

69

Name G-16439
 By WILLIAM MILLER
THE MILLER RANCH CO.
 Address 66359 US HWY 197
DUFUR OR 97021

C/2020

Priority _____
 County _____ WM# _____

Application No. G16439
 Permit No. G-15989
 Certificate No. _____

Date	Amount	Receipt No.
4-14-05	1,700.00	73939
9/22/05	250.00	77503
9-1-10	500.00	100942
8-21-2020	676.00	133715
	Cert. Fee	

DENIED _____
 MISFILED _____
 WITHDRAWN _____
 CANCELLED _____

Date	Amount	Receipt No.

RELATED FILES

ASSIGNMENTS

Date	To Whom	Address

DEVELOPMENT _____ Date _____
 Completion 10-1-2010
 Extended to 10/1/2020
 Final Proof received _____
 Proposed Cert. Mailed _____

REMARKS _____

MAP LOCATION _____



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

November 8, 2024

The Miller Ranch
Niall Boggs
66359 U.S. Hwy 197
Dufur, OR 97021

REFERENCE: Application G-16439 / Permit G-15989

Dear Permit Holder:

The Water Rights Section received your written progress report for Permit G-15989. Receipt of the progress report was published on the Department's weekly Public Notice, dated October 1, 2024. The Department did not receive any public comment on the progress report.

A review of the Department's record in conjunction with the Progress Report submitted September 25, 2024, indicates that the prior to the extension of time issued February 26, 2021, a total of 776 acres had been irrigated, while the Progress Report identifies 615.9 acres have been irrigated to date, and that only an additional 14.28 acres have been developed. Based on this, the Department has determined that diligence is questionable. Although diligence toward completion of the project and/or compliance with the terms and conditions of the permit and extension is questionable, the Department decided not to apply additional conditions and not to cancel the remaining undeveloped portion of the permit.

It is in your best interest to make substantial progress on the development of Permit G-15989 by the next written progress report with a due date of **October 1, 2029**. Reports must be received by the Department not sooner than 30 days prior to the due date.

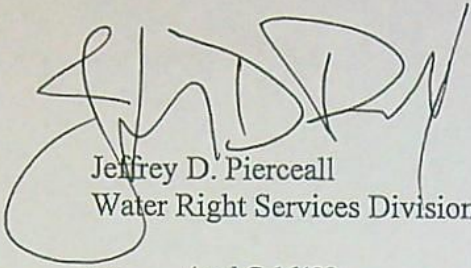
Please be aware that the deadline for completion of construction and full beneficial use of water under Permit G-15989 is October 1, 2030. If diligence continues to be questionable, an additional extension of time for Permit G-15989 will likely not be approved by the Department.

You also have a future reports that will be due by **October 1, 2029**. For your convenience, I have enclosed your next *Progress Report Form*. Please calendar this **October 1, 2029**, due date, as no further reminders will be sent. ***Failure to submit a written progress report will most likely result in any future extensions being denied.***

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

Sincerely,





Jeffrey D. Pierceall
Water Right Services Division, Extensions

cc: Appl G-16439
Watermaster District 3 - Robert Wood



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: The Miller Ranch

Application G-16439

Permit G-15989

Report Due no later than October 1, 2029

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

Progress Report Form for 2029

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit 15989. FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, 2024 and October 1, 2029	FINANCIAL INVESTMENT

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

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

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

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

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

Acre-feet stored to date = _____ AF

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

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

Signature _____ Date _____

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: _____

Reviewed by: _____

Date: _____

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

1. Extension Specialist: Progress Report Review

Date Report was Due: October 1, 2024 (= "Deadline Date" for the corresponding ECP work flow record in WRIS)

Date Report Received: September 25, 2024

Report Complete: YES

NO – Send letter requesting missing information.

letter mailed on: November 15, 2024

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: 9.10.8.2024

Update workflow in WRIS

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

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: November 15, 2024

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: The Miller Ranch Attn: Niall Boggs

Application: G-16439

Permit: G-15989

County: Hood River

Source: Fifteen Mile Creek

Use: agricultural and irrigation uses on 1012.2 acres



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: The Miller Ranch Co

Application G-16439

Permit G-15989

Progress Report for 2024

Report Due no later than October 1, 2024

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-15989.

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between August 27, 2020 and October 1, 2024	FINANCIAL INVESTMENT
11/2020	Cherry Blossom pump repair - maintenance	\$115,805.44 20
2022-23	Boyd irrigation - power & pump to Well 1, add 14.28 acres irrigation	\$30,809.11
2024	Boyd Main line adder for irrigation efficiency - maintenance and service	\$12,764.28

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.)
 See itemized description next page

3. Total number of acres irrigated to date: 615.95
 Total acres irrigated per well,
 Well 1 67.35 Well 2A 0.00 Well 3A 366.40 Well 4A 182.20 Well 5 0.00
 Well 6 0.00

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 = 8.69 cfs
 Maximum Rate per well:
 Well 1 0.56 Well 2A 1.34 Well 3A 4.34 Well 4A 2.45 Well 5 0.00
(no longer used)
 Well 6 0.00

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 Niall Boggs Date 9/24/2024
 Printed Name/Title Niall Boggs, PE, CWRE / Senior Consultant

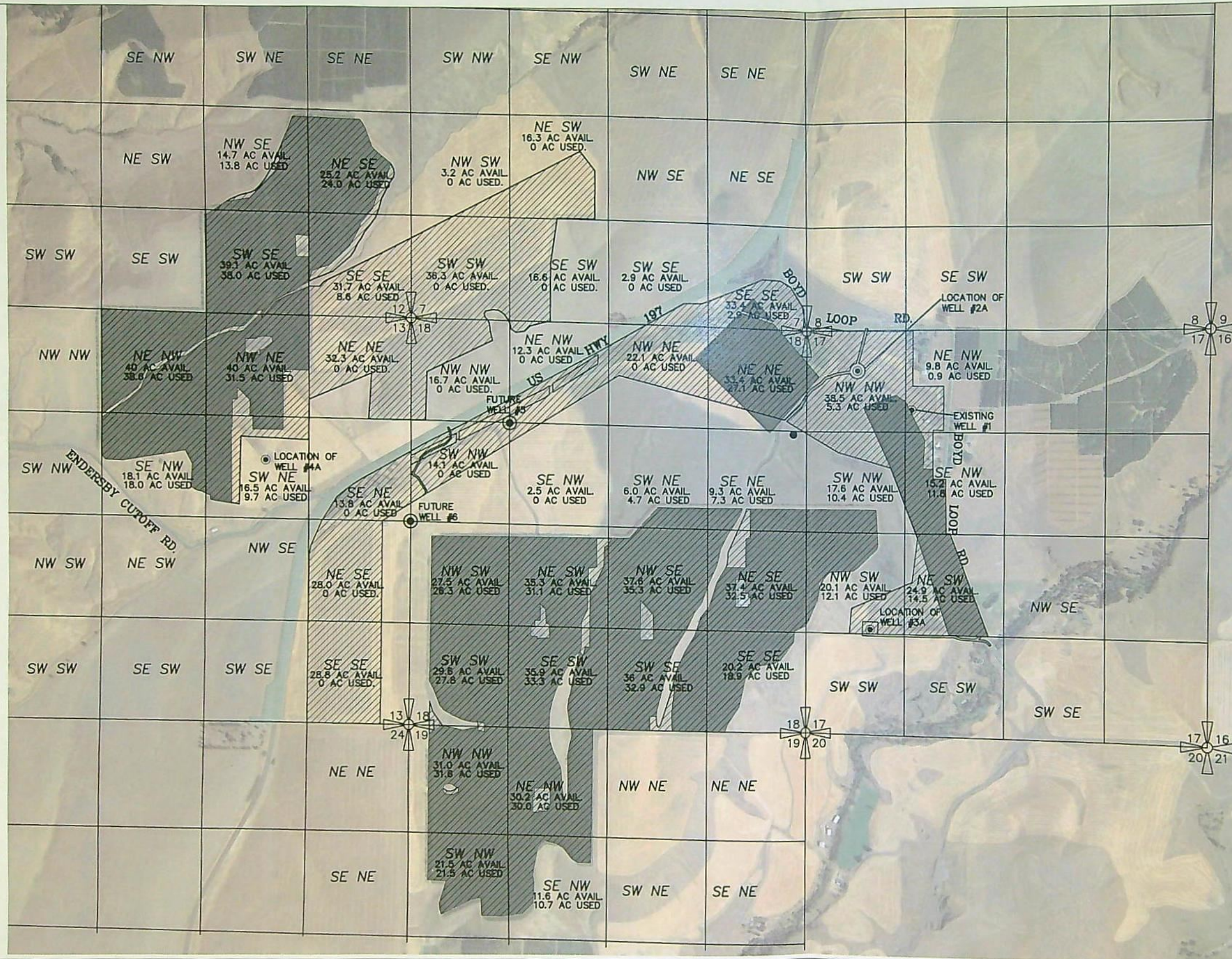
Received
 SEP 25 2024
 OWRD

Diligence Shown Yes No minimal Date Public Noticed: 10-8-2024
 Reviewed by: [Signature] For OWRD use only Date: 10-18-24

Miller Ranch Progress Narrative on Water Right Permit G-15989
08/27/2020 – 10/01/2024

1. Submitted annual water use reports to OWRD via online reporting system; reference Reporting ID numbers 62870, 62871, 62872, and 62873
2. Produced water from wells and beneficially used for irrigation.
3. Expanded areas irrigated off of Well 1.
4. Improved irrigation efficiency improvements and received cost-share grant from the conservation district
5. Continued hardships in the cherry market have prevented additional expansion of irrigated cherry orchards.
 - a) 2021 – The California Crop overlap pressured pricing well into July. A June heat wave resulted in some crop damage, lower pack-outs, and overall smaller cherries, which hurt pricing and overall return.
 - b) 2022 A week-long April freeze through the Northwest and subsequent cold weather led to the smallest NW cherry crop since 2008.
 - c) 2023 California's later crop and record crop size adversely affected wholesale pricing throughout the Northwest, resulting in one of the worst years ever for the NW cherry crop. It was the worst year ever for Cherry Blossom, resulting in a crop insurance claim and capital call.

Received
SEP 25 2024
OWRD







1 INCH = 1320 FT.

PROPERTY OWNER:
 THE MILLER RANCH COMPANY
 66359 US HWY 197
 DUFUR, OR 97021

TOTAL PERMITTED AREA = 1014.2 ACRES
 TOTAL AREA UNDER IRRIGATION = 615.95 ACRES

LEGEND:

-  PERMITTED AREA
-  PERMITTED AREA BEING IRRIGATED
-  PROPOSED FUTURE WELL
-  EXISTING WELL

NOTE: THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF WATER RIGHTS. THIS MAP IS NOT INTENDED TO PROVIDE DIMENSIONS OR THE LOCATION OF PROPERTY OWNERSHIP LINES.

Received
 SEP 25 2024
 OWRD

**MILLER RANCH – WORKING MAP (YEAR 2024 IRRIGATION) FOR IRRIGATION AND AGRICULTURAL USE WATER RIGHTS
 TOWNSHIP 1 SOUTH, RANGE 14 EAST AND RANGE 13 EAST**

Facility Water Use Report

BOYD WELL 1 (WASC 2217)
Report ID: 62869

WELL 1 (WASC 2217):
 1102 FEET SOUTH AND 1446 FEET EAST FROM NW CORNER, SECTION 17
 1S-14E-17-NE NW;
 Permit: G 15989 *

THE MILLER RANCH CO
 CHARLIE MILLER
 PO BOX 520
 BEND, OR 97709

Records per Page: 5 [View All](#)

Water Year	Reporter Name	Type of Measurement	Unit	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Irrigated Acres
2023	Charley Miller	FMT	G	0.0	0.0	0.0	0.0	0.0	150500.0	5045000.0	3052200.0	2174900.0	0.0	1202700.0	2963500.0	78.88
2022	Charley Miller	FMT	G	0.0	0.0	0.0	0.0	0.0	0.0	0.0	5705700.0	3085200.0	0.0	267400.0	5091800.0	64.6
2021	Charley Miller	FMT	G	0.0	0.0	0.0	0.0	0.0	3300.0	405100.0	3873800.0	1134200.0	5099300.0	2591900.0	2953000.0	64.6
2020	Charley Miller	FMT	G	0.0	0.0	0.0	0.0	0.0	6300.0	4681400.0	3260400.0	3660500.0	4923800.0	3797400.0	995900.0	
2019	Charley Miller	FMT	G	0.0	0.0	0.0	0.0	0.0	0.0	702700.0	3934200.0	2062100.0	4445000.0	1762100.0	6834900.0	64.6

1 2 3 4

Type(s) of Measurement:

FMT Flowmeter (recording monthly readings and then reporting the difference between one month's reading and the next)

Unit(s) of Measurement:

A Acre Feet
 G Gallons
 K Thousand Gallons

If corrections are needed, send a message to: owrd.waterusereporting@water.oregon.gov or call 541-345-7489.

Received
 SEP 25 2024
 OWRD

Facility Water Use Report

CHERRY BLOSSOM 2 (WASC 51558/L-88270)
Report ID: 62870

WELL 2A;
4796 FEET NORTH AND 4502 FEET WEST FROM SE CORNER, SECTION 17
1S-14E-17-NW NW;
Permit: G 15989 *

THE MILLER RANCH CO
CHARLIE MILLER
PO BOX 520
BEND, OR 97709

Records per Page: 5 [View All](#)

Water Year	Reporter Name	Type of Measurement	Unit	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Irrigated Acres
2023	Charley Miller	OTH	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2022	Charley Miller	OTH	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2021	Charley Miller	OTH	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2020	Charley Miller	OTH	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2019	Charley Miller	OTH	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

1 2 3 4

Type(s) of Measurement:

Unit(s) of Measurement:

FMT	Flowmeter (recording monthly readings and then reporting the difference between one month's reading and the next)	A	Acre Feet
OTH	(2012)	G	Gallons
OTH	The gallon readings are estimates, based on the number of sprinklers & running time. (2023)	K	Thousand Gallons
OTH	Well was not used for irrigation. (2010)		

If corrections are needed, send a message to: owrd.waterusereporting@water.oregon.gov or call 541-345-7489.

Received
SEP 25 2024
OWRD

Facility Water Use Report

CHERRY BLOSSOM WELL 3 (WASC 51532/L-88230)

Report ID: 62871

WELL 3A;
 1451 FEET NORTH AND 4324 FEET WEST FROM SE CORNER, SECTION 17
 1S-14E-17-NW SW,
 Permit: G 15989 *

THE MILLER RANCH CO
 CHARLIE MILLER
 PO BOX 520
 BEND, OR 97709

Records per Page: 5 [View All](#)

Water Year	Reporter Name	Type of Measurement	Unit	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Irrigated Acres
2023	Silvestre Deras	FMT	G	14967770.0	0.0	0.0	0.0	0.0	0.0	3421504.0	27981120.0	37443584.0	61440512.0	45963872.0	15440032.0	360.0
2022	Silvestre Deras	FMT	G		0.0	0.0	0.0	0.0	0.0	590464.0	24761856.0	38175232.0	58668672.0	41031936.0	30920960.0	360.0
2021	Silvestre Deras	FMT	G		0.0	0.0	0.0	0.0	0.0	25477117.0	45533059.0	57315712.0	59593984.0	45118592.0	15506048.0	360.0
2020	Silvestre Deras	FMT	G		0.0	0.0	0.0	0.0	0.0	32240848.0	32846896.0	56094304.0	57557408.0	29634944.0	26528000.0	360.0
2019	Silvestre Deras	FMT	G		0.0	0.0	0.0	0.0	0.0	0.0	30060608.0	56604288.0	40681544.0	47967416.0	28688768.0	360.0

1 2 3 4

Type(s) of Measurement: FMT
 Flowmeter (recording monthly readings and then reporting the difference between one month's reading and the next)

Unit(s) of Measurement: G
 Gallons

If corrections are needed, send a message to: owrd.waterusereporting@water.oregon.gov or call 541-345-7489.

Received
 SEP 25 2024
 OWRD

Facility Water Use Report

TRES AMIGO ORCHARD 4 (WASC 51672/L-97485)
Report ID: 62872

WELL 4A;
3453 FEET NORTH AND 1845 FEET WEST FROM SE CORNER, SECTION 13
1S-13E-13-SW NE;
Permit: G 15989 *

THE MILLER RANCH CO
CHARLIE MILLER
PO BOX 520
BEND, OR 97709

Records per Page: 5 [View All](#)

Water Year	Reporter Name	Type of Measurement	Unit	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Irrigated Acres
2023	Silvestre Deras	FMT	G	0.0	0.0	0.0	0.0	0.0	0.0	443660.0	19018400.0	23509244.0	41533206.0	24532430.0	18520570.0	160.0
2022	Silvestre Deras	FMT	G	0.0	0.0	0.0	0.0	0.0	0.0	422350.0	3335650.0	35068428.0	24803202.0	18054368.0	21783402.0	160.0
2021	Silvestre Deras	FMT	G	0.0	0.0	0.0	0.0	0.0	0.0	19292086.0	36052470.0	29733270.0	26710580.0	25773110.0	7789550.0	160.0
2020	Silvestre Deras	FMT	G	0.0	0.0	0.0	0.0	0.0	0.0	13693600.0	24222450.0	29467080.0	33114050.0	16368640.0	14996934.0	160.0
2019	Silvestre Deras	FMT	G	0.0	0.0	0.0	0.0	0.0	0.0	0.0	22974190.0	36942790.0	22633600.0	22777130.0	13940310.0	160.0

1 2 3 4

Type(s) of Measurement:

Unit(s) of Measurement:

FMT Flowmeter (recording monthly readings and then reporting the difference between one month's reading and the next)

OTH Well not completed. (2007)

G Gallons

K Thousand Gallons

If corrections are needed, send a message to: owrd.waterusereporting@water.oregon.gov or call 541-345-7489.

Received
SEP 25 2024
OWRD

Facility Water Use Report

WELL 5 (PROPOSED)
Report ID: 62873

WELL 5;
 NW1/16 CORNER, SECTION 18.
 1S-14E-18-SE NW;
 Permit: G 15989 *

THE MILLER RANCH CO
 CHARLIE MILLER
 PO BOX 520
 BEND, OR 97709

Records per Page: 5 [View All](#)

Water Year	Reporter Name	Type of Measurement	Unit	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Irrigated Acres
2023	Charley Miller	FMT	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
2022	Charley Miller	FMT	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
2021	Charley Miller	FMT	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
2020	Charley Miller	FMT	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
2019	Charley Miller	FMT	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	

1 2 3 4

Type(s) of Measurement:

FMT Flowmeter (recording monthly readings and then reporting the difference between one month's reading and the next)

Unit(s) of Measurement:

A Acre Feet
 K Thousand Gallons
 M Million Gallons

If corrections are needed, send a message to: owrd.wateruserreporting@water.oregon.gov or call 541-345-7489.

Received
 SEP 25 2024
 OWRD

Parametrix No. 297-7424-003

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

Re: Progress Report for Permit G-15989

Dear To Whom It May Concern:

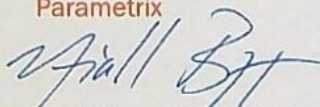
Enclosed are the materials for the progress report for Application G-16439 / Permit G-15989 that is beneficially used for irrigation of the Miller Ranch Co. lands near Dufur, OR. Generally, Miller Ranch Co. has continued to expand their irrigated lands and invest in additional irrigation infrastructure as outlined on the Progress Report form.

We did want to note that with the recent development of irrigated lands in the E ½ of the NE ¼ of section 18, a small portion of the irrigated areas are outside the mapped allowable area of use. However, the amount of irrigated land within the quarter-quarter sections is within the allowable amount from the permit. Therefore, it is our understanding that no permit amendment is needed, and we plan to map it during the Claim of Beneficial Use once the C-Date is achieved. Please reach out and let me know if you see any issues with this.

We appreciate the Department's assistance with the Miller Ranch Co.'s critical water rights over the years. As always, please reach out with any questions.

Sincerely,

Parametrix



Niall Boggs, PE, CWRE
Senior Consultant

cc: Charley Miller
Connie Marshal
Project File

Received
SEP 25 2024
OWRD



September 16, 2020

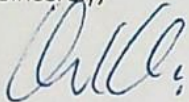
Oregon Water Resources Department
Attn: Water Right Permit Extensions
725 Summer Street NE, Suite A
Salem, OR 97301

Re: Time Extension for Permit G-15989

To Whom it May Concern,

I authorize Niall Boggs, PE, CWRE, working for Parametrix, to act as an agent on our behalf for the Time Extension Application for Permit G-15898. Please let me know of any questions.

Sincerely,



Charley Miller
Miller Ranch Co.

Received
SEP 25 2024
OWRD

COPY

Mailing List for Extension FO Copies

FO Date: February 26, 2021

Copies Mailed

Application: G-16439

Permit: G-15989

By: TM
On: 2/26/2021

Original mailed to permit holder

The Miller Ranch Co
110 NE Greenwood Ave
Bend, OR 97701

Copies sent to:

1. WRD - App. File G-16439/ Permit G-15989
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 3, Robert Wood

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)
for Permit G-15989, Water Right Application G-16439) FINAL
(modified by Permit Amndment T-10331 and T-10528), in) ORDER
the name of The Miller Ranch Co)

Permit Information

Application:	G-16439
Permit:	G-15989 (modified by Permit Amndment T-10331 and T-10528)
Basin:	4 – Hood / Watermaster District 3
Date of Priority:	April 14, 2005
Source of Water:	six wells in Starvout Creek Basin
Purpose of Use:	Irrigation use on agricultral and irrigation use on 1014.2 Acres
Maximum Rate:	12.678 cubic feet 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-15989 was issued by the Department on December 16, 2005, and modified by Permit Amndment T-10331 on June 14, 2007, and T-10528 on May 27, 2008. The permit specified, completion of construction by October 1, 2010, and complete application of water to beneficial use by October 1, 2010. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 2020. On August 27, 2020, Charley Miller, president of The Miller Ranch Co, submitted an Application for Extension of Time for Permit G-15989. In accordance with OAR 690-315-0050(2), on December 22, 2020, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2030, and the time to fully apply water to beneficial use to October 1, 2030. The protest period closed February 5, 2021, 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 December 22, 2020.

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. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2024 and 2029**. *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.

CONCLUSION OF LAW

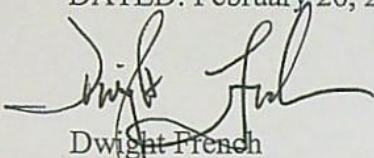
The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

continued on following page

ORDER

The extension of time for Application G-16439, Permit G-15989, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 2020, to October 1, 2030. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2020, to October 1, 2030.

DATED: February 26, 2021



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 (503) 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: The Miller Ranch Co

Application G-16439

Permit G-15989

Progress Report for 2024

Report Due no later than October 1, 2024

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-15989.

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between August 27, 2020 and October 1, 2024	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 _____ Well 2A _____ Well 3A _____ Well 4A _____ Well 5 _____
 Well 6 _____

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 2A _____ Well 3A _____ Well 4A _____ Well 5 _____
 Well 6 _____

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 <input type="checkbox"/> Yes <input type="checkbox"/> No	Date Public Noticed: _____
	<i>For OWRD use only</i>
Reviewed by: _____	Date: _____

Mailing List for Extension PFO Copies

PFO Date: December 15, 2020

Copies Mailed

Application: G-16439

By: TM

Permit: G-15989

On: 12/15/2020

Original mailed to Applicant:

The Miller Ranch Co
110 NE Greenwood Ave
Bend, OR 97701

Copies sent to:

1. WRD - App. File G-16439/ Permit G-15989
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 3, Robert Wood

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)	
for Permit G-15989, Water Right Application G-16439	)	PROPOSED
(modified by Permit Amndment T-10331 and T-10528), in	)	FINAL
the name of The Miller Ranch Co		ORDER

Permit Information

Application:	G-16439
Permit:	G-15989 (modified by Permit Amndment T-10331 and T-10528)
Basin:	4 – Hood / Watermaster District 3
Date of Priority:	April 14, 2005
Source of Water:	six wells in Starvout Creek Basin
Purpose or Use:	Irrigation use on agricultral and irrigation use on 1014.2 acres
Maximum Rate:	12.678 cubic feet 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, 2020, to October 1, 2030.
- Grant an extension of time to apply water to full beneficial use from October 1, 2020, to October 1, 2030¹.
- 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

Agent – Niall Boggs, PE, CWRE
Application – Application for Extension of Time
Department – Oregon Department of Water Resources
FOF – Finding of Fact
PFO – Proposed Final Order
cfs – cubic feet per second

WELLS

Well 1 – WASC 2217
Well 2A – WASC 51558
Well 3A – WASC 51532
Well 4A – WASC 51672
Well 5 – Not Constructed
Well 6 – Not Constructed

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(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 16, 2005, Permit G-15989 was issued by the Department, consistent with the terms of a settlement agreement. The permit authorizes the use of up to 12.678 cfs of water, from six wells in Starvout Creek Basin; being 0.558 cfs from Well 1, 2.424 cfs each from Well 2, Well 3, Well 4, Well 5, and Well 6, for agricultural and irrigation use on 1014.2 acres. The permit specified construction of the water system was to be completed by October 1, 2010, and complete application of water was to be made on or before October 1, 2010.

2. On June 14, 2007, the Department approved Permit Amendment T-10331 (Special Order Volume 72, Page 333) authorizing a change in the points of appropriation and additional points of appropriation under Permit G-15989 (modified by Permit Amendment T-10331).
3. On May 27, 2008, the Department approved Permit Amendment T-10528 (Special Order Volume 74, Page 995) authorizing a change in the point of appropriation and a change in place of use under Permit G-15989 (modified by Permit Amendment T-10331 and T-10331) which is hereafter referred to simply as Permit G-15989.
4. One prior permit extensions have been granted for Permit G-15989. The most recent extension request resulted in the completion dates for construction and full application of water being extended from October 1, 2010, to October 1, 2020.
5. On August 27, 2020, Charley Miller, president of The Miller Ranch Co, 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-15989 be extended from October 1, 2020, to October 1, 2030.
6. On September 9, 2020, notification of the Application for Permit G-15989 was published in the Department's Public Notice. No public comments were received regarding the Application.
7. On October 30, 2020, the permit holder submitted additional information to supplement their Application. The additional information was to clarify work accomplished towards the construction of the water system.

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)]

8. On August 27, 2020, 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)]

9. Construction of an authorized well began prior to permit issuance.
10. According to the well log received by the Department on July 7, 1995, construction of WASC 2217 (Well 1) began March 20, 1995.

Based on Finding of Fact (FOF) 9, and 10, the Department has determined that the prosecution of the construction of the well began prior to October 1, 2010.

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 and previous extension.²

11. Construction of the well began prior to permit issuance.
12. Work was accomplished during the original development time frame under Permit G-15989 includes:
 - construction of WASC 51158 (Well 2A), WASC 51532 (Well 3A), and WASC 51672 (Well 4A);
 - installation of pumps, controls, valves, risers and electrical power; and
 - installation of buried pipelines and irrigation equipment.
13. During the most recent extension period, being from October 1, 2010, to October 1, 2020, the following was accomplished:
 - installation of tanks, pumps, and irrigation equipment; and
 - installation of a wheel line.

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.

continued on following page

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.

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

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

14. The Department has considered the permit holder's compliance with conditions, and did not identify any concerns.

Based on FOF 14, the Department has determined that the permit holder has demonstrated compliance with permit conditions as required by Permit G-15989.

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.

15. A maximum rate of 6.75 cfs of water has been appropriated being 0.557 cfs from Well 1, 1.336 cfs from Well 2A, 2.428 cfs from Well 3A, and 2.428 cfs from Well 4A for irrigation of 776 acres and agricultural use.
16. Delay of full beneficial use of water under Permit G-15989 was due, in part, damage to previously planted tree stock, requiring reinvestment in new stock, and market conditions resulting from a record cherry crop in 2017 and tariffs on exports beginning in 2018, which reduced the access to capital necessary to complete the development of the water system.

Based on FOF 14, and 15, the Department has determined that beneficial use of water has been demonstrated under this permit as all permit conditions were satisfied by October 1, 2020.

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

17. An approximate total of \$3,488,494 has been invested. The costs included items associated with operation and maintenance costs of a system which are not "actual construction" under this permit and therefore are not counted towards development. After deducting these costs, the approximate total investment for "actual construction" to date is approximately \$3,435,494 which is about 60 percent of the total projected cost for complete development of this project. An additional \$2,337,500³ investment is needed to complete this project, which includes developing the remaining acres for irrigation, installing new pivots in areas not previously irrigated, and a possible permit amendment.

Based on FOF 17, 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.

³ Anticipated costs included in the Application associated with purchasing of crops have been excluded from the cost remaining for the development of the water system.

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

The Application provides evidence that work has been accomplished towards completion of the water system; the permit holder has demonstrated compliance with permit conditions, a financial investment has been made, and; beneficial use of water has been demonstrated. The Department has determined the applicant has demonstrated reasonable diligence in previous performance under Permit G-15989.

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.

18. 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-15989; 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).

19. The points of appropriation for Permit G-15989, located within the Starvout Creek Basin, are not located within a limited or critical groundwater area.
20. Starvout Creek is not located within or above any state or federal scenic waterway.

21. The points of appropriation are in an area listed by the Department of Environmental Quality as a water quality limited stream.

- Upper Fifteen Mile Creek (1st through 4th order stream) impairment causes; Temperature, Habitat Modification and Sedimentation.

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.

22. Starvout Creek is located within an area ranked “low” 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.

23. An approximate total of \$3,435,494 has been invested in the project.

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

Other economic interests dependent on completion of the project.

24. Other economic interests dependent on completion of the project have been identified. Portions of the irrigated land are under lease by third party.

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

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

25. OAR 690-315-0050(6) requires the Department to place a checkpoint condition on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. A “Checkpoint Condition” is specified under Item 1 of the “Limitations and Conditions” section of this PFO to meet this condition.

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

26. 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)]

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

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

28. Unforeseen events were identified that contributed to the extended the length of time needed to fully develop and perfect Permit G-15989, in that portions of the previously planted orchard were damaged due to environmental factors, resulting in a loss of revenue, and a need to invest in replacement trees stock..

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

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

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

30. The Application provides evidence of good faith of the appropriator under Permit G-15989.

Based on FOF 9, through 17, 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.

31. As of August 27, 2020, the remaining work to be completed consists of completing construction of the water system, meeting all permit conditions, which include X; 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, 2030, 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-15989 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(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 1 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 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 9 through 30, completion of construction and full application of water to beneficial use can be accomplished by October 1, 2030, 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.
5. The applicant has demonstrated good cause for the extension.
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-15989 from October 1, 2020, to October 1, 2030.

Extend the time to apply water to beneficial use under Permit G-15989 from October 1, 2020, to October 1, 2030.

Subject to the following conditions:

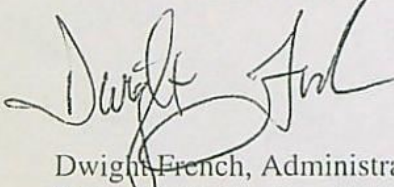
LIMITATIONS AND CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2024 and 2029**. *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: December 15, 2020



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 **January 29, 2021**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.

IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

2. A written protest shall include:

- a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The applicant or non-applicant protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
- a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a protest has been submitted, and:
 - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

NOTICE TO ACTIVE DUTY SERVICEMEMBERS: Active duty Servicemembers have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571 or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free telephone number.

-
- If you have questions about statements contained in this document, please contact Jeffrey D. Pierceall at 503- 986-0802.
 - If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Patricia McCarty at 503-986-0820.
 - If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.
 - Address any correspondence to : Water Right Services Division
725 Summer St NE, Suite A
Salem, OR 97301-1266
Fax: 503-986-0901
-

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(s), *authorized by the permit*, 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) If required, a 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.



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, Charley Miller, for the Miller Ranch Company

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

110 NE Greenwood Avenue Bend Oregon 97701
 ADDRESS CITY STATE ZIP

(541) 382-2022 charley@mlumber.com
 PHONE E-MAIL ADDRESS

the permit holder of: Application Number G-16439

Permit Number G-15989
 [OAR 690-315-0020(3)(b)]

do hereby request that the date by which the water development will be completed and
 water put to full beneficial use, which time now expires on Month: October Day: 1 Year:
2020, be extended to October 1, 2030, [OAR 690-315-0020(3)(i)]

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

 Signature Date
Charley Miller President
 Printed Name Title

The agent below is authorized to represent the applicant in all matters relating to THIS application. _____
 Permit Holder Initials

Niall W. Boggs, PE, CWRE (Parametrix) nboggs@parametrix.com, 541-550-7694
 Authorized Agent (Print Agent Name) Agent contact

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

- This completed Application for Extension of Time.
- Statutory fee of \$670
- Signature page (Second page of this Application for Extension of Time).
- Letter granting an agent authority to act on behalf of the permit holder (*if applicable*)
- All supporting documentation and/or evidence referenced in the Application for Extension of Time. (ODFW Fish screen approval or waiver, contract for stored water, etc)

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.
- 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).
- Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at the State of Oregon, Secretary of State Website. To be granted an extension of time, the Department must make four specific findings; 1) the application is complete, 2) construction of the water system began, 3) there is good cause, and 4) the project can be completed within the time being requested. If the Department cannot make all four findings, the extension of time cannot be approved.
- 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. A response is required for each item contained in the application. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

Reference Materials Needed to Complete this Application:

- **The water right permit.** If needed, a copy of the water right permit can be downloaded from the Department's Website, or, a copy of the permit may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- **Previous Applications and Orders.** Copies of previous applications and orders that may inform the completion of the Application for Extension of Time, if available, may be downloaded from the Department's Website. **NOTE: If the document requested is not available on the Department's website, you may be required to submit a Public Record Request.**
- **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?

Yes No

Date construction began Month: March Day: 20 Year: 1995

Details of construction and attach documentation:

Well 1 completed in 1995. See attached well log WASC 2217. Completed depth = 718'. 6" casing to 545'. 415 gpm artesian flow

Well 2A completed in 2007. See well log WASC 51558. Completed depth = 1352'. 12" casing to 590'. Sealed to 590'. 500-600 gpm yield during air test.

Well 3A completed in 2007. See well log WASC 51532. Completed depth = 632'. 16" casing to 569'. Sealed to 570'. 2,200 gpm artesian flow.

Well 4A completed in 2008. See well log wasc 51672. Completed depth = 1147'. 16" casing to 750'. Sealed to 750'. 800-1,200 gpm yield during air test.

For Surface/Reservoir Permit

Has construction of the water system begun? Yes No N/A, no reservoir

Date construction began Month: _____ Day: _____ Year: _____ N/A, no reservoir

Details of construction and attach documentation: _____ N/A, no reservoir

OAR 690-315-0020(3)(A)(e)(A)

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 included in the permit, or 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 checked="" type="checkbox"/>	Installation of a meter/totalizing flow meter	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	Submittal of annual water usage report	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	Submittal of initial static water level measurement	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	Submittal of annual static water level measurements in the month required	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	Submittal of Seven consecutive static water level measurements in the month required	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2006-Present
<input checked="" type="checkbox"/>	Special well construction standards	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2007- Present
<input type="checkbox"/>	Submittal of a monitoring plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A
Surface Water or Reservoir			
<input type="checkbox"/>	Installation of a meter/ totalizing flow meter	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Submittal of annual water use report	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Installation of a fish screen	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Installation of a fish by-pass device	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater

<input type="checkbox"/>	Installation of a fish passage	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Installation of an outlet gate/pipe/ conduit	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<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	N/A Groundwater
<input type="checkbox"/>	Submit as-built plans and specification	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Submittal of a letter from an engineer prior to storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater

2b. If you have identified that you have NOT complied with Permit conditions, explain the reasons why and indicate a date certain, when you will be in compliance.

Condition 13- Date of Expected Compliance : 2030

The cherry market had three consecutive bad years due to a variety of factors including a glut in the market that provided financial hardship preventing full development of the water right. Additionally, Miller Ranch Co. decided to progressively develop the wells and irrigation system to err on the side of being conservative toward fiscal and water resources. This allowed careful development and monitoring of the orchards as well as verification of the groundwater supply with the development of each new point of appropriation. This ensured appropriate investment of capital in well construction, allowing for the incoming capital from each phase of development to offset costs of subsequent phases of development. Additionally, orchards and irrigation systems are state of the art and final planning and development require additional time to ensure proper allocation of capital.

In 2020, the COVID-19 pandemic severely impacted labor markets, driving up costs for picking, pruning, and planting. The full financial impact of the pandemic on the orchards has not yet been fully quantified due to the timing of this time extension application. These impacts will affect bottom line revenues and will impact the short term availability of capital for use in completing the development of the orchards and water right.

Condition 14 - Date of Expected Compliance : 2031

Claim of Beneficial won't be submitted until construction and full use are complete.

[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. Itemize each work item, and do not combine multiple work actions in one area. (Planning, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land, or planting crops

is not considered work in the development of the water system. Work accomplished under other water rights may not be considered work under this permit.)

CHART-B

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
1995	Well 1 Drilled	\$35,000
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*
12/16/2005	Date the permit was signed - find date above signature on last page of permit.	
Sept. 2008- Nov. 2009	Installed above and below ground pipeline, including: fittings, service laterals, risers, sprinklers and hose to Well 1 and Well 2A.	\$32,762
Sept. 2008- 2009	Concrete slab work around well (estimated)	\$4,000
07/27/2007	Well 2A constructed	\$200,000
03/22/2007	Well 3A constructed (estimated)	\$666,878
December 2007	300HP well pump installed at Well 3A (estimated)	\$146,165
December 2007	Pumphouse constructed at Well 3A (estimated)	\$45,677
December 2007	Electrical and controls installed at Well 3A (estimated)	\$54,812
2007-2009	Cherry Blossom Orchard piping & irrigation system installed.	\$711,200
10/9/2008	Well 4A constructed (estimated)	\$798,474
2008-2009	300HP well pump installed at Well 4A (estimated)	\$175,008
2008-2009	Well 4A electrical, controls, etc. (estimated)	\$120,318
2007-2009	Tres Amigos Orchard piping and irrigation system installed.	\$320,200
2005- present	Irrigation system maintenance and operations	\$50,000
2008-2009	Extend +/-3.5 miles of new 3-phase power supply. Paid ~25% of cost of costshare with utility provider	\$125,000
October 1, 2010	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 and prior to any previous extension order <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*

	N/A, not first time extension application	
Total Cost for Chart-B		\$3,488,494 3,435,494

* 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*
10/1/2010	"Extended From" date for complete application of water used in the most recent Final Order on Extension of Time.	
2012	Cherry Blossom Orchard –Irrigation equipment	\$19,252.75
2013	Cherry Blossom Orchard – irrigation equipment	\$42,945.49
2017	Cherry Blossom Orchard equipment, Tres Amigos equipment, Claussen wheel lines	\$27,266
2019	Cherry Blossom Orchard equipment, Claussen valves and fittings	\$5,400
10/1/2020	"Extended To" date for complete application of water resulting from the most recent Final Order on 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*
	N/A,	

Total Cost of Chart-C		\$94,864.24

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

5. Cost of project to date: ~~\$3,583,358.24~~ ~~30~~ 3,530,358
 (The total combined cost from CHART-B and CHART-C) [OAR 690-315-0020(f)]

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

Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit 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): N/A, Groundwater

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,

Maximum volume of stored water used to date = _____ or,

Maximum volume stored annually 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

			IF DRILLED
--	--	--	------------

Well # as identified on Permit	Water User's Well #	Has this well been 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 <u>this permit</u> 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	1	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 2217	N/A	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	+/-250 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	- -
2A		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 51558	88270	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	+/-600 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	- -
3A		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 51532	88230	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	+/-1,090 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	- -
4A		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 51672	97485	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	+/-1,090 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	- -
5		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A - not drilled	N/A - not drilled	N/A - not drilled	N/A - not drilled	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	- -
6		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A - not drilled	N/A - not drilled	N/A - not drilled	N/A - not drilled	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"/>	- -
Total instantaneous rate from all wells utilized under this permit						+/-3,030 gpm		

8. Has a Permit Amendment Application been filed? Yes No
If yes, identify Transfer No. T-10528

[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: +/-776 acres

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

Year	Acres	Year	Acres	Year	Acres
2006	776	2012	567.5	2018	604.0
2007	776	2013	567.5	2019	595.5
2008	776	2014	567.5	2020	595.5
2009	567.5	2015	604.0		
2010	567.5	2016	604.0		
2011	567.5	2017	604.0		

Note: all acreages listed are approximate.

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

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

Well #1 Acres 64.6

Well #3A Acres 348.8

Well #2A Acres 0.0

Well #4A Acres 182.2

[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)
2025-2029	Complete drilling and construction of Well 5 including well pump, control, pumphouse	\$1,000,000
2025-2029	Complete drilling and construction of Well 6 including well pump, control, pumphouse	\$1,000,000
2025-2029	Complete planting of approximately 314 acres of additional orchards and/or other crops	\$675,000
2025-2029	complete construction of irrigation system for new orchards/fields.	\$337,500
2025-2029	Complete construction of access roads, loading area and other incidentals	\$337,500
2020	Cherry Blossom Orchard tree deposits	\$17,500
2025-2029	Cherry Blossom equipment	\$17,500
2021	Tree deposits and tree install	\$62,538
Year: 2030	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
	Total Cost	\$3,447,538

2,337,500

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

11. Estimated remaining cost to complete the project: \$3,447,538.00 (Note, includes trees and other non-irrigation items that are required for the development of the project).

(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.)

Construction of wells 5 and 6 including pumps, controls and pump houses. Additional roads, docks and buildings will be built. Irrigation infrastructure will be constructed/installed. Planting of additional orchard will also be completed. See anticipated dates in #10, above.

[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.)*

Trees planted in previous years (5-10 years ago) are beginning to mature and new wells will need to be constructed to support these orchards. As the irrigation system expands, the permit holders will need time to fine tune the system. The wells are required to be deep by both the existing geologic and OWRD permit conditions. Based on past drilling of the four existing deep wells on this permit, it appears any future wells will take from 4 months to 2 years to complete. Considering they would be constructed sequentially, Miller Ranch needs ten years to complete the construction of the two new wells, significant irrigation system infrastructure and orchard planting.

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

14a. Will a denial of the extension result in undue hardship? *(Describe the hardship and the effects.)* _____

Yes, denial of the extension would result in economic hardship and an inability to recoup investment cost for all parties involved. There have been significant capital investments over the last extension period and more time is needed for those investments to be realized.

14b. Are there any other reasonable alternatives that exist for meeting your water use needs? *(Explain in detail, consider other potential sources of water, and describe their feasibility)* _____

There are no other alternatives that exist for meeting the permit holders water use needs.

[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.

[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 (i.e. health issues, natural disaster) and how much time was spent addressing the unforeseen events.)

2014-2015: freeze damage in November caused the loss of 18,000 trees coupled with record summer heat resulted in poor returns. Deposit was placed to replace the trees lost in the freeze. (see previous 2015 extension application for additional details).

2017: A record NW cherry crop was dominated by low quality fruit. The smaller, softer fruit with low sugar content along with the record crop stressed the market and hurt cherry growers.

2018: Chinese tariffs reduced exports to their market by 50%. This removed an outlet for historically higher-priced fruit. The supplier chosen to replace the 77 acres of trees damaged by frost in 2017 only provided 57 acres worth of trees, leaving 20 acres unplanted. The remaining 20 acres are expected to be planted in 2021 with the first crop expected in 2025.

2019: Some crop damage from heavy rain in July. Chinese tariffs are still in effect and hurt the cherry market.

2020: COVID-19 pandemic severely affected labor market, impacting Miller Ranch with substantial additional operating costs for picking, pruning, and planting. Entirety of existing partner group isn't interested in orchard expansion, so evaluating a reformed new partnership group. Also evaluating alternate crops.

[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.)

N/A, reasons listed above

[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.

[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)*

The trees replaced in 2017, 2018 and the trees expected to be replaced in 2021 will be maturing in 5-10 years producing capital that will allow the completion of the system.

[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 affected and how?)*

Ryan Clausen Farming (lessee of portions of the irrigated land), McClaskey Orchards, LLC, and Cherry Blossom Orchards, LLC.

Attach permit, and documentation to the application

Extension PFO Checklist for Other than Muni or Quasi-Municipal

Water Use Permits

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

Application: G-16439 Permit: G-15989 Permit Amendment? No Yes T- 10528 pending approved
10331 - APDA / POA SP 70 Pg 333
POA/POU SP 74 Pg 995

Permit Holder's Name: The Miller Ranch
 Permit Holder's Mailing Address: 110 NE Greenwood Ave Bend OR 97701

email: charley@mlrumber.com

Phone Number: 541-382-2022

POD Location: Township 1 S Range 13 & 14 E Section _____ 1/4/4 _____

Drainage Basin: HOOD County: Wasco Watermaster District: 3 Watermaster: _____

Date Permit was issued: 12-16-2005 Priority Date: 4-14-2005 Date of PN: 9-8-2020

Source: six wells in Starvout creek basin

Use: Agricultural and irrigation use 0.1014.2 acres

"Q": 12.678 cfs; being 0.528 from Well 1, 2.424 from each Well 2-4

Orig "A" Date: NA Orig "B" Date: 10-1-2010 Orig "C" Date: 10-1-2010

Extension request rec'd: _____ Last Authorized "B" Date: 10/1/2020 Last Authorized "C" Date: 10/1/2020

Request Number (1, 2, 3...): 2 Proposed "B" Date: 10/1/2030 Proposed C Date: 10/1/2030

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<u>chkpt 2015 & 2020</u>
<input type="checkbox"/>	<input type="checkbox"/>	<u>Construction began</u>

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

- Yes No
- Work was accomplished within the time allowed in the permit or previous extension
 - Water right permit holder conformed with the permit or previous extension conditions
 - Financial investments were made toward developing the beneficial water use.
 - Amount Invested to date: \$ _____ Estimated Remaining Cost: \$ _____
 - Beneficial use made of the water during the permit or previous extension time limits
 - Permit holder has beneficially used _____ cfs gpm af of the total permitted quantity of water on _____ acres

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

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

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

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

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

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

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

5-year Progress Report Checkpoints (Years: _____)

Other: _____

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

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

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

COBU Requirement - Surface Water - post July 9, 1987

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

COBU Requirement - Ground Water - post July 9, 1987

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

NOTES:

Extension "PFO" Dates

Mailing / Issuance Date: _____ Protest Deadline Date: _____

Reviewer's Name: _____ Date: _____

Application 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(s), *authorized by the permit*, 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) If required, a 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.



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, Charley Miller, for the Miller Ranch Company

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

110 NE Greenwood Avenue Bend Oregon 97701
ADDRESS CITY STATE ZIP

(541) 382-2022 charley@mlumber.com
PHONE E-MAIL ADDRESS

the permit holder of: Application Number G-16439

Permit Number G-15989
[OAR 690-315-0020(3)(b)]

do hereby request that the date by which the water development will be completed and
water put to full beneficial use, which time now expires on Month: October Day: 1 Year:
2020, be extended to October 1, 2030, [OAR 690-315-0020(3)(i)]

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

Signature _____ Date _____

Charley Miller President
Printed Name Title

The agent below is authorized to represent the applicant in all matters relating to THIS application. _____
Permit Holder Initials

Niall W. Boggs, PE, CWRE (Parametrix) nboggs@parametrix.com, 541-550-7694
Authorized Agent (Print Agent Name) Agent contact

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

- This completed Application for Extension of Time.
- Statutory fee of \$670
- Signature page (Second page of this Application for Extension of Time).
- Letter granting an agent authority to act on behalf of the permit holder (*if applicable*)
- All supporting documentation and/or evidence referenced in the Application for Extension of Time. (ODFW Fish screen approval or waiver, contract for stored water, etc)

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.
- 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).
- Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at the State of Oregon, Secretary of State Website. To be granted an extension of time, the Department must make four specific findings; 1) the application is complete, 2) construction of the water system began, 3) there is good cause, and 4) the project can be completed within the time being requested. If the Department cannot make all four findings, the extension of time cannot be approved.
- 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. A response is required for each item contained in the application. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

Reference Materials Needed to Complete this Application:

- **The water right permit.** If needed, a copy of the water right permit can be downloaded from the Department's Website, or, a copy of the permit may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- **Previous Applications and Orders.** Copies of previous applications and orders that may inform the completion of the Application for Extension of Time, if available, may be downloaded from the Department's Website. **NOTE: If the document requested is not available on the Department's website, you may be required to submit a Public Record Request.**
- **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?

Yes No

Date construction began Month: March Day: 20 Year: 1995

Details of construction and attach documentation:

Well 1 completed in 1995. See attached well log WASC 2217. Completed depth = 718'. 6" casing to 545'. 415 gpm artesian flow

Well 2A completed in 2007. See well log WASC 51558. Completed depth = 1352'. 12" casing to 590'. Sealed to 590'. 500-600 gpm yield during air test.

Well 3A completed in 2007. See well log WASC 51532. Completed depth = 632'. 16" casing to 569'. Sealed to 570'. 2,200 gpm artesian flow.

Well 4A completed in 2008. See well log wasc 51672. Completed depth = 1147'. 16" casing to 750'. Sealed to 750'. 800-1,200 gpm yield during air test.

For Surface/Reservoir Permit

Has construction of the water system begun? Yes No N/A, no reservoir

Date construction began Month: ___ Day: ___ Year: ___ N/A, no reservoir

Details of construction and attach documentation: _____ N/A, no reservoir

OAR 690-315-0020(3)(A)(e)(A)

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 included in the permit, or 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 checked="" type="checkbox"/>	Installation of a meter/totalizing flow meter	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	Submittal of annual water usage report	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	Submittal of initial static water level measurement	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	Submittal of annual static water level measurements in the month required	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	Submittal of Seven consecutive static water level measurements in the month required	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2006-Present
<input checked="" type="checkbox"/>	Special well construction standards	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2007- Present
<input type="checkbox"/>	Submittal of a monitoring plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A
Surface Water or Reservoir			
<input type="checkbox"/>	Installation of a meter/ totalizing flow meter	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Submittal of annual water use report	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Installation of a fish screen	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Installation of a fish by-pass device	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater

<input type="checkbox"/>	Installation of a fish passage	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Installation of an outlet gate/pipe/ conduit	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<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	N/A Groundwater
<input type="checkbox"/>	Submit as-built plans and specification	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Submittal of a letter from an engineer prior to storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater

2b. If you have identified that you have NOT complied with Permit conditions, explain the reasons why and indicate a date certain, when you will be in compliance.

Condition 13- Date of Expected Compliance : 2030

The cherry market had three consecutive bad years due to a variety of factors including a glut in the market that provided financial hardship preventing full development of the water right. Additionally, Miller Ranch Co. decided to progressively develop the wells and irrigation system to err on the side of being conservative toward fiscal and water resources. This allowed careful development and monitoring of the orchards as well as verification of the groundwater supply with the development of each new point of appropriation. This ensured appropriate investment of capital in well construction, allowing for the incoming capital from each phase of development to offset costs of subsequent phases of development. Additionally, orchards and irrigation systems are state of the art and final planning and development require additional time to ensure proper allocation of capital.

In 2020, the COVID-19 pandemic severely impacted labor markets, driving up costs for picking, pruning, and planting. The full financial impact of the pandemic on the orchards has not yet been fully quantified due to the timing of this time extension application. These impacts will affect bottom line revenues and will impact the short term availability of capital for use in completing the development of the orchards and water right.

Condition 14 - Date of Expected Compliance : 2031

Claim of Beneficial won't be submitted until construction and full use are complete.

[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. Itemize each work item, and do not combine multiple work actions in one area. (Planning, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land, or planting crops

is not considered work in the development of the water system. Work accomplished under other water rights may not be considered work under this permit.)

CHART-B

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
1995	Well 1 Drilled	\$35,000
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*
12/16/2005	Date the permit was signed - find date above signature on last page of permit.	
Sept.2008- Nov.2009	Installed above and below ground pipeline, including: fittings, service laterals, risers, sprinklers and hose to Well 1 and Well 2A.	\$32,762
Sept. 2008- 2009	Concrete slab work around well (estimated)	\$4,000
07/27/2007	Well 2A constructed	\$200,000
03/22/2007	Well 3A constructed (estimated)	\$666,878
December 2007	300HP well pump installed at Well 3A (estimated)	\$146,165
December 2007	Pumphouse constructed at Well 3A (estimated)	\$45,677
December 2007	Electrical and controls installed at Well 3A (estimated)	\$54,812
2007-2009	Cherry Blossom Orchard piping & irrigation system installed.	\$711,200
10/9/2008	Well 4A constructed (estimated)	\$798,474
2008-2009	300HP well pump installed at Well 4A (estimated)	\$175,008
2008-2009	Well 4A electrical, controls, etc. (estimated)	\$120,318
2007-2009	Tres Amigos Orchard piping and irrigation system installed.	\$320,200
2005- present	Irrigation system maintenance and operations	\$50,000
2008-2009	Extend +/-3.5 miles of new 3-phase power supply. Paid ~25% of cost of costshare with utility provider	\$125,000
October 1, 2010	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 and prior to any previous extension order <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*

	N/A, not first time extension application	
Total Cost for Chart-B		\$3,488,494

* 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*
10/1/2010	"Extended From" date for complete application of water used in the most recent Final Order on Extension of Time.	
2012	Cherry Blossom Orchard –Irrigation equipment	\$19,252.75
2013	Cherry Blossom Orchard – irrigation equipment	\$42,945.49
2017	Cherry Blossom Orchard equipment, Tres Amigos equipment, Claussen wheel lines	\$27,266
2019	Cherry Blossom Orchard equipment, Claussen valves and fittings	\$5,400
10/1/2020	"Extended To" date for complete application of water resulting from the most recent Final Order on 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*
	N/A,	

Total Cost of Chart-C		\$94,864.24

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

5. **Cost of project to date: \$3,583,358.24**

(The total combined cost from CHART-B and CHART-C) [OAR 690-315-0020(f)]

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

Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit 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): N/A, Groundwater**

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,

Maximum volume of stored water used to date = _____ or,

Maximum volume stored annually 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

			IF DRILLED
--	--	--	------------

Well # as identified on Permit	Water User's Well #	Has this well been 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	1	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 2217	N/A	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	+/-250 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-
2A		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 51558	88270	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	+/-600 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-
3A		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 51532	88230	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	+/-1,090 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-
4A		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 51672	97485	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	+/-1,090 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-
5		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A - not drilled	N/A - not drilled	N/A - not drilled	N/A - not drilled	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-
6		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A - not drilled	N/A - not drilled	N/A - not drilled	N/A - not drilled	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"/>	-
Total instantaneous rate from all wells utilized under this permit						+/-3,030 gpm		

8. Has a Permit Amendment Application been filed? Yes No
If yes, identify Transfer No. T-10528

[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: +/-776 acres

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

Year	Acres	Year	Acres	Year	Acres
2006	776	2012	567.5	2018	604.0
2007	776	2013	567.5	2019	595.5
2008	776	2014	567.5	2020	595.5
2009	567.5	2015	604.0		
2010	567.5	2016	604.0		
2011	567.5	2017	604.0		

Note: all acreages listed are approximate.

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

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

Well #1 Acres 64.6

Well #3A Acres 348.8

Well #2A Acres 0.0

Well #4A Acres 182.2

[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)
2025-2029	Complete drilling and construction of Well 5 including well pump, control, pumphouse	\$1,000,000
2025-2029	Complete drilling and construction of Well 6 including well pump, control, pumphouse	\$1,000,000
2025-2029	Complete planting of approximately 314 acres of additional orchards and/or other crops	\$675,000
2025-2029	complete construction of irrigation system for new orchards/fields.	\$337,500
2025-2029	Complete construction of access roads, loading area and other incidentals	\$337,500
2020	Cherry Blossom Orchard tree deposits	\$17,500
2025-2029	Cherry Blossom equipment	\$17,500
2021	Tree deposits and tree install	\$62,538
Year: 2030	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
	Total Cost	\$3,447,538

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

11. Estimated remaining cost to complete the project: \$3,447,538.00 (Note, includes trees and other non-irrigation items that are required for the development of the project).

(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.)

Construction of wells 5 and 6 including pumps, controls and pump houses. Additional roads, docks and buildings will be built. Irrigation infrastructure will be constructed/installed. Planting of additional orchard will also be completed. See anticipated dates in #10, above.

[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.)*

Trees planted in previous years (5-10 years ago) are beginning to mature and new wells will need to be constructed to support these orchards. As the irrigation system expands, the permit holders will need time to fine tune the system. The wells are required to be deep by both the existing geologic and OWRD permit conditions. Based on past drilling of the four existing deep wells on this permit, it appears any future wells will take from 4 months to 2 years to complete. Considering they would be constructed sequentially, Miller Ranch needs ten years to complete the construction of the two new wells, significant irrigation system infrastructure and orchard planting.

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

14a. Will a denial of the extension result in undue hardship? *(Describe the hardship and the effects.)* _____

Yes, denial of the extension would result in economic hardship and an inability to recoup investment cost for all parties involved. There have been significant capital investments over the last extension period and more time is needed for those investments to be realized.

14b. Are there any other reasonable alternatives that exist for meeting your water use needs? *(Explain in detail, consider other potential sources of water, and describe their feasibility)* _____

There are no other alternatives that exist for meeting the permit holders water use needs.

[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.

[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 (i.e. health issues, natural disaster) and how much time was spent addressing the unforeseen events.)

2014-2015: freeze damage in November caused the loss of 18,000 trees coupled with record summer heat resulted in poor returns. Deposit was placed to replace the trees lost in the freeze. (see previous 2015 extension application for additional details).

2017: A record NW cherry crop was dominated by low quality fruit. The smaller, softer fruit with low sugar content along with the record crop stressed the market and hurt cherry growers.

2018: Chinese tariffs reduced exports to their market by 50%. This removed an outlet for historically higher-priced fruit. The supplier chosen to replace the 77 acres of trees damaged by frost in 2017 only provided 57 acres worth of trees, leaving 20 acres unplanted. The remaining 20 acres are expected to be planted in 2021 with the first crop expected in 2025.

2019: Some crop damage from heavy rain in July. Chinese tariffs are still in effect and hurt the cherry market.

2020: COVID-19 pandemic severely affected labor market, impacting Miller Ranch with substantial additional operating costs for picking, pruning, and planting. Entirety of existing partner group isn't interested in orchard expansion, so evaluating a reformed new partnership group. Also evaluating alternate crops.

[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.)

N/A, reasons listed above

[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.

[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)*

The trees replaced in 2017, 2018 and the trees expected to be replaced in 2021 will be maturing in 5-10 years producing capital that will allow the completion of the system.

[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 affected and how?)*

Ryan Clausen Farming (lessee of portions of the irrigated land), McClaskey Orchards, LLC, and Cherry Blossom Orchards, LLC.

Attach permit, and documentation to the application

August 24, 2020
Parametrix No. 297-7424-002

Jeffrey Pierceall, Extension Specialist
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-2430

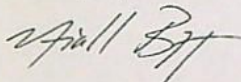
Re: Miller Ranch Company
Appl. G-16439, Permit G-15989
Time Extension

Dear Jeff:

Herein we are applying for a time extension on behalf of the Miller Ranch Company for Permit G15989. Miller Ranch Company has made significant investment in development and beneficial use of this water right permit. A series of market and natural events have significantly delayed the complete development of the water right. The permit currently has a C-date of October 1, 2020, and we are respectfully requesting a new C-date of October 1, 2030.

We have included detailed information supporting the request for a time extension including: the previous time extension application, approximate mapping of year 2020 irrigated areas overlain on aerial imagery, the permit, the permit amendment final order, OWRD well logs, and OWRD static level reporting records. As always, please contact me with any questions regarding any other part of the application.

Thank you,



Niall Boggs, PE, CWRE

Encl.

1. Check for \$670
2. Letter of Authorization
3. Permit Extension Application
4. Current Area of Use Mapping
5. Permit G-15989
6. Permit Amendment T-10528
7. Well Logs (WASC 2217, 51558, 51532, 51672)
8. Static Water Level Reports
9. 2015 Extension of Time Progress Report

RECEIVED

AUG 27 2020

OWRD

August 18, 2020

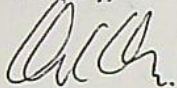
Oregon Water Resources Department
Attn: Water Right Permit Extensions
725 Summer Street NE, Suite A
Salem, OR 97301

Re: Time Extension for Permit G-15989

To Whom it May Concern,

I authorize Niall Boggs, PE, CWRE, working for Parametrix, to act as an agent on our behalf for the Time Extension Application for Permit G-15898. Please let me know of any questions.

Sincerely,



Charley Miller
Miller Ranch Co.

RECEIVED

AUG 27 2020

OWRD

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



**OREGON
WATER
RESOURCES
DEPARTMENT**

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(s), *authorized by the permit*, 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) If required, a 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.

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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, Charley Miller, for the Miller Ranch Company

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

110 NE Greenwood Avenue Bend Oregon 97701
 ADDRESS CITY STATE ZIP

(541) 382-2022 charley@mlumber.com
 PHONE E-MAIL ADDRESS

the permit holder of: Application Number G-16439

Permit Number G-15989
 [OAR 690-315-0020(3)(b)]

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do hereby request that the date by which the water development will be completed and water put to full beneficial use, which time now expires on Month: October Day: 1 Year: 2020, be extended to October 1, 2030, [OAR 690-315-0020(3)(i)]

I am the permit holder, and may 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>08/24/2020</u>
Signature	Date
<u>Charley Miller</u>	<u>President</u>
Printed Name	Title
The agent below is authorized to represent the applicant in all matters relating to THIS application. _____	
	Permit Holder Initials
<u>Niall W. Boggs, PE, CWRE (Parametrix)</u>	<u>nboggs@parametrix.com, 541-550-7694</u>
Authorized Agent (Print Agent Name)	Agent contact

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

- This completed Application for Extension of Time.
- Statutory fee of \$670
- Signature page (Second page of this Application for Extension of Time).
- Letter granting an agent authority to act on behalf of the permit holder (*if applicable*)
- All supporting documentation and/or evidence referenced in the Application for Extension of Time. (ODFW Fish screen approval or waiver, contract for stored water, etc)

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.
- 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).
- Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at the State of Oregon, Secretary of State Website. To be granted an extension of time, the Department must make four specific findings; 1) the application is complete, 2) construction of the water system began, 3) there is good cause, and 4) the project can be completed within the time being requested. If the Department cannot make all four findings, the extension of time cannot be approved.
- 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.

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- An Application for an Extension of Time will be reviewed for completeness. A response is required for each item contained in the application. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

Reference Materials Needed to Complete this Application:

- **The water right permit.** If needed, a copy of the water right permit can be downloaded from the Department's Website, or, a copy of the permit may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- **Previous Applications and Orders.** Copies of previous applications and orders that may inform the completion of the Application for Extension of Time, if available, may be downloaded from the Department's Website. **NOTE: If the document requested is not available on the Department's website, you may be required to submit a Public Record Request.**
- **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?

Yes No

Date construction began Month: March Day: 20 Year: 1995

Details of construction and attach documentation:

Well 1 completed in 1995. See attached well log WASC 2217. Completed depth = 718'. 6" casing to 545'. 415 gpm artesian flow

Well 2A completed in 2007. See well log WASC 51558. Completed depth = 1352'. 12" casing to 590'. Sealed to 590'. 500-600 gpm yield during air test.

Well 3A completed in 2007. See well log WASC 51532. Completed depth = 632'. 16" casing to 569'. Sealed to 570'. 2,200 gpm artesian flow.

Well 4A completed in 2008. See well log wasc 51672. Completed depth = 1147'. 16" casing to 750'. Sealed to 750'. 800-1,200 gpm yield during air test.

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For Surface/Reservoir Permit

Has construction of the water system begun? Yes No N/A, no reservoir

Date construction began Month: ___ Day: ___ Year: ___ N/A, no reservoir

Details of construction and attach documentation: _____ N/A, no reservoir

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OAR 690-315-0020(3)(A)(e)(A)

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 included in the permit, or 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 checked="" type="checkbox"/>	Installation of a meter/totalizing flow meter	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2005
<input checked="" type="checkbox"/>	Submittal of annual water usage report	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2005- present
<input checked="" type="checkbox"/>	Submittal of initial static water level measurement	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2005
<input checked="" type="checkbox"/>	Submittal of annual static water level measurements in the month required	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2005-present
<input checked="" type="checkbox"/>	Submittal of Seven consecutive static water level measurements in the month required	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2006-Present
<input checked="" type="checkbox"/>	Special well construction standards	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2007- Present
<input type="checkbox"/>	Submittal of a monitoring plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A
Surface Water or Reservoir			
<input type="checkbox"/>	Installation of a meter/ totalizing flow meter	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Submittal of annual water use report	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Installation of a fish screen	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Installation of a fish by-pass device	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater

<input type="checkbox"/>	Installation of a fish passage	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Installation of an outlet gate/pipe/ conduit	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<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	N/A Groundwater
<input type="checkbox"/>	Submit as-built plans and specification	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Submittal of a letter from an engineer prior to storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater

2b. If you have identified that you have NOT complied with Permit conditions, explain the reasons why and indicate a date certain, when you will be in compliance.

Condition 13- Date of Expected Compliance : 2030

The cherry market had three consecutive bad years due to a variety of factors including a glut in the market that provided financial hardship preventing full development of the water right. Additionally, Miller Ranch Co. decided to progressively develop the wells and irrigation system to err on the side of being conservative toward fiscal and water resources. This allowed careful development and monitoring of the orchards as well as verification of the groundwater supply with the development of each new point of appropriation. This ensured appropriate investment of capital in well construction, allowing for the incoming capital from each phase of development to offset costs of subsequent phases of development. Additionally, orchards and irrigation systems are state of the art and final planning and development require additional time to ensure proper allocation of capital.

In 2020, the COVID-19 pandemic severely impacted labor markets, driving up costs for picking, pruning, and planting. The full financial impact of the pandemic on the orchards has not yet been fully quantified due to the timing of this time extension application. These impacts will affect bottom line revenues and will impact the short term availability of capital for use in completing the development of the orchards and water right.

Condition 14 - Date of Expected Compliance : 2031

Claim of Beneficial won't be submitted until construction and full use are complete.

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[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. Itemize each work item, and do not combine multiple work actions in one area. (Planning, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land, or planting crops

is not considered work in the development of the water system. Work accomplished under other water rights may not be considered work under this permit.)

CHART-B

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
1995	Well 1 Drilled	\$35,000
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*
12/16/2005	Date the permit was signed - find date above signature on last page of permit.	
Sept.2008- Nov.2009	Installed pipe, fittings, connectors, buried pipe, handline, risers and sprinklers & hose to Well 1 and Well 2A. Concrete slab work around well.	\$36,762
2006-2007	Well 2A constructed	\$200,000
2007-2009	Well 3A constructed, 300HP well pump installed, pumphouse built, controls installed, electrical service	\$913,532
2007-2009	Cherry Blossom Orchard piping & irrigation system installed. Roads, docks, landings constructed. General excavation. <u>Trees planted.</u> Culverts, gates, fencing, supplies and other miscellaneous equipment purchased and installed.	\$1,892,688
2007-2009	Well 4A constructed and 300 HP well pump installed	\$1,093,800
2007-2009	Tres Amigos Orchard piping and irrigation system installed. <u>Roads, docks, landings constructed.</u> General excavation. <u>Trees planted.</u> <u>Culvert, gates, fencing, supplies and other miscellaneous equipment purchased and installed.</u>	\$852,138
2005- present	Irrigation system maintenance and operations	\$50,000
2008-2009	Extend +/-3.5 miles of new 3-phase power supply. Paid ~25% of cost of costshare with utility provider	\$125,000
October 1, 2010	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 and prior to any previous extension order <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*
	N/A, not first time extension application	
Total Cost for Chart-B		\$5,198,920

* 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

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DATE	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
10/1/2010	"Extended From" date for complete application of water used in the most recent Final Order on Extension of Time.	
2011	Preproduction and organization expense	\$10,000
2012	Cherry Blossom Orchard – Tanks, irrigation, pumps, landings, roads, buildings, Preproduction and organization expenses	\$194,528
2012	Tres Amigos Orchard – landings, roads, buildings, preproduction and organization expenses	\$29,034
2013	Cherry Blossom Orchard – tanks, irrigation, pumps, landings, roads and buildings	\$365,395
2013	Tres Amigos Orchard – landings, roads, buildings	\$3,340
2014	Cherry Blossom Orchard – Landings, roads, buildings	\$84,996
2014	Tres Amigos Orchard – landings, roads, buildings	\$41,757
2015	Tres Amigos Orchard – landings, buildings, roads	\$25,000
2015	Cherry Blossom Orchard tree deposits, Tres Amigos Orchard tree deposits	\$1,615
2016	Cherry Blossom Orchard tree deposits, Tres Amigos Orchard tree deposits, Tres Amigos tree install	\$67,073
2017	Cherry Blossom Orchard equipment, Tres Amigos equipment, Claussen wheel lines	\$27,266
2018	Cherry Blossom Orchard tree deposits & install	\$169,989
2019	Cherry Blossom Orchard tree deposits & equipment, Claussen valves and fittings	\$36,060
2020	Water rights consulting, including Time Extension Application	\$3,000
10/1/2020	"Extended To" date for complete application of water resulting from the most recent Final Order on 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*
	N/A,	
Total Cost of Chart-C		\$1,059,053

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

5. Cost of project to date: \$6,257,973
 (The total combined cost from CHART-B and CHART-C) [OAR 690-315-0020(f)]

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

Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit 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): N/A, Groundwater

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,

Maximum volume of stored water used to date = _____ or,

Maximum volume stored annually 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					If yes, provide the Permit, Certificate, or Transfer No.
			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?	
1	1	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 2217	N/A	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	+/-250 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-
2A		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 51558	88270	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	+/-600 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-
3A		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 51532	88230	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	+/-1,090 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-
4A		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 51672	97485	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	+/-1,090 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-
5		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A - not drilled	N/A - not drilled	N/A - not drilled	N/A - not drilled	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-

6	Yes <input type="checkbox"/>	N/A - not drilled	N/A - not drilled	N/A - not drilled	N/A - not drilled	Yes <input type="checkbox"/>	-
	No <input checked="" type="checkbox"/>					No <input checked="" type="checkbox"/>	-
	Yes <input type="checkbox"/>			Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	-
	No <input type="checkbox"/>			No <input type="checkbox"/>		No <input type="checkbox"/>	-
Total instantaneous rate from all wells utilized under this permit					+/-3,030 gpm		

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

If yes, identify Transfer No. T-10528

[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: +/-595.5 acres

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

Year	Acres	Year	Acres	Year	Acres
2006	776	2012	567.5	2018	604.0
2007	776	2013	567.5	2019	595.5
2008	776	2014	567.5	2020	595.5
2009	567.5	2015	604.0		
2010	567.5	2016	604.0		
2011	567.5	2017	604.0		

Note: all acreages listed are approximate.

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

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

Well #1 Acres 64.6

Well #3A Acres 348.8

Well #2A Acres 0.0

Well #4A Acres 182.2

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[OAR 690-315-0020(3)(f)(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)
2025-2029	Complete drilling of two additional wells (well 5 & 6) including well pumps, controls, pumphouses	\$2,000,000
2025-2029	Complete planting of approximately 314 acres of additional orchards and/or other crops and complete construction of irrigation system for new orchards/fields. Complete construction of access roads, loading area and other incidentals	\$1,350,000
2020	Cherry Blossom Orchard tree deposits and Cherry Blossom equipment	\$35,000

2021	Tree deposits and tree install	\$62,538
Year: 2030	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
Total Cost		\$3,447,538

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

11. Estimated remaining cost to complete the project: \$3,447,538.00

(The total cost from CHART-E)

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[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.)*

Construction of wells 5 and 6 including pumps, controls and pump houses. Additional roads, docks and buildings will be built. Irrigation infrastructure will be constructed/installed. Planting of additional orchard will also be completed. See anticipated dates in #10, above.

[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.)*

Trees planted in previous years (5-10 years ago) are beginning to mature and new wells will need to be constructed to support these orchards. As the irrigation system expands, the permit holders will need time to fine tune the system. The wells are required to be deep by both the existing geologic an OWRD permit conditions. Based on past drilling of the four existing deep wells on this permit, it appears any future wells will take from 4 months to 2 years to complete. Considering they would be constructed sequentially, Miller Ranch needs ten years to complete the construction of the two new wells, significant irrigation system infrastructure and orchard planting.

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

14a. Will a denial of the extension result in undue hardship? (*Describe the hardship and the effects.*) _____

Yes, denial of the extension would result in economic hardship and an inability to recoup investment cost for all parties involved. There have been significant capital investments over the last extension period and more time is needed for those investments to be realized.

14b. Are there any other reasonable alternatives that exist for meeting your water use needs? (*Explain in detail, consider other potential sources of water, and describe their feasibility*) _____

There are no other alternatives that exist for meeting the permit holders water use needs.

[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.

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[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 (i.e. health issues, natural disaster) and how much time was spent addressing the unforeseen events.*)

2014-2015: freeze damage in November caused the loss of 18,000 trees coupled with record summer heat resulted in poor returns. Deposit was placed to replace the trees lost in the freeze. (see previous 2015 extension application for additional details).

2017: A record NW cherry crop was dominated by low quality fruit. The smaller, softer fruit with low sugar content along with the record crop stressed the market and hurt cherry growers.

2018: Chinese tariffs reduced exports to their market by 50%. This removed an outlet for historically higher-priced fruit. The supplier chosen to replace the 77 acres of trees damaged by

frost in 2017 only provided 57 acres worth of trees, leaving 20 acres unplanted. The remaining 20 acres are expected to be planted in 2021 with the first crop expected in 2025.

2019: Some crop damage from heavy rain in July. Chinese tariffs are still in effect and hurt the cherry market.

2020: COVID-19 pandemic severely affected labor market, impacting Miller Ranch with substantial additional operating costs for picking, pruning, and planting. Entirety of existing partner group isn't interested in orchard expansion, so evaluating a reformed new partnership group. Also evaluating alternate crops.

[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.)*

N/A, reasons listed above

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[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.

[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)*

The trees replaced in 2017, 2018 and the trees expected to be replaced in 2021 will be maturing in 5-10 years producing capital that will allow the completion of the system.

[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 affected and how?)*
Ryan Clausen Farming (lessee of portions of the irrigated land), McClaskey Orchards, LLC, and Cherry Blossom Orchards, LLC.

Attach permit, and documentation to the application

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Extension PFO Checklist for Other than Muni or Quasi-Municipal

Water Use Permits

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

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

Permit Holder's Name: _____

Permit Holder's Mailing Address: _____ email _____

Phone Number: _____

POD Location: Township _____ Range _____ Section _____ 1/4 1/4 _____

Drainage Basin: _____ County: _____ Watermaster District: _____ Watermaster: _____

Date Permit was issued: _____ Priority Date: _____ Date of PN: _____

Source: _____

Use: _____

"Q": _____

Orig "A" Date: _____ Orig "B" Date: _____ Orig "C" Date: _____

Extension request rec'd: _____ Last Authorized "B" Date: 10/1/_____ Last Authorized "C" Date: 10/1/_____

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

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
<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"/>	<input type="checkbox"/>	Construction began

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

Yes No

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

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

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

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

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

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

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

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

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

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

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

5-year Progress Report Checkpoints (Years: _____)

Other: _____

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

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

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

COBU Requirement - Surface Water - post July 9, 1987

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

COBU Requirement - Ground Water - post July 9, 1987

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

NOTES:

Extension "PFO" Dates

Mailing / Issuance Date: _____ Protest Deadline Date: _____

Reviewer's Name: _____ Date: _____

Extension PFO Checklist for Other than Muni or Quasi-Municipal

Water Use Permits

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

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

Permit Holder's Name: _____

Permit Holder's Mailing Address: _____ email _____

Phone Number: _____

POD Location: Township _____ Range _____ Section _____ ¼/¼ _____

Drainage Basin: __ County: _____ Watermaster District: __ Watermaster: _____

Date Permit was issued: _____ Priority Date: _____ Date of PN: _____

Source: _____

Use: _____

"Q": _____

Orig "A" Date: _____ Orig "B" Date: _____ Orig "C" Date: _____

Extension request rec'd: _____ Last Authorized "B" Date: 10/1/_____ Last Authorized "C" Date: 10/1/_____

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

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
<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"/>	<input type="checkbox"/>	Construction began

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

Yes No

- Work was accomplished within the time allowed in the permit or previous extension
- Water right permit holder conformed with the permit or previous extension conditions
- Financial investments were made toward developing the beneficial water use.
 - Amount Invested to date: \$ _____ Estimated Remaining Cost: \$ _____
- Beneficial use made of the water during the permit or previous extension time limits
 - Permit holder has beneficially used _____ cfs gpm af of the total permitted quantity of water on _____ acres

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

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

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

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

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

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

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

5-year Progress Report Checkpoints (Years: _____)

Other: _____

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

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

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

COBU Requirement - Surface Water - post July 9, 1987

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

COBU Requirement - Ground Water - post July 9, 1987

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

NOTES:

Extension "PFO" Dates

Mailing / Issuance Date: _____ Protest Deadline
Date: _____

Reviewer's Name: _____ Date: _____

Application: _____ Permit: _____
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) William Miller Ranch Co
110 NE Greenwood Ave
Bend, OR 97701

Proposed Completion Date: 10-1-2030

- WRIG...Money Received on: 8-27-2020
- Extension Specialist ...
 - Added to tracking spreadsheet

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

- Tonya Miller...
 - Recent Assignment (Check WRIS for Update)
 - Publish on Public Notice (initial 30-day comment): Date of notice 9/22/2020
 - 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 _____

NOTES:



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Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Miller Ranch Company110 NE Greenwood Ave Bend, OR 97701Transaction Type: Extension of TimeFees Received: \$ 670.⁰⁰ Cash Check:Check No. 51217Name(s) on Check: SAMEAddress on Check: SAME

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: emiddleton

(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (*i.e.*, the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (*i.e.*, "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (*application/other document*) in the large bottom drawer.

August 24, 2020

Parametrix No. 297-7424-002

Jeffrey Pierceall, Extension Specialist
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-2430

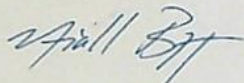
Re: Miller Ranch Company
Appl. G-16439, Permit G-15989
Time Extension

Dear Jeff:

Herein we are applying for a time extension on behalf of the Miller Ranch Company for Permit G15989. Miller Ranch Company has made significant investment in development and beneficial use of this water right permit. A series of market and natural events have significantly delayed the complete development of the water right. The permit currently has a C-date of October 1, 2020, and we are respectfully requesting a new C-date of October 1, 2030.

We have included detailed information supporting the request for a time extension including: the previous time extension application, approximate mapping of year 2020 irrigated areas overlain on aerial imagery, the permit, the permit amendment final order, OWRD well logs, and OWRD static level reporting records. As always, please contact me with any questions regarding any other part of the application.

Thank you,



Niall Boggs, PE, CWRE

Encl.

1. Check for \$670
2. Letter of Authorization
3. Permit Extension Application
4. Current Area of Use Mapping
5. Permit G-15989
6. Permit Amendment T-10528
7. Well Logs (WASC 2217, 51558, 51532, 51672)
8. Static Water Level Reports
9. 2015 Extension of Time Progress Report

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August 18, 2020

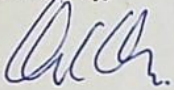
Oregon Water Resources Department
Attn: Water Right Permit Extensions
725 Summer Street NE, Suite A
Salem, OR 97301

Re: Time Extension for Permit G-15989

To Whom it May Concern,

I authorize Niall Boggs, PE, CWRE, working for Parametrix, to act as an agent on our behalf for the Time Extension Application for Permit G-15898. Please let me know of any questions.

Sincerely,



Charley Miller
Miller Ranch Co.

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**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(s), *authorized by the permit*, 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) If required, a 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.

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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, Charley Miller, for the Miller Ranch Company

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

110 NE Greenwood Avenue Bend Oregon 97701
 ADDRESS CITY STATE ZIP

(541) 382-2022 charley@mlumber.com
 PHONE E-MAIL ADDRESS

the permit holder of: Application Number G-16439

Permit Number G-15989
 [OAR 690-315-0020(3)(b)]

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do hereby request that the date by which the water development will be completed and water put to full beneficial use, which time now expires on Month: October Day: 1 Year: 2020, be extended to October 1, 2030, [OAR 690-315-0020(3)(i)]

I am the permit holder, and may 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>Charley Miller</u> Signature	<u>08/24/2020</u> Date
<u>Charley Miller</u> Printed Name	<u>President</u> Title
The agent below is authorized to represent the applicant in all matters relating to THIS application.	
<u>Niall W. Boggs, PE, CWRE (Parametrix)</u> Authorized Agent (Print Agent Name)	<u>nboggs@parametrix.com, 541-550-7694</u> Agent contact
	Permit Holder Initials

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

- This completed Application for Extension of Time.
- Statutory fee of \$670
- Signature page (Second page of this Application for Extension of Time).
- Letter granting an agent authority to act on behalf of the permit holder (*if applicable*)
- All supporting documentation and/or evidence referenced in the Application for Extension of Time. (ODFW Fish screen approval or waiver, contract for stored water, etc)

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.
- 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).
- Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at the State of Oregon, Secretary of State Website. To be granted an extension of time, the Department must make four specific findings; 1) the application is complete, 2) construction of the water system began, 3) there is good cause, and 4) the project can be completed within the time being requested. If the Department cannot make all four findings, the extension of time cannot be approved.
- 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.

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- An Application for an Extension of Time will be reviewed for completeness. A response is required for each item contained in the application. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

Reference Materials Needed to Complete this Application:

- **The water right permit.** If needed, a copy of the water right permit can be downloaded from the Department's Website, or, a copy of the permit may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- **Previous Applications and Orders.** Copies of previous applications and orders that may inform the completion of the Application for Extension of Time, if available, may be downloaded from the Department's Website. **NOTE: If the document requested is not available on the Department's website, you may be required to submit a Public Record Request.**
- **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?

Yes No

Date construction began Month: March Day: 20 Year: 1995

Details of construction and attach documentation:

Well 1 completed in 1995. See attached well log WASC 2217. Completed depth = 718'. 6" casing to 545'. 415 gpm artesian flow

Well 2A completed in 2007. See well log WASC 51558. Completed depth = 1352'. 12" casing to 590'. Sealed to 590'. 500-600 gpm yield during air test.

Well 3A completed in 2007. See well log WASC 51532. Completed depth = 632'. 16" casing to 569'. Sealed to 570'. 2,200 gpm artesian flow.

Well 4A completed in 2008. See well log wasc 51672. Completed depth = 1147'. 16" casing to 750'. Sealed to 750'. 800-1,200 gpm yield during air test.

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For Surface/Reservoir Permit

Has construction of the water system begun? Yes No N/A, no reservoir

Date construction began Month: _____ Day: _____ Year: _____ N/A, no reservoir

Details of construction and attach documentation: _____ N/A, no reservoir

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OAR 690-315-0020(3)(A)(e)(A)

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 included in the permit, or 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 checked="" type="checkbox"/>	Installation of a meter/totalizing flow meter	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2005
<input checked="" type="checkbox"/>	Submittal of annual water usage report	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2005- present
<input checked="" type="checkbox"/>	Submittal of initial static water level measurement	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2005
<input checked="" type="checkbox"/>	Submittal of annual static water level measurements in the month required	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2005-present
<input checked="" type="checkbox"/>	Submittal of Seven consecutive static water level measurements in the month required	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2006-Present
<input checked="" type="checkbox"/>	Special well construction standards	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2007- Present
<input type="checkbox"/>	Submittal of a monitoring plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A
Surface Water or Reservoir			
<input type="checkbox"/>	Installation of a meter/ totalizing flow meter	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Submittal of annual water use report	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Installation of a fish screen	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Installation of a fish by-pass device	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater

<input type="checkbox"/>	Installation of a fish passage	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Installation of an outlet gate/pipe/ conduit	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<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	N/A Groundwater
<input type="checkbox"/>	Submit as-built plans and specification	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Submittal of a letter from an engineer prior to storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A Groundwater

2b. If you have identified that you have NOT complied with Permit conditions, explain the reasons why and indicate a date certain, when you will be in compliance.

Condition 13- Date of Expected Compliance : 2030

The cherry market had three consecutive bad years due to a variety of factors including a glut in the market that provided financial hardship preventing full development of the water right. Additionally, Miller Ranch Co. decided to progressively develop the wells and irrigation system to err on the side of being conservative toward fiscal and water resources. This allowed careful development and monitoring of the orchards as well as verification of the groundwater supply with the development of each new point of appropriation. This ensured appropriate investment of capital in well construction, allowing for the incoming capital from each phase of development to offset costs of subsequent phases of development. Additionally, orchards and irrigation systems are state of the art and final planning and development require additional time to ensure proper allocation of capital.

In 2020, the COVID-19 pandemic severely impacted labor markets, driving up costs for picking, pruning, and planting. The full financial impact of the pandemic on the orchards has not yet been fully quantified due to the timing of this time extension application. These impacts will affect bottom line revenues and will impact the short term availability of capital for use in completing the development of the orchards and water right.

Condition 14 - Date of Expected Compliance : 2031

Claim of Beneficial won't be submitted until construction and full use are complete.

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[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. Itemize each work item, and do not combine multiple work actions in one area. (Planning, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land, or planting crops

is not considered work in the development of the water system. Work accomplished under other water rights may not be considered work under this permit.)

CHART-B

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
1995	Well 1 Drilled	\$35,000
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*
12/16/2005	Date the permit was signed - find date above signature on last page of permit.	
Sept. 2008- Nov. 2009	Installed pipe, fittings, connectors, buried pipe, handline, risers and sprinklers & hose to Well 1 and Well 2A. Concrete slab work around well.	\$36,762
2006-2007	Well 2A constructed	\$200,000
2007-2009	Well 3A constructed, 300HP well pump installed, pumphouse built, controls installed, electrical service	\$913,532
2007-2009	Cherry Blossom Orchard piping & irrigation system installed. Roads, docks, landings constructed. General excavation. Trees planted. Culverts, gates, fencing, supplies and other miscellaneous equipment purchased and installed.	\$1,892,688
2007-2009	Well 4A constructed and 300 HP well pump installed	\$1,093,800
2007-2009	Tres Amigos Orchard piping and irrigation system installed. Roads, docks, landings constructed. General excavation. Trees planted. Culvert, gates, fencing, supplies and other miscellaneous equipment purchased and installed.	\$852,138
2005- present	Irrigation system maintenance and operations	\$50,000
2008-2009	Extend +/-3.5 miles of new 3-phase power supply. Paid ~25% of cost of costshare with utility provider	\$125,000
October 1, 2010	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 and prior to any previous extension order <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*
	N/A, not first time extension application	
Total Cost for Chart-B		\$5,198,920

* 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

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DATE	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
10/1/2010	"Extended From" date for complete application of water used in the most recent Final Order on Extension of Time.	
2011	Preproduction and organization expense	\$10,000
2012	Cherry Blossom Orchard – Tanks, irrigation, pumps, landings, roads, buildings, Preproduction and organization expenses	\$194,528
2012	Tres Amigos Orchard – landings, roads, buildings, preproduction and organization expenses	\$29,034
2013	Cherry Blossom Orchard – tanks, irrigation, pumps, landings, roads and buildings	\$365,395
2013	Tres Amigos Orchard – landings, roads, buildings	\$3,340
2014	Cherry Blossom Orchard – Landings, roads, buildings	\$84,996
2014	Tres Amigos Orchard – landings, roads, buildings	\$41,757
2015	Tres Amigos Orchard – landings, buildings, roads	\$25,000
2015	Cherry Blossom Orchard tree deposits, Tres Amigos Orchard tree deposits	\$1,615
2016	Cherry Blossom Orchard tree deposits, Tres Amigos Orchard tree deposits, Tres Amigos tree install	\$67,073
2017	Cherry Blossom Orchard equipment, Tres Amigos equipment, Claussen wheel lines	\$27,266
2018	Cherry Blossom Orchard tree deposits & install	\$169,989
2019	Cherry Blossom Orchard tree deposits & equipment, Claussen valves and fittings	\$36,060
2020	Water rights consulting, including Time Extension Application	\$3,000
10/1/2020	"Extended To" date for complete application of water resulting from the most recent Final Order on 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*
	N/A,	
Total Cost of Chart-C		\$1,059,053

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

5. **Cost of project to date: \$6,257,973**
 (The total combined cost from CHART-B and CHART-C) [OAR 690-315-0020(f)]

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

Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit 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): **N/A, Groundwater**

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,

Maximum volume of stored water used to date = _____ or,

Maximum volume stored annually 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	1	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 2217	N/A	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	+/-250 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	- -
2A		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 51558	88270	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	+/-600 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	- -
3A		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 51532	88230	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	+/-1,090 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	- -
4A		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 51672	97485	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	+/-1,090 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	- -
5		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A - not drilled	N/A - not drilled	N/A - not drilled	N/A - not drilled	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	- -

6	Yes <input type="checkbox"/>	N/A - not drilled	N/A - not drilled	N/A - not drilled	N/A - not drilled	Yes <input type="checkbox"/>	-
	No <input checked="" type="checkbox"/>					No <input checked="" type="checkbox"/>	-
	Yes <input type="checkbox"/>			Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	-
	No <input type="checkbox"/>			No <input type="checkbox"/>		No <input type="checkbox"/>	-
Total instantaneous rate from all wells utilized under this permit					+/-3,030 gpm		

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

If yes, identify Transfer No. T-10528

[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: +/-595.5 acres

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

Year	Acres	Year	Acres	Year	Acres
2006	776	2012	567.5	2018	604.0
2007	776	2013	567.5	2019	595.5
2008	776	2014	567.5	2020	595.5
2009	567.5	2015	604.0		
2010	567.5	2016	604.0		
2011	567.5	2017	604.0		

Note: all acreages listed are approximate.

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

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

Well #1 Acres 64.6

Well #3A Acres 348.8

Well #2A Acres 0.0

Well #4A Acres 182.2

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[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)
2025-2029	Complete drilling of two additional wells (well 5 & 6) including well pumps, controls, pumphouses	\$2,000,000
2025-2029	Complete planting of approximately 314 acres of additional orchards and/or other crops and complete construction of irrigation system for new orchards/fields. Complete construction of access roads, loading area and other incidentals	\$1,350,000
2020	Cherry Blossom Orchard tree deposits and Cherry Blossom equipment	\$35,000

2021	Tree deposits and tree install	\$62,538
Year: 2030	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
Total Cost		\$3,447,538

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

11. Estimated remaining cost to complete the project: \$3,447,538.00
(The total cost from CHART-E)

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[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.)*

Construction of wells 5 and 6 including pumps, controls and pump houses. Additional roads, docks and buildings will be built. Irrigation infrastructure will be constructed/installed. Planting of additional orchard will also be completed. See anticipated dates in #10, above.

[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.)*

Trees planted in previous years (5-10 years ago) are beginning to mature and new wells will need to be constructed to support these orchards. As the irrigation system expands, the permit holders will need time to fine tune the system. The wells are required to be deep by both the existing geologic an OWRD permit conditions. Based on past drilling of the four existing deep wells on this permit, it appears any future wells will take from 4 months to 2 years to complete. Considering they would be constructed sequentially, Miller Ranch needs ten years to complete the construction of the two new wells, significant irrigation system infrastructure and orchard planting.

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

14a. Will a denial of the extension result in undue hardship? *(Describe the hardship and the effects.)* _____

Yes, denial of the extension would result in economic hardship and an inability to recoup investment cost for all parties involved. There have been significant capital investments over the last extension period and more time is needed for those investments to be realized.

14b. Are there any other reasonable alternatives that exist for meeting your water use needs? *(Explain in detail, consider other potential sources of water, and describe their feasibility)* _____

There are no other alternatives that exist for meeting the permit holders water use needs.

[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.

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[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 (i.e. health issues, natural disaster) and how much time was spent addressing the unforeseen events.)*

2014-2015: freeze damage in November caused the loss of 18,000 trees coupled with record summer heat resulted in poor returns. Deposit was placed to replace the trees lost in the freeze. (see previous 2015 extension application for additional details).

2017: A record NW cherry crop was dominated by low quality fruit. The smaller, softer fruit with low sugar content along with the record crop stressed the market and hurt cherry growers.

2018: Chinese tariffs reduced exports to their market by 50%. This removed an outlet for historically higher-priced fruit. The supplier chosen to replace the 77 acres of trees damaged by

frost in 2017 only provided 57 acres worth of trees, leaving 20 acres unplanted. The remaining 20 acres are expected to be planted in 2021 with the first crop expected in 2025.

2019: Some crop damage from heavy rain in July. Chinese tariffs are still in effect and hurt the cherry market.

2020: COVID-19 pandemic severely affected labor market, impacting Miller Ranch with substantial additional operating costs for picking, pruning, and planting. Entirety of existing partner group isn't interested in orchard expansion, so evaluating a reformed new partnership group. Also evaluating alternate crops.

[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.)

N/A, reasons listed above

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[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.

[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)

The trees replaced in 2017, 2018 and the trees expected to be replaced in 2021 will be maturing in 5-10 years producing capital that will allow the completion of the system.

[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 affected and how?)*
Ryan Clausen Farming (lessee of portions of the irrigated land), McClaskey Orchards, LLC, and Cherry Blossom Orchards, LLC.

Attach permit, and documentation to the application

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1 INCH = 1320 FT.

PROPERTY OWNER:
THE MILLER RANCH COMPANY
66359 US HWY 197
DUFUR, OR 97021


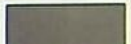


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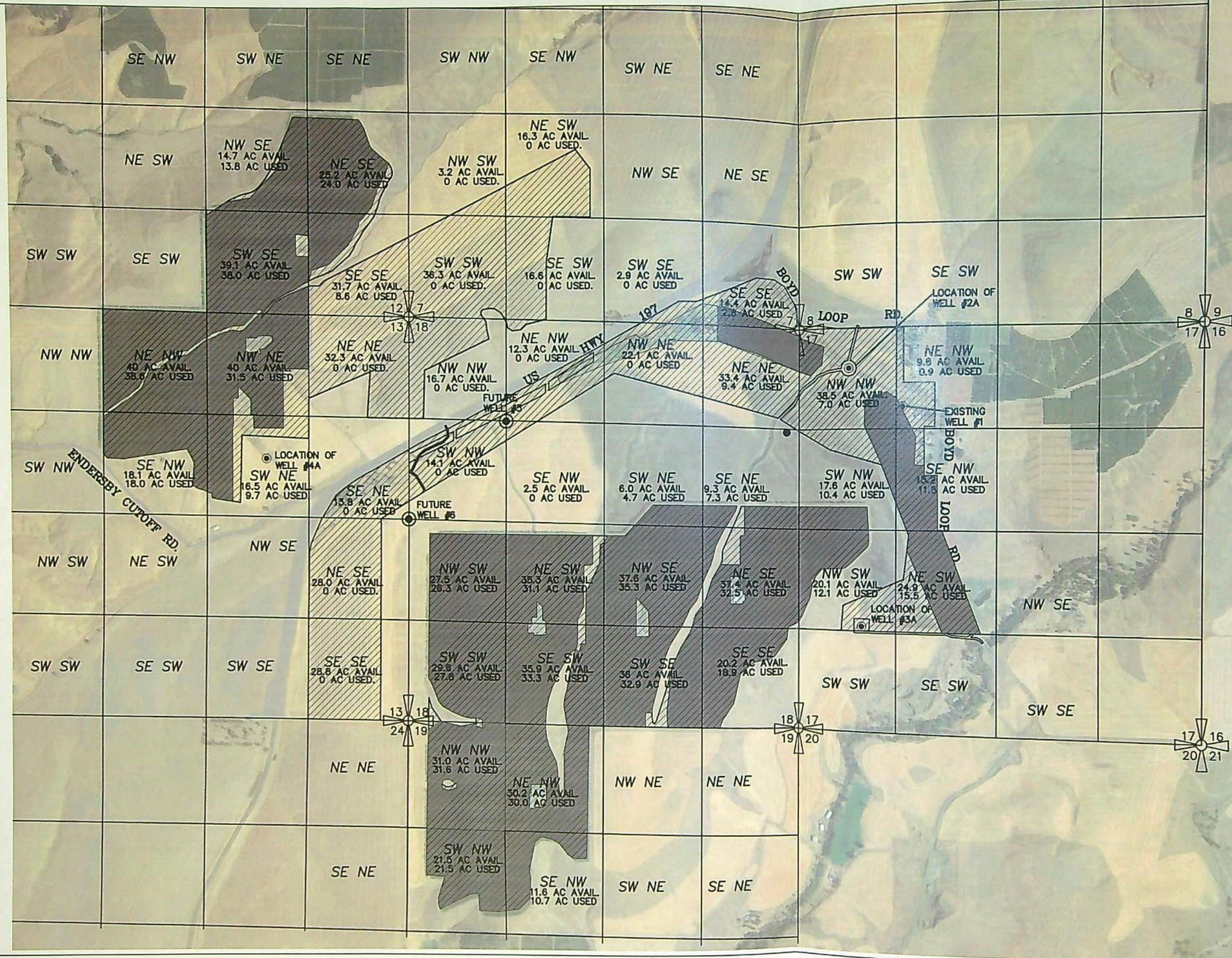
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TOTAL PERMITTED AREA = 1014.2 ACRES
TOTAL AREA UNDER IRRIGATION = 595.5 ACRES

LEGEND:

-  PERMITTED AREA
-  PERMITTED AREA BEING IRRIGATED
-  PROPOSED FUTURE WELL
-  EXISTING WELL

NOTE: THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF WATER RIGHTS. THIS MAP IS NOT INTENDED TO PROVIDE DIMENSIONS OR THE LOCATION OF PROPERTY OWNERSHIP LINES.



**MILLER RANCH – WORKING MAP (YEAR 2020 IRRIGATION) FOR IRRIGATION AND AGRICULTURAL USE WATER RIGHTS
TOWNSHIP 1 SOUTH, RANGE 14 EAST AND RANGE 13 EAST**

STATE OF OREGON

COUNTY OF WASCO

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

THE MILLER RANCH CO
66359 US HWY 197
DUFUR, OR 97021

(541) 467-2274

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

APPLICATION FILE NUMBER: G-16439

SOURCE OF WATER: SIX WELLS IN STARVOUT CREEK BASIN

PURPOSE OR USE: AGRICULTURAL AND IRRIGATION USES ON 1014.2 ACRES

MAXIMUM RATE: 12.678 CUBIC FEET PER SECOND (CFS); BEING 0.558 CFS FROM WELL 1, 2.424 CFS EACH FROM WELL 2, WELL 3, WELL 4, WELL 5, AND WELL 6

PERIOD OF USE: AGRICULTURAL NOVEMBER 1 THROUGH END OF FEBRUARY;
IRRIGATION MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: APRIL 14, 2005

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WELL LOCATIONS:

- WELL 1: NE ¼ NW ¼, SECTION 17, T1S, R14E, W.M.; 1102 FEET SOUTH & 1446 FEET EAST FROM NW CORNER, SECTION 17
- WELL 2: SE ¼ NE ¼, SECTION 18, T1S, R14E, W.M.; 100 FEET SOUTH & 100 FEET WEST FROM N 1/16 CORNER, SENE, SECTION 18
- WELL 3: SE ¼ NE ¼, SECTION 18, T1S, R14E, W.M.; 100 FEET SOUTH FROM NE 1/16 CORNER, SECTION 18
- WELL 4: SW ¼ NE ¼, SECTION 18, T1S, R14E, W.M.;, C-N 1/16 CORNER, SECTION 18
- WELL 5: SE ¼ NW ¼, SECTION 18, T1S, R14E, W.M.; NW 1/16 CORNER, SENW, SECTION 18
- WELL 6: NW ¼ SW ¼, SECTION 18, T1S, R14E, W.M.; W1/4 CORNER, SECTION 18

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

Application G-16439 Water Resources Department

PERMIT G-15989

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE ¼ NE ¼ 14.8 ACRES
NE ¼ SE ¼ 39.2 ACRES
SE ¼ SE ¼ 40.0 ACRES

SECTION 13

TOWNSHIP 1 SOUTH, RANGE 13 EAST, W.M.

SW ¼ SE ¼ 2.9 ACRES
SE ¼ SE ¼ 14.4 ACRES

SECTION 7

NE ¼ NW ¼ 9.8 ACRES
NW ¼ NW ¼ 40.0 ACRES
SW ¼ NW ¼ 40.0 ACRES
SE ¼ NW ¼ 15.8 ACRES
NE ¼ SW ¼ 27.6 ACRES
NW ¼ SW ¼ 40.0 ACRES

SECTION 17

NE ¼ NE ¼ 40.0 ACRES
NW ¼ NE ¼ 37.5 ACRES
SW ¼ NE ¼ 40.0 ACRES
SE ¼ NE ¼ 40.0 ACRES
NE ¼ NW ¼ 17.1 ACRES
NW ¼ NW ¼ 1.5 ACRES
SW ¼ NW ¼ 33.6 ACRES
SE ¼ NW ¼ 40.0 ACRES
NE ¼ SW ¼ 40.0 ACRES
NW ¼ SW ¼ 40.0 ACRES
SW ¼ SW ¼ 40.0 ACRES
SE ¼ SW ¼ 40.0 ACRES
NE ¼ SE ¼ 40.0 ACRES
NW ¼ SE ¼ 40.0 ACRES
SW ¼ SE ¼ 40.0 ACRES
SE ¼ SE ¼ 40.0 ACRES

SECTION 18

NE ¼ NW ¼ 40.0 ACRES
NW ¼ NW ¼ 40.0 ACRES
SW ¼ NW ¼ 40.0 ACRES
SE ¼ NW ¼ 40.0 ACRES

SECTION 19

TOWNSHIP 1 SOUTH, RANGE 14 EAST, W.M.

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Measurement, recording and reporting conditions:

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- A. Before water use may begin under this permit, the water user shall install a meter or other suitable measuring device as approved by the Director. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the permit.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place
Initial and Annual Measurements

The Department requires the water user to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun
Seven Consecutive Annual Measurements

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

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer,

licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

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

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

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

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Wells 2, 3, 4, 5, and 6 shall be continuously cased and continuously sealed to a minimum depth of 550 feet below land surface. The well may not be completed in such a manner that it allows ground water to be developed from shallower water-bearing zones. If during well construction, it becomes apparent that the well can be constructed to eliminate interference with nearby shallow wells or hydraulically connected streams in a manner other than specified in this permit, the water user can contact the Department Hydrogeologist for this permit or the Ground Water/Hydrology Section Manager to request approval of such construction. The request shall be in writing, and shall include a rough well log and a proposed construction design for approval by the Department. The request can be approved only if it is received and

Application G-16439 Water Resources Department

PERMIT G-15989

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reviewed prior to placement of any permanent casing and sealing material. If the well is constructed first and then the request made, requested modification will not be approved. The new well depth and construction specifications will be incorporated into any certificate issued for this permit.

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STANDARD CONDITIONS

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If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.

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

The 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.

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

Prior to receiving a certificate of water right, the permit holder shall submit 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.

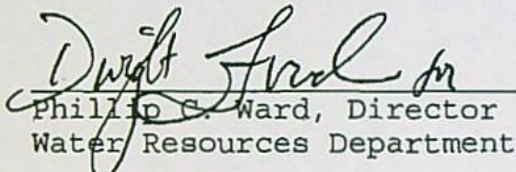
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

Completion of construction and complete application of the water to the use shall be made on or before October 1, 2010. If the water is not completely applied before this date, and the water user wishes to continue development under the permit, the water user must submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued December 16, 2005


Phillip C. Ward, Director
Water Resources Department

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Application G-16439 Water Resources Department
Basin 4 Volume 2 FIFTEENMILE CR & MISC
gaineyjw

PERMIT G-15989
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JUN 15 2005

WATER RIGHTS DIVISION DEPT.
SALEM, OREGON

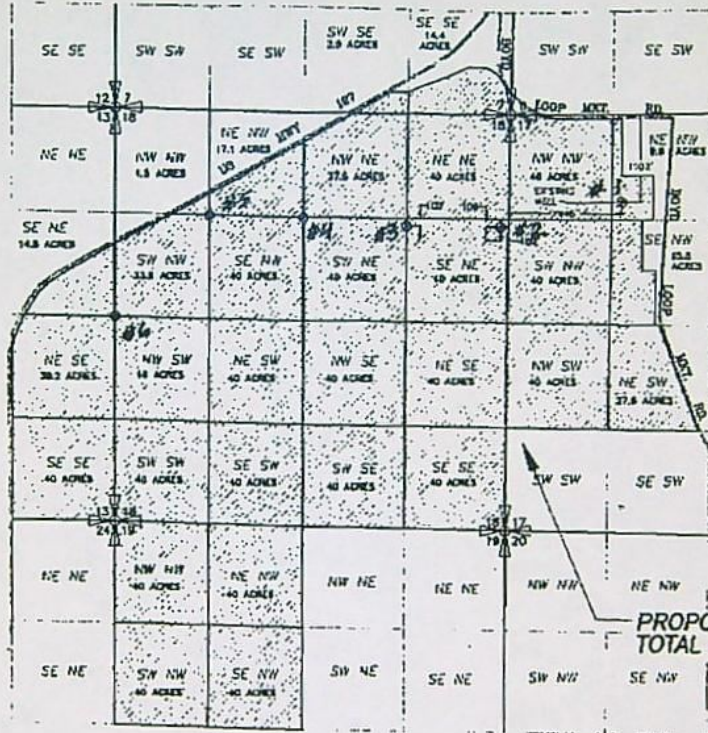
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WORK COPY



1 INCH = 1320 FT.

PROPERTY OWNER:
THE MILLER RANCH COMPANY
66359 US HWY 197
DUFUR, OR 97021

APPLICANT:
THE MILLER RANCH COMPANY

REQUEST:
GROUNDWATER APPROPRIATION
FOR PRIMARY IRRIGATION AND
AGRICULTURAL USE

LEGEND:

- PROPOSED IRRIGATION
- PROPOSED WELL
- EXISTING WELL

PROPOSED AREA OF USE
TOTAL AREA = +/- 1014.2 ACRES

NOTE: THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF WATER RIGHTS. THIS MAP IS NOT INTENDED TO PROVIDE DIMENSIONS OR THE LOCATION OF PROPERTY OWNERSHIP LINES.

APPLICATION MAP FOR IRRIGATION AND AGRICULTURAL USE WATER RIGHTS
TOWNSHIP 1 SOUTH, RANGE 14 EAST

TOWNSHIP 1 SOUTH, RANGE 13 EAST

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Permit Amendment	)	FINAL ORDER
T-10528, Wasco County	)	APPROVING A CHANGE IN POINT OF
	)	APPROPRIATION AND A CHANGE IN
	)	PLACE OF USE

Authority

ORS 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

Applicant

The Miller Ranch Company
66359 US Highway 197
Dufur, Oregon 97021

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Findings of Fact

1. On February 4, 2008, Miller Ranch Company filed an application to amend the point of appropriation of Well 4 and change the place of use of 346.1 acres under Permit G-15989. The Department assigned the application number T-10528.
2. The permit to be amended is as follows:

Permit:	G-15989, in the name of The Miller Ranch Co. (previously amended by T-10331, Special Order Vol. 72, Page333)
Use:	Agricultural and irrigation
Priority Date:	April 14, 2005
Quantity:	12.678 cubic feet per second (cfs), being 0.558 cfs from Wells 1, 2.424 cfs each from Well 2, Well 3, Well 4, Well 5, and Well 6. T-10331 amended the permit for additional points of appropriation such that any rate of appropriation, up to the maximum rate allowed by the permit, may be appropriated from any one well or combination of wells.
Rate/Duty:	The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.
Acres:	1014.2

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 137-004-080 and OAR 690-01-005 you may either 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.

Source: Six wells in the Starvout Creek Basin.

Date of Complete Application of Water: October 1, 2010

Original Points of Appropriation:

Township		Range		Meridian	Sec	¼ ¼		Location
1	S	14	E	W.M.	17	NE	NW	Well 1 – 1102 feet South and 1446 feet East from the NW Corner of Section 17.
1	S	14	E	W.M.	18	SE	NE	Well 2 – 100 feet South and 100 feet West from the N1/16 Corner of the SE¼NE¼ of Section 18.
1	S	14	E	W.M.	18	SE	NE	Well 3 – 100 feet South from the NE1/16 Corner of Section 18.
1	S	14	E	W.M.	18	SW	NE	Well 4 – Center N1/16 Corner of Section 18.
1	S	14	E	W.M.	18	SE	NW	Well 5 – NW1/16 Corner of Section 18.
1	S	14	E	W.M.	18	NW	SW	Well 6 – W¼ Corner of Section 18.

Authorized Points of Appropriation:

Township		Range		Meridian	Sec	¼ ¼		Location
1	S	14	E	W.M.	17	NE	NW	Well 1 – 1102 feet South and 1446 feet East from the NW Corner of Section 17.
1	S	14	E	W.M.	17	NW	NW	Well 2A – 4796 feet North and 4502 feet West from the SE Corner of Section 17.
1	S	14	E	W.M.	17	NW	SW	Well 3A – 1451 feet North and 4324 feet West from the SE Corner of Section 17.
1	S	14	E	W.M.	18	SW	NE	Well 4 – Center N1/16 Corner of Section 18.
1	S	14	E	W.M.	18	SE	NW	Well 5 – NW1/16 Corner of Section 18.
1	S	14	E	W.M.	18	NW	SW	Well 6 – W¼ Corner of Section 18.

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼		Acres
1	S	13	E	W.M.	13	SE	NE	14.8
1	S	13	E	W.M.	13	NE	SE	39.2
1	S	13	E	W.M.	13	SE	SE	40.0
1	S	14	E	W.M.	7	SW	SE	2.9
1	S	14	E	W.M.	7	SE	SE	14.4
1	S	14	E	W.M.	17	NE	NW	9.8
1	S	14	E	W.M.	17	NW	NW	40.0
1	S	14	E	W.M.	17	SW	NW	40.0
1	S	14	E	W.M.	17	SE	NW	15.8
1	S	14	E	W.M.	17	NE	SW	27.6

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Township		Range		Meridian	Sec	¼ ¼		Acres
1	S	14	E	W.M.	17	NW	SW	40.0
1	S	14	E	W.M.	18	NE	NE	40.0
1	S	14	E	W.M.	18	NW	NE	37.5
1	S	14	E	W.M.	18	SW	NE	40.0
1	S	14	E	W.M.	18	SE	NE	40.0
1	S	14	E	W.M.	18	NE	NW	17.1
1	S	14	E	W.M.	18	NW	NW	1.5
1	S	14	E	W.M.	18	SW	NW	40.0
1	S	14	E	W.M.	18	SE	NW	40.0
1	S	14	E	W.M.	18	NE	SW	40.0
1	S	14	E	W.M.	18	NW	SW	40.0
1	S	14	E	W.M.	18	SW	SW	40.0
1	S	14	E	W.M.	18	SE	SW	40.0
1	S	14	E	W.M.	18	NE	SE	40.0
1	S	14	E	W.M.	18	NW	SE	40.0
1	S	14	E	W.M.	18	SW	SE	40.0
1	S	14	E	W.M.	18	SE	SE	40.0
1	S	14	E	W.M.	19	NE	NW	40.0
1	S	14	E	W.M.	19	NW	NW	40.0
1	S	14	E	W.M.	19	SW	NW	40.0
1	S	14	E	W.M.	19	SE	NW	40.0

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3. Application T-10528 proposes to change the place of use of the permit to:

Township		Range		Meridian	Sec	¼ ¼		Acres
1	S	13	E	W.M.	12	NE	SE	25.2
1	S	13	E	W.M.	12	NW	SE	14.7
1	S	13	E	W.M.	12	SW	SE	39.1
1	S	13	E	W.M.	12	SE	SE	31.7
1	S	13	E	W.M.	13	NE	NE	32.3
1	S	13	E	W.M.	13	NW	NE	40.0
1	S	13	E	W.M.	13	SW	NE	16.5
1	S	13	E	W.M.	13	SE	NE	13.8
1	S	13	E	W.M.	13	NE	NW	40.0
1	S	13	E	W.M.	13	SE	NW	18.1
1	S	13	E	W.M.	13	NE	SE	28.0
1	S	13	E	W.M.	13	SE	SE	28.8
1	S	14	E	W.M.	7	NE	SW	16.3
1	S	14	E	W.M.	7	NW	SW	3.2

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Township		Range		Meridian	Sec	¼ ¼		Acres
1	S	14	E	W.M.	7	SW	SW	36.3
1	S	14	E	W.M.	7	SE	SW	16.6
1	S	14	E	W.M.	7	SW	SE	2.9
1	S	14	E	W.M.	7	SE	SE	14.4
1	S	14	E	W.M.	17	NE	NW	9.8
1	S	14	E	W.M.	17	NW	NW	38.5
1	S	14	E	W.M.	17	SW	NW	17.6
1	S	14	E	W.M.	17	SE	NW	15.2
1	S	14	E	W.M.	17	NE	SW	24.9
1	S	14	E	W.M.	17	NW	SW	20.1
1	S	14	E	W.M.	18	NE	NE	33.4
1	S	14	E	W.M.	18	NW	NE	22.1
1	S	14	E	W.M.	18	SW	NE	6.0
1	S	14	E	W.M.	18	SE	NE	9.3
1	S	14	E	W.M.	18	NE	NW	12.3
1	S	14	E	W.M.	18	NW	NW	16.7
1	S	14	E	W.M.	18	SW	NW	14.1
1	S	14	E	W.M.	18	SE	NW	2.5
1	S	14	E	W.M.	18	NE	SW	35.3
1	S	14	E	W.M.	18	NW	SW	27.5
1	S	14	E	W.M.	18	SW	SW	29.6
1	S	14	E	W.M.	18	SE	SW	35.9
1	S	14	E	W.M.	18	NE	SE	37.4
1	S	14	E	W.M.	18	NW	SE	37.6
1	S	14	E	W.M.	18	SW	SE	36.0
1	S	14	E	W.M.	18	SE	SE	20.2
1	S	14	E	W.M.	19	NE	NW	30.2
1	S	14	E	W.M.	19	NW	NW	31.0
1	S	14	E	W.M.	19	SW	NW	21.5
1	S	14	E	W.M.	19	SE	NW	11.6

The changed place of use is in bold type.

4. Application T-10528 proposes to change the point of appropriation of Well 4 under the permit to:

Township		Range		Meridian	Sec	¼ ¼		Location
1	S	13	E	W.M.	13	SW	NE	Well 4A - 3453 feet North and 1845 feet West from the SE Corner of Section 13.

5. Notice of the application for the permit amendment was published in the Department's weekly notice on February 12, 2008, and in The Dalles Chronicle newspaper on April 22 and 29, and May 6, 2008, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
6. The changes would not result in injury to other water rights.
7. The proposed place of use is owned and/or controlled by the permit holder.
8. The changes do not enlarge the permit.
9. The changes do not alter any other terms of the permit.
10. The proposed place of use is contiguous to the authorized place of use.

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Conclusions of Law

The change in point of appropriation of Well 4 and the change in place of use of 346.1 acres proposed by Permit Amendment Application T-10528 are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

The change and subsequent use of water shall be subject to the following conditions:

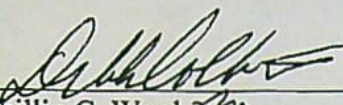
1. The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the authorized point of appropriation.
2. Prior to water use from the proposed point of appropriation, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, and shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

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.

3. Water shall be acquired from the same aquifer as the original point of appropriation.
4. The former place of use shall no longer be irrigated as part of this permit.
5. All other terms and conditions of Permit G-15989 remain the same.

6. Permit G-15989, in the name of The Miller Ranch Co., is amended as described herein.

Dated at Salem, Oregon this 27th day of May, 2008.



Phillip C. Ward, Jr.
Director

Mailing Date: JUN 26 2008

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FEB 27 2008

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FEB 04 2008
WATER RESOURCES DEPT
SALEM, OREGON

PROSED PLACE OF USE ("TO" LANDS)
TOTAL AREA = +/- 346.1 ACRES








1 INCH = 1320 FT.

PROPERTY OWNER:
THE MILLER RANCH COMPANY
66359 US HWY 197
DUFUR, OR 97021

APPLICANT:
THE MILLER RANCH COMPANY

REQUEST:
GROUNDWATER APPROPRIATION
FOR PRIMARY IRRIGATION AND
AGRICULTURAL USE

LEGEND:

-  EXISTING AUTHORIZED PLACE OF USE TO BE AFFECTED ("FROM" LANDS)
-  PROPOSED PLACE OF USE ("TO" LANDS)
-  PROPOSED FUTURE WELL
-  EXISTING WELL
-  FORMER SITE OF RELOCATED WELL

NOTE: THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF WATER RIGHTS. THIS MAP IS NOT INTENDED TO PROVIDE DIMENSIONS OR THE LOCATION OF PROPERTY OWNERSHIP LINES.

EXISTING AUTHORIZED PLACE OF USE ("FROM" LANDS)
TOTAL AREA = +/- 346.1 ACRES



EX-111552 6:30-08

PERMIT AMENDMENT - APPLICATION MAP FOR IRRIGATION AND AGRICULTURAL USE WATER RIGHTS TOWNSHIP 1 SOUTH, RANGE 14 EAST AND RANGE 13 EAST

T 10528

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

WASCO 2217995
 WATER RESOURCES DEPT.

(1) OWNER:
 Name The Miller Ranch
 Address 66359 US Hwy 197
 City Dufur State Or Zip 97021

LOCATION OF WELL by legal description:
 County Wasco Latitude _____ Longitude _____
 Township 1S N or S. Range 14 E E or W. WM.
 Section 17 NE 1/4 NW 1/4
 Tax Lot 3100 Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) Boyd Mkt. Rd.
908 Dufur, Or.

(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 718 ft.
 Explosives used Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
14	0	30				
10	30	718	Cement	0	27	30 Bags

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:

Casing	Diameter	From	To	Gauge	Material			
					Steel	Plastic	Welded	Threaded
	10	+1	29	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	6	+2	545	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of sheets: _____

(7) PERFORATIONS/SCREENS:

Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	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"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
 Yield gal/min 415 Drawdown _____ Drill stem at _____ Time 1 hr.

Temperature of water 65 Depth Artesian Flow Found 687
 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: _____

(10) STATIC WATER LEVEL:
 _____ ft. below land surface. Date _____
 Artesian pressure 110 lb. per square inch. Date 3-20-95

(11) WATER BEARING ZONES:
 Depth at which water was first found 687

From	To	Estimated Flow Rate	SWL
687	702	415	0

(12) WELL LOG: Ground Log _____

Material	From	To	SWL
Soil SALEM, OREGON	0	25	
Sand fine brn	2	8	
SS hard brn	8	24	
Basalt grey	24	55	
Basalt med grey	55	60	
Basalt me hard grey	60	82	
Basalt hard fract grey	82	90	
Basalt hard grey	90	144	
Basalt hard broken grey			
W/B SWL 16	144	155	
Basalt Med Grey hard	155	164	
Basalt very hard grey	164	196	
Basalt fract. soft blk	196	203	82
Basalt porous blk	203	215	
Basalt hard grey	215	244	
Basalt soft porous blk	244	251	
Basalt hard blk	251	253	
Basalt fract hard grey	253	256	
Basalt hard grey	256	261	
Basalt porous fract blk	261	315	63
Basalt med hard blk	315	336	
Basalt porous blk	336	341	
Basalt soft porous blk	Continued		

Date started _____ Completed _____

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

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well constructor standards. This report is true to the best of my knowledge and belief.
 Signed _____ WWC Number 790
 Date 7-2-95

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

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 JUL - 7 1995

52340

WATER RESOURCES DEPT.

(START CARD) #

(1) OWNER:

Name The Miller Ranch
 Address 66359 US Hwy 197
 City Dufur State Or. Zip 97021

Well Number: SALEM, OREGON LOCATION OF WELL by legal description:

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

(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 _____ ft.
 Yes No
 Explosives used Type _____ Amount _____

HOLE		SEAL		Amount	
Diameter	From To	Material	From To	sacks or pounds	

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:

Casing/Liner	Diameter	From	To	Gauge	Material			
					Steel	Plastic	Welded	Threaded
					<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"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of sheets) _____

(7) PERFORATIONS/SCREENS:

Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	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"/>

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

Pump Bailer Air Flowing Artesian

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

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: _____

(10) STATIC WATER LEVEL:

_____ ft. below land surface. Date _____

Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first encountered _____

From	To	Estimated Flow Rate	SWL

(12) WELL LOG:

Ground elevation _____

Material	From	To	SWL
W/B SWL 71 150 GPM 56°	341	352	
Basalt broken brn visc	352	358	
Basalt hard grey	358	404	
Basalt med grey	404	417	
Basalt broken blk	417	423	
Rock soft blk	423	463	
Basalt hard bract grey	463	476	
Basalt hard grey	476	483	
Basalt hard fract grey	483	486	
Basalt hard grey	486	501	118
Rock soft W/green clay blk W/B	501	512	
Basalt med soft blk	512	527	
Basalt hard grey	527	580	
Set 6" Casing to 545 ft. grout from bottom to land surface			
4.2 cu. yds. cement & water			
Basalt med hard grey	580	620	
Basalt hard grey	620	630	
Basalt med hard grey	630	653	
Basalt med hard grey	653	670	
Basalt hard grey	670	683	
Continued			

Date started _____ Completed _____

(unbonded) Water Well Constructor Certification:

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

WWC Number _____
 Signed _____ Date _____

(bonded) Water Well Constructor Certification:

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

WWC Number 790
 Signed [Signature] Date 7-2-95

WATER RESOURCES DEPT.

(1) OWNER:

Name The Miller Ranch
 Address 66359 US Hwy 197
 City Eufur State Or Zip 97021

Well Number: _____

LOCATION OF WELL by legal description:

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

(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 _____ ft.

Yes No

Explosives used Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	

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:

Casing:	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
					<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"/>	<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"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of sheets: _____

(7) PERFORATIONS/SCREENS:

Perforations Method _____

Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	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"/>
						<input type="checkbox"/>	<input type="checkbox"/>

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

Pump Bailer Air Flowing Artesian

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

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: _____

(10) STATIC WATER LEVEL:

_____ ft. below land surface. Date _____

Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found _____

From	To	Estimated Flow Rate	SWL

(12) WELL LOG:

Ground elevation _____

Material	From	To	SWL
Basalt fract blk	683	687	
Rock soft blk W/B	687	702	0
Rock fract blk	702	718	

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WATER RESOURCES DEPT.
 SALEM, OREGON

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Date started 3-20-95 Completed 5-20-95

(unbonded) Water Well Constructor Certification:

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

WWC Number _____

Signed _____ Date _____

(bonded) Water Well Constructor Certification:

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

WWC Number 790

Signed [Signature] Date 7-2-95



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

Application for
Well ID Number

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OWRD

Do not complete if the well already has a Well I.D Number.

I. OWNER INFORMATION

Current Owner Name (please print): Bill Miller
Mailing Address: 66359 U.S. Highway 197
City: Dufur State: OR Zip: 97021
Mailing Address (to send Well I.D.):
City: State: Zip:

II. WELL INFORMATION (Do not complete this section if the well report is attached.)

Township: 1S (North/South) Range: 14E (East/West) Section: 17
Tax Lot: 300 County: Wasco NE 1/4 NW 1/4
Street Address of Well: Boyd Mkt Rd City:
Owner at time the well was constructed, (if known): Miller Ranch
If the property had a different street address in the past:

III. GENERAL WELL INFORMATION (Do not complete this section if the well report is attached)

Use of Well (domestic, irrigation, commercial, industrial, monitoring): Irrigation
Date Well Constructed: 5/20/95 Total Well Depth: 718 Casing Diameter: 10"/6"
Other Information:

SUBMITTED BY (please print): Marc Norton
PHONE: 503-986-0841 FAX:

Send application to Oregon Water Resources Department; 725 Summer St NE, Suite A; Salem, Oregon 97301-1266; fax (503) 986-0902. Applications are processed and Well I.D. Numbers are mailed every Wednesday.

For Official Use Only by the Oregon Water Resources Department:
Received Date: Well Log Number: WASC 2217 Well Identification #: 101433

WASC 51558

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

WELL LABEL # L 88270
 START CARD # 187470

(1) LAND OWNER Owner Well ID. Miller #2
 First Name Bill Last Name Miller
 Company C/O Cherry Blossom Orchards, LLC
 Address 3551 Old Dufur Rd.
 City The Dalles State OR Zip 97058

(2) TYPE OF WORK New Well Deepening Conversion
 Alteration (repair/recondition) Abandonment

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other

(4) PROPOSED USE Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION Special Standard [Attach copy]
 Depth of Completed Well 1,352 ft.

BORE HOLE			SEAL			Asst	lbs
Dia	From	To	Material	From	To		
30	0	9	Cement / Bent.	0	9	16	S
20	9	60	Cement / Bent.	0	60	95	S
16	60	590	Cement / Bent.	0	590	400	S
12	590	1,040					

How was seal placed: 1,352 Method A B C D E
 Other

Backfill placed from _____ ft. to _____ ft. Material _____
 Filter pack from _____ ft. to _____ ft. Material _____ Size _____

Explosives used: Yes Type _____ Amount _____

(6) CASING/LINER

Casing	Liner	Dia	From	To	Gauge	Stl	Plsto	Wld	Thrd
<input checked="" type="checkbox"/>	<input type="checkbox"/>	24	0	9	.375	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	20	0	60	.375	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	12	1	590	.375	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Shoe Inside Outside Other Location of shoe(s) _____
 Temp casing Yes Dia _____ From _____ To _____

(7) PERFORATIONS/SCREENS
 Perforations Method _____
 Screens Type _____ Material _____

Perf/Screen	Casing/Liner	Dia	From	To	Sem/slot width	Slot length	# of slots	Tele/pipe size

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailor Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
600+		600	1+
500+		500	1+

Temperature 65 °F Lab analysis Yes By _____
 Water quality concerns? Yes (describe below)
 From _____ To _____ Detec _____ Units _____

(9) LOCATION OF WELL (legal description)
 County WASCO Twp 1 S N/S Range 14 E E/W WM
 Sec 17 NE 1/4 of the NW 1/4 Tax Lot 300
 Tax Map Number _____ Lot _____
 Lat _____ ° 0' _____ " or _____ DMS or DD
 Long _____ ° 0' _____ " or _____ DMS or DD
 Street address of well Nearest address
Boyd Loop Rd., Dufur, OR

(10) STATIC WATER LEVEL

Existing Well / Predeepening	Date	SWL (psi)	+ SWL (ft)
Completed Well	<u>07-27-2007</u>	<u>40</u>	<input checked="" type="checkbox"/> <u>92.4</u>

 Flowing Artesian? Dry Hole?

WATER BEARING ZONES Depth water was first found 40

SWL Date	From	To	Est Flow	SWL (psi)	+ SWL (ft)
06-19-2006	40	55	5		<input type="checkbox"/> 10
06-21-2006	185	195	10		<input type="checkbox"/> 126
06-24-2006	340	360	75		<input type="checkbox"/> 153
06-28-2006	440	562	200		<input type="checkbox"/> 316
07-27-2007	730	1,030	600+	40	<input checked="" type="checkbox"/> 92.4

(11) WELL LOG Ground Elevation _____

Material	From	To
Rock Fill (drill pad)	0	3
Brown sandy soil, cement, sand & gravel	3	9
Tan clay ooc. rock fragments	9	40
Brown sandstone, ooc. cobbles	40	55
Black, gray-black basalt, ooc. claystone	55	185
Brown basalt, interbed, pink clay	185	195
Gray-black basalt, ooc. brown basalt	195	340
Gray-brown basalt, broken, interbeds	340	360
Gray-black, gray-brown basalt, ooc. lava	360	440
Black, gray-black basalt, glassy lava	440	562
Gray-black basalt, hard	562	730
Black basalt & lava, broken	730	738
Gray-black basalt, hard, ooc. fractures	738	926
Black basalt & lava, broken	926	929
Gray-black basalt, ooc. black basalt, ooc. claystone	929	1,020
Black basalt & lava, fractures	1,020	1,030
Gray-black basalt, hard, ooc. lava streaks	1,030	1,352

Date Started 06-01-2006 Completed 07-27-2007

(unbonded) Water Well Constructor Certification
 I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
 License Number _____ Date _____
 Password: (if filing electronically) _____
 Signed _____

(bonded) Water Well Constructor Certification
 I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
 License Number 573 Date 07-30-2007
 Password: (if filing electronically) _____
 Signed [Signature]
 Contact Info (optional) _____

WASC
51532

WASC 51532

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

AMENDED LOG

WELL LABEL # L 88230

START CARD # 190209

(1) LAND OWNER

Owner Well I.D. Miller #3
First Name Bill Last Name Miller
Company C/O Cherry Blossom Orchards, LLC
Address 3551 Old Dufur Rd.
City The Dalles State OR Zip 97058

(2) TYPE OF WORK

New Well Deepening Conversion
 Alteration (repair/recondition) Abandonment

(3) DRILL METHOD

Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other

(4) PROPOSED USE

Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION

Special Standard (Attach copy)
Depth of Completed Well 632 ft.

BORE HOLE			SEAL			Amt	sacks/ lbs
Dia	From	To	Material	From	To		
24	0	95	Cement	0	95	117	S
19	57	570	Cement	0	570	498	S
15	570	632					

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

Backfill placed from _____ ft. to _____ ft. Material _____
Filter pack from _____ ft. to _____ ft. Material _____ Size _____

Explosives used: Yes Type _____ Amount _____

(6) CASING/LINER

Casing Liner	Dia	From	To	Gauge	Stl	Plato	Wld	Thrd
<input checked="" type="checkbox"/>	24	0	5	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	20	0	57	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	16	1.5	20	.375	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	16	20	250	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	16	250	569	.375	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Shoe Inside Outside Other Location of shoe(s) _____
Temp casing Yes Dia _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perf/ Screen	Casing/ Liner	Screen Dia	From	To	Sorn/slot width	Slot length	# of slots	Tele/ pipe size

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

	Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
<input checked="" type="radio"/> Pump	2,200			1
<input type="radio"/> Bailer				
<input type="radio"/> Air				
<input checked="" type="radio"/> Flowing Artesian				

Temperature 68 °F Lab analysis Yes By _____
Water quality concerns? Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County WASC Twp 1 S N/S Range 14 E E/W WM
Sec 17 SE 1/4 of the SW 1/4 Tax Lot 300
Tax Map Number _____ Lot _____
Lat _____ ° 0 ' " or _____ DMS or DD
Long _____ ° 0 ' " or _____ DMS or DD
 Street address of well Nearest address
66166 Boyd Loop Rd., Dufur, OR

(10) STATIC WATER LEVEL

Existing Well / Predeepening	Date	SWL(psi)	+ SWL(ft)
Completed Well	03-22-2007	81	<input checked="" type="checkbox"/> 187.1

Flowing Artesian? Dry Hole?

WATER BEARING ZONES

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)
11-13-2006	160	200	25		104
11-15-2006	410	455	100		37
12-14-2006	550	600	20		<input checked="" type="checkbox"/> <i>Flowing</i>
03-22-2007	621	629	2,200	81	<input checked="" type="checkbox"/> 187.1

(11) WELL LOG

Material	From	To
Brown claystone/Sandstone	0	36
Brown basalt. ooc. claystone	36	50
Brown claystone with ooc. brown cemented gravel	50	75
Brown basalt weathered	75	90
Gray-black basalt, hard	90	160
Black & brown basalt, ooc. interbeds	160	200
Gray-black basalt, ooc. black basalt & lava	200	410
Brown basalt & lava, interbeds	410	455
Black basalt, fractured, minerals deposits	455	475
Green claystone	475	478
Black basalt, ooc. brown, ooc. claystone	478	490
Gray-black basalt, hard, ooc. fractures	490	621
Black, gray-black basalt, broken, fractured	621	629
Gray-black basalt	629	632

Date Started 11-02-2006 Completed 03-22-2007

(unbonded) Water Well Constructor Certification

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

License Number _____ Date _____
Password: (if filing electronically) _____
Signed _____

(bonded) Water Well Constructor Certification

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

License Number 573 Date 04-05-2007
Password: (if filing electronically) _____
Signed _____
Contact Info (optional) _____

WASC 51532

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

WELL LABEL # L 88230
 START CARD # 190209

(1) LAND OWNER Owner Well I.D. Miller #3

First Name Bill Last Name Miller
 Company C/O Cherry Blossom Orchards, LLC
 Address 3551 Old Dufur Rd.
 City The Dalles State OR Zip 97058

(2) TYPE OF WORK New Well Deepening Conversion
 Alteration (repair/recondition) Abandonment

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other

(4) PROPOSED USE Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION Special Standard Attach copy
 Depth of Completed Well 632 ft.

BORE HOLE			SEAL			sacks/	
Dia	From	To	Material	From	To	Amt	lbs
24	0	95	Cement	0	95	117	S
19	57	570	Cement	0	570	498	S
15	570	632					

How was seal placed: Method A B C D E
 Other
 Backfill placed from _____ ft. to _____ ft. Material _____
 Filter pack from _____ ft. to _____ ft. Material _____ Size _____
 Explosives used: Yes Type _____ Amount _____

(6) CASING/LINER

Casing Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input checked="" type="checkbox"/>	24		0	5	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	20		0	57	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	16	<input checked="" type="checkbox"/>	1.5	20	.375	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	16		20	250	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	16		250	569	.375	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Shoe Inside Outside Other Location of shoe(s) _____
 Temp casing Yes Dia _____ From _____ To _____

(7) PERFORATIONS/SCREENS
 Perforations Method _____
 Screens Type _____ Material _____

Perf/ Screen	Casing/ Liner	Screen Dia	From	To	Scrnm/slot width	Slot length	# of slots	Tele/ pipe size

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

Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
2,200			1

Temperature 68 °F Lab analysis Yes By _____
 Water quality concerns? Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County WASCO Twp 1 S N/S Range 14 E E/W WM
 Sec 17 SE 1/4 of the SW 1/4 Tax Lot 300
 Tax Map Number _____ Lot _____
 Lat _____ ° _____ ' _____ " or _____ DMS or DD
 Long _____ ° _____ ' _____ " or _____ DMS or DD
 Street address of well Nearest address
66166 Boyd Loop Rd., Dufur, OR

(10) STATIC WATER LEVEL

Existing Well / Predeepening	Date	SWL (psi)	+ SWL (ft)
Completed Well	03-22-2007	91	<input checked="" type="checkbox"/> 210.2

Flowing Artesian? Dry Hole?

WATER BEARING ZONES Depth water was first found 160

SWL Date	From	To	Est Flow	SWL (psi)	+ SWL (ft)
11-13-2006	160	200	25		104
11-15-2006	410	455	100		37
12-14-2006	550	600	20		<input checked="" type="checkbox"/> <u>Flowing</u>
03-22-2007	621	629	2,200	91	<input checked="" type="checkbox"/> 210.2

(11) WELL LOG Ground Elevation _____

Material	From	To
Brown claystone/Sandstone	0	36
Brown basalt. occ. claystone	36	50
Brown claystone with occ. brown cemented gravel	50	75
Brown basalt weathered	75	90
Gray-black basalt, hard	90	160
Black & brown basalt, occ. interbeds	160	200
Gray-black basalt, occ. black basalt & lava	200	410
Brown basalt & lava, interbeds	410	455
Black basalt, fractured, minerals deposits	455	475
Green claystone	475	478
Black basalt, occ. brown, occ. claystone	478	490
Gray-black basalt, hard, occ. fractures	490	621
Black, gray-black basalt, broken, fractured	621	629
Gray-black basalt	629	632

Date Started 11-02-2006 Completed 03-22-2007

(unbonded) Water Well Constructor Certification

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

License Number _____ Date _____
 Password: (if filing electronically) _____
 Signed _____

(bonded) Water Well Constructor Certification

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

License Number 573 Date 03-22-2007
 Password: (if filing electronically) _____
 Signed _____
 Contact Info (optional) _____

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

WELL LABEL # L 97485
 START CARD # 194876

(1) LAND OWNER Owner Well I.D. Miller #4
 First Name BILL Last Name MILLER
 Company TRES AMIGO ORCHARD C/O MCCLASKEY ORCHARDS
 Address 3551 OLD DUFUR RD.
 City THE DALLES State OR Zip 97058

(2) TYPE OF WORK New Well Deepening Conversion
 Alteration (repair/recondition) Abandonment

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other

(4) PROPOSED USE Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION Special Standard Attach copy
 Depth of Completed Well 1,147 ft.

BORE HOLE			SEAL			Amt	sacks/ lbs
Dia	From	To	Material	From	To		
30	0	10	Cement	0	10	35	S
23	10	234	Cement	0	234	138	S
19	234	750	Concrete	205	750	465	S
15	750	885					

How was seal placed: Method A B C D E
 Other
 Backfill placed from _____ ft. to _____ ft. Material _____
 Filter pack from _____ ft. to _____ ft. Material _____ Size _____
 Explosives used: Yes Type _____ Amount _____

(6) CASING/LINER

Casing/Liner	Dia	From	To	Gauge	Stl	Pstc	Wld	Thrd
<input checked="" type="checkbox"/>	24	.5	10	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	20	1	234	.375	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	16	205	750	.375	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Shoe Inside Outside Other Location of shoe(s) _____
 Temp casing Yes Dia _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perf/S	Casing/Screen	Dia	From	To	Sern/slot width	Slot length	# of slots	Tele/pipe size

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
800		800	1
1,200	152		18

Temperature 75 °F Lab analysis Yes By _____
 Water quality concerns? Yes (describe below)
 From _____ To _____ Description _____ Units _____
 NOV 05 2008

(9) LOCATION OF WELL (legal description)
 County WASCO Twp 1 S N/S Range 13 E E/W WM
 Sec 13 SE 1/4 of the NE 1/4 Tax Lot 100
 Tax Map Number _____ Lot _____
 Lat _____ " or _____ DMS or DD
 Long _____ " or _____ DMS or DD
 Street address of well Nearest address
MILLER RANCH, 66359 US HWY 197, DUFUR, OR

(10) STATIC WATER LEVEL

	Date	SWL(psi)	+ SWL(ft)
Existing Well / Predeepening			
Completed Well	10-09-2008		478

Flowing Artesian? Dry Hole?

WATER BEARING ZONES Depth water was first found 200

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)
11-02-2007	200	220	10		175
11-05-2007	250	355	40		185
11-15-2007	355	432	150		200
01-10-2008	568	732	250		448
10-09-2008	795	1,147	800		478

(11) WELL LOG

Material	From	To
BROWN SILTY SOIL, SANDSTONE	0	9
GRY-BRWN & BRWN SNDSTNE, OCC BLDER	9	200
BROWN BASALT WEATHERED	200	215
BRWN & GRY-BRWN BSLT, OCC GRY BLCK	215	355
GRY-BLCK BASALT W/ BRWN LAVA STRKS	355	432
GRAY-BLACK BASALT, HARD	432	568
BLACK & GRAY-BLACK BASALT OCC LAVA	568	588
HRD & SFT STRKS, GREEN CLAY/CLYSTNE	588	728
CLAYSTONE INTERBED CAVING	728	735
BASALT FIRM/HARD OCC BROKEN	735	795
GRAY/GRAY BLACK BASALT OCC GREEN	795	
CLAY & HARD SEAMS		845
GRAY BASALT, CREVICED/FRACTURES	845	885
GRAY-BLACK BASALT, BROKEN W.B.	885	920
GRAY-BLACK BASALT, HARD OCC LAVA	920	1,147

Date Started 10-24-2007 Completed 10-09-2009
 (unbonded) Water Well Constructor Certification
 I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
 License Number _____ Date _____
 Password: (if filing electronically) _____
 Signed _____

(bonded) Water Well Constructor Certification
 I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
 License Number 573 Date 10-27-2008
 Password: (if filing electronically) _____
 Signed _____
 Contact Info (optional) _____

WASC 51672

WATER SUPPLY WELL REPORT -
continuation page

WELL I.D. # L 97485

START CARD # 194876

(5) BORE HOLE CONSTRUCTION

BORE HOLE			SEAL				sacks/
Dia	From	To	Material	From	To	Amt	lbs
14	885	1,147					

FILTER PACK

From	To	Material	Size

(6) CASING/LINER

Casing Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd

(7) PERFORATIONS/SCREENS

Perf/S creen	Casing/ Liner	Screen Dia	From	To	Scrns/slot width	Slot length	# of slots	Tele/ pipe size

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

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)

Water Quality Concerns

From	To	Description	Amount	Units

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AUG 27 2020

RECEIVED

NOV 05 2008

OWRD

WATER RESOURCES DEPT
SALEM, OREGON

(10) STATIC WATER LEVEL

Water Bearing Zones

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)

(11) WELL LOG

Material	From	To

Comments/Remarks

Site Identification (Click to Collapse...)

GW LogID: WASC 2217 [Well Log Database](#)
 GW Well Tag Number:
 Tag Verified on Well: No
 Site Type: WELL
 Primary Use: LIVESTOCK
 Unused Status:
 Site Source Organization:
 Site Source OWRD:
 Established By: Marc Norton
 Established Date: 11/06/2006
 Bonded Company:
 Stage: COMPLETE

Location (Click to Collapse...)

Latitude/Longitude
 Latitude: 45.48767012 Horiz. Error: 10.00
 Longitude: -121.08523986 Datum: WGS1984
 Lat/Long Source: GPS

Location
 TRSQQ: WM 1.00S14.00E17NENW
 Tax Map:
 Taxlot:
 24 Quad: DUFUR EAST
 Basin: 4 - Hood
 County: Wasco
 WM District: 3
 WM Region: NC
 LSD Elev: 1186.00 Accy: 3.00 Datum: NAVD1988
 Elev Source: LIDAR
[Groundwater Mapping Tool](#)



USDA FSA, GeoEye

Water Rights (Click to Expand...)

Well Construction History (Click to Collapse...)

Well Construction History

Well Log Id	Well Log	Work Type	Startcard	Well Tag	Owner Name	First Water	Max Case Diam.	Max Case Depth	Max Seal Depth	Max De
WASC 2217	Log	NEW	52340		THE MILLER RANCH	687.00	6			

Well Log	Aquifer	Aq at Max Depth	System Aquifer	Regional USGS /
WASC 2217	Columbia River Basalt-Grande Ronde Basalt-Sentinel Bluffs Member	Late Tertiary Basalt Aq	Late Tertiary Basalt Aquifers	

Well Test

No data matches search criteria.

RECEIVED

AUG 27 2020

OWRD

Lithology (Click to Expand...)

Well Construction (Click to Expand...)

Measured Water Level (Click to Collapse...)

Records/Page: 50

Measured Water Level

Date	Time	Water Level (BLSD)	WL Elev (ft AMSL)	Organization	OWRD	Method	Status	MP Height
5/14/2020	10:27:00			OWRD	PENDLETON	NOT MEASURED	PUMPING	
10/15/2019	14:07:00	-183.49	1369.49	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
7/9/2019	12:26:00			OWRD	GWATER	NOT MEASURED	FLOWING	
3/25/2019	10:33:00	-192.27	1378.27	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
10/10/2018	14:24:00	-183.49	1369.49	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
7/18/2018	14:45:00			OWRD	GWATER	NOT MEASURED	FLOWING	
3/7/2018	13:23:00	-196.20	1382.20	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
10/11/2017	12:05:00	-180.02	1366.02	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
6/7/2017	14:13:00	-178.87	1364.87	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
3/8/2017	15:17:00	-197.65	1383.65	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
10/5/2016	13:50:00	-177.95	1363.95	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
6/28/2016	13:10:00			OWRD	GWATER	NOT MEASURED	FLOWING	1.00
3/8/2016	10:15:00	-199.84	1385.84	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
9/4/2015	11:36:00	-112.34	1298.34	OWRD	GWATER	PRESSURE GAGE CALIBRATED	FLOWING	1.00
6/2/2015	13:51:00	-196.66	1382.66	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
3/3/2015	14:31:00	-195.92	1381.92	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
1/13/2015	15:57:00	-202.02	1388.02	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00

10/13/2014	16:15:00	-183.49	1369.49	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
6/4/2014	15:15:00			OWRD	GWATER	NOT MEASURED	UNKNOWN	
3/4/2014	13:30:00	-210.12	1396.12	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
12/17/2013	12:21:00	-207.24	1393.24	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
6/17/2013	14:57:00	-204.28	1390.28	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
3/11/2013	15:07:00	-212.37	1398.37	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
12/3/2012	15:02:00	-206.01	1392.01	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
9/19/2012	12:06:00	-171.94	1357.94	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
6/20/2012	10:45:00	-184.65	1370.65	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
3/13/2012	13:10:00	-190.42	1376.42	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
12/12/2011	11:30:00	-208.90	1394.90	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
9/12/2011	11:05:00	-190.42	1376.42	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
6/14/2011	13:40:00	-198.51	1384.51	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
3/8/2011	14:28:00	-213.52	1399.52	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
12/14/2010	13:42:00	-211.21	1397.21	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
9/21/2010	13:08:00	-207.75	1393.75	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
6/8/2010	16:05:00	-220.45	1406.45	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
3/23/2010	13:00:00	-220.45	1406.45	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
12/16/2009	08:21:00	-215.83	1401.83	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
9/15/2009	11:12:00	-185.80	1371.80	OWRD	GWATER	PRESSURE GAGE CALIBRATED	RISING	1.00
6/17/2009	12:45:00	-220.45	1406.45	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
3/17/2009	12:00:00	-234.31	1420.31	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
1/14/2009	14:34:00	-222.76	1408.76	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
10/15/2008	13:18:00	-216.99	1402.99	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
6/26/2008	11:52:00	-208.90	1394.90	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
3/26/2008	10:47:00	-248.17	1434.17	OWRD	GWATER	PRESSURE GAGE	STATIC	1.00
4/6/2007		-237.93	1423.93	OWNER	PERMIT CONDITION PROGRAM	OTHER	FLOWING	
3/19/2007	11:59:00	-237.78	1423.78	OWRD	GWATER	PRESSURE GAGE	STATIC	1.00
3/29/2006		-237.93	1423.93	OWNER	PERMIT CONDITION PROGRAM	OTHER	STATIC	
3/20/1995		-254.10	1440.10	DRILLER	WELL LOG	REPORTED	UNKNOWN	

Stratigraphy

(Click to Expand...)

Flow Meter/Power Meter

(Click to Expand...)

Available Data

(Click to Expand...)

 - View Hydrograph

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Site Identification (Click to Collapse...)

GW LogID: WASC 51532 [Well Log Database](#)
GW Well Tag Number: 88230
Tag Verified on Well: Yes
Site Type: WELL
Primary Use: IRRIGATION
Unused Status:
Site Source Organization:
Site Source OWRD:
Established By: Marc Norton
Established Date: 04/17/2007
Bonded Company: A M JANNSEN WELL DRILLING CO
Stage: COMPLETE

Location (Click to Collapse...)

Latitude/Longitude
Latitude: 45.47999012 **Horiz. Error:** 12.00 ft.
Longitude: -121.08735986 **Datum:** WGS1984
Lat/Long Source: GPS

Location
TRSQQ: WM 1.00S14.00E17NWSW
Tax Map:
Taxlot:
24 Quad: DUFUR EAST
Basin: 4 - Hood
County: Wasco
WM District: 3
WM Region: NC
LSD Elev: 1227.00 **Accy:** 3.00 **Datum:** NAVD1988
Elev Source: LIDAR
[Groundwater Mapping Tool](#)



USDA FSA, GeoEy

Water Rights (Click to Expand...)

Well Construction History (Click to Collapse...)

Well Construction History

Well Log Id	Well Log	Work Type	Startcard	Well Tag	Owner Name	First Water	Max Case Diam.	Max Case Depth.	Max Seal Depth.	Max Dec
WASC 51532	Log	NEW	190209	88230	BILL MILLER	160.00	24		95.00	

Well Log	Aquifer	Aq at Max Depth	System Aquifer	Regional USGS Aquifer
WASC 51532	Late Tertiary Basalt Aq	Late Tertiary Basalt Aq	Late Tertiary Basalt Aquifers	Columbia Plateau basaltic-rock aquifers

Well Test

No data matches search criteria.

Lithology (Click to Expand...)

Well Construction (Click to Expand...)

Measured Water Level (Click to Collapse...)

Records/Page: 50

Measured Water Level

Date	Time	Water Level (BLSD)	WL Elev (ft AMSL)	Organization	QWRD	Method	Status	MP Height
10/15/2019	13:21:00	-140.76	1367.76	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
7/9/2019	12:10:00			OWRD	GWATER	NOT MEASURED	PUMPING	
3/26/2019	09:40:00	-152.30	1379.30	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
10/10/2018	14:07:00	-143.06	1370.06	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
3/6/2018	12:40:00	-154.62	1381.62	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
10/10/2017	13:35:00	-143.06	1370.06	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
3/8/2017	14:17:00	-156.58	1383.58	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
10/5/2016	12:52:00	-139.90	1366.90	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
6/28/2016	12:36:00			OWRD	GWATER	NOT MEASURED	PUMPING	1.00
3/8/2016	11:49:00	-159.40	1386.40	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
1/12/2016	12:50:00			OWRD	GWATER	NOT MEASURED	UNKNOWN	1.00
9/4/2015	11:06:00	-139.16	1366.16	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
6/2/2015	13:04:00	-156.67	1383.67	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
3/3/2015	13:56:00	-157.55	1384.55	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
1/13/2015	15:32:00	-161.94	1388.94	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
10/13/2014	15:01:00	-144.22	1371.22	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
6/4/2014	14:25:00			OWRD	GWATER	NOT MEASURED	PUMPING	1.00


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3/4/2014	13:02:00	-170.99	1397.99	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
12/17/2013	12:37:00	-166.44	1393.44	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
10/22/2013	13:30:00	-162.12	1389.12	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
6/17/2013	15:30:00	-161.55	1388.55	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
3/11/2013	14:40:00	-175.41	1402.41	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
12/3/2012	15:25:00	-167.32	1394.32	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
9/19/2012	12:32:00	-12.55	1239.55	OWRD	GWATER	PRESSURE GAGE CALIBRATED	PUMPING	1.00
6/20/2012	10:20:00	-24.10	1251.10	OWRD	GWATER	PRESSURE GAGE CALIBRATED	PUMPING	1.00
3/13/2012		-174.25	1401.25	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
12/12/2011	11:52:00	-169.63	1396.63	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
9/12/2011	11:30:00	-34.50	1261.50	OWRD	GWATER	PRESSURE GAGE CALIBRATED	PUMPING	1.00
6/14/2011	14:20:00	-63.37	1290.37	OWRD	GWATER	PRESSURE GAGE CALIBRATED	PUMPING	1.00
3/8/2011	13:52:00	-174.25	1401.25	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
12/14/2010	13:24:00	-171.94	1398.94	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
9/21/2010	13:45:00	-169.63	1396.63	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
6/8/2010	15:51:00	-180.03	1407.03	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
3/23/2010	12:30:00	-177.72	1404.72	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
12/16/2009	10:05:00	-174.25	1401.25	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
9/15/2009	10:37:00	-166.17	1393.17	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
6/17/2009	12:30:00	-183.49	1410.49	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
3/17/2009	12:15:00	-184.65	1411.65	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
1/14/2009	13:38:00	-181.18	1408.18	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
10/15/2008	11:02:00	-176.56	1403.56	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
6/26/2008	12:26:00	-176.56	1403.56	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.00
3/26/2008	11:04:00	-188.11	1415.11	OWRD	GWATER	PRESSURE GAGE	STATIC	1.00
4/4/2007		-188.27	1415.27	OWNER	PERMIT CONDITION PROGRAM	PRESSURE GAGE	FLOWING	
3/22/2007		-187.10	1414.10	DRILLER	WELL LOG	REPORTED	UNKNOWN	
3/19/2007	11:00:00	-211.21	1438.21	OWRD	GWATER	PRESSURE GAGE	STATIC	1.00

- Geochemistry (Click to Expand...)
- Stratigraphy (Click to Expand...)
- Flow Meter/Power Meter (Click to Expand...)
- Available Data (Click to Expand...)

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Site Identification (Click to Collapse...)

GW LogID: WASC 51558 [Well Log Database](#)
 GW Well Tag Number: 88270
 Tag Verified on Well: No
 Site Type: WELL
 Primary Use: IRRIGATION
 Unused Status:
 Site Source Organization:
 Site Source OWRD:
 Established By: Marc Norton
 Established Date: 08/27/2007
 Bonded Company: A M JANNSEN WELL DRILLING CO
 Stage: COMPLETE

Location (Click to Collapse...)

Latitude/Longitude
 Latitude: 45.48918012 Horiz. Error: 19.00
 Longitude: -121.08817986 Datum: WGS1984
 Lat/Long Source: GPS

Location
 TRSQQ: WM 1.00S14.00E17NWNW
 Tax Map:
 Taxlot:
 24 Quad: DUFUR EAST
 Basin: 4 - Hood
 County: Wasco
 WM District: 3
 WM Region: NC
 LSD Elev: 1193.00 Accy: 3.00 Datum: NAVD1988
 Elev Source: LIDAR
[Groundwater Mapping Tool](#)



USDA FSA, GeoEye

Water Rights (Click to Expand...)

Well Construction History (Click to Collapse...)

Well Construction History

Well Log Id	Well Log	Work Type	Startcard	Well Tag	Owner Name	First Water	Max Case Diam.	Max Case Depth.	Max Seal Depth.	Max Depth
WASC 51558	Log	NEW	187470	88270	BILL MILLER	40.00				

Well Log	Aquifer	Aq at Max Depth	System Aquifer	Regional USGS /
WASC 51558	Columbia River Basalt-Grande Ronde Basalt-Sentinel Bluffs Member	Late Tertiary Basalt Aq	Late Tertiary Basalt Aquifers	

Well Test

No data matches search criteria.

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Lithology (Click to Expand...)

Well Construction (Click to Expand...)

Measured Water Level (Click to Collapse...)

Records/Page: 50

Measured Water Level

Date	Time	Water Level (BLSD)	WL Elev (ft AMSL)	Organization	QWRD	Method	Status	MP Height
10/10/2018	14:36:00	-95.06	1288.06	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
7/19/2018	11:03:00	-46.96	1239.96	OWRD	GWATER	PRESSURE GAGE CALIBRATED	RIISING	1.50
7/18/2018	15:46:00	-43.08	1236.08	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
3/6/2018	11:11:00	-98.52	1291.52	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
10/11/2017	12:30:00	-100.83	1293.83	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
6/7/2017	14:41:00	-113.54	1306.54	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
3/8/2017	15:42:00	-74.98	1267.98	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
10/5/2016	14:05:00	-103.05	1296.05	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
6/28/2016	13:31:00	-105.08	1298.08	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
3/8/2016	10:42:00	-73.78	1266.78	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
1/12/2016	13:34:00	-119.31	1312.31	OWRD	GWATER	PRESSURE GAGE	STATIC	1.50
9/4/2015	11:58:00			OWRD	GWATER	NOT MEASURED	UNKNOWN	1.50
6/2/2015	14:25:00			OWRD	GWATER	NOT MEASURED	UNKNOWN	1.50
3/3/2015	14:46:00	-122.04	1315.04	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
1/13/2015	16:15:00	-124.37	1317.37	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
10/13/2014	16:40:00	-107.76	1300.76	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
6/3/2014	15:48:00			OWRD	GWATER	NOT MEASURED	UNKNOWN	1.50

3/4/2014	13:49:00	-104.09	1297.09	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
12/17/2013	12:01:00	-106.05	1299.05	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
10/22/2013	13:50:00	-111.71	1304.71	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
6/17/2013	14:25:00	-122.78	1315.78	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
3/11/2013	15:33:00	-130.86	1323.86	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
12/3/2012	14:40:00	-118.73	1311.73	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
9/20/2012	05:33:00	-105.45	1298.45	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
6/20/2012	11:02:00	-121.62	1314.62	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
3/13/2012	13:25:00	-127.40	1320.40	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
12/12/2011	11:05:00	-130.86	1323.86	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
9/12/2011	10:25:00	-125.09	1318.09	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
6/14/2011	13:09:00	-142.41	1335.41	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
3/8/2011	14:52:00	-140.10	1333.10	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
12/14/2010	14:09:00	-113.54	1306.54	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
9/21/2010	12:36:00	-130.86	1323.86	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
6/8/2010	17:05:00	-149.34	1342.34	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
3/23/2010	13:35:00	-147.03	1340.03	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
12/16/2009	07:47:00	-138.95	1331.95	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
9/15/2009	11:25:00	-120.47	1313.47	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
6/17/2009	13:42:00	-140.10	1333.10	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
3/17/2009	11:36:00	-153.96	1346.96	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
1/14/2009	15:02:00	-155.12	1348.12	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
10/15/2008	12:24:00	-151.65	1344.65	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
6/26/2008	12:03:00	-147.03	1340.03	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
3/26/2008	10:32:00	-175.91	1368.91	OWRD	GWATER	PRESSURE GAGE CALIBRATED	STATIC	1.50
7/27/2007		-92.40	1285.40	DRILLER	WELL LOG	REPORTED	UNKNOWN	
5/30/2007				OWNER	PERMIT CONDITION PROGRAM	NOT MEASURED	UNKNOWN	
3/19/2007	12:16:00	221.54	971.46	OWRD	GWATER	ETAPE	STATIC	1.50
10/26/2006	04:30:00	239.80	953.20	OWRD	GWATER	ETAPE	STATIC	1.50
8/11/2006	08:14:00	0.00	1193.00	OWRD	GWATER	OBSERVED	FLOWING	

Geochemistry


(Click to Expand...)

Stratigraphy

(Click to Expand...)

Available Data

(Click to Expand...)

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Site Identification [\(Click to Collapse...\)](#)

GW LogID: WASC 51672 [Well Log Database](#)
GW Well Tag Number: 97485
Tag Verified on Well: No
Site Type: WELL
Primary Use: IRRIGATION
Unused Status:
Site Source Organization:
Site Source OWRD:
Established By: Marc Norton
Established Date: 11/07/2008
Bonded Company: A M JANNSEN WELL DRILLING CO
Stage: COMPLETE

Location [\(Click to Collapse...\)](#)

Latitude/Longitude
Latitude: 45.48594012 **Horiz. Error:** 12.00
Longitude: -121.11808986 **Datum:** WGS1984
Lat/Long Source: GPS

Location
TRSQQ: WM 1.00S13.00E13SWNE
Tax Map:
Taxlot:
24 Quad: DUFUR EAST
Basin: 4 - Hood
County: Wasco
WM District: 3
WM Region: NC
LSD Elev: 1321.00 **Acy:** 3.00 **Datum:** NAVD1988
Elev Source: LIDAR
[Groundwater Mapping Tool](#)



Water Rights [\(Click to Expand...\)](#)

Well Construction History [\(Click to Collapse...\)](#)

Well Construction History

Well Log Id	Well Log	Work Type	Startcard	Well Tag	Owner Name	First Water	Max Case Diam.	Max Case Depth.	Max Seal Depth.	Max Depth
WASC 51672	Log	NEW	194876	97485	BILL MILLER	200.00	24			

Well Log	Aquifer	Aq at Max Depth	System Aquifer	Regional USGS /
WASC 51672	Columbia River Basalt-Grande Ronde Basalt-Sentinel Bluffs Member	Late Tertiary Basalt Aq	Late Tertiary Basalt Aquifers	

Well Test

No data matches search criteria.

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Lithology [\(Click to Expand...\)](#)

Well Construction [\(Click to Expand...\)](#)

Measured Water Level [\(Click to Collapse...\)](#)

Records/Page: 20

Measured Water Level

Date	Time	Water Level (BLSD)	WL Elev (ft AMSL)	Organization	OWRD	Method	Status	MP Height
3/5/2019	11:58:00	518.06	802.94	OWRD	GWATER	AIRLINE	STATIC	
3/6/2018	11:43:00	515.75	805.25	OWRD	GWATER	AIRLINE	STATIC	
3/24/2017	10:38:00	516.44	804.56	OWRD	GWATER	AIRLINE	STATIC	
3/8/2016	11:34:00	523.84	797.16	OWRD	GWATER	AIRLINE	STATIC	
3/5/2015	11:32:00	511.13	809.87	OWRD	GWATER	AIRLINE	STATIC	
3/6/2014	11:30:00	499.58	821.42	OWRD	GWATER	AIRLINE	STATIC	
3/14/2013	10:30:00	490.34	830.66	OWRD	GWATER	AIRLINE	STATIC	
3/14/2012	12:20:00	488.03	832.97	OWRD	GWATER	AIRLINE	STATIC	
3/9/2011	16:35:00	485.72	835.28	OWRD	GWATER	AIRLINE	STATIC	
3/25/2010	13:23:00	474.17	846.83	OWRD	GWATER	AIRLINE	STATIC	
3/18/2009	17:05:00	458.00	863.00	OWRD	GWATER	AIRLINE	STATIC	
10/9/2008		478.00	843.00	DRILLER	WELL LOG	REPORTED	UNKNOWN	


Geochemistry [\(Click to Expand...\)](#)

Stratigraphy [\(Click to Expand...\)](#)

Flow Meter/Power Meter [\(Click to Expand...\)](#)

Available Data

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July 27, 2015

Machelle A Bamberger, Extension Specialist
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301

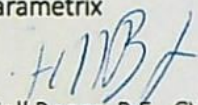
Re: OWRD File – Application G-16439, Permit G-15989
Extension of Time Progress Report Form

Dear Machelle:

We appreciate the opportunity to continue working the Department on water rights for The Miller Ranch Co. in Dufur. The Miller Ranch has been working diligently since permit approval to develop water right permit G-15989. Four wells have been constructed and used. Two large cherry orchards have been developed along with a hay producing area. To date, approximately 680 acres of irrigation have been developed. The Miller Ranch Co. will continue to maintain their current irrigated area and further develop additional irrigated acreage as economic conditions allow.

Thank you again for providing Department review and input on this water right. Please don't hesitate to contact me with any questions or comments. Miller Ranch will plan on providing an additional progress report prior to October 1, 2020.

Sincerely,
Parametrix


Niall Boggs, P.E., CWRE
Project Engineer

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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: Miller Ranch Company Application: G-16439 Permit: G-15989
 Report Due no later than October 1, 2015

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Progress Report Form for

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-15989

OWRD

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, 2010 and October 1, 2015	FINANCIAL INVESTMENT
2011-2015	Irrigation system operation & maintenance (estimated at \$10,000 annually)	\$50,000
2011-2015	Labor, parts, hire excavator for trenching, pipe and irrigation appurtenances for Boyd irrigation project.	\$50,000
2011	Pre-production and organization expenses for Cherry Blossom Orchard	\$10,000.00
2012	Tanks, pumps, irrigation equipment for Cherry Blossom Orchard	\$19,252.75
	Construction of landings, roads and buildings for Cherry Blossom Orchard	\$171,274.81
	Pre-production and organization expenses for Cherry Blossom Orchard	\$4,000.00
	Construction of landings, roads and buildings for Tres Amigos Orchard	\$27,211.90
	Pre-production and organization expenses for Tres Amigos Orchard	\$1,822.00
2013	Tanks, pumps, irrigation equipment for Cherry Blossom Orchard	\$42,945.49
	Construction of landings, roads and buildings for Cherry Blossom Orchard	\$322,449.04
	Construction of landings, roads and buildings for Tres Amigos Orchard	\$3,340.00
2014	Construction of landings, roads and buildings for Cherry Blossom Orchard	\$84,995.89
2014	Construction of landings, roads and buildings for Tres Amigos Orchard	\$41,757.24
2015	Construction of landings, roads and buildings for Tres Amigos Orchard	\$25,000.00 (Projected)
2015-2016	Purchase and replant trees killed by 2014 inclement weather	\$300,000- \$400,000 (Projected)

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

Miller Ranch has been beneficially using water without waste as described in the 2010 time extension application. Wells 1, 2A, 3A, and 4A have been constructed and used. Cherry Blossom Orchard and Tres Amigos Orchard have both been developed (including planting trees, installing high efficiency irrigation system, roads, landings, buildings, etc.) Hand lines are used outside the orchards to apply irrigation water. This is referred to as Boyd Irrigation Project. See attached map showing approximate boundaries of orchards and Boyd Irrigation Project.

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: _____

Reviewed by: _____

Date: _____

Reasons for not yet completing development of additional wells and full development of water right as planned in the 2010 time extension application include climactic events and economic fluctuations in the cherry market:

- 2012 was a record year in the Northwest for cherry production, which put downward pressure on pricing. This reduced the amount of capital generated for additional orchard and well development.
- Due to adverse weather in 2013, cherry production was down significantly.
- In 2014, there was a flash rain storm during harvest in July, and the Cherry Blossom Orchard lost approximately 40 acres of crop and had to sell the cherries to the freezer market.
- Additionally in the fall of 2014, there was an unseasonable freeze that caused the loss of 77 acres of trees in the Cherry Blossom Orchard. These trees are being replanted as soon as they can be acquired (there is a time lag to purchase this large number of trees). Due to these losses, there was reduced capital available for further development of wells and the water right.

3. Total number of acres irrigated to date = +/- 680 acres (if applicable)

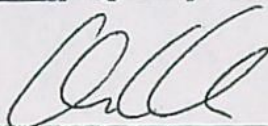
4. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.

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

Maximum rate used to date = +/- 3,800 gpm (gallons per minute), or

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

Signature



July 27, 2015

Date

RECEIVED

AUG 27 2020

OWRD

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: _____

Reviewed by: _____

Date: _____

Miller Ranch

Irrigated cherry orchards on Miller Ranch property.

Legend

Tres Amigos Orchard

Boyd Irrigation Project

Please note that red boundaries demarcating irrigated areas (—) shown are approximation of areas irrigated as of summer 2015.

Cherry Blossom Orchard

RECEIVED
AUG 27 2020
OWRD

Ward Mill Rd

The Dalles California Hwy

Google earth

© 2015 Google

4000 ft



STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A
 SALEM, OR 97301-4172

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

RECEIPT # **133315**

INVOICE # _____

RECEIVED FROM: The Miller Ranch Company

APPLICATION	6-16439
PERMIT	
TRANSFER	

BY: _____
 CASH: CHECK: # 51217 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		
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 \$
0203	GROUND WATER	0202 \$
0205	TRANSFER	0204 \$
WELL CONSTRUCTION		
0218	WELL DRILL CONSTRUCTOR	EXAM FEE \$
	LANDOWNER'S PERMIT	0219 \$
	OTHER (IDENTIFY)	0220 \$

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: **133315**

DATED: 8.27.2020 BY: [Signature]

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

RECEIVED
 AUG 27 2020
OWRD

Checking Account - Application #G-16439

670.00

THE MILLER RANCH COMPANY
 Oregon Water Resources Department
 Permit #G-15989
 8/21/2020
 670.00
 51217



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

September 21, 2020

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-16439 (Permit G-15989)**. 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.



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

File

September 11, 2015
THE MILLER RANCH CO.
66359 U.S. HWY 197
DUFUR, OR 97021

REFERENCE: Application G-16439 / Permit G-15989

Dear Permit Holder:

The Water Right Services Division received your written progress report for Permit G-15989. Receipt of the progress report was published on the Department's weekly Public Notice, dated August 4, 2015. The Department did not receive any public comment on the progress report.

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

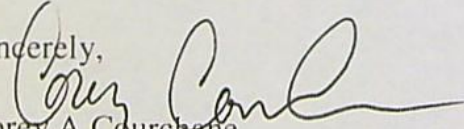
Your next written progress report for Permit G-15989 is due no later than **October 1, 2020**. The report must be received by the Department no sooner than 30 days prior to the due date.

For your convenience, I have enclosed your next *Progress Report Form*. Please calendar this October 1, 2020 due date, as no further reminders will be sent.

As per your most recent extension, the date by which water must be applied to full beneficial use within the terms and conditions of your permit is October 1, 2020. *Failure to submit a written progress report will most likely result in any future extensions being denied.*

If you have any questions, please feel free to contact me by telephone at (503) 986-0802.

Sincerely,


Corey A Courchane

Extensions

Water Right Services Division

Enclosure

cc: Application G-16439
Watermaster District 3 - Robert Wood
Niall Boggs, CWRE, Parametrix

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

1. Extension Specialist: Progress Report Review

Date Report was Due: 10/1/2015 (= "Deadline Date" for the corresponding ECP work flow record in WRIS)

Date Report Received: 7/28/2015

Report Complete: YES

NO – Send letter requesting missing information.

letter mailed on: _____

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: 8/4/15

Update workflow in WRIS

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

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

Return file to Corey Courchane.

3. Extension Specialist: Prepare Progress Report Confirmation Letter

See progress report procedures.doc

(date / mail out after 30 day comment period)

Date Confirmation Letter Needed: 9-11-15

Update Progress Report Worksheet.xls

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

CC: Watermaster District 3

File 6-16439

PUBLIC NOTICE INFORMATION

Permit Holder's Name: The Miller Ranch Co. Attn:

Application: G-16439

Permit: G-15989

County: Wasco

Source: Six wells in Starvout Creek Basin

Use: Agricultural and Irrigation uses on 1014.2 acres

July 27, 2015

Machelle A Bamberger, Extension Specialist
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301

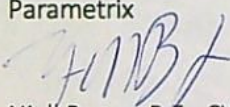
Re: OWRD File – Application G-16439, Permit G-15989
Extension of Time Progress Report Form

Dear Machelle:

We appreciate the opportunity to continue working the Department on water rights for The Miller Ranch Co. in Dufur. The Miller Ranch has been working diligently since permit approval to develop water right permit G-15989. Four wells have been constructed and used. Two large cherry orchards have been developed along with a hay producing area. To date, approximately 680 acres of irrigation have been developed. The Miller Ranch Co. will continue to maintain their current irrigated area and further develop additional irrigated acreage as economic conditions allow.

Thank you again for providing Department review and input on this water right. Please don't hesitate to contact me with any questions or comments. Miller Ranch will plan on providing an additional progress report prior to October 1, 2020.

Sincerely,
Parametrix


Niall Boggs, P.E., CWRE
Project Engineer

RECEIVED

JUL 28 2015

OWRD



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: Miller Ranch Company Application: G-16439 Permit: G-15989
 Report Due no later than October 1, 2015

RECEIVED
 JUL 28 2015
 OWRD

Progress Report Form for

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-15989

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, 2010 and October 1, 2015	FINANCIAL INVESTMENT
2011-2015	Irrigation system operation & maintenance (estimated at \$10,000 annually)	\$50,000
2011-2015	Labor, parts, hire excavator for trenching, pipe and irrigation appurtenances for Boyd irrigation project.	\$50,000
2011	Pre-production and organization expenses for Cherry Blossom Orchard	\$10,000.00
2012	Tanks, pumps, irrigation equipment for Cherry Blossom Orchard	\$19,252.75
	Construction of landings, roads and buildings for Cherry Blossom Orchard	\$171,274.81
	Pre-production and organization expenses for Cherry Blossom Orchard	\$4,000.00
	Construction of landings, roads and buildings for Tres Amigos Orchard	\$27,211.90
	Pre-production and organization expenses for Tres Amigos Orchard	\$1,822.00
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2015-2016	Purchase and replant trees killed by 2014 inclement weather	\$300,000
		\$400,000
		(Projected)

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

Miller Ranch has been beneficially using water without waste as described in the 2010 time extension application. Wells 1, 2A, 3A, and 4A have been constructed and used. Cherry Blossom Orchard and Tres Amigos Orchard have both been developed (including planting trees, installing high efficiency irrigation system, roads, landings, buildings, etc.) Hand lines are used outside the orchards to apply irrigation water. This is referred to as Boyd Irrigation Project. See attached map showing approximate boundaries of orchards and Boyd Irrigation Project.

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: _____

Reviewed by: _____

Date: _____

Reasons for not yet completing development of additional wells and full development of water right as planned in the 2010 time extension application include climactic events and economic fluctuations in the cherry market:

- 2012 was a record year in the Northwest for cherry production, which put downward pressure on pricing. This reduced the amount of capital generated for additional orchard and well development.
- Due to adverse weather in 2013, cherry production was down significantly.
- In 2014, there was a flash rain storm during harvest in July, and the Cherry Blossom Orchard lost approximately 40 acres of crop and had to sell the cherries to the freezer market.
- Additionally in the fall of 2014, there was an unseasonable freeze that caused the loss of 77 acres of trees in the Cherry Blossom Orchard. These trees are being replanted as soon as they can be acquired (there is a time lag to purchase this large number of trees). Due to these losses, there was reduced capital available for further development of wells and the water right.

3. Total number of acres irrigated to date = +/- 680 acres (if applicable)

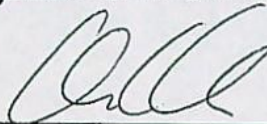
4. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.

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

Maximum rate used to date = +/- 3,800 gpm (gallons per minute), or

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

Signature



July 27, 2015

Date

PFO states:

8.7 cfs on 700 ac.

3800 gpm =

8.47 cfs

RECEIVED
JUL 28 2015
OWRD

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: _____

Reviewed by: _____

Date: _____

Miller Ranch

Irrigated cherry orchards on Miller Ranch property.

Legend

RECEIVED
JUL 28 2015
OWRD

Tres Amigos Orchard

Boyd Irrigation Project

Please note that red boundaries demarcating irrigated areas (—) shown are approximation of areas irrigated as of summer 2015.

Cherry Blossom Orchard

Ward Mill Rd

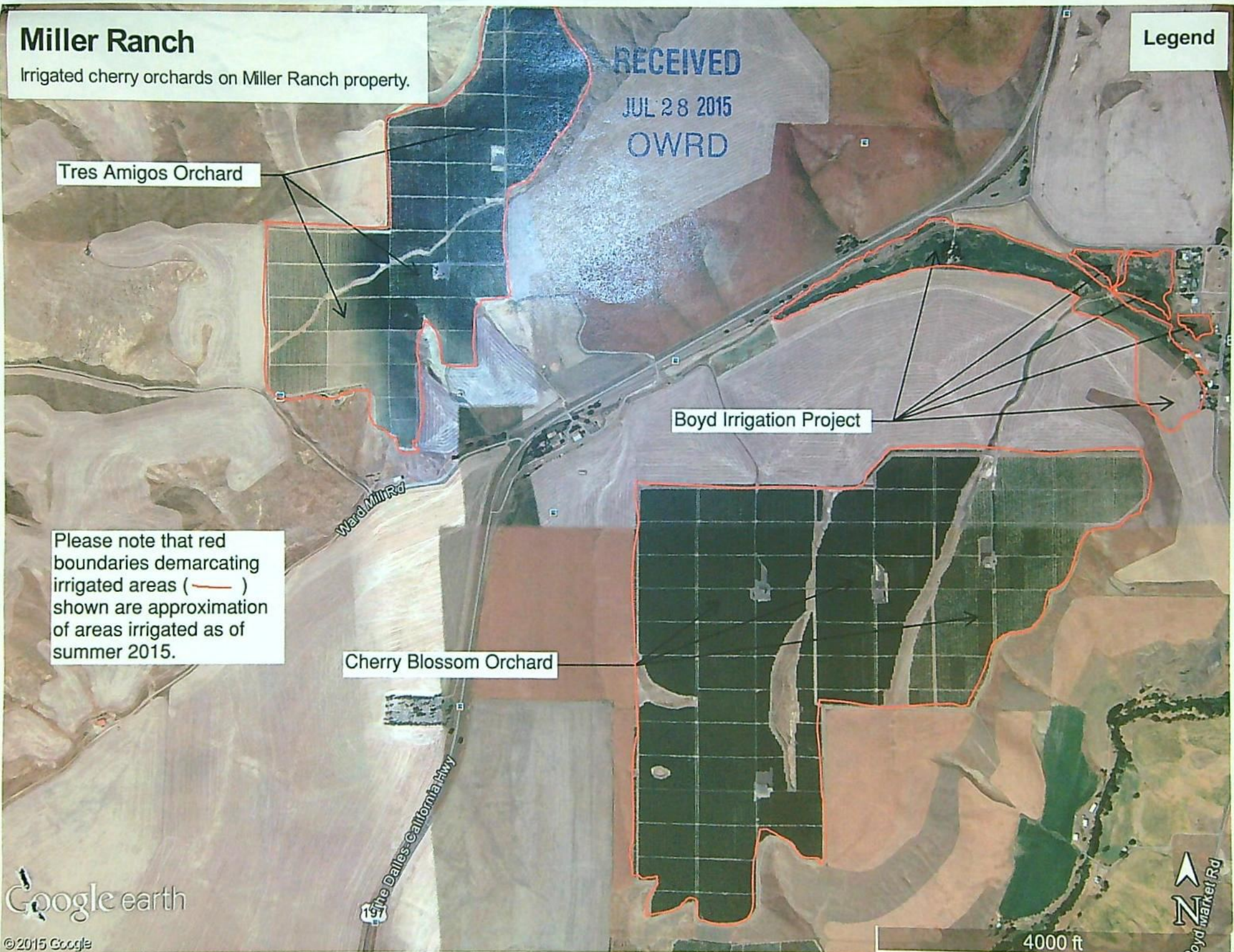
19 The Dalles - California Hwy

Boyd Market Rd

Google earth

©2015 Google

4000 ft



File



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**

**Oregon Water Resources Department
Water Rights Division**

Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit G-15989, Water Right Application G-16439) PROPOSED FINAL ORDER
in the name of The Miller Ranch Co)

Permit Information

Application File G-16439 Permit G-15989
Basin: 5 – Hood / Watermaster District 3
Date of Priority: 14-Apr-05

Authorized Use of Water

Source of Water: Six wells in the Starvout Creek Basin
Purpose of Use: Agricultural and Irrigation Uses on 1014.2 Acres
Maximum Rate: 12.678 Cubic Feet per Second (cfs), being 0.558 cfs from
Well 1, 2.424 cfs each from Well 2, Well 3, Well 4, Well 5,
and Well 6

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

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

This Proposed Final Order applies only to Permit G-15989, water right Application G-16439.
A copy of Permit G-15989 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- Grant an extension of time to apply water to full beneficial use from October 1, 2010 to October 1, 2020.
- Make the extension subject to certain conditions set forth below.

ACRONYM QUICK REFERENCE

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

Units of Measure

cfs – cubic feet per second
gpm – gallons per minute

AUTHORITY

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

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

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

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

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

FINDINGS OF FACT

Background

1. Permit G-15989 was granted by the Department on December 16, 2005. The permit authorizes the use of up to 12.678 cfs, being 0.558 cfs from Well 1, 2.424 cfs each from Well 2, Well 3, Well 4, Well 5, and Well 6 of water from the wells in the Starvout Creek Basin for Agricultural and Irrigation Uses on 1014.2 acres. The permit specified completion of construction and complete application of water was to be made on or before October 1, 2010.
2. On June 14, 2007, the Department approved Permit Amendment T-10331 (Special Order Volume 72, Page 333) authorizing a change in points of appropriation under Permit G-15989 of Wells 2 and 3 and additional points of appropriation for each authorized point of appropriation. Further, on May 27, 2008, the Department approved Permit Amendment T-10528 (Special Order 74, Page 995) authorizing a change in point of appropriation of Well 4 and a change in place of use.
3. The permit holder submitted an "Application for Extension of Time" to the Department on August 26, 2010 requesting the time to complete construction and the time to apply water to full beneficial use under the terms and conditions of Permit G-15989 be extended from October 1, 2010 to October 1, 2020. This is the first permit extension requested for Permit G-15989.
4. Notification of the Application for Extension of Time for Permit G-15989 was published in the Department's Public Notice dated August 31, 2010. No public comments were received regarding the extension application.

Review Criteria [OAR 690-315-0040]

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

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

5. On August 26, 2010, the Department received a completed Application for Extension of Time and the fee specified in ORS 536.050 from the permit holder.

¹ORS 537.230 applies to surface water permits only.

²ORS 537.248 applies to reservoir permits only.

³ORS 537.630 applies to ground water permits only.

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

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

6. Senate Bill 300 (1999 legislation) eliminates the requirement that holders of new surface water and ground water permits start construction on water projects within one year after the Department issues the permit. Senate Bill 300 applies to any application for a permit filed after October 23, 1999.

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

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

7. As of August 26, 2010, the remaining work to be completed consists of complete drilling of wells, complete planting of approximately 314 acres of additional orchards and/or other crops and complete construction of irrigation system, and applying water to full beneficial use.
8. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2020, 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-15989 is both reasonable and necessary.

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

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

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

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

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

9. Work was accomplished within the time allowed in the permit or previous extension as follows:
 - a. Construction of Wells 2A, 3A, and 4A was completed prior to October 1, 2010.
 - b. Work was completed, drilled Wells 2A, 3A, and 4A, installed irrigation piping and planted trees, during the original development time frame under Permit G-15989.

- c. From December 16, 2005 the permit holder has installed water meters on constructed wells, submitted the annual water use records, and submitted the static water level measurements for the constructed wells as required under Permit G-15989.

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

10. The following beneficial use of water was made during the permit or previous extension time limits:
 - a. Since the issuance of Permit G-15989 on December 16, 2005, a maximum rate of 8.7 cfs of water has been appropriated from the wells for irrigation of 700 acres.

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

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

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

12. Financial investments made toward developing the beneficial water use.
 - a. As of August 26, 2010, the permit holder has invested approximately \$5,198,920 of the total projected cost for complete development of this project. The permit holder anticipates an additional \$3,350,000 investment is needed for the completion of this project.

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

13. As of August 26, 2010, the permit holder has invested approximately \$5,198,920 of the total projected cost for complete development of this project. The permit holder anticipates an additional \$3,350,000 investment is needed for the completion of this project.

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

14. The Department has found good faith of the appropriator under Permit G-15989.

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

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

15. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not

limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0040(4)(a-c)].

- a. The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-15989; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined at such time that such application for a new water right is submitted. The points of appropriation for Permit G-15989, are located within the Starvout Creek Basin, is not located within a limited or critical ground water area. Starvout Creek is located within or above any state or federal scenic waterway, however it is located within an area ranked "moderate" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. Starvout Creek is not listed by the Department of Environmental Quality as a water quality limited stream.

16. Economic investment in the project to date [OAR 690-315-0040(4)(d)].

- a. As of August 26, 2010, the permit holder has invested approximately \$5,198,920.

17. Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].

- a. None have been identified.

18. Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0040(4)(f)].

- a. None have been identified.

19. OAR 690-315-0050(6) requires the Department to place a checkpoint condition on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. A "Checkpoint Condition" is specified under Item 1 of the "Conditions" section of this PFO to meet this condition.

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

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

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

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

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

22. Unforeseen events extended the length of time needed to fully develop and perfect Permit G-15989, in that the cherry market had three bad years in a row due to a variety of factors including a glut in the market that provided financial hardship preventing full development of the water right by the permit holders that restricted their ability to complete development of the project in a timely manner.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630(1).
2. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
3. The applicant complied with begin actual construction timeline requirements pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
4. Completion of construction and full application of water to beneficial use can be accomplished by October 1, 2020⁵, as required by OAR 690-315-0040(1)(c).
5. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).
6. Include only if checkpoints are required by OAR 690-315-0050(6) and as described in Finding 18 above, the Department has established, as specified in the "Conditions" section of this PFO (Item 1), progress checkpoints in order to ensure future diligence is exercised in the development and perfection of Permit G-15989.

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

Proposed Order

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

Extend the time to apply water to beneficial use under Permit G-15989 from October 1, 2010 to October 1, 2020.

Subject to the following conditions:

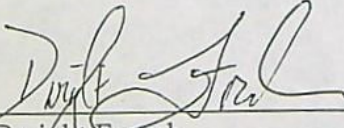
CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2015 and October 1, 2020. *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: December 7, 2010


Dwight French
Administrator
Water Rights & Adjudications Division

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **January 21, 2011**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The applicant or non-applicant protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
 - a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a protest has been submitted, and:
 - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

-
- If you have any questions about statements contained in this document, please contact Jerry Gainey at 503-986-0812.
 - If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Patricia McCarty at 503-986-0819.
 - If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0801.
 - Address any correspondence to : Water Rights and Adjudications Division
725 Summer St NE, Suite A
Salem, OR 97301-1266
- Fax: 503-986-0901
-

Mailing List for Extension FO Copies

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

FO Date: November 10, 2011

Copies Mailed

Application G-16439
Permit G-15989

By: *Connie Vance*
On: *11/10/2011*

Original mailed to permit holder

The Miller Ranch Co
66359 US Hwy 197
Dufur, OR 97021 ✓

Copies sent to:

1. WRD - App. File G-16439/ Permit G-15989
2. WRD - Watermaster District 3, Bob Wood ✓
3. WRD - NCR Regional Manager, Mike Ladd ✓
4. Niall Boggs, CWRE representing the Permit Holder ✓
5. WRD - Support Staff, Salem...*Permit record update* ✓

If Progress Reports are included:

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

CASEWORKER: jwg

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-16439

Final Order
Extension of Time for Permit Number G-15989
Permit Holder: The Miller Ranch Co

Appeal Rights

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

Application History

Permit G-15989 was issued by the Department on December 16, 2005, and modified by Permit Amendment T-10528 on May 27, 2008. The permit called for completion of construction and complete application of water to beneficial use by October 1, 2010. On August 26, 2010, The Miller Ranch Co submitted to the Department an Application for Extension of Time for Permit G-15989. In accordance with OAR 690-315-0050(2), on December 7, 2010, the Department issued a Proposed Final Order proposing to extend the time to complete construction and the time to fully apply water to beneficial use to October 1, 2020. The protest period closed January 21, 2011, in accordance with OAR 690-315-0060(1). No protest was filed.

The Department adopts and incorporates by reference the Proposed Final Order dated December 7, 2010.

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

CONDITION

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2015 and 2020. 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.

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-16439, Permit G-15989, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use is extended to October 1, 2020.

DATED: November 10, 2011



Dwight French
Water Right Services Administrator, *for*
Phillip C. Ward, Director

-
- If you have any questions about statements contained in this document, please contact Jerry Gainey at (503) 986-0812
 - 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
 (503) 986-0900
 www.wrd.state.or.us

Application for Extension of Time for a Water Right Permit (Non-Municipal / Non-Quasi-municipal Water Use)

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).*

*This application and a summary of review criteria and procedures that are generally applicable to this
 application are available at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>.*

I, William Miller for The Miller Ranch Company

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

66359 US Highway 197 Dufur OR 97021
 ADDRESS CITY STATE ZIP

(541) 467-2274 mlrranch@aol.com
 PHONE E-MAIL ADDRESS

the permit holder of: Application Number G-16439

Permit Number G-15989
 [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 October 1, 2010, be extended to October 1, 2020,
- 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 October 1, 2010, be extended to October 1, 2020.

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 SALEM, OREGON
 Last Revised 7/1/2009

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

- This completed Application for Extension of Time.
- Statutory fee of \$500.
- Signature page (last page of this Application for Extension of Time).
- All supporting documentation and/or evidence referenced in the Application for Extension of Time.

MAIL COMPLETED APPLICATION

along with the

\$500 STATUTORY FEE TO:

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SALEM, OREGON

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

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

Reference Materials Needed to Complete this Application:

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

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

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

1. Did the actual construction of the water system/well drilling begin within the time specified in the permit? Yes No



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

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Date construction began is: 1995

Details of construction: Well 1 completed in 1995. See attached well log WASC 2217. Completed depth = 718'. 6" casing to 545'. 250gpm artesian flow. (well log indicated 415gpm, but owner indicated that was incorrect).

Well 2A completed in 2007. See well log WASC 51558. Completed depth = 1352'. 8" casing to 1352'. Sealed to 590'. 500-600 gpm yield during air test.

Well 3A completed in 2007. See well log WASC 51532. Completed depth = 632'. 16" casing to 569'. Sealed to 570'. 2,200 gpm artesian flow.

Well 4A in completed in 2008. See well log WASC 51672. Completed depth = 1147'. 16" casing to 750'. Sealed to 750'. 800-1,200 gpm yield during air test.

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

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

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TIP:

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

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CHART-A

Condition No. **	Date Satisfied	Describe How Permit Condition Has Been Satisfied
1	2005-2008	Meters installed on constructed wells. Water use reported to OWRD
2	2005-present	Watermaster is allowed access to meters
3	2005-present	Static water levels annually taken and reported to OWRD
4	2007-2008	Constructed wells 2A, 3A & 4A cased and sealed to 590', 569', and 750' respectively
5	2008	Received permit amendment to allow a change in location for wells and change in place of use for irrigation.
6	2005-present	No interference with senior water rights.
7	1995-2008	Wells constructed in accordance with General Standards.
8	N/A	No rotation agreement
9	2005	Pump test submitted with application
10	2007-present	Water is beneficially used without waste. Wells are metered. Orchards have micro-irrigation system with low and uniform application rates, and high efficiency heads and low trajectory heads in a permanent set. The orchard irrigation systems are operated and controlled based upon an on-site weather station and soil moisture monitoring from soil probes and tensiometers. Standard wheel lines and hand lines are utilized outside the orchard. The sprinklers are efficient and provide uniform irrigation application without waste.
11	2005-present	Use is compliant with statewide land-use goals and any local acknowledged land use-plan
12	2005-present	No interference with prior water rights.

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

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

CHART-B

Condition No.**	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied
13	2020	The cherry market had three bad years in a row due to a variety of factors including a glut in the market that provided financial hardship preventing full development of the water right. Additionally, Miller Ranch Co. decided to progressively develop the wells and irrigation system to err on the side of caution and see how the orchards came in and verify the groundwater supply with the development of each new point of appropriation to ensure appropriate investment of capital in well construction and allow for incoming capital from each phase of development to offset costs of subsequent phases of development. Additionally, orchards and irrigation systems are state of the art and final planning and development require additional time to ensure proper allocation of capital.
14	2021	Claim of Beneficial won't be submitted until construction and full use complete.

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

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

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

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

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CHART-C

WATER RESOURCES DEPT
SALEM, OREGON

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
1995	Well 1 drilled	\$35,000
DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED <i>and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER</i> <i>List work/actions done during the permitted time period.</i>	COST*
12/16/2005	Date the permit was signed - find date above signature on last page of permit.	
N/A	Date the permit specified "Actual Construction Work" shall begin ("A-Date") -not all permits contain this date.	
Sept. 2008 -Nov. 2009	Installed pipe, fittings, connectors, buried pipe, handline, risers and sprinklers & hose to Well 1 and Well 2A. Concrete slab work around well.	\$36,762
2006-2007	Well 2A constructed.	\$200,000
2007-2009	Well 3A constructed, 300 HP well pump installed, pumphouse built, controls installed, electrical service.	\$913,5320
2007-2009	Cherry Blossom Orchard piping & irrigation system installed. Roads, docks, landings constructed. General excavation. Trees planted. Culverts, gates, fencing, supplies and other miscellaneous equipment purchased and installed.	\$1,892,688
2007-2009	Well 4A constructed and 300 HP well pump installed	\$200,000

2007-2009	Tres Amigos Orchard piping & irrigation system installed. Roads, docks, landings constructed. General excavation. Trees planted. Culverts, gates, fencing, supplies and other miscellaneous equipment purchased and installed.	\$852,138
2005-present	Irrigation system maintenance and operations	\$50,000
2008-2009	Extended +/- 3.5 miles of new 3-phase power supply. Paid ~25% cost of costshare with utility provider.	\$200,000
10/1/2010	Date the permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date.	

CHART-C (continued)

DATE	WORK ACCOMPLISHED AFTER "C-DATE" <i>COMPETE ONLY IF THIS IS YOUR 1st APPLICATION FOR EXTENSION OF TIME: List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
N/A	C-Date has not yet occurred	N/A
Total Cost for Chart-C		\$5,198,920

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

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

CHART-D

DATE	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
10/1/	"Extended From" date for complete application of water used in the 1 st (or the most recent) Application for Extension of Time.	
N/A	First time extension application	N/A
10/1/	"Extended To" date for complete application of water resulting from the 1 st (or the most recent) Application for Extension of Time.	

CHART-D (Continued)

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*
N/A	First time extension application	N/A
Total Cost of Chart-D		N/A

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

4. **Cost of project to date: \$5,198,920**
(The total combined cost from CHART-C and CHART-D)

[OAR 690-315-0020(3)(f)]
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SALEM, OREGON
[OAR 690-315-0020(3)(e)(B)]

5. 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.

5-A) 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 = N/A – ground water cfs (cubic feet per second) or,

Maximum rate used to date = N/A – ground water gpm (gallons per minute) or,

Acre-feet stored to date = N/A – ground water AF

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5-B) 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.

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CHART-E

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					If yes, provide the Permit, Certificate, or Transfer No.
			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? (See 5-C below)	Maximum instantaneous rate used from this well -- under this permit only (CFS or GPM)	Is this well authorized or utilized under additional water rights?	
1	1	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 2217	N/A	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	+/-250 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	- -
2A	2A	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 51558	88270	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	+/-75 gpm (there are plans to install pump to obtain 500gpm flow in the future)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-
3A	3A	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 51532	88230	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	+/-2,400 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	- -
4A	4A	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 51672	97485	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	+/-1,250 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	- -
5	5	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A – not drilled	N/A – not drilled	N/A – not drilled	N/A – not drilled	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	- -
6	6	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A – not drilled	N/A – not drilled	N/A – not drilled	N/A – not drilled	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	- -
Total instantaneous rate from all wells utilized under this permit						+/- 3900gpm		

5-C) If the drilled location of a well is not authorized on this permit, please specify its location below, or provide a map showing its location. Has or will a permit amendment application been/be filed? Yes No

If a Permit Amendment Application has been filed: Transfer No. T-10528
Transfer No. T-10331

Well # SEE PERMIT AMENDMENT T-10528 : Actual location: _____

Well # SEE PERMIT AMENDMENT T-10331 : Actual location: _____
[OAR 690-315-0020(3)(e)(C)]

6. Provide the total number of acres irrigated to date under this permit (if applicable).

Total acres irrigated to date: +/-700 acres

Ground Water Permits: Please specify which wells are being utilized for this irrigation.

Well #1 Acres 29 Well #3A Acres 442

Well #2A Acres 30 Well #4A Acres 199

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

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

CHART-F

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
2010-2014	Complete drilling of two additional wells including well pumps, controls, pumphouses, electrical service, etc.	\$2,000,000
2010-2015	Complete planting of approximately 314 acres of additional orchards and/or other crops and complete construction of irrigation system for new orchards/fields. Complete construction of access roads, loading areas and other incidentals.	\$1,350,000
Year: 2020	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
Total Cost		\$3,350,000

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

8. Estimated remaining cost to complete the project: \$3,350,000
(The total cost from CHART-F)

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WATER RESOURCES DIVISION
[OAR 690-315-0020(3)(h)]

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

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

Miller Ranch Co. decided to progressively develop the wells and irrigation system to allow for incoming capital from each phase of development to offset costs of subsequent phases of development. Additionally, orchards and irrigation systems are state of the art and quite expensive, so final planning and development require additional time to ensure proper allocation of capital.

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

The cherry market had three bad years in a row due to a variety of factors including a glut in the market that provided financial hardship preventing full development of the water right. A permit extension will allow time for the new orchards to come into full production producing capital to offset the development costs of orchard expansion.

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

Miller Ranch Co. decided to progressively develop the wells and irrigation system to see how the water table held up with the development of each new point of appropriation to ensure appropriate investment of capital in well construction. This was done to comply with permit conditions that require the user to discontinue or diminish the use of the wells if the water table declines, or the project interferes hydraulically with a senior water right. With the completion of the four wells thus far, the deep confined water table appears to be quite robust and has not declined, nor interfered with senior water rights.

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

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SALEM, OREGON

10. **Justify the time requested to complete the project and/or apply the water to full beneficial use.** [OAR 690-315-0020(3)(k)] Your justification should combine information from your answers from Questions 2-B, 7, 8, and 9 of this Application for Extension of Time, and should also include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.

The new orchards will be maturing into full production in the next 5-10 years producing capital that will allow completion of the system. Additionally, as the orchard and irrigation system expands, the permit holders will need time to fine tune the system. As this expansion occurs in the next few years, two new wells will need to be constructed. The wells are required to be deep by both the existing geologic and OWRD permit conditions. Based on the past drilling the four existing deep wells on this permit, it appears any future wells will take

from four months to two years to complete. Considering they would be constructed sequentially, Miller Ranch needs five to ten years to complete the construction of two new wells, significant irrigation system infrastructure and orchard planting.

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

The Miller Ranch Company has worked dilligently toward completing construction and working toward full beneficial use of Permit G-15989, and has made a large capital investment with the installation of four deep wells, pumping and irrigation equipment, and planting extensive cherry orchards and wheat fields. They have developed and beneficially use approximately 70% of their permitted water right. The Miller Ranch Company has proceeded with cautious groundwater development in order to ensure that there is not impact to the groundwater level or senior water rights in the area. Work in developing the water right is currently ongoing.

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

Frank Boygs P.E., CWEE 8-25-10
Signature Date

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Mailing List for Extension PFO Copies

PFO Date: December 7, 2010

Copies Mailed

Application G-16439
Permit G-15989

By: La
On: 12/7/2010

Original mailed to Applicant:

✓ The Miller Ranch Co
66359 US Hwy 197
Dufur, OR 97021

Copies sent to:

- ✓ 1. WRD - App. File G-16439/ Permit G-15989
- ✓ 2. WRD - Watermaster District 3, Bob Wood
- ✓ 3. Agent or CWRE representing the Permit Holder: Niall Boggs, CWRE

Fee paid as specified under ORS 536.050 to receive copy:

- 4. None

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

- 5. None

CASEWORKER: JWG



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

August 30, 2010

Mr. Bill Miller
The Miller Ranch Co.
66359 US Highway 197
Dufur, OR 97021

Dear Bill:

With regard to the pump test requirements for the following well and its associated water rights:

APP. #: **G-16439** PERMIT #: G-15989 Well-ID: WASC 51532

The Water Resources Department has reviewed and **accepted the pump test results you have submitted**. The Department requires no further testing of this well at this time.

I apologize for the delay in reviewing the test. I note that the permit includes several other wells. You may want to consider requesting a multiple-well exemption for the other wells. The request needs to be in writing and include the well logs, if available for the wells you would like to have exempted from the pump-test requirements.

If you have any questions, please contact me at (503) 986-0844.

Sincerely,

Michael J. Zwart
Hydrogeologist

cc: Water Rights File



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

September 3, 2010

Mr. Bill Miller
The Miller Ranch Co.
66359 US Highway 197
Dufur, OR 97021

Dear Bill:

With regard to the pump test requirements for the following well and its associated water rights:

APP. #: **G-16439** PERMIT #: G-15989 Well-ID: WASC 51532

This is a follow-up to my letter of August 30, 2010. I have located your request for a multiple-well exemption for the other wells on this permit. Your request is approved.

If you have any questions, please contact me at (503) 986-0844.

Sincerely,

Michael J. Zwart
Hydrogeologist

cc: Water Rights File



STATE OF OREGON

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COUNTY OF WASCO

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PERMIT TO APPROPRIATE THE PUBLIC WATERS

WATER RESOURCES DEPT
SALEM, OREGON

THIS PERMIT IS HEREBY ISSUED TO

THE MILLER RANCH CO
66359 US HWY 197
DUFUR, OR 97021

(541) 467-2274

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

APPLICATION FILE NUMBER: G-16439

SOURCE OF WATER: SIX WELLS IN STARVOUT CREEK BASIN

PURPOSE OR USE: AGRICULTURAL AND IRRIGATION USES ON 1014.2 ACRES

MAXIMUM RATE: 12.678 CUBIC FEET PER SECOND (CFS); BEING 0.558 CFS FROM WELL 1, 2.424 CFS EACH FROM WELL 2, WELL 3, WELL 4, WELL 5, AND WELL 6

PERIOD OF USE: AGRICULTURAL NOVEMBER 1 THROUGH END OF FEBRUARY;
IRRIGATION MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: APRIL 14, 2005

WELL LOCATIONS:

WELL 1: NE ¼ NW ¼, SECTION 17, T1S, R14E, W.M.; 1102 FEET SOUTH & 1446 FEET EAST FROM NW CORNER, SECTION 17
WELL 2: SE ¼ NE ¼, SECTION 18, T1S, R14E, W.M.; 100 FEET SOUTH & 100 FEET WEST FROM N 1/16 CORNER, SENE, SECTION 18
WELL 3: SE ¼ NE ¼, SECTION 18, T1S, R14E, W.M.; 100 FEET SOUTH FROM NE 1/16 CORNER, SECTION 18
WELL 4: SW ¼ NE ¼, SECTION 18, T1S, R14E, W.M.;, C-N 1/16 CORNER, SECTION 18
WELL 5: SE ¼ NW ¼, SECTION 18, T1S, R14E, W.M.; NW 1/16 CORNER, SENW, SECTION 18
WELL 6: NW ¼ SW ¼, SECTION 18, T1S, R14E, W.M.; W1/4 CORNER, SECTION 18

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

Application G-16439

Water Resources Department

PERMIT G-15989

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE ¼ NE ¼ 14.8 ACRES

NE ¼ SE ¼ 39.2 ACRES

SE ¼ SE ¼ 40.0 ACRES

SECTION 13

TOWNSHIP 1 SOUTH, RANGE 13 EAST, W.M.

SW ¼ SE ¼ 2.9 ACRES

SE ¼ SE ¼ 14.4 ACRES

SECTION 7

NE ¼ NW ¼ 9.8 ACRES

NW ¼ NW ¼ 40.0 ACRES

SW ¼ NW ¼ 40.0 ACRES

SE ¼ NW ¼ 15.8 ACRES

NE ¼ SW ¼ 27.6 ACRES

NW ¼ SW ¼ 40.0 ACRES

SECTION 17

NE ¼ NE ¼ 40.0 ACRES

NW ¼ NE ¼ 37.5 ACRES

SW ¼ NE ¼ 40.0 ACRES

SE ¼ NE ¼ 40.0 ACRES

NE ¼ NW ¼ 17.1 ACRES

NW ¼ NW ¼ 1.5 ACRES

SW ¼ NW ¼ 33.6 ACRES

SE ¼ NW ¼ 40.0 ACRES

NE ¼ SW ¼ 40.0 ACRES

NW ¼ SW ¼ 40.0 ACRES

SW ¼ SW ¼ 40.0 ACRES

SE ¼ SW ¼ 40.0 ACRES

NE ¼ SE ¼ 40.0 ACRES

NW ¼ SE ¼ 40.0 ACRES

SW ¼ SE ¼ 40.0 ACRES

SE ¼ SE ¼ 40.0 ACRES

SECTION 18

NE ¼ NW ¼ 40.0 ACRES

NW ¼ NW ¼ 40.0 ACRES

SW ¼ NW ¼ 40.0 ACRES

SE ¼ NW ¼ 40.0 ACRES

SECTION 19

TOWNSHIP 1 SOUTH, RANGE 14 EAST, W.M.

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Measurement, recording and reporting conditions: WATER RESOURCES DEPT
SALEM, OREGON

- ① A. Before water use may begin under this permit, the water user shall install a meter or other suitable measuring device as approved by the Director. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the permit.
- ② B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- ③ To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the water user to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Seven Consecutive Annual Measurements

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

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer,

licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

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

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

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

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

4 Wells 2, 3, 4, 5, and 6 shall be continuously cased and continuously sealed to a minimum depth of 550 feet below land surface. The well may not be completed in such a manner that it allows ground water to be developed from shallower water-bearing zones. If during well construction, it becomes apparent that the well can be constructed to eliminate interference with nearby shallow wells or hydraulically connected streams in a manner other than specified in this permit, the water user can contact the Department Hydrogeologist for this permit or the Ground Water/Hydrology Section Manager to request approval of such construction. The request shall be in writing, and shall include a rough well log and a proposed construction design for approval by the Department. The request can be approved only if it is received and

Application G-16439 Water Resources Department

PERMIT G-15989

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SALEM, OREGON

reviewed prior to placement of any permanent casing and sealing material. If the well is constructed first and then the request made, requested modification will not be approved. The new well depth and construction specifications will be incorporated into any certificate issued for this permit.

STANDARD CONDITIONS

- 5 If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.
 - 6 If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.
 - 7 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.
 - 8 Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.
 - 9 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.
- 10 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.

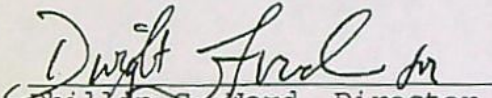
(11) By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

(13) Completion of construction and complete application of the water to the use shall be made on or before October 1, 2010. If the water is not completely applied before this date, and the water user wishes to continue development under the permit, the water user must submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued December 16, 2005


Phillip C. Ward, Director
Water Resources Department

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JUN 15 2005

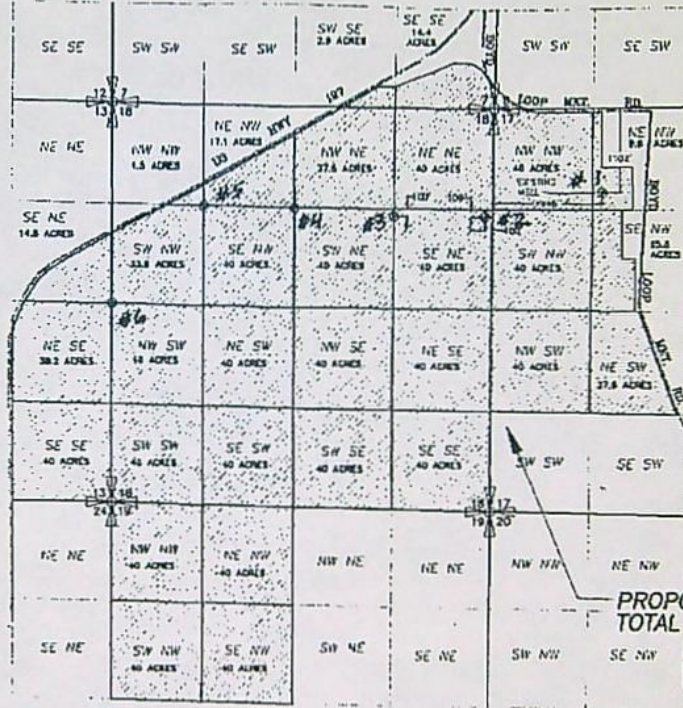
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WORK COPY



1 INCH = 1320 FT.

PROPERTY OWNER:
THE MILLER RANCH COMPANY
66359 US HWY 197
DUFUR, OR 97021

APPLICANT:
THE MILLER RANCH COMPANY

REQUEST:
GROUNDWATER APPROPRIATION
FOR PRIMARY IRRIGATION AND
AGRICULTURAL USE

LEGEND:

- PROPOSED IRRIGATION
- PROPOSED WELL
- EXISTING WELL

PROPOSED AREA OF USE
TOTAL AREA = +/- 1014.2 ACRES

NOTE: THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF WATER RIGHTS. THIS MAP IS NOT INTENDED TO PROVIDE DIMENSIONS OR THE LOCATION OF PROPERTY OWNERSHIP LINES.

APPLICATION MAP FOR IRRIGATION AND AGRICULTURAL USE WATER RIGHTS
TOWNSHIP 1 SOUTH, RANGE 14 EAST

TOWNSHIP 1 SOUTH, RANGE 13 EAST

Extension PFO Checklist for
Other than Muni or Quasi-Municipal
 Water Use Permits
 (OAR 690-315-0010 through OAR 690-315-0060)

Application: G- 16439 Permit: G- 15989 Permit Amendment? No Yes T- 10528 pending approved

Permit Holder's Name: Miller Ranch Company

Permit Holder's Mailing Address: 66359 US Hwy 197 Duffur, OR 97201 email mlrranch@aol.com

Phone Number: 541-467-2274

POD Location: Township 1S Range 14E Section 17 $\frac{1}{4}$ NENW

Drainage Basin: 5 County: Wasco Watermaster District: 3 Watermaster: Bob Wood

Date Permit was issued: 12/16/2005

Priority Date: 4/14/2005

Date of PN: 8/31/2010

Source: Six wells in Starvout Creek Basin

Use: Agricultural and Irrigation uses on 1014.2 acres

"Q": 12.678 cfs (see permit for details)

Orig "A" Date: _____

Orig "B" Date: 10/1/_____

Orig "C" Date: 10/1/2010

Extension request rec'd: 8/26/2010

Last Authorized "B" Date: 10/1/_____

Last Authorized "C" Date: 10/1/2010

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

Proposed "B" Date: 10/1/_____

Proposed C Date: 10/1/2020

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Meters Installed
<input checked="" type="checkbox"/>	<input type="checkbox"/>	SWL taken and reported annually
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wells constructed to Standards with appropriate casings
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

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

Yes No

- Work was accomplished within the time allowed in the permit or previous extension
- Water right permit holder conformed with the permit or previous extension conditions
- Financial investments were made toward developing the beneficial water use.
 - Amount Invested to date: \$5,198,920 Estimated Remaining Cost: \$3,350,000
- Beneficial use made of the water during the permit or previous extension time limits
 - Permit holder has beneficially used 8.7 cfs gpm af of the total permitted quantity of water on 700 acres

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
[X] [] above a state scenic waterway? Name Deschutes Scenic 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
[X] [] within a sensitive, threatened or endangered species area Source: "/gisdata/dev/projects/salmon/div33map.aml"
[] [X] within a critical or limited Ground Water Area? Name of area
[] [X] within a Withdrawn Area? Name of area
[] [X] in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list
[X] [] within an area ranking [] low / [X] moderate / [] high / [] highest for stream flow restoration needs Source: OWRD "Streamflow Restoration Needs" Maps (by region)

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

Yes... "Good Cause" can be found. [X] 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.)

- [X] 5-year Progress Report Checkpoints (Years: 2015, 2020)
[] 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."
[X] 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:
cc: Niall Boggs, PE, CWRE, WHPacific, 123 SW Columbia St, Bend OR 97702

Extension "PFO" Dates
Mailing / Issuance Date: _____ Protest Deadline Date: _____
Reviewer's Name: _____ Date: _____

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Permit Amendment) **FINAL ORDER**
T-10331, Wasco County) APPROVING A CHANGE IN POINTS
) OF APPROPRIATION AND
) ADDITIONAL POINTS OF
) APPROPRIATION

Authority

ORS 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

Applicant

The Miller Ranch Company
66359 US Highway 197
Dufur, Oregon 97021

Findings of Fact

1. On March 5, 2007, The Miller Ranch Company, filed an application to change the points of appropriation of Wells 2 and 3 and requested an increase in the pumping rate assigned to Well 3 under Permit G-15989. The Department assigned the application number T-10331.
2. On April 20, 2007, the applicant withdrew the request to increase the pumping rate assigned to Well 3 and amended the application to request additional points of appropriation for each authorized point of appropriation.
3. The permit to be amended is as follows:

Permit: G-15989, in the name of The Miller Ranch Company;
Use: Agricultural and irrigation uses on 1014.2 acres
Priority Date: April 14, 2005
Quantity: 12.678 cubic feet per second (cfs), being 0.558 cfs from Well 1, 2.424 cfs each from Well 2, Well 3, Well 4, Well 5, and Well 6.
Rate/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

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 137-004-080 and OAR 690-01-005 you may either 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.

Source: Six Wells, in the Starvout Creek Basin.

Date of Complete Application of Water: October 1, 2010

Authorized Points of Appropriation:

Township		Range		Meridian	Sec	¼ ¼		Location
1	S	14	E	W.M.	17	NE	NW	WELL 1 - 1102 FEET SOUTH AND 1446 FEET EAST FROM THE NW CORNER OF SECTION 17.
1	S	14	E	W.M.	18	SE	NE	WELL 2 - 100 FEET SOUTH AND 100 FEET WEST FROM N1/16 CORNER OF SE¼NE¼ OF SECTION 18.
1	S	14	E	W.M.	18	SE	NE	WELL 3 - 100 FEET SOUTH FROM THE NE1/16 CORNER OF SECTION 18.
1	S	14	E	W.M.	18	SW	NE	WELL 4 - CENTER N1/16 CORNER OF SECTION 18.
1	S	14	E	W.M.	18	SE	NW	WELL 5 - NW1/16 CORNER OF SECTION 18.
1	S	14	E	W.M.	18	NW	SW	WELL 6 - W¼ CORNER OF SECTION 18.

Authorized Place of Use:

AGRICULTURAL AND IRRIGATION USES								
Township		Range		Meridian	Sec	¼ ¼		Acres
1	S	13	E	W.M.	13	SE	NE	14.8
1	S	13	E	W.M.	13	NE	SE	39.2
1	S	13	E	W.M.	13	SE	SE	40.0
1	S	14	E	W.M.	7	SW	SE	2.9
1	S	14	E	W.M.	7	SE	SE	14.4
1	S	14	E	W.M.	17	NE	NW	9.8
1	S	14	E	W.M.	17	NW	NW	40.0
1	S	14	E	W.M.	17	SW	NW	40.0
1	S	14	E	W.M.	17	SE	NW	15.8
1	S	14	E	W.M.	17	NE	SW	27.6
1	S	14	E	W.M.	17	NW	SW	40.0
1	S	14	E	W.M.	18	NE	NE	40.0
1	S	14	E	W.M.	18	NW	NE	37.5
1	S	14	E	W.M.	18	SW	NE	40.0
1	S	14	E	W.M.	18	SE	NE	40.0
1	S	14	E	W.M.	18	NE	NW	17.1
1	S	14	E	W.M.	18	NW	NW	1.5
1	S	14	E	W.M.	18	SW	NW	40.0
1	S	14	E	W.M.	18	SE	NW	40.0
1	S	14	E	W.M.	18	NE	SW	40.0
1	S	14	E	W.M.	18	NW	SW	40.0

AGRICULTURAL AND IRRIGATION USES								
Township		Range		Meridian	Sec	¼ ¼		Acres
1	S	14	E	W.M.	18	SW	SW	40.0
1	S	14	E	W.M.	18	SE	SW	40.0
1	S	14	E	W.M.	18	NE	SE	40.0
1	S	14	E	W.M.	18	NW	SE	40.0
1	S	14	E	W.M.	18	SW	SE	40.0
1	S	14	E	W.M.	18	SE	SE	40.0
1	S	14	E	W.M.	19	NE	NW	40.0
1	S	14	E	W.M.	19	NW	NW	40.0
1	S	14	E	W.M.	19	SW	NW	40.0
1	S	14	E	W.M.	19	SE	NW	40.0

4. Application T-10331 proposes to change the point of appropriation of Wells 2 and 3 authorized by the permit to:

Township		Range		Meridian	Sec	¼ ¼		Location
1	S	14	E	W.M.	17	NW	NW	WELL 2A - 4796 FEET NORTH AND 4502 FEET WEST FROM THE SE CORNER OF SECTION 17.
1	S	14	E	W.M.	17	NW	SW	WELL 3A - 1451 FEET NORTH AND 4324 FEET WEST FROM THE SE CORNER OF SECTION 17.

5. Application T-10331 also proposes additional points of appropriation for each authorized point of appropriation, so that any rate of appropriation, up to the maximum rate allowed by the permit, can be appropriated from any one well or combination of wells. The additional points of appropriation are located:

Township		Range		Meridian	Sec	¼ ¼		Location
1	S	14	E	W.M.	17	NE	NW	WELL 1 - 1102 FEET SOUTH AND 1446 FEET EAST FROM THE NW CORNER OF SECTION 17.
1	S	14	E	W.M.	17	NW	NW	WELL 2A - 4796 FEET NORTH AND 4502 FEET WEST FROM THE SE CORNER OF SECTION 17.
1	S	14	E	W.M.	17	NW	SW	WELL 3A - 1451 FEET NORTH AND 4324 FEET WEST FROM THE SE CORNER OF SECTION 17.
1	S	14	E	W.M.	18	SW	NE	WELL 4 - CENTER N1/16 CORNER OF SECTION 18.
1	S	14	E	W.M.	18	SE	NW	WELL 5 - NW1/16 CORNER OF SECTION 18.
1	S	14	E	W.M.	18	NW	SW	WELL 6 - W¼ CORNER OF SECTION 18.

6. Notice of the application for the permit amendment was published in the Department's weekly notice on March 13, 2007, and in the The Dalles Chronicle Newspaper on April 26, and May 3 and 10, 2007, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
7. The changes would not result in injury to other water rights.
8. The changes do not enlarge the permit.
9. The changes do not alter any other terms of the permit.

Conclusions of Law

The additional points of appropriation and change in points of appropriation of Wells 2 and 3 proposed by Permit Amendment Application T-10331 are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

The change and subsequent use of water shall be subject to the following conditions:

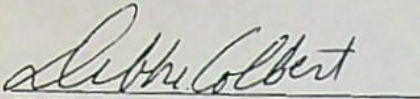
1. The quantity of water diverted at the new point of appropriation for Well 2 shall not exceed the maximum rate and duty allowed for Well 2 under Permit G-15989.
2. The quantity of water diverted at the new point of appropriation for Well 3 shall not exceed the maximum rate and duty allowed for Well 3 under Permit G-15989.
3. The total quantity of water diverted at the proposed additional points of appropriation, together with that diverted at the authorized points of diversion, shall not exceed the maximum rate and duty allowed under Permit G-15989.
4. Prior to water use from the proposed points of appropriation, 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, and shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

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.

5. Water shall be acquired from the same aquifer as the original points of appropriation.
6. All other terms and conditions of Permit G-15989 remain the same.

7. Permit G-15989, in the name of The Miller Ranch Co., is amended as described herein.

Dated at Salem, Oregon this 17th day of June, 2007.



for Phillip C. Ward,
Director

Mailing Date: JUN 20 2007

**Applications for Extensions of Time
to Perfect Water Right Permits filed pursuant to OAR 690-315**

Consistent with OAR 690-315-0050, the Department will accept public comment on the following extension applications until September 30, 2010. Following the comment period, the Department will prepare and issue a proposed final order. Individuals who would like a copy of the proposed final order may request copies by sending a request and \$20 (the charge required by law). Please indicate the file number. Copies of the proposed final order may be viewed at the Department and/or self copied. Individuals wishing to obtain a copy of the extension application should contact the Department by phone or in person.

Extension file information is included in the following format:

- (a) Application Number;
- (b) Permit number;
- (c) Applicant name and address;
- (d) County of application;
- (e) Common name of water source(s) listed in the permit;
- (f) Amount of water use permitted in gallons per minute (gpm), cubic feet per second (cfs) or acre feet (af) of storage;
- (g) Use allowed in the permit;
- (h) Proposed extended date of completion as requested by the extension applicant;

Application Number: G-12421
Permit Number: G-11578
WILDHORSE MEADOWS LLC
16900 ASPEN LAKES DR
SISTERS OR 97759
Deschutes County
WELL 5 > SQUAW CREEK
LIMITED TO NOT MORE THAN 1530 GPM, BEING 1350 GPM FOR
IRRIGATION AND 180 GPM FOR PONDS
IRRIGATION OF 240.0 ACRES AND MAINTAINING 40.0 ACRES OF
PONDS FOR AESTHETICS
October 1, 2020

Application Number: G-16439

Permit Number: G-15989

THE MILLER RANCH CO.

66359 U.S. HWY 197

DUFUR OR 97021

Wasco County

SIX WELLS > STARVOUT CREEK

12.678 CFS, BEING 0.558 CFS FROM WELL 1, 2.424 CFS EACH FROM WELL 2, WELL 3,
WELL 4, WELL 5 AND WELL 6

AGRICULTURAL AND IRRIGATION USES ON 1014.2 ACRES

October 1, 2020

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Permit Amendment	)	FINAL ORDER
T-10528, Wasco County	)	APPROVING A CHANGE IN POINT OF
	)	APPROPRIATION AND A CHANGE IN
	)	PLACE OF USE

Authority

ORS 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

Applicant

The Miller Ranch Company
66359 US Highway 197
Dufur, Oregon 97021

Findings of Fact

1. On February 4, 2008, Miller Ranch Company filed an application to amend the point of appropriation of Well 4 and change the place of use of 346.1 acres under Permit G-15989. The Department assigned the application number T-10528.

2. The permit to be amended is as follows:

Permit: G-15989, in the name of The Miller Ranch Co. (previously amended by T-10331, Special Order Vol. 72, Page333)

Use: Agricultural and irrigation

Priority Date: April 14, 2005

Quantity: 12.678 cubic feet per second (cfs), being 0.558 cfs from Wells 1, 2.424 cfs each from Well 2, Well 3, Well 4, Well 5, and Well 6. T-10331 amended the permit for additional points of appropriation such that any rate of appropriation, up to the maximum rate allowed by the permit, may be appropriated from any one well or combination of wells.

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

Acres: 1014.2

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 137-004-080 and OAR 690-01-005 you may either 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.

Source: Six wells in the Starvout Creek Basin.

Date of Complete Application of Water: October 1, 2010

Original Points of Appropriation:

Township	Range	Meridian	Sec	¼ ¼	Location		
1	S	14	E	W.M.	17	NE NW	Well 1 – 1102 feet South and 1446 feet East from the NW Corner of Section 17.
1	S	14	E	W.M.	18	SE NE	Well 2 – 100 feet South and 100 feet West from the N1/16 Corner of the SE¼NE¼ of Section 18.
1	S	14	E	W.M.	18	SE NE	Well 3 – 100 feet South from the NE1/16 Corner of Section 18.
1	S	14	E	W.M.	18	SW NE	Well 4 – Center N1/16 Corner of Section 18.
1	S	14	E	W.M.	18	SE NW	Well 5 – NW1/16 Corner of Section 18.
1	S	14	E	W.M.	18	NW SW	Well 6 – W¼ Corner of Section 18.

Authorized Points of Appropriation:

Township	Range	Meridian	Sec	¼ ¼	Location		
1	S	14	E	W.M.	17	NE NW	Well 1 – 1102 feet South and 1446 feet East from the NW Corner of Section 17.
1	S	14	E	W.M.	17	NW NW	Well 2A – 4796 feet North and 4502 feet West from the SE Corner of Section 17.
1	S	14	E	W.M.	17	NW SW	Well 3A – 1451 feet North and 4324 feet West from the SE Corner of Section 17.
1	S	14	E	W.M.	18	SW NE	Well 4 – Center N1/16 Corner of Section 18.
1	S	14	E	W.M.	18	SE NW	Well 5 – NW1/16 Corner of Section 18.
1	S	14	E	W.M.	18	NW SW	Well 6 – W¼ Corner of Section 18.

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Acres		
1	S	13	E	W.M.	13	SE NE	14.8
1	S	13	E	W.M.	13	NE SE	39.2
1	S	13	E	W.M.	13	SE SE	40.0
1	S	14	E	W.M.	7	SW SE	2.9
1	S	14	E	W.M.	7	SE SE	14.4
1	S	14	E	W.M.	17	NE NW	9.8
1	S	14	E	W.M.	17	NW NW	40.0
1	S	14	E	W.M.	17	SW NW	40.0
1	S	14	E	W.M.	17	SE NW	15.8
1	S	14	E	W.M.	17	NE SW	27.6

Township		Range		Meridian	Sec	¼ ¼		Acres
1	S	14	E	W.M.	17	NW	SW	40.0
1	S	14	E	W.M.	18	NE	NE	40.0
1	S	14	E	W.M.	18	NW	NE	37.5
1	S	14	E	W.M.	18	SW	NE	40.0
1	S	14	E	W.M.	18	SE	NE	40.0
1	S	14	E	W.M.	18	NE	NW	17.1
1	S	14	E	W.M.	18	NW	NW	1.5
1	S	14	E	W.M.	18	SW	NW	40.0
1	S	14	E	W.M.	18	SE	NW	40.0
1	S	14	E	W.M.	18	NE	SW	40.0
1	S	14	E	W.M.	18	NW	SW	40.0
1	S	14	E	W.M.	18	SW	SW	40.0
1	S	14	E	W.M.	18	SE	SW	40.0
1	S	14	E	W.M.	18	NE	SE	40.0
1	S	14	E	W.M.	18	NW	SE	40.0
1	S	14	E	W.M.	18	SW	SE	40.0
1	S	14	E	W.M.	18	SE	SE	40.0
1	S	14	E	W.M.	19	NE	NW	40.0
1	S	14	E	W.M.	19	NW	NW	40.0
1	S	14	E	W.M.	19	SW	NW	40.0
1	S	14	E	W.M.	19	SE	NW	40.0

3. Application T-10528 proposes to change the place of use of the permit to:

Township		Range		Meridian	Sec	¼ ¼		Acres
1	S	13	E	W.M.	12	NE	SE	25.2
1	S	13	E	W.M.	12	NW	SE	14.7
1	S	13	E	W.M.	12	SW	SE	39.1
1	S	13	E	W.M.	12	SE	SE	31.7
1	S	13	E	W.M.	13	NE	NE	32.3
1	S	13	E	W.M.	13	NW	NE	40.0
1	S	13	E	W.M.	13	SW	NE	16.5
1	S	13	E	W.M.	13	SE	NE	13.8
1	S	13	E	W.M.	13	NE	NW	40.0
1	S	13	E	W.M.	13	SE	NW	18.1
1	S	13	E	W.M.	13	NE	SE	28.0
1	S	13	E	W.M.	13	SE	SE	28.8
1	S	14	E	W.M.	7	NE	SW	16.3
1	S	14	E	W.M.	7	NW	SW	3.2

Township	Range	Meridian	Sec	¼ ¼	Acres		
1	S	14	E	W.M.	7	SW SW	36.3
1	S	14	E	W.M.	7	SE SW	16.6
1	S	14	E	W.M.	7	SW SE	2.9
1	S	14	E	W.M.	7	SE SE	14.4
1	S	14	E	W.M.	17	NE NW	9.8
1	S	14	E	W.M.	17	NW NW	38.5
1	S	14	E	W.M.	17	SW NW	17.6
1	S	14	E	W.M.	17	SE NW	15.2
1	S	14	E	W.M.	17	NE SW	24.9
1	S	14	E	W.M.	17	NW SW	20.1
1	S	14	E	W.M.	18	NE NE	33.4
1	S	14	E	W.M.	18	NW NE	22.1
1	S	14	E	W.M.	18	SW NE	6.0
1	S	14	E	W.M.	18	SE NE	9.3
1	S	14	E	W.M.	18	NE NW	12.3
1	S	14	E	W.M.	18	NW NW	16.7
1	S	14	E	W.M.	18	SW NW	14.1
1	S	14	E	W.M.	18	SE NW	2.5
1	S	14	E	W.M.	18	NE SW	35.3
1	S	14	E	W.M.	18	NW SW	27.5
1	S	14	E	W.M.	18	SW SW	29.6
1	S	14	E	W.M.	18	SE SW	35.9
1	S	14	E	W.M.	18	NE SE	37.4
1	S	14	E	W.M.	18	NW SE	37.6
1	S	14	E	W.M.	18	SW SE	36.0
1	S	14	E	W.M.	18	SE SE	20.2
1	S	14	E	W.M.	19	NE NW	30.2
1	S	14	E	W.M.	19	NW NW	31.0
1	S	14	E	W.M.	19	SW NW	21.5
1	S	14	E	W.M.	19	SE NW	11.6

The changed place of use is in bold type.

4. Application T-10528 proposes to change the point of appropriation of Well 4 under the permit to:

Township	Range	Meridian	Sec	¼ ¼	Location		
1	S	13	E	W.M.	13	SW NE	Well 4A - 3453 feet North and 1845 feet West from the SE Corner of Section 13.

5. Notice of the application for the permit amendment was published in the Department's weekly notice on February 12, 2008, and in The Dalles Chronicle newspaper on April 22 and 29, and May 6, 2008, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
6. The changes would not result in injury to other water rights.
7. The proposed place of use is owned and/or controlled by the permit holder.
8. The changes do not enlarge the permit.
9. The changes do not alter any other terms of the permit.
10. The proposed place of use is contiguous to the authorized place of use.

Conclusions of Law

The change in point of appropriation of Well 4 and the change in place of use of 346.1 acres proposed by Permit Amendment Application T-10528 are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

The change and subsequent use of water shall be subject to the following conditions:

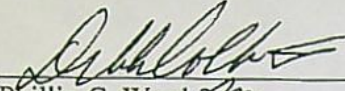
1. The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the authorized point of appropriation.
2. Prior to water use from the proposed point of appropriation, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, and shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

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.

3. Water shall be acquired from the same aquifer as the original point of appropriation.
4. The former place of use shall no longer be irrigated as part of this permit.
5. All other terms and conditions of Permit G-15989 remain the same.

6. Permit G-15989, in the name of The Miller Ranch Co., is amended as described herein.

Dated at Salem, Oregon this 27th day of May, 2008.



Phillip C. Ward, *Ph*
Director

Mailing Date: JUN 26 2008

RECEIVED

AUG 26 2010

WATER RESOURCES DEPT
SALEM, OREGON

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Permit Amendment) **FINAL ORDER**
T-10528, Wasco County) APPROVING A CHANGE IN POINT OF
) APPROPRIATION AND A CHANGE IN
) PLACE OF USE

Authority

ORS 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

Applicant

The Miller Ranch Company
66359 US Highway 197
Dufur, Oregon 97021

Findings of Fact

1. On February 4, 2008, Miller Ranch Company filed an application to amend the point of appropriation of Well 4 and change the place of use of 346.1 acres under Permit G-15989. The Department assigned the application number T-10528.

2. The permit to be amended is as follows:

Permit: G-15989, in the name of The Miller Ranch Co. (previously amended by T-10331, Special Order Vol. 72, Page333)

Use: Agricultural and irrigation

Priority Date: April 14, 2005

Quantity: 12.678 cubic feet per second (cfs), being 0.558 cfs from Wells 1, 2.424 cfs each from Well 2, Well 3, Well 4, Well 5, and Well 6. T-10331 amended the permit for additional points of appropriation such that any rate of appropriation, up to the maximum rate allowed by the permit, may be appropriated from any one well or combination of wells.

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

Acres: 1014.2

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 137-004-080 and OAR 690-01-005 you may either 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.

Source: Six wells in the Starvout Creek Basin.

Date of Complete Application of Water: October 1, 2010

Original Points of Appropriation:

Township	Range	Meridian	Sec	¼ ¼	Location
1	S	14	E	W.M.	17 NE NW Well 1 – 1102 feet South and 1446 feet East from the NW Corner of Section 17.
1	S	14	E	W.M.	18 SE NE Well 2 – 100 feet South and 100 feet West from the N1/16 Corner of the SE¼NE¼ of Section 18.
1	S	14	E	W.M.	18 SE NE Well 3 – 100 feet South from the NE1/16 Corner of Section 18.
1	S	14	E	W.M.	18 SW NE Well 4 – Center N1/16 Corner of Section 18.
1	S	14	E	W.M.	18 SE NW Well 5 – NW1/16 Corner of Section 18.
1	S	14	E	W.M.	18 NW SW Well 6 – W¼ Corner of Section 18.

Authorized Points of Appropriation:

Township	Range	Meridian	Sec	¼ ¼	Location
1	S	14	E	W.M.	17 NE NW Well 1 – 1102 feet South and 1446 feet East from the NW Corner of Section 17.
1	S	14	E	W.M.	17 NW NW Well 2A – 4796 feet North and 4502 feet West from the SE Corner of Section 17.
1	S	14	E	W.M.	17 NW SW Well 3A – 1451 feet North and 4324 feet West from the SE Corner of Section 17.
1	S	14	E	W.M.	18 SW NE Well 4 – Center N1/16 Corner of Section 18.
1	S	14	E	W.M.	18 SE NW Well 5 – NW1/16 Corner of Section 18.
1	S	14	E	W.M.	18 NW SW Well 6 – W¼ Corner of Section 18.

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Acres
1	S	13	E	W.M.	13 SE NE 14.8
1	S	13	E	W.M.	13 NE SE 39.2
1	S	13	E	W.M.	13 SE SE 40.0
1	S	14	E	W.M.	7 SW SE 2.9
1	S	14	E	W.M.	7 SE SE 14.4
1	S	14	E	W.M.	17 NE NW 9.8
1	S	14	E	W.M.	17 NW NW 40.0
1	S	14	E	W.M.	17 SW NW 40.0
1	S	14	E	W.M.	17 SE NW 15.8
1	S	14	E	W.M.	17 NE SW 27.6

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SALEM, OREGON

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AUG 26 2010

WATER RESOURCES DEPT
SALEM, OREGON

Township		Range		Meridian	Sec	¼ ¼		Acres
1	S	14	E	W.M.	17	NW	SW	40.0
1	S	14	E	W.M.	18	NE	NE	40.0
1	S	14	E	W.M.	18	NW	NE	37.5
1	S	14	E	W.M.	18	SW	NE	40.0
1	S	14	E	W.M.	18	SE	NE	40.0
1	S	14	E	W.M.	18	NE	NW	17.1
1	S	14	E	W.M.	18	NW	NW	1.5
1	S	14	E	W.M.	18	SW	NW	40.0
1	S	14	E	W.M.	18	SE	NW	40.0
1	S	14	E	W.M.	18	NE	SW	40.0
1	S	14	E	W.M.	18	NW	SW	40.0
1	S	14	E	W.M.	18	SW	SW	40.0
1	S	14	E	W.M.	18	SE	SW	40.0
1	S	14	E	W.M.	18	NE	SE	40.0
1	S	14	E	W.M.	18	NW	SE	40.0
1	S	14	E	W.M.	18	SW	SE	40.0
1	S	14	E	W.M.	18	SE	SE	40.0
1	S	14	E	W.M.	19	NE	NW	40.0
1	S	14	E	W.M.	19	NW	NW	40.0
1	S	14	E	W.M.	19	SW	NW	40.0
1	S	14	E	W.M.	19	SE	NW	40.0

3. Application T-10528 proposes to change the place of use of the permit to:

Township		Range		Meridian	Sec	¼ ¼		Acres
1	S	13	E	W.M.	12	NE	SE	25.2
1	S	13	E	W.M.	12	NW	SE	14.7
1	S	13	E	W.M.	12	SW	SE	39.1
1	S	13	E	W.M.	12	SE	SE	31.7
1	S	13	E	W.M.	13	NE	NE	32.3
1	S	13	E	W.M.	13	NW	NE	40.0
1	S	13	E	W.M.	13	SW	NE	16.5
1	S	13	E	W.M.	13	SE	NE	13.8
1	S	13	E	W.M.	13	NE	NW	40.0
1	S	13	E	W.M.	13	SE	NW	18.1
1	S	13	E	W.M.	13	NE	SE	28.0
1	S	13	E	W.M.	13	SE	SE	28.8
1	S	14	E	W.M.	7	NE	SW	16.3
1	S	14	E	W.M.	7	NW	SW	3.2

Township		Range		Meridian	Sec	¼ ¼		Acres
1	S	14	E	W.M.	7	SW	SW	36.3
1	S	14	E	W.M.	7	SE	SW	16.6
1	S	14	E	W.M.	7	SW	SE	2.9
1	S	14	E	W.M.	7	SE	SE	14.4
1	S	14	E	W.M.	17	NE	NW	9.8
1	S	14	E	W.M.	17	NW	NW	38.5
1	S	14	E	W.M.	17	SW	NW	17.6
1	S	14	E	W.M.	17	SE	NW	15.2
1	S	14	E	W.M.	17	NE	SW	24.9
1	S	14	E	W.M.	17	NW	SW	20.1
1	S	14	E	W.M.	18	NE	NE	33.4
1	S	14	E	W.M.	18	NW	NE	22.1
1	S	14	E	W.M.	18	SW	NE	6.0
1	S	14	E	W.M.	18	SE	NE	9.3
1	S	14	E	W.M.	18	NE	NW	12.3
1	S	14	E	W.M.	18	NW	NW	16.7
1	S	14	E	W.M.	18	SW	NW	14.1
1	S	14	E	W.M.	18	SE	NW	2.5
1	S	14	E	W.M.	18	NE	SW	35.3
1	S	14	E	W.M.	18	NW	SW	27.5
1	S	14	E	W.M.	18	SW	SW	29.6
1	S	14	E	W.M.	18	SE	SW	35.9
1	S	14	E	W.M.	18	NE	SE	37.4
1	S	14	E	W.M.	18	NW	SE	37.6
1	S	14	E	W.M.	18	SW	SE	36.0
1	S	14	E	W.M.	18	SE	SE	20.2
1	S	14	E	W.M.	19	NE	NW	30.2
1	S	14	E	W.M.	19	NW	NW	31.0
1	S	14	E	W.M.	19	SW	NW	21.5
1	S	14	E	W.M.	19	SE	NW	11.6

The changed place of use is in bold type.

4. Application T-10528 proposes to change the point of appropriation of Well 4 under the permit to:

Township		Range		Meridian	Sec	¼ ¼		Location
1	S	13	E	W.M.	13	SW	NE	Well 4A - 3453 feet North and 1845 feet West from the SE Corner of Section 13.

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5. Notice of the application for the permit amendment was published in the Department's weekly notice on February 12, 2008, and in The Dalles Chronicle newspaper on April 22 and 29, and May 6, 2008, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
6. The changes would not result in injury to other water rights.
7. The proposed place of use is owned and/or controlled by the permit holder.
8. The changes do not enlarge the permit.
9. The changes do not alter any other terms of the permit.
10. The proposed place of use is contiguous to the authorized place of use.

Conclusions of Law

The change in point of appropriation of Well 4 and the change in place of use of 346.1 acres proposed by Permit Amendment Application T-10528 are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

The change and subsequent use of water shall be subject to the following conditions:


1. The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the authorized point of appropriation.
2. Prior to water use from the proposed point of appropriation, 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, and shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

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.

3. Water shall be acquired from the same aquifer as the original point of appropriation.
4. The former place of use shall no longer be irrigated as part of this permit.
5. All other terms and conditions of Permit G-15989 remain the same.

6. Permit G-15989, in the name of The Miller Ranch Co., is amended as described herein.

Dated at Salem, Oregon this 27th day of May, 2008.



Phillip C. Ward, *cm*
Director

Mailing Date: JUN 26 2008

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PROPOSED PLACE OF USE ("TO" LANDS)
TOTAL AREA = +/- 346.1 ACRES



1 INCH = 1320 FT.

PROPERTY OWNER:
THE MILLER RANCH COMPANY
66359 US HWY 197
DUFUR, OR 97021

APPLICANT:
THE MILLER RANCH COMPANY

REQUEST:
GROUNDWATER APPROPRIATION
FOR PRIMARY IRRIGATION AND
AGRICULTURAL USE

LEGEND:

EXISTING AUTHORIZED PLACE OF USE
TO BE AFFECTED ("FROM" LANDS)

PROPOSED PLACE OF USE
("TO" LANDS)

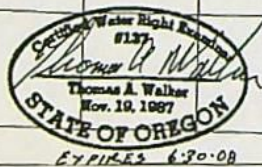
PROPOSED FUTURE WELL

EXISTING WELL

FORMER SITE OF RELOCATED WELL

NOTE: THIS MAP WAS PREPARED FOR THE
PURPOSE OF IDENTIFYING THE LOCATION
OF WATER RIGHTS. THIS MAP IS NOT
INTENDED TO PROVIDE DIMENSIONS OR
THE LOCATION OF PROPERTY OWNERSHIP
LINES.

EXISTING AUTHORIZED PLACE OF USE ("FROM" LANDS)
TOTAL AREA = +/- 346.1 ACRES



PERMIT AMENDMENT - APPLICATION MAP FOR IRRIGATION AND AGRICULTURAL USE WATER RIGHTS
TOWNSHIP 1 SOUTH, RANGE 14 EAST AND RANGE 13 EAST

T 10528

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WATER RESOURCES DEPT
SALEM, OREGON

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Permit Amendment) **FINAL ORDER**
T-10331, Wasco County) APPROVING A CHANGE IN POINTS
) OF APPROPRIATION AND
) ADDITIONAL POINTS OF
) APPROPRIATION

Authority

ORS 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

Applicant

The Miller Ranch Company
66359 US Highway 197
Dufur, Oregon 97021

Findings of Fact

1. On March 5, 2007, The Miller Ranch Company, filed an application to change the points of appropriation of Wells 2 and 3 and requested an increase in the pumping rate assigned to Well 3 under Permit G-15989. The Department assigned the application number T-10331.
2. On April 20, 2007, the applicant withdrew the request to increase the pumping rate assigned to Well 3 and amended the application to request additional points of appropriation for each authorized point of appropriation.

3. The permit to be amended is as follows:

Permit: G-15989, in the name of The Miller Ranch Company;
Use: Agricultural and irrigation uses on 1014.2 acres
Priority Date: April 14, 2005
Quantity: 12.678 cubic feet per second (cfs), being 0.558 cfs from Well 1, 2.424 cfs each from Well 2, Well 3, Well 4, Well 5, and Well 6.
Rate/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

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 137-004-080 and OAR 690-01-005 you may either 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.

Source: Six Wells, in the Starvout Creek Basin.
 Date of Complete Application of Water: October 1, 2010

Authorized Points of Appropriation:

Township	Range	Meridian	Sec	¼ ¼	Location
1	S	14	E	W.M.	17 NE NW WELL 1 – 1102 FEET SOUTH AND 1446 FEET EAST FROM THE NW CORNER OF SECTION 17.
1	S	14	E	W.M.	18 SE NE WELL 2 – 100 FEET SOUTH AND 100 FEET WEST FROM N1/16 CORNER OF SE¼NE¼ OF SECTION 18.
1	S	14	E	W.M.	18 SE NE WELL 3 – 100 FEET SOUTH FROM THE NE1/16 CORNER OF SECTION 18.
1	S	14	E	W.M.	18 SW NE WELL 4 – CENTER N1/16 CORNER OF SECTION 18.
1	S	14	E	W.M.	18 SE NW WELL 5 – NW1/16 CORNER OF SECTION 18.
1	S	14	E	W.M.	18 NW SW WELL 6 – W¼ CORNER OF SECTION 18.

Authorized Place of Use:

AGRICULTURAL AND IRRIGATION USES								
Township	Range	Meridian	Sec	¼ ¼	Acres			
1	S	13	E	W.M.	13 SE NE	14.8		
1	S	13	E	W.M.	13 NE SE	39.2		
1	S	13	E	W.M.	13 SE SE	40.0		
1	S	14	E	W.M.	7 SW SE	2.9		
1	S	14	E	W.M.	7 SE SE	14.4		
1	S	14	E	W.M.	17 NE NW	9.8		
1	S	14	E	W.M.	17 NW NW	40.0		
1	S	14	E	W.M.	17 SW NW	40.0		
1	S	14	E	W.M.	17 SE NW	15.8		
1	S	14	E	W.M.	17 NE SW	27.6		
1	S	14	E	W.M.	17 NW SW	40.0		
1	S	14	E	W.M.	18 NE NE	40.0		
1	S	14	E	W.M.	18 NW NE	37.5		
1	S	14	E	W.M.	18 SW NE	40.0		
1	S	14	E	W.M.	18 SE NE	40.0		
1	S	14	E	W.M.	18 NE NW	17.1		
1	S	14	E	W.M.	18 NW NW	1.5		
1	S	14	E	W.M.	18 SW NW	40.0		
1	S	14	E	W.M.	18 SE NW	40.0		
1	S	14	E	W.M.	18 NE SW	40.0		
1	S	14	E	W.M.	18 NW SW	40.0		

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AGRICULTURAL AND IRRIGATION USES								
Township		Range		Meridian	Sec	¼ ¼		Acres
1	S	14	E	W.M.	18	SW	SW	40.0
1	S	14	E	W.M.	18	SE	SW	40.0
1	S	14	E	W.M.	18	NE	SE	40.0
1	S	14	E	W.M.	18	NW	SE	40.0
1	S	14	E	W.M.	18	SW	SE	40.0
1	S	14	E	W.M.	18	SE	SE	40.0
1	S	14	E	W.M.	19	NE	NW	40.0
1	S	14	E	W.M.	19	NW	NW	40.0
1	S	14	E	W.M.	19	SW	NW	40.0
1	S	14	E	W.M.	19	SE	NW	40.0

4. Application T-10331 proposes to change the point of appropriation of Wells 2 and 3 authorized by the permit to:

Township		Range		Meridian	Sec	¼ ¼		Location
1	S	14	E	W.M.	17	NW	NW	WELL 2A - 4796 FEET NORTH AND 4502 FEET WEST FROM THE SE CORNER OF SECTION 17.
1	S	14	E	W.M.	17	NW	SW	WELL 3A - 1451 FEET NORTH AND 4324 FEET WEST FROM THE SE CORNER OF SECTION 17.

5. Application T-10331 also proposes additional points of appropriation for each authorized point of appropriation, so that any rate of appropriation, up to the maximum rate allowed by the permit, can be appropriated from any one well or combination of wells. The additional points of appropriation are located:

Township		Range		Meridian	Sec	¼ ¼		Location
1	S	14	E	W.M.	17	NE	NW	WELL 1 - 1102 FEET SOUTH AND 1446 FEET EAST FROM THE NW CORNER OF SECTION 17.
1	S	14	E	W.M.	17	NW	NW	WELL 2A - 4796 FEET NORTH AND 4502 FEET WEST FROM THE SE CORNER OF SECTION 17.
1	S	14	E	W.M.	17	NW	SW	WELL 3A - 1451 FEET NORTH AND 4324 FEET WEST FROM THE SE CORNER OF SECTION 17.
1	S	14	E	W.M.	18	SW	NE	WELL 4 - CENTER N1/16 CORNER OF SECTION 18.
1	S	14	E	W.M.	18	SE	NW	WELL 5 - NW1/16 CORNER OF SECTION 18.
1	S	14	E	W.M.	18	NW	SW	WELL 6 - W¼ CORNER OF SECTION 18.

6. Notice of the application for the permit amendment was published in the Department's weekly notice on March 13, 2007, and in the The Dalles Chronicle Newspaper on April 26, and May 3 and 10, 2007, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
7. The changes would not result in injury to other water rights.
8. The changes do not enlarge the permit.
9. The changes do not alter any other terms of the permit.

Conclusions of Law

The additional points of appropriation and change in points of appropriation of Wells 2 and 3 proposed by Permit Amendment Application T-10331 are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

The change and subsequent use of water shall be subject to the following conditions:

1. The quantity of water diverted at the new point of appropriation for Well 2 shall not exceed the maximum rate and duty allowed for Well 2 under Permit G-15989.
2. The quantity of water diverted at the new point of appropriation for Well 3 shall not exceed the maximum rate and duty allowed for Well 3 under Permit G-15989.
3. The total quantity of water diverted at the proposed additional points of appropriation, together with that diverted at the authorized points of diversion, shall not exceed the maximum rate and duty allowed under Permit G-15989.
4. Prior to water use from the proposed points of appropriation, 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, and shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

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.

5. Water shall be acquired from the same aquifer as the original points of appropriation.
6. All other terms and conditions of Permit G-15989 remain the same.


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SALEM, OREGON

7. Permit G-15989, in the name of The Miller Ranch Co., is amended as described herein.

Dated at Salem, Oregon this 17th day of June, 2007.



for
Phillip C. Ward,
Director

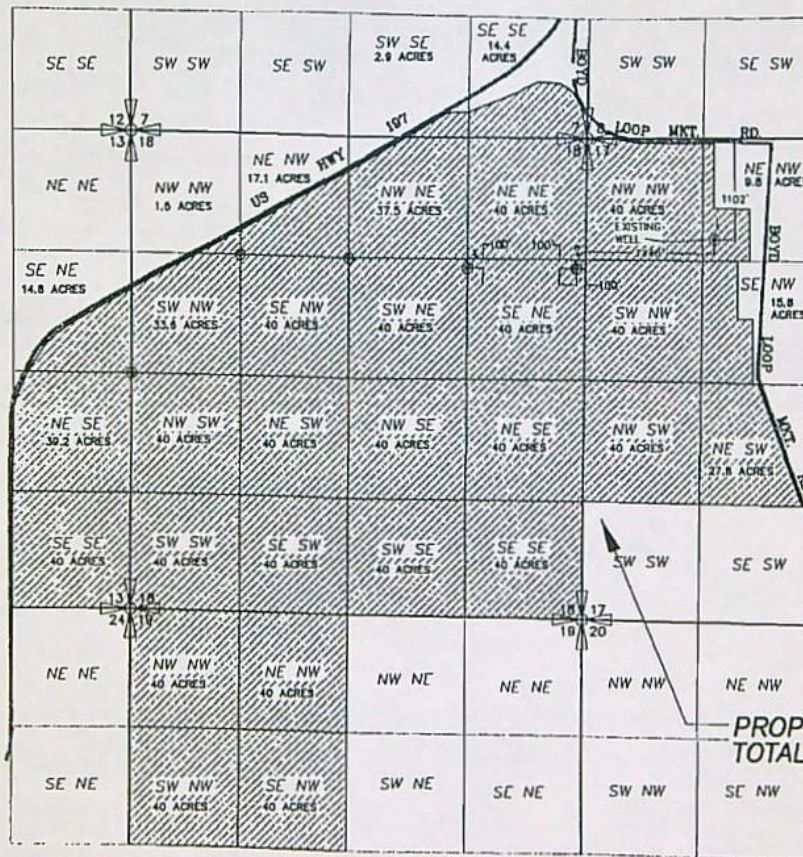
Mailing Date: JUN 20 2007

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 SALEM OREGON

Certified Water Right Examiner
 #137
Thomas A. Walker
 Thomas A. Walker
 Nov. 19, 1987
 STATE OF OREGON
 EXPIRES 6-30-06






1 INCH = 1320 FT.

PROPERTY OWNER:
 THE MILLER RANCH COMPANY
 66359 US HWY 197
 DUFUR, OR 97021

APPLICANT:
 THE MILLER RANCH COMPANY

REQUEST:
 GROUNDWATER APPROPRIATION
 FOR PRIMARY IRRIGATION AND
 AGRICULTURAL USE

LEGEND:

-  PROPOSED IRRIGATION
-  PROPOSED WELL
-  EXISTING WELL

PROPOSED AREA OF USE
 TOTAL AREA = +/- 1014.2 ACRES

NOTE: THIS MAP WAS PREPARED FOR THE
 PURPOSE OF IDENTIFYING THE LOCATION
 OF WATER RIGHTS. THIS MAP IS NOT
 INTENDED TO PROVIDE DIMENSIONS OR
 THE LOCATION OF PROPERTY OWNERSHIP
 LINES.

appno G-16439

APPLICATION MAP FOR IRRIGATION AND AGRICULTURAL USE WATER RIGHTS
 TOWNSHIP 1 SOUTH, RANGE 14 EAST

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

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10/14E/17 DA
 WELL 1

JUL 7 1995

WATER RESOURCES DEPT

(START CARD) # 52340

WASC
 2217

(1) OWNER:
 Name The Miller Ranch
 Address 66359 US Hwy 197
 City Dufur State Or Zip 97021

LOCATION OF WELL by legal description:
 County Wasco Latitude _____ Longitude _____
 Township 1S N or S. Range 14 E E or W. WM. _____
 Section 17 NE 1/4 NW 1/4
 Tax Lot 3100 Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) Boyd Mkt. Rd.
908 Dufur, Or.

(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 718 ft.
 Yes No
 Explosives used Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
14	0	30				
10	30	718	Cement	0	27	30 Bags

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:

Casing/Liner	Diameter	From	To	Gauge	Material			
					Steel	Plastic	Welded	Threaded
Casing	10	+1	28	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	6	+2	545	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of sheets: _____

(7) PERFORATIONS/SCREENS:

Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot size	Number	Tele/pipe Diameter	Tele/pipe size	Casing	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"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
 Yield gal/min 415 Drawdown _____ Drill stem at _____ Time 1 hr.

Temperature of water 65 Depth Artesian Flow Found 687
 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: _____

(10) STATIC WATER LEVEL:
 _____ ft. below land surface. Date _____
 Artesian pressure 110 lb. per square inch. Date 3-20-95

(11) WATER BEARING ZONES:

Depth at which water was first found 687

From	To	Estimated Flow Rate	SWL
687	702	415	0

(12) WELL LOG:

Material	From	To	SWL
Soil	0	25	
Sand fine brn	2	8	
SS hard brn	8	24	
Basalt grey	24	55	
Basalt med grey	55	60	
Basalt me hard grey	60	82	
Basalt hard fract grey	82	90	
Basalt hard grey	90	144	
Basalt hard broken grey			
W/B SW1 16	144	155	
Basalt Med Grey hard	155	164	
Basalt very hard grey	164	196	
Basalt fract, soft blk	196	203	82
Basalt porous blk	203	215	
Basalt hard grey	215	244	
Basalt soft porous blk	244	251	
Basalt hard blk	251	253	
Basalt fract hard grey	253	256	
Basalt hard grey	256	261	
Basalt porous fract blk	261	315	63
Basalt med hard blk	315	336	
Basalt porous blk	336	341	
Basalt soft porous blk			Continued

Date started _____ Completed _____

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

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
 WWC Number 790
 Signed _____ Date 7-2-95

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

JUL - 7 1995

(START CARD) # 52340

WATER RESOURCES DEPT. SALEM, OREGON

(1) OWNER:

Name The Miller Ranch
Address 66359 US Hwy 197
City Dufur State Or. Zip 97021

Well Number: SALEM, OREGON

(9) LOCATION OF WELL by legal description:

County Wasco Latitude _____ Longitude _____
Township _____ N or S. Range _____ E or W. W.M.
Section _____ 1/4 _____ 1/4
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) _____

(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 _____ ft.
Explosives used Yes No Type _____ Amount _____

HOLE		SEAL		Amount sacks or pounds
Diameter	From To	Material	From To	

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:

Casing/Liner	Diameter	From	To	Gauge	Material			
					Steel	Plastic	Welded	Threaded
					<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"/>	<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"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	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"/>
						<input type="checkbox"/>	<input type="checkbox"/>

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

Pump Bailer Air Flowing Artesian

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

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: _____

(10) STATIC WATER LEVEL:

_____ ft. below land surface. Date _____
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

From	To	Estimated Flow Rate	SWL

(12) WELL LOG:

Ground elevation _____

Material	From	To	SWL
W/B SWL 71 150 GPM 56°	341	352	
Basalt broken brn Visc	352	358	
Basalt hard grey	358	404	
Basalt med grey	404	417	
Basalt broken blk	417	423	
Rock soft blk	423	463	
Basalt hard bract grey	463	476	
Basalt hard grey	476	483	
Basalt hard fract grey	483	486	
Basalt hard grey	486	501	118
Rock soft W/green clay			
blk W/B	501	512	
Basalt med soft blk	512	527	
Basalt hard grey	527	580	
Set 6" Casing to 545 ft.			
grout from bottom to land surface			
4.2 cu. yds. cement & water			
Basalt med hard grey	580	620	
Basalt hard grey	620	630	
Basalt med hard grey	630	653	
Basalt med hard grey	653	670	
Basalt hard grey	670	683	

Continued

Date started _____ Completed _____

(unbonded) Water Well Constructor Certification:

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

WWC Number _____

Signed _____ Date _____

(bonded) Water Well Constructor Certification:

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

WWC Number 790

Signed [Signature] Date 7-2-95

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

JUL - 7 1995

(START CARD) # 52340

WATER RESOURCES DEPT. SALEM, OREGON

(1) OWNER: Name The Miller Ranch Address 66359 US Hwy 197 City Bufur State Or Zip 97021

(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 ft. Explosives used [] [] Type Amount

Table with columns: HOLE Diameter, SEAL Material, Amount sacks or pounds

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: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded

Final location of sheets

(7) PERFORATIONS/SCREENS: [] Perforations Method [] Screens Type Material

Table with columns: From, To, Slot size, Number, Diameter, Tele/pipe size, Casing, Liner

(8) WELL TESTS: Minimum testing time is 1 hour [] Pump [] Bailer [] Air [] Flowing Artesian Yield gal/min Drawdown Drill stem at Time

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

LOCATION OF WELL by legal description: County Wasco Latitude Longitude Township N or S. Range E or W. WM. Section 1/4 1/4 Tax Lot Lot Block Subdivision Street Address of Well (or nearest address)

(10) STATIC WATER LEVEL: ft. below land surface. Date Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES: Depth at which water was first found

Table with columns: From, To, Estimated Flow Rate, SWL

(12) WELL LOG: Ground elevation

Table with columns: Material, From, To, SWL. Includes 'RECEIVED' stamp and 'DEC 1 1995' stamp.

Date started 3-20-95 Completed 5-20-95

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

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief. Signed WWC Number 790 Date 7-2-95

WASC 51558

WELL 2A

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

WELL LABEL # L 88270

START CARD # 187470

(1) LAND OWNER Owner Well I.D. Miller #2

First Name Bill Last Name Miller
 Company C/O Cherry Blossom Orchards, LLC
 Address 3551 Old Dufur Rd.
 City The Dalles State OR Zip 97058

(2) TYPE OF WORK New Well Deepening Conversion
 Alteration (repair/recondition) Abandonment

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other

(4) PROPOSED USE Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION Special Standard [Attach copy]
 Depth of Completed Well 1,352 ft.

BORE HOLE			SEAL			sacks/	
Dia	From	To	Material	From	To	Amt	lbs
30	0	9	Cement / Bent.	0	9	16	S
20	9	60	Cement / Bent.	0	60	95	S
16	60	590	Cement / Bent.	0	590	400	S
12	590	1,040					

How was seal placed: 1,352 Method A B C D E
 Other
 Backfill placed from _____ ft. to _____ ft. Material _____
 Filter pack from _____ ft. to _____ ft. Material _____ Size _____
 Explosives used: Yes Type _____ Amount _____

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plste	Wld	Thrd
<input checked="" type="checkbox"/>	<input type="checkbox"/>	24		0	9	.375	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	20		0	60	.375	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	12		1	590	.375	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Shoe Inside Outside Other Location of shoe(s) _____
 Temp casing Yes Dia _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____
 Screens Type _____ Material _____

Perf/ Screen	Casing/ Liner	Screen Dia	From	To	Som/slot width	Slot length	# of slots	Tele/ pipe size

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

Pump Bailor Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
600+		600	1+
500+		500	1+

Temperature 65 °F Lab analysis Yes By _____
 Water quality concerns? Yes (describe below)
 From _____ To _____ Description _____ Units _____

(9) LOCATION OF WELL (legal description)
 County WASCO Twp 1 S N/S Range 14 E E/W WM
 Sec 17 NE 1/4 of the NW 1/4 Tax Lot 300
 Tax Map Number _____ Lot _____
 Lat _____ or _____ DMS or DD
 Long _____ or _____ DMS or DD
 Street address of well Nearest address
Boyd Loop Rd., Dufur, OR

(10) STATIC WATER LEVEL

Existing Well / Predeepening	Date	SWL (psi)	+	SWL (ft)
Completed Well	<u>07-27-2007</u>	<u>40</u>	<input checked="" type="checkbox"/>	<u>92.4</u>

Flowing Artesian? Dry Hole?
 WATER BEARING ZONES Depth water was first found 40

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
06-19-2006	40	55	5			10
06-21-2006	185	195	10			126
06-24-2006	340	360	75			153
06-28-2006	440	562	200			316
07-27-2007	730	1,030	600+	40	<input checked="" type="checkbox"/>	92.4

(11) WELL LOG Ground Elevation _____

Material	From	To
Rock Fill (drill pad)	0	3
Brown sandy soil, cement, sand & gravel	3	9
Tan clay ooc. rock fragments	9	40
Brown sandstone, ooc. cobbles	40	55
Black, gray-black basalt, ooc. claystone	55	185
Brown basalt, interbed, pink clay	185	195
Gray-black basalt, ooc. brown basalt	195	340
Gray-brown basalt, broken, interbeds	340	360
Gray-black, gray-brown basalt, ooc. lava	360	440
Black, gray-black basalt, glassy lava	440	562
Gray-black basalt, hard	562	730
Black basalt & lava, broken	730	738
Gray-black basalt, hard, ooc. fractures	738	926
Black basalt & lava, broken	926	929
Gray-black basalt, ooc. black basalt, ooc. claystone	929	1,020
Black basalt & lava, fractures	1,020	1,030
Gray-black basalt, hard, ooc. lava streaks	1,030	1,352

Date Started 06-01-2006 Completed 07-27-2007

(unbonded) Water Well Constructor Certification
 I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
 License Number _____ Date _____
 Password: (if filing electronically) _____
 Signed _____

(bonded) Water Well Constructor Certification
 I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
 License Number 573 Date 07-30-2007
 Password: (if filing electronically) _____
 Signed _____
 Contact Info (optional) _____

WASC
51532

WASC 51532

WELL 3A

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

AMENDED LOG

WELL LABEL # L 88230

START CARD # 190209

(1) LAND OWNER

Owner Well I.D. Miller #3

First Name Bill Last Name Miller
Company C/O Cherry Blossom Orchards, LLC
Address 3551 Old Dufur Rd.
City The Dalles State OR Zip 97058

(2) TYPE OF WORK New Well Deepening Conversion
 Alteration (repair/recondition) Abandonment

(3) DRILL METHOD

Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other

(4) PROPOSED USE Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy)
Depth of Completed Well 632 ft.

BORE HOLE			SEAL			sacls/	
Dia	From	To	Material	From	To	Amt	lbs
24	0	95	Cement	0	95	117	S
19	57	570	Cement	0	570	498	S
15	570	632					

How was seal placed: Method A B C D E

Other
Backfill placed from _____ ft. to _____ ft. Material _____
Filter pack from _____ ft. to _____ ft. Material _____ Size _____
Explosives used: Yes Type _____ Amount _____

(6) CASING/LINER

Casing Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input checked="" type="checkbox"/>	24		0	5	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	20		0	57	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	16	<input checked="" type="checkbox"/>	1.5	20	.375	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	16		20	250	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	16		250	569	.375	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Shoe Inside Outside Other Location of shoe(s) _____

Temp casing Yes Dia _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____

Screens Type _____ Material _____

Perf/ Screen	Casing/ Screen	Screen Liner	Dia	From	To	Sern/slot width	Slot length	# of slots	Tele/ pipe size

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

Pump Bailer Air Flowing Artesian

Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)

2,200			1
-------	--	--	---

Temperature 68 °F Lab analysis Yes By _____

Water quality concerns? Yes (describe below)

From _____ To _____ Description _____ Amount _____ Units _____

RECEIVED

(9) LOCATION OF WELL (legal description)

County WASCO Twp 1 S N/S Range 14 E E/W WM
Sec 17 SE 1/4 of the SW 1/4 Tax Lot 300
Tax Map Number _____ Lot _____
Lat _____ " or _____ DMS or DD
Long _____ " or _____ DMS or DD
 Street address of well Nearest address

66166 Boyd Loop Rd., Dufur, OR

(10) STATIC WATER LEVEL

Existing Well / Predeepening	Date	SWL (psi)	+ SWL (ft)
Completed Well	03-22-2007	81	187.1

Flowing Artesian? Dry Hole?

WATER BEARING ZONES

Depth water was first found 160

SWL Date	From	To	Est Flow	SWL (psi)	+ SWL (ft)
11-13-2006	160	200	25		104
11-15-2006	410	455	100		37
12-14-2006	550	600	20		<input checked="" type="checkbox"/> 187.1
03-22-2007	621	629	2,200	81	<input checked="" type="checkbox"/> 187.1

(11) WELL LOG

Ground Elevation _____

Material	From	To
Brown claystone/Sandstone	0	36
Brown basalt. ooc. claystone	36	50
Brown claystone with ooc. brown cemented gravel	50	75
Brown basalt weathered	75	90
Gray-black basalt, hard	90	160
Black & brown basalt, ooc. interbeds	160	200
Gray-black basalt, ooc. black basalt & lava	200	410
Brown basalt & lava, interbeds	410	455
Black basalt, fractured, minerals deposits	455	475
Green claystone	475	478
Black basalt, ooc. brown, ooc. claystone	478	490
Gray-black basalt, hard, ooc. fractures	490	621
Black, gray-black basalt, broken, fractured	621	629
Gray-black basalt	629	632

Date Started 11-02-2006 Completed 03-22-2007

(unbonded) Water Well Constructor Certification

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

License Number _____ Date _____

Password: (if filing electronically) _____

Signed _____

(bonded) Water Well Constructor Certification

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

License Number 573 Date 04-05-2007

Password: (if filing electronically) _____

Signed _____

Contact Info (optional) _____

APR 03 2007 ORIGINAL - WATER RESOURCES DEPARTMENT
THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK
WATER RESOURCES DEPT SALEM, OREGON

Form Version: 0.88

WASC 51532

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

WELL LABEL # L 88230
 START CARD # 190209

(1) LAND OWNER Owner Well I.D. Miller #3
 First Name Bill Last Name Miller
 Company C/O Cherry Blossom Orchards, LLC
 Address 3551 Old Dufur Rd.
 City The Dalles State OR Zip 97058

(2) TYPE OF WORK New Well Deepening Conversion
 Alteration (repair/recondition) Abandonment

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other

(4) PROPOSED USE Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION Special Standard Attach copy
 Depth of Completed Well 632 ft.

BORE HOLE			SEAL			sacks/	
Dia	From	To	Material	From	To	Amt	lbs
24	0	95	Cement	0	95	117	S
19	57	570	Cement	0	570	498	S
15	570	632					

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

Backfill placed from _____ ft. to _____ ft. Material _____
 Filter pack from _____ ft. to _____ ft. Material _____ Size _____
 Explosives used: Yes Type _____ Amount _____

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Std	Pstc	Wld	Thrd
<input checked="" type="checkbox"/>	<input type="checkbox"/>	24		0	5	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	20		0	57	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	16	<input checked="" type="checkbox"/>	1.5	20	.375	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	16		20	250	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	16		250	569	.375	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Shoe Inside Outside Other Location of shoe(s) _____
 Temp casing Yes Dia _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____
 Screens Type _____ Material _____

Perf/	Casing/	Screen	From	To	Scr/slot	Slot	# of	Tele/
Screen	Liner	Dia	From	To	width	length	slots	pipe size

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

Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
2,200			1

Temperature 68 °F Lab analysis Yes By _____
 Water quality concerns? Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)
 County WASC Twp 1 S N/S Range 14 E E/W WM
 Sec 17 SE 1/4 of the SW 1/4 Tax Lot 300
 Tax Map Number _____ Lot _____
 Lat _____ ° 0 ' _____ " or _____ DMS or DD
 Long _____ ° 0 ' _____ " or _____ DMS or DD
 Street address of well Nearest address
 56166 Boyd Loop Rd., Dufur, OR

(10) STATIC WATER LEVEL Date SWL(psi) + SWL(ft)
 Existing Well / Predeepening _____
 Completed Well 03-22-2007 91 210.2
 Flowing Artesian? Dry Hole?

WATER BEARING ZONES Depth water was first found 160

SWL Date	From	To	Est Flow	SWL (psi)	+ SWL (ft)
11-13-2006	160	200	25		104
11-15-2006	410	455	100		37
12-14-2006	550	600	20		<input checked="" type="checkbox"/> 37
03-22-2007	621	629	2,200	91	<input checked="" type="checkbox"/> 210.2

(11) WELL LOG Ground Elevation _____

Material	From	To
Brown claystone/Sandstone	0	36
Brown basalt. occ. claystone	36	50
Brown claystone with occ. brown cemented gravel	50	75
Brown basalt weathered	75	90
Gray-black basalt, hard	90	160
Black & brown basalt, occ. interbeds	160	200
Gray-black basalt, occ. black basalt & lava	200	410
Brown basalt & lava, interbeds	410	455
Black basalt, fractured, minerals deposits	455	475
Green claystone	475	478
Black basalt, occ. brown, occ. claystone	478	490
Gray-black basalt, hard, occ. fractures	490	621
Black, gray-black basalt, broken, fractured	621	629
Gray-black basalt	629	632

Date Started 11-02-2006 Completed 03-22-2007

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

License Number _____ Date _____
 Password: (if filing electronically) _____
 Signed _____

(bonded) Water Well Constructor Certification
 I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 573 Date 03-22-2007
 Password: (if filing electronically) _____
 Signed _____
 Contact Info (optional) _____

WASC 51672

WELL 4A

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

WELL LABEL # L 97485

START CARD # 194876

(1) LAND OWNER Owner Well I.D. Miller #4

First Name BILL Last Name MILLER
 Company TRES AMIGO ORCHARD C/O MCCLASKEY ORCHARDS
 Address 3551 OLD DUFUR RD.
 City THE DALLES State OR Zip 97058

(2) TYPE OF WORK New Well Deepening Conversion
 Alteration (repair/recondition) Abandonment

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other

(4) PROPOSED USE Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy)
 Depth of Completed Well 1,147 ft.

BORE HOLE			SEAL				sacks/	
Dia	From	To	Material	From	To	Amt	lbs	
30	0	10	Cement	0	10	35	S	
23	10	234	Cement	0	234	138	S	
19	234	750	Concrete	205	750	465	S	
15	750	885						

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

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

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

Explosives used: Yes Type _____ Amount _____

(6) CASING/LINER

Casing/Liner	Dia	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input checked="" type="checkbox"/>	24	<input checked="" type="checkbox"/> .5	10	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	20	<input checked="" type="checkbox"/> 1	234	.375	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	16	<input type="checkbox"/> 205	750	.375	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Shoe Inside Outside Other Location of shoe(s) _____
 Temp casing Yes Dia _____ From _____ To _____

(7) PERFORATIONS/SCREENS
 Perforations Method _____
 Screens Type _____ Material _____

Perf/S	Casing/Screen	Screen/Slot	Slot	# of	Tele/
green	Liner	width	length	slots	pipe size

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

Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
800		800	1
1,200	152		18

Temperature 75 °F Lab analysis Yes By _____
 Water quality concerns? Yes (describe below)
 From _____ To _____ Description _____ Units _____

(9) LOCATION OF WELL (legal description)
 County WASCO Twp 1 S N/S Range 13 E E/W WM
 Sec 13 SE 1/4 of the NE 1/4 Tax Lot 100
 Tax Map Number _____ Lot _____
 Lat _____ " or _____ DMS or DD
 Long _____ " or _____ DMS or DD
 Street address of well Nearest address

MILLER RANCH, 66359 US HWY 197, DUFUR, OR

(10) STATIC WATER LEVEL

Existing Well / Predeepening	Date	SWL(psi)	+ SWL(ft)
Completed Well	10-09-2008		478

Flowing Artesian? Dry Hole?

WATER BEARING ZONES Depth water was first found 200

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)
11-02-2007	200	220	10		175
11-05-2007	250	355	40		185
11-15-2007	355	432	150		200
01-10-2008	568	732	250		448
10-09-2008	795	1,147	800		478

(11) WELL LOG Ground Elevation _____

Material	From	To
BROWN SILTY SOIL, SANDSTONE	0	9
GRY-BRW & BRWN SNDSTNE, OCC BLDER	9	200
BROWN BASALT WEATHERED	200	215
BRWN & GRY-BRW BSLT, OCC GRY BLCK	215	355
GRY-BLCK BASALT W/ BRWN LAVA STRKS	355	432
GRAY-BLACK BASALT, HARD	432	568
BLACK & GRAY-BLACK BASALT OCC LAVA	568	588
HRD & SFT STRKS, GREEN CLAY/ CLYSTNE	588	728
CLAYSTONE INTERBED CAVING	728	735
BASALT FIRM/HARD OCC BROKEN	735	795
GRAY/GRAY BLACK BASALT OCC GREEN	795	
CLAY & HARD SEAMS		845
GRAY BASALT, CREVICED/FRACTURES	845	885
GRAY-BLACK BASALT, BROKEN W.B.	885	920
GRAY-BLACK BASALT, HARD OCC LAVA	920	1,147

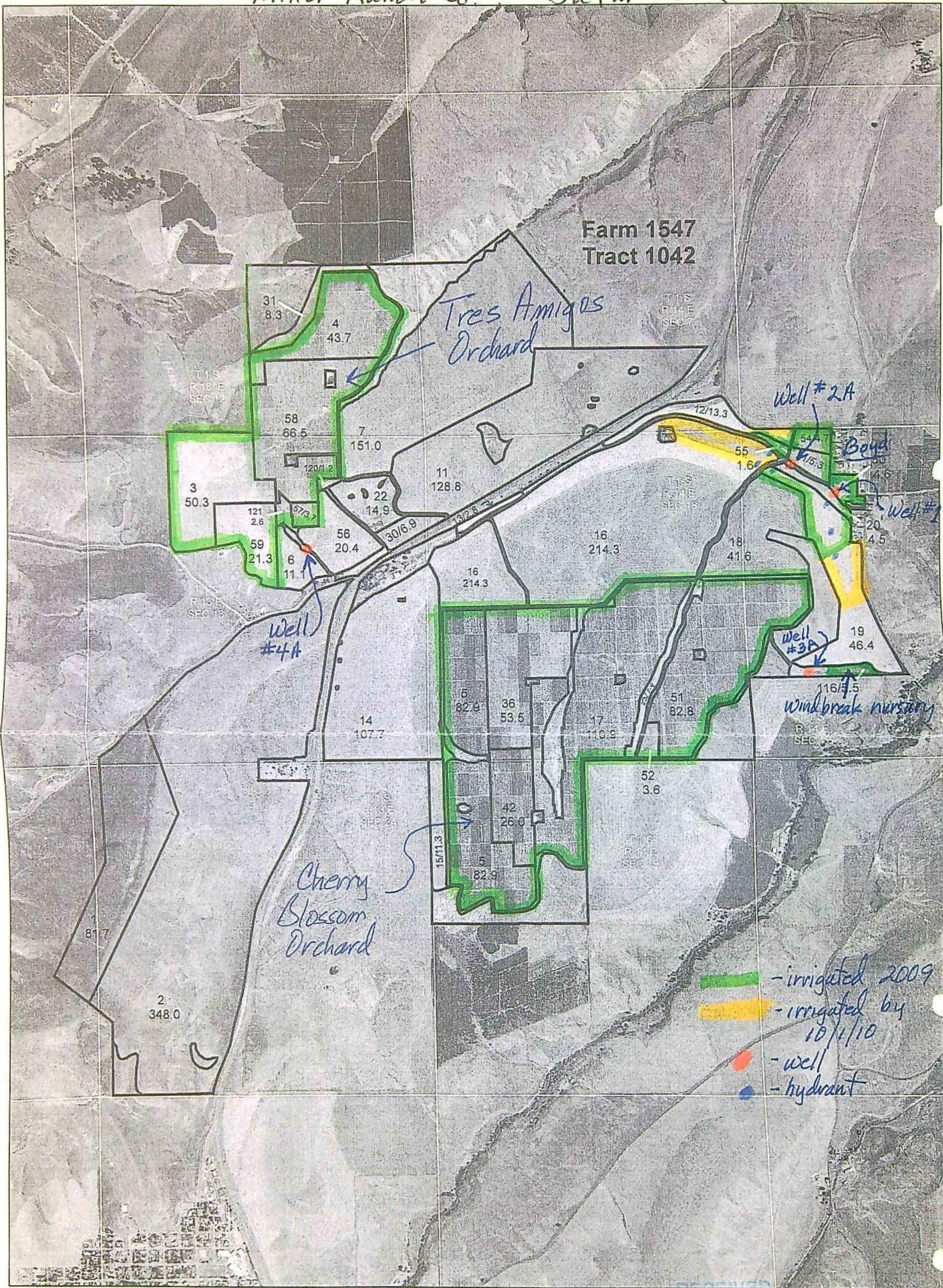
Date Started 10-24-2007 Completed 10-09-2009

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

License Number _____ Date _____
 Password: (if filing electronically) _____
 Signed _____

(bonded) Water Well Constructor Certification
 I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 573 Date 10-27-2008
 Password: (if filing electronically) _____
 Signed _____
 Contact Info (optional) _____



February 26, 2010 **WASCO COUNTY**

AUG 28 2010

WATER RESOURCES DIVISION
SALEM, OREGON



USDA United States Department of Agriculture
Farm Service Agency

0 0.15 0.3 0.6 Miles

This acreage is for FSA program purposes only. No warranty is made for any other use.

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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

RECEIPT # **100942**

INVOICE # _____

RECEIVED FROM: The Miller Ranch Company

APPLICATION G141639
PERMIT _____
TRANSFER _____

BY: _____
CASH: CHECK: # 13967 OTHER: (IDENTIFY)

TOTAL REC'D \$ 500.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

**RECEIVED
OVER THE COUNTER**

4270 WRD OPERATING ACCT

MISCELLANEOUS
0407 COPY & TAPE FEES \$ _____ 4lelll
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ 500.00
WATER RIGHTS:
0201 SURFACE WATER EXAM FEE \$ _____ 0202 RECORD FEE \$ _____
0203 GROUND WATER EXAM FEE \$ _____ 0204 RECORD FEE \$ _____
0205 TRANSFER EXAM FEE \$ _____
WELL CONSTRUCTION
0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ _____ 0219 LICENSE FEE \$ _____
LANDOWNER'S PERMIT \$ _____ 0220 LICENSE FEE \$ _____
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: **100942**

DATED: 8-26-10 BY: LAG

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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

RECEIPT # **100942**

INVOICE # _____

RECEIVED FROM: The Miller Ranch Company

APPLICATION G141639
PERMIT _____
TRANSFER _____

BY: _____
CASH: CHECK: # 13967 OTHER: (IDENTIFY)

TOTAL REC'D \$ 500.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

**RECEIVED
OVER THE COUNTER**

4270 WRD OPERATING ACCT

MISCELLANEOUS
0407 COPY & TAPE FEES \$ _____ 4lelll
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ 500.00
WATER RIGHTS:
0201 SURFACE WATER EXAM FEE \$ _____ 0202 RECORD FEE \$ _____
0203 GROUND WATER EXAM FEE \$ _____ 0204 RECORD FEE \$ _____
0205 TRANSFER EXAM FEE \$ _____
WELL CONSTRUCTION
0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ _____ 0219 LICENSE FEE \$ _____
LANDOWNER'S PERMIT \$ _____ 0220 LICENSE FEE \$ _____
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: **100942**

DATED: 8-26-10 BY: LAG

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

THE MILLER RANCH COMPANY

Or Water Resources Department

8/25/2010

Application G-16439/Permit G-15989/Permit Amend

500.00

13967

RECEIVED
AUG 26 2010
WATER RESOURCES DEPT
SALEM, OREGON

13967

THE MILLER RANCH COMPANY
110 N.E. GREENWOOD AVENUE
BEND, OREGON 97701



24-22-1230

8/25/2010

PAY TO THE ORDER OF Or Water Resources Department

\$ **500.00

Five Hundred and 00/100***** DOLLARS

Or Water Resources Department

AUTHORIZED SIGNATURE

MEMO Application G-16439/Permit G-15989/Permit Amend

Security features. Details on back.



THE MILLER RANCH COMPANY

13967

Or Water Resources Department

8/25/2010

Application G-16439/Permit G-15989/Permit Amend

500.00

RECEIVED
AUG 26 2010
WATER RESOURCES DEPT
SALEM, OREGON

US Bank Checking

Application G-16439/Permit G-15989/Permit Am

500.00

Application # G-16439 Permit # G-15989

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

♦ WRIG...
Money Received on: 8/26/10

♦ Extension Specialist...

Added to tracking spreadsheet

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

♦ Jonnine Skaug...

Publish on Public Notice (initial 30-day comment): Date of notice 8/31/2010 JIS

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.

Car review

Yes or No:

Return file to Extension Specialist after PN



Oregon

Theodore R. Kulongoski, Governor

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

August 31, 2010

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Rights Section has received your application for an extension of time for **APPLICATION FILE#:G-16439 (PERMIT#: G-15989)**. Your application will be reviewed in the near future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

If you have questions concerning your extension of time application, please contact Scott Kudlemyer at (503) 986-0813. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's Internet home page at: "www.wrd.state.or.us".

G-16439

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Permit Amendment) **FINAL ORDER**
T-10331, Wasco County) APPROVING A CHANGE IN POINTS
) OF APPROPRIATION AND
) ADDITIONAL POINTS OF
) APPROPRIATION

Authority

ORS 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

Applicant

The Miller Ranch Company
66359 US Highway 197
Dufur, Oregon 97021

Findings of Fact

1. On March 5, 2007, The Miller Ranch Company, filed an application to change the points of appropriation of Wells 2 and 3 and requested an increase in the pumping rate assigned to Well 3 under Permit G-15989. The Department assigned the application number T-10331.
2. On April 20, 2007, the applicant withdrew the request to increase the pumping rate assigned to Well 3 and amended the application to request additional points of appropriation for each authorized point of appropriation.
3. The permit to be amended is as follows:

Permit: G-15989, in the name of The Miller Ranch Company;
Use: Agricultural and irrigation uses on 1014.2 acres
Priority Date: April 14, 2005
Quantity: 12.678 cubic feet per second (cfs), being 0.558 cfs from Well 1, 2.424 cfs each from Well 2, Well 3, Well 4, Well 5, and Well 6.
Rate/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

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 137-004-080 and OAR 690-01-005 you may either 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.

Source: Six Wells, in the Starvout Creek Basin.
 Date of Complete Application of Water: October 1, 2010

Authorized Points of Appropriation:

Township		Range		Meridian	Sec	¼ ¼		Location
1	S	14	E	W.M.	17	NE	NW	WELL 1 - 1102 FEET SOUTH AND 1446 FEET EAST FROM THE NW CORNER OF SECTION 17.
1	S	14	E	W.M.	18	SE	NE	WELL 2 - 100 FEET SOUTH AND 100 FEET WEST FROM N1/16 CORNER OF SE¼NE¼ OF SECTION 18.
1	S	14	E	W.M.	18	SE	NE	WELL 3 - 100 FEET SOUTH FROM THE NE1/16 CORNER OF SECTION 18.
1	S	14	E	W.M.	18	SW	NE	WELL 4 - CENTER N1/16 CORNER OF SECTION 18.
1	S	14	E	W.M.	18	SE	NW	WELL 5 - NW1/16 CORNER OF SECTION 18.
1	S	14	E	W.M.	18	NW	SW	WELL 6 - W¼ CORNER OF SECTION 18.

Authorized Place of Use:

AGRICULTURAL AND IRRIGATION USES								
Township		Range		Meridian	Sec	¼ ¼		Acres
1	S	13	E	W.M.	13	SE	NE	14.8
1	S	13	E	W.M.	13	NE	SE	39.2
1	S	13	E	W.M.	13	SE	SE	40.0
1	S	14	E	W.M.	7	SW	SE	2.9
1	S	14	E	W.M.	7	SE	SE	14.4
1	S	14	E	W.M.	17	NE	NW	9.8
1	S	14	E	W.M.	17	NW	NW	40.0
1	S	14	E	W.M.	17	SW	NW	40.0
1	S	14	E	W.M.	17	SE	NW	15.8
1	S	14	E	W.M.	17	NE	SW	27.6
1	S	14	E	W.M.	17	NW	SW	40.0
1	S	14	E	W.M.	18	NE	NE	40.0
1	S	14	E	W.M.	18	NW	NE	37.5
1	S	14	E	W.M.	18	SW	NE	40.0
1	S	14	E	W.M.	18	SE	NE	40.0
1	S	14	E	W.M.	18	NE	NW	17.1
1	S	14	E	W.M.	18	NW	NW	1.5
1	S	14	E	W.M.	18	SW	NW	40.0
1	S	14	E	W.M.	18	SE	NW	40.0
1	S	14	E	W.M.	18	NE	SW	40.0
1	S	14	E	W.M.	18	NW	SW	40.0

AGRICULTURAL AND IRRIGATION USES								
Township		Range		Meridian	Sec	¼ ¼		Acres
1	S	14	E	W.M.	18	SW	SW	40.0
1	S	14	E	W.M.	18	SE	SW	40.0
1	S	14	E	W.M.	18	NE	SE	40.0
1	S	14	E	W.M.	18	NW	SE	40.0
1	S	14	E	W.M.	18	SW	SE	40.0
1	S	14	E	W.M.	18	SE	SE	40.0
1	S	14	E	W.M.	19	NE	NW	40.0
1	S	14	E	W.M.	19	NW	NW	40.0
1	S	14	E	W.M.	19	SW	NW	40.0
1	S	14	E	W.M.	19	SE	NW	40.0

4. Application T-10331 proposes to change the point of appropriation of Wells 2 and 3 authorized by the permit to:

Township		Range		Meridian	Sec	¼ ¼		Location
1	S	14	E	W.M.	17	NW	NW	WELL 2A - 4796 FEET NORTH AND 4502 FEET WEST FROM THE SE CORNER OF SECTION 17.
1	S	14	E	W.M.	17	NW	SW	WELL 3A - 1451 FEET NORTH AND 4324 FEET WEST FROM THE SE CORNER OF SECTION 17.

5. Application T-10331 also proposes additional points of appropriation for each authorized point of appropriation, so that any rate of appropriation, up to the maximum rate allowed by the permit, can be appropriated from any one well or combination of wells. The additional points of appropriation are located:

Township		Range		Meridian	Sec	¼ ¼		Location
1	S	14	E	W.M.	17	NE	NW	WELL 1 - 1102 FEET SOUTH AND 1446 FEET EAST FROM THE NW CORNER OF SECTION 17.
1	S	14	E	W.M.	17	NW	NW	WELL 2A - 4796 FEET NORTH AND 4502 FEET WEST FROM THE SE CORNER OF SECTION 17.
1	S	14	E	W.M.	17	NW	SW	WELL 3A - 1451 FEET NORTH AND 4324 FEET WEST FROM THE SE CORNER OF SECTION 17.
1	S	14	E	W.M.	18	SW	NE	WELL 4 - CENTER N1/16 CORNER OF SECTION 18.
1	S	14	E	W.M.	18	SE	NW	WELL 5 - NW1/16 CORNER OF SECTION 18.
1	S	14	E	W.M.	18	NW	SW	WELL 6 - W¼ CORNER OF SECTION 18.

6. Notice of the application for the permit amendment was published in the Department's weekly notice on March 13, 2007, and in the The Dalles Chronicle Newspaper on April 26, and May 3 and 10, 2007, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
7. The changes would not result in injury to other water rights.
8. The changes do not enlarge the permit.
9. The changes do not alter any other terms of the permit.

Conclusions of Law

The additional points of appropriation and change in points of appropriation of Wells 2 and 3 proposed by Permit Amendment Application T-10331 are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

The change and subsequent use of water shall be subject to the following conditions:

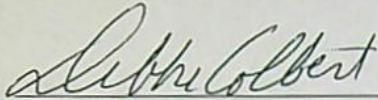
1. The quantity of water diverted at the new point of appropriation for Well 2 shall not exceed the maximum rate and duty allowed for Well 2 under Permit G-15989.
2. The quantity of water diverted at the new point of appropriation for Well 3 shall not exceed the maximum rate and duty allowed for Well 3 under Permit G-15989.
3. The total quantity of water diverted at the proposed additional points of appropriation, together with that diverted at the authorized points of diversion, shall not exceed the maximum rate and duty allowed under Permit G-15989.
4. Prior to water use from the proposed points of appropriation, 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, and shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

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.

5. Water shall be acquired from the same aquifer as the original points of appropriation.
6. All other terms and conditions of Permit G-15989 remain the same.

7. Permit G-15989, in the name of The Miller Ranch Co., is amended as described herein.

Dated at Salem, Oregon this 17th day of June, 2007.



for Phillip C. Ward,
Director

Mailing Date: JUN 20 2007

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Permit Amendment) **FINAL ORDER**
T-10528, Wasco County) APPROVING A CHANGE IN POINT OF
) APPROPRIATION AND A CHANGE IN
) PLACE OF USE

Authority

ORS 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

Applicant

The Miller Ranch Company
66359 US Highway 197
Dufur, Oregon 97021

Findings of Fact

1. On February 4, 2008, Miller Ranch Company filed an application to amend the point of appropriation of Well 4 and change the place of use of 346.1 acres under Permit G-15989. The Department assigned the application number T-10528.

2. The permit to be amended is as follows:

Permit: G-15989, in the name of The Miller Ranch Co. (previously amended by T-10331, Special Order Vol. 72, Page333)

Use: Agricultural and irrigation

Priority Date: April 14, 2005

Quantity: 12.678 cubic feet per second (cfs), being 0.558 cfs from Wells 1, 2.424 cfs each from Well 2, Well 3, Well 4, Well 5, and Well 6. T-10331 amended the permit for additional points of appropriation such that any rate of appropriation, up to the maximum rate allowed by the permit, may be appropriated from any one well or combination of wells.

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

Acres: 1014.2

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 137-004-080 and OAR 690-01-005 you may either 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.

Source: Six wells in the Starvout Creek Basin.

Date of Complete Application of Water: October 1, 2010

Original Points of Appropriation:

Township	Range	Meridian	Sec	¼ ¼	Location
1	S	14	E	W.M.	17 NE NW Well 1 – 1102 feet South and 1446 feet East from the NW Corner of Section 17.
1	S	14	E	W.M.	18 SE NE Well 2 – 100 feet South and 100 feet West from the N1/16 Corner of the SE¼NE¼ of Section 18.
1	S	14	E	W.M.	18 SE NE Well 3 – 100 feet South from the NE1/16 Corner of Section 18.
1	S	14	E	W.M.	18 SW NE Well 4 – Center N1/16 Corner of Section 18.
1	S	14	E	W.M.	18 SE NW Well 5 – NW1/16 Corner of Section 18.
1	S	14	E	W.M.	18 NW SW Well 6 – W¼ Corner of Section 18.

Authorized Points of Appropriation:

Township	Range	Meridian	Sec	¼ ¼	Location
1	S	14	E	W.M.	17 NE NW Well 1 – 1102 feet South and 1446 feet East from the NW Corner of Section 17.
1	S	14	E	W.M.	17 NW NW Well 2A – 4796 feet North and 4502 feet West from the SE Corner of Section 17.
1	S	14	E	W.M.	17 NW SW Well 3A – 1451 feet North and 4324 feet West from the SE Corner of Section 17.
1	S	14	E	W.M.	18 SW NE Well 4 – Center N1/16 Corner of Section 18.
1	S	14	E	W.M.	18 SE NW Well 5 – NW1/16 Corner of Section 18.
1	S	14	E	W.M.	18 NW SW Well 6 – W¼ Corner of Section 18.

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Acres
1	S	13	E	W.M.	13 SE NE 14.8
1	S	13	E	W.M.	13 NE SE 39.2
1	S	13	E	W.M.	13 SE SE 40.0
1	S	14	E	W.M.	7 SW SE 2.9
1	S	14	E	W.M.	7 SE SE 14.4
1	S	14	E	W.M.	17 NE NW 9.8
1	S	14	E	W.M.	17 NW NW 40.0
1	S	14	E	W.M.	17 SW NW 40.0
1	S	14	E	W.M.	17 SE NW 15.8
1	S	14	E	W.M.	17 NE SW 27.6

Township		Range		Meridian	Sec	¼ ¼		Acres
1	S	14	E	W.M.	17	NW	SW	40.0
1	S	14	E	W.M.	18	NE	NE	40.0
1	S	14	E	W.M.	18	NW	NE	37.5
1	S	14	E	W.M.	18	SW	NE	40.0
1	S	14	E	W.M.	18	SE	NE	40.0
1	S	14	E	W.M.	18	NE	NW	17.1
1	S	14	E	W.M.	18	NW	NW	1.5
1	S	14	E	W.M.	18	SW	NW	40.0
1	S	14	E	W.M.	18	SE	NW	40.0
1	S	14	E	W.M.	18	NE	SW	40.0
1	S	14	E	W.M.	18	NW	SW	40.0
1	S	14	E	W.M.	18	SW	SW	40.0
1	S	14	E	W.M.	18	SE	SW	40.0
1	S	14	E	W.M.	18	NE	SE	40.0
1	S	14	E	W.M.	18	NW	SE	40.0
1	S	14	E	W.M.	18	SW	SE	40.0
1	S	14	E	W.M.	18	SE	SE	40.0
1	S	14	E	W.M.	19	NE	NW	40.0
1	S	14	E	W.M.	19	NW	NW	40.0
1	S	14	E	W.M.	19	SW	NW	40.0
1	S	14	E	W.M.	19	SE	NW	40.0

3. Application T-10528 proposes to change the place of use of the permit to:

Township		Range		Meridian	Sec	¼ ¼		Acres
1	S	13	E	W.M.	12	NE	SE	25.2
1	S	13	E	W.M.	12	NW	SE	14.7
1	S	13	E	W.M.	12	SW	SE	39.1
1	S	13	E	W.M.	12	SE	SE	31.7
1	S	13	E	W.M.	13	NE	NE	32.3
1	S	13	E	W.M.	13	NW	NE	40.0
1	S	13	E	W.M.	13	SW	NE	16.5
1	S	13	E	W.M.	13	SE	NE	13.8
1	S	13	E	W.M.	13	NE	NW	40.0
1	S	13	E	W.M.	13	SE	NW	18.1
1	S	13	E	W.M.	13	NE	SE	28.0
1	S	13	E	W.M.	13	SE	SE	28.8
1	S	14	E	W.M.	7	NE	SW	16.3
1	S	14	E	W.M.	7	NW	SW	3.2

Township		Range		Meridian	Sec	¼ ¼		Acres
1	S	14	E	W.M.	7	SW	SW	36.3
1	S	14	E	W.M.	7	SE	SW	16.6
1	S	14	E	W.M.	7	SW	SE	2.9
1	S	14	E	W.M.	7	SE	SE	14.4
1	S	14	E	W.M.	17	NE	NW	9.8
1	S	14	E	W.M.	17	NW	NW	38.5
1	S	14	E	W.M.	17	SW	NW	17.6
1	S	14	E	W.M.	17	SE	NW	15.2
1	S	14	E	W.M.	17	NE	SW	24.9
1	S	14	E	W.M.	17	NW	SW	20.1
1	S	14	E	W.M.	18	NE	NE	33.4
1	S	14	E	W.M.	18	NW	NE	22.1
1	S	14	E	W.M.	18	SW	NE	6.0
1	S	14	E	W.M.	18	SE	NE	9.3
1	S	14	E	W.M.	18	NE	NW	12.3
1	S	14	E	W.M.	18	NW	NW	16.7
1	S	14	E	W.M.	18	SW	NW	14.1
1	S	14	E	W.M.	18	SE	NW	2.5
1	S	14	E	W.M.	18	NE	SW	35.3
1	S	14	E	W.M.	18	NW	SW	27.5
1	S	14	E	W.M.	18	SW	SW	29.6
1	S	14	E	W.M.	18	SE	SW	35.9
1	S	14	E	W.M.	18	NE	SE	37.4
1	S	14	E	W.M.	18	NW	SE	37.6
1	S	14	E	W.M.	18	SW	SE	36.0
1	S	14	E	W.M.	18	SE	SE	20.2
1	S	14	E	W.M.	19	NE	NW	30.2
1	S	14	E	W.M.	19	NW	NW	31.0
1	S	14	E	W.M.	19	SW	NW	21.5
1	S	14	E	W.M.	19	SE	NW	11.6

The changed place of use is in bold type.

4. Application T-10528 proposes to change the point of appropriation of Well 4 under the permit to:

Township		Range		Meridian	Sec	¼ ¼		Location
1	S	13	E	W.M.	13	SW	NE	Well 4A - 3453 feet North and 1845 feet West from the SE Corner of Section 13.

5. Notice of the application for the permit amendment was published in the Department's weekly notice on February 12, 2008, and in The Dalles Chronicle newspaper on April 22 and 29, and May 6, 2008, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
6. The changes would not result in injury to other water rights.
7. The proposed place of use is owned and/or controlled by the permit holder.
8. The changes do not enlarge the permit.
9. The changes do not alter any other terms of the permit.
10. The proposed place of use is contiguous to the authorized place of use.

Conclusions of Law

The change in point of appropriation of Well 4 and the change in place of use of 346.1 acres proposed by Permit Amendment Application T-10528 are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

The change and subsequent use of water shall be subject to the following conditions:

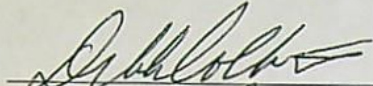
1. The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the authorized point of appropriation.
2. Prior to water use from the proposed point of appropriation, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, and shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

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.

3. Water shall be acquired from the same aquifer as the original point of appropriation.
4. The former place of use shall no longer be irrigated as part of this permit.
5. All other terms and conditions of Permit G-15989 remain the same.

6. Permit G-15989, in the name of The Miller Ranch Co., is amended as described herein.

Dated at Salem, Oregon this 27th day of May, 2008.



Phillip C. Ward, *PCW*
Director

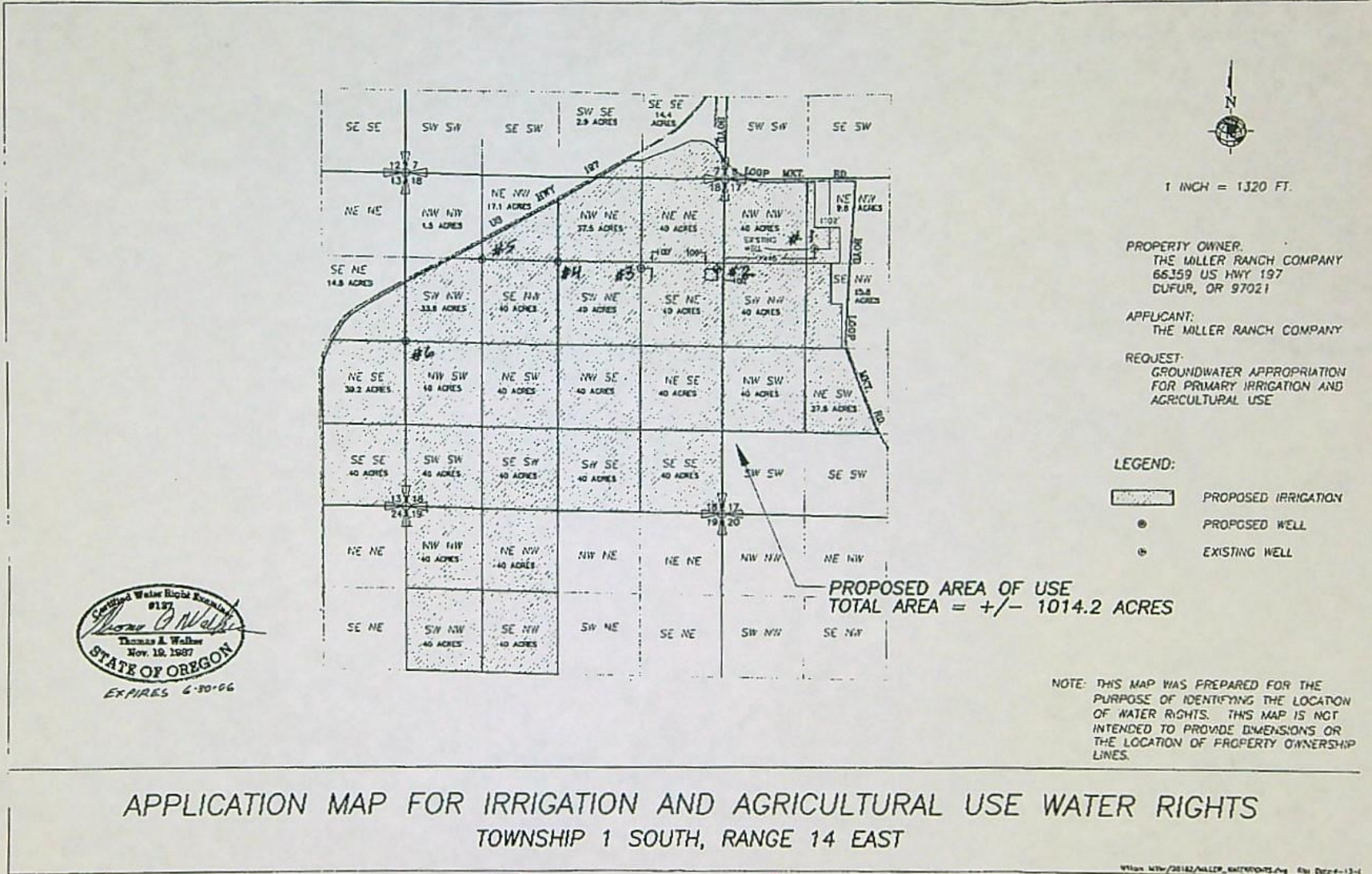
Mailing Date: JUN 26 2008

RECEIVED

JUN 15 2005

WATER RESOURCES DEPT.
SALEM, OREGON

WORK COPY



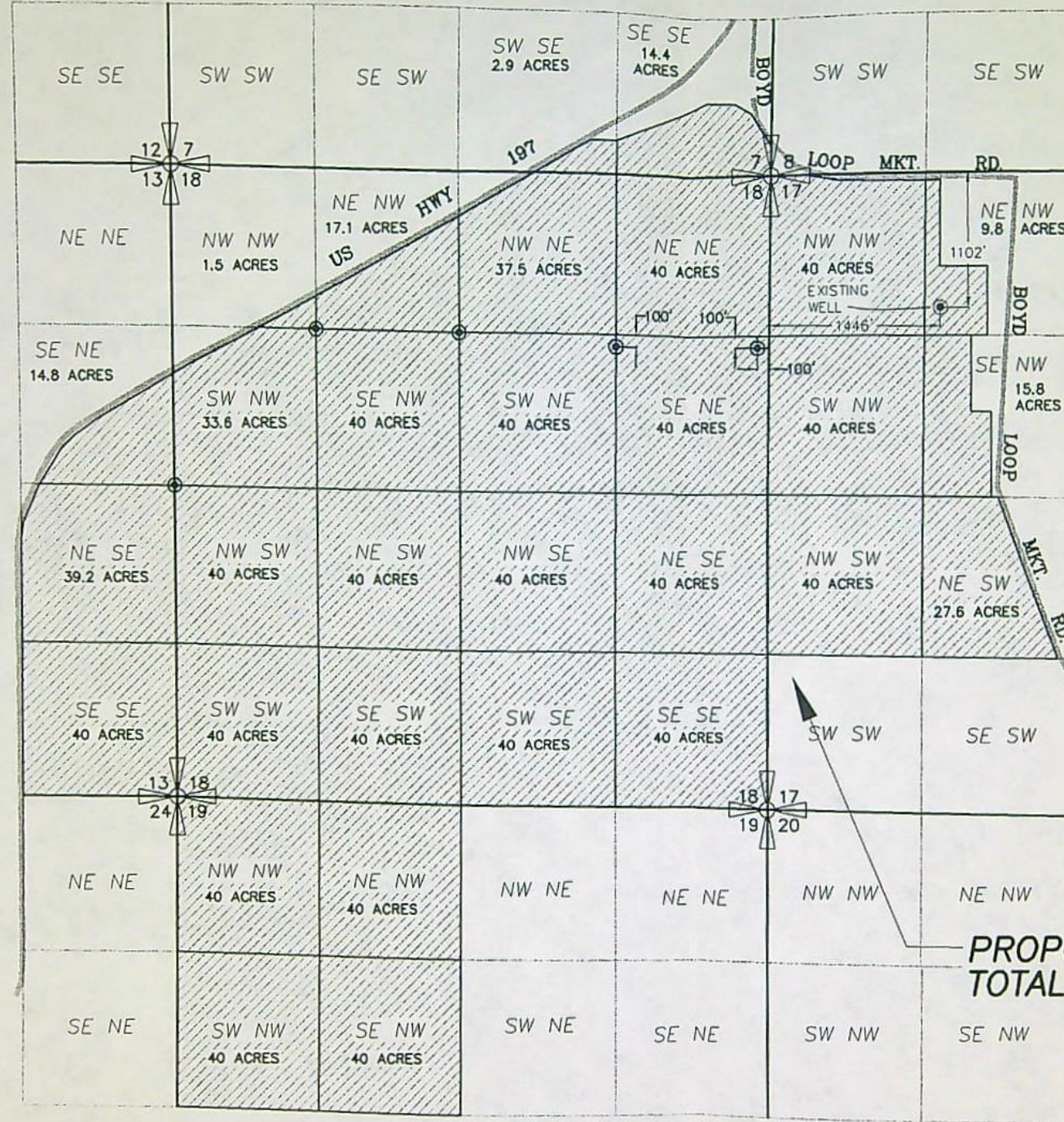
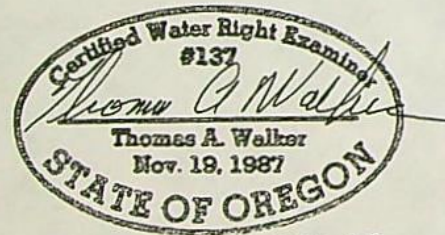
TOWNSHIP 1 SOUTH, RANGE 13 EAST

app no G-16439
Permit no G-15989

RECEIVED

APR 14 2005

WATER RESOURCES DEPT
SALEM OREGON






1 INCH = 1320 FT.

PROPERTY OWNER:
THE MILLER RANCH COMPANY
66359 US HWY 197
DUFUR, OR 97021

APPLICANT:
THE MILLER RANCH COMPANY

REQUEST:
GROUNDWATER APPROPRIATION
FOR PRIMARY IRRIGATION AND
AGRICULTURAL USE

LEGEND:

-  PROPOSED IRRIGATION
-  PROPOSED WELL
-  EXISTING WELL

PROPOSED AREA OF USE
TOTAL AREA = +/- 1014.2 ACRES

NOTE: THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF WATER RIGHTS. THIS MAP IS NOT INTENDED TO PROVIDE DIMENSIONS OR THE LOCATION OF PROPERTY OWNERSHIP LINES.

appno G-16439 APPLICATION MAP FOR IRRIGATION AND AGRICULTURAL USE WATER RIGHTS
TOWNSHIP 1 SOUTH, RANGE 14 EAST

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-16439

Final Order

Hearing and Appeal Rights

Under the provisions of ORS 537.170 and ORS 537.622, the applicant may request a contested case hearing by submitting the information required for a protest under ORS 537.153(6) or ORS 537.621(7) to the Department within 14 days after the date of mailing of this order as shown below. If a contested case hearing is requested, the Department must schedule one. In the contested case hearing, however, only those issues based on the above modifications to the proposed final order may be addressed.

ORS 536.075 allows for additional appeal rights for other than contested case. 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 either 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.

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

Application History

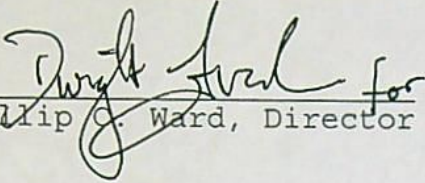
On APRIL 14, 2005, WILLIAM MILLER submitted an application to the Department on behalf of THE MILLER RANCH CO for a water use permit. The Department issued a Proposed Final Order on September 6, 2005. The protest period closed October 21, 2005, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest, but the Department's continuing evaluation reveals that the Proposed Final Order requires modification to clarify that the seal depth pertains to the proposed wells, Wells 2, 3, 4, 5, and 6.

Order

Application G-16439 therefore is approved with the above modifications to the Proposed Final Order, and Permit G-15989 is issued as limited by the conditions set forth therein.

DATED December 16, 2005


Phillip G. Ward, Director

This document was prepared by Jerry Gainey. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me at 503-986-0812.

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 Mike Reynolds at 503-986-0820.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at 503-986-0801.

Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271; Fax: 503-986-0901.

STATE OF OREGON

COUNTY OF WASCO

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

THE MILLER RANCH CO
66359 US HWY 197
DUFUR, OR 97021

(541)467-2274

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

APPLICATION FILE NUMBER: G-16439

SOURCE OF WATER: SIX WELLS IN STARVOUT CREEK BASIN

PURPOSE OR USE: AGRICULTURAL AND IRRIGATION USES ON 1014.2 ACRES

MAXIMUM RATE: 12.678 CUBIC FEET PER SECOND (CFS); BEING 0.558 CFS FROM WELL 1, 2.424 CFS EACH FROM WELL 2, WELL 3, WELL 4, WELL 5, AND WELL 6

PERIOD OF USE: AGRICULTURAL NOVEMBER 1 THROUGH END OF FEBRUARY;
IRRIGATION MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: APRIL 14, 2005

WELL LOCATIONS:

WELL 1: NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 17, T1S, R14E, W.M.; 1102 FEET SOUTH & 1446 FEET EAST FROM NW CORNER, SECTION 17
WELL 2: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 18, T1S, R14E, W.M.; 100 FEET SOUTH & 100 FEET WEST FROM N $\frac{1}{16}$ CORNER, SENE, SECTION 18
WELL 3: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 18, T1S, R14E, W.M.; 100 FEET SOUTH FROM NE $\frac{1}{16}$ CORNER, SECTION 18
WELL 4: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 18, T1S, R14E, W.M.;, C-N $\frac{1}{16}$ CORNER, SECTION 18
WELL 5: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 18, T1S, R14E, W.M.; NW $\frac{1}{16}$ CORNER, SENW, SECTION 18
WELL 6: NW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 18, T1S, R14E, W.M.; W $\frac{1}{4}$ CORNER, SECTION 18

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

Application G-16439 Water Resources Department

PERMIT G-15989

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE ¼ NE ¼ 14.8 ACRES
NE ¼ SE ¼ 39.2 ACRES
SE ¼ SE ¼ 40.0 ACRES

SECTION 13

TOWNSHIP 1 SOUTH, RANGE 13 EAST, W.M.

SW ¼ SE ¼ 2.9 ACRES
SE ¼ SE ¼ 14.4 ACRES

SECTION 7

NE ¼ NW ¼ 9.8 ACRES
NW ¼ NW ¼ 40.0 ACRES
SW ¼ NW ¼ 40.0 ACRES
SE ¼ NW ¼ 15.8 ACRES
NE ¼ SW ¼ 27.6 ACRES
NW ¼ SW ¼ 40.0 ACRES

SECTION 17

NE ¼ NE ¼ 40.0 ACRES
NW ¼ NE ¼ 37.5 ACRES
SW ¼ NE ¼ 40.0 ACRES
SE ¼ NE ¼ 40.0 ACRES
NE ¼ NW ¼ 17.1 ACRES
NW ¼ NW ¼ 1.5 ACRES
SW ¼ NW ¼ 33.6 ACRES
SE ¼ NW ¼ 40.0 ACRES
NE ¼ SW ¼ 40.0 ACRES
NW ¼ SW ¼ 40.0 ACRES
SW ¼ SW ¼ 40.0 ACRES
SE ¼ SW ¼ 40.0 ACRES
NE ¼ SE ¼ 40.0 ACRES
NW ¼ SE ¼ 40.0 ACRES
SW ¼ SE ¼ 40.0 ACRES
SE ¼ SE ¼ 40.0 ACRES

SECTION 18

NE ¼ NW ¼ 40.0 ACRES
NW ¼ NW ¼ 40.0 ACRES
SW ¼ NW ¼ 40.0 ACRES
SE ¼ NW ¼ 40.0 ACRES

SECTION 19

TOWNSHIP 1 SOUTH, RANGE 14 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the water user shall install a meter or other suitable measuring device as approved by the Director. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the permit.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes PlaceInitial and Annual Measurements

The Department requires the water user to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has BegunSeven Consecutive Annual Measurements

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

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer,

licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

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

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

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

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Wells 2, 3, 4, 5, and 6 shall be continuously cased and continuously sealed to a minimum depth of 550 feet below land surface. The well may not be completed in such a manner that it allows ground water to be developed from shallower water-bearing zones. If during well construction, it becomes apparent that the well can be constructed to eliminate interference with nearby shallow wells or hydraulically connected streams in a manner other than specified in this permit, the water user can contact the Department Hydrogeologist for this permit or the Ground Water/Hydrology Section Manager to request approval of such construction. The request shall be in writing, and shall include a rough well log and a proposed construction design for approval by the Department. The request can be approved only if it is received and

reviewed prior to placement of any permanent casing and sealing material. If the well is constructed first and then the request made, requested modification will not be approved. The new well depth and construction specifications will be incorporated into any certificate issued for this permit.

STANDARD CONDITIONS

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.

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

The 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.

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

Prior to receiving a certificate of water right, the permit holder shall submit 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.

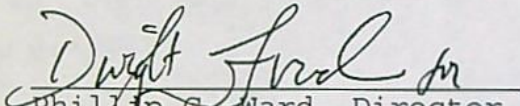
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

Completion of construction and complete application of the water to the use shall be made on or before October 1, 2010. If the water is not completely applied before this date, and the water user wishes to continue development under the permit, the water user must submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued December 16, 2005


Phillip C. Ward, Director
Water Resources Department

Mailing List for FO Copies

Application #G-16439

Mailing List Print Date: October 27, 2005

Original mailed to(when permit issued, include copy of permit map):

Applicant: THE MILLER RANCH CO, ATTN: WILLIAM MILLER, 66359 US HWY 197
DUFUR, OR 97021

For FO w/Permit - Copies sent to:

1. WRD - File # G-16439
2. Water Availability: Ken Stahr

Copies Mailed
By: <u>DIS</u>
(SUPPORT STAFF)
on: <u>11/16/05</u>
(DATE)

For FO w/ Permit - FO and Map Copies sent to (Remember to reduce copy margins):

3. WRD - Watermaster # 3
4. WRD - Regional Manager: NCR

Copies sent to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

5. Thomas A. Walker, CWRE #137

Affected Landowners (include "Notice of Proposed Final Order--Affected Landowner"):

CASEWORKER : gaineyjw-

FO CHECKLIST

Application #: G-16439 Applicant: THE MILLER RANCH CO PFO week: 528 FO week: 483

- Has applicant name and/or address changed, or has the file been assigned? Y / N
If new: _____
- Were comments received? If so, from whom and when? yes - T. Walker - See Ltr 9/22/05
Respond to significant comments, issues, or disputes related to the proposed use of water
- Verify names and mailing addresses of all commentors, affected landowners and those who paid \$10 fee on PFO cc: list.
- Have affected landowner(s) been notified? Y / N / NA If not, do not issue FO. Send a letter to affected landowner(s).
- Has ODFW asked for screening condition and rate ≤ 0.5 CFS? Y / N / NA If yes, include fish screening form.
- Are requested GW conditions included in permit? Y / N / NA If not, add condition(s) _____
- Do PFO conclusions require modification due to typos or errors? Y / N What and why? Seal depth only to proposed wells - not existing well.

Fees

	<u>Base Fee</u>	<u>Water Amount (Q)</u>	
	\$100 / \$150	1 st CFS/AF	<u>200</u>
<u>13 CFS</u>	\$250 / \$300	<u>12</u> Addl @ <u>100</u>	+ <u>1200</u>
	<u>300</u>	+	<u>1400</u>
	(base)		(Q) = <u>1700</u>
			(total exam fee)

EXAM FEE REQUIRED	<u>1700</u>	RECORDING FEE REQUIRED	<u>\$175 / \$250</u>
EXAM FEE PAID	<u>- 1700</u>	RECORDING FEE PAID	<u>- 250</u>
STILL OWED	<u>0</u>	STILL OWED	<u>0</u>

FO type DENIAL FO w/ Permit # G-15589 FO w/o permit lacks fees
 lacks easement
 lacks approved dam plans & specs

Name: Jerry Gainey Date: 10/27/2005 Peer Reviewer: _____

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.

PFO CHECKLIST

Application #: G-16439 Applicant: WILLIAM MILLER THE MILLER RANCH CO PFO week: 528

- Shortcomings preventing PFO? Y / N Should process continue? Y / N
- IR Date 7/15/05 Public Notice Date 7/19/05 Comments received? Y / N
- Was additional information requested in the IR? Y / N If so, do we now have enough info to do the PFO? Y / N
- Was the application filed after 10/23/99? Y / N (If not, add A date requirement)
- B.O.R. or Doug Co. project Y / N Contract in file? N contract # _____
- IR identifies as DEQ 303d? Y / N / NA Comments received? Y / N _____
- Is second gw review necessary? Y / N / NA Complete? Y / N
- Water Availability OK / REDONE / NA _____
- Have conflicts been addressed? Y / N / NA _____
- Changes from IR determinations _____

Copy to _____

<input checked="" type="checkbox"/> Fees	<u>Base Fee</u>	<u>Water Amount (Q)</u>	
	\$100 / \$150	1 st CFS/AP	<u>200</u>
	\$250 / \$300	<u>12</u> Addl @ <u>100</u>	+ <u>1200</u>
	<u>300</u>		+ <u>1400</u> = <u>1700</u>
	(base)	(Q)	(total exam fee)

12.68

EXAM FEE REQUIRED	<u>1700</u>	RECORDING FEE REQUIRED	<u>\$175+\$250</u>
EXAM FEE PAID	<u>-1700</u>	RECORDING FEE PAID	<u>-0</u>
STILL OWED	<u>0</u>	STILL OWED	<u>250</u>

Name: Jerry Gainey Date: 8/23/2005 Peer Reviewer: Kerry

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.

IR CHECKLIST

Application #: G-16439 Applicant: WILLIAM MILLER THE MILLER RANCH CO

Use(s): AG IRRIGATION USE ON 1014.2 ACRES Priority Date: April 14, 2005

If quasi/muni, reviewed by Bill Fujii Y / N / NA

Is the application complete? Y / N

Prohibited by ORS 538? Y / (N) If so, do not do an IR; return app & fees to applicant.

GW Review surface classification triggered Is there PSI? stream name _____

- will not will likely be available ...without injury... and/or within the capacity of the resource
- will, if properly conditioned, avoid injury to existing ground water rights or to the ground water resource
- Well located in GWLA or CGWA or T1N R3E Sec 20, 21, 28, 29? Y / N (If Y, include basin map noting POD)

WM Dist (NWR - 1 2 16 18 20) (NCR - (3) 4 5 21) (ER - 6 8 9 10) (SCR - 11 12 17) (SWR - 13 14 15 19)
swr cc: dave jarrett

DIVISION 33 Y / N / (NA) Above Bonn If above, not allowed April 15 - September 30?
(If Y, attach basin map w/ pod) Below Bonn Statewide

SW Availability (NA) 80% live 50% storage _____ WID: _____

- wab in Lost River Basin? If so, use 7-13-04 table for watershed ID # 31420404.
- wab in Chehalem, Champoeg, Mission or Case Creeks? If so, use Dwight's 12/4/2004 memo.

Is there a conflict? (Y) / N / NA 2.0 ACRES W/IN Sec 17, NENW - Full "Q"

- If conflict, are rights from a different source?
- If supplemental, check for primary right on same land
- will this be making up a deficiency in rate?

Allowed under Basin Program (Y) / N Limitations? Y / (N) OAR 690 - 504

303D Y / (N) / NA IN GEOGRAPHIC UMATILLA Y / (N) BOTTLED WATER Y / (N)
(cc: DEQ Regional Manager) (cc: CTUIR) (cc: DOA Food Safety Division)

Rate 180 Rate Max 12.6775 CFS Req 12.68 CFS

Duty 3.0 AF Season Allowed YR - AG/IR Req YR

Land use approval (OK) needs approval county notified NA

B.O.R. or Doug Co. project Y / (N) contract # _____

Does the applicant intend to begin use within 5 years? (Y) / N
(If not, bring to supervisor's attention.)

Statement allowing someone to act as authorized agent? (Y) / N / NA

Conditions: 7C; 7K (550 Feet)

Small ≤ 0.1 CFS, ≤ 9.2 AF, Medium > 0.1 or < 1.5 CFS, > 9.2 or < 100 AF, Large ≥ 1.5 CFS, ≥ 100 AF
use at least Medium for: human consumption (SWW), siltcoos lake, livestock SWW, Galesville/BOR
uses that require Large: GW condition 7I, temp control (NU), gov. entity and tennile lake

Application #: G-16439 Applicant: WILLIAM MILLER THE MILLER RANCH CO

Is the stream **withdrawn**? Y / N / (NA) season allowed _____

Basin Maps have been checked Y (N) **River Mile** _____

SWW ABOVE WITHIN (NO) (if so, notify state parks & record app # in book) Name _____

Is the use located within **Oregon Streamflow Restoration Area**? Y / N / (NA)

Letter format (Good) Limited Bad Bad w/ HC Opportunity

If **Initial Review** is **negative**, did you notify the applicant? Y / N / NA

CWRE, representative, etc. to notify? (Y) / N Thomas A. Walker, CWRE # 137

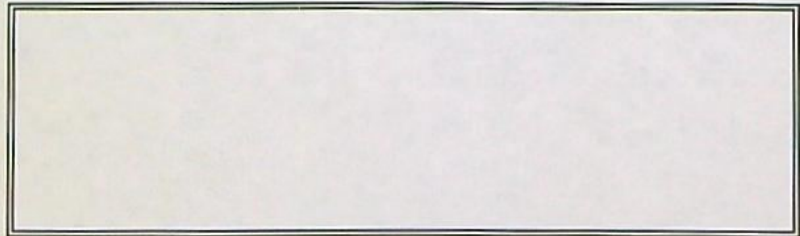
Addn'l info req'd? Y / N _____
(If Y, send certified)

Attachments included? Y / N / NA _____

Fees

13 cfs

<u>Base Fee</u>	<u>Water Amount (Q)</u>		
\$100 / \$150	1 st CFS/AF	<u>200</u>	
\$250 / \$300	<u>12</u> Addl CFS/AF @ <u>100</u>	+ <u>1200</u>	
<u>300</u>		<u>1400</u>	= <u>1700</u>
(base)		(Q)	(total exam fee)



EXAM FEE REQUIRED	<u>1700</u>
EXAM FEE PAID	<u>1700</u>
STILL OWED	<u>0</u>

Name: Jerry Gainey Date: 7/15/05 Peer Reviewer: _____

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690-504-0000

Classifications

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

690-500-0020

Definitions

Unless otherwise defined in a basin program, the following definitions apply in OAR Chapter 690, Divisions 501, 504 - 512, and 515 - 520 to any classification adopted prior to January 1, 1993:

(4) "Irrigation Use" means the use of water for agricultural water use, cranberry use, irrigation, nursery operations use, or temperature control as defined in OAR 690-011-0010.

690-300-0010

Definitions

The following definitions apply in OAR Chapter 690, Divisions 15, 310, 320, 330, 340, and 350 and to any permits, certificates or transfers issued under these rules:

(2) "Agricultural Water Use" means the use of water related to the production of agricultural products. These uses include, but are not limited to, construction, operation and maintenance of agricultural facilities and livestock sanitation at farms, ranches, dairies and nurseries. Examples of these uses include, but are not limited to, dust control, temperature control, animal waste management, barn or farm sanitation, dairy operation, and fire control. Such use shall not include irrigation.

Analysis for Application: G16439

Location: 1S-13E-13-SENE

Uses: IR 14.8 P

Basins

BASIN_NUM	BASIN_NAME
4	Hood

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	WMASTER	ADDRESS	CITY	ZIP	PHONE	EXT	FAX
3	NC	Robert Wood	Courthouse Annex B, Rm 218, 421 E 7th St	The Dalles	97058	541-298-4110		541-298-2459

Records Found: 1

WAB

WS_ID	BASIN	LINK1
30410541	4	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Wasco	41065

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 1S-13E-13-NESE

Uses: IR 39.2 P

Basins

BASIN_NUM	BASIN_NAME
4	Hood

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	WMASTER	ADDRESS	CITY	ZIP	PHONE	EXT	FAX
3	NC	Robert Wood	Courthouse Annex B, Rm 218, 421 E 7th St	The Dalles	97058	541-298-4110		541-298-2459

Records Found: 1

WAB

WS_ID	BASIN	LINK1
30410541	4	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Wasco	41065

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33

In a Div33 area

Records Found: 1

Rule 4D

RULE4D

In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 1S-13E-13-SESE

Uses: IR 40 P

Basins

BASIN_NUM	BASIN_NAME
4	Hood

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	WMASTER	ADDRESS	CITY	ZIP	PHONE	EXT	FAX
3	NC	Robert Wood	Courthouse Annex B, Rm 218, 421 E 7th St	The Dalles	97058	541-298-4110		541-298-2459

Records Found: 1

WAB

WS_ID	BASIN	LINK1
30410541	4	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Wasco	41065

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33

In a Div33 area

Records Found: 1

Rule 4D

RULE4D

In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 1S-14E-7-SESE

Uses: IR 14.4 P

Basins

BASIN_NUM	BASIN_NAME
4	Hood

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	WMASTER	ADDRESS	CITY	ZIP	PHONE	EXT	FAX
3	NC	Robert Wood	Courthouse Annex B, Rm 218, 421 E 7th St	The Dalles	97058	541-298-4110		541-298-2459

Records Found: 1

WAB

WS_ID	BASIN	LINK1
30410541	4	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Wasco	41065

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 1S-14E-7-SWSE

Uses: IR 2.9 P

Basins

BASIN_NUM	BASIN_NAME
4	Hood

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	WMASTER	ADDRESS	CITY	ZIP	PHONE	EXT	FAX
3	NC	Robert Wood	Courthouse Annex B, Rm 218, 421 E 7th St	The Dalles	97058	541-298-4110		541-298-2459

Records Found: 1

WAB

WS_ID	BASIN	LINK1
30410541	4	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Wasco	41065

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 1S-14E-17-NENW

Uses: IR 9.8 P

Basins

BASIN_NUM	BASIN_NAME
4	Hood

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	WMASTER	ADDRESS	CITY	ZIP	PHONE	EXT	FAX
3	NC	Robert Wood	Courthouse Annex B, Rm 218, 421 E 7th St	The Dalles	97058	541-298-4110		541-298-2459

Records Found: 1

WAB

WS_ID	BASIN	LINK1
30410541	4	Water Availability: <u>50%</u> <u>80%</u>

Records Found: 1

County

COUNTY	FIPS
Wasco	41065

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 1S-14E-17-NWNW

Uses: IR 40 P

Basins

BASIN_NUM	BASIN_NAME
4	Hood

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	WMASTER	ADDRESS	CITY	ZIP	PHONE	EXT	FAX
3	NC	Robert Wood	Courthouse Annex B, Rm 218, 421 E 7th St	The Dalles	97058	541-298-4110		541-298-2459

Records Found: 1

WAB

WS_ID	BASIN	LINK1
30410541	4	Water Availability: <u>50%</u> <u>80%</u>

Records Found: 1

County

COUNTY	FIPS
Wasco	41065

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 1S-14E-17-SENW

Uses: IR 15.8 P

Basins

BASIN_NUM	BASIN_NAME
4	Hood

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	WMASTER	ADDRESS	CITY	ZIP	PHONE	EXT	FAX
3	NC	Robert Wood	Courthouse Annex B, Rm 218, 421 E 7th St	The Dalles	97058	541-298-4110		541-298-2459

Records Found: 1

WAB

WS_ID	BASIN	LINK1
30410541	4	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Wasco	41065

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 1S-14E-17-SWNW

Uses: IR 40 P

Basins

BASIN_NUM	BASIN_NAME
4	Hood

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	WMASTER	ADDRESS	CITY	ZIP	PHONE	EXT	FAX
3	NC	Robert Wood	Courthouse Annex B, Rm 218, 421 E 7th St	The Dalles	97058	541-298-4110		541-298-2459

Records Found: 1

WAB

WS_ID	BASIN	LINK1
30410541	4	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Wasco	41065

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 1S-14E-17-NESW

Uses: IR 27.6 P

Basins

BASIN_NUM	BASIN_NAME
4	Hood

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	WMASTER	ADDRESS	CITY	ZIP	PHONE	EXT	FAX
3	NC	Robert Wood	Courthouse Annex B, Rm 218, 421 E 7th St	The Dalles	97058	541-298-4110		541-298-2459

Records Found: 1

WAB

WS_ID	BASIN	LINK1
30410548	4	Water Availability: <u>50%</u> <u>80%</u>
30410541	4	Water Availability: <u>50%</u> <u>80%</u>

Records Found: 2

County

COUNTY	FIPS
Wasco	41065

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams

WATERBODY	RM	PARAMETER	SEASON	BASIN	BASINCODE	FKSTREAMLL	RM1	RM2
Fifteenmile Creek	0 to 32.2	Temperature	Summer	MIDDLE COLUMBIA-HOOD	17070105	1211264456185	0	169979.7
Fifteenmile Creek	0 to 32.2	Sedimentation		MIDDLE COLUMBIA-HOOD	17070105	1211264456185	0	169979.7
Fifteenmile Creek	0 to 32.2	Temperature	September 15	MIDDLE COLUMBIA-HOOD	17070105	1211264456185	0	169979.7

Records Found: 3

303D Lakes Records Found: 0

Location: 1S-14E-17-NWSW

Uses: IR 40 P

Basins

BASIN_NUM	BASIN_NAME
4	Hood

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	WMASTER	ADDRESS	CITY	ZIP	PHONE	EXT	FAX
3	NC	Robert Wood	Courthouse Annex B, Rm 218, 421 E 7th St	The Dalles	97058	541-298-4110		541-298-2459

Records Found: 1

WAB

WS_ID	BASIN	LINK1
30410548	4	Water Availability: 50% 80%
30410541	4	Water Availability: 50% 80%

Records Found: 2

County

COUNTY	FIPS
Wasco	41065

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 1S-14E-18-NENE

Uses: IR 40 P

Basins

BASIN_NUM	BASIN_NAME
4	Hood

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	WMASTER	ADDRESS	CITY	ZIP	PHONE	EXT	FAX
3	NC	Robert Wood	Courthouse Annex B, Rm 218, 421 E 7th St	The Dalles	97058	541-298-4110		541-298-2459

Records Found: 1

WAB

WS_ID	BASIN	LINK1
30410541	4	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Wasco	41065

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33

In a Div33 area

Records Found: 1

Rule 4D

RULE4D

In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 1S-14E-18-NWNE

Uses: IR 37.5 P

Basins

BASIN_NUM	BASIN_NAME
4	Hood

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	WMASTER	ADDRESS	CITY	ZIP	PHONE	EXT	FAX
3	NC	Robert Wood	Courthouse Annex B, Rm 218, 421 E 7th St	The Dalles	97058	541-298-4110		541-298-2459

Records Found: 1

WAB

WS_ID	BASIN	LINK1
30410541	4	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Wasco	41065

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

Active Server Pages error 'ASP 0113'

Script timed out

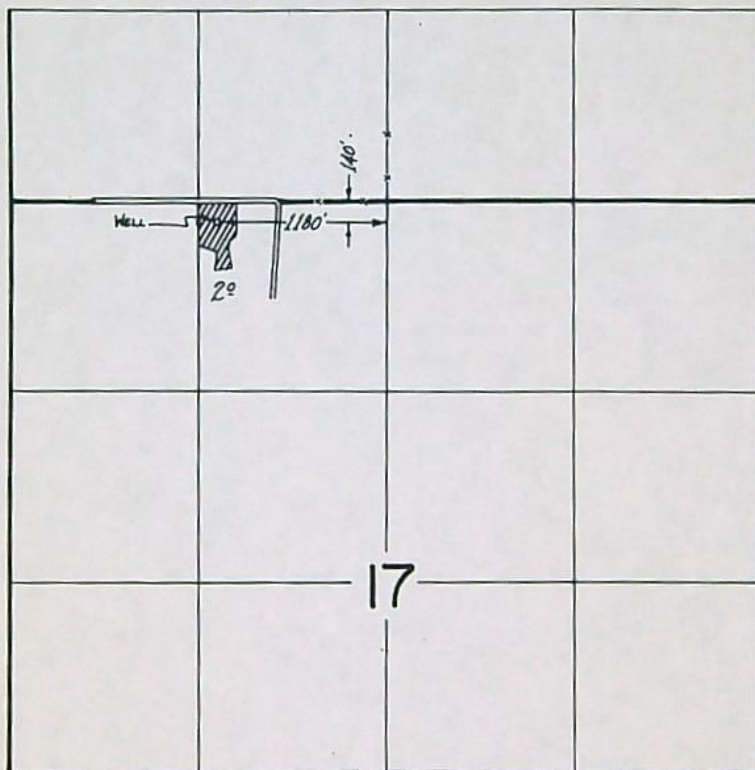
/apps/wr/wr_mapping/wr_app_analyze.asp

The maximum amount of time for a script to execute was exceeded. You can change this limit by specifying a new value for the property Server.ScriptTimeout or by changing the value in the IIS administration tools.

DIV33

T.1S.,R.14E.,WM.

Conflict



FINAL PROOF SURVEY
UNDER

Application No. G-8453 Permit No. G-7598
IN NAME OF

LEO & ELLEN SCHINDLER

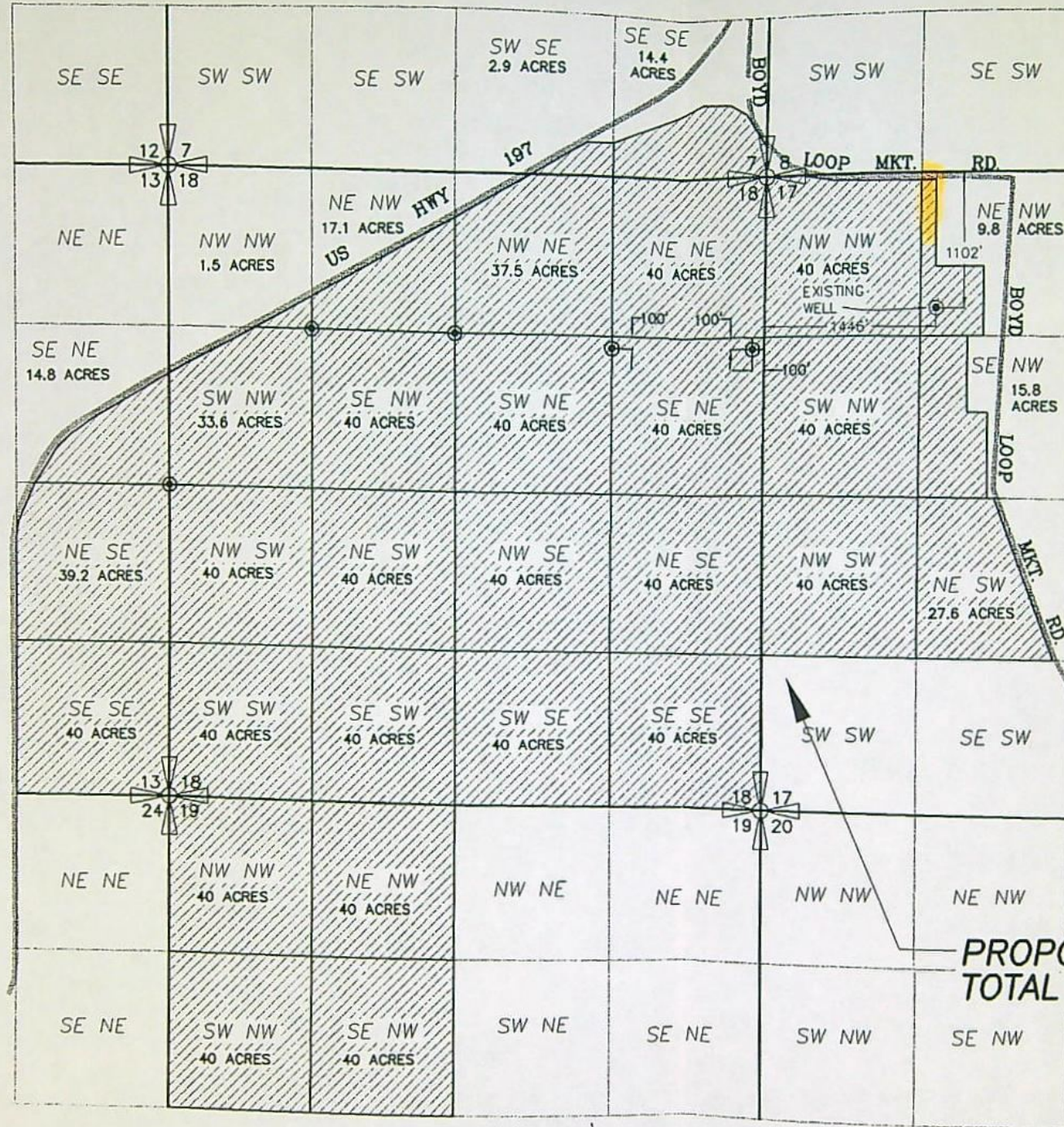
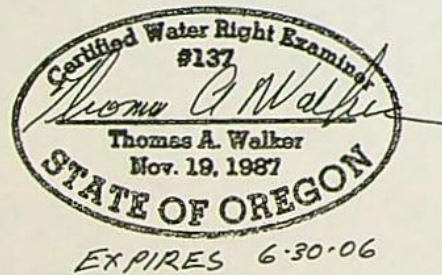
Surveyed April 27, 1978, by Mr. Applegate

Work Copy

2 AC - C-48765

RECEIVED

APR 14 2005
WATER RESOURCES DEPT
SALEM OREGON






1 INCH = 1320 FT.

PROPERTY OWNER:
THE MILLER RANCH COMPANY
66359 US HWY 197
DUFUR, OR 97021

APPLICANT:
THE MILLER RANCH COMPANY

REQUEST:
GROUNDWATER APPROPRIATION
FOR PRIMARY IRRIGATION AND
AGRICULTURAL USE

LEGEND:

-  PROPOSED IRRIGATION
-  PROPOSED WELL
-  EXISTING WELL

PROPOSED AREA OF USE
TOTAL AREA = +/- 1014.2 ACRES

NOTE: THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF WATER RIGHTS. THIS MAP IS NOT INTENDED TO PROVIDE DIMENSIONS OR THE LOCATION OF PROPERTY OWNERSHIP LINES.

appno G-16439

APPLICATION MAP FOR IRRIGATION AND AGRICULTURAL USE WATER RIGHTS TOWNSHIP 1 SOUTH, RANGE 14 EAST

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

This Is to Certify, That LEO & ELLEN SCHINDLER

of Rt. 1, Box 102, Dufur, State of Oregon, 97021, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of a well

a tributary of Fifteenmile Creek for the purpose of irrigation of 2.0 acres

under Permit No. G-7598 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from September 20, 1977 that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.03 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 17, T. 1 S., R. 14 E., W. M., 140 feet South and 1180 feet West from the N $\frac{1}{4}$ Corner, Section 17

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year,

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

2.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 17

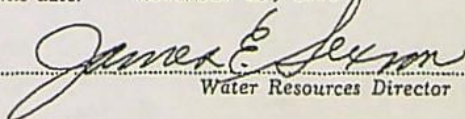
T. 1 S., R. 14 E., W. M.

In processing the application towards issuance of the permit, it appears that a clerical error was inadvertently made in limiting the duty of water to not exceed 1/80th of one cubic foot per second per acre and 2 $\frac{1}{2}$ acre feet per acre. In the issuance of this certificate, the duty of water has been raised to 1/80th cubic foot per second per acre and 3 acre feet per acre for each acre irrigated during the irrigation season of each year, in keeping with the customary policy and determination of this office of the proper maximum limits.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date. November 29, 1979


Water Resources Director

Find Location

Basin

Township
 Township: S
 Range: W
 Section: **SEARCH**

Find Water Right Application Number

G **SEARCH**

Permit Number
 G **SEARCH**

Cert Number
 SEARCH

Claim Number
 GR **SEARCH**

Tools

-
-
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-

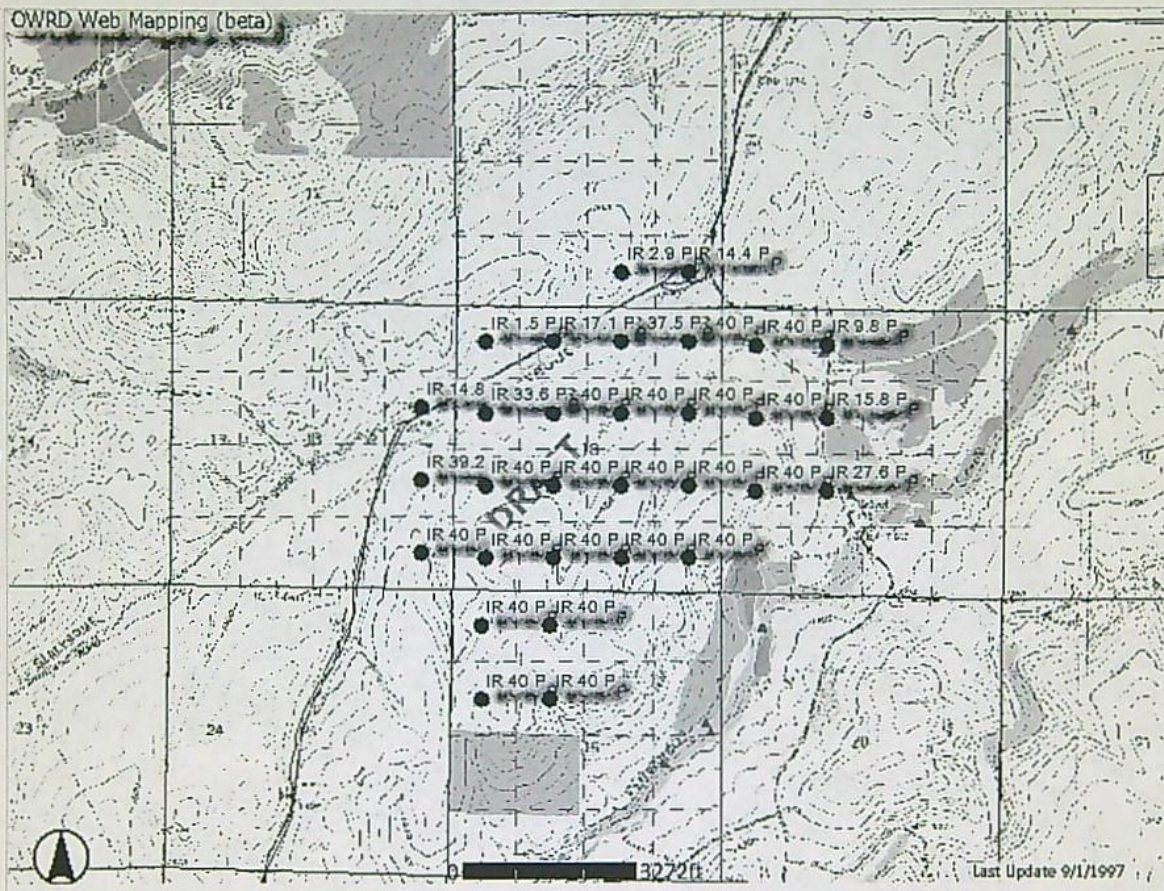


Table of Contents

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App#: G16439	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Township	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WAB	<input type="checkbox"/>	<input type="checkbox"/>
Sections	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Point of Diversion	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Place of Use	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cities	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Major Roads	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Roads	<input type="checkbox"/>	<input type="checkbox"/>
Groundwater Restricted	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Basins	<input type="checkbox"/>	<input type="checkbox"/>
Watermaster Districts	<input type="checkbox"/>	<input type="checkbox"/>
Counties	<input type="checkbox"/>	<input type="checkbox"/>
303D Streams	<input type="checkbox"/>	<input type="checkbox"/>
303D Lakes	<input type="checkbox"/>	<input type="checkbox"/>
Quad Maps	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Aerial Photos	<input type="checkbox"/>	<input type="checkbox"/>
Topography	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Refresh

Manage TOC

Platcard Report

Township 1.0S Range 13.0E Section 13

	<u>App#</u> Priority	<u>Permit/ Certificate</u>	<u>Claim/ Decree</u>	<u>Status dlc/lot</u>	NE				NW				SW				SE				Govt Lot	DLC	
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
i	G16439 04/14/2005	-						14.8 IR										39.2 IR			40.0 IR		
i	S43668 05/29/1967	<u>S32479</u> <u>44916</u>		CN											MU CN								

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Platcard Report

Township 1.0S Range 14.0E Section 7

	App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE				NW				SW				SE				Govt Lot	DLC				
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE						
i	G16439 04/14/2005	-																					2.9 IR	14.4 IR		

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Platcard Report

Township 1.0S Range 14.0E Section 17

App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE				NW				SW				SE				Govt Lot	DLC
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
i - 12/31/1896	<u>5654</u>	Fifteen Mile Creek	CN											11.7 IR CN	1.2 IR CN						
12/31/1900			CN												2.1 IR CN			0.2 IR CN			
12/31/1900			CN												LV CN			LV CN			
i - 12/31/1876	<u>5658</u>	Fifteen Mile Creek	CN												2.0 I* CN						
12/31/1876			CN												PW CN						
i - 12/31/1878	<u>5668</u>	Fifteen Mile Creek																4.0 IR			
i - 12/31/1896	<u>55642</u>	Fifteen Mile Creek	xfr#: T4112											16.0 IR	1.2 IR						
12/31/1900			xfr#: T4112											2.3 IR							
12/31/1900			xfr#: T4112											LV							
i G5543 06/08/1971	<u>G5423</u>		CN							2.0 IR CN											

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Platcard Report

Township 1.0S Range 14.0E Section 17

	App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE				NW				SW				SE				Govt Lot	DLC	
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
i	G8428 09/06/1977	<u>G7733</u> -		CN	28.6 IR CN	37.6 IR CN	33.2 IR CN	13.2 IR CN	16.6 IR CN				9.2 IR CN	12.0 IR CN			0.1 IR CN	2.5 IR CN	24.6 IR CN				
	09/06/1977			CN				4.6 IS (s) CN										4.4 IS (s) CN					
i	G8453 09/20/1977	<u>G7598</u> <u>48765</u>							2.0 IR														
i	G8911 08/03/1978	<u>G8295</u> <u>55639</u>															1.4 IR	10.6 IR					
i	G10640 02/03/1982	<u>G9755</u> <u>62499</u>			17.6 IR	9.1 IR	23.2 IR	4.5 IR	0.4 IR				9.1 IR	10.7 IR					4.5 IR				
i	G10890 03/02/1983	<u>G10041</u> <u>65779</u>														4.1 IR							
	03/02/1983															13.4 IS (s)							
i	G12099 05/07/1990	<u>G11071</u> <u>68473</u>			12.9 IR	25.9 IR			11.5 IR														
i	G16439 04/14/2005	-							9.8 IR	40.0 IR	40.0 IR	15.8 IR	27.6 IR	40.0 IR									
i	S43159 12/27/1966	<u>S32239</u> <u>35405</u>					4.6 IR											4.4 IR					

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Platcard Report

Township 1.0S Range 14.0E Section 17

	<u>App#</u> Priority	<u>Permit/ Certificate</u>	<u>Claim/ Decree</u>	Status dlc/lot	NE				NW				SW				SE				Govt Lot	DLC	
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
i	S70108 10/27/1989	S50845 72338							2.92 IR														

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Platcard Report

Township 1.0S Range 14.0E Section 18

	<u>App#</u> Priority	<u>Permit/ Certificate</u>	<u>Claim/ Decree</u>	Status dlc/lot	NE				NW				SW				SE				Govt Lot	DLC
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
i	G10890 03/02/1983	<u>G10041</u> <u>65779</u>																			0.2 IR	
i	G16439 04/14/2005	-			40.0 IR	37.5 IR	40.0 IR	40.0 IR	17.1 IR	1.5 IR	33.6 IR	40.0 IR	40.0 IR	40.0 IR	40.0 IR	40.0 IR	40.0 IR	40.0 IR	40.0 IR	40.0 IR		

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Run Time: 0 seconds

Platcard Report

Township 1.0S Range 14.0E Section 19

App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE				NW				SW				SE				Govt Lot	DLC
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
i - 12/31/1873	5670	Fifteen Mile Creek																	2.8 IR		
i - 12/31/1873	5671	Fifteen Mile Creek																	1.5 IR		
i G8440 09/09/1977	G7869 55632													19.6 IR	5.0 IR						
i G9193 04/05/1979	G8673 55633													19.6 IS (s)	5.0 IS (s)						
i G9476 11/21/1979	G8835 55634														0.9 IS (s)						
i G10018 11/13/1980	G9552 55635													19.6 IS (s)	5.0 IS (s)						
i G10890 03/02/1983	G10041 65779			7.8 IR			19.6 IR														
i G11901 03/24/1989	G11061 -											40.0 IR	38.18 IR	10.8 IR					11.0 IR		
i G14328 06/12/1996	G13258 -						FW														
06/12/1996							1.3 IR														

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Platcard Report

Township 1.0S Range 14.0E Section 19

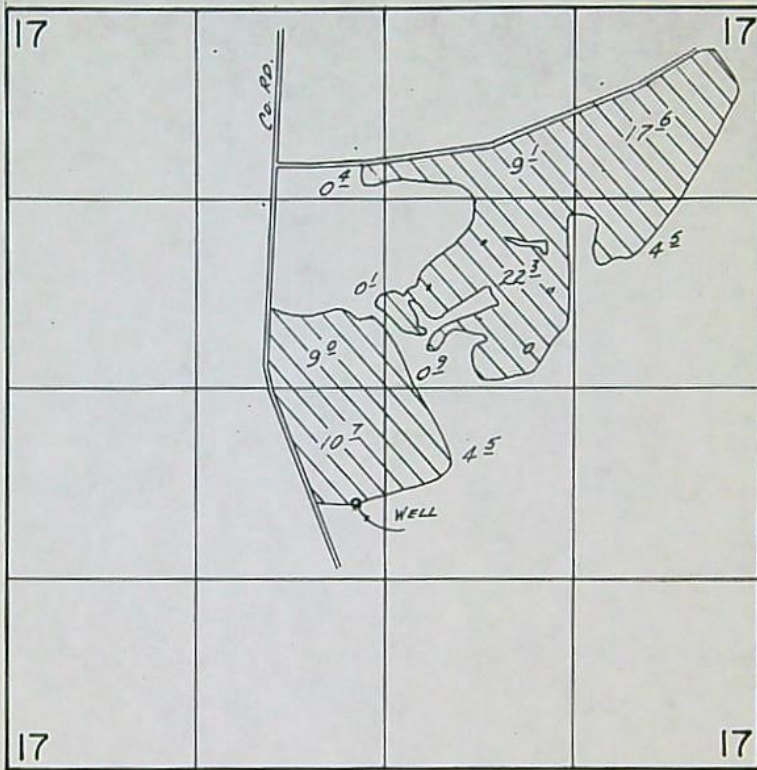
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i	G14328 06/12/1996	<u>G13258</u> -																					
i	G16439 04/14/2005	-							40.0 IR	40.0 IR	40.0 IR	40.0 IR											
i	R75500 01/01/1993	<u>69611</u>		CN																			
i	R75500 01/01/1993	<u>73714</u>																					
	01/01/1993																						
i	R80834 01/12/1996	<u>R11941</u> <u>80314</u>																					
	01/12/1996																						
	01/12/1996																						
i	S59516 11/21/1979	<u>S44816</u> <u>55631</u>																					
																	19.6 IS (s)	5.0 IS (s)					

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Run Time: 1 seconds

T. 1 S., R. 14 E., W. M.



WELL LOC.: 1850' N. & 2440' E. FROM SW COR. SEC. 17.

SCALE: 1" = 1320'

FINAL PROOF SURVEY UNDER

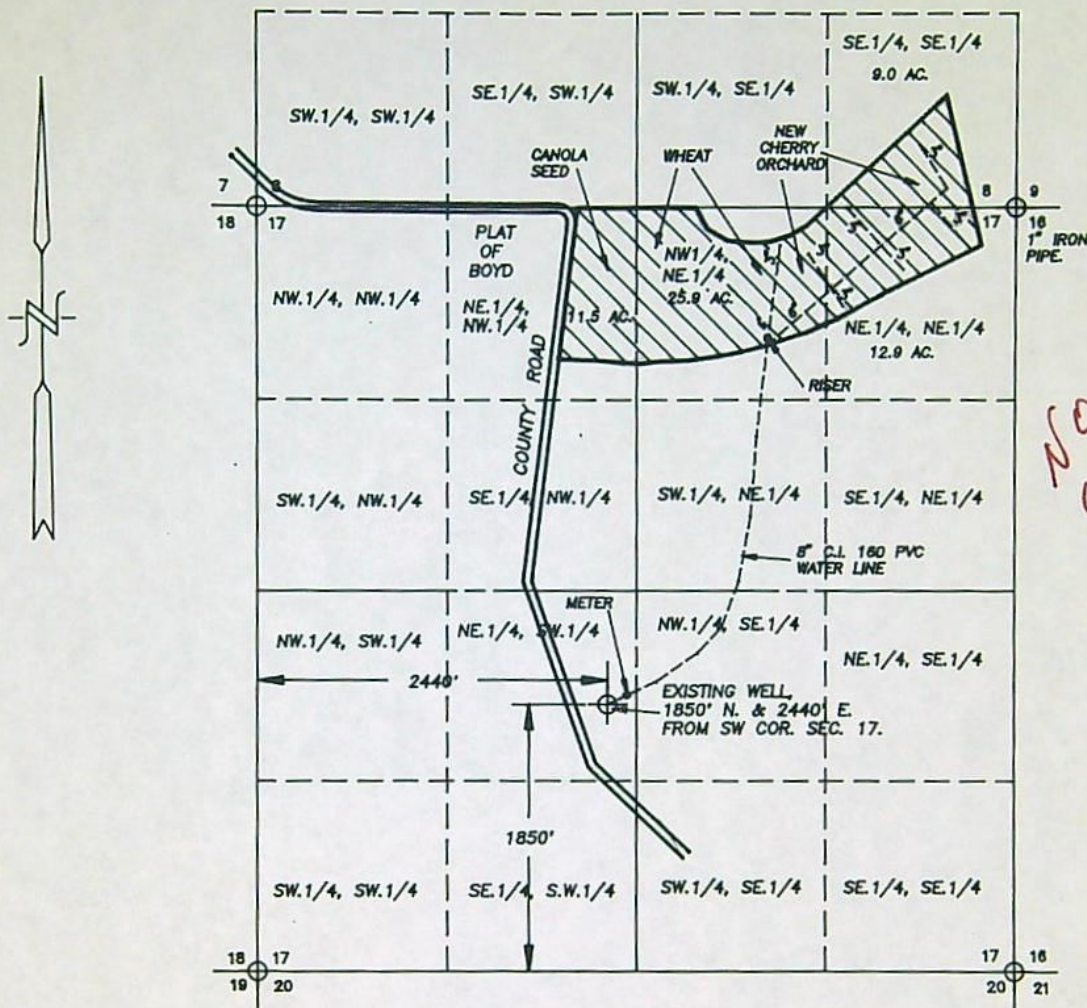
Application No. G-10640 Permit No. G-9755.....
IN NAME OF

.....WILLIAM L. BOLTON.....

Surveyed Aug. 11, 1987, by V.L. CHURCH.....

*NO
CONFLICT*

SEC's. 8 & 17, TWP. 1 S. RANGE 14 E. W.M.
 WASCO COUNTY, OREGON



No Conflict

FINAL PROOF SURVEY

SCALE: 1" = 1320'

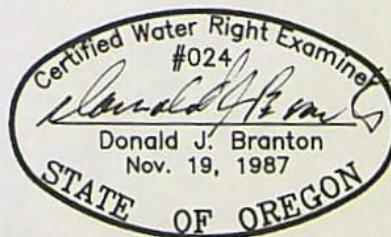
APPLICATION No. G-12099

PERMIT No. G-11071

IN THE NAME OF:
DANIEL L. BOLTON

DATE: SEPTEMBER 16, 1992

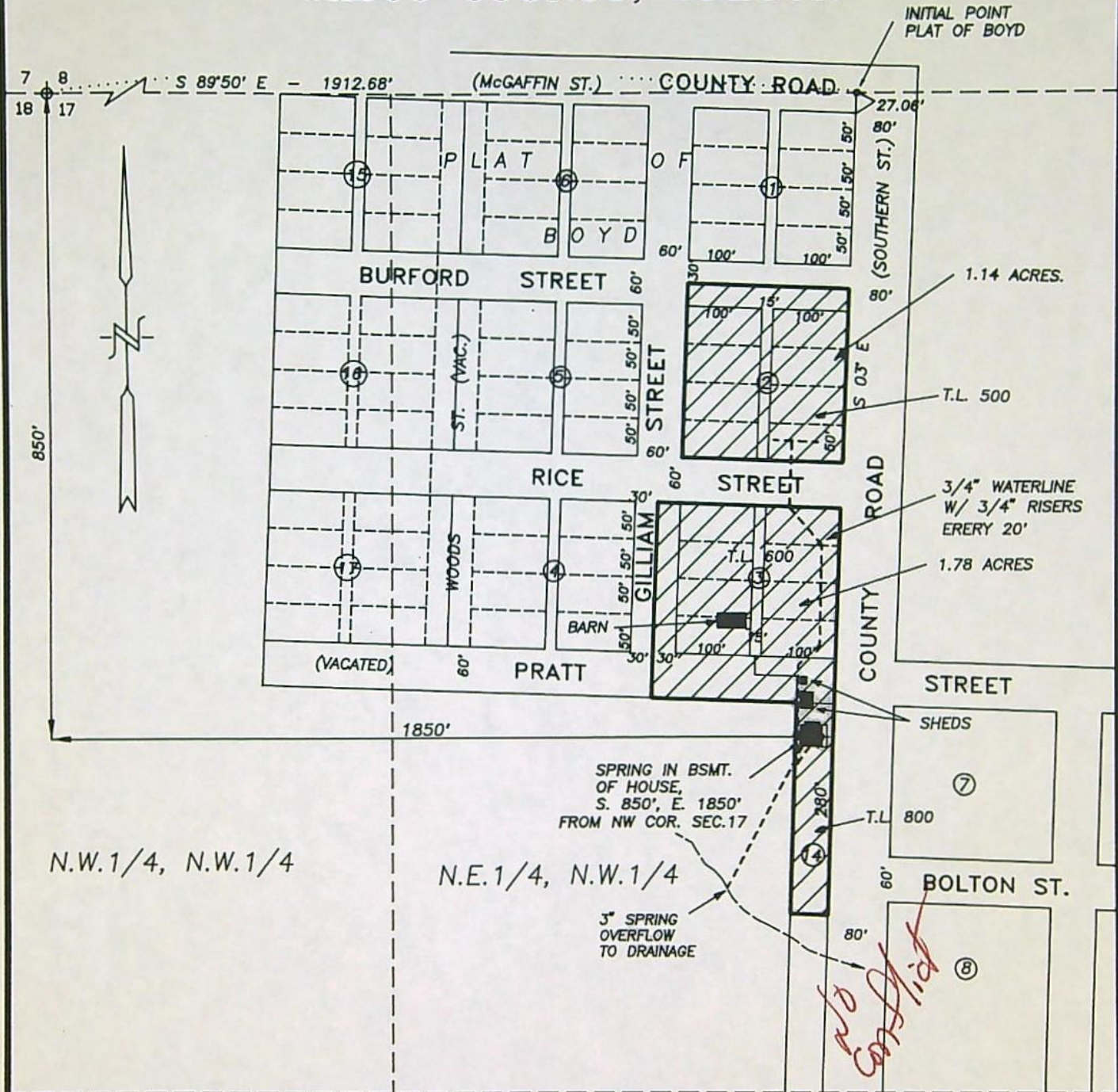
BY: TENNESON ENGINEERING CORP.
 409 LINCOLN STREET,
 THE DALLES, OREGON, 97058
 PH. (503) 296-9177



NOTE:

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

IN THE N.E.1/4 OF N.W.1/4, SECTION 17,
 TWP.1 S. RANGE 14 E. W.M.
 WASCO COUNTY, OREGON

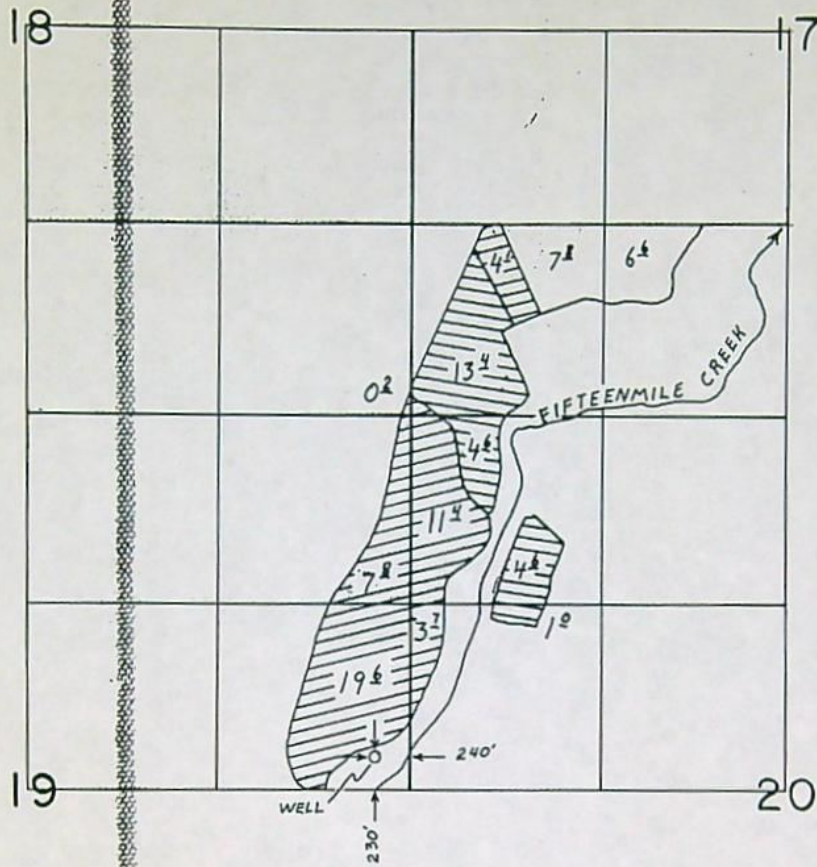


FINAL PROOF SURVEY

SCALE: 1" = 200'

APPLICATION No. 70108

T1S, R14E, WM



1" = 1320'

*NO
CON. 5/1/07*

FINAL PROOF SURVEY UNDER

-  PRIMARY IRRIGATION
-  SUPPLEMENTAL IRRIGATION

Application No. G-10890 Permit No. G-10041....
IN NAME OF

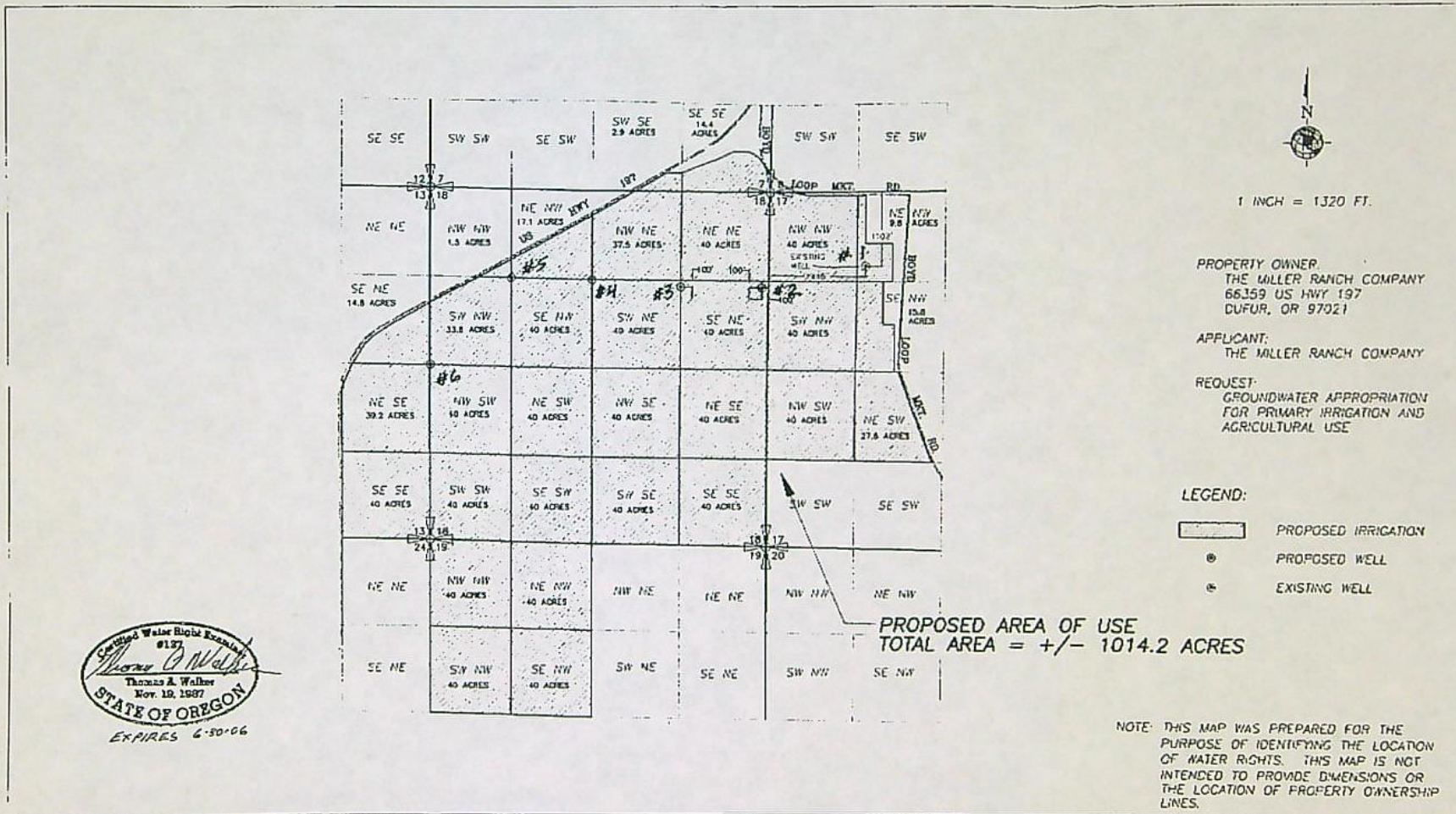
.....PAUL LIMMEROOTH.....

Surveyed JUNE...7... 1988, by T.M. WARREN...

RECEIVED

JUN 15 2005

WATER RESOURCES DEPT.
SALEM, OREGON

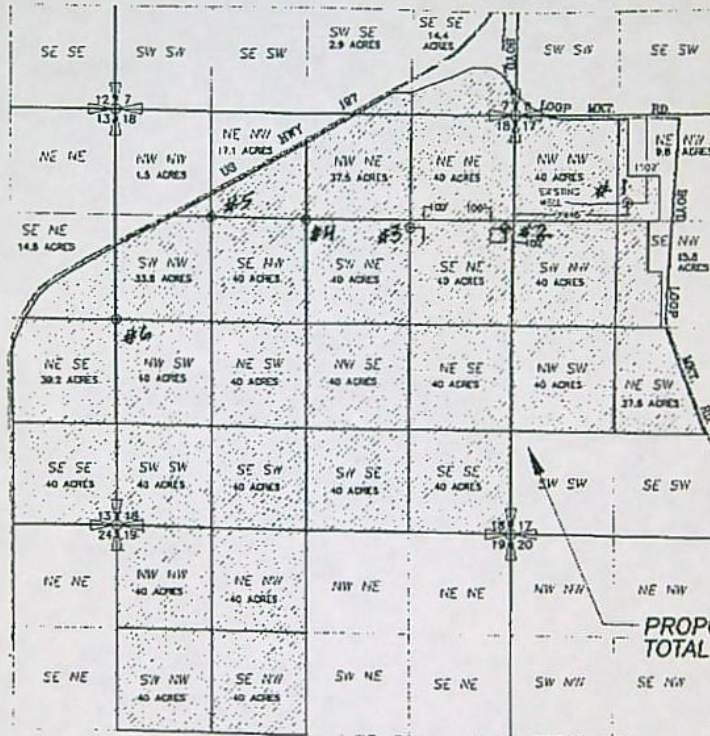


APPLICATION MAP FOR IRRIGATION AND AGRICULTURAL USE WATER RIGHTS
TOWNSHIP 1 SOUTH, RANGE 14 EAST

RECEIVED

JUN 15 2005

WATER RESOURCES DEPT.
SALEM, OREGON






1 INCH = 1320 FT.

PROPERTY OWNER:
THE MILLER RANCH COMPANY
66359 US HWY 197
DUFUR, OR 97021

APPLICANT:
THE MILLER RANCH COMPANY

REQUEST:
GROUNDWATER APPROPRIATION
FOR PRIMARY IRRIGATION AND
AGRICULTURAL USE

LEGEND:

-  PROPOSED IRRIGATION
-  PROPOSED WELL
-  EXISTING WELL

PROPOSED AREA OF USE
TOTAL AREA = +/- 1014.2 ACRES

NOTE: THIS MAP WAS PREPARED FOR THE
PURPOSE OF IDENTIFYING THE LOCATION
OF WATER RIGHTS. THIS MAP IS NOT
INTENDED TO PROVIDE DIMENSIONS OR
THE LOCATION OF PROPERTY OWNERSHIP
LINES.

APPLICATION MAP FOR IRRIGATION AND AGRICULTURAL USE WATER RIGHTS
TOWNSHIP 1 SOUTH, RANGE 14 EAST

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-16439

Prior to the issuance of a permit, the Department must receive permit recording fees in the amount of \$250.00. Please include your application number on your check made out to the Oregon Water Resources Department. If this fee is not paid prior to October 21, 2005, issuance of a permit may be delayed.

Proposed Final Order

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

Application History

On April 14, 2005, WILLIAM MILLER submitted an application to the Department on behalf of THE MILLER RANCH CO for the following water use permit:

- Amount of Water: 12.678 CUBIC FOOT PER SECOND (CFS)
- Use of Water: AGRICULTURE AND IRRIGATION USES ON 1014.2 ACRES
- Source of Water: 6 WELLS IN STARVOUT CREEK BASIN
- Area of Proposed Use: Wasco County within SECTION 13, TOWNSHIP 1 SOUTH, RANGE 13 EAST, W.M.; AND SECTION 7, SECTION 17, SECTION 18, AND SECTION 19, TOWNSHIP 1 SOUTH, RANGE 14 EAST, W.M.

On July 15, 2005, the Department mailed the applicant notice of its Initial Review, determining that "The use of 12.678 Cubic Feet Per Second (CFS), being 0.558 CFS from Well 1, 2.424 CFS each from Well 2, Well 3, Well 4, Well 5, and Well 6 in Starvout Creek Basin for agricultural use on 1014.2 acres is allowable November 1 through the end of February, and irrigation use on 1014.2 acres is allowable March 1 through October 31." The applicant did not notify the Department to stop processing the application within 14 days of that date.

On July 19, 2005, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.

No written comments were received within 30 days.

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

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

Findings of Fact

The Hood Basin Program allows the use of water for AGRICULTURE AND IRRIGATION USES.

SIX WELLS IN STARVOUT CREEK BASIN are not within or above a State Scenic Waterway.

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

Groundwater Findings Under OAR 690-09

The Department determined, consistent with OAR 690-09-0040(4), that the proposed ground water use will not have the potential for substantial interference with the nearby surface water sources.

In making this determination, the Department considered whether:

- (a) There is a hydraulic connection from the proposed well(s) to any surface water sources.
- (b) The point of appropriation is a horizontal distance less than one-fourth mile from the surface water source;
- (c) The rate of appropriation is greater than five cubic feet per second, if the point of appropriation is a horizontal distance less than one mile from the surface water source;
- (d) The rate of appropriation is greater than one percent of the pertinent adopted minimum perennial streamflow or instream water right with a senior priority date, if one is applicable, or of the discharge that is equaled or exceeded 80 percent of

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

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

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

An assessment of groundwater availability has been completed by the Department's Groundwater/Hydrology section. A copy of this assessment is in the file. The proposed use of groundwater will, if properly conditioned, avoid injury to existing rights and the resource.

The Department finds that the amount of water requested, 12.678 CFS, is an acceptable amount.

The proposed wells are not within a designated critical ground water area.

Conclusions of Law

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

The proposed use requested in this application is allowed in the Hood Basin Plan, or a preference for this use is granted under the provisions of ORS 536.310(12).

Water is available for the proposed use.

The proposed use will not injure other water rights.

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

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

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

For these reasons, the required presumption has been established.

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

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

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

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

When issuing permits, ORS 537.628(1) authorizes the Department to include limitations and conditions which have been determined necessary to protect the public welfare, safety, and health. The attached draft permit is conditioned accordingly.

Recommendation

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

DATED September 6, 2005



Dwight French
Administrator
Water Rights & Adjudication Division

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

Protest Rights and Standing

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

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and
- If you are not the applicant, the protest fee of \$250 required by ORS 536.050 and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting a contested case hearing. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the proposed final order.
- If you do not protest this Proposed Final Order and if no substantive changes are made in the final order, you will not have an opportunity for judicial review, protest or appeal of the final order when it is issued.

Requests for Standing

Under the provisions of 537.621(6), persons other than the applicant who support a proposed final order may request standing for purposes of participating in any contested case proceeding on the proposed final order or for judicial review of a final order. A request for standing shall be in writing, include a statement that the requester supports the proposed final order, and a statement of how the requester would be harmed if the proposed final order is modified. The fee required at the time of submitting this request is \$50.00. If a hearing is scheduled, an additional fee of \$200.00 must be submitted along with a request for intervention. Forms to request standing are available from the Department.

Your protest or request for standing must be received in the Water Resources Department no later than **October 21, 2005**.

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

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

This document was prepared by Jerry Gainey. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 503-986-0812.

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 Mike Reynolds at 503-986-0820.

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

Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271, Fax: 503-986-0901.

gaineyjw- WEEK 528

DRAFT

This is not a permit.
STATE OF OREGON

DRAFT

COUNTY OF WASCO

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

THE MILLER RANCH CO
66359 US HWY 197
DUFUR, OR 97021

(541)467-2274

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

APPLICATION FILE NUMBER: G-16439

SOURCE OF WATER: SIX WELLS IN STARVOUT CREEK BASIN

PURPOSE OR USE: AGRICULTURAL AND IRRIGATION USES ON 1014.2 ACRES

MAXIMUM RATE: 12.678 CUBIC FEET PER SECOND (CFS); BEING 0.558 CFS FROM WELL 1, 2.424 CFS EACH FROM WELL 2, WELL 3, WELL 4, WELL 5, AND WELL 6

PERIOD OF USE: AGRICULTURAL NOVEMBER 1 THROUGH END OF FEBRUARY;
IRRIGATION MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: APRIL 14, 2005

WELL LOCATIONS:

- WELL 1: NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 17, T1S, R14E, W.M.; 1102 FEET SOUTH & 1446 FEET EAST FROM NW CORNER, SECTION 17
WELL 2: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 18, T1S, R14E, W.M.; 100 FEET SOUTH & 100 FEET WEST FROM N 1/16 CORNER, BETWEEN SECTIONS 17 AND 18
WELL 3: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 18, T1S, R14E, W.M.; 100 FEET SOUTH FROM NE 1/16 CORNER, SECTION 18
WELL 4: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 18, T1S, R14E, W.M.;, C-N 1/16 CORNER, SECTION 18
WELL 5: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 18, T1S, R14E, W.M.; NW 1/16 CORNER, SENW, SECTION 18
WELL 6: NW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 18, T1S, R14E, W.M.; W1/4 CORNER, SECTION 18

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE ¼ NE ¼ 14.8 ACRES

NE ¼ SE ¼ 39.2 ACRES

SE ¼ SE ¼ 40.0 ACRES

SECTION 13

TOWNSHIP 1 SOUTH, RANGE 13 EAST, W.M.

SW ¼ SE ¼ 2.9 ACRES

SE ¼ SE ¼ 14.4 ACRES

SECTION 7

NE ¼ NW ¼ 9.8 ACRES

NW ¼ NW ¼ 40.0 ACRES

SW ¼ NW ¼ 40.0 ACRES

SE ¼ NW ¼ 15.8 ACRES

NE ¼ SW ¼ 27.6 ACRES

NW ¼ SW ¼ 40.0 ACRES

SECTION 17

NE ¼ NE ¼ 40.0 ACRES

NW ¼ NE ¼ 37.5 ACRES

SW ¼ NE ¼ 40.0 ACRES

SE ¼ NE ¼ 40.0 ACRES

NE ¼ NW ¼ 17.1 ACRES

NW ¼ NW ¼ 1.5 ACRES

SW ¼ NW ¼ 33.6 ACRES

SE ¼ NW ¼ 40.0 ACRES

NE ¼ SW ¼ 40.0 ACRES

NW ¼ SW ¼ 40.0 ACRES

SW ¼ SW ¼ 40.0 ACRES

SE ¼ SW ¼ 40.0 ACRES

NE ¼ SE ¼ 40.0 ACRES

NW ¼ SE ¼ 40.0 ACRES

SW ¼ SE ¼ 40.0 ACRES

SE ¼ SE ¼ 40.0 ACRES

SECTION 18

NE ¼ NW ¼ 40.0 ACRES

NW ¼ NW ¼ 40.0 ACRES

SW ¼ NW ¼ 40.0 ACRES

SE ¼ NW ¼ 40.0 ACRES

SECTION 19

TOWNSHIP 1 SOUTH, RANGE 14 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the water user shall install a meter or other suitable measuring device as

approved by the Director. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the permit.

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

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the water user to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Seven Consecutive Annual Measurements

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

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

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot

- as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
 - (D) Certify the accuracy of all measurements and calculations submitted to the Department.

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

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

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

The well shall be continuously cased and continuously sealed to a minimum depth of 550 feet below land surface. The well may not be completed in such a manner that it allows ground water to be developed from shallower water-bearing zones. If during well construction, it becomes apparent that the well can be constructed to eliminate interference with nearby shallow wells or hydraulically connected streams in a manner other than specified in this permit, the water user can contact the Department Hydrogeologist for this permit or the Ground Water/Hydrology Section Manager to request approval of such construction. The request shall be in writing, and shall include a rough well log and a proposed construction design for approval by the Department. The request can be approved only if it is received and reviewed prior to placement of any permanent casing and sealing material. If the well is constructed first and then the request made, requested modification will not be approved. The new well depth and construction specifications will be incorporated into any certificate issued for this permit.

STANDARD CONDITIONS

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.

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

The 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.

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

Prior to receiving a certificate of water right, the permit holder shall submit 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.

Completion of construction and complete application of the water to the use shall be made on or before October 1, 2010. If the water is not completely applied before this date, and the water user wishes to continue development under the permit, the water user must submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued _____, 2005

DRAFT - THIS IS NOT A PERMIT

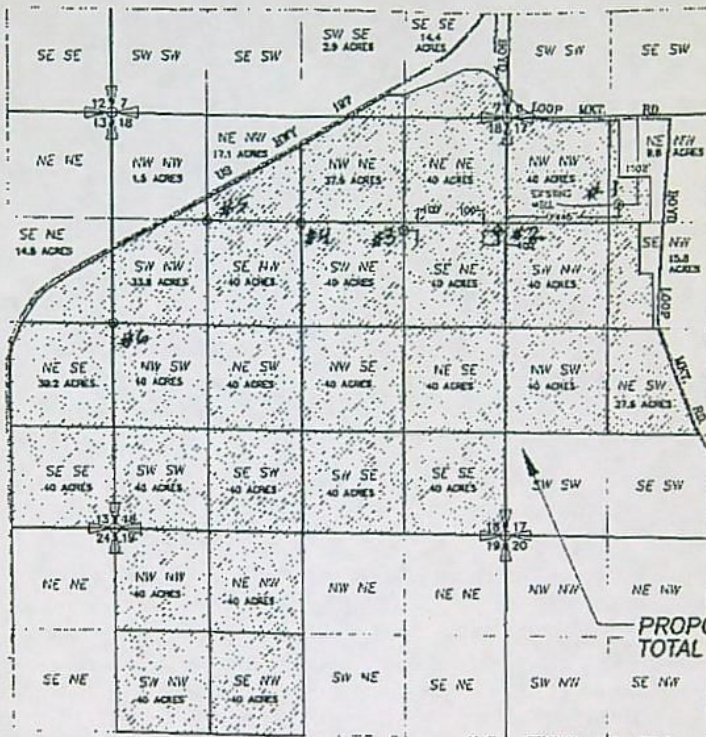
Phillip C. Ward, Director
Water Resources Department

RECEIVED

JUN 15 2005

WATER RESOURCES DEPT.
SALEM, OREGON

WORK COPY






1 INCH = 1320 FT.

PROPERTY OWNER:
THE MULLER RANCH COMPANY
68359 US HWY 197
DUFUR, OR 97021

APPLICANT:
THE MULLER RANCH COMPANY

REQUEST:
GROUNDWATER APPROPRIATION
FOR PRIMARY IRRIGATION AND
AGRICULTURAL USE

LEGEND:

-  PROPOSED IRRIGATION
-  PROPOSED WELL
-  EXISTING WELL

PROPOSED AREA OF USE
TOTAL AREA = +/- 1014.2 ACRES

NOTE: THIS MAP WAS PREPARED FOR THE
PURPOSE OF IDENTIFYING THE LOCATION
OF WATER RIGHTS. THIS MAP IS NOT
INTENDED TO PROVIDE DIMENSIONS OR
THE LOCATION OF PROPERTY OWNERSHIP
LINES.



APPLICATION MAP FOR IRRIGATION AND AGRICULTURAL USE WATER RIGHTS
TOWNSHIP 1 SOUTH, RANGE 14 EAST

TOWNSHIP 1 SOUTH, RANGE 13 EAST



Oregon

Theodore R. Kulongoski, Governor

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

September 29, 2005

Thomas A. Walker
W&H Pacific
920 SW Emkay, Ste C100
Bend, Oregon 97702-1041

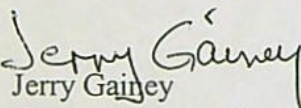
RE: Application G-16439

Dear Mr. Walker:

I received your letter of September 19, 2005, requesting clarification regarding the seal depth for existing well 1. After review and discussion with Michael Zwark, the ground water hydrologist reviewer for your application, he has determined that the seal depth condition in question does not apply to existing well #1. After the close of the protest period of October 21, 2005, I will issue a modified final order clarifying the seal depth of 550 feet pertains only to the proposed wells.

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

Sincerely,


Jerry Gainey
Water Right Application Caseworker

Mike Zwart

From: "Mike Zwart" <Mike.j.zwart@wrд.state.or.us>
To: "Jerry GAINEY" <Jerry.W.GAINEY@wrд.state.or.us>
Sent: Wednesday, September 28, 2005 8:44 AM
Subject: File G-16439

Jerry,

Regarding this permit condition, it was my intent that it apply only to the proposed wells. Can the language be modified to address this? Suggested language follows: Wells 2 through 6 shall be continuously (or) Except for well 1, the wells shall be continuously.... Another possible solution, which I could support, is to modify the seal depth to 545 feet for all wells. However, the applicant proposed 550 feet for the proposed wells. Any of these ideas are acceptable to me.

Mike


Michael J. Zwart - Hydrogeologist
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503.986.0844; fax: 503.986.0902

INTEROFFICE MEMORANDUM

Water Rights Section

TO: Doug Woodcock

September 26, 2005

FROM: Jerry Gainey 

RE: G-16439, The Miller Ranch Company

The attached file is submitted for your review and comment regarding a condition requested by Michael Zwark. The applicant submitted a letter, attached, requesting a waiver or clarification for the seal depth of Well 1.

Please review and return to me upon completion of the re-review.

Thanks,
Jerry

S:\groups\wr\memos\G16439_MILLER_GW_RE_REVIEW.wpd



920 SW Emkay, Suite C100
Bend, Oregon 97702-1041
541.388.4255
Fax 541.388.4229

September 19, 2005

Mr. Jerry W. Gainey
Water Right Application Case Worker
Oregon Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

**Re: The Miller Ranch Company
OWRD File G-16439
WHP File No.: 30162.1001**

Dear Mr. Gainey:

Thank you very much for your work and assistance with The Miller Ranch Company groundwater appropriation application. The Proposed Final Order was recently received and the Millers are appreciative. We have checked the Proposed Final Order very carefully and agree with all the conditions and stipulations. We do wish to clarify one very minor item, relating to existing well #1.

The Proposed Final Order stipulates that all wells be sealed to a depth of 550 feet. We expected this condition for new wells. However, the existing well #1 is sealed only to 545 feet, which is a potential conflict. A copy of the well log is enclosed, where the seal depth is described on page two. The well log describes a 6" casing and grout from 545 feet to the land surface. Between 527 and 580 feet, the well log describes hard gray basalt. I believe the existing seal on well #1 fully conforms with the intent of the criteria in the Proposed Final Order. Further, because the existing well log was incorporated in the application and the Proposed Final Order authorizes use of well #1, we can probably conclude that use of existing well #1 in its current configuration is intended by the permit. Regardless, clarification of this minor point would be appreciated.

A video log of the #1 well bore was produced shortly after construction and could be forwarded upon your request, if helpful.

This letter is intended to request a minor written clarification, but by no means serve as a protest or in any way delay the processing and final approval of a water right appropriation permit.

Thank you again for your significant assistance. We look forward to your review and response.

Very truly yours,

W&H Pacific, Inc.

Thomas A. Walker, P.E., C.W.R.E.
Vice President

Cc: Bill Miller
Charley Miller
Connie Marshall

whpacific.com

planners

surveyors

engineers

RECEIVED

SEP 22 2005

WATER RESOURCES DEPT
SALEM, OREGON
landscape architects

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

(START CARD) # 52340

(1) OWNER: Well Number: _____
 Name The Miller Ranch
 Address 66359 US Hwy 197
 City Dufur State Or Zip 97021

(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 718 ft.
 Explosives used Type _____ Amount _____

HOLE		SEAL		Amount
Diameter	From To	Material	From To	sacks or pounds
14	0 30			
10	30 718	Cement	0 27	30 Bags

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:	10	+1	29	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	6	+2	545	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of sheets: _____

(7) PERFORATIONS/SCREENS:
 Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	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"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
 Yield gal/min _____ Drawdown _____ Drill stem at _____ Time _____
 _____ 1 hr. _____

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 Wasco Latitude _____ Longitude _____
 Township 1S N or S. Range 14 E E or W. W.M. _____
 Section 17 NE 1/4 NW 1/4
 Tax Lot 3100 Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) Boyd Mkt. Rd.
908 Dufur, Or.

(10) STATIC WATER LEVEL:
 _____ ft. below land surface. Date _____
 Artesian pressure 110 lb. per square inch. Date 3-20-9

(11) WATER BEARING ZONES:

Depth at which water was first found 687 ft.

From	To	Estimated Flow Rate	SW
687	702	415	0

(12) WELL LOG: Ground elevation _____

Material	From	To	SW
Soil	0	25	
Sand fine brn	2	3	
SS hard brn	3	24	
Basalt grey	24	55	
Basalt med grey	55	60	
Basalt de hard grey	60	82	
Basalt hard fract grey	82	90	
Basalt hard grey	90	144	
Basalt hard broken grey			
W/B SW1 16	144	155	
Basalt Med Grey hard	155	164	
Basalt very hard grey	164	196	
Basalt fract. soft blk	196	203	3
Basalt porous blk	203	215	
Basalt hard grey	215	244	
Basalt soft porous blk	244	251	
Basalt hard blk	251	253	
Basalt fract hard grey	253	256	
Basalt hard grey	256	261	
Basalt porous fract blk	261	315	6
Basalt med hard blk	315	336	
Basalt porous blk	336	341	
Basalt soft porous blk			Continued

Date started _____ Completed _____

(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 constr standards. Materials used and information reported above are true to my knowledge and belief.
 Signed _____ WWC Number _____
 Date _____

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above construction standards. This report is true to the best of my knowledge and belief.
 Signed _____ WWC Number _____
 Date _____

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

(1) OWNER: Well Number: _____
 Name The Miller Ranch
 Address 66359 US Hwy 197
 City Dufur State Or. Zip 97021

(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 _____ ft.
 Explosives used Type _____ Amount _____

HOLE		SEAL		Amount
Diameter	From To	Material	From To	sacks or pounds

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:				<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"/>	<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 sheets: _____

(7) PERFORATIONS/SCREENS:

Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	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"/>
						<input type="checkbox"/>	<input type="checkbox"/>

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

Pump Bailer Air Flowing Artesian

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

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 Wasco Latitude _____ Longitude _____
 Township _____ N or S. Range _____ E or W. WM. _____
 Section _____ 1/4 _____ 1/4 _____
 Tax Lot _____ Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) _____

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

(11) WATER BEARING ZONES:

Depth at which water was first found _____

From	To	Estimated Flow Rate	SW

(12) WELL LOG: Ground elevation _____

Material	From	To	SW
W/B SWL 71 150 GPM 56°	341	352	
Basalt broken brn vixc	352	358	
Basalt hard grey	358	404	
Basalt med grey	404	417	
Basalt broken blk	417	423	
Rock soft blk	423	463	
Basalt hard bract grey	463	476	
Basalt hard grey	476	483	
Basalt hard fract grey	483	486	
Basalt hard grey	486	501	11
Rock soft W/green clay			
blk W/B	501	512	
Basalt med soft blk	512	527	
Basalt hard grey	527	530	
Set 6" Casing to 545 ft.			
grout from bottom to land surface			
4.2 cu. yds. cement & water			
Basalt med hard grey	530	620	
Basalt hard grey	620	630	
Basalt med hard grey	630	653	
Basalt med hard grey	653	670	
Basalt hard grey	670	683	

Continued

Date started _____ Completed _____

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

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



Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## G-16439
ROUTED TO: Water Rights
TOWNSHIP/
RANGE-SECTION: 1S/04 E-17+18

CONDITIONS ATTACHED? Yes No

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Michael Zwart

PUBLIC INTEREST REVIEW FOR GROUND WATER APPLICATIONS

TO: Water Rights Section Date June 15, 2005
 FROM: Ground Water/Hydrology Section Michael Zwart
Reviewer's Name
 SUBJECT: Application G- 16439 Supersedes review of N/A
Date of Review(s)

PUBLIC INTEREST PRESUMPTION; GROUNDWATER

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

A. **GENERAL INFORMATION:** Applicant's Name: The Miller Ranch Company County: Wasco

- A1. Applicant(s) seek(s) 12.68 cfs from six well(s) in the Hood Basin,
Fifteen Mile Creek subbasin Quad Map: Dufur East
- A2. Proposed use: Irrigation/Agricultural Seasonality: March 1 to October 31/Year Round
- A3. Well and aquifer data (attach and number logs for existing wells; mark proposed wells as such under logid):

Well	Logid	Applicant's Well #	Proposed Aquifer*	Proposed Rate(cfs)	Location (T/R-S QQ-Q)	Location, metes and bounds, e.g. 2250' N, 1200' E fr NW cor S 36
1	WASC 2217	1	CRB	0.557	1S/14E-17 NE-NW	1102' S, 1446' E fr NW cor S 17
2	Proposed	2	CRB	2.424	1S/14E-18 SE-NE	1420' S, 100' W fr NE cor S 18
3	Proposed	3	CRB	2.424	1S/14E-18 SE-NE	1420' S, 1320' W fr NE cor S 18
4	Proposed	4	CRB	2.424	1S/14E-18 SW-NE	1320' S, 2640' W fr NE cor S 18
5	Proposed	5	CRB	2.424	1S/14E-18 NW-NW	1320' S, 1215' E fr NW cor S 18
6	Proposed	6	CRB	2.424	1S/14E-18 SW-NW	2640' S fr NW cor S 18

* Alluvium, CRB, Bedrock

Well	Well Elev ft msl	First Water ft bls	SWL ft bls	SWL Date	Well Depth (ft)	Seal Interval (ft)	Casing Intervals (ft)	Liner Intervals (ft)	Perforations Or Screens (ft)	Well Yield (gpm)	Draw Down (ft)	Test Type
1	1190	687*	-254	3/20/95	718	0-545	0-545	None	None	415	?	F
2	1260	710	Flow		740	0-550+	0-700	None	None	1088		
3	1300	750	Flow		780	0-550+	0-740	None	None	1088		
4	1290	790	Flow		820	0-550+	0-780	None	None	1088		
5	1245	830	Flow		860	0-550+	0-820	None	None	1088		
6	1290	870	Flow		900	0-550+	0-860	None	None	1088		

Use data from application for proposed wells.

A4. **Comments:** *Shallower water-bearing zones are cased and sealed off. See attached e-mail from agent regarding updated proposed seal depths. The intended construction for the proposed wells is similar to existing well #1, but it was not clear from a casual read of that log that it is sealed to 545'. The proposed seal depths will ensure that no commingling is likely to occur.

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

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

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

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

Well	Aquifer or Proposed Aquifer	Confined	Unconfined
All	Basalt of the Columbia River Basalt Group	<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"/>

Basis for aquifer confinement evaluation: Water-bearing zones in the CRB are typically confined in this area. The static level at well #1 is well above the water-bearing zone.

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

Well	SW #	Surface Water Name	GW Elev ft msl	SW Elev ft msl	Distance (ft)	Hydraulically Connected?			Potential for Subst. Interfer. Assumed?	
						YES	NO	ASSUMED	YES	NO
1	1	Starveout Creek	1444	1185	200	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1	2	Fifteenmile Creek	1444	1100	3100	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	1	Starveout Creek	1445±	1195	1100	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	2	Fifteenmile Creek	1445±	1105	3900	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	1	Starveout Creek	1445±	1225	1300	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	2	Fifteenmile Creek	1445±	1130	4700	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4	1	Starveout Creek	1445±	1230	600	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4	2	Fifteenmile Creek	1445±	1130	5500	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5	1	Starveout Creek	1445±	1240	100	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5	2	Fifteenmile Creek	1445±	1130	6300	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6	1	Starveout Creek	1445±	1270	600	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6	2	Fifteenmile Creek	1445±	1130	6700	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Basis for aquifer hydraulic connection evaluation: The significant head difference suggests poor local connection.

Water Availability Basin the well(s) are located within: Starveout Cr > Fifteenmile Cr at mouth (30410541).

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

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

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

SW #	Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
	<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"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

Comments: This section does not apply.

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

Non-Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
(A) = Total Interf.													
(B) = 80 % Nat. Q													
(C) = 1 % Nat. Q													
(D) = (A) > (C)													
(E) = (A / B) x 100		%	%	%	%	%	%	%	%	%	%	%	%

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

D. WELL CONSTRUCTION, OAR 690-200

D1. Well #: 1 Logid: WASC 2217

D2. THE WELL does not meet current well construction standards based upon:

- a. review of the well log;
- b. field inspection by _____;
- c. report of CWRE _____;
- d. other: (specify) _____

D3. THE WELL construction deficiency:

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

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

- D5. THE WELL
- a. was, or was not constructed according to the standards in effect at the time of original construction or most recent modification.
 - b. I don't know if it met standards at the time of construction.

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

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

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

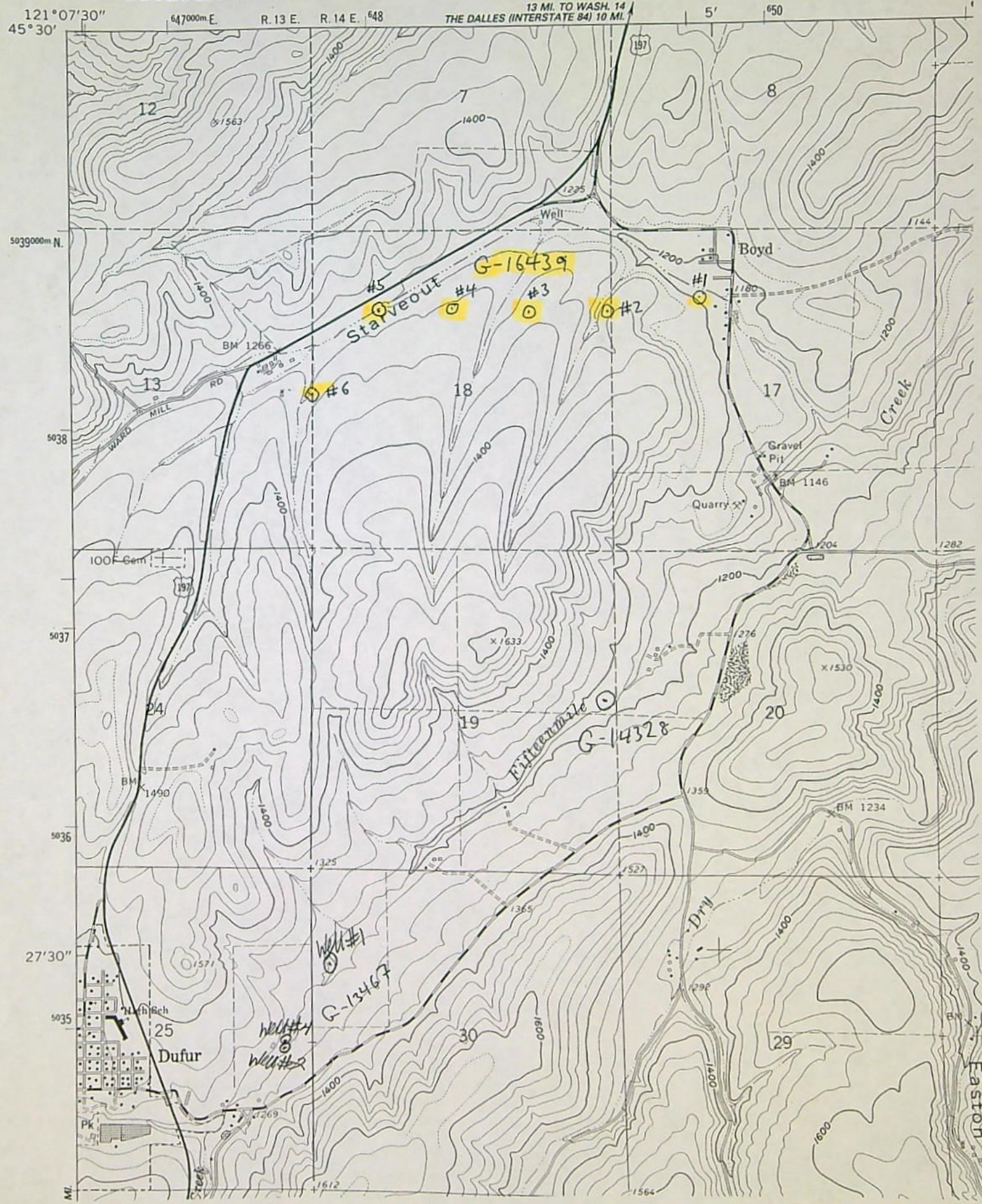
_____, 200_____
(Enforcement Section Signature)

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

175 N BY
DALLAS SOUTH

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

Dufur East



Mike Zwart

From: "Walker, Tom" <Twalker@whpacific.com>
To: "ZWART Mike J" <Mike.J.ZWART@state.or.us>
Cc: <Mlrranch@aol.com>
Sent: Wednesday, June 15, 2005 9:52 AM
Subject: The Miller Ranch Company Application G-16439

Mike,

Thank you for your call and comments on the pending Miller Ranch groundwater application. Mr. William Miller and I discussed your evaluation of the seal depth for proposed wells and agree with your assessment. Based upon the estimated elevation of the existing well (#1) and the seal depth to 545 feet, we would expect to seal proposed wells to a depth of 550 feet to 650 feet below the ground surface. Generally, Mr. Miller expects to seal the casing into the confining layer immediately above the artesian flow to eliminate co-mingling or seepage into upper aquifers and optimize the production from the aquifer. Under section C in the original application, we described a similar program for control of artesian flow.

Please consider this email a clarification for the pending Miller Ranch application. We appreciate your review and the chance to comment.

Thomas A. Walker, P.E., C.W.R.E.

Creative Solutions ... Superior Service



FAX

To: Mr. Michael Zwart
 Company: Oregon Water Resources Department
 Address
 City/State
 Phone:
 Fax: 503-986-0902

Date: June 15, 2005
 Project Number: 30162
 Project Name: The Miller Ranch Company
 Re: Pending Groundwater Appropriation
 OWRD File #: G-16439

From: Thomas A. Walker, P.E.,C.W.R.E.
 Phone: (541) 388-4255
 Fax: (541) 388-4229

Confidentiality Notice: This facsimile is intended only for the use of the individual and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that the unauthorized dissemination, distribution or copying of this communication, or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone (collect) Thank you.

We are sending:

- Attached
- Facsimile
- 2 # Of Pages Including Cover

These Are Transmitted:

- For Your Info/File
- As Requested
- For Review & Comment

Copied To:

William C. Miller

Copies	Description
1	Reduced Scale Application Map with Well Numbers

Mike,
 We appreciate your work on the pending Miller groundwater appropriation and the opportunity to clarify the application. Please consider our attachment with well numbers and never hesitate to contact me with any further questions or any need for additional information.

RECEIVED

JUN 15 2005

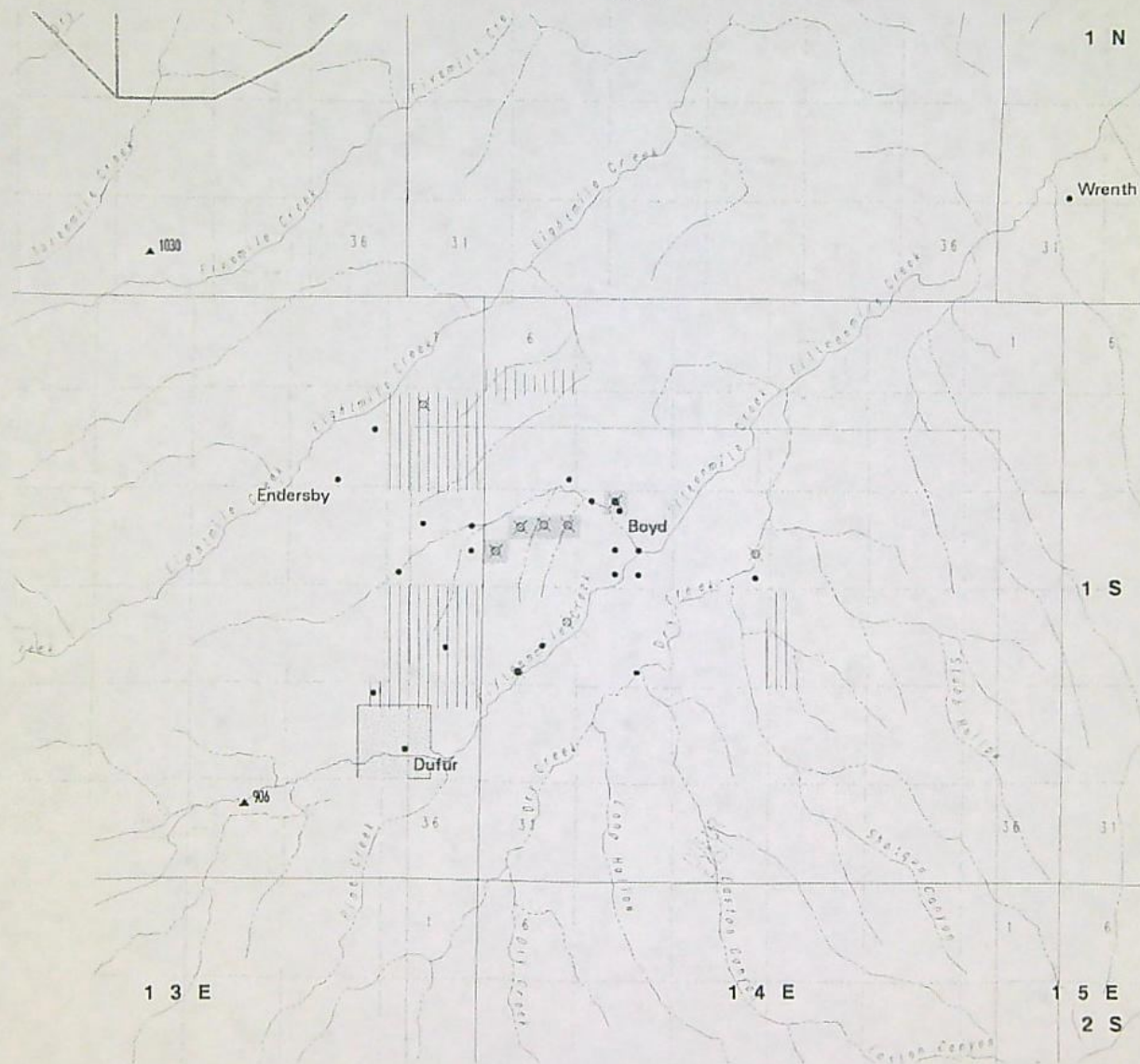
WATER RESOURCES DEPT.
 SALEM, OREGON

Civil and Structural Engineering ♦ Landscape Architecture
 Planning ♦ Surveying and Mapping

Washington ♦ Oregon ♦ Idaho

Wells in the vicinity of application G 16439

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



WELL LOGS WITHIN 1 MILE OF APPLICATION G 16439

ABANDON: 0
 RECONDITIONED: 0
 REPAIRED: 0
 CONVERSION: 0
 DEEPENINGS: 2
 NEW CONSTRUCT: 25

COMMUNITY USE: 0
 DOMESTIC USE: 18
 INDUSTRIAL USE: 0
 INJECTION USE: 0
 IRRIGATION USE: 12
 THERMAL USE: 0
 LIVESTOCK USE: 1

PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 16439

\$RECNO	APPLICATION	PERMIT	CLAIM	LOC-QQ	USE_CODE
1	G	14055	G 12898	0 1.00S13.00E12NENW	IR
1	G	6425	G 6035	0 1.00S13.00E12NENW	IS
1	G	8186	G 7599	0 1.00S13.00E12NENW	IS
2	G	8453	G 7598	0 1.00S14.00E17NENW	IR
2	S	70108	S 50845	0 1.00S14.00E17NENW	IR
2	G	16439	0	0 1.00S14.00E17NENW	IR
2	G	16439	0	0 1.00S14.00E17NENW	AG
2	G	16439	0	0 1.00S14.00E17NENW	AG
3	G	16439	0	0 1.00S14.00E18SWNE	IR
3	G	16439	0	0 1.00S14.00E18SWNE	AG
3	G	16439	0	0 1.00S14.00E18SWNE	AG
4	G	16439	0	0 1.00S14.00E18SENE	IR
4	G	16439	0	0 1.00S14.00E18SENE	AG
4	G	16439	0	0 1.00S14.00E18SENE	AG
4	G	16439	0	0 1.00S14.00E18SENE	IR
4	G	16439	0	0 1.00S14.00E18SENE	AG
4	G	16439	0	0 1.00S14.00E18SENE	AG
5	G	16439	0	0 1.00S14.00E18SENW	IR
5	G	16439	0	0 1.00S14.00E18SENW	AG
5	G	16439	0	0 1.00S14.00E18SENW	AG
6	G	16439	0	0 1.00S14.00E18NWSW	IR
6	G	16439	0	0 1.00S14.00E18NWSW	AG
6	G	16439	0	0 1.00S14.00E18NWSW	AG
7	G	9906	G 9511	0 1.00S14.00E16NESE	IR
8	G	14328	G 13258	0 1.00S14.00E19SENE	FW
8	G	14328	G 13258	0 1.00S14.00E19SENE	IR
8	G	14328	G 13258	0 1.00S14.00E19SENE	RC
8	G	10890	G 10041	0 1.00S14.00E19SENE	IC
8	R	75500	0	0 1.00S14.00E19SENE	FW
8	R	80834	R 11941	0 1.00S14.00E19SENE	FI
8	R	80834	R 11941	0 1.00S14.00E19SENE	RC
8	R	80834	R 11941	0 1.00S14.00E19SENE	WI
8	R	80834	R 11941	0 1.00S14.00E19SENE	FI
8	R	80834	R 11941	0 1.00S14.00E19SENE	RC
8	R	80834	R 11941	0 1.00S14.00E19SENE	WI
9	G	9476	G 8835	0 1.00S14.00E19SES	IS

CONDITIONED WELLS WITHIN 5 MILES OF APPLICATION G 16439

\$RECNO	APPLICATION	PERMIT	LOC-QQ	CONDITION-CODE
1	G 11483	G 10615	1.00S13.00E32SESE	
1	G 12273	G 11691	1.00S13.00E32SESE	4GG

APPLICATION G 16439 FALLS WITHIN THESE QUAD(S)

DUFUR EAST

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

\$RECNO	NAME1	NAME2	SUB-AREA	STATUS
1	THE DALLES			CRIT
2	THE DALLES	THREEMILE RESERVOIR		CRIT

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **77503**

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

INVOICE # _____

RECEIVED FROM: The Miller Ranch Company APPLICATION G-16439
 BY: _____ PERMIT _____
 TRANSFER _____

CASH: CHECK:# 12350 OTHER: (IDENTIFY) _____
 TOTAL REC'D \$ 250.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$ _____	0204	\$ <u>250.00</u>
0205 TRANSFER	\$ _____		

WELL CONSTRUCTION

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

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **77503** DATED: 9/22/05 BY: [Signature]
 Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

THE MILLER RANCH COMPANY

Or Water Resources Department

OWRD FILE G-16439 RECORDING FEES

9/20/2005

12350

250.00

RECEIVED
 SEP 21 2005
 WATER RESOURCES DEPT
 SALEM, OREGON

Mailing List for PFO Copies

Application #G-16439

PFO Date September 6, 2005

Original mailed to:

~~Applicant: THE MILLER RANCH CO, ATTN: WILLIAM MILLER, 66359 US HWY 197
DUFUR, OR 97021~~

Copies sent to:

- ~~1. WRD - File # G-16439~~
- ~~2. Water Availability: Ken Stahr~~

Copies Mailed By: <u>TCB</u> (SUPPORT STAFF) on: <u>9/6/05</u> (DATE)

PFO and Map sent to:

- ~~1. WRD - Watermaster # 3~~
- ~~2. WRD - Regional Manager: NCR~~

Copies sent to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

- ~~3. Thomas A. Walker, CWRE #137~~

Affected Landowners (include "Notice of Proposed Final Order--Affected Landowner"):

CASEWORKER : gaineyjw- WEEK 528



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

July 15, 2005

THE MILLER RANCH CO
ATTN: WILLIAM MILLER
66359 US HWY 197
DUFUR, OR 97021

(541)467-2274

Reference: File G-16439

Dear Mr. Miller:

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

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

Initial Review Determinations:

1. The proposed use is not prohibited by law or rule except where otherwise noted below.
2. The use of water from WELL 1, WELL 2, WELL 3, WELL 4, WELL 5, AND WELL 6 IN STARVOUT CREEK BASIN for IRRIGATION USE is **allowable** under OAR 690-504, the Hood Basin Program.
3. The Department has 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.
4. The Department has also determined, based upon available data, that the use of groundwater in the amount of 12.678 CUBIC FEET PER SECOND for IRRIGATION USE ON 1014.2 ACRES if properly conditioned, will not injure existing rights or the groundwater resource.

Summary of Initial Determinations

The use of 12.678 Cubic Feet Per Second (CFS), being 0.558 CFS from Well 1, 2.424 CFS each from Well 2, Well 3, Well 4, Well 5, and Well 6 in Starvout Creek Basin for agricultural use on 1014.2 acres is allowable November 1 through the end of February, and irrigation use on 1014.2 acres is allowable March 1 through October 31.

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

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

To Proceed With Your Application:

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

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, July 29, 2005**. For your convenience you may use the enclosed "STOP PROCESSING" form.

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

1. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the water user shall install a meter or other suitable measuring device as approved by the Director. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the permit.
 - B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

2. The priority date for this application is April 14, 2005.
3. To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the water user to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Seven Consecutive Annual Measurements

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

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

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

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

- (A) An average water level decline of three or more feet per year for five consecutive years; or

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

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

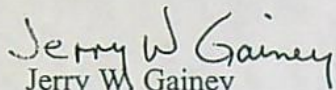
4. The well shall be continuously cased and continuously sealed to a minimum depth of 550 feet below land surface. The well may not be completed in such a manner that it allows ground water to be developed from shallower water-bearing zones. If during well construction, it becomes apparent that the well can be constructed to eliminate interference with nearby shallow wells or hydraulically connected streams in a manner other than specified in this permit, the water user can contact the Department Hydrogeologist for this permit or the Ground Water/Hydrology Section Manager to request approval of such construction. The request shall be in writing, and shall include a rough well log and a proposed construction design for approval by the Department. The request can be approved only if it is received and reviewed prior to placement of any permanent casing and sealing material. If the well is constructed first and then the request made, requested modification will not be approved. The new well depth and construction specifications will be incorporated into any certificate issued for this permit.

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

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our customer service staff at 503-986-0801. Feel free to call me at 503-986-0812 if you have any questions regarding the contents of this letter. Please have your application number available if you call. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271, Fax: 503-986-0901.

Sincerely,


Jerry W. Gainey
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

G-16439
wab 4-
pou 4-
gw 0

APPLICATION FACT SHEET

Mail to: *Applicant, Watermaster, District Biologist (ODFW)*
If necessary, also mail to : *Regional Water quality manager (DEQ), and DOA*

Application File Number: G-16439

Applicant: WILLIAM MILLER FOR THE MILLER RANCH CO

County: Wasco

Watermaster: 3

Priority Date: April 14, 2005

Source: WELL 1, WELL 2, WELL 3, WELL 4, WELL 5, AND WELL 6 IN STARVOUT
CREEK BASIN

Use: IRRIGATION USE ON 1014.2 ACRES

Quantity: 12.678 CUBIC FEET PER SECOND (CFS), BEING 0.558 CFS FROM WELL 1,
AND 2.424 CFS EACH FROM WELL 2, WELL 3, WELL 4, WELL 5, AND WELL 6

Basin Name & Number: Hood, #4

Stream Index Reference: Volume 2 FIFTEENMILE CR & MISC

Well Locations:

WELL 1: NENW, SECTION 17, T1S, R14E, W.M.; 1102 FEET SOUTH & 1446 FEET
EAST FROM NW CORNER, SECTION 17

WELL 2: SENE, SECTION 18, T1S, R14E, W.M.; 100 FEET SOUTH & 100 FEET
WEST FROM NE CORNER, SENE, SECTION 18

WELL 3: SENE, SECTION 18, T1S, R14E, W.M.; 100 FEET SOUTH FROM NW
CORNER, SENE, SECTION 18

WELL 4: SWNE, SECTION 18, T1S, R14E, W.M.; NW CORNER, SWNE, SECTION
18

WELL 5: SENW, SECTION 18, T1S, R14E, W.M.; NW CORNER, SENW, SECTION
18 WELL 6: NWSW, SECTION 18, T1S, R14E, W.M.; W1/4 CORNER, SECTION 18

Place of Use:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 14.8 ACRES

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 39.2 ACRES

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES

SECTION 13

TOWNSHIP 1 SOUTH, RANGE 13 EAST, W.M.

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 2.9 ACRES

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 14.4 ACRES

SECTION 7

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 9.8 ACRES

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 15.8 ACRES

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 27.6 ACRES

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES

SECTION 17

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 37.5 ACRES

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 17.1 ACRES

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.5 ACRES

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 33.6 ACRES

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES

SECTION 18

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES

SECTION 19

TOWNSHIP 1 SOUTH, RANGE 14 EAST, W.M.

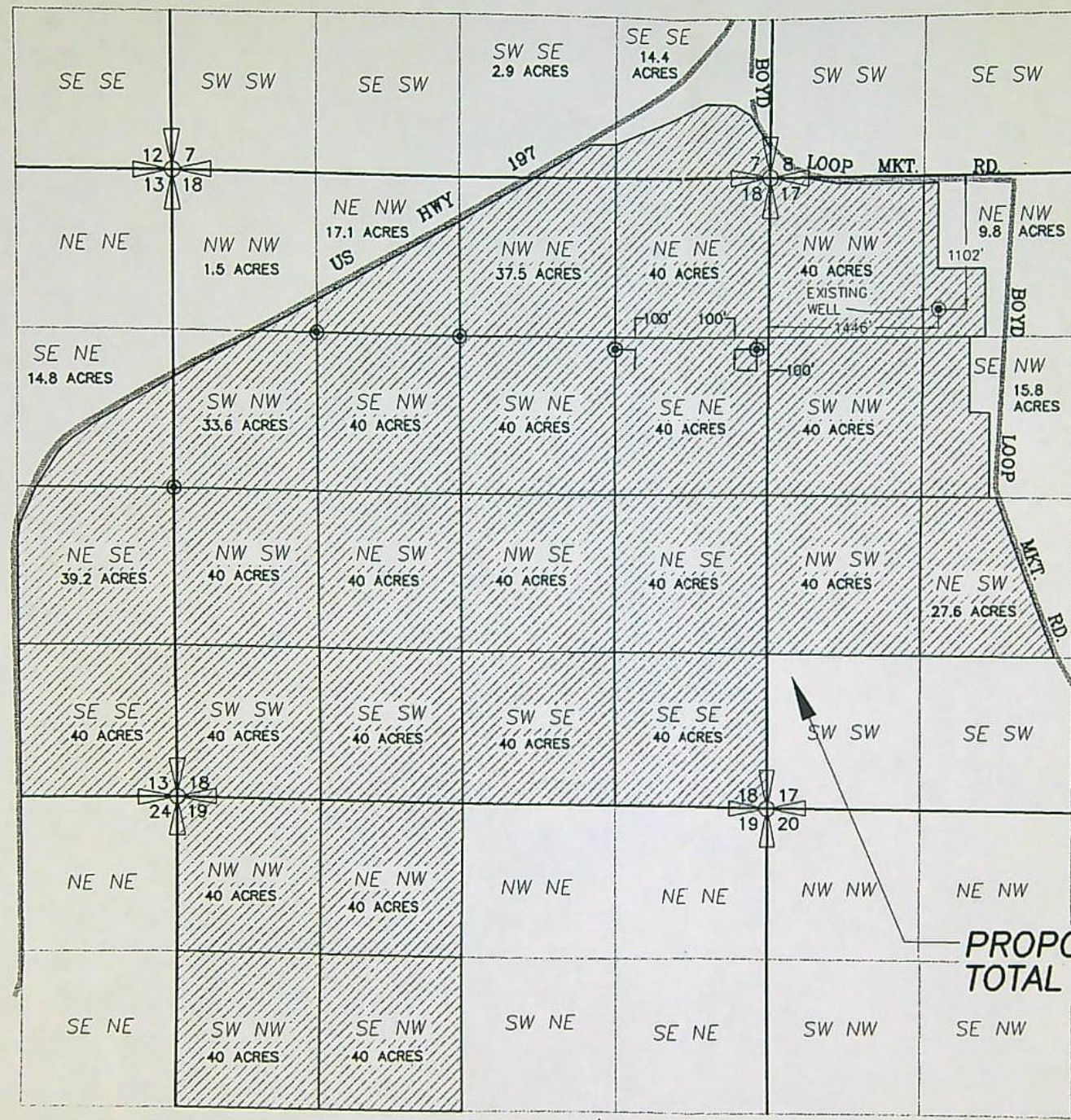
14 DAY STOP PROCESSING DEADLINE DATE: Friday, July 29, 2005

PUBLIC NOTICE DATE: Tuesday, July 19, 2005

30 DAY COMMENT DEADLINE DATE: Thursday, August 18, 2005

RECEIVED
 APR 14 2005
 WATER RESOURCES DEPT
 SALEM OREGON

Certified Water Right Examiner
 #137
Thomas A. Walker
 Thomas A. Walker
 Nov. 19, 1987
 STATE OF OREGON
 EXPIRES 6-30-06




1 INCH = 1320 FT.


PROPERTY OWNER:
 THE MILLER RANCH COMPANY
 66359 US HWY 197
 DUFUR, OR 97021


APPLICANT:
 THE MILLER RANCH COMPANY

REQUEST:
 GROUNDWATER APPROPRIATION
 FOR PRIMARY IRRIGATION AND
 AGRICULTURAL USE

LEGEND:

 PROPOSED IRRIGATION

 PROPOSED WELL

 EXISTING WELL

NOTE: THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF WATER RIGHTS. THIS MAP IS NOT INTENDED TO PROVIDE DIMENSIONS OR THE LOCATION OF PROPERTY OWNERSHIP LINES.

appno G-16439 **APPLICATION MAP FOR IRRIGATION AND AGRICULTURAL USE WATER RIGHTS**
TOWNSHIP 1 SOUTH, RANGE 14 EAST

Mailing List for IR Copies

Application #G-16439

IR Date: July 15, 2005

Original mailed to:

Applicant: ~~WILLIAM MILLER, THE MILLER RANCH CO, 66359 US HWY 197, DUFUR, OR 97021~~

Copies sent to:

1. WRD - File # G-16439
2. WRD - Water Availability: Ken Stahr

IR, Map, and Fact Sheet Copies sent to:

3. WRD - Watermaster # 3
4. WRD - Regional Manager: NCR

Copies sent to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

5. Thomas A. Walker, CWRE #137

Copies Mailed
By: <u>JLB</u>
(SUPPORT STAFF)
on: <u>7/15/05</u>
(DATE)

ID# JWG

COPY#IT IR

REMINDER: Copy all IR's for uses in the geographic Umatilla Basin to Confederated Tribes of the Umatilla Indian Reservation, PO Box 638, 73239 Confederated Way, Pendleton, OR 97801.

REMINDER: Copy all IR's for uses in the Klamath Basin to DEQ and ODFW contacts, regardless of whether they are subject to Division 33. (If they are not subject to Division 33, do not include Division 33 forms.)



TRANSMITTAL

To: Oregon Water Resources Department
 Company:
 Address: 725 Summer Street NE, Suite A
 City/State: Salem, OR 97301-2430
 Phone:
 Fax:

Date: May 2, 2005
 Project Number: 30162.1001
 Project Name: The Miller Ranch Company
 Re: Groundwater Appropriation Application G-16439

From: Thomas A. Walker, P.E., C.W.R.E.
 Phone: (541) 388-4255
 Fax: (541) 388-4229

Confidentiality Notice: This facsimile is intended only for the use of the individual and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that the unauthorized dissemination, distribution or copying of this communication, or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone (collect). Thank you.

We are sending:

- Attached
- Facsimile
- # Of Pages Including Cover

These Are Transmitted:

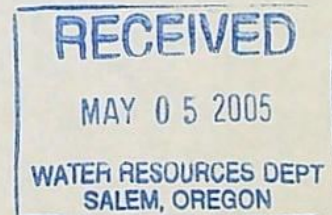
- For Your Info/File
- As Requested
- For Review & Comment

Copied To:

Bill Miller

Copies	Description
1	Existing Well Pump Test Data

Comments: Our application included a well log and pump test results for an existing well on The Miller Ranch Company property. The enclosed well pump test information was inadvertently omitted. Please forward the attachments to the Groundwater Section for their review and use. Thank you for your assistance.



Civil and Structural Engineering ♦ Landscape Architecture
 Planning ♦ Surveying and Mapping

Washington ♦ Oregon ♦ Idaho

G-16439

Flow Data for Rockpit Well

<u>Date</u>	<u>Time</u>	<u>Flow</u>
<u>Before Miller Well Test</u>		
03/06/96	12:11	398
03/06/96	12:30	397
03/06/96	12:40	398
03/06/96	12:50	398
03/06/96	13:00	399
03/06/96	13:10	399
03/06/96	13:20	399
<u>After Miller Well Test</u>		
03/08/96	16:05	396
03/08/96	16:10	398
03/08/96	16:20	398
03/08/96	16:30	398
03/08/96	16:40	397
03/08/96	16:50	398
03/08/96	17:00	396

RECEIVED
MAY 05 2005
WATER RESOURCES DEPT
SALEM, OREGON

TABLE 2
Miscellaneous Flow and Pressure Data
at Miller and Rockpit Wells
March 6-8, 1996

Flow Data Miller Well
Open Flow GPM

Date	Time	Flow
03/07/96	16:15	289
03/07/96	16:30	273
03/07/96	16:45	270
03/07/96	17:00	267
03/07/96	17:15	266
03/07/96	17:30	267
03/07/96	17:45	267
03/07/96	18:00	267
03/07/96	18:15	266
03/07/96	18:30	266
03/07/96	18:45	266
03/07/96	19:00	264
03/07/96	19:15	266
03/07/96	19:30	264
03/07/96	19:45	265
03/07/96	20:00	266
03/07/96	20:15	263
03/07/96	20:30	267
03/07/96	20:45	264
03/07/96	21:00	266
03/07/96	21:15	265
03/07/96	21:30	266
03/07/96	21:45	267
03/07/96	22:00	266
03/07/96	22:15	264
03/07/96	22:30	264
03/07/96	22:45	263
03/07/96	23:00	263
03/07/96	23:15	264
03/07/96	23:30	266
03/07/96	23:45	265
03/08/96	00:00	266
03/08/96	00:15	265
03/08/96	00:30	268
03/08/96	00:45	264
03/08/96	01:00	265
03/08/96	01:15	263
03/08/96	01:30	267
03/08/96	01:45	265
03/08/96	02:00	264
03/08/96	02:15	265
03/08/96	02:30	264
03/08/96	02:45	263
03/08/96	03:00	263
03/08/96	03:15	264
03/08/96	03:30	264
03/08/96	03:45	264
03/08/96	04:00	265
03/08/96	04:15	264
03/08/96	04:30	264
03/08/96	04:45	263
03/08/96	05:00	263
03/08/96	05:15	265
03/08/96	05:30	263
03/08/96	05:45	262
03/08/96	06:00	265
03/08/96	06:15	263
03/08/96	06:30	265
03/08/96	06:45	264
03/08/96	07:00	264
03/08/96	07:15	265
03/08/96	07:30	265
03/08/96	07:45	264
03/08/96	14:00	257
03/08/96	14:15	250
03/08/96	14:30	251
03/08/96	14:45	250
03/08/96	15:00	249
03/08/96	15:15	249
03/08/96	15:30	250
03/08/96	15:45	250
03/08/96	16:00	249
03/08/96	16:15	250
03/08/96	16:30	249
03/08/96	16:45	248
03/08/96	17:00	249

Flow Data Miller Well
Flows with pump: 21Hg

Date	Time	Flow
03/07/96	13:45	249
03/07/96	13:50	249
03/07/96	14:20	249
03/07/96	14:50	249
03/08/96	09:23	254
03/08/96	09:24	265
03/08/96	09:25	255
03/08/96	09:26	258
03/08/96	10:00	265
03/08/96	10:15	261
03/08/96	10:30	260
03/08/96	10:45	260
03/08/96	11:00	260
03/08/96	11:15	264
03/08/96	11:30	261
03/08/96	11:45	260
03/08/96	12:00	263
03/08/96	12:15	261
03/08/96	12:30	263
03/08/96	12:45	261
03/08/96	13:00	264

Flow Data Miller Well
Flows at 80 psi

Date	Time	Flow
03/07/96	10:20	82
03/07/96	10:21	82
03/07/96	10:22	81
03/07/96	10:23	82
03/07/96	10:24	83
03/07/96	10:25	82
03/07/96	10:26	82
03/07/96	10:27	82
03/07/96	10:28	82
03/07/96	10:29	82
03/07/96	10:30	81

Flow Data Miller Well
Flows at 60 psi

Date	Time	Flow
03/07/96	10:40	133
03/07/96	10:41	133
03/07/96	10:42	134
03/07/96	10:43	134
03/07/96	10:44	133
03/07/96	10:45	135
03/07/96	10:46	132
03/07/96	10:47	131
03/07/96	10:48	131
03/07/96	10:49	131
03/07/96	10:50	132

Flow Data Miller Well
Flows at 50 psi

Date	Time	Flow
03/07/96	11:00	160
03/07/96	11:01	150
03/07/96	11:02	149
03/07/96	11:03	150
03/07/96	11:04	150
03/07/96	11:05	151
03/07/96	11:06	151
03/07/96	11:07	151
03/07/96	11:08	150
03/07/96	11:09	150
03/07/96	11:10	150

Flow Data Miller Well
Flows at 40 psi

Date	Time	Flow
03/07/96	11:20	174
03/07/96	11:21	174
03/07/96	11:22	172
03/07/96	11:23	172
03/07/96	11:24	174
03/07/96	11:25	172
03/07/96	11:26	173
03/07/96	11:27	171
03/07/96	11:28	170
03/07/96	11:29	171
03/07/96	11:30	171

Flow Data Miller Well
Flows at 30 psi

Date	Time	Flow
03/07/96	11:40	187
03/07/96	11:41	186
03/07/96	11:42	185
03/07/96	11:43	184
03/07/96	11:44	185
03/07/96	11:45	185
03/07/96	11:46	185
03/07/96	11:47	188
03/07/96	11:48	185
03/07/96	11:49	185
03/07/96	11:50	185

Flow Data Miller Well
Flows at 20 psi

Date	Time	Flow
03/07/96	12:00	200
03/07/96	12:01	202
03/07/96	12:02	201
03/07/96	12:03	200
03/07/96	12:04	201
03/07/96	12:05	203
03/07/96	12:06	203
03/07/96	12:07	202
03/07/96	12:08	203
03/07/96	12:09	201
03/07/96	12:10	200

Flow Data Miller Well
Flows at 11 psi

Date	Time	Flow
03/07/96	12:20	217
03/07/96	12:21	220
03/07/96	12:22	218
03/07/96	12:23	218
03/07/96	12:24	218
03/07/96	12:25	219
03/07/96	12:26	219
03/07/96	12:27	220
03/07/96	12:28	219
03/07/96	12:29	218
03/07/96	12:30	215

Flow Data for Rockpit Well

Date	Time	Flow
<i>Before Miller Well Test</i>		
03/08/96	12:11	398
03/06/96	12:30	397
03/08/96	12:40	398
03/06/96	12:50	398
03/08/96	13:00	399
03/06/96	13:10	399
03/08/96	13:20	399
<i>After Miller Well Test</i>		
03/08/96	16:05	398
03/08/96	16:10	398
03/08/96	16:20	398
03/08/96	16:30	398
03/08/96	16:40	397
03/08/96	16:50	398
03/08/96	17:00	398

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WATER RESOURCES DEPT
SALEM, OREGON



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

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1. APPLICANT INFORMATION

A. Individuals

Applicant: _____
First List

Mailing address: _____

City State Zip

Phone: _____
Home Work Other

*Fax: _____ *E-Mail address: _____

B. Organizations

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

Name of organization: The Miller Ranch Company

Name and title of person applying: William C. Miller President and Manager

Mailing address of organization: 66359 US Highway 197
Dufur OR 97021
City State Zip

Phone: 541-467-2274 Same
Day Evening

*Fax: 541-467-2274 *E-Mail address: mlrranch@aol.com

* Optional information

For Department Use		
App. No. <u>G-16439</u>	Permit No. _____	Date _____

2. PROPERTY OWNERSHIP

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SALEM, OREGON

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

- Yes (Skip to section 3 "Ground water Development.")
- No (Please check the appropriate box below.)
 - I have a recorded easement or written authorization permitting access.
 - I do not currently have written authorization or easement permitting access.
 - Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040).

List the names and mailing addresses of all affected landowners.

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): Six

Name of nearest surface water body: Fifteen Mile Creek

Distance from well(s) to nearest stream or lake: 1) 3,100 Feet (Existing Well)

2) 4100 Feet 3) 3570 Feet 4) 4520 Feet

5) 5620 Feet 6) 6720 Feet

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) The stream bed is approximately 120 feet below the existing well head.

2) 200 Feet 3) 240 feet 4) 180 Feet

B. Well Characteristics

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

Well(s) will be constructed by: Not yet determined. Well #1 was constructed by Austin Well Drilling in 1995.

Address: _____

Completion date: Well # 2 is expected to be constructed by April of 2006.

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

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
1	10"	6" Steel	545	0'	27'	0'	687'		718'
2	22"-24"	16" Steel	700'	0'	30'	0'	710'		740'
3	22"-24"	16" Steel	740'	0'	30'	0'	750'		780'
4	22"-24"	16" Steel	780'	0'	30'	0'	790'		820'
5	22"-24"	16" Steel	820'	0'	30'	0'	830'		860'
6	22"-24"	16" Steel	860'	0'	30'	0'	870'		900'

Note: Well numbers in this listing must correspond to well locations(s) shown on accompanying map.

C. Artesian Flows

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

The bore hole and steel casing are expected to be extended to the confining layer above the artesian aquifer. The casing will be grouted to eliminate any leakage into fractured layers above, or any shallower aquifers. The top of the casing will be fitted with an appropriate valve to allow complete control of the flow of water. Once controls are in place for anticipated artesian flow, the bore hole will be extended into the water bearing zone.

4. WATER USE

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

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

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

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SALEM, OREGON

B. Amount of Water

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

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
1	Reference Well Log	Irrigation/Agricultural	250 gpm	46,010,200	250 gpm
2		Irrigation/Agricultural	1088 gpm	200,170,550	1088 gpm
3		Irrigation/Agricultural	1088 gpm	200,170,550	1088 gpm

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 12.68 CFS or 5690 gpm
(The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: Irrigation: Mar 1- Oct 31 Agricultural: Nov 1-Feb 29
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1-October 31.)

E. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used: 1014.2 Acres
(This number should be consistent with you application map.)

5. WATER MANAGEMENT

A. Diversion

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

- Pump (give horsepower and pump type): 50 HP to 300 HP for Each Well Depending Upon Artesian
- Other means (describe): _____ Conditions _____

B. Transport

How will you transport water to your place of use?

- Ditch or canal (give average width and depth):

Width _____ Depth _____

Is the ditch or canal to be lined? Yes No

- Pipe (give diameter and total length):

Diameter 10 " to 12" Length Approximately 26,000 Lineal Feet

- Other (describe) _____

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**WATER RESOURCES DEPT
SALEM OREGON**

B. Amount of Water

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

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
4		Irrigation/Agricultural	1088 gpm	200,170,550	1088 gpm
5		Irrigation/Agricultural	1088 gpm	200,170,550	1088 gpm
6		Irrigation/Agricultural	1088 gpm	200,170,550	1088 gpm

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 12.68 CFS or 5690 gpm
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B. Transport

How will you transport water to your place of use?

- Ditch or canal (give average width and depth):
 Width _____ Depth _____
- Is the ditch or canal to be lined? Yes No
- Pipe (give diameter and total length):
 Diameter 10 " to 12" Length Approximately 26,000 Lineal Feet
- Other (describe) _____

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SALEM, OREGON

C. Application/Distribution Method

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

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

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

Distribution method

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

D. Conservation

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

An efficient micro irrigation system is proposed within the orchard. Standard wheel lines and center pivot sprinklers are proposed elsewhere. On-site weather station monitoring and soil moisture monitoring will be utilized to optimize water applications throughout the Miller Ranch.

6. PROJECT SCHEDULE

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

Proposed date construction will begin: May 1, 2005

Proposed date construction will be completed: October 1, 2025

Proposed date beneficial water use will begin: June 1, 2005

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7. REMARKS

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

Please reference the cover letter for the application.

8. MAP REQUIREMENTS

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

9. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

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

Thomas G. Walker for The Miller Ranch Company 4-13-2005

Signature of Applicant (If more than one applicant, all must sign.) Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

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Oregon Water Resources Department

FORM I

FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

Primary Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: 1014.2 Acres

Secondary: _____ Acres

List the permit or certificate number of the primary water right: No. _____

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- | | | |
|------------------------------------|---|---|
| 1. <u>Sweet Cherries</u> _____ | <input checked="" type="checkbox"/> Full season | <input type="checkbox"/> Partial season (from: _____ to _____) |
| 2. <u>Small Grains</u> _____ | <input type="checkbox"/> Full season | <input checked="" type="checkbox"/> Partial season (from: <u>3-01</u> to <u>10-31</u>) |
| 3. <u>Hay / Pasture</u> _____ | <input type="checkbox"/> Full season | <input checked="" type="checkbox"/> Partial season (from: <u>3-01</u> to <u>10-31</u>) |
| 4. <u>Various Seed Crops</u> _____ | <input type="checkbox"/> Full season | <input checked="" type="checkbox"/> Partial season (from: <u>3-01</u> to <u>10-31</u>) |

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

3212.6 _____ acre-feet

(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

- | | |
|---|---|
| <input type="checkbox"/> Daily during daytime hours | <input type="checkbox"/> Daily during nighttime hours |
| <input type="checkbox"/> Two or three times weekly during daytime | <input type="checkbox"/> Two or three times weekly during nighttime |
| <input type="checkbox"/> Weekly, during daytime hours | <input type="checkbox"/> Weekly, during nighttime hours |
| <input checked="" type="checkbox"/> Other, explain: <u>Irrigation will typically occur 24 hours per day on a standard rotation.</u> | |

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**WATER RESOURCES DEPT
SALEM, OREGON**



920 SW Emkay, Suite C100
Bend, Oregon 97702-1041
541.388.4255
Fax 541.388.4229

April 13, 2005

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OVER THE COUNTER

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-2430

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WATER RESOURCES DEPT
SALEM OREGON

**Re: The Miller Ranch Company
Groundwater Appropriation Application
WHP File No. 30162.1001**

Gentlemen/Ladies:

I have enclosed a groundwater appropriation application for the Miller Ranch Company land holdings in Wasco County, near Dufur. Your review and approval are respectfully requested. The following documents are enclosed for your consideration and use:

- Executed groundwater appropriation application.
- Executed Land Use Information Form.
- Check in the amount of \$1,700 for Oregon Water Resources Department (OWRD) fees.
- Deed for the subject property.
- Existing well log.
- Well pump test report.
- Application Map.
- Wasco County Tax Lot Maps.
- Letter Authorizing W&H Pacific to Act as an Agent.

The Miller Ranch Company has owned and operated their ranch near Dufur for several generations. The family has continuously improved the agricultural property. The enclosed water right appropriation application is intended to further enhance agricultural operations, allow alternative and more profitable crops, and generally facilitate successful agricultural practices on the family property.

Application Summary:

The Miller Ranch Company has requested authorization to develop a groundwater well for irrigation and agricultural purposes. At least a portion of the ranch property is expected to be planted to an orchard. The "irrigation" use will accommodate irrigation needs for various crops throughout the land holding, during the normal season. However, additional water applications are required at times, primarily in October and March, for chemical application, frost control, or manipulation of dormant tree cycles. The Spring of 2005 is a perfect example, where many orchardists in Wasco County initiated their irrigation in March to optimize and protect crop production levels. The requested "agricultural use" will allow the needed water application outside of the normal season.

The Miller Ranch Company is requesting your authorization to develop and use groundwater on 1014.2 acres of farm ground with a maximum diversion rate of 12.68 cubic feet per second. The enclosed

application is based upon a standard rate and duty for irrigation plus a small additional duty for the agricultural use.

Agricultural Use:

The Miller Ranch Company has requested an agricultural use to accommodate springtime frost control, orchard management practices, fertilization or fumigation in the shoulder seasons, and similar critical agricultural practices. A cherry orchard is proposed and represents a very significant capital investment with a long-term recovery. The Millers are obligated to protect the proposed orchard with all available practices for frost control and tree management.

Tree orchards throughout Wasco County are typically irrigated throughout the months of April through October. Periodically, irrigation is required in the months of March and November. Because frost during the initial bud swell or bloom can decimate the year's crop, it is imperative to have the option to irrigate for frost control. Irrigation for frost control is a common and successful practice. Similarly, irrigation in October and November is sometimes needed to prevent stress entering the dormant season.

In summary, out-of-season irrigation or an agricultural use is critical to preserve the multi-million dollar investment in a new cherry orchard. The exact timing and quantity of irrigation applications is fully dependent upon weather conditions, which vary significantly from day-to-day and year-to-year. The Miller Ranch Company fully understands their obligation to use water beneficially, without waste.

Conservation of Water:

Orchardists have a significant incentive to conserve water due to the high cost of pumping and distribution. A micro-irrigation system is tentatively proposed for the cherry orchard, with low and uniform application rates, and high efficiency and low trajectory heads in a permanent set. The proposed sprinkler heads can accommodate irrigation and frost control needs. A dual drip irrigation system may also be installed to optimize irrigation applications within the orchard. The irrigation system will be operated and controlled based upon an on-site weather station and soil moisture monitoring from soil probes and tensiometers.

Standard wheel lines, center pivot sprinklers, and/or standard hand lines will be utilized outside of the orchard. The proposed sprinklers are efficient and will provide uniform irrigation application, without waste. Sprinkler systems will typically be operated 24 hours per day on a standard rotation.

The total water discharge from the wells will be metered and reported as appropriate.

Schedule and Term:

Irrigation of approximately 1,000 acres, as noted on the attached map, is proposed. Irrigation of 1,000 acres represents a very significant capital investment. The Miller Ranch Company requests an extended term to beneficially utilize the water, so that the capital investment can be spread over the next 20 years. With an extended term, the expected profits from initial investments can help to pay for later phases of the irrigation system. However, confirmation of the entire water right for the ranch is necessary, to optimize planning, design, and construction for the long-term operation.

Subject to your approval, the Miller Ranch Company intends to initiate irrigation of newly planted cherry trees in the summer of 2005. Initial well construction, well pump installation and power service will

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WATER RESOURCES DEPT
SALEM OREGON

proceed immediately upon issuance of a permit. The initial cherry orchard is expected to encompass approximately 300 acres, with trees planted in phases as the irrigation system is extended. Construction of the initial orchard irrigation system and planting of trees is expected to span several years.

Over time, wheat, alfalfa, pasture, or other crops will be irrigated. Depending upon the success of various crops, the orchard may be expanded. Cherry trees will not reach full production for an estimated 7 years, so the feasibility and financial incentive for expansion may not be known for 10 or 15 years. A 20 year term to invest the significant capital, test crop alternatives, and optimize agricultural operations is warranted.

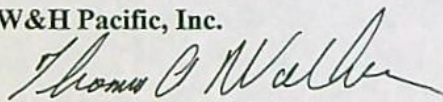
Well Development:

In 1995, the Miller Ranch Company constructed an exploratory well on the ranch property. A copy of the well log and well pump test results are enclosed. During the pump test, the neighbor's well was monitored and no draw down impacts occurred. The Miller Ranch Company is confident that an aquifer with significant capacity occurs at depth, which will meet their water needs on this project.

Please consider my comments, and contact me if you have questions or require additional information. I have copied Mr. Robert Wood with application materials to keep him advised of our intentions and to solicit his concurrent review and assistance. We greatly appreciate your assistance and review, and look forward to your response.

Very truly yours,

W&H Pacific, Inc.



Thomas A. Walker, P.E., C.W.R.E.
Vice President

Cc: Bill Miller
Charley Miller
Robert Wood

10-15 yrs to know
expansion probability

initially only
irrigate 300 ac.

20 yrs noted again

full 1000 acres
irrigation

completion in
20 years

April 5, 2005

Oregon Water Resources Department
North Mall Office Building
725 Summer Street NE., Suite A
Salem, Oregon 97301-1271

**Re: Miller Ranch
Pending Groundwater Appropriation Application**

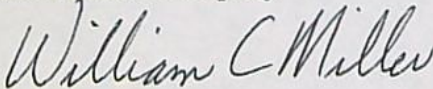
Gentlement/Ladies:

W&H Pacific, Inc. is hereby authorized to act as an agent of the Miller Ranch Company, in regards to the attached groundwater appropriation application. We expect W&H Pacific to prepare and file appropriate application documents, respond to your questions and needs, and generally facilitate the desired groundwater application.

Thank you for your assistance.

Sincerely,

Miller Ranch Company



William C. Miller
. President and Manager

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WATER RESOURCES DEPT
SALEM OREGON

FloSonics, Inc.

NDT _____

P.O. Box 1060
Hermiston, Oregon 97838



April 18, 1996

Mr. Bill Miller
Miller Ranches
66359 U.S. Highway 197
Dufur, OR 97201

Re: Pump test of artesian well owned by Miller Ranch and located at T.1S., R.14E., W.M., Section 17, NE¼, NW¼, Wasco County

Dear Mr. Miller:

This letter transmits the data and results of a pump test performed by FloSonics, Inc., on the referenced artesian well. Test data were collected on March 6, 7, and 8, 1996. The objectives of the test were as follows:

- Determine the maximum sustainable flow through the well
- Determine drawdown and recovery rates at the maximum sustainable flow rate of the well
- Determine if well use would affect a nearby existing artesian well (Permit G-9755 & G 11071, hereafter referred to as the Rock Pit well), located approximately 2,600 feet from the new Miller Ranch well

The location of the well was estimated using approximate distances from landmarks and placed on a 7.5 minute USGS topographic map, Dufur East Quadrangle. Using information from the Wasco County Watermaster's office and the USGS map, the following wells and water bodies are within 1,000 feet of the Miller Ranch well:

- Intermittent stream, tributary to Fifteen Mile Creek, completely dry at the time of the test except for discharge from Miller's well
- Irrigation well registered to Schindler, Permit G-7598
- Irrigation well registered to Welp, Permit G-5423

(503) 567-1966

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SPECIALISTS IN ACOUSTIC MEASUREMENT.

G-16439

Mr. Bill Miller
April 24, 1996
Page 2

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The elevation of Miller's well head was estimated to be between five and ten feet above the elevation of the stream bed.

The well log on file at the Watermaster's office for Schindler's well shows that it is 275 feet deep, with static water level approximately 222 feet below land surface. Elevation of Schindler's well head is within 20 feet of the elevation of Miller's well head, as indicated by the USGS topographic map.

There is no well log on file for the well registered to Welp, but the water right is for less than three acres, and there is no artesian flow. It is highly unlikely that the water source feeding either Schindler's or Welp's well is hydraulically continuous with the artesian aquifer feeding Miller's well.

The pump tests performed by FloSonics, Inc., for Miller's well were conducted in accordance with Pump Test Specifications in "Pump Test Requirements for Groundwater Right Holders" (1991) published by the State of Oregon Water Resources Department. Flow rates from the well were measured with an ultra-sonic transit-time flow meter attached to an open discharge pipe from the well. The meter was installed in accordance with the recommendations of the meter manufacturer. Pressure at the well head was measured using a combination pressure-vacuum gauge, mounted upstream from the pump.

The pump was an end-suction centrifugal pump mounted at ground level.

A summary of activities for the three-day test period is listed chronologically on the attached summary page. Both Miller and Rock Pit wells were shut off for a period of at least 16 hours, and pressures were recorded at three 20-minute intervals prior to beginning testing on March 6, 1996.

Prior to performing the drawdown test on the Miller well, the Rock Pit well was opened and allowed to flow at a rate of approximately 400 gpm for approximately one hour (maximum capacity of the Rock Pit well was 455 gpm, as shown on the well log). There was no change in static pressure at Miller well during this period. When the Rock Pit well was closed, pressure recovery was instantaneous.

To determine the drawdown relationship of the Miller well, it was allowed to run with an open discharge for a four-hour period. At the end of the four-hour period, the discharge valve was closed, and pressure recovery was monitored until it reached the level recorded prior to beginning the drawdown test. Table 1 lists the drawdown and recovery test data. The real-time flow and pressure data are plotted on Figure 1. Throughout the drawdown test, pressure was monitored at the Rock Pit well and was noted to hold steady at 117 psi.

Maximum steady-state flow rate achieved during the draw-down test was approximately 250 gpm.

Mr. Bill Miller
April 24, 1996
Page 3

On March 7 and 8, 1996, the Miller well was tested with the pump connected, and pressures at the well head were monitored for various flow rates. Figure 2 shows the relationship between steady-state pressure and flow rate. Also during this two-day period, Miller well was allowed to operate with an open discharge and with the pump operating for a period of 24 hours. During this period, flows remained steady at approximately 250 gpm, and there was no change in the static pressure at the Rock Pit well. Near the end of the 24-hour period, the Rock Pit well was allowed to run for one hour at 400 gpm. There was no change in the flow rate at Miller well, and pressure recovery was instantaneous at Rock Pit well when it was closed. Table 2 lists flow and pressure data collected at both wells during the three-day test period. Real time flow and pressure data for the three-day test period are plotted on Figure 3.

Having performed a detailed review of the pump test procedures and data, and a cursory review of well location, construction, and location of surrounding wells and water bodies, I have drawn the following conclusions:

- Maximum flow rate of the Miller well is 250 gpm
- Operating the pump has negligible effect on the well's discharge capacity
- Operating either Miller or Rock Pit well will not affect hydraulic performance of the other
- The artesian aquifer supplying the Miller well is not hydraulically continuous with other wells or surface water bodies within 1,000 feet

Please don't hesitate to call if you have any questions regarding this review or its conclusions.

Very truly yours,



Peter C. Garvin, P.E.

Encl. Overview
Summary Page
Figures 1, 2 and 3
Tables 1 and 2

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OVERVIEW

Testing on the Miller artesion well March 6-8

<u>Location: Miller well</u>	County	Wasco
	Township	1S
	Range	14E
	Section	17 NE/NW
	Nearest Address	Boyd Mkt. Rd. 908 Dufur, Or.
	Owner	The Miller Ranch

<u>Location: Rockpit well</u>	County	Wasco
	Township	1S
	Range	14E
	Section	17 NE/SW
	Owner	William L. Bolton
	Permit Number	G-9755 & G-11071

Purpose

1. To conduct a state well test to determine drawdown and recovery rates.
2. To determine if well use would effect a nearby artesion well. (This well will be refered to as the Rockpit well)
3. To determine a sustainable flow from the Miller well.

Results

1. Gathered and recorded data for a four hour state well drawdown test and recovery period.
2. Observed no pressure or flow changes in the Rockpit well due to testing at Miller well.
3. Measured and recorded sustainable flows. Open flow and flows under vacuum recorded.
Measured and graphed flows under different pressures.

Table of Contents

Page 1	Overview
Page 2	Summary Page
Page 3	State Well Test Data
Page 4	Additional Flow Data
Page 5	Graph: State Drawdown: Test GPM vs Time
Page 6	Graph: Well Recovery vs Time
Page 7	Graph: GPM vs PSI

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WATER RESOURCES DEPT Page 1
SALEM, OREGON

Summary Page

03/06/96

- 10:30-12:00 Initial check of static pressures. Miller well measured 104 psi and the Rock Pit well measured at 117 psi.
- 11:30 Rockpit well 117 psi
- 11:50 Rockpit well 117 psi
- 12:10 Rockpit well 117 psi
- 12:00-13:30 Flow test on Rock Pit well. No effect on static pressure of Miller well. Instantaneous pressure recovery on Rockpit well. Set-up for State test on Miller well.
- 12:30 Miller well 104 psi
- 12:50 Miller well 104 psi
- 13:10 Miller well 104 psi
- 13:40-17:40 State well test draw down analysis on Miller well.
Rockpit well 117 psi at 13:45, 15:15, 15:45, 16:15, 17:00, 18:00
- 17:40-18:14 State well test recovery analysis on Miller well.
- 18:15-19:15 Attempt to test flows at different pressures on Miller well.
- 19:15-24:00 Miller well closed. No testing.

03/07/96

- 00:01-09:00 Miller well closed. No testing.
- 09:00-10:00 Setup for testing flows with centrifugal pump on Miller well.
- 10:00-12:30 Flow tested at 80 psi, 60 psi, 50 psi, 40 psi, 30 psi, 20 psi, and 11 psi on Miller well.
- 12:30-16:00 Test flows with centrifugal pump on Miller well. 21 Hg of pull on well.
- 16:00-24:00 Open flow 24 hr test on Miller well.

03/08/96

- 00:01-08:00 Open flow on Miller well. Temperature of water from Miller well: 65 degrees fahrenheit.
Rockpit well 117 psi at 07:30
- 08:00-13:30 Flows with centrifugal pump on Miller well. 21 Hg of pull on well.
Rockpit well 117 psi at 09:30, 11:00, 13:00
- 13:30-17:30 Open flow on Miller well.
Rockpit well 117 psi at 15:00, 16:00, 18:00
- 16:00-17:00 Flow test on Rock Pit well. Static pressure 117 psi. One hour flow test. Instantaneous pressure recovery. Both Miller and Rockpit wells running. No effect on Miller well flows. Temperature of water: 62 degrees fahrenheit from Rockpit well.

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WATER RESOURCES DEPT
SALEM OREGON

**Table 1
Miller Well Pump Test Data**

Drawdown Data

Recovery Data

<u>Date</u>	<u>Time</u>	<u>Time Since Pump Started</u>	<u>PSI</u>	<u>Flow</u>
03/06/96	13:40	0	104.0	740
03/06/96	13:42	2	3.6	561
03/06/96	13:44	4	3.2	364
03/06/96	13:46	6	3.1	303
03/06/96	13:48	8	3.0	272
03/06/96	13:50	10	2.9	265
03/06/96	13:55	15	2.9	262
03/06/96	14:00	20	2.9	257
03/06/96	14:05	25	2.6	254
03/06/96	14:10	30	2.6	252
03/06/96	14:25	45	2.5	252
03/06/96	14:40	60	2.4	250
03/06/96	14:55	75	2.3	250
03/06/96	15:10	90	2.0	250
03/06/96	15:25	105	2.0	251
03/06/96	15:40	120	2.0	251
03/06/96	15:55	135	2.0	250
03/06/96	16:10	150	2.0	250
03/06/96	16:25	165	2.0	249
03/06/96	16:40	180	2.0	248
03/06/96	16:55	195	2.0	248
03/06/96	17:10	210	1.8	250
03/06/96	17:25	225	1.8	250

<u>Date</u>	<u>Time</u>	<u>Time Since Pump Stopped</u>	<u>PSI</u>
03/06/96	17:40	0	1.8
03/06/96	17:42	2	41.0
03/06/96	17:44	4	59.0
03/06/96	17:46	6	72.0
03/06/96	17:48	8	81.0
03/06/96	17:50	10	88.0
03/06/96	17:52	12	92.0
03/06/96	17:54	14	96.0
03/06/96	17:56	16	98.0
03/06/96	17:58	18	99.5
03/06/96	18:00	20	101.0
03/06/96	18:02	22	101.5
03/06/96	18:04	24	102.0
03/06/96	18:06	26	103.0
03/06/96	18:08	28	103.0
03/06/96	18:10	30	103.5
03/06/96	18:12	32	104.0
03/06/96	18:14	34	104.0

Flows at Different PSI

<u>PSI</u>	<u>GPM</u>
104	0
80	82
60	132
50	150
40	172
30	185
20	202
11	219
2	250

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TABLE 2
Miscellaneous Flow and Pressure Data
at Miller and Rockpit Wells
March 6-8, 1996

Flow Data Miller Well Open Flow GPM			Flow Data Miller Well Flows with pump: 21Hg			Flow Data Miller Well Flows at 80 psi			Flow Data Miller Well Flows at 20 psi			Flow Data for Ro	
Date	Time	Flow	Date	Time	Flow	Date	Time	Flow	Date	Time	Flow	Date	Time
03/07/96	16:15	289	03/07/96	13:45	249	03/07/96	10:20	82	03/07/96	12:00	200	03/06/96	12:11
03/07/96	16:30	273	03/07/96	13:50	249	03/07/96	10:21	82	03/07/96	12:01	202	03/06/96	12:30
03/07/96	16:45	270	03/07/96	14:20	249	03/07/96	10:22	81	03/07/96	12:02	201	03/06/96	12:40
03/07/96	17:00	267	03/07/96	14:50	249	03/07/96	10:23	82	03/07/96	12:03	200	03/06/96	12:50
03/07/96	17:15	266	03/08/96	09:23	254	03/07/96	10:24	83	03/07/96	12:04	201	03/06/96	13:00
03/07/96	17:30	267	03/08/96	09:24	255	03/07/96	10:25	82	03/07/96	12:05	203	03/06/96	13:10
03/07/96	17:45	267	03/08/96	09:25	255	03/07/96	10:26	82	03/07/96	12:06	203	03/06/96	13:20
03/07/96	18:00	267	03/08/96	09:26	258	03/07/96	10:27	82	03/07/96	12:07	202	03/07/96	16:05
03/07/96	18:15	266	03/08/96	10:00	255	03/07/96	10:28	82	03/07/96	12:08	203	03/07/96	16:10
03/07/96	18:30	266	03/08/96	10:15	261	03/07/96	10:29	82	03/07/96	12:09	201	03/07/96	16:20
03/07/96	18:45	266	03/08/96	10:30	260	03/07/96	10:30	81	03/07/96	12:10	200	03/07/96	16:30
03/07/96	19:00	264	03/08/96	10:45	260							03/07/96	16:40
03/07/96	19:15	266	03/08/96	11:00	260							03/07/96	16:50
03/07/96	19:30	264	03/08/96	11:15	264							03/07/96	17:00
03/07/96	19:45	265	03/08/96	11:30	261								
03/07/96	20:00	266	03/08/96	11:45	260								
03/07/96	20:15	263	03/08/96	12:00	263								
03/07/96	20:30	267	03/08/96	12:15	261								
03/07/96	20:45	264	03/08/96	12:30	263								
03/07/96	21:00	266	03/08/96	12:45	261								
03/07/96	21:15	265	03/08/96	13:00	264								
03/07/96	21:30	266											
03/07/96	21:45	267											
03/07/96	22:00	266											
03/07/96	22:15	264											
03/07/96	22:30	264											
03/07/96	22:45	263											
03/07/96	23:00	263											
03/07/96	23:15	264											
03/07/96	23:30	266											
03/07/96	23:45	265											
03/08/96	00:00	266											
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03/08/96	00:45	264											
03/08/96	01:00	265											
03/08/96	01:15	266											
03/08/96	01:30	267											
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03/08/96	02:15	265											
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03/08/96	07:15	265											
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03/08/96	14:30	251											
03/08/96	14:45	250											
03/08/96	15:00	249											
03/08/96	15:15	249											
03/08/96	15:30	250											
03/08/96	15:45	250											
03/08/96	16:00	249											
03/08/96	16:15	250											
03/08/96	16:30	249											
03/08/96	16:45	248											
03/08/96	17:00	249											

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Figure 1: Miller's Well Flow & Pressure vs Time

FloSonics, Inc. 1996

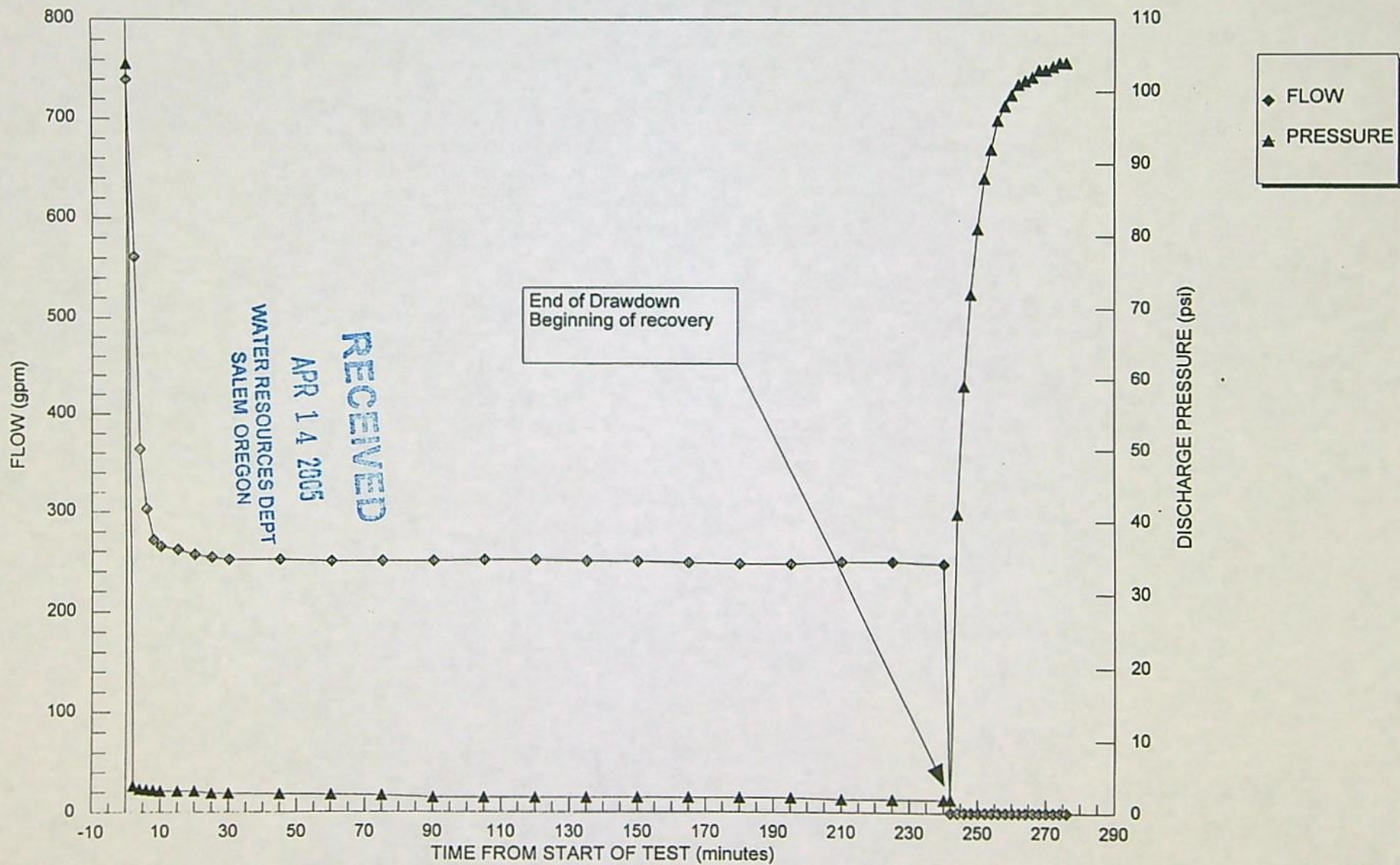
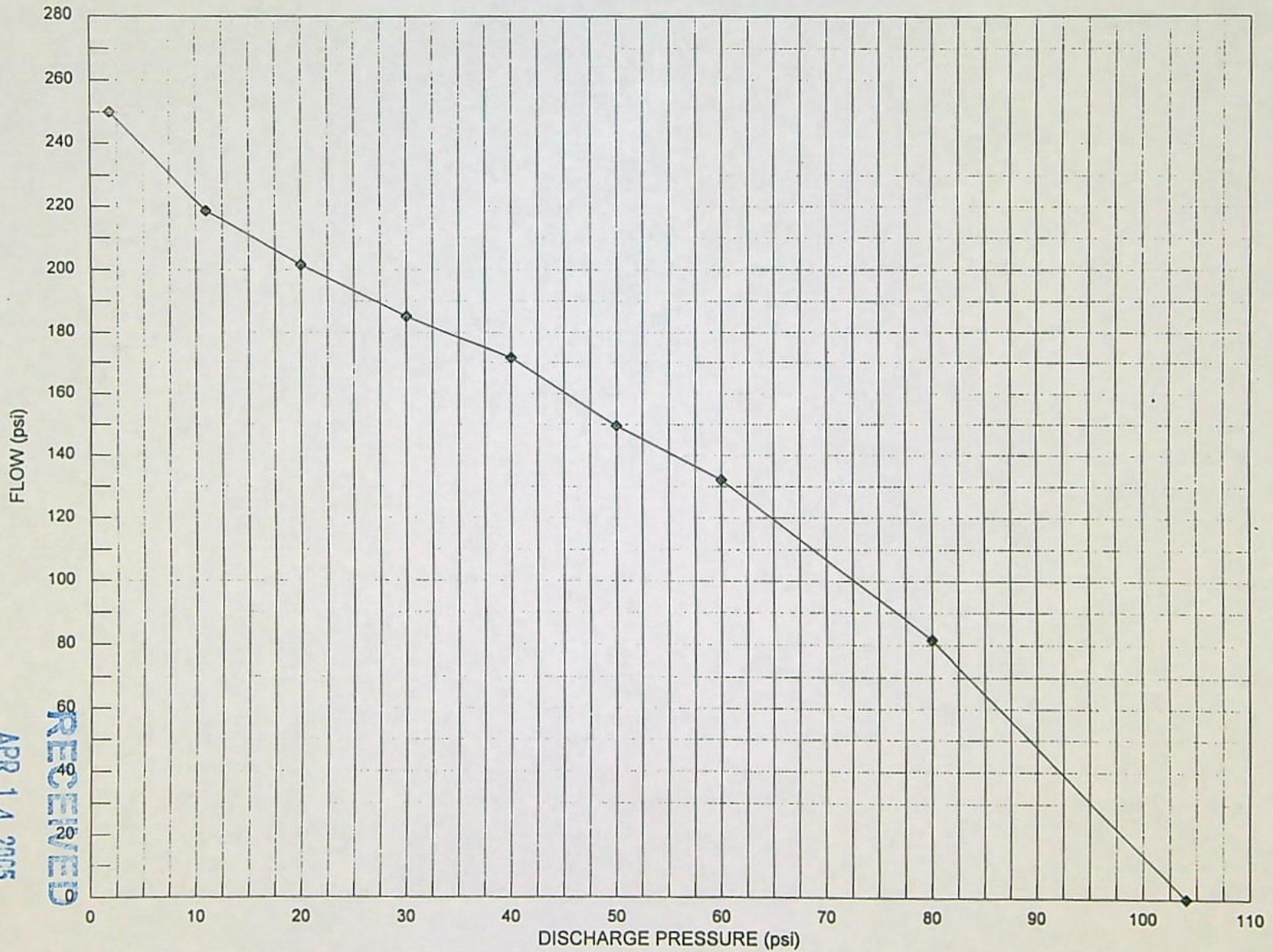


Figure 2: Miller's Well Flow vs Pressure

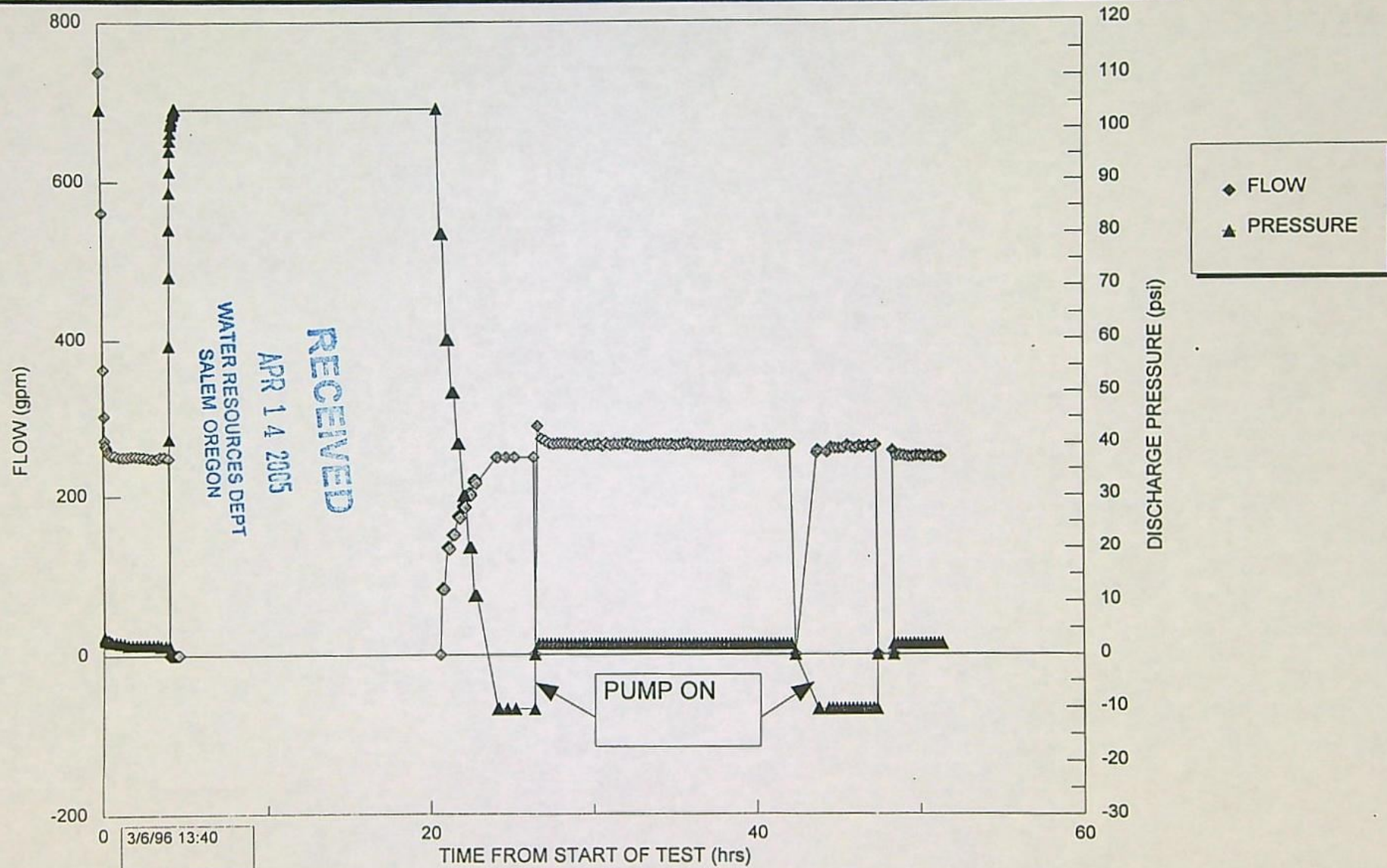
FloSonic, Inc. 1996



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FIGURE 3: MILLER WELL FLOW & PRESSURE vs TIME

FloSonic, Inc. 1996



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

(START CARD) # 52340

(1) OWNER: Well Number: _____
 Name The Miller Ranch
 Address 66359 US Hwy 197
 City Dufur State OR Zip 97021

(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 718 ft.
 Explosives used Yes No _____ Type _____ Amount _____

HOLE Diameter	From	To	SEAL Material	From	To	Amount
						sacks or pounds
14	0	30				
10	30	718	Cement	0	27	30 Bags

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:

Casing/Liner	Diameter	From	To	Gauge	Material			
					Steel	Plastic	Welded	Threaded
Casing	10	+1	29	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	6	+2	545	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of sheets: _____

(7) PERFORATIONS/SCREENS:

Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	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"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
 Yield gal/min _____ Drawdown _____ Drill stem at _____ Time _____
 _____ 1 hr.

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

(9) LOCATION OF WELL by legal description:
 County Wasco Latitude _____ Longitude _____
 Township 1S N or S. Range 14 E E or W. WM. _____
 Section 17 NE 1/4 NW 1/4
 Tax Lot 3100 Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) Boyd Mkt. Rd.
908 Dufur, Or.

(10) STATIC WATER LEVEL:
 _____ ft. below land surface. Date _____
 Artesian pressure 110 lb. per square inch. Date 3-20-95

(11) WATER BEARING ZONES:

Depth at which water was first found 687

From	To	Estimated Flow Rate	SWI
687	702	415	0

(12) WELL LOG: Ground elevation _____

Material	From	To	SWI
Soil	0	25	
Sand fine brn	2	8	
SS hard brn	8	24	
Basalt grey	24	55	
Basalt med grey	55	60	
Basalt 16 hard grey	60	82	
Basalt hard fract grey	82	90	
Basalt hard grey	90	144	
Basalt hard broken grey			
W/B SWL 16	144	155	
Basalt Med Grey hard	155	164	
Basalt very hard grey	164	196	
Basalt fract. soft blk	196	203	3.
Basalt porous blk	203	215	
Basalt hard grey	215	244	
Basalt soft porous blk	244	251	
Basalt hard blk	251	253	
Basalt fract hard grey	253	256	
Basalt hard grey	256	261	
Basalt porous fract blk	261	315	6.
Basalt med hard blk	315	336	
Basalt porous blk	336	341	
Basalt soft porous blk	Continued		

Date started _____ Completed _____

(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 construct standards. Materials used and information reported above are true to my b knowledge and belief.
 WWC Number _____
 Signed _____ Date _____

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonm work performed on this well during the construction dates reported above. work performed during this time is in compliance with Oregon v construction standards. This report is true to the best of my knowledge & belief.
 WWC Number _____
 Signed _____ Date _____

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

(START CARD) # 52340

(1) OWNER: Well Number: _____
 Name The Miller Ranch
 Address 66359 US Hwy 197
 City Dufur State Or. Zip 97021

(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 _____ ft.
 Explosives used Yes No Type _____ Amount _____

HOLE		SEAL		Amount	
Diameter	From To	Material	From To	sacks or pounds	

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:				<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"/>	<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 sheets: _____

(7) PERFORATIONS/SCREENS:
 Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	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"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
 Yield gal/min _____ Drawdown _____ Drill stem at _____ Time _____
 _____ 1 hr.

Temperature of water _____
 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 Wasco Latitude _____ Longitude _____
 Township _____ N or S. Range _____ E or W. W.M.
 Section _____ 1/4 _____ 1/4
 Tax Lot _____ Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) _____

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

(11) WATER BEARING ZONES:
 Depth at which water was first found _____

From	To	Estimated Flow Rate	SWL

(12) WELL LOG: Ground elevation _____

Material	From	To	SWL
W/B SWL 71 150 GPM 56°	341	352	
Basalt broken brn Vixc	352	358	
Basalt hard grey	358	404	
Basalt med grey	404	417	
Basalt broken blk	417	423	
Rock soft blk	423	463	
Basalt hard bract grey	463	476	
Basalt hard grey	476	483	
Basalt hard fract grey	483	486	
Basalt hard grey	486	501	118
Rock soft W/green clay			
blk W/B	501	512	
Basalt med soft blk	512	527	
Basalt hard grey	527	530	
Set 6" Casing to 545 ft.			
grout from bottom to land surface			
4.2 cu. yds. cement & water			
Basalt med hard grey	580	620	
Basalt hard grey	620	630	
Basalt med hard grey	630	653	
Basalt med hard grey	653	670	
Basalt hard grey	670	683	

Date started _____ Completed _____

(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 construct standards. Materials used and information reported above are true to my b knowledge and belief.
 Signed _____ WWC Number _____
 Date _____

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonm work performed on this well during the construction dates reported above. work performed during this time is in compliance with Oregon v construction standards. This report is true to the best of my knowledge i belief.
 Signed _____ WWC Number _____
 Date _____

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WATER RESOURCES DEPT
 SALEM OREGON



920 SW Emkay, Suite C100
Bend, Oregon 97702-1041
541.388.4255
Fax 541.388.4229

March 25, 2005

Wasco County Planning & Development
2705 East Second Street
The Dalles, Oregon 97058

**Re: Miller Ranch Company
Water Right Application
Land Use Information Form
WHP File No. 30162.1001**

Ladies/Gentlemen:

I have enclosed a Land Use Information Form from the Oregon Water Resources Department and respectfully request your review and execution. I have enclosed a check in the amount of \$25.00, made payable to Wasco County, for your fees.

The Miller Ranch Company intends to apply to the Oregon Water Resources Department for a groundwater appropriation to irrigate their ranch property, near Dufur. The enclosed Land Use Information Form is a standard prerequisite and requires your review and execution.

The Miller Ranch Company land holdings are zoned exclusive farm use. No change in land use is proposed. The requested groundwater appropriation is intended to enhance agricultural operations.

Please review the enclosure and contact me if you have questions or require additional information. If acceptable, please execute the enclosed form and return it to me.

Very truly yours,

W&H Pacific, Inc.

Thomas A. Walker, P.E., C.W.R.E.
Vice President

Cc: Bill Miller
Charley Miller

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APR 14 2005

WATER RESOURCES DEPT
SALEM OREGON



Oregon Water Resources Department Land Use Information Form

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. WRD will use this and other information to evaluate the water use application. THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water right transfer, allocation of conserved water, or exchange and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm use zone.

To Be Completed By Applicant

This section must be completed by the individual or group that is filing an application with the Water Resources Department. Attach a copy of the map from the application to this form.

A. Applicant

Name: Miller Ranch Company
 Address: 66359 US Highway 197
 City: Dufur State: OR Zip: 07021 Day Phone: 541-467-2274

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)			Proposed Land Use
*	Exclusive Farm Use (EFU)	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Agricultural Production
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
*	Reference Attached Tax Lot Maps	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

List counties and cities where water is proposed to be diverted, conveyed, or used. Wasco County

C. Description of Proposed Use

Indicate the type of application to be filed with the Water Resources Department.

Water Use Permit Water Right Transfer Allocation of Conserved Water Exchange

Indicate the intended use of water and describe the key characteristics of the project.

Commercial Industrial Instream Irrigation
 Municipal Quasi-municipal Domestic (indicate number of households) _____
 Other Agricultural

Briefly describe: The Miller Ranch Company intends to apply for a groundwater appropriation to allow irrigation of land holdings near Dufur.

Indicate the source of the water to be used.

Reservoir/Pond Ground Water Surface Water _____

Indicate the estimated quantity of water the use will require: 12.5 CFS GPM Acre-Feet

Last revised: 04/06/04

Receipt for Request for Land Use Information

State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, OR 97301-1271
 (503) 986-0900

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WATER RESOURCES DEPT
 SALEM OREGON

For Local Government Use Only

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

A. Allowed Use

Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 3.210(B)(1). Go to section B "Approval" below.
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action/land use decision and accompanying findings are sufficient.)

B. Approval

Please provide printed name and written signature.

Name: Bruce Barnett Date: 3/29/2005
 Title: Associate Planner Phone: 541 506 2560
 Signature: [Signature]

C. Additional Comments

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

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

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APR 14 2005

**WATER RESOURCES DEPT
SALEM OREGON**

Receipt for Request for Land Use Information

Name of applicant: _____

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included with the application filed with the Water Resources Department if the local government cannot provide the requested land use information while the applicant waits.

City or County: _____

Staff contact: _____ Phone: _____

Signature: _____ Date: _____

app no G-16439

PARCEL RECORD - Cartographic Unit

Code Area	Township	Range	Section	1/4	1/16	Parcel Number	Type	Number	Formerly part of _____
29-3	15	13	13			500			

Map Number	Special Interest	History of Parcel			
Tax Lot Number		Exceptions/Additions	Date of Entry/ Acquisition	Acres Remaining	
					Deed Record
				Volume	Page

Previous Account Number	Previous Tax Lot Number				
13692	102				

15	13	13	102	29-05	29-3	OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTY Wasco COUNTY ASSESSOR'S OFFICE
TWP.	RGE.	SEC. 1/4	1/16	PARCEL NUMBER	TYPE	Spec. Int. in REAL PROP.
MAP NUMBER	MAP NUMBER	REAL PROP.	CODE AREA NUMBER	FORMERLY PART OF	100	

Insert each new course to this point	DESCRIPTION AND RECORD OF CHANGE	Date of entry on this card	Deed Record Vol.	PD.	Acres Remaining
	Dufur Orchard Company's Subd lots 630 thru 736; lots 740 thru 743 sec 13 A tr of land int he SE1/4 m/p desc as fol: CAAP on the Sly r/w US Hwy # 197 known as The Dalles-California Hwy sd pt being 60.00' dist (when measured at right angles) fr the c/l of sd Hwy at Engineer's Station 524+14.58 P.S. sd pt further being N 3,197.02' and E 4,868.97' fr the SW cor of sd sec 13; th S 61° 51' 14" W alg the sd Sly r/w 18.08' to the TPOB of this desc; th leaving sd r/w S 42° 29' 22" E 33.51'; th S 78° 34' 35" E 129.44'; th N 75° 02' 47" E 176.64'; th S 21° 26' 13" E 76.96'; th S 22° 13' 00" W 89.26'; th S 62° 23' 55" W 208.72'; th N 27° 36' 05" W 106.23'; th S 62° 32' 25" W 140.71'; th S 10° 23' 10" W 52.49'; th S 66° 34' 25" W 70.00'; th N 81° 38' 24" W 102.10'; th S 66° 30' 10" W 57.33'; th N 68° 28' 57" W 28.28';				
Remarks	th N 23° 28' 05" W 126.15' m/l to the inter with the sd Sly r/w of sd US Hwy #197; th alg sd r/w on a decreasing curve right 14.92' the chord of which bears N 56° 42' 18" E 14.92' tap that is 40.00' Sly (when measured at right angles fr c/l station 528+20.00); th continuing alg the sd Sly r/w N 61° 51' 14" E 380.90' to the POB				
		B&S 10-27-89	87	3915	2.78
		WD 12-20-92	95	240	1.6

RECEIVED

APR 14 2005

WATER RESOURCES DEPT
SALEM, OREGON

WARRANTY DEED

MILLER WHEAT AND CATTLE, LTD,

Grantor(s) hereby grant, bargain, sell, warrant and convey to:

THE MILLER RANCH COMPANY,

Grantee(s) the following described real property, in the County of WASCO and State of Oregon, free of encumbrances except as specifically set forth herein:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

SEE EXHIBIT "B" ATTACHED FOR EXCEPTIONS

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

The true and actual consideration for this conveyance is \$ 275,000.00.

Until a change is requested, all tax statements shall be sent to Grantee at the following address: 110 NE GREENWOOD AVENUE, BEND, OR 97701

Dated this 29th day of APRIL, 2004

MILLER WHEAT AND CATTLE, LTD
BY: [Signature] HARRY H. MILLER, JR., PRESIDENT

State of Oregon
County of WASCO

This instrument was acknowledged before me on April 29, 2004 by HARRY H. MILLER, JR., President of Miller Sheat and Cattle, Ltd.



[Signature] R. Condon
(Notary Public for Oregon)

commission expires _____

ESCROW NO. AD0020707

Return to:
THE MILLER RANCH COMPANY
110 NE GREENWOOD AVENUE
BEND, OR 97701

Microfilm No. 20042192

FILED
WASCO COUNTY

2004 APR 30 P 3:01

KAREN LEBRETON COATS
COUNTY CLERK

STATE OF OREGON
County of Wasco

I certify that this document was received and recorded in the

Karen LeBreton Coats, County Clerk
Deputy
A+T 10/11C 10 Recording 10

RECEIVED

APR 14 2005

WATER RESOURCES DEPT
SALEM OREGON

20042192

EMERITILE 20707-E
20042192

LEGAL DESCRIPTION

EXHIBIT "A"

Parcel 1

A Tract of land in the Southeast one-quarter of the Northeast one-quarter of Section 13, Township 1 South, Range 13 East, Willamette Meridian, Wasco County, Oregon, more particularly described as follows:

Commencing at a point on the Southerly right-of-way U.S. Highway No. 197, known as The Dalles-California Highway, said point being 60.00 feet distant (when measured at right angles) from the centerline of said Highway at Engineer's Station 524+14.58 P.S., said point further being North 3,197.02 feet and East 4,868.97 feet from the Southwest corner of said Section 13; thence South 61°51'14" West along the said Southerly right-of-way 18.08 feet to the true point of beginning of this description; thence leaving said right-of-way South 42°29'22" East 33.51 feet; thence South 78°34'35" East 129.44 feet; thence North 75°02'47" East 176.64 feet; thence South 21°26'13" East 76.96 feet; thence South 22°13'00" West 89.26 feet; thence South 62°23'55" West 208.72 feet; thence North 27°36'05" West 106.23 feet; thence South 62°32'25" West 140.71 feet; thence South 10°23'10" West 52.49 feet; thence South 66°34'25" West 70.00 feet; thence North 81°38'24" West 102.10 feet; thence South 66°30'10" West 57.33 feet; thence North 68°28'57" West 28.28 feet; thence North 23°28'05" West 126.15 feet, more or less, to the intersection with the said Southerly right-of-way of said U.S. Highway No. 197; thence along said right-of-way on a decreasing spiral curve right 14.92 feet, the chord of which bears North 56°42'18" East 14.92 feet to a point that is 40.00 feet Southerly (when measured at right angles) from centerline station 528+20.00; thence continuing along the said Southerly right-of-way North 61°51'14" East 380.90 feet to the point of beginning.

EXHIBIT "B"

SPECIAL EXCEPTIONS:

1. As disclosed by the tax roll, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.
2. Existing rights of way for roads, highways, irrigation ditches, canals, and pole lines.
3. The rights of the public in roads and highways.
4. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of EIGHTMILE CREEK.
5. An Easement created by instrument, subject to the terms and provisions thereof:

Dated	:December 24, 1987
Recorded	:December 28, 1987
Microfilm No.	:873915 (Records of Wasco County, Oregon)
Purpose	:Non-exclusive access easement
6. An Easement created by instrument, subject to the terms and provisions thereof;

Recorded	:February 20, 1990
Microfilm No.	:900748 (Records of Wasco County, Oregon)
In Favor of	:Wasco Electric Cooperative, Inc., a cooperative corporation
Purpose	:Electric transmission and distribution line together with necessary appurtenances
7. An Easement created by instrument, subject to the terms and provisions thereof;

Recorded	:February 20, 1990
Microfilm No.	:900747 (Records of Wasco County, Oregon)
In Favor of	:Wasco Electric Cooperative, Inc., a cooperative corporation
Purpose	:Electric transmission and distribution line together with necessary appurtenances

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APR 14 2005

WATER RESOURCES DEPT
SALEM, OREGON

20042192 (2)

PARCEL RECORD - Cartographic Unit

Code Area 29-3	Township 15	Range 14	Section 17	1/4	1/16	Parcel Number 300	Type	Number	Formerly part of _____
-------------------	----------------	-------------	---------------	-----	------	----------------------	------	--------	------------------------

Map Number		Special Interest		History of Parcel				
Tax Lot Number				Exceptions/Additions	Date of Entry/ Acquisition	Deed Record		Acres Remaining
History of Parcel Prior to Re-mapping						Volume	Page	
Previous Account Number 9961	Previous Tax Lot Number 15 14-3100							

15 14 3100 29-3

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY 49761
WASCO COUNTY ASSESSOR'S OFFICE

FORMERLY PART OF T.L. NO.

T1S R14E W1

Sec 17
Eat 1/4 cor of sec 17;
th S 59° 50' E 1392.7 ft;
th S 3° 00' W 770.4 ft;
th S 87° 00' E 470.0 ft;
th S 3° 00' W 290.0 ft;
th S 87° 00' E 50.0 ft;
th S 3° 00' W 190.0 ft;
th S 87° 00' W 170.0 ft;
th S 3° 00' W 520.0 ft;
th S 87° 00' E 170.0 ft;
th S 3° 00' W 320.0 ft;
th S 59° 02' E 44.7 ft to the ctr
line of the Boyd Market Rd;
th along the C/L of sd Boyd Market
Rd S 0° 58' W 258.3 ft to the pt of curve
of a 7° curve left;
th tracing the arc of sd curve
145.7 ft;
th S 23° 14' E 1139.5 ft;
th along the arc of a 6° curve
left 233.7 ft;
th W along subdivision line 2453.0 ft;
th W along W line of Sec 17 to FCB. 172.65

Exc:
Co. Rd. 1.40 138 362 171.35

Remarks
The above-described includes a part of the town
of Boyd, more particularly described as follows:
Lots 1 thru 8 Blk 15. Also the W½ of vacated
Woods St lying E & adj to Blk 15.
Lots 1 thru 8 including vacated alley in Blk 16.
Also the W½ of vacated Woods St lying E & adj to Blk 16.
Lots 1 thru 8 including vacated alley in Blk 17.
Also the W½ of vacated Woods St lying E & adj to Blk 17.

Exc: W½ Woods St lyg adj to Blks 15 & 16 vacated in
error. 0.23 170.97
Also: Por vac Burford St Rice St & Pratt St
0.95 8-25-94 1249 171.92

12-1-58	138	389	172.24
Exc: Woods St. 0.32	7-97		171.92
Exc: LLA to Parcel 15 14 17 B 800-0.16	11/28/01	2001	4929 171.76
Also: LLA from Parcel 15 14 17 B 800+0.38	11/28/01	2001	4930 172.14
SEE Back of page 3 for Exc: + Also			

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WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

APR 14 2005

WATER RESOURCES DEPT
SALEM, OREGON

UNTIL A CHANGE IS REQUESTED,
ALL TAX STATEMENTS ARE TO BE
SENT TO THE FOLLOWING ADDRESS:

Darlien France
66558 Boyd Loop Road
Dufur, OR 97021

AFTER RECORDING, PLEASE SEND TO:

Darlien France
66558 Boyd Loop Road
Dufur, OR 97021

Total consideration: Mutual Consideration

Microfilm No. 20014929

FILED WASCO CITY
THE DALLES OR.

Nov 21 10 36 AM '01

KAREN R. LEDRELLION
COUNTY CLERK



BARGAIN AND SALE DEED - STATUTORY FORM

Miller Ranch Company, Inc., Grantor, conveys to Darlien France, Grantee, the following real property situated in Wasco County, Oregon, to-wit:

See Exhibit "A" attached hereto

The true consideration for this conveyance is mutual consideration.

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

20014929

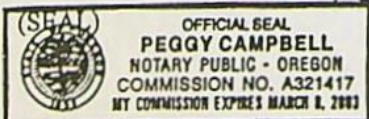
Done by order of the Grantor's board of directors with its corporate seal affixed on 11/15/01, 1999: 2001

Miller Ranch Company, Inc.

By Miller Ranch Co. Inc VICE President
William C Miller

STATE OF OREGON)
County of Wasco) ss.

This instrument was acknowledged before me on Nov 15, 2001, by William C Miller as Vice President of Miller Ranch Company, Inc.



Peggy Campbell
Notary Public for Oregon
My commission expires: 03-08-03

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APR 14 2005

WATER RESOURCES DEPT
SALEM OREGON

2.

EXHIBIT "A"

August 25, 1999
Work Order #9648

MILLER
to
FRANCE

LEGAL DESCRIPTION

A tract of land in vacated Woods Street, Town of Boyd, lying in the Northwest 1/4 of Section 17, Township 1 South, Range 17 East, Willamette Meridian, Wasco County, Oregon, being more particularly described as follows.

Commencing at the Southwest corner of Block 4 of said Town of Boyd; thence North 87°00'00" West along the projection of the South line of said Block 4 a distance of 30.00 feet to the intersection with the centerline of said Woods Street; thence North 03°00'00" East 1.44 feet to the intersection with an existing fence line, and true point of beginning of this description; thence continuing along said centerline North 03°00'00" East 228.56 feet to the intersection with the centerline of Rice Street; thence North 87°00'00" West along the centerline of said Rice Street 17.15 feet to the intersection with an existing fence line; thence South 02°27'50" West along said fence line 228.53 feet; thence continuing along said fence line South 86°51'12" East 15.02 feet to the true point of beginning of this description.

Contains 3,676.00 square feet.



20014929

(3)

EXHIBIT "A"

August 25, 1999
Work Order #9548

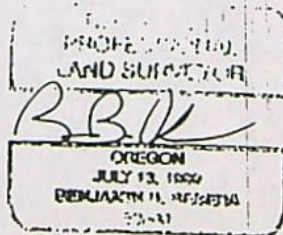
MILLER
to
FRANCE

LEGAL DESCRIPTION

A tract of land in vacated Woods Street, Town of Boyd, lying in the Northwest 1/4 of Section 17, Township 1 South, Range 17 East, Willamette Meridian, Wasco County, Oregon, being more particularly described as follows.

Beginning at the centerline of said Woods Street on the South line of Boyd Loop County Road #7, said point being North 87°00'00" West along said South line 30.00 feet from the Northwest corner of Block 6, said Town of Boyd; thence South 03°00'00" West along the said centerline 230.00 feet to the intersection with the centerline of Burford Street; thence North 87°00'00" West along the centerline of said Burford Street 19.59 feet to the intersection with an existing fence; thence North 02°27'50" East along said fence 230.01 feet to said southerly right-of-way; thence along said southerly right-of-way South 87°00'00" East 21.74 feet to the point of beginning and there terminating.

Contains 4,752.00 square feet.



EXPIRES: 12/31/99

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APR 14 2005
WATER RESOURCES DEPT
SALEM, OREGON

20014929

(3)

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APR 14 2005

WATER RESOURCES DEPT
SALEM OREGON

UNTIL A CHANGE IS REQUESTED,
ALL TAX STATEMENTS ARE TO BE
SENT TO THE FOLLOWING ADDRESS:
Miller Ranch Company, Inc.
66359 U.S. Hwy 197
Dufur, OR 97021

AFTER RECORDING, PLEASE SEND TO:
Miller Ranch Company, Inc.
66359 U.S. Hwy 197
Dufur, OR 97021

Total consideration: Mutual Consideration

BARGAIN AND SALE DEED - STATUTORY FORM

Darlien France, Grantor, conveys to Miller Ranch Company, Inc., Grantee, the following real property situated in Wasco County, Oregon, to-wit:

See Exhibit "A" attached hereto

The true consideration for this conveyance is mutual consideration.

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

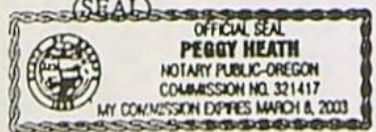
Dated this 27th day of August, 1999.

Darlien F France

STATE OF OREGON)
County of Wasco) ss.

This instrument was acknowledged before me on August 27, 1999, by Darlien France known to me to be the Grantor above named.

Peggy Heath
Notary Public for Oregon
My commission expires: 03-08-03



Microfilm No. **20014930**

FILED WASCO CTY
THE DALLES OR.

Nov 21 10 43 AM '01

KAREN R. LEBRETON
COUNTY CLERK



20014930

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APR 14 2005

WATER RESOURCES DEPT
SALEM, OREGON

3

EXHIBIT "A"

August 25, 1999
Work Order #9548

FRANCE
to
MILLER

LEGAL DESCRIPTION

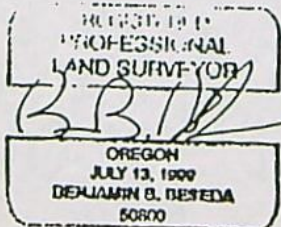
A tract of land in Block 4 and vacated Pratt Street, Town of Boyd lying in the Northwest 1/4 of Section 17, Township 1 South, Range 14 East, Willamette Meridian, Wasco County, Oregon, being more particularly described as follows.

Commencing at the Southwest corner of said Block 4; thence North 87°00'00" West along the extension of the South line of said Block 4 a distance of 30.00 feet to the centerline of Woods Street; thence North 03°00'00" East along said centerline 1.44 feet to the intersection with an existing fence line and true point of beginning of this description; thence along said fence line South 86°51'12" East to the centerline of Gilliam Street; thence leaving said fence South 03°00'00" West 60.74 feet to the South line of said Pratt Street; thence North 87°00'00" West along said South line 275.00 feet to the intersection with the centerline of said Woods Street; thence North 03°00'00" East along said centerline 61.44 feet to the true point of beginning of this description.

Excepting therefrom any portion of the above described tract lying within the alley of said Block 4.

Also excepting therefrom any portion of the above described tract lying within said Gilliam Street.

Contains 16,799.00 square feet.



EXPIRES: 12/31/99

20014930

(3)

RECEIVED

APR 14 2005

WATER RESOURCES DEPT
SALEM OREGON

FRANCE
to
MILLER

LEGAL DESCRIPTION

A tract of land in Block 4 and vacated Pratt Street, Town of Boyd lying in the Northwest 1/4 of Section 17, Township 1 South, Range 14 East, Willamette Meridian, Wasco County, Oregon, being more particularly described as follows.

Commencing at the Southwest corner of said Block 4; thence North 87°00'00" West along the extension of the South line of said Block 4 a distance of 30.00 feet to the centerline of Woods Street; thence North 03°00'00" East along said centerline 1.44 feet to the intersection with an existing fence line and true point of beginning of this description; thence along said fence line South 86°51'12" East to the centerline of Gilliam Street; thence leaving said fence South 03°00'00" West 60.74 feet to the South line of said Pratt Street; thence North 87°00'00" West along said South line 275.00 feet to the intersection with the centerline of said Woods Street; thence North 03°00'00" East along said centerline 61.44 feet to the true point of beginning of this description.

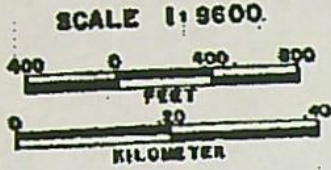
20014930

(3)

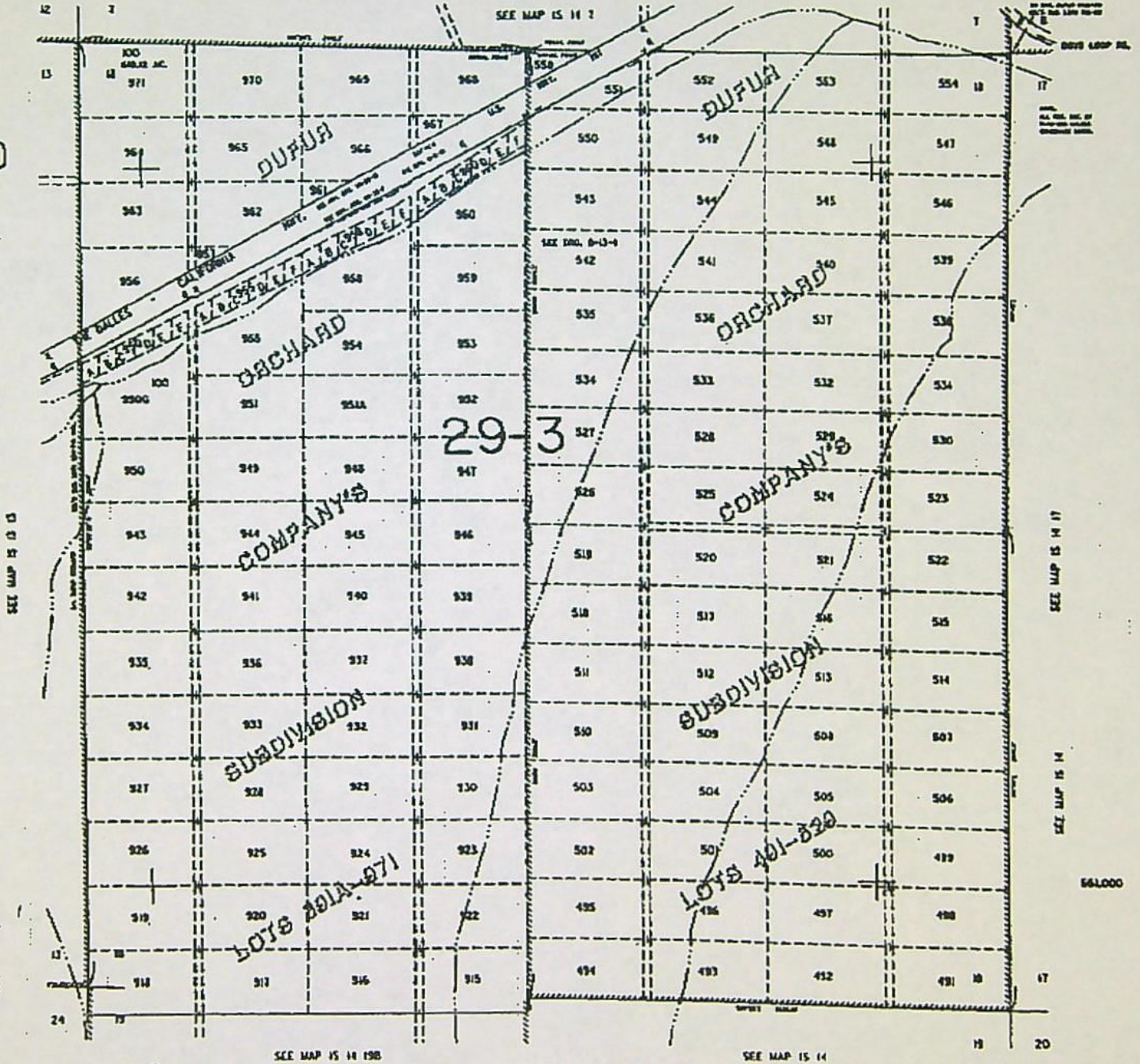
ASSESSMENT PURPOSE ONLY

WASCO COUNTY
1" = 400'

15 14 18



WASCO



P.03

14:38

Mar 24 '05

Fax:503-467-2274

The Miller Ranch Co.

WATER RESOURCES DEPT
SALEM OREGON

APR 14 2005

RECEIVED

14,0074

SEE MAP 15 14 19B

SEE MAP 15 14

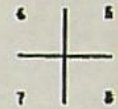
15 14 18

ASSESSMENT PURPOSE ONLY

WASCO COUNTY
1" = 600'

15 14 7

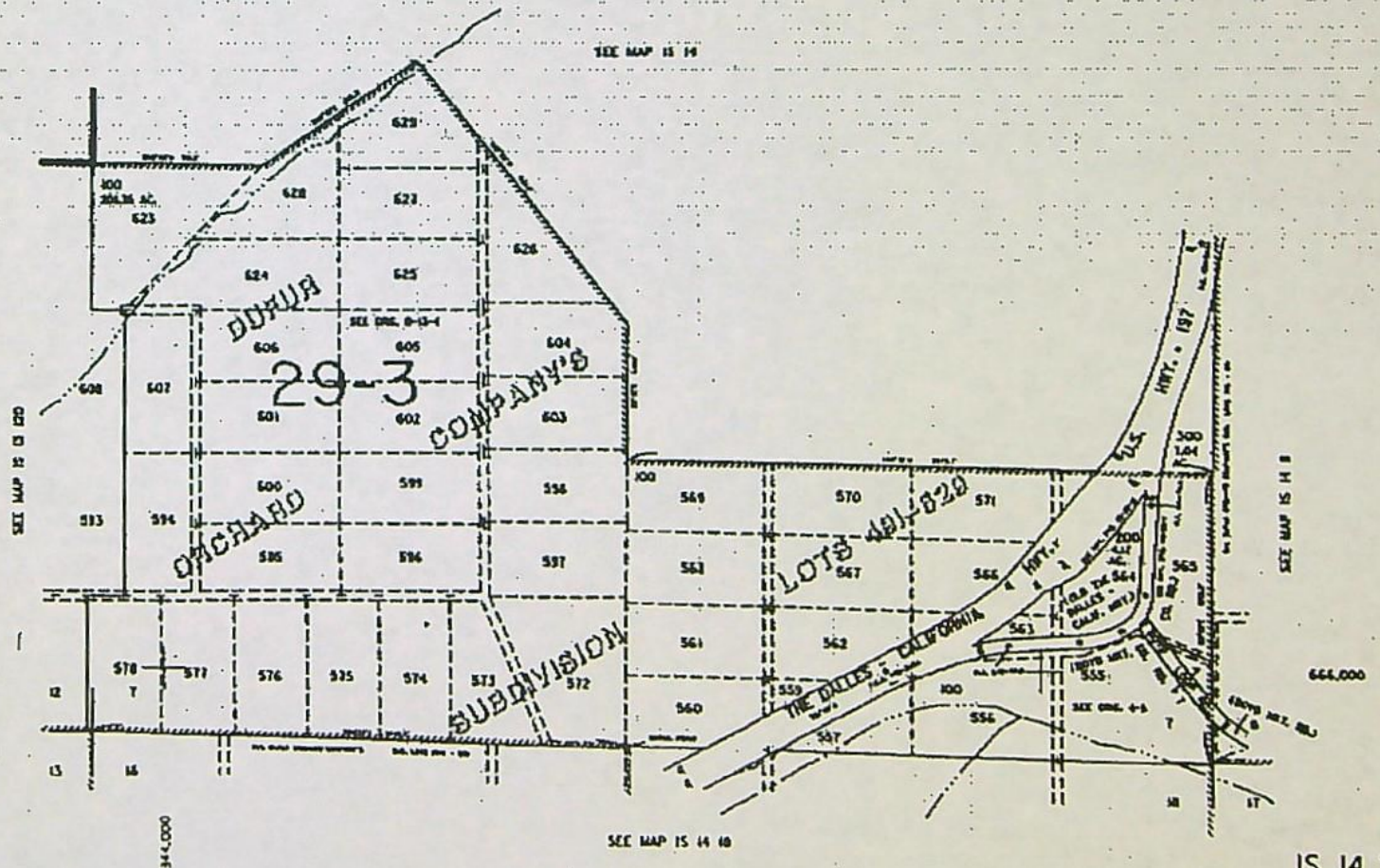
WASCO



SCALE 1:9600

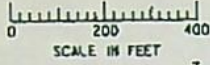


The Miller Ranch Co. Fax: 503-467-2274 Mar 24 '05 14:39 P.04



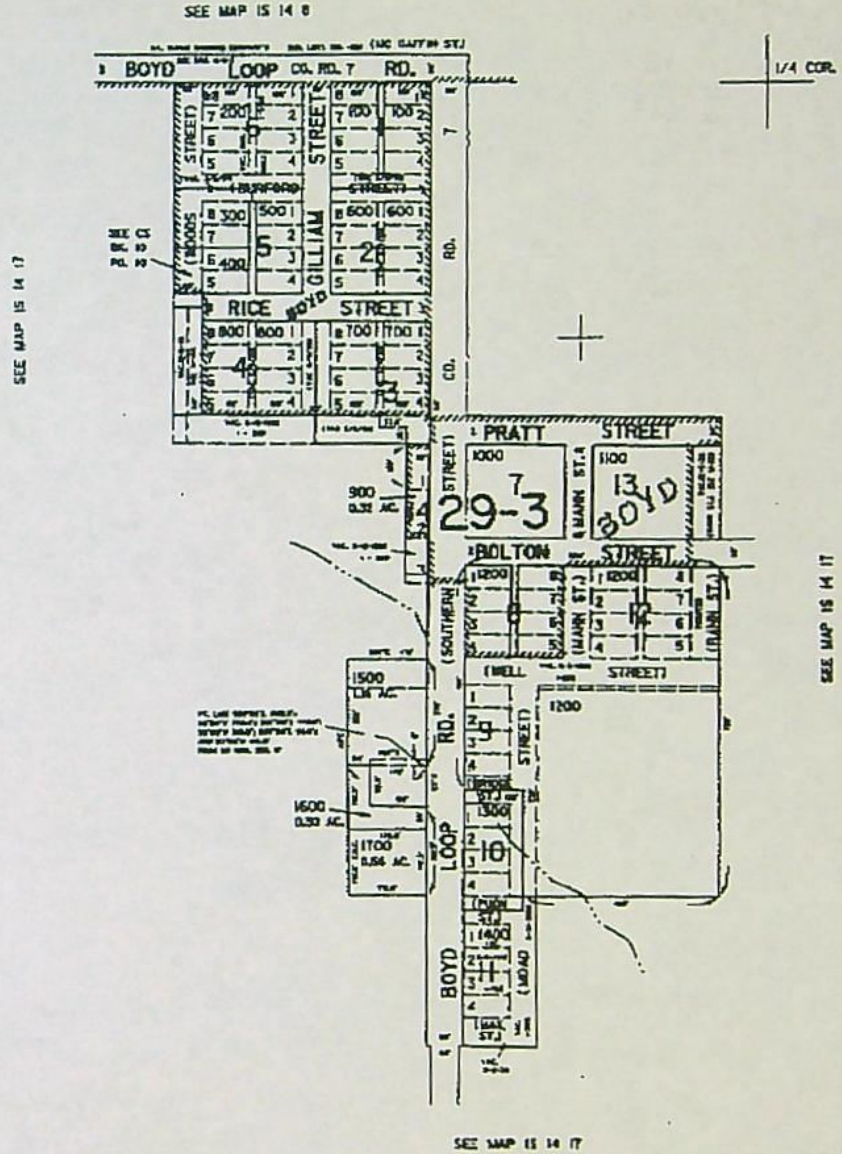
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APR 14 2005
WATER RESOURCES DEPT
SALEM, OREGON

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



Nth SEC. 17 T.1S. R.14E. W.M.
WASCO COUNTY
1" = 200'

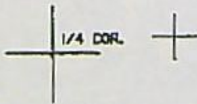
14 17B



WATER RESOURCES DEPT
SALEM OREGON

APR 14 2005

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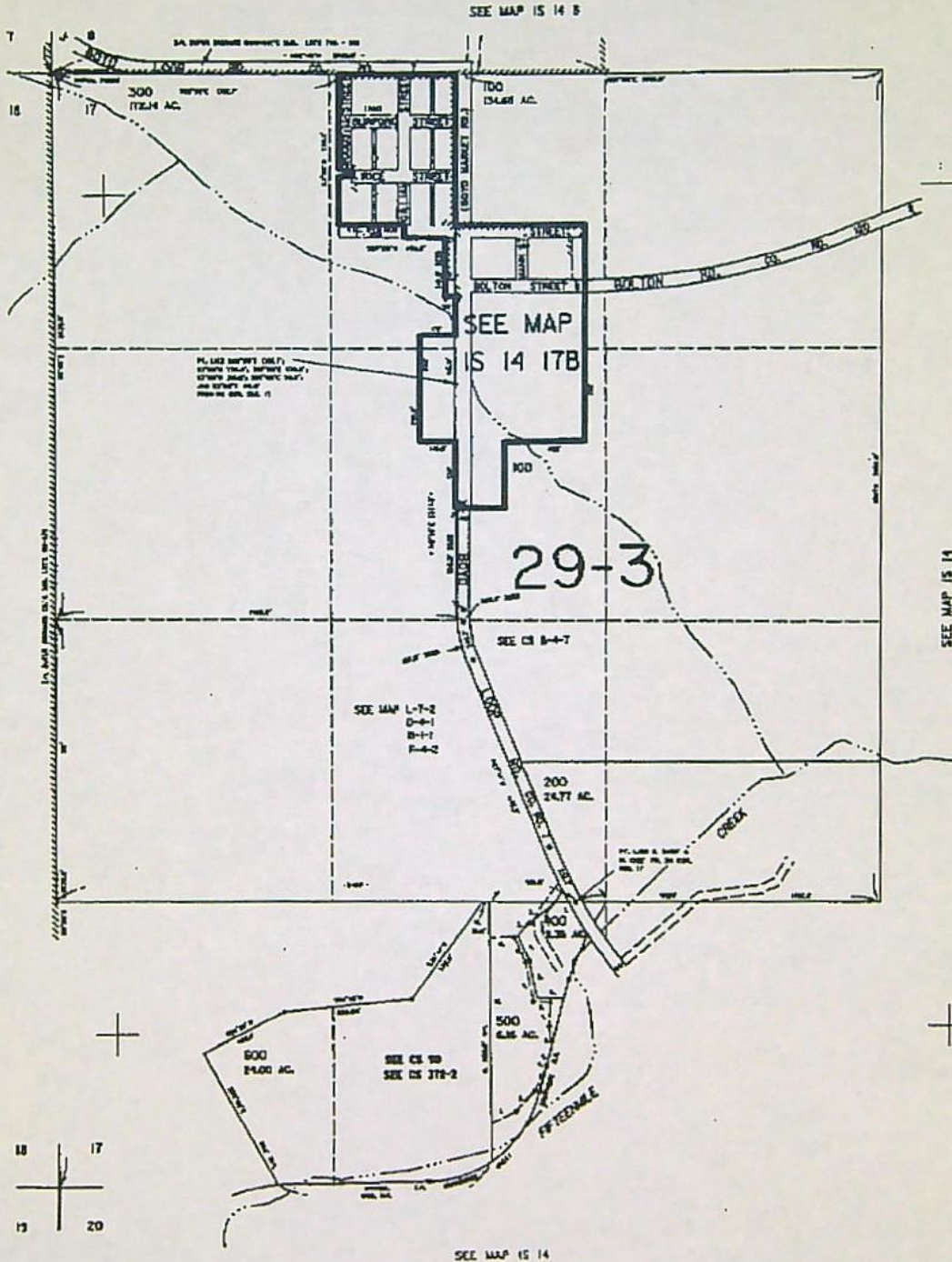
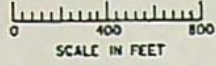
663,000
COR. SEC.
1514 17B
Revised
1/25/02 RT

The Miller Ranch Co. Fax:503-467-2274 Mar 24 '05 14:40 P.06

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

ON 17 T.1S. R.14E. W.M. WASCO COUNTY 1" = 400'

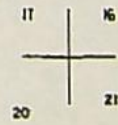
IS 14 17 & INDEX



PARCEL 400
1. 1000 sq ft
2. 1000 sq ft
3. 1000 sq ft
4. 1000 sq ft
5. 1000 sq ft

PARCEL 500
1. 1000 sq ft
2. 1000 sq ft
3. 1000 sq ft
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6. 1000 sq ft
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8. 1000 sq ft
9. 1000 sq ft
10. 1000 sq ft

661,000



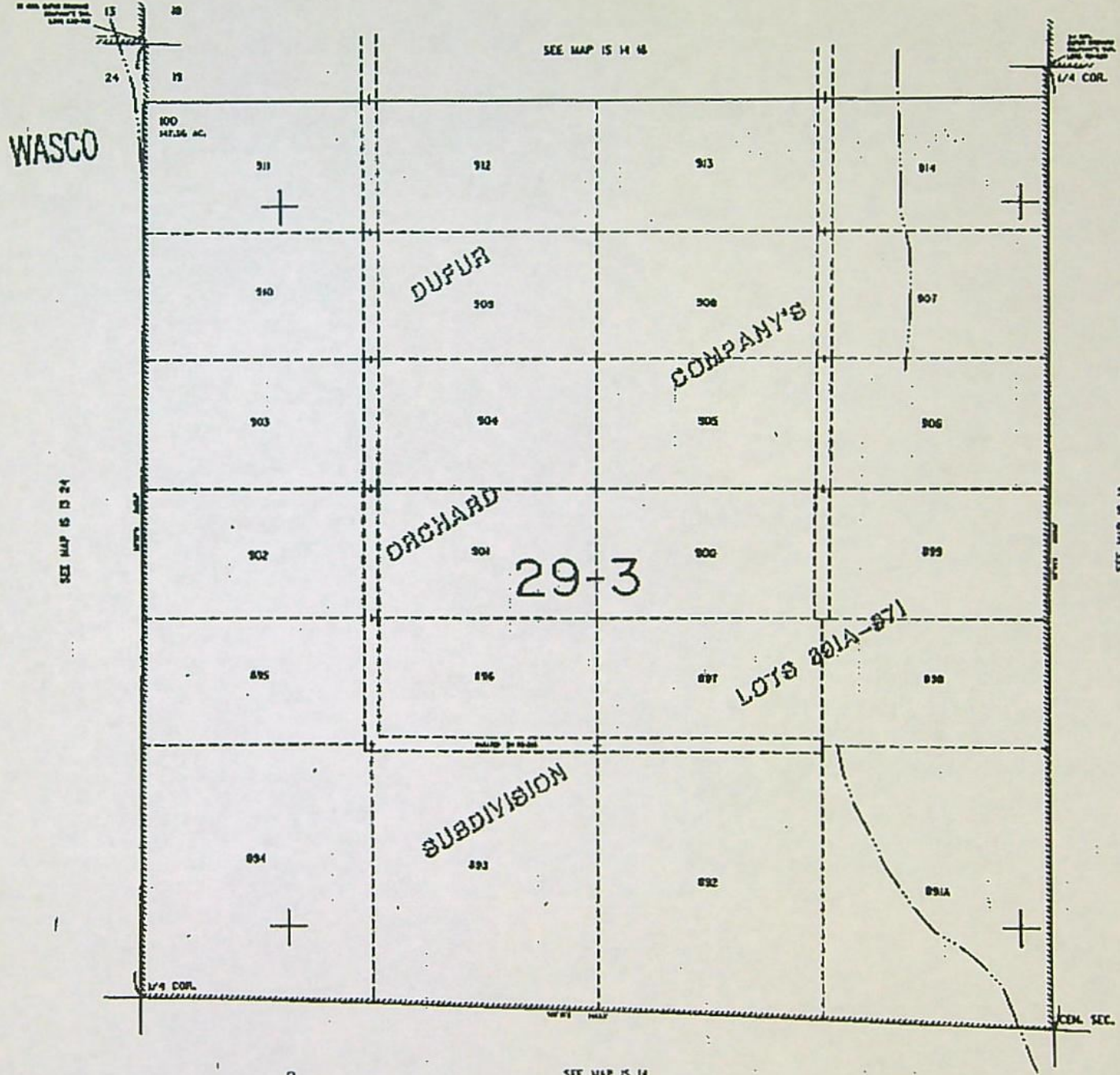
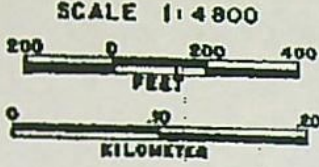
Revised 1/25/02, RT IS 14 17

RECEIVED
APR 14 2005
WATER RESOURCES DEPT
SALEM OREGON

ASSESSMENT PURPOSE ONLY

WASCO COUNTY
1" = 200'

15 14 19B



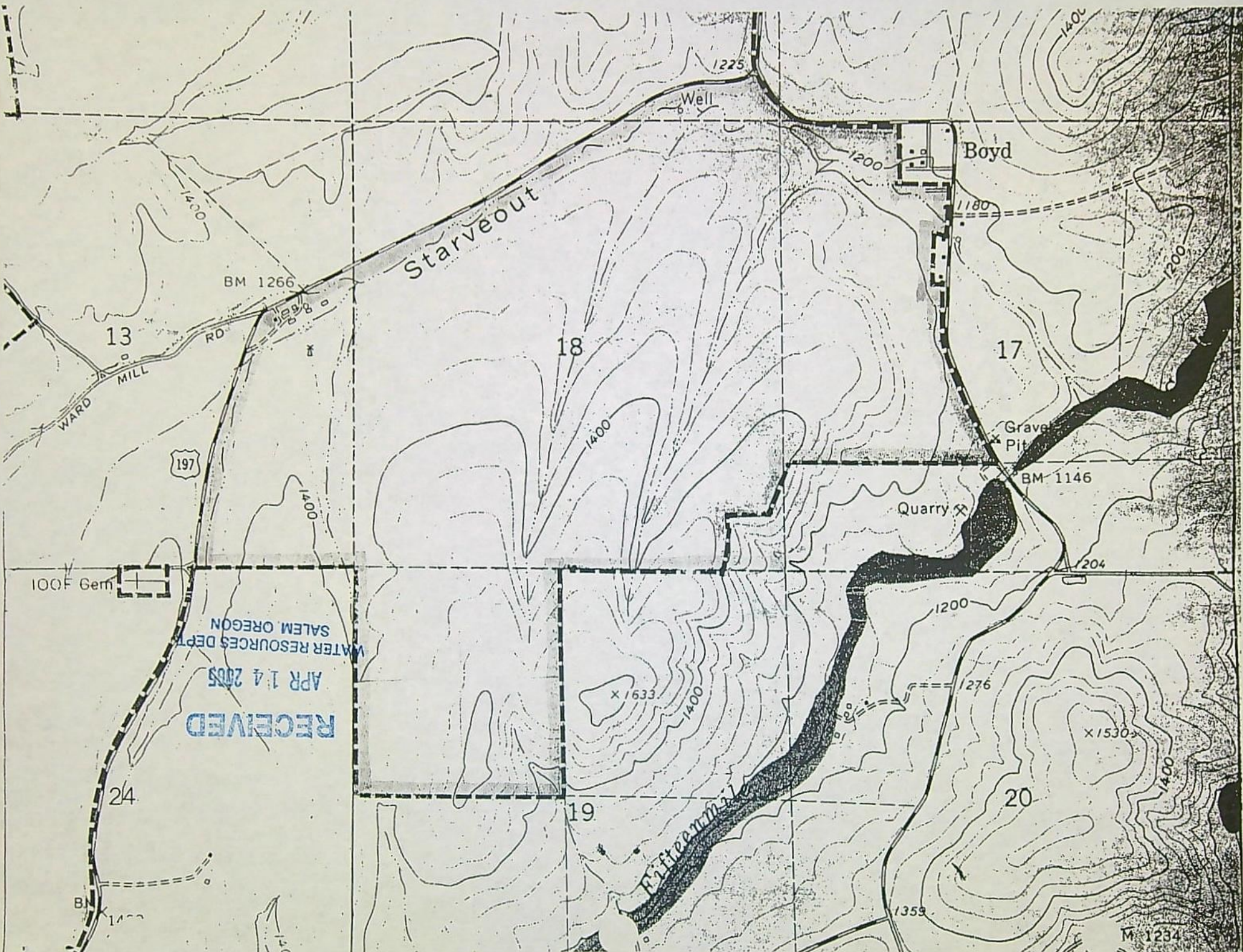
The Miller Ranch Co. Fax:503-467-2274 Mar 24 '05 14:41 P.08

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 APR 14 2005
 WATER RESOURCES DEPT
 SALEM OREGON

44,000

SEE MAP IS 14

15 14 19B



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APR 14 2005
WATER RESOURCES DEPT
SALEM OREGON

Starveout

Boyd

17

18

19

20

Well

Grave Pit

Quarry

BM 1266

BM 1146

M 1234

197

100F Gem

13

24

1225

1200

1180

1204

1200

276

1633

1530

1359

100F Gem

BM 1200

PARCEL RECORD - Cartographic Unit

Code Area 29-3	Township 15	Range 14	Section 19	1/4 B	1/16	Parcel Number 100	Type	Number	Formerly part of _____			
Map Number						Special Interest		History of Parcel				
Tax Lot Number								Exceptions/Additions	Date of Entry/ Acquisition	Deed Record		Acres Remaining
History of Parcel Prior to Re-mapping										Volume	Page	
Previous Account Number 9995				Previous Tax Lot Number 100								

15 | 14 | 19 | B | 100

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY
WASCO COUNTY ASSESSOR'S OFFICE

FORMERLY PART OF T.L. NO.

Dufur Orchard Company's Subdivision

Lots 991A thru 914

138 | 389 | 147.56

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APR 14 2005
WATER RESOURCES DEPT
SALEM, OREGON

12-1-58 | **138** | **389** | **147.56**

Remarks	
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APR 14 2005

BOOK 138 PAGE 389

WATER RESOURCES DEPT

SALEM, OREGON

KNOW ALL MEN BY THESE PRESENTS: That HARRY A. MILLER, also known as P. A. Miller, and SARAH H. MILLER, husband and wife, Grantors, for a valuable consideration to them in hand paid by THE MILLER RANCH COMPANY, an Oregon corporation, Grantee, do hereby grant, bargain, sell and convey unto the said Grantee, its successors and assigns, all of the following real property, with the tenements, hereditaments and appurtenances thereunto belonging, situated in the County of Wasco and State of Oregon, and described as follows, to-wit:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 106-A, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 131-A, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 164, 165, 166, in DUFUR ORCHARD COMPANY'S SUBDIVISION.

ALSO, all that part of Lots 162, 163, 168 and 170 of DUFUR ORCHARD COMPANY'S SUBDIVISION not in that certain deed from Dufur Orchard Co-Owners Company, a corporation, to F. L. Vanderpool, recorded in Volume 68, Page 231 of the Deed Records of Wasco County, Oregon, and described as follows:

Beginning at the established center of Section 27, Township 1 South, Range 13 East of the Willamette Meridian, thence North 393 feet; thence North 85° 26' East 444.5 feet; thence North 189 feet; thence North 89° 06' East 229.5 feet; thence South 89° 30' East 521.3 feet; thence North 43° 15' East 350 feet; thence North 89° 20' East 380 feet; thence South 69° 16' East 418.8 feet; thence South 32° 12' East 230 feet; thence North 86° 55' East 296 feet; thence South 0° 42' East 549 feet to quarter section corner between Sections 26 and 27, in Township 1 South, Range 13 East of the Willamette Meridian; thence West 2643 feet to the point of beginning.

ALSO, Lots 167, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 189-A, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 250-A, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 299, 300, 300-A, 301, 301-A, 302, 302-A, 303, 304, 304-A, 305, 305-A, 306, 306-A, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 371, 372, 373, 374, 375, 376, 377, 378, 380, 381, 382, 383, 384, 385, 386, 389, 390, 391, 392, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 413-A, 414, 415, 416, 417, 418, and 421 of DUFUR ORCHARD COMPANY'S SUBDIVISION.

ALSO, all that part of Lots 367, 386, 393, 394, 395, 396, 397, 398, 419, 420, 422, 423, 424, 426, 429, 430, 431, 432, 433, 434 and 435 of DUFUR ORCHARD COMPANY'S SUBDIVISION not included in that certain deed



BOOK 138 PAGE 390

from Dufur Orchard Co-Owners Company, a corporation, to T. B. Slusher, R. S. Slusher and G. C. Slusher, recorded in Volume 66, Page 230 of the Deed Records of Wasco County, Oregon, described as follows:

Beginning at the 1/16 corner in the South boundary of Section 30 in Township 1 South, Range 13 East of the Willamette Meridian; thence North 631 feet; thence East 808 feet; thence South 85° 57' East 141 feet; thence East 600 feet; thence North 54° 25' East 112.5 feet; thence South 82° 45' East 657.5 feet; thence South 32° 50' East 161 feet; thence South 84° 05' East 236 feet; thence North 53° 35' East 162 feet; thence South 51° 0' East 282 feet; thence South 72° 55' East 416 feet; thence North 19° 00' East 569 feet; thence South 75° 05' East 767 feet; thence South 22° 43' East 312 feet; thence South 85° 12' East 602 feet; thence North 1° 00' West 235 feet; thence South 89° 10' East 184 feet; thence South 67° 42' East 352 feet; thence North 88° 15' East 570 feet; thence South 52° East 249 feet; thence North 83° 30' East 295 feet; thence South 5° 40' West 215 feet; thence South 45° East 32 feet; thence West on Section line 6582.6 feet to point of beginning.

ALSO, Lots 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, and 471, of DUFUR ORCHARD COMPANY'S SUBDIVISION.

ALSO, Lots 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 891-A, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 909, 908, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 950-A, 950-B, 950-C, 950-D, 950-E, 950-F, 950-G, 951, 951-A, 952, 953, 954, 955, 955-A, 955-B, 955-C, 955-D, 955-E, 955-F, 956, 957, 958, 958-A, 958-B, 958-C, 958-D, 958-E, 958-F, 959, 960, 960-A, 960-B, 960-C, 960-D, 960-E, 960-F, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970 and 971 of DUFUR ORCHARD COMPANY'S SUBDIVISION.

EXCEPTING from the foregoing: Beginning at the quarter Section corner between Sections 13 and 14, Township 1 South, Range 13 East,

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APR 14 2001

WATER RESOURCES
SALEM OREGON

thence South $0^{\circ} 50'$ East 7.05 chains; thence South $70^{\circ} 24'$ East 5.38 chains; thence South $37^{\circ} 10'$ East 10.99 chains; thence South $40^{\circ} 42'$ West 4.76 chains; thence South $46^{\circ} 00'$ West 2.09 chains; thence South $44^{\circ} 00'$ West 7.23 chains; thence South $60^{\circ} 00'$ West 0.74 chains; thence North $19^{\circ} 00'$ West 16.07 chains; thence South $71^{\circ} 20'$ West 5.54 chains; thence South $3^{\circ} 55'$ West 6.68 chains; thence South $4^{\circ} 30'$ West 1.72 chains; thence South $47^{\circ} 50'$ West 2.29 chains; thence North $50^{\circ} 05'$ West 2.42 chains; thence North $51^{\circ} 10'$ West 1.76 chains; thence North $52^{\circ} 35'$ West 6.29 chains; thence South $16^{\circ} 29'$ West 11.33 chains; thence North $86^{\circ} 30'$ West 2.74 chains; thence South $66^{\circ} 15'$ West 8.22 chains; thence North $90^{\circ} 25'$ West 3.03 chains; thence South $8^{\circ} 15'$ East 10.70 chains; thence South $67^{\circ} 00'$ West 3.60 chains; thence South $60^{\circ} 50'$ West 7.72 chains; thence South $62^{\circ} 24'$ West 7.49 chains; thence South $63^{\circ} 25'$ West 12.24 chains; thence North 11.73 chains; thence South $39^{\circ} 20'$ East 9.66 chains; thence North $34^{\circ} 35'$ West 0.99 chains; thence South $69^{\circ} 55'$ East 2.67 chains; thence North $62^{\circ} 25'$ East 3.27 chains; thence North $15^{\circ} 03'$ East 1.36 chains; thence North $36^{\circ} 55'$ West 4.70 chains; thence North $21^{\circ} 50'$ West 5.39 chains; thence North $15^{\circ} 40'$ West 5.42 chains; thence North $1^{\circ} 07'$ West 12.11 chains; thence North 27° East 7.23 chains; thence North $45^{\circ} 50'$ East 7.25 chains; thence East 43.60 chains to point of beginning. ALSO SAVING AND EXCEPTING the following described portion of the land hereinbefore described to-wit: Beginning at the northwest corner of northeast quarter of southwest quarter, Section 14, Township 1 South, Range 13 East, thence North $89^{\circ} 29'$ East 16.59 chains; thence South $45^{\circ} 50'$ West 7.25 chains; thence South $27^{\circ} 00'$ West 7.23 chains; thence South $1^{\circ} 07'$ East 12.11 chains; thence South $15^{\circ} 48'$ East 5.42 chains; thence South $21^{\circ} 50'$ East 5.39 chains; thence South $36^{\circ} 55'$ East 4.70 chains; thence South $15^{\circ} 03'$ West 1.36 chains; thence South $62^{\circ} 25'$ West 3.27 chains; thence North $69^{\circ} 55'$ West 2.67 chains; thence North $35^{\circ} 30'$ West 4.98 chains; thence South $83^{\circ} 35'$ West 3.82 chains; thence North 33.36 chains to point of beginning.

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APR 14 2005

All that land included in a certain deed as recorded in Volume 67, page 185, of Wasco County Deed Records, which lies SOUTH of WATER RESOURCES DEPT. a line described as follows: Beginning at a point which lies SALEM OREGON 444 feet North of the southwest corner of the Northeast quarter of the Northwest quarter of Section 23, Township 1 South, Range 13 East of Willamette Meridian; running thence North $83^{\circ} 02'$ East a distance of 957 feet; thence North $53^{\circ} 08'$ East 5437 feet to a point which lies 143 feet south of the northeast corner of the Northwest quarter of the Southwest quarter of Section 13, Township 1 South, Range 13 East of Willamette Meridian.

ALSO, the Southwest quarter of the Northwest quarter and all the unplatted part of the Southeast quarter of the Northwest quarter, and of the Northwest quarter of the Southwest quarter of Section 29; Township 1 South, Range 13 East of the Willamette Meridian.

ALSO, the South half of the Northeast quarter, the Southeast quarter of the Northwest quarter, and all the unplatted part of the North half of the Southeast quarter, and of the Northeast quarter of the Southwest quarter of Section 30, in Township 1 South, Range 13 East of the Willamette Meridian.

ALSO, all of the unplatted part of the West half of the Southeast quarter of Section 21, and also all of the unplatted part of the Southwest quarter of the Northeast quarter, and of the Southeast

(7)

quarter of the Northwest quarter of Section 23, Township 1 South, Range 13 East of the Willamette Meridian.

Including any and all water and water rights, and in particular those rights covered under Certificate of Water Right issued April 18, 1931, by the State Engineer of Oregon, described as Permit No. 4029 and recorded in the State Record of Water Right Certificates, Volume 8, Page 9039, also recorded in the Office of the County Clerk of Wasco County on April 21, 1931, in Book 2 of Water Rights, and known as Document #32481; that right covered by Certificate of Water Right issued by the State Engineer of Oregon under date of April 18, 1931, known as Permit #4029 under Reservoir Permit No. 448, recorded in the State Record of Water Rights Certificates, Volume 8, Page 9100, also recorded by the County Clerk of Wasco County on April 21, 1931, Book 20, Water Rights, as Document #32482.

The South half of the Northeast quarter, the Northeast quarter of the Northeast quarter of Section 29, Township 1 South, Range 13 East of the Willamette Meridian.

Beginning at the northwest corner of Section 17, Township 1 South, Range 14 East of the Willamette Meridian, thence South $89^{\circ} 50'$ East 1392.7 feet; thence South $3^{\circ} 00'$ West 770.4 feet; thence South $87^{\circ} 00'$ East 470.0 feet; thence South $3^{\circ} 00'$ West 310.0 feet; thence South $87^{\circ} 00'$ East 50.0 feet; thence South $3^{\circ} 00'$ West 415.0 feet; thence west 170.0 feet; thence south 285.0 feet; thence east 170.0 feet; thence South $3^{\circ} 00'$ West 320 feet; thence South $89^{\circ} 02'$ East 44.7 feet to the centerline of the Boyd Market Road; thence South $0^{\circ} 56'$ West 258.3 feet to the point of curve of a 7° curve left; thence tracing the arc of said curve 238.7 feet consuming an angle of $16^{\circ} 43'$; thence westerly 1908.0 feet along the south line of the northwest quarter of said section 17 to the southwest corner of said northwest quarter of Section 17; thence north along section line 2629.0 feet to the place of beginning. SAVE AND EXCEPT the right of way of the Boyd Market road along the east side and the north side of the above described property. All of this land is in the northwest quarter of Section 17, Township 1 South, Range 14 East of the Willamette Meridian.

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APR 14 2005

Beginning at a point in the centerline of the Boyd Market Road which point is east 2453 feet and north 1322 feet from the southwest corner of Section 17, Township 1 South, Range 14 East of the Willamette Meridian; running thence along the centerline of the Boyd Market Road tracing the arc of a 6° curve to the right 233.7 feet; thence North $23^{\circ} 14'$ West 1139.5 feet to the point of curve of a 7° curve right; thence tracing the arc of said curve 107.0 feet consuming an angle of $7^{\circ} 29'$; thence westerly 1908 feet along the north line of the southwest quarter of said Section 17 to the northwest corner of the southwest quarter of said Section 17; thence south on section line 1323 feet; thence easterly along the subdivision line 2453 feet to the place of beginning. SAVE AND EXCEPT the west 30 feet strip of the Boyd Market right of way. All of this land is in the North half of the Southwest quarter of Section 17, Township 1 South, Range 14 East of the Willamette Meridian.

WATER RESOURCES DEP
SALEM OREGON.

The Southwest quarter of Section 21, all in Township 1 South, Range 13 East of the Willamette Meridian.

The Northwest quarter of the northeast quarter of Section 29, in Township 1 South of Range 13 East of the Willamette Meridian.

Beginning at the quarter corner on the south boundary of Section 20, Township 1 South, Range 13 East of the Willamette Meridian, running thence north along the center line of said Section 20, a distance of 174.6 feet, more or less, to the south right of way of the county road, thence west along said right of way to a point 100 feet west of the said center line, thence south on a line parallel to and 100 feet distant westerly from said center line to the south boundary of said Section 20, thence south 45° east to a point which is 100 feet south of the point of beginning, thence north 100 feet to the point of beginning.

Beginning at the southwest corner of the northeast quarter of the northwest quarter of Section 30, Township 1 South, Range 13 East of the Willamette Meridian, thence north along the west line of the northeast quarter of the northwest quarter of said Section 30, 1165 feet to an alder tree on the north bank of Eightmile Creek, thence east 200 feet, thence southerly on a line parallel to and distant 200 feet east of the west boundary of said northeast quarter of the northwest quarter to the south boundary of said northeast quarter of the northwest quarter of said Section, thence westerly along said south boundary 200 feet to the point of beginning. SUBJECT TO the right of the owner of the adjoining property to maintain a necessary dam and irrigation ditch from said Eightmile Creek for the purpose of diverting adjudicated water from said Creek.

Lot 2 of the Southwest quarter (or the West half of the Southwest quarter) of Section 30, In Township 1 South, Range 13 East, Willamette Meridian.

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APR 14 2005

WATER RESOURCES DEPT
SALEM, OREGON

EXCEPTING THEREFROM:

Commencing at the northwest corner of Section 17, Township 1 South, Range 14 East of the Willamette Meridian, thence South $89^{\circ} 50'$ East 1392.7 feet; thence South $3^{\circ} 00'$ West 770.4 feet; thence South $67^{\circ} 00'$ East 470.0 feet; thence South $3^{\circ} 00'$ West 310.0 feet; thence South $87^{\circ} 00'$ East 50.0 feet; thence South $3^{\circ} 00'$ West 415.0 feet to the Northeast corner of that certain tract of land conveyed by C. H. Southern and Emma A. Southern, husband and wife, to Roy D. Butler and James A. Selleck, described in Volume 55, Page 101 of the Deed Records of Wasco County, Oregon, for the place of beginning of the tract of land hereby conveyed; running thence North 87° West 170 feet along the North boundary of said tract of land above referred to, to the Northwest corner thereof; thence North 3° East 230 feet; thence South 87° East 170 feet; thence South 3° West 230 feet to the true point of beginning.

ALSO EXCEPTING:

All of the land included in a certain tract, known as the Sosieski land and recorded in Volume 95, Page 144 of Wasco County Deed Records, which lies North of a line described as follows: Beginning at a point 444 feet north of the southwest corner of the northeast quarter of the northwest quarter of Section 23, Township 1 South, Range 13 East of the Willamette Meridian, running

thence North 83° 02' East a distance of 957 feet; thence North 53° 08' East 5437 feet to a point which lies 143 feet south of the northeast corner of the northwest quarter of the southwest quarter of Section 13, Township 1 South, Range 13 East of the Willamette Meridian.

ALSO beginning at a point which lies 143 feet south of the northeast corner of the northwest quarter of the southwest quarter of Section 13, Township 1 South, Range 13 E.W.M. running thence North 53° 08' East a distance of 548 feet to the county road; thence northwesterly along said county road, approximately 696 feet to the east line of the west one-half of the northwest quarter of Section 13, Township 1 South, Range 13 E.W.M.; thence south 870 feet to point of beginning.

Together with all water, water rights and rights in or to water appurtenant or in any way belonging to any of the real property conveyed by this deed;

Together with all right, title and interest in and to all of the streets and alleys shown upon the various plats of the Dufur Orchard Company's Subdivision, which have been vacated;

Together with any other real property within Wasco County, Oregon, owned by or in which Grantors may have an interest which may not have been specifically hereinabove described, it being the intent of Grantors to convey to Grantee all of their interests which they, or either of them, may have in or to any real property within Wasco County, Oregon.

TO HAVE AND TO HOLD the above described and granted premises unto the said Grantee, its successors and assigns, forever.

WITNESS our hands and seals this 15th day of December, 1958.

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WATER RESOURCES DEPT
SALEM OREGON

Harry A. Miller (SEAL)
Sarah H. Miller (SEAL)

STATE OF OREGON)
COUNTY OF MULTNOMAH) SS

On this 15th day of December, 1958, before me, the undersigned, a Notary Public in and for said county and state, personally appeared the within named HARRY A. MILLER, also known as H. A. Miller, and SARAH H. MILLER, who are known to me to be the identical individuals described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last hereinabove written.

Pauline S. Wagoner
Notary Public for Oregon
My commission expires May 24, 1960

PI
In Book 38
D. V. BOLTON
COUNTY CLERK
1958 DEC 5 AM 8 54
COUNTY CLERK'S OFFICE
Witness my hand and seal of office affixed at
The Dalles
D. V. BOLTON, County Clerk
By *[Signature]* Deputy
Return to *[Address]*
Street *[Address]*

THE MILLER RANCH COMPANY
HARRY A. MILLER, ET AL
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DEED
NO

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WATER RESOURCES DEPT
SALEM, OREGONWARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That EDWARD L. WARD and CLARA WARD, husband and wife, hereinafter called the grantors, for the consideration hereinafter stated, to grantors paid by JOSEPHINE KEREGE, hereinafter called the grantee, do hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Wasco and State of Oregon, described as follows, to wit:

An undivided one-half of the following described real property:

Lot 4, South half of Northwest quarter (S $\frac{1}{2}$ NW $\frac{1}{4}$) and Southwest quarter (SW $\frac{1}{4}$), Section Four (4); Lots 1 and 2, South half of Northeast quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$), Northeast quarter of Southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), and South half Southeast quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$), Section Five (5); Northeast quarter (NE $\frac{1}{4}$) and North half of Southeast quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$), Section Eight (8); and West half of Northwest quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$), Section Nine (9), all in Township One (1) South, Range Fourteen (14), East of Willamette Meridian and containing 951.7 acres.

ALSO, Lot 555; Lots #13 to #48, inclusive; Lots 850 to 887, inclusive; Lots 889 to 891, inclusive; all of Dufur Orchard Company's Subdivision in West half (W $\frac{1}{2}$) of Sections Five (5) and Eight (8) in Township One (1) South, Range Fourteen (14), East of Willamette Meridian, and containing 395.40 acres, more or less.

ALSO, Lot Eight Hundred Forty Nine (849) of the Dufur Orchard Company's Sub-Division in accordance with map and plat thereof on file in the office of the County Clerk of the County of Wasco, State of Oregon.

ALSO, a parcel of land being in portions of: S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 5, T 1 S, R 14 E.W.M.; N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 8, T 1 S, R 14 E.W.M.; and being that certain parcel of land intercepted between the easterly right of way line of a portion of The Dalles California Highway and the

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COMPARED

centerline of an old abandoned or vacated road known locally as the "old Dufur road" and the southerly right of way line of a portion of an old county road indicated on Oregon State Highway map of the Seufert-Dufur section of The Dalles California Highway as "Road to Miller's Bridge" more particularly described as follows:

Beginning at a point on the center line of the Seuferts-Dufur Section of The Dalles California highway at the approximate center line station 396+60.7 a "point on curve" of a 40° curve right, said point of beginning is approximately 385 feet south and 450 feet west from the SE corner of the NE¼ of the SW¼ of Section 5, T 1 S, R 14 E.W.M; thence along the centerline of The Dalles California Highway tracing the arc of the said 40° curve, a distance of 194.7 feet to engineer's centerline station 398+55.4 P.T. (the chord of said arc bears S 45° 52' W a distance of 170 feet.); thence S 22° 51' W a distance of 199.4 feet to engineer's center line station 400+53.8, the P.C. (Point of Curve) of a 10° curve left; thence tracing the arc of said 10° curve left a distance of 570.3 feet consuming an angle of 57° 02' to engineer's centerline station 406+24.1 P.T.; thence S 25° 42' W a distance of 522.7 feet to engineer's centerline station 411+46.8 the P.C. of an 8° curve left; thence tracing the arc of said 8° curve left a distance of 190.2 feet consuming an angle of 15° 13' to engineer's centerline station 413+37.0 P.T.; thence S 10° 36' W a distance of 151.3 feet to engineer's centerline station 414+37.3, the P.C. of a 10° curve right; thence tracing the arc of said 10° curve right a distance of 753.7 feet consuming an angle of 75° 22' to engineer's centerline station 417+42.0 P.T.; thence S 35° 52' W a distance of 309.6 feet to engineer's centerline station 421+31.6; thence leaving the centerline of the Dalles California Highway and retracing the centerline of the old abandoned vacated "old Dufur road" N 54° 34' E 430.0 feet; N 37° 53' E 1310.0 feet; N 53° 22' E 400.0 feet; N 13° 42' E 100.0 feet; thence along centerline of an old county road N 33° 07' W 150.0 feet to an intersection with the Dalles California Highway at engineer's centerline station 396+60.7 the point of beginning of above land description.

SAVE AND EXCEPT all right of way of the Dalles California Highway intercepted between the above described portion of said highway centerline and the easterly right of way of said highway, and

SAVE AND EXCEPT any portion of old county road right of way adjacent to the last course in this description (N 33° 07' W 150.0 feet).

EXCEPTING FROM the foregoing the real property conveyed by grantors to the State of Oregon by and through its State Highway Commission and described

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SALEM OREGON

2-WARRANTY DEMD

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In Warranty Deed dated July 5, 1962 recorded the 20th day of July, 1962 book 147 page 37 (Micro Film Image No. 62-181) deed records Wasco County, Oregon.

SUBJECT TO AND EXCEPTING the rights and interests and easements granted and conveyed by grantors to the United States of America by that certain "transmission line easement and D-C ground electrode easement" which deed of easement is dated the 9th day of January, 1969, and was recorded January 17, 1969 Micro Film Image No. 69-0073 deed records Wasco County, Oregon.

FURTHER SUBJECT TO AND EXCEPTING the rights and interests and easement granted by grantors to the United States of America by that certain transmission line easement dated December 13, 1949 and recorded January 5, 1950 in book 117 page 792 deed records Wasco County, Oregon.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantors hereby covenant to and with said grantee and grantee's heirs, successors and assigns, that grantors are lawfully seized in fee simple of the above granted premises, free from all encumbrances except as above stated and that grantors will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ NONE.

WITNESS grantors' hand this 16th day of January, 1970.

Clara Ward
Edward L. Ward

STATE OF OREGON)
County of Wasco) ss.

Personally appeared the above named EDWARD L. WARD and CLARA WARD, husband and wife, and acknowledged the foregoing

3-WARRANTY DEED

70 57 (4)

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WATER RESOURCES DEPT
SALEM OREGON

620 RV-2

instrument to be their voluntary act and deed.

Before me: Robert L. Dille
NOTARY PUBLIC FOR OREGON
My Commission Expires: 8/29/73

STATE OF OREGON,)
County of Wasco,) ss

I, H. A. HOWARD, County Clerk and ex officio Recorder of Conveyances, in and for said county, do hereby certify that the within instrument of writing was received for record -

JAN 16 3 43 PM '70
and recorded in the -

DEED
records of said County under Micro Film
NUMBER: 70 57

Witness my hand & seal-affixed, at The Dalles
H. A. HOWARD, County Clerk
By William H. Murray Deputy
Return to Deputy
Address at office
Shelby Ave



4-WARRANTY DEED

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SALEM OREGON

PARCEL RECORD - Cartographic Unit

Code Area 29-3	Township 15	Range 14	Section 7	1/4	1/16	Parcel Number 100	Type	Number	Formerly part of _____
-------------------	----------------	-------------	--------------	-----	------	----------------------	------	--------	------------------------

Map Number		Special Interest
Tax Lot Number		
History of Parcel Prior to Re-mapping		
Previous Account Number 9976	Previous Tax Lot Number 100	

Exceptions/Additions	Date of Entry/ Acquisition	Deed Record		Acres Remaining
		Volume	Page	

	12-24-87	87	85 3916	201.35
--	----------	----	------------	--------

14	7	100	29-3
MAP NUMBER	TAX LOT NUMBER	SECTION	CODE AREA NUMBER

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY # 9976
Wasco County Assessor's Office

FORMERLY PART OF T.L. NO. _____

DATE OF ENTRY ON THIS CARD	DEED RECORD VOL. NO.	ACRES REMAINING
-------------------------------	-------------------------	--------------------

Dafur Orchard Company's Subdivision
Lots 555 thru 557; 559 thru 564;
thru 578; 594 thru 607; 624 thru 629 &
t part of Lot 623 ly in Sec 7. 217.58

Exc:
Hy r/w 8.28

Exc:
Co Rd. 2.80

Exc:
TL No 300
DV 125-533 1.65

138	389	
64		
1538		204.85

Also:
Bg at the SE cor of the SE 1/4 of
7 T1S R14E;
th N 33 rods;
th W 10 rods;
th S 31 rods;
th in a SEly direction to the FOB
eing a portion of lot 555 200

Exc:
Overlap 0.15

Corrective D 12-17-76 69 1563

Exc:
Co Rd. .35

request 11-21-69 206.35

Exc: Parcel 101 5.00

B & S 2-28-86 85 2913 201.35

BS 1-11-80 87 3915
BS 1-11-88 87 3916

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SALEM OREGON

BARGAIN AND SALE DEED

(Statutory Form)

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WATER RESOURCES DEPT
SALEM OREGON

THE MILLER RANCH COMPANY, an Oregon corporation, GRANTOR,
conveys to THE MILLER RANCH COMPANY, an Oregon corporation,
GRANTEE, real property situated in Wasco County, Oregon which is
particularly described on attached and incorporated Exhibit "A".

The true, actual and whole consideration for this conveyance
is other value given.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED
IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND
REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE
PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE
APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED
USES.

Until a change is requested, all tax statements shall be
sent to the following address: The Miller Ranch Company
1 N.W. Greenwood
Bend, OR 97701

Dated: 12/24, 1987.

THE MILLER RANCH COMPANY

By William E. Miller
Its President

STATE OF OREGON)
County of Wasco) ss.

The foregoing instrument was acknowledged before me this
24th day of December, 1987 by William E. Miller
who being duly sworn, did say that he is the President
BARGAIN AND SALE DEED - 1

873916

873916 (4)

6

of The Miller Ranch Company, an Oregon corporation, and that said instrument was signed on behalf of said corporation by authority of its Board of Directors; and he acknowledged said instrument to be its voluntary act and deed.

Emile L. Matthews
Notary Public for Oregon
My commission expires: 10-8-91

After Recording Return Deed to:
Charles Miller McNair, Esq.
P. O. Box 1746
Medford, OR 97501

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WATER RESOURCES DEPT
SALEM OREGON

87:316 (9)

Microfilm No. _____

FILED BY: JTY
THE DAL. CO. OR.

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KARL
COUNTY

STATE OF OREGON, } ss
County of Wasco, }

I certify that this document was received and recorded in the DEED records.

KAREN R. LEBOEUF
Sue A. Proffitt, County Clerk

by LB Deputy

Return to Wainwright

BARGAIN AND SALE DEED - 2

87:316(9)

TRACT NORTH OF EIGHTMILE ROAD

A tract of land in Sections 17, 19 and 20 of Township 1 South, Range 13 East, Willamette Meridian, Wasco County, Oregon, more particularly described as follows:

The South one-half of the South one-half of Section 17, the Northeast one-quarter of said Section 19, and that portion of the North one-half of said Section 20 lying northwesterly of the centerline of Eightmile County Road and that portion of the Southeast one-quarter of said Section 20 lying Northwesterly of the centerline of Eightmile Road.

SUBJECT TO rights of the public in the right-of-way of Eightmile County Road.

A tract of land in Section 13, Township 1 South, Range 13 East, Willamette Meridian, and Section 7, 17, 18 and 19, Township 1 South, Range 14 East, Willamette Meridian, Wasco County, Oregon, more particularly described as follows.

All that part of Section 13 lying easterly of the southerly and easterly right-of-way of U. S. Highway 197.

LESS AND EXCEPT the following described tract:

A tract of land in the Southeast one-quarter of the Northeast one-quarter of Section 13, Township 1 South, Range 13 East, Willamette Meridian, Wasco County, Oregon, more particularly described as follows:

Commencing at a point on the southerly right-of-way U.S. Highway No. 197, known as The Dalles-California Highway, said point being 60.00 feet distant (when measured at right angles) from the centerline of said Highway at Engineer's Station 524+14.58 P.S., said point further being North 3,197.02 feet and East 4,868.97 feet from the Southwest corner of said Section 13; thence South 61°51'14" West along the said southerly right-of-way 18.08 feet to the true point of beginning of this description; thence leaving said right-of-way South 42°29'22" East 33.51 feet; thence South 78°34'35" East 129.44 feet; thence North 75°02'47" East 176.64 feet; thence South 21°26'13" East 76.96 feet; thence South 22°13'00" West 89.26 feet; thence South 62°23'55" West 208.72 feet; thence North 27°36'05" West 106.23 feet; thence South 62°32'25" West 140.71 feet; thence South 10°23'10" West 52.49 feet; thence South 66°34'25" West 70.00 feet; thence North 81°38'24" West 102.10 feet; thence South 66°30'10" West 57.33 feet; thence North 68°28'57" West 28.28 feet; thence North 23°28'05" West 126.15 feet, more or less, to the intersection with the said southerly right-of-way of said U.S. Highway No. 197; thence along said right-of-way on a decreasing spiral curve right 14.92 feet (the chord of which bears North 56°42'18" East 14.92 feet) to a point that is 40.00 feet southerly, when measured at right angles, from centerline station 528+20.00; thence continuing along the said southerly right-of-way North 61°51'14" East 380.90 feet to the point of beginning.

Bearings based upon Oregon Coordinate System, North Zone Grid, $\phi = -00^{\circ}26'30''$.

Also all that part of Section 7 lying in Lots 557, 556, and 555 of Dufur Orchard Company's Subdivision lying southeasterly of the east right-of-way of U. S. Highway 197 and southerly of Boyd Market Road. All of Section 18 lying southerly of the southerly right-of-way of said U. S. Highway 197, the

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SALEM OREGON

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Northwest 1/4 of said Section 19 including the platted lots and vacated streets of Dufur Orchard Company's Subdivision lying within the boundaries of the above described sectional subdivisions.

Also the following described tract lying in said Section 17:

Beginning at the Northwest corner of said Section 17; thence South 89°50' East 1,392.7 feet; thence South 03°00' West 770.4 feet; thence South 87°00' East 470.0 feet; thence South 03°00' West 310 feet; thence South 87°00' East 50 feet; thence South 03°00' West 185 feet, more or less, to the northeast corner of that tract of land recorded in Wasco County Deed Records Volume 97, page 241; thence North 87°00' West 170 feet; thence South 03°00' West 230 feet to the northwest corner of that tract of land recorded in Wasco County Deed Records Volume 55, page 101; thence continuing South 03°00' West 285 feet to the Southwest corner of that tract recorded in Wasco County Deed Records Volume 55, page 101; thence South 87°00' East 170 feet; thence South 03°00' West 320 feet; thence South 89°02' East 44.7 feet to the centerline of Boyd Market Road; thence South 00°58' West 258.3 feet to the point of curve of a 07° curve left; thence tracing the arc of said curve 238.7 feet consuming an angle of 16°43' to the South line of the Northwest one-quarter of said Section 17; thence westerly 1,908.00 feet along the south line of the Northwest 1/4 of said Section 17 to the Southwest corner of said Northwest 1/4 of Section 17; thence North along the Section line 2,629 feet to the point of beginning.

TOGETHER WITH the following described tract.

Beginning at a point in the centerline of Boyd Market Road, which point is East 2,453 feet and North 1,322 feet from the Southwest corner of said Section 17; running thence along the centerline of said Boyd Market Road tracing the arc of a 06° curve to the right 233.7 feet; thence North 23°14' West 1,139.5 feet to the point of a 07° curve right; thence tracing the arc of said curve 107.0 feet consuming an angle of 07°29' to the North line of the Southwest one-quarter of said Section 17; thence westerly 1,908 feet along the North line of the Southwest 1/4 of said Section 17 to the Northwest corner of the Southwest 1/4 of said Section 17 on the Section line; thence South 1,323 feet; thence easterly along the subdivision line 2,453 feet to the place of beginning.

SAVE AND EXCEPT all that West 30 foot strip of the Boyd Market right-of-way.

TOGETHER WITH a non-exclusive access easement ^{for farm use when known} lying along the northerly right-of-way of said U.S. Highway No. 197, more particularly described as follows:

Commencing at a point on the northerly right-of-way of U.S. Highway No. 197, said point being a distance of 70.00 feet (when measured at right angles) from Engineer's Station 524+61.58, said point further being 3,324.99 feet North and 4,739.52 feet East of the Southwest corner of said Section 13; thence North 23°57'12" West 28.91 feet; thence North 35°11'41"

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West 70.23 feet; thence South $59^{\circ}24'47''$ West 771.62 feet; thence South $80^{\circ}20'14''$ West 134.44 feet; thence South $03^{\circ}51'30''$ East 84.42 feet, more or less, to the intersection with the northerly right-of-way of Endersby Cutoff Road No. 112; thence along the arc of a 19,380 foot radius curve right 193.22 feet (the long chord of which bears North $73^{\circ}27'34''$ East 193.22 feet); thence continuing along the said right-of-way North $73^{\circ}44'42''$ East 69.93 feet; thence along the arc of a 100 foot radius curve right 56.39 feet (the long chord of which bears North $89^{\circ}53'57''$ East 55.65 feet); thence South $73^{\circ}56'48''$ East 26.68 feet, more or less, to the intersection with the northerly right-of-way of said U.S. Highway No. 197; thence along the said northerly right-of-way along the arc of a 1,502.40 foot radius curve right 155.48 feet (the long chord of which bears North $48^{\circ}42'07''$ East 155.41 feet); thence continuing along the said northerly right-of-way in a northeasterly direction along a decreasing spiral curve right 464.00 feet, more or less, the chord of which bears North $57^{\circ}58'34''$ East 463.48 feet to the point of beginning.

All bearings are deed bearings.

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SALEM OREGON

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A tract of land in Sections 12, 13, 23 and 24 of Township 1 South, Range 13 East, and Sections 7 and 18 of Township 1 South, Range 14 East, Willamette Meridian, Wasco County, Oregon, more particularly described as follows:

Commencing at the Southwest corner of said Section 24; thence South $89^{\circ}28'09''$ East along the South line of said Section 24 a distance of 251.00 feet to the true point of beginning of this description; thence North $00^{\circ}42'21''$ East parallel with and 251.00 feet (when measured at right angles) from the West line of said Section 24 a distance of 1,139.93 feet; thence North $49^{\circ}17'39''$ West 327.66 feet to the intersection with the West line of said Section 24; thence continuing North $49^{\circ}17'39''$ West 834.34 feet; thence North $25^{\circ}06'41''$ East 1,546.83 feet to the intersection with the West line of said Section 24; thence continuing North $25^{\circ}06'41''$ East 433.17 feet to a point that is 179.00 feet (when measured at right angles) from the West line of said Section 24; thence North $00^{\circ}42'21''$ East parallel with the West line of said Section 24 and extension thereof 1,674.46 feet to a 5/8 inch iron rod set in existing fence line; thence following said fence line North $55^{\circ}51'37''$ East 272.85 feet to a 5/8 inch iron rod; thence continuing North $50^{\circ}50'00''$ East 36.47 feet to a 5/8 inch iron rod; thence North $44^{\circ}22'55''$ East 1,624.69 feet to a 5/8 inch iron rod; thence North $57^{\circ}23'19''$ East 538.64 feet to a 5/8 inch iron rod; thence North $49^{\circ}48'37''$ East 50.48 feet to a 5/8 inch iron rod; thence North $45^{\circ}12'25''$ East 581.76 feet to a 5/8 inch iron rod; thence continuing North $45^{\circ}12'25''$ East 200 feet, more or less, to the intersection with the southerly right-of-way Endersby Cutoff Road No. 112, said point being 30.00 feet southerly (when measured at right angles) to the existing traveled way; thence leaving said fence line and following northeasterly along the said southerly right-of-way 1500 feet, more or less, to a point that lies on the southerly right-of-way of said Endersby Cutoff Road, said point being North 2,841.50 feet and East 3,904.00 feet from the Southwest corner of said Section 13; thence North $04^{\circ}18'00''$ West to the northerly right-of-way of said Endersby Cutoff Road No. 112, said point being a point in an existing north-south fence; thence continuing North $04^{\circ}18'00''$ West along the existing fence 84.42 feet to a 5/8 inch iron rod; thence following along the westerly fence South $79^{\circ}52'12''$ West 304.28 feet; thence continuing along said fence South $52^{\circ}02'39''$ West 309.69 feet; thence continuing along said fence North $88^{\circ}44'50''$ West 716.08 feet; thence North $09^{\circ}36'15''$ East along said fence 385.21 feet; thence North $45^{\circ}53'56''$ West along said fence 296.33 feet; thence North $26^{\circ}21'41''$ West along said fence 202.86 feet; thence South $79^{\circ}57'10''$ West along said fence 815.13 feet; thence South $86^{\circ}48'28''$ West 235 feet, more or less, to the intersection with the northeasterly right-of-way of the said Endersby Cutoff Road No. 112; thence northwesterly along the said right-of-way of said Endersby Cutoff Road No. 112 to an intersection with the East line of the West one-half of the Northwest one-quarter of said Section 13, said point being the West boundary of

with from
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the Dufur Orchard Company subdivision, Lot 723; thence North 00°09' East along the West line of said Dufur Orchard Company subdivision 1830 feet, more or less, to the intersection with the North line of said Section 13; thence East along the North line of said Section 13 a distance of 1,321.80 feet to the one-quarter corner common between Sections 12 and 13; thence North 00°31' West along the West line of Dufur Orchard Company subdivision 2,637.05 feet to the center of said Section 12; thence South 88°32" East along the North line of said subdivision and the Southeast one-quarter of said Section 12 a distance of 2,662.8 feet to the East one-quarter corner of said Section 12, also being along the North line of the Dufur Orchard Company subdivision; thence North 89°43' East along the North line of said Dufur Orchard Company subdivision lying in said Section 7 a distance of 791.6 feet; thence continuing to follow along the northerly and easterly boundary of the Dufur Orchard Company subdivision lying in said Section 7 North 55°19' East 885.30 feet; thence South 38°02' East 1,531.60 feet; thence South 00°21' West 640.01 feet, more or less, to the Northwest corner of the South one-half of the Southeast one-quarter of Section 7; thence continuing along the North boundary of the said Dufur Orchard Company subdivision and the North line of the said South one-half of the Southeast one-quarter of Section 7 South 88°15' East 2,122 feet, more or less, to the intersection with the westerly right-of-way of U.S. Highway No. 197; thence southwesterly along the northerly and westerly right-of-way of said U.S. Highway No. 197 a distance of 9,900 feet, more or less, to the intersection with the North line of said Section 24; thence West along the North boundary of said Section 24 to a point that lies South 89°26' East 2,643.20 feet from the Northwest corner of said Section 24, said point being the northwesterly corner of an existing cemetery, further being Tax lot 300, Wasco County Assessors Map 1S-13-24; thence South 00°55' West 319.00 feet; thence South 89°05' East 596.60 feet; thence North 00°01" East 322.40 feet to the intersection with the North line of said Section 24; thence East along the North line of said Section 24 a distance of 260 feet, more or less, to the intersection with the said westerly right-of-way of Highway No. 197; thence continuing southwesterly along the said westerly right-of-way of Highway No. 197 a distance of 5,600 feet, more or less, to the intersection with the South line of said Section 24; thence West along the said South line of Section 24 a distance of 1,540 feet, more or less, to the point of beginning.

INCLUDING all platted lots and vacated streets of Dufur Orchard Company's subdivision within the boundaries of the above described tract.

LESS all County Road rights-of-way lying within the above description.

TOGETHER WITH non-exclusive easement ^{for farm use with power} lying along the northerly right-of-way of said U.S. Highway No. 197, more particularly described as follows:

Commencing at a point on the northerly right-of-way of U.S. Highway No. 197, said point being a distance of 70.00 feet (when measured at right angles) from Engineer's Station 524+61.58, said point further being 3,324.99 feet North and 4,739.52 feet East of the Southwest corner of said Section 13; thence North 23°57'12" West 28.91 feet; thence North 35°11'41" West 70.23 feet; thence South 59°24'47" West 771.62 feet; thence South

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873316 (ij) WATER RESOURCES DEPT
SALEM, OREGON

80°20'14" West 134.44 feet; thence South 03°51'30" East 84.42 feet, more or less, to the intersection with the northerly right-of-way of Endersby Cutoff Road No. 112; thence along the arc of a 19,380 foot radius curve right 193.22 feet (the long chord of which bears North 73°27'34" East 193.22 feet); thence continuing along the said right-of-way North 73°44'42" East 69.93 feet; thence along the arc of a 100 foot radius curve right 56.39 feet (the long chord of which bears North 89°53'57" East 55.65 feet); thence South 73°56'48" East 26.68 feet, more or less, to the intersection with the northerly right-of-way of said U.S. Highway No. 197; thence along the said northerly right-of-way along the arc of a 1,502.40 foot radius curve right 155.48 feet (the long chord of which bears North 48°42'07" East 155.41 feet); thence continuing along the said northerly right-of-way in a northeasterly direction along a decreasing spiral curve right 464.00 feet, more or less, the chord of which bears North 57°58'34" East 463.48 feet to the point of beginning.

All bearings are true bearings.

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WATER RESOURCES DEPT
SALEM OREGON

873316 (4)

A tract of land in Sections 20 and the Northwest one-quarter of the Southwest one-quarter of Section 21, Township 1 South, Range 13 East, Willamette Meridian, Wasco County, Oregon, being more particularly described as follows.

Beginning at the quarter corner common to Section 20 and 21; thence North 88°20'55" East along the North line of the Northwest one-quarter of the Southwest one-quarter of said Section 21 a distance of 581.37 feet; thence South 29°14'23" West a distance of 416.34 feet; thence South 54°08'07" West a distance of 476.88 feet to the intersection of the West line of said Section 21, said point being South 00°47'48" West 625.99 from the West one-quarter of said Section 21; thence continuing South 54°08'07" West a distance of 484.19 feet; thence South 66°08'11" West a distance of 983.07 feet to the intersection of an existing fence line; thence following along said existing fence South 67°31'31" West 190.19 feet to a double 16" Oak; thence South 84°25'14" West 70.84 to a 12" Oak; thence North 67°24'18" West 44.10 feet to an 18" oak; thence continuing North 32°11'56" West 40.85 feet to a 14" oak; thence North 36°12'28" West 70.84 feet to a 14" oak; thence North 51°16'37" West 69.12 feet to an 18" oak; thence North 46°53'34" West 85.92 feet to a double 12" oak; thence North 04°55'51" West 115.10 feet to a 5/8" iron rod; thence continuing along the said fence North 09°46'08" West 331.68 feet to the intersection of the centerline of Eightmile County Road; thence along the said centerline North 51°53'16" East 686.09 feet; thence along the arc of a 11,402.77 foot radius curve right 273.65 feet (the long chord of which bears North 52°34'31" East 273.64 feet); thence North 53°15'46" East 518.51 feet; thence along the radius of a 5,729.63 foot radius curve left 606.67 feet (the long chord of which bears North 50°13'46" East 606.39 feet); thence North 47°11'46" East 268.17 feet, more or less, to the intersection with the East line of said Section 20; thence South 00°15'50" West along the said East line of Section 20 a distance of 733.78 feet to the point of beginning.

SUBJECT TO right-of-way of Eightmile Wasco County Road.

Contains: 49.72 acres, more or less
Less 1.61 acres of County road right-of-way
Total 48.10 acres, more or less, net

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PARCEL RECORD - Cartographic Unit

Code Area 29-3	Township 15	Range 13	Section 13	1/4	1/8	Parcel Number 100	Type	Number	Formerly part of _____
Map Number						Special Interest	History of Parcel		
Tax Lot Number							Exceptions/Additions	Date of Entry/ Acquisition	Deed Record Volume Page	Acres Remaining
History of Parcel Prior to Re-mapping									
Previous Account Number 9864			Previous Tax Lot Number 100						

15	13	13	100	14-1	29-3	29-3
TWP	RNG	SEC	BLK	TRACT	LOT	PARCEL
OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTY WASCO COUNTY ASSESSOR'S OFFICE FORMERLY PART OF T.L. NO.						

ADDITIONAL DESCRIPTION AND REASON OF CHANGE	DATE OF ENTRY ON THIS CARD	DEED RECORDED	ACRES REMAINING
Dufur Orchard Company's Subdivision Lots 630 thru 736; Lots 740 thru 743 Also: Vacated Streets and Alleys Exc: There fm that pt of Lots. 730, 731, 734, 735, 736, 740, & 741 ly N of a line des as: Bq 143.0 ft S of SE cor of SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec 13 T15 R13E W4; th S 53° 08' W 1662.0 ft M/L to the W line of sd Sec 13; Also: Exc: That part of Lots 724, 725, & 730 des as: Baap 143.0 ft S of the SE cor of sd SW $\frac{1}{4}$ of Sec 13; th N 53° 08' E 548.0 ft to the Co Rd; th N/Wly along the Co Rd approximately 696.0 ft to E line of SW $\frac{1}{4}$ of Sec 13; th S 87C.0 ft to the FOB. 537.78			
Remarks: Exc: By R/W 15.22			
Exc: Co. Rd. 1.35		138 389 64 1538	521.21
Also: Co. Rd. 1.35	08 1-11-88	07 3915	522.56
Exc: Parcel 101 113.22	BS 1-11-88	07 3916	
Co. Rd. 0.13	BS 5-18-89	07 3915	409.21

Exceptions/Additions	Date of Entry/ Acquisition	Deed Record Volume Page	Acres Remaining
EXC. PARCEL 400	12-24-87	BS 87 3915	538.23
EXC. PARCEL 500	112.10 AC 12-24-87	BS 87 3915	426.23
EXC. US HWY 197	2.78 AC 12-24-87	BS 87 3915	423.45
EXC. ENDERSBY CUTOFF RD,	15.17 AC		408.28
	1.55 AC		406.73

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BARGAIN AND SALE DEED

(Statutory Form)

WATER RESOURCES DEPT
SALEM, OREGON

THE MILLER RANCH COMPANY, an Oregon corporation, GRANTOR,
conveys to MILLER WHEAT AND CATTLE, LTD., an Oregon corporation,
GRANTEE, real property situated in Wasco County, Oregon which is
particularly described on attached and incorporated Exhibit "A".

The true, actual and whole consideration for this conveyance
is other value given.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED
IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND
REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE
PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE
APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED
USES.

Until a change is requested, all tax statements shall be
sent to the following address: Miller Wheat and Cattle, Ltd.
807 E. 18th
The Dallas, OR 97508

873915

Dated: 12/24, 1987.

THE MILLER RANCH COMPANY

By William E. Miller
its President

STATE OF OREGON)
) ss.
County of WASCO)

The foregoing instrument was acknowledged before me this
24th day of December, 1987 by William E. Miller
who being duly sworn, did say that he is the President

873915 (9)

of The Miller Ranch Company, an Oregon corporation, and that said instrument was signed on behalf of said corporation by authority of its Board of Directors; and he acknowledged said instrument to be its voluntary act and deed.

Emilee L. Mathewson
Notary Public for Oregon
My commission expires: 10/8/91

After Recording Return Deed to:

Charles Miller McNair, Esq.
P. O. Box 1746
Medford, OR 97501

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SALEM OREGON

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Microfilm No. _____

FILED IN
THE DA... CR.

DEC 28 2 38 PM '87

KARE
COUNTY

STATE OF OREGON, } ss
County of Wasco, }

I certify that this document was received and recorded in the _____ records.

KAREN R. LE BRETON
Sue A. Proffitt, County Clerk

by *[Signature]* Deputy

Return to Water City

873915 (4)

BARGAIN AND SALE DEED - 2



A tract of land in Sections 13, 14, 15, 20, 21, 22, 23, 24, 26, 27, 28, 29 and 30 in Township 1 South, Range 13 East, and Section 25 in Township 1 South, Range 12 East, Willamette Meridian, Wasco County, Oregon, more particularly described as follows:

The South one-half of the Southeast one-quarter in said Section 25, Township 1 South, Range 12 East, the West one-half of the Southwest one-quarter of said Section 30, also a tract of land described as follow:

Beginning at the Southwest corner of the Northeast one-quarter of the Northwest one-quarter of said Section 30; thence North along the West line of the Northeast one-quarter of the Northwest one-quarter of said Section 30 a distance of 1,165 feet to an alder tree on the North bank of Eightmile Creek; thence East 200 feet; thence southerly on a line parallel to and a distance of 200 feet easterly of the West boundary of the said Northeast one-quarter of the Northwest one-quarter to the South boundary of the said Northeast one-quarter of the Northwest one-quarter of said Section 30; thence westerly along the South boundary 200 feet to the point of beginning.

Also the South one-half of the Northeast one-quarter, the Southeast one-quarter of the Northwest one-quarter and all the unplatted part of the North one-half of the Southeast one-quarter and the Northeast one-quarter of the Southwest one-quarter of said Section 30; also the Northeast one-quarter and the Southwest one-quarter of the Northwest one-quarter and all of the unplatted part of the Southeast one-quarter of the Northwest one-quarter and of the Northwest one-quarter of the Southwest one-quarter of said Section 29; also, all the platted property in Dufur Orchard Company's subdivision in Section 30 and 29 lying North of the following described line:

Beginning at the West one-sixteenth corner on the South boundary of said Section 30; thence North 630.00 feet; thence East 808.00 feet; thence South 85°57' East 141.00 feet; thence East 600.00 feet; thence North 54°25' East 112.5 feet; thence South 82°45' East 657.5 feet; thence South 32°50' East 161.00 feet; thence South 84°05' East 236.00 feet; thence North 53°35' East 168.00 feet; thence South 51°00' East 282.00 feet; thence South 72°55' East 416.00 feet; thence North 19°00' East 569.00 feet; thence South 75°05' East 767.00 feet; thence South 22°43' East 318.00 feet; thence South 85°12' East 602.00 feet; thence North 01°00" West 235.00 feet; thence South 89°10' East 184.00 feet; thence South 67°42' East 352.00 feet; thence North 88°15' East 570.00 feet; thence South 52°00' East 249.00 feet; thence North 83°30' East 295.00 feet; thence South 05°40' West 215.00 feet; thence South 45°00' East 32.00 feet; ~~thence West on the Section line 6,582.6 feet to the point of beginning.~~

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SALEM OREGON

Also, beginning at the Southeast corner of said Section 20; thence North 00°47'48" East 1,301.48 feet to the South sixteenth corner on the East line of said Section 20; thence continuing North 00°47'48" East 675.49, said point being South 00°47'48" West 625.99 from the East one-quarter of said Section 20 South 54°08'07" West 484.19 feet; thence South 66°08'11 West 983.07 feet to the intersection of an existing fence line; thence following along said existing fence South 67°31'31" West 190.19 feet to a double 16" Oak; thence South 84°25'14" West 70.84 feet to a 12" Oak; thence North 67°24'18" West 44.10 feet to an eighteen inch oak; thence North 32°11'56" West 40.85 feet to a fourteen inch oak; thence North 36°12'28" West 70.84 feet to a fourteen inch oak; thence North 51°16'37" West 69.12 to an eighteen inch oak; thence North 46°53'34" West 85.92 feet to a double twelve inch oak; thence North 04°55'51" West 115.10 feet to a 5/8 inch iron rod; thence North 09°46'08" West 331.68 feet to the centerline of Eightmile County Road; thence southwesterly along the said centerline of Eightmile County Road to the intersection with the north-south centerline of said Section 20; thence South along the said north-south centerline of said Section 20 to the South one-quarter corner of said Section 20; thence East along the South line of said Section 20 to the point of beginning.

SUBJECT TO: Right-of-way of Eightmile County Road

Also, beginning at the South one-quarter corner of said Section 20; thence North the north-south centerline of said Section 20 a distance of 1,746 feet, more or less, to the South right-of-way of Eightmile County Road; thence West along the southerly right-of-way to a point 100 feet West of the said north-south centerline; thence South on a line parallel to and 100 feet distant westerly from said north-south centerline to the South boundary of said Section 20; thence South 45°00' East to a point, which is 100 feet South of the point of beginning; thence North 100 feet to the point of beginning.

Also, the Northeast one-quarter of the Southwest one-quarter and the South one-half of the Southwest one-quarter of said Section 21 and the following portion of the Northwest one-quarter of the Southwest one-quarter commencing at the Northwest corner of said Northwest one-quarter of the Southwest one-quarter; thence North 88°20'55" East along the North line of the said Northwest one-quarter of the Southwest one-quarter 581.37 feet to the true point of beginning; thence South 29°14'23" West 416.34 feet; thence South 54°08'07" West 476.88 feet to the intersection of the West line of said Northwest one-quarter of the Southwest one-quarter, said point being South 00°47'48" West 625.99 feet from the Northwest corner of said Northwest one-quarter of the Southwest one-quarter; thence South 00°47'48" West along said West line 675.49 feet to the Southwest corner; thence North 88°32'57" East 1,317.10 to the Southeast corner; thence North 00°39'02" East 1,305.97 to the Northeast corner; thence South 88°20'55" West along the North line 732.58 feet to the point of beginning, ~~of said Section 21.~~

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Also all those platted lots of the Dufur Orchard Company subdivision and unplatted lands in the West one-half of said Section 28 being North of the following described line:

Commencing at the West one-quarter corner of said Section 28; thence North along the West Section line of said Section 28 a distance of 680 feet, more or less, to the Southwest corner of Lot 360 of said Dufur Orchard Company subdivision; thence South $83^{\circ}16'$ East 602.9 feet along the South line of said Lot 360; thence South $61^{\circ}06'$ East 491.8 feet along the South boundary of said Lot 360 and 361; thence continuing along the boundary lines of Lots 361 and 359 North $63^{\circ}47'$ East 244.5 feet; thence North $30^{\circ}25'$ East 187.7 feet; thence North $13^{\circ}01'$ East 299.2 feet to an angle point on the easterly line of said Lot 359; thence leaving said East line northeasterly to the Southwest corner of Lot 338 of said Dufur Orchard Company subdivision; thence South $31^{\circ}12'$ East 44.5 feet along the West line of Lot 335; thence continuing along the said West line of said subdivision lot lines South $01^{\circ}45'$ East 488.1 feet; ~~thence South $01^{\circ}56'$ West 222.5 feet~~; thence South $08^{\circ}58'$ West 584.0 feet to the Southwest corner of Lot 333; thence continuing along the South line of Lot 333 South $77^{\circ}00'$ East 198.3 feet; thence North $62^{\circ}45'$ East 425.3 feet; thence along the South line of Lot 332 North $85^{\circ}13'$ East 498.7 feet to the North-South centerline of said Section 28 and terminus of this line. $\rightarrow 433.2$ Wm Wm

Wm Wm
 $01^{\circ}54'$
Wm Wm

$\rightarrow 510.60$
Wm Wm

Also, all of the Southeast one-quarter of said Section 21 and Lots 250 and 250A lying in the Northeast one-quarter of said Section 21 of the Dufur Orchard Company subdivision; all of the platted lots in Dufur Orchard Company subdivision lying in Section 22; also all of Lots 310, 311, 312, 313, 314, 315, and 319 lying in the Southeast one-quarter of the Southeast one-quarter of said Section 15; all of the platted lots in the Northwest one-quarter of said Section 27 and those platted lots in the Northeast one-quarter of said Section 27 lying North of the following described line:

Beginning at the center of said Section 27; thence North 393.00 feet; thence North $85^{\circ}26'$ East 444.5 feet; thence North 189.00 feet; thence North $89^{\circ}06'$ East 229.5 feet; thence South $89^{\circ}30'$ East 521.3 feet; thence North $43^{\circ}15'$ East 350.00 feet; thence North $89^{\circ}20'$ East 380.00 feet; thence South $69^{\circ}16'$ East 418.8 feet; thence South $32^{\circ}12'$ East 230.00 feet; thence North $86^{\circ}55'$ East 296.00 feet; thence South $00^{\circ}42'$ East 549.00 feet to the East one-quarter corner of said Section 27 and terminus of said line. \rightarrow feet Wm Wm

Also, all of the platted lots of the Dufur Orchard Company's subdivision in the North one-half of said Section 26; also Lots 308, 309, 316, 317, and 318 of said subdivision lying in the Southwest one-quarter of the Southwest one-quarter of said Section 14.

All that land lying in Sections 13, 14, 23 and 24 which lies within the following described line.

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Beginning at the Southwest corner of said Section 24; thence South 89°28'09" East along the South line of said Section 24 a distance of 251 feet; thence North 00°42'21" East parallel with and 251 feet, when measured at right angles, from the West line of said Section 24 a distance of 1,139.93 feet; thence North 49°17'39" West 327.66 feet to the intersection with the West line of said Section 24; thence continuing North 49°17'39" West 834.34 feet; thence North 25°06'41" East 1,546.83 feet to the intersection with the West line of said Section 24; thence continuing North 25°06'41" East 433.17 feet to a point which is 179 feet, when measured at right angles, from the West line of said Section 24; thence North 00°42'21" East parallel with the West line of said Section 24 a distance of 1,555 feet, more or less, to the North line of said Section 24, said point being 179 feet, when measured at right angles, to the Northwest corner of said Section 24; thence continuing North 00°42'21" East 120 feet, more or less, to a 5/8 inch iron rod set in an existing fence line, then following said fence line North 55°51'37" East 272.85 feet to a 5/8 inch iron rod; thence continuing North 50°50'00" East 36.47 feet to a 5/8 inch iron rod; thence North 44°22'55" East 1,624.69 feet to a 5/8 inch iron rod; thence North 57°23'19" East 538.64 feet to a 5/8 inch iron rod; thence North 49°48'37" East 50.48 feet to a 5/8 inch iron rod; thence North 45°12'25" East 581.76 feet to a 5/8 inch iron rod; thence leaving said fence line and continuing North 45°12'25" East to an intersection with the southerly right-of-way of Endersby Cutoff Road No. 112, said point being 30 feet southerly, when measured at right angles, to the existing travelled way; thence northeasterly along the said southerly right-of-way 1,500 feet, more or less, to a point which lies on the southerly right-of-way of said Endersby Cutoff Road, said point being North 2,841.50 feet and East 3,904.00 feet from the Southwest corner of Section 13; thence North 04°18'00" West to the northerly right-of-way of said Endersby Cutoff Road, said point being a point in the existing North-South fence; thence continuing North 04°18'00" West along the existing fence 84.42 feet to a 5/8 inch iron rod; thence following along the westerly fence South 79°52'12" West 304.28 feet; thence continuing along said fence South 52°02'39" West 309.69 feet; thence continuing along said fence North 88°44'50" West 716.08 feet; thence North 09°36'15" East along said fence 385.21 feet; thence North 45°53'56" West along said fence 296.33 feet; thence North 26°21'41" West along said fence 202.86 feet; thence South 79°57'10" West along said fence 815.13 feet; thence South 86°48'28" West 238 feet, more or less, to the intersection of the northerly right-of-way of said Endersby Cutoff Road No. 112; thence leaving said fence line and continuing northwesterly along the said right-of-way of said Endersby Cutoff Road to an intersection with the East line of the West one-half of the Northwest one-quarter of said Section 13, said point being the West boundary of the Dufur Orchard Company Subdivision, Lot 723; thence South 00°09' West on the East line of the West one-half of the Northwest one-quarter of said Section 13 to the southerly right-of-way of said Endersby Cutoff Road; thence southeasterly along the said southerly right-of-way of said Endersby Cutoff Road to an intersection of a line which is extended North 53°08' East from a point which lies 143 feet South of the Northeast corner of the Northwest one-quarter of the Southwest one-quarter of

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SALEM, OREGON

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Section 13; thence South 53°08' West along said line to a point which lies 143 feet South of the Northeast corner of the Northwest one-quarter of the Southwest one-quarter of said Section 13; thence continuing South 53°08' West a distance of 5,437 feet; thence South 83°02' West a distance of 957.00 feet to a point which is 444 feet North of the Southwest corner of the Northeast one-quarter of the Northwest one-quarter of said Section 23; thence North to the Northwest corner of the Northeast one-quarter of the Northwest one-quarter; thence West along the North line of said Section 23 to the Northwest corner of said Section 23; thence South along the West line of said Section 23 to the Southwest corner of said Section 23; thence East along the South line of said Section 23 to the point of beginning, including therein all the platted lots and vacated streets of the Dufur Orchard Company's subdivision within the boundaries of the above described tract.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Donald J. Rohde

OREGON
SEPT. 23, 1977
DONALD J. ROHDE
1813

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WATER RESOURCES DEPT
SALEM OREGON

873915 (5)

A tract of land in the Southeast one-quarter of the Northeast one-quarter of Section 13, Township 1 South, Range 13 East, Willamette Meridian, Wasco County, Oregon, more particularly described as follows:

Commencing at a point on the southerly right-of-way U.S. Highway No. 197, known as The Dalles-California Highway, said point being 60.00 feet distant (when measured at right angles) from the centerline of said Highway at Engineer's Station 524+14.58 P.S., said point further being; North 3,197.02 feet and East 4,868.97 feet from the Southwest corner of said Section 13; thence South 61°51'14" West along the said southerly right-of-way 18.08 feet to the true point of beginning of this description; thence leaving said right-of-way South 42°29'22" East 33.51 feet; thence South 78°34'35" East 129.44 feet; thence North 75°02'47" East 176.64 feet; thence South 21°26'13" East 76.96 feet; thence South 22°13'00" West 89.26 feet; thence South 62°23'55" West 208.72 feet; thence North 27°36'05" West 106.23 feet; thence South 62°32'25" West 140.71 feet; thence South 10°23'10" West 52.49 feet; thence South 66°34'25" West 70.00 feet; thence North 81°38'24" West 102.10 feet; thence South 66°30'10" West 57.33 feet; thence North 68°28'57" West 28.28 feet; thence North 23°28'05" West 126.15 feet, more or less, to the intersection with the said southerly right-of-way of said U.S. Highway No. 197; thence along said right-of-way on a decreasing spiral curve right 14.92 feet, the chord of which bears North 56°42'18" East 14.92 feet to a point that is 40.00 feet southerly (when measured at right angles) from centerline station 528+20.00; thence continuing along the said southerly right-of-way North 61°51'14" East 380.90 feet to the point of beginning.

Contains 2.781 acres, more or less.

SUBJECT TO a non-exclusive access easement *for farm and personal use* ~~to move farm equipment~~ across the above described tract to the property southerly and adjacent to the above described tract described as follows:

Commencing at the true point of beginning of the above described tract; thence South 61°51'14" West along the southerly right-of-way of U.S. Highway No. 197 a distance of 22.92 feet to the true point of beginning of this easement; thence South 28°20'00" East 36.25 feet; thence South 66°00'25" East 126.85 feet; thence South 27°36'05" East 150.80 feet to the intersection with the southerly line of the above described easement; thence South 62°23'55" West 60.00 feet; thence North 27°36'05" West 113.83 feet; thence North 65°59'10" West 142.52 feet; thence North 28°20'00" West 60.34 feet to the intersection with the southerly right-of-way of said U.S. Highway No. 197; thence North 61°51'14" East along the said southerly right-of-way 70.01 feet to the point of beginning.

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SALEM, OREGON

for farm use ^{WEM}
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TOGETHER WITH a non-exclusive access easement lying along the northerly right-of-way of said U.S. Highway No. 197, more particularly described as follows:

Commencing at a point on the northerly right-of-way of U.S. Highway No. 197, said point being a distance of 70.00 feet (when measured at right angles) from Engineer's Station 524+61.58, said point further being 3,324.99 feet North and 4,739.52 feet East of the Southwest corner of said Section 13; thence North 23°57'12" West 28.91 feet; thence North 35°11'41" West 70.23 feet; thence South 59°24'47" West 771.62 feet; thence South 80°20'14" West 134.44 feet; thence South 03°51'30" East 84.42 feet, more or less, to the intersection with the northerly right-of-way of Endersby Cutoff Road No. 112; thence along the arc of a 19,380 foot radius curve right 193.22 feet (the long chord of which bears North 73°27'34" East 193.22 feet); thence continuing along the said right-of-way North 73°44'42" East 69.93 feet; thence along the arc of a 100 foot radius curve right 56.39 feet (the long chord of which bears North 89°53'57" East 55.65 feet); thence South 73°56'48" East 26.68 feet, more or less, to the intersection with the northerly right-of-way of said U.S. Highway No. 197; thence along the said northerly right-of-way along the arc of a 1,502.40 foot radius curve right 155.48 feet (the long chord of which bears North 48°42'07" East 155.41 feet); thence continuing along the said northerly right-of-way in a northeasterly direction along a decreasing spiral curve right 464.00 feet, more or less, the chord of which bears North 57°58'34" East 463.48 feet to the point of beginning.

Bearings based on centerline of U.S. Highway No. 197. Oregon Coordinate System, North Zone Grid, $\delta = -00^{\circ}26'30''$.

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WATER RESOURCES DEPT
SALEM OREGON

873315 (17)

ACCEPTED

Standard Application "Completeness" Checklist

Minimum Requirements (OAR 690-310-040)

Application G-16439
Priority Date: 4-14-2005

County: WASCO
Township: SEE MAP

Use(s): IRRIG

Range: SEE MAP
Section: SEE MAP
POD ¼ ¼: SEE MAP

Rate: 12.68 CFS

POU ¼ ¼: SEE MAP

Applicant/Organization Name, Mailing Address and Telephone Number. If applicant is other than a private landowner, Organizations section must be completed.

Source listed

Property ownership indicated? If applicant does not own all the land, is the affected landowner's name and mailing address listed? (Including: Lands, not owned by applicant, upon which the source is locatedor..... any Lands, not owned by applicant, which are crossed by the diversion works.) **NOTE: An easement or agreement DOES NOT need to be submitted at this time, however a statement declaring the existence of written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work is required at this time. Easement or agreement will be required before a permit will be issued.**

If a groundwater application...is the groundwater development section completed, including copies of well logs?

Proposed Use of the water.... Is each proposed use identified?

Has the appropriate "Supplemental Form" for each proposed use been completed, if applicable?

Form I (Irrigation)

Form M (Municipal or Quasi-Municipal)

Form R (Mining)

Form Q (Commercial or Industrial)

Spring Description Sheet (if source is a Spring)

Amount of water from each source listed in GPM, CFS or AF?

Acreage being proposed, if applicable.

Season being requested by applicant.

Water management section has been completed? If system has not been designed, the applicant may estimate this information.

Resource protection system completed on Surface Water application?

Are the dates of construction indicated? Proposed dates for the Beginning of construction, completion of construction, and complete application of water to the proposed use(s) If system already completed, applicant should indicate existing. Applicant may indicate in other than dates, these timelines.

Is the application signed in ink by the applicant? If the application is in the name of an organization or corporation, the authorized agent with title or authority, must sign the application. If more than one applicant named, both/all must sign or application is incomplete.

Legal description included? A copy of the deed, land sales contract or title insurance policy can provide this information. We cannot accept a copy of the tax bill.

A completed Land-Use Form or receipt signed by the appropriate planning department officials enclosed? Does the use on land-use form match the proposed use on the application? Date should be within 6 months.

Does the map meet map requirements of OAR 690-310-050? *CWIRE T A WALKER*

- Town, Range, Sec, ¼ ¼ and Tax Lot #
- Reference corner on map
- ¼ ¼'s clearly identified
- POU clearly identified location of place of use where water is to be used. ie: domestic, industrial stock, irr, etc.
- Scale of the Map, not less than 4" = 1 mile
- North Directional Symbol (not fatal if omitted)
- Location of each diversion point, well or dam
- Location Coordinates for each POD by reference to a recognized public land survey corner
- Number of acres per ¼ ¼, if Irrigation

Other

i fees enclosed? *YES*
Total Paid \$ 1700

Base Fee \$ _____
plus \$ _____
plus \$ _____

1700

Total Amount of Water Requested: _____

*13 CFS
500
+ 1200*

Total Exam Fee \$ _____

Total Exam Fee \$ 1700

Recording Fee \$ ~~XXXXXX~~

1700

Completeness Check by: *HJM*

Date: *4-14-2005*

NEW APPLICATIONS (GROUND WATER, RESERVOIR, & SURFACE) ROUTE SLIP

RECEIPTING
POST CARD SENT
DATA CENTER

4-14-2005 HPM

GROUND WATER YES NO
ENFORCEMENT YES NO

WATER RIGHTS SUPPORT

ANITA HUFFMAN	503-986-0815	<input type="checkbox"/>
CORY ENGEL	503-986-0813	<input type="checkbox"/>
JERRY GAINEY	503-986-0812	<input checked="" type="checkbox"/>
KERRY LEFEVER	503-986-0816	<input type="checkbox"/>
JEANA EASTMAN	503-986-0859	<input type="checkbox"/>

A "Standard Reservoir" storing 9.2 acre-feet or more of
Water & has a dam height of 10.0 feet or greater needs to
have a copy of the application & supplemental forms routed to "JOHN FALK"



**ATTN: WATER RIGHTS
SUPPORT....>>>> Mark contents of Application File;
Update Powerbuilder with caseworker, etc.;**
Route to filing cabinet.



STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **73939**

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

INVOICE # _____

RECEIVED FROM: The Miller Ranch
 BY: Company

APPLICATION	9-164-37
PERMIT	
TRANSFER	

CASH: CHECK # 13124 OTHER: (IDENTIFY)

TOTAL REC'D \$1,700.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$
 OTHER: (IDENTIFY) \$
 0243 I/S Lease _____ 0244 Muni Water Maint Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 <u>GROUND WATER</u>	\$ 1,700.00	0204	\$
0205 TRANSFER	\$		

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
LANDOWNER'S PERMIT	\$	0220	\$
OTHER (IDENTIFY)			

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **73939**

DATED: 4/14/05 BY: Rene L. Po.

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

US Bank Checking

ground water appropriation application fee

RECEIVED
 APR 14 2005
 WATER RESOURCES DEPT
 SALEM, OREGON

RECEIVED
 OVER THE COUNTER

THE MILLER RANCH COMPANY
 Or Water Resources Department

Ground Water Appropriation Application Fee

4/13/2005

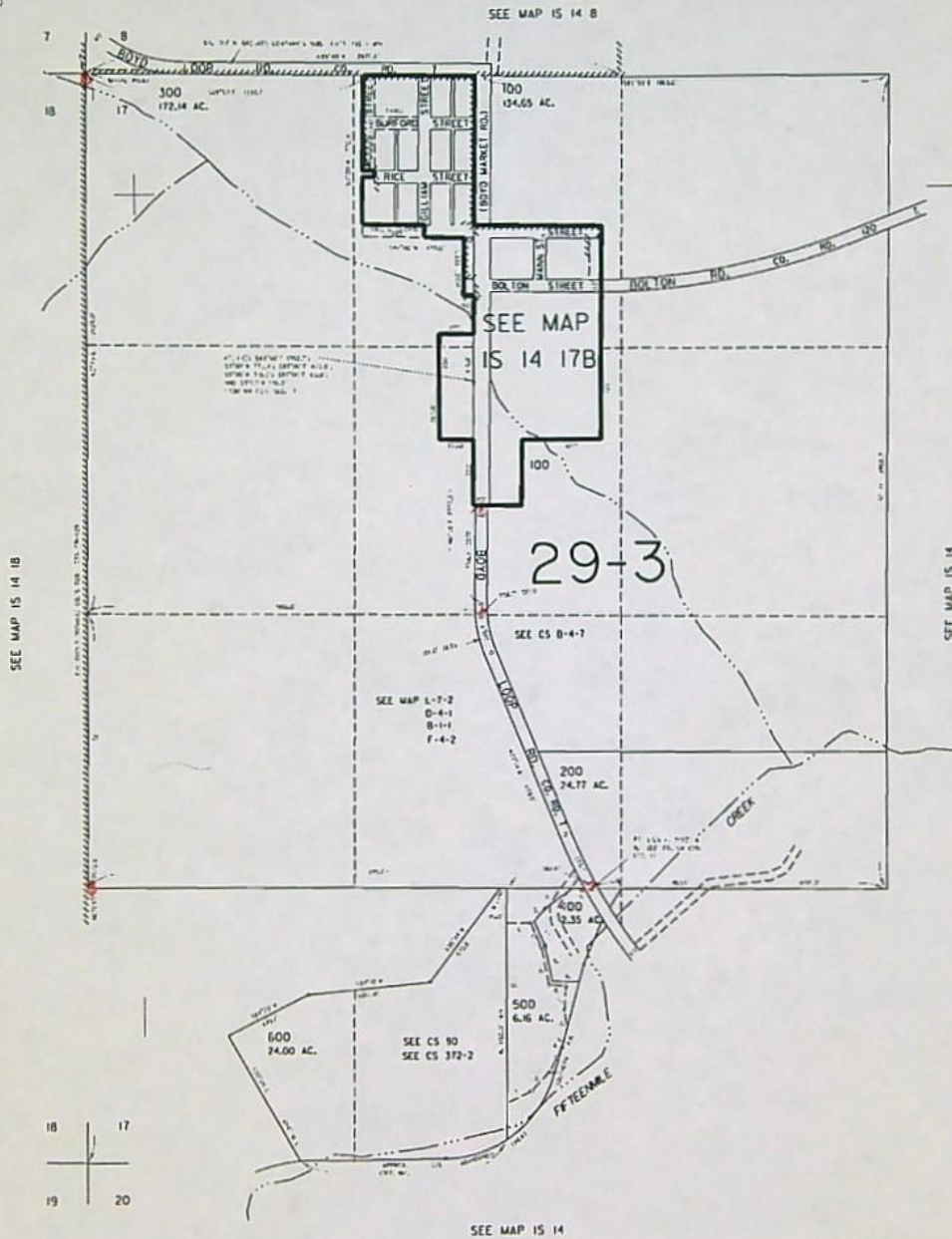
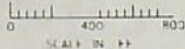
1,700.00

12184

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 17 T.1S. R.14E. W.M.
WASCO COUNTY
1" = 400'

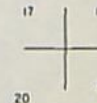
IS 14 17
& INDEX



PARCEL 400
1. 400/1
2. 400/2
3. 400/3
4. 400/4

PARCEL 500
1. 500/1
2. 500/2
3. 500/3
4. 500/4
5. 500/5
6. 500/6
7. 500/7
8. 500/8
9. 500/9
10. 500/10
11. 500/11
12. 500/12
13. 500/13
14. 500/14
15. 500/15
16. 500/16
17. 500/17
18. 500/18
19. 500/19
20. 500/20

66,000



Revised
1/25/02, RT

IS 14 17
& INDEX

L-84-10-000

