

G14994

ASSIGNED

FILE#: G 14994

BILL OLINGER PROPERTIES LLC; OLINGER,
~~1834 SW 58TH AVE - 6215 SW Sweetbriar St.~~
PORTLAND, OR 97221-1338

5987 SE Drake St
Hillsboro OR 97123-239

Application No. _____

Permit No. 913936

Certificate No. _____

Stream Index, Page No. _____

FEES PAID

Date	Amount	Receipt No.
6-8-99	575.00	30261
10-2-08	350.00	944210
4-9-2020	\$100.00	132276

Cert. Fee _____

FEES REFUNDED

Date	Amount	Check No.

Date filed _____

Priority _____

Action suspended until 7/18

Return to applicant _____

Date of approval _____

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
<u>6/26/2020</u>	<u>Bents</u> Bent Court Water Company	620 SW Fifth Ave. Ste. 1100; Portland, OR. 97204		

CONSTRUCTION

Date for beginning 5/24/02

Date for completion _____

Extended to _____

Date for application of water 10/1/05

Extended to 10-1-2018

REMARKS

See T-6921
G-13325

PROSECUTION OF WORK

Form "A" filed _____

Form "B" filed _____

Form "C" filed _____

FINAL PROOF

Blank mailed _____

Proof received _____

Date certificate issued _____



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301-1266

Phone: 503-986-0900

Fax: 503-986-0904

www.Oregon.gov / OWRD

November 27, 2023

Bents Court Water Company
Attn: Thomas Puttman
620 SW Fifth Ave. Suite 1100
Portland, OR 97204

Reference: Application G-14994, Permit G-13936

Regarding the assignment from Bill Olinger Properties, LLC, Kyle Olinger to Bent Court Water Company, confirmed on June 26, 2020, additional review has determined that the correct spelling is Bents Court Water Company.

The Departments records will now show the permit holder of record as Bents Court Water Company.

Please note that this permit required complete application of water to the proposed use by October 1, 2018, and 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 (CWRE). As of this date, the claim of beneficial use has not been received by the Department.

Sincerely,

Mary F. Bjork
Water Rights Program Analyst
Water Right Services Division

Enclosure: Original Request and Confirmation

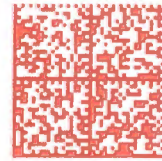
cc: Grant Huling – 620 SW Fifth Ave., Suite 100, Portland, OR 97204
Data Center, OWRD (cover letter & request)
File



Oregon

Water Resources Department
Water Rights Services Division
725 Summer Street NE, Suite A
Salem, OR 97301-1266

FIRST-CLASS
AUTO LETTER



US POSTAGE PAID PITNEY BOWES



ZIP 97301 \$ 000.49⁸
02 7W
0008029483 NOV 29 2023

G-14994

RECEIVED
DEC 04 2023
OWRD

Grant Huling
620 SW Fifth Ave., Suite 100
Portland, OR 97204

RECEIVED
OWRD

NIXIE 971 FE 1266 0012/02/23

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 97301126673 *1579-00536-02-22



UTF
97301>1266
JLB-ASB 97204



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301-1266
Phone: 503-986-0900
Fax: 503-986-0904
www.Oregon.gov / OWRD

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620 SW Fifth Ave. Suite 1100
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Sincerely,

Mary F. Bjork
Water Rights Program Analyst
Water Right Services Division

Enclosure: Original Request and Confirmation

cc: Grant Huling – 620 SW Fifth Ave., Suite 100, Portland, OR 97204
Data Center, OWRD (cover letter & request)

File



G-14994



BJORK Mary F * WRD

From: Grant Huling <grant.huling@puttman.com>
Sent: Thursday, April 13, 2023 9:36 AM
To: BJORK Mary F * WRD
Cc: Thomas Puttman
Subject: Bents Court Water Company name correction
Attachments: Request for Assignment_04-03-20 (3).pdf; Assignment to Bents Court Water Co_06-26-20 (2).pdf

Mary,

I am writing to request that a typo that has made its way into OWRD records be corrected.

Beginning with the Request for Assignment dated 04-03-20, our utility name was misspelled as Bent Court Water Company, whereas the true name is Bents Court Water Company. Please see the attached assignment forms and this [public company profile](#) as documentation. Let me know if you need anything else.

Thanks,

Grant Huling, LEED AP
Project Development Manager

Puttman Infrastructure, Inc.
620 SW Fifth Avenue, Suite 1100
Portland, OR 97204 USA
T +1 503 224-3454 x112
M +1 971-378-5860
E grant.huling@puttman.com

www.puttman.com

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

Request for Assignment

RECEIVED

APR 09 2020

OWRD

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

1. Bill Olinger Properties, LLC Kyle Olinger
 (Name of Current Holder of Record)
5987 SE Drake St, Hillsboro OR 97123 503-939-4284
 (Mailing Address) (City) (State) (Zip) (Phone #)

- hereby assign all my interest in and to the entire application/permit/transfer/limited license/groundwater statement; (example, sold all the land authorized under the right)
- hereby assign all my interest in and to a portion of application/permit/transfer/limited license/groundwater statement; (*You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned.* Example, sold a portion of the land authorized under the right)
- hereby assign a portion of my interest in and to the entire application/permit/transfer/limited license/groundwater statement; (example, adding an additional person)

Application # _____; Permit # _____; Transfer # _____;
 Limited License # _____; Groundwater Statement # _____;

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

Bent Court Water Company
 (Name of New Owner)
620 SW Fifth Ave. Suite 1100 Portland, OR 97204 503-254-3454
 (Mailing Address) (City) (State) (Zip) (Phone #)

Note: If there are other owners of the property described in the application, permit, transfer order, limited license, or groundwater statement, you must provide a list of all other owners' names and mailing addresses and attach it to this form. Write the initials (first letters) of your first and last names at the spot indicated below _____.

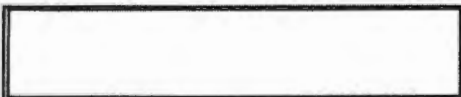
KS I hereby certify that I have notified all other owners of the property described in this application, permit, transfer order, limited license, or groundwater statement of this Request of Assignment.

Witness my hand this 3 day of April, 2020.
 (Day) (Month) (Year)

Signature of Current Holder of Record Bill Olinger Properties, LLC by: Kyle Olinger

Failure to provide any of the required information will result in the return of your application.

DO NOT WRITE IN THIS BOX



The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$100.



Oregon

Kate Brown, Governor

Water Resources Department
North Mall Office Building
725 Summer St NE, Ste A
Salem, OR 97301
Phone: 503-986-0900
Fax: 503-986-0904
www.Oregon.gov/OWRD

June 26, 2020

Puttman Infrastructure Inc.
620 SW Fifth Avenue, Suite 1007
Portland, OR 97204

Reference: Application G-14994, Permit G-13936

The assignment from Bill Olinger Properties, LLC, Kyle Olinger to Bent Court Water Company has been recorded in the records of the Water Resources Department.

The Departments records will now show Bent Court Water Company as the permit holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 132276 covering the recording fee is also enclosed.

A permit is not a perfected water right, and has conditions and timelines that must be satisfied prior to a Certificate of Water Right being issued. Please review the permit to be familiar with the conditions and timelines contained in the permit.

Please note that this permit required complete application of water to the proposed use by October 1, 2018, and 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 (CWRE). As of this date, the claim of beneficial use has not been received by the Department. This places this permit at risk of cancelation proceedings being started.

Sincerely,

Mary F. Bjork
Water Rights Program Analyst
Water Right Services Division

Enclosure: Original Request and Receipt # 132276

cc: Bill Olinger Properties, LLC, Kyle Olinger – 5987 SE Drake St, Hillsboro, OR 97123
Bent Court Water Company – 620 SW Fifth Ave. Suite 1100, Portland, OR 97204
Data Center, OWRD (cover letter & request)
File



BJORK Mary F * WRD

From: BJORK Mary F * WRD
Sent: Thursday, June 8, 2023 7:26 AM
To: CLARK Gerald E * WRD
Cc: BJORK Mary F * WRD
Subject: RE: Permit G-13936 Bents Court Water Co.

Hi Gerry,

Thanks so much for helping Steve. Please let me know if you'd like me to be at the meeting.

Have a great day!

[Mary F. Bjork](#)

Water Rights Program Analyst
Oregon Water Resources Department
725 Summer St NE, Suite A, Salem OR 97301 | Cell 503-979-9895

From: CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>
Sent: Thursday, June 08, 2023 6:37 AM
To: Steve Russell <russells@aks-eng.com>
Cc: johnc@aks-eng.com; BJORK Mary F * WRD <Mary.F.BJORK@water.oregon.gov>
Subject: Permit G-13936 Bents Court Water Co.

Steve,

You recently contacted Mary Bjork concerning setting up a meeting to discuss the specifics of the above permit and its current use as you prepare to complete the COBU for the permit ([Permit G-13936](#)).

I am available to meet on:

Tuesday June 20th
9:00 to 10:00 a.m.

Gerry

[Gerry Clark](#)

He/Him/His
Oregon Water Resources Department
Program Analyst, Certificate Section, Water Right Services Division
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-979-9103



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

www.Oregon.gov/OWRD

June 26, 2020

Puttman Infrastructure Inc.
620 SW Fifth Avenue, Suite 1007
Portland, OR 97204

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Sincerely,

Mary F. Bjork
Water Rights Program Analyst
Water Right Services Division

Enclosure: Original Request and Receipt # 132276

cc: Bill Olinger Properties, LLC, Kyle Olinger – 5987 SE Drake St, Hillsboro, OR 97123
Bent Court Water Company – 620 SW Fifth Ave. Suite 1100, Portland, OR 97204
Data Center, OWRD (cover letter & request)
File





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

Request for Assignment

RECEIVED
 APR 09 2020
 OWRD

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, Bill Olinger Properties, LLC Kyle Olinger
 (Name of Current Holder of Record)
5987 SE Drake St, Hillsboro OR 97123 503-939-4284
 (Mailing Address) (City) (State) (Zip) (Phone #)

- hereby assign all my interest in and to the entire application/permit/transfer/limited license/groundwater statement; (example, sold all the land authorized under the right)
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Application # G-14994 ; Permit # G-13936 ; Transfer # _____ ;
 Limited License # _____ ; Groundwater Statement # _____ ;

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

Bent Court Water Company

(Name of New Owner)
620 SW Fifth Ave. Suite 1100 Portland, OR 97204 503-254-3454
 (Mailing Address) (City) (State) (Zip) (Phone #)

Note: If there are other owners of the property described in the application, permit, transfer order, limited license, or groundwater statement, you must provide a list of all other owners' names and mailing addresses and attach it to this form. Write the initials (first letters) of your first and last names at the spot indicated below _____.

KS I hereby certify that I have notified all other owners of the property described in this application, permit, transfer order, limited license, or groundwater statement of this Request of Assignment.

Witness my hand this 3 day of April, 20 20.
 (Day) (Month) (Year)

Signature of Current Holder of Record Bill Olinger Properties, LLC by: Kyle Olinger

Failure to provide any of the required information will result in the return of your application.

Assign - Approve
 HSB 7-1-2020

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.
 Fee receipt # 132276
 For Director by Mary F. Bjork, Program Analyst in Water Rights Division. MFB

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$100.

MUCKEN Alyssa M * WRD

From: Julia Person <julia.person@puttman.com>
Sent: Friday, April 17, 2020 11:40 AM
To: MUCKEN Alyssa M * WRD
Cc: BJORK Mary F * WRD
Subject: Re: Water Rights question - new owner - assignments- permit #'s needed.

Hi Alyssa,
I appreciate the quick reply!

Yes, both of the application and permit #s you note below are correct. My apologies for that omission.

In regards to the second question on interpreting exempt use, I will forward you the email chain so that you can see the details. Sorry for the attachment error.

Thanks,
Julia

Julia Person, LEED AP BD+C, CEM
Project Development Manager

Puttman Infrastructure, Inc.
620 SW Fifth Avenue, Suite 1100
Portland, OR 97204 USA
T +1 503 224-3454 x112
M +1 971 271-0596
E julia.person@puttman.com

www.puttman.com

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From: MUCKEN Alyssa M * WRD <Alyssa.M.Mucken@oregon.gov>
Date: Friday, April 17, 2020 at 11:33 AM
To: Julia Person <julia.person@puttman.com>
Cc: BJORK Mary F * WRD <Mary.F.Bjork@oregon.gov>
Subject: RE: Water Rights question - new owner - assignments- permit #'s needed.

Hi Julia – I have both assignments right here in front of me. I've got:

1. South Coast Water District, assignment to South Coast Water Company. **question** – is this assignment for Application S-87211, Permit S-54599, viewable online here:
https://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=166783
Correct
2. Bill Olinger Properties, LLL, Kyle Olinger to Bent Court Water Company – **question:** is this assignment for Application G-14994, Permit G-13936, viewable online

BJORK Mary F * WRD

From: MUCKEN Alyssa M * WRD
Sent: Friday, April 17, 2020 11:33 AM
To: Julia Person
Cc: BJORK Mary F * WRD
Subject: RE: Water Rights question - new owner - assignments- permit #'s needed.

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2. Bill Olinger Properties, LLL, Kyle Olinger to Bent Court Water Company -- **question**: is this assignment for Application G-14994, Permit G-13936, viewable online here: https://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=24559. I picked this up from the email string below.

Thank you! Once this is complete, I'll tackle your exempt use question. I couldn't open the attachment you sent along. My outlook won't open an .eml file.

Alyssa

From: MUCKEN Alyssa M * WRD
Sent: Friday, April 17, 2020 10:02 AM
To: Julia Person <julia.person@puttman.com>
Cc: BJORK Mary F * WRD <Mary.F.Bjork@oregon.gov>
Subject: RE: Water Rights question - new owner

Hi Julia, I wanted to quickly acknowledge receipt of your email. I'm pretty swamped this morning – I hope that I can take a look at your 2 questions later today.

Alyssa


[Alyssa Mucken](#)

Water Rights Section Manager

725 Summer St NE Suite A | Salem OR 97301 | Phone 503-986-0891

Pronouns: she/her/hers

[Integrity](#) | [Service](#) | [Technical Excellence](#) | [Teamwork](#) | [Forward-Looking](#)

Telework Schedule		
 STAY HOME. SAFE LIVES.	Mon, 4/13	7:30 - 4:00 telework
	Tue, 4/14	7:30 - 4:00 telework
	Wed, 4/15	7:00 - 4:00 telework
	Thu, 4/16	7:30 - 4:00 telework
	Fri, 4/17	7:00 - 3:30 office/tele

**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 # **132276**

INVOICE # _____

RECEIVED FROM: Pattman Infrastructure, Inc
BY: _____

APPLICATION 6-14994
PERMIT _____
TRANSFER _____

CASH: CHECK # 4316 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 100.00

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 46111

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

WATER RIGHTS:

EXAM FEE		RECORD FEE
0201 SURFACE WATER	\$ _____	0202 \$ _____
0203 GROUND WATER	\$ _____	0204 \$ _____
0205 TRANSFER	\$ _____	
EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$ _____	0219 \$ _____
LANDOWNER'S PERMIT		0220 \$ _____

0250 OTHER (IDENTIFY) Assignment \$ 100.00

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **132276**

DATED: 4-9-2020 BY: [Signature]



**PUTTMAN
INFRASTRUCTURE**

620 SW Fifth Avenue, Suite 1007
Portland, OR 97204 USA

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



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

September 30, 2011

BILL OLINGER PROPERTIES, LLC
KYLE OLINGER
5987 SE DRAKE ST
HILLSBORO, OR 97123-7239

REFERENCE: Application G-14994 / Permit G-13936

Dear Permit Holder:

The Water Right Services Division received your written progress report for Permit G-13936. Receipt of the progress report was published on the Department's weekly Public Notice, dated August 16, 2011. The Department did not receive any public comment on the progress report.

After reviewing your Progress Report, the Department determined that diligence toward completion of the project and compliance with the terms and conditions of the permit and extension has been demonstrated.

Your next written progress report for Permit G-13936 is due no later than **October 1, 2015**. The report must be received by the Department no sooner than 30 days prior to the due date. You also have a future report that will be due by October 1, 2015.

For your convenience, I have enclosed your next *Progress Report Form*. Please calendar this October 1, 2015 due date, as no further reminders will be sent.

As per your most recent extension, the date by which water must be applied to full beneficial use within the terms and conditions of your permit is October 1, 2018. ***Failure to submit a written progress report will most likely result in any future extensions being denied.***

If you have any questions, please feel free to contact me by telephone at (503) 986-0812.

Sincerely,

Jerry Gainey

Extensions
Water Rights Services Division

Enclosure

cc: Application G-14994
Watermaster District 16 – Mike McCord



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

**Extension of Time
 Progress Report Form
 For Checkpoints**

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: BILL OLINGER PROPERTIES, LLC

Application G-14994
 Permit G-13936

Report Due no later than October 1, 2015

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

Progress Report Form for 2015

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit G-13936. FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, 2010 and October 1, 2015	FINANCIAL INVESTMENT

2. Compliance with terms and conditions of the permit and/or previous extension.

3. Total number of acres irrigated to date= _____ (if applicable)

4. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.

Maximum rate used to date = _____ cfs (cubic feet per second)

Maximum rate used to date = _____ gpm (gallons per minute)

Acre-feet stored to date = _____ AF

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly or annual water volume totals.

INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITEM. USE N/A FOR ITEM 3 IF THE USE IS NOT IRRIGATION.

Signature _____ Date _____

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: _____

Reviewed by: _____

Date: _____

Route Slip.....Extension of Time Progress Report

1. Extension Specialist: Progress Report Review

Date Report Received: 8/4/2011

Report Complete: YES

NO – Send letter requesting missing information.
 letter mailed on: _____

2. Jonnine: Publish on the Department's Public Notice

315 320 OAR Division under which Progress Report was required

Publish on Public Notice Date: 8/16/2011

Update workflow in WRIS (Fill in Extension Checkpoint 'Completed Date' in appropriate work flow record)

Return to Extension Specialist

3. Extension Specialist: Prepare Progress Report Confirmation Letter

See progress report procedures.doc

(date / mail out after 30 day comment period)

Date Confirmation Letter Needed: 9-22-11

Update Progress Report Worksheet.xls

Send to permit holder + anyone who made comments after 30 day public notice

CC: Watermaster _____

File _____

4. Return file to ~~cabnet~~

Jerry Gainey

PUBLIC NOTICE INFORMATION ✓

Permit Holder's Name: Bill Olinger Properties, LLC Attn: _____

Application: G- 14994

Permit: G- 13936

County: MARION

Source: A well in the Willamette River Basin

Use: Commercial Use



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

**Extension of Time
 Progress Report Form
 For Checkpoints**

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: BILL OLINGER PROPERTIES, LLC

Application G-14994
 Permit G-13936

Report Due no later than October 1, 2010

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

Progress Report Form for 2010

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit G-13936

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, 2005 and October 1, 2010	FINANCIAL INVESTMENT
1/2008	Fisher Farm & Lake Completed Construction - Connected	\$150,000
11/2009	Maddox Airfreight Connected 2nd & final Parcel	\$10,000
6/2010	Frontier Printing completed Construction & connected	\$50,000

2. Compliance with terms and conditions of the permit and/or previous extension.

RECEIVED

AUG 04 2011

WATER RESOURCES DEPT
 SALEM, OREGON

3. Total number of acres irrigated to date = 11 (if applicable)

4. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.

Maximum rate used to date = 1 cfs (cubic feet per second)

Maximum rate used to date = _____ gpm (gallons per minute)

Acre-feet stored to date = _____ AF

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly or annual water volume totals.

Signature

Date

7/31/11

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: _____

Reviewed by: _____

Date: _____



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

June 22, 2011

BILL OLINGER PROPERTIES, LLC
KYLE OLINGER
5987 SE DRAKE ST
HILLSBORO, OR 97123-7239

REFERENCE: Application G-14994 / Permit G-13936

Dear Permit Holder:

On August 21, 2009, the Department issued a Final Order approving an Extension of Time for Permit G-13936. This Final Order included a condition that required the permit holder to submit a written progress report to the Department by October 1, 2010 as well as a future progress report(s) due by October 1, 2015.

This letter is being sent to you because the Department has not yet received the progress report that was due on October 1, 2010.

For your convenience, I have enclosed a **Progress Report Form** for you to fill out and submit. In order to maintain the ability to continue developing water under this permit, you should submit your overdue progress report immediately.

As per your most recent extension, the date by which water must be applied to full beneficial use within the terms and conditions of your permit is October 1, 2018. *Failure to submit a written progress report may jeopardize continued development of your permit beyond October 1, 2005. Furthermore, future extensions are evaluated on past due diligence, and consequently may not be granted.*

If you have any questions concerning this matter, you may contact me by telephone at (503) 986-0827.

Sincerely,

Ann Reece
Extensions
Water Rights Services Division

Enclosure

cc: Application G-14994
Watermaster District 16 – Mike McCord



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

**Extension of Time
 Progress Report Form
 For Checkpoints**

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: BILL OLINGER PROPERTIES, LLC

Application G-14994
 Permit G-13936

Report Due no later than October 1, 2010

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

Progress Report Form for 2010

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit G-13936

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, 2005 and October 1, 2010	FINANCIAL INVESTMENT

2. **Compliance with terms and conditions of the permit and/or previous extension.**

3. **Total number of acres irrigated to date= _____ (if applicable)**

4. **Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.**

Maximum rate used to date = _____ cfs (cubic feet per second)

Maximum rate used to date = _____ gpm (gallons per minute)

Acre-feet stored to date = _____ AF

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly or annual water volume totals.

Signature _____ Date _____

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: _____

Reviewed by: _____

Date: _____

Timmie Brandt

From: Timmie Brandt

Sent: Tuesday, January 05, 2010 9:28 AM

To: Mary Rohling

Cc: Timmie Brandt

Subject: G-14994 - Address Change

Please update WRIS with the following information:

Groundwater file G-14994 / Permit G-13936/ NO CERTIFICATE

BILL OLINGER PROPERTIES LLC

OLINGER, KYLE

5987 SE DRAKE STREET

HILLSBORO OR 97123-7339

OLD ADDRESS:

6215 Sweetbriar Court OR 1834 SW 58th Avenue

Portland OR 97221 Portland OR 97221



FORM 3547 fee due \$0.50

Restricted Data

First-Class Mail
Postage and Fees Paid
USPS
Permit No. G10

Oregon

Water Resources Department
725 Summer Street NE Suite A
Salem, OR 97301

150

ADJ & WR

ADDRESS SERVICE REQUESTED



G-14994
BILL OLIGNER PROPERTIES LLC
6215 SW SWEETBRIAR CT
PORTLAND OR 97221

9722131334 0011

TO THE POSTMASTER OF

725 SUMMER ST NE STE A
SALEM OR 97301-9998

OLD:

OLIGNER
6215 SW SWEETBRIAR CT
PORTLAND OR 97221-1334

NEW:

5987 SE DRAKE ST
HILLSBORO OR 97123-7239



return
to sender

fee due 50¢

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

Oregon

Water Resources Department
725 Summer St NE Suite A
Salem, OR 97301-1266

ADJ & WR

ADDRESS SERVICE REQUESTED



UNITED STATES POSTAGE
PITNEY BOWLES
02 1M \$ 01.05⁰
0004259432 JUL 07 2009
MAILED FROM ZIP CODE 97309

U. S. POSTAL SERVICE

PS FORM 3547

G-14994

BILL OLINGER PROPERTIES, LLC
ATTN: KYLE OLINGER
6215 SW SWEETBRIAR CT
PORTLAND OR 97221

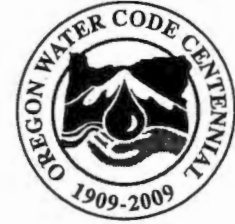
OLIN215 972214210 2509 04 07/15/09
FORM 3547

OLINGER
5987 SE DRAKE ST
HILLSBORO OR 97123-7439

FWD



Oregon Water Resources Department
Water Rights Division



Water Rights Application
Number G-14994

Final Order
Extension of Time for Permit Number G-13936

Appeal Rights

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. A request for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either file for judicial review, or 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.

Application History

Permit G-13936 was issued by the Department on May 24, 2001. The permit called for complete application of water to beneficial use by October 1, 2005. On October 2, 2008 Bill Olinger Properties, LLC submitted to the Department an Application for Extension of Time for Permit G-13936. In accordance with OAR 690-315-0050(2), on July 7, 2008 the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2018. The protest period closed August 21, 2009 in accordance with OAR 690-315-0060(1). No protest was filed.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2010 and 2015. Forms are enclosed with your Final Order.**

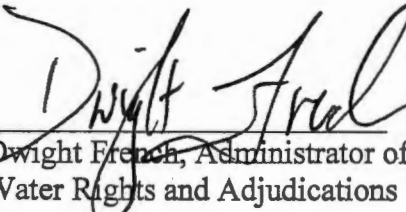
- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

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

Order

The extension of time for Application G-14994, Permit G-13936 is approved subject to conditions contained herein. The deadline for applying water to full beneficial use is extended to October 1, 2018.

DATED: August 25, 2009


Dwight French, Administrator of
Water Rights and Adjudications
for
Phillip C. Ward, Director

-
- If you have any questions about statements contained in this document, please contact Scott Kudlemyer at (503) 986-0813.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-

Mailing List for Extension FO Copies

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

FO Date: August 25, 2009

Copies Mailed

**Application G-14994
Permit G-13936**

By: MS
On: 8/26/09

Original mailed to permit holder

Bill Olinger Properties, LLC
6215 SW Sweetbriar Ct.
Portland, OR, 97221

Copies sent to:

1. WRD - App. File G-14994/ Permit G-13936
2. WRD - Support Staff, Salem

Fee paid as specified under ORS 536.050 to receive copy:

3. None

Receiving via e-mail (10 AM day of signature date)

4. WRD - Water Master District 16 ^{to Sabrina White} ~~Mike McCord, Salem~~

Done by _____ Date _____

If Progress Reports are included:

Add record to Progress Report tracking sheet.xls Done: by gh Date 8/25/09

CASEWORKER: SBK

Final Order: Permit G-13936

Page 1 of 1

**Oregon Water Resources Department
Water Rights Division**



Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit G-13936, Water Right Application G-14994) PROPOSED FINAL ORDER
in the name of Bill Olinger Properties, LLC; Kyle Olinger.)

Permit Information

Application File G-14994 Permit G-13936

Basin: 2 – Willamette / Watermaster District 16
Date of Priority: June 8, 1999

Authorized Use of Water

Source of Water: One Well in the Willamette River Basin
Purpose of Use: Commercial Use
Maximum Rate: 1.0 Cubic Feet per Second (cfs)

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

***Please read this Proposed Final Order in its entirety as it contains
additional conditions not included in the original permit.***

This Proposed Final Order applies only to Permit G-13936, water right Application G-14994.
A copy of Permit G-13936 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- Grant an extension of time to apply water to full beneficial use from October 1, 2005 to October 1, 2018.
- Make the extension subject to certain conditions set forth below.

ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources
PFO – Proposed Final Order

Units of Measure

cfs – cubic feet per second
gpm – gallons per minute

AUTHORITY

Generally, see **ORS 537.630** and **OAR Chapter 690 Division 315**.

ORS 537.630(1) provide in pertinent part that the Oregon Water Resources Department (Department) may, for good cause shown, order an extension of time within which: irrigation or other works shall be completed; the well or other means of developing and securing ground water shall be completed; or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under **ORS 539.010(5)** and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

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

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

OAR 690-315-0050(6) requires the Department, for extensions exceeding five years, to establish checkpoints to determine if diligence is being exercised in the development and perfection of the water use permit. Intervals between checkpoints will not exceed five year periods.

FINDINGS OF FACT

Background

1. Permit G-13936 was granted by the Department on May 24, 2001. The permit authorizes the use of up to 1.0 cfs of water from one well in the Willamette River Basin for commercial use. The permit specified complete application of water was to be made on or before October 1, 2005.
2. The permit holder submitted an "Application for Extension of Time" to the Department on October 2, 2008 requesting the time to apply water to full beneficial use under the terms and conditions of Permit G-13936 be extended from October 1, 2005 to October 1, 2018. This is the first permit extension requested for Permit G-13936.
3. Notification of the Application for Extension of Time for Permit G-13936 was published in the Department's Public Notice dated October 21, 2008. No public comments were received regarding the extension application.
4. On October 20, 2008 the permit holder submitted additional information to supplement their Application for Extension of Time. The amendment provided the timeline and value of work or action left to be accomplished during the next extension period.

Review Criteria [OAR 690-315-0040]

The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0040. This determination shall consider the applicable requirements of ORS 537.230¹, 537.248², 537.630³ and/or 539.010(5)⁴.

Complete Extension of Time Application [OAR 690-315-0040(1)(a)]

5. On October 2, 2008 the Department received a completed Application for Extension of Time and the fee specified in ORS 536.050 from the permit holder.

Start of Construction [OAR 690-315-0040(1)(b) and 690-315-0040(5)]

6. Actual construction of the well began prior to the May 24, 2002 deadline specified in the permit.

¹ ORS 537.230 applies to surface water permits only.

² ORS 537.248 applies to reservoir permits only.

³ ORS 537.630 applies to ground water permits only.

⁴ ORS 539.010(5) applies to surface water and ground water permits.

Duration of Extension [OAR 690-315-0040(1)(c)]

Under OAR 690-315-0040(1)(c), in order to approve an extension of time for water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.

7. As of October 2, 2008 the remaining work to be completed consists of installation and connection of main water lines in various locations around the commercial use area and applying water to full beneficial use.
8. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2018, to accomplish the application of water to beneficial use under the terms and conditions of Permit G-13936 is both reasonable and necessary.

Good Cause [OAR 690-315-0040(1)(d)]

The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0040(2).

Reasonable Diligence of the Appropriator [OAR 690-315-0040(2)(a)]

The Department's determination of reasonable diligence shall consider the requirements set forth under OAR 690-315-0040(3)(a-d). In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:

Amount of Construction [OAR 690-315-0040(3)(a)]

9. Work was accomplished within the time allowed in the permit or previous extension as follows:
 - a. Construction of the well and water system began prior to the May 24, 2002 deadline specified in the permit.
 - b. Work was completed (specified in the Application for an Extension of Time) during the original development time frame under Permit G-13936.
 - c. From October 1, 2006 to October 1, 2007 the permit holder installed new control panels for fire suppression and commercial uses, installed a back-up generator, made three new service connections, and upgraded control software and auto-notification system.

Beneficial Use of Water [OAR 690-315-0040(3)(b)]

10. The following beneficial use of water was made during the permit or previous extension time limits:
 - a. Since the issuance of Permit G-13936 on May 24, 2001, a maximum rate of 0.13 cfs of water has been appropriated from the well for commercial use.

Compliance with Conditions [OAR 690-315-0040(3)(c)]

11. The water right permit holder's conformance with the permit or previous extension conditions.
 - a. The Department has considered the permit holder's compliance with conditions, and did not identify any concerns.

Financial Investments [OAR 690-315-0040(3)(d)]

12. Financial investments made toward developing the beneficial water use.
 - a. As of October 20, 2008 the permit holder has invested approximately \$902,000 which is approximately 82 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$200,000 investment is needed for the completion of this project.

Cost to Appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b)]

13. As of October 20, 2008 the permit holder has invested approximately \$902,000 which is approximately 82 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$200,000 investment is needed for the completion of this project.

Good Faith of the Appropriator [OAR 690-315-0040(2)(c)]

14. The Department has found good faith of the appropriator under Permit G-13936.

The Market and Present Demands for Water [OAR 690-315-0040(2)(d-e)]

The Department's determinations of market and present demand for water or power to be supplied shall consider the requirements set forth under OAR 690-315-0040(4)(a-f). In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

15. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0040(4)(a-c)].
 - a. The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-13936; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined at such time that such application for a new water right is submitted. The point of appropriation for Permit G-13936, located within the Senecal Creek Basin is not located within a

limited or critical ground water area. The Senecal Creek Basin is not located within or above any state or federal scenic waterway, is located within an area ranked "moderate" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. Senecal Creek is not listed by the Department of Environmental Quality as a water quality limited stream.

16. Economic investment in the project to date [OAR 690-315-0040(4)(d)].
 - a. As of October 20, 2008 the permit holder has invested approximately \$902,000
17. Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].
 - a. None have been identified.
18. Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0040(4)(f)].
 - a. None have been identified.
19. OAR 690-315-0050(6) requires the Department to place a checkpoint condition on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. A "Checkpoint Condition" is specified under Item 1 of the "Conditions" section of this PFO to meet this condition.

Fair Return Upon Investment [OAR 690-315-0040(2)(f)]

20. Use and income from the permitted water development results in reasonable returns upon the investment made to date.

Other Governmental Requirements [OAR 690-315-0040(2)(g)]

21. Zoning issues with Marion County slowed development of the project.

Unforeseen Events [OAR 690-315-0040(2)(h)]

22. None have been identified.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630(1).
2. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).

3. The applicant complied with begin actual construction timeline requirements pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
4. Full application of water to beneficial use can be accomplished by October 1, 2018⁵, as required by OAR 690-315-0040(1)(c).
5. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).
6. As required by OAR 690-315-0050(6) and as described in Finding 19 above, the Department has established, as specified in the "Conditions" section of this PFO (Item 1), progress checkpoints in order to ensure future diligence is exercised in the development and perfection of Permit G-13936.

Proposed Order

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to:

Extend the time to apply water to beneficial use under Permit G-13936 from October 1, 2005 to October 1, 2018.

Subject to the following conditions:

CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2010 and October 1, 2015. *Forms will be enclosed with your Final Order.***

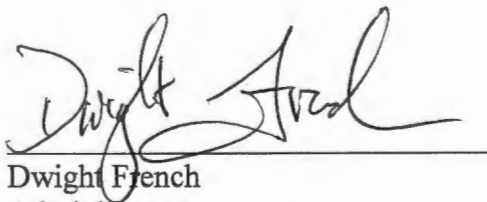
- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the

⁵Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use.

project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

DATED: July 7, 2009



Dwight French
Administrator
Water Rights & Adjudications Division

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **August 21, 2009**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The applicant or non-applicant protest fee required under ORS 536.050.

3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
 - a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a protest has been submitted, and:
 - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

-
- If you have any questions about statements contained in this document, please contact Scott Kudlemyer at 503-986-0813.
 - If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Patricia McCarty at 503-986-0819.
 - If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0801.
 - Address any correspondence to : Water Rights and Adjudications Division
725 Summer St NE, Suite A
Salem, OR 97301-1266
- Fax: 503-986-0901
-

Mailing List for Extension PFO Copies

PFO Date: July 7, 2008

Copies Mailed

**Application G-14994
Permit G-13936**

By: JKS
On: 7/7/09

Original mailed to Applicant:

Bill Olinger Properties, LLC
Attn: Kyle Olinger
6215 SW Sweetbriar Ct.
Portland, OR, 97221

Copies sent to:

1. WRD - App. File G-14994/ Permit G-13936

Fee paid as specified under ORS 536.050 to receive copy:

2. None

Receiving via e-mail (10 AM Tuesday of signature date)

3. PFO: WRD – Watermaster District 16 – Mike McCord, Salem

Done by JK Date 7/7/09

CASEWORKER: SBK

Before submitting your Application for Extension of Time, make sure the following items are included:

- This completed Application for Extension of Time.
- Statutory fee of \$350.
- Signature page (last page of this Application for Extension of Time).
- All supporting documentation and/or evidence referenced in the Application for Extension of Time.

MAIL COMPLETED APPLICATION

along with the

\$350 STATUTORY FEE TO:

**Water Resources Department
Attn: Water Right Permit Extensions
725 Summer Street NE, Suite A
Salem, Oregon 97301**



GENERAL TIPS:

- Request the reasonable amount of time necessary to fully complete the water construction project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate Application for Extension of Time must be submitted for each permit. OAR 690-315-0020(2).
- An instruction sheet (Instructions for Filling Out Extension of Time Application for Permits) provides details that will help you answer each question on the application. Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at: <http://www.wrd.state.or.us/OWRD/LAW/index.shtml>.

RECEIVED

OCT 02 2008

**WRAD
WATER RESOURCES DEPT
SALEM, OREGON**

- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 315-0020(3)(n).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights and Adjudications Division.
- Once an Application for Extension of Time is received by OWRD, it will be reviewed for completeness. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

Reference Materials Needed to Complete this Application:

- The water right permit. If needed, a copy of the water right permit can be downloaded from the Department's Website at <http://www.wrd.state.or.us> (find the link to the Water Rights Information System (WRIS)). Or, a copy of the permit (or other documents) may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- Documentation which demonstrates compliance with permit conditions (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Answer the Following Questions to Complete this Application for Extension of Time

- [OAR 690-315-0020(3)(d)]
1. Did the actual construction of the water system/well drilling begin within the time specified in the permit? [yes/no] Yes _____



TIP: Not all permits specify a date by which construction was to begin.

Date construction began is: 10/24/1983

Details of construction: Construction of well and pipeline infrastructure began prior to
issuance of permit. The point of appropriation, represented by well log MARI 365, was
completed in 1984.

2. Permits typically contain standard or special conditions that must be satisfied to lawfully develop and use permitted water. In the development of this water right, have you satisfied the conditions contained in your permit? [yes/no] No

A) Describe how you have complied with each condition contained in the original permit [and, if applicable, each condition contained in any order approving a permit amendment and/or a final order approving a prior extension of time]. Include the date when the condition was satisfied.



TIP: The instruction sheet for the Application for Extension of Time provides an explanation of the typical conditions that must be addressed in this question.

CHART-A

Condition No.**	Date Satisfied	Describe How Permit Condition Has Been Satisfied
1		Install a meter prior to use
8		Well equipped with usable access port and up to well construction standards
16	1983	Actual construction to commence by May 24, 2002

** Condition No: Hand-number each condition on a copy of your permit (and, if applicable, permit amendment and prior extension).

B) If you have NOT complied with all applicable conditions, explain the reasons why and indicate with a date certain (in the near future) when compliance will occur.

CHART-B

Condition No.**	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied
6		Develop and submit a monitoring plan

** Condition No: Hand-number each condition on a copy of your permit (and, if applicable, permit amendment and prior extension).

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3. Provide evidence of physical progress made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-C); and if applicable, within the time period of the most recent extension granted (CHART-D).

A) CHART-C (below) must be completed for all Application for Extension of Time requests. Use chronological order.

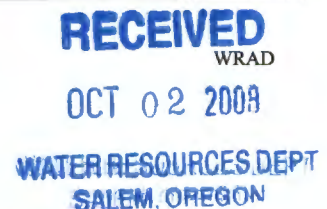
CHART-C

INSERT DATES	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
1983	Well drilled and constructed	
1984	Pump installed	

INSERT DATES	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED <i>and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER</i> <i>List work/actions done during the permitted time period.</i>	COST*
5/24/2001	The permit was signed - find date above signature on last page of permit.	N/A
2000-2002	Pump house constructed, pump controls installed	N/A
2000-2002	Construction of 280,000 gallon reservoir	N/A
	The permit specified "Actual Construction Work" shall begin ("A-Date") - not all permits contain this date.	
2003	Completion of 2000 linear foot 8" mainline	N/A
9/1/2003	Service connection	N/A
2004	2 new service connections on 1/1/2004 and 5/1/2004	N/A
2005	2 new service connections on 1/1/2005 and 5/1/2005	N/A
2005	Installation of approximately 900 LF mainline extension	N/A
10/1/2005	The permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date.	Total Cost \$860,000.00

INSERT DATES	WORK ACCOMPLISHED AFTER "C-DATE" <i>COMPETE ONLY IF THIS IS YOUR 1st APPLICATION FOR EXTENSION OF TIME: List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
2006	3 new service connections; one on 1/1/2006 and two on 3/1/2006	See total
2007	Install new control panels for fire and commercial	See total
2007	Install back-up generator	See total
2007	Upgrade control software and auto notification system	Total \$42,000
Total Cost to Date		\$902,000

* If exact cost is not known, you must provide your best estimate.



B) If this is not your 1st Application for Extension of Time request, fill out CHART-D below (in addition to CHART-C above). Use chronological order.

CHART-D

INSERT DATES	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
10/1/____	"Extended From" date for complete application of water used in the 1 st (or the most recent) Application for Extension of Time.	
	N/A	
	"Extended To" date for complete application of water resulting from the 1 st (or the most recent) Application for Extension of Time.	
	WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
	N/A	
Total Cost to Date		

* If exact cost is not known, you must provide your best estimate.

[OAR 690-315-0020(3)(f)]

4. Cost of project to date: Approximately \$902,000
 (The total cost from CHART-C and CHART-D)

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[OAR 690-315-0020(3)(e)(B)]

- 5. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit and/or prior extensions of time, if any, made to date.



TIP: Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet – usually only specified on a reservoir water right). Do not provide daily, monthly or annual water use totals.

Maximum rate = 0.134 cfs (cubic feet per second) or,

Maximum rate = 60 gpm (gallons per minute) or,

Acre Feet Stored = _____ AF

[OAR 690-315-0020(3)(e)(C)]

- 6. Provide the total number of acres irrigated to date under this permit.

Total acres irrigated to date: N/A

[OAR 690-315-0020(3)(j)]

- 7. Provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
	N/A	
Year:	Intend to apply water to full beneficial use under the terms and conditions of this permit.	
Total Cost		

see 10-20-08 update

[OAR 690-315-0020(3)(g)]

- 8. Estimated remaining cost to complete the project: \$0 200,000
(The total cost from CHART-E)

see 10-20-08 update

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SALEM OREGON**

CHART-E

Addendum to Application for Extension Of time for a water right Permit

APPROXIMATE DATE RANGE	WORK OR ACTION TO BE ACCOMPLISHED	ESTIMATED COST
2008	Extension of main water line across Ehlen road to the north west will connect Western Concrete and Fisher Implement. Work is presently underway.	\$50,000
2008-2012	To the immediate west of the well is G & L's property. One 30,000 sf building has already been constructed. The second building is still in the planning stage. Main water lines are already installed.	Complete
2008-2016	To the far west Salem Sand & Gravel land is being cleared and Plans are being made for possible subdivision sale and development. The main water line is already extended to the property line, but Additional lines will have to be installed depending on final lay out.	Partial Complete Aprox \$200,000
2008-2018	3 parcels to the immediate north west have existing uses grandfathered In to our current zoning usage. Main lines have already been laid up to The property lines. The current users are using their own wells and Were allowed to build in the first place without meeting fire codes. Future development will require meeting codes and necessitate connecting to the system.	Partial Complete Aprox \$100,000
2008-2012	Maddox air freight to the immediate south has completed one of two 10,000 sf buildings. The other is being planned for as their need for Space rises. Lines are already installed	Complete
2008-2010	Directly north of the system on Ehlen road is the last acre of the original Development that remains unsold. Lines are already laid to the property There are interested parties. It should sell in the next 2 years.	Complete
2008-2018	To the east and north east are two properties owned by gas station Companies. We have had talks on connection to our system. Lines are Complete to one of the properties and have to cross Ehlen Road to connect To the other.	Partial Complete Aprox \$200,000

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9. List the reasons why the project was not constructed, and/or water was not beneficially used within permit time limits. Provide supporting information for the reason(s) that best fits your circumstances.

A) The project is of a size and scope that was originally planned to be phased in over a time frame longer than the one allowed in the permit.

Project development has been contingent on market conditions, most notably the demand for commercial property. The project development was originally planned to coincide with parcel sales.

B) The financial resources needed to develop the project precluded completion of the project within authorized time frames.

Financial resources for development were procured from property sales and thus limited until sites were sold.

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

Appurtenant land was previously zoned for agricultural uses. Zoning issues with Marion County as well as the County's exaction of a public road dedication slowed development, partitioning, and sales.

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

N/A

[OAR 690-315-0020(3)(k)]

10. Justify the time requested to complete the project and/or apply the water to full beneficial use. Your justification should combine information from your answers from Questions 2, 3-A, 3-B, 7 and 9 of this Application for Extension of Time, and should also include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.

See attached.

11. Provide any other information you wish OWRD to consider while evaluating your Extension of Time Application.

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



Signature

9/30/08

Date

Extension PFO Checklist for Other than Muni or Quasi-Municipal

Water Use Permits

(OAR 690-315-0010 through OAR 690-315-0060)

Application: G- 14994 Permit: G- 13936 Permit Amendment? No Yes T- _____ pending approved

Permit Holder's Name: Bill Olinger Properties LLC; Kyle Olinger

Permit Holder's Mailing Address: 6215 SW Sweetbriar Court, Portland, OR 97221 email kyle@brucechevrolet.com

Phone Number: 503-619-8324

POD Location: Township 4S Range 1W Section 9 $\frac{1}{4}$ SWSE

Drainage Basin: 2 County: Marion Watermaster District: 16 Watermaster: Mike McCord

Date Permit was issued: 5/24/2001

Priority Date: 6/8/1999

Date of PN: 10/21/2008

Source: A Well within the Senecal Creek Basin

Use: Commercial Use

"Q": 1.0 cfs

Orig "A" Date: 5/24/2002

Orig "B" Date: 10/1/

Orig "C" Date: 10/1/2005

Extension request rec'd: 10/2/2008

Last Authorized "B" Date: 10/1/

Last Authorized "C" Date: 10/1/2005

Request Number (1, 2, 3...): 1st

Proposed "B" Date: 10/1/

Proposed C Date: 10/1/2018

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A date met - construction began 1983
<input checked="" type="checkbox"/>	<input type="checkbox"/>	install meter prior to water use
<input checked="" type="checkbox"/>	<input type="checkbox"/>	develop a plan to monitor and report impact of water use - <u>approved 10-17-08</u>
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

Factors to consider in determining "Reasonable Diligence" [OAR 690-315-0040(3)]:

Yes No

- Work was accomplished within the time allowed in the permit or previous extension
- Water right permit holder conformed with the permit or previous extension conditions
- Financial investments were made toward developing the beneficial water use.

• Amount Invested to date: \$902,000 Estimated Remaining Cost: \$ 200,000

- Beneficial use made of the water during the permit or previous extension time limits

• Permit holder has beneficially used 0.13 cfs gpm af of the total permitted quantity of water on _____ acres

No GW review needed. DWP see 10-20-08 update

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

Application: G- 14994 Permit: G- 13936 Township _____ Range _____ Section _____

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

Identify the closest surface water or localized water basin. Senecal Creek
Ground Water Permits: Is the POA located...
Surface Water Permits: Is the POD located...

Yes No

- above a state scenic waterway? Name _____ Source: OWRD "Areas Above State Scenic Waterways" Map
- within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html
- within a sensitive, threatened or endangered species area Source: "/>within a critical or limited Ground Water Area? Name of area _____
- within a Withdrawn Area? Name of area _____
- in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list _____
- within an area ranking low / moderate / high / highest for stream flow restoration needs Source: OWRD "Streamflow Restoration Needs" Maps (by region)

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

Yes... "Good Cause" can be found. Approval of Extension Request
No ... "Good Cause" cannot be found. Denial of Extension Request

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

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

- 5-year Progress Report Checkpoints (Years: 2010, 2015)
- Other: _____

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

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

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

COBU Requirement - Surface Water - post July 9, 1987

"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

COBU Requirement - Ground Water - post July 9, 1987

"Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

NOTES:

Extension "PFO" Dates

Mailing / Issuance Date: _____ Protest Deadline Date: _____

Reviewer's Name: _____ Date: _____

Application # G-14994

Permit # G-13936

Public Notice Route Slip ... New Application Extension of Time
per Division 315 Rules... (Extensions received on July 1, 2001 or after)

◆ **WRIG...**

Money Received on: 10/2/2008

◆ **Extension Specialist ...**

Added to tracking spreadsheet

After fee is receipted and app is added to spreadsheet, route to...

◆ **Jonnine Skaug...**

Publish on Public Notice (initial 30-day comment): Date of notice 10-21-08 JMS

Update WRIS Database

In the "PNotice Date" field... Enter the date the Extension Application was published on the Public Notice.

In the "Ext Filed" field... Enter the date the Extension Application was received.

Yes or No:

Return file to Extension Specialist after PN

**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 # **94426**

INVOICE # _____

RECEIVED FROM: Bill Dlinger Properties, LLC

APPLICATION	G-14994
PERMIT	
TRANSFER	

BY: _____

CASH: CHECK:# 2762 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 350.00

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 46111

0407 COPY & TAPE FEES \$ _____
 0410 RESEARCH FEES \$ _____
 0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
 TC:162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
 0240 EXTENSION OF TIME \$ 350.00

WATER RIGHTS:

EXAM FEE	
\$ _____	0202
\$ _____	0204
\$ _____	

RECORD FEE

\$ _____
\$ _____

WELL CONSTRUCTION

EXAM FEE	
\$ _____	0219
\$ _____	0220

LICENSE FEE

\$ _____
\$ _____

0218 WELL DRILL CONSTRUCTOR _____
 LANDOWNER'S PERMIT _____
 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: **94426**

DATED: 10/21/08 BY: LSG



Oregon

Theodore R. Kulongoski, 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 21, 2008

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Rights Section has received your application for an extension of time for **APPLICATION FILE # G-14994 (PERMIT # G-13936)**. Your application will be reviewed in the near future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

If you have questions concerning your extension of time application, please contact Ann Reece at (503) 986-0827. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's Internet home page at: "www.wrd.state.or.us".

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-14994

Final Order

Application History

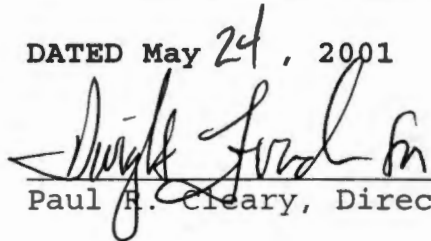
On June 8, 1999, BILL OLINGER PROPERTIES LLC; OLINGER, KYLE submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on October 31, 2000. The protest period closed December 15, 2000, and no protest was filed.

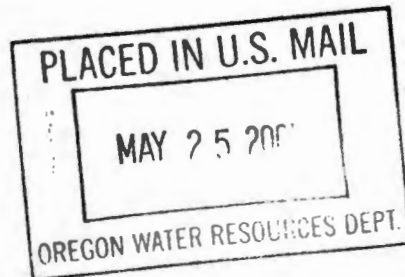
The proposed use would not impair or be detrimental to the public interest.

Order

Application G-14994 therefore is approved as proposed by the Proposed Final Order, and Permit G-13936 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED May 24, 2001


Paul R. Cleary, Director



This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of this order must be filed within the 60 day time period specified by ORS 183.484(2).

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law. Where no changes have been made to a Proposed Final Order on a water right application and no protests have been filed during the protest period, the final order is not subject to judicial review.

This document was prepared by Jerry Gainey. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me toll free within Oregon at 1-800-624-3199 extension 458. Outside of Oregon you can dial 1-503-378-8455.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her extension number is 239.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301-4172, Fax: (503)378-2496

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BILL OLINGER PROPERTIES LLC
KYLE OLINGER
1834 SW 58TH AVE.
PORTLAND, OREGON 97221

PHONE: (503) 297-0142

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

APPLICATION FILE NUMBER: G-14994

SOURCE OF WATER: A WELL IN THE WILLAMETTE RIVER BASIN

PURPOSE OR USE: COMMERCIAL USE

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND

PERIOD OF USE: NOVEMBER 1 THROUGH APRIL 30

DATE OF PRIORITY: JUNE 8, 1999

POINT OF DIVERSION LOCATION: SW 1/4 SE 1/4, SECTION 9, T4S, R1W, W.M.;
700 FEET SOUTH & 400 FEET EAST FROM NE CORNER, J GRIM DLC 46

THE PLACE OF USE IS LOCATED



TOWNSHIP

*should be from
the NW corner*

Measurement, recording and

- A. Before water use, the permittee shall install a measuring device as approved by the watermaster. The permittee shall maintain the device in good order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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

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

The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water user'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 senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation

facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

STANDARD CONDITIONS

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

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

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

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

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

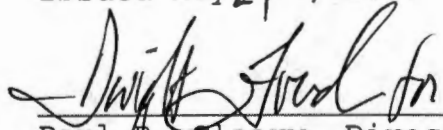
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

Actual construction of the well shall begin May 24, 2002. Complete application of the water to the use shall be made on or before October 1, 2005. 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 (CWRE).

Issued May 24, 2001



Paul R. Cleary, Director
Water Resources Department

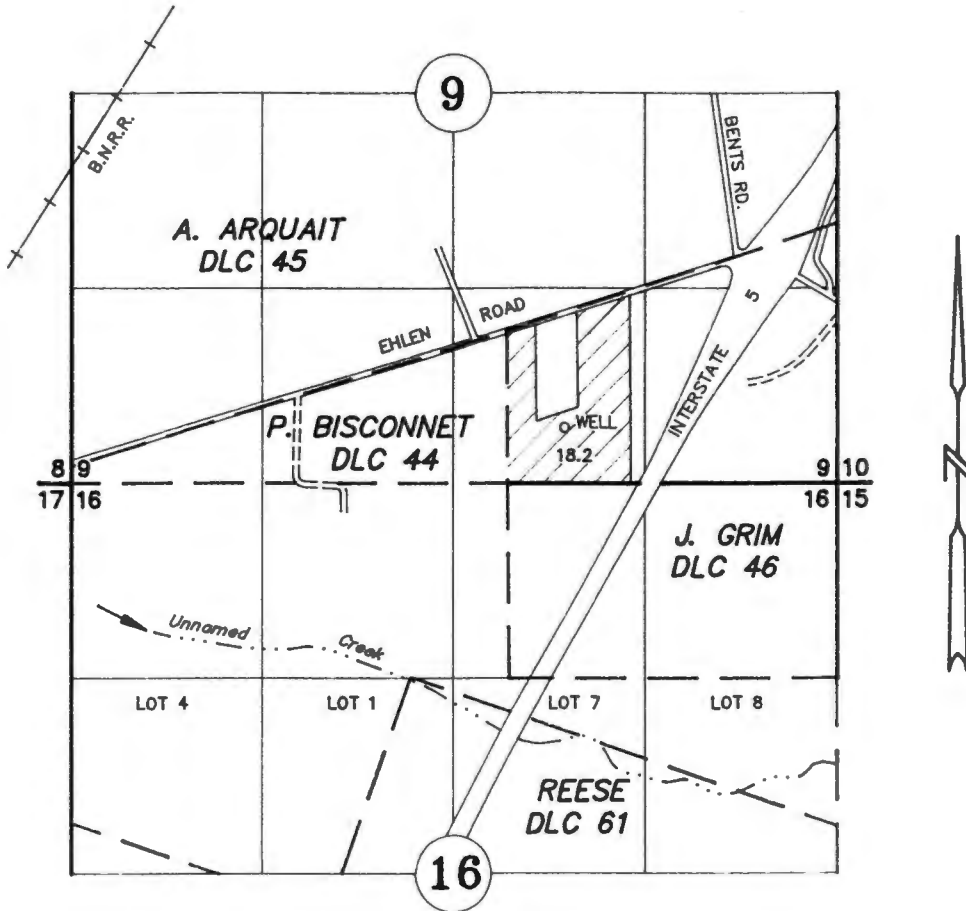
NOTE: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

RECEIVED

T.4S. R.1W. W.M.
MARION COUNTY

JUN 08 1999

WATER RESOURCES DEPT.
SALEM, OREGON



DIV. PT.: 700' SOUTH AND 400' EAST OF THE NE CORNER OF J. GRIM DLC 46.

TAX LOTS: 4 1W 09DC 00100

APPLICATION TO APPROPRIATE GROUND WATER

G-11322

G-10449

T-6921 TRANSFER

G-13325

G-11962

Application No. G 14994 Permit No. _____

BILL OLINGER PROPERTIES, LLC

JUNE 07, 1999
SCALE 1" = 1320'

NOTE: This map is for the purpose of identifying the location of water rights and has no intent to dimension or locate property ownership lines.



TO: Water Rights Section

July 6, 1999

FROM: Ground Water/Hydrology Section

Marc A Norton

Reviewer's Name

SUBJECT: Application G- 14994

GROUNDWATER/SURFACE WATER CONSIDERATIONS

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

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
 - a. _____ will, or likely be available in the amounts requested without injury to prior rights
 - b. _____ will not and/or within the capacity of the resource; or
 - c. will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
 - i. The permit should contain condition #(s) 7B, 7A;
 - ii. _____ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. _____ The permit should be conditioned as indicated in item 4 below; or
4.
 - a. _____ THE PERMIT should allow groundwater production from no deeper than _____ ft. below land surface;
 - b. _____ The permit should allow groundwater production from no shallower than _____ ft. below land surface;
 - c. _____ The permit should allow groundwater production only from the _____ groundwater reservoir between approximately _____ ft. and _____ ft. below land surface;
 - d. Well reconstruction is necessary to accomplish one or more of the above conditions.
 - e. _____ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS:

(Well Construction Considerations on Reverse Side)

G-14994

**Water Right Conditions
Tracking Slip**

Groundwater/Hydrology Section

FILE ## G-14994

ROUTED TO: W.R.

TOWNSHIP/
RANGE-SECTION: 4S/1W-9

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

Hydraulic Connection
Ⓢ potential

Reviewer: Man Norton

WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Ground Water/Hydrology
 FROM: Marc Norton
 SUBJECT: Groundwater Application G- 14994

Date 7/6/99

Applicant(s) seek 449 gpm (1.0 cfs) from one wells in the Willamette basin
 Applicants Name: Olinger Pudding sub basin
 Proposed Use: Commercial Senecal sub basin

Pertinent 7 & 1/2 minute Quads Woodburn

Well MARI WRD# 365 T 45 R 1W S 9 QQ DCD County Marion

Legal Description _____
 Well is 1900 ft from UnNamed trib to Senecal Cr (river/stream)
 Well is 1950 ft from _____ (river/stream)
 Well Elevation 185 ft River/Stream elevation 145-155 ft.
 Well Elevation - River/Stream elevation 30-40 ft.
 Well depth 186 ft SWL 30 ft on 3/12/84
 Sealed to 20 ft Depth first water found 55 ft
 Cased to 186 ft Perforations/screens 156-170 ft
 Lined to _____ ft ~~Perforations/screens~~ STEP 124-166 ft 115-136
 Well test and types 2400 GPM @ 80 ft of dd 5 hrs 136-156
 (Confined/Semi-confined/Unconfined) Direct hydraulic connection? YES / NO
 Potential to cause substantial interference? YES

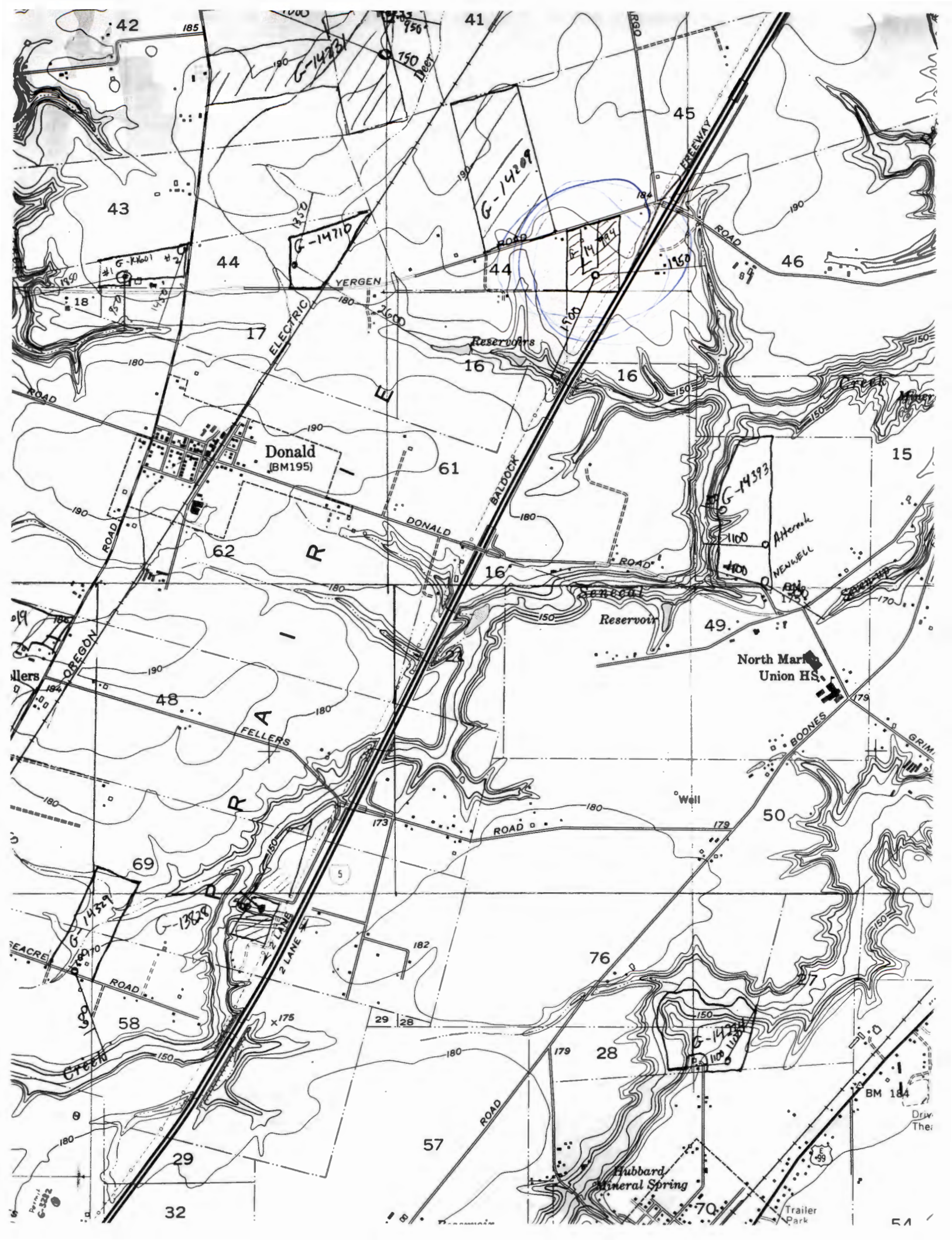
$\frac{2400}{80} = 30 \text{ gpm/ft of dd}$ $\approx 4 \times 10^{-4}$ Transmissivity

Well _____ WRD# _____ T _____ R _____ S _____ QQ _____ County _____

Legal Description _____
 Well is _____ ft from _____ (river/stream)
 Well is _____ ft from _____ (river/stream)
 Well Elevation _____ ft River/Stream elevation _____ ft.
 Well Elevation - River/Stream elevation _____ ft.
 Well depth _____ ft SWL _____ ft on _____
 Sealed to _____ ft Depth first water found _____ ft
 Cased to _____ ft Perforations/screens _____ ft
 Lined to _____ ft Perforations/screens _____ ft
 Well test and types _____
 (Confined/Semi-confined/Unconfined) Direct hydraulic connection? YES / NO
 Potential to cause substantial interference? _____

Comments: G-14209 - core of seal to 130' - No clay in this well - case and seal will not help

References Used: _____



WATER WELL REPORT
STATE OF OREGON

WAFL 365

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APR 8 1994

WATER RESOURCES DEPT.
SALEM, OREGON

State Well No. 43/w-9d

State Permit No. G 14994

(1) OWNER:

Name Virgil Montecucco
Address 4120 N. Locust
City Canby State Or 97013

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Hand
Rotary Air Driven
Rotary Mud Dug
Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other
Thermal Withdrawal Reinjection

(5) CASING INSTALLED:

Steel Plastic
Threaded Welded

See - Diam. from Sheet ft. to _____ ft. Gauge Attached
" Diam. from _____ ft. to _____ ft. Gauge _____

(6) LINER INSTALLED:

" Diam. from _____ ft. to _____ ft. Gauge _____

(7) PERFORATIONS:

Perforated? Yes No

Type of perforator used _____

Size of perforations in. by _____ in.
See Sheet Attached
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.

(8) SCREENS:

Well screen installed? Yes No

Manufacturer's Name NOP Johnson
Type Watermark SS Model No. _____
Diam. 12" Slot Size 150 Set from 156.7 to 170.1 ft.
Diam. _____ Slot Size _____ Set from _____ ft. to _____ ft.

(9) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? Yes No If yes, by whom? S.E.I.
2400 gal./min. with 80 ft. drawdown after 5 hrs.
1560 " 54 " 5 1/2 "
1050 gal./min. with 43 " 6 hrs.
550 gal./min. with 28 ft. drawdown after 6 1/2 hrs.
Artesian flow - g.p.m. -
Temperature of water - Depth artesian flow encountered _____ ft.

(10) CONSTRUCTION:

Special standards: Yes No

Well seal—Material used 10 Cu Yd 5 sk readmix
Well sealed from land surface to 20 ft.
Diameter of well bore to bottom of seal 32 in.
Diameter of well bore below seal 32 in.
Number of sacks of cement used in well seal 50 sacks
How was cement grout placed? See attached Dept of Water Resources letter regard special standards for use of readmix concrete
Was pump installed? No Yes Type _____ HP _____ Depth _____ ft.
Was a drive shoe used? Yes No Plugs _____ Size: location _____ ft.
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: 3/4 - 1/2
Gravel placed from 20 ft. to bottom ft.

(11) LOCATION OF WELL:

County Clatsop Driller's well number 8401
1/4 SE 1/4 Section 9 T. 4S R. 1W W.M.
Tax Lot # _____ Lot _____ Blk _____ Subdivision _____
Address at well location: _____

(12) WATER LEVEL: Completed well.

Depth at which water was first found 55 ft.
Static level 30 ft. below land surface. Date 3/12/84
Artesian pressure _____ lbs. per square inch. Date _____

(13) WELL LOG:

Diameter of well below casing _____
Depth drilled 186 ft. Depth of completed well 175 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 and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
See sheet attached			

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WATER RESOURCES DEPT.
SALEM, OREGON

Work started 10/24 19 83 Completed 3/26 1984
Date well drilling machine moved off of well 2/3 1984

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) Donald J. Davis Date 4-3 1984
(Drilling Machine Operator)
Drilling Machine Operator's License No. 1095

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 Schneider Equipment, Inc.
(Person, firm or corporation) (Type or print)
Address 2181 River Rd. E. St. Paul, Cr
97137
(Signed) Stephen Schneider
(Water Well Contractor)
Contractor's License No. 649 Date 4-3 1984

G 14994

Virgil Montecucco

8401

(5) Casing & (6) Perforations:

gravel
feed tube
domestic

6" diam. from +1.1 to 27.3 Gauge .250

8" diam. from +1.4 to 124.9 Gauge .250

8" diam. from 124.9 to 166.1 Gauge .322 Mill Perf. 640-3/8 x 2 1/2

8" diam. from 166.1 to 185.7 Gauge .250

Industrial
Irrigation

12" diam. from +2.2 to 115.7 Gauge .330

12" diam. from 115.7 to 136.7 Gauge .375 Mill Perf. 480-3/8 x 2 1/2

12" diam. from 136.7 to 156.7 Gauge .250 Torch Perf. 228-3/8 x 6

12" diam. from 170.1 to 186.1 Gauge .330

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APR 6 1984

WATER RESOURCES DEPT
SALEM, OREGON

G14994

8401

Virgil Montecucco

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APR 6 1984

WATER RESOURCES DEPT.
SALEM, OREGON

(12) Well Log

<u>From</u>	<u>To</u>	<u>Description</u>
0	3	Top soil, brown
3	39	Clay, brown
39	55	Clay, gray
55	57	Clay, gray, sandy & sandstone, black, fine, sandy
57	58	Sandstone, black, hard
58	59	Clay, brown
59	66	Sandstone, brown, hard
66	75	Sand, brown, fine
75	81	Sand, brown, medium to coarse w/ some $\frac{1}{2}$ minus gravel
81	85	Gravel & sand cemented, brown, 2" minus
85	94	Gravel, 8" minus, cemented w/ some clay, brown
94	96	Sand, brown, fine-medium
96	99	Gravel, 6" minus
99	106	Sand, brown, fine-medium
106	111	Sand, brown, fine & some gravel
111	116	Gravel & sand, 1" minus, some cemented, brown
116	118	Gravel, 6" minus w/ clay, brown
118	120	Clay, gray
120	121	Clay, gray & wood
121	123	Sand, black, medium w/ some small gravel & wood
123	129	Sand, black, medium w/ some $\frac{3}{4}$ minus gravel
129	130	Clay & gravel, gray
130	133	Gravel, $\frac{3}{4}$ minus & sand, black, medium-coarse
133	136	Sand, black, fine-medium
136	139	Gravel, 1" minus and sand, black, medium-coarse
139	142	Gravel & sand, black, coarse
142	149	Gravel, $\frac{3}{4}$ minus w/ some sand, black, coarse
149	154	Gravel, 2" minus & sand, black, medium coarse
154	169	Gravel, 3" minus & sand, black, coarse, some cemented
169	173	Clay, light gray, firm
173	182	Clay, blue-gray, firm
182	186	Clay, blue-green, sandy

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JUN 08 1999

WATER RESOURCES DEPT.
SALEM, OREGON



Oregon Water Resources Department
PUMP TEST COVER SHEET



Well Owner:
 Name Virgil Montecucco
 Address 4120 N. Locust
 City, State, Zip CANBY OR 97013
 County CLACKAMAS

Well Location:
 Twnshp 3 (N or S), Range 1 (E, or W)
 Section 28 1/4, 1/4, 1/4 NE & SW 1/4
 Well Depth 130' Date Drilled 3-6-62
 Owner's Well No. (if any) _____
 POD-ID 22626

Water Right Information:

Application No. 2251 Permit No. G 2070 Certificate No. 32258
 Is this well used for more than one water right? No (Y/N) If Yes, fill out numbers below:
 App. No. _____ Permit No. _____ Cert. No. _____
 App. No. _____ Permit No. _____ Cert. No. _____

Pump Test:

Test conducted by Ed Montecucco Well Owner? No (Y/N)
 Company _____ Date of Test 8-30-91
 Address 3468 N. Holly
 City, State, Zip CANBY OR 97013

Method of Discharge Measurement Vol. Time Cal. 55 gal. Drum
 Method of Water Level Measurement Electric Water Level Measuring Tape
 Depth of Air Line (if used) _____
 Pump Type (Turbine, Submersible, etc.) Submersible
 Was pump test conducted during normal use of the well yes (Y/N)

Description of point from which water level was measured Top of well casing
 Is measuring point above or below ground level? Above
 Distance between measuring point and ground level (correction factor) _____

Are you aware of any wells, other than domestic or stock wells, pumping within 1000 feet of the tested well during the test or within 24 hours prior to the test? No (Y/N) If yes, give approximate distances to each and approximate pumping rate of each. If, possible, indicate if they were turned on or off during the test _____

Is there a lake, stream or other surface water body within 1/4 mile of the tested well? No (Y/N)
 If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head: Approximate distance _____
 Approximate elevation difference _____
 Is well elevation above or below the surface water body? _____

Static Water Level Measurements: (Three measurements at least 20 minutes apart are required in the hour before pumping begins):

Time: <u>8:00 AM</u>	Depth to Water: <u>56' 1"</u>	(ft/in)
Time: <u>8:20 AM</u>	Depth to Water: <u>56'</u>	(ft/in)
Time: <u>8:40 AM</u>	Depth to Water: <u>56' 1"</u>	(ft/in)

Discharge Measurements: (A discharge measurement is required at the start of pumping and once an hour during the test):

Time: <u>10:00 AM</u>	Discharge Rate: <u>505</u>	(gpm)
Time: <u>11:00 AM</u>	Discharge Rate: <u>493</u>	(gpm)
Time: <u>12:00 PM</u>	Discharge Rate: <u>491</u>	(gpm)
Time: <u>1:00 PM</u>	Discharge Rate: <u>489</u>	(gpm)
Time: <u>2:00 PM</u>	Discharge Rate: <u>489</u>	(gpm)

Pump turned on: Date: 8/30/91 Time: 10:00 AM Pump turned off: Date: 8/30/91 Time: 2:10 PM
 Total pumping time: 4 hours, 10 minutes.

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

PUMP TEST DATA SHEET

WATER RESOURCES DEPT.

APPLICATION NO. G-2251

PERMIT NO. G-2070

P.O.D.-ID 22626

All water level measurements must either be in 1) (feet and inches, or 2) feet and decimal fractions. (Circle one)

DRAWDOWN DATA

RECOVERY DATA

DATE	TIME	TIME SINCE PUMP STARTED (minutes)	DEPTH TO WATER FROM MEASURING PT	CORRECTION FACTOR	DEPTH TO WATER FROM GROUND LEVEL	COMMENTS	DATE	TIME	TIME SINCE PUMP STOPPED (minutes)	DEPTH TO WATER FROM MEASURING PT	CORRECTION FACTOR	DEPTH TO WATER FROM GROUND LEVEL	COMMENTS
8/30/91	9:00 AM	-	56'1"		56'1"		8/30/91	2:11	1	62'3"		62'3"	
8/30/91	9:20 AM	-	56'		56'		8/30/91	2:13	3	61'8"		61'8"	
8/30/91	9:40 AM		56'1"		56'1"		8/30/91	2:15	5	61'6"		61'6"	
8/30/91	10:00 AM		56'2"		56'2"	Pump started	8/30/91	2:17	7	61'4"		61'4"	
8/30/91	10:01 AM	1	57'4"		57'4"		8/30/91	2:19	9	61'1"		61'1"	
8/30/91	10:03 AM	3	57'6"		57'6"		8/30/91	2:24	14	60'8"		60'8"	
8/30/91	10:05 AM	5	58'1"		58'1"		8/30/91	2:29	19	60'5"		60'5"	
8/30/91	10:07 AM	7	58'10"		58'10"		8/30/91	2:34	24	60'2"		60'2"	
8/30/91	10:09	9	59'0"		59'0"		8/30/91	2:39	29	60'		60'	
8/30/91	10:13	13	59'4"		59'4"		8/30/91	2:43	33	59'9"		59'9"	
8/30/91	10:18	18	59'6"		59'6"		8/30/91	2:57	47	59'5"		59'5"	
8/30/91	10:23	23	59'10"		59'10"		8/30/91	3:12	62	59'1"		59'1"	
8/30/91	10:28	28	60'1"		60'1"		8/30/91	3:27	77	58'9"		58'9"	
8/30/91	10:42	42	60'6"		60'6"		8/30/91	3:41	91	58'5"		58'5"	
8/30/91	10:57	57	60'9"		60'9"		8/30/91	3:56	106	58'1"		58'1"	
8/30/91	11:12	72	61'4"		61'4"		8/30/91	4:11	121	57'10"		57'10"	
8/30/91	11:29	87	61'5"		61'5"		8/30/91	4:26	136	57'5"		57'5"	
8/30/91	11:42	102	61'7"		61'7"		8/30/91	4:41	151	57'		57'	
8/30/91	11:59	117	61'9"		61'9"	AM.	8/30/91	4:56	166	56'8"		56'8"	
8/30/91	12:12	132	61'11"		61'11"	PM.	8/30/91	5:11	181	56'6"		56'6"	
8/30/91	12:26	146	62'		62'		8/30/91	5:26	196	56'5"		56'5"	
8/30/91	12:41	161	62'1"		62'1"		8/30/91	5:41	211	56'4"		56'4"	
8/30/91	12:56	176	62'4"		62'4"		8/30/91	5:56	226	56'4"		56'4"	
8/30/91	1:10	190	62'4"		62'4"		8/30/91	6:11	241	56'3"		56'3"	
8/30/91	1:25	205	62'4"		62'4"								
8/30/91	1:40	220	62'5"		62'5"								
8/30/91	1:55	235	62'5"		62'5"								
8/30/91	2:10	250	62'6"		62'6"								

500 gpm

= 77 gpm/ft of dd

≈ 10⁵ OWRD 10/90
10,000 / 100 = 1,000

Input Data:

Variable	Name	Minimum	"Best"	Maximum	Unit
Well Owner or Well Number	Well		Olinger		
X Coord. for X-Section (Head Distribution)	x		0		[ft]
Perpendicular Distance From Well to Stream	a		1,900		[ft]
Net Steady Pumping Rate	Q		449		[gpm]
Hydraulic Conductivity	K	500	1,000	1,500	[gpd/ft ² ft]
Aquifer Thickness	b	100	100	100	[ft]
Well Depth	d		186		[ft]
Storativity	S		0.20000		
Effective porosity	n		0.20000		
Hydr. Grad. Perpend. to Stream (must be > 0)	i	0.00095	0.00095	0.00095	
Time Since Pumping Started	time		30.00		[days]

Output Data:

General Output:					
Transmissivity	T	50,000	100,000	150,000	[gpd/ft]
Hydraulic Conductivity	K	500	1,000	1,500	[gpd/ft ² ft]
		67	134	201	[ft/day]
		2.34E-04	4.69E-04	7.03E-04	[m/s]
Average linear velocity	ALV	0.32	0.63	0.95	[ft/day]
		115.60	231.20	346.81	[ft/yr]
Ambient Flux at River per Foot	dQ	0.0329	0.0658	0.0986	[gpm/ft]

Transient Stream Depletion Output:

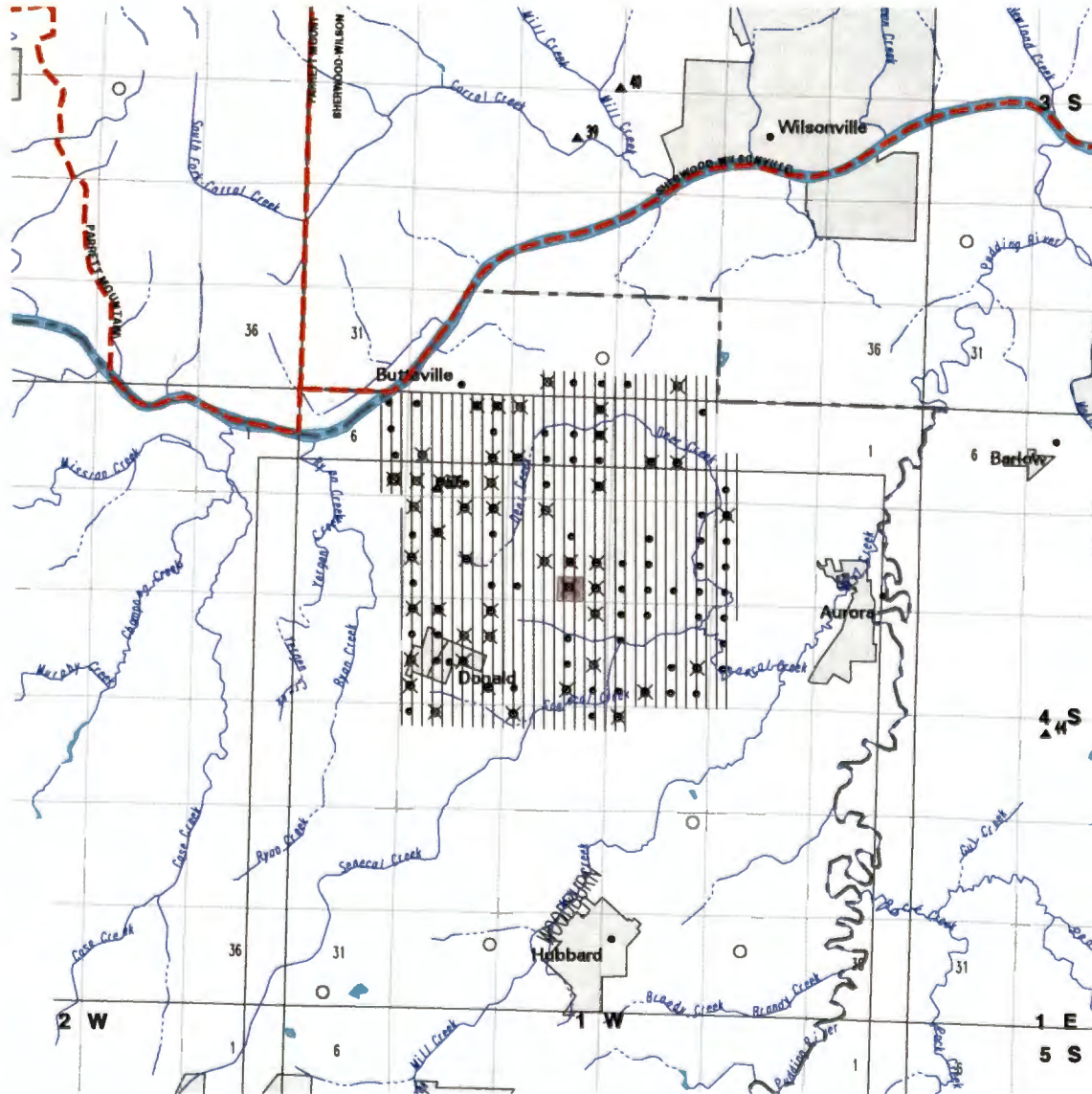
k	SDTr_k	0.9001	0.4500	0.3000	
Transient Stream Depletion (Theis/Jenkins)	SDTr	18%	34%	44%	
Transient Induced Infiltration (Theis/Jenkins)	IITr				

Steady-State Stream Depletion:

Dimensionless Pumping Rate ($\beta \geq 1 \implies$ velocity divide has reached stream)	Beta, β	2.29	1.14	0.76	
SQRT(Beta-1)		1.13	0.38	0.00	
Critical pumping rate	Qc	196	393	589	[gpm]
Dist. fr Well to Velocity Divide at Steady State	r _{vd}	1900	1900	974	[ft]
Steady-State Stream Depletion (Wilson & Linderfelt)		100%	100%	100%	
Steady-State Induced Infiltration (Wilson & Linderfelt)		22%	2%	0%	

Wells in the vicinity of application G 14994

- Application well(s) in this 1/4-1/4 section
- Well(s) identified in this section from OWRD's well log database within 1 mi. radius of application well(s)
- Conditioned, permitted well(s) in this 1/4-1/4 section within 5 mi. radius of application well(s)
- Critical GW Area
- - - Regulated GW Area
- ⊗ Permitted well(s) in this 1/4-1/4 section within 1 mi. radius of application well(s)
- ▲ OWRD Observation well and well-id within 5 mi. radius of application well(s)



WELLS WITHIN 1 MILE OF G 14994

DO 154
 ID 32
 IM 6
 IR 80
 MO 28

PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 14994

\$RECNO	APPLICATION	PERMIT	LOC-QQ	USE	RATE	DIV-UNITS
1	G	10782	G 9862	3.00S 1.00W33SESW IR	0.2700	C
2	G	10942	G 10058	3.00S 1.00W34SWSE IR	1.7200	C
2	G	12607	G 12092	3.00S 1.00W34SWSE NU	0.6000	C
3	G	1919	G 1774	4.00S 1.00W 5NWNW IR	0.9000	C
4	G	10954	G 10299	4.00S 1.00W 5NENE IR	0.9400	C
5	G	7675	G 7264	4.00S 1.00W 4NWNW IR	0.4500	C
6	G	2878	G 2669	4.00S 1.00W 4NENE IR	0.5500	C
7	G	13582	G 12323	4.00S 1.00W 4SENE AG	0.1340	C
7	G	13582	G 12323	4.00S 1.00W 4SENE IR	0.1340	C
7	G	13582	G 12323	4.00S 1.00W 4SENE NU	0.1340	C
8	G	12722	G 11714	4.00S 1.00W 5NWSW AG	170.0000	G
8	G	12722	G 11714	4.00S 1.00W 5NWSW IR	170.0000	G
9	GR	1960	GR 1888	4.00S 1.00W 5NESE IR	570.0000	G
10	G	1267	G 1016	4.00S 1.00W 4NWSW IS	1.2800	C
11	G	10361	G 9394	4.00S 1.00W 3NESW IC	1.1400	C
12	GR	1878	GR 1817	4.00S 1.00W 3NWSE IR	360.0000	G
13	G	13837	G 12616	4.00S 1.00W 6SESE IR	0.6000	C
14	G	12520	G 11429	4.00S 1.00W 5SWSW IR	0.7600	C
15	GR	3355	GR 3106	4.00S 1.00W 5SESW IR	460.0000	G
16	G	9037	G 8490	4.00S 1.00W 5SESE IR	0.5700	C
17	G	10413	G 9444	4.00S 1.00W 4SESE IR	0.4400	C
18	G	12397	G 11402	4.00S 1.00W 8NWNW NU	300.0000	G
19	GR	569	GR 539	4.00S 1.00W 8NWNW IR	80.0000	G
20	G	12520	G 11429	4.00S 1.00W 8NENE IR	1.2100	C
20	G	13691	G 12352	4.00S 1.00W 8NENE IR	0.4800	C
20	GR	1999	GR 1929	4.00S 1.00W 8NENE IR	200.0000	G
21	G	4006	G 3758	4.00S 1.00W 9NENW IR	1.2000	C
22	G	10975	G 10177	4.00S 1.00W11NWNW IR	0.1900	C
23	G	1229	G 968	4.00S 1.00W 8SENW IR	0.2300	C
23	G	2371	G 2184	4.00S 1.00W 8SENW IR	0.0410	C
23	G	2371	G 2184	4.00S 1.00W 8SENW IR	0.2000	C
24	G	2319	G 2145	4.00S 1.00W 8NWSW IR	0.6800	C
25	G	5823	G 5574	4.00S 1.00W 8NWSE IR	2.2100	C
26	G	6369	G 5189	4.00S 1.00W 9NESW IR	0.0500	C
27	G	3871	G 3580	4.00S 1.00W 9NWSE IR	0.8900	C
27	G	3871	G 3580	4.00S 1.00W 9NWSE IR	1.2500	C
27	G	13381	G 11856	4.00S 1.00W 9NWSE CM	1.0000	C
28	G	13381	G 11856	4.00S 1.00W 9NESE CM	1.0000	C
29	G	11322	G 10449	4.00S 1.00W 9SWSE IR	0.2900	C
29	G	11322	G 10449	4.00S 1.00W 9SWSE IR	0.5200	C
30	G	10856	G 10008	4.00S 1.00W 9SESE CM	190.0000	G
30	GR	1087	GR 1048	4.00S 1.00W 9SESE IR	100.0000	G
31	G	4383	G 4135	4.00S 1.00W17NWNW IR	0.9000	C
32	G	2447	G 2266	4.00S 1.00W17NENW IR	0.5900	C
33	G	9505	G 8997	4.00S 1.00W17NENE IR	1.5300	C
34	G	4992	G 4710	4.00S 1.00W16NENE IR	1.2500	C
35	G	9938	G 9513	4.00S 1.00W17SWNE MU	0.3900	C
36	G	9505	G 8997	4.00S 1.00W17SENE IR	0.8700	C
37	GR	1998	GR 1928	4.00S 1.00W17NWSW IR	110.0000	G
38	G	9938	G 9513	4.00S 1.00W17NWSE MU	0.3900	C
39	G	4325	G 4082	4.00S 1.00W16NESE IR	0.6100	C
40	GR	1742	GR 1689	4.00S 1.00W15NESE IR	110.0000	G
41	G	9749	G 9391	4.00S 1.00W17SWSW AH	0.0280	C
41	G	9749	G 9391	4.00S 1.00W17SWSW AH	0.0760	C
41	GR	3157	GR 2956	4.00S 1.00W17SWSW IR	90.0000	G
42	GR	1789	GR 1731	4.00S 1.00W17SESE IR	250.0000	G

43	G	10041	G	9251	4.00S	1.00W16SWSE	IS	0.8500	C
44	GR	180	GR	167	4.00S	1.00W15SESW	IR	320.0000	G
45	G	9124	G	8443	4.00S	1.00W20NENW	IR	1100.0000	G
46	GR	1910	GR	1843	4.00S	1.00W21NWNW	IR	80.0000	G
47	GR	1164	GR	1125	4.00S	1.00W22NWNW	IR	200.0000	G
47	GR	2786	GR	2633	4.00S	1.00W22NWNW	IR	40.0000	G

CONDITIONED WELLS WITHIN 5 MILES OF APPLICATION G 14994

\$RECNO	APPLICATION	PERMIT	LOC-QQ	CONDITION-CODE
1	G	12321	G 11220	3.00S 2.00W23NWNW 4E
2	G	12700	G 11527	3.00S 1.00W33NESE 5AB
3	G	12319	G 11531	3.00S 1.00E17NWNW 4EG
3	G	12319	G 11531	3.00S 1.00E17NWNW 5YF
4	G	13356	G 11751	3.00S 1.00E30SESW 4GG
5	G	13330	G 11721	4.00S 2.00W34SESW 4GG
5	G	13330	G 11721	4.00S 2.00W34SESW 4GG
5	GR	73	GR 62	4.00S 2.00W34SESW
6	G	13330	G 11721	4.00S 2.00W34SWSE 4GG
6	G	13330	G 11721	4.00S 2.00W34SWSE 4GG
7	G	13837	G 12616	4.00S 1.00W 6SESE 7BG
7	G	13837	G 12616	4.00S 1.00W 6SESE 7BR
7	G	13837	G 12616	4.00S 1.00W 6SESE 7IG
7	G	13837	G 12616	4.00S 1.00W 6SESE 7IR
8	G	13144	G 12013	4.00S 1.00W27NENE 4LG
8	G	13144	G 12013	4.00S 1.00W27NENE 4LW
9	G	13872	G 12409	4.00S 1.00W32SENE 7BG
9	G	13872	G 12409	4.00S 1.00W32SENE 7BR
9	G	13872	G 12409	4.00S 1.00W32SENE 7CG
9	G	13872	G 12409	4.00S 1.00W32SENE 7CR
9	GR	100	GR 131	4.00S 1.00W32SENE
10	G	13893	G 12425	4.00S 1.00W35SESW 7BG
10	G	13893	G 12425	4.00S 1.00W35SESW 7BR
11	G	13166	G 11757	4.00S 1.00W31SESW 4IG
11	G	13166	G 11757	4.00S 1.00W31SESW 4IR
12	G	13195	G 12095	4.00S 1.00E 8SESE 4IG
12	G	13195	G 12095	4.00S 1.00E 8SESE 4IR
12	G	13195	G 12095	4.00S 1.00E 8SESE 4IG
12	G	13195	G 12095	4.00S 1.00E 8SESE 4IR

APPLICATION G 14994 FALLS WITHIN THESE QUAD(S)

WOODBURN

The following OWRD Groundwater Management Areas are within the map extent:

\$RECNO	NAME1	NAME2	SUB-AREA	STATUS
1	CHEHALEM MOUNTAIN			LIMI
2	SHERWOOD-WILSONVILLE			LIMI
3	PARRETT MOUNTAIN			LIMI

Oregon Water Resources Department
Attn: Mike Zwart
725 Summer St. NE, Suite A
Salem, OR 97301

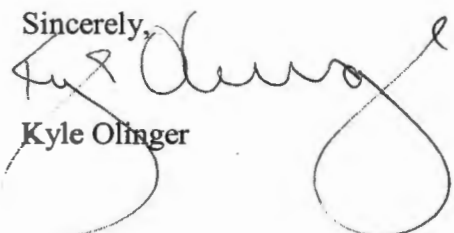
Re: Plan to Monitor and Report the Impact of Water Use, Permit G-13936, Application G-14994

The following is a draft monitoring plan intended to satisfy the requirement in the above permit.

- 1.) We will measure the water level between March 15 and April 15 of each year.
- 2.) The reference water level is 31 feet below land surface, which is the approximate average of measurements made in March 2007 and 2008.
- 3.) The well log ID is MARI 365; the well tag number is L22967.
- 4.) The methodology for obtaining the measurements will be an electric tape marked in 5-foot increments and a tape measure marked in feet and hundredths of a foot.
- 5.) The measurements will be reported in feet and tenths of a foot below land surface.
- 6.) The well will not be pumped for 16 hours prior to taking the measurement.
- 7.) The person obtaining the measurements will be one of the following individuals: certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor, pump installer licensed by the Construction Contractors Board or the permittee or a full-time employee trained in using the equipment.
- 8.) Annual reports will be sent to the Measurements and Reporting Section of the Department by April 30th.

If you have any questions or if any changes are required, please contact me.

Sincerely,


Kyle Olinger

Plan approved via e-mail to permittee. MJZ 10/17/08

RECEIVED
OCT 16 2008
WATER RESOURCES DEPT
SALEM, OREGON

FO CHECKLIST

FILE # G-14994
PFO WEEK # 275
FO WEEK # _____

PFO TO FO CONVERSION

REVIEW DATE: 5/17/01
INITIALS: JWG
WM District 16
Region Mgr NW
ODFW Bio GREG Robert

FILE#: G 14994

Applicant Name and Address: _____
BILL OLINGER PROPERTIES LLC; OLINGER,
1834 SW 58TH AVE
PORTLAND, OR 97221

In preparing to create the FO, you should check the following:

1. Y/N Were comments or protests received? If so, from whom and when? _____

_____ Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)

2. On the PFO CC list, verify names and mailing addresses of ALL commentors (regardless of comment date, affected landowners, and those who paid the \$10 feet.

3. Y / N / NA Have affected land owners been notified?

4. Y / N / NA Has ODFW asked for self certification of screening condition?
If so, write "ODFW CERT" in the permit block on the front of the file.

6. Y / N Is water use prohibited for one or more months of the normal use period?
If yes, is short season letter on file? YES. If short season letter is lacking, see item #10 below.
Give applicant 60 days to submit required information.

7. Y / N Do the PFO conclusions require modification? Why? _____
(If YES, circle FOMOD and one other type below)

8. _____ Correct PFO errors (such as POD or POU location (verify from map)

9. _____ Include or exclude permit conditions and management codes.

10. Y / N Is further processing possible? If not state reason: _____

11. _____ Verify Payment of recording fees (circle the appropriate option)

(1) Issue FO w/permit if fees are paid — Prepare refund request for excess fees, including standing fees if no protest is filed and no modifications are being made to the PFO.

(2) Issue FO w/o permit if fees are lacking.	Exam Fee Paid	<u>250</u>
	Q fee	<u>150</u>
	Subtotal	<u>400</u>
1st CFS/AF <u>150</u> /	Recording Fee	<u>175</u>
Addnl. <u>0</u>	Total	<u>575</u>
TOTAL Q <u>150</u>	Amount Paid	<u>575</u>
	Amount due/refund	<u>-</u>

12. Assign permit numbers to files with oaths, fees, and no protests or other issues.

FO Type: (circle types) DENIAL FO w/o PERMIT (REASON: Lacks Fees Lacks Easement Map Other

FO & PERMIT (Permit # G13936) FOMOD MGMT CODES:: 7BG 7BR 7AG 7AR

Once FO document is completed:

15. Save WordPerfect document in M:\GROUPS\WR\FO\WEEK 286 & delete duplicates.

16. gwy Print final draft of document and submit to team leader for review

17. Y / N Team leader review completed

18. Route to Dwight for signature

20. Update folders, E-mail data center, send copy to HTML

21. To support for mailing

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-14994



Proposed Final Order

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

Application History

On June 8, 1999, BILL OLINGER PROPERTIES LLC, KYLE OLINGER, submitted an application to the Department for the following water use permit:

- Amount of Water: 1.0 CUBIC FOOT PER SECOND (CFS)
- Use of Water: COMMERCIAL USE
- Source of Water: A WELL IN WILLAMETTE RIVER BASIN
- Area of Proposed Use: MARION County within SECTION 9, TOWNSHIP 4 SOUTH, RANGE 1 WEST, W.M.

On 8/24/99, the Department mailed the applicant notice of its Initial Review, determining that "the use of 1.0 Cubic Foot per Second of water from a well in Pudding River Subbasin of the Willamette River Basin for Commercial Use is not allowable, and it appears unlikely that you will be issued a permit." The applicant did not notify the Department to stop processing the application within 14 days of that date.

On 9/14/99, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.

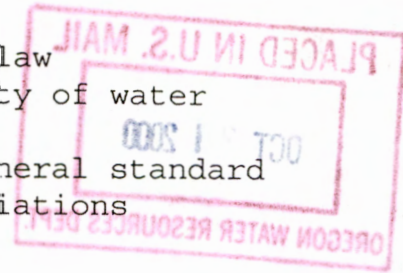
No written comments were received within 30 days.

Written comments were submitted by Jeanne Boatwright on July 27, 2000.

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

- comments by or consultation with another state agency
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available
- the rate and duty for the proposed use

- pending senior applications and existing water rights of record
- designations of any critical groundwater areas
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any general basin-wide standard for flow rate and duty of water allowed
- the need for a flow rate and duty higher than the general standard
- Additional Public Interest Standards for New Appropriations (OAR Chapter 690, Div. 33)
- any comments received



Findings of Fact

The Department determined, based upon OAR 690-09, that the proposed groundwater use will have the potential for substantial interference with surface water, namely **an unnamed tributary to Senecal Creek.**

The Willamette Basin Program allows the following uses: COMMERCIAL USE. However, because the well has the potential for substantial interference with surface water, the use of water from the well is subject to surface water classifications. Under the Willamette Basin Program, wells hydraulically connected to surface water are classified the same as that surface water source (OAR 690-502-160 2e). Tributaries to the Pudding River, including Senecal Creek, are classified for Commercial Use only from November 1 through April 30 and for Commercial Use for customarily domestic purposes not to exceed 0.01 CFS from May 1 through October 31 (OAR 690-502-120 5).

Senior water rights exist on A WELL IN THE WILLAMETTE RIVER BASIN or on downstream waters.

A WELL IN THE WILLAMETTE RIVER BASIN is not within or above a State Scenic Waterway.

An assessment of groundwater availability has been completed by the Department's Groundwater/Hydrology Section. This assessment determined that the use of groundwater, will if property conditioned, avoid injury to existing groundwater rights or to the groundwater resource. However, because the well has the potential for substantial interference with surface water, an assessment of surface water availability has also been completed. This assessment compared a calculation of natural streamflow minus the consumption portion of all relevant rights of record. Copies of both assessments are available in the file. This assessment determined that water **is not** available for further appropriation (at an 80 percent exceedance probability) during the period June 1 through October 31 due to existing consumptive uses and instream water rights. Groundwater and surface water are managed conjunctively by the Water Resources Department

in order to protect the resource, existing rights and the public interest (OAR 690-410-010). By definition water is available when the requested source is not over-appropriated under OAR 690-410-010 and 690-410-070 during any period of the proposed use (OAR 690-300-010 (57)). Under OAR 690-410-070, groundwater may only be allocated to new uses when the allocations will not contribute to over-appropriation. Over-appropriation of groundwater means that the appropriation of groundwater resources by all water rights exceeds the average annual recharge to a groundwater source over the period of record or results in the further depletion of already over-appropriated surface waters. Because the Molalla River and its tributaries, including Senecal Creek, are over-appropriated during the period June 1 through October 31, and the well is hydraulically connected to surface water, the proposed groundwater source is also over-appropriated. However, by definition, water is also available even though the proposed source is over-appropriated, if the applicant can demonstrate that the proposed use only requires water during the period of time in which the requested source is not already over-appropriated or that they have obtained or can obtain water from an alternate source for use during the period in which the requested source is over-appropriated (OAR 690-300-010 57aB). On July 27, 2000, the Department received additional information from Jeanne Boatwright, representing the applicant, demonstrating that the applicant holds sufficient water rights to meet their needs during the period when the requested source is otherwise over-appropriated. Therefore, water is available for the proposed use during the period November 1 through May 31.

The Department finds that the amount of water requested, 1.0 CFS, is an acceptable rate.

The proposed well is not within a designated critical ground water area or groundwater limited area.

The Groundwater Section finds, per OAR 390.835(9), there is NOT a preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

In accordance with OAR 690-33-330, an interagency team reviewed this proposed use for potential adverse impacts on sensitive, threatened and endangered fish populations. This team consisted of representatives from the Oregon Departments of Water Resources (WRD), Environmental Quality, Fish and Wildlife (DFW), and Agriculture. WRD and DFW representatives included both technical and field staff. The interagency team did not recommend that any additional conditions of use be imposed on this application.

Conclusions of Law

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

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

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

Water is available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with other rules of the Water Resources Commission not otherwise described above.

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

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

For these reasons, the required presumption has been established.

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

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

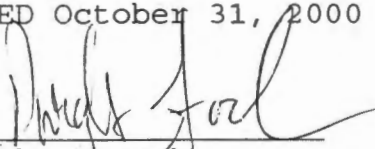
In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

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

Recommendation

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

DATED October 31, 2000


Dwight French
Water Rights Section Manager

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

Protest Rights and Standing

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

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

■ If you do not protest this Proposed Final Order and if no substantive changes are made in the final order, you will not have an opportunity for judicial review, protest or appeal of the final order when it is issued.

Requests for Standing

Under the provisions of 537.621(6), persons other than the applicant who support a proposed final order may request standing for purposes of participating in any contested case proceeding on the proposed final order or for judicial review of a final order. A request for standing shall be in writing, include a statement that the requester supports the proposed final order, and a statement of how the requester would be harmed if the proposed final order is modified. The fee required at the time of submitting this request is \$50.00. If a hearing is scheduled, an additional fee of \$150.00 must be submitted along with a request for intervention. Forms to request standing are available from the Department.

Your protest or request for standing must be received in the Water Resources Department no later than **December 15, 2000**.

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

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

This document was prepared by Laura Snedaker. 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 toll free within Oregon at 1-800-624-3199 extension 331. Outside of Oregon you can dial 1-503-378-8455.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her extension number is 239.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201.

Address all other correspondence to:

Water Rights Section, Oregon Water Resources Department, 158 12th ST NE SALEM, OR 97310
Fax: (503)378-2496 .

LKS - WEEK 275

DRAFT

This is not a permit!!!
STATE OF OREGON

DRAFT

COUNTY OF MARION

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

BILL OLINGER PROPERTIES LLC
KYLE OLINGER
1834 SW 58TH AVE.
PORTLAND, OREGON 97221

PHONE: (503) 297-0142

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

APPLICATION FILE NUMBER: G-14994

SOURCE OF WATER: A WELL IN THE WILLAMETTE RIVER BASIN

PURPOSE OR USE: COMMERCIAL USE

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND

PERIOD OF USE: NOVEMBER 1 THROUGH APRIL 30

DATE OF PRIORITY: JUNE 8, 1999

POINT OF DIVERSION LOCATION: SW 1/4 SE 1/4, SECTION 9, T4S, R1W, W.M.;
700 FEET SOUTH & 400 FEET EAST FROM NE CORNER, J GRIM DLC 46

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 SE 1/4
SECTION 9
TOWNSHIP 4 SOUTH, RANGE 1 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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

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

The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water user'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 senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation

facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

STANDARD CONDITIONS

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

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

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

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

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

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

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

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

Actual construction of the well shall begin within one year from issuance of the final order approving the use. Complete application of the water to the use shall be made on or before October 1, 2005. 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 (CWRE).

Issued _____, 2000

DRAFT - THIS IS NOT A PERMIT

Paul R. Cleary, Director
Water Resources Department

Water Right Correction

From: Linda T.

Phone: 60860

Date: 10-21-05

App: _____

Perm: G13936

Cert: _____

Trans: _____

Perceived Problem:

Referenced corner is incorrect. Document states from NE corner. It is actually from the NW corner

Solution:

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BILL OLINGER PROPERTIES LLC
KYLE OLINGER
1834 SW 58TH AVE.
PORTLAND, OREGON 97221

PHONE: (503) 297-0142

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

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DATE OF PRIORITY: JUNE 8, 1999

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700 FEET SOUTH & 400 FEET EAST FROM NE CORNER, J GRIM DLC 46

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SECTION 9
TOWNSHIP 4 SOUTH, RANGE 1 WEST, W.M.

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Application G-14994 Water Resources Department

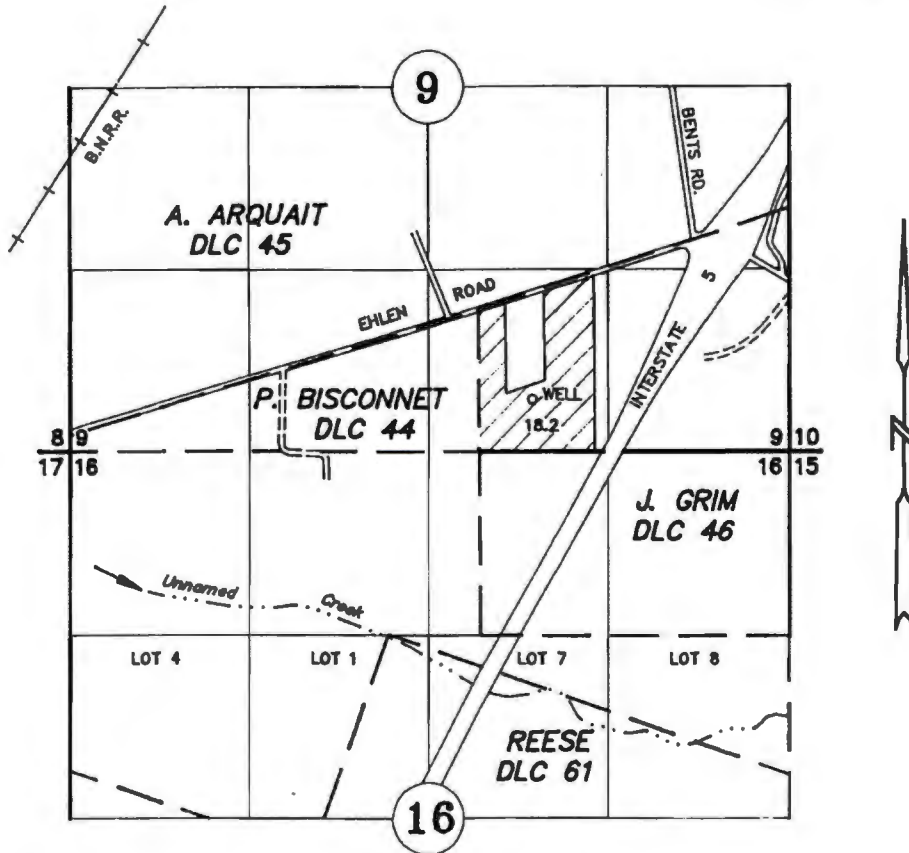
PERMIT G-13936

T.4S. R.1W. W.M.
MARION COUNTY

RECEIVED

JUN 08 1999

WATER RESOURCES DEPT.
SALEM, OREGON



DIV. PT.: 700' SOUTH AND 400' EAST OF THE NE CORNER OF J. GRIM DLC 46.

TAX LOTS: 4 1W 09DC 00100

APPLICATION TO APPROPRIATE GROUND WATER

G-11322

G-10449

T-6921 TRANSFER

G-13325

G-11962

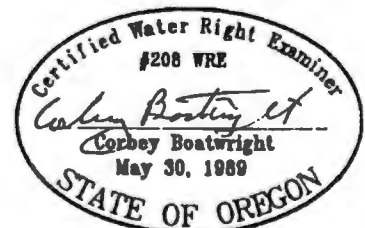
Application No. G 14994

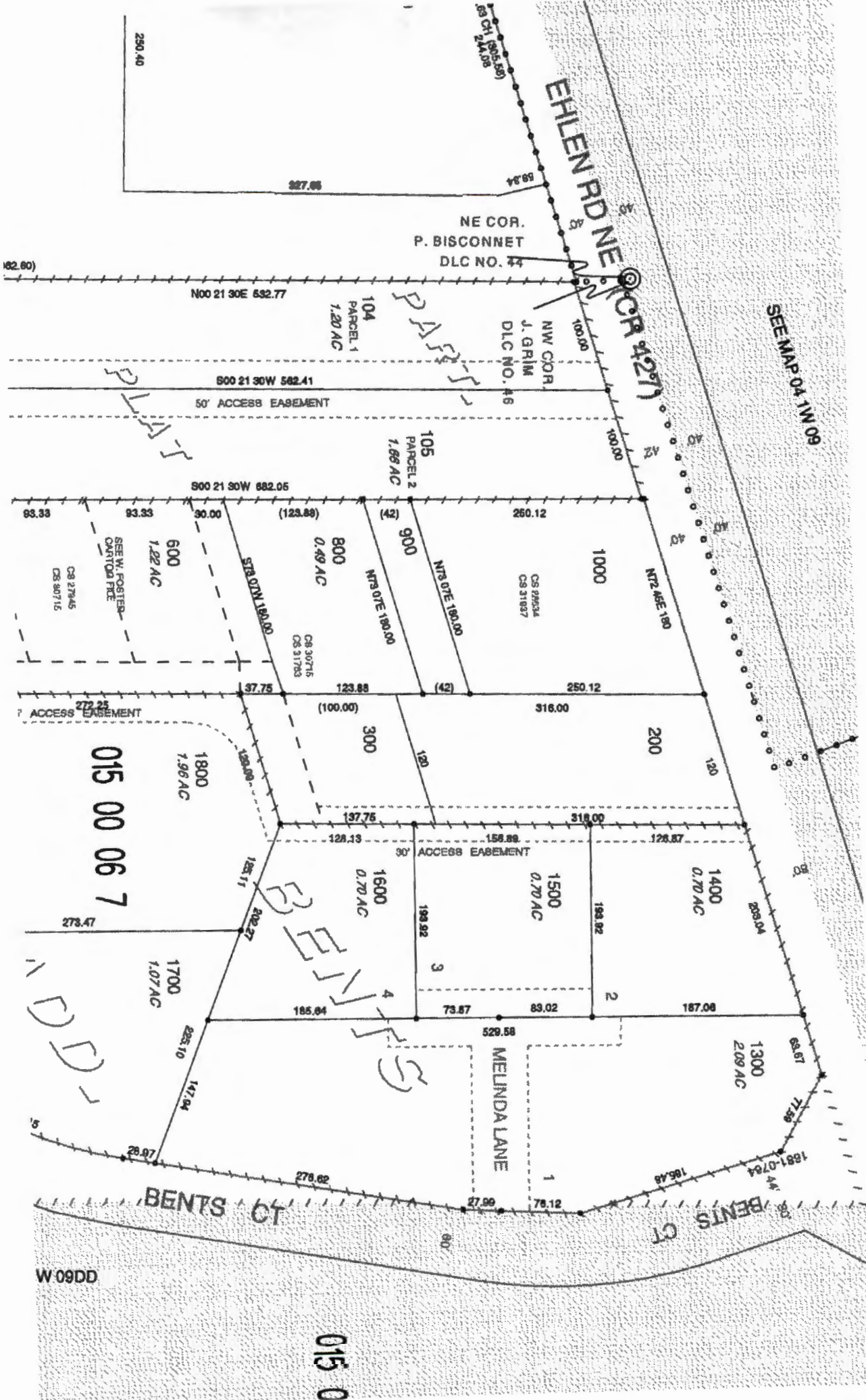
Permit No. _____

BILL OLINGER PROPERTIES, LLC

JUNE 07, 1999
SCALE 1" = 1320'

NOTE: This map is for the purpose of identifying the location of water rights and has no intent to dimension or locate property ownership lines.





EHLEND RD NE
 NE COR.
 P. BISCONNET
 DLC NO. 44

SEE MAP 04 1W 09

N00 21 30E 532.77

50' ACCESS EASEMENT

S90 21 30W 882.05

SEE W. FOSTER
 CARTOON PCE
 CS 27945
 CS 30715

ACCESS EASEMENT

015 00 06 7

BENTS

MELINDA LANE

BENTS CT

BENTS CT

W 09DD

015 0

July 27, 2000



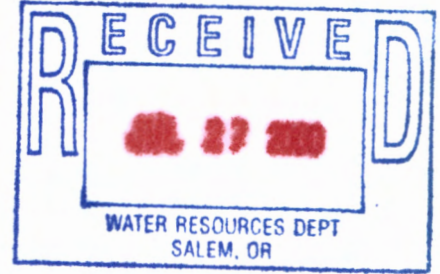
Boatwright Engineering Inc.

2613 12th ST SE, SALEM, OREGON 97302
civil engineers • land surveyors

(503) 363-9225 (FAX) 363-1051

Laura Snedaker
Water Resources Department
158 12th Street NE
Salem, Oregon 97301-4172

Re: G-14994
Bill Olinger Properties LLC



Dear Laura,

Bill Olinger Properties LLC would like to have the Proposed Final Order and Permit process continue on the above referenced water right application. They are willing to take the short season of availability for the Commercial use of the water, namely November 1 to April 30, as defined in OAR 690-502-120(5). Under OAR 690-300-010(57)(i), water is deemed available if the applicant can show the proposed use requires water only during the period of time in which the requested source is not already over-appropriated. Olinger Properties owns about 18 acres which are scheduled to be developed for commercial use. They currently hold the following water rights:

Appl. G-13325	Pmt. G-11962	1.00 cfs	Commercial Use	Year-round
Appl. T-6921	Order 49-124	0.23 cfs	Commercial Use	Irr. Season

The combination of G-13325 and T-6921 are sufficient to meet the ordinary consumptive needs of the commercial users. 0.23 cfs of the 1 cfs applied for under G-14994 would be used in combination with the Transfer to give a year-round consumptive right. That would leave 0.77 cfs as a winter-time right for routine maintenance of the fire suppression system, including bleeding, charging, re-charging and testing.

The property owners' association will be informed that November 1 to April 30 is the only time when use can exceed the 1.23 cfs (but not exceed 2 cfs). Emergency use of water for actual fire suppression is an allowed right available anytime of the year, and would not be regulated.

Please let me know if you have any questions or need further information.

Sincerely,

Jeanne Plasker Boatwright

CC: Kyle Olinger, Bill Olinger Properties

#16

DIVISION 33 APPLICATION WORK SHEET FOR WATERMASTERS

Recommendations for Water Right Applications that may affect the Habitat of Sensitive, Threatened or Endangered Fish Species,
OAR 690-33-310 through 340.

Date: 9/11/00 21 day Deadline Date: 10/9/00 Application # 614994

Applicant's Name: DLINGER PROP.

SOURCE OF WATER: GROUNDWATER SURFACE WATER STORAGE

DESCRIPTION OF THE SOURCE: Well
(A spring, well, sump, exempt pond, unnamed stream, etc.)

1) If from surface water, does the water at the proposed diversion location flow into another water body?

YES NO SOMETIMES N/A

If sometimes, describe the time period, Between: _____ and _____.

2) Does the source ever go dry in the area of the proposed diversion?

YES NO, not to my knowledge

3) To your knowledge, has the requested source of water been regulated because of insufficient flow to satisfy existing water rights including instream water rights?

YES NO

If YES, please explain: _____

4) Is there sufficient flow at the proposed point of diversion to satisfy all existing water rights and provide the quantity of water requested under this application?

YES NO

5) Did you meet with staff from another agency to discuss this application?

YES NO

Who: _____ Agency: _____ Date: _____

6) Is mitigation an option?

YES NO

If YES, please explain: Comply w/ Basin limitations. ~~State~~

Comments: Applicant may be able to show no impact if surface water is dry May thru Oct

Name: Bill Faber Date: 10-9-2000 Title: Water master #16



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

August 24, 1999

BILL OLINGER PROPERTIES LLC
KYLE OLINGER
1834 SW 58TH AVE
PORTLAND, OREGON 97221

(503)297-0142

Reference: File G-14994

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 unfavorable preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit 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 proposed use is not prohibited by law or rule.
2. The use of water from A WELL IN WILLAMETTE RIVER BASIN for COMMERCIAL USE is a **classified use** under OAR 690-502-120(5), the Pudding River Subbasin Program of the Willamette Basin Program.
3. The Department has determined, based upon OAR 690-09, that the proposed groundwater use will have the potential for substantial interference with the nearest surface water source, namely unnamed tributary to Senecal Creek. Therefore limitations to the surface water source must be applied to this application also.
4. OAR 690-502-120(5) limits the season of use for COMMERCIAL USE to November 1 through April 30, and from May 1 through October 31 for COMMERCIAL USE FOR CUSTOMARILY DOMESTIC USES NOT TO EXCEED 0.01 CFS.
5. Water in the amount of 1.0 CUBIC FOOT PER SECOND for COMMERCIAL USE is



available November 1 through May 31 of each year. Water is **not available** in any amount from June 1 through October 31.

6. Because water is not available for a full season, and the use is not classified for year round use, **COMMERCIAL USE** cannot be allowed. However, by providing additional information, you may pursue a limited permit.

Summary of Allowable Water Use

Because items #3, 4 and 5 above are unfavorable, the use of 1.0 CUBIC FOOT PER SECOND of water from A WELL IN PUDDING RIVER SUBBASIN OF THE WILLAMETTE RIVER BASIN for COMMERCIAL USE is not allowable, and it appears unlikely that you will be issued a permit. At this time, you must decide whether to proceed or to withdraw your application as described below.

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.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Tuesday, September 7, 1999**. For your convenience you may use the enclosed "STOP PROCESSING" form.

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.

If you would accept a permit for the use of water only during the limited time when it is available, you must supply the Department with information to demonstrate that you can make beneficial use of water during the limited times it is available. You must show that either water is not needed during the period it is not available OR you must identify another source of water to use during this time.

This option requires a signed acknowledgment that water use will only occur, under the terms of the permit (if one is issued), during the allowed period of use.

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

1. Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.
2. You will be required to comply with state and federal water quality standards.
 3. The tentative priority date for this application is June 8, 1999.
 4. The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water user'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 senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.
 5. If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at (800) 624-3199 or (503) 378-8455 extension 499. Feel free to call me at (800) 624-3199 or (503) 378-8455 extension 229 if you have any questions regarding the contents of this letter. Please have your application number available if you call. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97310, Fax: (503)378-2496

Sincerely,

A handwritten signature in black ink, appearing to read 'Anita M. Huffman', written in a cursive style.

Anita M. Huffman
Water Rights Specialist

cc: Regional Manager, Watermaster District 16, Water Availability Section
enclosures: Flow Chart of Water Right Process
Stop Processing Form

G-14994
wab 02-010412
pou 02-010412
gw A

**Water Right Conditions
Tracking Slip**

Groundwater/Hydrology Section

FILE # G-14994

ROUTED TO: W.R.

TOWNSHIP/

RANGE-SECTION: 4S/1W-9

CONDITIONS ATTACHED? Yes No

REMARKS OR FURTHER INSTRUCTIONS:

Hydraulic Connection
W potential

Reviewer: Man Noto

TO: Water Rights Section

July 6, 1999

FROM: Ground Water/Hydrology Section

Marc A Norton
Reviewer's Name

SUBJECT: Application G- 14994

GROUNDWATER/SURFACE WATER CONSIDERATIONS

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

GROUNDWATER AVAILABILITY CONSIDERATIONS

- 3. BASED UPON available data, I have determined that groundwater for the proposed use
 - a. ___ will, or likely be available in the amounts requested without injury to prior rights
 - b. ___ will not and/or within the capacity of the resource; or
 - c. will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
 - i. The permit should contain condition #(s) 7B, 7A;
 - ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. ___ The permit should be conditioned as indicated in item 4 below; or
- 4.
 - a. ___ THE PERMIT should allow groundwater production from no deeper than _____ ft. below land surface;
 - b. ___ The permit should allow groundwater production from no shallower than _____ ft. below land surface;
 - c. ___ The permit should allow groundwater production only from the _____ groundwater reservoir between approximately _____ ft. and _____ ft. below land surface;
 - d. ___ Well reconstruction is necessary to accomplish one or more of the above conditions.
 - e. ___ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: _____

(Well Construction Considerations on Reverse Side)

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

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

RECOMMENDATION:

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

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit
_____, 199__.

(Signature)

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

_____, 199__.

(Signature)

DIVISION 33 APPLICATION REVIEW SHEET FOR USE BY ODFW ^{DL}

Recommendations for Water Right Applications that may affect the Habitat of Sensitive, Threatened or Endangered Fish Species, OAR 690-33-310 through 340.

Date: 9/11/00 21 day Deadline Date: 10/9/00 Application # 614994

Applicant's Name: OLINGER PROP.

1) Will the proposed use occur in an area that may affect the essential habitat of sensitive, threatened, or endangered fish species? [690-33-330(1)]

NO YES Species: CUTTLEBAC TROUT, STEELHEAD SALMON Status: Sensitive, Threatened, Endangered

IF ANSWER TO QUESTION (1) IS YES, CONTINUE ON THIS PAGE TO QUESTION (2),

IF ANSWER IS NO, FILL OUT PUBLIC INTEREST REVIEW SHEET (PAGE 2)

What stage or value is at risk (circle all that apply): Spawning, Incubation, Rearing, Passage, Habitat Value

2) Will the proposed use result in a LOSS in the essential habitat of THREATENED OR ENDANGERED SPECIES or a NET LOSS in the habitat of a SENSITIVE SPECIES?

NO / YES

A) Standard of NET LOSS applies to sensitive species statewide. [690-33-330(2)(a)]

B) Standard of LOSS applies to T or E species outside the Columbia Basin. [690-33-330(2)(b)]

3) Can conditions be applied to mitigate the impact to the essential habitat of a S, T or E species?

NO / YES [690-33-330(3)]

Which conditions are recommended? _____

(Try to select conditions from the Menu of Conditions)

4) If conditions cannot be identified to offset impacts to the essential habitat of S, T or E species, would the proposed use harm the species?

NO / YES [690-33-330(4)]

If YES, please explain: _____

ODFW RECOMMENDATION:

____ Approval with fishery conditions.

Approval without fishery conditions.

____ Denial.

ODFW Representative: Name A. P. [Signature] Date: 10/13/00

WRD Contact: Brendalee S. Wilson, Interagency Coordinator/Policy Analyst, Water Rights Division
1-800-624-3199 ext: 276 / Fax: 503-378-6203 / e-mail: brendalee.s.wilson@wrdd.state.or.us



State of Oregon
Water Resources Department
 158 12th Street NE, Salem, OR 97310
 (503)378-8455 • (800)624-3199
 www.wrd.state.or.us

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. Thank you.

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WATER RESOURCES DEPT.
 SALEM, OREGON

1. APPLICANT INFORMATION

A. Individuals

Applicant: Bill Olinger Properties, L.L.C.
First Last

Co-applicant: _____
First Last

Mailing address: 1834 SW 58th Ave. Suite 204
Portland, Oregon 97221
City State Zip

Phone: _____ (503) 297-0142 _____
Home Work Other

*Fax: (503) 297-8953 *E-Mail address: _____

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: Bill Olinger Properties, L.L.C.

Name and title of person applying: Kyle Olinger

Mailing address of organization: 1834 SW 58th Ave. Suite 204
Portland, Oregon 97221
City State Zip

Phone: _____ (503) 297-0142 _____
Day Evening

*Fax: (503) 297-8953 *E-Mail address: _____

*Optional information

For Department Use		
App. No. <u>G 14994</u>	Permit No. _____	Date <u>6/8/99</u>

2. PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water?

Yes (Skip to section 3 "Ground water Development.")

No Please check the appropriate box below.

I have a recorded easement or written authorization permitting access.

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

List the names and mailing addresses of all affected landowners.*

*If more than 25 landowners are involved, a list is not required. See instructions.

3. GROUND WATER DEVELOPMENT

A. Number of well(s): 1 B. Name of nearest surface water body: Unnamed Creek

C. Distance from well(s) to nearest stream or lake: 1) 2000'

2) _____ 3) _____ 4) _____

D. If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) 50'

2) _____ 3) _____ 4) _____

E. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to question F in this section of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by: Schneider Equipment, Inc.

Address: 21881 River Rd. NE
St. Paul, Or. 97137

Completion date: 04-13-84

2. Please provide a description of your well development. (Attach additional sheets if needed.)

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
		SEE ATTACHED							

F. Artesian Flows

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

4. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____
- If your proposed use is **irrigation**, please attach Form I
- If your proposed use is **mining**, attach Form R
- If your proposed use is **municipal or quasi-municipal**, attach Form M
- If your proposed use is **commercial/industrial**, attach Form Q

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WATER RESOURCES DEPT.
SALEM, OREGON

Application # G-14994
Permit No. -

B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
1	Willamette	Commercial	1CFS		

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 1 CFS
(The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: Year Around
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

E. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used: 18.2 Acres
(This number should be consistent with you application map.)

5. WATER MANAGEMENT

A. Diversion

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

- Pump (give horsepower and pump type) Valley DD Turbine w/6" discharge
GE 40 Hp. @ 1770 RPM
- Other means (describe) _____

B. Transport

How will you transport water to your place of use?

- Ditch or canal (give average width and depth)
 Width _____ Depth _____
 Is the ditch or canal to be lined? Yes No
- Pipe (give diameter and total length)
 Diameter 6" and 8" Length 1000' each
- Other (describe) _____

Permit No.

C. Application/Distribution Method

What equipment will you use to apply water to your place of use? Standard Plumbing

Irrigation or land application method (check all that apply):

- Flood
- High-pressure sprinkler
- Low pressure sprinkler
- Drip
- Water cannons
- Center pivot system
- Hand lines
- Wheel lines
- Siphon tubes or gated pipe with furrows
- Other, describe _____

Distribution method

- Direct pipe from source
- In-line storage (tank or pond)
- Open canal

D. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

There will be minimal irrigation to maintain landscaping.

Water will be primarily used for commercial uses.

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin Permit Date

Proposed date construction will be completed Permit Date + 5 years

Proposed date beneficial water use will begin Permit Date + 15 years

7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

Referencing Section 5 (Distribution Method): A 250,000 gal.

tank will be installed for storing water for fire protection.

Referencing Form O, question 2: The applicant is needing approx.

770 gal/min for future commercial development. The additional

water will be coming from previous Permit G-11962 Transfer T-6921

8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

9. SIGNATURE

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By my signature below I confirm that I understand:

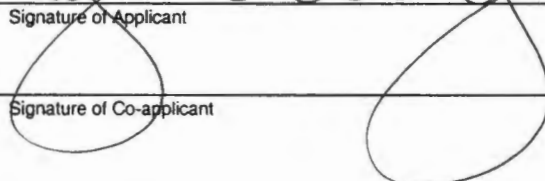
WATER RESOURCES DEPT.
SALEM, OREGON

- 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 packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- 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 canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:



Signature of Applicant Date 6/2/99



Signature of Co-applicant Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.



Oregon Water Resources Department

G 14994

FORM Q
FOR COMMERCIAL, INDUSTRIAL,
AND QUASI-MUNICIPAL WATER USES

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WATER RESOURCES DEPT.
SALEM, OREGON

1. Describe the goods and services you plan to provide:

Uses not yet determined, but only those allowed under
Marion County Interchange District Zoning.

2. What is the maximum amount of water that will be used on any given day:

1 cfs gpm

3. Are there periods of the day, week, month, or year that the water will not be used?
(e.g. weekends the plant is closed)

No Yes If so, when? _____

4. Is there a particular time or period of day, week, month, or year when the use of water is
absolutely essential for the project to continue? (e.g. vegetable processing, Oct. 15-Nov. 15)

No Yes If so, when? _____

5. Are there periods of the day week, month, or year where the amount of water used will be
less than at peak times?

No Yes If so, when? _____

Application No. G-14994

Permit No.

PFO CHECKLIST

Application #: 6/14994

Basin: Willamette WAB: 010412

County Marion Township 45 Range 16 Section 9 1/4 1/4 SW SE

- 1. Is the file complete by the Minimum Requirements Checklist? Y/N
- 2. Shortcomings (items needed before a permit and/or FO can be issued) Y/N
Check file for indicators that the process **should not** continue until a later date (ie - protest, letter to file indicating hold, or other)
- 3. Groundwater Review A B C D River/Stream Name Unnamed trib to Sewecal Cr Conditions TB, 7A
 - a. Groundwater Availability A B C
 - b. Is second groundwater review necessary? (comments) Y/N - applicant ?'s
 - c. Is HB 1033 review complete? Y/N
 - d. Is the well located in a GWLA or CA? (If applicable, include map with POD) Y/N
- 4. Is use from a B.O.R. or Douglas County project? Y/N Contract in file? Y/N Contract # _____
- 5. Is the use allowed by the Basin Program? Y/N Limited? Y/N Comm = Nov -> April
- 6. Water Availability Data OK / REDONE / NA (50% before July 17, 1992, 80% live flow & 50% storage after July 17, 1992)
SW avail Nov -> April
- 7. Is the source withdrawn or limited by statute or Department withdrawal order? Y/N
- 8. Is the Proposed Use located in or above a Scenic Waterway? Y/N
- 9. Division 33: Above Bonn (after July 17, 1992) Y/N/NA
Below Bonn (after April 8, 1994; June 3, 1994) Y/N/NA
Statewide - (in shaded areas on T, E, and S Map - after June 3, 1994) Y/N/NA *- need ODFW comments*
- 10. Per the IR, is the Proposed Source on the DEQ 303d List? Y/N If so, any comments received? Y/N
Is the Proposed Use in a Dept of Ag. Water Quality Management Plan Area? Y/N Bear Creek or Tualatin River
- 11. Have conflicts been addressed? Y/N none identified by IR.
existing comm use as the water T-6921 + permit G-11325
- 12. Rate _____ Duty _____ Irrigation Season Commercial
- 13. Period of Allowed Use Nov -> April (req to use when avail)
req = 4 yr round
- 14. Allowed Rate of Use 1 cfs
req = 1 cfs
- 15. Is the use **Small** (≤ 0.1 cfs, ≤ 9.2 AF) Medium (> 0.1 or < 1.5 cfs, > 9.2 or < 100 AF) or **Large** (≥ 1.5 cfs, ≥ 100 AF)?
If the use is Municipal and ≤ 0.1 CFS, use **Large** condition.
- 16. Conditions PISPC, TB, 7A, POD shared
Is the proposed use within the New River Basin? Y/N If yes, include New River Agreement Conditions.
- 17. IR Public Notice Date 9-14-99 Comments Received? Y/N
- 18. Final Report Checklist
 - Documents used in determination are attached to this checklist and highlighted
 - Fill out PFO CC List (don't forget to check for other property owners)
 - a. Re-notify Water Availability? (Rate, Duty and Period of Allowed Use changes) Y/N
 - b. **Check Watermaster Dist. on the CC list and draft permit.**
 - Spell Check and Accuracy Check
 - Final PFO report hard copy check (format, margins, etc.)
 - Final PFO has been saved to m:\groups\lwr\pfo\done\week#\application #

Name: LKS

Date: 10-20-99

? are they

1/4 mi on confined aquifer?
↓

COUNTY OF MARION

ORDER APPROVING A CHANGE IN CHARACTER OF USE

Pursuant to ORS 537.705, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 6921 submitted by

MONTECUCCO FARMS
4120 N LOCUST
CANBY, OREGON 97013.

The right to be modified, as evidenced by a PORTION of Certificate 65974, was perfected under Permit G-10449 with a date of priority of NOVEMBER 21, 1984. The right allows the use of A WELL, a tributary of SENECALE CREEK BASIN, for IRRIGATION OF 18.3 ACRES. The right is limited to 0.23 cubic foot per second, if available at the original well; SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within DLC 46, SECTION 9, T 4 S, R 1 W, WM; 700 FEET SOUTH AND 400 FEET EAST FROM THE NW CORNER, DLC 46, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2 $\frac{1}{2}$ acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is as follows:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 18.3 ACRES
as projected within DLC 46
SECTION 9
TOWNSHIP 4 SOUTH, RANGE 1 WEST, W.M.

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

The applicant proposes to change the character of use to COMMERCIAL USE.

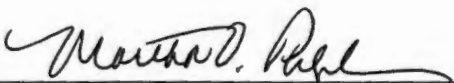
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1996.
2. The former place of use shall no longer be irrigated as part of this water right, except this right shall include the use of water for not to exceed $\frac{1}{2}$ acre landscape maintenance.

3. The use of water is restricted to the irrigation season between March 1 and October 31 of each year.
4. The rate of water appropriated shall not exceed 0.23 cfs. The volume of water appropriated shall not exceed 45.8 acre-feet per irrigation season.

Certificate 65974 is cancelled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources Director,
affixed MAR 27 1995 .



Martha O. Pagel, Director

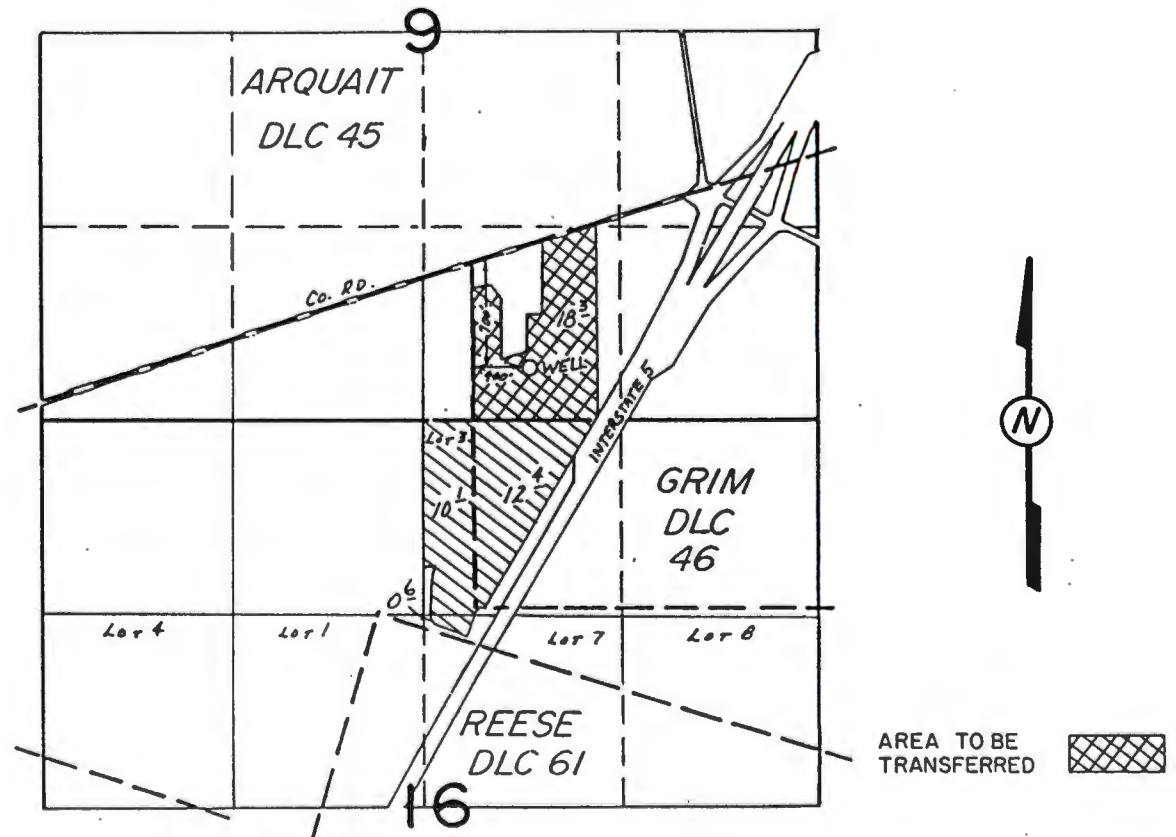
RECEIVED

MAR 05 1993

WATER RESOURCES DEPT.
SALEM, OREGON

T.4S., R.1W., W.M

MARION COUNTY



SCALE : 1" = 1320'

APPLICATION TO TRANSFER WATER RIGHT

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MONTECUCCO FARMS & LEATHER'S OIL COMPANY
‡MONTECUCCO FARMS 4120 N. LOCUST
CANBY, OREGON 97013

503-263-6066

to use the waters of WELLS 1 AND 2 in the ~~CRIBBLE CREEK~~ ^{pudding River} BASIN for
COMMERCIAL USE.

This permit is issued approving Application G-13325. The date of
priority is MARCH 12, 1993. The use is limited to not more than 1.0
CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured
at the well.

The wells are located as follows:

SW 1/4 SE 1/4, SE 1/4 SE 1/4, SECTION 9, T 4 S, R 1 W, W.M.; WELL
1 - 150 FEET NORTH AND 1440 FEET EAST, WELL 2 - 700 FEET SOUTH AND 400
FEET EAST, BOTH FROM THE NE CORNER OF J. GRIM DLC 46.

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

A description of the proposed place of use under this permit is as
follows:

SE 1/4
ALL AS PROJECTED WITHIN DLC 46
SECTION 9
TOWNSHIP 4 SOUTH, RANGE 1 WEST, W.M.

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

Measurement, recording and reporting conditions:

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

The PERMITTEE shall obtain a static water-level measurement for each well during MARCH of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water-rights examiner, registered professional geologist, certified engineering geologist, professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board, licensed land surveyor or the permittee/appropriator. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations. Reports and calculations shall be provided to the Department on forms provided by the Department and shall be certified as to their accuracy by the individual making the measurements. If a well listed on this permit displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the PERMITTEE shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the PERMITTEE'S 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 senior water rights. The reference level for water-level declines shall be the second annual measurement taken after water use begins under the terms of this permit. The PERMITTEE shall in no instance allow excessive decline to occur within the aquifer as a result of use under this permit.

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

Actual construction work shall begin on or before February 28, 1996 and shall be completed on or before October 1, 1997. Complete application of the water shall be made on or before October 1, 1998.

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

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

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

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

The Director of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, February 27, 1995.


 Water Resources Department
 Martha O. Pagel
 Director

Application G-13325
 Basin 2

Water Resources Department
~~Volume 16 DOVE CR & MISC WELL #1~~
 Volume 16A GRIBBLE CR & MISC WELL #2
 MGMT.CODE 4KG

PERMIT G-11962
 District 16

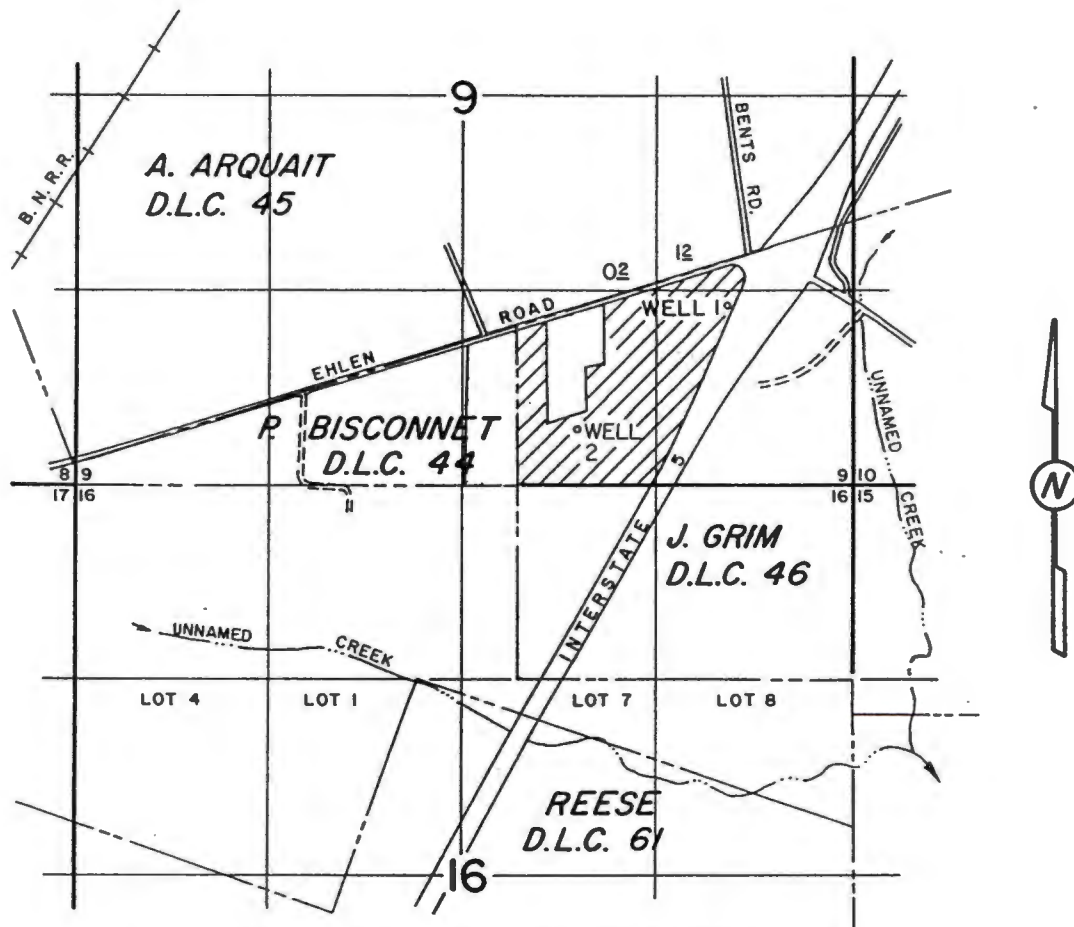
RECEIVED

JAN 18 1995

WATER RESOURCES DEPT
SALEM, OREGON

T.4S. , R.1W. , W.M.

MARION COUNTY



WELL 1 LOCATION: 150' N. & 1440' E. OF THE NE CORNER OF J. GRIM DLC 46.
 WELL 2 LOCATION: 700' S. & 400' E. OF THE NE CORNER OF J. GRIM DLC 46.
 WELL 2 IS UNDER TRANSFER-SUBJECT TO APPROVAL. T-6921

APPLICATION TO APPROPRIATE GROUND WATER

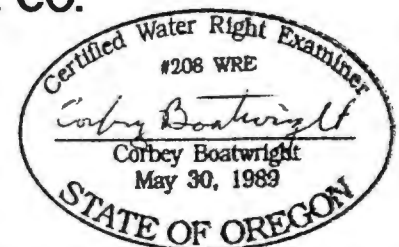
Application No. G-13325 Permit No. G11962

MONTECUCCO FARMS & LEATHERS OIL CO.

MARCH 12, 1993
SCALE: 1"=1320'

rev. January 18, 1995

NOTE: This map is for the purpose of identifying the location of water rights and has no intent to dimension or locate property ownership lines.



WATER AVAILABILITY TABLE

Stream: MILL CR > PUDDING R - AT MOUTH
 Basin: WILLAMETTE Exceedance Level: 80
 Watershed ID Number: 30200901 (and Nested Subbasins)
 Time: 11:52 Date: 10/24/2000

Item #	Watershed ID #	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	181	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
2	69796	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	YES	YES
3	69998	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	YES	YES
4	30200901	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	YES	YES

STREAM NAMES

Basin: WILLAMETTE
 Watershed ID Number: 30200901 (and Nested Subbasins)
 Time: 11:52 Date: 10/24/2000

Item	Watershed ID	Stream Name
1	181	WILLAMETTE R > COLUMBIA R - AT MOUTH
2	69796	MOLALLA R > WILLAMETTE R - AT MOUTH
3	69998	PUDDING R > MOLALLA R - AT MOUTH
4	30200901	MILL CR > PUDDING R - AT MOUTH

LIMITING WATERSHEDS

Stream: MILL CR > PUDDING R - AT MOUTH
 Watershed ID Number: 30200901
 Basin: WILLAMETTE Exceedance Level: 80
 Time: 11:52 Date: 10/24/2000

Mnth	Limiting Watershed	Stream Name	Water Avail?	Net Water Available
1	30200901	MILL CR > PUDDING R - AT MOUTH	YES	38.2
2	30200901	MILL CR > PUDDING R - AT MOUTH	YES	52.8
3	30200901	MILL CR > PUDDING R - AT MOUTH	YES	37.6
4	30200901	MILL CR > PUDDING R - AT MOUTH	YES	26.7
5	30200901	MILL CR > PUDDING R - AT MOUTH	YES	10.6
6	69796	MOLALLA R > WILLAMETTE R - AT MOUTH	NO	-164.0
7	69796	MOLALLA R > WILLAMETTE R - AT MOUTH	NO	-156.0
8	69796	MOLALLA R > WILLAMETTE R - AT MOUTH	NO	-91.4
9	69796	MOLALLA R > WILLAMETTE R - AT MOUTH	NO	-74.2
10	69796	MOLALLA R > WILLAMETTE R - AT MOUTH	NO	-274.0
11	30200901	MILL CR > PUDDING R - AT MOUTH	YES	5.6
12	30200901	MILL CR > PUDDING R - AT MOUTH	YES	24.9
Stor	30200901	MILL CR > PUDDING R - AT MOUTH	YES	28300.0

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Stream: WILLAMETTE R > COLUMBIA R - AT MOUTH

Basin: WILLAMETTE

Exceedance Level: 80

Watershed ID Number: 181

Time: 11:52

Date: 10/24/2000

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	27500.00	484.00	206.00	26800.00	.00	1500.00	25300.00
2	30000.00	3530.00	202.00	26300.00	.00	1500.00	24800.00
3	28500.00	4600.00	189.00	23700.00	.00	1500.00	22200.00
4	25400.00	4420.00	182.00	20800.00	.00	1500.00	19300.00
5	20700.00	2170.00	187.00	18300.00	.00	1500.00	16800.00
6	11000.00	1260.00	379.00	9360.00	.00	1500.00	7860.00
7	6280.00	1640.00	394.00	4240.00	.00	1500.00	2740.00
8	4890.00	1460.00	363.00	3070.00	.00	1500.00	1570.00
9	4930.00	1090.00	338.00	3500.00	.00	1500.00	2000.00
10	5990.00	355.00	140.00	5490.00	.00	1500.00	3990.00
11	12700.00	376.00	162.00	12200.00	.00	1500.00	10700.00
12	24800.00	430.00	203.00	24200.00	.00	1500.00	22700.00
Stor	19700000	1310000	176000	18200000	0	1080000	17200000

DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES

Stream: WILLAMETTE R > COLUMBIA R - AT MOUTH

Basin: WILLAMETTE

Watershed ID Number: 181

Time: 11:52

Date: 10/24/2000

Mo	Storage	Irrig	Munic	Ind/Man	Commer	Domest	Agricul	Other	Total
1	217.00	.00	333.00	99.50	4.39	23.60	10.10	2.50	690.00
2	3250.00	.00	333.00	99.50	4.39	23.60	10.10	2.50	3730.00
3	4310.00	6.44	333.00	99.50	4.39	23.60	10.10	2.50	4790.00
4	4090.00	42.80	333.00	99.50	4.39	23.60	10.10	2.50	4600.00
5	1600.00	292.00	329.00	99.50	4.39	23.60	8.39	2.50	2360.00
6	13.00	585.00	907.00	99.30	4.24	23.60	8.39	2.50	1640.00
7	.10	999.00	904.00	94.00	4.24	23.60	8.39	2.50	2040.00
8	.05	784.00	904.00	94.00	4.24	22.20	8.39	2.50	1820.00
9	.06	388.00	901.00	99.20	4.24	22.20	8.39	2.50	1430.00
10	.15	27.70	331.00	99.30	4.24	22.20	8.39	2.50	495.00
11	66.00	.00	333.00	99.30	4.39	23.60	10.10	2.50	539.00
12	160.00	.00	333.00	99.50	4.39	23.60	10.10	2.50	633.00

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Stream: MOLALLA R > WILLAMETTE R - AT MOUTH

Basin: WILLAMETTE

Exceedance Level: 80

Watershed ID Number: 69796

Time: 11:52

Date: 10/24/2000

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	1870.00	22.20	29.80	1820.00	.00	500.00	1320.00
2	2010.00	21.10	28.40	1960.00	.00	500.00	1460.00
3	1830.00	8.36	23.10	1800.00	.00	500.00	1300.00
4	1530.00	11.30	17.50	1500.00	.00	500.00	1000.00
5	927.00	46.80	15.20	865.00	.00	500.00	365.00
6	431.00	79.30	15.70	336.00	.00	500.00	-164.00
7	204.00	136.00	23.70	44.40	.00	200.00	-156.00
8	139.00	111.00	19.00	8.61	.00	100.00	-91.40
9	134.00	48.40	9.83	75.80	.00	150.00	-74.20
10	188.00	11.20	1.20	176.00	.00	450.00	-274.00
11	637.00	14.00	12.10	611.00	.00	500.00	111.00
12	1700.00	22.40	28.50	1650.00	.00	500.00	1150.00
Stor	1320000	31900	13400	1280000	0	293000	999000

DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES

Stream: MOLALLA R > WILLAMETTE R - AT MOUTH

Basin: WILLAMETTE

Watershed ID Number: 69796

Time: 11:52

Date: 10/24/2000

Mo	Storage	Irrig	Munic	Ind/Man	Commer	Domest	Agricul	Other	Total
1	44.00	.00	4.55	1.79	.33	.95	.38	.00	52.00
2	41.50	.00	4.55	1.79	.33	.95	.38	.00	49.60
3	22.20	1.27	4.55	1.79	.33	.95	.38	.00	31.40
4	15.50	5.30	4.55	1.79	.33	.95	.38	.00	28.80
5	7.81	46.20	4.55	1.79	.33	.95	.38	.00	62.00
6	1.52	76.50	13.70	1.79	.18	.95	.38	.00	95.00
7	.00	143.00	13.70	1.79	.18	.95	.38	.00	160.00
8	.00	113.00	13.70	1.79	.18	.95	.38	.00	130.00
9	.00	41.20	13.70	1.79	.18	.95	.38	.00	58.20
10	.00	4.55	4.55	1.79	.18	.95	.38	.00	12.40
11	18.10	.00	4.55	1.79	.33	.95	.38	.00	26.10
12	42.80	.00	4.55	1.79	.33	.95	.38	.00	50.80

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Stream: PUDDING R > MOLALLA R - AT MOUTH

Basin: WILLAMETTE

Exceedance Level: 80

Watershed ID Number: 69998

Time: 11:52

Date: 10/24/2000

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	1120.00	17.70	30.40	1070.00	.00	80.00	992.00
2	1260.00	17.10	29.00	1210.00	.00	80.00	1130.00
3	1080.00	3.55	23.70	1050.00	.00	80.00	973.00
4	834.00	6.38	18.20	809.00	.00	80.00	729.00
5	448.00	28.00	15.80	404.00	.00	80.00	324.00
6	231.00	58.10	16.30	157.00	.00	60.00	96.60
7	111.00	96.00	23.90	-8.88	.00	50.00	-58.90
8	71.60	77.70	19.40	-25.50	.00	40.00	-65.50
9	67.90	41.80	10.50	15.60	.00	40.00	-24.40
10	91.50	5.46	2.03	84.00	.00	60.00	24.00
11	364.00	8.81	12.80	342.00	.00	80.00	262.00
12	1010.00	17.00	29.00	964.00	.00	80.00	884.00
Stor	748000	22600	13800	712000	0	48500	667000

DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES

Stream: PUDDING R > MOLALLA R - AT MOUTH

Basin: WILLAMETTE

Watershed ID Number: 69998

Time: 11:52

Date: 10/24/2000

Mo	Storage	Irrig	Munic	Ind/Man	Commer	Domest	Agricul	Other	Total
1	43.60	.00	2.45	.33	1.18	.31	.30	.00	48.20
2	41.50	.00	2.45	.33	1.18	.31	.30	.00	46.10
3	22.00	.74	2.45	.33	1.18	.31	.30	.00	27.30
4	15.40	4.60	2.45	.33	1.18	.31	.30	.00	24.50
5	7.75	31.50	2.45	.33	1.18	.31	.30	.00	43.80
6	1.51	63.50	7.36	.33	1.03	.31	.30	.00	74.40
7	.00	111.00	7.36	.33	1.03	.31	.30	.00	120.00
8	.00	87.80	7.36	.33	1.03	.31	.30	.00	97.10
9	.00	43.00	7.36	.33	1.03	.31	.30	.00	52.30
10	.00	3.06	2.45	.33	1.03	.31	.30	.00	7.49
11	17.10	.00	2.45	.33	1.18	.31	.30	.00	21.70
12	41.40	.00	2.45	.33	1.18	.31	.30	.00	46.00

DETAILED REPORT OF RESERVATIONS FOR CU

Stream: PUDDING R > MOLALLA R - AT MOUTH

Basin: WILLAMETTE

Watershed ID Number: 69998

Time: 11:52

Date: 10/24/2000

-----Reservations-----								
APP #	0	0	0	0	0	0	0	TOTAL
Status Use								
1	.00	.00	.00	.00	.00	.00	.00	.00
2	.00	.00	.00	.00	.00	.00	.00	.00
3	.00	.00	.00	.00	.00	.00	.00	.00
4	.00	.00	.00	.00	.00	.00	.00	.00
5	.00	.00	.00	.00	.00	.00	.00	.00
6	.00	.00	.00	.00	.00	.00	.00	.00
7	.00	.00	.00	.00	.00	.00	.00	.00
8	.00	.00	.00	.00	.00	.00	.00	.00
9	.00	.00	.00	.00	.00	.00	.00	.00
10	.00	.00	.00	.00	.00	.00	.00	.00
11	.00	.00	.00	.00	.00	.00	.00	.00
12	.00	.00	.00	.00	.00	.00	.00	.00

DETAILED REPORT OF ISWRs

Stream: PUDDING R > MOLALLA R - AT MOUTH

Basin: WILLAMETTE

Watershed ID Number: 69998

Time: 11:52

Date: 10/24/2000

-----ISWRs-----								
APP #	69998A	73532A	0	0	0	0	0	MAXIMUM
Status	Cert.	Cert.						
1	80.00	36.00	.00	.00	.00	.00	.00	80.00
2	80.00	36.00	.00	.00	.00	.00	.00	80.00
3	80.00	36.00	.00	.00	.00	.00	.00	80.00
4	80.00	36.00	.00	.00	.00	.00	.00	80.00
5	80.00	36.00	.00	.00	.00	.00	.00	80.00
6	60.00	36.00	.00	.00	.00	.00	.00	60.00
7	50.00	36.00	.00	.00	.00	.00	.00	50.00
8	40.00	36.00	.00	.00	.00	.00	.00	40.00
9	40.00	36.00	.00	.00	.00	.00	.00	40.00
10	60.00	36.00	.00	.00	.00	.00	.00	60.00
11	80.00	36.00	.00	.00	.00	.00	.00	80.00
12	80.00	36.00	.00	.00	.00	.00	.00	80.00

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Stream: MILL CR > PUDDING R - AT MOUTH

Basin: WILLAMETTE

Exceedance Level: 80

Watershed ID Number: 30200901

Time: 11:52

Date: 10/24/2000

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	39.20	.22	.83	38.20	.00	.00	38.20
2	53.90	.23	.88	52.80	.00	.00	52.80
3	38.40	.06	.76	37.60	.00	.00	37.60
4	27.60	.20	.74	26.70	.00	.00	26.70
5	13.70	1.28	1.77	10.60	.00	.00	10.60
6	8.72	2.56	3.41	2.75	.00	.00	2.75
7	3.79	4.45	5.48	-6.14	.00	.00	-6.14
8	2.09	3.54	4.47	-5.92	.00	.00	-5.92
9	1.88	1.74	2.50	-2.36	.00	.00	-2.36
10	2.39	.15	.34	1.90	.00	.00	1.90
11	6.05	.06	.44	5.55	.00	.00	5.55
12	25.90	.19	.77	24.90	.00	.00	24.90
Stor	30000	878	1340	28400	0	0	28400

DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES

Stream: MILL CR > PUDDING R - AT MOUTH

Basin: WILLAMETTE

Watershed ID Number: 30200901

Time: 11:52

Date: 10/24/2000

Mo	Storage	Irrig	Munic	Ind/Man	Commer	Domest	Agricul	Other	Total
1	.67	.00	.20	.00	.15	.03	.00	.00	1.05
2	.73	.00	.20	.00	.15	.03	.00	.00	1.11
3	.38	.06	.20	.00	.15	.03	.00	.00	.81
4	.20	.35	.20	.00	.15	.03	.00	.00	.94
5	.04	2.63	.20	.00	.15	.03	.00	.00	3.05
6	.01	5.32	.60	.00	.00	.03	.00	.00	5.97
7	.00	9.29	.60	.00	.00	.03	.00	.00	9.92
8	.00	7.38	.60	.00	.00	.03	.00	.00	8.01
9	.00	3.61	.60	.00	.00	.03	.00	.00	4.24
10	.00	.26	.20	.00	.00	.03	.00	.00	.49
11	.12	.00	.20	.00	.15	.03	.00	.00	.50
12	.58	.00	.20	.00	.15	.03	.00	.00	.96

Virgil Montecucco

RECEIVED

APR 6 1984

WATER RESOURCES DEPT.
SALEM, OREGON

(12) Well Log

<u>From</u>	<u>To</u>	<u>Description</u>
0	3	Top soil, brown
3	39	Clay, brown
39	55	Clay, gray
55	57	Clay, gray, sandy & sandstone, black, fine, sandy
57	58	Sandstone, black, hard
58	59	Clay, brown
59	66	Sandstone, brown, hard
66	75	Sand, brown, fine
75	81	Sand, brown, medium to coarse w/ some $\frac{1}{2}$ minus gravel
81	85	Gravel & sand cemented, brown, 2" minus
85	94	Gravel, 8" minus, cemented w/ some clay, brown
94	96	Sand, brown, fine-medium
96	99	Gravel, 6" minus
99	106	Sand, brown, fine-medium
106	111	Sand, brown, fine & some gravel
111	116	Gravel & sand, 1" minus, some cemented, brown
116	118	Gravel, 6" minus w/ clay, brown
118	120	Clay, gray
120	121	Clay, gray & wood
121	123	Sand, black, medium w/ some small gravel & wood
123	129	Sand, black, medium w/ some $\frac{3}{4}$ minus gravel
129	130	Clay & gravel, gray
130	133	Gravel, $\frac{3}{4}$ minus & sand, black, medium-coarse
133	136	Sand, black, fine-medium
136	139	Gravel, 1" minus and sand, black, medium-coarse
139	142	Gravel & sand, black, coarse
142	149	Gravel, $\frac{3}{4}$ minus w/ some sand, black, coarse
149	154	Gravel, 2" minus & sand, black, medium coarse
154	169	Gravel, 3" minus & sand, black, coarse, some cemented
169	173	Clay, light gray, firm
173	182	Clay, blue-gray, firm
182	186	Clay, blue-green, sandy



Technology Serving You

RECEIVED

JAN 17 1995

WATER RESOURCES DEPT.
SALEM, OREGON

January 17, 1995

State of Oregon
Water Resources Department

RE: Groundwater Use Application No. G13325

To Whom it Concerns:

Groundwater Use Application No. G13325 is a joint application involving multiple property owners. One of the subject parcels included in the application is owned by Leathers Enterprises, Inc., and operated by Leathers Oil Company. This letter is to serve as notice that Paul Montecucco, part owner of another parcel that is party to the application, is hereby authorized to act as the agent for Leathers Enterprises, Inc. and Leathers Oil Company in matters regarding the Groundwater Use Application No. G13325.

If there are any questions regarding this matter, please feel free to contact either of us at (503) 661-1244.

Sincerely,

Lila Leathers-Fitz

Lila Leathers-Fitz
CEO, Leathers Oil Company
President, Leathers Enterprises, Inc.

Brent Leathers

Brent Leathers
General Manager, Leathers Oil Company
Vice-President, Leathers Enterprises, Inc.

*Permit is Permit Coord. Index
SWL H2O level -*



RECEIVED

JAN 17 1995

WATER RESOURCES DEPT.
SALEM, OREGON

January 17, 1995

State of Oregon
Water Resources Department

RE: Groundwater Use Application No. G13325

To Whom it Concerns:

Groundwater Use Application No. G13325 is a joint application involving multiple property owners. One of the subject parcels included in the application is owned by Leathers Enterprises, Inc., and operated by Leathers Oil Company. This letter is to serve as notice that Paul Montecucco, part owner of another parcel that is party to the application, is hereby authorized to act as the agent for Leathers Enterprises, Inc. and Leathers Oil Company in matters regarding the Groundwater Use Application No. G13325.

If there are any questions regarding this matter, please feel free to contact either of us at (503) 661-1244.

Sincerely,

A handwritten signature in cursive script that reads "Lila Leathers-Fitz".

Lila Leathers-Fitz
CEO, Leathers Oil Company
President, Leathers Enterprises, Inc.

A handwritten signature in cursive script that reads "Brent Leathers".

Brent Leathers
General Manager, Leathers Oil Company
Vice-President, Leathers Enterprises, Inc.

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MONTECUCCO FARMS & LEATHER'S OIL COMPANY
MONTECUCCO FARMS 4120 N. LOCUST
CANBY, OREGON 97013

503-263-6066

to use the waters of WELLS 1 AND 2 in the ~~CRIBBLE CREEK~~ ^{Pudding River} BASIN for COMMERCIAL USE.

This permit is issued approving Application G-13325. The date of priority is MARCH 12, 1993. The use is limited to not more than 1.0 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

SW 1/4 SE 1/4, SE 1/4 SE 1/4, SECTION 9, T 4 S, R 1 W, W.M.; WELL 1 - 150 FEET NORTH AND 1440 FEET EAST, WELL 2 - 700 FEET SOUTH AND 400 FEET EAST, BOTH FROM THE NE CORNER OF J. GRIM DLC 46.

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

A description of the proposed place of use under this permit is as follows:

SE 1/4
ALL AS PROJECTED WITHIN DLC 46
SECTION 9
TOWNSHIP 4 SOUTH, RANGE 1 WEST, W.M.

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

Measurement, recording and reporting conditions:

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

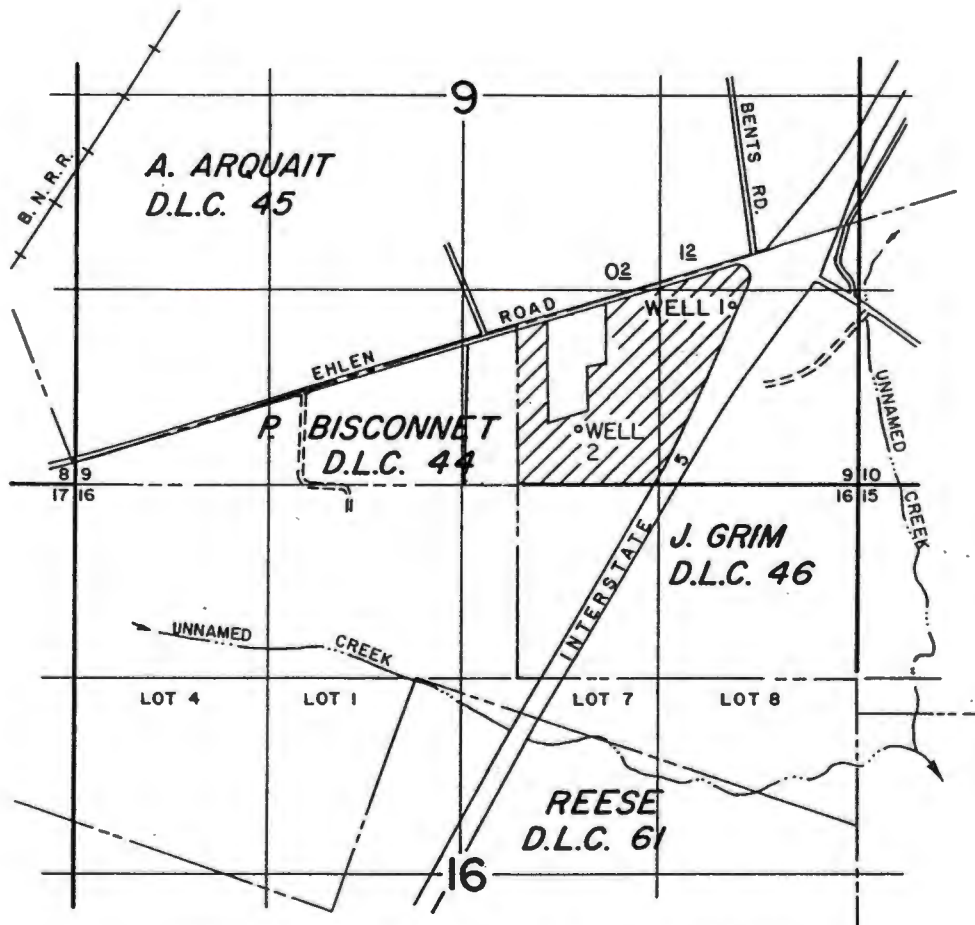
RECEIVED

JAN 18 1995

WATER RESOURCES DEPT
SALEM, OREGON

T.4S., R.1W., W.M.

MARION COUNTY



WELL 1 LOCATION: 150' N. & 1440' E. OF THE NE CORNER OF
J. GRIM DLC 46.
 WELL 2 LOCATION: 700' S. & 400' E. OF THE NE CORNER OF
J. GRIM DLC 46.
 WELL 2 IS UNDER TRANSFER-SUBJECT
TO APPROVAL. T-692I

APPLICATION TO APPROPRIATE GROUND WATER

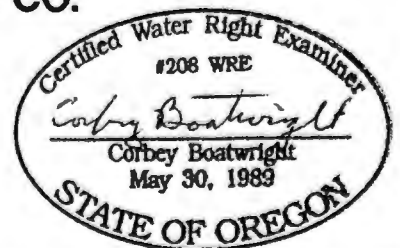
Application No. G-13325 Permit No. G11962

MONTECUCCO FARMS & LEATHERS OIL CO.

MARCH 12, 1993
SCALE: 1"=1320'

rev. January 18, 1995

NOTE: This map is for the purpose of identifying the location of water rights and has no intent to dimension or locate property ownership lines.



NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report
are to be filed with the

WATER RESOURCES DEPARTMENT
SALEM, OREGON 97310
within 30 days from the date
of well completion.

RECEIVED WATER WELL REPORT No. 613325
STATE OF OREGON Permit No. 391
MAY 11 1978

State Well No. 451W-9da
State Permit No. #1

5-25 WATER RESOURCES DEPT

(1) OWNER: SALEM, OREGON
Name Carl Leathers (Leathers Oil)
Address Hayward Ore.

(2) TYPE OF WORK (check):
New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL: (4) PROPOSED USE (check):
Rotary Driven Domestic Industrial Municipal
Cable Jetted Irrigation Test Well Other
Dug Bored

CASING INSTALLED: Threaded Welded
6" Diam. from 0 ft. to 134 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.

(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) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
Ball test 40 gal./min. with ft. drawdown after / hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:
Well seal—Material used Cement
Well sealed from land surface to 23 ft.
Diameter of well bore to bottom of seal 7+ in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal 10 sacks
How was cement grout placed? Top

Was a drive shoe used? Yes No Plugs Size: location ft.
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.

(10) LOCATION OF WELL:
County Multnomah Driller's well number 1 2 1993
N.E. 1/4 S.E. 1/4 Section 9 T. 49 R. 1W W.M.
Bearing and distance from section or subdivision corner SALEM, OREGON

(11) WATER LEVEL: Completed well.
Depth at which water was first found 72 ft.
Static level 34 ft. below land surface. Date 6-6-78
Artesian pressure lbs. per square inch. Date

(12) WELL LOG: Diameter of well below casing
Depth drilled 134 ft. Depth of completed well 134 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 and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Black soil	0	2	
Brown clay	2	24	
Gray clay	24	34	
Blue clay (silt)	34	55	
Dark Blue clay (sticky)	55	72	
Brown sand & Fucalgard	72	82	
Light Brown clay (sandy)	82	102	
Brown sand	102	127	
Brown sand & gravel	127	134	

Work started 6-2 1978 Completed 6-6 1978
Date well drilling machine moved off of well 6-6 1978

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] John W. Beck Date 6-6, 1978
(Drilling Machine Operator)
Drilling Machine Operator's License No. H.3.7

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 J.W. Beck Well Drilling (Person, firm or corporation) (Type or print)
Address 24187 S. Skyline Dr. Canby Ore.
[Signed] John W. Beck (Water Well Contractor)
Contractor's License No. H.4.9 Date 6-6, 1978

**Boatwright Engineering Inc.**

2613 12th ST SE. SALEM, OREGON 97302

civil engineers • land surveyors

(503) 363-9225 (FAX) 363-1051

June 30, 2000

Laura Snedaker
Water Resources Department
158 12th Street NE
Salem, Oregon 97301-4172

Via Fax (503) 378-8130

Re: G-14994
Bill Olinger Properties

Dear Laura,

Thank you for your letter of June 15, 2000 responding to my letter of September 1, 1999 to Anita Huffman. Your letter requested that we either withdraw this application by June 29, 2000 or allow the Proposed Final Order (PFO) to proceed. Presently, the PFO would be a denial of the commercial use permit since the groundwater section has determined a surface water interference condition and the use would not be available year-round, as requested. Since receiving your letter on June 19th, I have been discussing with Jake Szramek the proposed order, the anticipated use of the right, existing rights, etc. He was going to look at the file and get back to me with a recommendation of what would be best for us to do. Since I have not received his comments yet, I would like to request a time extension for the withdrawal of the application or issuance of the PFO. I will get in touch with you as soon as my conversations with Jake are completed.

If you have any questions, please give me a call. I am available M-T-Th-F from 1 to 5.

Sincerely,

A handwritten signature in cursive script that reads "Jeanne Flasker Boatwright".

Jeanne Flasker Boatwright

CC Kyle Olinger, Bill Olinger Properties

Via Fax (503) 297-8953

Hard Copies to Follow via US Mail



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

July 25, 2000

Jeanne Plasker Boatwright
Boatwright Engineering Inc.
2613 12th St. SE
Salem, Oregon 97302

RE: Application G-14994 for Bill Olinger Properties

Dear Mrs. Boatwright:

On June 30, 2000, I received your request, on behalf of the applicant, to place the above referenced application on administrative hold. However, the information you supplied does not quite provide sufficient information in order for the Department to authorize an administrative hold.

The Department may grant an administrative hold for up to 180 days under OAR 690-310-270. Longer administrative holds may also be granted under OAR 690-310-270, if the Director finds that a longer period is reasonable and necessary. In order for the Director to find that a longer administrative hold is reasonable and necessary, the Department requests that applicants submit a written request which demonstrates justification for why additional time is reasonable and necessary. The request must also show that substantial progress is being made towards resolving the issues that led to the request for administrative hold, including what actions have been, are being, and will be taken in order for the application process to proceed. Also, a general time-line, which identifies when the applicant anticipates being ready to continue with the application process must be included in the request.

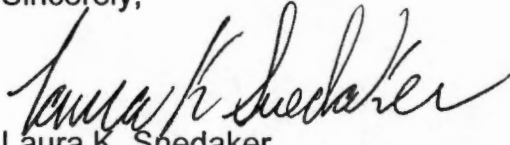
Your request did not identify the length of time requested for the administrative hold. If the request is with 180 days no additional information is necessary. However, if a period longer than 180 days is needed, then additional information as described above must also be submitted with your request.

Please submit this information by **August 8, 2000**. If the requested information is not submitted by this date, the Department **may** continue processing the application based upon the information available. This could negatively affect the application.



If you have any questions about the necessary information, please give me a call. I can be reached at (503) 378-8455, extension 331, or toll free within Oregon at 1-800-624-3199.

Sincerely,

A handwritten signature in black ink, appearing to read "Laura K. Shedaker". The signature is fluid and cursive, with the first name "Laura" being the most prominent.

Laura K. Shedaker
Senior Water Rights Specialist

cc: Bill Ferber, Watermaster District 16
Bill Olinger Properties Inc.



Boatwright Engineering Inc.

2613 12th ST SE, SALEM, OREGON 97302
civil engineers • land surveyors

(503) 363-9225 (FAX) 363-1051

June 30, 2000

Laura Snedaker
Water Resources Department
158 12th Street NE
Salem, Oregon 97301-4172

Via Fax (503) 378-8130

Re: G-14994
Bill Olinger Properties

Dear Laura,

Thank you for your letter of June 15, 2000 responding to my letter of September 1, 1999 to Anita Huffman. Your letter requested that we either withdraw this application by June 29, 2000 or allow the Proposed Final Order (PFO) to proceed. Presently, the PFO would be a denial of the commercial use permit since the groundwater section has determined a surface water interference condition and the use would not be available year-round, as requested.. Since receiving your letter on June 19th, I have been discussing with Jake Szramek the proposed order, the anticipated use of the right, existing rights, etc. He was going to look at the file and get back to me with a recommendation of what would be best for us to do. Since I have not received his comments yet, I would like to request a time extension for the withdrawal of the application or issuance of the PFO. I will get in touch with you as soon as my conversations with Jake are completed.

If you have any questions, please give me a call. I am available M-T-Th-F from 1 to 5.

Sincerely,

Jeanne Plasker Boatwright

CC Kyle Olinger, Bill Olinger Properties

Via Fax (503) 297-8953

Hard Copies to Follow via US Mail

RECEIVED

JUN 30 2000

WATER RESOURCES DEPT.
SALEM, OREGON



Boatwright Engineering Inc.

2613 12th ST SE, SALEM, OREGON 97302
civil engineers • land surveyors

(503) 363-9225 (FAX) 363-1051



Laura Snedaker
Water Resources Department
158 12th Street NE
Salem, Oregon 97301-4172

973014172





Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

June 15, 2000

Jeanne Plasker Boatwright
Boatwright Engineering Inc.
2613 12th St. SE
Salem, Oregon 97302

Reference File Number: G-14994 for Bill Olinger Properties

Dear Jeanne:

On September 1, 1999, the Department received your request for some additional information regarding the review of the application. Specifically you asked for a comparison with file G-13325 (Permit G-11962) (Montecucco Farms) which is from the same groundwater source as the above application and for the same use.

File G-13325 was reviewed by the Department's Groundwater/Hydrology Section in September, 1993. A Hydrogeologist for the Department found that the well proposed under this application would not have the potential for substantial interference with the nearest surface water source, namely Senecal Creek and the Pudding River. A permit for this application, G-11962, was issued by the Department in February, 1995.

Application G-14994 was submitted to the Department in June, 1999, and was reviewed by the Department's Groundwater/Hydrology Section in July, 1999. A Hydrogeologist for the Department found that the well would have the potential for substantial interference with the nearest surface water source, namely an unnamed tributary to Senecal Creek. According to the Marc Norton, Department Hydrogeologist, the basin understanding of the groundwater system has changed since the review on file G-13325. If you have further questions regarding the Groundwater Section's review of this application, please contact Marc Norton at (503) 378-8455 or toll free within Oregon at 1 (800) 624-3199, extension 209.

You also asked whether the stop processing deadline could be extended for this application. Under the application process, an applicant is provided an opportunity to withdraw the application within 14 days of the issuance of the Initial Review. If an application is withdrawn during this 14 day period, the Department will issue a refund of any fees submitted to the Department minus \$50.00. Requests for a refund after this 14 day period are considered by the Department on a case by case basis only. The 14 day stop processing deadline for this application has passed. If the applicant wishes to withdraw this application, they may submit a written request to the department along



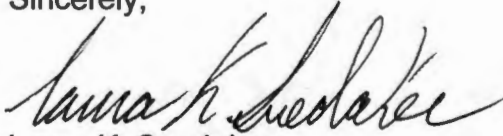
with a request for a refund. The Department will evaluate the request and determine whether a refund may be issued.

I will hold further processing of this application until **June 29, 2000**. If a request to withdraw this application is not received by that date, the Department will continue processing the application for a Proposed Final Order. Once the Proposed Final Order, the next report in the application process, is issued it will no longer be possible to receive a refund of any examination fees.

Thank you for your cooperation and patience during the water right application process.

If you have any questions, please give me a call at (503) 378-8455 or toll free within Oregon at 1 (800) 624-3199, extension 331.

Sincerely,

A handwritten signature in cursive script, appearing to read "Laura K. Snedaker".

Laura K. Snedaker
Senior Water Rights Specialist

cc: Bill Ferber, Watermaster District 16
Bill Olinger Properties

INTEROFFICE MEMORANDUM
Water Rights Section

TO: Fred Lissner

FROM: Dwight French, x268

10-21, 1999

RE: GW File Number G-14994

Please have someone on your staff review the files & memo attached.

Marc Norton of your staff appears to be the most recent GW person to look at this file.

Please route to Laura S. when finished.

Thanks.

MEMO

DATE: October 21, 1999
TO: DWIGHT FRENCH
FROM: LAURA SNEDAKER
SUBJECT: G-14994 for Bill Olinger Properties LLC

Please route this file to the Groundwater Section for some additional review. We have received a request from Corbey Boatwright, agent for the applicant, on September 7, 1999, for some information regarding the Groundwater/Hydrology Section's review of the application. The well requested under this application has two existing rights, Transfer T-6921 and a permit G-11962. Mr. Boatwright requests an explanation of why the review of the well under the current application found that the well has the potential for substantial interference with surface water, being an unnamed trib to Senecal Creek. Mr. Boatwright questions what changed between the review done on the well for permit G-11962 (file G-13325) and the review for application G-14994.

I also need to have confirmed whether the well is within a quarter mile of the unnamed trib and in an unconfined aquifer.

Thank you.

To: Laura

5/9/2000

From: Marc

Our basic understanding of the groundwater system has changed since the review on G-13325. No change to my review.

Also, the applicant has not submitted any water level data required by G-13325, G-11962. We should not be issuing new permits to applicants that do not meet terms of existing permits.



Boatwright Engineering Inc.

2613 12th ST SE, SALEM, OREGON 97302
civil engineers • land surveyors

(503) 363-9225 (FAX) 363-1051

September 7, 1999

Anita M. Huffman
Water Rights Section
Oregon Department of Water Resources
Commerce Building
158 12th Street N.E.
Salem, Oregon 93310-0210

Re: G-14994
Bill Olinger Properties, LLC

Dear Anita,

I left a message on your voice-mail on Tuesday August 31, 1999 regarding this application and the unfavorable preliminary analysis it received. I asked for a comparison with application G-13325 which is from the same source for the same use, but which was successful in receiving a permit on February 28, 1995 after a satisfactory report of technical review. I asked what had changed.

To date I have not received a reply and today is the deadline for our client to decide whether to proceed or file a *stop processing* form and receive a refund of fees.

His decision will be based largely on your reply to the comparison request.

Can the stop processing date, or the refund opportunity, be extended?

I would appreciate an immediate response.

Sincerely,

Jeanne Plasker Boatwright

CC: Kyle Olinger

RECEIVED

SEP 07 1999

**WATER RESOURCES DEPT.
SALEM, OREGON**

pc	permit	certificate	pod	swl	status
G	11962	0	2	Y	Y
logid_lookup		userid_lookup			
MARI 365		10910		trigger activated?	
		ref_level			
comments					
temp					

Current owner from pump_test_owners file:

name f/l	VIRGIL A & EVELYN	MONTECUCCO
name_other	MONTECUCCO FARMS	
city / state / zip	CANBY	OR 97013
phone / fax		
email		
comment	MOBILE PHONE: 936-4153	
last_update	4/21/2000	

conditions

4K

All points of diversions for the specified permit, including related certificates (wris_logids file).

ac	appl pc	permit	certificate	pod	srce	st	County	Log #	Owners	Well Name	Logid	Comments
G	13325G	11962	0	1	WE	V	MARI	391	WELL 1			
G	13325G	11962	0	2	WE	V	MARI	365	WELL 2			

mari, 5/4/2000

I + David soon

that this data was

ID the permit good.

Index. That at you

m: cut last R.C.

Permit_conditions_water_level file. Shows all water levels for specified well.

No water levels will be present if a well log has not been correlated to the water right.

COUNTY	#	DATE	STATUS	METHOD	MP	Repor ted WL	MEASURED_BY	ORGANI- ZATION	COMMENTS
MARI	365	03/12/1984		ET	+1.4	30	STEPHEN J SCHNEIDER	WWC-640	WELL CONSTRUCTED
MARI	365	03/05/1997	Idle	ET		31	PAUL A MONTECUCCO	OWNER	
MARI	365	06/18/1998	Idle	ET		68	PAUL A MONTECUCCO	OWNER	IDLE 8 MTHS
MARI	365	04/19/2000	Idle	Airline		47.88	TIM WILSON	SCHNEIDER EQUIPMENT	IDLE MONTHS

T/R - S QQ 4.00S / 1.00W - 9 SW SE

pc	permit	certificate	pod	swl	status
G	11962	0	2	Y	V
logid_lookup		userid_lookup			
MARI	365	10910			
		ref_level		trigger	activated?
comments					
				temp	

Current owner from pump_test_owners file:

name f/	VIRGIL A & EVELYN	MONTECUCCO
name_other	MONTECUCCO FARMS	
	4015 N LOCUST ST	
city / state / zip	CANBY	OR 97013
phone / fax		
email		
comment	MOBILE PHONE: 936-4153	
last_update	4/21/2000	

conditions

4K

All points of diversions for the specified permit, including related certificates (wris_logids file).

ac	appl	pc	permit	certificate	pod	srce	st	County	Log #	Owners	Well Name	Logid	Comments
G	13325G		11962	0	1	WE	V	MARI	391		WELL 1		
G	13325G		11962	0	2	WE	V	MARI	365		WELL 2		

Permit_conditions_water_level file. Shows all water levels for specified well.

No water levels will be present if a well log has not been correlated to the water right.

COUNTY	#	DATE	STATUS	METHOD	MP	Reported WL	MEASURED BY	ORGANIZATION	COMMENTS
MARI	365	03/12/1984		ET	+1.4	30	STEPHEN J SCHNEIDER	WWC-640	WELL CONSTRUCTED
MARI	365	03/05/1997	Idle	ET		31	PAUL A MONTECUCCO	OWNER	
MARI	365	06/18/1998	Idle	ET		68	PAUL A MONTECUCCO	OWNER	IDLE 8 MTHS
MARI	365	04/19/2000	Idle	Airline		47.88	TIM WILSON	SCHNEIDER EQUIPMENT	IDLE MONTHS

pc	permit	certificate	pod	swl	status
G	11962	0	1	Y	Y
logid_lookup		userid_lookup			
MARI	391	10910		trigger activated?	
		ref_level			
comments					
temp					

Current owner from pump_test_owners file:

name f/i VIRGIL A & EVELYN MONTECUCCO

name_other MONTECUCCO FARMS

4015 N LOCUST ST

city / state / zip CANBY OR 97013

phone / fax

email

comment MOBILE PHONE: 936-4153

last_update 4/21/2000

conditions

4K

All points of diversions for the specified permit, including related certificates (wris_logids file).

ac	appl pc	permit	certificate	pod	srce	st	County	Log #	Owners	Well Name	Logid	Comments
G	13325G	11962	0	1	WE	V	MARI	391	WELL 1			
G	13325G	11962	0	2	WE	V	MARI	365	WELL 2			

Permit_conditions_water_level file. Shows all water levels for specified well.

No water levels will be present if a well log has not been correlated to the water right.

COUNTY	#	DATE	STATUS	METHOD	MP	Repor ted WL	MEASURED_BY	ORGANI- ZATION	COMMENTS
MARI	391	06/06/1978	Idle	ET	34	JOHN W BECK	WWC-449	WELL CONSTRUCTED	

Application No. C13325 WATER WELL REPORT STATE OF OREGON Permit No. 305

RECEIVED

MAR 1 2005
State Well No. 4-111-9d
State Permit No. Well # 2

APR 6 1984
WATER RESOURCES DEPT.
SALEM, OREGON

(1) OWNER:
Name Virgil Montecucco
Address 4120 N. Locust
City Canby State OR 97013

(2) TYPE OF WORK (check):
New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL: (4) PROPOSED USE (check):
Rev Rotary Air Driven Domestic Industrial Municipal
Rotary Mud Dug Irrigation Test Well Other
C Bored Thermal: Withdrawal Reinjection

(5) CASING INSTALLED: Steel Plastic
Threaded Welded
See Diam. from Sheet to ft. Gauge Attached

(6) LINER INSTALLED:
" Diam. from ft. to ft. Gauge ft.

(6) PERFORATIONS: Perforated? Yes No
Type of perforator used _____
Size of perforations in. by _____ in.
See Sheet Attached
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 UOP Johnson
Type Watermark SS Model No. _____
Diam. 12" Slot Size 150 Set from 156.7 to 170.1 ft.
Diam. _____ Slot Size _____ Set from _____ ft. to _____ ft.

(8) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No If yes, by whom? S.E.I.
2400 gal/min. with 80 ft. drawdown after 5 hrs.
" 1560 " " 54 " " 5 1/2 " "
Air test 1050 gal/min. with 43 " " 6 hrs.
Packer test 550 gal/min. with 28 ft. drawdown after 6 1/2 hrs.
Artesian flow - g.p.m. -
Temperature of water - Depth artesian flow encountered - ft.

(9) CONSTRUCTION: Special standards: Yes No
Well seal—Material used 10 Cu Yd 5 sk readmix
Well sealed from land surface to 20 ft.
Diameter of well bore to bottom of seal 32 in.
Diameter of well bore below seal 32 in.
Number of sacks of cement used in well seal 50 sacks
How was cement grout placed? See attached Dept. of
Water Resources letter regard special
standards for use of readmix concrete
Was pump installed? No Type _____ HP _____ Depth _____ ft.
Was a drive shoe used? Yes No Plugs _____ Size: location _____ ft.
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: 3/4--1/2
Gravel placed from 20 ft. to bottom ft.

(10) LOCATION OF WELL:
County Marion Driller's well number 8401
1/4 SE 1/4 Section 9 T. 4S R. 1W W.M.
Tax Lot # _____ Lot _____ Blk _____ Subdivision _____
Address at well location: _____

(11) WATER LEVEL: Completed well.
Depth at which water was first found 55 ft.
Static level 30 ft. below land surface. Date 3/12/84
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG: Diameter of well below casing _____
Depth drilled 186 ft. Depth of completed well 175 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 and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
See sheet attached			

Work started 10/24 19 83 Completed 3/26 1984
Date well drilling machine moved off of well 2/3 1984

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) Donald J. Davis Date 4-3, 1984.
(Drilling Machine Operator)
Drilling Machine Operator's License No. 1085

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 Schneider Equipment, Inc.
(Person, firm or corporation) (Type or print)
Address 21881 River Rd NE, St. Paul, Cr
97137
(Signed) Stephen Schneider
(Water Well Contractor)
Contractor's License No. 646 Date 4-3, 1984

Virgil Montecucco

8401

(5) Casing & (6) Perforations:

6" diam. from +1.1 to 27.3 Gauge .250

8" diam. from +1.4 to 124.9 Gauge .250

8" diam. from 124.9 to 166.1 Gauge.322 Mill Perf. 640-3/8 x 2½

8" diam. from 166.1 to 185.7 Gauge .250

12" diam. from +2.2 to 115.7 Gauge .330

12" diam. from 115.7 to 136.7 Gauge .375 Mill Perf. 480-3/8 x 2½

12" diam. from 136.7 to 156.7 Gauge .250 Torch Perf. 228-3/8 x 6

12" diam. from 170.1 to 186.1 Gauge .330

RECEIVED

APR 6 1984

**WATER RESOURCES DEPT
SALEM, OREGON**

14994

WATER WELL REPORT STATE OF OREGON

MARI... 365

RECEIVED

APR 6 1984

WATER RESOURCES DEPT. SALEM, OREGON

State Well No. 451W-9d
State Permit No. 6 133

(1) OWNER:

Name Virgil Montecuccio
Address 4120 N. Locust
City Canby State Or 97013

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rev
Rotary Air Driven
Rotary Mud Dug
 Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other
Thermal: Withdrawal Reinjection

CASING INSTALLED:

Steel Plastic
Threaded Welded

See-Diam. from Sheet ft. to _____ ft. Gauge Attached
_____ " Diam. from _____ ft. to _____ ft. Gauge _____

LINER INSTALLED:

_____ " Diam. from _____ ft. to _____ ft. Gauge _____

(6) PERFORATIONS:

Perforated? Yes No

Type of perforator used _____
Size of perforations _____ in. by _____ in.
See Sheet Attached
_____ 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 UOP Johnson
Type Watermark SS Model No. _____
Diam. 12" Slot Size 150 Set from 156 ft. to 170 ft.
Diam. _____ Slot Size _____ Set from _____ ft. to _____ ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

a pump test made? Yes No If yes, by whom? S.E.I.
t: 2400 gal./min. with 80 ft. drawdown after 5 hrs.
1560 " 54 " 5 1/2 " "
1050 gal./min. with 43 " " 6 hrs.
550 gal./min. with 28 ft. drawdown after 6 1/2 hrs.
sian flow _____ g.p.m. _____
emperature of water _____ Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Special standards: Yes No

Well seal—Material used 10 Cu Yd 5 sk readmix
Well sealed from land surface to 20 ft.
Diameter of well bore to bottom of seal 32 in.
Diameter of well bore below seal 32 in.
Number of sacks of cement used in well seal 50 sacks
How was cement grout placed? See attached Dept. of Water Resources letter regard special standards for use of readmix concrete
Was pump installed? No Type _____ HP _____ Depth _____ ft.
Was a drive shoe used? Yes No Plugs _____ Size: location _____ ft.
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: 3/4 — 1/2
Gravel placed from 20 ft. to bottom ft.

(10) LOCATION OF WELL:

County Marion Driller's well number 8401
SE Section 9 T. 4S R. 1W W.M.
Tax Lot # _____ Lot _____ Blk _____ Subdivision _____

Address at well location: _____

(11) WATER LEVEL: Completed well.

Depth at which water was first found 55 ft.
Static level 30 ft. below land surface. Date 3/12/84
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing _____

Depth drilled 186 ft. Depth of completed well 175 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 and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
See sheet attached			

Work started 10/24 19 83 Completed 3/26 1984
Date well drilling machine moved off of well 2/3 1984

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] Donald L. Davis Date 4-3 1984
(Drilling Machine Operator)

Drilling Machine Operator's License No. 1085

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 Schneider Equipment, Inc. (Type or print)
Address 21881 River Rd NE, St. Paul, Or (Type or print)
97137
[Signed] Stephen Schneider
(Water Well Contractor)

Contractor's License No. 644 Date 4-3 1984

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date of well completion.



Water Resources Department
MILL CREEK OFFICE PARK
555 13th STREET N.E., SALEM, OREGON 97310

RECEIVED

APR 6 1984

WATER RESOURCES DEPT
SALEM, OREGON

PHONE 378-8455

February 3, 1984

Stephen J. Schneider
Schneider Equipment
21881 River Road, NE
St. Paul, OR 97137

Dear Mr. Schneider:

Your request for a variance of Well Construction Standards is approved at the Montecucco Well. This well is located at Township 4 South, Range 1 West, Section 9 in Marion County. We will allow the removal of the drilling machine before completion of well construction provided the well be securely covered when unattended.

Sincerely,

R.W. NIMROD
Well Construction Specialist

RW:swpc

cc: C.R. King

G482C

Application No. G-14994
Permit No.

Virgil Montecucco

8401

(5) Casing & (6) Perforations:

6" diam. from +1.1 to 27.3 Gauge .250
8" diam. from +1.4 to 124.9 Gauge .250
8" diam. from 124.9 to 166.1 Gauge .322 Mill Perf. 640-3/8 x 2½
8" diam. from 166.1 to 185.7 Gauge .250
12" diam. from +2.2 to 115.7 Gauge .330
12" diam. from 115.7 to 136.7 Gauge .375 Mill Perf. 480-3/8 x 2½
12" diam. from 136.7 to 156.7 Gauge .250 Torch Perf. 228-3/8 x 6
12" diam. from 170.1 to 186.1 Gauge .330

RECEIVED

APR 6 1984

**WATER RESOURCES DEPT
SALEM, OREGON**

Application No. G-14994
Permit No.



Water Resources Department
MILL CREEK OFFICE PARK
555 13th STREET N.E., SALEM, OREGON 97310

RECEIVED

APR 6 1984
WATER RESOURCES DEPT.
SALEM, OREGON
PHONE 378-8455

May 24, 1978

Milo Schneider
Schneider Equipment, Inc.
21881 River Road N.E.
St. Paul, Oregon 97137

Dear Mr. Schneider:

Please accept my apologies for the delay in responding to your recent letter requesting special standards for the use of concrete instead of cement grout as a sealing material in large diameter wells that provide excessive space between the drill hole wall and the outside casing of the well. You are hereby granted special permission to use concrete instead of neat cement with the following provisions and conditions:

- 1) Concrete shall consist of clean, hard, durable aggregate, and not less than five sacks of Portland cement per cubic yard of concrete. Maximum diameter of the aggregate shall not exceed 3/4 of an inch in diameter.
- 2) If the well bore hole to be sealed is not dry, concrete shall be pumped from the bottom of the seal zone upward in one continuous operation to land surface.
- 3) In the event that the well bore annular space to be sealed is dry, concrete shall be placed through a tremie pipe to prevent segregation of the aggregate and cement mixture and to prevent bridging.
- 4) The space between the sealing surfaces of all casings and between all casings and the bore hole shall exceed 3-inches or more.

Special standards to construct a well as described above shall be considered to apply to all wells constructed in such a manner. Please refer to these special standards on the well reports of all well constructed in this manner.

Sincerely,

William B. McCall
WILLIAM B. MCCALL
Hydrogeologist

Application No. G-14994
Permit No.

WBM:clh
cc: Clifton R. King, Watermaster, District #16

Virgil Montecucco

RECEIVED

APR 6 1984

WATER RESOURCES DEPT.
SALEM, OREGON

(12) Well Log

<u>From</u>	<u>To</u>	<u>Description</u>
0	3	Top soil, brown
3	39	Clay, brown
39	55	Clay, gray
55	57	Clay, gray, sandy & sandstone, black, fine, sandy
57	58	Sandstone, black, hard
58	59	Clay, brown
59	66	Sandstone, brown, hard
66	75	Sand, brown, fine
75	81	Sand, brown, medium to coarse w/ some 1/2 minus gravel
81	85	Gravel & sand cemented, brown, 2" minus
85	94	Gravel, 8" minus, cemented w/ some clay, brown
94	96	Sand, brown, fine-medium
96	99	Gravel, 6" minus
99	106	Sand, brown, fine-medium
106	111	Sand, brown, fine & some gravel
111	116	Gravel & sand, 1" minus, some cemented, brown
116	118	Gravel, 6" minus w/ clay, brown
118	120	Clay, gray
120	121	Clay, gray & wood
121	123	Sand, black, medium w/ some small gravel & wood
123	129	Sand, black, medium w/ some 3/4 minus gravel
129	130	Clay & gravel, gray
130	133	Gravel, 3/4 minus & sand, black, medium-coarse
133	136	Sand, black, fine-medium
136	139	Gravel, 1" minus and sand, black, medium-coarse
139	142	Gravel & sand, black, coarse
142	149	Gravel, 3/4 minus w/ some sand, black, coarse
149	154	Gravel, 2" minus & sand, black, medium coarse
154	169	Gravel, 3" minus & sand, black, coarse, some cemented
169	173	Clay, light gray, firm
173	182	Clay, blue-gray, firm
182	186	Clay, blue-green, sandy

Application No. G-14994

Permit No. (

IR CHECKLIST

Application # G-14994 Priority Date: 6/8/99
Basin: 2-WIU County: MARION
Township 4S Range 1W Section 9 1/4 1/4 SWSE
WAB: 010412 POU WAB: _____

1. Complete by Minimum Requirements checklist Y N Items still required: _____

2. Groundwater Review A B C D River/Stream Name unnamed stream? Senecal ck
Conditions 7B, 7A Water Availability A B C

3. Is the well located in a groundwater limited area? Y N Name _____

4. Is the well located in T1N R3E SEC 20, 21, 28, 29 Y N

5. Within or above a Scenic Waterway Y N Conditions/Restrictions Y N

6. Basin Maps have been checked Y N Senecal ck? Budding R.

7. Allowed under Basin Program Y N Limitations Y N 690-502-120(5)

8. Withdrawn Y N Season Allowed NOV 1 - AP: 30 and 5/1 - 10/31 100% not to exceed

9. Water Availability 80% NOV-AP 50% _____ N/A

10. Use CO Period of allowed use _____

11. Season requested by applicant 4R

12. For Irrigation: Rate _____ Duty _____ Season _____

13. For Nursery or Cranberry: Rate _____ Duty _____ Season _____

14. Allowable rate of use: 1.0 cfs

Requested Rate: 1.0 cfs

15. BOR project Y N Contract # _____

16. Subject to Division 33: Y N N/A Above Bonneville _____ TES Y N

Below Bonneville TES Y N TES only Y N

17. Conflict Y N

18. Conditions? (BOR, GW, other) Y N

19. Measuring condition Small _____ Medium _____ Large

20. Within Dept. Of Agriculture Water Quality Management Area Y N N/A

TUALATIN _____ BEAR CREEK(ROGUE) _____

21. On DEQ 303d list Y N N/A

22. Land use approval OK'd Needs Approval County Notified N/A

23. Watermaster Dist: (1 2 6 18 20 NWR) (3 4 5 NCR) (6 8 9 10 ER)

(11 12 17 SCR) (13 14 15 19 SWR)

24. ODFW Biologist _____

24. Letter will be: GOOD LIMITED BAD BAD W/IR SHORT BAD W/HC EXCEPT

Name: [Signature] Date: 8/12/99

(5) Except as specified in this section, the tributaries of the Pudding River are classified for domestic, livestock, irrigation, municipal, industrial, agricultural, commercial, power, mining, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses from November 1 through April 30 and only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses from May 1 through October 31.

(6) The following streams and tributaries are classified for domestic, livestock, irrigation, municipal, industrial, agricultural, commercial, power, mining, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses from December 1 through April 30, and only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses from May 1 through November 30:

14

- (a) Butte Creek tributary to Pudding River;
- (b) Abiqua Creek tributary to Pudding River.

Stat. Auth.: ORS 536.220, 536.300, 536.310, 536.340, 536.410, 537.170, 537.356 & 537.358

Hist.: WRD 4-1992, f. & cert. ef. 3-13-92; WRD 12-1992, f. & cert. ef. 9-9-92

Tualatin River Subbasin

690-502-130 The Tualatin subbasin includes the drainage area of the Tualatin River upstream from the confluence with the Willamette River near West Linn:

(1) Surface water classification:

(a) The following streams and tributaries are withdrawn from further appropriation except for storage, unless otherwise indicated, by order of the State Engineer on the specified dates:

(A) Unnamed stream flowing through Sections 10, 15, and 21, Township 1 South, Range 3 West, Willamette Meridian, tributary to the Tualatin River, by order dated August 13, 1951;

(B) Unnamed stream flowing through Sections 32, 33, 34 and 35, Township 1 North, Range 3 West, Willamette Meridian, tributary to Dairy Creek, by order dated July 25, 1951;

(C) Unnamed stream, known locally as Burris Creek, flowing through northeast part of Township 2 South, Range 3 West, Willamette Meridian, and Sections 5 and 6, Township 2 South, Range 2 West, Willamette Meridian, tributary to the Tualatin River, by order dated July 25, 1951;

(D) Unnamed stream flowing in the south part of Township 1 South, Range 2 West, Willamette Meridian, tributary to the Tualatin River, by order dated August 4, 1950;

(E) Unnamed stream flowing through Sections 19, 29, 30, 31 and 32, Township 1 South, Range 3 West, Willamette Meridian, tributary to the Tualatin River, by order dated August 8, 1950;

(F) Clear Creek and Iler Creek west of the north-south line between Township 1 North, Ranges 4 and 5 West, being tributaries to Gales Creek for the exclusive use of the City of Forest Grove under permit 12034, by order dated March 2, 1936;

(G) Unnamed branch of Clear Creek within Sections 18, 19, 29 and 30, Township 1 North, Range 4 West, Willamette Meridian, for the exclusive of the City of Forest Grove under permit 13944 by order dated October 19, 1939.

Molalla River — Pudding River Subbasin

690-502-120 The Molalla — Pudding Subbasin includes the drainage area of the Molalla and Pudding Rivers upstream from the confluence with the Willamette River near Canby. Surface water classification:

(1) The following streams and tributaries are withdrawn from further appropriation except storage:

13

(a) The North and South Forks of Silver Creek above their confluence are withdrawn from further appropriation for any purpose except use in state parks by act of the Legislature, ORS 538.120;

(b) Drift Creek, a tributary of the Pudding River near river mile 51, is withdrawn from further appropriation by order of the State Engineer dated August 8, 1951;

(c) The unnamed stream flowing through Section 25, Township 5 South, Range 2 West, Willamette Meridian and Sections 29, 30 and 32, Township 5 South, Range 1 West, Willamette Meridian, tributary to the Pudding River near river mile 31, is withdrawn from further appropriation by order of the State Engineer dated July 25, 1951;

(d) The unnamed stream flowing through Sections 4, 9 and 10, Township 7 South, Range 1 West, Willamette Meridian, a tributary to Brush Creek near Silverton, is withdrawn from further appropriation by order of the State Engineer dated September 22, 1950;

(e) Rock Creek, tributary to the Pudding River near river mile 12, is withdrawn from further appropriation by order of the State Engineer dated August 13, 1951.

(2) The Molalla River and tributaries, except the Pudding River and tributaries, are classified for domestic, livestock, irrigation, municipal, industrial, agricultural, commercial, power, mining, recreation, fish life, wildlife, pollution abatement, wetland enhancement and public instream uses from November 1 through May 31, and only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses from June 1 through October 31.

(3) The following streams and tributaries are classified year-round for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses only:

(a) Molalla River and Table Rock Fork above their confluence near river mile 40;

(b) Gawley Creek tributary to Molalla River;

(c) Pine Creek tributary to Molalla River;

(d) Trout Creek tributary to Molalla River;

(e) North Fork Molalla River tributary to Molalla River;

(f) Cedar Creek tributary to the Molalla River near river mile 24;

(g) Dickey Creek tributary to Molalla River;

(h) Milk Creek, and Cedar Creek above their confluence near Union Mills tributary to Molalla River;

(i) Gribble Creek tributary to Molalla River;

(j) Ogle Creek tributary to Molalla River.

(4) The Pudding River main stem is classified for domestic, livestock, irrigation, municipal, industrial, agricultural, commercial, power, mining, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses from October 1 through April 30 and only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses from May 1 through September 30.

WATER AVAILABILITY TABLE

Basin: WILLAMETTE Exceedance Level: 80
 Water Availability Subbasin: 0104120000000000 (and Nested Subbasins)
 Time: 14:34 Date: 08/12/1999

Item #	W.A. Subbasin	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	0100000000000000	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
2	0104000000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	YES	YES
3	0104100000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	YES	YES
4	0104120000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	YES	YES

STREAM NAMES

Basin: WILLAMETTE
 Water Availability Subbasin: 0104120000000000 (and Nested Subbasins)
 Time: 14:34 Date: 08/12/1999

WAB #	Stream Name	Tributary to
0100000000000000	WILLAMETTE R @ mouth	COLUMBIA R
0104000000000000	MOLALLA R @ mouth	WILLAMETTE R
0104100000000000	PUDDING R @ mouth	MOLALLA R
0104120000000000	MILL CR @ mouth	PUDDING R

LIMITING WATER AVAILABILITY SUBBASINS

Water Availability Subbasin: 0104120000000000
 Basin: WILLAMETTE Exceedance Level: 80
 Time: 14:34 Date: 08/12/1999

Month	Limiting Subbasin	Stream Name	Water Available?	Net Water Available
1	0104120000000000	MILL CR @ mouth	YES	38.0
2	0104120000000000	MILL CR @ mouth	YES	52.5
3	0104120000000000	MILL CR @ mouth	YES	37.4
4	0104120000000000	MILL CR @ mouth	YES	26.5
5	0104120000000000	MILL CR @ mouth	YES	10.4
6	0104000000000000	MOLALLA R @ mouth	NO	-168.0
7	0104000000000000	MOLALLA R @ mouth	NO	-160.0
8	0104000000000000	MOLALLA R @ mouth	NO	-96.0
9	0104000000000000	MOLALLA R @ mouth	NO	-79.1
10	0104000000000000	MOLALLA R @ mouth	NO	-279.0
11	0104120000000000	MILL CR @ mouth	YES	5.3
12	0104120000000000	MILL CR @ mouth	YES	24.8
Stor	0104120000000000	MILL CR @ mouth	YES	28200.0

DETAILED REPORT ON WATER AVAILABILITY

Basin: WILLAMETTE

Exceedance Level: 80

Stream: WILLAMETTE R @ mouth

Water Availability Subbasin: 0100000000000000

ID Number: 181

Time: 14:34

Date: 08/12/1999

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	28800.00	483.00	28300.00	266.00	28000.00	1500.00	26500.00
2	31100.00	3550.00	27600.00	264.00	27300.00	1500.00	25800.00
3	29300.00	4600.00	24700.00	253.00	24400.00	1500.00	22900.00
4	26100.00	4410.00	21700.00	240.00	21500.00	1500.00	20000.00
5	21200.00	2170.00	19000.00	233.00	18800.00	1500.00	17300.00
6	10900.00	1270.00	9630.00	425.00	9200.00	1500.00	7700.00
7	6300.00	1640.00	4660.00	429.00	4230.00	1500.00	2730.00
8	4940.00	1470.00	3470.00	396.00	3070.00	1500.00	1570.00
9	5030.00	1090.00	3940.00	373.00	3570.00	1500.00	2070.00
10	6030.00	358.00	5670.00	178.00	5490.00	1500.00	3990.00
11	12800.00	374.00	12400.00	217.00	12200.00	1500.00	10700.00
12	25800.00	415.00	25400.00	264.00	25100.00	1500.00	23600.00
Stor	19900000	1960000	18000000	212000	17800000	1080000	16700000

DETAILED REPORT OF ISWRs

Basin: WILLAMETTE

Stream: WILLAMETTE R @ mouth

Water Availability Subbasin: 0100000000000000

Time: 14:34

Date: 08/12/1999

-----ISWRs-----							
APP #	181A	0	0	0	0	RESULTANT	
STATUS	Cert.						
1	1500.00	.00	.00	.00	.00	1500.00C	
2	1500.00	.00	.00	.00	.00	1500.00C	
3	1500.00	.00	.00	.00	.00	1500.00C	
4	1500.00	.00	.00	.00	.00	1500.00C	
5	1500.00	.00	.00	.00	.00	1500.00C	
6	1500.00	.00	.00	.00	.00	1500.00C	
7	1500.00	.00	.00	.00	.00	1500.00C	
8	1500.00	.00	.00	.00	.00	1500.00C	
9	1500.00	.00	.00	.00	.00	1500.00C	
10	1500.00	.00	.00	.00	.00	1500.00C	
11	1500.00	.00	.00	.00	.00	1500.00C	
12	1500.00	.00	.00	.00	.00	1500.00C	

DETAILED REPORT ON WATER AVAILABILITY

Basin: WILLAMETTE

Exceedance Level: 80

Stream: MOLALLA R @ mouth

Water Availability Subbasin: 0104000000000000

ID Number: 69796

Time: 14:34

Date: 08/12/1999

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	1870.00	22.00	1850.00	37.10	1810.00	500.00	1310.00
2	2010.00	24.80	1990.00	35.70	1950.00	500.00	1450.00
3	1830.00	7.29	1820.00	30.30	1790.00	500.00	1290.00
4	1530.00	11.00	1520.00	24.90	1495.00	500.00	995.00
5	927.00	46.50	881.00	20.20	861.00	500.00	361.00
6	431.00	78.60	352.00	19.90	332.00	500.00	-168.00
7	204.00	137.00	66.80	27.20	40.00	200.00	-160.00
8	139.00	112.00	26.80	22.80	4.00	100.00	-96.00
9	134.00	49.10	84.90	14.00	70.90	150.00	-79.10
10	188.00	10.90	177.00	5.63	171.00	450.00	-279.00
11	637.00	12.50	625.00	17.10	608.00	500.00	108.00
12	1700.00	20.70	1680.00	35.70	1640.00	500.00	1140.00
Stor	1320000	31900	1290000	17400	1270000	293000	994000

DETAILED REPORT OF ISWRs

Basin: WILLAMETTE

Stream: MOLALLA R @ mouth

Water Availability Subbasin: 0104000000000000

Time: 14:34

Date: 08/12/1999

-----ISWRs-----							
APP #	69796A	0	0	0	0	RESULTANT	
STATUS	Cert.						
1	500.00	.00	.00	.00	.00	500.00C	
2	500.00	.00	.00	.00	.00	500.00C	
3	500.00	.00	.00	.00	.00	500.00C	
4	500.00	.00	.00	.00	.00	500.00C	
5	500.00	.00	.00	.00	.00	500.00C	
6	500.00	.00	.00	.00	.00	500.00C	
7	200.00	.00	.00	.00	.00	200.00C	
8	100.00	.00	.00	.00	.00	100.00C	
9	150.00	.00	.00	.00	.00	150.00C	
10	450.00	.00	.00	.00	.00	450.00C	
11	500.00	.00	.00	.00	.00	500.00C	
12	500.00	.00	.00	.00	.00	500.00C	

DETAILED REPORT ON WATER AVAILABILITY

Basin: WILLAMETTE

Exceedance Level: 80

Stream: PUDDING R @ mouth

Water Availability Subbasin: 0104100000000000

ID Number: 69998

Time: 14:34

Date: 08/12/1999

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	1120.00	17.00	1100.00	34.30	1066.00	80.00	986.00
2	1260.00	20.50	1240.00	32.90	1210.00	80.00	1130.00
3	1080.00	3.01	1080.00	27.60	1052.00	80.00	972.00
4	834.00	5.85	828.00	22.20	806.00	80.00	726.00
5	448.00	27.70	420.00	17.40	403.00	80.00	323.00
6	231.00	58.60	172.00	17.20	154.80	60.00	94.80
7	111.00	95.50	15.50	24.40	-8.90	50.00	-58.90
8	71.60	79.00	-7.38	20.10	-27.50	40.00	-67.50
9	67.90	41.60	26.30	11.50	14.80	40.00	-25.20
10	91.50	5.76	85.70	3.27	82.40	60.00	22.40
11	364.00	7.72	356.00	14.50	342.00	80.00	262.00
12	1010.00	15.70	994.00	32.90	961.00	80.00	881.00
Stor	746000	22600	723000	15500	708000	48500	663000

DETAILED REPORT OF ISWRs

Basin: WILLAMETTE

Stream: PUDDING R @ mouth

Water Availability Subbasin: 0104100000000000

Time: 14:34

Date: 08/12/1999

-----ISWRs-----							
APP #	69998A	73532A	0	0	0	RESULTANT	
STATUS	Cert.	Cert.					
1	80.00	36.00	.00	.00	.00	80.00C	
2	80.00	36.00	.00	.00	.00	80.00C	
3	80.00	36.00	.00	.00	.00	80.00C	
4	80.00	36.00	.00	.00	.00	80.00C	
5	80.00	36.00	.00	.00	.00	80.00C	
6	60.00	36.00	.00	.00	.00	60.00C	
7	50.00	36.00	.00	.00	.00	50.00C	
8	40.00	36.00	.00	.00	.00	40.00C	
9	40.00	36.00	.00	.00	.00	40.00C	
10	60.00	36.00	.00	.00	.00	60.00C	
11	80.00	36.00	.00	.00	.00	80.00C	
12	80.00	36.00	.00	.00	.00	80.00C	

DETAILED REPORT ON WATER AVAILABILITY

Basin: WILLAMETTE
 Stream: MILL CR @ mouth
 Water Availability Subbasin: 0104120000000000
 Time: 14:34

Exceedance Level: 80
 ID Number: 30200901
 Date: 08/12/1999

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	39.20	.20	39.00	1.05	38.00	.00	38.00
2	53.90	.30	53.60	1.09	52.50	.00	52.50
3	38.40	.00	38.40	.97	37.40	.00	37.40
4	27.60	.20	27.40	.95	26.50	.00	26.50
5	13.70	1.30	12.40	1.99	10.40	.00	10.40
6	8.72	2.58	6.14	3.62	2.52	.00	2.52
7	3.79	4.42	-.63	5.70	-6.33	.00	-6.33
8	2.09	3.60	-1.51	4.69	-6.20	.00	-6.20
9	1.88	1.73	.15	2.70	-2.55	.00	-2.55
10	2.39	.17	2.22	.55	1.67	.00	1.67
11	6.05	.06	5.99	.65	5.34	.00	5.34
12	25.90	.10	25.80	.98	24.80	.00	24.80
Stor	30000	856	29100	1490	28300	0	28300

DETAILED REPORT OF ISWRs

Basin: WILLAMETTE
 Stream: MILL CR @ mouth
 Water Availability Subbasin: 0104120000000000
 Time: 14:34

Date: 08/12/1999

ISWRs							RESULTANT
APP #	0	0	0	0	0	0	
STATUS							
1	.00	.00	.00	.00	.00	.00	.00
2	.00	.00	.00	.00	.00	.00	.00
3	.00	.00	.00	.00	.00	.00	.00
4	.00	.00	.00	.00	.00	.00	.00
5	.00	.00	.00	.00	.00	.00	.00
6	.00	.00	.00	.00	.00	.00	.00
7	.00	.00	.00	.00	.00	.00	.00
8	.00	.00	.00	.00	.00	.00	.00
9	.00	.00	.00	.00	.00	.00	.00
10	.00	.00	.00	.00	.00	.00	.00
11	.00	.00	.00	.00	.00	.00	.00
12	.00	.00	.00	.00	.00	.00	.00



Oregon Water Resources Department Land Use Information Form

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JUN 08 1999

WATER RESOURCES DEPT.

This information is needed to determine compatibility with local comprehensive plans as required by ORS 17.000. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT fill out this form if water is to be diverted, conveyed, or used only on federal lands.

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: Bill Olinger Properties, L.L.C.

Address: 1834 SW 58th Ave. Suite 204

City: Portland State: Or. Zip: 97221 Day Phone: (503) 297-0142

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
4 IW 09DC 00100	(COMMERCIAL) INTERCHANGE DISTRICT / ID	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used

List counties and cities where water is proposed to be diverted, conveyed, or used. Marion

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): Commercial Use

Briefly describe: Use of water for consumption, sanitation, food processing, and fire protection. R.V. PARK + RELATED

ACTIVITIES

D. Source

Indicate the source for the proposed water use:

Reservoir/Pond Ground Water Surface Water _____ (source)

E. Quantity

Indicate the estimated quantity of water the use will require:

1 CFS GPM Acre-Feet

For Local Government Use Only

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

A. Allowed Use

Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); _____ . Go to section B "Approval" below
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
CONDITIONAL USE	Chapter 150 Rural Zoning Ordinance	<input checked="" type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

B. Approval

Please provide printed name and written signature.

Name: NORMAN BICKELL Date: 6/2/99

Title: Associate Planner Phone: 588-5038

Signature: *Norman Bickell*

C. Additional Comments

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

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WATER RESOURCES DEPT.
SALEM, OREGON

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WFD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)

214994

Until a change is requested, all tax statements are to be sent to the following address:

Mr. and Mrs. Bill Olinger
6214 S.W. Sweetbriar Court
Portland, OR 97221

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.

The property described in this instrument contains an existing and active well.

Well Identification Number: L22967

DATED: January 27, 1998.

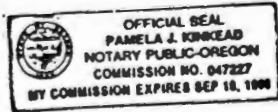
EHLEN CORP., an Oregon corporation

Paul Montecusco
By: Paul Montecusco
Its: President

STATE OF OREGON)
) ss
County of Multnomah)

On this 27th day of January 1998, personally appeared before me the above named Paul A. Montecusco and, being first duly sworn, did say that he is President of EHLEN CORP., and he signed the foregoing Statutory Warranty Deed on behalf of said corporation by authority of its Board of Directors.

Pamela J. Kinkead
Notary Public for Oregon
My commission expires: 9/19/99



Page 2 - Statutory Warranty Deed

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WATER RESOURCES DEPT.
SALEM, OREGON

1457
0553

- 1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records, proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings whether or not shown by the records of such agency or by the public records.
- 2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession.
- 3. Easements, or claims of easements or encumbrances, not shown by the public records, reservations or exceptions in patents or in acts authorizing the issuance thereof, water rights, claims or title to water.
- 4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose.
- 5. Any statutory liens for labor or material, including liens for contributions due to the State of Oregon for unemployment compensation and for worker's compensation, which have now gained or may gain priority over the lien of the insured deed of trust, which liens do not now appear of record.
- 6. Rights of the public and governmental agencies in and to any portion of said land lying within the boundaries of streets, roads and highways.
- 7. The herein described property has been classified for Farm Use, as disclosed by the tax roll. In the event of disqualification, said property may be subject to additional taxes and/or penalties.

8. Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Portland General Electric Company
 Purpose: Utilities
 Recorded: June 22, 1953, Book 452, Page 571
 Affects: The specific location is not defined of record

9. Limited access as set forth in deed from Norman L. Yergen and Helen D. Yergen to the state of Oregon, by and through it's State Highway Commission, recorded October 10, 1953, Book 456, Page 119 which provides that no right of easement or right of right of access to, from or across the State Highway, other than expressly provided for, shall attach to the abutting property.

Affects:

10. Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: United States of America
 Purpose: Transmission Lines
 Recorded: October 16, 1958, Book 493, Page 409
 Affects: The specific location is not defined of record

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WATER RESOURCES DEPT.
SALEM, OREGON

11. Limited access as set forth in deed from Norman L. Yergen and Helen D. Yergen to the state of Oregon, by and through it's State Highway Commission, recorded April 12, 1971, Book 701, Page 32 which provides that no right of easement or right or right of access to, from or across the State Highway, other than expressly provided for, shall attach to the abutting property.

Affects:

12. Easement(s) for the purpose(s) shown below and rights incidental thereto as reserved in a document.

Reserved by: Norman L. Yergen and Helen D. Yergen
Purpose: Roadway
Recorded: October 15, 1976, Book 60, Page 424
Affects: A portion of parcels II and III

13. Easement(s) for the purpose(s) shown below and rights incidental thereto as reserved in a document.

Reserved by: Norman L. Yergen and Helen D. Yergen
Purpose: Roadway
Recorded: February 7, 1978, Book 112, Page 376
Affects: A portion of parcels II and III

14. Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Portland General Electric Company
Purpose: Utilities
Recorded: April 6, 1983, Book 307, Page 520
Affects: Westerly 5 feet of parcel III

15. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the plat of said property.

Purpose: Ingress and Egress
Affects: See document for location

Said easement is shown on major partitioning plat No. 83-15, which recorded December 17, 1984, in Reel 365, at page 724, Marion County Records.

16. Matters contained in that certain document entitled "Fargo Interchange Service District Assessment Agreement", dated March 11, 1994, by and between Virgil Montecucco, etal, recorded September 21, 1995, Book 1262, Page 317

Reference is made to said document for full particulars.

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WATER RESOURCES DEPT.
SALEM, OREGON

C 14994

That portion of the herein described property which lies West of Interstate Highway I-5 (which highway divides the herein after described premises): (Parcel I, intentionally omitted)

PARCEL II: 40745-000

OHW 09DC-00100

Beginning at a point in the South line of the Donation Land Claim of Jacob Grimm and wife in Township 4 South, Range 1 West of the Willamette Meridian in Marion County, Oregon, said point of beginning being 23.88 chains East from the most Westerly Southwest corner of said Donation Land Claim, and from thence running North 8.76 chains, thence South 77°15' West 12.24 chains, thence North 33.01 chains to the North boundary of said Jacob Grimm Donation Land Claim, thence South 72°45' West along the North boundary of the said claim, 12.50 chains to the Northwest corner of the same, thence South 35.36 chains to the most Westerly Southwest corner of the said Claim, thence East 23.88 chains to the place of beginning.

ALSO: Beginning on the North boundary line of and 12.50 chains North 72°45' East of the Northwest corner of the Donation Land Claim of Jacob Grimm and wife, same being Claim No. 46, Township 4 South, Range 1 West of the Willamette Meridian in Marion County, Oregon, thence running South 33.01 chains, thence North 77°15' East 93 links, thence North 33.08 chains to the North boundary of said Claim No. 46, thence South 72°45' West 95 links to the place of beginning.

PARCEL III: 40327-000

OHW 09DC-00400

Beginning at a point that is located 500.00 feet North 72°45' East and 453.75 feet South 00°22' West from the Northwest corner of the Jacob Grim Donation Land Claim in Township 4 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, thence trotting South 73°07' West a distance of 120.00 feet, thence trotting South 00°22' West a distance of 272.25 feet, thence trotting North 73°07' East a distance of 120.00 feet, thence trotting North 00°22' East a distance of 272.25 feet to the place of beginning.

SHOULD SEE
40331-477
40330-941
40330-786
40330-839
40329-002
40326-000
40331-000

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JUN 08 1999

WATER RESOURCES DEPT.
SALEM, OREGON

1457
0553

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **30261**

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

INVOICE # _____

RECEIVED FROM: Bill Olinger Properties
BY: _____

APPLICATION	G-14994
PERMIT	
TRANSFER	

CASH: CHECK: # 2422 OTHER: (IDENTIFY)

TOTAL REC'D \$ 575.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

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OVER THE COUNTER**

REDUCTION OF EXPENSE

CASH ACCT.	\$
VOUCHER #	

0427 WRD OPERATING ACCT

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

PUR #66111

WATER RIGHTS:			
0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$ 575.00	0204	\$
0205 TRANSFER	\$	0206	\$
WELL CONSTRUCTION	EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$
OTHER (IDENTIFY)			

0437 WELL CONST. START FEE

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

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS	\$
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0467 HYDRO ACTIVITY

0233 POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HRDRO APPLICATION		\$

RECEIPT # **30261**

DATED: 6-8-99 BY: Roger Whight

New App #	Acres	Use	Prim/Supp	Existing APP #	PERMIT	CERT #	Status	Use	Acres	Prim/Supp
G 14994	0.00	CM	P							
4.00S 1.00W 9		SWSE		Conflicts:						
				6963	CG	3580			0.000	P
				13381	G	11856		V	0.000	P
				14209	G	13034		V	0.200	P
				3871	G	3580	42111	C	0.700	P
				11322	G	10449	65974	C	18.300	P

