

Reinstated

FILE#:

RHODA GIBLER
 26650 SE EAGLE CREEK RD
 ESTACADA, OR 97023

Application No. G13672Permit No. G12002

Certificate No. _____

Stream Index, Page No. 2

FEES PAID

Date	Amount	Receipt No.
4-25-94	200.-	111441
11-29-94	420.-	119233
12-1-98	100.00	26410
10/22/18	520.00	128260
1/18/19	670.00	128982

Recording

FEES REFUNDED

Date	Amount	Check No.

Date filed _____

Priority _____

Action suspended until 10-1-98

Return to applicant _____

Date of approval _____

CONSTRUCTION

Date for beginning 12-22-96Date for completion 10-1-97Extended to 10-1-98 10/1/2024Date for application of water 10-1-98Extended to 10-1-98

PROSECUTION OF WORK

Form "A" filed _____

Form "B" filed _____

Form "C" filed _____

FINAL PROOF

Blank mailed _____

Proof received _____

Date certificate issued _____

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

REMARKS

CANCELLED 10-12-2018 SPECIAL ORDER Vol. 109 Pg. 706
 Reinstated 10/24/2018, Volume 109 Pg 799

ND
CURE
MAP



Oregon

Tina Kotek, Governor

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

December 3, 2023

Rhoda Gibler
28760 SE Folsom Rd.
Eagle Creek, OR 97022

REFERENCE: Application G-13672 / Permit G-12002

Dear Permit Holder:

The Water Right Services Division received your written October 1, 2023, progress report for Permit G-12002 on September 25, 2023. Receipt of the progress report was published on the Department's weekly Public Notice, dated October 3, 2023. The Department did not receive any public comment on the progress report.

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

As per your most recent extension, the date by which water must be applied to full beneficial use within the terms and conditions of your permit is October 1, 2024.

If you have any questions, please feel free to contact me by telephone at (503) 979-3213.

Sincerely,

Jeffrey D. Pierceall
Extensions
Water Right Services Division

Enclosure

cc: Application G-13672
Watermaster District 20 – Amy Landvoigt



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

1. Extension Specialist: Progress Report Review

Date Report was Due: October 1, 2023 (= "Deadline Date" for the corresponding ECP work flow record in WRIS)

Date Report Received: September 25, 2023

Report Complete: ☒ YES

☐ NO – Send letter requesting missing information.

☐ letter mailed on: December 3, 2023

2. Support Staff: Publish on the Department's Public Notice

☒ 315 ☐ 320 OAR Division under which Progress Report was required

☐ Publish on Public Notice Date: _____

☐ Update workflow in WRIS

o (Fill in Extension Checkpoint 'Completed Date' in appropriate "ECP" work flow record and

o add record for Checkpoint Public Notice ("EPR" or "EP2")

☐ Return file to Jeffrey Pierceall

3. Extension Specialist: Prepare Progress Report Confirmation Letter

See progress report procedures.doc

(date / mail out after 30 day comment period)

Date Confirmation Letter Needed: December 3, 2023

☐ Update Progress Report Worksheet.xls

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

CC: Watermaster _____

File _____

PUBLIC NOTICE INFORMATION

Permit Holder's Name: Rhoda Gibler Attn:

Application: G-13672

Permit: G-12002

County: Clackamas

Source: two wells within Clackamas River Basin

Use: irrigation of 19.74 acres and agriculture use



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

Extension of Time
Progress Report Form
For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Rhoda Gibler

Application G-13672

Permit G-12002

RECEIVED

SEP 25 2023

OWRD

Progress Report for 2023

Report Due no later than October 1, 2023

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit G-12002.

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between January 18, 2019 and October 1, 2023	FINANCIAL INVESTMENT
1/3/2020	THE #2 WELL WAS DUG, TRENCH DUG AND PIPE LAID	12373.00
	APPROX. 330' FROM #2 WELL TO #1 WELL. BOTH WELLS	5740.00
	ARE COMBINED WITH ALL CONTROLS IN #1 WELL PUMP -	18,113.00
	HOUSE. BOTH WELLS HAVE SEPARATE (SEE ATTACHED RECEIPTS)	

Use back of form if needed

2. Describe actions to achieve compliance with conditions of the permit and/or previous extension.
(Examples: installed a meter, submitted water usage reports, submitted static water level measurements, installed a fish screen, obtained approval for fish screen from ODFW etc.)

#2 WELL WAS PUT IN WITH METER

3. Total number of acres irrigated to date: 8.5
Total acres irrigated per well: Well 1 (CLAC 086) NA Well 2 NA

#1 WELL AND #2 WELL ARE COMBINED

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

Maximum rate used to date = 0.224 cfs

Maximum Rate per well:

Well 1 _____ Well 2 _____

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

INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITEM.
FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE
EXTENSION BEING DENIED.

Signature _____ Date _____

Printed Name/Title _____

Diligence Shown ☒ Yes ☐ No

Date Public Noticed: 10-3-23

For OWRD use only

Reviewed by: [Signature]

Date: 10-20-23



RECEIVED

SEP 25 2023

OWRD

George Youngberg

503-630-3970

36263 SE Kemp Rd

Estacada, OR 97023

youngbergdrilling@gmail.com

Invoice


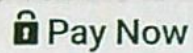



Youngberg Pump & Well Drilling

Bill To: Rhoda Gibler
captainbb@cascadeaccess.com
se Folsom rd Eagle creek or

Invoice No: 01014
Date: 01/14/2020
Due Date: 01/14/2020

Description	Quantity	Rate	Amount
3 hp 35 gpm FPS sub. pump w/ deluxe box	1	\$3,741.00	\$3,741.00
60 Ft 1.5 inch drop pipe	60	\$3.50	\$210.00
65 ft #8x4 flat sub. pump wire	65	\$2.30	\$149.50
1-1.5 inch check valve	1	\$65.00	\$65.00
1.5 inch pitiless adapter & 6 inch cap	1	\$350.00	\$350.00
330 ft ditch	330	\$4.00	\$1,320.00
340 ft 1.25 inch conduit	340	\$0.75	\$255.00
330 ft 2 inch sch. 40 pvc pipe	330	\$1.25	\$412.50
340 ft #8x4 THHN wire	340	\$2.30	\$782.00
350 ft tracer wire	350	\$0.20	\$70.00
10 ft 1.5 inch wirsbo pipe & fittings	1	\$140.00	\$140.00
misc. plumbing & electrical	1	\$500.00	\$500.00
Pump system labor	8	\$125.00	\$1,000.00
flow meter	1	\$680.00	\$680.00
lead , lag ,alternate system Manufactured by SJE Rombus	1	\$900.00	\$900.00
Tank pad	1	\$45.00	\$45.00
2- cycle guards 1.25 hi flow	2	\$575.00	\$1,150.00
Clack. Co Plumbing permit	1	\$290.00	\$290.00

Description	Quantity	Rate	Amount
Clackamas county electrical permit	1	\$125.00	\$125.00
340 ft blue tracer wire	340	\$0.20	\$68.00
60 ft #8x3 thhn wire	60	\$2.00	\$120.00
Please make payment to:			
Bank Account Number: 40630118429555983			
Routing Number: 121000248			
Subtotal			\$12,373.00
Total			\$12,373.00
PAID			\$0.00

 Invoice2go   

Balance Due

\$12,373.00

Terms and Conditions

Payment due upon receipt. Interest accrued at 1.5% per month thereafter

RECEIVED

SEP 25 2023

OWRD



George Youngberg
503-630-3970
36263 SE Kemp Rd
Estacada, OR 97023
youngbergdrilling@gmail.com

Invoice

Youngberg Pump & Well Drilling

Bill To: Rhoda Gibbler
captainbb@cascadeaccess.com
28760 SE Folsom rd Eagle Creek Or. ph. 503-807-4219

Invoice No: 01002
Date: 01/02/2020
Due Date: 01/02/2020

Description	Quantity	Rate	Amount
80ft irrigation well	80	\$58.00	\$4,640.00
state start card fee \$225.00 & state will bill you \$300.00 direct	1	\$225.00	\$225.00
Equipment move in set up fee	1	\$300.00	\$300.00
surface seal flat fee	1	\$500.00	\$500.00
6 inch drive shoe	1	\$75.00	\$75.00
	Subtotal		\$5,740.00
	Total		\$5,740.00
	PAID		\$0.00

Balance Due \$5,740.00

Terms and Conditions

Payment due upon receipt. Interest accrued at 1.5% per month thereafter

RECEIVED

SEP 25, 2023

OWRD

Mailing List for Extension FO Copies

FO Date: May 10, 2019

Copies Mailed

Application: G-13672

By: TM

Permit: G-12002

On: 5/10/2019

Original mailed to permit holder

Rhoda Gibler
28760 Folsom Rd.
Eagle Creek, OR 97022

Copies sent to:

1. WRD - App. File G-13672/ Permit G-12002
2. Agents or CWREs representing the Permit Holder

Fee paid as specified under ORS 536.050 to receive copy:

3. None

Receiving notification via e-mail - FO available in WRIS for review
(DONE BY EXTENSION SPECIALIST)

4. WRD - Watermaster District 20, Amy Landvoigt

If Progress Reports are included:
(DONE BY EXTENSION SPECIALIST)

Add record to Progress Report tracking sheet.xls Done: by _____ Date _____

CASEWORKER: JDP

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

Application for Extension of Time

In the Matter of the Application for an Extension of Time	)	FINAL
for Permit G-12002, Water Right Application G-13672, in	)	ORDER
the name of Rhoda Gibler)	

Permit Information

Application:	G-13672
Permit:	G-12002
Basin:	2C – Lower Willamette / Watermaster District 20
Date of Priority:	April 25, 1994, for 0.1 cfs and November 29, 1994, for 0.144 cfs
Source of Water:	two wells within Clackamas River Basin
Purpose or Use:	Irrigation of 19.74 acres, and agriculture use
Maximum Rate:	0.224 cubic foot per second (cfs)

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.

Appeal Rights

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Application History

Permit G-12002 was issued by the Department on December 22, 1995. The permit specified actual construction of the well to begin by December 22, 1996, completion of construction by October 1, 1997 and complete application of water to beneficial use by October 1, 1998. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 2002. On January 18, 2019, Rhoda Gibler submitted an Application for Extension of Time for Permit G-12002. In accordance with OAR 690-315-0050(2), on March 12, 2019, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2024, and the time to fully apply water to beneficial use to October 1, 2024. The protest period closed April 25, 2019, in accordance with OAR 690-315-0060(1). No protest was filed.

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated March 12, 2019.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, any comments received, and information within the file, the permit may be extended subject to the following conditions:

LIMITATIONS AND CONDITIONS

1. **Last Extension Condition**

This may be the last extension of time granted for Permit G-12002. Any future extensions of time request may be denied, unless the permit holder can provide the Department with evidence that diligence is shown during this extension period. In addition, all normal extension standards and rules will be evaluated. ORS 539.010(5); OAR 690-315-0040.

2. **Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2023**. *A form will be enclosed with your Final Order.*

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

continued on following page

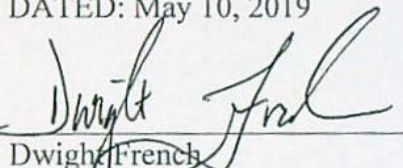
CONCLUSION OF LAW

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

ORDER

The extension of time for Application G-13672, Permit G-12002, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 2002, to October 1, 2024. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2002, to October 1, 2024.

DATED: May 10, 2019



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

-
- If you have any questions about statements contained in this document, please contact the Permit Extension Specialist at 986-0802.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-



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

Extension of Time
Progress Report Form
For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Rhoda Gibler

Application G-13672

Permit G-12002

Progress Report for 2023

Report Due no later than October 1, 2023

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit G-12002.

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between January 18, 2019 and October 1, 2023	FINANCIAL INVESTMENT

Use back of form if needed

2. Describe actions to achieve compliance with conditions of the permit and/or previous extension.
(Examples: installed a meter, submitted water usage reports, submitted static water level measurements, installed a fish screen, obtained approval for fish screen from ODFW etc.)

3. Total number of acres irrigated to date: _____
Total acres irrigated per well: Well 1 (CLAC 086) _____ Well 2 _____

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

Maximum rate used to date = _____ cfs

Maximum Rate per well:

Well 1 _____ Well 2 _____

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

INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITEM.
FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE
EXTENSION BEING DENIED.

Signature _____ Date _____

Printed Name/Title _____

Diligence Shown ☐ Yes ☐ No

Date Public Noticed: _____
For OWRD use only

Reviewed by:

Date: _____

SENDER: COMPLETE THIS SECTION

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

G-13672
Rhoda Gibler
28760 SE Folsom Rd
Eagle Creek, Or. 97022



9590 9402 3788 8032 0655 54

2. Article Number (Transfer from service label)

7018 0360 0000 1345 5719

PS Form 3811, July 2015 PSN 7530-02-000-9053 *Tu/comp*

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

B. Received by (Printed Name)

Brian Gibler

C. Date of Delivery

10/17/18

☐ Agent

☐ Addressee

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

If YES, enter delivery address below: ☐ No

RECEIVED

OCT 22 2018

OWRD

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☒ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

USPS TRACKING #



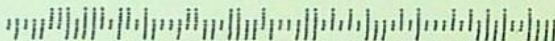
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 3788 8032 0655 54

United States
Postal Service

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

Oregon Water Resources Department
725 Summer St. NE, Ste. A
Salem, Or. 97301





Ms. Rhoda A. Gibler
28760 SE Folsom Rd
Eagle Creek, OR 97022

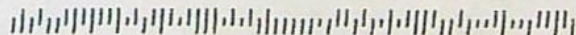
PORTLAND OR 972

21 SEP 2023 PM 6



OREGON WATER RESOURCES Dept.
725 SUMMER STREET NE, SUITE A
SALEM, OR 97301-1266
ATTN: JEFFREY PIERCE LL

97301-126673



com
Oregon

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

ADDRESS SERVICE REQUESTED

CERTIFIED MAIL®



7016 1370 0000 0680 7835



U.S. POSTAGE >> PITNEY BOWES



ZIP 97301 \$ 006.46⁵
02 1W
0001393082 NOV 08 2016

RECEIVED BY OWRD

RHODA GIBLER G-13672
26650 SE EAGLE CREEK RD
ESTACADA, OR 97023

ant

NOV 28 2016

SALEM, OR

11/10
11/15
108

Does not live here

NIXIE

970 DE 1

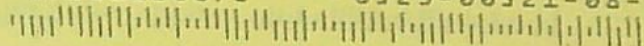
0011/23/16

RETURN TO SENDER
INSUFFICIENT ADDRESS
UNABLE TO FORWARD

BC: 97301126673

*0529-00521-08-43

IA
97023-1266-1001





Oregon

Kate Brown, Governor

Water Resources Department
North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.wrd.state.or.us

*NOTE: For water rights information and useful forms, please see our web site at
www.oregon.gov/OWRD*

November 8, 2016

Certified mail number 7016 1370 0000 0680 7835
Return receipt requested

RHODA GIBLER
26650 SE EAGLE CREEK RD
ESTACADA, OR 97023

Reference: Application G-13672, Permit G-12002

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2002.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2002. The fee for submitting a claim of beneficial use is \$175.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$575.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (January 6, 2017) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$450.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.

Should you have any questions, please contact Corey Courchane by telephone at 503-986-0825, Jeffrey Pierceall by telephone at 503-986-0802, or myself at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosures (1)

cc: File G-13672
OWRD Watermaster District 20



RESOURCE SHEET

Please visit our Department's website at www.wrd.state.or.us to locate the forms you will need.

Voluntary Cancellation

- Click on "Forms" (Column to the left)
- Under Index click on "Cancellation and Diminishment of Water Right Forms"
- Click on "Authorization for Voluntary Cancellation of a Water Right Permit" (3rd item on the list)

Extension of Time Applications

- Click on "Forms" (Column to the left)
- Under Index click on "Other Forms"
- Click on either the "Application for Water Right Extension of Time" or "Application for Water Right Extension of Time for Quasi-Municipal & Municipal Water Use Permit" (1st & 2nd items on the list)

Assignment

- Click on "Forms" (Column to the left)
- Under Index click on "Other Forms"
- Click on either "Request for Assignment" or "Request for Assignment in the Absence of Permit Holder" (11th & 12th items on the list)

Self Certification Form

- Click on "Forms" (Column to the left)
- Under Index click on "Other Forms"
- Click on "Claim of Beneficial Use (for qualifying alternate review reservoirs only)" (7th item on the list)

Certified Water Rights Examiner (CWRE)

From the Departments home page:

- Click on "Water Rights" (Column to the left)
- Click on "Learning About and Applying for Water Rights" (1st item on list)
- Click on "Certified Water Right Examiners Query" (5th paragraph)

If you have any questions please call Customer Service at 503-986-0801.

Mailing List for Extension PFO Copies

PFO Date: March 12, 2019

Copies Mailed

Application: G-13672

By: TM

Permit: G-12002

On: 3/12/2019

Original mailed to Applicant:

Rhoda Gibler
28760 Folsom Rd.
Eagle Creek, OR 97022

Copies sent to:

1. WRD - App. File G-13672/ Permit G-12002
2. Agent or CWRE representing the Permit Holder

Fee paid as specified under ORS 536.050 to receive copy:

3. None

Receiving via e-mail (10 AM Tuesday of signature date)
(DONE BY EXTENSION SPECIALIST)

4. WRD - Watermaster District 20, Amy Landvoigt

CASEWORKER: JDP

Oregon Water Resources Department
Water Right Services Division

Application for Extension of Time

In the Matter of the Application for an Extension of Time	)	PROPOSED
for Permit G-12002, Water Right Application G-13672, in	)	FINAL
the name of Rhoda Gibler	)	ORDER

Permit Information

Application:	G-13672
Permit:	G-12002
Basin:	2C – Lower Willamette / Watermaster District 20
Date of Priority:	April 25, 1994, for 0.1 cfs and November 29, 1994, for 0.144 cfs
Source of Water:	two wells within Clackamas River Basin
Purpose or Use:	Irrigation of 19.74 acres, and agriculture use
Maximum Rate:	0.224 cubic foot per second (cfs)

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

In Summary, the Department proposes to:

- Grant an extension of time to complete construction of the water system from October 1, 2002, to October 1, 2024.
- Grant an extension of time to apply water to full beneficial use from October 1, 2002, to October 1, 2024¹.
- Make the extension subject to certain conditions set forth below.

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.

¹Pursuant to ORS 537.630(5), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

ACRONYM QUICK REFERENCE

Application – Application for Extension of Time
Department – Oregon Department of Water Resources
FOF – Finding of Fact
PFO – Proposed Final Order
Well 1 – CLAC 083
cfs - cubic foot per second

AUTHORITY

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

ORS 537.630(2) provides in pertinent part that the Oregon Water Resources Department (Department) for good cause shown shall order and allow an extension of time within which irrigation or other works shall be completed or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

ORS 539.010(5) instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefor; and the income or use that may be required to provide fair and reasonable returns upon the investment.

OAR 690-315-0040 provides that in order to approve an application for an extension of time to complete construction or apply water to full beneficial use, the Department shall make the findings in OAR 690-315-0040(1) including a finding that there is “good cause” to approve the extension. OAR 690-315-0040(2)-(4) contains the factors that the Department must consider to make findings that support a “good cause” determination.

OAR 690-315-0050(5) states that extension orders may include, but are not limited to, any condition or provision needed to: ensure future diligence; mitigate the effects of the subsequent development on competing demands on the resource; and periodically document the continued need for the permit.

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

FINDINGS OF FACT

1. On December 22, 1995, Permit G-12002 was issued by the Department. The permit authorizes the use of up to 0.224 cfs of water from two wells within Clackamas River Basin for irrigation of 19.74 acres, and agriculture use. The permit specified actual construction of the well to begin by December 22, 1996, construction of the water system was to be completed by October 1, 1997, and complete application of water was to be made on or before October 1, 1998.

2. One prior permit extension has been granted for Permit G-12002. The most recent extension request resulted in the completion dates for construction being extended from October 1, 1997, to October 1, 2002, and full application of water being extended from October 1, 1998, to October 1, 2002.
3. On January 18, 2019, the permit holder, Rhoda Gibler, submitted an "Application for Extension of Time" (Application) to the Department, requesting both the time to complete construction of the water system and the time to apply water to full beneficial use under the terms and conditions of Permit G-12002 be extended from October 1, 2002, to October 1, 2024.
4. On January 29, 2019, notification of the Application for Permit G-12002 was published in the Department's Public Notice. No public comments were received regarding the Application.

Review Criteria [OAR 690-315-0040]

In order to approve an Application for an Extension of Time to complete construction and/or apply water to full beneficial use pursuant to ORS 537.230 or 537.630, or to begin construction, pursuant to ORS 537.248, the Department must make the findings in OAR 690-315-0040(1)(a) – (d).

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

5. On January 18, 2019, the Department received a completed Application and the fee specified in ORS 536.050 from the permit holder.

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

6. Construction of the well began prior to permit issuance.
7. According to the well log received by the Department on June 25, 1990, construction of CLAC 083 (Well 1) began May 1, 1990.

Based on Finding of Fact (FOF) 6 and 7, the Department has determined that the prosecution of the construction of the well began prior to December 22, 1996.

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

The Department must find that there is "good cause" to approve the extension. In making a "good cause" finding, the Department shall consider the requirements set forth under OAR 690-315-0040(2).

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

In order to make a finding of "good cause" to approve the extension, the Department shall consider whether the applicant has demonstrated "reasonable diligence" in previous performance under the permit. OAR 690-315-0040(2)(a). In determining "reasonable

diligence", the Department shall consider, but is not limited to, the following factors: a) The amount of construction completed within the time allowed in the permit or previous extension; b) The amount of beneficial use made of the water during the permit or previous extension time limits; c) Water right holder conformance with the permit or previous extension conditions; and d) Financial investments made toward developing the beneficial use of water.

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

The amount of construction completed within the time allowed in the permit or previous extension.²

8. Construction of the well and ½ acre of nursery irrigation began prior to permit issuance.
9. During the most recent extension period, being from October 1, 1997, to October 1, 2002, the following was accomplished:
 - installed irrigation equipment on 2 acres and the area outside of the greenhouse.
10. Since October 1, 2002, the following was accomplished:
 - installed irrigation system on an additional 8.0 acres.

The Application provides evidence of progress of physical work made towards completion of the water system, enough to qualify as the minimum necessary for the Department to find good cause and reasonable diligence towards complete application of water to a beneficial use.

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

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

11. The Department has considered the permit holder's compliance with conditions, and has identified the following concern; the record does not show that a meter or other suitable measuring device has been installed by October 1, 2002.

Based on FOF 11, the Department has determined that the permit holder has not demonstrated compliance with following permit conditions as required by Permit G-12002:

- "Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director.

Failure to comply with permit conditions constitutes illegal use of water. In order to legally perfect the use of water under this permit, the permit holder must demonstrate that all conditions of the permit have been satisfied.

² "Actual Construction" is defined in OAR 690-315-0020(3)(d)(A) and (B) as physical work performed toward completion of the water system which demonstrates the water right permit holder's good faith and intention to complete the project with reasonable diligence. Actual construction does not include planning a diversion system, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land or planting crops.

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

The amount of beneficial use made of the water during the permit time limits or previous extension conditions.

12. A maximum rate of 0.15 cfs of water has been appropriated from Well 1 for irrigation of 8.5 acres and agriculture use.
13. There is no explanation why full beneficial use of water under Permit G-12002 has been delayed.

Based on FOF 11, the Department has determined that beneficial use of water has not yet been demonstrated under this permit because not all permit conditions were satisfied by October 1, 2002.

Financial Investments to Appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b),(3)(d),(4)(d)]

14. An investment of approximately \$25,353 has been made, which is about 46 percent of the total projected cost for complete development of this project. An additional \$29,500 investment is needed for the completion of this project.

Based on FOF 14, the Department has determined that the permit holder had made an investment, which provides evidence of good cause and reasonable diligence towards the complete application of water to a beneficial use.

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

The Application provides evidence of progress towards completion of the water system; a financial investment has been made; the permit holder has not demonstrated compliance with all permit conditions, and; beneficial use has not been demonstrated. The Department has determined the applicant has demonstrated the minimum necessary for the Department to find reasonable diligence towards complete application of water to a beneficial use.

The Market and Present Demands for Water [OAR 690-315-0040(4)(a-f)]

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

- *(a) The amount of water available to satisfy other affected water rights and scenic waterway flows;*
- *(b) Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d);*

- (c) *The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife;*
- (d) *Economic investment in the project to date;*
- (e) *Other economic interests dependent on completion of the project; and*
- (f) *Other factors relevant to the determination of the market and present demands for water and power.*

OAR 690-315-0040(4)(a)

The amount of water available to satisfy other affected water rights and scenic waterway flows.

15. A review of the amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-12002; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined when an Application for a new water right is submitted.

OAR 690-315-0040(4)(b)

Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d).

16. The points of appropriation for Permit G-12002, located within the Clackamas River Basin, are not located within a limited or critical groundwater area.
17. Clackamas River is located within the Clackamas Scenic Waterway.
18. The points of appropriation are not in an area listed by the Department of Environmental Quality as a water quality limited stream.

OAR 690-315-0040(4)(c)

The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife.

19. Clackamas River is located within an area ranked "high" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife.

OAR 690-315-0040(4)(d)

Economic interests dependent on completion of the project.

20. An approximate total of \$25,353 has been invested in the project.

OAR 690-315-0040(4)(e)

Other economic interests dependent on completion of the project.

21. The business provides employment to area teens, and provides produce for the local school district.

OAR 690-315-0040(4)(f)

Other factors relevant to the determination of the market and present demand for water and power.

22. OAR 690-315-0050(6) requires the Department to place a checkpoint condition on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. A "Checkpoint Condition" is specified under Item 2 of the "Limitations and Conditions" section of this PFO to meet this condition.

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

23. The use and income from the permitted water development will likely result in reasonable returns upon the investment made to date.

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

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

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

25. No unforeseen events were identified that contributed to the extended the length of time needed to fully develop and perfect Permit G-12002.

Denial of the Extension Will Result in Undue Hardship [OAR 690-315-0040(2)(i)]

26. A denial of the extension would result in undue hardship, and that there are no other reasonable alternatives that exist for meeting water use needs

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

27. The Application provides evidence of good faith of the appropriator under Permit G-12002.

Based on FOF 6, 7, 8, 9, 10, 12, 14, and 20, the Department has determined that the applicant has shown good faith and reasonable diligence.

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

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

28. As of January 18, 2019, the remaining work to be completed consists of completing construction of the water system, which includes constructing well 2 and installing irrigation equipment; meeting all permit conditions; and applying water to full beneficial use.

Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2024, to complete construction of the water system and to accomplish the application of water to beneficial use under the terms and conditions of Permit G-12002 is both reasonable and necessary.

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

The Department must find that there is "good cause" to approve the extension. In making a "good cause" finding, the Department shall consider the requirements set forth under OAR 690-315-0040(2).

The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to complete construction and apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

LIMITATIONS AND CONDITIONS

1. OAR 690-315-0050(5) provides for extension orders to include, but are not limited to, any condition or provision needed to ensure future diligence, and/or mitigate the effects of the subsequent development on competing demands on the resource. The Department determined the need to place a "Last Extension Condition" on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. This condition, specified under Item 1 of the "Conditions" section of this PFO, was determined to be necessary due to minimal work having been accomplished since permit issuance, and the overall amount of time provided to complete the development of the water system.
2. OAR 690-315-0050(6) requires a checkpoint condition on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. A "Checkpoint Condition" is specified under Item 2 of the "Limitations and Conditions" section of this PFO to meet this condition.

CONCLUSIONS OF LAW

1. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
2. The applicant has complied with the construction timeline requirements to begin actual construction as required by ORS 537.630, OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
3. Based on Finding of Facts 6 through 28 completion of construction and full application of water to beneficial use can be accomplished by October 1, 2024, as required by OAR 690-315-0040(1)(c).
4. The applicant can complete the project within the time period requested for the extension on the project, and is granted only for the reasonable time necessary to complete water development and apply water to beneficial use. OAR 690-315-0050(5).
5. The applicant has demonstrated good cause for the extension, but the extension must be conditioned to ensure this is the last extension granted in order to ensure future diligence; OAR 690-315-0050(5).
6. For extensions exceeding five years, the Department shall establish progress checkpoints to determine if diligence is being exercised in the development and perfection of the water use permit. Intervals between progress check points will not exceed five years periods, as required by OAR 690-315-0050(6).

PROPOSED ORDER

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

Extend the time to complete construction of the water system under Permit G-12002 from October 1, 2002, to October 1, 2024.

Extend the time to apply water to beneficial use under Permit G-12002 from October 1, 2002, to October 1, 2024.

Subject to the following conditions:

LIMITATIONS AND CONDITIONS

1. **Last Extension Condition**
This may be the last extension of time granted for Permit G-12002. Any future extensions of time request may be denied, unless the permit holder can provide the Department with evidence that diligence is shown during this extension period. In

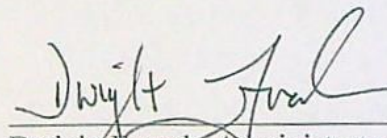
addition, all normal extension standards and rules will be evaluated. ORS 539.010(5); OAR 690-315-0040.

2. **Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2023**. *A form will be enclosed with your Final Order.*

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

DATED: March 12, 2019


Dwight French, Administrator,
Water Right Services Division

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

Proposed Final Order Hearing Rights

- 1. Under the provisions of OAR 690-315-0100 and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **April 25, 2019**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
- 2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;

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

- Proposed Final Order: Permit G-12002

Extension PFO Checklist for
Other than Muni or Quasi-Municipal

Water Use Permits

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

Application: 6-13672 Permit: 6-12002 Permit Amendment? No ☒ Yes ☐ T- ☐ pending ☐ approved

Permit Holder's Name: Rhonda G. Gbler

Permit Holder's Mailing Address: 28760 Folsom Rd. Eagle Creek OR 97022

email captainbb@cascadeaccess.com

Phone Number: 503-802-4219

Agent/CWRE _____

Drainage Basin: 2C County: Clackamas Watermaster District: 20 Watermaster: Amy Kim

Date Permit was issued: 12-22-95 Priority Date: 4-25-94 11-29-94 Date of PN: 1-29-19

Source: two wells within Clackamas River Basin

Use: irr of 19.74 acres & Ag use

"Q": 0.224

Orig "A" Date: 12-22-96 Orig "B" Date: 10-1-97 Orig "C" Date: 10-1-97

Extension request received: 1-18-19 Last Authorized Date: 10-1-2024 Last Authorized "C" Date: 10-1-2022

Request Number (1, 2, 3...): 3 Proposed "B" Date: 10-1-2024 Proposed C Date: 10-1-2024

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
		Begin construction:
	<input checked="" type="checkbox"/>	meter 12-3-2018

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

Yes No

- ☐ ☒ Work was accomplished within the time allowed in the permit or previous extension
- ☐ ☒ Water right permit holder conformed with the permit or previous extension conditions
- ☐ ☒ Beneficial use made of the water during the permit or previous extension time limits

- Permit holder has beneficially used 0.15 cfs/gpm/af of the total permitted quantity of water on 8.5 acres

☒ ☐ Financial investments were made toward developing the beneficial water use.

- Amount Invested to date: \$ _____ Estimated Remaining Cost: \$ _____

GW REVIEW: Y N _____

MITIGATION REVIEW: Y N _____

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

Application _____ - Permit _____ - Township _____ Range _____ Section _____

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

Identify the closest surface water or localized water basin. _____

Ground Water Permits: Is the POA located...

Surface Water Permits: Is the POD located...

Yes No

- ☒ ☐ above a state scenic waterway? Source: OWRD "Areas Above State Scenic Waterways" Map
- ☒ ☐ within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html
- ☒ ☐ within a ~~critical or limited~~ ^{withdrawn area} Ground Water Area? Name of area Curran Creek
- ☒ ☐ within a sensitive, threatened or endangered species area source: "/gisdata/dev/projects/salmon/div33map.aml"
- ☐ ☒ in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list _____
- ☒ ☐ within an area ranking low / moderate / high / Highest (circle one) for stream flow restoration needs Source: OWRD "Streamflow Restoration Maps (by region)"

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

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

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

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

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

☐ 5-year Progress Report Checkpoints (Years: _____)

☐ Other: _____

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

- ☐ **COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987**
"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."
- ☐ **COBU Requirement - Surface Water - post July 9, 1987**
"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."
- ☐ **COBU Requirement - Ground Water - post July 9, 1987**
"Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

NOTES:

Extension "PFO" Dates

Mailing / Issuance Date: _____ Protest Deadline Date: _____ FO Issuance Date: _____

Reviewer's Name: _____ Date: _____

**Application for Extension of Time for a Water Right Permit
(NON-Municipal/NON Quasi-Municipal water Use)**



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

Criteria for a Permit Extension of Time

The Department can accept requests for an extension of time on permits to (1) complete construction, and/or to (2) apply water to beneficial use.

In order to approve a permit extension request the Department must be able to find:

1) Construction has begun:

A. For Groundwater Permits

Construction of the well began within 5 years of the date the permit was issued or by the actual construction date specified in the permit.

B. For Surface Water or Reservoir Permits

Construction of the water system began within 5 years of the date the permit was issued or by the actual construction date specified in the permit.

The Department will also confirm that:

- 2) A required fish screen, fish passage or fish by-pass device was installed before or prior to diversion of any water. An exception to the need to confirm installation prior to diversion of any water would be a waiver submitted to the Department from ODFW stating that a fish screen, fish passage or fish by-pass device was not required, provided your permit allows for a waiver.

If you have questions, please call the Department at (503)-986-0900 and ask to speak with a permit extension specialist.

Instructions are in Attachment A.

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JAN 18 2019

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TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT
*A separate extension application must be submitted for each permit as per
OAR 690-315-0020(2).*

I, Rhoda Gibler

NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

28760 folsom rd.
ADDRESS

Eagle Creek
CITY

Oregon
STATE

97022
ZIP

503-807 4219
PHONE

captainbb@cascadeaccess.com
E-MAIL ADDRESS

the permit holder of:

Application Number G-13672

Permit Number G-12002

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

do hereby request that the time in which to:

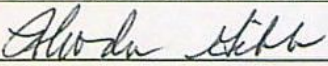
☒ complete construction (of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water), which time now expires on Month:10 Day: 1 Year: 2002, be extended to October 1, 2024, [OAR 690-315-0020(3)(i)]

☐ N/A (Check this box if the permit does not specify a date by when construction must be completed.)

and/or the time in which to:

☒ apply water to full beneficial use under the terms and conditions of the permit, which time now expires on Month:10 Day: 1 Year: 2002, be extended to October 1, 2024.
[OAR 690-315-0020(3)(i)]

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

<u></u>	<u>01/14/2019</u>
Signature	Date
<u>RHODA GIBLER</u>	<u>CO-OWNER</u>
Printed Name	Title
Rhoda Gibler	co-owner

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

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JAN 18 2019

- This completed Application for Extension of Time.
- Statutory fee of \$670
- Signature page (Second page of this Application for Extension of Time).
- All supporting documentation and/or evidence referenced in the Application for Extension of Time.

MAIL COMPLETED APPLICATION

along with the Supporting documents and/ or evidence and correct fee to:

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



GENERAL TIPS:

- Permit holders of **municipal or quasi-municipal water use permits DO NOT use this form**. The correct form is APPLICATION FOR EXTENSION OF TIME FOR MUNICIPAL AND QUASI-MUNICIPAL WATER USE PERMITS, available at the following link:
http://www.oregon.gov/owrd/PUBS/docs/forms/fillable_muni_quasi_ext_app_form_2014.doc
- Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate APPLICATION FOR EXTENSION OF TIME must be submitted for each permit. OAR 690-315-0020(2).
- An instruction sheet, INSTRUCTIONS FOR COMPLETING AN APPLICATION FOR EXTENSION OF TIME FOR A WATER RIGHT PERMIT (Attachment A), provides details that will help you answer each item on the application. Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at: http://arcweb.sos.state.or.us/pages/rules/oars_600/oar_690/690_315.html
- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 690-315-0020(3)(n).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights Services Division.
- An Application for an Extension of Time will be reviewed for completeness. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

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JAN 18 2019

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Reference Materials Needed to Complete this Application:

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

Questions to complete this application for an Extension of Time
Please see the instruction sheet to help you answer these items.

1. Beginning Construction within required deadlines. OAR 690-315-0020(3)(d)
For Groundwater Permits

Has construction of the point of appropriation (well) authorized under this permit begun?

x ☐ Yes ☐ No

Date construction began Month: 5 Day: 1 Year: 1990

Details of construction and attach documentation: Clack 083

For Surface/Reservoir Permit

Has construction of the water system begun? ☐ Yes ☐ No

Date construction began Month: Day: Year:

Details of construction and attach documentation:

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2a. Permits typically contain standard or special conditions that must be fully satisfied to lawfully develop and use permitted water. Review the permit subject to this extension to identify which of the conditions listed in the 2nd column are contained within it. Using the extra row labeled "other" to specify any other additional conditions specified in a final order approving a permit amendment or prior extension of time. In the 1st column check the box for each condition (row) identified as relevant. In the 3rd column check "Yes" if you have completed or met the permit condition. Check "No" if the condition is not yet satisfied. In the 4th column, give the date when the condition was satisfied or will be satisfied. Attach any pertinent documentation. Note: a pump test condition does not need to be addressed here however; you must submit the results of the test to the Department for approval prior to certification.

CHART-A

Permit Conditions in this Permit		Have Completed or Met?	Date satisfied/ or will be satisfied
Checkbox	Ground water Check those included on this permit		
<input type="checkbox"/>	Installation of a meter/totalizing flow meter	x <input type="checkbox"/> Yes <input type="checkbox"/> No	12/03/2018
<input type="checkbox"/>	Submittal of annual water usage report	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of initial static water level measurement	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of annual static water level measurements in the month required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of Seven consecutive static water level measurements in the month required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Special well construction standards	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a monitoring plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Surface Water or Reservoir			
<input type="checkbox"/>	Installation of a meter/ totalizing flow meter/ in-line meter	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation a staff gauge	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish screen	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish by-pass device	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish passage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of an outlet gate/pipe/ conduit	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from ODFW that fish screen, fish by-pass device, and or fish passage is not required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submit as-built plans and specification	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from an engineer prior to storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	

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2b. If you have NOT complied with Permit conditions, explain the reasons why and indicate a date certain, when you will be in compliance. Initially we asked for a permit for 2 wells to irrigate with. In the mean time (2009) we put in drip irrigation. We kept putting off getting the second well, but I feel that within the next couple of years we will be able to do that.

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

3. Provide evidence of physical work made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-B); and if applicable, within the time period of the most recent extension granted (CHART-C). CHART-B (below) must be completed for all Application for Extension of Time requests. *Use chronological order.* (this does NOT include planning, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land, or planting crops)

CHART-B

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
05/01/1990	well was drilled and pump put in	\$3900
1990	Put in irrigation lines and sprinklers	\$2000
DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER <i>List work/actions done during the permitted time period.</i>	COST*
12/22/1995	Date the permit was signed – no work has been done on drilling another well	
03/1997	We were working on design of new house.	
02/1998	Got all the permits and started building house. Didn't finish house until somewhere around mid 2001	
10/01/1998	Date the permit specified complete application of water to the use shall be made- all permits contain this date.	
DATE	WORK ACCOMPLISHED AFTER the date the permit specified complete application of water <i>COMPETE ONLY IF THIS IS YOUR 1st APPLICATION FOR AN EXTENSION OF TIME: List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i>	COST*

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Total Cost for Chart-B	\$5,900
------------------------	---------

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

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

CHART-C

DATE	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
	"Extended From" date for complete application of water used in the 1 st (or the most recent) Application for Extension of Time.	
10/1/1997	1 st extension granted till October 1,1999- started ½ acre nursery 3/1999	\$1,000
6/1/1999	2 nd extension granted till 10/1/2002—purchased new pump for well	\$2,000
7/7/1999	Put down weed mat and put in overhead irrigation for plants outside greenhouse	\$300
10/1/1999	2 nd extension granted till 10/01/2002	
	"Extended To" date for complete application of water resulting from the 1 st (or the most recent) Application for Extension of Time.	
DATE	WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
09/2003	Put in irrigation lines and sprinklers for 2 acres of blueberries	\$2153
10/2003	Planted 2700 blueberry plants (2acres)	\$4150
09/2009	Put in drip irrigation for 8 acres	\$17,000
02/2018	Helping son get all permits to build manufactured home on our property to help us farm	
Total Cost of Chart-C		\$33,503

* If exact cost is not known, you must provide your best estimate. [OAR 690-315-0020(3)(f)]

5. Cost of project to date :\$39,403
(The total combined cost from CHART-B and CHART-C) [OAR 690-315-0020(f)]

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

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

TIP: Report the rate used to date. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.

6. For Surface Water Permit Extensions (e.g. S-XXXX or R-XXXX):

TIP: Report the rate in the same units of measurement as specified in the permit.

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

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

Acre-feet stored to date = _____ AF

7. For Ground Water Permit Extensions (e.g. G-XXXX):

TIP: Include information from ALL wells that pertain to this permit, including drilled wells not currently used.

CHART-D

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment?	Maximum instantaneous rate used to date from this well -- under this permit only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	If yes, provide the Permit, Certificate, or Transfer No.
#1	n/a	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Clac083	n/a	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	.15cfs	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
Total instantaneous rate from all wells utilized under this permit								

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8. Has a Permit Amendment Application been filed? Yes ☐ No ☒

If yes, identify Transfer No. T-_____

Has the Permit Amendment been approved? Yes ☐ No ☐

If yes, on what date was the Permit Amendment approved? _____

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

9. For Irrigation and Nursery Use Permits Extensions

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

a) Total acres irrigated to date: _____

b) List by year, the number of acres irrigated each year since permit issuance.

Year	Acres	Year	Acres	Year	Acres
1995	6	2000	6	2005	8.5
1996	6	2001	6	2006	8.5
1997	6	2002	6	2007	8.5
1998	6	2003	8.5	2008	8.5
1999	6	2004	8.5	2009	8.5

c) Provide a copy of the application map identifying the acres irrigated.

d) Please specify the number of acres irrigated by each Point of Diversion/Point of Appropriation (POD/POA).

(POD/POA)#1 Acres 1/2

(POD/POA) # _____ Acres _____

(POD/POA) #2 Acres 8

(POD/POA) # _____ Acres _____

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

10. In the chart below provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
2019	get a bid for a well	0
2019 or 2020	hopefully get started to drill well	\$25,000
2020	Construct a pumphouse	\$1500
2021	hook up to electricity	\$1000
2021	Dig trenches for irrigation line and install lines	\$2000

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Year: 2020 or 2021	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
		Total Cost \$29,500

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

11. Estimated remaining cost to complete the project: \$29,500

(The total cost from CHART-E)

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

12. Provide a summary of your plan to complete construction, meeting all permit conditions and apply the water to beneficial use: *(List all tasks or steps needed to complete the project, the date when each task will be completed, and the cost associated with each task; attach additional pages if necessary.)* I did that in chart E

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

13. Justify the time requested to complete the project and/or apply the water to full beneficial use. *(Include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.)*

It was our responsibility to maintain our water right permit extension. We did not do so. We will not make that mistake again. We attempted to acquire information and bids during the 120 day extension to drill 2nd well, have not been successful. We feel we can acquire the needed information and drill well within the 5 year period. We are a working farm and pretty busy. My son and daughter in law have moved onto our property in a manufactured house in order to help us (its gotten a lot busier here)

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

14a. Will a denial of the extension result in undue hardship? *(Describe the hardship and the effects.)* yes. If I lose my water rights permit we will lose our blueberry business. We need to do what needs to be done in order to finalize this permit. We are providing water for two houses, ½ acre nursery and 8 ½ acres of blueberries. Last summer in mid August, we had to start lowering amount of water to plants as pressure of well was down. We are also looking forward to our future growth.

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14b. Are there any other reasonable alternatives that exist for meeting your water use needs? *(Explain in detail)* not that I know of We have no access to creek,river, or city water. We have added drip irrigation in 2009 and its using a whole lot less water that overhead irrigation. Its also more efficient.

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

15. Was the delay in the timely completion of this water development project and/or timely application of water to full beneficial use caused by any additional government requirements, other than the conditions contained within the permit, which significantly delayed the completion and perfection of this right? *(Explain in detail, including how much time did this delay the project; list dates.)* no, however we did not find this process very easy to understand. My immaturity kept me from doing what was required. Im so much older now.The

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

16. Describe any unforeseen events which contributed to the delay of completion of this project that you had no control over. *(Explain in detail what the unforeseen events were and how much time was spent addressing the unforeseen events.)* My husband and I have planted 8 acres of blueberries and did all the work ourselves. We have gone through selling them wholesale and after awhile had to transition to upick. That was a big learning curve. This job of taking care of the water rights permit fell to me (Rhoda Gibler). I did not want this job, I felt inept. I felt it was a little hard to understand. So I'm sucking it up and going to see this to the end.

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

17. Describe an additional reasons why the construction was not completed, and/or water was not beneficially used within permit time limits. (Provide supporting information for the reason(s) that best fits your circumstances.)

The blueberry business takes years to pay off. They take about 10 years to mature. Then it takes years to build a marketing strategy. We have made many mistakes along the way and the market keeps changing since we started. Due to these factors it has been hard to afford building another well. Since changing to a u-pick operation our business has been flourishing.

[OAR 690-315-0020(3)(m)(n)]

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

Captain Blueberry is a flourishing business. We sell blueberries to the public, Estacada School District, and Estacada Thriftway. We provide some jobs to local teens. We are an important member in our community.

[OAR 690-315-0040(2)(f)]

19. Will the income or use of the water project provide a fair and reasonable return on your investment? (Explain in detail) We will be able to maintain the watering pattern for blueberries, nursery, houses and be able to grow in the future.

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[OAR 690-315-0040(4)(d)]

20. Describe in detail if there are other economic interest, beyond those of the permit holder, which are dependent upon the completion of this project. *(Who will be effected and how?)* My son and daughter just built a manufactured house on our property and are excited to help us with our growing business (Captain Blueberry) also will have an impact on customers and suppliers.

Attach permit, and documentation to the application

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STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RHODA GIBLER
26650 SE EAGLE CREEK RD
ESTACADA, OREGON 97023

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

APPLICATION FILE NUMBER: G-13672

SOURCE OF WATER: TWO WELLS WITHIN THE CLACKAMAS RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 19.74 ACRES AND AGRICULTURE USE

RATE OF USE: 0.224 CFS

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION, YEAR ROUND FOR AGRICULTURE USE

DATE OF PRIORITY: APRIL 25, 1994 FOR 0.1 CFS AND NOVEMBER 29, 1994 FOR 0.144 CFS

POINT OF DIVERSION LOCATION: NE 1/4 NW 1/4, SECTION 7, TOWNSHIP 3 SOUTH, RANGE 4 EAST, W.M.; WELL 1 - 905 FEET SOUTH AND 1640 FEET WEST, WELL 2 - 1015 FEET SOUTH AND 1340 FEET WEST, BOTH FROM THE NW CORNER OF THE JOSEPH YOUNG DLC #43

The amount of water used for agricultural use is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for agricultural use may be made at anytime of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NW 1/4 12.16 ACRES
NW 1/4 NW 1/4 1.48 ACRES
SE 1/4 NW 1/4 6.10 ACRES
SECTION 7

TOWNSHIP 3 SOUTH, RANGE 4 EAST, W.M.

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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.

STANDARD CONDITIONS

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

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

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

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

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

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

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

Application G-13672 Water Resources Department

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PERMIT G-12002

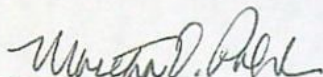
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The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1997. Complete application of the water to the use shall be made on or before October 1, 1998.

Issued December 22, 1995



Water Resources Department
Martha O. Pagel
Director

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Application G-13672 Water Resources Department
Basin 02 Volume 23 Eagle Creek, also Misc.
DLB

PERMIT G-12002
District 16

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

WATER RESOURCES DEPT.
SALEM, OREGON

(START CARD) #

(1) OWNER:
Name Brian Gbler Well Number _____
Address 26650 SE Eagle Creek Rd
City ESTACADA State OR Zip 97023

(2) TYPE OF WORK:
☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD
☒ Rotary Air ☐ Rotary Mud ☐ Cable
☐ Other _____

(4) PROPOSED USE:
☒ Domestic ☐ Community ☐ Industrial ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes ☐ No ☒ Depth of Completed Well 100 ft.
Explosives used Yes ☐ No ☒ Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
10"	0	20	Cement	0	20	96
6"	20	100				

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

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

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	6"	0	63	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 63

(7) PERFORATIONS/SCREENS:
☒ Perforations Method Mills Knife
☐ Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
28	60	1/4 x 3/8	38	6"		<input checked="" type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

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

Yield gal/min	Drawdown	Drill stem at	Time
50	30		1 hr.

☒ Pump ☐ Bailer ☐ Air ☐ Flowing
☐ Artesian

Temperature of water _____ Depth Artesian Flow Found _____
Was a water analysis done? ☐ Yes By whom _____
Did any strata contain water not suitable for intended use? ☐ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County CLK Latitude _____ Longitude _____
Township 3S N or S, Range 4E E or W, WM.
Section 7 NE 1/4 NW 1/4
Tax Lot 308 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 28310 Folsom Rd
Eagle Creek, OR

(10) STATIC WATER LEVEL:
12 ft. below land surface. Date 5/20/90
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found _____

From	To	Estimated Flow Rate	SWI
28	60	50 Gpm	12

(12) WELL LOG: Ground elevation _____

Material	From	To	SWI
Top Soil	0	2	
Boulders	2	21	
Gravel	21	61	12
Brown Clay	61	100	

Date started 5/1/90 Completed 5/23/90

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my knowledge and belief.
Signed John McInally WWC Number 1380
Date 6/20/90

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
Signed John McInally WWC Number 54
Date 6-28-90

PIERCEALL Jeffrey D * WRD

From: PIERCEALL Jeffrey D * WRD
Sent: Tuesday, January 15, 2019 8:01 AM
To: 'captainbb@cascadeaccess.com'
Subject: RE: Word version of EOT app

Rhoda,

I have looked over the draft application you submitted and have a number of comments for you to take into consideration.

Page 2 of 12:

Your permit contains a date for both completion of construction and complete application of water, being October 1, 2002 (after previous extension). You will need to complete both the request for completion of construction and complete application on this page. Additionally, if you are requesting additional time to develop your permit, you will need to ask for a date in the future. Currently you have only requested until October 1, 2014, which would not allow additional time to construct the second well.

Page 5 of 12; Chart-A:

You only need to identify compliance with conditions contained in your permit. The only condition contained in the permit is the requirement to install a meter. You should remove reference to the other conditions you have indicated non-compliance with.

Page 6 of 12 Chart-B:

You will need to complete this chart. This includes the date for complete application of water in the permit (October 1, 1998), and the total cost section for Chart-B

Page 7 of 12, Chart-C:

You will need to complete this chart. This includes the "Extended From" date (October 1, 1998), the "Extended To" date (October 1, 2002), and a list of all work towards the development of the water system during this time. Keep in mind that this is where the Department will look to determine if diligence has been demonstrated during the most recent extension, and is critical to the ability to obtain additional development time.

Page 8 of 12, Chart-D:

Please complete the chart
Well ID on Permit is Well 1
Well Log is CLAC 083

Page 9 of 12, Item 9.c.:

Application must include a map illustrating the portion of the permitted land that has been irrigated. A copy of your Application Map is attached. Use a highlighter to illustrate what has been irrigated to date.

Page 9 of 12, Item 9. a. and d.:

Please complete these sections

Pages 10-12 of 12:

This area is provided for you to make your case as to why the Department should grant and extension for your permit. It is in your interest to provide detailed information regarding each of these questions. If you do not wish to provide any information for these questions, you must, at minimum, indicate a N/A, to the question.

Jeffrey D. Pierceall
Extension and Adjudication Specialist
Oregon Water Resources Department
503-986-0802
Jeffrey.D.Pierceall@oregon.gov

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

From: captainbb@cascadeaccess.com [<mailto:captainbb@cascadeaccess.com>]
Sent: Monday, January 14, 2019 4:53 PM
To: PIERCEALL Jeffrey D * WRD
Subject: Re: Word version of EOT app

see attached hope it comes through any issues please call me Rhoda gibler
503-807-4219

Thanks

> Below is a link to the Application for Extension of Time in a Word
> format so you may complete it on your computer. You will need to print
> and sign the completed application for submittal, however you may
> forward me the completed electronic version prior to submittal to verify it is complete.
> APPLICATION<http://www.oregon.gov/OWRD/wrdformsdocx/Extension_Permit_n
> on_muni_form.docx>
>
> Jeffrey D. Pierceall
> Extension and Adjudication Specialist
> Oregon Water Resources Department
> 503-986-0802
> Jeffrey.D.Pierceall@oregon.gov
> [[cid:image001.png@01D4ABFB.16332AA0](#)]
>
>

PIERCEALL Jeffrey D * WRD

From: PIERCEALL Jeffrey D * WRD
Sent: Tuesday, January 15, 2019 5:01 PM
To: 'captainbb@cascadeaccess.com'
Subject: RE: Word version of EOT app

The application appears complete

Jeffrey D. Pierceall
Extension and Adjudication Specialist
Oregon Water Resources Department
503-986-0802
Jeffrey.D.Pierceall@oregon.gov

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

From: captainbb@cascadeaccess.com [mailto:captainbb@cascadeaccess.com]
Sent: Tuesday, January 15, 2019 3:51 PM
To: PIERCEALL Jeffrey D * WRD
Subject: RE: Word version of EOT app

> Hello Jeffrey: Well I hope this looks ok as we are going out of town tomorrow, and I would like to get this off to you as soon as possible. thanks for the help Rhoda Gibler

> I have looked over the draft application you submitted and have a number of comments for you to take into consideration.

>

> Page 2 of 12:

> Your permit contains a date for both completion of construction and complete application of water, being October 1, 2002 (after previous extension). You will need to complete both the request for completion of construction and complete application on this page. Additionally, if you are requesting additional time to develop your permit, you will need to ask for a date in the future. Currently you have only requested until October 1, 2014, which would not allow additional time to construct the second well.

>

> Page 5 of 12; Chart-A:

> You only need to identify compliance with conditions contained in your permit. The only condition contained in the permit is the requirement to install a meter. You should remove reference to the other conditions you have indicated non-compliance with.

>

> Page 6 of 12 Chart-B:

> You will need to complete this chart. This includes the date for complete application of water in the permit (October 1, 1998), and the total cost section for Chart-B

>

> Page 7 of 12, Chart-C:

- > You will need to complete this chart. This includes the "Extended From"
- > date (October 1, 1998), the "Extended To" date (October 1, 2002), and
- > a list of all work towards the development of the water system during
- > this time. Keep in mind that this is where the Department will look to
- > determine if diligence has been demonstrated during the most recent
- > extension, and is critical to the ability to obtain additional
- > development time.

>

> Page 8 of 12, Chart-D:

>

- > Please complete the chart
- > Well ID on Permit is Well 1
- > Well Log is CLAC 083

>

> Page 9 of 12, Item 9.c.:

- > Application must include a map illustrating the portion of the
- > permitted land that has been irrigated. A copy of your Application Map is attached.
- > Use a highlighter to illustrate what has been irrigated to date.

>

> Page 9 of 12, Item 9. a. and d.:

> Please complete these sections

>

> Pages 10-12 of 12:

- > This area is provided for you to make your case as to why the
- > Department should grant and extension for your permit. It is in your
- > interest to provide detailed information regarding each of these
- > questions. If you do not wish to provide any information for these
- > questions, you must, at minimum, indicate a N/A, to the question.

>

> Jeffrey D. Pierceall

> Extension and Adjudication Specialist

> Oregon Water Resources Department

> 503-986-0802

> Jeffrey.D.Pierceall@oregon.gov

>

>

> -----Original Message-----

> From: captainbb@cascadeaccess.com [<mailto:captainbb@cascadeaccess.com>]

> Sent: Monday, January 14, 2019 4:53 PM

> To: PIERCEALL Jeffrey D * WRD

> Subject: Re: Word version of EOT app

>

> see attached hope it comes through any issues please call me Rhoda

> gibler

> 503-807-4219

>

> Thanks

>

>

>

>

>
>> Below is a link to the Application for Extension of Time in a Word
>> format so you may complete it on your computer. You will need to
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>> may forward me the completed electronic version prior to submittal to
>> verify it is complete.
>> APPLICATION<http://www.oregon.gov/OWRD/wrdformsdocx/Extension_Permit_
>> n
>> on_muni_form.docx>
>>
>> Jeffrey D. Pierceall
>> Extension and Adjudication Specialist Oregon Water Resources
>> Department
>> 503-986-0802
>> Jeffrey.D.Pierceall@oregon.gov
>> [\[cid:image001.png@01D4ABFB.16332AA0\]](#)
>>
>>
>

**Oregon Water Resources Department
Attribute Report**

Report Date: Jan 23, 2019

General:

TRSQQ:	WM3.00S4.00E6SESW WM3.00S4.00E6SWSW WM3.00S4.00E7NWNW WM3.00S4.00E7SENW WM3.00S4.00E6SWSE WM3.00S4.00E7NWNE WM3.00S4.00E7NENW WM3.00S4.00E7SWNW
DLC:	WM3S4E 43
Latitude:	45.3308298185
Longitude:	-122.3669225476
Buffer ft:	1320
DEM Elev. ft. (NAVD1929):	371.375
Lidar Elev. ft. (NAVD1988):	376.62
Basin Name:	Willamette
Basin Plan:	2C (9)-Lower Willamette (Clackamas)
County:	Clackamas
WM District:	20
WM Region:	NORTHWEST
ODFW Region, District:	Northwest Region, NWWD-Cascade Unit
Irrigation District AOI:	-
Irrigation District, Other:	-
Dams (Permit):	-
Water Rights:	Platcard for WM3.00S4.00E6 Platcard for WM3.00S4.00E6 Platcard for WM3.00S4.00E7 Platcard for WM3.00S4.00E7 Platcard for WM3.00S4.00E6 Platcard for WM3.00S4.00E7 Platcard for WM3.00S4.00E7 Platcard for WM3.00S4.00E7
Well Logs:	Logs for WM3.00S4.00E6 Logs for WM3.00S4.00E6 Logs for WM3.00S4.00E7 Logs for WM3.00S4.00E7 Logs for WM3.00S4.00E6 Logs for WM3.00S4.00E7 Logs for WM3.00S4.00E7 Logs for WM3.00S4.00E7

Rules:

Withdrawn Authority:	CURRIN CREEK, OAR 690-502-0140(1)(c) - Including tributaries. Limited licenses shall also not be issued from Currin Creek and tributaries. (Vol 7, Pg 71, 9/22/1950 - Including tributaries in the North West part of T3S, R4E, W.M., except for storage and appropriation of stored water.)
Groundwater Restricted:	-

GW Restricted Subunit:	-
GW ODEQ Management Area:	-
GW Umatilla Muni Wells (5mile):	-
Rule 4D:	Rules apply
Division 33:	Statewide
	Lower Columbia
Irrigation Season of Use:	(unajudicated, west side) Adj. Status: Unadjudicated Subarea: undefined Irr. Season: Mar 1 to Oct 31 Duty: 2.5 Rate: 1/80
Water Quality Limited Pollutant 2012:	-
Fish Habitat 2018:	-
Is in Deschutes Study Area:	-
Deschutes Zone Impact:	-
Deschutes Zone Overlay:	-
Scenic Water Way:	The Clackamas Scenic Waterway 390.826 (3)(a) Clackamas River from the boundary of the Olallie Lake Scenic Area, as constituted on December 8, 1988, downstream to the North Fork Reservoir, and from immediately below the River Mill Dam downstream to the bridge at Carver Status: ABOVE

Hydrography:

OWRD Streamcode:	-
Waterbody Name:	-
HUC 10:	1709001105 1709001106
HUC Watershed:	Eagle Creek Lower Clackamas River
WAB Wshed Order:	6 2
WAB Analysis:	<u>EAGLE CR > CLACKAMAS R - AT MOUTH</u> <u>CLACKAMAS R > WILLAMETTE R - AT MOUTH</u>
Streamflow:	OWRD Opportunities: Poor ODFW Needs: Highest Combined Priority: Not a priority
	OWRD Opportunities: Poor ODFW Needs: High Combined Priority: Not a priority
Gaging Station Data:	-

Sources:

General

Oregon Public Land Survey Quarter-quarters. Bureau of Land Management, Oregon Water Resources Department.. n.d. 1:24,000.

Donated Land Claims. Oregon Water Resources Department. January 1, 1995. 1:100,000.

Elevation. DEM 10m. - -

Elevation. Lidar Elevation. DOGAMI Bare Earth 1:3.

OWRD Administrative Basins. Oregon Water Resources Department. January 1, 1995.

Oregon Counties. Bureau of Land Management (BLM), Oregon State Office.. January 1, 2008.

OWRD Watermaster Districts. Oregon Water Resources Department. March 31, 2014.

OWRD Regions. Oregon Water Resources Department. January 1, 1995.

ODFW Districts and Regions. Oregon Department of Fish and Wildlife. August 28, 2012.

Water Organizations Oregon Water Resources Department. April 1, 2013. 1:24,000.

Large Dams Inventory. Oregon Water Resources Department. August 12, 2014. 1:24,000.

Rules

Withdrawn Authority Areas. Oregon Water Resources Commission. January 1, 2007.

OWRD Groundwater Restricted Areas. Oregon Water Resources Department. October 5, 2016.

OWRD Groundwater Restricted Areas - Subunits. Oregon Water Resources Department. April 1, 2009.

ODEQ Groundwater Management Areas (GWMAs). Oregon Department of Environmental Quality. April 21, 2008.

Groundwater Umatilla Municipal Wells 5-mile buffer. Oregon Water Resources Department. June 28, 2012.

National Marine Fisheries Service (NMFS) 4(d) Rule. National Marine Fisheries Service. January 1, 2007.

Division 33. Oregon Water Resources Dept., 2018. September 20, 2018. 1:100,000.

Irrigation Season of Use. Oregon Water Resources Department, 2017.. March 24, 2017.

Oregon Water Quality Assessment 2012. This data set was assembled by the Oregon Department of Environmental Quality, Water Quality Division, Standards and Assessments Section.. December 4, 2014. 1:2,500,000.

Oregon Fish Habitat 2018. Oregon Department of Fish and Wildlife, Jon K. Bowers, Ruth Schellbach, David L. Bradford. Numerous fisheries biologists from ODFW as well as other natural resource agencies and tribes have contributed toward the development of these data. Data originator names are attributed at the feature level.. February 2, 2018. 1:24,000.

Deschutes USGS Groundwater Study Area. Water Resources Commission, U.S. Geological Survey (USGS) Water Resources Division (Portland, OR), Oregon Water Resources Department.. January 1, 2001. 1:100,000.

Deschutes Zones of Impact. Oregon Water Resources Department.. October 25, 2007.

Deschutes Zones Overlay. Oregon Water Resources Department. October 25, 2007.

Oregon State Scenic Waterway areas. Oregon Water Resources Department, Oregon Parks and Recreation Department.. January 1, 2007.

Hydrography

Routed OWRD Streamcodes (conflated to the NHD). Oregon Water Resources Dept.. August 11, 2014.

OWRD Lake Streamcodes (conflated to the NHD). Oregon Water Resources Dept.. August 7, 2015.

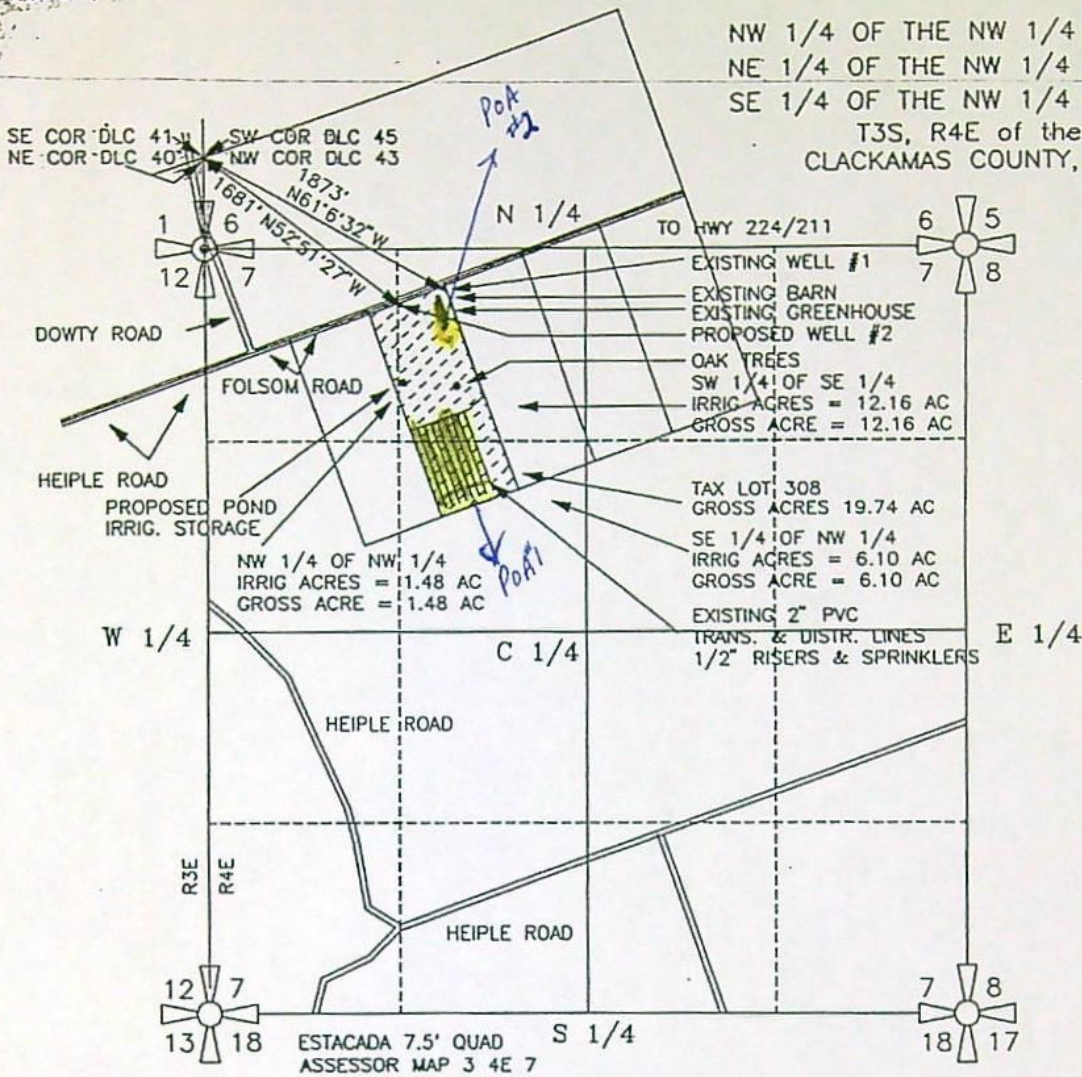
Watershed Boundary Dataset (WBD), 10-digit (watershed). Pacific Northwest Hydrography Framework, U.S. Geological Survey (USGS), National Resources Conservation Service (NRCS).. June 11, 2014. 1:24,000.

Water Availability Basins. Oregon Water Resources Department.. n.d. 1:100,000.

Priority Watersheds for Streamflow Restoration. Oregon Water Resources Dept. and the Oregon Dept. of Fish & Wildlife.. January 15, 2004.

Stream Gage Stations. Oregon Water Resources Department and US Geological Survey. n.d.

NW 1/4 OF THE NW 1/4 OF SECTION 7
 NE 1/4 OF THE NW 1/4 OF SECTION 7
 SE 1/4 OF THE NW 1/4 OF SECTION 7
 T3S, R4E of the WM
 CLACKAMAS COUNTY, OREGON



RECEIVED

JAN 18 2019

OWRD

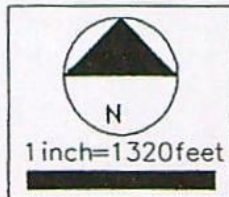
PREPARATION OF THIS MAP WAS FOR THE PURPOSE
 OF IDENTIFYING THE LOCATION OF THE WATER RIGHTS
 ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS
 OR LOCATION OF PROPERTY OWNERSHIP LINES.



Renewal 12/31/95

Signed

SURVEYED NOVEMBER 14, 1994
 BY EDWARD A. CRANE, CWRE



WELL #1 IS LOCATED 905' SOUTH & 1640' WEST
 WELL #2 WILL BE LOCATED 1015' S. & 1340' W.
 OF THE NW CORNER OF JOSEPH YOUNG DLC #43
 IN THE NE 1/4 OF NW 1/4 OF SECTION 7 IN
 TOWNSHIP 3 SOUTH, RANGE 4 EAST OF WILLAMETTE
 MERIDIAN IN CLACKAMAS COUNTY, OREGON

APPLICATION FOR PERMIT TO APPROPRIATE GROUND WATER

PREPARED BY EDWARD A. CRANE, CWRE

DATE
 NOV. 1994
 PROJECT NO.
 141 001



CRANE & MERSETH
 Engineering/Surveying
 SUITE NUMBER 604
 12042 SE SUNNYSIDE ROAD
 CLACKAMAS, OREGON 97015
 BUS: (503) 698-7575
 FAX: (503) 698-7747

APPLICATION FOR PERMIT NUMBER G13672
 PERMIT NUMBER G12002 IN THE NAME OF:

RHODA GIBLER dba CAPTAIN BLUEBERRIES
 26650 SE EAGLE CREEK ROAD
 ESTACADA, OREGON 97023

FIGURE
 1/1

Application: G-13672

Permit: G-12002

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

Applicant/Permit
Holder(s)

Rhoda G. bler

28760

Folsom Rd

Eagle Creek, OR 97022

☒ WRIG...Money Receipted on: 1-18-19

☐ Extension Specialist ...

☐ Added to tracking spreadsheet

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

☒ Stacy Phillips... Tonya Miller

☒ Recent Assignment (Check WRIS for Update)

☒ Publish on Public Notice (initial 30-day comment): Date of
notice 1/29/2019

☒ Update WRIS Database

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

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

☐ Yes or ☐ No: Return file to Extension Specialist after PN

Jeffrey

NOTES:

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **128982**

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

INVOICE # _____

RECEIVED FROM: Captain Blueberry
BY: Brian Rhoda Gable

APPLICATION	<u>6-13612</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK # 1233 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 670.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$
OTHER: (IDENTIFY)	\$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS 4611

0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$
TC162 DEPOSIT LIAB. (IDENTIFY)	\$
0240 EXTENSION OF TIME	\$ <u>670.00</u>

WATER RIGHTS:

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

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **128982**

DATED: 1/18/19 BY: Cutler



Oregon
Kate Brown, Governor

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

January 22, 2019

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Right Services Division has received your application for an extension of time for **APPLICATION FILE #: G-13672 (Permit G-12002)**. Your application will be reviewed in the future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

You may continue the use of water under your water right until the Water Resources Department formally takes action on your extension application. If your permit includes conditions, water use reporting, water level measurement reporting, etc., you are required to comply with the conditions.

Any additional development that occurs after the expired completion date, identified on the permit or an extension order, can only be claimed upon an approved extension application.

If you have questions concerning your extension of time application, please contact Jeffrey Pierceall at (503) 986-0802. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's website at: www.wrd.state.or.us.

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **128260**

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

INVOICE # _____

RECEIVED FROM: Captain Blueberry
BY: Brian and Rhoda Goble

APPLICATION	<u>G 13672</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 1221 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 520.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) Re-instate Permit \$ 520.00
TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **128260**

DATED: 10/22/18

BY: C. Wetzel

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE STATE OF OREGON

IN THE MATTER OF THE)
REINSTATEMENT OF PERMIT G-12002) ORDER

Findings of Fact

1. On October 12th, 2018, the Department cancelled this permit in accordance with the provisions of ORS 537.260.
2. The Permittee requested reconsideration of the October 12th, 2018, order canceling the permit.
3. The petition for reconsideration was submitted within the timeline provided by the order, and necessary re-instatement fees required under ORS 536.050 were received.

PERMITS TO USE GROUNDWATER:

Name	Basin Number	Watermaster District	Application Number	Permit Number
RHODA GIBLER	2	20	G-13672	G-12002

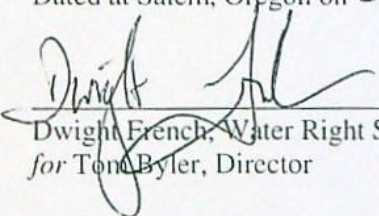
Conclusions of Law

1. Permit(s) may be re-instated by the Department upon reconsideration pursuant to OAR 137-004-0080.

Order

1. NOW, THEREFORE, it is hereby ORDERED that the permits listed above are reinstated.
2. The Department will take no action to cancel this permit until 120 Days, to allow the permittee to come into compliance with the terms and conditions of the permit.

Dated at Salem, Oregon on October 24th, 2018.


Dwight French, Water Right Services Administrator
for Tom Byler, Director

PLACED IN U.S. MAIL OCT 25 2018
BY OREGON WATER RESOURCES DEPARTMENT

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date, the petition was filed, the petition shall be deemed denied.

TO MR. SAUTER

COULD YOU PLEASE REINSTATE
APPLICATION# G-13672
PERMIT# G-12002

ENCLOSED IS A CHECK FOR \$500.00

ALSO OUR ADDRESS IS 28760 SE FOLSOM RD,
EAGLE CREEK, OR
97022

RHODA GIBLERS PHONE # 503-807-4219
BRIAN GIBLERE PHONE # 503-333-8270

RECEIVED

OCT 22 2018

OWRD

RE-INSTATE
YES 10/23/18



Rhoda Gibler
28760 SE Folsom Rd.
Eagle Creek, OR 97022

PORTLAND OR 972

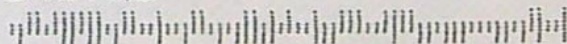
18 OCT 2018 PM 4 L



WATER RESOURCES DEPT.
WATER RIGHTS SERVICES DIVISION
725 SUMMER ST NE, SUITE A
SALMON, OREGON 97301-1266

ATTN: JERRY SAUTER

97301-126673



BEFORE THE WATER RESOURCES DEPARTMENT
OF THE STATE OF OREGON

IN THE MATTER OF THE CANCELLATION OF)
CERTAIN PERMIT(S) TO APPROPRIATE WATER) ORDER
UNDER THE PROVISIONS OF ORS 537.260)

Findings of Fact

1. The time within which the appropriations under the following water right permit(s) must have been perfected has expired. The owners of such permit(s) have failed or refused within the period of three months thereafter to submit proof of the completion of such appropriations as required by ORS 537.260. Consequently, notices have been addressed to each of the owners of said permit(s) by certified mail in accordance with the provisions of ORS 537.260 and ORS 174.160. The sixty-day time limit allowed in those notices has elapsed, and the owners of such permit(s) have failed or refused to submit proof of the completion of the appropriations under the terms and conditions of their respective permit(s).

PERMIT(S) TO USE GROUNDWATER:

<u>Name</u>	<u>Basin Number</u>	<u>Watermaster District</u>	<u>Application Number</u>	<u>Permit Number</u>
RHODA GIBLER	2	20	G-13672	G-12002

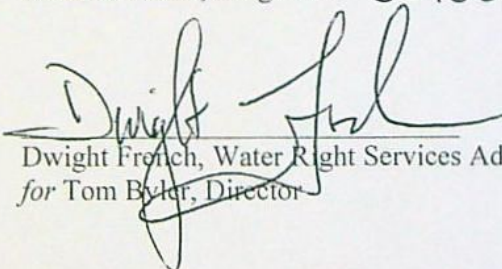
Conclusions of Law

1. Proof of appropriation of water under the terms and conditions of the permit(s) listed has not been made to the satisfaction of the Water Resources Director as required under ORS 537.260.

Order

1. NOW, THEREFORE, it is hereby ORDERED that the permit(s) are canceled in accordance with the provisions of ORS 537.260.

Dated at Salem, Oregon on October 12th, 2018.


Dwight French, Water Right Services Administrator
for Tom Byler, Director

PLACED IN U.S. MAIL OCT 15 2018
BY OREGON WATER RESOURCES DEPARTMENT

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

SENDER: COMPLETE THIS SECTION

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

RHODA GIBLER G-13672
26650 SE EAGLE CREEK RD
ESTACADA, OR 97023



9590 9402 1623 6053 0247 65

2. Article Number (Transfer from service label)

7016 1370 0000 0680 7835

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

RECEIVED

NOV 28 2016

OWRD

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
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Permit No. G-10

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United States
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Oregon Water Resources Department
725 Summer St NE, STE A
Salem, OR 97301



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

*NOTE: For water rights information and useful forms, please see our web site at
www.oregon.gov/OWRD*

November 8, 2016

Certified mail number 7016 1370 0000 0680 7835

Return receipt requested

RHODA GIBLER
26650 SE EAGLE CREEK RD
ESTACADA, OR 97023

*CANCEL FT410
JR 8/8/2017*

Reference: Application G-13672, Permit G-12002

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2002.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2002. The fee for submitting a claim of beneficial use is \$175.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$575.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (January 6, 2017) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$450.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.

Should you have any questions, please contact Corey Courchane by telephone at 503-986-0825, Jeffrey Pierceall by telephone at 503-986-0802, or myself at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosures (1)

cc: File G-13672

OWRD Watermaster District 20



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

NO Extension pending _____

NO Assignment is pending _____

NO Cancellation has been requested _____

YES Dept. has already sent a certified 60-Day Compliance letter (date _____, # _____)

Was **60 days notice** allowed? Y N If No, How Much Time ? _____

Was mail deliverable as addressed? Y N date _____

If mail returned, online/www check ? Y N date _____ successful ? Y N

Re-send Cert. Letter ? Y N date _____

Send cancellation order Y N

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

Date information received _____

2. IF NONE OF THE ABOVE APPLY

YES Send **certified** "C" date notice packet to permit holder.

"C" DATE 10-1-2002 BASIN NUMBER 2 WM # 20

CWRE or AGENT _____

3. AOI Yes _____ NO X If Yes, name of AOI _____

S:\groups\wr\PERMIT C jdlc-date-checklist.doc

SEND
LETTER 80

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-13672

Final Order
Extension of Time for Permit Number G-12002

Application History

On December 1, 1998, RHODA GIBLER submitted an application to the Department for an extension of time for permit number G-12002. The Department issued Permit number G-12002 on December 22, 1995. The permit called for completion of construction of the water development project by October 1, 1997 and complete application of water to the full beneficial use by October 1, 1998. In accordance with OAR 690-320-0010(8), on April 6, 1999, the Department issued a Proposed Final Order proposing to extend the time to complete development of the water development project to October 1, 1999, and the time to fully apply water to beneficial use to October 1, 1999. The protest period closed May 21, 1999. No protest was filed.

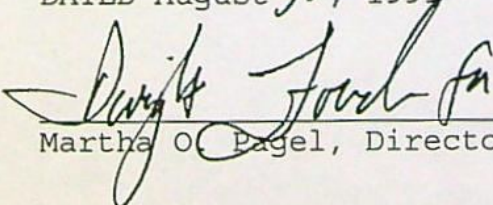
Further examination of the applicant's application for an extension of time reveals that the applicant has requested to extend the time to complete development of the water development project to October 1, 2002, and the time to fully apply water to beneficial use to October 1, 2002.

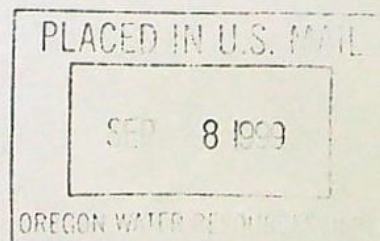
The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 537.248, 537.630 and 539.010(5).

Order

The extension of time for Application G-13672, Permit Number G-12002, therefore, is approved. The deadline for completing construction is extended to October 1, 2002. The deadline for applying water to full beneficial use is extended to October 1, 2002.

DATED August 30, 1999


Martha O. Pagel, Director



dbf
copies ✓

Appeal Rights

Under the provisions of ORS 536.075, 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. ORS 183.484.

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **26410**

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

INVOICE # _____

RECEIVED FROM: Brian Gibler
BY: _____

APPLICATION	G-13672
PERMIT	G-12002
TRANSFER	

CASH: ☐ CHECK: # 24752 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 100.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY) _____

\$

OTHER: (IDENTIFY) _____

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

0427 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) _____

\$

(New) TC165 DEPOSIT LIAB. (IDENTIFY) _____

\$

(Existing) TC168

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

0206

\$

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

0240 OTHER (IDENTIFY) Extension Of Time 100.00

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY) _____

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS

\$

0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HRDRO APPLICATION

\$

RECEIPT # **26410**

DATED: 12-1-98

BY: Roger White

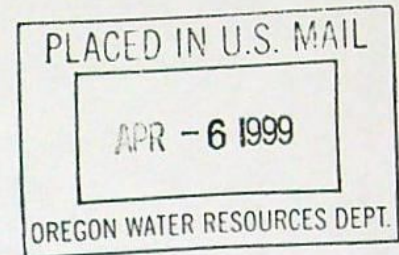
Distribution-White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

**Oregon Water Resources Department
Water Rights Division**

Water Right Permit Extension Application
for Permit Number G-12002

Water Right Application Number G-13672

Proposed Final Order



This Proposed Final Order applies only to permit number G-12002.

Summary of Recommendation

The Department proposes to:

grant the extension for complete construction of the water system from October 1, 1997 to October 1, 1999, and

grant the extension for complete application of water from October 1, 1998 to October 1, 1999.

2002 per Application

Application History

Permit no. G-12002 was granted by the Water Resources Department on December 22, 1995. The permit authorizes use of 0.224 cfs of water from TWO WELLS IN CLACKAMAS RIVER BASIN for IRRIGATION AND AGRICULTURAL USE in the Willamette basin. It specified that construction must be completed by October 1, 1997, and water applied to full beneficial use by October 1, 1998. A copy of permit no. G-12002 is attached.

On December 1, 1998, the Department received an application from RHODA GIBLER for an extension of time to complete construction and to apply water to full beneficial use. The applicant has requested until October 1, 1999 to complete construction of the water system and until October 1, 1999 to apply water to full beneficial use. This is the first permit extension request.

Findings of Fact

ORS 537.230(2) and 537.630 (1) allows the Department to grant an extension of time to perfect a water right for good cause. In evaluating good cause, the Department has considered the written record in the permit application file in relation to the requirements of ORS 537.230(2), ORS 537.630 (1) and ORS 539.010(5) and makes the following findings.

1. The applicant is legally entitled to apply for an extension on this permit.
2. The applicant has submitted a completed permit extension form and the required fee.
3. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit.
4. Progress in perfecting the permit is being held up because the permittee built a house that cost more than expected, leaving inadequate funds to drill the second well.
5. The applicant has pursued perfection of the right in good faith and with reasonable diligence.
 - a) Work on the water development project completed to date includes construction of one well and 7 acres of irrigation.
 - b) The applicant has invested approximately \$ 9000 of an estimated total water system project cost of \$ 16000.
 - c) The work remaining to be completed consists of construction of one well, the remaining construction of the water delivery system and complete application of water.
6. Based on the written record, the Department finds there is good cause to approve the extension request. The applicant has pursued perfection of the right in good faith and with reasonable diligence.
7. Due to the reasons outlined above in item 4 and the water development progress to date, the Department finds that the length of time requested for completion of construction should be extended to October 1, 1999 and the length of time requested for completion of the application of water should be extended to October 1, 1999 as requested by the applicant.

Conclusions of Law

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.230, and ORS 537.630.
2. The applicant has submitted an extension application form and the fee required by ORS 536.050(1)(L).
3. The applicant has pursued perfection of the right in good faith and prosecuted construction with reasonable diligence.
4. The applicant has shown good cause for the untimely completion of the water development project and complete application of water to full beneficial use pursuant to ORS 537.230(2), and ORS 537.630 (1).
5. The permit extension should be approved until October 1, 1999 to complete construction and until October 1, 1999 to complete the application of water.

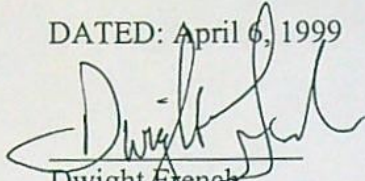
Recommendation

The Department proposes to issue an order to:

extend the permit time to complete construction from October 1, 1997 to October 1, 1999
and

extend the permit time to complete application of water from October 1, 1998 to October 1, 1999.

DATED: April 6, 1999



Dwight French

Water Rights Section Manager

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

Protest Rights and Comments

1. Under the provisions of OAR 690-320-0010(8) you have the right to protest this proposed final order. Your protest must be in writing and must include the following:
 - a) Your name, address and telephone number;
 - b) Your interest in this proposed final order, and if you claim to represent the public interest, a precise statement of the public interest represented;
 - c) A detailed description of how the action in the proposed final order would impair or be detrimental to your interest;
 - d) A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e) Any citation of legal authority supporting your protest, if known; and
 - f) If you are not the applicant, the \$25 protest fee required under ORS 536.050 (1)(j).
2. Each person submitting a protest shall raise all reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the comment period.
3. The Water Resources Department must receive written protests or written comments no later than May 21, 1999.
4. After the close of the comment and protest period, the Director will either issue a final order, or schedule a contested case hearing if the Director finds there are significant disputes related to the use of water.

This document was prepared by Mr Baer. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me toll free within Oregon at 1-800-624-3199 extension 272. Outside of Oregon you can dial 1-503-378-8455.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Adam Sassman. His extension number is 262.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 499.

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RHODA GIBLER
26650 SE EAGLE CREEK RD
ESTACADA, OREGON 97023

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

APPLICATION FILE NUMBER: G-13672

SOURCE OF WATER: TWO WELLS WITHIN THE CLACKAMAS RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 19.74 ACRES AND AGRICULTURE USE

RATE OF USE: 0.224 CFS

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION, YEAR ROUND FOR AGRICULTURE USE

DATE OF PRIORITY: APRIL 25, 1994 FOR 0.1 CFS AND NOVEMBER 29, 1994 FOR 0.144 CFS

POINT OF DIVERSION LOCATION: NE 1/4 NW 1/4, SECTION 7, TOWNSHIP 3 SOUTH, RANGE 4 EAST, W.M.; WELL 1 - 905 FEET SOUTH AND 1640 FEET WEST, WELL 2 - 1015 FEET SOUTH AND 1340 FEET WEST, BOTH FROM THE NW CORNER OF THE JOSEPH YOUNG DLC #43

The amount of water used for agricultural use is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of in ground nursery plants the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for agricultural use may be made at anytime of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NW 1/4 12.16 ACRES
NW 1/4 NW 1/4 1.48 ACRES
SE 1/4 NW 1/4 6.10 ACRES
SECTION 7

TOWNSHIP 3 SOUTH, RANGE 4 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.

STANDARD CONDITIONS

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

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

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

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

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

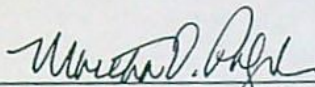
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1997. Complete application of the water to the use shall be made on or before October 1, 1998.

Issued December 22, 1995



Water Resources Department
Martha O. Pagel
Director

RECEIVED
DEC 01 1998
WATER RESOURCES DEPT.
SALEM, OREGON

APPLICATION FOR EXTENSION OF TIME

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, RHODA GIBLER
28760 SE FOLSOM RD. EAGLE CREEK, OR 97022 503-630-5611
ADDRESS CITY STATE ZIP PHONE

record owner of application No. G-13672 permit No. G-12002, do hereby request that the time in which to:

☒ complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1999, be extended to October 1, 2002, and/or the time in which to DRILL THE SECOND WELL ON OUR PROPERTY FOR IRRIGATION.

☐ accomplish beneficial use of water to the full extent under the terms of the permit, which time, now expires on October 1, 19__, be extended to October 1, ____.

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

1-Did water system construction/well drilling begin within the time specified in the permit [yes/no]? YES

2-Have you put any water to use under this permit [yes/no]? YES
If yes, has that use been made consistent with the terms and conditions of the permit [yes/no]? YES If no, please explain.
Which terms and/or conditions have not been completely fulfilled at this time. I SUBMITTED THE APPLICATION TO HAVE TWO WELLS ON

OUR PROPERTY FOR IRRIGATION. WE HAVE ONE IN NOW AND NEED MORE TIME TO HAVE THE SECOND ONE DONE.

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

(a) within past year _____

(b) prior to this past year WE HAVE 1 WELL IN WITH

PUMP HOUSE AND THIS WELL IS CURRENTLY WATERING 7
ACRES OF BLUEBERRIES ADEQUATELY. WE HAVE IN THE LAST YEAR
BUILT A HOUSE ON THE PROPERTY AND THAT HAS HELD US UP FROM
DRILLING THE SECOND WELL (FINANCIALLY) THE HOUSE IS NOW ALMOST
DONE AND SO IN THE NEXT YEAR WE WERE HOPING TO
HAVE ADEQUATE FUNDS TO DRILL THE 2ND WELL AS WE STILL HAVE (OVER)

3 ACRES OF BLUEBERRY PLANTS TO PLANT, AND WE ARE GOING TO HAVE GREENHOUSES FOR PROPAGATION OF B.B. PLANTS. SO THEREFORE WE WILL NEED THE SECOND WELL.

6 and have accomplished beneficial use of water to the extent of (amount of water used or acres irrigated) WE HAVE OVERHEAD IRRIGATION FOR 7 ACRES OF B.B. PLANTS. WE WATER PLANTS FROM
ROUGHLY JUNE - THRU - SEPTEMBER

4-Cost of project to date ^{ADAPT WELL - \$5} IRRIG. SUPPLIES \$4,500 Projected cost for completion of project ROUGHLY \$7,500.

5-Have there been any unforeseen events which delayed development of water system? _____

1 WE BUILT A HOUSE ON THIS PROPERTY AND IT HAS COST
US MORE TO FINISH THAN EXPECTED.

6-Have there been any significant government requirements that have delayed the completion of construction or application of water? [please explain] _____

NO

7-What reasons was the project not completed within permit time limits? _____

8-Has there been any change in the demand for water or power since permit was issued? (please explain) _____

NO

9-Has there been any change in the market for water or power since the permit was issued? (please explain) _____

NO

RECEIVED

DEC 01 1998

WATER RESOURCES DEPT.
SALEM, OREGON

10-Will the income or use from this project provide reasonable returns against the investment in this project? (please explain)

(MATURE)
YES 1 ACRE OF BLUEBERRY PLANTS CAN PRODUCE 8-10,000^{POUNDS}/YEAR OR MORE

11-If the extension request is denied, is the current level of water use economically feasible? (please explain)

WE WILL NOT BE ABLE TO PLANT THE OTHER 3 ACRES OF BLUEBERRIES

AND HAVE THE GREENHOUSES, RIGHT^{NEW} I FEEL WE'RE ~~BE~~ JUST WAITING THE 7 ACRES ADEQUATELY WITH ONE WELL.

12-Is there an alternative source of water available [yes/no please explain]? NO

13-Has the use of water under the permit caused an adverse impact on the surface/groundwater resource in the area? (please explain)

NO

All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information you might have that would aid us in making our decision. Please use an additional sheet of paper, if needed.

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

Signature Shonda Allen (RHODA GIBLER)

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$ 100 TO:
WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES
158 12TH ST NE
SALEM, OREGON 97310



Oregon

John A. Kitzhaber, M.D., Governor

November 4, 1998

Water Resources Department

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

RHODA GIBLER
26650 SE EAGLE CRK RD
ESTACADA OR 97023

REFERENCE: File G-13672

The date for the complete application of water to a beneficial use for your water use Permit G-12002 was **October 1, 1998**. To date we have not received notice that your project was completed.

If the project was completed, you should promptly submit the notice of complete application of water. If you were unable to complete the project within the time allowed, you may wish to request an extension of the time limits.

Water Right Certificate

In order to obtain a certificate of water right, you are required by law to hire a certified water right examiner 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 **October 1, 1999**. A list of certified water right examiners is enclosed for your information.

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.

Extension of Time

If you wish to apply for an extension of time, please fill out the enclosed form. Permit extension rules, adopted by the Water Resources Commission in October 1998, require that the Department consider this information when determining whether or not to approve an extension request. You should request to extend your permit for the amount of time necessary to fully complete your project and put the water to beneficial use. Should the permit extension be approved, it is the Department's expectation that it will be the last extension granted. Copies of the new extension rules will be furnished upon request.

If you are no longer interested in the project, please let us know. We will provide forms for you to authorize the cancellation of the permit.

If you have any questions, please contact me at extension 272, at 503-378-3739, or toll-free 1-800-624-3199.

Sincerely,

DALLAS S. MILLER
Water Rights Specialist

DSM:jh

enclosure

cc: Bill Ferber, Watermaster
Edward Crane, CWRE

Water Right Conditions
Tracking Slip

Groundwater/Hydrology Section

FILE ## G-13672

ROUTED TO: WR

TOWNSHIP/

RANGE-SECTION: 35/4E-7

CONDITIONS ATTACHED? ☒ Yes ☐ No

REMARKS OR FURTHER INSTRUCTIONS:

7 J per 1033

Reviewer: Dawn Miller

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RHODA GIBLER
26650 SE EAGLE CREEK RD
ESTACADA, OREGON 97023

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

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RATE OF USE: 0.224 CFS

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DATE OF PRIORITY: APRIL 25, 1994 FOR 0.1 CFS AND NOVEMBER 29, 1994 FOR 0.144 CFS

POINT OF DIVERSION LOCATION: NE 1/4 NW 1/4, SECTION 7, TOWNSHIP 3 SOUTH, RANGE 4 EAST, W.M.; WELL 1 - 905 FEET SOUTH AND 1640 FEET WEST, WELL 2 - 1015 FEET SOUTH AND 1340 FEET WEST, BOTH FROM THE NW CORNER OF THE JOSEPH YOUNG DLC #43

The amount of water used for agricultural use is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of in ground nursery plants the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for agricultural use may be made at anytime of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NW 1/4 12.16 ACRES
NW 1/4 NW 1/4 1.48 ACRES
SE 1/4 NW 1/4 6.10 ACRES
SECTION 7
TOWNSHIP 3 SOUTH, RANGE 4 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.

STANDARD CONDITIONS

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

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

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

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

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

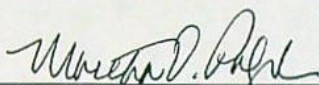
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1997. Complete application of the water to the use shall be made on or before October 1, 1998.

Issued December 22, 1995



Water Resources Department
Martha O. Pagel
Director

STATE OF OREGON
WATER RESOURCES DEPARTMENT
WATER RIGHTS DIVISION

Before the Director of the Water Resources Department

In the matter of	)	FINAL
Groundwater Application	)	ORDER
G-13672 submitted by)	
RHODA GIBLER		

FINDINGS OF FACT

Water Use Request

1. Rhoda Gibler requested use of 45.0 gallons per minute, or 0.10 CUBIC FOOT PER SECOND (CFS), of water from a well in Clackamas River Basin within the Willamette basin for irrigation of 6.0 acres of Blueberries, and Greenhouse use.
2. The area of proposed use is in Clackamas County within Section 7, Township 3 South, Range 4 East, W.M.
3. The water delivery system is described by the applicant as follows: This well will be connected into existing system with an additional 2 inch transmission line for water delivery.
4. The request was made in Application G-13672 which was received by the Water Resources Department on April 25, 1994. This Application was amended on November 29, 1994 to request 0.244 CFS from two wells for general nursery operations on 10.0 acres and general agricultural use on 9.5 acres. The applicant further clarified the use on December 14, 1995 to include 19.74 acres rather than 19.5 acres.

Affected Waters

1. This proposed use of groundwater is not within or above a State Scenic Waterway.
2. There are senior water rights from the existing point of appropriation, but not from the new point of appropriation.

Department Actions

1. The application was determined to be complete and not defective.
2. The Department determined, based upon OAR 690-09, that the proposed groundwater use will not have the potential for substantial interference with the nearest surface water source, namely Eagle 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 September 29, 1994.

4. The technical review determined:
 - a. Irrigation and Agricultural Use are allowed under the Willamette Basin Program.
 - b. The use is not prohibited by Statute.
 - c. Water for the proposed use is available in the amounts requested.
 - 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 PERMIT G-12002.
6. A Proposed Final Order for this application was completed and a copy of that review was mailed to the applicant on October 3, 1995.

Assessment

1. In proceeding with evaluation of Application G-13672, the following criteria were found to be relevant by the Department.
 - a. The Willamette Basin Program (OAR Chapter 690, Division 502)
 - b. The Clackamas 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. Comments received

CONCLUSIONS OF LAW

1. Based upon continued evaluation, the Department finds the determinations of the Proposed Final Order require modification to correctly describe the area of the proposed use and the quantity of water necessary.
2. The Department finds that no more than 2.96 CFS would be necessary for the proposed use. The amount of water requested, 0.224 CFS, is allowed for the proposed use.
3. Clackamas 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 Clackamas County Comprehensive Land Use Plan.
4. 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.

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

6. 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 PERMIT G-12002.

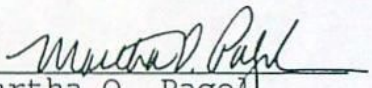
7. No protests were timely filed in response to the Proposed Final Order of October 3, 1995, and no significant issues or disputes are known to the Department at this time.

8. Therefore, the proposed use, as conditioned, and described in PERMIT G-12002, would not impair or be detrimental to the public interest.

ORDER

IT IS HEREBY ORDERED that Application G-13672 in the name of Rhoda Gibler be approved for Irrigation and Agriculture uses as provided on PERMIT G-12002.

DATED December 22, 1995


Martha O. Page
Director
Water Resources Department

NOTICE:

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

If this Final Order has modified the Department's prior findings or conditions, the applicant may request a contested case hearing within 14 days from the date of this order.

Issues on which a contested case hearing may be requested and conducted are limited to issues based on modifications to the Proposed Final Order.

Requests for a contested case hearing must be made in proper form, submitting the information required under Section 11(6), Chapter 416, Oregon Laws, 1995.

Requests for a contested case hearing must be received by the Water Resources Department in Salem, Oregon by 5:00 pm on January 5, 1996.

Only the applicant and any persons who timely filed a protest may appeal the provisions of this final order.

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-13672 submitted by	)	ORDER
RHODA GIBLER		

FINDINGS OF FACT

Water Use Request

1. Rhoda Gibler requested use of 45.0 gallons per minute of water from a well in Clackamas River Basin within the Willamette basin for irrigation of 6.0 acres of Blueberries, and Greenhouse use.
2. The area of proposed use is in Clackamas County within section 7 Township 3 South, Range 4 East, W.M.
3. The water delivery system is described by the applicant as follows: This well will be connected into existing system with an additional 2 inch transmission line for water delivery.
4. The request was made in Application G-13672 which was received by the Water Resources Department on April 25, 1994. This Application was ammended on November 29, 1994 to include additional water from the existing, and new well and to increase the amount of land to be irrigated and additional agriculture use.

Affected Waters

1. This proposed use of groundwater is not within or above a State Scenic Waterway.
2. There are senior water rights from the existing point of appropriation, but not from the new point of appropriation.

Department Actions

1. The application was determined to be complete and not defective.
2. The Department determined, based upon OAR 690-09, that the proposed groundwater use will not have the potential for substantial interference with the nearest surface water source, namely Eagle 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 September 29, 1994.
4. The technical review determined:
 - a. Irrigation of 6.0 acres and Greenhouse use is allowed under the Willamette 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 Irrigation and year round for Greenhouse use.
 - 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-13672, the following criteria were found to be relevant by the Department.
 - a. The Willamette Basin Program (OAR Chapter 690, Division 502)
 - b. The Clackamas 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. Comments received

CONCLUSIONS OF LAW


1. Based upon continued evaluation, the Department finds the determinations of the technical review require modification as follows: An additional Priority date of November 29, 1994 for an additional 64 gallons per minute bringing the total request up to 109 gallons per minute as requested in the original and ammended request.
2. Based on comments and data received, the Department has determined that the proposed use as ammended can be allowed. The Department has further determined that, to protect the resource, an additional condition on the proposed water use is necessary. The condition, as further described on the attached draft permit, would require a new Priority Date for the amount of water requested under the ammended application.
3. The period of allowed use : March 1 through October 31 for irrigation, year round for Agriculture use.

4. The Department finds that no more than: Not to exceed 109 GPM, being 45.0 gallons per minute with a Priority date of April 25, 1994 and 64.0 gallons per minute with a Priority Date of November 29, 1994 would be necessary for the proposed use. The amount of water requested, 109.0 gallons per minute, is allowed for the proposed Irrigation and Agriculture use
5. Clackamas 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 Clackamas 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-13672 in the name of Rhoda Gibler be approved for Irrigation and Agriculture uses as provided on the attached draft permit.

DATED October 3, 1995


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 November 17, 1995.

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 CLACKAMAS

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

RHODA GIBLER
26650 SE EAGLE CREEK RD
ESTACADA, OREGON 97023

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

APPLICATION FILE NUMBER: G-13672

SOURCE OF WATER: TWO WELLS IN CLACKAMAS RIVER BASIN WITHIN THE WILLAMETTE BASIN

PURPOSE OR USE: IRRIGATION AND AGRICULTURE USES

RATE OF USE: NOT TO EXCEED 109.0 GPM

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION, YEAR ROUND FOR AGRICULTURE USES

DATE OF PRIORITY: APRIL 25, 1994 FOR 45.0 GPM AND NOVEMBER 29, 1994 FOR 64 GPM

POINT OF DIVERSION LOCATION:

WELL 1 - 905 FT. SOUTH AND 1640 FT. WEST

WELL 2 - 1015 FT. SOUTH AND 1340 FT. WEST, BOTH FROM THE NW CORNER OF THE JOSEPH YOUNG DLC #43 IN THE NE 1/4 NW 1/4 SECTION 7, TOWNSHIP 3 SOUTH, RANGE 4 EAST OF THE W.M.

The amount of water used for agricultural use is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of in ground nursery plants the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for agricultural use may be made at anytime of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NW 1/4 12.16 ACRES

NW 1/4 NW 1/4 1.48 ACRES

SE 1/4 NW 1/4 6.10 ACRES

SECTION 7

TOWNSHIP 3 SOUTH, RANGE 4 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.

STANDARD CONDITIONS

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

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

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

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

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

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

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

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

Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1997. Complete application of the water to the use shall be made on or before October 1, 1998.

Issued _____, 199_

DRAFT

Water Resources Department
Martha O. Pagel
Director

Application G-13672
Basin 02
JKS

Water Resources Department
Volume 23
Eagle Creek, also Misc.

PERMIT DRAFT
District 16

November 29, 1995

WATER
RESOURCES
DEPARTMENT

RHODA GIBLER
26650 SE EAGLE CREEK RD
ESTACADA, OREGON 97023

Reference: File G-13672

Dear Applicant:

Your application file was recently reviewed for preparation of a final order. Before we can process your application further, you need to provide us with information clarifying your proposed use of water.

The application map on file (see copy enclosed) indicates that you intend to irrigate 19.74 acres using water from two wells.

However, application ~~71337~~^{G-13672} requests the use of 0.244 cfs for irrigation of 19.50 acres. If this is correct, the map must be corrected to agree with the application. Please note that Senate Bill 674, enacted by the 68th Oregon Legislative Assembly, **does not require** that the map be prepared by a certified water rights examiner.

If the number of acres of lands included in this map is correct, it will be necessary for you to correct the application accordingly.

To allow us to process your application further, please submit the requested information by December 13, 1995.

If you need further assistance please contact the Water Rights Section at the address listed below or phone (503)378-3739.

Sincerely,

Douglas L. Baer
Senior Water Rights Technician

enclosure



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

COPY CHECK-OFF SHEET FOR PROPOSED FINAL ORDERS

CC: FILE # 6-13672

WATERMASTER # 16

REGIONAL MANAGER: NW

ODF&W - County: CLACKAMAS

CWRE (if agent): EDWARD A. CRANE #156

DEQ

OTHER STATE AGENCY IF NECESSARY:

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

POWER BUILDER UPDATER; FRONT COUNTER

OTHER ADDRESSES OF PEOPLE WHO PAID THE \$10 FEE:

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

SAVE PFO TO: M:\T\PFO\DONE\ (APPLICATION #)

CASEWORKER'S NAME J.R. SALTER

ORIGINAL TO APPLICANT 8/11/95

M:\T\PFO\CHKOFF.PPR

TO: Water Rights Section

FROM: Groundwater/Hydrology Section Gates

Reviewer's Name

SUBJECT: Application G- 13672

12/20/94 SMB (Re-review)
8/31 1994

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. N/A PER THE Willamette 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
- _____ will, or _____ have the potential for substantial interference with the nearest
 - X will not _____ surface water source, namely Eagle Creek; or
 - _____ will if properly conditioned, adequately protect the surface water from interference:
 - _____ The permit should contain condition #(s) _____;
 - _____ The permit should contain special condition(s) as indicated in "Remarks" below;
 - _____ The permit should be conditioned as indicated in item 4 below; or
 - _____ will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
- X will, or _____ likely be available in the amounts requested without injury to prior rights
 - _____ will not _____ and/or within the capacity of the resource; or
 - _____ will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
 - _____ The permit should contain condition #(s) _____;
 - _____ The permit should contain special condition(s) as indicated in "Remarks" below;
 - _____ The permit should be conditioned as indicated in item 4 below; or
4. a. _____ THE PERMIT shall be no deeper than _____ ft. below land surface;
b. _____ The permit shall be shallower than _____ ft. below land surface;
c. _____ The permit shall be _____ ft. below the groundwater resource;
d. _____ Well reconstruction shall be _____ ft. below land surface;
e. _____ One or more POA's shall be produced from each source of water per source.

REMARKS: _____

*Sarah,
you gave this
a "No Potential"
review before. Now
she proposes another
well (2) & more
use. Is analysis
the same? yes
MATTICK 276*

(Well Construction Considerations on Reverse Side)

12/20/94 SMB (re-review)
8/31 1994

TO: Water Rights Section
FROM: Groundwater/Hydrology Section Gates
SUBJECT: Application G- 13672 Reviewer's Name

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. N/A PER THE Willamette Basin rules, one or more of the proposed POA's is/is not within _____ feet/mile of a surface water source (_____) and taps a groundwater source hydraulically connected to the surface water.
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
- a. _____ will, or _____ have the potential for substantial interference with the nearest
 - b. X will not _____ surface water source, namely Eagle 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 from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

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

REMARKS: _____

(Well Construction Considerations on Reverse Side)

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

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

RECOMMENDATION:

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

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

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

_____, 199____.

(Signature)

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

_____, 199____.

(Signature)

Application No. _____

State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water



Applicant(s) RHODA GIBLER
(Please print or type - use dark ink)

Mailing Address: 21650 SE EAGLE CK RD.
ESTACADA, OR 97023
City State Zip

503-630-2411
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.): _____
1 WELL

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

Distance from development to stream: _____

Elevation difference between streambed and development: _____

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

Diameter of well: 6" Depth in feet: 100 FT.

Type and size of well casing: 6" QUARTER WALL No. of feet: 115 FT.

Estimated depth to water: 22 FT. STATIC WATER LEVEL

Type of access port or measuring device: VENT CAP ON WELL SEAL

Wells to be drilled by: MCINALLY & SON WELL DRILLING

Address: 13092 SE 362ND BOULEVARD, ASTORIA 97103

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 45 gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each: _____

RECEIVED

NOV 29 1994

WATER RESOURCES DEPT.
SALEM, OREGON

3. INTENDED USE(s) OF WATER: TO WATER 6 ACRES OF BLUEBERRY PLANTS & TO USE MISTING SYSTEM IN GREENHOUSE

If for more than one use, give the quantity of water from each source for each use; GREENHOUSE - 10;

45 GALLONS PER MINUTE ON BLUEBERRY PLANTS

If for DOMESTIC use, state the number of households to be supplied; 1 HOUSEHOLD

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 6 ACRES OF BLUEBERRIES

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).

3 HP JACUZZI PUMP
2 IN. PVC PIPE GOING FROM WELL IN FRONT
OF PROPERTY TO ABOUT HALFWAY BACK (AT LEAST 80
THEN A 3-800' 2" LINE WITH 20 OVERHEAD SPRINKLERS
(EACH PUTTING OUT 2 GAL./MIN) THIS SYSTEM RIGHT NOW
IS WATERING 3 ACRES OF BLUEBERRIES. I TURN
1 LINE ON AT A TIME.

5. PROJECT SCHEDULE: (List month and year)

I DID NOT KNOW I HAD
HAVE TERM.

Proposed date construction work will begin _____

Proposed date construction work will be completed COMPLETED 5/30/90

Proposed date water use will be completed _____

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.

NOV 29 1994

WATER RESOURCES DEPT.
please return
SALEM, OREGON

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

✓ Applicant CWRE Other (Identify in REMARKS section)

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

✓ Applicant CWRE Other (Identify in REMARKS section)

7. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? YES. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

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

REMARKS:

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

Ghoda Giller
Signature of Applicant

Signature of Applicant

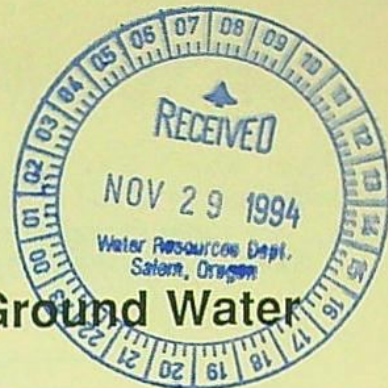
4-21-94
Date

Date _____

Signature of Co-Applicant, if any

Date _____

Application No. G 13672



State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water

REVISED APPLICATION

Applicant(s) RHODA GIBLER dba CAPTAIN BLUEBERRIES

(Please print or type - use dark ink)

Mailing Address: 26650 SE EAGLE CREEK ROAD

ESTACADA

OREGON

97023

503-630-5611

City

State

Zip

Daytime Phone No.

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

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

2 WELLS

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

Distance from development to stream: NA

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: 6" CASING Depth in feet: 100'

Type and size of well casing: 6" BLK STL, 1/4" WALL No. of feet: 65'

Estimated depth to water: 22' STATIC WATER LEVEL

Type of access port or measuring device: 1/2" VENT PLUG ON WELL SEAL

Wells to be drilled by: Mc INALLY & SON WELL DRILLING (668-6913)

Address: 13092 SE 362nd, BORING, OR 97009

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

NA

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: 0.244 cubic feet per second, OR 109 gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each: _____

WELL #1 = 50 GPM, WELL #2 = 59 GPM

3. **INTENDED USE(s) OF WATER:** GENERAL NURSERY OPERATIONS IE. IN-GROUND STOCK, GREENHOUSES, PROP.. HOUSE, CAN YARD; GENERAL AGRICULTURAL USES.

If for more than one use, give the quantity of water from each source for each use; GENERAL NURSERY USE: WELL #1=25 GPM, WELL #2=29 GPM, GEN. AGRIC. - #1=25 GPM, #2=25 GPM

If for DOMESTIC use, state the number of households to be supplied; 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.)

NA

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

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

<i>Irrigation</i>	<u>19.50 ACRES TOTAL</u>
<i>Other (describe)</i>	<u>GEN. NURSERY USE = 10 AC</u>
	<u>GEN. AGRIC. USE = 9.5 AC</u>

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).*

EXISTING WELL #1 HAS A 3 HP JACUZZI PUMP, 2" SCH 40 PVC TRANSMISSION MAIN TO 2" DISTRIBUTION SYSTEM OF 7 LINES ABOUT 800' LONG WITH ROTATING SPRINKLERS ON 1/2" RISERS 40' ON-CENTERS (2 GPM EA), MANUALLY IRRIG. ONE ROLL AT A TIME OF BLUEBERRIES. WELL #2 WILL BE CONNECTED INTO THE PRESENT SYSTEM WITH AN ADDITIONAL 2" TRANSMISSION LINE DOWN THE WESTERLY PROPERTY LINE. THERE IS A 85 GAL PRESSURE TANK BEING USED.

5. **PROJECT SCHEDULE:** *(List month and year)* WELL #2

Proposed date construction work will begin MAY 1996

Proposed date construction work will be completed MAY 1997

Proposed date water use will be completed JUNE 1999

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.*

I CERTIFY THAT THE INFORMATION PROVIDED IN APPLICATION G 13672 IS AN ACCURATE REPRESENTATION OF THE PROPOSED WATER USE AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

12-10-95

DOUGLAS BAER;
REF: FILE G-13672

IN REGARDS TO THE LETTER SENT
11/29/95, THE PROPERTY IS ACTUALLY
19.74 ACRES NOT 19.5.

I HOPE THIS IS ALL YOU
NEED FROM ME.

503-630-5611

Yhanks,

Rhoda Giber
(RHODA GIBLER)

RECEIVED

DEC 14 1995
WATER RESOURCES DEPT.
SALEM, OREGON

Dear Mrs. Mattick,

RECEIVED

SEP 14 1995

As you requested here is
my oath so that you can
process my water rights
permit G-13672.

I (Rhoda Gibler) certify that
the information provided in
application G-13672 is an
accurate representation of the
proposed water use and is true
and correct to the best of
my knowledge."

Thank you

Rhoda Gibler
RHODA GIBLER

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 XXX 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 XXX 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: RHODA & BRIAN GIBLER OWN THE PROPERTY ALONG WITH THEIR
BROTHER-IN-LAW CLINT GIBLER (503-667-2412) WHO LIVES AT 2975 NE CLEVELAND
GRESHAM, OREGON 97030.

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.

Rhoda Gibler
Signature of Applicant

11-28-94
Date

Brian Gibler
Signature of Co-Applicant, if any

11-28-94

Clint Gibler

11-28-94
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____.

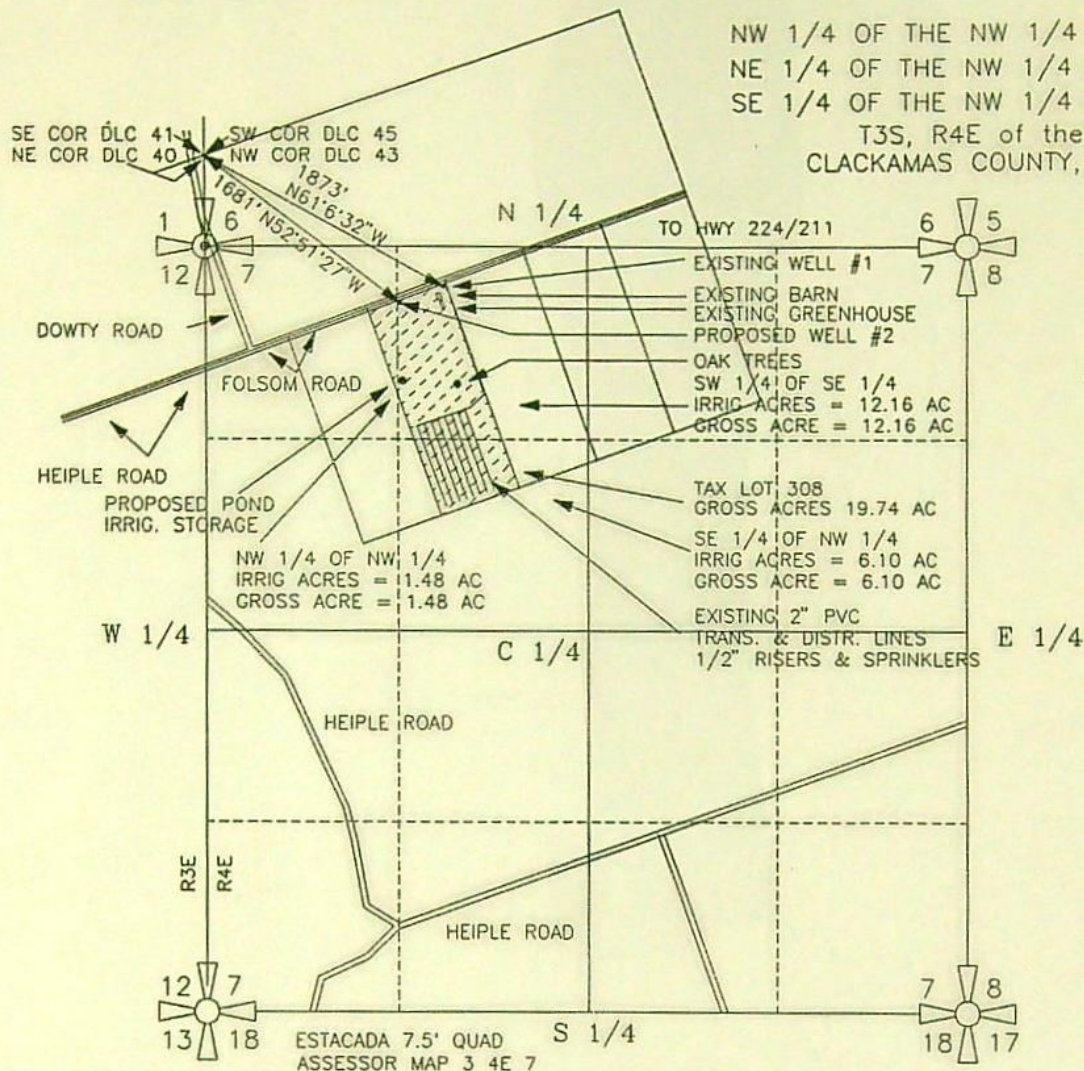
WITNESS my hand this _____ day of _____, 19____.

Water Resources Director

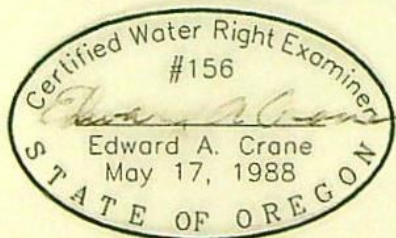
By: _____

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: _____



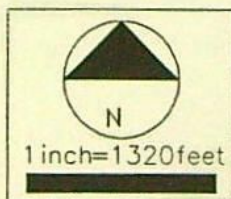
PREPARATION OF THIS MAP WAS FOR THE PURPOSE
OF IDENTIFYING THE LOCATION OF THE WATER RIGHTS
ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS
OR LOCATION OF PROPERTY OWNERSHIP LINES.



Renewal 12/31/95

Signed

SURVEYED NOVEMBER 14, 1994
BY EDWARD A. CRANE, CWRE



WELL #1 IS LOCATED 905' SOUTH & 1640' WEST
WELL #2 WILL BE LOCATED 1015' S. & 1340' W.
OF THE NW CORNER OF JOSEPH YOUNG DLC #43
IN THE NE 1/4 OF NW 1/4 OF SECTION 7 IN
TOWNSHIP 3 SOUTH, RANGE 4 EAST OF WILLAMETTE
MERIDIAN IN CLACKAMAS COUNTY, OREGON

APPLICATION FOR PERMIT
TO APPROPRIATE GROUND WATER
PREPARED BY EDWARD A. CRANE, CWRE

DATE

NOV. 1994

PROJECT NO.

141 001



CRANE & MERSETH

Engineering/Surveying

SUITE NUMBER 604
12042 SE SUNNYSIDE ROAD
CLACKAMAS, OREGON 97015

BUS: (503) 698-7575
FAX: (503) 698-7747

APPLICATION FOR PERMIT NUMBER G13672

PERMIT NUMBER G12012 IN THE NAME OF:

RHODA GIBLER dba CAPTAIN BLUEBERRIES
26650 SE EAGLE CREEK ROAD
ESTACADA, OREGON 97023

FIGURE

1/1

NUMBER 58171

Check 420. NO Cash

 Surface Application

 Reservoir Application

X Ground Water Application 420

 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



Crane & Merseith Engineering/Surveying

NOV 29 1994

WATER RESOURCES DEPT.
SALEM, OREGON

12042 S.E. Sunnyside Road, Suite 604 • Clackamas, OR 97015-8382 • Phone: (503) 698-7575 • Fax: (503) 698-7747

November 18, 1994

Mr. Reed Marbut, Manager
Water Resources Department
158 12th Street, N.E.
Salem, Oregon 97310-0210

SUBJECT: Rhoda Gibler dba
Captain Blueberries
Ground Water Application & Map

File G-13672

Dear Mr. Marbut:

Enclosed is the **revised** "Application for a Permit to Appropriate Ground Water" along with the required "Application Map" for Rhoda, Brian and Clint Gibler doing business as (dba) Captain Blueberries. They presently have one existing water well (#1) and plan to drill a second well to serve their blueberry farm.

Attached is an Application Map showing the location of their existing Well #1 & proposed location of Well #2 in addition to the location of their pole barn and greenhouse on their property.

Rhoda Gibler had previously submitted a check for \$200 for the required \$200 Examination Fee. Enclosed is a additional check from Rhoda Gibler for the \$220 which includes the \$120 Recording Fee (\$100 for 10 acres and \$2/acre for the other 9.5 acres) for the General Nursery Use an additional \$100 for General Agricultural Use.

Please contact Rhoda Gibler at (503) 630-5611 if you have any additional questions about her existing well or distribution system. I'd be happy to answer any questions or concerns that you may have about the enclosed **revised** Ground Water Permit Application or the attached Application Map.

Sincerely,
CRANE & MERSETH ENGINEERING\SURVEYING

Edward A. Crane, CWRE

cc: Rhoda Gibler, dba
Captain Blueberries
26650 SE Eagle Creek Road
Estacada, OR 97023



EXHIBIT "A"

RECEIVED

NOV 29 1994

WATER RESOURCES DEPT.
SALEM, OREGON

A tract of land in the Joseph Young Donation Land Claim No. 43 in the South one-half of Section 6 and in the North one-half of Section 7, Township 3 South, Range 4 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, more particularly described as follows:

Commencing at the Northeast corner of said Joseph Young Donation Land Claim No. 43; thence South $19^{\circ}56'23''$ East along the East line of said Joseph Young Donation Land Claim a distance of 1350.57 feet (Film Record 74-19259 calls South $19^{\circ}30'$ East 1350.74 feet); thence South $70^{\circ}06'00''$ West a distance of 1210.00 feet to the Northeast corner of that certain tract of land described in Contract Sale to William R. Cory, et ux, recorded July 10, 1974 in Film Record 74-19259, said Northeast corner being in the centerline of a 40 foot wide road known as E. R. Heiple Road; thence continuing South $70^{\circ}06'00''$ West, along the centerline of said road, a distance of 575.21 feet to the true point of beginning of the tract herein to be described; thence South $19^{\circ}37'57''$ East, parallel with the East line of said Joseph Young Donation Land Claim No. 43, a distance of 1514.56 feet to a 5/8 inch iron rod in the Northerly line of that certain tract of land conveyed to Simon E. Heiple by deed recorded in Book 116, page 8; thence South $70^{\circ}06'34''$ West, along said Northerly line, a distance of 575.24 feet to a 5/8 inch iron rod; thence North $19^{\circ}37'57''$ West, parallel with the East line of said Joseph Young Donation Land Claim No. 43, a distance of 1514.46 feet to a point in the centerline of said E. R. Heiple Road; thence North $70^{\circ}06'00''$ East, along said centerline, a distance of 575.24 feet to the point of beginning.

EXCEPTING that portion lying within public roads.---

**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.

RECEIVED

NOV 29 1994

WATER RESOURCES DEPT.
SALEM, OREGON

Applicant's Name: YR HONAGIBLER
Address: 26650 SE EAGLE CREEK RD.
City: ESTACADA State: OR Zip: 97023 Day Phone: 503-630-5211

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
T35 R4E-7	ERU-20			
TAX LOT 308				

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used. CLACKAMAS - ESTACADA
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 planning officials are to complete the remainder of this form. If it cannot be completed while the applicant waits, sign and detach the receipt as instructed below. You will receive notice when the applicant's water right request is filed with the Water Resources Department (WRD). You will have 90 days from the notice date to return this completed land use form to WRD. If no land use information is received from you within that period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

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): _____ 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
FARM MANAGEMENT PLAN	ZDO 401	<input checked="" type="checkbox"/>		

(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 cannot provide the above requested land use information while the applicant waits.

City or County: CLACKAMAS COUNTY

Staff Contact: GREG FRITTS Phone: 655-8521

Signature: Greg Fritts Date of Information Request: 4/21/94

Description of Water Use

NOV 29 1994

To Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Use 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.

Applicant Name: RHODA GIBLER
 Address: 26650 SE EAGLE CREEK RD.
ESTACADA, OREGON 97023
 Phone: 503-630-5611

Copy

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

- ☒ Irrigation (crop type, golf course, nursery or greenhouse): BLUEBERRIES
SMALL GREENHOUSE TO PROPAGATE BLUEBERRY PLANTS
- ☐ Livestock (type of livestock, feedlot, slaughterhouse): _____
- ☒ Residential (# units, single or multi-family, # lots if partition or subdivision): I WANT TO BUILD
A 1 FAMILY DWELLING. AT PRESENT THERE IS NO HOUSE
- ☐ 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.
<input type="checkbox"/> Surface Water Name sources: _____ _____ _____	_____ Cubic feet per second. <u>45</u> Gallons per minute. _____ Acre-Feet
<input type="checkbox"/> Reservoir or pond	
<input checked="" type="checkbox"/> Ground Water <u>WELL</u>	

WaterWatch

By Regular Mail

November 22, 1994

Oregon Water Resources Department
Water Rights Section
158 12th Street NE
Salem, Oregon 97310

RECEIVED

NOV 23 1994

WATER RESOURCES DIV.
SALEM, OREGON

Re: Objection to Technical Report for:
G13672, Gibler, Irrigation, Clackamas

WaterWatch submits the following objections pursuant to OAR 690-11-170:

♦ **The Technical Report is Defective**

The technical report fails to contain many of the elements and evaluations required in OAR 690-11-160(1).

♦ **The Use As Proposed is Not in the Public Interest**

The proposed use fails to pass the public interest considerations in ORS 537.620 and the policies of the Groundwater Act ORS 537.525(3), (6), (9) and (10). See also, OAR 690-11-195(3)(d), (4)(a), 4(c)(A), 4(d)(A), (4)(f). The proposed use would deplete flows needed to meet existing water rights for surface waters and for numerous public instream uses of the Clackamas River Basin.

1. **The proposed use is likely to impair the public interest because it will interfere with surface waters in the Basin.**

The Clackamas system, which this proposed use has the potential of interfering with is overappropriated during the summer months. Moreover, there are already huge municipal rights depleting flows in the Clackamas River System.

The conditions proposed by the Department are not adequate to protect against surface water interference.

- The application contains a condition that only requires the applicant to limit or discontinue use if the use harms **prior** water rights. This condition places the burden on the resource which is unacceptable given the presence of weak fish stocks.
- A proposed permit condition in the technical reports requires a pump test prior to receiving a certificate. This condition makes no sense. A pump test provides information relating to hydraulic connection and other aquifer properties. This information is critical for the public interest determination and should be obtained prior to a final public interest determination. If, after this information is obtained, and it is determined that casing and sealing to that depth will in fact prevent

interference, and the use is found to be in the public interest, this condition should be added to require periodic pump tests. The condition should not, however, limit the Director's ability to require pump tests. We suggest language that would require pump tests annually or more frequently as determined by the Director.

- The proposed conditions do not take into account whether there is water available from the surface water source because there was no analysis of water availability for the effected surface waters. Any analysis must take into account water rights of record and the senior pending instream water right applications. In addition, the analysis must differentiate between stored water and natural flows in the Willamette River system.

2. Measurement and Reporting

Any measurement and reporting conditions should allow the Director to require measurement and reporting of both **rate and duty** of water use. The proposed permit conditions restrict use based upon a specific rate. Measurement and reporting of water use is to be a useful informational and regulatory tool for the Department, it should provide the information needed to ensure that water use is within the terms of the permits. There should also be measurement and reporting of the water quality impacts of this proposed use.

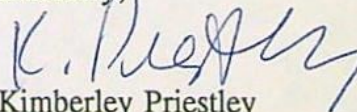
3. The use violates Oregon's Statewide Policies.

Oregon's Groundwater Management Policy requires that groundwater over draft be prevented. In addition, Oregon's Statewide Water Allocation Policy requires that groundwater use occur within the capacity of the resource and requires the State to protect Oregon's waters from overallocation by new uses of groundwater. OAR 690-410-070(1).

Oregon statutes and rules also call for the state to "aggressively promote" water conservation and places a high priority on eliminating waste and improving the efficiency of water use. ORS 537.460(2)(a) and OAR 690-410-060(1). Proposed Condition 10 does little to further these policies. Given the critical status of ground water resource, it is critical that any water use under any new permit be as efficient as possible. It is especially important that a conservation plan be **in place prior** to any permit issuance.

Allowing this use to go forward violates these and other statewide policies. The Department's failure to protect this groundwater resource by allowing yet another use in an already critical area only exacerbates existing **recognized** overallocation problems and will, particularly in the long run, further impair public's interest in the ground water resource. It is bad public policy to continue issuing groundwater rights in this critical area.

Sincerely,



Kimberley Priestley
Legal/Policy Analyst

WaterWatch

RECEIVED

NOV 30 1994

WATER RESOURCES
SALEM, OREGON

By Regular Mail

Oregon Water Resources Department
Water Rights Section
158 12th Street NE
Salem, Oregon 97310

November 29, 1994

Re: Objection to Technical Report for:
G13672, Gibler, Irrigation, Clackamas

WaterWatch submits the following objections pursuant to OAR 690-11-170:

♦ **The Technical Report is Defective**

The technical report fails to contain many of the elements and evaluations required in OAR 690-11-160(1).

♦ **The Water Availability Analysis in the Technical Report is Defective**

The analysis is defective for the following reasons:

- It fails to take into account existing water rights of record. It is unclear from the technical reports to what extent the water availability analyses takes into account upstream water rights. As we understand it, water rights are taken into account either by assuming the streamflow data reflects the amount of use or by using estimates of consumptive use. Both methods fail to adequately consider rights-of-record. At any given moment there may be valid, but unexercised water rights in a basin. Water users may at any time use the water to which they are legally entitled up to the limit of their rights-of-record. Failure to account for future increases in water use pursuant to rights-of-record results in an over-estimation of water availability and over-allocation of the resource. This is contrary to the statewide Water Allocation Policy. OAR 690-400-010.
- The water availability analysis was deficient because there is no analysis of Rock Creek.
- The technical reports fail to contain any analysis of water availability, contrary to OAR 690-11.

♦ **The Use As Proposed is Not in the Public Interest**

The proposed use fails to pass the public interest considerations in ORS 537.620. See also, OAR 690-11-195(3)(d), (4)(a), 4(c)(A), 4(d)(A), (4)(f). The proposed use would

deplete flows needed to meet existing water rights for surface waters and for numerous public instream uses of the Clackamas River Basin.

1. **The proposed use is likely to impair the public interest because it will deplete flows necessary to maintain the quantity and quality needed by instream uses.**

The Clackamas system supports a wide variety of public instream uses. In recognition of its value, segments have been designated as state scenic waterways. This system is overappropriated during the summer months. And, there are a large number of yet to be exercised municipal rights in the basin.

The proposed use of water for irrigation of a golf course will hurt the public interest in the resource. Not only will the use deplete flows, but golf courses are notorious for their water pollution problems. Problems include the leeching of agricultural chemicals from increased fertilization, weed control, and pest control at the golf course. In addition to impacting water quality in the vicinity of the proposed development these pollutants could have negative impacts on downstream water quality.

Rock Creek has been designated by the DEQ as water quality limited such that it does not support aquatic use. When evaluating applications for new uses, the Department has a duty to ensure that the use will not harm either the quantity or the quality of surface waters. The governing statutory and regulatory schemes make this self evident. See e.g. ORS 537.170(5)(a)&(c). Other statutory mandates amplify this requirement. ORS 468B.015 specifies that pollution of the water of the state of Oregon:

constitutes a menace to public health and welfare, creates public nuisances, is harmful to wildlife, fish and aquatic life and impairs domestic, agriculture, industrial, recreational, and other legitimate beneficial uses of water, ***.

It is the public policy of the state:

To protect, maintain, and improve the quality of the waters of the state *** (and) [t]o provide for the prevention, abatement and control of new or existing water pollution. ORS 468B.015(2), (4).

ORS 468B.020 declares that:

Pollution of any of the waters of the state is declared to be not a reasonable or natural use of such waters and to be contrary of the public policy in the state of Oregon.

The statutes and rules under which the Water Resources Commission and Department operate mandate that the agency act in a fashion which is consistent with ORS 468B.015 et seq. See e.g. ORS 536.220(1)(b) (requiring coordinated integrated state water resources policy). See also ORS 536.220(2)(a) (requiring "proper and adequate consideration of the multiple aspects of the beneficial use and control" of Oregon's waters); ORS 537.332(4)(c) (pollution abatement is a beneficial use of water); OAR 690-11-010(3) (defining beneficial use as use that is "consistent with" the laws, rules, and the best interests of the people of the state); ORS 537.170(4)(a) & (c). Thus, the public interest determination made by the Commission and Department must include an evaluation of the effects of this proposed use on the water quality of the creek. See also OAR 690-11-195(4)(c).

The technical report does not reveal whether or not DEQ has made a determination regarding the effect this proposed use on the water quality of Rock Creek or the Clackamas River. The proposed use associated with the golf course may result in discharges to surface waters. If so, the applicant must obtain an NPDES permit prior to any discharges. Until the DEQ has done this analysis, the Department has insufficient information upon which to make a public interest determination.

2. Measurement and Reporting

Any measurement and reporting conditions should allow the Director to require measurement and reporting of both **rate and duty** of water use. The proposed permit conditions restrict use based upon a specific rate. Measurement and reporting of water use is to be a useful informational and regulatory tool for the Department, it should provide the information needed to ensure that water use is within the terms of the permits. There should also be measurement and reporting of the water quality impacts of this proposed use.

3. The use violates Oregon's Statewide Policies.

Oregon statutes and rules also call for the state to "aggressively promote" water conservation and places a high priority on eliminating waste and improving the efficiency of water use. ORS 537.460(2)(a) and OAR 690-410-060(1). Proposed Conditions do little to further these policies. Given the critical status of the resource, it is critical that any water use under any new permit be as efficient as possible. It is especially important that a conservation plan be **in place prior** to any permit issuance.

4. Exceedence flow - Storage is not automatically exempt from 80% requirement

The water availability analysis used a 50% exceedence flow rather than an 80% exceedence flow. The Water Allocation Policy requires that water be available at least 80% of the time before a permit can be issued. OAR 690-400-010(2)(a). Subsection (c) does give the agency the discretion to allow new storage facilities even if water is not available under this standard. It does not, however, automatically exempt storage facilities from this standard.

The initial water availability analysis must use the same standard for storage and other proposed uses of water. If, after the initial calculations are made, it is determined that a different standard will be used, the Department must justify the use of a different standard. This justification should be stated in the technical report. It is not good public policy to use two different water availability standards in the initial analysis.

5. Scenic Waterways

The state scenic waterways act place a duty upon the Commission and its Department to preserve the free flowing character of the scenic waterway in amounts needed for fish, wildlife and recreation. ORS 390.835(1). The "Diack" flows adopted by the Commission are those flows necessary determined by the Commission as necessary to protect the values of the scenic waterway. The Department has a duty to make findings on ground and surface water applications as to whether or not the proposed use will deplete with streamflows in the scenic waterway segment. If the proposed use will deplete streamflows below the adopted "Diack" or if the proposed use will deplete flows when "Diack" flows are already not met, the Department must reject the application. The Department failed to analyze these proposed uses and their effects on the state scenic waterway.

6. Land Use

According to information in the file, the applicant has not yet received land use approval for the proposed development. OAR 690-11-030(f) requires that "**prior to the completion of the technical review**" applications must include the required land use information. The application does not include the required land use information. OAR 690-11-160 specifies that the technical review contain an evaluation of the compatibility information received. Thus, the technical review cannot be completed and the application should not move forward.

The rules require the Department to conclude that the mandatory informational requirement has been met if the information has **not** been received. The rule itself is arbitrary, capricious and contrary to law and should be declared invalid. The rule is also

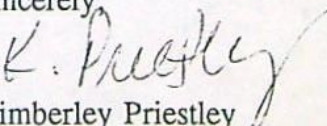
contrary to OAR 690-05-035(4)(a) which requires the Department to "(r)equire land use information be submitted with applications." The information "shall be sufficient to assess compatibility as specified on forms contained in the Department's Land Use Planning Guide." Id. Thus, OAR 690-11-030(7) which requires that the land use information requirement is satisfied even if **no information** is received means that the Department will not receive "information sufficient to assess compatibility."

Regardless of the outcome of this "informational requirement" dance, OAR 690-11-030(7) states that if the land use information is not received or post marked "before the end of the 30-day comment period" the Department may presume that the proposed use **is** compatible with land use plans and regulations. OAR 690-11-030(7). This presumption can not be applied in this case. Both the applicant and the County have informed WRD that there is no land use approval for this proposed development. Clearly a presumption of compatibility cannot be made for this proposed water use.

Finally, OAR 690-050-035(4)(b) allows approval of proposed uses if the proposed use meets the requirements of state water law (including the permit application requirements referenced above) **and** the land use is "allowed outright or does not require discretionary land use approvals" **or** the applicant has already received the necessary land use approvals. The land use served by this proposed use is not allowed outright, the discretionary land use approvals **have not** been given **and** the use as proposed does not meet the substantive and procedural requirements of Oregon Water Law. Thus, the proposed use cannot be approved.

Once the Department has followed the substantive and procedural requirements of Oregon water law and if the Department finds the proposed use is in the public interest, the Department may withhold approval until the applicant has received all land use approvals or condition the permit if land use approvals are "pending." If the use were to be found to be in the public interest **and** all the requirements of Oregon water law are met, the WRD should withhold final action on this application until final land use approval is achieved. The proposed expansion is extremely controversial and may not receive land use approval. In addition, given the WRD's current lack of knowledge relating to the extent of interference with surface waters and its ongoing study of the hydrology of the Deschutes River basin, it is in the public interest to withhold permit issuance.

Sincerely,


Kimberley Priestley
Legal/Policy Analyst

September 29, 1994

WATER
RESOURCES
DEPARTMENT

RHODA GIBLER
26650 SE EAGLE CREEK RD
ESTACADA, OR 97023

Reference: File G 13672

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, 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.



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

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 DECEMBER 12, 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, 158 12th Street 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,



Michael J. Mattick
Water Rights Specialist

Enclosures

Report Date: September 29, 1994

OREGON WATER RESOURCES DEPARTMENT

SATISFACTORY REPORT OF TECHNICAL REVIEW

FOR WATER USE PERMIT(S)

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 158 12th ST N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE: DECEMBER 12, 1994

1. APPLICATION FILE NUMBER -G 13672

2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:

RHODA GIBLER
26650 SE EAGLE CREEK RD
ESTACADA, OR 97023

503-630-5611

COUNTY OF CLACKAMAS

Date application received for filing and/or tentative date of priority: 4/25/1994

SOURCE: A WELL IN CLACKAMAS RIVER BASIN

Purpose and/or use: IRRIGATION OF 6.0 ACRES OF
BLUEBERRIES AND GREEN HOUSE USE.

Flow: 45.0 GALLONS PER MINUTE

Point of Diversion Location:
NE 1/4 NW 1/4, SECTION 7, T 3 S, R 4 E, W.M.;

Place of use:

SE 1/4 NW 1/4 6.0 ACRES
SECTION 7
TOWNSHIP 3 SOUTH, RANGE 4 EAST, W.M.

GROUNDWATER AVAILABILITY

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

Pursuant to OAR 690-09-040, the proposed groundwater withdrawal will not have the potential to cause substantial interference with surface water.

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:

Based on the Department's review of water availability and Oregon Administrative Rules, water in the amount of 45 GPM is likely available for 8 months FOR IRRIGATION AND 10 GPM IS LIKELY AVAILABLE YEAR ROUND FOR AGRICULTURAL USE.

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

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

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

PROPOSED PERMIT CONDITIONS

Application: G 13672

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 THROUGH OCTOBER 31 FOR IRRIGATION, YEAR ROUND FOR AGRICULTURAL USE.
3. Rate of use: NOT TO EXCEED 45 GPM BEING UP TO 10 GPM FOR AGRICULTURAL USE AND UP TO 45 GPM FOR IRRIGATION.
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 agricultural use is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for agricultural use may be made at anytime of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

September 29, 1994

WATER
RESOURCES
DEPARTMENT

RHODA GIBLER
26650 SE EAGLE CREEK RD
ESTACADA, OR 97023

Reference: File G 13672

Hello:

Your application file was recently reviewed. Under separate cover I have enclosed our report of technical review. Before we can process your application further, you need to provide us with additional information, documentation, or fees.

Prior to issuance of the permit, we will need to receive total fees in the amount of \$400; being an examination fee of 200.00, permit recording fee for the irrigation of 6 acres of \$100 and permit recording fee for agricultural use (green house) use of \$100. Since you have previously submitted \$200 an additional amount of \$200 is required.

In addition, please send the following:

- a map prepared by a Certified Water Rights Examiner;

- a legal description of the property where you plan to use water (you may copy this from your deed, title insurance policy, or sales contract).

Before we can process your application further, you will need to submit an oath:

"I certify that the information provided in application G-13672 is an accurate representation of the proposed water use and is true and correct to the best of my knowledge".

This requirement was created by an amendment of our administrative rules and applies to all applications filed after June 5, 1992.

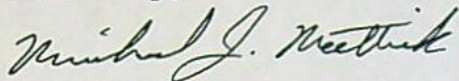


Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

After the file is complete 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,

A handwritten signature in cursive script, reading "Michael J. Mattick". The signature is written in dark ink and is positioned above the printed name.

Michael J. Mattick
Water Rights Specialist

COPY CHECK-OFF SHEET FOR TECHNICAL REVIEWS

CC: FILE #

G-13672

WATERWATCH

ODF&W - County:

CLACKAMAS

WATERMASTER #:

16

DAVE JARRETT

REGIONAL MANAGER:

NON

TOM

DAUC

CWRE:

NONE

DEQ

OREGON ASSOCIATION OF NURSERYMEN INC.

KEN STAHR

OTHER ADDRESSES:

STEVE SCHNEIDER
21881 RIVER ROAD NE
ST PAUL, OR 97137

CASEWORKER (initials/date)

MM 5/20/94

ORIGINAL TO APPLICANT 6/28/94

TECHNICAL REVIEW CHECKLIST

9/26/94

1. Application: G-13672
2. Review Date: 8/22/94 MM

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

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

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

5. U Application fees:
- | | | |
|--|---------------|--|
| Examination fee: | \$ <u>200</u> | <u>Exam Rec</u>
200 + 6 ac. 100
GREENHOUSE 145 100 |
| Recording fee: | \$ <u>200</u> | |
| TOTAL REQUIRED | \$ <u>400</u> | |
| TOTAL SUBMITTED | \$ <u>200</u> | |
| AMOUNT DUE prior to issuance of permit | \$ <u>200</u> | |
| AMOUNT OVERPAID | \$ <u>0</u> | |
| refund due applicant | \$ <u>0</u> | |

6. S Proposed dates of beginning and completion of construction, and complete application of water.

7. U A satisfactory map of the proposed place of water use prepared by a certified water right examiner, unless exempt under OAR 690-14-150(3). (A CWRE map is not required for applications filed before November 9, 1987.)

8. V A written copy of the legal description of the property on which the water is to be used.
9. N/A A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.
10. NA No statement of ownership was required for applications filed before August, 1990.
11. S The proposed use is not restricted or prohibited by statute.
12. S The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.
13. S Irrig & Ag. use(s) is/are classified uses(s) under the Willamette Basin Program, OAR 690 - 502-160(2)

Land Use Compatibility:

14. As expressed by the Planning Department of CLACKAMAS
15. N/A 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 _____).
16. S The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained. 2 DO 401
17. N/A The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For reservoir applications:

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

COMPLETENESS DETERMINATION CHECKLIST

COMPLETED

Application #	Review Date	Reviewer
E - 13672	9/18/95	DRB

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

- ☐ 1. Examination fees (and recording fees, if for PFO/FO). *all fees paid*
- ☐ 2. Name and address of the applicant, and title if applicable.
- ☐ 3. Source of water.
- ☐ 4. Use of water.
- ☐ 5. Amount of water.
- ☐ 6. Description of delivery system.
- ☐ 7. A statement of whether the applicant has written authorization or easements permitting access to lands owned by others.
- ☐ 8. Name(s) and address(es) of the owners of any lands involved, but not owned by the applicant.
- ☐ 9. Proposed dates of beginning and completion of construction, and complete application of water.
- ☐ 10. If for **municipal use**, the present population to be served and expected future water requirements.
- ☐ 11. If for **mining use**, the type of mines and methods of supplying & utilizing the water.
- ☐ 12. If for a **reservoir**:
 - ☐ a. The height of the dam.
 - ☐ b. The storage capacity.
 - ☐ c. The area submerged.
 - ☐ d. The maximum depth.
 - ☐ e. The construction method (earthfill, concrete, flashboard, etc.).
 - ☐ f. A description of the outlet conduit.
 - ☐ g. A description of the spillway.
- ☐ 13. If for **groundwater**, the horizontal distance from the well to the nearest surface water source (if within one mile), and the difference in land surface elevation between them.
- ☐ 14. If the application was made under **HB 2107**:
 - ☐ a. Name and address of each adjacent property owner and verification that each owner has been mailed a copy of the completed notice.
 - ☐ b. A description of the proposed water used and related project, the condition it will address, and the benefits that are expected to result from the project.
 - ☐ c. The number of reservoirs per application is appropriate as per OAR 690-11-049 (3)(b)
- ☐ 15. An oath that the application information is true and correct.
- ☐ 16. The signature of the applicant(s).
- ☐ 17. A satisfactory map of the proposed POD & POU.
- ☐ 18. A Land Use Information Form or receipt.
- ☐ 19. A legal description of the property where water will be used.

May 16, 1994

RHODA GIBLER

26650 SE EAGLE CREEK RD
ESTACADA, OR 97023



REFERENCE: File(s) G-13672

We have received your application(s) for a water use permit along with your supporting data, documentation, and fees. A receipt is enclosed here unless you were previously issued one. Your application has been assigned the above referenced file number. Please refer to this number whenever you contact us about your application.

Even though your application has been received, filed and assigned an application reference number, no authorization has been granted to develop your water use. The filing of an application does not create a water right. Water may not be used without a water right permit.

After an application has been accepted for filing, public notification of the application is made, followed by the mandatory 30-day comment period. Thereafter, applications can be considered for processing as time allows.

At present the Water Resources Department has a backlog of several thousand applications for water use permits which has delayed our application processing time. Applications are processed in the order in which they are received.

The processing of an application does not guarantee that a water right permit will be issued. Each application must undergo a specialized analysis called a technical review and a public interest review. There is no way to determine at this time whether your particular proposed water use will be recommended for a permit.



REFERENCE: File(s) - G-13672

The Water Resources Commission is considering the adoption of rules for the protection of stream flows in the North Coast, Mid Coast, South Coast, Rogue and Umpqua Basins and the Clackamas Subbasin of the Willamette Basin. These rules would place additional restrictions on the issuance of new permits for the use of water. Applications for the use of water in these basins which are received after April 8, 1994, may be subject to the new restrictions if and when the rules are adopted by the Commission.

When the report on the technical review is completed and sent to you, a 60-day objection period begins during which you, the applicant, or anyone who has expressed an interest in your proposed water use may communicate to us their disagreement with what we have said in our report on your application. After the 60-day objection period, the Department conducts the public interest review and considers any objections which have been made.

After any objections have been considered, there may follow time to allow parties to resolve conflicts over the proposed water use. In addition, a 30-day protest period may be required. Lastly, it may be necessary to schedule a hearing or send the application to the Water Resources Commission for their review. In most cases no objections are received and the application processing can proceed without further conflict resolution, protest, or hearing.

If your application is recommended for approval and a permit is issued, the use allowed by the permit will be subject to the Basin Program Rules of the Water Resources Commission, instream flow requirements, and the demands of prior right holders, and other conditions to conform the water use to particular standards.

Please contact the Water Rights Section of the Water Resources Department if you have any questions. You may write to us at 158 12th ST NE, Salem, Oregon 97310 or you may call 378-3739 in Salem or toll free from within the state 1-800-624-3199.

cc:CWRE

TO: Water Rights Section
FROM: Groundwater/Hydrology Section
SUBJECT: Application G-13672

8/31, 1994

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## G-13672

ROUTED TO: Water Rights

TOWNSHIP/

RANGE-SECTION: 3S/4E-7

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

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Gates

GROUNDWATER/SURFACE WATER CONSIDERATION

- N/A
1. PER THE Willamette Basin rules, one or more of the
feet/mile of a surface water source ()
hydraulically connected to the surface water.
 2. BASED UPON OAR 690-09 currently in effect, I have determined:
a. will, or have the potential for substantial interference
b. ☒ will not surface water source, namely E
c. will if properly conditioned, adequately protect the
i. The permit should contain condition #(s)
ii. The permit should contain special conditions
iii. The permit should be conditioned as indicated
d. will, with well reconstruction, adequately protect

GROUNDWATER AVAILABILITY CONSIDERATION

- G-13672
3. BASED UPON available data, I have determined that groundwater
a. ☒ will, or likely be available in the amounts requested
b. will not and/or within the capacity of the reservoir
c. will if properly conditioned, avoid injury to existing
i. The permit should contain condition #(s)
ii. The permit should contain special conditions
iii. The permit should be conditioned as indicated
 4. a. THE PERMIT should allow groundwater production from no deeper than ft. below land surface;
b. The permit should allow groundwater production from no shallower than ft. below land surface;
c. The permit should allow groundwater production only from the groundwater reservoir between approximately ft. and ft. below land surface;
d. Well reconstruction is necessary to accomplish one or more of the above conditions.
e. One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS:

(Well Construction Considerations on Reverse Side)

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

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

RECOMMENDATION:

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

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

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

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

_____, 199____.
(Signature)

STATE OF OREGON
WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

TO: FILE G- 13672
FROM: SARAH M. GATES
SUBJECT: SURFACE/GROUND WATER CONSIDERATIONS

DATE: 8/31/94

The applicant seeks 45 gpm from a well for blueberries + greenhouse

Township 3S Range 4E Section 7 NENW County Clackamas
Tax Lot 308

Per Division 9

The well is located 3300' from trib. to Eagle Creek
Elevation of well 373 river difference 40'

LOG # 083 (?)
Depth of well 100
Casing to 48 65
Lined to —
Sealed to 20
SWL 22 on 8/20/91
Depth water first found 28

Applicant Rhoda Gible
26650 SE Eagle Creek Rd
Estacada 97023
630-5611

Perforations/screens 28-60 units Gravel
units
units
units

Well Tests (P/A/B/FA) P / 50 / 30 / 1

Information sources Estacada Quad, Oregon Geology
Observation wells? NO OBS WELLS W/IN 5 miles

Conceptual model Well is located on a floodplain
and is in hydraulic connection with the
surface water source. The distance between
the well and the surface water is great
enough so as not to cause draw down
interference w/ the source. This aquifer
is refilled annually
Waterway Tine Deposits

Confined, semi-confined, or unconfined?

DIRECT hydraulic connection?

Potential to cause substantial interference?

Objections? No

CONDITIONS: G-12589

YES NO
YES NO

73 domestic

1 IO

1 IR

2 UN

1 LV

78 Total wells w/in 4 sec

Water Right Conditions
Tracking Slip

Groundwater/Hydrology Section

FILE # G-13672

ROUTED TO: WR

TOWNSHIP/

RANGE-SECTION: 3S/4E-7

CONDITIONS ATTACHED? ☒ Yes ☐ No

REMARKS OR FURTHER INSTRUCTIONS:

7 J per 1033

Reviewer: Don Miller

May 16, 1994

RHODA GIBLER

26650 SE EAGLE CREEK RD
ESTACADA, OR 97023

REFERENCE: File(s) G-13672

We have received your application(s) for a water use permit along with your supporting data, documentation, and fees. A receipt is enclosed here unless you were previously issued one. Your application has been assigned the above referenced file number. Please refer to this number whenever you contact us about your application.

Even though your application has been received, filed and assigned an application reference number, no authorization has been granted to develop your water use. The filing of an application does not create a water right. Water may not be used without a water right permit.

After an application has been accepted for filing, public notification of the application is made, followed by the mandatory 30-day comment period. Thereafter, applications can be considered for processing as time allows.

At present the Water Resources Department has a backlog of several thousand applications for water use permits which has delayed our application processing time. Applications are processed in the order in which they are received.

The processing of an application does not guarantee that a water right permit will be issued. Each application must undergo a specialized analysis called a technical review and a public interest review. There is no way to determine at this time whether your particular proposed water use will be recommended for a permit.



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

REFERENCE: File(s) - G-13672

The Water Resources Commission is considering the adoption of rules for the protection of stream flows in the North Coast, Mid Coast, South Coast, Rogue and Umpqua Basins and the Clackamas Subbasin of the Willamette Basin. These rules would place additional restrictions on the issuance of new permits for the use of water. Applications for the use of water in these basins which are received after April 8, 1994, may be subject to the new restrictions if and when the rules are adopted by the Commission.

When the report on the technical review is completed and sent to you, a 60-day objection period begins during which you, the applicant, or anyone who has expressed an interest in your proposed water use may communicate to us their disagreement with what we have said in our report on your application. After the 60-day objection period, the Department conducts the public interest review and considers any objections which have been made.

After any objections have been considered, there may follow time to allow parties to resolve conflicts over the proposed water use. In addition, a 30-day protest period may be required. Lastly, it may be necessary to schedule a hearing or send the application to the Water Resources Commission for their review. In most cases no objections are received and the application processing can proceed without further conflict resolution, protest, or hearing.

If your application is recommended for approval and a permit is issued, the use allowed by the permit will be subject to the Basin Program Rules of the Water Resources Commission, instream flow requirements, and the demands of prior right holders, and other conditions to conform the water use to particular standards.

Please contact the Water Rights Section of the Water Resources Department if you have any questions. You may write to us at 158 12th ST NE, Salem, Oregon 97310 or you may call 378-3739 in Salem or toll free from within the state 1-800-624-3199.

cc:CWRE

RECEIVED

MAY 16 1994

WATER RESOURCES DEPT.
SALEM, OREGON

COMMENT FORM

Please list below the Application Number of the water use application(s) that are of interest to you. When the technical evaluation is completed a report of the technical review of these applications will be delivered to you.

Application #s G-13672, G-13679, G-13671, G-13669, G-13674, G-13668, G-13670, G-13675
G-13676, G-13673

Send to:

Steve Schneider
21881 River Road NE
St. Paul, OR 97137

Please include specific comments or concerns. Use additional sheets if necessary.

Return to:

Oregon Water Resources Department
158 12th ST NE
Salem, Oregon 97310

This Comment corresponds to the MAY/ 4/1994 Public Notice.

Application No.

G-13672

Superseded



State of Oregon

WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water

Applicant(s)

RHODA GIBLER

(Please print or type - use dark ink)

Mailing Address:

21650 SE EAGLE CK RD.

ESTACADA, OR

97023

503-630-2011

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.):

1 WELL

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

Distance from development to stream:

Elevation difference between streambed and development:

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

Diameter of well: 6" Depth in feet: 100 FT.

Type and size of well casing: 6" QUARTER WALL No. of feet: 165 FT.

Estimated depth to water: 22 FT. STATIC WATER LEVEL

Type of access port or measuring device: VENT CAP ON WELL SEAL

Wells to be drilled by: MCINALLY & SON WELL DRILLING

Address: 13092 SE 362ND BOULEVARD, OREGON 97009

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 45 gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each:

3. INTENDED USE(s) OF WATER: TO WATER 6 ACRES OF BLUEBERRY PLANTS & TO USE MISTING SYSTEM IN GREENHOUSE

If for more than one use, give the quantity of water from each source for each use; GREENHOUSE - 10 GALLONS/Hr.
45 GALLONS PER MINUTE ON BLUEBERRY PLANTS

If for DOMESTIC use, state the number of households to be supplied; 1 HOUSEHOLD

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 6 ACRES OF BLUEBERRIES

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).

3 HP JACUZZI PUMP
2 IN. PVC PIPE GOING FROM WELL IN FRONT
OF PROPERTY TO ABOUT HALFWAY BACK (AT LEAST 800 FT.)
THEN A 3-800' 2" LINE WITH 20 DOWNHEAD SPRINKLERS EACH
(EACH PUTTING OUT 2 GAL./MIN) THIS SYSTEM RIGHT NOW
IS WATERING 3 ACRES OF BLUEBERRIES. I TURN
1 LINE ON AT A TIME.

5. PROJECT SCHEDULE: (List month and year)

I DID NOT KNOW I HAD TO HAVE PERMIT

Proposed date construction work will begin _____

Proposed date construction work will be completed COMPLETED 5/30/90

Proposed date water use will be completed _____

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

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

☒ Applicant ☐ CWRE ☐ Other (Identify in REMARKS section)

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

☒ Applicant ☐ CWRE ☐ Other (Identify in REMARKS section)

7. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? YES. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

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

REMARKS:

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

Ghoda Giller
Signature of Applicant

4-21-94
Date

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 25 day of April, 19 94, at 8 o'clock, A M.

APPLICATION NO: G-13672

SECTION 7 T.3S. R.4E. W.M.

CLACKAMAS COUNTY

SEE MAP 3, 4E 6 1" = 400'

N.E. COR.
D.L.C. No. 43
W NW COR
DLC 44

D
GEO. W.
JOSEPH
GEO. CUR

Application No. G-16272
Permit No.

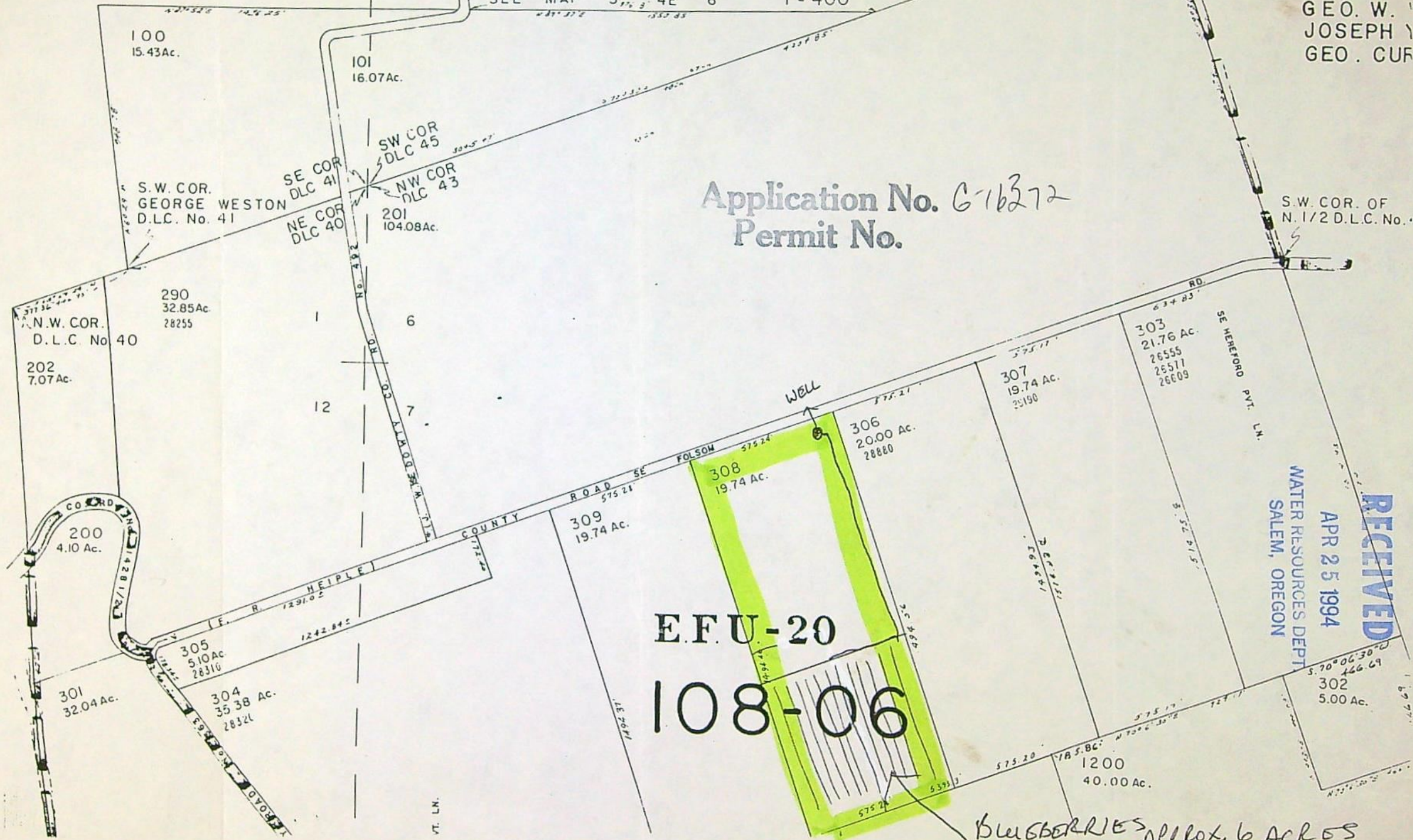
S.W. COR. OF
N. 1/2 D.L.C. No.

RECEIVED
APR 25 1994
WATER RESOURCES DEPT
SALEM, OREGON

E.F.U.-20

108-06

Blueberries Approx. 6 Acres



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: YRHOA GIBLER
 Address: 26650 SE EAGLE CREEK RD.
 City: ESTACADA State: OR Zip: 97023 Day Phone: 503-630-5211

RECEIVED

APR 25 1994

WATER RESOURCES DEPT.
SALEM, OREGON

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
T35 R4E-7	EFU-20			
TAX LOT 303				

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

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 planning officials are to complete the remainder of this form. If it cannot be completed while the applicant waits, sign and detach the receipt as instructed below. You will receive notice when the applicant's water right request is filed with the Water Resources Department (WRD). You will have 30 days from the notice date to return this completed land use form to WRD. If no land use information is received from you within that period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

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): _____ 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
FARM MANAGEMENT PLAN	ZDO 401	<input checked="" type="checkbox"/>		

(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 cannot provide the above requested land use information while the applicant waits.

City or County: CLACKAMAS COUNTYStaff Contact: GREG FRITTS Phone: 655-8521Signature: Greg Fritts Date of Information Request: 4/21/94

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: _____

Date: _____

Name: _____
Title: _____

Phone: _____

Signature: _____

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.

Additional Comments:

[illegible]

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.

Applicant Name: ~~B. & R. HODA~~ RHODA GIBLER
 Address: 26650 SE EAGLE CR. DR.
ESTACADA, OREGON 97023
 Phone: 503-630-5611

RECEIVED

APR 25 1994

WATER RESOURCES DEPT.
SALEM, OREGON

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

- ☒ Irrigation (crop type, golf course, nursery or greenhouse): BLUEBERRIES
SMALL GREENHOUSE TO PROPAGATE BLUEBERRY PLANTS
- ☐ Livestock (type of livestock, feedlot, slaughterhouse): _____
- ☒ Residential (# units, single or multi-family, # lots if partition or subdivision): I WANT TO BUILD
A 1 FAMILY DWELLING. AT PRESENT THERE IS NO HOUSE
- ☐ 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.
<input type="checkbox"/> Surface Water Name sources: _____ _____ _____	_____ Cubic feet per second. <u>45</u> Gallons per minute. _____ Acre-Feet
<input type="checkbox"/> Reservoir or pond	
<input checked="" type="checkbox"/> Ground Water <u>WELL</u>	



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

RECEIVED

AUG 25 1999

WATER RESOURCES DEPT.
SALEM, OREGON

G-13672



NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

RHODA GIBLER
26650 SE EAGLE CREEK RD
ESTACADA OR 97023



NO. 40, 43
NO. 41

3 4E 7

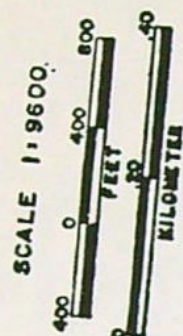
CANCELLED TL'S
200
290
309
292
1100 MI
1300 MI
1301 MI

SEE MAP 3 4E

27500

MAY 8 1956

30200
3 4E 7



SEE MAP 3 3E 12

RECEIVED
JUN 04 1998
DEPT. OF REVENUE
STATE OF OREGON

S.W. COR.
JOSEPH YOUNG
D.L.C. No 40

SE COR.
D.L.C. 40

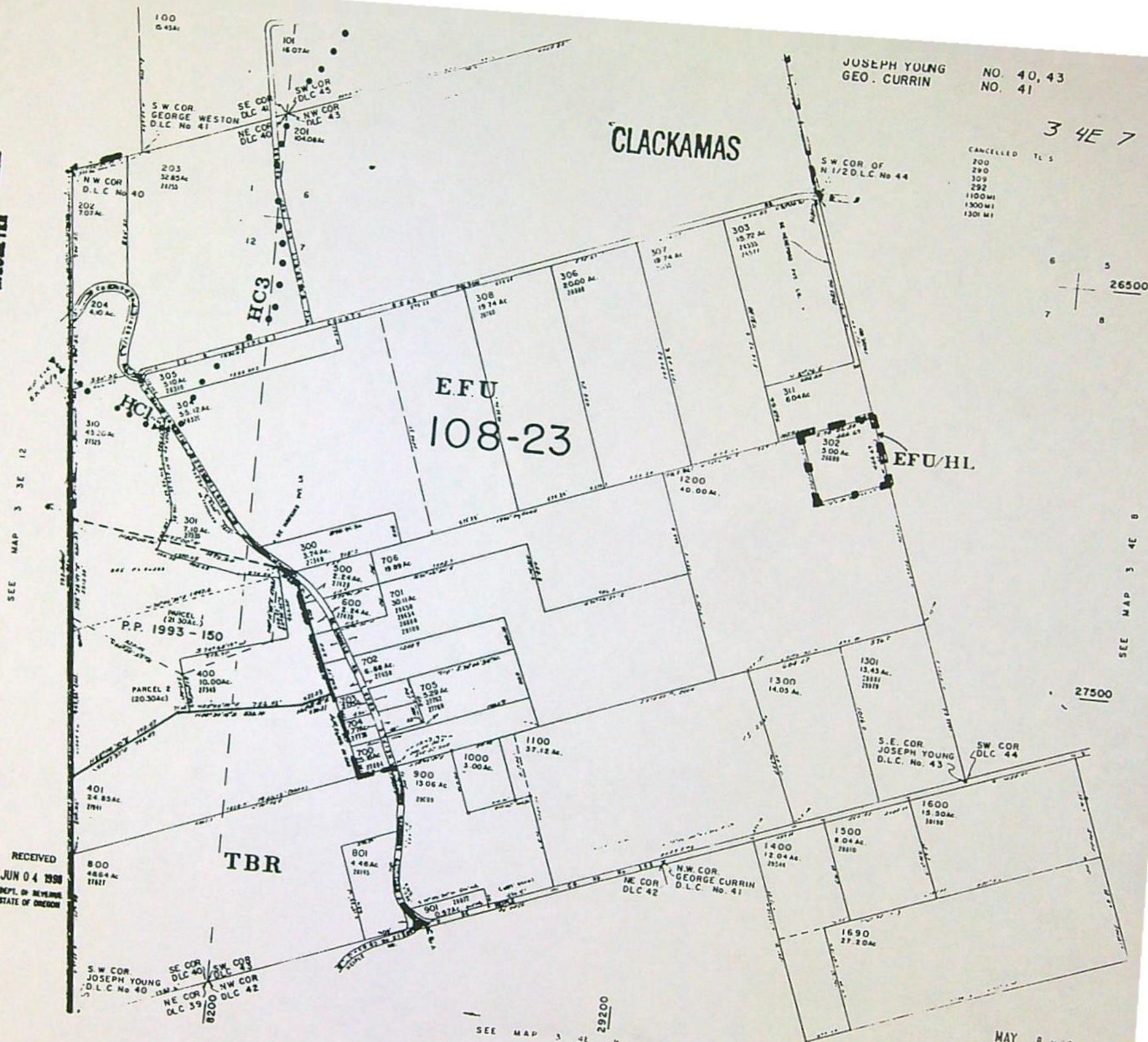
SW COR.
D.L.C. 43

NE COR.
D.L.C. 39

NW COR.
D.L.C. 42

3200

SEE MAP 3 4E 29



STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RHODA GIBLER
26650 SE EAGLE CREEK RD
ESTACADA, OREGON 97023

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

APPLICATION FILE NUMBER: G-13672

SOURCE OF WATER: TWO WELLS WITHIN THE CLACKAMAS RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 19.74 ACRES AND AGRICULTURE USE

RATE OF USE: 0.224 CFS

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION, YEAR ROUND FOR AGRICULTURE USE

DATE OF PRIORITY: APRIL 25, 1994 FOR 0.1 CFS AND NOVEMBER 29, 1994 FOR 0.144 CFS

POINT OF DIVERSION LOCATION: NE 1/4 NW 1/4, SECTION 7, TOWNSHIP 3 SOUTH, RANGE 4 EAST, W.M.; WELL 1 - 905 FEET SOUTH AND 1640 FEET WEST, WELL 2 - 1015 FEET SOUTH AND 1340 FEET WEST, BOTH FROM THE NW CORNER OF THE JOSEPH YOUNG DLC #43

The amount of water used for agricultural use is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for agricultural use may be made at anytime of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NW 1/4 12.16 ACRES
NW 1/4 NW 1/4 1.48 ACRES
SE 1/4 NW 1/4 6.10 ACRES
SECTION 7

TOWNSHIP 3 SOUTH, RANGE 4 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.

STANDARD CONDITIONS

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

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

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

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

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

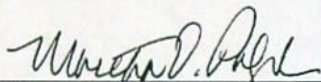
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1997. Complete application of the water to the use shall be made on or before October 1, 1998.

Issued December 22, 1995



Water Resources Department
Martha O. Pagel
Director

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **111441**

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

RECEIVED FROM: Brian G. Fieber
BY: _____

APPLICATION	13672
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # X 24-752 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 200.

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 FEEDS	\$
880.109	MISC REVENUE: (IDENTIFY)	\$
520.000	OTHER (P-6) (IDENTIFY)	\$

WATER RIGHTS:

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

WELL CONSTRUCTION

842.022	WELL DRILL CONSTRUCTOR	\$	842.023	\$
_____	LANDOWNER'S PERMIT		842.024	\$

OTHER (IDENTIFY) _____

06-00-0 WELL CONST START FEE

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

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 # **111441**

DATED: 4-25-94

BY: D. Beachell

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **119233**

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

INVOICE # _____

RECEIVED FROM: Brian Gibler

BY: _____

APPLICATION	13672
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # ☒ 24-752 / OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 420.00

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:

842.001	SURFACE WATER	EXAM FEE	842.002	RECORD FEE
842.003	GROUND WATER	\$	842.004	\$ 420.00
842.005	TRANSFER	\$	842.006	\$

WELL CONSTRUCTION

842.022	WELL DRILL CONSTRUCTOR	EXAM FEE	842.023	LICENSE FEE
_____	LANDOWNER'S PERMIT	\$	842.024	\$

OTHER (IDENTIFY) _____

06-00-0 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

07-00-0 HYDRO ACTIVITY

LIC NUMBER

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

HYDRO APPLICATION _____

RECEIPT # **119233**

DATED: 11-29-94 BY: D. Bushnell

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **119233**

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

INVOICE # _____

RECEIVED FROM: Brian Giber
BY: _____

APPLICATION	13672
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # ☒ 24-752/ OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 420.⁰⁰

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.	\$
VOUCHER #	

COST CENTER AND OBJECT CLASS

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS		
840.001	COPY FEES	\$
850.200	RESEARCH FEES	\$
880.109	MISC REVENUE: (IDENTIFY)	\$
520.000	OTHER (P-6) (IDENTIFY)	\$
WATER RIGHTS:		
842.001	SURFACE WATER	\$
842.003	GROUND WATER	\$
842.005	TRANSFER	\$
WELL CONSTRUCTION		
842.022	WELL DRILL CONSTRUCTOR	\$
	LANDOWNER'S PERMIT	\$
	OTHER (IDENTIFY)	

EXAM FEE		RECORD FEE
\$	842.002	\$
\$	842.004	\$ 420. ⁰⁰
\$	842.006	\$
EXAM FEE		LICENSE FEE
\$	842.023	\$
	842.024	\$

06-00-0 WELL CONST. START FEE

842.013	WELL CONST START FEE	\$	CARD #
	MONITORING WELLS	\$	CARD #
	OTHER (IDENTIFY)		

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
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07-00-0 HYDRO ACTIVITY

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

RECEIPT # **119233**

DATE: 11-29-94 BY: D. Bushnell

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

SECTION 7[illegible]

No CONFLICTING RIGHTS

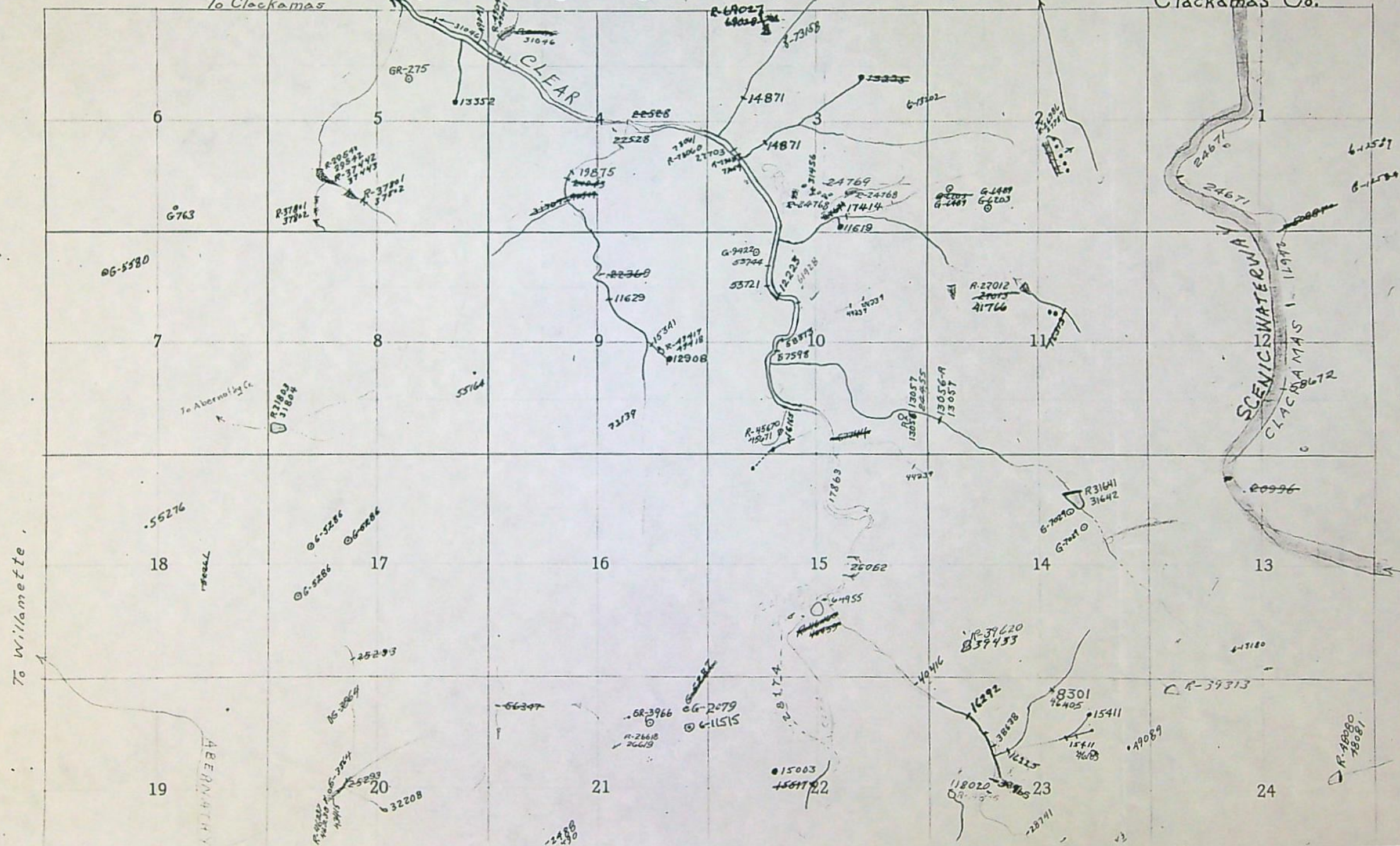
Summary of Water Right Filings in Township 35, Range 4E



Summary of Water Right Filings in Township 35, Range 3E

To Clackamas

Clackamas Co.



DATE: _____ INITIALS: _____

4/25/94

DD

MINIMUM REQUIREMENTS TO FILE

Name and mailing address _____
 Source of water _____
 Quantity of water _____
 Location of project _____
 Use of water _____
 Signature of applicant _____
 Allowable use by policy _____
 State Engineer withdrawal _____
 Legislative withdrawal _____
 Land use approved _____ pending _____

FIELD OPERATIONS

Application date stamped per money receipt date _____
 Stream Indexed _____
 Stream Code _____
 Scenic Waterway _____

Findings:-

- 1) Concluded - Scenic-Reg Ack letter
- 2) Under Study - Scenic-Ack letter
- 3) Basin 2 - Willamette-Ack letter

Plat Carded and copy made _____ YES NO
 Conflicts (well _____ surface _____) _____
 Prior ISWR # _____
 Within Irrigation District _____ (name) _____

Notified

District excerpt received _____
 Entered in Paradox _____
 Prepare six copies of Draft Permit _____
 Send one copy to Data Center _____

SUPPORT SERVICES

Stamp contents with application number _____
 Mail/Provide copies of draft permits to DEQ, ODFW, PARKS, AND WATERMASTER _____
 Mail ack letter (provided by Data Center) with receipt to applicant, cc to CWRE and file _____
 Place label on file and card _____
 If dam is over 10 feet or storage exceeds 9.2 AC-FT, route file to Dam Safety Section _____
 Notify Irrigation District _____

FIELD OPERATIONS

	YES	NO
Ownership Statement	_____	_____
Name and address of all owners	_____	_____
Other landowners notified	_____	_____
Legal Description	_____	_____
Need Commission review	_____	_____
Requests greater than 5.0 cfs	_____	_____
Dam height greater than 20 feet	_____	_____
Storage greater than 100 acre-feet	_____	_____
Out of Basin diversion	_____	_____
Groundwater recharge project	_____	_____
Other substantial public interest	_____	_____
GW comments received	resolved _____	_____
ODFW comments received	resolved _____	_____
DEQ comments received	resolved _____	_____
Interest Groups	_____	_____
Water availability received	_____	_____
Objections received	resolved _____	_____
Protest received	resolved _____	_____
Management Codes	_____	_____

EXAMINATION FEE: _____
RECORDING FEE: _____

REMARKS: _____

////////////////////////////////////
 ATTENTION /
 WATER RIGHTS SECTION!!! /
 //////////////////////////////////////

The following point of diversions may have been filed on a restricted stream

[illegible]

573
CJ2
Application No.

G13672

Permit No.

G12002

RHODA GIBLER

Name

26650 SE EAGLE CREEK RD

Address

ESTACADA, OR

97023

Assigned

Address

Beginning construction

12-22-96

Completion of construction

10-1-97

Extended to

Complete application of water

10-1-98

Extended to

NUMBER

96489

Check 200⁰⁰ NO Cash

 Surface Application

 Reservoir Application

X Ground Water Application

 Transfer Application

 Power Claim

 Hydroelectric Examination

 Hydroelectric License

 Copying

 Assignment

 Extension of Time

 Other

 P-6

 Quadrangle

 Basin

 Protest

 Constructors Examination

 Constructors License

 Adjudication

200
EX

BAER