G5

SS 165

FILE#: G 13225

DANIEL CARVER
HCR 71 BOX 40
MAUPIN, OR 97037

Application No. G13225
Permit No. G12539
Certificate No. 94500

Wasco
Stream Index, Page No. 5

See 73093

FEES PAID

Date	Amount	Receipt No.
12-24-92	200.00	95441
12-7-93	128.00	107781
	Cert. Fee	

Recording

FEES REFUNDED

Date	Amount	Check No.

G-12539

Date filed
Priority
Action suspended until FPD
Return to applicant
Date of approval

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

CONSTRUCTION

Date for beginning 6-19-97
Date for completion 10-1-98
Extended to
Date for application of water 10-1-99
Extended to

PROSECUTION OF WORK

Form "A" filed 8/21/96
Form "B" filed
Form "C" filed 9-16-98

FINAL PROOF

Blank mailed
Proof received
Date certificate issued 8/9/2019
Proposed cert. mailed 5/24/2019

REMARKS

118 Sent 8/27/96
~~No pump test req 7/30/08~~ Pump test Filed on Sept 10 1999

POMP TEST
2/22/2013
APPROVED

SP*70900-119

Oregon
Water Resources Department
Water Right Services Division
725 Summer St NE Ste A
Salem, OR 97301-1266

ADDRESS SERVICE REQUESTED

FIRST CLASS

U.S. POSTAGE PITNEY BOWES
ZIP 97301 $ 001.15⁰
02 4W
0000361889 AUG 12 2019

-R-T-S- 970374039-1N 08/29/19P

RETURN TO SENDER
NO SUCH NUMBER
UNABLE TO FORWARD
RETURN TO SENDER

RECEIVED
SEP 03 2019
OWRD

G-13225
Daniel Carver
HCR 71 Box 40
Maupin, OR. 97037

Oregon
Kate Brown, Governor

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

DATE MAILED: AUG 0 9 2019

NOTICE OF CERTIFICATE ISSUANCE

The attached certificate confirms the water right established under the terms of a permit issued by this Department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

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

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Gerry Clark at 503-986-0811.

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DANIEL CARVER
92462 HINTON RD
MAUPIN OR 97037

confirms the right to the use of water perfected under the terms of Permit G-12539. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-13225

SOURCE OF WATER: WELLS 2, 3 AND 4 IN BUCK HOLLOW CREEK BASIN

PURPOSE or USE: IRRIGATION OF 23.6 ACRES

MAXIMUM RATE: 0.114 CUBIC FOOT PER SECOND (CFS), BEING 0.06 CFS FROM WELL 2, 0.11 CFS FROM WELL 3, AND 0.03 CFS FROM WELL 4

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: DECEMBER 24, 1992

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	16 E	WM	3	SE NE	WELL 2 - 1950 FEET SOUTH AND 900 FEET WEST FROM NE CORNER, SECTION 3
6 S	16 E	WM	3	SE NE	WELL 3 - 1835 FEET SOUTH AND 880 FEET WEST FROM NE CORNER, SECTION 3
6 S	16 E	WM	3	SE NE	WELL 4 - 1565 FEET SOUTH AND 900 FEET WEST FROM NE CORNER, SECTION 3

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

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	16 E	WM	34	NE NE	6.2
5 S	16 E	WM	34	SE NE	7.5
5 S	16 E	WM	34	NE SE	4.4
5 S	16 E	WM	34	SE SE	5.5

Measurement, recording and reporting conditions:

A. The water user shall maintain the meter or other suitable measuring device as approved by the Director in good working order.

B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

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

Use of water under authority of this right may be regulated if analysis of data available after the right is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

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

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

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

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

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

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

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

Issued AUG 0 9 2019.

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

Tm

Ore

725 Summer St NE Ste A
Salem, OR 97301-1266

ADDRESS SERVICE REQUESTED

FIRST CLASS

U.S. POSTAGE PITNEY BOWES
ZIP 97301 $ 001.15⁰
02 4W
0000361889 SEP 13 2019

RECEIVED
SEP 26 2019
OWRD

G-16599
Charles W. Eggert
9955 SW Potano St.
Tualatin, OR. 97062

NIXIE 930 DE 1 0109/21/19
RETURN TO SENDER
NO SUCH NUMBER
UNABLE TO FORWARD
BC: 97301126699 0127N265040-00975

Oregon
Kate Brown, Governor

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

DATE MAILED: SEP 13 2019

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If you have any questions please contact Gerry Clark at 503-986-0811.

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CHARLES W. EGGERT
LOUANNA EGGERT
9955 SW POTANO ST
TUALATIN OR 97062

NORTHWEST FARM CREDIT SERVICES
PO BOX 13309
SALEM OR 97306

confirms the right to the use of water perfected under the terms of Permit G-16257. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-16599

SOURCE OF WATER: WELL #1 (HARN 50472) AND WELL #2 (MALH 2323) IN HARNEY LAKE BASIN

PURPOSE or USE: IRRIGATION USE ON 276.6 ACRES

MAXIMUM RATE: 3.38 CUBIC FEET PER SECOND (CFS); BEING 2.67 CFS FROM WELL #1 for IRRIGATION OF 220.1 ACRES and 0.71 CFS FROM WELL #2 for IRRIGATION OF 56.5 ACRES

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JANUARY 13, 2006

WELL LOCATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	30 E	WM	10	SE SW	WELL #1 - 5316 FEET NORTH AND 6728 FEET EAST FROM SW CORNER, SECTION 16
26 S	30 E	WM	15	SE NE	WELL #2 - 2621 FEET NORTH AND 9878 FEET EAST FROM SW CORNER, SECTION 16

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

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

Irrigation Well #1					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	30 E	WM	15	NW NE	11.6
26 S	30 E	WM	15	SW NE	27.8
26 S	30 E	WM	15	NE NW	33.0
26 S	30 E	WM	15	NW NW	17.5
26 S	30 E	WM	15	SW NW	35.5
26 S	30 E	WM	15	SE NW	40.0
26 S	30 E	WM	15	NE SW	30.0
26 S	30 E	WM	15	NW SW	15.0
26 S	30 E	WM	15	NW SE	9.7

Irrigation Well #2					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	30 E	WM	15	SW NE	1.6
26 S	30 E	WM	15	SE NE	9.8
26 S	30 E	WM	15	NE SE	35.2
26 S	30 E	WM	15	NW SE	9.9

Measurement, recording and reporting conditions:

A. The water user shall maintain the totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.

B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The wells shall produce ground water only from the basalt and volcanic sediments ground water reservoir.

To monitor the effect of water use from the Well #1, the Department may require the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

To monitor the effect of water use from Well #2, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

For Well #2, measurements must be made according to the following schedule:

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

(A) Identify each well with its associated measurement; and
(B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
(C) Specify the method used to obtain each well measurement; and
(D) Certify the accuracy of all measurements and calculations submitted to the Department.

The reference level against which any future measurements will be compared is 102.70 feet below land surface for WELL #1 (HARN 50472).

The reference level against which any future measurements will be compared is 130.30 feet below land surface for WELL #2 (MALH 2323).

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

(A) An average water level decline of three or more feet per year for five consecutive years; or
(B) A water level decline of 15 or more feet in fewer than five consecutive years; or
(C) A water level decline of 25 or more feet; or
(D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non-use or restricted use shall continue until the water level rises above the decline level which triggered the action 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 right. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

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

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

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

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

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

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

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

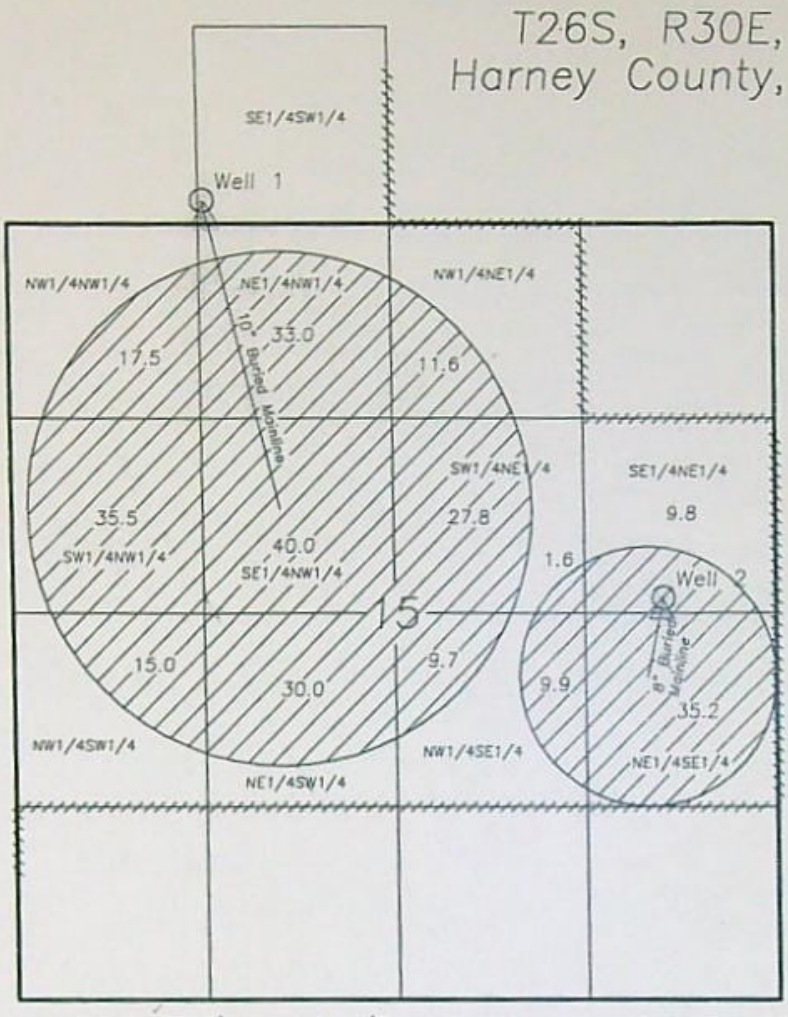
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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

Issued SEP 13 2019.

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

T26S, R30E, W.M.
Harney County, Oregon



SCALE 1"=1320'

Well 1 is 5316'N and 4196'E of the SW corner of Section 16.
Well 2 is 2621'N and 9878'E of the SW corner of Section 16.

Well 1 coordinates more acurately described are
5316' N and 6728' E of SW Cor of Sec 16
GC/WRD
Confirmed by CWRE 51324 5/4/2019

LEGEND

Irrigation Place of Use
Permit G-16257

Property Boundary
Tax Map T26S-R30NE
Tax Lot No. 2300

△ Flow Meter

NOTE: The preparation of this map was for the purpose of identifying the location of the proposed water right and has no intent to provide dimensions or location of property ownership lines.

FINAL PROOF SURVEY

For

Joseph R. Buerman

April 27, 2011

Application G-16599
Permit G-16257

Map Prepared by
Cornerstone Surveying, Inc
P.O. BOX 33
JOHN DAY, OR. 97845
(541)575-1813
cornerstonesurvey@centurytel.net

Certified Water Right Examiner
442
Carl Stout
May 16, 1995
STATE OF OREGON

Mailing List for Final Certificate

Copies Mailed

by: TM
(STAFF)

on: 8/9/2019
(DATE)

Application: G-13225

Permit: G-12539

Certificate: **94500**

Permit/Certificate Holder:

DANIEL CARVER
HCR 71 BOX 40
MAUPIN OR 97037

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **YES**

Copies of Final Certificate to be sent to:

1. Watermaster District #: 3
2. Water Availability
3. Vault
4. File

Other persons to receive copies: (include map):

STATE OF OREGON

COUNTY OF WASCO

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DANIEL CARVER
92462 HINTON RD
MAUPIN OR 97037

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

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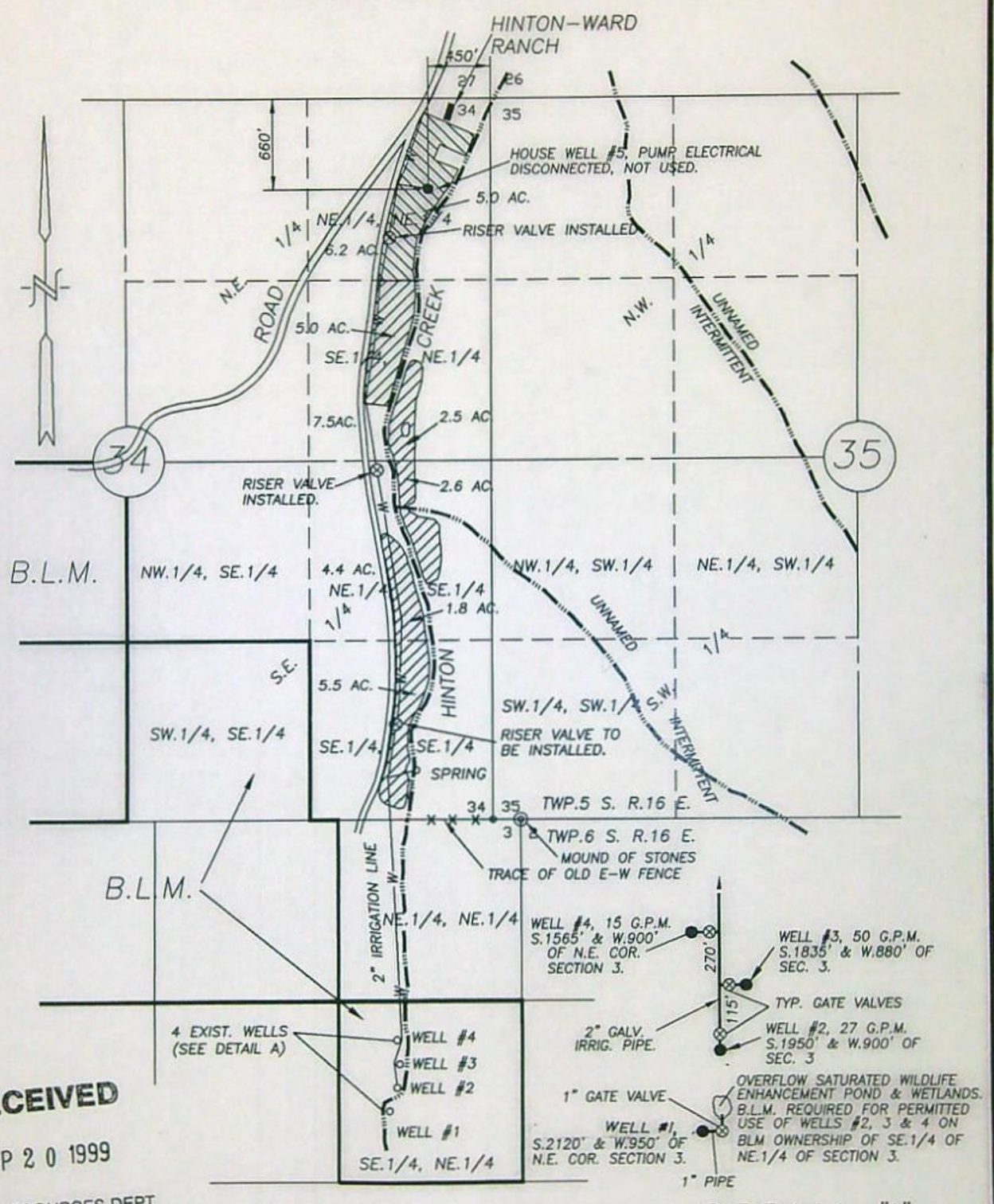
Issued AUG 0 9 2019.

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

SECTION 3, T.6 S. R.16 E. W.M. AND SECTIONS 34 & 35, T.5 S. R.16 E. W.M.

WASCO COUNTY, OREGON



DETAIL "A"

FINAL PROOF SURVEY

SCALE: 1"= 1000'

APPLICATION No. G-13225

PERMIT No. G-12539

IN THE NAME OF: DANIEL CARVER

DATE: SEPTEMBER 15, 1999

BY: TENNESON ENGINEERING CORP.
409 LINCOLN STREET,
THE DALLES, OREGON. 97058
PH. (541) 296-9177

Certified Water Right Examiner
#024
Donald J. Branton
Nov. 19, 1987
STATE OF OREGON

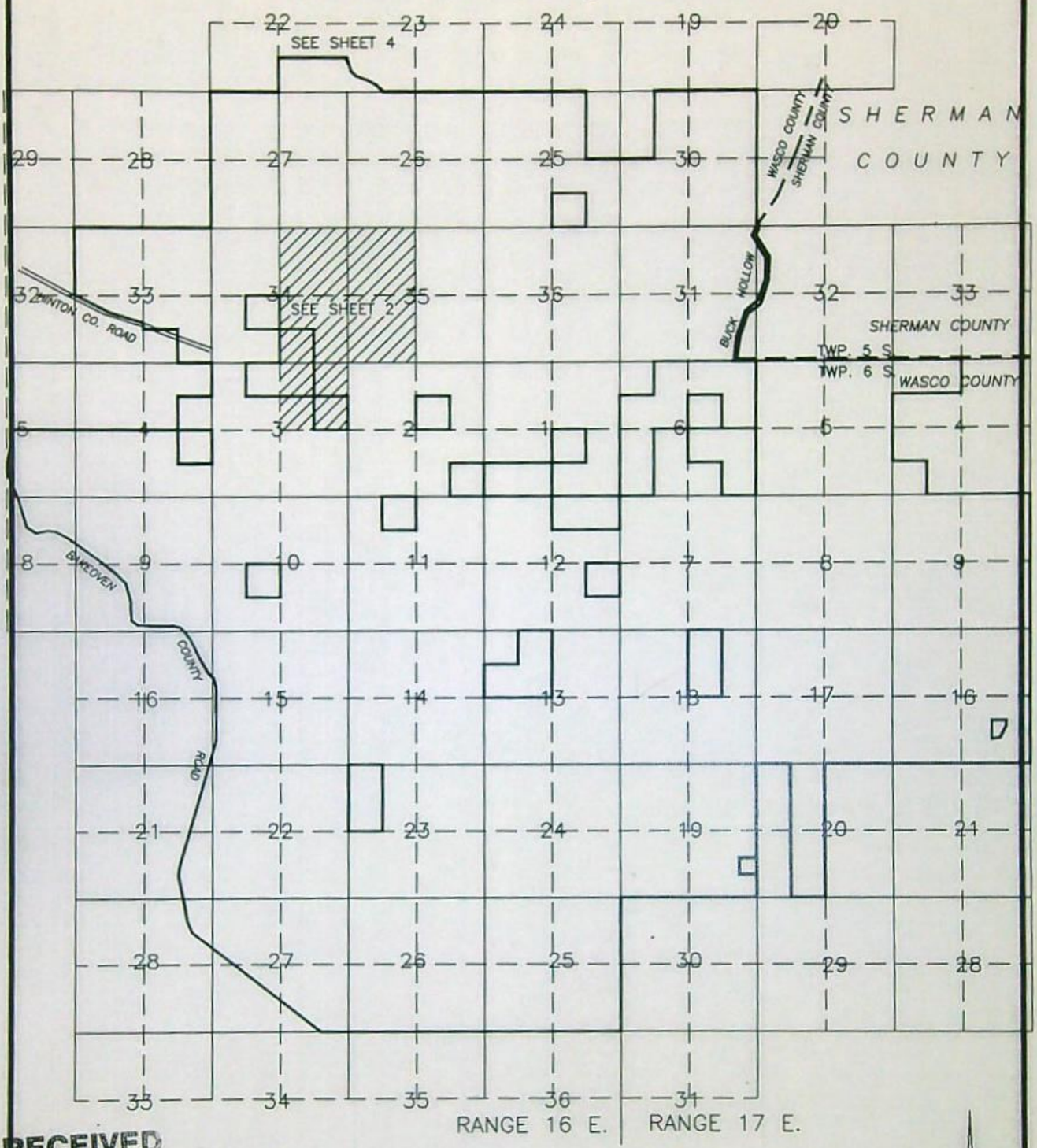
Renew 12/31/99

NOTE:

"THIS MAP IDENTIFIES THE LOCATION OF THE WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATE PROPERTY OWNERSHIP LINES.

W.O. #7797

T.5S. R.16 & 17E. AND T.6S. R.16 & 17 E. W.M.
WASCO COUNTY, OREGON



RECEIVED
SEP 20 1999
WATER RESOURCES DEPT.
SALEM, OREGON

FINAL PROOF SURVEY

SCALE: 1"= 1 MILE

APPLICATION No. G-13225

PERMIT No. G-12539

IN THE NAME OF:

DANIEL CARVER

DATE: SEPTEMBER 15, 1999

BY: TENNESON ENGINEERING CORP.
409 LINCOLN STREET,
THE DALLES, OREGON. 97058
PH. (541) 296-9177

Certified Water Right Examiner
#024
Donald J. Branton
Nov. 19, 1987
STATE OF OREGON

Renew 12/31/99

NOTE:

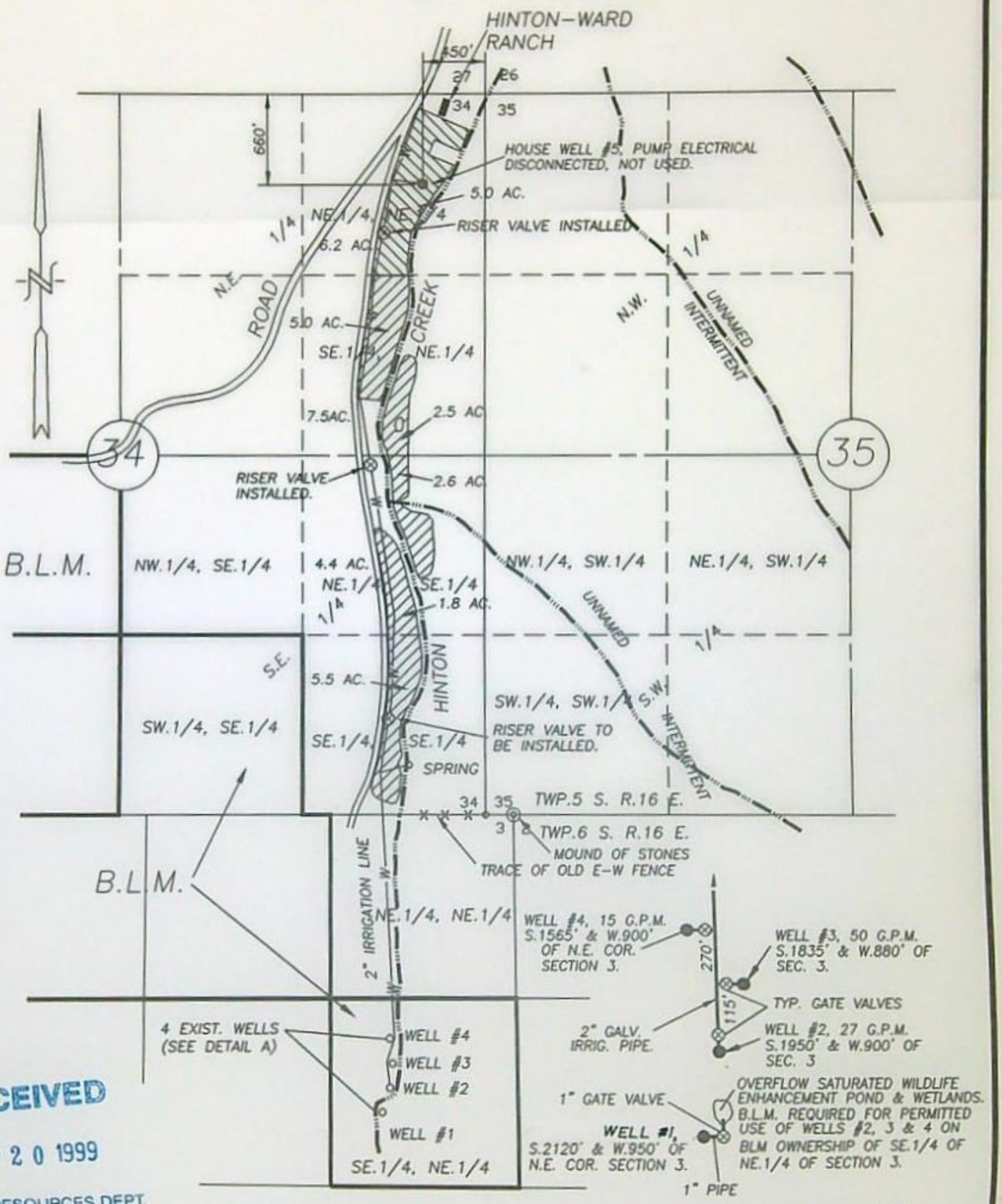
"THIS MAP IDENTIFIES THE LOCATION OF THE WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATE PROPERTY OWNERSHIP LINES.

SHEET 1 OF 2

W.O. #7797

SECTION 3, T.6 S. R.16 E. W.M. AND SECTIONS 34 & 35, T.5 S. R.16 E. W.M.

WASCO COUNTY, OREGON



DETAIL "A"

RECEIVED
SEP 2 0 1999
WATER RESOURCES DEPT.
SALEM, OREGON

FINAL PROOF SURVEY

SCALE: 1"= 1000'

APPLICATION No. G-13225

PERMIT No. G-12539

IN THE NAME OF: DANIEL CARVER

DATE: SEPTEMBER 15, 1999

BY: TENNESON ENGINEERING CORP.
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THE DALLES, OREGON. 97058
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Renew 12/31/09

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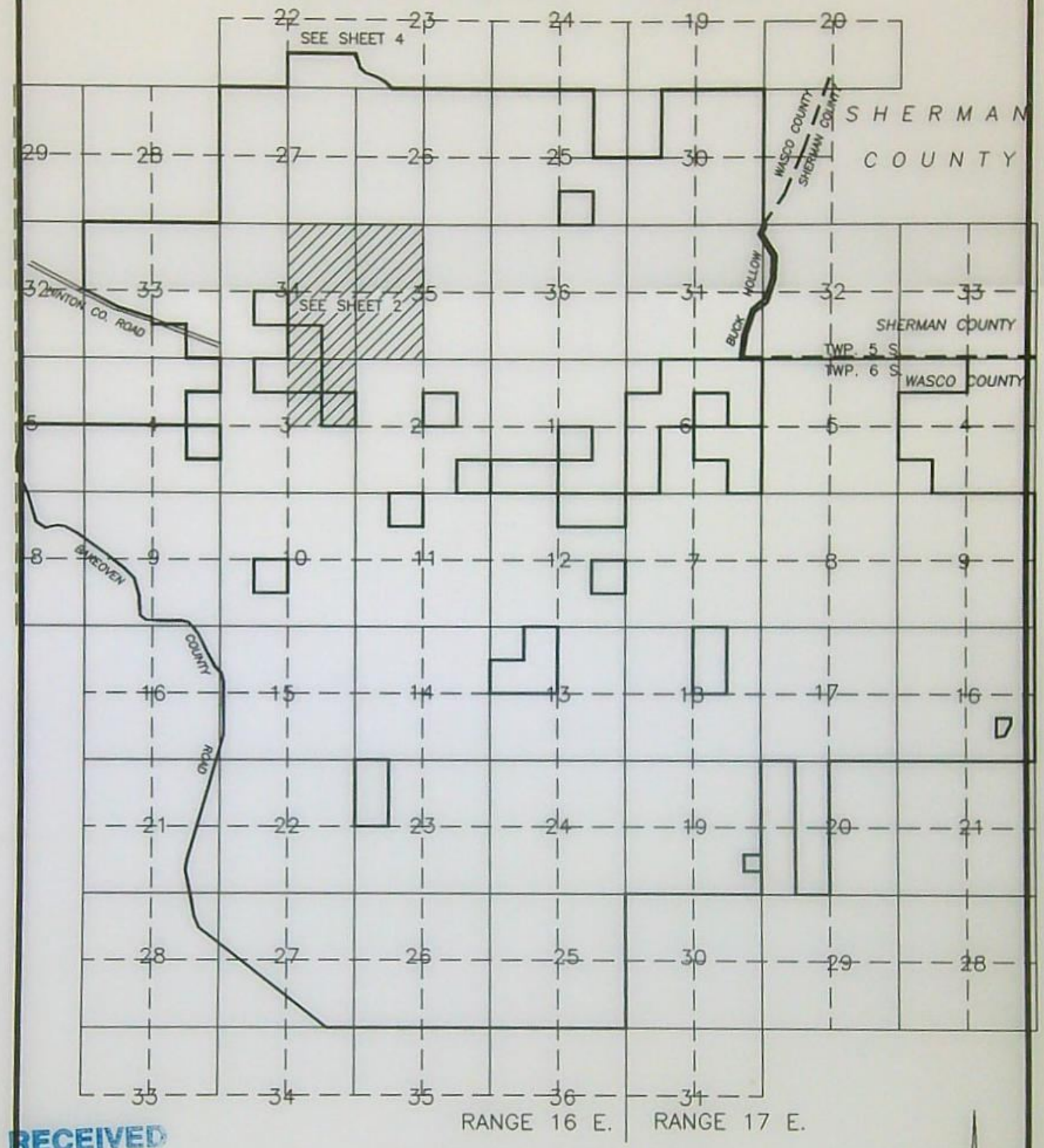
W.O. #7797

T.5S. R.16 & 17E. AND T.6S. R.16 & 17 E. W.M.
WASCO COUNTY, OREGON



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APPLICATION No. G-13225

PERMIT No. G-12539

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DANIEL CARVER

DATE: SEPTEMBER 15, 1999

BY: TENNESON ENGINEERING CORP.
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SHEET 1 OF 2

W.O. #7797

Mailing List for Proposed Certificate

Copies Mailed
by: _____ (STAFF)
on: _____ (DATE)

Application: G-13225

Permit: G-12539

Certificate:

Permit/Certificate Holder:

DANIEL CARVER
92462 HINTON RD
MAUPIN OR 97037

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **YES**

Copies of Proposed Certificate to be sent to:

1. Watermaster District #: 3
2. File

Other persons to receive copies: (include map):

1.

Oregon
Kate Brown, Governor

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

DATE MAILED: MAY 2 4 2019

NOTICE

Reference: Application G-13225, Permit G-12539

Enclosed is a proposed certificate of water right and map. The map and proposed certificate represent the extent water was used within the terms of the permit based upon Claims of Beneficial Use, prepared by a Certified Water Right Examiner, that either you or a previous permit holder submitted.

The certificate is the final step in the water right process. The Department encourages you to review this proposal. If you do not agree with the proposed certificate, Oregon Administrative Rule 690-330-010 (2) allows the permittee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If you agree with the proposed certificate, no response to this notice is required. Sometime after comment period, the recorded certificate of water right will be mailed to the permit holder of record.

If your name is not listed on the proposed certificate, and you are the current landowner, and would like to have the final certificate issued in your name, you may apply through the Department to have the permit assigned to you. If you have any questions about the assignment process, please contact Mary Bjork at 503-986-0817.

If you have any other questions please contact Codi Holmes at 503-986-0887.

Sincerely,

Dwight French
Water Right Services Administrator

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DANIEL CARVER
92462 HINTON RD
MAUPIN OR 97037

confirms the right to the use of water perfected under the terms of Permit G-12539. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-13225

SOURCE OF WATER: WELLS 2, 3 AND 4 IN BUCK HOLLOW CREEK BASIN

PURPOSE or USE: IRRIGATION OF 23.6 ACRES

MAXIMUM RATE: 0.114 CUBIC FOOT PER SECOND (CFS), BEING 0.06 CFS FROM WELL 2, 0.11 CFS FROM WELL 3, AND 0.03 CFS FROM WELL 4

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: DECEMBER 24, 1992

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	16 E	WM	3	SE NE	WELL 2 - 1950 FEET SOUTH AND 900 FEET WEST FROM NE CORNER, SECTION 3
6 S	16 E	WM	3	SE NE	WELL 3 - 1835 FEET SOUTH AND 880 FEET WEST FROM NE CORNER, SECTION 3
6 S	16 E	WM	3	SE NE	WELL 4 - 1565 FEET SOUTH AND 900 FEET WEST FROM NE CORNER, SECTION 3

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

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

PROPOSED

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	16 E	WM	34	NE NE	6.2
5 S	16 E	WM	34	SE NE	7.5
5 S	16 E	WM	34	NE SE	4.4
5 S	16 E	WM	34	SE SE	5.5

Measurement, recording and reporting conditions:

A. The water user shall maintain the meter or other suitable measuring device as approved by the Director in good working order.

B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

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

Use of water under authority of this right may be regulated if analysis of data available after the right is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

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

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

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

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

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

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

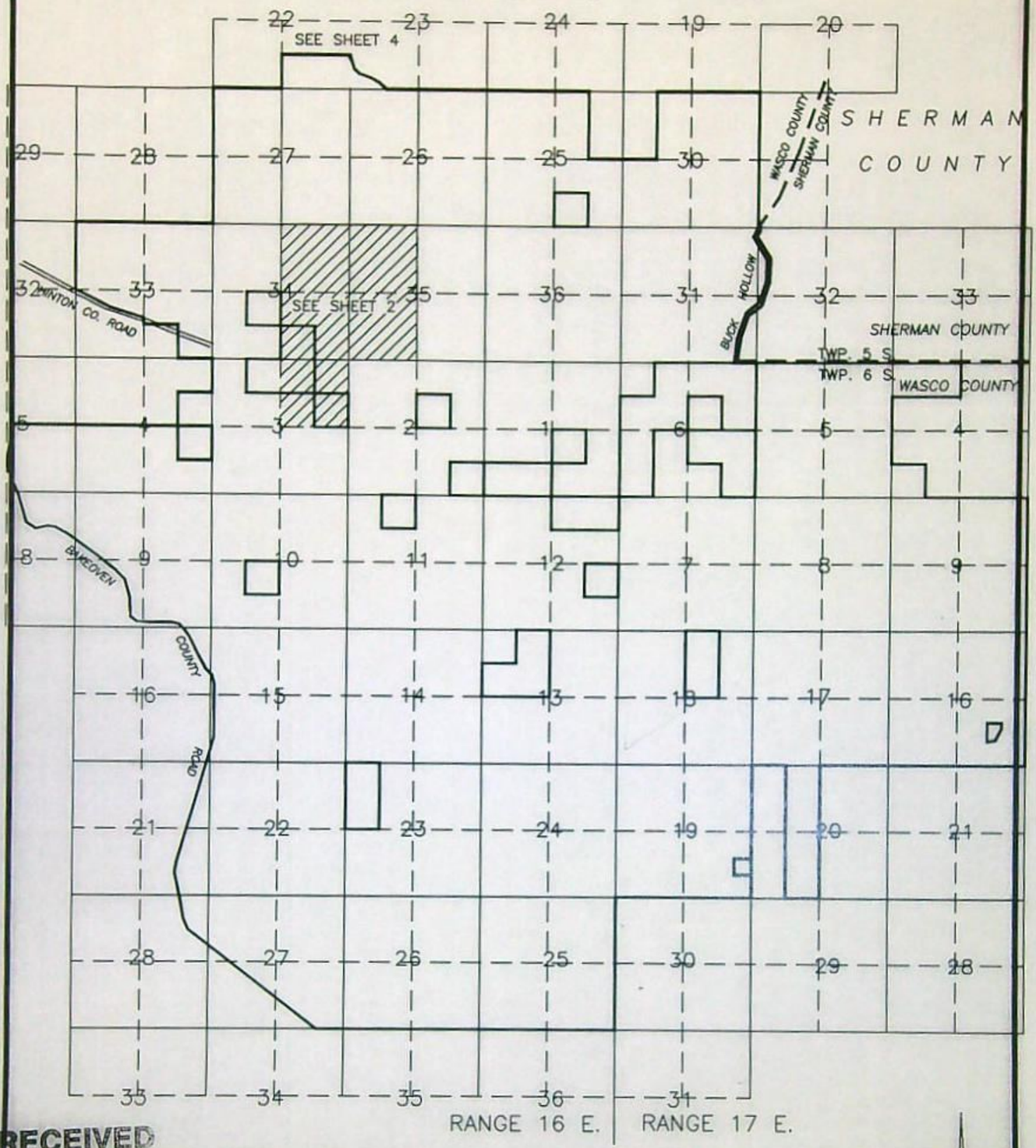
PROPOSED Certificate

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

Issued PROPOSED.

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

T.5S. R.16 & 17E. AND T.6S. R.16 & 17 E. W.M.
WASCO COUNTY, OREGON



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SCALE: 1"= 1 MILE

APPLICATION No. G-13225

PERMIT No. G-12539

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DANIEL CARVER

DATE: SEPTEMBER 15, 1999

BY: TENNESON ENGINEERING CORP.
409 LINCOLN STREET,
THE DALLES, OREGON. 97058
PH. (541) 296-9177

Certified Water Right Examiner
#024
Donald J. Branton
Nov. 19, 1987
STATE OF OREGON

Renew 12/31/99

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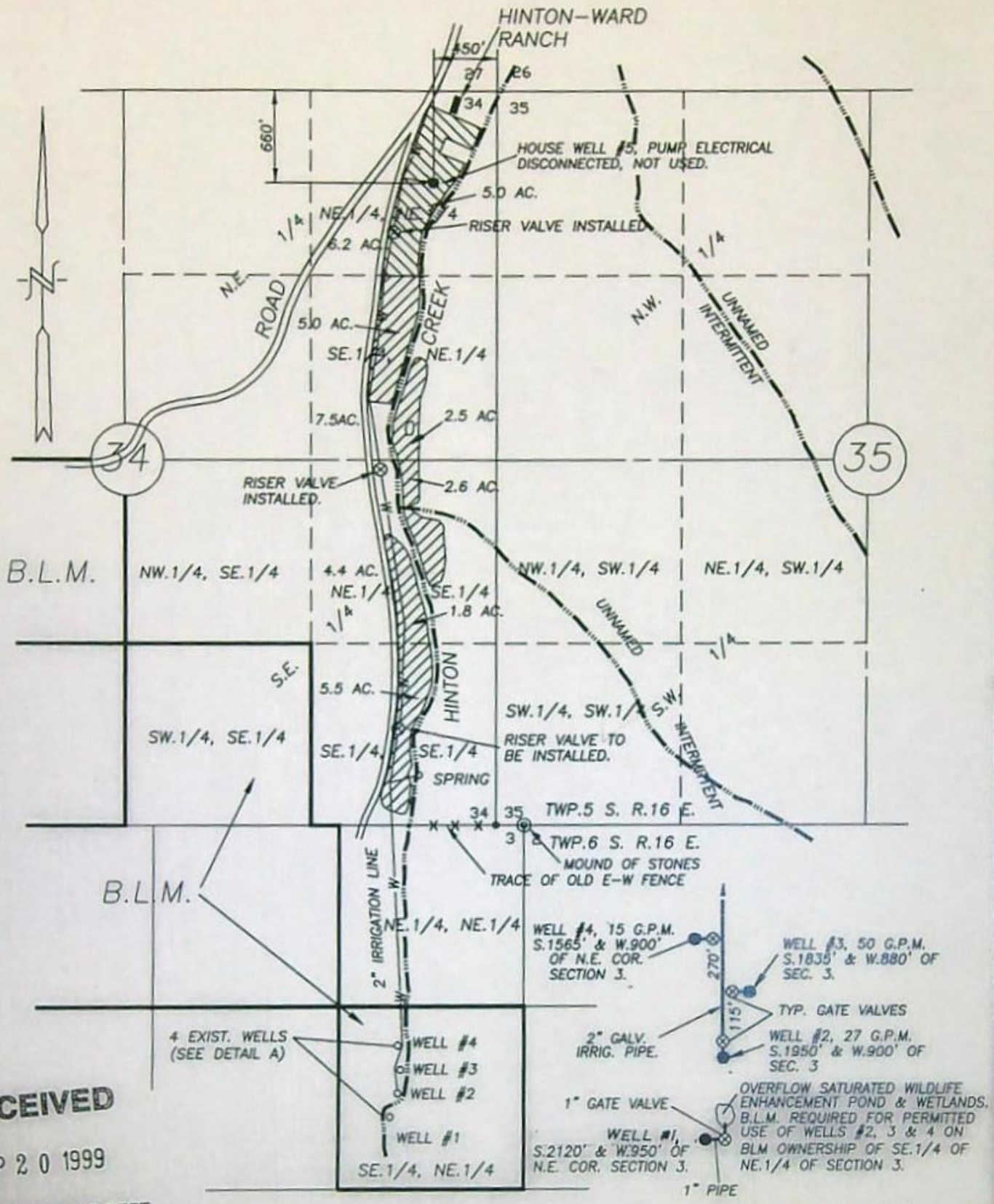
SHEET 1 OF 2

W.O. #7797

SECTION 3, T.6 S. R.16 E. W.M. AND SECTIONS 34 & 35, T.5 S. R.16 E. W.M.

WASCO COUNTY, OREGON



DETAIL "A"

FINAL PROOF SURVEY

SCALE: 1"= 1000'

APPLICATION No. G-13225

PERMIT No. G-12539

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DATE: SEPTEMBER 15, 1999

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W.O. #7797

MEMO –Proof to Satisfaction (March 17, 2014)

Application # G13225	Permit # G 12539	Transfer #
WRD Reviewer C. Holmes	Date 1/7/19	
WRD Peer Reviewer J Skaug	Date 2/23/19	

Well 2, 3, 4
IRR 23.6 ACRES 0.2 cfs
1/80

Research

___ Organize file in chronological order
___ Pull CBU Report & Map(s), Application Map, relevant Permit, Certificate, or Transfer Order, most recent Assignments,
Extension Orders, SWL Measurements, Fish Screen Certification Documents, Water Use Reports & Pump Tests
X Search for Water Right Location using Interactive Mapper. Identify Tax Lots & check for Area of Interest (AOI)
X Water Organization identified using AOI? X No ___ Yes
If "Yes" cc: _____ & Add to Mailing List
X Print Tax Lot Map from ormap.net for the original Place of Use, and confirm Current Ownership & Address with County Assessor 6S 16E 0500 5S 16E 0 2800 WASCO
If there is a new owner, Add to Mailing List, including the owner(s) name & tax lot number
X Print Platcard & check for Place of Use Conflict? X No ___ Yes
If "Yes", provide copy of certificate & relevant map
X Print BLM Cadastral Survey
X Does Claim Map identify correct DLC, Gov't Lots, QQ's? ___ No X Yes
If "No", either _____WRD amend map OR _____ prepare Order of Certification

Reviewing Claim

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

N/A Fish Conditions
OK Meter/measuring device - SHALL
N/A Water Use Reporting – May
YES Pump Test (post December 19, 1988) - Feb. 22, 2013
N/A Other Conditions _____
+ SWL
OK C-Date Oct. 1, 1999
"A" June 19, 1997 "B" Oct 1, 1998
_____Run Capacity Calculator and Print Findings (for pump, sprinklers, pipes, ditches, as appropriate)

NOTES:

- No pumps; well are artesian wells
- Cal rate per claim = 51 gpm (= 0.114 cfs)
- CWRE Branton - not licensed anymore

→ Claim doesn't address meters →

Determination

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

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

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

Processing

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

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

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

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

NOTES:
* SYSTEM CAPACITY W/ SPRINKLERS IS 0.111 cfs ; SYSTEM CAPACITY THROUGH 2" PIPE IS 50 gal → 0.114 cfs capacity

Sprinkler Capacity Calculator

Data Entry (fill in underlined blanks)

Sprinkler group 1	Nozzle size =	3/16 inch	(type an apostrophe before the size)
	Pressure =	25 PSI	
	Number of heads =	10	
Sprinkler group 2 (if applicable)	Nozzle size =	_____ inch	(type an apostrophe before the size)
	Pressure =	_____ PSI	
	Number of heads =	_____	
Sprinkler group 3 (if applicable)	Nozzle size =	_____ inch	(type an apostrophe before the size)
	Pressure =	_____ PSI	
	Number of heads =	_____	

Results calculated

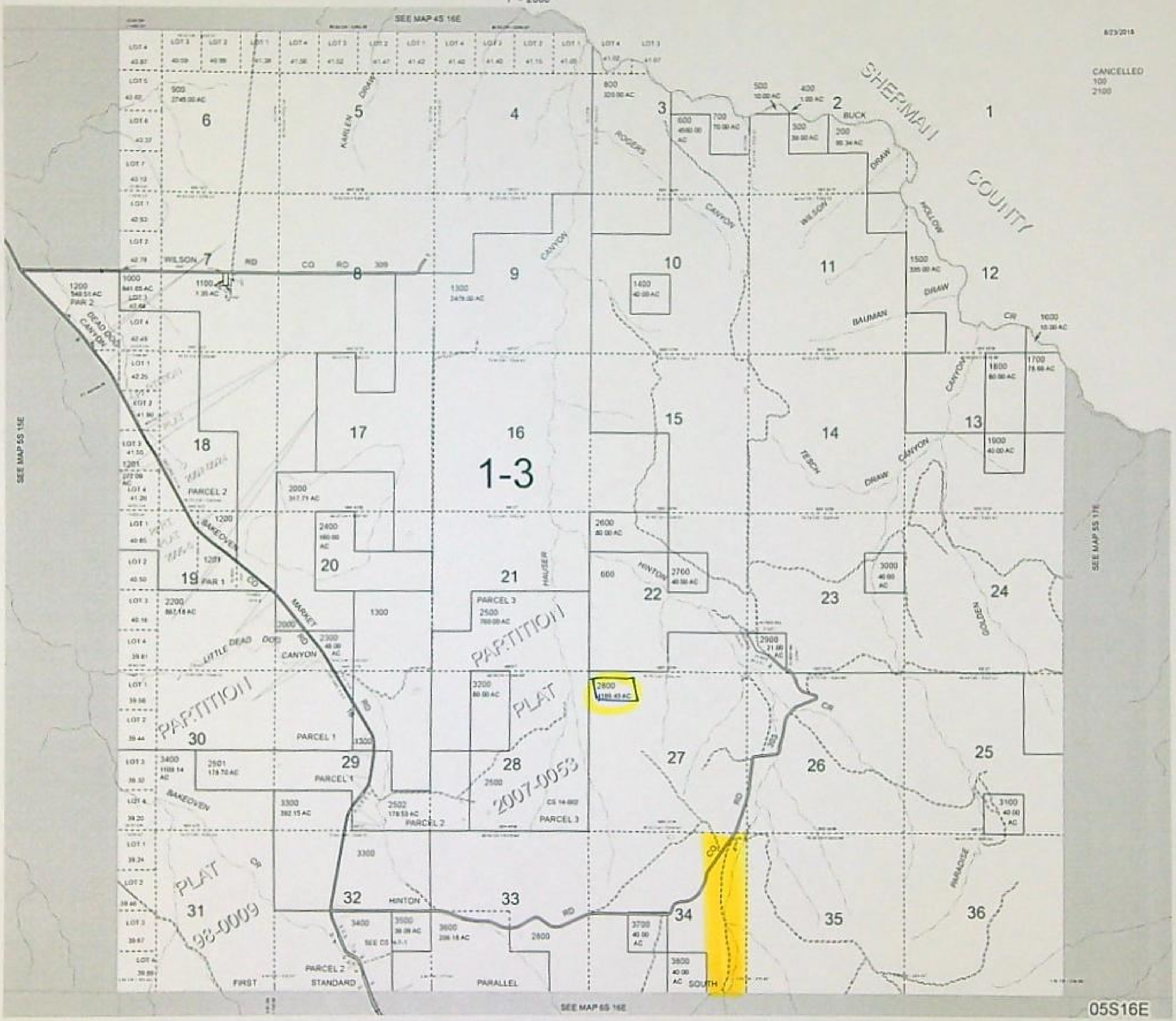
Sprinkler group 1 capacity =	50 gpm, or	0.111 cfs
Sprinkler group 2 capacity =	0 gpm, or	0.000 cfs
Sprinkler group 3 capacity =	0 gpm, or	0.000 cfs
Total sprinkler capacity =	50 gpm, or	0.111 cfs

Note: If entered values return a result of 0 gpm or "#N/A", then the sprinkler capacity chart does not contain a rate for that nozzle size and PSI.
A rough alternate calculation can be made using this formula:
28.93 × (orifice size in decimal, squared) × (square root of pressure)
(Source: rainbird.com)

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

T.5S. R.16E. W.M.
WASCO COUNTY
1" = 2000'

05S16E



SEE MAP 4S 16E
SEE MAP 5S 15E
SEE MAP 5S 17E
SEE MAP 6S 16E
CANCELLED
100
2100
SHERMAN COUNTY
1-3
PARTITION PLAT 2007-0053
PARTITION PLAT 98-0009
WILSON
CO RD 309
DEAD DOG CANYON
LITTLE DEAD DOG CANYON
BAKEOVEN
MARKET RD
ROGERS CANYON
WILSON
BUCK HOLLOW
BAUMAN DRAW
CANYON
HAUSER
HINTON
HINTON RD
TEXSCH DRAW
GOLDEN
PARADISE
FIRST STANDARD PARALLEL SOUTH
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36
PARCEL 1
PARCEL 2
PARCEL 3
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2700
2800
2900
3000
3100
3200
3300
3400
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3600
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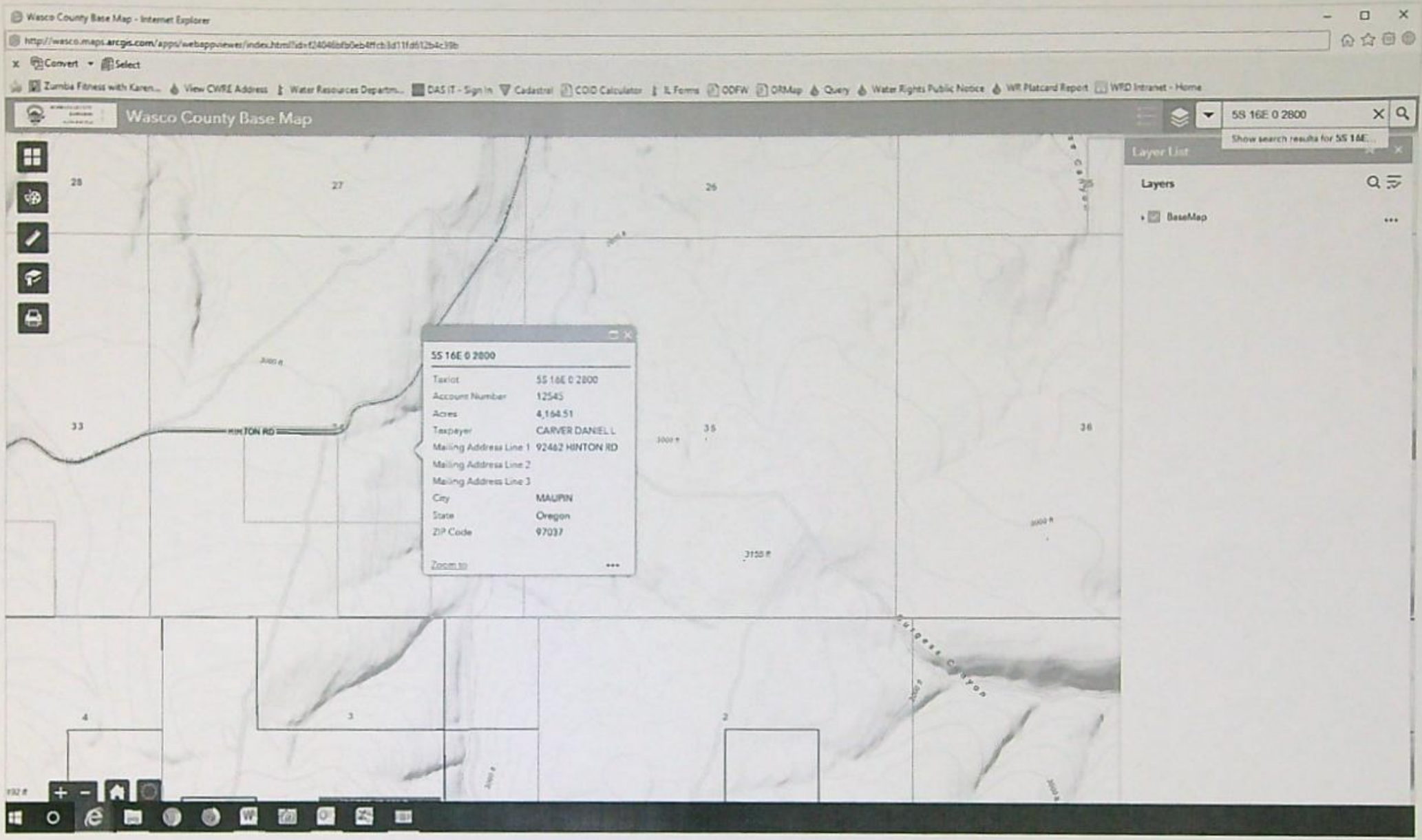
3800

05S16E


Wasco County Base Map - Internet Explorer
http://wasco.maps.arcgis.com/apps/webappviewer/index.html?id=f24046bfb0eb4ffcb3d11fd612b4c39b
Convert
Select
Zumba Fitness with Karen...
View CWRE Address
Water Resources Departm...
DAS IT - Sign In
Cadastral
COID Calculator
IL Forms
ODFW
ORMap
Query
Water Rights Public Notice
WR Platcard Report
WRD Intranet - Home
Wasco County Base Map
5S 16E 0 2800
Show search results for 5S 16E...
Layer List
Layers
BaseMap
5S 16E 0 2800
Taxlot 5S 16E 0 2800
Account Number 12545
Acres 4,164.51
Taxpayer CARVER DANIEL L
Mailing Address Line 1 92462 HINTON RD
Mailing Address Line 2
Mailing Address Line 3
City MAUPIN
State Oregon
ZIP Code 97037
Zoom to
HINTON RD
28
27
26
33
35
36
4
3
2

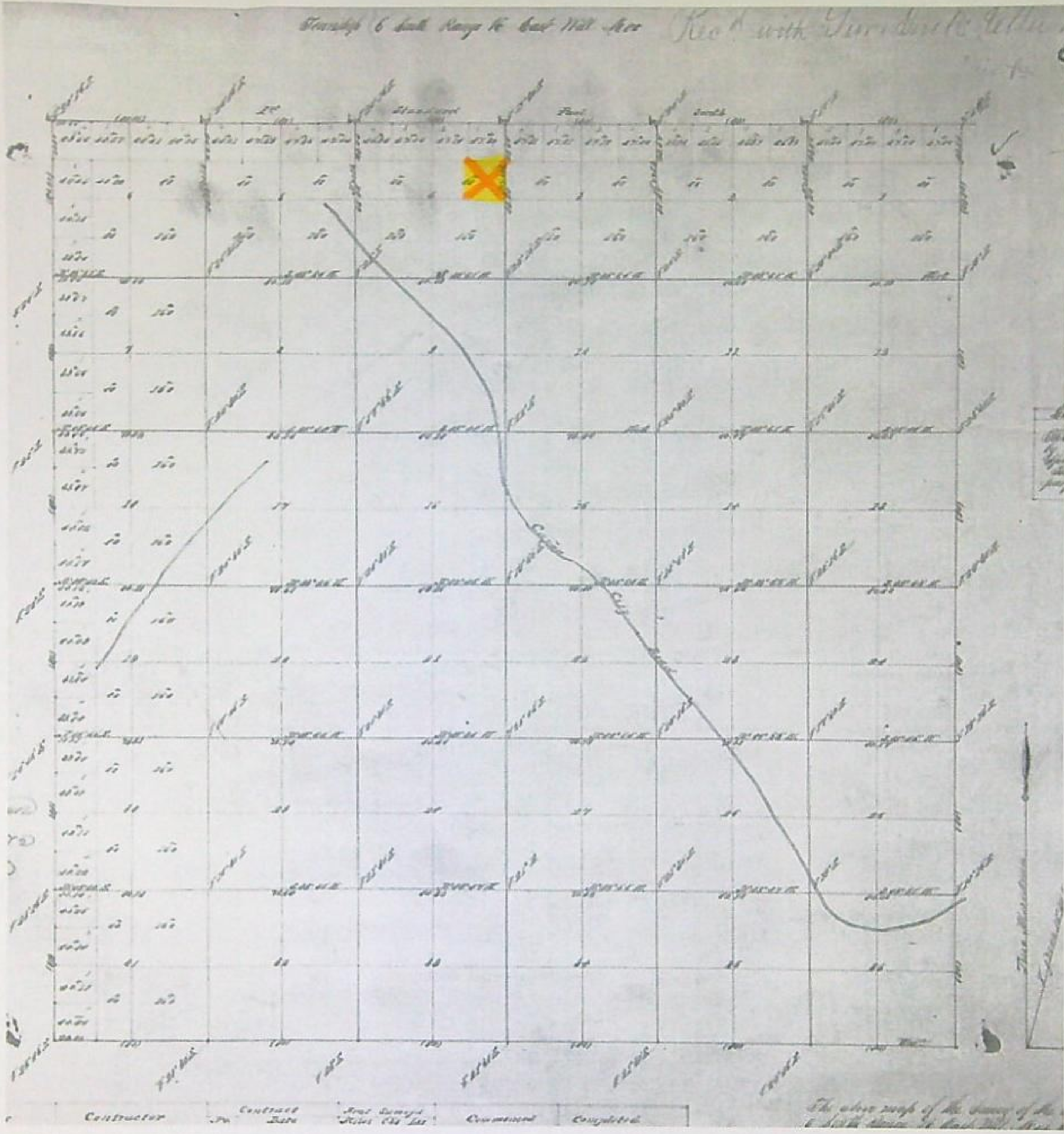
Oregon Water Resources Department
Water Rights in the Same Area

Main Help
Return Contact Us

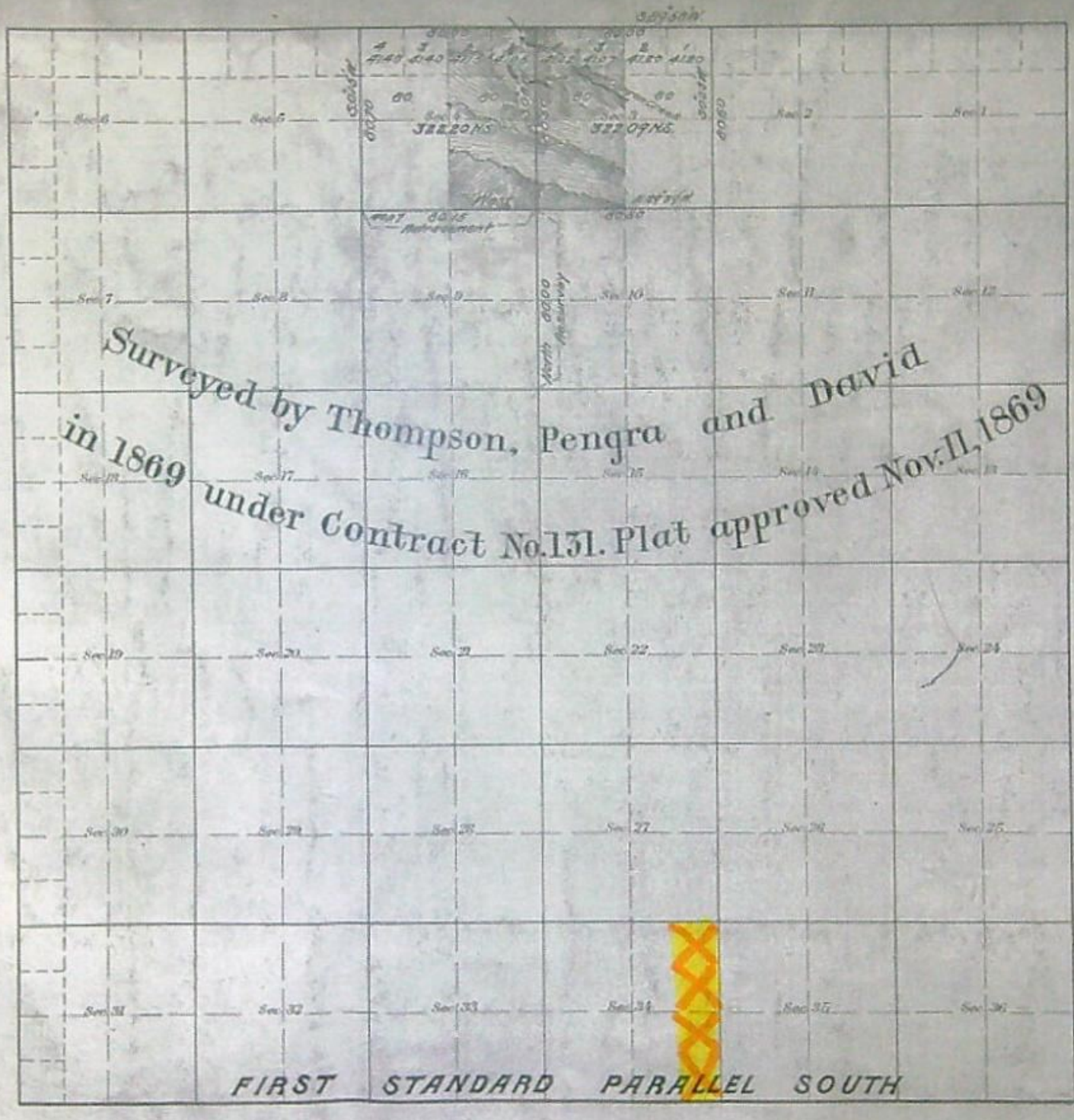
Places of Use from Water Rights in the Same Area

The following rights have acreage in the same quarter-quarter as Permit: G 12539 *

Right	Name	Decree	App	Permit	Cert	Priority	Status	Use	T-R-S-QQ	DLC	Gov't Lot
NCL CERT 91446.CF *	COUNTY OF WASCO: PUBLIC WORKS DEPARTMENT		S-25814	S-20946	91446	1/25/1952	NC	IM	05.00S-16.00E-34-SESE		
								IM	05.00S-16.00E-34-NESE		
								IM	05.00S-16.00E-34-SENE		
								IM	05.00S-16.00E-34-NENE		


Contractor
Contract
Date
Commenced
Completed

Township No. 5 South Range No. 16 East of the Willamette Meridian, Oregon



Surveyed by Thompson, Pengra and David in 1869 under Contract No. 131. Plat approved Nov. 11, 1869

STATE OF OREGON

COUNTY OF WASCO

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DANIEL CARVER
HCR 71, BOX 40
MAUPIN, OREGON 97037

(541) 395-2507

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

APPLICATION FILE NUMBER: G-13225

SOURCE OF WATER: WELLS 2, 3 AND 4 IN BUCK HOLLOW CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 23.6 ACRES

MAXIMUM FLOW ALLOWED: ~~0.2~~ 51gpm = 0.114cfs CUBIC FOOT PER SECOND (CFS), BEING 0.06 CFS FROM WELL 2, 0.11 CFS FROM WELL 3, AND 0.03 CFS FROM WELL 4

PERIOD OF USE: MARCH 1 TO OCTOBER 31

DATE OF PRIORITY: DECEMBER 24, 1992

POINT OF DIVERSION LOCATION: SE 1/4 NE 1/4, SECTION 3, T6S, R16E, W.M.; WELL 2 - 1950 FEET SOUTH AND 900 FEET WEST; WELL 3 - 1780 FEET SOUTH AND 880 FEET WEST; WELL 4 - 1600 FEET SOUTH AND 900 FEET WEST; ALL FROM THE NE CORNER OF SECTION 3

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NE 1/4 6.2 ACRES
SE 1/4 NE 1/4 7.5 ACRES
NE 1/4 SE 1/4 4.4 ACRES
SE 1/4 SE 1/4 5.5 ACRES
SECTION 34
TOWNSHIP 5 SOUTH, RANGE 16 EAST, W.M.

Measurement, recording and reporting conditions:

A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.

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.

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.

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

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

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 wells shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued June 19, 1996

for Martha O. Pagel, Director
Water Resources Department

TENNESON
ENGINEERING CORPORATION
CONSULTING ENGINEERS • SURVEYORS • PLANNERS

409 LINCOLN STREET
THE DALLES, OR 97058

PHONE (541) 296-9177
FAX (541) 296-6657

September 15, 1999

Water Resources Department
3850 Portland Road NE
Salem, Oregon 97310

Subject: Daniel Carver
Application G-13225; Permit G-12539

Gentlemen:

On behalf of our client, Daniel Carver, enclosed is a Certified Water Rights Examiner Final Proof Survey Report under the above-referenced permits.

If you have any questions or need further submittals on these, please advise.

Very truly yours,

TENNESON ENGINEERING CORPORATION

Donald J. Branton, President
Certified Water Rights Examiner #024

DJB:jm
Enclosures
cc: Daniel Carver

<mist.223>

September 15, 1999

Final Proof Survey

Application G-13225
Permit G-12539

GENERAL INFORMATION: Permittee: Daniel Carver
HCR 71, Box 40
Maupin, Oregon 97037

Phone: (541) 395-2507

This Final Proof Report includes Application G-13225 and resulting Permit G-12539 for irrigation of 23.6 acres from three artesian wells in the Hinton Creek drainage, a tributary to Buck Creek and the Deschutes River.

Accompanying the CWRE at the time of field inspection on September 13, 1999, was Permittee's son Blaine Carver.

SOURCE: A group of three drilled wells, artesian in nature, all drilled to the approximate same depth and aquifer located within 400 feet of each other tied together in a common 2 inch iron pipe manifold and delivery main. The wells have approximately 20 pound static pressure head and a combined free flowing capacity approximately 92 gpm at the wellheads.

DIVERSION POINT:

Well #1 Is not used, it is reserved for stock water and adjacent saturated wildlife enhancement area.

Well #2 Is 1,950 feet South and 900 feet West of the Northeast corner of Section 3, Township 6 South, Range 16 East, Willamette Meridian.

Well #3 Is 1,835 feet South and 850 West of the Northeast corner of Section 3, Township 6 South, Range 16 East, Willamette Meridian.

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Well #4 Is 1,565 feet South and 900 feet West of the Northeast corner of Section 3, Township 6 South, Range 16 East, Willamette Meridian.

All four wells being within the Southeast 1/4 of the Northeast 1/4 of Section 3, Township 6 South, Range 16 East, Willamette Meridian.

WELL DESCRIPTION:

WASC 3769 KCW

Well #2 Is a drilled well 97 feet deep. The basic well is 6 inches in diameter with a 6 inch by 0.25 thickness steel casing driven 5 feet into solid rock, imbedded into cement below the surface and extending to1-1/2 feet above the surface. It has a threaded cap equipped with welded ear lugs to drive on and off on the top. There is a welded 2 inch tee in the side of the projecting casing which is sized down to a 1-1/2 inch pipe containing a 1-1/2 inch gate valve and then graded back up to a 2 inch galvanized iron pipe out for the collection manifold from the other two wells. The top of the cap is equipped with a 2 inch threaded nipple and plug for access to the top of the well. The well is protected by a 4' x 4' x 6" wall concrete box 36 inches above the ground with a 2 x 6 plank wooden cover. The well is artesian in nature free flowing over the top at 27 gpm, based on the driller's information of December 1960. The static pressure without use is approximately 20 psi. A copy of the well log is attached.

Well #3 Is a drilled well 74 feet deep. The basic well is 6 inches in diameter with a 6 inch by 1/4 inch steel casing driving 11-1/2 feet below the surface set in concrete and projecting 1-1/2 feet above the surface. The casing is equipped with a threaded cap, a welded 2 inch tee and 2 inch gate valve connected with 2 inch galvanized pipe to the common manifold with the other wells, there is also a 1 inch tap tee and plug attached to the 2 inch line downstream of the gate valve. The well cap is equipped with welded ears for knock on and has no tap in the top of it. The wellhead is protected by a

WASC 3771 KCW

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4' x 4' x 6" concrete box 36 inches high with a wooden cover. The well free flow unrestricted is approximately 50 gallons per minute as per driller's log and when capped has a static pressure of 20 psi. A copy of the well log attached.

Well #4

WASL 3768 Kcw

Is a drilled well 108 feet deep. The basic well is 6 inches in diameter. It has a 6 inch by 1/4 inch steel casing 16-1/2 feet below the surface imbedded in cement. The top of the well casing projects 1-1/2 feet above the surface furnished with a welded on 1-1/2 inch tee and gate valve which is sized down to a 3/4 inch galvanized iron pipe delivering to the 2 inch common manifold mainline connecting all three of these wells. The top of the casing is attached with a screw on cap and welded ear lugs for removal and no top plug. The well has a capacity of approximately 15 gallons per minute based on the original well log free flow and static pressure of 20 psi when capped. A copy of the well log attached.

PUMPS: There are no pumps utilized on this system.

PIPEWORK: From the three artesian wells, all interconnected with a 2 inch buried galvanized iron pipe mainline, which extends northerly up the floor of the canyon some 6,300 feet through the fields subject to irrigation under this permit. Along the route of this buried mainline are several valves and risers to provide connection points for surface laid hand line and riser heads. In addition, the ranch has approximately 1,000 lineal feet of 2 inch aluminum hand line equipped with riser heads and "Rainbird" impact type sprinklers

APPLICATION: Application is from the hand laid 2 inch aluminum lines and risers through single 3/16 nozzle "Rainbird" impact sprinklers. They operate at approximately 25 psi with the sprinklers providing effective average flow of 5 gpm per head. Irrigation sets are limited to 10 heads for 50 gpm application rate, due to the restriction and flow of the rather lengthy 2 inch mainline feed from the artesian wells. Because of the rather large acreage being covered with the minimum number of sprinklers operating,

sprinkling is carried on a more or less continuous basis on one set or another within the irrigated fields during the irrigation season. In order to more fully determine the actual capacity of the delivery system, the sprinklers were disconnected from the system, and the system discharge out of the end of the 2 inch at the northerly end terminus of the system was directed into a 55 gallon drum. The drum filled in 65 seconds confirming a maximum system flow of 51 gpm.

USE: Application is to alfalfa pasturage as evidenced by the green growth prevalent on the application areas versus the extremely dry brown grass prevalent on the unirrigated areas on the other side, in common with this Bakeoven area of Wasco County. A full compliment of the 10 sprinkler set was in operation at the time of the inspection on the irrigated field located to the immediate south of the farm headquarters. Also verified was the development usage, of the wildlife enhancement area on the unused Well #1 which is controlled flow through a restricted nozzle of 1 inch size to provide the riparian and wildlife development area required by the Bureau of Land Management requirements for the permission to use these wells which are located on BLM ownership. The flow at the time of the observation with the other wells in delivery to the irrigation system was approximately 1-1/2 gpm to the area creating a pond of approximately 10 feet across with a very shallow depth, with the wetted area extending out an additional 15 or 20 feet from the discharge point at the well.

LIFT: Based on the USG&S 7.5 minute quadrangle map, Shaniko, Oregon, elevation of the ground at the wells, which are identified on the map, is 2,890 feet, more or less. The ground slopes downhill on the floor of valley with the run of the 2 inch delivery main to an elevation of approximately 2750 at the terminus of the main adjacent to the ranch headquarters building providing approximately 140 feet of fall in the delivery line. The majority of this fall is utilized in fraction losses so the in use line pressure remains fairy constant along the pipeline around 20 to 30 psi.

SURVEY MONUMENT: TIE: Survey tie for the permit was taken from the Northeast corner of Section 3, Township 6 South, Range 16 East, Willamette Meridian being a mound of stone located in a trace of the old East-West

fence line approximately 150 feet West of a ravine being the picture point location agreeing with the aerial map of section corner position.

SPECIAL CONDITIONS: As noted, a condition of use of wells based on B.L.M. property, the existing Well #1 is set up and being maintained as a wildlife enhancement area which use is verified by the numerous elk and deer track around the wetted area. The Well #5 pump located adjacent to the ranch headquarters was not developed or being utilized pursuant to the terms of the permit issuance.

REMARKS: The usage has been fully implemented on the acreage specified. The conditions for development of the wells on the B.L.M. ownership have been complied with. It is noted that the calculations indicate the actual system production rate at 51 gpm, which is less than the permitted allowed use. The Permittee has indicated that he is not prepared to undertake upgrade of the pipework necessary to develop the full well capacity and is willing to proceed with the issuance of the certificate based on the system delivery capability rather than the limitation on acreage or permit quantity limitation.

ATTACHMENTS: Final Proof Survey Map, Well Driller's Logs for Wells #2, #3, and #4, and calculation sheet, pump test well log.

CALC. SHEET | 9-14-99 | 1/1 DLB

CARVER FILE - G 13225
PERMIT G - 12539.

USE LIMITATION BASED UPON IRRIGATION ACREAGE

$23.6 \left(\frac{1}{80}\right) 448.5 = 132.31$ GPM.
(0.295 cfs)

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LIMITATION OF PERMIT
= 0.28 cfs.

LIMITATION OF SYSTEM PRODUCTION

TEST FLOW INTO 55 DRUM = 65 SEC.
CONTINUOUS RATE UNVARING -

$\frac{55}{65/60} = 50.77$
51 GPM.

USE LIMITED BY SYSTEM CAPACITY AT
51 GPM
FROM WELLS #2, 3 & 4

Certified Water Right Examiner
#024
Donald J. Denton
Nov. 19, 1997
STATE OF OREGON

Renew 12/31/99.

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SEP 2 0 1999

WATER RESOURCES DEPT.
SALEM, OREGON

CERTIFICATION

This Final Proof Survey inspection and use was found to be in compliance with the terms and conditions of Permit #G-12539 completed by me on September 15, 1999, and the facts contained in this report and accompanying this Final Proof Survey Map are correct to the best of my knowledge.

Dated: September 15, 1999

Donald J. Branton, _____

Certified Water Right Examiner
#034
Donald J. Branton
Nov. 19, 1987
STATE OF OREGON

Renew 12/31/99

I, Daniel Carver, agree with the findings of the CWRE and do submit this site report as my Claim for Beneficial Use of this water as provided under the terms and conditions of my Permit G-12539.

Daniel Carver

Dated: September 16, 1999

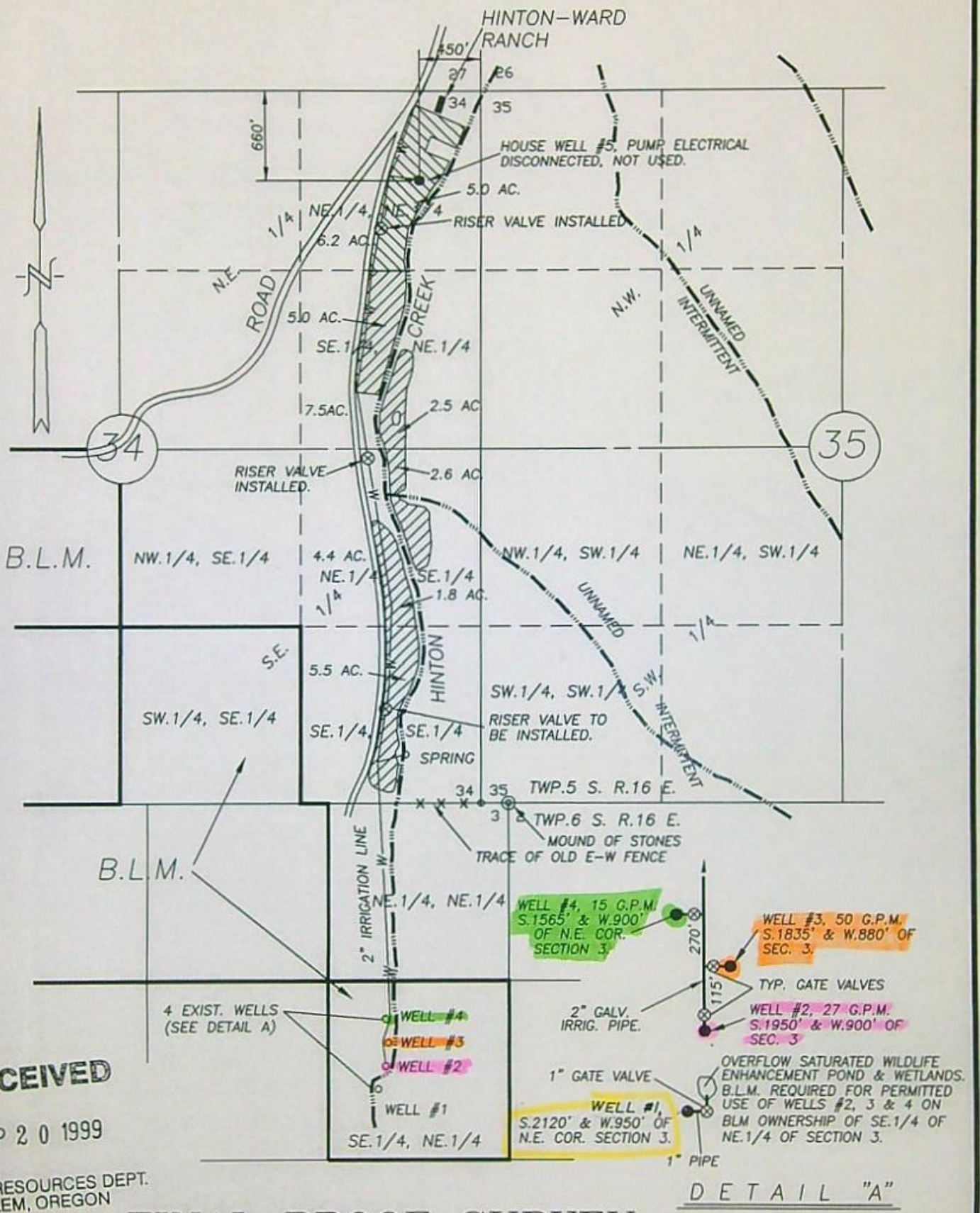
On this 16th day of September, 1999, before me, a Notary Public for the State of Oregon, appeared Daniel Carver known to me personally, who being first duly sworn, say that he did sign this instrument of his free and voluntary act.

_____
Notary Public of Oregon

OFFICIAL SEAL
BENJAMIN B. BESEDA
NOTARY PUBLIC - OREGON
COMMISSION NO.054709
MY COMMISSION EXPIRES JUNE 04, 2000

SECTION 3, T.6 S. R.16 E. W.M. AND SECTIONS 34 & 35, T.5 S. R.16 E. W.M.

WASCO COUNTY, OREGON



DETAIL "A"

FINAL PROOF SURVEY

SCALE: 1"= 1000'

APPLICATION No. G-13225

PERMIT No. G-12539

IN THE NAME OF: DANIEL CARVER

DATE: SEPTEMBER 15, 1999

BY: TENNESON ENGINEERING CORP.
409 LINCOLN STREET,
THE DALLES, OREGON. 97058
PH. (541) 296-9177

Certified Water Right Examiner
#024
Donald J. Branton
Nov. 19, 1987
STATE OF OREGON

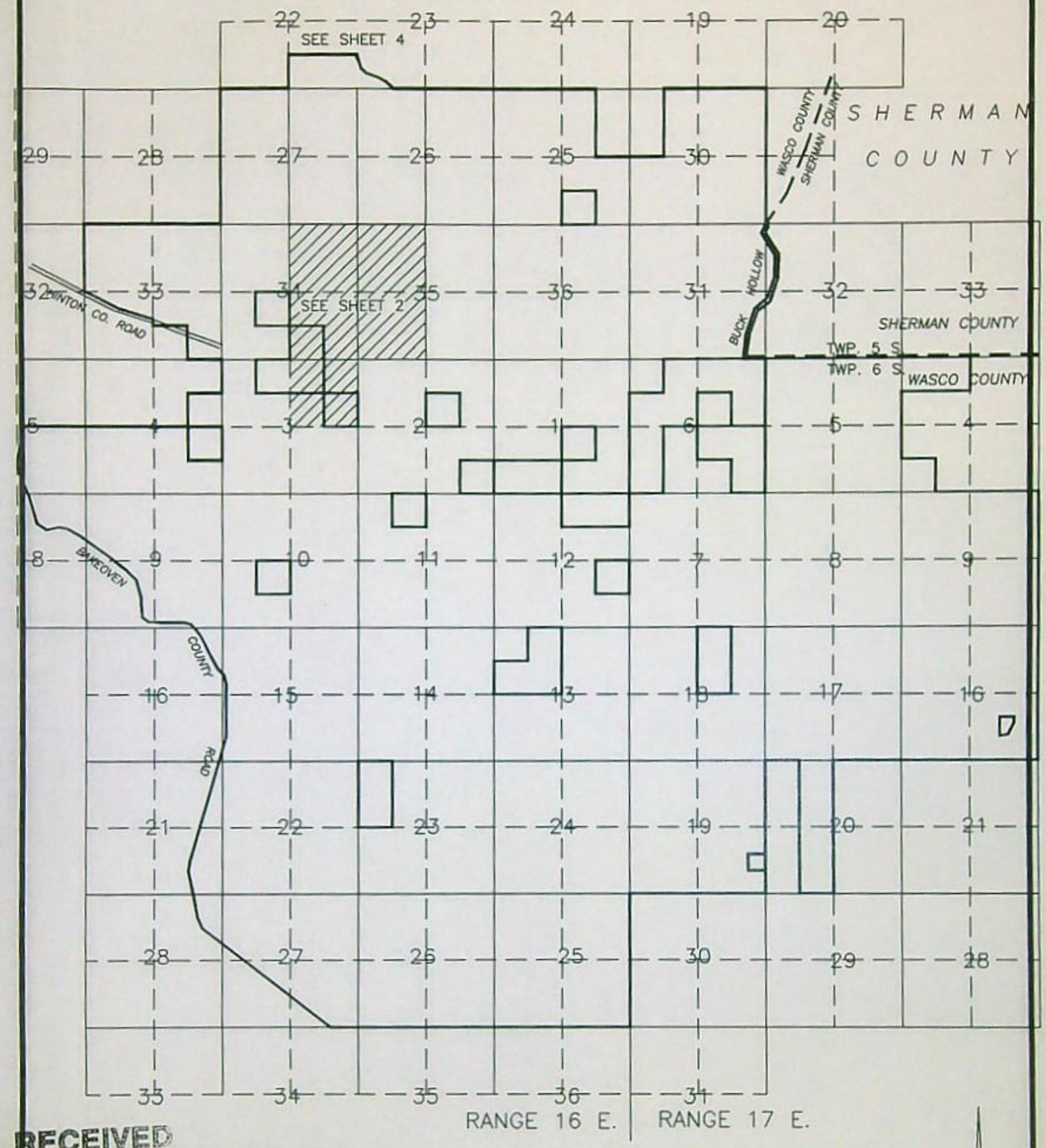
Renew 12/31/09

NOTE:

"THIS MAP IDENTIFIES THE LOCATION OF THE WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATE PROPERTY OWNERSHIP LINES.

W.O. #7797

T.5S. R.16 & 17E. AND T.6S. R.16 & 17 E. W.M.
WASCO COUNTY, OREGON



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WATER RESOURCES DEPT.
SALEM, OREGON

FINAL PROOF SURVEY

SCALE: 1"= 1 MILE

APPLICATION No. G-13225

PERMIT No. G-12539

IN THE NAME OF:

DANIEL CARVER

DATE: SEPTEMBER 15, 1999

BY: TENNESON ENGINEERING CORP.
409 LINCOLN STREET,
THE DALLES, OREGON. 97058
PH. (541) 296-9177

Certified Water Right Examiner
#024
Donald J. Branton
Nov. 19, 1987
STATE OF OREGON

Renew 12/31/99

NOTE:

'THIS MAP IDENTIFIES THE LOCATION OF THE WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATE PROPERTY OWNERSHIP LINES.

SHEET 1 OF 2

W.O. #7797

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

February 22, 2013

DANIEL CARVER
HCR 71 BOX 40
MAUPIN OR 97037

GW

The Department has accepted the pump test results for the following permitted well(s):

Application	Permit	Permitted Well	Tested Well	Test Date	Test Status	Exemption	Owner's Well Name
G 13225	G 12539	WASC 3771	WASC 3771	08/01/1999	Approved	None	Well 3
G 13225	G 12539	WASC 3769	WASC 3771	08/01/1999	Exempted	Multiple Well	Well 2
G 13225	G 12539	WASC 3768	WASC 3771	08/01/1999	Exempted	Multiple Well	Well 4

Please contact me if you have any questions.

Sincerely,

Karl Wozniak
Ground Water/Hydrology Section

cc: GW Pump Test File

MEMORANDUM

TO: DOUG WOODCOCK, MANAGER GROUND WATER SECTION

FROM: CERTIFICATE SECTION - CONNIE VANCE

SUBJECT: PUMP TEST FOR PERMIT ~~G-15363~~ G-12539 APPLICATION ~~G-15234~~ G-13225 /lc
MULTIPLE WELL EXEMPTION

DATE: 7/29/2009

The attached pump test and Claim were recently received. We have retained the originals for the application file.

In addition, the Water User has provided a note on the pump test cover sheet that indicates that all three of the wells on the permit have a common pressure. The Claim also indicates that the wells are drilled top the approximate same depth and aquifer. The CWRE included the pump test and the well logs for the three wells with the Claim. I believe they are requesting a multiple well exemption.

02-22-2013

This is probably a worthless test as three wells were flowed simultaneously and discharge and pressure were measured at a common point. However, I am approving the test as it would require a lot of work and money to replumb the system for a single well test and I doubt that we would get any useful information from a new test based on information on the logs and in the file.

Karl Waznick
GW Section

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SALEM, OREGON

Oregon Water Resources Department

PUMP TEST COVER SHEET

Well Owner:
Name Daniel Carver
Address HCR 71 Box 40
City, State, Zip Maupin, OR 97037
County Wasco

Well Location:
Twnshp 6S (N or S), Range 16E (E or W)
Section 3 1/4,1/4,1/4 SE¼ NE¼
Well Depth 97-74-108 Date Drilled 12/60 9/60 12/60
Owner's Well No. (if any) None
POD-ID

Water Right Information:
Application No. G-13225 Permit No. G-12539 Certificate No.
Is this well used for more than one water right? N (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 Daniel Carver Well Owner? Y (Y/N)
Company N/A
Address HCR 71 Box 40 Date of Test
City, State, Zip Maupin, OR 97037

Method of Discharge Measurement Timed flow into 55 gal. drum (65sec. at stable flow
Method of Water Level Measurement Removal of well access plug to determine pressure
Depth of Air Line (if used) N/A
Pump Type (Turbine, Submersible, etc.) None
Was pump test conducted during normal use of the well Yes (Y/N)

Description of point from which water level was measured Top of wellhead casing
Is measuring point above or below ground level? 1.5 feet above ground
Distance between measuring point and ground level (**correction factor**) -1.5

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? N (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? Y (Y/N)
If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head: Approximate distance 50-100 feet Hinton Creek
Approximate elevation difference Creek -7 feet +/- lower
Is well elevation above or below the surface water body? Above

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

All wells (3) Artesian common pressure

Time: 9:00 AM	Depth to Water: 20 psi	(ft/in)	
Time: 9:20	Depth to Water: 20 psi	(ft/in)	
Time: 9:40	Depth to Water: 20 psi	(ft/in)	

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

Time: 10:00 AM	Discharge Rate: 51 c	(gpm)
Time: 11:00 AM	Discharge Rate: 51	(gpm)
Time: 12:00 AM	Discharge Rate: 51	(gpm)
Time: 1:00 PM	Discharge Rate: 51	(gpm)
Time: 2:00 PM	Discharge Rate: 51	(gpm)

Water Pump turned on: Date: 8-1-99 Time: 10:00 AM
Water Pump turned off: Date: 8-1-99 Time: 2:00 PM
Total pumping time: 4 hours, 0 minutes.

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

OWRD 11/90

PUMP TEST DATA SHEET

Page ___ of ___

APPLICATION NO. G-13225 PERMIT NO. G-12539 P.O.D.-ID ___

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
8-1-99	10:00 AM	0.00	20psi	-1.5	+50'	full static head							
		2	0.0	"	+1.5'	well head pressure							
		4		"		drops to							
		6		"		less than							
		8		"		1 psi							
		10		"		"							
		15		"		"							
		20		"		"							
		25		"		"							
		30		"		"							
		45		"		"							
	11:00 AM	60		"		"							
		75		"		"							
		90		"		"							
		105		"		"							
	12:00 PM	120		"		"							
		135		"		"							
		150		"		"							
		165		"		"							
	1:00 PM	180		"		"							
		195		"		"							
		210		"		"							
		225		"		"							
	2:00 PM	240		"		Discharge capped off	8-10-99	2:00 PM	0	0.0	-1.5	+1.5'	AT CAP ABOVE END pipe
									2	+5psi	-1.5	+13'	
									4	+20psi	-1.5	+50'	
									6	+20psi	-1.5	+50'	
									8	+20psi	-1.5	+50'	
									10	+20psi	-1.5'	+50'	Full suction pressure at well head @ 20psi

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When system is in use at 50 gpm± well head pressure is less than 1 psi when shut off it immediately recovers to 20psi.

OWRD 10/90

Oregon
Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

March 20, 2009

(503) 986-0844

Mr. Daniel Carver
92462 Hinton Road
Maupin, OR 97037

Re: Pump Test, Permit G-12539, File G-13225

Dear Daniel:

I have received a copy of your letter to Diana Durbin, dated March 5, 2009, in which you request an exemption from the pump test requirement. I cannot approve the request. The pump test rules (enclosed) have special requirements for flowing artesian wells without pumps. You can perform the test without installing a pump. The shut-in pressure is monitored following a minimum four-hour period of flowing the well at a known rate. I note that your permit authorizes three wells which are possibly all developing the same aquifer. If so, you may want to request a multiple-well exemption and include copies of the well logs with the request. If approved, you would need to only conduct a test at one of the wells.

Please call me at the above number if you have any questions.

Sincerely,

Michael J. Zwart
Hydrogeologist

app G 13225
permit G 12539

3-5-09

Dear Diana Durkin,

I am in recent receipt (11-08) of your letter and copy of my water Permit. Thank you. This was the first that I had known that a permit had existed since I had applied in 1992.

I am writing to request an exemption to the pumping requirement. These wells (3) were installed in 1966 and are free flowing with no pumps required. The 1966 well logs rated the flow at 60 GPM. My observations over the past 20+ years are that they can still full flow at about 60 gpm.

All 3 wells are tied into a 2 mile long distribution system that supplies, stock, domestic, and some summer irrigation. It was after I purchased the property in 1968 that I became aware that it might be wise to try to secure water rights on the already existing system. The former owner apparently didn't see the need.

Hopefully you can see why a pump test would impose an extreme and expensive hardship on me. There are no pumps and the nearest power is 1½ miles away. Our nearest neighbor is 3 miles away and the little water that we use has not harmed him in these last 49 years.

I would like to continue the process (now 17 years long) to secure the water right certificate. I just ask that you bend the rules a little on the necessity of the pump test.

Very Respectfully,

Daniel Carver
Permit # 13225

3-5-09

Dear Diana Dutton,

I am in recent receipt (11-08) of your letter and copy of my water permit. Thank you. This was the first that I had known that a permit had existed since I had applied in 1992.

I am writing to request an exemption to the pumping requirement. These wells (2) were installed in 1960 and are free flowing with no pumps required. The 1960 well logs rated the flow at 60 GPM. My observations over the past 20+ years are that they can still full flow at about 60 gpm.

All 3 wells are tied into a 2 mile long distribution system that supplies, stock, domestic, and some summer irrigation. It was after I purchased the property in 1988 that I became aware that it might be wise to try to secure water right on the already existing system. The former owner apparently didn't see the need.

Hopefully you can see why a pump test would impose an extreme and expensive hardship on me. There are no pumps and the nearest power is 1½ miles away. Our nearest neighbor is 3 miles away and the little water that we use has not harmed him in these last 49 years.

I would like to continue the process (now 17 years long) to secure the water right certificate. I just ask that you bend the rules a little on the necessity of the pump test.

Very Respectfully,

Daniel Carver

Permit # 13225

Oregon
Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

November 15, 2008

DANIEL CARVER
HCR 71 BOX 40
MAUPIN, OR 97037

Subject: Water Right Permit Number G- _____

Dear Permit holder,

Oregon Administrative Rule 690-217-0020(1) requires that ground water permit holders with a priority date after December 20, 1988, submit the results of a pump test before the Water Resources Department can issue a water right certificate. A copy of your permit is enclosed. The purpose of this letter is to remind you of the pump test requirement.

Pump tests are intended to provide aquifer and well information for ground water resource characterization and to help solve well problems. There is no penalty for not submitting a pump test.

If there is a reason why a pump test cannot be performed on a well, the owner may request from the Director an exemption from the pump test requirement. Requests shall be in writing and include the reason why a pump test cannot be performed. Exemptions, or conditioned exemptions, shall be granted if the reasons are found to be valid and eliminating the problem would place an unreasonable burden on the well owner. Exemptions shall be granted for public water supply wells if pump testing will cause interruption of service to customers.

Pump tests shall not be required of wells with diameters greater than 36 inches and depths less than 30 feet. Pump tests shall not be required of collector-type wells or infiltration galleries. If your well meets one of these two requirements please let us know.

If you are interested in conducting the pump test yourself, you should first review the requirements at http://arcweb.sos.state.or.us/rules/OARS_600/OAR_690/690_217.html or ask that a copy of the rules be sent to you.

A copy of the pump test form has been included. If you have questions, if you are not the owner of a ground water permit or if you have moved, please call the Department at 503-986-0900.

Sincerely,

Diana Durbin

Diana Durbin
Water Rights Certificate Staff

C: Permit File

690-217-0050

Qualifications for Conducting Pump Tests

Only pump tests conducted by the well owner, a full-time employee of the well owner who routinely works with and is familiar with wells and pumps, or a qualified individual authorized by the well owner shall be accepted by the Director. Individuals in the following groups will be considered qualified and authorized provided they have significant experience conducting pump tests:

(1) Oregon licensed water well constructors.

(2) Oregon registered professional geologists or certified engineering geologists.

(3) Certified water rights examiners.

(4) Oregon registered professional engineers.

(5) Individuals whose primary occupation involves, wholly or in significant part, pump installation, service or testing.

STATE OF OREGON

COUNTY OF WASCO

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DANIEL CARVER
HCR 71, BOX 40 (541) 395-2507
MAUPIN, OREGON 97037

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

APPLICATION FILE NUMBER: G-13225

SOURCE OF WATER: WELLS 2, 3 AND 4 IN BUCK HOLLOW CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 23.6 ACRES

MAXIMUM FLOW ALLOWED: 0.2 CUBIC FOOT PER SECOND (CFS), BEING 0.06 CFS FROM WELL 2, 0.11 CFS FROM WELL 3, AND 0.03 CFS FROM WELL 4

PERIOD OF USE: MARCH 1 TO OCTOBER 31

DATE OF PRIORITY: DECEMBER 24, 1992

POINT OF DIVERSION LOCATION: SE 1/4 NE 1/4, SECTION 3, T6S, R16E, W.M.; WELL 2 - 1950 FEET SOUTH AND 900 FEET WEST; WELL 3 - 1780 FEET SOUTH AND 880 FEET WEST; WELL 4 - 1600 FEET SOUTH AND 900 FEET WEST; ALL FROM THE NE CORNER OF SECTION 3

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NE 1/4 6.2 ACRES
SE 1/4 NE 1/4 7.5 ACRES
NE 1/4 SE 1/4 4.4 ACRES
SE 1/4 SE 1/4 5.5 ACRES
SECTION 34
TOWNSHIP 5 SOUTH, RANGE 16 EAST, W.M.

Measurement, recording and reporting conditions:

A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.

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.

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.

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

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

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 wells shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued June 19, 1996

for Martha O. Pagel, Director
Water Resources Department

Oregon Water Resources Department

PUMP TEST FORM COVER SHEET

Well Owner:
Name: _____
Address: _____
County: _____
City: _____ State: ___ Zip: _____
Original owner (from well log): _____

Well Location:
Township: ___ ___ (N/S) Range: ___ ___ (E/W)
Section: ____ ¼: ____ 1/16: ____ 1/64: ____.
Well depth: _____ Date drilled: _____
Owners well no. (if any): _____
POD ID: _____

Water Right Information:
Application: _____ Permit: _____ Certificate: _____
Is this well listed on more than one water right? ☐ Yes If yes, list additional water rights below:
Application: _____ Permit: _____ Certificate: _____
Application: _____ Permit: _____ Certificate: _____

Pump Test:
Test Conducted by: _____ Well Owner? ☐ Yes
Company: _____
Address: _____ Date of Test: _____
City: _____ State: _____ Zip: _____.
Daytime phone: _____

Method of discharge measurement (see our brochure for acceptable methods): _____
Method of water-level measurement (pick one or enter other method used): _____
Length of air line (if used): _____.

Pump type (pick one or enter other method used): _____
Was the pump test conducted during normal use of the well? ☐ Yes Note: _____

Are you aware of any wells, other than domestic or stock wells, pumping within 1000 feet of the tested well during the test or within 24 hours prior to the test? ☐ Yes Note: _____
If yes, give approximate distances to each and approximate pumping rate of each. If possible, indicate if they were turned on or off during the test: _____
_____

Is there a lake, stream or other surface water body within ¼ mile of the tested well? ☐ Yes If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head. Approx. distance: _____ ft Approx. elevation difference: _____ ft

Well elevation is _____ surface water body.

Description of measuring point (e.g. top port of 1 inch port pipe, west side) _____
_____
Measuring point distance _____ land surface _____ feet.

Static water level measurements: (A minimum of three measurements are required in the hour before pumping begins at no less than 20 minutes apart):

Time	Depth to water below meas. point	Depth to water below land surface
_____	_____	_____
_____	_____	_____
_____	_____	_____

Discharge measurements: (A discharge measurement is required at the start of pumping and at least once an hour during the test; additional measurements should be noted on the Pump Test Data Sheet):

Time	Discharge Rate	Discharge Units (e.g. gpm, cfs, etc)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Time pump turned on: Date _____ Time _____
Time pump turned off: Date _____ Time _____
Total pumping time: _____ hours _____ minutes

Note: Well must be idle for at least 16 hours prior to the test.
Additional forms can be obtained from our web site at: http://www.wrd.state.or.us OWRD 2/9/2000

Required Signature: _____

Oregon Water Resources Department

PUMP TEST DATA SHEET

Page _____ of _____

Application: ________________ Permit: __________________ Certificate: __________________ Pod_Id: ______________

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

Drawdown Data						Recovery Data					
Date	Time	Time Since Pump Started (minutes)	Depth to Water Below Measuring Pt	Depth to Water Below Land Surface	Comments	Date	Time	Time Since Pump Stopped (minutes)	Depth to Water Below Measuring Pt	Depth to Water Below Land Surface	Comments

Additional forms can be obtained from our web site at: http://www.wrd.state.or.us

Water Resources Department

MEMO

January 20, 1996

TO Application G- 13225

FROM GW: Michael Ewart
(Reviewer's Name)

SUBJECT Scenic Waterway Interference Evaluation

☑ Yes
☐ No

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

☑ Yes
☐ No

Use the Scenic Waterway condition (Condition 7J).

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

☑ At this time the Department is unable to find that there is a preponderance of evidence that the proposed use of ground water will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

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

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

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

13225

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE #: G-13225

ROUTED TO: Water Rights

TOWNSHIP/
RANGE-SECTION: T5/6S/R1E-3 (E6S)/34+35

CONDITIONS ATTACHED? [+] yes [ ] no

REMARKS OR FURTHER INSTRUCTIONS:

Recommend current permit conditions
7B + 7J

Reviewer: Michael Zwart

Water Resources Department
Interoffice Memo

Date: 9/13/95

To: Water Rights Section

From: Karl Wozniak, Groundwater/Hydrology Section

Subject: Response to Objections to Application File G-13225

Three objections were received after the preliminary review of this application. This review addresses only those portions of the objections which pertain to the Groundwater/Hydrology Section's component of the technical review.

Data from the objections do not support any changes to the original findings by the Groundwater/Hydrology Section.

The objections from ODFW (Albert H. Mirati, Jr. and Daniel L. Carver (applicant) contain no information pertinent to the technical analysis by the Groundwater/Hydrology Section.

The objection from Jess M. Glaeser (attorney for the McReynolds) addresses several issues. The portion of the objection that pertains to findings by the Groundwater/Hydrology Section is based on a report by Dr. Jay MacPherson of RZA AGRA, Inc. However, insufficient data is included in the report to firmly establish any adverse impacts to spring flow and groundwater availability on the McReynolds' property caused by the pumping of wells listed on this permit application. Furthermore, insufficient data is provided to allow a prediction of future impacts by pumping. Dr. MacPherson himself concludes in his report that "Insufficient data exist to evaluate the true effect of using the BLM wells located within Daniel Carver's property boundary." Dr. MacPherson also concludes that "The data are insufficient to determine the effect on the future groundwater levels in the wells on the McReynolds' property from Mr. Carver accessing the BLM wells in question."

G-13225

WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Groundwater/Hydrology Files Date June 10, 1993

FROM: Karl Wozniak

SUBJECT: Groundwater Application G- 13225 Phone: 395-2507

Name: Daniel Carver

Applicant(s) seek 127 gpm ( ) cfs) from 5 well(s) in the _____ basin

Proposed use: Irrig. of 236 acres Buck Hollow Creek sub basin

Hinton Creek sub basin.

Pertinent 7 1/2 - minute quads Brane Canyon 28

Shaniko 214

Stock Pond Well 3773 - Now KCW 2-21-2013

Well # 1 WRD# WASC 1581 T 6S R 16E S 3 QQ SE/NE County Wasco

Legal Description 2120'S & 950'W of NE cor. S. 3

Well is < 100 ft from Hinton Creek (river/stream)

Well is _____ ft from _____ (river/stream)

Well elevation 2714 ft. River/stream elevation _____ ft.

Well elevation - river/stream elevation _____

Well depth 91' (2823) SWL Flowing on July, 1960

Sealed to cem to 24' Depth first water found _____

Cased to 6" to 24' Perforations/screens _____

Lined to _____ Perforations/screens _____

Well tests and types _____

Confined or unconfined? Confined Hydraulically connected? ?

Potential to cause substantial interference? ?

3769 = Now KCW 2-21-2013

Well # 2 WRD# WASC 1576 T 6S R 16E S 3 QQ SE/NE County Wasco

2793 m Legal Description 1950'S & 900'W of NE cor. S. 3

Well is < 100 ft from Hinton Creek (river/stream)

Well is _____ ft from _____ (river/stream)

Well elevation 2902 ft. River/stream elevation _____ ft.

Well elevation - river/stream elevation _____

Well depth 97' (2805) SWL Flowing on Dec. 1960

Sealed to Cem to 5' Depth first water found _____

Cased to 6" to 5' Perforations/screens _____

Lined to _____ Perforations/screens _____

Well tests and types _____

Confined or unconfined? Confined Hydraulically connected? ?

Potential to cause substantial interference? ?

Conditioned water rights in area: None

Other nearby water rights of record: G-8359 & G-13030 5S/16E-32 (None within 1 mile)

Density of nearby wells of record: Very low.

Comments: See attached memo.

References used: Swenson 1979, Open-file report 81-797

G-13225 ny

WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Groundwater/Hydrology Files Date June 10, 1993

FROM: Karl Woznick

SUBJECT: Groundwater Application G- 13225 cont. Phone:

Name: Daniel Carver

Applicant(s) seek 127 gpm (cfs) from 5 well(s) in the basin

Proposed use: Irrig of 23.6 acres sub basin

sub basin.

Pertinent 7 1/2 - minute quads

3771

Well # 3 WRD# WASC 1518 T 6S R 16E S 3 QQ County

50 gpm Legal Description 1780' S + 880' W of NE cor S 3

Well is < 100 ft from Hinton Creek (river/stream)

Well is ft from (river/stream)

Well elevation 2898 ft. River/stream elevation ft.

Well elevation - river/stream elevation

Well depth 74' (2824) SWL Flowing on 8-12-60

Sealed to Conc to 11½' Depth first water found

Cased to 6" to 11½' Perforations/screens

Lined to Perforations/screens

Well tests and types

Confined or unconfined? Confined Hydraulically connected? ?

Potential to cause substantial interference? ?

3768

Well # 4 WRD# WASC 1520 T 6S R 16E S 3 QQ SE/NE County Wasco

15 gpm Legal Description 1600' S + 900' W fr NE cor S 3

Well is < 100' ft from Hinton Creek (river/stream)

Well is ft from (river/stream)

Well elevation 2892 ft. River/stream elevation ft.

Well elevation - river/stream elevation

Well depth 108' (2784') SWL Flowing 15 gpm on 12/60

Sealed to Conc to 14.5' Depth first water found

Cased to 6" to 16.5' Perforations/screens

Lined to Perforations/screens

Well tests and types

Confined or unconfined? Confined Hydraulically connected? ?

Potential to cause substantial interference? ?

Conditioned water rights in area:

Other nearby water rights of record:

Density of nearby wells of record:

Comments:

References used:

WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Groundwater/Hydrology Files Date June 10, 1993

FROM: Karl Wozniak

SUBJECT: Groundwater Application G- 13225, cont. Phone:

Name: Daniel Garver

Applicant(s) seek 127 gpm (cfs) from 5 well(s) in the basin

Proposed use: Irr of 23.6 acres sub basin

sub basin.

Pertinent 7 1/2 - minute quads Bronc Canyon 28

Shanko 214

House Well

Well # 5 WRD# WASC 1504 3754 T 5S R 16E S 34 QQ NE/NE County Wasco

35 gpm Legal Description 660' S & 450' W fr NE cor S. 34

Well is 200 ft from Hinton Creek (river/stream)

Well is ft from (river/stream)

Well elevation 2734 ft. River/stream elevation 2725 ft.

Well elevation - river/stream elevation 9'

Well depth 45' (2689') SWL 17' on 10-21-70

Sealed to Cem/bent/drill chips -718' Depth first water found 22'

Cased to 6" to 40' Perforations/screens 20-40'

Lined to Perforations/screens

Well tests and types 40 gpm w/ 0' dd @ 1 hr (bailer test)

Confined or unconfined? Unconfined Hydraulically connected? Yes

Potential to cause substantial interference? Yes

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

Well depth SWL on

Sealed to Depth first water found

Cased to Perforations/screens

Lined to Perforations/screens

Well tests and types

Confined or unconfined? Hydraulically connected?

Potential to cause substantial interference?

Conditioned water rights in area:

Other nearby water rights of record:

Density of nearby wells of record:

Comments:

References used:

Water Resources Department
Interoffice Memo

Date: July 29, 1993

To: Groundwater/Hydrology Files

From: Karl Wozniak

Subject: Application G-13225/Carver

Throughout the Shaniko area groundwater is generally produced from confined aquifers that occur as interflow zones between basalt flows in the Columbia River Basalt Group. Groundwater recharge for the uppermost interflow aquifers is commonly limited to local topographic highs that are incised on two or more sides by stream drainages. North of highway 97 and its intersection with Bakeoven road, the basalt flows are gently inclined to the north-northwest at a dip of about 25 feet per 2000 feet. Near this same intersection, the land surface forms a topographic high which is the main surface water and groundwater divide in the area. In all directions of the compass, the high is deeply incised by the stream drainage system. Numerous springs occur along the drainage walls and on the stream floors where the interflow aquifers are successively breached by the drainage system. Because of these relationships, surface water is largely dependent upon groundwater discharge in the form of springs.

Well # 5 (House Well; 45 feet deep) produces water from an unconfined aquifer less than 200 feet from Hinton Creek.

Wells 1, 2, 3, and 4 are flowing artesian wells that produce from a shallow confined interflow aquifer of the Columbia River Basalt Group that occurs at about the 2830 foot elevation level. Based on the well reports, this zone is a vesicular basalt and/or tuff overlain by a dense basalt which forms the confining layer. According to Swanson (1981), an inferred NE-SW-trending fault occurs approximately 2000 feet north of the wells. According to the USGS 7.5-minute map, a group of springs discharge at approximately 2850 feet elevation in the creek bed where it is crossed by the trend of the inferred fault. These springs may represent a discharge zone, via the fault, for the confined aquifer tapped by these wells. If the fault does not exist, the local dip indicates that the producing interflow should crop out at about 2780 feet elevation to the north. In this case, the interflow aquifer would intersect (i.e. be hydraulically connected to) the stream at approximately 4000 feet north of the wells. Because of ambiguities in the geologic interpretation and the low production rates (a maximum combined rate of 92 gpm), it is unclear whether production from the wells will have the potential to cause substantial interference with Hinton Creek.

Therefore, if the Department issues a permit for these wells, it should contain special condition 4I.

On June 8, 1993 Brian Hoyer, the north-central region well inspector, visited the site and inspected wells 1-4. He saw no visible leaks around the casing and reports that the shut-off valves are all in working order.

TO: Water Rights Section July 29, 1993

FROM: Groundwater/Hydrology Section Karl C. Wozniak
Reviewer's Name

SUBJECT: Application G- 13225 Wells 1, 2, 3 + 4 only

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 surface water
   b. ____ will not source, namely _____; or
   c. ✓ will, if properly conditioned, adequately protect the surface water from interference:
      i. ✓ The permit should contain condition #(s) 4 I ;
      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 water from substantial interference.

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 and/or
   b. ____ will not within the capacity of the resource; or
   c. ____ can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
      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.

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: The wells on this permit are unlikely to interfere with the springs or wells on the McReynolds' property.

Well #5 (House well) is less than 200 feet from Hinton Creek and produces from an unconfined aquifer. See attached sheet

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.

_____ _____, 1993.
(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: _____
_____
_____.

_____ _____, 1993.
(Signature)

(WRFORM8\91)

TO: Water Rights Section July 29, 1993

FROM: Groundwater/Hydrology Section Karl C. Wozniak
Reviewer's Name

SUBJECT: Application G- 13225 Well 5 only

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 surface water
   b. ___ will not source, namely Hinton Creek; 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 water from substantial interference.

3. BASED UPON available data, I have determined that groundwater for the proposed use groundwater
   a. ✓ will, or likely be available in the amounts requested without injury to prior rights and/or
   b. ___ will not within the capacity of the resource; or
   c. ___ can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
      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.

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 # 5 (House Well) produces water from an unconfined aquifer and is located less than 200 feet from Hinton Creek.

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
   b._____was not
   constructed according to the standards in effect at the time of 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.

_____ _____, 1993.
(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: _____
_____
_____.

_____ _____, 1993.
(Signature)

(WRFORM8\91)

TENNESON
ENGINEERING CORPORATION
CONSULTING ENGINEERS • SURVEYORS • PLANNERS

409 LINCOLN STREET
THE DALLES, OR 97058

PHONE (541) 296-9177
FAX (541) 296-6657

RECEIVED
SEP 2 0 1999
WATER RESOURCES DEPT
SALEM, OREGON

September 15, 1999

Water Resources Department
3850 Portland Road NE
Salem, Oregon 97310

Subject: Daniel Carver
Application G-13225; Permit G-12539

Gentlemen:

On behalf of our client, Daniel Carver, enclosed is a Certified Water Rights Examiner Final Proof Survey Report under the above-referenced permits.

If you have any questions or need further submittals on these, please advise.

Very truly yours,

TENNESON ENGINEERING CORPORATION

Donald J. Branton, President
Certified Water Rights Examiner #024

DJB:jm
Enclosures
cc: Daniel Carver

<mist.223>

September 15, 1999

Final Proof Survey

Application G-13225
Permit G-12539

GENERAL INFORMATION: Permittee: Daniel Carver
HCR 71, Box 40
Maupin, Oregon 97037

Phone: (541) 395-2507

This Final Proof Report includes Application G-13225 and resulting Permit G-12539 for irrigation of 23.6 acres from three artesian wells in the Hinton Creek drainage, a tributary to Buck Creek and the Deschutes River.

Accompanying the CWRE at the time of field inspection on September 13, 1999, was Permittee's son Blaine Carver.

SOURCE: A group of three drilled wells, artesian in nature, all drilled to the approximate same depth and aquifer located within 400 feet of each other tied together in a common 2 inch iron pipe manifold and delivery main. The wells have approximately 20 pound static pressure head and a combined free flowing capacity approximately 92 gpm at the wellheads.

DIVERSION POINT:

Well #1 Is not used, it is reserved for stock water and adjacent saturated wildlife enhancement area.

Well #2 Is 1,950 feet South and 900 feet West of the Northeast corner of Section 3, Township 6 South, Range 16 East, Willamette Meridian.

Well #3 Is 1,835 feet South and 850 West of the Northeast corner of Section 3, Township 6 South, Range 16 East, Willamette Meridian.

RECEIVED
SEP 2 0 1999
WATER RESOURCES DEPT.
SALEM, OREGON

Well #4 Is 1,565 feet South and 900 feet West of the Northeast corner of Section 3, Township 6 South, Range 16 East, Willamette Meridian.

All four wells being within the Southeast 1/4 of the Northeast 1/4 of Section 3, Township 6 South, Range 16 East, Willamette Meridian.

WELL DESCRIPTION:

WASC 3769 KCW

Well #2 Is a drilled well 97 feet deep. The basic well is 6 inches in diameter with a 6 inch by 0.25 thickness steel casing driven 5 feet into solid rock, imbedded into cement below the surface and extending to1-1/2 feet above the surface. It has a threaded cap equipped with welded ear lugs to drive on and off on the top. There is a welded 2 inch tee in the side of the projecting casing which is sized down to a 1-1/2 inch pipe containing a 1-1/2 inch gate valve and then graded back up to a 2 inch galvanized iron pipe out for the collection manifold from the other two wells. The top of the cap is equipped with a 2 inch threaded nipple and plug for access to the top of the well. The well is protected by a 4' x 4' x 6" wall concrete box 36 inches above the ground with a 2 x 6 plank wooden cover. The well is artesian in nature free flowing over the top at 27 gpm, based on the driller's information of December 1960. The static pressure without use is approximately 20 psi. A copy of the well log is attached.

Well #3 Is a drilled well 74 feet deep. The basic well is 6 inches in diameter with a 6 inch by 1/4 inch steel casing driving 11-1/2 feet below the surface set in concrete and projecting 1-1/2 feet above the surface. The casing is equipped with a threaded cap, a welded 2 inch tee and 2 inch gate valve connected with 2 inch galvanized pipe to the common manifold with the other wells, there is also a 1 inch tap tee and plug attached to the 2 inch line downstream of the gate valve. The well cap is equipped with welded ears for knock on and has no tap in the top of it. The wellhead is protected by a

WASC 3771 KCW

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SALEM, OREGON

4' x 4' x 6" concrete box 36 inches high with a wooden cover. The well free flow unrestricted is approximately 50 gallons per minute as per driller's log and when capped has a static pressure of 20 psi. A copy of the well log attached.

Well #4 Is a drilled well 108 feet deep. The basic well is 6 inches in diameter. It has a 6 inch by 1/4 inch steel casing 16-1/2 feet below the surface imbedded in cement. The top of the well casing projects 1-1/2 feet above the surface furnished with a welded on 1-1/2 inch tee and gate valve which is sized down to a 3/4 inch galvanized iron pipe delivering to the 2 inch common manifold mainline connecting all three of these wells. The top of the casing is attached with a screw on cap and welded ear lugs for removal and no top plug. The well has a capacity of approximately 15 gallons per minute based on the original well log free flow and static pressure of 20 psi when capped. A copy of the well log attached.

WASC 3768 Kcw

PUMPS: There are no pumps utilized on this system.

PIPEWORK: From the three artesian wells, all interconnected with a 2 inch buried galvanized iron pipe mainline, which extends northerly up the floor of the canyon some 6,300 feet through the fields subject to irrigation under this permit. Along the route of this buried mainline are several valves and risers to provide connection points for surface laid hand line and riser heads. In addition, the ranch has approximately 1,000 lineal feet of 2 inch aluminum hand line equipped with riser heads and "Rainbird" impact type sprinklers

APPLICATION: Application is from the hand laid 2 inch aluminum lines and risers through single 3/16 nozzle "Rainbird" impact sprinklers. They operate at approximately 25 psi with the sprinklers providing effective average flow of 5 gpm per head. Irrigation sets are limited to 10 heads for 50 gpm application rate, due to the restriction and flow of the rather lengthy 2 inch mainline feed from the artesian wells. Because of the rather large acreage being covered with the minimum number of sprinklers operating,

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SALEM, OREGON

sprinkling is carried on a more or less continuous basis on one set or another within the irrigated fields during the irrigation season. In order to more fully determine the actual capacity of the delivery system, the sprinklers were disconnected from the system, and the system discharge out of the end of the 2 inch at the northerly end terminus of the system was directed into a 55 gallon drum. The drum filled in 65 seconds confirming a maximum system flow of 51 gpm.

USE: Application is to alfalfa pasturage as evidenced by the green growth prevalent on the application areas versus the extremely dry brown grass prevalent on the unirrigated areas on the other side, in common with this Bakeoven area of Wasco County. A full compliment of the 10 sprinkler set was in operation at the time of the inspection on the irrigated field located to the immediate south of the farm headquarters. Also verified was the development usage, of the wildlife enhancement area on the unused Well #1 which is controlled flow through a restricted nozzle of 1 inch size to provide the riparian and wildlife development area required by the Bureau of Land Management requirements for the permission to use these wells which are located on BLM ownership. The flow at the time of the observation with the other wells in delivery to the irrigation system was approximately 1-1/2 gpm to the area creating a pond of approximately 10 feet across with a very shallow depth, with the wetted area extending out an additional 15 or 20 feet from the discharge point at the well.

LIFT: Based on the USG&S 7.5 minute quadrangle map, Shaniko, Oregon, elevation of the ground at the wells, which are identified on the map, is 2,890 feet, more or less. The ground slopes downhill on the floor of valley with the run of the 2 inch delivery main to an elevation of approximately 2750 at the terminus of the main adjacent to the ranch headquarters building providing approximately 140 feet of fall in the delivery line. The majority of this fall is utilized in fraction losses so the in use line pressure remains fairy constant along the pipeline around 20 to 30 psi.

SURVEY MONUMENT: TIE: Survey tie for the permit was taken from the Northeast corner of Section 3, Township 6 South, Range 16 East, Willamette Meridian being a mound of stone located in a trace of the old East-West

fence line approximately 150 feet West of a ravine being the picture point location agreeing with the aerial map of section corner position.

SPECIAL CONDITIONS: As noted, a condition of use of wells based on B.L.M. property, the existing Well #1 is set up and being maintained as a wildlife enhancement area which use is verified by the numerous elk and deer track around the wetted area. The Well #5 pump located adjacent to the ranch headquarters was not developed or being utilized pursuant to the terms of the permit issuance.

REMARKS: The usage has been fully implemented on the acreage specified. The conditions for development of the wells on the B.L.M. ownership have been complied with. It is noted that the calculations indicate the actual system production rate at 51 gpm, which is less than the permitted allowed use. The Permittee has indicated that he is not prepared to undertake upgrade of the pipework necessary to develop the full well capacity and is willing to proceed with the issuance of the certificate based on the system delivery capability rather than the limitation on acreage or permit quantity limitation.

ATTACHMENTS: Final Proof Survey Map, Well Driller's Logs for Wells #2, #3, and #4, and calculation sheet, pump test well log.

CALC. SHEET 9-14-99 1/1 DLB

CARVER FILE - G 13225
PERMIT G-12539.

USE LIMITATION BASED UPON IRRIGATION ACREAGE

$23.6 \left(\frac{1}{80}\right) 449.5 = 132.31$ GPM.
(0.295 cfs)

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SALEM, OREGON

LIMITATION OF PERMIT = 0.28 cfs.

LIMITATION OF SYSTEM PRODUCTION

TEST FLOW INTO 55 DRUM = 65 SEC.
CONTINOUS RATE UNVARIED -

$\frac{55}{65/60} = 50.77$
51 GPM.

USE LIMITED BY SYSTEM CAPACITY AT 51 GPM
FROM WELLS #2, 3 & 4.

Certified Water Right Examiner
#024
Donald J. Brunton
Nov. 19, 1987
STATE OF OREGON
Renew 12/31/99

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS
AMPAD

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WATER RESOURCES DEPT.
SALEM, OREGON

CERTIFICATION

This Final Proof Survey inspection and use was found to be in compliance with the terms and conditions of Permit #G-12539 completed by me on September 15, 1999, and the facts contained in this report and accompanying this Final Proof Survey Map are correct to the best of my knowledge.

Dated: September 15, 1999

Donald J. Branton, _____

Certified Water Right Examiner #024 Donald J. Branton Nov. 18, 1987 STATE OF OREGON

Renew 12/31/99

I, Daniel Carver, agree with the findings of the CWRE and do submit this site report as my Claim for Beneficial Use of this water as provided under the terms and conditions of my Permit G-12539.

Daniel Carver

Dated: September 16, 1999

On this 16th day of September, 1999, before me, a Notary Public for the State of Oregon, appeared Daniel Carver known to me personally, who being first duly sworn, say that he did sign this instrument of his free and voluntary act.

B B W

Notary Public of Oregon

OFFICIAL SEAL
BENJAMIN B. BESEDA
NOTARY PUBLIC - OREGON
COMMISSION NO.054709
MY COMMISSION EXPIRES JUNE 04, 2000

WELL # 2 - ARTESIAN

WASC 3769

001516

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

WATER WELL REPORT

STATE OF OREGON
(Please type or print)

State Well No. 6/16-2

State Permit No.

RECEIVED
AUG 1 1960
STATE ENGINEER
SALEM OREGON

(1) OWNER:

Name Hinton and Ward

Address Haupin, Oregon

(2) LOCATION OF WELL:

County Wasco Driller's well number

¼ ¼ Section 2 T. 6S R. 16E W.M.

Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):

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

(5) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(6) CASING INSTALLED:

Threaded ☐ Welded ☒

6 " Diam. from 0 ft. to 5 ft. Gage .250

" Diam. from ft. to ft. Gage

" Diam. from ft. to ft. Gage

(7) PERFORATIONS:

Perforated? ☐ Yes ☒ No

Type of perforator used

Size of perforations in. by in.

perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(8) 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.

(9) CONSTRUCTION:

Well seal—Material used in seal casing embedded in cement

Depth of seal 5 ft. Was a packer used?

Diameter of well bore to bottom of seal in.

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

Was a drive shoe used? ☐ Yes ☐ No

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

Gravel placed from ft. to ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

(10) WATER LEVELS:

Static level Flowing ft. below land surface Date Dec, 1960

Artesian pressure lbs. per square inch Date

(11) 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

" " " "

" " " "

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

Artesian flow 27 g.p.m. Date Dec. 14, 1960

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

(12) WELL LOG:

Diameter of well below casing 6 in.

Depth drilled 97 ft. Depth of completed well 97 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Broken gravel & clay	0	1
Basalt	1	16
Visicular basalt	16	18
Dense basalt	18	65
Visicular basalt & tuff	65	68
Basalt	68	97
Water enters well at 70' + or - 5'		

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WATER RESOURCES DEPT
SALEM, OREGON

Work started December 19 60 Completed December 19 60

Date well drilling machine moved off of well 19

(13) PUMP:

Manufacturer's Name

Type: H.P.

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 Bert Abrams
(Person, firm or corporation) (Type or print)

Address P. O. Box 726, Madras, Oregon

Drilling Machine Operator's License No.

[Signed]
(Water Well Contractor)

Contractor's License No. 70 Date Dec. 14, 1960

(USE ADDITIONAL SHEETS IF NECESSARY)

WELL # 3 - ARTESIAN

WASC 3771

001518

File Original and First Copy with the STATE ENGINEER, SALEM, OREGON

WATER WELL REPORT
STATE OF OREGON

State Well No. 6/16-2D

State Permit No.

(1) OWNER:

Name Hinton and Ward

Address Maupin, Oregon

(2) LOCATION OF WELL:

County Wasco Owner's number, if any—

NW ¼ NW ¼ Section 2 T. 5S R. 16E W.M.

Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 11.

(4) PROPOSED USE (check):

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

(5) TYPE OF WELL:

Rotary ☐ Driven ☐ Cable ☒ Jetted ☐ Dug ☐ Bored ☐

(6) CASING INSTALLED: Threaded ☐ Welded ☒

5ID " Diam. from 0 ft. to 11½ ft. Gage 250

" Diam. from ft. to ft. Gage

" Diam. from ft. to ft. Gage

(7) PERFORATIONS: Perforated? ☐ Yes ☒ No

Type of perforator used

SIZE of perforations in. by in.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

(8) SCREENS: Well screen installed ☐ Yes ☒ No

Manufacturer's Name

Type Model No.

Slot size Set from ft. to ft.

Slot size Set from ft. to ft.

(9) CONSTRUCTION:

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

Gravel placed from ft. to ft.

Was a surface seal provided? ☒ Yes ☐ No To what depth? 11½ ft.

Material used in seal—Casing imbedded in cement

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? Depth of strata

Method of sealing strata off

(10) WATER LEVELS:

Static level Flowing ft. below land surface Date 8-12-60

Artesian pressure lbs. per square inch Date

Log Accepted by:

[Signed] [signature] (Owner) Date Sept 26, 1960

(11) 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.

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

Artesian flow 50 g.p.m. Date Aug 15 1960

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

(12) WELL LOG: Diameter of well 6 inches.

Depth drilled ft. Depth of completed well ft.

Formation: *Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.*

MATERIAL	FROM	TO
Broken gravel and silt	0	7
Dense visicular basalt	7	41
Basalt	41	65
Volcanic tuff	65	73
Basalt	73	74

↑ 2" line copper ... well head ... [illegible]

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WATER RESOURCES DEPT SALEM, OREGON

Work started August 1960. Completed August 1960

(13) PUMP:

Manufacturer's Name

Type: H.P.

Well Driller's Statement:

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

NAME Bert Abrams (Person, firm, or corporation) (Type or print)

Address P. O. Box 725, Madras, Oregon

Driller's well number

[Signed] Bert Abrams (Well Driller)

License No. 70 Date August, 1960

(USE ADDITIONAL SHEETS IF NECESSARY)

WELL #4 - ARTESIAN WASC 3768

001520

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

WATER WELL REPORT
STATE OF OREGON
(Please type or print)

State Well No. 6/16-2

State Permit No.

RECEIVED
AUG 1 0 1960
STATE ENGINEER
SALEM OREGON

(1) OWNER:
Name Hinton and Ward
Address Maupin, Oregon

(2) LOCATION OF WELL:
County Wasco Driller's well number
¼ ¼ Section 2 T. 6S R. 16E W.M.
Bearing and distance from section or subdivision corner

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

(4) PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☒

(5) TYPE OF WELL:
Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(6) CASING INSTALLED:
Threaded ☐ Welded ☒
6 " Diam. from 0 ft. to 16½ ft. Gage .250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(7) PERFORATIONS:
Perforated? ☐ Yes ☒ No
Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(8) SCREENS:
Well screen installed? ☐ Yes ☒ No
Manufacturer's Name
Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(9) CONSTRUCTION:
Well seal—Material used in seal casing imbedded in cement
Depth of seal 14½ ft. Was a packer used?
Diameter of well bore to bottom of seal in.
Were any loose strata cemented off? ☐ Yes ☐ No Depth
Was a drive shoe used? ☐ Yes ☐ No
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? Depth of strata
Method of sealing strata off

(10) WATER LEVELS:
Static level Flowing ft. below land surface Date 12-60
Artesian pressure lbs. per square inch Date

(11) 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
-	-	-	-
-	-	-	-

Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow 15 g.p.m. Date Dec., 1960
Temperature of water Was a chemical analysis made? ☐ Yes ☒ No

(12) WELL LOG:
Diameter of well below casing 6 in.
Depth drilled 108 ft. Depth of completed well 108 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Broken gravel & silt	0	11
Dense basalt	11	26
Fractured basalt & tuff	26	32
Dense basalt (occasional fracture)	32	94
" " (milky color)	94	108

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SEP 20 1999
WATER RESOURCES DEPT
SALEM, OREGON

Work started December 19 60 Completed December 19 60
Date well drilling machine moved off of well 19

(13) PUMP:
Manufacturer's Name
Type: H.P.

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 Bert Abrams
(Person, firm or corporation) (Type or print)
Address P. O. Box 726, Madras, Oregon

Drilling Machine Operator's License No.

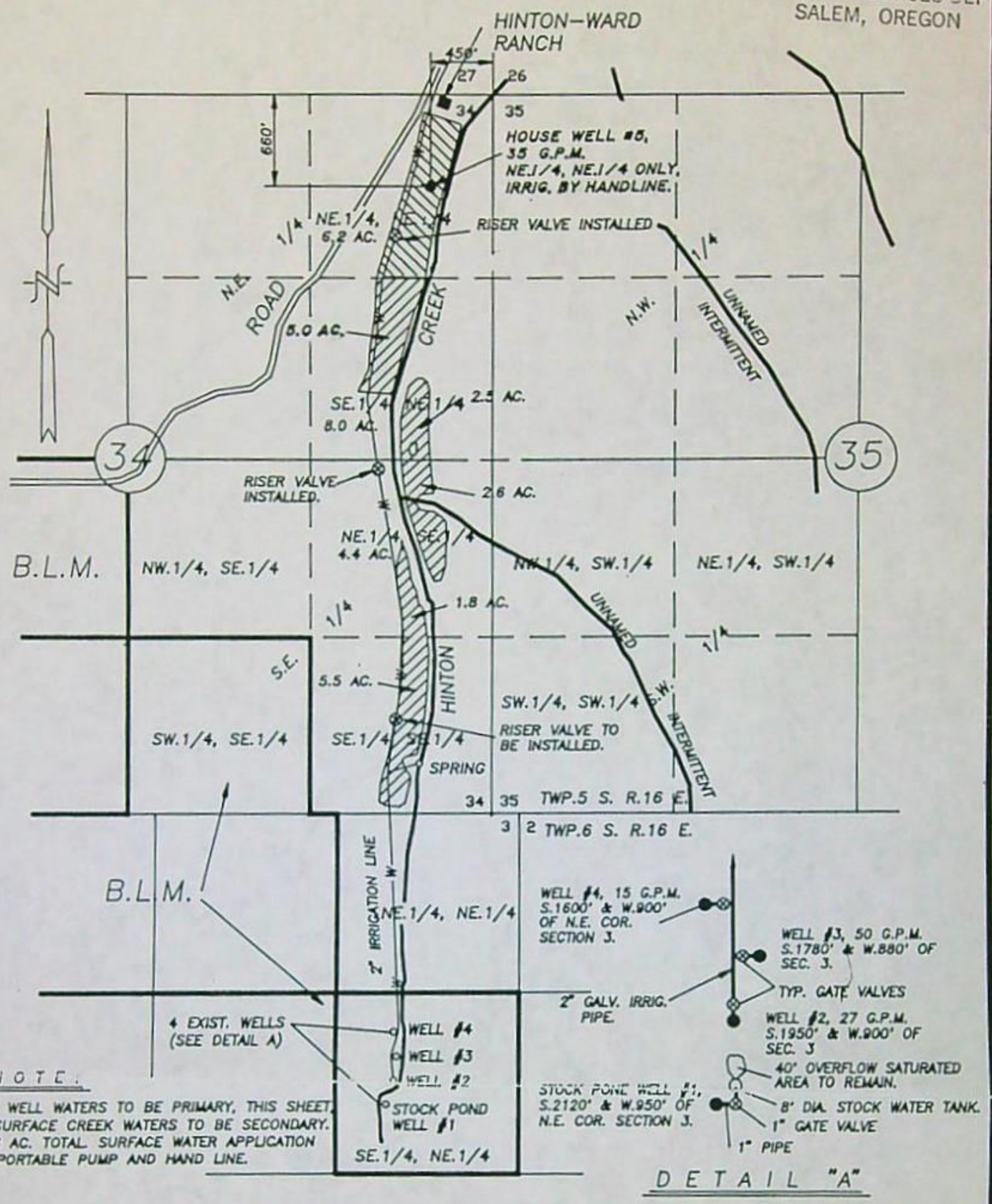
[Signed] /s/ Bert Abrams
(Water Well Contractor)

Contractor's License No. 70 Date Dec. 14, 19 60

(USE ADDITIONAL SHEETS IF NECESSARY)

SECTION 3, T.6 S. R.16 E. W.M. AND SECTIONS 34 & 35, T.5 S. R.16 E. W.M.

WASCO COUNTY, OREGON



NOTE:

ALL WELL WATERS TO BE PRIMARY, THIS SHEET, & SURFACE CREEK WATERS TO BE SECONDARY. 23.6 AC. TOTAL SURFACE WATER APPLICATION BY PORTABLE PUMP AND HAND LINE.

DETAIL "A"

WATER RIGHT APPLICATION MAP

SCALE: 1"= 1000'

APPLICATION No. 73093

PERMIT No. G12539

IN THE NAME OF: DANIEL CARVER

DATE: DECEMBER 7, 1992

BY: TENNESON ENGINEERING CORP.
409 LINCOLN STREET,
THE DALLES, OREGON. 97058
PH. (503) 296-9177

Certified Water Right Examiner
#024
Donald J. Branton
Nov. 19, 1987
STATE OF OREGON

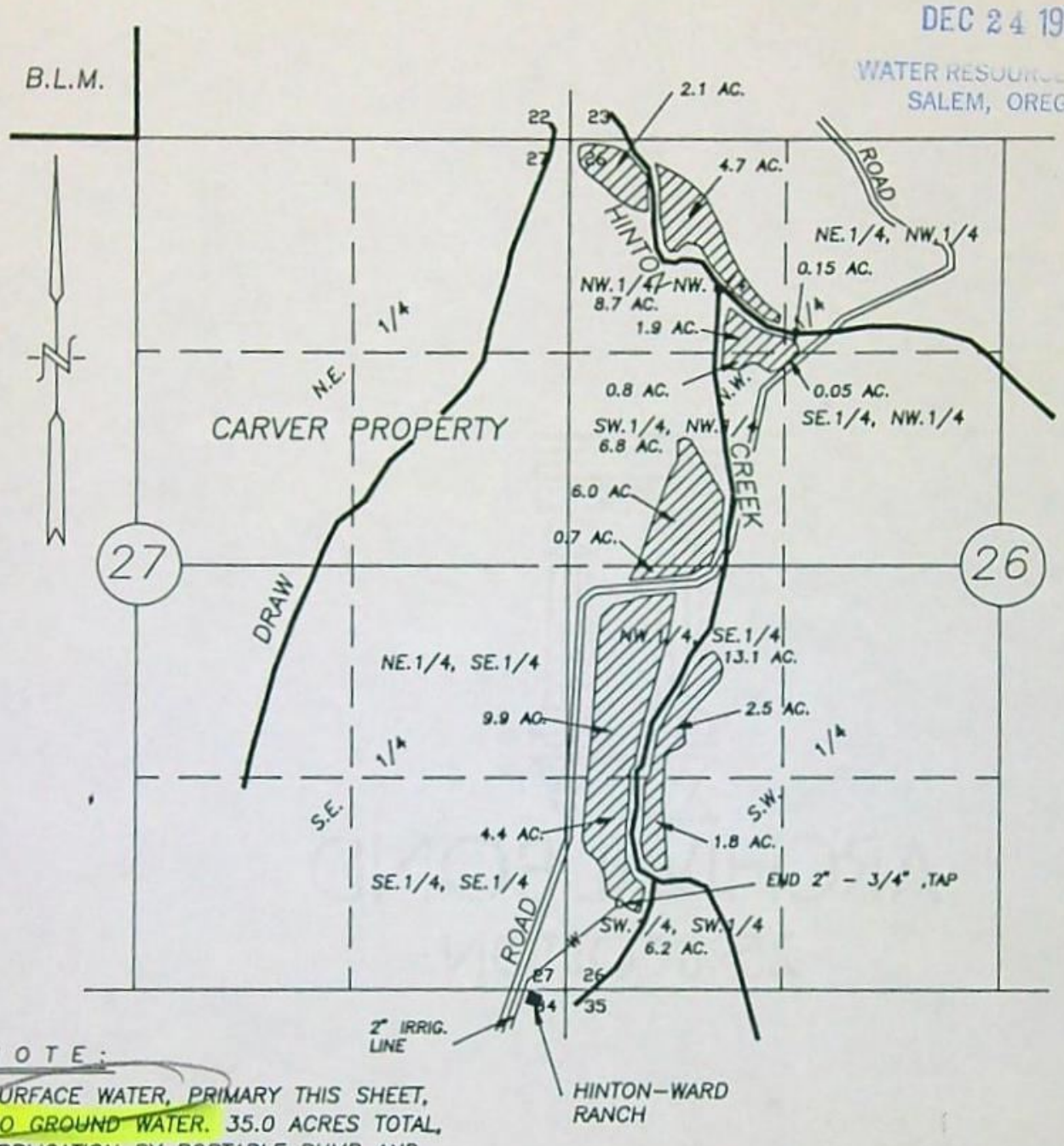
NOTE:

'THIS MAP IDENTIFIES THE LOCATION OF THE WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATE PROPERTY OWNERSHIP LINES.

W.O. #7797

SECTIONS 27 & 26, T.5 S. R. 16 E. W.M.

WASCO COUNTY, OREGON



NOTE:

SURFACE WATER, PRIMARY THIS SHEET, NO GROUND WATER. 35.0 ACRES TOTAL, APPLICATION BY PORTABLE PUMP AND HAND LINES.

WATER RIGHT APPLICATION MAP

SCALE: 1"= 1000'

APPLICATION No. ~~G-13225~~

PERMIT No. G12539

IN THE NAME OF:

DANIEL CARVER

DATE: DECEMBER 7, 1992

BY: TENNESON ENGINEERING CORP.
409 LINCOLN STREET,
THE DALLES, OREGON. 97058
PH. (503) 296-9177

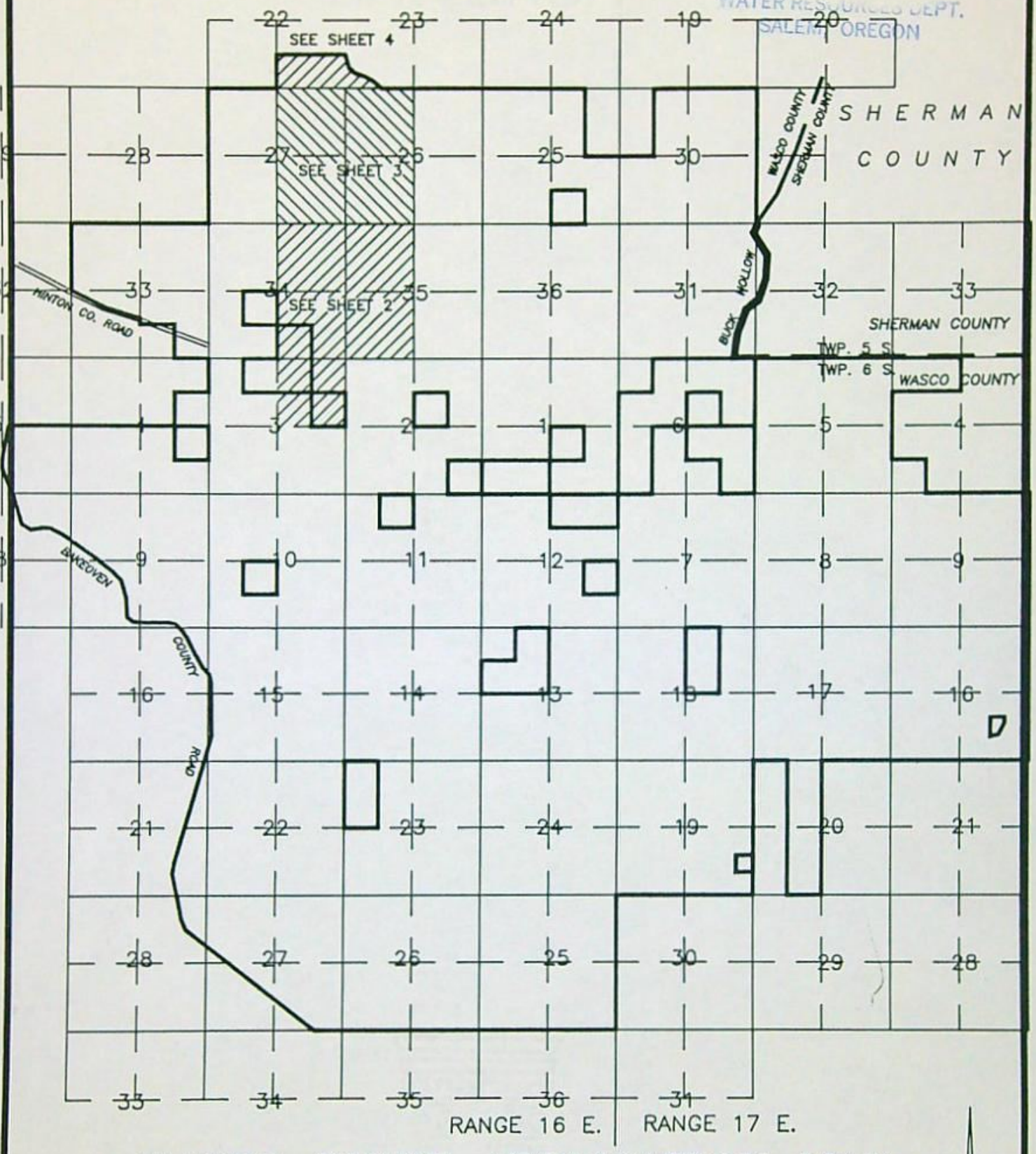
Certified Water Right Examiner
#024
Donald J. Branton
Nov. 19, 1987
STATE OF OREGON

NOTE:

'THIS MAP IDENTIFIES THE LOCATION OF THE WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATE PROPERTY OWNERSHIP LINES.

W.O. #7797

T.5S. R.16 & 17E. AND T.6S. R.16 & 17 E. W.M.
WASCO COUNTY, OREGON



WATER RIGHT APPLICATION MAP

SCALE: 1" = 1 MILE

APPLICATION No. G-13225

PERMIT No. G12539

IN THE NAME OF:

DANIEL CARVER

DATE: DECEMBER 7, 1992

BY: TENNESON ENGINEERING CORP.
409 LINCOLN STREET,
THE DALLES, OREGON. 97058
PH. (503) 296-9177

Certified Water Right Examiner
#024
Donald J. Branton
Nov. 19, 1987
STATE OF OREGON

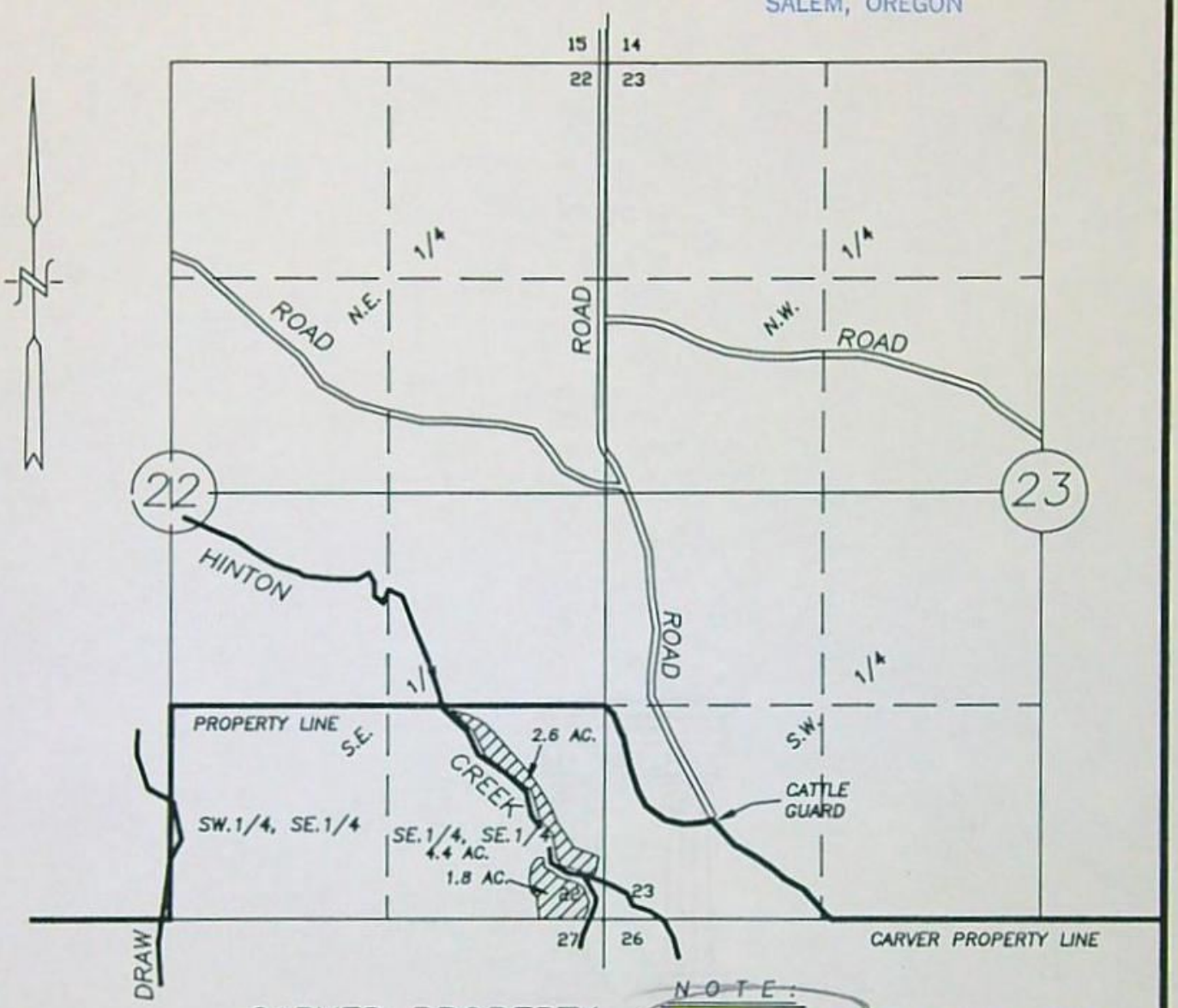
NOTE:

'THIS MAP IDENTIFIES THE LOCATION OF THE WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATE PROPERTY OWNERSHIP LINES.

SHEET 1 OF 4

W.O. #7797

SECTIONS 22 & 23, T.5 S. R. 16 E. W.M.
WASCO COUNTY, OREGON



CARVER PROPERTY

N O T E :
SURFACE WATER ONLY THIS SHEET.
4.4 ACRES APPLICATION BY PORTABLE PUMP AND HAND LINES.

WATER RIGHT APPLICATION MAP

SCALE: 1"= 1000'

APPLICATION No. ~~G 13225~~

PERMIT No. G12529

IN THE NAME OF:

DANIEL CARVER

DATE: DECEMBER 7, 1992

BY: TENNESON ENGINEERING CORP.
409 LINCOLN STREET,
THE DALLES, OREGON. 97058
PH. (503) 296-9177

Certified Water Right Examiner
#024
Donald J. Branton
Nov. 19, 1987
STATE OF OREGON

NOTE:

'THIS MAP IDENTIFIES THE LOCATION OF THE WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATE PROPERTY OWNERSHIP LINES.

SHEET 4 OF 4

W.O. #7797

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

3. Article Addressed to:

DANIEL CARVER
HCR 71 BOX 40
MAUPIN OR 97037

G-13225 WR

4a. Article Number P-56557

4b. Service Type

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

7. Date of Delivery 6-25-99

5. Received By: *(Print Name)* Joe McKnight

6. Signature *(Addressee or Agent)* Joe McKnight

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

PS Form **3811**, December 1994 102595-99-B-0223 Domestic Return Receipt

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

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

• Print your name, address, and ZIP Code in this box •

WATER RESOURCES DEPT
158 12TH ST NE
SALEM OR 97310

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

June 24, 1999

DANIEL CARVER
HCR 71 BOX 40
MAUPIN OR 97037

REFERENCE: File G-13225

This letter is in regard to your water use Permit G-12539. As we pointed out to you in our letter of September 29, 1998 your claim of beneficial use must be received in this office by **September 16, 1999**.

Oregon Administrative Rule 690-14-190 states: "The claim of beneficial use shall be submitted to the Department within one year after the use was reported..as being complete...Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260."

The "claim" consists of a site report and map of the developed use prepared by a Certified Water Rights Examiner (if stored water is 9.2 or more acre-feet), which accompany a request from the permittee for issuance of a certificate of water right. If stored water is less than 9.2 acre-feet and if there is no secondary water right that permits the diversion of water from the reservoir you may be able to prepare your own claim of beneficial use.

You are hereby notified that unless your claim is received on or before **September 16, 1999**, your permit will be canceled without further notice.

If you have any questions, please contact the Water Rights Section.

Sincerely,

DALLAS MILLER
Water Rights Specialist

DM:jh

cc: Larry Toll, Watermaster
Donald Branton, CWRE

CERTIFIED - RETURN RECEIPT REQUESTED

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

September 29, 1998

DANIEL CARVER
HCR 71 BOX 40
MAUPIN OR 97037

REFERENCE: File G-13225

We have received your notice that complete application of water has been made under Permit G-12539.

In order to obtain a certificate of water right, you are required by law to hire a Certified Water Right Examiner (CWRE) to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before **September 16, 1999**. A list of Certified Examiners is enclosed for your information.

The Department requires that the CWRE has a copy of the permit or transfer order to compile the claim of beneficial use. All permit conditions need to be addressed in the claim and map you submit.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

In addition, before the Water Right Certificate is issued, you are required to submit a well pump test. This test must be done according to the instructions in the brochure. Forms and brochures are available upon request.

In the meantime, the permit you hold is valid evidence of your right to use the water.

If you have any questions, please contact the Water Rights Section at 378-3739, or toll-free within Oregon 1-800-624-3199.

Sincerely,

DALLAS MILLER
Natural Resource Specialist 2

DM:jh

enclosure

cc: Larry Toll, Watermaster
Donald Branton, CWRE

RECEIVED
SEP 16 1998
WATER RESOURCES DEPT.
SALEM, OREGON

Form C (690—9-77)

IMPORTANT—This form is a notice to the Water Resources Director that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. G-13225

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, DANIEL L. CARVER, the holder of Permit No. G-12539

appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 11th day of SEPTEMBER, 1998

Remarks:

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of SEPT., 1998

Daniel L. Carver
(Signature of Applicant)

HCR 71 BOX 40, MAUPIN, ORE. 97037
(Address)

File G-13225

Interoffice Memorandum
Water Resources Department

DATE: July 3, 1996

TO: Water Rights Section

FROM: Larry Toll, Watermaster - District #3 LMT

SUBJECT: Not Buck Hollow Creek & Misc. Permit

We just received Permit G-12539 for Daniel Carver. This permit lists the wrong stream basin. This permit is for 3 wells so should be in the Buck Hollow Creek Wells Basin, not the Buck Hollow Creek & Misc. Basin.

We have attached a copy of the permit.

Thanks.

COPY CHECK-OFF SHEET FOR PROPOSED FINAL ORDERS

CC: FILE # G-13225

WATERMASTER # 03 - Larry Toll

REGIONAL MANAGER: Tom Paul

ODF&W - Wasco County: YES

CWRE (if agent): N/A

DEQ YES

OTHER STATE AGENCY IF NECESSARY: State Parks

DIVISION 33 LIST: N/A (CHECK ONLY IF APPLICABLE) COLUMBIA RIVER INTERTRIBAL FISH COMMISSION; U.S. FISH & WILDLIFE; NORTHWEST POWER PLANNING COUNCIL & NATIONAL MARINE FISHERIES

POWER BUILDER UPDATER; FRONT COUNTER; KEN STAHR

OTHER ADDRESSES OF PEOPLE WHO PAID THE $10 FEE:

Bureau of Land Management
c/o James G. Kenna
Prineville District Office
P.O. Box 550 (185 E. 4th Street)
Prineville, OR 97754

PEOPLE WITH OBJECTIONS, COMMENTS OR REQUESTED COPY W/O $10 (SEND THE $10 LETTER):

~~Joan Starr Ward~~
~~518 Baywood Court~~
~~Ukiah, CA 95482~~

Lonny & Pamela Brown
P.O. Box 235
Maupin, OR 97037

Thomas & Joan McReynolds
c/o Lazy J M Ranch
Maupin, OR 97037
Portland, OR 97204

Jess M. Glaeser
One Main Place Bldg, Suite 600
101 S.W. Main Street
Portland 97204

CASEWORKER : Bernadette Williams

Oregon
WATER RESOURCES
DEPARTMENT
Commerce Building
158 12th Street NE
Salem, OR 97310-0210

G-13225

RETURN TO SENDER
UNDELIVERABLE AS ADDRESSED

JESS M GLAESER
ONE MAIN PLACE BLDG SUITE 600
101 SW MAIN ST
PORTLAND OR 97204

Moved

RECEIVED
APR 19 1996
WATER RESOURCES DEPT.
SALEM, OREGON

OREGON WATER RESOURCES DEPARTMENT

Commerce Building
158 12th Street NE
Salem OR 97310-0210

NOTICE OF PROPOSED FINAL ORDER

This is to notify you that the Water Resources Department has issued a Proposed Final Order (PFO) on an application which may interest you. Attached is an excerpt from our weekly public notice, identifying the application we believe you may be interested in.

A PFO is the Department's preliminary decision on a water use request. It documents the agency's decision through specific findings. If appropriate, it includes a draft permit specifying any conditions or restrictions on the use.

Persons interested in receiving a mailed copy of a PFO must pay statutorily-required fee of $10. (Any person paying $10 to receive a PFO by mail will also receive a copy of the Final Order when it is issued.) PFO's may be viewed for free at the Department's Salem office or at watermasters' offices; you may make your own copies for the standard copy charge.

If you do not request a copy of the PFO, you may not be notified of subsequent action on the referenced application.

Opportunities for Further Public Involvement

Those disagreeing with the Department's decision as expressed in the PFO have 45 days from the date the PFO was issued to file a protest.

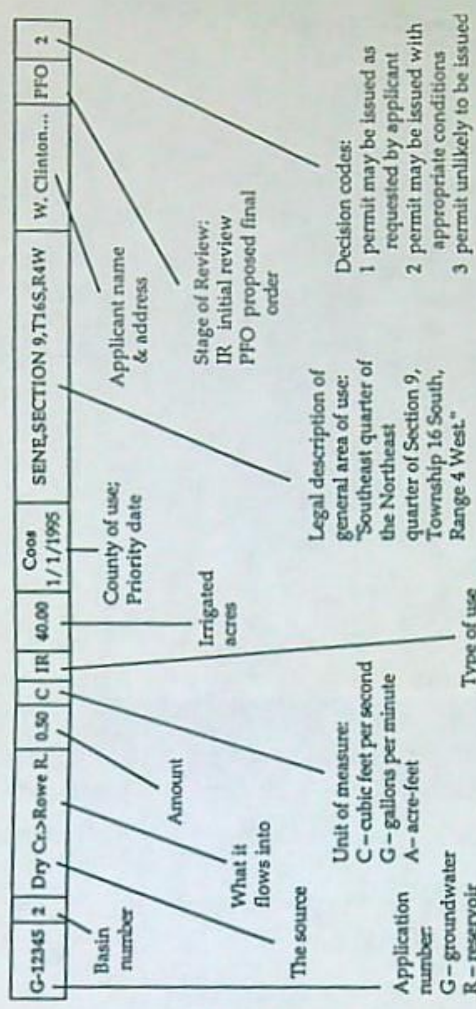
The protest filing fee is $200 for everyone but the applicant. Detailed requirements for filing a protest will be sent with copies of the PFO. Persons who support the PFO may file a "standing" fee of $50 to retain the ability to participate in future proceedings relating to an application. To participate, an additional $150 is required at the time of the proceeding, if a contested case hearing is held.

For additional information, call the Water Rights Information Group, extension 600 at either 503-378-8455 or 800-624-3199. Please have the application file number ready.

How To Read the Listing

Applications are organized by Oregon's major river basins, as listed below:

1–North Coast	8–Grande Ronde	15–Rogue
2–Willamette	9–Powder	16. Umpqua
3–Sandy	10–Malheur	17–S. Coast
4–Hood	11–Owyhee	18–Mid Coast
5–Deschutes	12–Malheur L.	19–Columbia
6–John Day	13–Goose/Sumner	20–Snake
7–Umatilla	14–Klamath	



Some commonly-used Type of Use abbreviations (for definitions, please consult Oregon Administrative Rules Chapter 690, Division 11):

AG–agriculture	GD–group domestic	MU–municipal
CF,CH,CI,CR–cranberry uses	GR–groundwater recharge	NU–nursery use
CM–commercial	GT–geothermal	PA–pollution abatement
CS–campground	IC–irrigation, primary & supplemental	PW–power
DI–domestic, incl. lawn & garden	ID,IL–irrigation with Domestic or Livestock use, respectively	QM–quasi-municipal
DN–domestic, incl. non-commercial	IM–industrial, manufacturing	RC–recreation
DO–domestic	IR–irrigation	RW–road construction
DS–domestic/stock	IS–supplemental Irrigation	ST–storage
FI–fish	LV,LW–livestock,/wildlife	SW–swimming
FP–fire protection	MI–mining	TC–temperature control
FW–fish & wildlife		WI–wildlife

PROPOSED FINAL ORDER REQUEST FORM

Your Name, Address, and Phone Number:

_____

_____

_____

_____ Phone: _____

Please send me the Proposed Final Order for Water Right Application:

#_____

#_____

#_____

Return this form and $10 per PFO to:

PFO Requests
Proposed Final Order Team
Oregon Water Resources Department
158 12th St. NE
Salem OR 97310

Please include a check made out to the Oregon Water Resources Department in the amount of $10 for each proposed final order you would like mailed to you. This fee entitles you to also receive a copy of the final order, when issued.

March 26, 1996

App#	Basin	Source	Quantity	Use		Cnty/Priority	Pod Vicinity	Name/Address	Stage/Status
S-73344	2	RUNOFF/NORTH RES>BRUSH CO	3.5000 A	RC		POLK 4/16/1993	NESE,SECTION 7 T 7S, R3W	ERIC W OLSEN	PFO 2
		GIBSON G/SOUTH RES>BRUSH					SESE,SECTION 7 T 7S, R3W	3020 BRUSH COLLEGE RD NW SALEM,OR 97304	
S-79829	2	SPRS>ROGERS CR	30.0000 G	IL	4.00	MARION 12/30/1994	NWNE,SECTION 35 T 8S, R3W	RICHARD S JONES	PFO 2
		RUNOFF>ROGERS CR					NWNE,SECTION 35 T 8S, R3W	8095 SUNNYSIDE RD SE SALEM,OR 97306	
S-80558	2	UNN STR>TUALATIN R	5.0000 A	AG		WASHINGTON 8/ 3/1995	SENW,SECTION 28 T 1S, R3W	RON HOCHSTEIN	PFO 2
		UNN STR>TUALATIN R		IR	16.30		SENW,SECTION 28 T 1S, R3W	38100 SW GNOS RD CORNELIUS,OR 97113	
				IS	16.30				
G-13225	5	WELL 4>BUCK HOL	0.2000 C	IR	23.60	WASCO 12/24/1992	NENE,SECTION 34 T 5S, R16E	DANIEL CARVER	PFO 2
		WELL 3>BUCK HOL					SENE,SECTION 3 T 6S, R16E	HCR 71 BOX 40 MAUPIN,OR 97037	
		WELL 4>BUCK HOL					SENE,SECTION 3 T 6S, R16E		
G-13236	5	A WELL>OCHOCO CR	14.6000 G	IR	2.60	CROOK 1/ 5/1993	SWSE,SECTION 30 T14S, R16E	MARVIN M JENSEN	PFO 2
								PO BOX 356 PRINEVILLE,OR 97754	
G-13238	5	WELL 1>OCHOCO CR	1785.0000 G	IM		CROOK 1/ 6/1993	NENE,SECTION 31 T14S, R16E	CLEAR PINE MOULDINGS INC.	PFO 2
		WELL 2>OCHOCO CR					SWNE,SECTION 31 T14S, R16E	PO BOX 309 PRINEVILLE,OR 97754	
		WELL 3>OCHOCO CR					NENW,SECTION 31 T14S, R16E		
G-13242	5	A WELL>SQUAW CR	0.0200 C	IR	1.62	DESCHUTES 1/11/1993	SESW,SECTION 33 T14S, R10E	JAN VAN DEN BERG	PFO 2
								PO BOX 1537 SISTERS,OR 97759	

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-13225

Final Order

Application History

On December 24, 1992, DANIEL CARVER submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on March 26, 1996. The protest period closed May 10, 1996, and no protest was filed.

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

Order

Application G-13225 therefore is approved as proposed by the Proposed Final Order, and Permit Number G-12539 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED June 19, 1996

for Martha O. Pagel
Director

Appeal Rights

Under the provisions of ORS 183.484, the applicant may appeal this order by filing a petition for review in the Circuit Court for Marion County or the circuit court for the county in which the applicant resides or has a principal business office. The petition for review must be filed within 60 days after the date this order is served.

STATE OF OREGON

COUNTY OF WASCO

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DANIEL CARVER
HCR 71, BOX 40 (541) 395-2507
MAUPIN, OREGON 97037

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

APPLICATION FILE NUMBER: G-13225

SOURCE OF WATER: WELLS 2, 3 AND 4 IN BUCK HOLLOW CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 23.6 ACRES

MAXIMUM FLOW ALLOWED: 0.2 CUBIC FOOT PER SECOND (CFS), BEING 0.06 CFS FROM WELL 2, 0.11 CFS FROM WELL 3, AND 0.03 CFS FROM WELL 4

PERIOD OF USE: MARCH 1 TO OCTOBER 31

DATE OF PRIORITY: DECEMBER 24, 1992

POINT OF DIVERSION LOCATION: SE 1/4 NE 1/4, SECTION 3, T6S, R16E, W.M.; WELL 2 - 1950 FEET SOUTH AND 900 FEET WEST; WELL 3 - 1780 FEET SOUTH AND 880 FEET WEST; WELL 4 - 1600 FEET SOUTH AND 900 FEET WEST; ALL FROM THE NE CORNER OF SECTION 3

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NE 1/4 6.2 ACRES
SE 1/4 NE 1/4 7.5 ACRES
NE 1/4 SE 1/4 4.4 ACRES
SE 1/4 SE 1/4 5.5 ACRES
SECTION 34
TOWNSHIP 5 SOUTH, RANGE 16 EAST, W.M.

Measurement, recording and reporting conditions:

A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.

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.

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.

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

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

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 wells shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued June 19, 1996

for Martha O. Pagel, Director
Water Resources Department

FO CHECKLIST

PFO TO FO CONVERSION

FILE # G13225

WEEK # 35

REVIEW DATE: 6/96 / /

INITIALS : JWG

In preparing the FO, you should check the following:

1. Y / (N) Were comments or protests received in response to the PFO?
2. ✓ List names and addresses of **ALL** commentors (regardless of comment date) on the PFO CC list.
3. ✓ Verify payment of recording fees (circle the appropriate option)
   (1) Issue FO w/permit if fees are paid -- Prepare refund request for excess fees
   (2) Issue FO w/o permit if fees are lacking
4. Y / (N) Is the file lacking a signed oath of accuracy for the application?
5. Y / (N) Has ODFW asked for self certification on screening condition?
6. Y / (N) Is water use prohibited for one or more months of the normal use period?
7. Y / N If #6 = "Y", is short season letter on file?
8. ✓ Assign permit numbers to files with oath, fees, and no protests or other issues

200
100 - 10
~~24~~ - 14
28
328

Route to: (circle one)

DENIAL (LARRY) FO w/o PERMIT (CORY) (FO & PERMIT) (JERRY) COMMENTS (DOUG)

7B/7J

9. (Y) / N Is further processing possible? If not state reason: _____
10. ✓ Notify applicant of additional information or fees required prior to permit issuance (Use standard wording from M:\T\FO\TOOLS if possible)

Modify FO as needed to:

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

Once FO document is completed:

14. ✓ Save WordPerfect document in M:\T\FO\WEEK39 & delete duplicates
15. ✓ Print final draft of document and submit to team leader for review
16. (Y) / N Team leader review completed

STATE OF OREGON
WATER RESOURCES DEPARTMENT
WATER RIGHTS DIVISION

Before the Director of the Water Resources Department

In the matter of	)	PROPOSED
Groundwater Application	)	FINAL
G-13225 submitted by	)	ORDER
DANIEL CARVER		

FINDINGS OF FACT

Water Use Request

1. DANIEL CARVER requested use of 127.0 GALLONS PER MINUTE (GPM), BEING 27.0 GPM FROM WELL 2, 50.0 GPM FROM WELL 3, 15.0 GPM FROM WELL 4 AND 35.0 GPM FROM WELL 5, of water from WELLS 2, 3, 4 AND 5 IN BUCK HOLLOW CREEK BASIN for IRRIGATION OF 23.6 ACRES within the Deschutes Basin.

2. The area of proposed use is in Wasco County within SECTION 34, TOWNSHIP 5 SOUTH, RANGE 16 WEST, W.M..

3. The water delivery system is described by the applicant as follows: Wells 2, 3 and 4 are artesian flow with no pump. Well 5 uses a five horsepower, 220 volt submersible pump which pumps 35 gpm at 60 psi at the wellhead.

4. The request was made in Application G-13225 which was received by the Water Resources Department on DECEMBER 24, 1992.

Affected Waters

1. This proposed use of groundwater is above a State Scenic Waterway.

2. There are other water rights on BUCK HOLLOW CREEK or on downstream waters.

3. There are no senior water rights from this point of appropriation.

Department Actions

1. The application was determined to be complete and not defective.

2. The Department has determined, based upon OAR 690-09, that the proposed groundwater use from Wells 2, 3 and 4 will, if properly conditioned, adequately protect the surface water from interference. The Department has further determined, based upon OAR 690-09, that the proposed groundwater use from Well 5 will have the potential for substantial interference with the nearest surface water source, namely Hinton Creek.

3. A technical review of the application was completed and a report of the results of that review was mailed to the applicant on November 24, 1993.

4. The technical review determined:
   a. IRRIGATION is allowed under the Deschutes Basin Program.
   b. The use is not prohibited by Statute.
   c. Water for the proposed use is available in the amounts requested for the period MARCH 1 THROUGH OCTOBER 31 FOR WELLS 2, 3 AND 4 ONLY.
   d. The use would not injure existing water rights.

5. The report of technical review listed these determinations and disclosed a number of conditions and restrictions that would likely be included in the permit if issued. These conditions and restrictions are listed in the attached draft permit.

Assessment

1. In proceeding with evaluation of Application G-13225, the following criteria were found to be relevant by the Department.
   a. The Deschutes Basin Program (OAR Chapter 690, Division 505)
   b. The Wasco County Comprehensive Plan and Zoning Ordinance
   c. Groundwater availability as determined by the Groundwater/Hydrology staff (OAR Chapter 690, Division 9)
   d. The established rate and duty for the proposed use
   e. Pending, senior applications and existing water rights of record
   f. The Scenic Waterway Act (ORS 390) as amended by Senate Bill 1033 enacted by the 68th Legislative Assembly
   g. All comments received

CONCLUSIONS OF LAW

1. Based upon continued evaluation, the Department finds the determinations of the technical review require modification to correct the amount of water allowed for the proposed use.

2. Based on comments and data received, the Department has determined that since Well 5 is not included in the draft permit, the amount of water that Well 5 produces (35.0 gpm) should not be included in the total amount of water allowed. Further, the Department has reviewed the application pursuant to ORS 390.835, and is unable to find that there is a preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

3. The period of allowed use is MARCH 1 TO OCTOBER 31.

4. The Department finds that no more than 92.0 GPM, BEING 27.0 GPM IN WELL 2, 50.0 GPM IN WELL 3 AND 15.0 GPM IN WELL 4 (0.2 CUBIC FOOT PER SECOND (CFS), BEING 0.06 CFS IN WELL 2, 0.11 CFS IN WELL 3 AND 0.03 CFS IN WELL 4) would is available for the proposed use. The amount of water requested, 127.0 GPM, and shall be limited to 92.0 GPM, BEING 27.0 GPM IN WELL 2, 50.0 GPM IN WELL 3 AND 15.0 GPM IN WELL 4, (0.2 CFS), BEING 0.06 CFS IN WELL 2, 0.11 CFS IN WELL 3 AND 0.03 CFS IN WELL 4).

5. Wasco County Planning Department staff completed the Department's

5. Wasco County Planning Department staff completed the Department's Land Use Information Form and indicated thereon that the land use associated with the proposed use is compatible with the Wasco County Comprehensive Land Use Plan.

6. The proposed use would not conflict with existing water rights, and, if exercised in accordance with law, rule, and the proposed conditions would not result in injury to existing water users.

7. The proposed use complies with all other rules of the Commission.

8. Pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly, and given the findings listed above, a rebuttable presumption has been established that the use will not impair or be detrimental to the public interest if exercised in the manner described in the attached draft permit.

9. Therefore, the proposed use, as conditioned, and described in the attached draft permit, would not impair or be detrimental to the public interest.

PROPOSED ORDER

IT IS PROPOSED that Application G-13225 in the name of DANIEL CARVER be approved for IRRIGATION OF 23.6 ACRES as provided in the attached draft permit.

DATED March 26, 1996

Steven P. Applegate
Administrator
Water Rights and Adjudications Division

NOTICE:
This Proposed Final Order is issued by the Department pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly.

To seek changes in this proposed final order, you must file a formal protest.

Formal protests to this proposed final order must be made in proper form and accompanied by the statutory fee in the amount of $200. Note: The applicant is not subject to this fee.

For other than the applicant, if you agree with the findings in this proposed order, but wish to maintain your right to participate in any contested case proceeding or judicial review, you must file a written request for standing. Requests for standing in proceedings relating to this application must be made in the proper form and accompanied by the statutory fee in the amount of $50.

Protests or requests for standing, along with the appropriate fees must be received by the Water Resources Department in Salem, Oregon by 5:00 pm on May 10, 1996.

Only the applicant and any persons who timely file a protest or request for standing may participate in further proceedings before the Department or the Commission which deal with this Application.

DRAFT
STATE OF OREGON

COUNTY OF WASCO

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

DANIEL CARVER
HCR 71, BOX 40 (541)395-2507
MAUPIN, OREGON 97037

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

APPLICATION FILE NUMBER: G-13225

SOURCE OF WATER: WELLS 2, 3 AND 4 IN BUCK HOLLOW CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 23.6 ACRES

MAXIMUM FLOW ALLOWED: 0.2 CUBIC FOOT PER SECOND (CFS), BEING 0.06 CFS IN WELL 2, 0.11 CFS IN WELL 3 AND 0.03 CFS IN WELL 4 (92.0 GALLONS PER MINUTE (GPM), BEING 27.0 GPM IN WELL 2, 50.0 GPM IN WELL 3 AND 15.0 GPM IN WELL 4)

PERIOD OF USE: MARCH 1 TO OCTOBER 31

DATE OF PRIORITY: DECEMBER 24, 1992

POINT OF DIVERSION LOCATION: SE 1/4 NE 1/4, SECTION 3, TOWNSHIP 6 SOUTH, RANGE 16 EAST, W.M.; WELL 2 - 1950 FEET SOUTH & 900 FEET WEST; WELL 3 - 1780 FEET SOUTH & 880 FEET WEST; 1600 FEET SOUTH & 900 FEET WEST; ALL FROM NORTHEAST CORNER, SECTION 3

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NE 1/4 6.2 ACRES
SE 1/4 NE 1/4 7.5 ACRES
NE 1/4 SE 1/4 4.4 ACRES
SE 1/4 SE 1/4 5.5 ACRES
SECTION 34
TOWNSHIP 5 SOUTH, RANGE 16 EAST, W.M.

Measurement, recording and reporting conditions:

A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.

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.

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.

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

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

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

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

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

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

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

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

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

Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued _____, 199_

DRAFT

_____
Water Resources Department
Director

Application No. G-13225

State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water

Applicant(s) Daniel Carver
(Please print or type - use dark ink)

Mailing Address HCR 71, Box 40

Maupin	Oregon	97037	(503) 395-2507
City	*State*	*Zip*	*Daytime Phone No.*

I (We) make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. ***THE DEVELOPMENT*** *(number of wells, tile lines, infiltration galleries, etc.):* Four wells

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

Distance from development to stream: Wells #2, #3, #4 - 20'; Well #5 - 100'

Elevation difference between streambed and development: All wells 7½' plus or minus

NOTE: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well driller's log with this application, and skip to Section 2 below.

Existing - Logs attached

Diameter of well: _____ *Depth in feet:* _____

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

Estimated depth to water: _____

Type of access port or measuring device: _____

Wells to be drilled by: _____

Address: _____

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

2. ***TOTAL AMOUNT OF WATER*** *to be applied to beneficial use:* _____ *cubic feet per second,* ***OR*** 127 *gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each:* N/A

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

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

*If for **DOMESTIC** use, state the number of households to be supplied;* N/A

*If for **MUNICIPAL OR QUASI-MUNICIPAL** use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)*

N/A

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

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

Irrigation 23.6 acres

Other (describe)

4. ***DESCRIPTION OF WATER DELIVERY SYSTEM:*** *Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).*

Wells #2, 3 and 4 artesian flow - no pump

Well #5 - 5 hp, 220 volt submersible pump, 35 gpm at 60 psi at wellhead

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

Proposed date construction work will begin Existing construction

Proposed date construction work will be completed December 1, 1992

Proposed date water use will be completed December 1, 1993

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

6. a) *In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):*

_____ *Applicant* X *CWRE* _____ *Other (Identify in REMARKS section)*

b) *In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):*

_____ *Applicant* X *CWRE* _____ *Other (Identify in REMARKS section)*

7. *Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership?* No *. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.*

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

REMARKS: Wells #2, 3 and 4 on USA-BLM ownership - permission letter attached

U.S. Department of the Interior
Bureau of Land Management, Prineville District Office
P.O. Box 550 (185 E. 4th Street)
Prineville, Oregon 97754

Ranch ownership on contract purchase - Sellers consent attached

Joan Starr Ward
518 Baywood Ct., Ukiah, California 95482

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

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

X Daniel L Carver — *Signature of Applicant*

12-21-92 — *Date*

X _____ — *Signature of Co-Applicant, if any*

_____ — *Date*

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

_____

_____

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

_____ , 19____.

WITNESS my hand this _____ day of _____, 19____.

_____

Water Resources Director

*By:*_____

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 24th day of December, 1992, at 8:00 o'clock, A M.

APPLICATION NO: G-13225

A:APPFORM 9/89

Oregon

WATER
RESOURCES
DEPARTMENT

November 24, 1993

DANIEL CARTER
HCR 71, BOX 40
MAUPIN, OR 97037

Reference: File G 13225

Hello:

This letter informs you of the current status of your application for a water use permit and accompanies the Satisfactory Report of Technical Review For Water Use Permit(s). We apologize for the delay in transmitting this information and Report to you and for any inconvenience the wait may have caused you.

The enclosed Report of Technical Review is the Department's summary of a specialized analysis of various legal and scientific aspects of your application and proposed water use. We are required by the state of Oregon's administrative rules (in OAR 690-11-160) to conduct this official technical review of each application submitted to the Oregon Water Resources Department for a water use permit. This process was designed to insure that your application receives a fair evaluation and to secure protection of existing water rights and of the public at large.

AS THE RESULT OF OUR TECHNICAL EVALUATION OF YOUR APPLICATION, WE HAVE DETERMINED THAT YOUR APPLICATION SATISFIES THE REQUIREMENTS OF THE TECHNICAL REVIEW.

The Department will now move your application to the next phase of processing. This phase includes a public interest review of your proposed water use. No final action may be taken on your application until the public interest review is completed.

You should also note that the Report of Technical Review describes conditions currently anticipated which may limit the water use proposed in your application.

If you wish to object to any of the analyses contained in the Report, you must submit your objection to the Department in writing within 60 days of the date of mailing of this Report or by the date specified below. Your objection must allege that the technical review is defective and you may also submit evidence which demonstrates that your proposed water use will not impair or be detrimental to the public interest.

Copies of the Report of Technical Review will be distributed to all persons who have filed comments or otherwise expressed an interest in the water use proposed in your application. Interested parties must also submit their objections within the prescribed objection period. Those objections must allege that the technical review is defective and/or that

3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

the proposed water use may impair or be detrimental to the public interest.

If an objection contains allegations that the technical review is defective, it must be accompanied by facts which support such allegations. If an objection contains allegations that the proposed water use may impair or be detrimental to the public interest, the objection must specify the particular public interest standards which apply as set out in Oregon Revised Statutes (ORS 537.170(5)) and Oregon Administrative Rules (OAR 690-11-195) and state facts showing how such standards would be violated.

All evidence and objections must be received by our Salem office **no later than 5:00 p.m. on or before February 2, 1994** or the Department may presume there is no opposition to any of the analyses set out in the technical review report. Evidence and objections must be addressed and delivered to: Oregon Water Resources Department, Water Rights Section, 3850 Portland Road, Northeast, Salem, Oregon 97310.

If objections and evidence are submitted on or before the above time and date, the Director of the Water Resources Department will evaluate each issue raised in the objections and either accept or deny them. Objectors are encouraged to indicate whether they would be interested in resolving their concerns through alternative dispute resolution.

If any of the objections are denied, the objector will be allowed thirty days to submit a protest to the denial. The protest must meet the standards set forth in OAR 690-02-030 through 080.

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

Sincerely,

STEVE BROWN
Manager
Water Rights Division

SB\ts
Enclosures

Report Date: November 24, 1993

OREGON WATER RESOURCES DEPARTMENT

SATISFACTORY REPORT OF TECHNICAL REVIEW

FOR WATER USE PERMIT(S)

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 3850 PORTLAND ROAD N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE:
February 2, 1994.

1. APPLICATION FILE NUMBER - G 13225

2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:
DANIEL CARVER
HCR 71, BOX 40
MAUPIN, OR 97037

Date application received for filing and/or tentative date of priority: 12/24/92

SOURCE: FOUR WELLS TRIBUTARY TO: HINTON CREEK

Purpose and/or use: IRRIGATION

Flow: 127 GALLONS PER MINUTE

Point of Diversion Location:
T 6 S, R 16 E, W.M., SECTION 3, SENE

Place of use:

NENE	6.2 ACRES
SENE	7.5 ACRES
NESE	4.4 ACRES
SESE	5.5 ACRES

SECTION 34
T 5 S, R 16 E, W.M.

GROUNDWATER AVAILABILITY

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

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

In addition, the Groundwater/Hydrology Section has reported the water is likely to be available to supply the proposed use.

CONFLICTS WITH OTHER WATER RIGHTS:

There are no existing rights from this point of diversion.

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

REPORT CONCLUSIONS:

Water in the amount of 0.28 CUBIC FOOT PER SECOND (CFS) is likely available for 78 months of the 78 months normal period of use. Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably

The G/H finding does not imply that substantial interference will occur. The G/H finding does imply that pumping from this well will impact streamflow (i.e. will interfere) if there is water in the creek. The interference will be substantial only if it adversely impacts a senior SW right (see Division 8, section 8).

Karl Woznick

ion has reported that Well #5 is Creek and would produce water from would be substantial interference iating water from this well. This ith the Threatened and Endangered ater above Bonneville Dam is the 5 with the proposed permit.

DITIONED, SATISFIES THE REVIEW.

w sets out the Director's technical In addition to this technical aluate this application to sed water use might impair or be detrimental to the public interest under the standards set out in ORS 537.170(5) and OAR 690-11-195. Matters relating to public interest in the proposed water use which are raised in objections will be evaluated following the 60-day objection period.

In addition, the Groundwater/Hydrology Section has reported the water is likely to be available to supply the proposed use.

CONFLICTS WITH OTHER WATER RIGHTS:

There are no existing rights from this point of diversion.

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

REPORT CONCLUSIONS:

Water in the amount of 0.28 CUBIC FOOT PER SECOND (CFS) is likely available for 7 8 months of the 7 8 months normal period of use. Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

The Groundwater\Hydrology Section has reported that Well #5 is less than 200 feet from Hinton Creek and would produce water from the unconfined aquifer. There would be substantial interference with Hinton Creek when appropriating water from this well. This interference problem coupled with the Threatened and Endangered Species Act study of surface water above Bonneville Dam is the basis for not including Well #5 with the proposed permit.

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

This Report of Technical Review sets out the Director's technical analysis of the application. In addition to this technical analysis, the Director will evaluate this application to determine whether the proposed water use might impair or be detrimental to the public interest under the standards set out in ORS 537.170(5) and OAR 690-11-195. Matters relating to public interest in the proposed water use which are raised in objections will be evaluated following the 60-day objection period.

PROPOSED PERMIT CONDITIONS

Application: G 13225

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

1. Use of water under this permit is subject to all prior rights.

2. Period of allowed use: MARCH 1 TO OCTOBER 31

3. Rate of use: 0.28 CFS total from Wells # 2,3, and 4 only.

4. Water use development requirements:

   A. Begin construction by (one year from issuance of permit).

   B. Complete construction by October 1, 1996.

   C. Completely apply the water to beneficial use by October 1, 1997.

5. Measurement, recording and reporting conditions:

   A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.

   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.

6. Failure to comply with any of the provisions of the

permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.

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

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

9. The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times. The use of water shall be limited when it interferes with any prior surface or ground water rights.

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

11. The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3 acre-feet for each acre irrigated during the irrigation season of each year.

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

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE # G-13225

ROUTED TO: Water Rights

TOWNSHIP/
RANGE-SECTION: T5/6S/R1E-3 (6S)/34+35

CONDITIONS ATTACHED? [+] yes [ ] no

REMARKS OR FURTHER INSTRUCTIONS:

Recommend current permit conditions
7B + 7J

Reviewer: Michael Zwart

Water Resources Department

MEMO January 20, 1996

TO **Application G-** 13225

FROM **GW:** Michael Ewart
(Reviewer's Name)

SUBJECT **Scenic Waterway Interference Evaluation**

☑ Yes
☐ No

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

☑ Yes
☐ No

Use the Scenic Waterway condition (Condition 7J).

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

☑ At this time the Department is unable to find that there is a preponderance of evidence that the proposed use of ground water will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

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

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

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

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## G-13225

ROUTED TO: Tom Shook

TOWNSHIP/
RANGE-SECTION: 6S/1CE-3
5S/1CE-34

APPLICATION ACCEPTED? [✓] yes [ ] no
CONDITIONS ATTACHED? [✓] yes [ ] no

REMARKS OR FURTHER INSTRUCTIONS:

See notes on well # 5.

Reviewer: Karl Wozniak

TO: Water Rights Section July 29, 1993

FROM: Groundwater/Hydrology Section Karl C. Wozniak
Reviewer's Name

SUBJECT: Application G- 13225 Wells 1, 2, 3 + 4 only

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 surface water
   b. ____ will not source, namely _____; or
   c. ✓ will, if properly conditioned, adequately protect the surface water from interference:
      i. ✓ The permit should contain condition #(s) 4 I ;
      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 water from substantial interference.

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 and/or
   b. ____ will not within the capacity of the resource; or
   c. ____ can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
      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.

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: The wells on this permit are unlikely to interfere with the springs or wells on the McReynolds' property.

Well #5 (House well) is less than 200 feet from Hinton Creek and produces from an unconfined aquifer. See attached sheet

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.

_____ _____, 1993.
(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: _____
_____
_____.

_____ _____, 1993.
(Signature)

(WRFORM8\91)

TO: Water Rights Section July 29, 1993

FROM: Groundwater/Hydrology Section Karl C. Wozniak
Reviewer's Name

SUBJECT: Application G- 13225 Well 5 only

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 surface water
   b. ___ will not source, namely Hinton Creek; 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 water from substantial interference.

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 and/or
   b. ___ will not within the capacity of the resource; or
   c. ___ can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
      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.

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 # 5 (House Well) produces water from an unconfined aquifer and is located less than 200 feet from Hinton Creek.

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.

_____ _____, 1993.
(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: _____
_____
_____.

_____ _____, 1993.
(Signature)

(WRFORM8\91)

WATER AVAILABILITY TABLE

Basin: DESCHUTES Exceedance Level: 80
Water Availability Subbasin: 0101000000000000 (and Nested Subbasins)
Time: 10:08 Date: 03/15/1996

Item #	W.A. Subbasin	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	0100000000000000	NO	YES	YES	YES	YES	YES	NO	YES	NO	NO	NO	NO	YES
2	0101000000000000	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO

STREAM NAMES

Basin: DESCHUTES
Water Availability Subbasin: 0101000000000000 (and Nested Subbasins)
Time: 10:08 Date: 03/15/1996

WAB #	Stream Name	Tributary to
0100000000000000	DESCHUTES R	COLUMBIA R
0101000000000000	BUCK HOL	DESCHUTES R

LIMITING WATER AVAILABILITY SUBBASINS

Water Availability Subbasin: 0101000000000000
Basin: DESCHUTES
Exceedance Level: 80
Time: 10:08 Date: 03/15/1996

Month	Limiting Subbasin	Stream Name	Water Available?	Net Water Available
1	0100000000000000	DESCHUTES R	NO	-165.0
2	0101000000000000	BUCK HOL	NO	-29.4
3	0101000000000000	BUCK HOL	NO	-25.1
4	0101000000000000	BUCK HOL	NO	-34.8
5	0101000000000000	BUCK HOL	NO	-15.2
6	0101000000000000	BUCK HOL	NO	-4.5
7	0100000000000000	DESCHUTES R	NO	-280.0
8	0101000000000000	BUCK HOL	NO	-1.8
9	0100000000000000	DESCHUTES R	NO	-60.0
10	0100000000000000	DESCHUTES R	NO	-40.0
11	0100000000000000	DESCHUTES R	NO	-10.2
12	0100000000000000	DESCHUTES R	NO	-420.0
Stor	0101000000000000	BUCK HOL	NO	0.0

DETAILED REPORT ON WATER AVAILABILITY

Basin: DESCHUTES
Stream: DESCHUTES R > COLUMBIA R
Water Availability Subbasin: 0100000000000000
Exceedance Level: 80
Time: 10:08 Date: 03/15/1996

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	4970.00	630.00	4340.00	5.37	4335.00	4500.00	-165.00
2	5530.00	690.00	4840.00	9.27	4831.00	4500.00	331.00
3	6140.00	940.00	5200.00	13.50	5187.00	4500.00	687.00
4	6470.00	920.00	5550.00	18.70	5530.00	4000.00	1530.00
5	6220.00	1110.00	5110.00	0.10	5110.00	4000.00	1110.00
6	5560.00	1150.00	4410.00	0.40	4410.00	4000.00	410.00
7	4610.00	890.00	3720.00	0.18	3720.00	4000.00	-280.00
8	4320.00	790.00	3530.00	0.03	3530.00	3500.00	30.00
9	4410.00	670.00	3740.00	0.03	3740.00	3800.00	-60.00
10	4520.00	760.00	3760.00	0.04	3760.00	3800.00	-40.00
11	4610.00	820.00	3790.00	0.22	3789.80	3800.00	-10.20
12	4820.00	740.00	4080.00	0.05	4080.00	4500.00	-420.00
Stor	4360000	605000	3750000	2870	3750000	2930000	819000

DETAILED REPORT OF ISWRs

Basin: DESCHUTES
Stream: DESCHUTES R > COLUMBIA R
Water Availability Subbasin: 0100000000000000
Time: 10:08 Date: 03/15/1996

	ISWRs					
APP # :	-90506X	70087A	0	0	0	RESULTANT
STATUS:	Scenic WW	App.				
1	4500.0	3000.0	0.0	0.0	0.0	4500.0 X
2	4500.0	3000.0	0.0	0.0	0.0	4500.0 X
3	4500.0	3500.0	0.0	0.0	0.0	4500.0 X
4	4000.0	3500.0	0.0	0.0	0.0	4000.0 X
5	4000.0	3500.0	0.0	0.0	0.0	4000.0 X
6	4000.0	3500.0	0.0	0.0	0.0	4000.0 X
7	4000.0	3500.0	0.0	0.0	0.0	4000.0 X
8	3500.0	3500.0	0.0	0.0	0.0	3500.0 X
9	3800.0	3500.0	0.0	0.0	0.0	3800.0 X
10	3800.0	3000.0	0.0	0.0	0.0	3800.0 X
11	3800.0	3000.0	0.0	0.0	0.0	3800.0 X
12	4500.0	3000.0	0.0	0.0	0.0	4500.0 X

DETAILED REPORT ON WATER AVAILABILITY

Basin: DESCHUTES
Stream: BUCK HOL > DESCHUTES R
Water Availability Subbasin: 01010000000000000
Exceedance Level: 80
Time: 10:08 Date: 03/15/1996

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	5.43	0.31	5.12	0.03	5.10	25.10	-20.00
2	24.10	1.50	22.60	0.03	22.60	52.00	-29.40
3	31.80	2.10	29.70	0.03	29.70	54.80	-25.10
4	24.30	2.30	22.00	0.03	22.00	56.80	-34.80
5	7.50	3.17	4.33	0.03	4.30	19.50	-15.20
6	1.81	3.23	-1.42	0.03	-1.45	3.02	-4.47
7	0.52	2.23	-1.71	0.03	-1.73	0.70	-2.43
8	0.26	1.80	-1.54	0.03	-1.56	0.23	-1.79
9	0.26	1.58	-1.32	0.03	-1.35	0.23	-1.58
10	0.26	1.25	-0.99	0.03	-1.02	0.46	-1.48
11	0.52	0.03	0.49	0.03	0.46	2.55	-2.09
12	1.81	0.11	1.70	0.03	1.68	11.40	-9.72
Stor	13600	1170	12700	18	12700	13600	0

DETAILED REPORT OF ISWRs

Basin: DESCHUTES
Stream: BUCK HOL > DESCHUTES R
Water Availability Subbasin: 01010000000000000
Time: 10:08 Date: 03/15/1996

	ISWRs				
APP # : 71795A STATUS: App.	0	0	0	0	RESULTANT
1	25.1	0.0	0.0	0.0	0.0	25.1 A
2	52.0	0.0	0.0	0.0	0.0	52.0 A
3	54.8	0.0	0.0	0.0	0.0	54.8 A
4	56.8	0.0	0.0	0.0	0.0	56.8 A
5	19.5	0.0	0.0	0.0	0.0	19.5 A
6	3.0	0.0	0.0	0.0	0.0	3.0 A
7	0.7	0.0	0.0	0.0	0.0	0.7 A
8	0.2	0.0	0.0	0.0	0.0	0.2 A
9	0.2	0.0	0.0	0.0	0.0	0.2 A
10	0.5	0.0	0.0	0.0	0.0	0.5 A
11	2.5	0.0	0.0	0.0	0.0	2.5 A
12	11.4	0.0	0.0	0.0	0.0	11.4 A

Application No. 6-13225
Permit No.

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Prineville District Office
P.O. Box 550 (185 E. 4th Street)
Prineville, Oregon 97754

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:

4100

NOV 16 1992

RECEIVED
DEC 24 1992
WATER RESOURCES DEPT.
SALEM, OREGON

Daniel L. Carver
HCR 71 Box 40
Maupin, Oregon 97037

Dear Mr. Carver:

I understand you are applying for water rights to water that exists on public land and will be used on your private lands. We also see the potential to use a portion of the water, primarily from the well currently supplying your livestock tank, to support wetland values on federal lands. With this limitation, we would support your application to use the water from those wells which are on federal lands.

To complete implementation of this project a small catchment pond will be constructed on public land to take advantage of the flow of the well now providing your livestock water. The livestock water would be left in place, but the overflow would be used to enhance wildlife habitat.

Please return the right-of-way application you received as soon as possible. Although actual processing of the application may take several weeks, we expect no problems and anticipate approval of the right-of-way. Final approval of the right-of-way will result only after the NEPA process has occurred and no negative findings have resulted.

Sincerely

Danny L. Tippy

Acting For

James G. Kenna
Deschutes Area Manager

January 19, 1994

Oregon Water Resources Department
Water Rights Section
3850 Portland Road, NE
Salem, Oregon 97310

Reference: File G 13225

The intent of this letter is to officially object to a portion of the Technical Review of Application # G 13225. The disqualification of well #5 from the application seems to be in error. To imply that Hinton Creek is a "creek" is erroneous. It should more aptly be called a flood water drainage channel. Only twice in the last six years has water actually ran in the channel -- once in melt-off in March 1989, and then again in melt-off in March - April 1993. In talking to previous owners of the property, this run-off effect has been consistent for at least the last 60 years.

Therefore, to state that appropriating water from this well, that is 156 feet from the channel, would interfere with Hinton "Creek" is in error. There is no creek so there can be no interference. I would like to hereby request that well #5 be included in the application as originally requested.

Sincerely,

Daniel L. Carver

Daniel L. Carver

For a Division 9 analysis, the Groundwater/Hydrology Section assumes that water is in the stream in question. Mr. Carver's assertion regarding the lack of water in Hinton Creek may be true but the GW Section is not in a position to evaluate its veracity.

Karl Wozniak

Water Resources Department
Interoffice Memo

Date: 9/13/95

To: Water Rights Section

From: Karl Wozniak, Groundwater/Hydrology Section

Subject: Response to Objections to Application File G-13225

Three objections were received after the preliminary review of this application. This review addresses only those portions of the objections which pertain to the Groundwater/Hydrology Section's component of the technical review.

Data from the objections do not support any changes to the original findings by the Groundwater/Hydrology Section.

The objections from ODFW (Albert H. Mirati, Jr. and Daniel L. Carver (applicant) contain no information pertinent to the technical analysis by the Groundwater/Hydrology Section.

The objection from Jess M. Glaeser (attorney for the McReynolds) addresses several issues. The portion of the objection that pertains to findings by the Groundwater/Hydrology Section is based on a report by Dr. Jay MacPherson of RZA AGRA, Inc. However, insufficient data is included in the report to firmly establish any adverse impacts to spring flow and groundwater availability on the McReynolds' property caused by the pumping of wells listed on this permit application. Furthermore, insufficient data is provided to allow a prediction of future impacts by pumping. Dr. MacPherson himself concludes in his report that "Insufficient data exist to evaluate the true effect of using the BLM wells located within Daniel Carver's property boundary." Dr. MacPherson also concludes that "The data are insufficient to determine the effect on the future groundwater levels in the wells on the McReynolds' property from Mr. Carver accessing the BLM wells in question."

WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

DATE: August 17, 1995

TO: Fred Lissner
Groundwater/Hydrology Section

FROM: Bernadette Williams BW
Water Rights Section

SUBJECT: Hydraulic Connection Objection (G-13225)

We have received objections to the department's initial finding of relative connection between groundwater and surface water for application G-13225 (it appears that Karl Wozniak last worked on this one). Please review the objection and route back to me within 10 days. If you will not be able to meet this deadline, please let me know.

Thank you.

Oregon

WATER
RESOURCES
DEPARTMENT

DRAFT

Albert H. Mirati, Jr.
Oregon Department of Fish and Wildlife
2501 S.W. First Avenue
Portland, OR 97207

Re: Response to Objection
to Application File Number G-13225

Dear Mr. Mirati:

The Water Resources Department has received your letter of Objections to the proposed water use reported in the Satisfactory Report of Technical Review announced on Application File Number G-13225 submitted by Daniel Carver. Your Objections have been reviewed by the director and as the result of the director's assessment, your Objections to the proposed water uses are denied.

Your objection states that you cannot discern which of the provisions (proposed permit conditions) provide for protection of surface waters from depletion.

Condition # 12, quoted below, is the condition that was added to the Technical Review at the request of the Department's Groundwater/Hydrology Section. The Groundwater Hydrology report also notes that the use from the proposed well is <u>not</u> likely to have potential for substantial interference. The proposed well is greater than 1/4 mile from the nearest surface water source.

> "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."

Your objections do not meet the requirements of OAR 690-11-170 (1). The Director has determined that you have not established that the Technical Review is defective and you have not identified elements of the proposed water use that may impair or be detrimental to the public interest. You have not set forth facts

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

which would support allegations that the proposed water use is prohibited.

You may protest this response to your Objections. You have thirty (30) days from the date of this letter to file a protest. Your protest must comply with the standards set out in the Oregon Administrative Rules, Chapter 690, Division Two, Sections 030 through 080. (OAR 690-02-030 through 080).

Send your protest by regular mail or deliver it in person. Your protest must by received by the Water Resources Department in Salem, Oregon, no later than 5:00 p.m. on or before _____. Your protest must be in proper form and accompanied by a fee of $25.00.

If you have any questions, please call.

Sincerely,

Dwight French, Manager
Water Rights Section

cc: Daniel Carver.

1. GW report does not state that use from the proposed well is not likely to have potential for substantial interference. GW report does state that interference is unlikely between the wells and the springs on the McReynolds' property.

2. Wells 1, 2, 3, & 4 are within several hundred feet of Hinton Creek.

Karl Wozniak

Oregon

WATER
RESOURCES
DEPARTMENT

February 8, 1994

Jess M. Glaser
One Main Place Building, Suite 600
101 S. W. Main Street
Portland, OR 97204

Re: Application File Number G 13225, Carver, Daniel

Dear Mr. Glaser:

We have received your letter of objection to Daniel Carver's water right application, file number G 13225. Your objection will be processed in the order in which it was submitted. When the objection is responded to, you will receive the response with copies sent to Mr. and Mrs. McReynolds and to Mr. Carver.

Mr. Carver has also submitted an objection. He is objecting to one of the proposed permit conditions.

If we can be of further assistance do not hesitate to call the Water Rights Section.

Sincerely,

Steven C. Brown, Manager
Water Rights Section

cc: Mr. & Mrs. McReynolds

3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

NUMBER 93462

Check 128.00 NO _____ Cash _____

_____ Surface Application

_____ Reservoir Application

__X__ Ground Water Application 0/128.00

_____ Transfer Application

_____ Power Claim

_____ Hydroelectric Examination

_____ Hydroelectric License

_____ Copying

_____ Assignment

_____ Extension of Time

_____ Other

_____ P-6

_____ Quadrangle

_____ Basin

_____ Protest

_____ Constructors Examination

_____ Constructors License

_____ Adjudication

Refile

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 107781

3850 PORTLAND ROAD NE
SALEM, OR 97310
378-8455/378-8130 (FAX)

RECEIVED FROM: Carver Ranch

BY: [illegible]

APPLICATION	[illegible]
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # ☒ [illegible] OTHER: (IDENTIFY) ☐ ______

TOTAL REC'D	$ 128.00

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS		$
831.087	PUBLICATIONS/MAPS		$
830.650	PARKING FEES Name/month	______	$
______	OTHER: (IDENTIFY)	______	$

REDUCTION OF EXPENSE

______ CASH ACCT. $

COST CENTER AND OBJECT CLASS ______ VOUCHER #

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:

840.001	COPY FEES		$
850.200	RESEARCH FEES		$
880.109	MISC REVENUE: (IDENTIFY)	______	$
520.000	OTHER (P-6) (IDENTIFY)	______	$

	WATER RIGHTS:	EXAM FEE		RECORD FEE
842.001	SURFACE WATER	$	842.002	$
842.003	GROUND WATER	$	842.004	$ 128.00
842.005	TRANSFER	$	842.006	$
	WELL CONSTRUCTION	**EXAM FEE**		**LICENSE FEE**
842.022	WELL DRILL CONSTRUCTOR	$	842.023	$
	LANDOWNER'S PERMIT		842.024	$
______	OTHER (IDENTIFY) ______			

06-00-0 WELL CONST START FEE

842.013	WELL CONST START FEE	$	CARD #	
	MONITORING WELLS	$	CARD #	

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	$

07-00-0 HYDRO ACTIVITY

		LIC NUMBER	
842.011	POWER LICENSE FEE(FW/WRD)		$
842.115	HYDRO LICENSE FEE(FW/WRD)		$

______ HYDRO APPLICATION ______ $

RECEIPT # 107781 DATED: 10-7-93 BY: [illegible]

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

Oregon
WATER
RESOURCES
DEPARTMENT

November 24, 1993

DANIEL CARVER
HCR 71, BOX 40
MAUPIN, OR 97037

Reference: File G 13225

Hello:

Under separate cover I have enclosed our report of technical review. This process is fairly new to staff and has taken more time to complete than anticipated; however, we believe that the process is more fair and will allow staff to deal with issues in a more timely manner. I truly apologize for the delay.

The technical review reveals that your proposed use of water is for irrigation on 23.6 acres. Prior to issuance of the permit, we will need to receive total fees in the amount of $328; being an examination fee of $200.00, permit recording fee for the irrigation of 23.6 acres of $128. Since you have previously submitted $200, an additional amount of $ 128 is required.

After submission of fees and the deadline for objections to the technical review expires, staff will again review the file for objections and further process your application as soon as possible.

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

Sincerely,

STEVE BROWN
Manager
Water Rights Division

cc: D.J. Branton, CWRE

3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

Oregon

WATER
RESOURCES
DEPARTMENT

February 18, 1993

Thomas E. and Joan B. McReynolds
c/o Lazy J M Ranch
Maupin, OR 97037

Reference: Files G-13225 and 73093 - Daniel Carver

Dear Mr. and Mrs. McReynolds:

Thank you for your letter of January 18, 1993, protesting the above referenced applications.

Your letter has been forwarded to our Water Rights Division, and will be treated as a "comment" or expression of concern relative to applications G-13225 and 73093 in the name of Daniel Carver. You will receive a copy of this division's technical reviews of these applications along with instructions for raising any objections. You will then have 60 days to submit any objections to the technical reviews after we provide you with our findings.

I am enclosing a copy of applications G-13255 and 73093 and supporting data for your information. I hope the information will provide you with a better understanding of the intentions of Mr. Carver's request.

I welcome your continued interest in the water resources of your area. Please feel free to contact me or water rights staff if you have any questions.

Sincerely,

Martha O. Pagel
Director

cc: Water Rights Section
Karl Wozniak, Larry Toll, Mike Ladd

1020

3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

August 14, 1995

Oregon Water Resources Department
Commerce Building
158 12th St. N. E.
Salem, Or 97310

ATTN: Bernadette Williams

RE: Water Right Appliction #G13225

I, Daniel L. Carver, hereby state that I own all lands surrounding the BLM parcel where the wells are located in WR Application #G13225. BLM has given me permission to access this water and to transport it to my private lands for use as per the application.

Respectfully,

Daniel L. Carver

Daniel L. Carver

1-18-93

TO Ken -
answer Martha
by 2/9
- draft form

Salem, Oregon

RE: Dan Carver's Water Rights:

Dear Martha Pagel,

We are writing in reguards to the application filed by Dan Carver for irrigation water rights # G 13225-73093.

Could you tell us what type of water system he plans to use? Where he is going to get his water from ? Is he going to try and irrigate out of his artesian wells ? He already has admitted to Watermaster Larry Toll that when he trys to irrigate out of his artesian well up the canyon from his house he pulls his own water level down in his domestic well. I understand also that some of these artesians are on BLM land and BLM told us that they had no intention of giving Carver a permit to irrigate out of those wells.

Irregardless, the damage he has done to our ranch with his illegal irrigation the last two years (which you already have the information in a previous letter) is just too much.!

I spoke with the Hydroligest Karl Woznick and as I understood before any more permits are issued for irrigation he wants to take a look at the land, rock formation and etc.

We still can not understand how Dan Carver was allowed to dry up our creek, kill the fish and nothing was done.

We protest his application to the fullest extent.

We really appreciate your attention to this matter and thank you for answering my last letter.

Very Truly Yours,

Tom and Joan McReynolds

Tom & Joan McReynolds

WaterWatch
OF OREGON

January 10, 1993

Water Resources Department
3850 Portland Rd. N. E.
Salem, OR 97310

RE: Application for Permit #G13225, Daniel Carver
Buck Hollow Cr. Basin, Wasco Co., Irrigation

WaterWatch has reviewed the limited amount of information contained in the public notice of this water right application. Based upon that information, WaterWatch raises the following issues, questions and concerns:

Is there unappropriated water available for this proposed use? How will the Department determine water availability for this proposed use? What will be the cumulative effect of this proposed use, in combination with other, already existing uses of the aquifer?

Is the groundwater source in question in hydraulic connection with surrounding surface waters? If so, what is the amount of surface water depletion and what effect will this proposed use have on instream flows necessary to protect the public's interest in fish, wildlife, recreation and a health aquatic system? We oppose any application which in any way reduces surface water flows needed for the public uses that are served by any instream water right.

Given the importance of this groundwater resource, and the Department's limited enforcement staff, it only makes sense to require this applicant to measure and record water use. Measurement not only helps the Department carry out its statutory mandate to promote the control of water resources in Oregon for all beneficial uses, it helps the Department protect the public's interest in assuring the use is within the bounds of the permit. **ORS 536.220(1)(a), 537.170(5)**

Will this proposed use be compatible with Goal 5 elements in the local comprehensive plan?

It is a high priority of the state to eliminate waste and improve the efficiency of water use. OAR 690-410-060(1) Statewide policy also calls upon water users to use and maintain their water systems in a manner consistent with the state's priority. What conditions are proposed for this permit that will carry out and encourage compliance with state policy?

Is this an existing illegal use of water? If so, will the continued use without a permit cause harm to existing water rights and the public interest?

We request copies of the draft permit and the Department's technical analysis of this application.

Sincerely,

Jim Myron

bc:

WaterWatch of Oregon, Inc. 921 S.W. Morrison, Suite 438 Portland, Oregon 97205 (503) 295-4039

Application No. G-13225

Permit No.

RECEIVED
DEC 24 1992
WATER RESOURCES DEPT

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

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

Applicant's Name: Daniel Carver
Address: HCR 71, Box 40
City: Maupin *State:* OR *Zip:* 97037 *Day Phone:* (503) 395-2507

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) Applicants for municipal use , or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Use
2900				
5 S, 16 E.	A1-80 Exclusive Farm Use	x	x	x

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

*The following section must be completed by a planning official from **each** county and city listed **unless** your project will be located **entirely within city limits.** In this case, only the city planning agency must complete this form. Please request extra forms as needed.*

For Local Government Use Only

Local government planning officials are to complete the remainder of this form. If this form can not be completed while the applicant waits, please sign and detach the receipt as instructed below. **Please mail the completed form directly to the Water Resources Department (3850 Portland Rd. NE, Salem, OR, 97310) within 60 days of the date of receipt as shown below.** If the form is not completed within 60 days, the Department may take action to approve the water use.

a) Check the appropriate box below and provide requested information.

☑ *Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):* Ch. 3, Section 3.210 (1). *Go to section b) on reverse side.*

☐ *Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.* ***Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)*

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily

(over)

Receipt for Request for Land Use Information

WRD Applicant Name: _____

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government can not provide the above requested land use information while the applicant waits.

City or County: _____

Staff Contact: _____ Phone: _____

Signature: _____ Date of Information Request: _____

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: DAWN BAIRD Date: 12-22-92

Title: PLANNER Phone: 298-5169

Signature: Dawn Baird

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet. For additional information call Roberta Jortner or Rick Bastasch at 378-3671.

Additional Comments:

Oregon Water Resources Department
3850 Portland Rd. NE
Salem, OR 97310
378 - 3671

Planning Official Initials: DB

Description of Water Use

Note to Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

Note to Local Planning Officials: Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

RECEIVED
DEC 24 1992
WATER RESOURCES DEPT.
SALEM, OREGON

Applicant Name: Daniel Carver
Address: HCR 71, Box 40
Maupin, OR 97037

Phone: (503) 395-2507

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- [X] Irrigation (crop type, golf course, nursery or greenhouse): Hay
- [ ] Livestock (type of livestock, feedlot, slaughterhouse):
- [ ] Residential (# units, single or multi-family, # lots if partition or subdivision):
- [ ] Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.):
- [ ] Industrial (i.e., factory, pulp mill, research and development, processing, etc.):
- [ ] Institutional (i.e., school, library, etc.):
- [ ] Mining (aggregate, metal, open pit, placer, etc.):
- [ ] Recreation (park, campsite, pond, etc.)
- [ ] Fish and Wildlife (pond, hatchery, etc.)
- [ ] Hydropower (dam, reservoir, power generating or transmitting facilities):
- [ ] Other (Name and list key characteristics):

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
[X] Surface Water Name sources: Hinton Creek. 353 gpm.	_____ Cubic feet per second. _____ Gallons per minute. _____ Acre-Feet
[ ] Reservoir or pond	
[X] Ground Water 4 wells 127 gpm.	

OBJECTION

JESS M. GLAESER
ATTORNEY AT LAW
SUITE 600
ONE MAIN PLACE BUILDING
101 S.W. MAIN STREET
PORTLAND, OREGON 97204

TELEPHONE (503) 228-4963
FAX (503) 226-4290

February 2, 1994

Mr. Steve Brown, Manager
Oregon Water Resources Department
Water Rights Section
3850 Portland Road N.E.
Salem, OR 97310

RE: Water Rights Application of Daniel Carver
Application File No.: G 13225
My Clients: Tom and Joan McReynolds

Dear Mr. Brown:

This letter will introduce myself as the lawyer for Tom and Joan McReynolds. Mr. and Mrs. McReynolds own the ranch directly north of the ranch owned by Daniel Carver who has made application for a permit to appropriate ground water. This letter, with the attached hydrology report and assessment prepared by RZA Agra, Inc., constitutes Mr. and Mrs. McReynolds objections to the Carver application to irrigate from wells located on BLM property.

The McReynolds' first objection is one that involves the timing of various applications for water rights, and, as a matter of law, requires that the application submitted by the McReynolds be considered prior to consideration of the application by Mr. Carver. Specifically, in August of 1992, Mr. and Mrs. McReynolds submitted two applications for appropriation of ground water. These applications were submitted under cover letter from Tenneson Engineering Corporation bearing the date of August 20, 1992. The first application was for a series of six springs serving cattle watering and one household, and the other application was for two wells serving as cattle watering and another household on the McReynolds ranch. As set forth in the letter by Donald Branton of Tenneson Engineering, the McReynolds were clearing making application to establish their water rights in light of developing water depletion problems as well as any claims that they may have that were superior to interference from upstream irrigators.

Mr. and Mrs. McReynolds have received no response from the Oregon Water Resources Department regarding their applications.

On or about December 21, 1992, Daniel Carver submitted two applications to appropriate ground water. The first involved a request for use of four wells for irrigation purposes (three of the wells were artesian and located on BLM property). The second application was for use of water from Hinton Creek for purposes of irrigation.

Clearly, the McReynolds' application for water rights preceded that of Mr. Carver's and is entitled to be processed and the rights granted and certified prior to any action on Mr. Carver's application. It is interesting to note that the only explanation for the delay in acting on the McReynolds application were set out in a letter dated December 10, 1993, from Mr. Wozniak suggesting that the file had been misplaced and not acted upon until the McReynolds prompted him to search for it. A copy of that letter is attached hereto. As of this date, Mr. Wozniak has still not acted on the McReynolds application. Of more interest yet is the statement in the Report of Technical Review dated November 24, 1993, which states that there are no existing water rights appurtenant to the lands described in the Carver application. Obviously, the McReynolds property is appurtenant to and downstream from the Carver property, and had their application for water rights been promptly acted upon prior to Mr. Carver's application, there would be existing water rights appurtenant to Mr. Carver's application.

Our position is simply that no consideration can be given to the application of Mr. Carver without first consideration being given to the prior filed application for water rights by Tom and Joan McReynolds. More specifically, ORS 537.525 sets forth a policy which requires that the rights to appropriate ground water and priority thereof is to be acknowledged and protected except when there is a showing that the public health, safety and welfare require otherwise. In other words, granting of water rights to the McReynolds in a timely fashion would have established a priority, to the extent that their rights would be interfered with by the upstream use by Mr. Carver, and that Mr. Carver's application could be granted only on a showing that the public welfare, safety and health require otherwise.

Secondly, it is the applicant's burden of proof to establish that its application for water rights will not adversely impact the water rights of others. While the McReynolds have specific objections and are submitting specific evidence to support those objections, had their water rights applications been acted on in a timely fashion, the registration or certification of their water rights would have required Mr. Carver to come forward with substantial evidence that his proposed use would not interfere with the McReynolds water rights.

Finally, attached to this letter is a copy of an assessment of the water use and supply situation involving the McReynolds and Carver properties. This assessment was prepared by Jay McPherson, Ph.D., contaminant hydrologist for RZA Agra, Inc. I will not attempt to summarize that report here, but as will be demonstrated throughout that report, Dr. McPherson made careful review of all of the various documents having any reference to the water rights on the respective properties, and concludes that there are sufficient inconsistencies and inaccuracies in Mr. Wozniak's report and the underlying assumptions to warrant a much more careful review of the connectivity between the water on the Carver property and the springs and wells on the McReynolds property. Dr. McPherson concludes that there is insufficient data to evaluate the true effect of using the BLM wells located on the Carver property on the water that supplies the McReynolds property. However, the observations of the water level at Paradise Springs and the water flow at Homestead Springs showed substantial correlation to Mr. Carver's previous irrigation uses. The report also concludes that there is sufficient information to raise serious questions regarding the impact of the use of the BLM wells for irrigation on the long-term water level in the springs and wells on the McReynolds property.

Based on all three of the above issues, Mr. Carver's application for the right to appropriate ground water for purposes of irrigation out of the BLM wells should be denied. Absent an outright denial of those applications, the McReynolds' application for water rights should be granted, and a much more extensive inquiry should be conducted with respect to the connectivity between the water flows on the Carver property and the availability of water to the McReynolds ranch.

Respectfully submitted,

Jess M. Glaeser

JMG:mjp
Enclosures

cc: Tom and Joan McReynolds
Bureau of Land Management

DEC 24 1993

DEC 4 1993

December 10, 1993

Thomas E. and Joan B. McReynolds
co Lazy J M Ranch
Maupin, OR 97037

Reference: Files G-13087, 72622 - McReynolds & G-13225 - Carver

Dear Mr. and Mrs. McReynolds:

Please accept my apologies for the delay in getting this information to you. My original letter and report were written on July 29, 1993 and forwarded to my supervisors for review. Unfortunately, the file was misplaced and not acted upon until you prompted us to search for it.

If you have any questions, do not hesitate to call me.

Sincerely yours,

Karl C. Wozniak
Hydrogeologist

cc: Water Rights Section
Larry Toll, Mike Ladd
Daniel Carver

RZA AGRA, Inc.
(Formerly: Rittenhouse-Zeman & Associates, Inc.)
Engineering & Environmental Services

7477 SW Tech Center Drive
Portland, Oregon 97223-8024
(503) 639-3400
FAX (503) 620-7892

February 1, 1994

21-7337-00

Jess M. Glaeser
Attorney at Law
Suite 600
One Main Place Building
101 S.W. Main Street
Portland, OR 97204

SUBJECT: **THOMAS E. AND JOAN B. MCREYNOLDS'**
LAZY J M RANCH, MAUPIN, OREGON
AND THE ADJACENT PROPERTY OF DANIEL CARVER
OREGON WATER RESOURCES DEPARTMENT
FILES G-13087, S-72622, G-13225
PERTAINING TO WATER USE AND SUPPLY

Dear Mr. Glaeser:

I have assessed the water use and supply situation at the above referenced properties based on information supplied by the McReynolds', Oregon State Water Resources Department documents written by Regional Manager Michael F. Ladd and Hydrogeologist Karl Wozniak, the Watermaster of District #3 (Larry Toll), well logs from the vicinity, and rainfall data from Shaniko and Antelope.

Please find enclosed a Water Use and Supply Report including the reason for this work, a chronology of events pertinent to the water supply situation at the above referenced properties, and a review of the following documents: 1) Spring Description Sheets submitted by Thomas E. and Joan B. McReynolds connected to their Water Rights Application dated August 10, 1992; 2) Water Resources Department Letter from Michael F. Ladd to Tom & Joan McReynolds dated August 21, 1992; 3) Water Resources Department Interoffice Memo from Karl Wozniak to the Groundwater/Hydrology Files dated August 8, 1991; 4) Water Resources Department Interoffice Memo from Karl Wozniak to the Groundwater/Hydrology Files dated July 29, 1993; 5) Satisfactory Report of Technical Review for Water Use Permit(s) dated November 24, 1993 (Water Resources Department; author unspecified); 6) letter to Thomas E. and Joan B. McReynolds from Karl C. Wozniak dated July 29, 1993.

Please contact me at RZA AGRA, Inc. (503) 639-3400 if you have any questions.

Respectfully submitted,

RZA AGRA, Inc.

Dr. Jay MacPherson, Contaminant Hydrologist

c Thomas E. and Joan B. McReynolds
Roy Moore, P.E.
Rich Rinne

WATER USE AND SUPPLY REPORT

INTRODUCTION

This Water Use and Supply Report pertains to the Lazy J M Ranch, Maupin, Oregon owned by Thomas E. and Joan B. McReynolds and at the adjacent property of Daniel Carver. A request for this Report arose from the McReynolds' objections to the proposed water use applied for by Daniel Carter (File #G 13225). This Report is an interpretation of data obtained from Thomas E. and Joan B. McReynolds, the Watermaster of District 3 in Oregon, the Oregon Water Resources Department (OWRD), the U.S. Geological Survey (USGS), and the County Agricultural Extension Agent of Wasco County, Oregon. This Report is our professional interpretation of the data mentioned above. RZA AGRA, Inc. makes no guarantee on the accuracy of these data or their adequacy in determining the actual effects of water use applied for by Daniel Carter (File #G 13225).

The proposed water use involves four wells located at Township 6 South, Range 16 East, W.M., Section 3, SENE on Bureau of Land Management (BLM) property (Figure 1), hereafter referred to as BLM wells. The total area of interest, both McReynolds' and Carver's properties, comprises roughly 28 or more square miles. The McReynolds' have reported past uses by Mr. Carver of water from Hinton Creek and the BLM wells for irrigation purposes and that these uses correlate to decreases in stream flows on their property. They also voiced concerns about future drops in the water levels in their groundwater wells.

CHRONOLOGY

June 1991 - Thomas McReynolds contacted Larry Toll, the Watermaster for this area, and complained that Daniel Carver was diverting Hinton Creek water for irrigation. Mr. Toll talked to Mr. Carver about the use and Mr. Carver stopped his use. (Appendix A)

May 28, 1992 - Thomas McReynolds observed irrigation taking place on Mr. Carver's property. (Appendix B)

June 1, 1992 - Thomas McReynolds noted that "Paradise Spring" located on his property in Section 23 SWNE of Township 5 South, Range 16 East (USGS Shaniko Quadrangle Map; see Figure 1) went dry. (Appendix B)

June 1992 - Thomas McReynolds contacted Larry Toll and complained that Daniel Carver was irrigating again. (Appendix A)

June 8, 1992 - Larry Toll visited Daniel Carver's lands and found Mr. Carver irrigating from his wells. He was instructed to stop and complied. (Appendix A)

June 1992 - Thomas McReynolds noted that "Paradise Spring" started flowing approximately a week after Daniel Carver stopped irrigating. (Phone contact with Thomas McReynolds February 1, 1994).

August 10, 1992 - Thomas and Joan McReynolds applied for water rights, application #G 13087 noting that Homestead Spring flow had decreased from 5 gpm before, to 2.5 gpm after, Mr. Carver's irrigation. (Appendix C)

August 21, 1992 - Michael Ladd, North Central Regional Manager for the OWRD, wrote to Tom & Joan McReynolds regarding their concerns of interference between Mr. Carver's water use and water supply on the McReynolds' property. (Appendix A)

December 21, 1992 - Daniel Carver applied for water rights, application #G 13225. (Appendix D)

July 29, 1993 - Karl Wozniak, Hydrogeologist for the OWRD, wrote to Tom & Joan McReynolds explaining he concludes it is unlikely Mr. Carver's well water use will interfere with the McReynolds' springs and wells. (Appendix E)

July 29, 1993 - Karl Wozniak wrote a memo to the Groundwater/Hydrology Files of the OWRD discussing his rationale for non-interference. (Appendix F)

November 24, 1993 - OWRD issued a "Satisfactory Report of Technical Review for Water Use Permit(s)" for Daniel Carver's application #G 13225. (Appendix G)

December 10, 1993 - Karl Wozniak wrote to Thomas E. and Joan B. McReynolds relaying information requested by the McReynolds the previous July. (Appendix H)

February 2, 1994 - Objections to Daniel Carver's application #G 13225 submitted by Thomas E. and Joan B. McReynolds. (this document)

DOCUMENT REVIEW

1. Spring Description Sheets submitted by Thomas E. and Joan B. McReynolds connected to their Water Rights Application dated August 10, 1992

Thomas McReynolds' Spring Description sheet for "Paradise Spring" noted that it went dry four days after he observed irrigation taking place (May 28, 1992) on Mr. Carver's property. After the Watermaster's visit, Mr. Carver discontinued irrigation from his wells and within a week flow returned to "Paradise Spring." This observation suggests a connection between the water being used by Mr. Carver and "Paradise Spring," located at a slope of 0.015 ft/ft from Carver's house well, 0.004 ft/ft from a well on Mr. Carver's property to the southeast of "Paradise Spring" in Township 5 South Range 16 East Section 25 NESW (USGS Shaniko Quadrangle Map), and 0.018 ft/ft from the BLM wells.

2. Water Resources Department Letter from Michael F. Ladd to Tom & Joan McReynolds dated August 21, 1992

Mr. Ladd's letter to the McReynolds contains documentation of their complaints against Mr. Carver's use of water for irrigating. This letter also refers to an earlier complaint against Mr. Lonny Brown that led to review of the following memo since the memo discusses some of Mr. Wozniak's interpretation of the local hydrogeology that is pertinent to the McReynolds' objection to Mr. Carver's application. (Appendix I)

3. Water Resources Department Interoffice Memo from Karl Wozniak to the Groundwater/Hydrology Files dated August 8, 1991

This memo describes the interference complaint of Lee Lindley regarding use of a well in 5S/16E, section 32. Karl Wozniak concluded that its is "unlikely" this well is adversely affecting water from wells and a spring discussed later in the memo. In the discussion of the well at 5S/16E-32, Mr. Wozniak states the producing aquifers are from interflow zones between 127 and 302 feet below ground surface (bgs) composed of the Frenchman Springs Member of the Wanapum Basalt and the underlying Grande Ronde flow. Review of the well log indicates that water was first encountered at 106 feet bgs. This information indicates that the aquifers are semi-confined or that the grey basalt from 96 to 112 ft bgs is also a producing aquifer.

Mr. Wozniak next discusses "Spring a" located 1.5 miles NNW of well 5S/16E-32, and says it occurs at an exposed contact between the Frenchman Springs and underlying Grande Ronde basalt flows. The elevation of this spring is 59 feet higher than the uppermost elevation of the aforementioned interflows starting at 127 ft bgs in 5S/16E-32. This indicates that either the interflows undulate and do not have a constant dip, or "Spring a" does not derive from the aforementioned interflows.

4. Water Resources Department Interoffice Memo from Karl Wozniak to the Groundwater/Hydrology Files dated July 29, 1993

On page 2 of this memo are summarized "pertinent general facts." The first item says that "Groundwater production in the area is from a succession of discrete, confined aquifers that occur within interflow zones between basalt lava flows of the Columbia River Basalt Group." The observations discussed in the document addressed above indicate these interflows are not necessarily confined. Determination of whether an aquifer is truly confined, semi-confined, or unconfined is dependent on an adequate number of boring logs and pump tests, tracer tests, or chemical analyses of the water. The area in question has a low number of boring logs, approximately 1 for every 2 square miles. Six of the ten recorded borings are within a single 1 square mile section within the 28 square mile area of interest. Thus, we feel that the number of borings in the area of interest are insufficient to evaluate whether the various aquifers in the area are confined, semi-confined, or unconfined. Additionally, all boring logs indicate there were no pump tests, tracer tests, or water chemical analyses performed on these wells.

The second item states an inclination of 0.0125 ft/ft for the basalt flows. This value is low considering the gradients by our calculations are 0.013 and 0.0165 ft/ft between well 5S/16E-32 and "Well b" and "Well c", respectively. "Well b" and "Well c" are discussed in the memo referred to in document 3 above. Mr. Wozniak states that the Frenchman Springs basalt, a water bearing strata, is exposed at the surface at both these localities. Frenchman Springs exposure at these wells indicates the groundwater gradients can be

greater than the interflow gradients if the interflows are indeed consistently sloped at 0.0125 ft/ft.

The ninth item states that "Hinton Creek and Paradise Canyon converge to within 0.75 miles along the southern property boundary at the 2000 foot elevation level." Review of the USGS map for Shaniko quadrangle indicates the convergence distance of 0.75 miles between Hinton Creek and Paradise Canyon occurs at the 2600 foot elevation level (see Figure 2). The higher elevation leads to a gradient of about 0.023 ft/ft between the BLM wells and the convergence, as opposed to 0.08 ft/ft when using a 2000 elevation. This raises the possibility that the aquifer tapped by the BLM wells is contiguous through the convergence.

The tenth item states that "Except for the southwest parcel, groundwater recharge for the upper aquifers on the McReynolds property is limited to the bench which the property is located on and to limited inflow through the narrow neck between Hinton Creek and Paradise Canyon at the southern property boundary." Mr. Wozniak provides no data to support the assumption of "limited inflow." Review of several USGS quadrangle maps (Shaniko, Bronx Canyon, Kent, and Macken Canyon) and the locations of springs on these combined maps indicates that flow through this "narrow neck" may be far greater than limited (see Figure 2). Note this "narrow neck" is on the order of 2000 feet wide. Eight springs appear in Paradise and Golden Canyons within one square mile area directly north of the "narrow neck." All eight springs start at elevations below the elevation of the "narrow neck." The next highest density of springs (six) is two miles southeast in Howell Canyon and Buck Hollow. These observations suggest substantial groundwater flow could indeed be flowing through the alleged "narrow neck" into the bench comprising the bulk of the McReynolds property.

Mr. Wozniak references a report by Swanson and Others (1981) that infers a NE-SW trending fault 200 feet north of the BLM wells that Carver has applied to access. He states that "if the fault does exist, it probably serves to place these wells into a different part of the groundwater flow system than the springs on the McReynolds' property to the north." In reality, the fault could enhance groundwater flow toward the northeast while it remains at the same general elevation and possibly divert even greater flow toward the aforementioned "narrow neck." The fault could also result in significant flow to interflows at greater depths.

He states that "if the fault does not exist, then the local dip of the rock indicates that this interflow should crop out to the south between the 2700 and 2800 foot elevation levels." If this were so, and considering the substantial head of the water in this interflow as indicated by the artesian behavior of the BLM wells, springs should appear in sections 25 and/or 26 and/or along a approximate 3500 foot stretch of Hinton Creek directly south of the Hinton-Ward Ranch and several hundred feet north of the ranch, or the Hinton Creek

stream flow should increase dramatically in that section. No springs appear on the USGS Shaniko map in sections 25 and 26, nor along Hinton Creek between the 2700 and 2800 foot contours.

The second to last paragraph on the third page of this memo states that "Carver's house well produces from an unconfined aquifer which is restricted to the Hinton Creek drainage, ..." The claim that this is an unconfined aquifer is unusual considering the boring log for that well reports sandstone from 1 to 22 feet and broken basalt from 22 to 38 feet with water first appearing at 22 feet. This is strongly suggestive of confined conditions, not unconfined as Mr. Wozniak states.

Mr. Wozniak goes on to state that "Both wells (house and windmill well to north) appear to produce water from interflow zones that are somewhat deeper than those which provide water for the springs on the McReynolds' property." The boring logs for both those wells are so old they do not describe the stratigraphy at the depth where water is encountered. Mr. Wozniak does not specify any data that the waters come from different interflow zones. He could have mentioned the gradient between the springs and the house wells were 0.011 to 0.030 while the gradient between the house well and windmill well was 0.008 indicating the water exiting at the springs could also contribute to the water at the house and windmill wells assuming some connectivity between the interflows.

The gradient between the BLM wells and Homestead Spring is 0.020 ft/ft. Gradient to McReynolds house well from BLM wells is 0.018 ft/ft. Interconnectivity of the interflows would mean that water diversion at the BLM wells could influence Homestead Spring and the McReynolds' house well.

5. Satisfactory Report of Technical Review for Water Use Permit(s) dated November 24, 1993 (Water Resources Department; author unspecified)

This Technical Review, dated November 24, 1993 (author unspecified), applies to Daniel Carver's application for use of the BLM wells. On page 2 it mentions that "There **are no** existing water rights appurtenant to the lands described in the application." An interpretation of "appurtenant" could include the McReynolds' property based on the above discussion written herein. Though the McReynolds' water rights have yet to be approved, they filed before Daniel Carver and if their filing is approved, there **would be** existing water rights appurtenant to the lands described in the application.

The second paragraph of the report conclusions states "The Groundwater/Hydrology Section has reported that Well #5 (Carver's house well) is less than 200 feet from Hinton Creek and would produce water from the unconfined aquifer. There would be substantial interference with Hinton Creek when appropriating water from this well. This interference problem coupled with the Threatened and Endangered Species Act study

of surface water above Bonneville Dam is the basis for not including Well #5 with the proposed permit." This conclusion conflicts with the aforementioned July 29, 1993 memo stating "Because Carver's house well produces from an unconfined aquifer which is restricted to the Hinton Creek drainage, it will not interfere with the McReynolds' springs and wells which produce from confined interflow aquifers." If water from Carver's house well is part of the Hinton Creek drainage, its diversion could lower flow through Hinton Creek and violate the Threatened and Endangered Species Act. Also, it could interfere with Homestead spring which is a part of the Hinton Creek drainage. Also, his conclusion would be predicated on the assumption that the interflows are strictly confined from each other, we have yet to see data to support that conclusion, and data from the August 8, 1991 memo argues against strict confinement in all strata.

6. Letter to Thomas E. and Joan B. McReynolds from Karl C. Wozniak Dated July 29, 1993

This letter states "the prolonged drought and a limited recharge area for the springs." Mr. Ladd's letter of August 21, 1992 also stated "prolonged drought is more likely the cause of lower water availability."

Annual rainfall in the area over the last 25 years was reviewed and statistically analyzed to determine if the supposed "prolonged drought" referenced by Karl C. Wozniak could indeed be responsible for the observed drops or cessations in stream flows in the Shaniko area, specifically on the McReynolds' property. Data from Antelope are included below as they are from the next closest geographic area in which rainfall is recorded. It is possible the subjective opinion of a "drought," an opinion also voiced by the media, has been generated by the unusually high rainfalls of the late 1970's and early 1980's (see Table 1). It should be kept in mind that media depiction of weather conditions do not always adhere to methods of scientific analysis.

The mean rainfall minus the standard deviation is 9.94 and 8.15 inches per year for Antelope and Shaniko, respectively. Any annual rainfalls above these values are not significantly different from the mean (average) rainfall from 1968 to 1993. Review of annual rainfall during the 1980's in Table 1 shows that rainfall was significantly low in only one year, 1984, in the Shaniko area and not at all in the Antelope area. It is unlikely that one year of significantly low rainfall would result in cessation of stream flows in the area.

Table 2. Statistical Analysis of Rainfall Data

Statistic	*Antelope*	*Shaniko*
Mean	**13.56**	**11.45**
Standard Error	0.74	0.66
Median	13.46	11.34
Std. Dev.	**3.62**	**3.30**
Variance	13.08	10.90
Range	15.95	13.74
Minimum	6.59	5
Maximum	22.54	18.74
Count	24	25

Regarding the "limited recharge area for the springs," this statement assumes that the streams on the McReynolds property are recharged primarily by rainfall on the bench comprising the bulk of their property. If one assumes that all rainfall on this bench infiltrates at the peak elevation (2753 foot elevation) yielding the lowest possible slope of groundwater flow, the hydraulic gradient (so frequently referred to by Mr. Wozniak as needing to be equivalent to interflow slope for wells or springs to tap the same aquifer) to the springs in Paradise Canyon would be 0.037 ft/ft or steeper. Given Mr. Wozniak's statements that interflows are sloped at 0.0125 ft/ft and that any aquifers in interflows are confined, all rainfall on the McReynolds' bench would flow through surficial soil and runoff into the canyons and ravines on the property. However, this is not the case as a substantial amount of the spring flows are clearly from rock interflows.

CONCLUSIONS

Insufficient data exist to evaluate the ***true*** effect of using the BLM wells located within Daniel Carver's property boundary. However, the observations of "Paradise Spring" and Homestead Spring flow correlating to Mr. Carver's irrigation suggests the aquifer closest to the ground surface in this area is connected between Mr. Carver's wells and the McReynolds' Paradise and Homestead Springs. Additional data to further explain groundwater flow and interconnectivity in this area would include extensive chemical analyses of water samples from all available wells and stream flow gauge data on the surface streams in the area.

There was no discussion of the large flows possible through fractures between interflows and this is an important issue here. Much of the groundwater flow in the area is through basalt and lava flows. Though these are rock, it must be kept in mind that they can be fractured, and many of the boring logs from this area note the occurrence of fractures. A fracture 1 mm wide and 10 m long would have a cross-sectional area of 100 cm^2 (15 in^2) and could allow laminar flow with rippling of 2.5 to 100 cm/sec, equivalent to a flow of 0.25 to 10 L/sec (4 to 160 gpm). A few moderately sized fractures, or a single large one, could allow large volumes of flow. The probability that this is indeed the case in this geologic area is supported by Mr.

Wozniaks's discussion of "Spring a" in document 3 mentioned above, wherein he assumes a transmissivity of 100,000 gallons per day per foot (gpd/ft) for the aquifer in the interflow. This converts to a hydraulic conductivity (*K*) value of 7692 gpd/ft^2, a value that falls in the upper range of permeable basalts.

The data are insufficient to determine the effect on the future groundwater levels in the wells on the McReynolds' property from Mr. Carver accessing the BLM wells in question. However, it is our opinion that there is sufficient information to question the impact of use of the BLM wells for irrigation on the long term water levels in these wells.

RECOMMENDATIONS

Several factors need to be considered in evaluating an appropriate course of action in this case. These include: 1) the probability of an adverse effect of using water from the BLM wells on downgradient springs based on Thomas McReynolds' observations of "Paradise Spring" before, during, and after Mr. Carver's irrigation activity in May-June 1992; 2) the potential damage to the McReynolds' livestock if accessing the BLM wells results in cessation one or more of the springs on McReynolds' property; 3) the possible interference problem on Hinton Creek and the creek in Buck Hollow coupled with the Threatened and Endangered Species Act study of surface water above Bonneville Dam; 4) the high cost of the appropriate chemical analyses to determine the origins of the waters within this area; and 5) the probability the BLM wells tap an aquifer fed by infiltration of geologically recent rainfall and not an isolated aquifer.

APPENDICES

Appendix A
Letter from Michael F. Ladd, North Central Regional Manager for the Oregon Water Resources Department to Tom & Joan McReynolds dated August 21, 1992

Appendix B
Spring Description Sheet from McReynolds' "Application for a Permit to Appropriate Ground Water" dated August 10, 1992

Appendix C
"Application for a Permit to Appropriate Ground Water" submitted by the McReynolds dated August 10, 1992

Appendix D
"Application for a Permit to Appropriate Ground Water" submitted by Mr. Carver dated December 21, 1992

Appendix E
Letter from Karl Wozniak, Hydrogeologist for the OWRD, to Tom & Joan McReynolds dated July 29, 1993

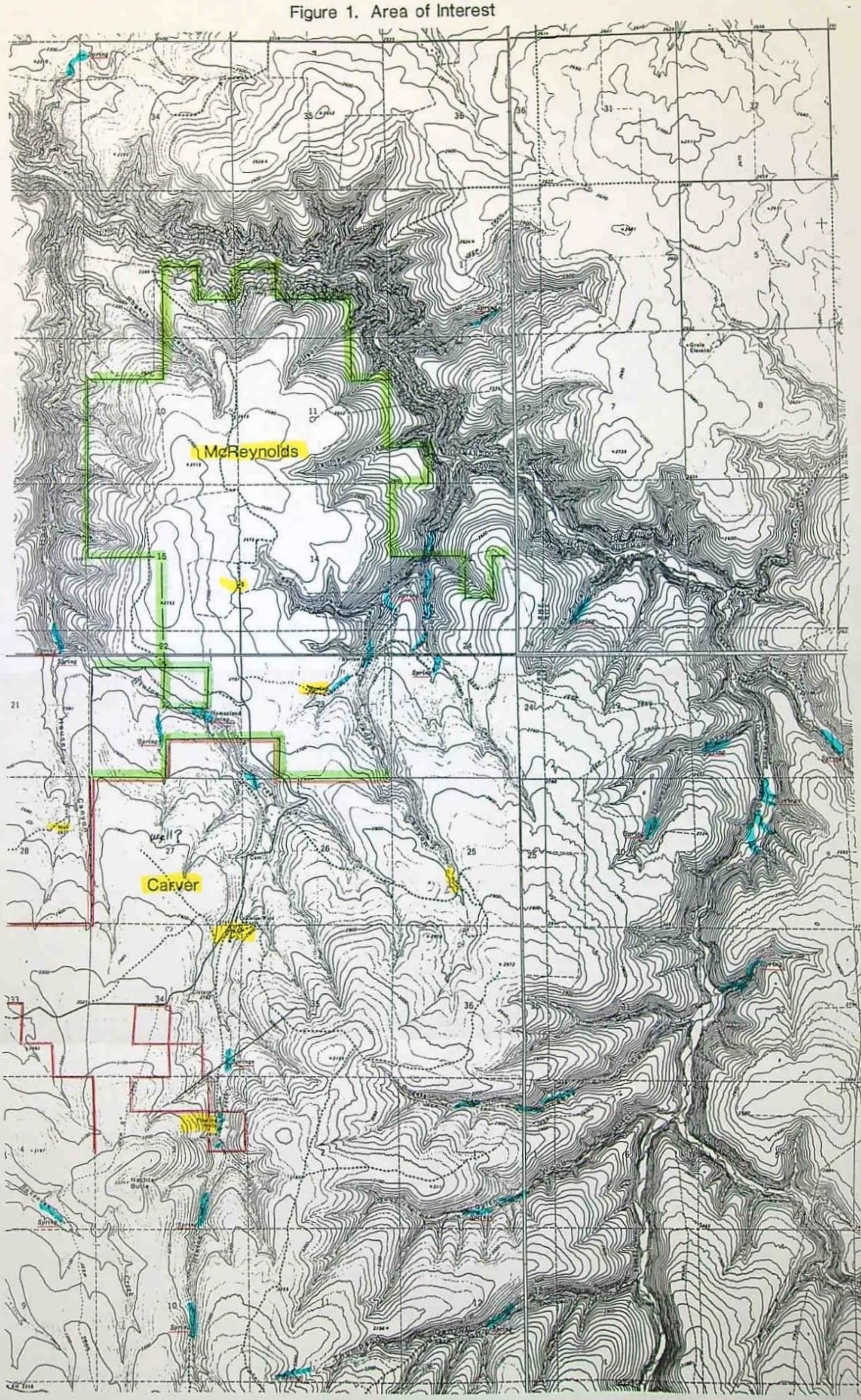
Appendix F
Memo to the Groundwater/Hydrology Files of the OWRD from Karl Wozniak dated July 29, 1993

Appendix G
"Satisfactory Report of Technical Review for Water Use Permit(s)" from the OWRD issued to Daniel Carver's application "G 13225 dated November 24, 1993

Appendix H
Letter from Karl Wozniak to Thomas E. and Joan B. McReynolds dated December 10, 1993

Appendix I
Letter to Mr. Lee Lindley of Maupin, Oregon and accompanying memo to the OWRD files from Karl Wozniak dated August 9 and 8, 1991, respectively.

Figure 1. Area of Interest



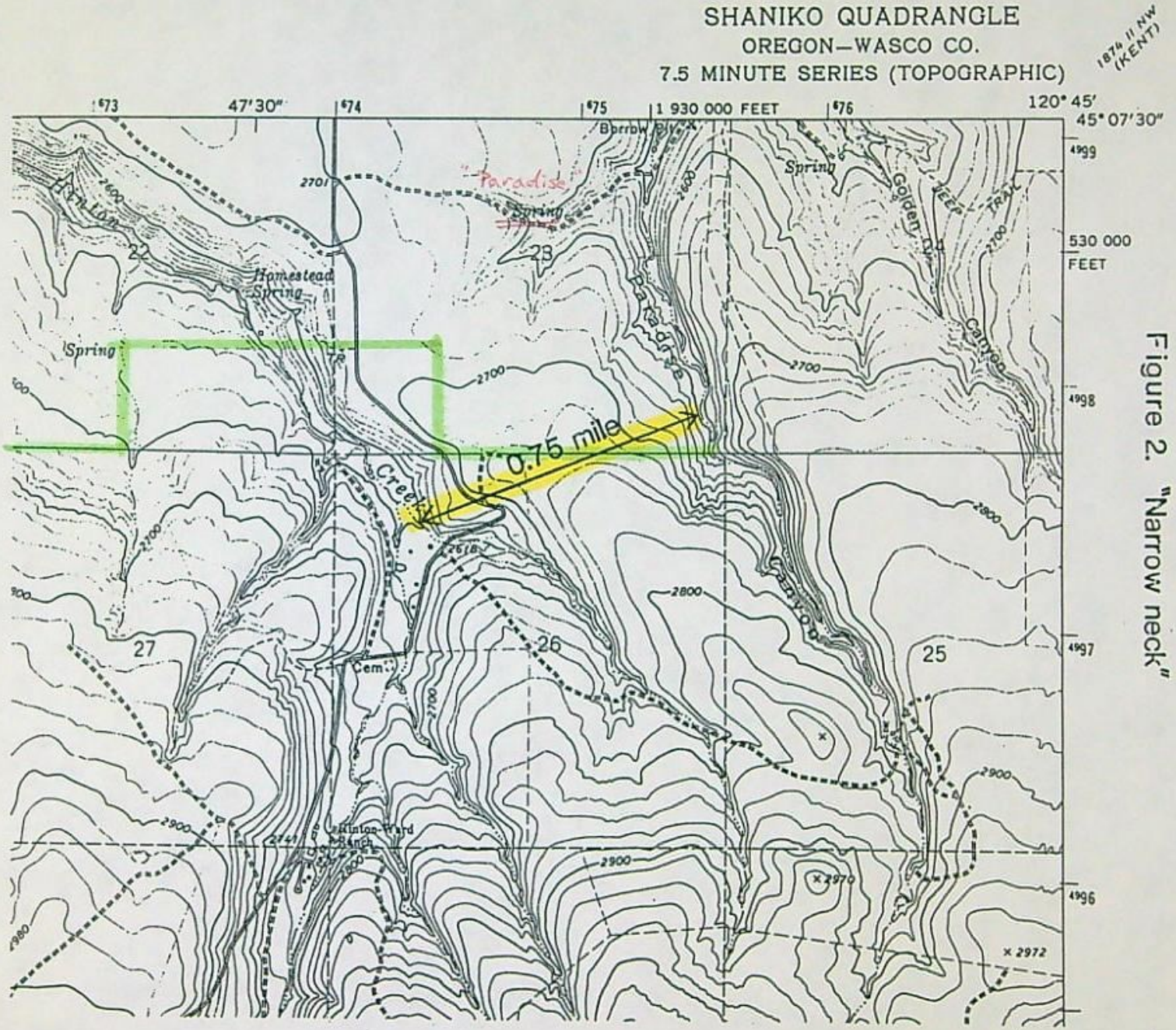


Figure 2. "Narrow neck"

Appendix A

Letter from Michael F. Ladd,
North Central Regional Manager
For the Oregon Water Resources Department

To Tom & Joan McReynolds
Dated August 21, 1992

Oregon

WATER
RESOURCES
DEPARTMENT

Watermaster

August 21, 1992

Tom & Joan McReynolds
Lazy J.M. Ranch
Maupin, OR 97037

Dear Ms. McReynolds:

I received your letter dated June 18, 1992, on August 5, 1992. I have discussed the letter with Larry Toll, Watermaster District 3.

In your letter you mention your neighbors that are using water for irrigation in a traditionally dry land farming area. Irrigation is a recognized beneficial use of water. It is not the role of the Water Resources Department to direct people in how they develop their land. Our concern over water use is whether the water is being used legally and beneficially. Additionally, we are concerned about managing the resource.

You had questions about Lonny Brown. Mr. Toll informs me that Mr. Brown has filed a transfer application (T-6774), to change the location of the original water right. Mr. Brown has also filed an application to use groundwater (application G-13030) to irrigate additional land from his well.

You also discussed Dan Carver's operation in your letter. You contacted Larry Toll in June 1991, about Mr. Carver's use of Hinton Creek for irrigation. Mr. Toll talked to Mr. Carver about the use and he quit. The end of May 1992, you once again contacted the Watermaster about Mr. Carver irrigating. On June 8, 1992, the Watermaster made a visit to the Carver lands. He also talked to you and Mr. Carver. The Watermaster found Mr. Carver irrigating from his wells, not the creek. He was instructed to stop irrigating until such time he obtained a water right permit to use the water. Mr. Carver complied. The Watermaster received no further information that Mr. Carver was not complying with the shut off.

Mr. Carver did contact a certified water rights examiner to prepare a map for an application for a water right. It appeared that Mr. Carver was doing as he was instructed.

The Watermaster has not kept tract of Mr. Carver's water use as he normally would because of the work load in other parts of his district. As you can imagine, because of the drought, Larry is very busy. We appreciate you contacting us about the illegal water use.

PH. 503-276-7111
3920 Westgate
Pendleton, OR 97801

The final point you question is the possible interference between wells and springs in your area. I understand you received a copy of the letter to Lee Lindley from the Groundwater Section of the Water Resources Department. This letter, informed the Lindleys that it is unlikely that Lonny Brown's well was affecting the Lindley's wells and spring. The report mentioned that the prolonged drought is more likely the cause of lower water availability. The Watermaster told you that he was not qualified to determine if interference is likely between your springs and Carver's wells. Our Groundwater Section may make that determination, upon request.
I have talked to Larry and he has agreed to forward a request to our Groundwater Section to determine if interference is likely. Groundwater Section will determine if there is sufficient information to determine interference. We will let you know the results.

Larry will also contact Mr. Carver in person and reiterate that he needs to have a water right permit, from a well, to irrigate more than one-half acre. Additionally, Larry will take the necessary enforcement steps to gain compliance.

Thank you for your concern about our water resources and bringing this matter to my attention. Please feel free to call Larry, or myself, if Mr. Carver irrigates without the necessary water rights in place.

Sincerely,

Michael F. Ladd
Regional Manager, North Central Region

cc: John Borden, WRD-Salem
Larry Toll, Watermaster District 3

Appendix B

Spring Description Sheet from McReynolds'
"Application for a Permit to Appropriate Ground Water"
Dated August 10, 1992

SPRING DESCRIPTION SHEET

(Paradise Spring)

APPLICATION #3

1. Is the spring on property owned by applicant? Yes.

2. If not, give name and address of legal owner: _____.

3. Have you secured consent of owner to appropriate water from this spring and for construction of pipeline or other works? _____.

4. If you do not have such consent, do you expect to secure right-of-way through condemnation? _____.

5. What is the maximum flow from the spring in gallons per minute or cubic feet of water per second? 3 gallons per minute.

What is the minimum flow? Now dry.

Is flow measured or estimated? Estimated.

6. Does the stream flowing from the spring form a well defined natural channel? Yes.

7. Does the water flow off the lands on which it first arises? No.

8. Give the name of the stream or other body of water into which water from the spring flows: _____.

9. If the water from the spring sinks or evaporates before reaching other water, give distance water flows from spring before vanishing: 100 yards.

10. Remarks: My first recorded date of Carver irrigation this year was May 28, 1992. Approximately 4 days after he started irrigating, the spring went dry. Used for watering cattle.

Thomas E. McReynolds
Signature

Jane B. McReynolds
Signature

Appendix C

"Application for a Permit to Appropriate Ground Water"
Submitted by the McReynolds
Dated August 10, 1992

Application No. _____

State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water

Applicant(s) Thomas E. McReynolds and Joan B McReynolds
(Please print or type - use dark ink)

Mailing Address: c/o Lazy J.M. Ranch

Maupin	Oregon	97037	(503) 395-2515
City	State	Zip	Daytime Phone No.

I (We) make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. *THE DEVELOPMENT (number of wells, tile lines, infiltration galleries, etc.):* Two wells.

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

Distance from development to stream: None within one mile.

Elevation difference between streambed and development: _____

NOTE: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well driller's log with this application, and skip to Section 2 below.

Diameter of well: #1 - (Windmill Well) 6" #2 - (House Well) 6" *Depth in feet:* 423 feet 370 feet

Type and size of well casing: #1 - 5" #2 - 5" *No. of feet:* 371 feet unknown

Estimated depth to water: #1 - 400 feet #2 - 340 feet

Type of access port or measuring device: #1 - None; #2 - None.

Wells to be drilled by: #1 - (existing) Drilled by T. R. Brown, Crass Valley, OR #2 - Unknown. Drilled in 1921.

Address: _____

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

#1 - N/A

#2 - N/A

2. *TOTAL AMOUNT OF WATER to be applied to beneficial use:* _____ *cubic feet per second, OR* 22.0 *gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each:* _____

#1 - 12.0 (Windmill Well) ; #2 - 10.0 (House Well)

3. *INTENDED USE(s) OF WATER:* #1 - livestock watering
#2 - Livestock watering and Domestic (1 house)

If for more than one use, give the quantity of water from each source for each use;
#2 - Household (5 gpm. including lawn) and Livestock (5 gpm.)

If for DOMESTIC use, state the number of households to be supplied; One (1)

If for MUNICIPAL OR QUASI-MUNICIPAL use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)

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

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

Irrigation
Other (describe)

4. *DESCRIPTION OF WATER DELIVERY SYSTEM: Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).*

#1 - Windmill pump with 1-1/4" delivery to stock watering trough.

#2 - 1-1/2 hp. submersible pump with 1" line to house and adjacent barn area.

5. *PROJECT SCHEDULE: (List month and year)*
#1 - existing
Proposed date construction work will begin #2 - existing
Proposed date construction work will be completed N/A
Proposed date water use will be completed August 1, 1993

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

6. a) *In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):*

_____ *Applicant* ___x___ *CWRE* _____ *Other (Identify in REMARKS section)*

b) *In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):*

_____ *Applicant* ___x___ *CWRE* _____ *Other (Identify in REMARKS section)*

7. *Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership?* ___Yes___. *If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.*

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

REMARKS: Wish to register and protect water rights from these wells in this water parched area.

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

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

Thomas E. Reynolds — *Signature of Applicant* — August 10, 1992 — *Date*

Joan B. McReynolds — *Signature of Co-Applicant, if any* — August 10, 1992 — *Date*

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

_____

_____

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

_____, 19____.

WITNESS my hand this _____ day of _____, 19____.

_____
Water Resources Director

*By:*_____

This instrument was first received in the office of the Water Resources Director at _____, Oregon, on the _____ day of _____, 19____, at _____ o'clock, ____ M.

APPLICATION NO: _____

A:APPFORM 9/89

SPRING DESCRIPTION SHEET

(Sagebrush Spring)

APPLICATION #1

1. Is the spring on property owned by applicant? Yes.

2. If not, give name and address of legal owner: _____.

3. Have you secured consent of owner to appropriate water from this spring and for construction of pipeline or other works? _____.

4. If you do not have such consent, do you expect to secure right-of-way through condemnation? _____.

5. What is the maximum flow from the spring in gallons per minute or cubic feet of water per second? 3 gallons per minute.

What is the minimum flow? Now dry.

Is flow measured or estimated? Estimated.

6. Does the stream flowing from the spring form a well defined natural channel? No.

7. Does the water flow off the lands on which it first arises? No.

8. Give the name of the stream or other body of water into which water from the spring flows: _____.

9. If the water from the spring sinks or evaporates before reaching other water, give distance water flows from spring before vanishing: 200 feet.

10. Remarks: Dried up in the Spring of 1991. Has not run since. Man and horse at one time sunk out of sight. Now dry. Was for watering cattle.

Thomas E. McReynolds
Signature

Joan B. McReynolds
Signature

SPRING DESCRIPTION SHEET

(Homestead Spring)

APPLICATION #2

1. Is the spring on property owned by applicant? Yes.

2. If not, give name and address of legal owner: _____.

3. Have you secured consent of owner to appropriate water from this spring and for construction of pipeline or other works? _____.

4. If you do not have such consent, do you expect to secure right-of-way through condemnation? _____.

5. What is the maximum flow from the spring in gallons per minute or cubic feet of water per second? 5 gallons per minute.

What is the minimum flow? 2.5 gallons per minute.

Is flow measured or estimated? Measured.

6. Does the stream flowing from the spring form a well defined natural channel? No.

7. Does the water flow off the lands on which it first arises? No.

8. Give the name of the stream or other body of water into which water from the spring flows: _____.

9. If the water from the spring sinks or evaporates before reaching other water, give distance water flows from spring before vanishing: 100 feet.

10. Remarks: A road was built sometime in the early 1900's for the homesteaders to fill their water tanks. A 300 gallon tank with 4 horses took 2 hours to fill. The wooden stock watering tank with pipe is still there. Used for watering cattle.

Thomas E. McReynolds
Signature

Jane B. McReynolds
Signature

SPRING DESCRIPTION SHEET

(Paradise Spring)

APPLICATION #3

1. Is the spring on property owned by applicant? Yes.

2. If not, give name and address of legal owner: _____.

3. Have you secured consent of owner to appropriate water from this spring and for construction of pipeline or other works? _____.

4. If you do not have such consent, do you expect to secure right-of-way through condemnation? _____.

5. What is the maximum flow from the spring in gallons per minute or cubic feet of water per second? 3 gallons per minute.

What is the minimum flow? Now dry.

Is flow measured or estimated? Estimated.

6. Does the stream flowing from the spring form a well defined natural channel? Yes.

7. Does the water flow off the lands on which it first arises? No.

8. Give the name of the stream or other body of water into which water from the spring flows: _____.

9. If the water from the spring sinks or evaporates before reaching other water, give distance water flows from spring before vanishing: 100 yards.

10. Remarks: My first recorded date of Carver irrigation this year was May 28, 1992. Approximately 4 days after he started irrigating, the spring went dry. Used for watering cattle.

Thomas E. McReynolds
Signature

Jane B. McReynolds
Signature

SPRING DESCRIPTION SHEET

(Horse Pasture Spring)

APPLICATION #4

1. Is the spring on property owned by applicant? Yes.

2. If not, give name and address of legal owner: _____

_____.

3. Have you secured consent of owner to appropriate water from this spring and for construction of pipeline or other works? _____.

4. If you do not have such consent, do you expect to secure right-of-way through condemnation? _____.

5. What is the maximum flow from the spring in gallons per minute or cubic feet of water per second? 7.5 gallons per minute.

What is the minimum flow? 7.5 gallons per minute.

Is flow measured or estimated? Measured. Does not vary.

6. Does the stream flowing from the spring form a well defined natural channel? No

_____.

7. Does the water flow off the lands on which it first arises? No.

8. Give the name of the stream or other body of water into which water from the spring flows: _____.

9. If the water from the spring sinks or evaporates before reaching other water, give distance water flows from spring before vanishing: _____.

10. Remarks: This spring was a stop for the military in the 1800's for water as they traveled from Fort Spokane to Fort Klamath. Later, homesteaders used it for water. Runs in the natural state. Cattle and horses water from spring. It was ditched to irrigate orchard at the lower house in the early 1900's.

Thomas E. McReynolds
Signature

Joan B. McReynolds
Signature

SPRING DESCRIPTION SHEET

(Lower House Spring)

APPLICATION #5

1. Is the spring on property owned by applicant? Yes.

2. If not, give name and address of legal owner: _____.

3. Have you secured consent of owner to appropriate water from this spring and for construction of pipeline or other works? _____.

4. If you do not have such consent, do you expect to secure right-of-way through condemnation? _____.

5. What is the maximum flow from the spring in gallons per minute or cubic feet of water per second? 5 gallons per minute.

What is the minimum flow? 5 gallons per minute. Does not vary.

Is flow measured or estimated? Estimated.

6. Does the stream flowing from the spring form a well defined natural channel? No.

7. Does the water flow off the lands on which it first arises? No.

8. Give the name of the stream or other body of water into which water from the spring flows: _____.

9. If the water from the spring sinks or evaporates before reaching other water, give distance water flows from spring before vanishing: 175 feet to 200 feet.

10. Remarks: Concrete cistern dug below where spring comes out of hillside with a 1/3 hp. pump. Another 2" pipe flows to water tank in barnyard. Remaining water dissipates into ground. Used for house and watering cattle.

Thomas E. McReynolds
Signature

Joan B. McReynolds
Signature

SPRING DESCRIPTION SHEET

(Bull Spring)

APPLICATION #6

1. Is the spring on property owned by applicant? Yes.

2. If not, give name and address of legal owner: _____.

3. Have you secured consent of owner to appropriate water from this spring and for construction of pipeline or other works? _____.

4. If you do not have such consent, do you expect to secure right-of-way through condemnation? _____.

5. What is the maximum flow from the spring in gallons per minute or cubic feet of water per second? 2.5 gallons per minute.

What is the minimum flow? 1.5 gallons per minute normally. Now dry.

Is flow measured or estimated? Measured out of pipe, but total spring flow estimated.

6. Does the stream flowing from the spring form a well defined natural channel? No.

7. Does the water flow off the lands on which it first arises? No.

8. Give the name of the stream or other body of water into which water from the spring flows: _____.

9. If the water from the spring sinks or evaporates before reaching other water, give distance water flows from spring before vanishing: _____.

10. Remarks: Spring has been developed with small cement cistern, running into a 55 gallon barrel. Remaining water runs down hillside 100 feet. Used to water bulls. Has been dry since 1991.

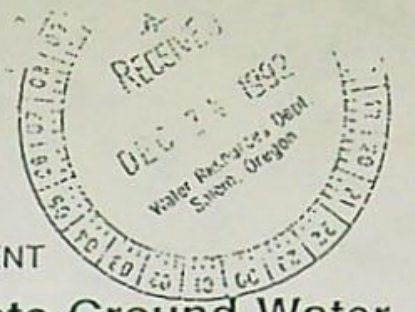
Thomas E. McReynolds
Signature

Joan B. McReynolds
Signature

Appendix D

"Application for a Permit to Appropriate Ground Water"
Submitted by Mr. Carver
Dated December 21, 1992

Application No. _____



State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water

Applicant(s) Daniel Carver
(Please print or type - use dark ink)

Mailing Address HCR 71, Box 40

Maupin	Oregon	97037	(503) 395-2507
City	*State*	*Zip*	*Daytime Phone No.*

I (We) make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. *THE DEVELOPMENT (number of wells, tile lines, infiltration galleries, etc.):* _____
Four wells

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

Distance from development to stream: Wells #2, #3, #4 - 20'; Well #5 - 100'

Elevation difference between streambed and development: All wells 7½' plus or minus

NOTE: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well driller's log with this application, and skip to Section 2 below.

Existing - Logs attached

Diameter of well: _____ *Depth in feet:* _____

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

Estimated depth to water: _____

Type of access port or measuring device: _____

Wells to be drilled by: _____

Address: _____

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

2. *TOTAL AMOUNT OF WATER to be applied to beneficial use:* _____ *cubic feet per second, OR* 127 *gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each:* N/A

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

If for more than one use, give the quantity of water from each source for each use: N/A

If for DOMESTIC use, state the number of households to be supplied: N/A

If for MUNICIPAL OR QUASI-MUNICIPAL use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)

N/A

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

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

Irrigation 23.6 acres

Other (describe)

4. ***DESCRIPTION OF WATER DELIVERY SYSTEM:*** *Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).*

Wells #2, 3 and 4 artesian flow - no pump

Well #5 - 5 hp. 220 volt submersible pump, 35 gpm at 60 psi at wellhead

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

Proposed date construction work will begin Existing construction

Proposed date construction work will be completed December 1, 1992

Proposed date water use will be completed December 1, 1993

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

6. a) *In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):*

_____ *Applicant* X *CWRE* _____ *Other (Identify in REMARKS section)*

b) *In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):*

_____ *Applicant* X *CWRE* _____ *Other (Identify in REMARKS section)*

7. *Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership?* No *. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.*

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

REMARKS: Wells #2, 3 and 4 on USA-BLM ownership - permission letter attached

U.S. Department of the Interior
Bureau of Land Management, Prineville District Office
P.O. Box 550 (185 E. 4th Street)
Prineville, Oregon 97754

Ranch ownership on contract purchase - Sellers consent attached

Joan Starr Ward
518 Baywood Ct., Ukiah, California 95482

I/We certify that the information I have provided in this application is an accurate representation of the proposed water use to the best of my knowledge.

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

X Daniel L Carter — 12-21-92
Signature of Applicant — *Date*

X _____ — _____
Signature of Co-Applicant, if any — *Date*

Application No. _____

State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Surface Water

Applicant(s) Daniel Carver
(Please print or type - use dark ink)

Mailing Address: HCR 71, Box 40

Maupin (City) Oregon (State) 97037 (Zip) (503) 395-2507 (Daytime Phone No.)

I (We) make application for a permit to appropriate the following described waters of the State of Oregon:

1. ***SOURCE OF WATER*** *for the proposed use:* Hinton Creek ,
a tributary of Buck Hollow Creek, a tributary of Deschutes River .

2. ***TOTAL AMOUNT OF WATER*** *to be applied to beneficial use:* _____ *cubic feet per second, OR* 353 *gallons per minute. If water is to be used from more than one source, give the quantity of water from each:* _____

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

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

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

If for MUNICIPAL OR QUASI-MUNICIPAL use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)

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

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

Irrigation	39.4 acres, primary 23.6 acres, secondary to Groundwater Right 63.0 acres, total
Other (describe)	_____
	_____
	_____

4. *DESCRIPTION OF WATER DELIVERY SYSTEM: Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).*

One 5 hp. portable pump and 2" handlines.

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

Proposed date construction work will begin July 1, 1993

Proposed date construction work will be completed October 15, 1993

Proposed date water use will be completed October 15, 1994

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

6. a) *In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):*

_____ *Applicant* _X_ *CWRE* _____ *Other (Identify in REMARKS section)*

b) *In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):*

_____ *Applicant* _X_ *CWRE* _____ *Other (Identify in REMARKS section)*

7. *Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership?* No *. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.*

REMARKS: Ranch ownership on contract purchase - Sellers Consent attached.
Joan Starr Ward
518 Baywood Court, Ukiah, California 95482

Jointly applying for groundwater rights on 23.6 irrigated acres in Section 34, Township 5 South, Range 16 East, Willamette Meridian, with surface rights under this application to be secondary. Surface rights of this application in Sections 26 and 22, Township 5 South, Range 16 East, Willamette Meridian, 39.4 acres to be primary with no groundwater involved.

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

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

X David L. Carter — *Signature of Applicant* — 12-21-92 — *Date*

X _____ — *Signature of Co-Applicant, if any* — _____ — *Date*

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Prineville District Office
P.O. Box 550 (185 E. 4th Street)
Prineville, Oregon 97754

TAKE PRIDE IN AMERICA

IN REPLY REFER TO

4100

NOV 16 1982

Daniel L. Carver
HCR 71 Box 40
Maupin, Oregon 97037

Dear Mr. Carver:

I understand you are applying for water rights to water that exists on public land and will be used on your private lands. We also see the potential to use a portion of the water, primarily from the well currently supplying your livestock tank, to support wetland values on federal lands. With this limitation, we would support your application to use the water from those wells which are on federal lands.

To complete implementation of this project a small catchment pond will be constructed on public land to take advantage of the flow of the well now providing your livestock water. The livestock water would be left in place, but the overflow would be used to enhance wildlife habitat.

Please return the right-of-way application you received as soon as possible. Although actual processing of the application may take several weeks, we expect no problems and anticipate approval of the right-of-way. Final approval of the right-of-way will result only after the NEPA process has occurred and no negative findings have resulted.

Sincerely

Danny L. Iggy

Acting For James G. Kenna
Deschutes Area Manager

Appendix E

Letter from Karl Wozniak,
Hydrogeologist for the OWRD,
To tom & Joan McReynolds
Dated July 29, 1993

July 29, 1993

Thomas E. and Joan B. McReynolds
co Lazy J M Ranch
Maupin, OR 97037

Reference: Files G-13087, 72622 - McReynolds & G-13225 - Carver

Dear Mr. and Mrs. McReynolds:

I have finished my investigation of the potential interference between wells on property owned by Daniel Carver and springs and wells on your property. My conclusion is that it is unlikely that Mr. Carver's wells will interfere with your wells and springs. A copy of my analysis is attached. I believe that the principal factors which caused declining spring production on your property were the prolonged drought and a limited recharge area for the springs. Several years of good snowpack and above average rainfall may be necessary to bring your spring production back to historic levels.

I share your concern about the limited potential of the groundwater resource in the Shaniko area. However, I am confident that you will continue to utilize this precious resource with sufficient care to ensure that it will provide a sustainable supply of water for your future needs.

Sincerely yours,

Karl C. Wozniak
Hydrogeologist

cc: Water Rights Section
Larry Toll, Mike Ladd
Daniel Carver

Appendix F

Memo to the Groundwater/Hydrogeology Files
of the OWRD,
From Karl Wozniak
Dated July 29, 1993

Water Resources Department
Interoffice Memo

Date: July 29, 1993

To: Groundwater/Hydrology Files

From: Karl Wozniak

Subject: McReynolds' Interference Complaint, T5S/R16E and T6S/16E
Files G-13087, 72622 - McReynolds & G-13225 - Carver

Conclusion

It is unlikely that wells in section 34, T5S/R16E and section 3, T6S/R16E have interfered, or will interfere, with existing springs and wells on the McReynolds' property in T5S/16E. Declining spring production on the McReynolds' property in 1992 is probably due to the effects of a prolonged drought coupled with a limited recharge area for their springs.

Discussion

In the summer of 1992, Mr. and Mrs. McReynolds complained to the Department about the water-use practices of their neighbor to the south, Dan Carver. Part of their complaint alleged that Mr. Carver was irrigating without a permit from a well on his property and from several wells on adjacent BLM property and that use of these wells was adversely affecting the flow of springs on the McReynolds' lands.

.On August 21, 1992 the McReynolds filed application G-13087 for domestic and stock use of two wells and S-72622 for the use of six springs on their land.

On December 24, 1992 Mr. Carver filed application G-13225 for primary irrigation rights for groundwater from one well on his property and four wells on adjacent BLM property.

This memo is a summary of an investigation to determine the potential interference between the wells used by Carver and the springs and wells on the McReynolds' property. The investigation included a review of geologic maps and reports in the area and a site visit on April 9, 1993. The attached map shows locations and features referred to in the following discussion.

The pertinent general facts that came to light during this investigation can be summarized as follows:

1. Groundwater production in the area is from a succession of discrete, confined aquifers that occur within interflow zones between basalt lava flows of the Columbia River Basalt Group.

2. The basalt flows have a northerly regional dip, or inclination, of about 25 feet per 2000 feet.

3. The regional groundwater flow is northerly.

4. The land surface is highly dissected by the stream drainage system.

5. Where individual interflows are breached by the drainage systems, the aquifers discharge as springs.

6. Surface water is largely dependent upon groundwater discharge in the form of springs.

7. The regional recharge zone for the groundwater system is limited to the area around Shaniko Summit, a topographic high located approximately eight miles south of the McReynold property.

8. At any given location, groundwater recharge for the uppermost interflow aquifers is commonly limited to local topographic highs that are incised on three sides by stream drainages.

9. Except for a small parcel to the southwest, the McReynolds' property is located on a bench which is deeply incised on the north by Buck Hollow, on the east by Paradise Canyon, and on the west by Hauser Canyon and Hinton Creek. Hinton Creek and Paradise Canyon converge to within 0.75 miles along the southern property boundary at the 2000 foot elevation level. The southwest parcel is located on a bench between Hauser Canyon on the west and Hinton Creek to the east.

10. Except for the southwest parcel, groundwater recharge for the upper aquifers on the McReynold property is limited to the bench which the property is located on and to limited inflow through the narrow neck between Hinton Creek and Paradise Canyon at the southern property boundary. Aquifers on the southwest parcel receive their recharge from the uplands to the south.

The McReynolds' springs are located between 2400 and 2550 feet in elevation.

The BLM wells that Carver uses (wells 1-4 on G-13225) are shallow (<110 feet), flowing artesian wells located in section 3, T6S/R16E. Their combined flowing production rate is 92 gpm. The nearest McReynolds' spring is 13,600 feet to the north. Based on well reports, the BLM wells produce water from a confined interflow zone that occurs at about the 2830 foot elevation. According to Swanson and others (1981), an inferred NE-SW-trending fault occurs approximately 200 feet

north of the wells. The existence of this fault was not verified in the field. If the fault does exists, it probably serves to place these wells into a different part of the groundwater flow system than the springs on the McReynolds property to the north. If the fault does not exist, the local dip of the rocks indicate that this interflow should crop out to the south between the 2700 and 2800 elevation level (see attached cross section). This is 175-275 above the level of spring #1, the nearest McReynolds' spring and approximately 200 feet above the level of all of the McReynolds' springs. Under these circumstances, the McReynolds' springs and the BLM wells could not produce water from the same aquifer.

Mr. Carver's house well (well #5 on G-13225) is located in section 34, T5S/16E. The well is 45 feet deep and has a production rate of 35 gpm. Because Carver's house well produces from an unconfined aquifer which is restricted to the Hinton Creek drainage, it will not interfere with the McReynolds' springs and wells which produce from confined interflow aquifers.

According to the McReynolds, their house well is 371 feet deep (2310 feet elevation). They reported that the well had a static water level of about 313 feet when it was drilled in 1976 (as a replacement for the original well which was drilled in 1921) and a static level of 313 feet in 1991 when the pump was replaced. On April 9, 1993, I measured the static water level at 300 feet (2381 feet elevation), a level comparable to those reported for 1976 and 1991 and approximately equal to the floor elevations of Paradise Canyon and Hinton Creek due east and west of the well. The McReynolds' stock well (Windmill well), about 3 miles north of their house well, has a total depth of 423 feet (2252 feet elevation) with a reported static water level of 400 feet (2275 feet elevation) in July of 1965. Both wells appear to produce water from interflow zones that are somewhat deeper than those which provide water for the springs on the McReynolds' property. Therefore, it is improbable that any of Carver's wells will interfere with these wells.

Appendix G

"Satisfactory Report of Technical Review for Water Use Permit(s)"
From the OWRD,
Issued to Daniel Carver's Application #G 13225
Dated November 24, 1993

Report Date: November 24, 1993

OREGON WATER RESOURCES DEPARTMENT

SATISFACTORY REPORT OF TECHNICAL REVIEW

FOR WATER USE PERMIT(S)

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 3850 PORTLAND ROAD N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE:
February 2, 1994.

1. APPLICATION FILE NUMBER - G 13225

2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:
DANIEL CARVER
HCR 71, BOX 40
MAUPIN, OR 97037

Date application received for filing and/or tentative date of priority: 12/24/92

SOURCE: FOUR WELLS TRIBUTARY TO: HINTON CREEK

Purpose and/or use: IRRIGATION

Flow: 127 GALLONS PER MINUTE

Point of Diversion Location:
T 6 S, R 16 E, W.M., SECTION 3, SENE

Place of use:

NENE	6.2 ACRES
SENE	7.5 ACRES
NESE	4.4 ACRES
SESE	5.5 ACRES

SECTION 34
T 5 S, R 16 E, W.M.

GROUNDWATER AVAILABILITY

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

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

In addition, the Groundwater/Hydrology Section has reported the water is likely to be available to supply the proposed use.

CONFLICTS WITH OTHER WATER RIGHTS:

There are no existing rights from this point of diversion.

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

REPORT CONCLUSIONS:

Water in the amount of 0.28 CUBIC FOOT PER SECOND (CFS) is likely available for 7 months of the 7 months normal period of use. Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

The Groundwater\Hydrology Section has reported that Well #5 is less than 200 feet from Hinton Creek and would produce water from the unconfined aquifer. There would be substantial interference with Hinton Creek when appropriating water from this well. This interference problem coupled with the Threatened and Endangered Species Act study of surface water above Bonneville Dam is the basis for not including Well #5 with the proposed permit.

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

This Report of Technical Review sets out the Director's technical analysis of the application. In addition to this technical analysis, the Director will evaluate this application to determine whether the proposed water use might impair or be detrimental to the public interest under the standards set out in ORS 537.170(5) and OAR 690-11-195. Matters relating to public interest in the proposed water use which are raised in objections will be evaluated following the 60-day objection period.

Appendix H

Letter from Karl Wozniak
To Thomas E. and Joan B. MeReynolds
Dated December 10, 1993

December 10, 1993

Thomas E. and Joan B. McReynolds
co Lazy J M Ranch
Maupin, OR 97037

Reference: Files G-13087, 72622 - McReynolds & G-13225 - Carver

Dear Mr. and Mrs. McReynolds:

Please accept my apologies for the delay in getting this information to you. My original letter and report were written on July 29, 1993 and forwarded to my supervisors for review. Unfortunately, the file was misplaced and not acted upon until you prompted us to search for it.

If you have any questions, do not hesitate to call me.

Sincerely yours,

Karl C. Wozniak
Hydrogeologist

cc: Water Rights Section
Larry Toll, Mike Ladd
Daniel Carver

Appendix I

Letter to Mr. Lee Lindley of Maupin, Oregon
And Accompanying Memo to the OWRD Files from Karl Wozniak
Dated August 9 and 8, 1991 respectively

Oregon

WATER
RESOURCES
DEPARTMENT

August 9, 1991

Lee Lindley
Box 64
Maupin OR 97037

Dear Mr. Lindley,

In May of this year, Larry Toll, in our office in The Dalles forwarded a request from you to investigate potential interference between several wells and a spring in southern Wasco County (see attached memo). I have concluded that it is unlikely that the well in 5S/16E, section 32 is affecting the wells and spring in question. See the attached memo for the analysis which led to this conclusion.

Please contact me at 378-8455 if you have any questions regarding this matter.

Sincerely yours,

Karl C. Wozniak
Hydrogeologist

cc: Larry Toll, Watermaster, District #3
Water Resources Department
400 East 5th
Annex A Rm 205
The Dalles OR 97058

3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX 378-8130

Water Resources Department
Interoffice Memo

Date: August 8, 1991

To: Groundwater/Hydrology Interference Files
cc: Larry Toll (The Dalles Office)

From: Karl Wozniak

Subject: Lee Lindley Interference Complaint

Conclusion

It is unlikely that the well in 5S/16E, section 32 is adversely affecting water production from the wells and spring referred to on the attached list.

Discussion

Refer to locations and geology on the attached map (Swanson and others , 1981).

Well 1: 5S/16E-32
Irrigation well on permit G-8342.
Permitted rate is 0.26 cfs (117 gpm).
Permit abstract indicates pump is capable of 400 gpm.
Well report attached.
Well elevation (LSD) = 2705'
Completed depth = 302'
Producing aquifers: several Columbia River Basalt interflow zones between 127' and 302' (2578' - 2403' elevation). Uppermost interflow zone (127' - 140') probably corresponds to the contact between the Frenchman Springs Member of the Wanapum Basalt (T_f) and the underlying Grande Ronde flow (Tgn_2).
An east-west fault occurs about one-half mile to the north, well side is down thrown.
The surface expression of a monocline occurs immediately to the east.

Spring a: 5S/16E-28
Located approximately 1.5 miles (7500 ft) NNW of well 1.
LSD approx. 2637.
Occurs at exposed contact between Frenchman Springs and underlying Grande Ronde basalt flows in Hauser Canyon.
Structurally updip from well 1. Local dip is to the NW.

This spring probably produces from the same aquifer that is present between 127- and 140' in well 1. Assuming a transmissivity of 100,000 gpd/ft, a storativity of 0.00005 and a liberal pumping rate of 400 gpm, the affect of pumping at well 1 would probably be negligible at the spring. This is especially likely because well 1 produces from several aquifers and not just the one encountered between 127' - 140'.

The attached geologic map indicates that the potential recharge area for the aquifer which serves this spring is limited to the outcrop area of the Frenchman Springs - Grande Ronde contact which occurs along the west bank of Hinton Creek and in the higher ground several miles to the south along the boundary between townships 5S and 6S. The limited recharge area and a prolonged drought in the area are probably the main causes of decreased discharge at this spring.

Well b: 4S/15E-33
LSD approx. 2100'.
Located approx. 8 miles NW of well 1.

Well c: 5S/15E-7
LSD approx. 2040'.
Located approx. 8 miles NW of well 1.

Well logs for both of these wells are unavailable. Because Frenchman Springs basalt is exposed at the surface at both localities it is possible that both wells produce from the interflow zone between the Frenchman Springs and the underlying Grande Ronde since that is the first potential aquifer likely to be penetrated at either locality. However, it is unlikely that either of these wells would be affected by pumping at well 1 because of the extreme distances involved. Even if conservative aquifer characteristics were assumed (e.g. T = 100,000 gpd/ft; S = .00005), the effects of pumping continuously at several hundred gpm (e.g. for 90 days) would be nil at a distance of 8 miles.

Both of these wells are located updip and within several miles of canyons that exceed 700' in depth. As indicated by the geologic map and spring localities on the corresponding 7-1/2- minute topographic maps, the producing aquifer(s) are probably exposed along these canyons. It seems possible that production declines in these wells might be related to normal seepage of water at these localities coupled with low recharge rates during the recent years of low rainfall.

Water Resources Department

400 EAST 5th, ANNEX A - ROOM 205, THE DALLES, OREGON 97058 PHONE 296-5494

MAY 1 [illegible]

INTEROFFICE MEMO
WATER RESOURCES DEPARTMENT
NORTH CENTRAL REGION
DISTRICT 3

TO: Fred Lissner,
Groundwater Section

DATE: May 7, 1991

FROM: Larry Toll, District 3 LT

SUBJECT: Well Problem

Lee Lindley from South Wasco County came in with a request. Is it possible that the well in 5S 16E Section 32 NE 1/4 (log attached) is affecting some other wells and springs?

The other sources of water in question are

a) 5S, 16E, Section 28 SE 1/4 of the NE 1/4. The quad identifies a well. Mr. Lindley stated that this is actually a spring.

b) 4S, 15E, Section 33 W 1/2 NE 1/4. There is an old well drilled in the 1940's. No well log available.

c) 5S, 15E, Section 7 W 1/2 NE 1/4. There is an old well drilled in the 1940's. No well log available.

General information provided by Mr. Lindley on his request. Each of these other sources has dropped in production in recent years. The irrigation well in 5S, 16E, Section 32, is higher in elevation. As far as surface runoff goes all the other sources are down gradient from the Section 32 well. This is why Mr. Lindley ask the question.

I told him I would send this in but I was not sure if there was enough information available to make any determination. I also told Mr. Lindley that I was not sure how much hydro geological information was available in this area.

Is there additional information that I can gather, if it appears there may be a problem?

Mr. Lindley's mailing address is: Lee Lindley
Box 64
Maupin, OR 97037

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

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

RECEIVED JUN 29 1973 STATE ENGINEER SALEM, OREGON

State Well No. 55/16E-32 (UU1302)

State Permit No.

(1) OWNER:

Name KIETH SNODGRASS
Address BOX 11 B ROUTE 1
MADRIN ORE

(2) TYPE OF WORK (check):

New Well (●) Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable (●) Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation (●) Test Well ☐ Other ☐

CASING INSTALLED:

Threaded ☐ Welded (●)

10" Diam. from 0 ft. to 19 ft. Gage .250 wall
" 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.
" " "
" " "
Bailer test 40 gal./min. with 0 ft. drawdown after ½ hrs.
Artesian flow g.p.m.
Temperature of water 57 Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used BENTONITE
Well sealed from land surface to 18 ft.
Diameter of well bore to bottom of seal 14 in.
Diameter of well bore below seal 10 in.
Number of sacks of cement used in well seal sacks
Number of sacks of bentonite used in well seal 3 100 LB sacks
Brand name of bentonite VOLCLAY
Number of pounds of bentonite per 100 gallons of water lbs./100 gals.
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 WASCO Driller's well number
N.E ¼ N.W ¼ Section 32 T. 5 S R. 16 E W.M.
Bearing and distance from section or subdivision corner
T.L. 3300

(11) WATER LEVEL: Completed well.

Depth at which water was first found 106 ft.
Static level 87 ft. below land surface. Date MAY 26
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 10
Depth drilled 155' ft. Depth of completed well 155 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 CLAY LOAM	0	3½	
BOULDERS	3½	8½	
BROWN FIRM SANDSTONE	8½	22	
BLACK LAVA	22	96	
GREY BASALT	96	112	40
BLACK BASALT	112	127	48
GREY BASALT CHUNKS	127	130	
TAN CONGLOMERATE	130	136	87
BRITTLE FRACTURED BASALT	136	140	87
GREY LAVA	140	155'	

Work started MAY 1 1973 Completed MAY 26 1973
Date well drilling machine moved off of well MAY 29 1973

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] Lawrence Kowalski (Drilling Machine Operator) Date JUNE 21, 1973
Drilling Machine Operator's License No. 1

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 LAWRENCE KOWALESKI (Person, firm or corporation) (Type or print)
Address 741 - 4th MADRAS ORE
[Signed] Lawrence Kowalski (Water Well Contractor)
Contractor's License No. 209 Date June 21, 1973

001503

WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

State Well No. 5N/5E-32

State Permit No.

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

(1) OWNER:
Name KEITH SNODGRASS
Address STAR RTE, BOX 11 B
MALIN, OREGON 97637

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

(3) TYPE OF WELL:
Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(5) CASING INSTALLED: Threaded ☐ Welded ☐
____" Diam. from ____ ft. to ____ ft. Gage ____
____" Diam. from ____ ft. to ____ ft. Gage ____
____" Diam. from ____ ft. to ____ ft. Gage ____

(6) PERFORATIONS: Perforated? ☐ Yes ☐ No.
...pe of perforator used
... 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?
...ield: gal./min. with ft. drawdown after hrs.
" " " "
" " " "
... test gal./min. with ft. drawdown after hrs.
...rtesian flow g.p.m.
...mperature of water Depth artesian flow encountered ____ ft.

...ONSTRUCTION:
...ll seal—Material used ____
...ll sealed from land surface to ____ ft.
...meter of well bore to bottom of seal ____ in.
...meter of well bore below seal ____ in.
...ber of sacks of cement used in well seal ____ sacks
... was cement grout placed? ____
... drive shoe used? ☐ Yes ☐ No Plugs ____ Size: location ____ ft.
...ny strata contain unusable water? ☐ Yes ☐ No
...of water? depth of strata
...d of sealing strata off
...ell gravel packed? ☐ Yes ☐ No Size of gravel: ____
...placed from ____ ft. to ____ ft.

(10) LOCATION OF WELL:
County WASCO Driller's well number
NE¼ NW¼ SE¼ Section 32 T. 5S R. 11E W.M.
Bearing and distance from section or subdivision corner
T.L. 3300

(11) WATER LEVEL: Completed well.
Depth at which water was first found SEE ORIG. WELL LO ft.
Static level ft. below land surface. Date
Artesian pressure lbs. per square inch. Date

(12) WELL LOG: Diameter of well below casing ____
Depth drilled 1461/2 ft. Depth of completed well 302 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.

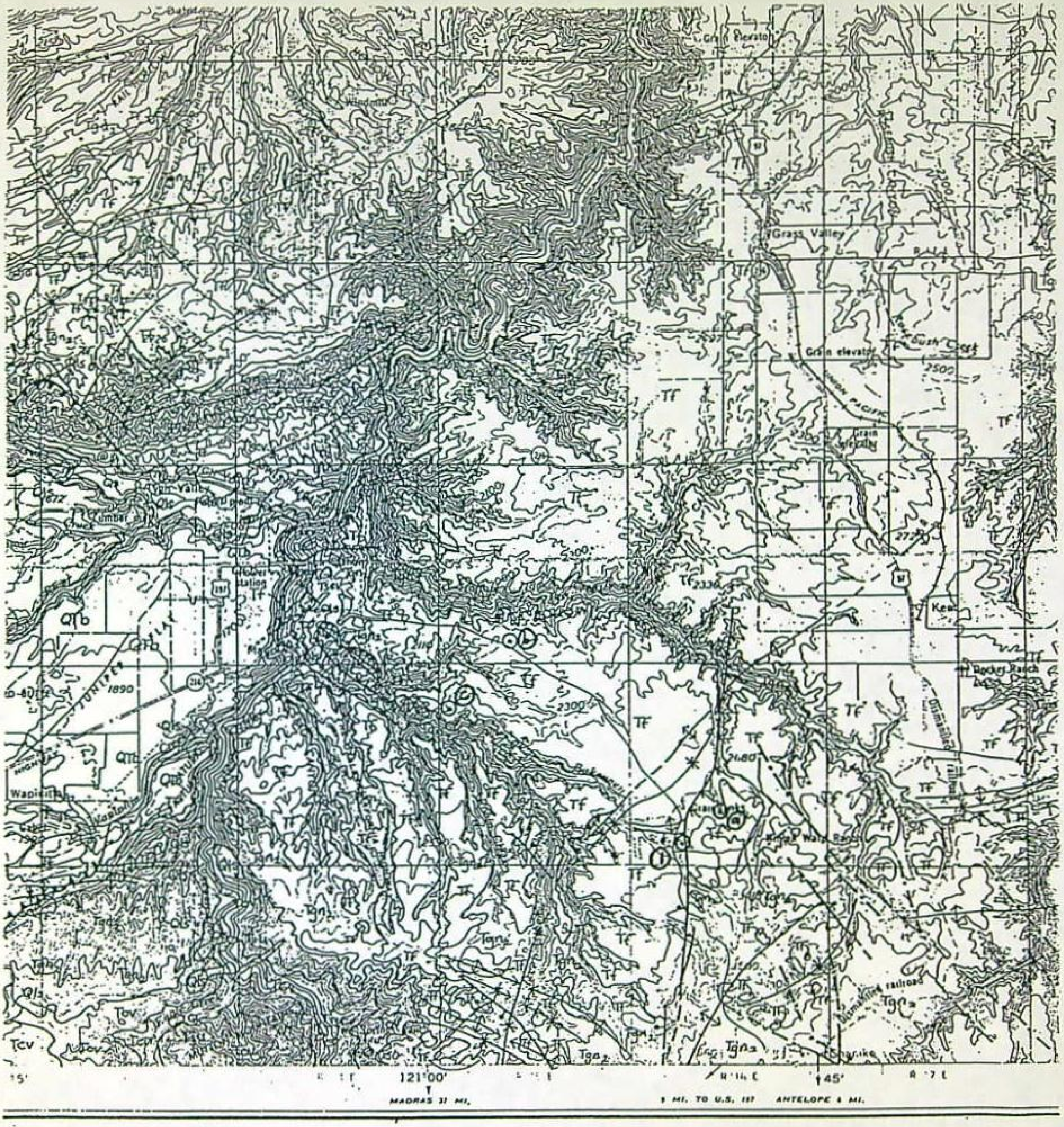
MATERIAL	From	To	SWL
W.R. BASALT	155½	302	

Work started 4-4 19 78 Completed 4-4 19 78
Date well drilling machine moved off of well 4-5 19 78

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] William D. Allen (Drilling Machine Operator) Date 4-7, 1978
Drilling Machine Operator's License No. 803

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 ORRIL BUCKNER (Person, firm or corporation) (Type or print)
Address 1686 N.E. NEGUS ROAD, REDMOND, ORE. 97756
[Signed] Orrial Buckner (Water Well Contractor)
Contractor's License No. 668 Date 4-9, 1978

(USE ADDITIONAL SHEETS IF NECESSARY)



Scale 1 250,000

CONTOUR INTERVAL 200 FEET
WITH SUPPLEMENTARY CONTOURS AT 100 FOOT INTERVALS
TRANSVERSE MERCATOR PROJECTION

Geology from USGS OFR 81-797 Swanson and others (1981)

SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D.C. 20242

December 10, 1993

Thomas E. and Joan B. McReynolds
co Lazy J M Ranch
Maupin, OR 97037

Reference: Files G-13087, 72622 - McReynolds & G-13225 - Carver

Dear Mr. and Mrs. McReynolds:

Please accept my apologies for the delay in getting this information to you. My original letter and report were written on July 29, 1993 and forwarded to my supervisors for review. Unfortunately, the file was misplaced and not acted upon until you prompted us to search for it.

If you have any questions, do not hesitate to call me.

Sincerely yours,

Karl C. Wozniak
Hydrogeologist

cc: Water Rights Section
Larry Toll, Mike Ladd
Daniel Carver

July 29, 1993

Thomas E. and Joan B. McReynolds
co Lazy J M Ranch
Maupin, OR 97037

Reference: Files G-13087, 72622 - McReynolds & G-13225 - Carver

Dear Mr. and Mrs. McReynolds:

I have finished my investigation of the potential interference between wells on property owned by Daniel Carver and springs and wells on your property. My conclusion is that it is unlikely that Mr. Carver's wells will interfere with your wells and springs. A copy of my analysis is attached. I believe that the principal factors which caused declining spring production on your property were the prolonged drought and a limited recharge area for the springs. Several years of good snowpack and above average rainfall may be necessary to bring your spring production back to historic levels.

I share your concern about the limited potential of the groundwater resource in the Shaniko area. However, I am confident that you will continue to utilize this precious resource with sufficient care to ensure that it will provide a sustainable supply of water for your future needs.

Sincerely yours,

Karl C. Wozniak
Hydrogeologist

cc: Water Rights Section
Larry Toll, Mike Ladd
Daniel Carver

Water Resources Department
Interoffice Memo

Date: July 29, 1993

To: Groundwater/Hydrology Files

From: Karl Wozniak

Subject: McReynolds' Interference Complaint, T5S/R16E and T6S/16E
Files G-13087, 72622 - McReynolds & G-13225 - Carver

Conclusion

It is unlikely that wells in section 34, T5S/R16E and section 3, T6S/R16E have interfered, or will interfere, with existing springs and wells on the McReynolds' property in T5S/16E. Declining spring production on the McReynolds' property in 1992 is probably due to the effects of a prolonged drought coupled with a limited recharge area for their springs.

Discussion

In the summer of 1992, Mr. and Mrs. McReynolds complained to the Department about the water-use practices of their neighbor to the south, Dan Carver. Part of their complaint alleged that Mr. Carver was irrigating without a permit from a well on his property and from several wells on adjacent BLM property and that use of these wells was adversely affecting the flow of springs on the McReynolds' lands.

On August 21, 1992 the McReynolds filed application G-13087 for domestic and stock use of two wells and S-72622 for the use of six springs on their land.

On December 24, 1992 Mr. Carver filed application G-13225 for primary irrigation rights for groundwater from one well on his property and four wells on adjacent BLM property.

This memo is a summary of an investigation to determine the potential interference between the wells used by Carver and the springs and wells on the McReynolds' property. The investigation included a review of geologic maps and reports in the area and a site visit on April 9, 1993. The attached map shows locations and features referred to in the following discussion.

The pertinent general facts that came to light during this investigation can be summarized as follows:

1. Groundwater production in the area is from a succession of discrete, confined aquifers that occur within interflow zones between basalt lava flows of the Columbia River Basalt Group.

2. The basalt flows have a northerly regional dip, or inclination, of about 25 feet per 2000 feet.

3. The regional groundwater flow is northerly.

4. The land surface is highly dissected by the stream drainage system.

5. Where individual interflows are breached by the drainage systems, the aquifers discharge as springs.

6. Surface water is largely dependent upon groundwater discharge in the form of springs.

7. The regional recharge zone for the groundwater system is limited to the area around Shaniko summit, a topographic high located approximately eight miles south of the McReynold property.

8. At any given location, groundwater recharge for the uppermost interflow aquifers is commonly limited to local topographic highs that are incised on three sides by stream drainages.

9. Except for a small parcel to the southwest, the McReynolds' property is located on a bench which is deeply incised on the north by Buck Hollow, on the east by Paradise Canyon, and on the west by Hauser Canyon and Hinton Creek. Hinton Creek and Paradise Canyon converge to within 0.75 miles along the southern property boundary at the 2000 foot elevation level. The southwest parcel is located on a bench between Hauser Canyon on the west and Hinton Creek to the east.

10. Except for the southwest parcel, groundwater recharge for the upper aquifers on the McReynold property is limited to the bench which the property is located on and to limited inflow through the narrow neck between Hinton Creek and Paradise Canyon at the southern property boundary. Aquifers on the southwest parcel receive their recharge from the uplands to the south.

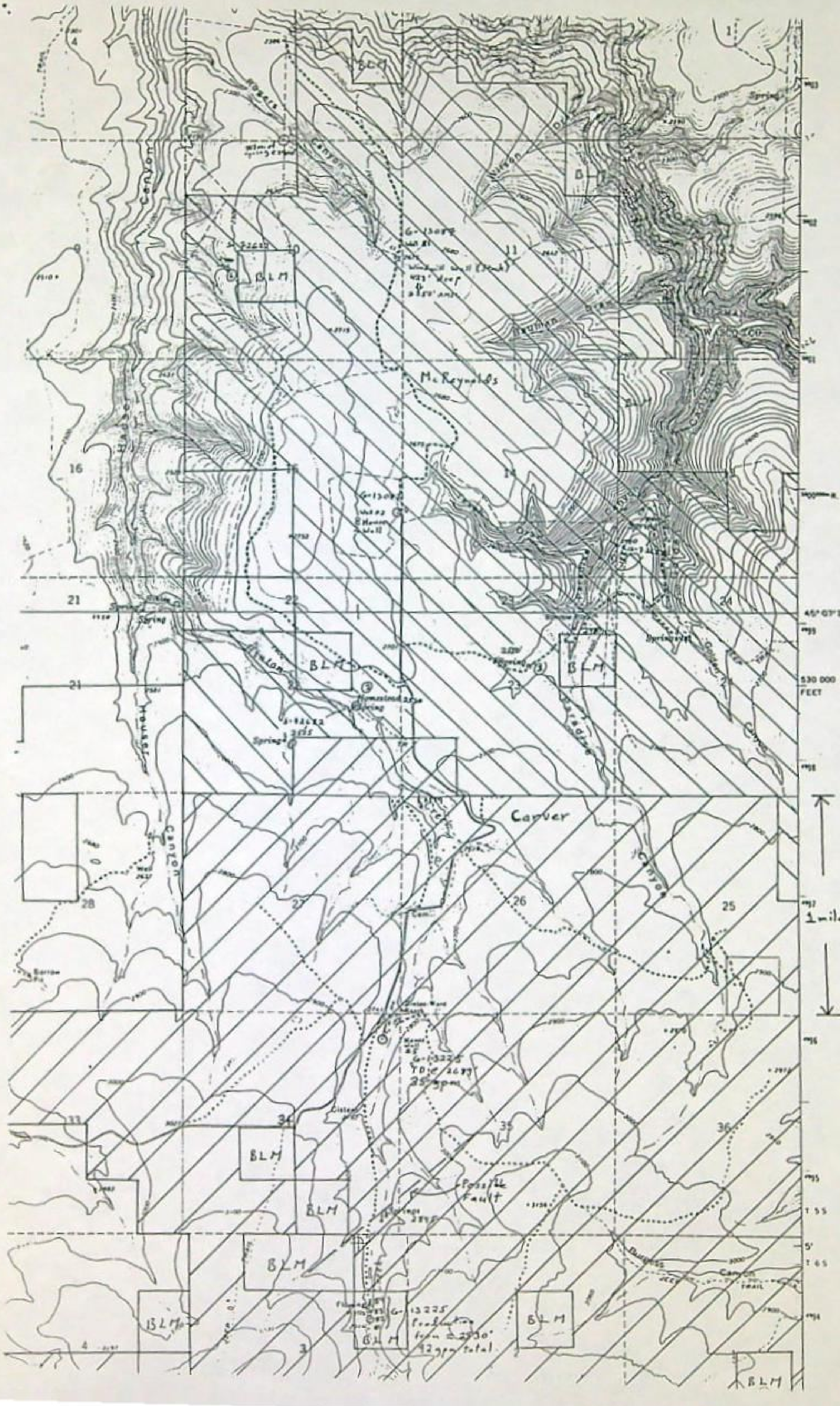
The McReynolds' springs are located between 2400 and 2550 feet in elevation.

The BLM wells that Carver uses (wells 1-4 on G-13225) are shallow (<110 feet), flowing artesian wells located in section 3, T6S/R16E. Their combined flowing production rate is 92 gpm. The nearest McReynolds' spring is 13,600 feet to the north. Based on well reports, the BLM wells produce water from a confined interflow zone that occurs at about the 2830 foot elevation. According to Swanson and others (1981), an inferred NE-SW-trending fault occurs approximately 200 feet

north of the wells. The existence of this fault was not verified in the field. If the fault does exists, it probably serves to place these wells into a different part of the groundwater flow system than the springs on the McReynolds property to the north. If the fault does not exist, the local dip of the rocks indicate that this interflow should crop out to the south between the 2700 and 2800 elevation level (see attached cross section). This is 175-275 above the level of spring #1, the nearest McReynolds' spring and approximately 200 feet above the level of all of the McReynolds' springs. Under these circumstances, the McReynolds' springs and the BLM wells could not produce water from the same aquifer.

Mr. Carver's house well (well #5 on G-13225) is located in section 34, T5S/16E. The well is 45 feet deep and has a production rate of 35 gpm. Because Carver's house well produces from an unconfined aquifer which is restricted to the Hinton Creek drainage, it will not interfere with the McReynolds' springs and wells which produce from confined interflow aquifers.

According to the McReynolds, their house well is 371 feet deep (2310 feet elevation). They reported that the well had a static water level of about 313 feet when it was drilled in 1976 (as a replacement for the original well which was drilled in 1921) and a static level of 313 feet in 1991 when the pump was replaced. On April 9, 1993, I measured the static water level at 300 feet (2381 feet elevation), a level comparable to those reported for 1976 and 1991 and approximately equal to the floor elevations of Paradise Canyon and Hinton Creek due east and west of the well. The McReynolds' stock well (Windmill well), about 3 miles north of their house well, has a total depth of 423 feet (2252 feet elevation) with a reported static water level of 400 feet (2275 feet elevation) in July of 1965. Both wells appear to produce water from interflow zones that are somewhat deeper than those which provide water for the springs on the McReynolds' property. Therefore, it is improbable that any of Carver's wells will interfere with these wells.



BLM
McReynolds
Carver
Canyon
Spring
Possible Fault
1 mile
45°07'30"
530 000 FEET
T 5 S
T 6 S
16
21
22
23
24
25
26
27
28
34
35
36

RECEIVED
DEC 10 1993
WATER RESOURCES DEPT.
SALEM, OREGON

Oregon

DEPARTMENT OF
FISH AND
WILDLIFE

December 8, 1993

Water Rights Section
Water Resources Department
3850 Portland Rd., NE
Salem, OR 97310

RE: Groundwater Applications #G-13115, 13172, 13195, 13225, 13305 and 13378; Reports of Technical Review

ODFW has reviewed the subject Reports of Technical Review (Report) and has the following comment(s):

In the Groundwater Availability section of the subject Reports, WRD states "...the proposed groundwater withdrawal will, if properly conditioned, adequately protect the surface water from interference." By this statement, ODFW understands that significant interference with surface water is probable.

In reviewing the proposed permit conditions, I can not discern which of the provisions provide for the protection of surface waters from depletion. In other similar groundwater applications, minimum well depth is specified as a permit condition. This would seem to be an appropriate provision. Here, there is no such language or any other that seems to address interference.

By this letter, ODFW requests an explanation of the proposed permit conditions as they relate to preventing interference with surface waters.

Thank you for considering this request.

Sincerely,

Albert H. Mirati, Jr.
Water Right Review Coordinator

c. WaterWatch of Oregon (public information request)
Stephanie Burchfield

FILE: G-13115.TEC

2501 SW First Avenue
PO Box 59
Portland, OR 97207
(503) 229-5400
TDD (503) 229-5459

Oregon

WATER
RESOURCES
DEPARTMENT

November 24, 1993

DANIEL CARVER
HCR 71, BOX 40
MAUPIN, OR 97037

Reference: File G 13225

Hello:

Under separate cover I have enclosed our report of technical review. This process is fairly new to staff and has taken more time to complete than anticipated; however, we believe that the process is more fair and will allow staff to deal with issues in a more timely manner. I truly apologize for the delay.

The technical review reveals that your proposed use of water is for irrigation on 23.6 acres. Prior to issuance of the permit, we will need to receive total fees in the amount of $328; being an examination fee of $200.00, permit recording fee for the irrigation of 23.6 acres of $128. Since you have previously submitted $200, an additional amount of $ 128 is required.

After submission of fees and the deadline for objections to the technical review expires, staff will again review the file for objections and further process your application as soon as possible.

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

Sincerely,

STEVE BROWN
Manager
Water Rights Division

cc: D.J. Branton, CWRE

3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

KD

TECHNICAL REVIEW CHECKLIST

FORM-71393

(1) Application: G-13225

(2) Review Date: ~~9-3-93~~ 10-12-93

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

TRASK CREEK BASIN

FB

SUMMARY

S	Completeness NEED RECORDING FEES
S	Land Use
U	GW Interference (if potential interference with surface water, see results of water availability analysis) ONE WELL HAS POTENTIAL
S	Conflicts
S	Water Availability

(3) S The applicant has certified that the information provided in the application is an accurate representation of the proposed use and is true and correct to the best of their knowledge.

(4) N/A No oath is required because application was filed before June 5, 1992.

(5) U Application fees:

10 - 100
14 28
120

Examination fee:	$ 200.00
Recording fee:	$ 128.00
TOTAL REQUIRED	$ 328.00
TOTAL SUBMITTED	$ 200.00
AMOUNT DUE prior to issuance of permit	$ 128.00
AMOUNT OVERPAID refund due applicant	$ Ø

(6) S Proposed dates of beginning and completion of construction, and complete application of water.

(7) S MAP: ✓ Prepared by a CWRE
___ Exempt under OAR 690-11-150(3)
___ A map or drawing included (non-CWRE)
___ No map or drawing in file

(8) N/A — A CWRE map is not required for applications filed before November 9, 1987.

(9) S — A written copy of the legal description of the property on which the water is to be used.

(10) S — A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.

(11) S — The proposed use is not restricted or prohibited by statute.

(12) S — The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.

(13) S — IRRIGATION use(s) is/are classified uses(s) under the DESCHUTES Basin Program, OAR 690 - 505.

(14) S — The application, map and supporting data are complete and free of defects.

Land Use Compatibility:

(15) As expressed by the Planning Department of WASCO CO.

(16) S — The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section CH. 3, SECTION 3.210(1). AI BO EFU

(17) N/A — The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.

(18) N/A — The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For ground water applications:

(20) S — A copy of the constructor's log, if available, for any well already constructed, or required information regarding actual or anticipated construction.

(21) S — The report from groundwater section has been received.

For reservoir applications:

(22) N/A — Plans, specifications and supporting information for the dam and impoundment area.

DANIEL CARTER
HCR 71, BOX 40
MAUPIN, OR 97037

SAVED ON C:\ G-13225

Reference: File G-13225

Hello:

This letter informs you of the current status of your application for a water use permit and accompanies the Satisfactory Report of Technical Review For Water Use Permit(s). We apologize for the delay in transmitting this information and Report to you and for any inconvenience the wait may have caused you.

The enclosed Report of Technical Review is the Department's summary of a specialized analysis of various legal and scientific aspects of your application and proposed water use. We are required by the state of Oregon's administrative rules (in OAR 690-11-160) to conduct this official technical review of each application submitted to the Oregon Water Resources Department for a water use permit. This process was designed to insure that your application receives a fair evaluation and to secure protection of existing water rights and of the public at large.

AS THE RESULT OF OUR TECHNICAL EVALUATION OF YOUR APPLICATION, WE HAVE DETERMINED THAT YOUR APPLICATION SATISFIES THE REQUIREMENTS OF THE TECHNICAL REVIEW.

The Department will now move your application to the next phase of processing. This phase includes a public interest review of your proposed water use. No final action may be taken on your application until the public interest review is completed.

You should also note that the Report of Technical Review describes conditions currently anticipated which may limit the water use proposed in your application.

If you wish to object to any of the analyses contained in the Report, you must submit your objection to the Department in writing within 60 days of the date of mailing of this Report or by the date specified below. Your objection must allege that the technical review is defective and you may also submit evidence which demonstrates that your proposed water use will not impair or be detrimental to the public interest.

Copies of the Report of Technical Review will be distributed to all persons who have filed comments or otherwise expressed an interest in the
water use proposed in your application. Interested parties must also submit their objections within the prescribed objection period. Those objections must allege that the technical review is defective and/or that the proposed water use may impair or be detrimental to the public interest.

If an objection contains allegations that the technical review is defective, it must be accompanied by facts which support such allegations. If an objection contains allegations that the proposed water use may impair or be detrimental to the public interest, the objection must specify the particular public interest standards which apply as set out in Oregon Revised Statutes (ORS 537.170(5)) and Oregon Administrative Rules (OAR 690-11-195) and state facts showing how such standards would be violated.

All evidence and objections must be received by our Salem office **no later than 5:00 p.m. on or before** _____**1993** or the Department may presume there is no opposition to any of the analyses set out in the technical review report. Evidence and objections must be addressed and delivered to: Oregon Water Resources Department, Water Rights Section, 3850 Portland Road, Northeast, Salem, Oregon 97310.

If objections and evidence are submitted on or before the above time and date, the Director of the Water Resources Department will evaluate each issue raised in the objections and either accept or deny them. Objectors are encouraged to indicate whether they would be interested in resolving their concerns through alternative dispute resolution.

If any of the objections are denied, the objector will be allowed thirty days to submit a protest to the denial. The protest must meet the standards set forth in OAR 690-02-030 through 080.

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

Sincerely,

STEVE BROWN
Manager
Water Rights Division

SB\ts
Enclosures

Application No. 6-13225
Permit No.

RECEIVED
DEC 24 1992
WATER RESOURCES DEPT.
SALEM, OREGON

I, Joan Starr Ward, the beneficiary of the George Ward/ Daniel L. Carver land sale contract on property in the Bakeoven area, have no objection to Mr. Carver applying for water rights on the property.

Joan Starr Ward

June 2, 1992
DATE:

GENERAL ACKNOWLEDGMENT NO. 20

State of California
County of Marin } SS.

On this the 2nd day of June 1992, before me, Sandra G. Campodonico, the undersigned Notary Public, personally appeared Joan Starr Ward,

☐ personally known to me
☑ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged that she executed it.

WITNESS my hand and official seal.

Sandra G Campodonico
Notary's Signature

OFFICIAL SEAL
Sandra G Campodonico
NOTARY PUBLIC CALIFORNIA
MARIN COUNTY
My Comm. Expires Oct. 28, 1995

7110 122

NATIONAL NOTARY ASSOCIATION • 8236 Remmet Ave. • P.O. Box 7184 • Canoga Park, CA 91304-7184

Until a change is requested all
tax statements should be sent to:
Daniel L.Carver
HR 71, Box 40
MAUPIN OR 97037

Application No. G-13225
Permit No.

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT, made this 14th day of July, 1988,by and between GEORGE C. WARD,hereinafter referred to as Seller, and DANIEL L. CARVER and CYNTHIA K. CARVER,husband and wife, hereinafter referred to as Buyers, WITNESSETH:

1. The parties hereto acknowledge and agree that they entered into a certain Agreement for Sale of Real and Personal Property dated the ___ day of July,1988, wherein George C.Ward is therein referred to as Seller and Daniel L. Carver and Cynthia K.Carver are therein referred to as Buyers, whereby Seller agreed to sell and Buyers agreed to purchase and Buyers did purchase from Seller the following described real property situated in Wasco and Sherman Counties, Oregon:

See Exhibit "A" attached hereto and by this reference made a part hereof.

2. The true and actual consideration for the transfer set forth in said contract is $1,300,000 and includes personal property, payable $650,000 down on the signing of said contract and the balance payable in annual installments of $71,207.50 including interest on July 1,1989; $71,207.50 including interest on July 1,1990; $71,207.50 inclding interest on July 1,1991; $71,207.50 including interest on July 1,1992, and on July 1,1993 the entire balance of principal and interest due and owing. All deferred balances of said purchase price shall bear intetrest at the rate of nine percent (9%) per annum beginning July 1, 1988, interest to be paid at the time of and being included in the annual payments above required.

IN WITNESS WHEREOF, the parties hereto have executed this agreement this 14th day of July,1988.

George C. Ward — Seller

Daniel L. Carver — Buyer

Cynthia K. Carver — Buyer

8412-88

STATE OF OREGON)
) ss.
County of Wasco)

July 14, 1988.

Personally appeared the above named GEORGE C. WARD and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

Notary Public for Oregon
My commission expires 12/25/89

832148

STATE OF OREGON)
) ss.
County of Wasco)

July 13, 1988.

Personally appeared the above named DANIEL L. CARVER and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

Notary Public for Oregon
My commission expires 9-10-90

1. 832148(9)

STATE OF OREGON)
) ss. July 12, 1988.
County of Marion)

Personally appeared the above named CYNTHIA K. CARVER and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me

Patricia L M Leming
Notary Public for Oregon
My commission expires 12-11-89

After recording return to:
Dick, Dick & Habberstad
601 Washington St.
The Dalles OR 97058

832148(C)

EXHIBIT A

5516 2900 #12545 84-3

The following described property in Township 5 South, Range 16 East of the Willamette Meridian in the County of Wasco and State of Oregon:

South half of Southeast quarter of Section 22;

Southwest quarter of Southwest quarter of Section 23; EXCEPT that portion described in Bargain and Sale Deed recorded October 9, 1981, Wasco County, Oregon, Micro Film No. 81-2696.

West half of Northeast quarter, West half, North half of Southeast quarter and Southeast quarter of Southeast quarter of Section 25;

All of Sections 26 and 27;

North half, North half of Southeast quarter and Southeast quarter of Southeast quarter of Section 33; ALSO That portion of Southwest quarter of said Section 33 lying Northerly of the Hinton County Road; RESERVING TO grantor Janis Brown Snodgrass, Memorandum of Oil and Gas Lease to Depco, Inc., a Delaware corporation, recorded October 5, 1981, Wasco County, Oregon, Micro Film No. 81-2629.

North half, Northwest quarter of Southwest quarter, South half of Southwest quarter, North half of Southeast quarter and Southeast quarter of Southeast quarter of Section 34;

All of Sections 35 and 36;

The following described property in Township 5 South, Range 17 East of the Willamette Meridian in the County of Wasco and State of Oregon:

Lots 3 and 4 of Section 30;

All of Section 31 lying in Wasco County;

That part of the West half of Section 32 lying in Wasco County;

The following described property in Township 6 South, Range 16 East of the Willamette Meridian in the County of Wasco and State of Oregon:

Lots 1, 2, 3 and 4; South half of North half, North half of Southwest quarter, Northeast quarter of Southeast quarter and South half of South half of Section 1;

Lots 1, 2, 3 and 4; South half of Northwest quarter, Southeast quarter of Northeast quarter; Southwest quarter, North half of Southeast quarter and Southwest quarter of Southeast quarter of Section 2;

Lots 1 and 4, Southwest quarter of Northeast quarter, South half of Northwest quarter and South half of Section 3;

Southeast quarter of Northeast quarter, Southwest quarter, Northwest quarter of Southeast quarter and South half of Southeast quarter of Section 4;

832148(6)

That portion of the South half of Section 5 and Sections 8, 9, 15, 16, 21, 27 and 28 lying Easterly of Bakeoven County Road; EXCEPT the North half of Northwest quarter of Section 27 and Northeast quarter of Northeast quarter of Section 28;

North half, Northwest quarter of Southwest quarter, South half of Southwest quarter and Southeast quarter of Section 10;

6516 100 84-3 #12658

Northeast quarter, Northwest quarter of Northwest quarter, South half of Northwest quarter and South half of Section 11;

South half of Northeast quarter, West half, Northwest quarter of Southeast quarter and South half of Southeast quarter of Section 12;

Northeast quarter, Northwest quarter of Northwest quarter and South half of Section 13;

All of Sections 14 and 22;

Northeast quarter, East half of Northwest quarter and South half of Section 23;

All of Sections 24, 25 and 26;

The following described property in Township 6 South, Range 17 East of the Willamette Meridian in the County of Wasco and State of Oregon;

Lots 3 and 4 and Southwest quarter of Southwest quarter of Section 4;

6517 All of Section 5;

Lots 4 and 7; East half of Southwest quarter and Southwest quarter of Southeast quarter of Section 6;

1000 #12698 84-3

All of Sections 7, 8 and 9;

700 #12696 84-3

All of Section 16 EXCEPT Beginning at a point which is 1009 feet North and 1154 feet West of the Southeast corner of said Section 16; thence North 27°10' East 523.6 feet; thence North 223.8 feet; thence West 550.0 feet; thence South 756.3 feet; thence North 77°54' East 318 feet to the point of beginning;

1700 #11705 84-3

All of Section 17;

Northeast quarter, Lots 1, 2, 3 and 4, East half of Southwest quarter, Southeast quarter and East half of Northwest quarter of Section 18;

All of Section 19 EXCEPT Beginning at a point on the East line of Section 19 which is 3721.5 feet South of the Northeast corner of said Section; thence North 89°59' West 660.0 feet; thence South 0°1' West 660.0 feet; thence South 89°59' East 660.0 feet to the section line; thence North 0°1' East 660.00 feet to the point of beginning.

East half of West half of Section 20;

Together with the growing crop located thereon.

SUBJECT TO:

1. The rights of the Public in and to the portions thereof included within the boundaries of roads and highways.

2. The usual reservations as contained in patents issued by the United States of America, and also reservations contained in various deeds of record from the State of Oregon, acting by and through the State Land Board, Eastern Oregon Land Company, and the Oregon-Washington Railroad and Navigation Company, their successors and assigns.

3. Right of Way Agreement, between James E. Hinton and Violet M. Hinton, husband and wife, Charles S. Hampton and Ruth Hampton, husband and wife, and George C. Ward and Mary Hampton Ward, husband and wife, to Pacific Gas Transmission Company, recorded January 5,1962, Deed Book 145, Page 82, Wasco County, Oregon. (Affects Secs. 24, 25, 26 T6SR16EWM & Secs. 4, 5, 8, 17, 18, 19 T6SR17EWM)

4. Right of Way Agreement, Arthur A. Schmidt and Carrol R. Schmidt, husband and wife, to Pacific Gas Transmission Company, recorded January 6,1962, Deed Book 145, Page 90, Wasco County, Oregon. (Affects Secs. 2 & 3 T7SR15EWM)

5. Easements to the United States of America (BPA), including but not limited to

A) Transmission Line Easement and Access Road Easement, James E.Hinton and Violet M.Hinton, George C. Ward and Mary Hampton Ward, to United States of America (BPA) recorded August 30, 1967, Wasco County, Oregon, Micro Film No. 67-1304. (Affects Secs. 19, 30, 31, T5SR16E and Secs. 5 & 6, T6SR16E)

B) Transmission Line and Access Road Easement, George C. Ward and Mary H. Ward, Eric Ward and Diana L. Ward to United States of America, record April 15, 1969, Wasco County, Oregon, Micro Film No. 69-0548.

6. Grant of Easement, George C. Ward and Mary A. Ward, James E. Hinton and Violet M. Hinton, to Deschutes Telephone Company, recorded February 18, 1970, Wasco County, Oregon, Micro Film No. 70-0238.

7. Easement, George Ward to Peter J. Conroy and Joanne Lee Conroy, husband and wife, for ingress and egress, recorded April 13, 1981, Wasco County, Oregon, Micro Film No. 81-0939.

8. Telephone Line Right-of-Way Easement, George C. Ward to Telephone Utilities, Inc.,recorded May 21, 1981, Wasco County, Oregon, Micro Film No.81-1274. (Affects Secs. 23, 26, 27, 33, 34 T5SR16E)

9. Right of Way Easement, Janis Snodgrass to Deschutes Telephone Company, recorded February 18, 1970, Wasco County, Oregon, Micro Film No. 70-0227. (Affects SW¼ Sec.33 T5SR16 & W½NE¼, E½NW¼ Sec.18 T6SR17)

10. Memorandum of Oil and Gas Lease, Janis Lee Snodgrass, also known as Janis Lee Brown, to Depco, Inc.,a Delaware corporation, recorded October 5, 1981, Wasco County, Oregon, Micro Film No. 81-2629. (Affects same as No.9 above)

832148(6)

The following described property in the County of Sherman and State of Oregon:

Township 5 South, Range 17 E.W.M., Sherman County, Oregon:

Section 32: N½NW¼; SW¼NW¼; NW¼SW¼; S½SW¼; S½SE¼; NE¼SE¼ and SW¼NE¼.

Section 33: All

Together with the growing crop located thereon.

SUBJECT TO:

1. Rights of the public in and to those portions lying within the boundaries of public roads and highways.

2. Reservations, if any, contained in patents issued.

3. Easements of record, if any, in favor of public utitilies.

4. This report does not include a search for financing statements filed in the office of the Secretary of State, or in a county other than Sherman County,Oregon, and no liability is assumed if a financing statement is filed in the office of the County Clerk covering timber/crops/fixtures on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded Lot and Block

5. The assessment roll and the tax roll disclose that the premises herein described were specially assessed as farm land. If the land has become or becomes disqualified for the special assessment under the statute, an additional tax may be levied.

6. Right of Way Agreement, including the terms and proviosions thereof, from James E.Hinton and Violet M.Hinton, husband and wife; Charles S. Hampton and Ruth Hampton, husband and wife, and George C. Ward and Mary Hampton Ward, husband and wife, First Party, to Pacific Gas Transmission Company, a California corporation, Second Party, recorded in Book 36, page 110, on January 4, 1962. Said Right of Way Agreement was corrected by document recorded in Book 36, page 547, Sherman County Deed Records on October 26, 1962.

Microfilm No. 832148

FILED WI
THE DA

JUL 26 2 13 PM '88

KAREN R. LE BRETON
COUNTY CLERK

STATE OF OREGON, County of Wasco, } ss

I certify that this document was received and recorded in the DEED records.

KAREN R. LE BRETON
Sue A. Proffitt, County Clerk

by _____ Deputy

Return to Wasco Title

832148(b)

Application No 6-13225
Permit No.

CONSULTING
Engineers
TENNESON ENGINEERING CORPORATION

PHONE (503) 296-9177
FAX (503) 296-6657
409 LINCOLN STREET
THE DALLES, OR 97058

December 23, 1992

State Water Resources Department
3850 Portland Road N.E.
Salem, Oregon 97310

Gentlemen:

On behalf of our client, Daniel R. Carver, HCR-71, Box 40, Maupin, Oregon 97037, we are submitting the two enclosed Water Right Applications with the required exhibits for irrigation rights on the Bakeoven Ranch. One is an Application for Groundwater utilizing a series of four existing wells and other is a Surface Water Right Application using waters of Hinton Creek, being

secondary to the same lands covered under the groundwater application plus primary on additional grounds. Enclosed are the following exhibits.

1. Examination fee for both applications -- the sum of $400.

2. Groundwater Application:
   - CWE stamped application maps
   - Land Use Compatibility Statement and Work Sheet
   - BLM permission letter
   - Contract seller's notarized permission letter
   - Copy of sale recording and proposed warranty deed held in trust
   - Well logs (5)

3. Surface Water Right Application
   - CWE stamped application maps
   - Land Use Compatibility Statement and Work Sheet
   - Contract Sellers notarized permission letter
   - Copy of recording of contract sale and warranty deed held in trust

If any further submittals or explanations are necessary, please advise.

Respectfully submitted,

TENNESON ENGINEERING CORPORATION

Donald J. Branton, CWE

DJB:jm
Enclosures
cc: Daniel Carver

STOCK POND WELL #1 - ARTESIAN

001521

File Original and First Copy with the STATE ENGINEER, SALEM, OREGON

RECEIVED DEC 24 1992 WATER RESOURCES DEPT. SALEM, OREGON

WATER WELL REPORT
STATE OF OREGON

State Well No. 6/16-2D

State Permit No.

(1) OWNER:
Name Hinton and Ward
Address Maupin, Oregon

(2) LOCATION OF WELL:
County Wasco Owner's number, if any—
SW ¼ NW ¼ Section 2 T. 6 S R. 16 E W.M.
Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):
New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 11.

(4) PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☐ Irrigation ☐ Test Well ☐ Other ☒ Stock

(5) TYPE OF WELL:
Rotary ☐ Driven ☐ Cable ☒ Jetted ☐ Dug ☐ Bored ☐

(6) CASING INSTALLED: Threaded ☐ Welded ☒
6" Diam. from 0 ft. to 24 ft. Gage .250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(7) PERFORATIONS: Perforated? ☐ Yes ☒ No
Type of perforator used
SIZE of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(8) 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.

(9) CONSTRUCTION:
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.
Was a surface seal provided? ☒ Yes ☐ No To what depth? 24 ft.
Material used in seal—Casing imbedded in cement
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? Depth of strata
Method of sealing strata off

(10) WATER LEVELS:
Static level Flowing ft. below land surface Date July, 60
Artesian pressure lbs. per square inch Date

Log Accepted by:
[Signed] George Ward (Owner) Date Sept. 26, 1960

(11) 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.
Bailer test 8 gal./min. with 85 ft. drawdown after 1 hrs.
Artesian flow 3 g.p.m. Date July, 1960
Temperature of water Was a chemical analysis made? ☐ Yes ☒ No

(12) WELL LOG: Diameter of well 6 inches.
Depth drilled 91 ft. Depth of completed well 91 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Broken gravel and silt	0	15
Dense visicular basalt	15	44
Fractured basalt	44	68
Dense basalt	68	84
Volcanic tuff	84	86
Dense basalt	86	91

Application No. G-13225
Permit No.

Work started July 1960. Completed August 1960

(13) PUMP:
Manufacturer's Name
Type: H.P.

Well Driller's Statement:

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

NAME Bert Abrams (Person, firm, or corporation) (Type or print)
Address P. O. Box 726, Madras, Oregon

Driller's well number

[Signed] Bert Abrams (Well Driller)

License No. 70 Date August 14, 1960

(USE ADDITIONAL SHEETS IF NECESSARY)

WELL # 2 - ARTESIAN

RECEIVED

001516

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

WATER WELL REPORT
STATE OF OREGON
(Please type or print)

RECEIVED DEC 24 1992 WATER RESOURCES DEPT. SALEM, OREGON

State Well No. 6/16-2

State Permit No.

RECEIVED AUG 1 1960 STATE ENGINEER SALEM OREGON

(1) OWNER:
Name Hinton and Ward
Address Maupin, Oregon

(2) LOCATION OF WELL:
County Wasco Driller's well number
¼ ¼ Section 2 T. 6S R. 16E W.M.
Bearing and distance from section or subdivision corner

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

(4) PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☒

(5) TYPE OF WELL:
Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(6) CASING INSTALLED:
Threaded ☐ Welded ☒
6 " Diam. from 0 ft. to 5 ft. Gage .250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(7) PERFORATIONS:
Perforated? ☐ Yes ☒ No
Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(8) 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.

(9) CONSTRUCTION:
Well seal—Material used in seal casing embedded in cement
Depth of seal 5 ft. Was a packer used?
Diameter of well bore to bottom of seal in.
Were any loose strata cemented off? ☐ Yes ☐ No Depth
Was a drive shoe used? ☐ Yes ☐ No
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off

(10) WATER LEVELS:
Static level Flowing ft. below land surface Date Dec, 1960
Artesian pressure lbs. per square inch Date

(11) 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.
" " " "
" " " "
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow 27 g.p.m. Date Dec. 14, 1960
Temperature of water Was a chemical analysis made? ☐ Yes ☐ No

(12) WELL LOG:
Diameter of well below casing 6 in.
Depth drilled 97 ft. Depth of completed well 97 ft.
Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Broken gravel & clay	0	1½
Basalt	1½	16
Visicular basalt	16	18
Dense basalt	18	65
Visicular basalt & tuff	65	68
Basalt	68	97
Water enters well at 70' + or - 5'		

Work started December 19 60 Completed December 19 60
Date well drilling machine moved off of well 19

(13) PUMP:
Manufacturer's Name
Type: H.P.

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 Bert Abrams (Person, firm or corporation) (Type or print)
Address P. O. Box 726, Madras, Oregon
Drilling Machine Operator's License No.
[Signed] (Water Well Contractor)
Contractor's License No. 70 Date Dec. 14, 19 60

(USE ADDITIONAL SHEETS IF NECESSARY)

WELL #3 - ARTESIAN

RECEIVED
DEC 24 1992
WATER RESOURCES DEPT.
SALEM, OREGON

001518

File Original and First Copy with the STATE ENGINEER, SALEM, OREGON

WATER WELL REPORT
STATE OF OREGON

State Well No. 6/16-2D

State Permit No.

(1) OWNER:
Name Hinton and Ward
Address Maupin, Oregon

(2) LOCATION OF WELL:
County Wasco Owner's number, if any—
NW ¼ NW ¼ Section 2 T. 6S R. 16E W.M.
Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):
New Well ☑ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 11.

PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other Stock ☑

(5) TYPE OF WELL:
Rotary ☐ Driven ☐
Cable ☑ Jetted ☐
Dug ☐ Bored ☐

(6) CASING INSTALLED: Threaded ☐ Welded ☑
6ID " Diam. from 0 ft. to 11½ ft. Gage .250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(7) PERFORATIONS: Perforated? ☐ Yes ☒ No
Type of perforator used
SIZE of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(8) SCREENS: Well screen installed ☐ Yes ☒ No
Manufacturer's Name
Type Model No.
Slot size Set from ft. to ft.
Slot size Set from ft. to ft.

(9) CONSTRUCTION:
Was well gravel packed? ☐ Yes ☑ No Size of gravel:
Gravel placed from ft. to ft.
Was a surface seal provided? ☑ Yes ☐ No To what depth? 11½ ft.
Material used in seal Casing imbedded in cement
Did any strata contain unusable water? ☐ Yes ☑ No
Type of water? Depth of strata
Method of sealing strata off

(10) WATER LEVELS:
Static level Flowing ft. below land surface Date 8-12-60
Artesian pressure lbs. per square inch Date

Log Accepted by:
[Signed] (Owner) Date Sept 9, 1960

(11) 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.
" " " "
" " " "
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow 50 g.p.m. Date Aug 15 1960
Temperature of water Was a chemical analysis made? ☐ Yes ☐ No

(12) WELL LOG: Diameter of well 6 inches.
Depth drilled ft. Depth of completed well ft.
Formation: *Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.*

MATERIAL	FROM	TO
Broken gravel and silt	0	7
Dense visicular basalt	7	41
Basalt	41	65
Volcanic tuff	65	73
Basalt	73	74

↑ 2" line
60gpm.
all well head in 20PSI

Work started August 1960. Completed August 1960

(13) PUMP:
Manufacturer's Name
Type: H.P.

Well Driller's Statement:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Bert Abrams
(Person, firm, or corporation) (Type or print)
Address P. O. Box 726, Madras, Oregon
Driller's well number
[Signed] Bert Abrams (Well Driller)
License No. 70 Date August 1960

(USE ADDITIONAL SHEETS IF NECESSARY)

WELL #4 - ARTESIAN

001520

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

WATER WELL REPORT

STATE OF OREGON
(Please type or print)

RECEIVED DEC 24 1992 WATER RESOURCES DEPT. SALEM, OREGON

State Well No. 6/16-2

State Permit No.

(1) OWNER:

Name Hinton and Ward

Address Maupin, Oregon

RECEIVED AUG 1 0 196[illegible]

(2) LOCATION OF WELL:

STATE ENGINEER SALEM OREGON

County Wasco Driller's well number

¼ ¼ Section 2 T. 6S R. 16E W.M.

Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):

Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):

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

(5) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(6) CASING INSTALLED:

Threaded ☐ Welded ☒

6 " Diam. from 0 ft. to 16½ ft. Gage .250

" Diam. from ft. to ft. Gage

" Diam. from ft. to ft. Gage

(7) PERFORATIONS:

Perforated? ☐ Yes ☒ No

Type of perforator used

Size of perforations in. by in.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

(8) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

(9) CONSTRUCTION:

Well seal—Material used in seal casing imbedded in cement

Depth of seal 14½ ft. Was a packer used?

Diameter of well bore to bottom of seal in.

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

Was a drive shoe used? ☐ Yes ☐ No

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

Gravel placed from ft. to ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

(10) WATER LEVELS:

Static level Flowing ft. below land surface Date 12-60

Artesian pressure lbs. per square inch Date

(11) 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

" " " "

" " " "

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

Artesian flow 15 g.p.m. Date Dec., 1960

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

(12) WELL LOG:

Diameter of well below casing 6 in.

Depth drilled 108 ft. Depth of completed well 108 ft.

Formation: *Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.*

MATERIAL	FROM	TO
Broken gravel & silt	0	11
Dense basalt	11	26
Fractured basalt & tuff	26	32
Dense basalt (occasional fracture)	32	94
" " (milky color)	94	108

Work started December 19 60 Completed December 19 60

Date well drilling machine moved off of well 19

(13) PUMP:

Manufacturer's Name

Type: H.P.

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 Bert Abrams (Person, firm or corporation) (Type or print)

Address P. O. Box 726, Madras, Oregon

Drilling Machine Operator's License No.

[Signed] /s/ Bert Abrams (Water Well Contractor)

Contractor's License No. 70 Date Dec. 14, 19 60.

(USE ADDITIONAL SHEETS IF NECESSARY)

House Well #5 (Carver's House We

filed with the

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

2900

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

OCT 23 1970
STATE ENGINEER
SALEM, OREGON

State Well No. 5S/16-34

State Permit No. 001504

(1) OWNER:

Name Hord & Hord Ranch

Address Box 76 Maupin Oregon

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

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

CASING INSTALLED:

Threaded ☐ Welded ☒

6" Diam. from +2 ft. to -40 ft. Gage .250

" Diam. from ft. to ft. Gage

" Diam. from ft. to ft. Gage

PERFORATIONS:

Perforated? ☒ Yes ☐ No

Type of perforator used Torch

Size of perforations 4 in. by 12 in.

38 perforations from -20 ft. to -40 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.

" " "

" " "

Bailer test approx 40 gal./min. with 0 ft. drawdown after 1 hrs.

Artesian flow g.p.m.

Temperature of water 48 Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Cement bentonite + drill cuttings

Well sealed from land surface to 18 ft.

Diameter of well bore to bottom of seal 10 in.

Diameter of well bore below seal 8 in.

Number of sacks of cement used in well seal 1 sacks

Number of sacks of bentonite used in well seal 1 sacks

Brand name of bentonite Central Oregon

Number of pounds of bentonite per 100 gallons of water 200 lbs./100 gals.

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 Wasco Driller's well number

NE ¼ NE ¼ Section 34 T. 5S R. 16E W.M.

Bearing and distance from section or subdivision corner

600 feet West & 100 feet South of the NE Corner of Sec. 34

(11) WATER LEVEL: Completed well.

Depth at which water was first found 22 ft.

Static level 17 ft. below land surface. Date 10-21-70

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 6 in

Depth drilled 45 ft. Depth of completed well 45 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
BROWN SANDY SOIL	0	1	
BROWN FINE SANDSTONE	1	22	
BROKEN GREY BASALT (WATER BEARING)	22	38	17
BROWN COURSE SANDSTONE	38	45	17

Work started 10-20 19 70 Completed 10-21 19 70

Date well drilling machine moved off of well 10-21 19 70

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] Dale Crawford (Drilling Machine Operator) Date 10-21, 19 70

Drilling Machine Operator's License No. 446

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 CRAWFORD WELL DRILLING (Person, firm or corporation) (Type or print)

Address Box 17 TERREBONNE ORE

[Signed] Dale Crawford (Water Well Contractor)

Contractor's License No. 451 Date 10-21, 19 70

(USE ADDITIONAL SHEETS IF NECESSARY)

SP*45656-119

Application No. G-13225
Permit No.

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that GEORGE C. WARD hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by DANIEL L. CARVER and CYNTHIA K.CARVER, husband and wife, hereinafter called the said grantees and grantees' heirs, successors and assigns, that certain real property, with the tenements,hereditaments and appurtenances thereunto belonging or appertaining, situated in the Counties of Wasco and Sherman, State of Oregon, described as follows, to wit:

See Exhibit "A" attached hereto and by this reference made a part hereof.

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 USES.

To Have and to Hold the same unto the said grantees and grantees' heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantees and grantees' heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except as stated above and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is $1,300,000.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration.

IN WITNESS WHEREOF, the grantor has executed this instrument this 14th day of July, 1988.

/s/ GEORGE C. WARD

STATE OF OREGON)
) ss.
County of Wasco)

July 14, 1988.

Personally appeared the above named GEORGE C. WARD and acknowledge the foregoing instrument to be his voluntary act and deed.

Before me:
/s/ WILLIAM G. DICK
Notary Public for Oregon
My commission expires 10/25/89

Until a change is requested all tax statements shall be sent to the following address:
DANIEL L. CARVER, et ux
HR 71, Box 40
Maupin OR 97037

COPY

After recordng Return to:
DICK, DICK & HABBERSTAD

EXHIBIT A

The following described property in Township 5 South, Range 16 East of the Willamette Meridian in the County of Wasco and State of Oregon:

South half of Southeast quarter of Section 22;

Southwest quarter of Southwest quarter of Section 23; EXCEPT that portion described in Bargain and Sale Deed recorded October 9, 1981, Wasco County, Oregon, Micro Film No. 81-2696.

West half of Northeast quarter, West half, North half of Southeast quarter and Southeast quarter of Southeast quarter of Section 25;

All of Sections 26 and 27;

North half, North half of Southeast quarter and Southeast quarter of Southeast quarter of Section 33; ALSO That portion of Southwest quarter of said Section 33 lying Northerly of the Hinton County Road; RESERVING TO grantor Janis Brown Snodgrass, Memorandum of Oil and Gas Lease to Depco, Inc., a Delaware corporation, recorded October 5, 1981, Wasco County, Oregon, Micro Film No. 81-2629.

North half, Northwest quarter of Southwest quarter, South half of Southwest quarter, North half of Southeast quarter and Southeast quarter of Southeast quarter of Section 34;

All of Sections 35 and 36;

The following described property in Township 5 South, Range 17 East of the Willamette Meridian in the County of Wasco and State of Oregon:

Lots 3 and 4 of Section 30;

All of Section 31 lying in Wasco County;

That part of the West half of Section 32 lying in Wasco County;

The following described property in Township 6 South, Range 16 East of the Willamette Meridian in the County of Wasco and State of Oregon:

Lots 1, 2, 3 and 4; South half of North half, (North half of Southwest quarter) Northeast quarter of Southeast quarter and South half of South half of Section 1;

Lots 1, 2, 3 and 4; South half of Northwest quarter, Southeast quarter of Northeast quarter, Southwest quarter, North half of Southeast quarter and Southwest quarter of Southeast quarter of Section 2;

Lots 1 and 4, Southwest quarter of Northeast quarter, South half of Northwest quarter and South half of Section 3;

Southeast quarter of Northeast quarter, Southwest quarter, Northwest quarter of Southeast quarter and South half of Southeast quarter of Section 4;

That portion of the South half of Section 5 and Sections 8, 9, 15, 16, 21, 27 and 28 lying Easterly of Bakeoven County Road; EXCEPT the North half of Northwest quarter of Section 27 and Northeast quarter of Northeast quarter of Section 28;

North half, Northwest quarter of Southwest quarter, South half of Southwest quarter and Southeast quarter of Section 10;

Northeast quarter, Northwest quarter of Northwest quarter, South half of Northwest quarter and South half of Section 11;

South half of Northeast quarter, West half, Northwest quarter of Southeast quarter and South half of Southeast quarter of Section 12;

Northeast quarter, Northwest quarter of Northwest quarter and South half of Section 13;

All of Sections 14 and 22;

Northeast quarter, East half of Northwest quarter and South half of Section 23;

All of Sections 24, 25 and 26;

The following described property in Township 6 South, Range 17 East of the Willamette Meridian in the County of Wasco and State of Oregon;

Lots 3 and 4 and Southwest quarter of Southwest quarter of Section 4;

All of Section 5;

Lots 4 and 7; East half of Southwest quarter and Southwest quarter of Southeast quarter of Section 6;

All of Sections 7, 8 and 9;

All of Section 16 EXCEPT Beginning at a point which is 1009 feet North and 1154 feet West of the Southeast corner of said Section 16; thence North 27°10' East 523.6 feet; thence North 223.8 feet; thence West 550.0 feet; thence South 756.3 feet; thence North 77°54' East 318 feet to the point of beginning;

All of Section 17;

Northeast quarter, Lots 1, 2, 3 and 4, East half of Southwest quarter, Southeast quarter and East half of Northwest quarter of Section 18;

All of Section 19 EXCEPT Beginning at a point on the East line of Section 19 which is 3721.5 feet South of the Northeast corner of said Section; thence North 89°59' West 660.0 feet; thence South 0°1' West 660.0 feet; thence South 89°59' East 660.0 feet to the section line; thence North 0°1' East 660.00 feet to the point of beginning.

East half of West half of Section 20;

Together with the growing crop located thereon.

SUBJECT TO:

1. The rights of the Public in and to the portions thereof included within the boundaries of roads and highways.

2. The usual reservations as contained in patents issued by the United States of America, and also reservations contained in various deeds of record from the State of Oregon, acting by and through the State Land Board, Eastern Oregon Land Company, and the Oregon-Washington Railroad and Navigation Company, their successors and assigns.

3. Right of Way Agreement, between James E. Hinton and Violet M. Hinton, husband and wife, Charles S. Hampton and Ruth Hampton, husband and wife, and George C. Ward and Mary Hampton Ward, husband and wife, to Pacific Gas Transmission Company, recorded January 5,1962, Deed Book 145, Page 82, Wasco County, Oregon. (Affects Secs. 24, 25, 26 T6SR16EWM & Secs. 4, 5, 8, 17, 18, 19 T6SR17EWM)

4. Right of Way Agreement, Arthur A. Schmidt and Carrol R. Schmidt, husband and wife, to Pacific Gas Transmission Company, recorded January 6,1962, Deed Book 145, Page 90, Wasco County, Oregon. (Affects Secs. 2 & 3 T7SR15EWM)

5. Easements to the United States of America (BPA), including but not limited to

A) Transmission Line Easement and Access Road Easement, James E. Hinton and Violet M.Hinton, George C. Ward and Mary Hampton Ward, to United States of America (BPA) recorded August 30, 1967, Wasco County, Oregon, Micro Film No. 67-1304. (Affects Secs. 19, 30, 31, T5SR16E and Secs. 5 & 6, T6SR16E)

B) Transmission Line and Access Road Easement, George C. Ward and Mary H. Ward, Eric Ward and Diana L. Ward to United States of America, record April 15, 1969, Wasco County, Oregon, Micro Film No. 69-0548.

6. Grant of Easement, George C. Ward and Mary A. Ward, James E. Hinton and Violet M. Hinton, to Deschutes Telephone Company, recorded February 18, 1970, Wasco County, Oregon, Micro Film No. 70-0238.

7. Easement, George Ward to Peter J. Conroy and Joanne Lee Conroy, husband and wife, for ingress and egress, recorded April 13, 1981, Wasco County, Oregon, Micro Film No. 81-0939.

8. Telephone Line Right-of-Way Easement, George C. Ward to Telephone Utilities, Inc.,recorded May 21, 1981, Wasco County, Oregon, Micro Film No.81-1274. (Affects Secs. 23, 26, 27, 33, 34 T5SR16E)

9. Right of Way Easement, Janis Snodgrass to Deschutes Telephone Company, recorded February 18, 1970, Wasco County, Oregon, Micro Film No. 70-0227. (Affects SW¼ Sec.33 T5SR16 & W½NE¼, E½NW¼ Sec.18 T6SR17)

10. Memorandum of Oil and Gas Lease, Janis Lee Snodgrass, also known as Janis Lee Brown, to Depco, Inc.,a Delaware corporation, recorded October 5, 1981, Wasco County, Oregon, Micro Film No. 81-2629. (Affects same as No.9 above)

The following described property in the County of Sherman and State of Oregon:

Township 5 South, Range 17 E.W.M., Sherman County, Oregon:

Section 32: N½NW¼; SW¼NW¼; NW¼SW¼; S½SW¼; S½SE¼; NE¼SE¼ and SW¼NE¼.

Section 33: All

Together with the growing crop located thereon.

SUBJECT TO:

1. Rights of the public in and to those portions lying within the boundaries of public roads and highways.

2. Reservations, if any, contained in patents issued.

3. Easements of record, if any, in favor of public utitilies.

4. This report does not include a search for financing statements filed in the office of the Secretary of State, or in a county other than Sherman County, Oregon, and no liability is assumed if a financing statement is filed in the office of the County Clerk covering timber/crops/fixtures on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded Lot and Block

5. The assessment roll and the tax roll disclose that the premises herein described were specially assessed as farm land. If the land has become or becomes disqualified for the special assessment under the statute, an additional tax may be levied.

6. Right of Way Agreement, including the terms and proviosions thereof, from James E.Hinton and Violet M.Hinton, husband and wife; Charles S. Hampton and Ruth Hampton, husband and wife, and George C. Ward and Mary Hampton Ward, husband and wife, First Party, to Pacific Gas Transmission Company, a California corporation, Second Party, recorded in Book 36, page 110, on January 4, 1962. Said Right of Way Agreement was corrected by document recorded in Book 36, page 547, Sherman County Deed Records on October 26, 1962.

NO RIGHTS EXIST IN T. 6S R 16E SEC,
NOR IN T 5 S. R 16E SEC 35

TOWNSHIP 5S RANGE 16E W. M. SECTION 34

N E				N W				S W				S E				Application Number	Permit Number	Certificate Number
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
Acreage in lot or legal subdivision as shown on government plat. If other than 40 acres																		
6 2			7 3									1 0				SUPD 73053		
6 2			8 5									4 0				E-13225		

NO CONFLICTING RIGHTS

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

ADJ & WR ADDRESS SERVICE REQUESTED

FPD

Application No. G13225
Permit No. G12539

DANIEL CARVER
HCR 71 BOX 40
MAUPIN, OR 97037

Assigned .....

Address .....

Beginning construction 6-19-97

Completion of construction 10-1-98

Extended to .....

Complete application of water 10-1-99

Extended to .....

Form 111

FILE#: G 13225

DANIEL CARVER
HCR 71 BOX 40
MAUPIN, OR 97037

Oregon
WATER RESOURCES
DEPARTMENT
Commerce Building
158 12th Street NE
Salem, OR 97310-0210

RETURNED TO SENDER
FORWARDING ORDER EXPIRED

SALEM OR 973
PM
20 JUN
1996

SALEM
JUN 19 96
OREGON

U.S. POSTAGE
$0.32

Plz return

Joan Starr Ward
518 Baywood Court
Ukiah, CA 95482

Moved

RECEIVED
JUN 28 1996
WATER RESOURCES DEPT.
SALEM, OREGON

G-13225

95482-6501 14

Oregon

WATER
RESOURCES
DEPARTMENT

REFERENCE: NOTICE OF FINAL ORDER,

APPLICATION FILE G-13225 (Daniel Carver)

You have been identified as a person who submitted written comments or protests, or otherwise requested notice of the Final Order relative to the above referenced application.

As required under Section 13(9), Chapter 416, Oregon Laws, 1995, you are hereby notified that a Final Order has been issued by the Department pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly.

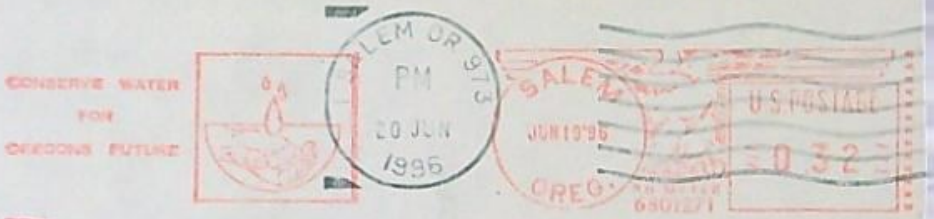
To obtain a copy of the Final Order, send $10 along with your request to the address listed below.

If you need further assistance please contact the Water Rights Section at the address listed below or phone (503)378-3739.

m:\forms\fonotice

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

Oregon
WATER RESOURCES
DEPARTMENT
Commerce Building
158 12th Street NE
Salem, OR 97310-0210



UNDELIVERABLE AS ADDRESSED

Jess M Glaeser
One Main Place Bldg, Ste 600
101 SW Main St
Portland, OR 97204

G-13225

RECEIVED
JUL - 1 1996
WATER RESOURCES DEPT.
SALEM, OREGON

Oregon

WATER
RESOURCES
DEPARTMENT

REFERENCE: NOTICE OF FINAL ORDER,

APPLICATION FILE G-13225 (Daniel Carver)

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m:\forms\fonotice

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

Form B (690—9-77)

Application No. G-13225

NOTICE OF COMPLETION OF CONSTRUCTION

I, DANIEL L. CARVER, the holder of Permit No. G-12539 to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the 1ST day of DECEMBER, 1997.

Remarks:

If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of DECEMBER, 1997.

Daniel L. Carver
(Signature of Applicant)

HCR 71 BOX 40, MAUPIN, ORE. 97037
(Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.

RECEIVED
DEC 16 1997
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED
AUG 21 1996
WATER RESOURCES DEPT
SALEM, OREGON

Form A (690—9-77)

Application No. G-13225

NOTICE OF BEGINNING OF CONSTRUCTION

I, DANIEL L- CARVER, the holder of Permit No. G-12539 to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the 21ST day of JUNE, 1996.

Remarks: THIS SYSTEM HAS BEEN IN PLACE SINCE 1960. ONE RISER VALVE AND THE WATER METER REMAIN TO BE INSTALLED.

The appropriator must state the manner of beginning of construction, the amount of work completed and the type of equipment acquired for the water system up to the date of this statement, and any additional information which shows a substantial beginning of construction as authorized by your permit.

IN WITNESS WHEREOF, I have hereunto set my hand this 20 day of AUGUST, 1996.

Daniel L. Carver
(Signature of Applicant)

HCR 71 BOX 40, MAUPIN 97037
(Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is begun.

SP*35567-690

OK
DSM