 3.09 CFS MAR1 - Oct 31 Limit 100 Duty 3.0

✓ DIV 9 ☐ NA ☐ will likely be available... ☐ will not likely be available... ☒ will, if properly conditioned...

☐ classify as surface water well _____ has PSI with _____

GW conditions 7B 7N 7P 7T

✓ Conditions _____

☐ Small ≤ 0.1 CFS, ≤ 9.2 AF ☐ Medium > 0.1 CFS but < 0.5 CFS, > 9.2 AF but < 100 AF ☒ Large ≥ 0.5 CFS, ≥ 100 AF

use at least Medium for: Siltcoos Lake, stored water contract, and Sandy Basin ground water

use Large for: Tenmile Lake, NU or other temp control, and gov. entities; Large-7g, Large-7i for 7g/7i

use Large-TFM: HC exceptions; and if GW in South Salem Hills, or 10+ acres in Stage Gulch CGWA

✓ ORS 538 prohibits use ☒ No ☐ Yes (stop processing and return app and fees)

✓ Use is ☒ allowed ☐ not allowed ☐ limited ☒ OAR ☐ Compact 690-512-5040

✓ Stream is withdrawn ☒ NA ☐ No ☐ Yes, allows use/season _____

✓ SW availability ☒ NA ☐ 80% ☐ 50% _____ WID: _____

☐ Use DWF's 6/21/05 non-standard W/A memo if the source is: trib to Drews Res, Snake R, Columbia R, North Umpqua R below Rock Cr, or within drainages of Lost R, Chehalem Cr, or Champoege Cr (including Mission Cr and Case Cr)

✓ DIVISION 33 ☒ NA ☐ No ☐ above Bonneville, and ☐ not allowed 4/15 - 9/30

☐ below Bonneville

☐ statewide

✓ SWW ☒ NA ☐ above ☐ within _____ (If GW and interference, copy form for Stahr.)

✓ Use is within a high priority area for streamflow restoration ☒ NA ☐ No ☐ Yes

✓ POU conflict ☐ NA ☒ No ☐ No, different sources ☐ No, make up a deficiency in rate ☐ No, existing not at max. rate

☐ Yes _____

✓ Use is supplemental, checked for primary rights w/ diff source ☒ NA ☐ Yes limits _____

✓ App w/in a District boundary per http://apps.wrd.state.or.us/apps/gis/wr_irrigation/ ☒ No ☐ Yes, cc: _____

✓ Land use ☒ approved ☐ not approved ☐ being pursued ☐ not being pursued ☐ county notified ☐ NA

✓ MU or QM ☒ NA ☐ will complete construction within 20 years

☐ Fujii reviewed recommendations _____

✓ Storage contract ☒ NA ☐ BOR ☐ Doug Co ☐ Corp of Eng ☐ needed ☐ obtained _____

✓ POD is within North Umpqua settlement reach and the spreadsheet was updated ☒ NA ☐ Yes

✓ Forms ☒ NA ☐ HC except ☐ spring description other _____

Application #: G-17861 Applicant: STACY DAVIES

☒ Authorized agent specified ☐ NA ☐ needed ☒ Yes Anderson Engineering & Surveying

☒ Copy to ☐ SWR ☒ WM # 10 ☐ a.i.o. ☐ CRIFC ☐ NOAA & USFWS (4d)
☐ ER ☒ agent ☐ DOA (div 33) ☐ USFWS ☐ DOA Food Safety Div (bottled h2o)
☐ NCR ☐ CWRE ☐ CTUIR ☐ NW Planning Council

☐ city _____ ☐ DEQ, greg geist ☐ DOGAMI & DSL
(w/in 5-mile muni wells) (POA in 1N, 3E, S 20, 21, 28, 29) (mining)

☒ Fees 3.09 CFS Base 1150
_____ AF Up to 1 CFS 300
2.09 Add'l CFS (3) 900
Up to 20 AF _____
_____ Add'l AF @ \$1 _____
Add'l _____ POD/POA _____ use + _____

Exam Fee Required = 2350 Rec Fee Req'd 450
Exam Fee Paid 2350 Red Fee Paid 450
Still Owed 0 Owed before permit 0

2800 total

☒ App/map meet min. req ☒ Yes ☐ No ☐ ALO info ☐ map ☐ legal _____
(If not, send IR certified)

☒ Req'd before PFO ☒ NA ☐ LU approve/pursue ☐ ALO info ☐ exam fees

☒ Req'd before permit ☐ NA ☐ recording fees ☒ well repair ☐ LU ☐ easement ☐ plans/specs ☐ storage contract

☒ Letter format ☒ good ☐ limited ☐ bad ☐ bad w/ rate reduction opportunity ☐ bad w/ HC opportunity

☒ Scanned images exist for application form and map

Name: Barbara Park Date: 9/26/2014

Peer Reviewer: _____

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Point of Diversion Characteristics

Right:	App: G 17861 *
Name:	STACY DAVIES

TRSQQ: 34.00S-31.00E-23-NWSE

County: Harney

Basin: Malheur Lake

WM District: 10

WM Region: E

Withdrawn Area:

WAB:

Priority WAB:

Rule 4D:

Groundwater Restricted Area:

Scenic Water Way:

Division 33:

Water Quality Limited:

DIVISION 510

MALHEUR BASIN PROGRAM

690-510-0000

Classifications

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

WATER RESOURCES DEPARTMENT

DIVISION 512

MALHEUR LAKE BASIN PROGRAM PROVISION

690-512-0040

Water Availability

(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 of 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; or

(c) Permits for use of water legally stored.

(d) Permits for Multipurpose Storage under OAR 690-512-0100.

Stat. Auth.: ORS 536.300 & 536.340

Stats. Implemented:

Hist.: WRD 3-1985, f. & cert. ef. 3-28-85; WRD 23-1990, f. & cert. ef. 12-14-90; Administrative Renumbering 1-1993, Renumbered from 690-080-0120; WRD 2-2009, f. 6-18-09, cert. ef. 7-1-09

69-17861

Place of Use Conflict Report

The following rights have acreage in the same quarter-quarter as App: G 17861 *

NONE

Water Rights Platcard Report

Meridian: Willamette Township: 34 South Range: 31 East Section: 23 Records per 100 Page: Search Platcards Maps! [Learn about](#) * View Map

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unkown
							Q(160):	NE	NE	NE	NE	NW	NW	NW	NW	SW	SW	SW	SW	SW	SE	SE	SE	SE	SE	SE	SE	QQ
Select	App: G 17861 *	5/15/2014	IRRIGATION											7.54	8.49	39.93	39.65	40	40		10.99	13.46						
Additional Info: STACY DAVIES App: G17861																												

Acreage Legend: 12.25 Regular acreage ~~12.25~~ Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended * Acreage is not specified

14.45 26 NEMW
13.23 26 NWNW
10.55 22 SESSE
8.36 22 NESE

246.65 AC

? A 0.18

Well Log Query Results NEW! GPS points, where available, have been added to the far right of the table. Click link to view on map

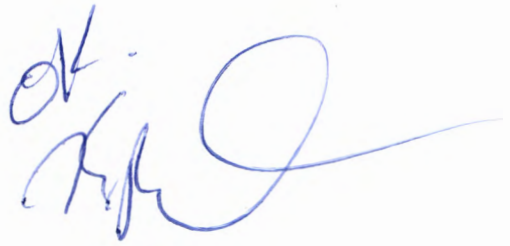
Township: 34 S, Range: 31 E, Sections: 23

Well Log	T-R-S/ QQ-Q	Taxlot	Street of Well	Owner	Company	Special Standards	Well Type	First Water	Completed Depth	Static Water Level	Yield	Completed Date	Received Date	Bonded Constructor	Startcard	Well Id #	New	Abandon	Deepen	Alteration	Conversion	Domestic	Irrigation	Community	Livestock	Industrial	Injection	Thermal	Dewatering	Piezometer	Latitude/ Longitude
HARN 1704	34.00S-31.00E-23			MORGER, DERRILL 234 MT VERNON AVE BAKERSFIELD CA			W		1000.00	54.7	1700.0	03/01/1968	03/22/1968	SKINNER, CATHERINE SKINNER & SONS			√					√									

[Download Data](#)

[Return to Well Log Query](#)

MEMO



To: File
From: Joel Jeffery, Well Construction Program Coordinator,
Subject: Re-Review of Water Right Application G-17861
Date: January 2, 2020

The attached application was forwarded to the Well Construction and Compliance Section by Water Rights. Darrick E. Boschmann/Gerald H. Grondin reviewed the application. Please see Darrick and Gerald's Groundwater review and the Repair Well Log.

Applicant's Well #1 (HARN 1704 and HARN 52503, the Repair of HARN 1704): Based on a review of the Repair Well Report, Applicant's Well #1 does not appear to comply with current minimum well construction standards (See OAR 690 Division 210). The water well report indicates that "Puddled Clay", was used as the casing seal material to a depth of 25 feet. Puddled Clay is not an approved sealing material. The repair well log of HARN 1704, (HARN 52503), does not indicate that the seal was replaced. In order to meet minimum construction standards, the well must be resealed, with an approved grout, to a minimum depth of at least 18 feet below land surface.

My recommendation is that the Department **not issue** a permit for Applicant's Well #1 (HARN 1704 and HARN 52503, the Repair of HARN 1704) unless it is brought into compliance with current minimum well construction standards or information provided showing that it is in compliance with current minimum well construction standards.

Bringing Applicant's Well #1 into compliance with minimum well construction standards may not satisfy hydraulic connection issues.

NOTICE TO WATER WELL CONTRACTOR

The original and first copy
of this report are to be
filed with the

STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print) STATE ENGINEER.

(Do not write above this line) State Permit No.

RECEIVED

MAR 22 1968

State Well No. 34/31-23

(1) OWNER:

Name Derrill MorgerAddress 234 Mt. Vernon Ave.
Bakersfield, California

(2) TYPE OF WORK (check):

New Well ☐ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

CASING INSTALLED:

16" Diam. from 0 ft. to 660 ft. Gage 250

" Diam. from " ft. to " ft. Gage
" Diam. from " ft. to " ft. Gage

PERFORATIONS:

Perforated? ☐ Yes ☒ No.

Type of perforator used

Size of perforations	in. by	in.
perforations from	ft. to	ft.
perforations from	ft. to	ft.
perforations from	ft. to	ft.
perforations from	ft. to	ft.
perforations from	ft. to	ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

(8) WATER LEVEL: Completed well.

level 54' 8 1/2" ft. below land surface Date 3-1-68

Artesian pressure lbs. per square inch Date

(9) WELL TESTS:

Drawdown is amount water level is
lowered below static levelpump test made? ☒ Yes ☐ No If yes, by whom? OWNER

600 gal./min. with 120 ft. drawdown after 4 hrs.

1500 " 150 " 12 "

2200 " 150 " 12 "

1700 " 150 " 12 "

Ball test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m. Date

Temperature of water Was a chemical analysis made? ☐ Yes ☒ No

(10) CONSTRUCTION:

Well seal—Material used Puddled clay

Depth of seal 25 ft.

Diameter of well bore to bottom of seal 36 in.

Were any loose strata cemented off? ☒ Yes ☐ No DepthWas a drive shoe used? ☒ Yes ☐ NoDid any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? ☐ Yes ☒ No Size of gravel:

Gravel placed from ft. to ft.

(11) LOCATION OF WELL:

County Harney

Driller's well number

1/4 1/4 Section 23 T. 34S R. 31E W.M.

Bearing and distance from section or subdivision corner

Located in center of section

(12) WELL LOG:

Diameter of well below casing 16"

Depth drilled 1000 ft. Depth of completed well 1000 ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change
in position of Static Water Level as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
brown soil	0	62	
tan clay w/sand & water	62	130	59
brown clay--gritty	130	166	
blue clay--gritty	166	206	
brown clay	206	222	
sticky green clay	222	249	
sticky red clay	249	250	
sticky brown clay	250	254	
grey clay w/fineto med			
sand	254	260	
sticky brown clay w/ occasional streaks sand	260	445	
olive green clay w/ streaks of sandstone	445	470	
green clay	470	540	
various colored clay w/ streaks of sand	540	852	
hard black & grey rock	852	875	54' 8 1/2"
hard, dark grey sandstone	875	990	
hard black rock	990	1000	
Picked up water from 440'. Static level remained same to 852'			

Work started 10-10-1967 Completed 2-25-1968

Date well drilling machine moved off of well 3-6-1968

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Mate-
rials used and information reported above are true to my best
knowledge and belief.

[Signed] Forrest Skinner Date 3-20, 1968
(Drilling Machine Operator)

Drilling Machine Operator's License No. 10

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is
true to the best of my knowledge and belief.

NAME Skinner & Sons
(Person, firm or corporation) (Type or print)

Address Grane, Oregon 97732

[Signed] Catherine Skinner
(Water Well Contractor)

Contractor's License No. 312 Date 3-20-68, 19

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

HARN 52503

WELL I.D. LABEL# 119895
START CARD # 1030475
ORIGINAL LOG # HARN 1704

1) LAND OWNER

Owner Well I.D. _____
First Name _____ Last Name _____
Company RSG FOREST PRODUCTS
Address 985 NW 2ND STREET
City KALAMA State WA Zip 98625

2) TYPE OF WORK

☐ New Well ☐ Deepening ☐ Conversion
☒ Alteration (complete 2a & 10) ☐ Abandonment (complete 5a)

2a) PRE-ALTERATION

Casing	Dia	From	To	Gauge	Stl	Pstc	Wld	Thrd
16	1	660	250					

Material From To Amt sacks lbs
Seal: Existing 0 25

3) DRILL METHOD

☐ Rotary Air ☐ Rotary Mud ☒ Cable ☐ Auger ☐ Cable Mud
☐ Reverse Rotary ☐ Other

4) PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering
☐ Thermal ☐ Injection ☐ Other

5) BORE HOLE CONSTRUCTION

Depth of Completed Well 812.00 ft Special Standard ☐ (Attach copy)

BORE HOLE		SEAL		sacks/lbs	
Dia	From To	Material	From To	Amt	lbs
Existing		Cement	840 870	40	5
			Calculated	38	
			Calculated		

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

Backfill placed from 870 ft. to 926 ft Material PEA GRAVEL

Filter pack from ft. to ft Material Size

Explosives used: ☐ Yes Type Amount

5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount Actual Amount

6) CASING/LINER

Casing	Liner	Dia	From	To	Gauge	Stl	Pstc	Wld	Thrd
		12	587	807	.205				

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s)

Temp casing ☐ Yes Dia From To

7) PERFORATIONS/SCREENS

Perforations Method Plasma Cutter

Screens Type		Material	
Perf	Casing/Screen	Screen/Slot	Slot
Perf	Liner	Dia	From To
		12	606 806
			width length slots pipe size
			125 5 3" 50

8) WELL TESTS: Minimum testing time is 1 hour

☒ Pump ☐ Bailor ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
1413	95	160	1

Temperature 58 °F Lab analysis ☐ Yes By

Water quality concerns? ☐ Yes (describe below) TDS amount

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County HARNEY Twp 34.00 S N/S Range 31.00 E E/W
Sec 23 St. 14 of the NW 14 Tax Lot 700
Tax Map Number Lot
Lat or DMS or L
Long or DMS or L
☐ Street address of well ☒ Nearest address

APPROX 4 MILES SOUTH ON HWY 205 FROM ROARING SPRINGS
HILADQUARTERS THEN 4 MILES WEST THROUGH PIVOTS AND FARM

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+ SWL (ft)
Existing Well	Pre-Alteration 5/5/2016		49
Completed Well	5/12/2016		49

Flowing Artesian? ☐ Dry Hole? ☐

WATER BEARING ZONES

Depth water was first found Existing

SWI	Date	From	To	Est Flow	SWL (psi)	+ SWL (ft)
Existing						
5-12-16	660	812	1400			219

(11) WELL LOG

Ground Elevation

Material	From	To
Existing		
See HARN		
1704		

RECEIVED
MAY 17 2016
WATER RESOURCES DEPT
SALEM, OREGON

Date Started 5/5/2016

Completed 5/12/2016

(unbonded) Water Well Constructor Certification

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

License Number Date

Signed

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, 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 water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1899 Date 5/10/2016

Signed SAMP KINGREY

Contact Info (optional)

MEMO

To: File
From: Joel Jeffery, Well Construction Program Coordinator,
Subject: Review of Water Right Application G-17861
Date: September 16, 2014

The attached application was forwarded to the Well Construction and Compliance Section by Water Rights. Darrick E. Boschmann/Gerald H. Grondin reviewed the application. Please see Darrick and Gerald's Groundwater Review and the Well Log.

Applicant's Well #1 (HARN 1704): Based on a review of the Well Report, Applicant's Well #1 does not appear to comply with current minimum well construction standards (See OAR 690 Division 210). The water well report indicates that "Puddled Clay" was used as a surface casing seal to a depth of 25 feet. Puddled clay is not an approved sealing material. In addition, the "puddled clay seal" extended to a depth of 25 feet. In order to meet minimum well construction standards, the well must be resealed to a depth of at least 857 feet below surface grade or the lower portion of the well must be sealed with cement grout from a depth of 847 to the well bottom.

My recommendation is that the Department **not issue** a permit for Applicant's Well #1 (HARN 1704) unless it is brought into compliance with current minimum well construction standards or information provided showing that it is in compliance with current minimum well construction standards.

Bringing Applicant's Well #1 into compliance with minimum well construction standards may not satisfy hydraulic connection issues.

STATE OF OREGON
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(as required by ORS 537.765 & OAR 690-205-0210)

HARN 52503

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START CARD # 1030475
ORIGINAL LOG # HARNEY 1704

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First Name _____ Last Name _____
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2) TYPE OF WORK

☐ New Well ☐ Deepening ☐ Conversion
☒ Alteration (complete 2a & 10) ☐ Abandonment (complete 5a)

2a) PRE-ALTERATION

Dia + From To Gauge Stil Plstc Wld Thrd
Casing: 16 ☒ 1 660 .250 ☒ ☐ ☐
Material From To Amt sacks lbs
Seal: Existing 0 25

3) DRILL METHOD

☐ Rotary Air ☐ Rotary Mud ☒ Cable ☐ Auger ☐ Cable Mud
☐ Reverse Rotary ☐ Other

4) PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial Commercial ☐ Livestock ☐ Dewatering
☐ Thermal ☐ Injection ☐ Other

5) BORE HOLE CONSTRUCTION

Special Standard ☐ (Attach copy)

Depth of Completed Well 812.00 ft

BORE HOLE
Dia From To Material SEAL From To Amt sacks lbs
Existing Cement 840 870 40 S
Calculated 38
Calculated

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

Backfill placed from 870 ft. to 926 ft. Material PEA GRAVEL

Filter pack from ft. to ft. Material Size

Explosives used: ☐ Yes Type Amount

5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount Actual Amount

6) CASING/LINER

Casing Liner Dia + From To Gauge Stil Plstc Wld Thrd
☐ ☒ 12 ☐ 587 807 .205 ☒ ☐ ☒
Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s)
Temp casing ☐ Yes Dia From To

7) PERFORATIONS/SCREENS

Perforations Method Plasma Cutter

Screens Type

Material

Perf: Casing/ Screen
Screen Liner Dia From To Sem/slot Slot # of Tele
Perf Liner 12 606 806 125 5 3750
pipe size

8) WELL TESTS: Minimum testing time is 1 hour

☒ Pump ☐ Bailor ☐ Air ☐ Flowing Artesian

Yield gal/min Drawdown Drill stem Pump depth Duration (hr)
1413 95 160 3

Temperature 58 °F Lab analysis ☐ Yes By

Water quality concerns? ☐ Yes (describe below) TDS amount

From To Description Amount Units

(9) LOCATION OF WELL (legal description)

County HARNEY Twp 34.00 S N/S Range 31.00 E E/W
Sec 23 SE 1/4 of the NW 1/4 Tax Lot 700
Tax Map Number Lot
Lat " or DMS or L
Long " or DMS or L
☐ Street address of well ☒ Nearest address

APPROX 4 MILES SOUTH ON HWY 205 FROM ROARING SPRINGS
HEADQUARTERS THEN 4 MILES WEST THROUGH PIVOTS AND FARM

(10) STATIC WATER LEVEL

Date SWL(psi) + SWL(ft)
Existing Well - Pre-Alteration 5/5/2016 49
Completed Well 5/12/2016 49
Flowing Artesian? ☐ Dry Hole? ☐

WATER BEARING ZONES

Depth water was first found Existing

SWL Date From To Est Flow SWL(psi) + SWL(ft)
Existing
5-12-16 660 812 1400 49

(11) WELL LOG

Ground Elevation

Material From To
Existing
See HARN
1704
RECEIVED
MAY 17 2016
WATER RESOURCES DEPT
SALEM, OREGON

Date Started 5/5/2016 Completed 5/12/2016

(unbonded) Water Well Constructor Certification

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

License Number Date

Signed

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, 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 water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1899 Date 5/10/2016

Signed SAM P KINGREY
Contact Info (optional)



PAID
02/15/2016

\$668.00



Down Right Drilling & Pump Inc.
6025 Little Freezeout Rd.
Caldwell, ID, 83607
208-454-3098 Fax 208-454-0010
downrightdrilling.com

Invoice

DATE

5/2/2016

INVOICE#

333227

PAID
05/16/2016

Bill To

RSG Forest Products
985 NW 2nd St.
Kalama, WA 98625
360-673-2825

W.O. No.

Harn1704

P.O. No.

TERMS

Due on receipt

DUE DATE

5/2/2016

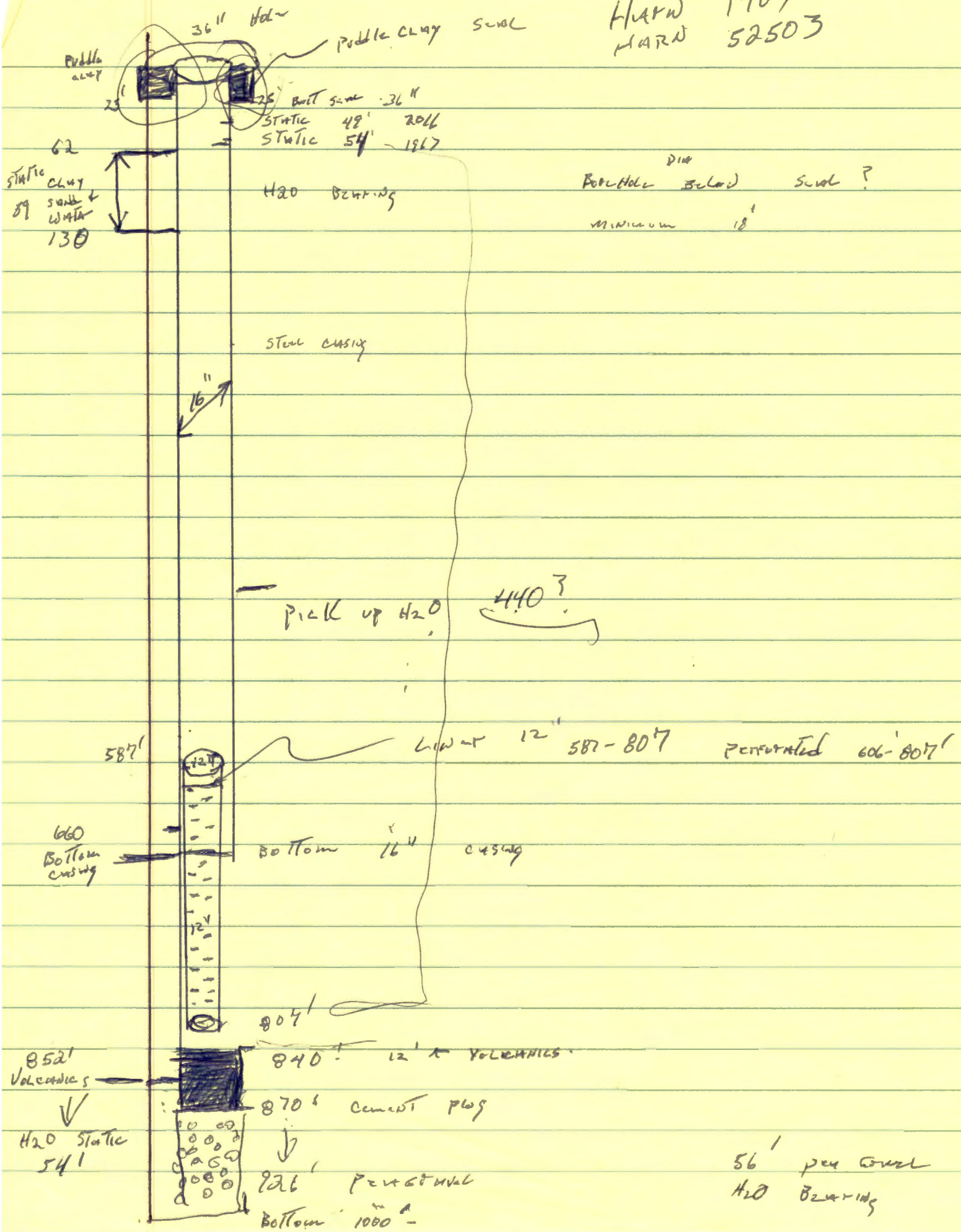
QTY	DESCRIPTION	DISC. PRICE	LIST PRICE	EXTENDE...
	*** Clean out & install cement seal ***			
1	Mob & De Mob	1,500.00	1,500.00	1,500.00
47	Cable Rig Time (p/hr)	250.00	250.00	11,750.00
135	Seal Materials (cu/ft)	25.00	25.00	3,375.00
1	Pea Gravel	718.00	718.00	718.00
	*** Install & clean out after test pump			
220	12" Steel Well Casing .250 (p/ft)	34.00	34.00	7,480.00
1	16 X 12 Weld Reducer	300.00	300.00	300.00
200	Perforation	24.00	24.00	4,800.00
10	Cable Rig Time (p/hr)	250.00	250.00	2,500.00

Thank you for your business.

Discounted Total

\$32,423.00

HARN 1704
HARN 52503



MEMO

ok
Kmy

To: File
From: Joel Jeffery, Well Construction Program Coordinator,
Subject: Review of Water Right Application G-17861
Date: September 16, 2014

The attached application was forwarded to the Well Construction and Compliance Section by Water Rights. Darrick E. Boschmann/Gerald H. Grondin reviewed the application. Please see Darrick and Gerald's Groundwater Review and the Well Log.

Applicant's Well #1 (HARN 1704): Based on a review of the Well Report, Applicant's Well #1 does not appear to comply with current minimum well construction standards (See OAR 690 Division 210). The water well report indicates that "Puddled Clay" was used as a surface casing seal to a depth of 25 feet. Puddled clay is not an approved sealing material. In addition, the "puddled clay seal" extended to a depth of 25 feet. In order to meet minimum well construction standards, the well must be resealed to a depth of at least 857 feet below surface grade or the lower portion of the well must be sealed with cement grout from a depth of 847 to the well bottom.

My recommendation is that the Department **not issue** a permit for Applicant's Well #1 (HARN 1704) unless it is brought into compliance with current minimum well construction standards or information provided showing that it is in compliance with current minimum well construction standards.

Bringing Applicant's Well #1 into compliance with minimum well construction standards may not satisfy hydraulic connection issues.



INTEROFFICE MEMORANDUM

TO: Joel Jeffery, Well Construction and Compliance Section

FROM: Barbara Park, Water Rights Section

DATE: 09/12/2014

RE: G-17861, ROARING SPRINGS RANCH - request for determination of compliance with well construction standards

Please review well HARN 1704, make a determination regarding well construction compliance, and route your review to me.

Thank you.

Barbe

*Joel not sure why this GW Review
didn't go directly to you for
WCC as there are obvious issues
with the well.*

*The file came directly to me &
should have gone through you first.
I spoke with Ivan on the
procedure.*

Thanks

Barbe

PUBLIC INTEREST REVIEW FOR GROUND WATER APPLICATIONS

TO: Water Rights Section

Date 9/4/2014

FROM: Ground Water/Hydrology Section Darrick E Boschmann/Gerald H. Grondin

Reviewer's Name

SUBJECT: Application G-17861

Supersedes review of N.A.

Date of Review(s)

PUBLIC INTEREST PRESUMPTION; GROUNDWATER

OAR 690-310-130 (1) *The Department shall presume that a proposed groundwater use will ensure the preservation of the public welfare, safety and health as described in ORS 537.525.* Department staff review ground water applications under OAR 690-310-140 to determine whether the presumption is established. OAR 690-310-140 allows the proposed use be modified or conditioned to meet the presumption criteria. **This review is based upon available information and agency policies in place at the time of evaluation.**

A. GENERAL INFORMATION:Applicant's Name: Roaring Springs Ranch Inc.County: Harney

A1. Applicant(s) seek(s) 3.09 cfs from one well(s) in the Malheur Lake Basin,
Catlow Valley subbasin Quad Map: Blitzen

A2. Proposed use: Primary Irrigation, 246.83 acres Seasonality: March 1 to October 31

A3. Well and aquifer data (attach and number logs for existing wells; mark proposed wells as such under logid):

Well	Logid	Applicant's Well #	Proposed Aquifer*	Proposed Rate(cfs)	Location (T/R-S QQ-Q)	Location, metes and bounds, e.g. 2250' N, 1200' E fr NW cor S 36
1	HARN 1704	1	Black/grey rock, sandstone	3.09	34S/31E-23dbb	2553.3' N, 9.96' E fr S 1/4cor S23
2						
3						
4						
5						

* Alluvium, CRB, Bedrock

Well	Well Elev ft msl	First Water ft bls	SWL ft bls	SWL Date	Well Depth (ft)	Seal Interval (ft)	Casing Intervals (ft)	Liner Intervals (ft)	Perforations Or Screens (ft)	Well Yield (gpm)	Draw Down (ft)	Test Type
1	4552	?	54.71	03/01/68	1000	0-25	0-660	NA	NA	600	150	P
1										1500	150	P
1										2200	150	P
1										1700	100	P

Use data from application for proposed wells.

A4. Comments:

The application requests a total maximum pumping rate of 3.09 cfs (1,386.8gpm) and a total annual volume of 740.49 acre-feet from a single well to irrigate 246.83 acres (3 acre-feet per acre). The maximum pumping rate and maximum annual volume are what is typically allowed for 246.83 acres.

The application proposes to obtain groundwater from "Black/grey rock, sandstone". This appears to be part of a predominantly basalt/volcanic unit below a predominantly basin-fill sediment unit found in the basin valleys.

- A5. ☒ **Provisions of the Malheur Lake** _____ Basin rules relative to the development, classification and/or management of ground water hydraulically connected to surface water ☐ are, or ☒ are not, activated by this application. (Not all basin rules contain such provisions.)
Comments: _____

A6. ☐ **Well(s) #** N.A. _____, _____, _____, _____, _____, tap(s) an aquifer limited by an administrative restriction.
Name of administrative area: _____
Comments: _____

Currently there is no administrative area.

B. GROUND WATER AVAILABILITY CONSIDERATIONS, OAR 690-310-130, 400-010, 410-0070

- B1. **Based upon available data**, I have determined that ground water* for the proposed use:
- a. ☐ is over appropriated, ☐ is not over appropriated, or ☒ cannot be determined to be over appropriated during any period of the proposed use. * This finding is limited to the ground water portion of the over-appropriation determination as prescribed in OAR 690-310-130;
 - b. ☐ will not or ☐ will likely be available in the amounts requested without injury to prior water rights. * This finding is limited to the ground water portion of the injury determination as prescribed in OAR 690-310-130;
 - c. ☐ will not or ☐ will likely to be available within the capacity of the ground water resource; or
 - d. ☒ will, if properly conditioned, avoid injury to existing ground water rights or to the ground water resource:
 - i. ☒ The permit should contain condition #(s) 7B, 7N, 7P, 7T
 - ii. ☐ The permit should be conditioned as indicated in item 2 below.
 - iii. ☐ The permit should contain special condition(s) as indicated in item 3 below;
- B2. a. ☐ **Condition** to allow ground water production from no deeper than _____ ft. below land surface;
- b. ☐ **Condition** to allow ground water production from no shallower than _____ ft. below land surface;
- c. ☐ **Condition** to allow ground water production only from the _____ ground water reservoir between approximately _____ ft. and _____ ft. below land surface;
- d. ☐ **Well reconstruction** is necessary to accomplish one or more of the above conditions. The problems that are likely to occur with this use and without reconstructing are cited below. Without reconstruction, I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Ground Water Section.
- Describe injury** –as related to water availability– that is likely to occur without well reconstruction (interference w/ senior water rights, not within the capacity of the resource, etc): _____

- B3. **Ground water availability remarks:** _____

There are two state observation wells in the general vicinity of the proposed POA well. The state observation well with long term data (1987-2008) closest to the proposed POA well is state observation well 1150 (HARN 1683) located in T33S/R31E-sec 31ddc about 5 miles northwest from the proposed POA well. The other is state observation well 1151 (HARN 900) located in T33S/R31E-sec 8ac about 8.5 miles from the proposed POA well which has a period of record from 1987-2014 (Figures 1 & 2). Water level trends in these wells indicate some level of decline over the period of record (Figure 2), however the relative contribution of climate and groundwater withdrawals to this decline cannot be determined. Notably, state observation well 1150 (HARN 900) is in proximity to an area of relatively higher groundwater pumpage, and records a somewhat greater overall decline.

If a permit is issued, the following conditions should be included: 7B, 7N, 7P, 7T and

The "large" water use condition: (require a totalizing flow meter at each well. Each flow meter shall be located within 50 feet of the wellhead and adjacent to each flow meter shall be a clearly visible monument with a sign noting the flow meter. Lastly, require for every flow meter the reading, recording (monthly at minimum), and annual reporting of the flow meter data, all flow meters).

C. GROUND WATER/SURFACE WATER CONSIDERATIONS, OAR 690-09-040

C1. 690-09-040 (1): Evaluation of aquifer confinement:

Well	Aquifer or Proposed Aquifer	Confined	Unconfined
1	Interbedded clay, sand, sandstone, and basalt	☐	☒
		☐	☐
		☐	☐
		☐	☐
		☐	☐

Basis for aquifer confinement evaluation: The well log for HARN 1704 (Figure 3) indicates first water was encountered in the interval 62-130 feet with a static water level of 59 feet. Water was again picked up from 440 feet with a static level remaining at 59 feet until 852 feet when the static water level rose to 54.71 feet. It is unknown how continuous the overlying fine grained material is, and given the minimal head difference between the upper and lower water bearing zones (4.29 feet) it is possible that a vertical connection with an upward gradient exists.

C2. 690-09-040 (2) (3): Evaluation of distance to, and hydraulic connection with, surface water sources. All wells located a horizontal distance less than ¼ mile from a surface water source that produce water from an unconfined aquifer shall be assumed to be hydraulically connected to the surface water source. Include in this table any streams located beyond one mile that are evaluated for PSI.

Well	SW #	Surface Water Name	GW Elev ft msl	SW Elev ft msl	Distance (ft)	Hydraulically Connected?			Potential for Subst. Interfer. Assumed?	
						YES	NO	ASSUMED	YES	NO
1	1	Roaring Springs	4,497	4,685	22,820	☐	☒	☐	☐	☒
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐

Basis for aquifer hydraulic connection evaluation: The groundwater elevation in the well at the time of construction (1968) was about 188 feet below the elevation of the lowest mapped spring at Roaring Springs. Water level data from State of Oregon Observation well 1150 (HARN 1683) located in T33s/R31E-sec 31ddc indicate that the current water level in HARN 1704 is likely at or slightly below the level at the time of construction. According to Waring (1909) the springs "come forth well up on the face of the scarp, not from the edge of the valley alluvium as they would if they rose along fault fissures." Further, Waring notes that these springs "issue from a coarse tuffaceous bed". These observations suggest that the source water for these springs is likely from recharge on the slopes of Steens Mountain to the east, rather than from groundwater flow from the Catlow Valley.

Water Availability Basin the well(s) are located within: No WAB data in this area.

C3a. **690-09-040 (4):** Evaluation of stream impacts for each well that has been determined or assumed to be **hydraulically connected and less than 1 mile** from a surface water source. Limit evaluation to instream rights and minimum stream flows that are pertinent to that surface water source, and not lower SW sources to which the stream under evaluation is tributary. Compare the requested rate against the 1% of 80% *natural* flow for the pertinent Water Availability Basin (WAB). If Q is not distributed by well, use full rate for each well. Any checked ☒ box indicates the well is assumed to have the potential to cause PSI.

Well	SW #	Well < ¼ mile?	Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐

C3b. **690-09-040 (4):** Evaluation of stream impacts by total appropriation for all wells determined or assumed to be **hydraulically connected and less than 1 mile** from a surface water source. **Complete only if Q is distributed among wells.** Otherwise same evaluation and limitations apply as in C3a above.

	SW #		Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
			☐			☐		☐		☐
			☐			☐		☐		☐
			☐			☐		☐		☐
			☐			☐		☐		☐

Comments: No analysis. There is no surface water located less than 1 mile from the proposed well.

C4a. **690-09-040 (5):** Estimated impacts on **hydraulically connected surface water sources greater than one mile** as a percentage of the proposed pumping rate. Limit evaluation to the effects that will occur up to one year after pumping begins. This table encompasses the considerations required by 09-040 (5)(a), (b), (c) and (d), which are not included on this form. Use additional sheets if calculated flows from more than one WAB are required.

[illegible]

(A) = total interference as CFS; (B) = WAB calculated natural flow at 80% exceed. as CFS; (C) = 1% of calculated natural flow at 80% exceed. as CFS; (D) = highlight the checkmark for each month where (A) is greater than (C); (E) = total interference divided by 80% flow as percentage.

Basis for impact evaluation:

No analysis. There is no WAB. Additionally, available data indicate that Roaring Springs do not appear to be hydraulically connected to groundwater at the proposed POA well. Further, other surface water bodies in the vicinity of the proposed POA well are intermittent, and lie at elevations well above the groundwater elevation in this area.

C4b. **690-09-040 (5) (b)** The potential to impair or detrimentally affect the public interest is to be determined by the Water Rights Section.

C5. ☐ If properly conditioned, the surface water source(s) can be adequately protected from interference, and/or ground water use under this permit can be regulated if it is found to substantially interfere with surface water:

- i. ☐ The permit should contain condition #(s) _____;
- ii. ☐ The permit should contain special condition(s) as indicated in "Remarks" below;

C6. SW / GW Remarks and Conditions _____

If a permit is issued, the following conditions should be included: 7B, 7N, 7P, 7T and _____

The "large" water use condition: (require a totalizing flow meter at each well. Each flow meter shall be located within 50 feet of the wellhead and adjacent to each flow meter shall be a clearly visible monument with a sign noting the flow meter. Lastly, require for every flow meter the reading, recording (monthly at minimum), and annual reporting of the flow meter data, all flow meters).

References Used: Review of file G-17228, regional geologic mapping, local well logs, State Observation Well records.

Waring, G.A., 1909. Geology and water resources of the Harney Basin region, Oregon. USGS Water Supply Paper: 231.

D. WELL CONSTRUCTION, OAR 690-200

D1. Well #: 1 Logid: HARN 1704

D2. **THE WELL 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) _____

D3. **THE WELL construction deficiency:**

- a. ☐ constitutes a health threat under Division 200 rules;
- b. ☒ commingles water from more than one ground water reservoir;
- c. ☐ permits the loss of artesian head;
- d. ☐ permits the de-watering of one or more ground water reservoirs;
- e. ☐ other: (specify) _____

D4. **THE WELL construction deficiency is described as follows:** _____

Use of puddled clay for well seal does not meet well construction standards. Additionally, the seal depth is inadequate. Either abandon the well from 847 feet depth to well bottom or seal off everything above 857 feet.

D5. **THE WELL** a. ☐ was, or ☐ was not constructed according to the standards in effect at the time of original construction or most recent modification.

b. ☒ I don't know if it met standards at the time of construction.

D6. ☒ **Route to the Enforcement Section.** I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Enforcement Section and the Ground Water Section.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

D7. ☐ Well construction deficiency has been corrected by the following actions: _____

(Enforcement Section Signature)

_____, 200____.

D8. ☐ **Route to Water Rights Section (attach well reconstruction logs to this page).**

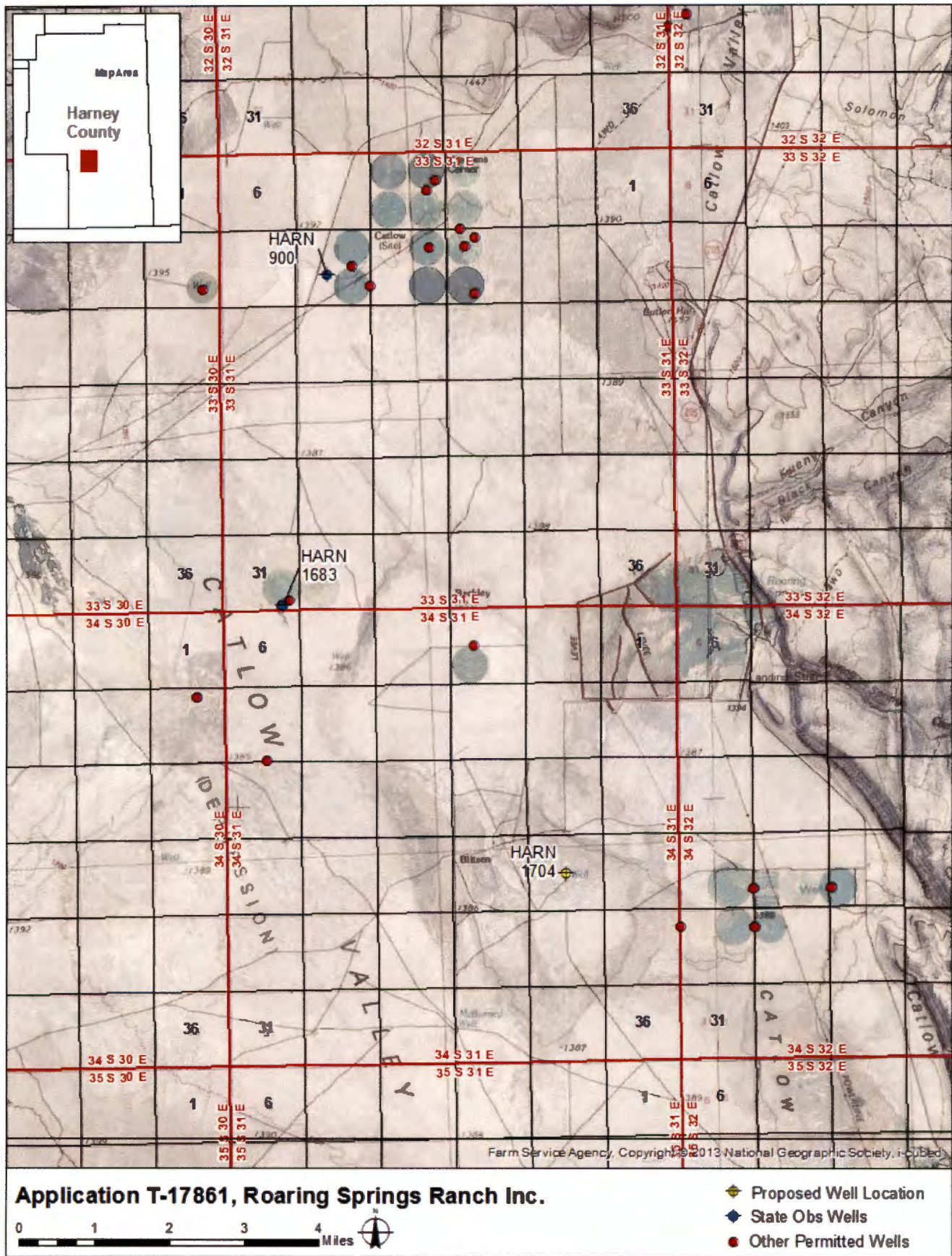


Figure 1: Area wide map with well locations.

State Observation Well 1151 (HARN 900)
TD = 450' BLS
Land Surface Elev. = 4566' AMSL

Catlow Valley State Observation Wells

State Observation Well 1150 (HARN 1683)
TD = 610' BLS
Land Surface Elev. = 4572' AMSL

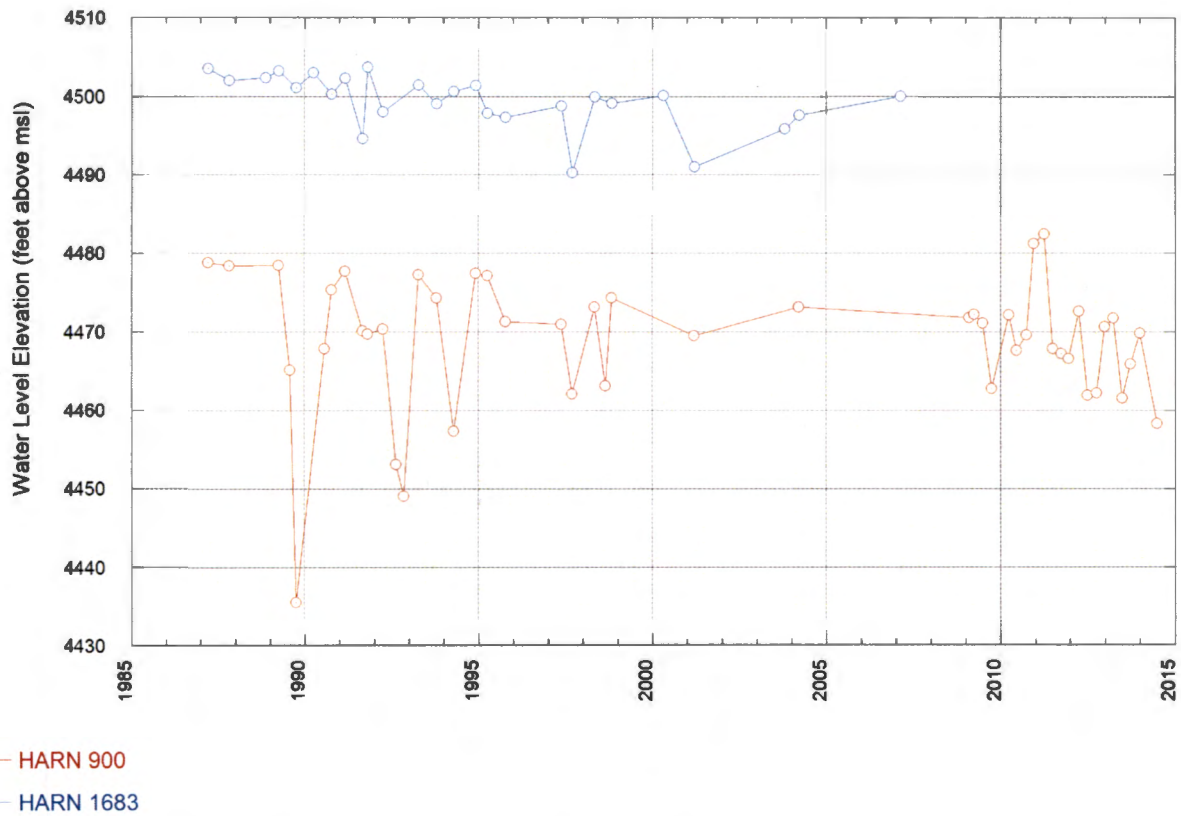


Figure 2: Hydrograph of State Observation Wells 1151 (red) and 1150 (blue).

NOTICE TO WATER WELL CONTRACTOR
The original and first copy
of this report are to be
filed with the
STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)
(Do not write above this line)

RECEIVED
MAR 22 1968
STATE ENGINEER
OREGON

State Well No.

Permit No.

34/31-23

(1) OWNER:

Name Derrill Morger

Address 234 Mt. Vernon Ave.

Bakersfield, California

(2) TYPE OF WORK (check):

New Well ☐ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

CASING INSTALLED:

16" Diam. from 0 ft. to 660 ft. Gage 250

" Diam. from ft. to ft. Gage

" Diam. from ft. to ft. Gage

PERFORATIONS:

Perforated? ☐ Yes ☒ No

Type of perforator used

Size of perforations in. by in.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

(8) WATER LEVEL: Completed well.

level 54' 8 1/2" ft. below land surface Date 3-1-68

Artesian pressure lbs. per square inch Date

(9) WELL TESTS:

Drawdown is amount water level is
lowered below static level

pump test made? ☒ Yes ☐ No If yes, by whom? OWNER

600 gal./min. with 150 ft. drawdown after 4 hrs.

1500 " 150 " 12 "

2700 " 150 " 12 "

Bailer test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m. Date

Temperature of water Was a chemical analysis made? ☐ Yes ☒ No

(10) CONSTRUCTION:

Well seal—Material used puddled clay

Depth of seal 25 ft.

Diameter of well bore to bottom of seal 36 in.

Were any loose strata cemented off? ☐ Yes ☒ No Depth

Was a drive shoe used? ☒ Yes ☐ No

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? ☐ Yes ☒ No Size of gravel:

Gravel placed from ft. to ft.

(11) LOCATION OF WELL:

County Garnay

Driller's well number

1/4 Section 23 T. 34S R. 31E W.M.

Bearing and distance from section or subdivision corner

Located in center of section

(12) WELL LOG:

Diameter of well below casing 16"

Depth drilled 1000 ft. Depth of completed well 1000 ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change
in position of Static Water Level as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
brown soil	0	62	
tan clay w/sand & water	62	130	59
brown clay--gritty	130	166	
blue clay--gritty	166	206	
brown clay	206	222	
sticky green clay	222	249	
sticky red clay	249	250	
sticky brown clay	250	254	
grey clay w/fineto med			
sand	254	260	
sticky brown clay w/			
occasional streaks sand	260	445	
olive green clay w/ streaks			
of sandstone	445	470	
green clay	470	540	
various colored clay w/			
streaks of sand	540	852	
hard black & grey rock	852	875	54' 8 1/2"
hard, dark grey sandstone	875	990	
hard black rock	990	1000	
Picked up water from 440'. Static level			
remained same to 852'			
Work started 10-10-1967 Completed 2-25-1968			
Date well drilling machine moved off of well 3-6-1968			

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials
used and information reported above are true to my best
knowledge and belief.

[Signed] Forrest Skinner Date 3-20-1968
(Drilling Machine Operator)

Drilling Machine Operator's License No. 10

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is
true to the best of my knowledge and belief.

NAME Skinner & Sons
(Person, firm or corporation) (Type or print)

Address Crane, Oregon 97732

[Signed] Leathur Skinner
(Water Well Contractor)

Contractor's License No. 312 Date 3-20-68

(USE ADDITIONAL SHEETS IF NECESSARY)

Figure 3: Well log for proposed POA well HARN 1704.

Standard Application Completeness Checklist

Minimum Requirements (OAR 690-310-0040)(ORS 537.400)

Yes No

This is the checklist used by WRD staff

Application G-17861 County Harney Priority Date 5/15/14Township 34S Range 31E Section 22, 23, 26 & 27Amount 3.09 cfs Use IR WM Dist. # 10Applicant Name ROARING SPRINGS RANCH, INC.Receipt No. 11844
112042 Caseworker Assigned: ☐ Mary ☒ Kim ☐ Jeana☒ Contact info: Applicant/Organization Name and Mailing Address☒ Signature (in ink) of *all* applicants or the applicant's authorized agent (include title or authority if for an organization or corporation).☒ Property ownership: Does the applicant own all the land for the proposed project? Y / N

If No:

☐ The affected landowner's name and mailing address must be listed☐ A signed statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.☒ For a SW Application: Source of water must be indicated.☐ If the source is stored water, is the stored water component filled out and does the applicant own the reservoir or include a non-expired agreement for stored water? (ORS 537.400)**NOTE:** A surface water application cannot be filed at the same time as a Reservoir or Alt Reservoir if it will be for the use of the stored water under the PROPOSED Reservoir application, Exp. Secondary (E2).☐ If for stored water not under contract, is the source authorized under a permit, certificate, or decree?Permit or Certificate issued? Y / N Permit or Certificate # _____☒ For a GW Application: Well Development Tables completed and/or a well log report included (if existing)☒ Proposed water use☒ Amount of water from *each* source in GPM, CFS, or AF☒ Period of use indicated☒ If for supplemental irrigation, primary acreage or underlying permit or certificate number listed
(Primary and Supplemental Irrigation counts as 2 uses)☒ Water Management Section (Estimates if the water system has not been designed)☒ Resource Protection Section (N/A for Groundwater)

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MAY 15 2014

SALEM, OR

- ☒ For all standard reservoir applications: Preliminary plans and specifications including dam height, width, crest width and surface area for each reservoir.
- ☒ Project schedule (If system is already completed, indicate "existing.")
- ☒ Supplemental data sheets enclosed (if needed)
- ☐ Form M (Municipal or Quasi-Municipal)
- ☐ Spring Description Sheet (if source is a spring)
- ☒ A completed **Land-Use Form** or receipt signed and dated by the appropriate planning department officials.
Please be certain that the Land-Use form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months.
- ☒ A **Legal Description** of all the properties involved where water is diverted, crossed, and used. The Legal description includes a metes and bounds or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or applicant may submit a lot book report prepared by a title company. Copies of tax bills are not acceptable.
- ☒ The proposed source IS / IS NOT (circle one) restricted or withdrawn from further appropriation.
NOTE: If it is withdrawn under ORS 538, then return application and fees. If it is withdrawn by other means, accept the application and a negative IR will be issued.
- ☒ The **map** must meet all the minimum requirements of OAR 690-310-0050.
- ☒ Township, Range, Section
 - ☒ Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU)
 - ☒ Place of use, 1/4-1/4's and tax lot clearly identified
 - ☒ Even map scale not less than 4" = 1 mile (1" = 1320 ft.); examples: 1" = 100 ft., 1" = 200 ft.
 - ☒ Location of *each* diversion point, well or dam by reference to a recognized public land survey corner. Multiple wells shall be uniquely labeled, and identified on well logs if existing.
 - ☒ Reference corner on map
 - ☒ North Directional Symbol
 - ☒ Number of acres per 1/4-1/4 if for irrigation, nursery, or agriculture
- ☒ For a standard reservoir application to store ≥ 9.2 acre feet AND having a dam height ≥ 10 feet, map must be prepared by a CWRE

☒ **Fees:**

Base Fee	\$	1,150	
1 st CFS or AF	\$	300	
Addnl CFS/AF <u>2.07</u>	= \$	900	
Addnl Use/POD/POA	= \$		
Addnl Reservoir	= \$		
Other	= \$		
Exam Fee Total	\$	2350	

Permit Recording Fees	\$	450
Mitigation Fee	\$	
Amount Paid	\$	2800
Total Due	\$	2800
Amount Returned	\$	

Reviewed by:

Scott - CSG

Date:

4/28/14

From: "GILLIS Buffy M" <buffy.m.gillis@state.or.us>
Subject: RE: Harn 1704
Sent date: 05/17/2016 12:18:45 PM
To: "office@downrightdrilling.com" <office@downrightdrilling.com>

Hi Lynne,

Yes, this is fine. :)

I date-stamped the log and dropped it off at the data center; It should be in our data base by end of day tomorrow.

Please let me know if I can help you with anything else.

--Buffy

Buffy M Gillis
Well Construction & Compliance Section
Oregon Water Resources Department
725 Summer St NE, Suite A
Salem OR 97301
Ph: 503.986.0850 Fax: 503.986.0902 Linda

0850

-----Original Message-----

From: office@downrightdrilling.com [mailto:office@downrightdrilling.com]
Sent: Tuesday, May 17, 2016 10:50 AM
To: GILLIS Buffy M
Subject: Harn 1704

Buffy,

Please advise, Sam sent this to me to forward to you, we are unable to make these entries in the computer program... will this work?

Lynne Edwards
Down Right Drilling & Pump, Inc.
6025 Little Freezeout Rd.
Caldwell, ID 83607

Phone 208-454-3098 Fax 208-454-0010

E-mail office@downrightdrilling.com

**Oregon Water Resources Department
Water Right Services Division**

Water Rights Application
Number G-17861

Prior to the issuance of a permit, the Department must receive evidence demonstrating compliance with well construction standards for Well 1 (HARN 1704), which must be approved by the Department's Well Construction and Compliance Section. Please include your application number on any documents submitted to the Department.

Proposed Final Order

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

Findings of Fact

1. On May 15, 2014, Roaring Springs Ranch Inc submitted an application to the Department for the following water use permit:
 - Amount of Water: 3.09 cubic feet per second (CFS)
 - Use of Water: irrigation of 246.83 acres
 - Source of Water: Well 1 (HARN 1704) in Dry Creek Basin
 - Area of Proposed Use: Harney County within Section 22, Section 23, Section 26, and Section 27, Township 34 South, Range 31 East, W.M.
2. On October 3, 2014, the Department mailed the applicant notice of its Initial Review, determining that "*The appropriation of 3.09 CFS from Well 1 (HARN 1704) in Dry Creek Basin for irrigation of 246.83 acres is allowable March 1 through October 31, contingent upon the submittal of evidence demonstrating compliance with current minimum well construction standards for Well 1 (HARN 1704).*" The applicant did not notify the Department to stop processing the application within 14 days of that date.
3. On October 7, 2014, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about obtaining future notices and a copy of the Proposed Final Order. No written comments were received within 30 days.

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

- any applicable basin program
- applicable statutes, administrative rules, and case law
- the amount of water available
- the rate and duty for the proposed use
- 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
 - pending senior applications and existing water rights of record
 - any applicable comprehensive plan or zoning ordinance
 - recommendations by other state agencies
 - the Scenic Waterway requirements of ORS 390.835
 - designations of any critical ground water areas
 - any comments received
4. The Department has determined that Well 1 (HARN 1704) does not meet current minimum well construction standards as described in Oregon Revised Statutes (ORS) 537.535 and Oregon Administrative Rules (OAR) 690-210. Prior to the issuance of a permit, evidence demonstrating compliance with well construction standards must be submitted to the Department, and the Department's Well Construction and Compliance Section must review and give written approval of the well construction. The Department's recommendation to approve the application is contingent upon evidence demonstrating compliance with well construction standards.¹
5. The Malheur Lake Basin Program allows irrigation (OAR 690-510-0000).
6. An assessment of ground water availability has been completed by the Department's Ground Water/Hydrology section. A copy of this assessment is in the file. Ground water will likely be available within the capacity of the resource, and if properly conditioned, the proposed use of ground water will avoid injury to existing ground water rights.
7. Ground Water Findings Under OAR 690-009
The Department determined, consistent with OAR 690-009-0040(4), that the proposed ground water use will not have the potential for substantial interference with surface water.

In making this determination, the Department considered whether:

- (a) There is a hydraulic connection from the proposed well(s) to any surface water sources.
- (b) The point of appropriation is a horizontal distance less than one-fourth mile from the surface water source;
- (c) The rate of appropriation is greater than five cubic feet per second, if the point of appropriation is a horizontal distance less than one mile from the surface water source;
- (d) The rate of appropriation is greater than one percent of the pertinent adopted minimum perennial streamflow or instream water right with a senior priority date, if one is applicable,

¹In repairing the well, the well owner should work closely with the Department and/or a licensed well constructor to ensure that repairs are carried out in a manner that will not violate well construction or other rules. The well owner is encouraged to contact Joel Jeffery of the Department's Well Construction and Compliance Section at 503-986-0852 to determine how to proceed.

or of the discharge that is equaled or exceeded 80 percent of time, as determined or estimated by the Department, and if the point of appropriation is a horizontal distance less than one mile from the surface water source;

- (e) The ground water appropriation, if continued for a period of 30 days, would result in stream depletion greater than 25 percent of the rate of appropriation, if the point of appropriation is a horizontal distance less than one mile from the surface water source.

According to the Department's rules, the potential for substantial interference is assumed if (a) and either (b) or (c) or (d) or (e) are met. For this application, the Department determined that there is no potential for substantial interference, because either (a) is not met, or (b), (c), (d) or (e) are not met, or both.

- 8. Well 1 (HARN 1704) in Dry Creek Basin is not within or above a State Scenic Waterway.
- 9. The Department finds that the amount of water requested, 3.09 CFS, is an acceptable amount.
- 10. Documentation has been submitted from the relevant land-use planning jurisdiction that indicates the proposed use is allowed outright.
- 11. The proposed ground water use is not within a designated critical ground water area.

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.

- 1. The proposed use requested in this application is allowed in the Malheur Lake Basin Program.
- 2. Water is available for the proposed use.
- 3. The proposed use will not injure other water rights.
- 4. The proposed use complies with other rules of the Water Resources Commission not otherwise described above.
- 5. The application is in compliance with the State Agency Coordination Program regarding land use.
- 6. No proposed flow rate and duty of water higher than the general basin-wide standard is needed.

For these reasons, the required presumption has been established.

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

- (a) One or more of the criteria for establishing the presumption are not satisfied; or
 - (b) The proposed use would not ensure the preservation of the public welfare, safety and health as demonstrated in comments, in a protest . . . or in a finding of the department that shows:
 - (A) The specific aspect of the public welfare, safety and health under ORS 537.525 that would be impaired or detrimentally affected; and
 - (B) Specifically how the identified aspect of the public welfare, safety and health under ORS 537.525 would be impaired or be adversely affected.
7. 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.
8. The Department therefore concludes that the proposed use would ensure the preservation of the public welfare, safety and health as described in ORS 537.525.
9. When issuing permits, ORS 537.628(1) authorizes the Department to include limitations and conditions which have been determined necessary to protect the public welfare, safety, and health. The attached draft permit is conditioned accordingly.

Recommendation

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

DATED July 21, 2015

E. Timothy Wallin

E. Timothy Wallin, Water Rights Program Manager
for Thomas M. Byler, Director

Protests

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for ground water), you can protest this Proposed Final Order. Protests must be received in the Water Resources Department no later than **September 4, 2015**. Protests 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 the 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;
- To affect the department's determination that the proposed use in this application will, or will not, ensure the preservation of the public welfare, safety and health as described in ORS 537.525, ORS 537.621(2)(b) requires that a protest demonstrate, by a preponderance of evidence any of the following: (a) One or more of the criteria for establishing the presumption are, or are not, satisfied; or (b) The specific aspect of the public welfare, safety and health under ORS 537.525 that would be impaired or detrimentally affected, and specifically how the identified aspect of the public welfare, safety and health under ORS 537.525 would be impaired or be adversely affected;
- If you are the applicant, the protest fee of \$350 required by ORS 536.050; and
- If you are not the applicant, the protest fee of \$700 required by ORS 536.050 and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting a contested case hearing. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the Proposed Final Order.

Requests for Standing

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for ground water), persons other than the applicant who support a Proposed Final Order can request standing for purposes of

participating in any contested case proceeding on the Proposed Final Order or for judicial review of a Final Order.

Requests for standing must be received in the Water Resources Department no later than **September 4, 2015**. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the Proposed Final Order as issued;
- A detailed statement of how the requester would be harmed if the Proposed Final Order is modified; and
- A standing fee of \$200. If a hearing is scheduled, an additional fee of \$500 must be submitted along with a petition for party status.

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 either:

- 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.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear or fail to appear at a scheduled hearing, the Director may issue a Final Order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 137-003-0555, an agency representative may represent a partnership, corporation, association, governmental subdivision or public or private organization if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Service Members: Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>

This document was prepared by Barbara Park. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at Barbara.J.Park@wrd.state.or.us or 503-986-0859.

If you have questions about how to file a protest or a request for standing, please refer to the respective sections in this Proposed Final Order entitled "Protests" and "Requests for Standing". If you have previously filed a protest and want to know its status, please contact Patricia McCarty at 503-986-0820.

If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0801. Address all other correspondence to:

Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266, Fax: 503-986-0901.

DRAFT

This is not a permit.

DRAFT

STATE OF OREGON

COUNTY OF HARNEY

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

ROARING SPRINGS RANCH INC
31437 HWY 205
FRENCHGLEN, OR 97736

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-17861

SOURCE OF WATER: WELL 1 (HARN 1704) IN DRY CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 246.83 ACRES

MAXIMUM RATE: 3.09 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MAY 15, 2014

WELL LOCATION: NW $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION 23, T34S, R31E, W.M.; 2553 FEET NORTH
AND 10 FEET EAST FROM S1/4 CORNER, SECTION 23

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 and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE $\frac{1}{4}$ SE $\frac{1}{4}$	8.36 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$	10.55 ACRES
SECTION 22	

SW $\frac{1}{4}$ NW $\frac{1}{4}$	7.54 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	8.49 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	39.93 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	39.65 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	40.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	10.99 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	13.46 ACRES
SECTION 23	

NW $\frac{1}{4}$ NE $\frac{1}{4}$	0.17 ACRE
NE $\frac{1}{4}$ NW $\frac{1}{4}$	14.45 ACRES

NW ¼ NW ¼ 13.23 ACRES
SECTION 26

NE ¼ NE ¼ 0.01 ACRE
SECTION 27

TOWNSHIP 34 SOUTH, RANGE 31 EAST, W.M.

Measurement devices, and recording/reporting of annual water use conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter, as approved by the Director, at each point of appropriation. The permittee shall maintain the device in good working order.
- B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The permittee shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes water-use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

Static Water Level Conditions

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by,

or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

The Department may require the discontinuance of groundwater use, or reduce the rate or volume of withdrawal, from the well(s) if any of the following events occur:

- A. Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or
- B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water-level measurements reveal a water-level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Dedicated Measuring Tube: Wells with pumps shall be equipped with a minimum 3/4-inch diameter, unobstructed, dedicated measuring tube pursuant to figure 200-5 in OAR 690-200. If a pump has been installed prior to the issuance of this permit, and if static water levels and pumping levels can be measured using an electrical tape, then the installation of the measuring tube can be delayed until such time that water levels cannot be measured or the pump is repaired or replaced.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well.

The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

STANDARD CONDITIONS

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.

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.

If substantial interference with surface water or 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.

The well(s) shall be constructed and maintained in accordance with the General Standards for the Construction and Maintenance of Water Supply Wells in Oregon. The works shall be equipped with a usable access port adequate to determine water-level elevation in the well at all times.

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet state or federal water quality standards due to reduced flows.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

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.

Completion of construction and application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued

DRAFT - THIS IS NOT A PERMIT

E. Timothy Wallin, Water Rights Program Manager
for Thomas M. Byler, Director

Mailing List for PFO Copies

Application #G-17861

PFO Date July 21, 2015

Original mailed to applicant:

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

SENT VIA EMAIL:

1. Agent - DARRYLA@ANDERSONENGINEERING.COM
2. WRD - Watermaster #10

Copies sent to:

1. WRD - File # G-17861

Copies Mailed
By: <u>KE</u>
(SUPPORT STAFF)
on: <u>7/21/15</u>
(DATE)

Protest/ Standing Dates checked

CASEWORKER : Barbara Park

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Copies Mailed By: _____ (SUPPORT STAFF) on: _____ (DATE)

Protest/ Standing Dates checked _____
--

CASEWORKER : Barbara Park

FRENCH Kim R * WRD

From: S. Yankey <syankey@newtonconsultants.com>
Sent: Thursday, June 30, 2016 1:42 PM
To: PARK Barbara J
Subject: Application G-17861

Barbara,

A follow-up on Application G-17861. The Applicant modified the well to withdraw water only from the basin fill deposits. I forwarded that information on to Joel Jeffery, as you suggested. In order for him to approve the well construction and for you to move forward with the permit, we have to replace the existing well seal (shown on the original drillers log as "puddled clay") with currently approved seal material.

This is a very busy time for the drilling company. Is there any way that Roaring Springs Ranch could utilize the well until such time as they can schedule the driller to replace the existing well seal? In order to replace the seal, the pump has to be removed to allow access for the driller, the seal replaced, and the pump re-installed. So they are also at the mercy of the pump contractor too. I was hoping that the permit could be issued with the requirement for seal replacement, or some alternative that would allow use of the well until the driller and pump contractors schedules can mesh and Roaring Springs can get the work completed.

Thank you,

Scott Yankey, R.G.
Newton Consultants, Inc.
P.O. Box 1728
1937 N Business 97
Redmond, OR 97756

Office: 541-504-9960 X 224
Cell: 913-645-7364
Fax: 541-504-9961

POAGE Barbara J * WRD

From: SPRIET Jason D * WRD
Sent: Tuesday, August 06, 2019 10:53 AM
To: POAGE Barbara J * WRD
Subject: RE: suspected illegal water use in the Malheur Lake Basin
Attachments: Communication to Buffy.pdf; Work Order to Seal Well.pdf; WorkOrder to Camera Well.pdf; Old Well Log.pdf; New Well log .pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Barbe,

Attached are additional documents from the well driller that repaired HARN 1704.

Thanks,

Jason

From: POAGE Barbara J * WRD <Barbara.J.Poage@oregon.gov>
Sent: Tuesday, August 06, 2019 7:34 AM
To: SPRIET Jason D * WRD <Jason.D.Spriet@oregon.gov>
Subject: RE: suspected illegal water use in the Malheur Lake Basin

Thank you, Jason. I will work on this today and be in touch.
-Barbe

BARBARA PARK POAGE ♦ WATER RIGHTS SPECIALIST

WATER RESOURCES DEPARTMENT | 725 SUMMER ST. NE, SUITE A | SALEM, OREGON 97301
TEL: 503 986 0859 | FAX: 503 986 0901
Email: Barbara.J.Poage@Oregon.gov Web: <http://www.Oregon.gov/OWRD>

From: SPRIET Jason D * WRD <Jason.D.Spriet@oregon.gov>
Sent: Monday, August 05, 2019 4:29 PM
To: FRENCH Dwight W * WRD <Dwight.W.French@oregon.gov>
Cc: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>; MUCKEN Alyssa M * WRD <Alyssa.M.Mucken@oregon.gov>; POAGE Barbara J * WRD <Barbara.J.Poage@oregon.gov>
Subject: RE: suspected illegal water use in the Malheur Lake Basin

Below is a cut/paste from an update email I sent to Ivan. Would the alteration log be what is needed to continue processing the application? Possible the applicant did not pass on the alteration log to groundwater?

Application G-17861 on administrative hold because of a well construction issue (HARN 1704 is original well). JR called Roaring Springs and they claimed the well issue was repaired and this was also corroborated by Tony from Down Right. Tony is going to try to get us paperwork showing the repair tomorrow. He also said Maynard was on site. I found a well log (HARN 52503) that shows an alteration of HARN 1704 was completed in May 2016 by Down Right. This may be the needed repair.

Jason

From: FRENCH Dwight W * WRD <Dwight.W.French@oregon.gov>
Sent: Monday, August 05, 2019 11:49 AM
To: SPRIET Jason D * WRD <Jason.D.Spriet@oregon.gov>
Cc: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>; MUCKEN Alyssa M * WRD <Alyssa.M.Mucken@oregon.gov>; POAGE Barbara J * WRD <Barbara.J.Poage@oregon.gov>
Subject: RE: suspected illegal water use in the Malheur Lake Basin

Sounds good. Thank you.

Dwight French

Water Right Services Division Administrator
725 Summer St, NE, Suite A, Salem, Oregon 97301 | Phone: 503-986-0824



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Subject: RE: suspected illegal water use in the Malheur Lake Basin

Thanks Dwight,

I think your suggestion of an FO with a one year timeline to get the well repaired is appropriate. They should have plenty of time to get a driller secured within that time. JR will be calling them today to see if they may have done the work already or to let them know they need to make progress as soon as possible.

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The PFO was issued 7/21/2016 and no protests were received. The applicant put the file on hold – presumably to address the well construction problem. We won't issue the permit until the well construction problem is resolved. I checked with Barbe and there hasn't been any recent correspondence from the applicant.

I would suggest we issue an FO stating that the well needs to be repaired within one year or the deemed denied. If that sounds too short or too long given what you are dealing with let me know. I know what you think. If you have another suggestion let us know. Please reply all.

Dwight

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Dwight French

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From: SPRIET Jason D * WRD <Jason.D.Spriet@oregon.gov>

Sent: Monday, August 05, 2019 10:03 AM

To: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>; FRENCH Dwight W * WRD <Dwight.W.French@oregon.gov>

Subject: FW: suspected illegal water use in the Malheur Lake Basin

Hi Lisa and Dwight,

We are finding a few areas in Harney that appear to be irrigating without having completed either some transfers, or have applications awaiting completion. Ivan has asked if we could check on a few transfers or water rights that appear to be in process but have not progressed for some time. Could you or your staff check on the status of these rights and let us know where they are at?

Permit Amendments/Transfers:

OK TO ISSUE W/ WCC ISSUES PER DWIGHT

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Dwight French

Water Right Services Division Administrator

725 Summer St. NE, Suite A, Salem, Oregon 97301 | Phone: 503-986-0824



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Water Right Apps:

G-17861, on administrative hold since 2016, but was proposed for approval in 2015. Does not appear to have been protested.

We would appreciate any information you can provide.

Thanks!

Jason

From: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>

Sent: Sunday, August 04, 2019 11:39 AM

To: SPRIET Jason D * WRD <Jason.D.Spriet@oregon.gov>; IVERSON Justin T * WRD <Justin.T.Iverson@oregon.gov>

Cc: JOHNSON JR * WRD <JR.Johnson@oregon.gov>; GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>

Subject: RE: suspected illegal water use in the Malheur Lake Basin

Jason and JR, thanks for looking into these.

Jason, can you please (sooner rather than later) work with water rights and the transfer group to figure out what is holding up the various processes?

Some of those timelines and the delays make no sense to me, and I'd like these resolved one way or the other soon.

Alyssa is on vacation the next two weeks.

Patricia's protest summary spreadsheet has one app (G-18208) for Roaring Springs Ranch being protested.

Also the app for Sunnyside Dairy is protested. Please regulate off until the protests are resolved and a permit is issued.

If you need me to run down anything on this end please let me know.

Thanks-ikg

Ivan Gall

FIELD SERVICES DIVISION ADMINISTRATOR

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0847



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DEPARTMENT**

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From: SPRIET Jason D * WRD <Jason.D.Spriet@oregon.gov>

Sent: Friday, August 02, 2019 3:39 PM

To: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>; IVERSON Justin T * WRD <Justin.T.Iverson@oregon.gov>

Subject: RE: suspected illegal water use in the Malheur Lake Basin

JR and I went over Darrick's memo Wednesday. It appears several of the irrigated fields Darrick found are in the process of Permit Amendments or transfers to the current POU, most of which are approved according to the proposed order or PD, and the applicant is just waiting (sometimes years) on a signed final order. In the past we have allowed irrigation on the proposed place of use if everything looks good and we are headed to yes, because sometimes it takes several years to get the final order signed. I will describe the information found for each image below:

25S/31E, Sec. 28&33 Golden Rule Farms – Permit Amendment 13011, final order approving transfer written. [REDACTED] [can't find this permit??] covering at least part of the ground identified. Both appear to be awaiting signature. May also be some ground that needs additional changes proposed in Permit Amendment T-12609 (in process of reconsideration). We will probably need to do a field investigation (if not already done) to determine if only lands authorized under G-18241 are irrigated.

27S/34E, Sec. 20 Golden Rule Farms – Last fall we were informed that there was some drilling going on in the area, so JR and Dally went out to the site and found no drill rig or evidence of drilling. JR returned to the site this summer and found pivots irrigating large hemp fields. There appears to have been an application back in 2012, it appears the IR was to deny, and the application was put on hold. Current PFO as of April is to deny. JR has been in contact with Mr. Puckett and informed him he is not to irrigate without a valid water right.

26S/33E, Sec. 28 Nichols, Danny A & Gretchen R – Transfer 12377, It appears there are water rights on the property from certificate 91751. The transfer map received in January 2018 indicates the same. The transfer order approving the transfer appears to be awaiting signature. We do not think any action is required.

34S/31E, Sec. 23 Roaring Springs Ranch – Application G-17861, on administrative hold since 2015 but no indication of why other than the department hasn't gotten to it. Proposed final order to approve in 2015, admin hold began in Jan 2016. Protested?

27S/30E, Sec. 35 Sherburn, Lorin & Katharine – Field check on the week of July 29, 2019. No pivot or irrigation on the site. May be some vegetation as a result of shallow groundwater?

24S/29E, Sec. 12 Steinbeck, Shaun & Michelle – Transfer 18259, PD issued to approve in November 2018. PD letter indicating final order would go out in 30 days if not protested. No indication of protest.

25-26S/30E, Sec. 33, 5, 8, 9 Silver Sage Farms – (G-17834) It appears this was proposed to deny back in 2014. It was then placed on administrative hold by the CWRE until they could find mitigation water. The latest proposed order from March of this year is to deny. JR spoke to the CWRE (Scott Montgomery) who claims that we initially approved this application and has documentation to that effect, but there is nothing appearing in the files online. We will be informing the landowner he can no longer irrigate.

26S/30E, Sec. Sec.10&13 Eggert, Charles & Louana – No indication of transfer or permit amendment. No water right. We will contact the landowner and monitor for compliance.

23S/33E, Sec. 33&34 Sunnyside Dairy – Application G-17638, [Protested by WW in Patricia's spreadsheet. Shut them off until permit approved.] Proposed final order and draft permit issued June 2014 to approve. No indication of protest.

We appreciate the time and effort Darrick put into finding these areas. Some JR has or will take action on, others we should discuss to determine the proper route.

Jason

From: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>
Sent: Monday, July 29, 2019 1:37 PM
To: SPRIET Jason D * WRD <Jason.D.Spriet@oregon.gov>; JOHNSON JR * WRD <JR.Johnson@oregon.gov>
Subject: FW: suspected illegal water use in the Malheur Lake Basin

Fyi, lets discuss; I will set up a meeting.
Thanks - ikg

Ivan Gall

FIELD SERVICES DIVISION ADMINISTRATOR

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0847



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From: IVERSON Justin T * WRD <Justin.T.Iverson@oregon.gov>
Sent: Friday, July 26, 2019 8:29 AM
To: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>
Subject: suspected illegal water use in the Malheur Lake Basin

Ivan,
Is this the one you were thinking of? There have been several emails, but I believe this one summarizes everything.
Thanks,

Justin Iverson, RG

GROUNDWATER SECTION MANAGER

Desk: 503-986-0933 | Cell: 503-302-9728

From: BOSCHMANN Darrick E * WRD <Darrick.E.Boschmann@oregon.gov>
Sent: Thursday, June 27, 2019 10:29 AM
To: IVERSON Justin T * WRD <Justin.T.Iverson@oregon.gov>
Cc: GRONDIN Gerald H * WRD <Gerald.H.Grondin@oregon.gov>
Subject: Satellite Imagery - POU overlay

Justin,

I spent about 2 hours on the analysis and putting this memo together. I think it captures the worst of the suspected illegal water use in the Malheur Lake Basin. Of course additional water right research and field investigations would still need to happen before any action is taken. Late July or August imagery might be more compelling, but in most cases it's clear there is irrigation happening on the identified fields.

I will leave it up to you to decide how to proceed with this, but I think we all agree that putting a stop to any unauthorized use would be a basic first step out there.

Let me know if you have any questions.

Thanks,
Darrick

Darrick E. Boschmann, RG | Hydrogeologist – Groundwater Section

Oregon Water Resources Department
725 Summer ST. NE., Suite A Salem OR 97301

| Phone: 503-986-0853
| Fax: 503-986-0902



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POAGE Barbara J * WRD

From: FRENCH Dwight W * WRD
Sent: Monday, August 05, 2019 11:49 AM
To: SPRIET Jason D * WRD
Cc: JARAMILLO Lisa J * WRD; MUCKEN Alyssa M * WRD; POAGE Barbara J * WRD
Subject: RE: suspected illegal water use in the Malheur Lake Basin

Follow Up Flag: Follow up
Flag Status: Flagged

Sounds good. Thank you.

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725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0847



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From: SPRIET Jason D * WRD <Jason.D.Spriet@oregon.gov>

Sent: Friday, August 02, 2019 3:39 PM

To: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>; IVERSON Justin T * WRD <Justin.T.Iverson@oregon.gov>

Subject: RE: suspected illegal water use in the Malheur Lake Basin

JR and I went over Darrick's memo Wednesday. It appears several of the irrigated fields Darrick found are in the process of Permit Amendments or transfers to the current POU, most of which are approved according to the proposed order or PD, and the applicant is just waiting (sometimes years) on a signed final order. In the past we have allowed irrigation on the proposed place of use if everything looks good and we are headed to yes, because sometimes it takes several years to get the final order signed. I will describe the information found for each image below:

25S/31E, Sec. 28&33 Golden Rule Farms – Permit Amendment 13011, final order approving transfer written. [REDACTED] [can't find this permit??] covering at least part of the ground identified. Both appear to be awaiting signature. May also be some ground that needs additional changes proposed in Permit Amendment T-12609 (in process of reconsideration). We will probably need to do a field investigation (if not already done) to determine if only lands authorized under G-18241 are irrigated.

27S/34E, Sec. 20 Golden Rule Farms – Last fall we were informed that there was some drilling going on in the area, so JR and Dally went out to the site and found no drill rig or evidence of drilling. JR returned to the site this summer and found pivots irrigating large hemp fields. There appears to have been an application back in 2012, it appears the IR was to deny, and the application was put on hold. Current PFO as of April is to deny. JR has been in contact with Mr. Puckett and informed him he is not to irrigate without a valid water right.

26S/33E, Sec. 28 Nichols, Danny A & Gretchen R – Transfer 12377, It appears there are water rights on the property from certificate 91751. The transfer map received in January 2018 indicates the same. The transfer order approving the transfer appears to be awaiting signature. We do not think any action is required.

34S/31E, Sec. 23 Roaring Springs Ranch – Application G-17861, on administrative hold since 2015 but no indication of why other than the department hasn't gotten to it. Proposed final order to approve in 2015, admin hold began in Jan 2016. Protested?

27S/30E, Sec. 35 Sherburn, Lorin & Katharine – Field check on the week of July 29, 2019. No pivot or irrigation on the site. May be some vegetation as a result of shallow groundwater?

24S/29E, Sec. 12 Steinbeck, Shaun & Michelle – Transfer 18259, PD issued to approve in November 2018. PD letter indicating final order would go out in 30 days if not protested. No indication of protest.

25-26S/30E, Sec. 33, 5, 8, 9 Silver Sage Farms – (G-17834) It appears this was proposed to deny back in 2014. It was then placed on administrative hold by the CWRE until they could find mitigation water. The latest proposed order from March of this year is to deny. JR spoke to the CWRE (Scott Montgomery) who claims that we initially approved this application and has documentation to that effect, but there is nothing appearing in the files online. We will be informing the landowner he can no longer irrigate.

26S/30E, Sec. Sec.10&13 Eggert, Charles & Louana – No indication of transfer or permit amendment. No water right. We will contact the landowner and monitor for compliance.

23S/33E, Sec. 33&34 Sunnyside Dairy – Application G-17638, [Protested by WW in Patricia's spreadsheet. Shut them off until permit approved.] Proposed final order and draft permit issued June 2014 to approve. No indication of protest.

We appreciate the time and effort Darrick put into finding these areas. Some JR has or will take action on, others we should discuss to determine the proper route.

Jason

From: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>
Sent: Monday, July 29, 2019 1:37 PM
To: SPRIET Jason D * WRD <Jason.D.Spriet@oregon.gov>; JOHNSON JR * WRD <JR.Johnson@oregon.gov>
Subject: FW: suspected illegal water use in the Malheur Lake Basin

Fyi, lets discuss; I will set up a meeting.
Thanks - ikg

Ivan Gall

FIELD SERVICES DIVISION ADMINISTRATOR

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0847



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: IVERSON Justin T * WRD <Justin.T.Iverson@oregon.gov>
Sent: Friday, July 26, 2019 8:29 AM
To: GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>
Subject: suspected illegal water use in the Malheur Lake Basin

Ivan,
Is this the one you were thinking of? There have been several emails, but I believe this one summarizes everything.
Thanks,

Justin Iverson, RG

GROUNDWATER SECTION MANAGER

Desk: 503-986-0933 | Cell: 503-302-9728

From: BOSCHMANN Darrick E * WRD <Darrick.E.Boschmann@oregon.gov>
Sent: Thursday, June 27, 2019 10:29 AM
To: IVERSON Justin T * WRD <Justin.T.Iverson@oregon.gov>
Cc: GRONDIN Gerald H * WRD <Gerald.H.Grondin@oregon.gov>
Subject: Satellite Imagery - POU overlay

Justin,

I spent about 2 hours on the analysis and putting this memo together. I think it captures the worst of the suspected illegal water use in the Malheur Lake Basin. Of course additional water right research and field investigations would still

need to happen before any action is taken. Late July or August imagery might be more compelling, but in most cases it's clear there is irrigation happening on the identified fields.

I will leave it up to you to decide how to proceed with this, but I think we all agree that putting a stop to any unauthorized use would be a basic first step out there.

Let me know if you have any questions.

Thanks,
Darrick

Darrick E. Boschmann, RG | Hydrogeologist – Groundwater Section

Oregon Water Resources Department
725 Summer ST. NE., Suite A Salem OR 97301

| Phone: 503-986-0853
| Fax: 503-986-0902



OREGON
WATER
RESOURCES
DEPARTMENT



July 28, 2015
Project No. 1172-101

Ms. Barbara Park
Oregon Water Resources Department
Water Rights Services Division
725 Summer Street N.E., Suite A
Salem, OR 97301

**REQUEST FOR ADDITIONAL TIME, APPLICATION G-17861
FOR ROARING SPRINGS RANCH INC, FRENCHGLEN, OREGON**

Dear Ms. Park,

This letter has been prepared by Newton Consultants, Inc. (Newton) on behalf of Roaring Springs Ranch, Inc. (Applicant) regarding Oregon Water Resources Department (OWRD) groundwater permit application number G-17861 to request additional time to respond appropriately to the Initial Review letter. The Initial Review for application G-17861 stated that evidence demonstrating that Well 1 (HARN 1704) is in compliance with the well construction standards is needed prior to the issuance of a permit. Newton will work with the Applicant to determine the best method of well modification to comply with the standards and assist in the identification of a qualified and licensed well constructor to perform the well modifications.

Based on the above circumstances, we request an administrative hold of 180 days from additional processing to allow the Applicants sufficient time to complete the well modifications to comply with the well construction standards.

If you have additional questions regarding the information contained in this letter, please feel free to contact me at (541) 504-9960, ext. 235 or by email at jnewton@newtonconsultants.com. Thank you for your help with this application.

Sincerely,

NEWTON CONSULTANTS, INC.

A handwritten signature in blue ink, appearing to read "James B. Newton", is written over the printed name and title.

James B. Newton, R.G., EIT, C.W.R.E.
Senior Geologist/Engineer

Cc: Stacy Davies

RECEIVED BY OWRD

JUL 31 2015

SALEM, OR



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

October 3, 2014

ROARING SPRINGS RANCH INC
31437 HWY 205
FRENCHGLEN, OR 97736

Reference: File G-17861

Dear Applicant:

THIS IS NOT A PERMIT AND IS SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.

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

Initial Review Determinations:

1. The application proposed the appropriation of 3.09 cubic feet per second (CFS) of water from Well 1 (HARN 1704) in Dry Creek Basin for irrigation of 246.83 acres through the irrigation season. The Department understands the irrigation season to be March 1 through October 31 of each year; therefore if a permit is issued, the irrigation season will be March 1 through October 31 of each year.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. The appropriation of water from Well 1 (HARN 1704) in Dry Creek Basin for irrigation is allowable under the Malheur Lake Basin Program.
4. Ground water will likely be available within the capacity of the resource, and if properly conditioned, the proposed use of ground water will avoid injury to existing ground water rights.

The Department has determined, based upon OAR 690-009, that the proposed ground water use will not have the potential for substantial interference with any surface water source.

5. The Department has determined that Well 1 (HARN 1704) does not meet current minimum well construction standards. Prior to the issuance of a permit, evidence demonstrating compliance with well construction standards must be submitted and approved by the Department. In repairing the well, you should work closely with the Department and/or a licensed well constructor to ensure that repairs are carried out in a manner that will not violate well construction or other rules.

You are encouraged to contact Kris Byrd of the Department's Well Construction and Compliance Section at 503-986-0851 to determine how to proceed.

Please note that repair of the well will not necessarily overcome the potential for substantial interference with surface water and might not result in the issuance of a permit.

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

Summary of Initial Determinations

The appropriation of 3.09 CFS from Well 1 (HARN 1704) in Dry Creek Basin for irrigation of 246.83 acres is allowable March 1 through October 31, contingent upon the submittal of evidence demonstrating compliance with current minimum well construction standards for Well 1 (HARN 1704).

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

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

To Proceed With Your Application:

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

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$225 processing charge per application). To accomplish this you must notify the Department in writing by **Thursday, November 6, 2014**. For your convenience you may use the enclosed "STOP PROCESSING" form.

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

1. Measurement devices, and recording/reporting of annual water use conditions:
 - A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter, as approved by the Director, at each point of appropriation. The permittee shall maintain the device in good working order.
 - B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.

- C. The permittee shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes water-use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

2. Static Water Level Conditions

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or
- B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water-level measurements reveal a water-level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

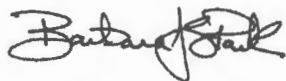
3. Dedicated Measuring Tube: Wells with pumps shall be equipped with a minimum 3/4-inch diameter, unobstructed, dedicated measuring tube pursuant to figure 200-5 in OAR 690-200. If a pump has been installed prior to the issuance of this permit, and if static water levels and pumping levels can be measured using an electrical tape, then the installation of the measuring tube can be delayed until such time that water levels cannot be measured or the pump is repaired or replaced.
4. Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

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

If you have any questions:

Feel free to email me at Barbara.J.Park@wrdr.state.or.us if you have any questions regarding the contents of this letter or your application. Please include your application number in all correspondence. General questions about water rights and water use permits should be directed to our customer service staff at 503-986-0801. When corresponding by mail, please use this address: Barbara Park, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,



Barbara Park
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

G-17861
WAB 12-no PSI
POU 12-no PSI
GW

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

In order to take and use the waters of Oregon, a citizen must first obtain a permit from the Water Resources Department. The water must be used for beneficial purpose - without waste. To become well-informed about water right topics, weekly public notice, forms and fees please visit our web site at www.wrd.state.or.us

1. Pre-application considerations

- follow instructions in the application packet
- if you have questions about completing an application or would like to arrange a pre-application conference contact the Department's Water Rights Information Group (WRIG) at 503-986-0801

2. Application filing

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

3. Initial Review (IR)

- caseworker reviews application by considering basin plans, water availability, statutory restrictions and all other appropriate factors
- caseworker sends IR report to applicant
- contact the caseworker if you have questions about the IR
- seven days after date of the IR, it is included in Department's weekly Public Notice
- public comments must be submitted within 30 days after the Public Notice
- **administrative hold** may be requested in writing by applicant

4. Proposed Final Order (PFO)

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

Stop Processing deadline is within 14 days of Initial Review - use the form below

- applicant may request no further action and fee refund of all but \$225

STOP PROCESSING REQUEST FOR GROUNDWATER, SURFACE WATER AND REGULAR RESERVOIR APPLICATIONS

Applicant notification to withdraw Water Right Application # _____

After reviewing the Initial Review for my application, I request that processing be stopped and the fees be refunded (minus a \$225 examination fee.) I understand that without a valid permit I may not legally use the water as requested in my application

Signature _____ date _____

Signature _____ date _____

Under ORS 537.150 (5) and 537.620 (5) timely submission of this request authorizes that the water right application process be stopped and all filing fees (except \$225 examination fee) be returned.

This notice must be received at Water Resources Department by _____

Return the notice to: OWRD, Water Rights Division
STOP PROCESSING
725 Summer Street, NE - Suite A
Salem OR 97301-1271

5. Final Order (FO)

- if no protest is filed, Final Order is issued

The protest process

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

- settlement discussion
- contested case hearing
- proposed order
- period of time to file exceptions
- possible hearing by Water Resources Commission
- final order issued

Permit holder responsibilities

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

Mailing List for IR Copies

Application #G-17861

IR Date: October 3, 2014

Original and map E-mailed to applicant:

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

SENT VIA EMAIL:

1. Applicant - roaringspringsranch@gmail.com
2. Agent - DARRYL@ANDERSONENGINEERING.COM
3. WRD - Watermaster # 10

Copies sent to:

IR, Map, and Fact Sheet Copies sent to:

4. WRD - File # G-17861
5. Department of Agriculture

Copies Mailed
By: <u>BO</u>
(SUPPORT STAFF)
on: <u>10/3/14</u>
(DATE)

APPLICATION FACT SHEET

Application File Number: G-17861

Applicant: ROARING SPRINGS RANCH INC

County: Harney

Watermaster: 10

Priority Date: May 15, 2014

Source: WELL 1 (HARN 1704) IN DRY CREEK BASIN

Use: IRRIGATION OF 246.83 ACRES

Quantity: 3.09 CUBIC FEET PER SECOND

Basin Name & Number: Malheur Lake, #12

Stream Index Reference: Volume 1 STRS DR.INTO CATLOW VALLE

Well Location(s): NWSE, SECTION 23, T34S, R31E, W.M.; 2553 FEET NORTH AND 10 FEET EAST FROM S1/4 CORNER, SECTION 23

Place of Use:

NE $\frac{1}{4}$	SE $\frac{1}{4}$	8.36	ACRES
SE $\frac{1}{4}$	SE $\frac{1}{4}$	10.55	ACRES
SECTION 22			

SW $\frac{1}{4}$	NW $\frac{1}{4}$	7.54	ACRES
SE $\frac{1}{4}$	NW $\frac{1}{4}$	8.49	ACRES
NE $\frac{1}{4}$	SW $\frac{1}{4}$	39.93	ACRES
NW $\frac{1}{4}$	SW $\frac{1}{4}$	39.65	ACRES
SW $\frac{1}{4}$	SW $\frac{1}{4}$	40.0	ACRES
SE $\frac{1}{4}$	SW $\frac{1}{4}$	40.0	ACRES
NW $\frac{1}{4}$	SE $\frac{1}{4}$	10.99	ACRES
SW $\frac{1}{4}$	SE $\frac{1}{4}$	13.46	ACRES
SECTION 23			

NW $\frac{1}{4}$	NE $\frac{1}{4}$	0.17	ACRE
NE $\frac{1}{4}$	NW $\frac{1}{4}$	14.45	ACRES
NW $\frac{1}{4}$	NW $\frac{1}{4}$	13.23	ACRES
SECTION 26			

NE $\frac{1}{4}$	NE $\frac{1}{4}$	0.01	ACRE
SECTION 27			

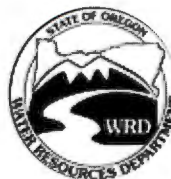
TOWNSHIP 34 SOUTH, RANGE 31 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, October 17, 2014

PUBLIC NOTICE DATE: Tuesday, October 7, 2014

30 DAY COMMENT DEADLINE DATE: Thursday, November 6, 2014

Application for a Permit to Use Ground Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME <i>Roaring Springs Ranch Inc.</i>		PHONE (HM) <i>541-495-2263</i>	
PHONE (WK) <i>541-495-2263</i>	CELL <i>541-589-1894</i>	FAX <i>495-2264</i>	
ADDRESS <i>31437 Hwy 205</i>			
CITY <i>Frenchglen</i>	STATE <i>OR</i>	ZIP <i>97736</i>	E-MAIL* <i>roaringspringsranch@gmail.com</i>

Organization Information

NAME ROARING SPRINGS RANCH, INC. / STACY DAVIES		PHONE <i>495-2263</i> <i>541-410-3050</i>	FAX <i>495-2263</i>
ADDRESS 31434 HIGHWAY 205		CELL <i>589-1894</i>	
CITY FRENCHGLEN	STATE OR	ZIP 97736	E-MAIL* <i>roaringspringsranch@gmail.com</i>

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

AGENT / BUSINESS NAME ANDERSON ENGINEERING & SURVEYING INC		PHONE 541-947-4407	FAX 541-947-2321
ADDRESS P.O. BOX 28		CELL	
CITY LAKEVIEW	STATE OR	ZIP 97630	E-MAIL* DARRYL@ANDERSONENGINEERING.COM

Note: Attach multiple copies as needed

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

RECEIVED BY OWRD

RECEIVED BY OWRD

APR 24 2014

MAY 15 2014

SALEM, OR

By my signature below I confirm that I understand:

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

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

Stacy Davies
Applicant Signature

Manager
Print Name and title if applicable

3/29/14
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use

App. No. *G-17061*

Permit No. _____

Date _____

SECTION 2: PROPERTY OWNERSHIP

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

☒ Yes

☒ There are no encumbrances.

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

☐ No

☐ I have a recorded easement or written authorization permitting access.

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

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

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

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

NA

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

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
1	Dry Creek	19,215	5'

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

see Well Log HARN 1704

RECEIVED BY OWI

RECEIVED BY OWRD

MAY 15 2014

APR 24 2014

SALEM, OR

SALEM, OR

SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 3.09cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL- SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
1	☐	☒	HARN 1704	☐	16"	0-660	NA	0-25	59	black/grey rock, sandstone	1000	1387	740.49
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

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

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

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	Irrigation Season	740.49

Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.

For irrigation use only:

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

Primary: 246.83 Acres Supplemental: 0 Acres

List the Permit or Certificate number of the underlying primary water right(s): NA

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 740.49

• If the use is **municipal or quasi-municipal**, attach **Form M**

• If the use is **domestic**, indicate the number of households: NA

If the use is **mining**, describe what is being mined and the method(s) of extraction: NA

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SECTION 5: WATER MANAGEMENT

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A. Diversion and Conveyance

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

☒ Pump (give horsepower and type): Turbine Pump, 100 HP (approx.)

☐ Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water will be pumped from the existing well through 1850' of buried mainline to the center of the pivot which will distribute the water on the place of use.

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B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) center pivot irrigation system

C. Conservation

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

Water is needed to develop what is currently an undeveloped area into farmable land. The amount of water requested is necessary for crop growth needs in this area, and is consist with water rates for other water rights in the area. The well discharge will be fitted with a totalizing flow meter to measure water use. The water rate is appropriate for use in agricultural needs without having any waste or discharge that would adversely impact nearby waterways or riparian areas.

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

If you would like to store ground water in a reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Reservoir name: NA Acreage inundated by reservoir: NA

Use(s): NA

Volume of Reservoir (acre-feet): NA Dam height (feet, if excavated, write "zero"): NA

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

If you would like to use stored ground water from the reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Annual volume (acre-feet): NA

USE OF STORED GROUND WATER	PERIOD OF USE
NA	NA

SECTION 8: PROJECT SCHEDULE

Date construction will begin: April 2014

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Date construction will be completed: May 2014

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Date beneficial water use will begin: May 2014

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SECTION 9: WITHIN A DISTRICT

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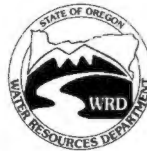
☐ Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name NA	Address	
City	State	Zip

SECTION 10: REMARKS

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

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

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Applicant(s): Stacy Davies / Roaring Springs Ranch, Inc.

APR 24 2014

Mailing Address: 31434 Highway 205

SALEM, OR

City: Frenchglen

State: OR

Zip Code: 97736

Daytime Phone: 541-410-3050

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>34 S</u>	<u>31E</u>	<u>22</u>	<u>NE SE</u>	<u>800</u>	<u>EFRU-1</u>	☐ Diverted ☐ Conveyed ☒ Used	<u>Irrigation</u>
			<u>SE SE</u>	<u>800</u>			
<u>34 S</u>	<u>31E</u>	<u>23</u>	<u>SW NW</u>	<u>700</u>	<u>EFRU-1</u>	☒ Diverted ☒ Conveyed ☒ Used	<u>Irrigation</u>
			<u>SE NW</u>	<u>700</u>			
			<u>NE SW</u>	<u>700</u>			
			<u>NW SE</u>	<u>700</u>			
			<u>SW SW</u>	<u>700</u>			
			<u>SE SW</u>	<u>700</u>			
			<u>NW SE</u>	<u>700</u>			
			<u>SW SE</u>	<u>700</u>			
<u>34 S</u>	<u>31E</u>	<u>26</u>	<u>NW NE</u>	<u>100</u>	<u>EFRU-1</u>	☐ Diverted ☐ Conveyed ☒ Used	<u>Irrigation</u>
			<u>NE NW</u>	<u>700</u>			
			<u>NWNW</u>	<u>700</u>			
<u>34 S</u>	<u>31E</u>	<u>27</u>	<u>NE NE</u>	<u>800</u>	<u>EFRU-1</u>	☐ Diverted ☐ Conveyed ☒ Used	<u>Irrigation</u>

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

Harney County

B. Description of Proposed Use

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

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

MAY 15 2014

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

SALEM, OR

Estimated quantity of water needed: 3.09

☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Revised 2/8/2010

G-17861

Land Use Information Form - Page 2 of 4

WR / FS

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

Briefly describe:

This water right application is for the development and installation of a new pivot irrigation system using an existing well.

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

See bottom of Page 3. →

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): HC20 3.010 - EFRV-1
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

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

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Name: Brandon McMiller Title: Planning Director SALEM, OR

Signature: [Signature] Phone: (541) 573-6655 Date: 3/19/2014

Government Entity: Harney County

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

NOTICE TO WATER WELL CONTRACTOR

The original and first copy
of this report are to be
filed with the

STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print) STATE ENGINEER

(Do not write above this line)

State Well No.

34/31-23

State Permit No.

(1) OWNER:

Name Derrill MorgerAddress 234 Mt. Vernon Ave.
Bakersfield, California

(2) TYPE OF WORK (check):

New Well ☐ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

CASING INSTALLED:

16" Diam. from 0 ft. to 660 ft. Gage 250
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

PERFORATIONS:

Perforated? ☐ Yes ☒ No.

Type of perforator used _____

Size of perforations in. by in.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name _____

Type _____ Model No. _____

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

WATER LEVEL: Completed well.

level 54' 8 1/2" ft. below land surface Date 3-1-68

Artesian pressure _____ lbs. per square inch Date _____

(9) WELL TESTS:

Drawdown is amount water level is
lowered below static levelpump test made? ☒ Yes ☐ No If yes, by whom? owner600 gal./min. with 120 ft. drawdown after 4 hrs.
1500 " " 150 " " 12 "
2200 " " 150 " " 12 "
1700 " " 150 " " 12 "

Bailer test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m. Date _____

Temperature of water _____ Was a chemical analysis made? ☐ Yes ☒ No

(10) CONSTRUCTION:

Well seal—Material used Puddled clayDepth of seal 25 ft.Diameter of well bore to bottom of seal 36 in.Were any loose strata cemented off? ☐ Yes ☒ No Depth _____Was a drive shoe used? ☒ Yes ☐ NoDid any strata contain unusable water? ☐ Yes ☒ No

Type of water? _____ depth of strata _____

Method of sealing strata off _____

Was well gravel packed? ☐ Yes ☒ No Size of gravel: _____

Gravel placed from _____ ft. to _____ ft.

(11) LOCATION OF WELL:

County Harney

Driller's well number _____

1/4 1/4 Section 23 T. 34S R. 31E W.M.

Bearing and distance from section or subdivision corner

Located in center of section

(12) WELL LOG:

Diameter of well below casing 16"Depth drilled 1000 ft. Depth of completed well 1000 ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change
in position of Static Water Level as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
brown soil	0	62	
tan clay w/sand & water	62	130	59
brown clay--gritty	130	166	
blue clay--gritty	166	206	
brown clay	206	222	
sticky green clay	222	249	
sticky red clay	249	250	
sticky brown clay	250	254	
grey clay w/fineto med			
sand	254	260	
sticky brown clay w/			
occasional streaks sand	260	445	
olive green clay w/ streaks			
of sandstone	445	470	
green clay	470	540	
various colored clay w/			
streaks of sand	540	852	
hard black & grey rock	852	875	54'
hard, dark grey sandstone	875	990	
hard black rock	990	1000	
Picked up water from 440'.			Static leve
remained same to 852'			

Work started 10-10- 1967 Completed 2-25 1968Date well drilling machine moved off of well 3-6 1968

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Mate-
rials used and information reported above are true to my best
knowledge and belief.

[Signed] Forrest Skinner Date 3-20, 1968

(Drilling Machine Operator)

Drilling Machine Operator's License No. 10

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is
true to the best of my knowledge and belief.

NAME Skinner & Sons

(Person, firm or corporation)

(Type or print)

Address Grane, Oregon 97732[Signed] Leathurine Skinner

(Water Well Contractor)

Contractor's License No. 312 Date 3-20-68, 1968

G-17861

(USE ADDITIONAL SHEETS IF NECESSARY)

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SALEM, OR

-20050641

WARRANTY DEED

As consideration for this transfer, property or other value was either part or the whole consideration.

ROCK CREEK RANCH, INC, an Oregon Corporation, is the Grantor. ROARING SPRINGS RANCH, INC, an Oregon Corporation, is the Grantee. Grantor conveys and warrants to Grantee the real property located in Harney County, Oregon, and more particularly described in Exhibit "1" attached hereto, free of encumbrances except as specifically set forth therein. Gary Miller acknowledges that he is authorized to execute this instrument on behalf of ROCK CREEK RANCH, INC as President.

"THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930."

DATED this 14 day of March, 2005.

ROCK CREEK RANCH, INC

By:

Gary Miller, President



OFFICIAL SEAL

LESLIE H. ODAM

NOTARY PUBLIC-OREGON

COMMISSION NO. 345250

MY COMMISSION EXPIRES APRIL 25, 2006

STATE OF OREGON)

) ss.

County of Harney)

Personally appeared Gary Miller as President of ROCK CREEK RANCH, INC and acknowledged the foregoing instrument to be voluntary act and deed before me this 14 day of MARCH, 2005.

Leslie H. Odam
Notary Public for Oregon

My Commission Expires: 4/25/2006

AFTER RECORDING RETURN TO:

SEND TAX STATEMENTS TO:

AmeriTitle
111 W Washington
Burns, OR 97720

CAUTIONARY NOTICE ABOUT LIENS*—Under certain circumstances, a person who performs construction-related activities may claim a lien upon real property after a sale to the purchaser for a transaction or activity that occurred before the sale. A valid claim may be asserted against the property that you are purchasing even if the circumstances that give rise to that claim happened before your purchase of the property. This includes, but is not limited to, circumstances where the owner of the property contracted with a person or business to provide labor, material, equipment or services to the property and has not paid the persons or businesses in full.

*Required by ORS 93.125(1)(c).

STATE OF OREGON }
County of Harney } ss

I certify that the within instrument was received for record on the 4 day of April

2005 at 3:44 o'clock P.M. and recorded Microfilm number 20050641

Deed Records of said County.

By Maria Iturriaga, County Clerk
Deputy

Larry Sullivan ■ P.O. Box 220 ■ Vale, OR 97918 ■ (541)473-3141

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SALEM, OR

G-17861

EXHIBIT "1"
(Rock Creek trade to Roaring Springs)

INST. #2005 0041

Land in Harney County, Oregon, as follows:

In Twp. 34 S., R. 31 E., W.M.:

Section 14: W $\frac{1}{2}$

Section 15: SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, EXCEPTING THEREFROM beginning at the Northwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said section, thence South along said Section line 320 feet to the point of beginning, thence continuing South along said Section line 200 feet, thence East 200 feet, thence North 200 feet, West 200 feet to the point of beginning.

Section 22: W $\frac{1}{2}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$.

Section 23: W $\frac{1}{2}$, SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$.

Section 26: W $\frac{1}{2}$.

Section 34: S $\frac{1}{2}$.

Section 35: W $\frac{1}{2}$.

Account No. 92504 Map No. 33S 31E Code No. 16-2 Tax Lot 2100

Account No. 20219 Map No. 34S 31 E Code No. 16-2 Tax Lot 1600

Account No. 20220 Map No. 34S 31E Code No. 16-2 Tax Lot 900

Account No. 20214 Map No. 34S 31 E Code No. 16-2 Tax Lot 700

SUBJECT TO THE FOLLOWING EXCEPTIONS:

1. Taxes deferred, as disclosed by the tax roll, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use the property will be subject to additional taxes or penalties and interest.
2. Reservation of minerals, in deed from J.H. Galanter, aka J. H. Gallanter and Fannie L. Galanter, husband and wife, as to a full interest therein.
Recorded: April 4, 1958
Book/Page: 64/551, Deed Records. (Affects the S $\frac{1}{2}$ SW $\frac{1}{4}$, and the West 54 rods of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, Twp. 34 S., R. 31 E., W.M.)
3. Reservations, including the terms and provisions thereof, in deed from Paydrex Inc., to Francis W. Cornett and Diana L. Cornett, husband and wife recorded February 1, 1973, in Book 94, Page 222, Deed Records. (Affects the S $\frac{1}{2}$ SW $\frac{1}{4}$ and the West 54 rods of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, Twp. 34 S., R. 31 E., W.M.)
4. Reservation, in deed from Harney County, Oregon recorded September 7, 1946, in Book 44, Page 240, Deed Records, reserving a right for a right of way for county roads. (Affects the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 23, Twp. 34 S., R. 31 E., W.M.)

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INST. #2005 0641

5. Reservation in deed from Harney County, Oregon, recorded June 24, 1960, in Book 67, Page 641, Deed Records. (Affects the W ½ of Section 14, NW ¼ of Section 23, Twp. 34 S., R. 31 E., W.M.)
6. Reservation of minerals, in deed from Harney County, Oregon, as to a full interest therein:
Recorded: June 24, 1960
Book/Page: 67/641, Deed Records. (Affects the W ½ of Section 14, NW ¼ of Section 23, Twp. 34 S., R. 31 E., W.M.)
7. Reservations in deed from Harney County, Oregon, recorded January 4, 1963, in Book 72, Page 342, Deed Records. (Affects a parcel of land 5 rods by 16 rods in the SW ¼ NW ¼ of Section 22, Twp. 34 S., R. 31 E., W.M.)
8. Reservation of minerals, in deed from Harney County, Oregon, as to a full interest therein:
Recorded: January 4, 1963
Book/Page: 72/342, Deed Records. (Affects a parcel of land 5 rods by 16 rods in the SW ¼ NW ¼ of Section 22, Twp. 34 S., R. 31 E., W.M.)
9. Rights of the United States Air Force, including terms and provisions thereof, as disclosed by Contract of Sale recorded in Book 83, Page 33, Deed Records.
10. Reservations and exceptions in patent, charges and assessments of any taxing district or districts within the boundaries of which said premises are situate, roadway pole line and ditch easements, if any, and zoning ordinances, if any.

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SALEM, OR

G-7861

ANDERSON
ENGINEERING & SURVEYING, INC.



PO Box 28
17681 Hwy 395
Lakeview, Oregon 97630
541-947-4407
541-947-2321 FAX



TRANSMITTAL LETTER

Oregon Water Resources Department

725 Summer Street NE, Suite A

Salem, Oregon 97301

DATE: 5/13/2014	JOB NO: 2013-111
ATTENTION: Scott Grew	
RE: Water Right	

WE ARE SENDING YOU ATTACHED:

☐ PRINTS ☐ PLANS
☐ OTHER _____

COPIES	DATE	DESCRIPTION
1		Application for a Permit to Use Ground Water with attachments
1		Letter 5/6/2014 with Checklist

THESE ARE TRANSMITTED AS CHECKED BELOW:

☐ FOR APPROVAL ☐ FOR REVIEW AND COMMENT
☐ AS REQUESTED ☒ FOR SIGNATURE
☐ OTHER _____

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MAY 15 2014

SALEM, OR

REMARKS

Scott;
If there are any questions, please contact Adam Kershaw at 541-947-4407 or adamk@andersonengineering.com.

Thank you!

COPY TO

SIGNED Barb Thompson

If enclosures are not as noted, please notify us at once

G-1786



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

May 6, 2014

Anderson Engineering & Survey
PO Box 28
Lakeview, OR 97630

Dear Anderson Engineering & Survey:

The Water Resources Department has received your application to use or store water. At this time however, we are unable to accept your application, because the minimum filing requirements are not met according to the Oregon Administrative Rules (OAR 690-310-0040 and 0050).

We are hereby returning the incomplete application and the fees submitted. Please return the application, the required information, and this checklist, so the Department may begin processing your application in a timely manner.

This review is based only on the completeness of your application. Any determination of water availability, compliance with basin plan rules, or any other water related issues has not been made.

Should you have any questions, please do not hesitate to contact Customer Service at the address above or by telephone at 503-986-0801.

Sincerely,

Scott Grew
Customer Service Group

Cc: OWRD Fiscal

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MAY 15 2014

6-7861

SALEM, OR



Standard Application Completeness Checklist

Minimum Requirements (OAR 690-310-0040)(ORS 537.400)

This is the checklist used by WRD staff

- ☐ You must include a Legal description of all the properties involved where water is diverted, crossed, and used. The Legal description includes a metes and bounds, or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or you may submit a lot book report prepared by a title company. The Department will not accept a copy of the tax bill.

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MAY 15 2014

SALEM, OR

G-1786

Minimum Requirements Checklist

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

Include this checklist with the application

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

- ☒ SECTION 1: applicant information and signature
- ☒ SECTION 2: property ownership
- ☒ SECTION 3: well development
- ☒ SECTION 4: water use
- ☒ SECTION 5: water management
- ☒ SECTION 6: storage of groundwater in a reservoir
- ☒ SECTION 7: use of stored groundwater from the reservoir
- ☒ SECTION 8: project schedule
- ☒ SECTION 9: within a district
- ☒ SECTION 10: remarks

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APR 24 2014

SALEM, OR

Attachments:

- ☒ Land Use Information Form with approval and signature (*must be an original*) or signed receipt
- ☒ Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map. Example: A copy of the deed, land sales contract or title insurance policy.
- ☒ Fees - Amount enclosed: \$2800
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

Provide a map and check that each of the following items is included:

- ☒ Permanent quality and drawn in ink
- ☒ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- ☒ North Directional Symbol
- ☒ Township, Range, Section, Quarter/Quarter, Tax Lots
- ☒ Reference corner on map
- ☒ Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- ☒ Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- ☒ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- ☒ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- ☐ Other _____

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MAY 15 2014

SALEM, OR

Application for a Permit to Use Ground Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

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Water-Use Permit Application Processing

APR 24 2014

1. Completeness Determination

SALEM, OR

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

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$200. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

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

4. Proposed Final Order Issued

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

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$350.00 for the applicant and \$700.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed, the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department issues a Final Order consistent with the PFO. If the application is approved, a permit is issued that specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

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MAY 15 2014

PARK Barbara J

From: GRONDIN Jerry H
Sent: Tuesday, March 24, 2015 9:37 AM
To: WALLIN E Timothy
Cc: GRONDIN Jerry H; BOSCHMANN Darrick E; GALL Ivan K; MCCARTY Patricia E; PARK Barbara J
Subject: FW: G-17861 Roaring Springs

Hi Tim,

You telephoned me yesterday to ask if G-17861 Roaring Springs should be included as part of the Harney Valley over-appropriation area re-reviews.

I noted the file was identified in the groundwater rights in process list Patricia McCarty compiled as possibly needing a re-review.

Darrick and I talked about the file this morning. The proposed groundwater use is in Catlow Valley south of Frenchglen. Immediately south of Frenchglen, there is a hydrologic surface water divide between drainage to Harney Valley and drainage to Catlow Valley. A groundwater divide may exist also. For now, we assume it does until data becomes available to show otherwise.

Consequently, G-17861 Roaring Springs at this time is considered outside the Harney Valley over-appropriated area, does not need a groundwater re-review at this, and thus can move forward as is. Continue using the current groundwater review dated 4 September 2014.

Thanks,

Jerry

Jerry Grondin, Hydrogeologist
Ground Water Hydrology Section
Technical Services Division
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0848

E-Mail: Gerald.H.Grondin@wrdd.state.or.us

Please Note: under Oregon law, messages to and from this e-mail address may be available to the public

From: BOSCHMANN Darrick E
Sent: Tuesday, March 24, 2015 8:14 AM
To: WALLIN E Timothy
Subject: RE: G-17861 Roaring Springs

Morning Tim,

I'm in the office today.

According to our tracking system the Groundwater Review for file G-17861 was completed 9/8/2014 and the completed review was sent to Water Rights 9/9/2014.

There is another application in the queue for Roaring Springs Ranch (file G-17920) that is currently under review.

Darrick

From: WALLIN E Timothy
Sent: Monday, March 23, 2015 11:00 AM
To: BOSCHMANN Darrick E
Cc: PARK Barbara J
Subject: G-17861 Roaring Springs

Darrick – we need to talk about this one. I want to make sure GW has completed its evaluation prior to issuing the PFO.

Tim Wallin | Water Rights Program Manager | Salem
voice: 503.986.0891 | fax: 503.986.0901

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Tim Wallin | Water Rights Program Manager | Salem

voice: 503.986.0891 | fax: 503.986.0901

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # **112042**

INVOICE # _____

RECEIVED FROM: Roaring Springs Ranch, Inc.
BY: _____

APPLICATION	G-17861
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 21613 ☒ OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 2800.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201	SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203	GROUND WATER	\$ 2350.00	0204	\$ 450.00
0205	TRANSFER	\$		

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

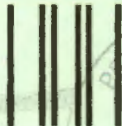
TREASURY OTHER / RDX

FUND	TITLE
OBJ. CODE	VENDOR #
DESCRIPTION	\$

RECEIPT: **112042**

DATED: 5.15.14 BY: [Signature]

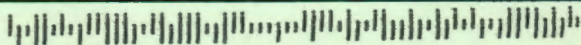
UNITED STATES POSTAL SERVICE



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

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

Oregon Water Resources Department
Attention: Kate Fitzgerald
725 Summer St. NE, Suite A
Salem, OR 97301



SENDER: COMPLETE THIS SECTION

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

Article Addressed to:

Roaring Springs Ranch G-17861
31437 Hwy 205
Frenchglen, OR 97736

Article Number

(Transfer from service label)

7014 2120 0004 5993 6713

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Stacy Davies

☐ Agent

☒ Addressee

B. Received by (Printed Name)

STACY DAVIES

C. Date of Delivery

7-27-15

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

JUL 31 2015

OWRD

3. Service Type

☐ Certified Mail®

☐ Priority Mail Express™

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

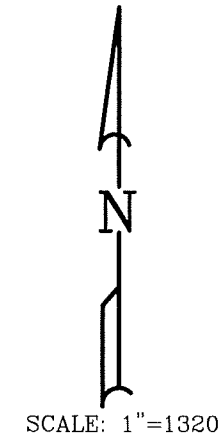
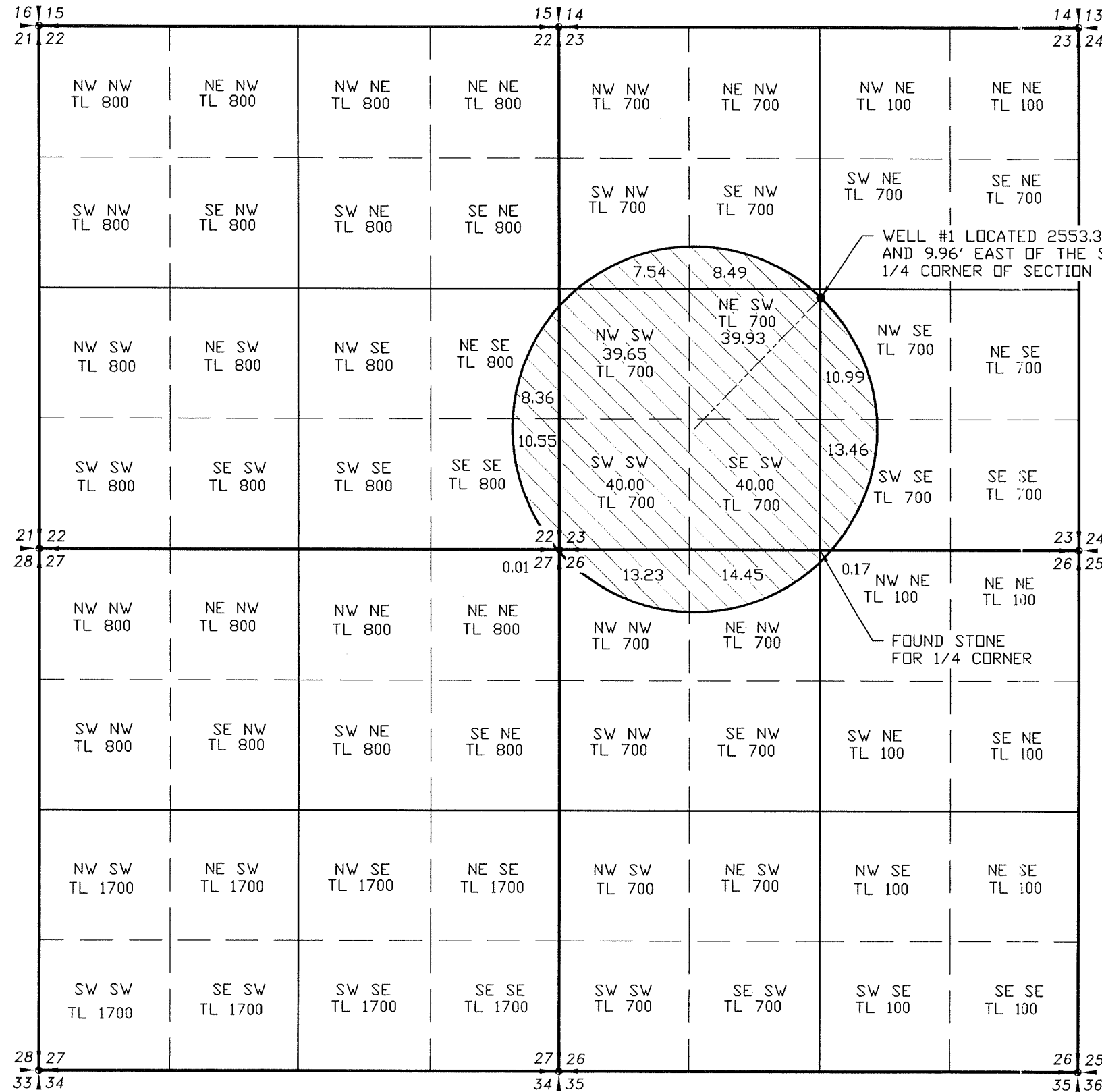
☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee)

☐ Yes

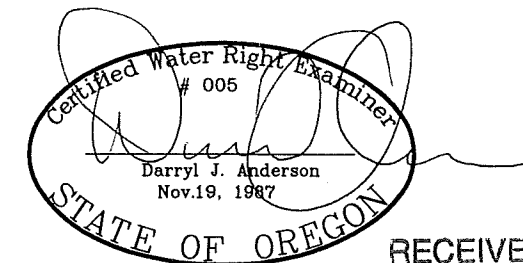
MAP TO ACCOMPANY
WATER RIGHT APPLICATION
FOR
ROARING SPRINGS RANCH, INC.

SECTIONS 22, 23, 26 & 27
TOWNSHIP 34 SOUTH RANGE 31 EAST
HARNEY COUNTY, OREGON



LEGEND

- SECTION LINE
- 1/4 SECTION LINE
- 1/16 SECTION LINE
- IRRIGATION MAIN LINE



RENEWAL 12/31/15

RECEIVED BY OWRD

MAY 15 2014

APPLICATION NO. SALEM, OR

PERMIT NO.

NOTE:
PREPARATION OF THIS MAP IS FOR IDENTIFYING PROPOSED
WATER RIGHTS ONLY. IT HAS NO INTENT TO PROVIDE
LOCATIONS OR DIMENSIONS OF PROPERTY BOUNDARIES.

REVISION	BY

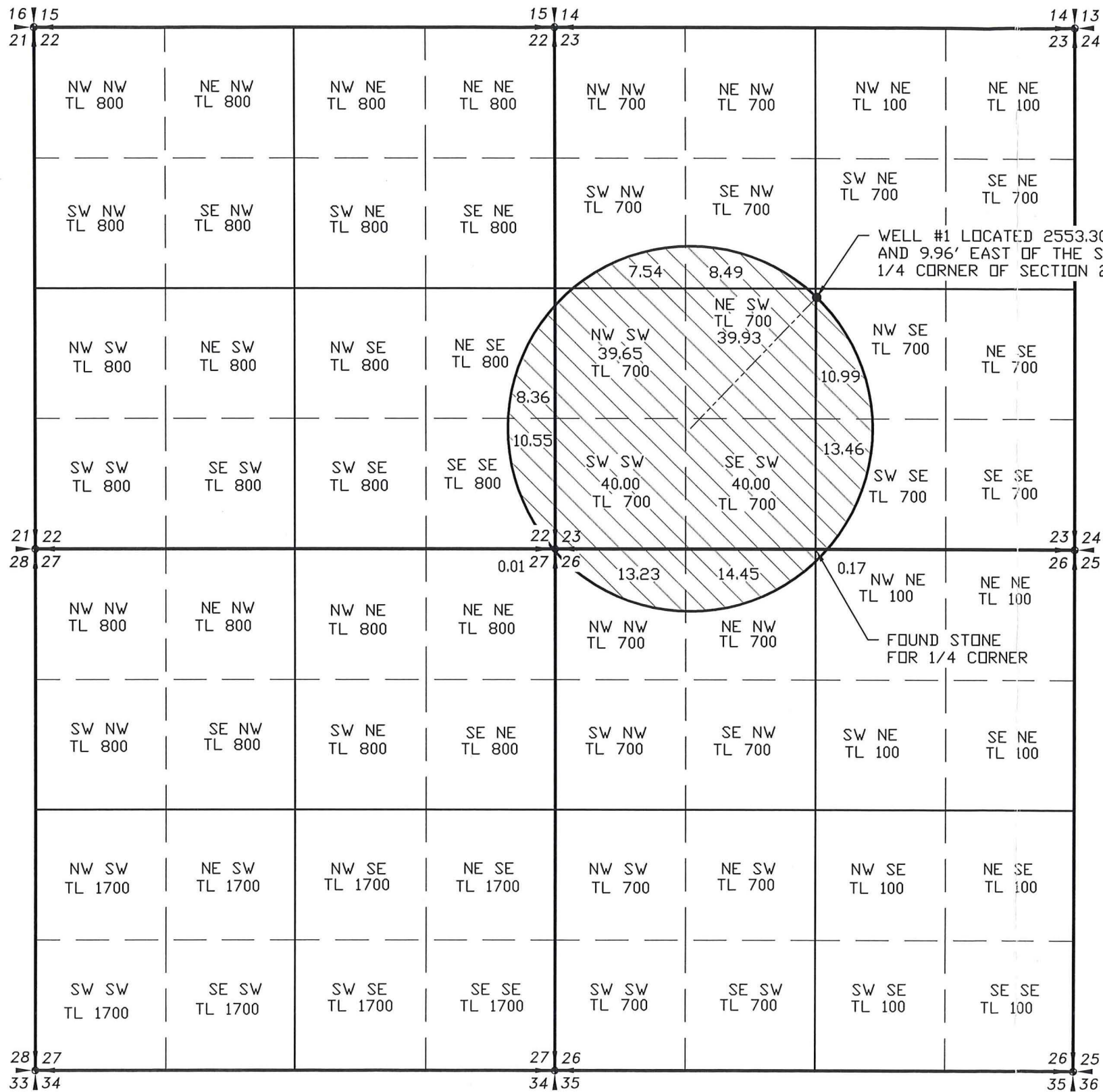
ANDERSON ENGINEERING
AND SURVEYING, INC.
P.O. BOX 28
LAKEVIEW, OREGON 97630
(541) 947-4407
FAX: 947-2321

FOR:
ROARING SPRINGS RANCH
31434 HWY 205
FRENCHGLEN, OR 97736
541-410-3050

MAP TO ACCOMPANY
WATER RIGHT APPLICATION
ROARING SPRINGS RANCH, INC.

DATE:	3/05/2014
SCALE:	1"=1320'
DWG. BY:	R.C.
JOB:	2013-111
FILE:	PIVOT
SHEET:	1 OF 1

G-17861



MAP TO ACCOMPANY WATER RIGHT APPLICATION FOR ROARING SPRINGS RANCH, INC.

SECTIONS 22, 23, 26 & 27
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HARNEY COUNTY, OREGON

LEGEND

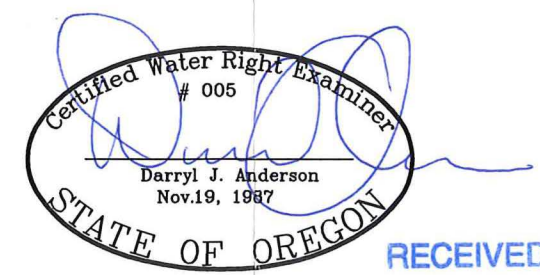
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PLACE OF USE



SCALE: 1"=1320'



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G-17861

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ROARING SPRINGS RANCH, INC.

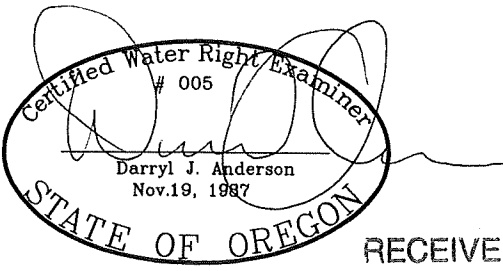
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LEGEND

- SECTION LINE
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