

## ASSIGNED

FILE#: G 13708

SANIFILL INC.; NORTHERN WASCO COUNTY  
2550 STEELE RD  
THE DALLES, OR 97058

Application No. G G13708Permit No. G G12868

Certificate No. \_\_\_\_\_

Stream Index, Page No. \_\_\_\_\_

VOL 2, Fivemile Creek Misc.

Date filed \_\_\_\_\_

Priority \_\_\_\_\_

Action suspended until C 14  
"On ext ab"

Return to applicant \_\_\_\_\_

Date of approval \_\_\_\_\_

## CONSTRUCTION

Date for beginning OCT 10 1997Date for completion OCT 01 1999Extended to 10/1/13Date for application of water OCT 01 1999Extended to 10/1/14

## PROSECUTION OF WORK

Form "A" filed \_\_\_\_\_

Form "B" filed \_\_\_\_\_

Form "C" filed \_\_\_\_\_

## FINAL PROOF

Blank mailed \_\_\_\_\_

Proof received \_\_\_\_\_

Date certificate issued \_\_\_\_\_

## FEES PAID

Date	Amount	Receipt No.
6/9/94	\$200.00	113009
Recording 9-20-96	100.00	6709
Assign. 7-25-03	25.00	61605
Ext. 7-25-03	100.00	61604
12-26-23	780.00	142158
5-10-24	488.00	142889

## FEES REFUNDED

Date	Amount	Check No.

Date

ASSIGNED

To Whom

## ASSIGNMENTS

Address

Volume

Page

7/25/03	Wasco Co. Landfill Inc., 2550 Steele Rd., The Dalles, OR 97058		
3-28-2024	Waste Connections 2550 Steele Rd., The Dalles, OR 97058		

## REMARKS

T-9510 ΔPOU V.61 p. 231

3-27-2024 \$120.00 142605  
9-12-2024 \$230.00 143805



RECEIPT # **6709**STATE OF OREGON  
WATER RESOURCES DEPARTMENT158 12TH ST. N.E.  
SALEM, OR 97310-0210  
378-8455 / 378-8130 (FAX)

INVOICE # \_\_\_\_\_

RECEIVED FROM: Sarifill, INC.  
BY: \_\_\_\_\_

APPLICATION	13708
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 11-35 OTHER: (IDENTIFY) ☐TOTAL REC'D \$ 100.**0417 WRD MISC CASH ACCT**

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY) \_\_\_\_\_

\$

OTHER: (IDENTIFY) \_\_\_\_\_

\$

**REDUCTION OF EXPENSE**

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

**0427 WRD OPERATING ACCT**PCA 66111

MISCELLANEOUS

0407 COPY &amp; TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) \_\_\_\_\_

\$

TC165 DEPOSIT LIAB. (IDENTIFY) \_\_\_\_\_

\$

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$

0204

\$ 100.

0205 TRANSFER

\$

0206

\$

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY) \_\_\_\_\_

**0437 WELL CONST. START FEE**

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY) \_\_\_\_\_

**0539 LOTTERY PROCEEDS**

1302 LOTTERY PROCEEDS

\$

**0467 HYDRO ACTIVITY**

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HRDRO APPLICATION

\$

NUMBER 7824Check 100. Mo \_\_\_\_\_ Cash \_\_\_\_\_

\_\_\_\_ Surface Application

\_\_\_\_ Reservoir Application

☒ Ground Water Application

\_\_\_\_ Transfer Application

\_\_\_\_ PFO Request

\_\_\_\_ Research

\_\_\_\_ Hydroelectric Fees

\_\_\_\_ Copying

\_\_\_\_ Assignment

\_\_\_\_ Extension of Time

\_\_\_\_ Protest

\_\_\_\_ Other

RECEIPT # **6709**DATED: 9-20-96BY: D. Buehler

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



Oregon Water Resources Department

Date  
07/24/2003  
Type  
Bill  
Reference  
Pmt # G-12868Original Amt.  
100.00

7/24/2003

Balance Due  
100.00  
Discount  
Check Amount

28266

Payment  
100.00  
100.00**RECEIVED**

JUL 25 2003

WATER RESOURCES DEPT.  
SALEM, OREGON

Columbia River Bank

Permit # G-12868 Application for Extension of Time

100.00

STATE OF OREGON  
WATER RESOURCES DEPARTMENT158 12TH ST. N.E.  
SALEM, OR 97301-4172  
378-8455 / 378-8130 (FAX)RECEIPT # **61604**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Tennessee Engineering  
BY: CorpAPPLICATION 513708  
PERMIT  
TRANSFERCASH: ☐ CHECK: # 28266 OTHER: (IDENTIFY) ☐TOTAL REC'D \$ 100.00**0401 TREASURY 0417 WRD MISC CASH ACCT**0407 COPIES \$  
OTHER: (IDENTIFY) \$  
OTHER: (IDENTIFY) \$**0427 WRD OPERATING ACCT**

## MISCELLANEOUS

0407 COPY & TAPE FEES \$  
0410 RESEARCH FEES \$  
0408 MISC REVENUE: (IDENTIFY) \$  
TC162 DEPOSIT LIAB. (IDENTIFY) \$  
0240 EXTENSION OF TIME \$ 100.00

## WATER RIGHTS:

0201 SURFACE WATER EXAM FEE \$ 0202 RECORD FEE \$  
0203 GROUND WATER \$ 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: **61604**DATED: 7/25/03 BY: Connie Vance





06641  
143940

Received by OWRD

OCT 07 2024

Salem, OR

Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Waste Connections; Brian Evola

2550 Steele Rd, The Dalles, OR 97058

Transaction Type: RA

Fees Received: \$ 1743.00

☐ Cash ☒ Check: Check No. 5103264

Name(s) on Check: Waste Connections

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: Nick Reece  
(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.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.





Received by OWRD

OCT 07 2024

Salem, OR

Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Waste Connections; Brian Evola

7550 Steele Rd, The Dalles, OR 97058

Transaction Type: RA

Fees Received: \$ 1743.00

☐ Cash

☒ Check

Check No. 5103264

Name(s) on Check: Waste Connections

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

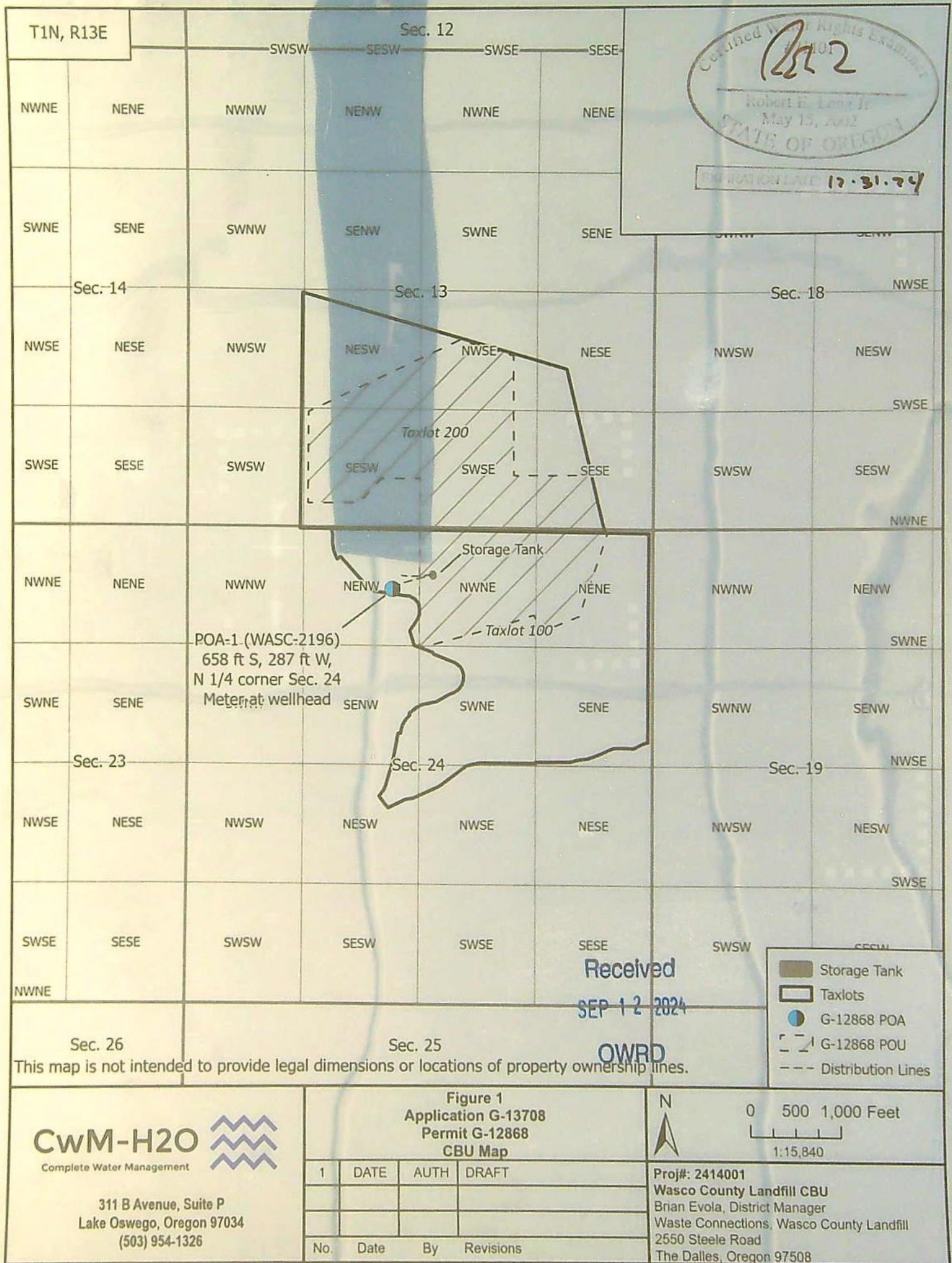
Submission received by: Nick Reece

(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.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.







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 # **143805**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Waste Connections  
BY: \_\_\_\_\_

APPLICATION 6-13708  
PERMIT \_\_\_\_\_  
TRANSFER \_\_\_\_\_

CASH: ☐ CHECK: # 99211 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 230.00

**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:**

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

**WELL CONSTRUCTION**

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

0700 OTHER (IDENTIFY) COBU Fee \$ 230.00

**0536 TREASURY 0437 WELL CONST. START FEE**

0211 WELL CONST START FEE \$ \_\_\_\_\_ CARD# \_\_\_\_\_  
0210 MONITORING WELLS \$ \_\_\_\_\_ CARD# \_\_\_\_\_

OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **143805**

DATED: 9-12-24 BY: [Signature]

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 # **143805**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Waste Connections  
BY: \_\_\_\_\_

APPLICATION 6-13708  
PERMIT \_\_\_\_\_  
TRANSFER \_\_\_\_\_

CASH: ☐ CHECK: # 99211 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 230.00

**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:**

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

**WELL CONSTRUCTION**

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

0700 OTHER (IDENTIFY) COBU Fee \$ 230.00

**0536 TREASURY 0437 WELL CONST. START FEE**

0211 WELL CONST START FEE \$ \_\_\_\_\_ CARD# \_\_\_\_\_  
0210 MONITORING WELLS \$ \_\_\_\_\_ CARD# \_\_\_\_\_

OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **143805**

DATED: 9-12-24 BY: [Signature]

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

WASTE CONNECTIONS

DATE 8/20/2024 CHECK NUMBER 5094611

Invoice	Invoice Date	PO No.	Description	Net Amount
G-12868 CBU Fee	7/31/2024	PO-2042-24-00286	Beneficial use permit application fees	230.00

Received  
SEP 12 2024  
OWRD

Vendor No. U0053280 Pay To STATE OF OREGON WATER RESOURCES Net Total \$ 230.00

WLP528511VTL28 (6230)



**CLAIM OF  
BENEFICIAL USE  
for Groundwater Permits  
claiming more than 0.1 cfs**



**Oregon Water Resources Department**  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)

**Received**  
**SEP 12 2024**  
**OWRD**

**A fee of \$230 must accompany this form for permits  
with priority dates of July 9, 1987, or later.**

**A separate form shall be completed for each permit.**

*In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.*

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:

<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

**SECTION 1**

**GENERAL INFORMATION**

**1. File Information:**

APPLICATION #	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
<b>G-13708</b>	<b>G-12868</b>	<b>T-9510</b>



**2. Property Owner (current owner information):**

APPLICANT/BUSINESS NAME <b>Waste Connections</b>		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS <b>2550 Steele Rd</b>			
CITY <b>The Dalles</b>	STATE <b>OR</b>	ZIP <b>97058</b>	E-MAIL

If the current property owner is not the permit holder of record, it is recommended that an assignment be filed with the Department. ***Each permit holder of record must sign this form.***

**3. Permit holder of record (this may, or may not, be the current property owner):**

PERMIT HOLDER OF RECORD <b>Waste Connections</b>		
ADDRESS <b>2550 Steele Rd</b>		
CITY <b>The Dalles</b>	STATE <b>OR</b>	ZIP <b>97058</b>

ADDITIONAL PERMIT HOLDER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

**4. Date of Site Inspection:****5. Person(s) interviewed and description of their association with the project:**

NAME	DATE	ASSOCIATION WITH THE PROJECT
Brian Evola	5/29/2024	District Manager
Yuta Naganuma	5/29/2024	Regional Engineer

**6. County:****7. If any property described in the place of use of the permit is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):**

OWNER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

Received  
SEP 12 2024

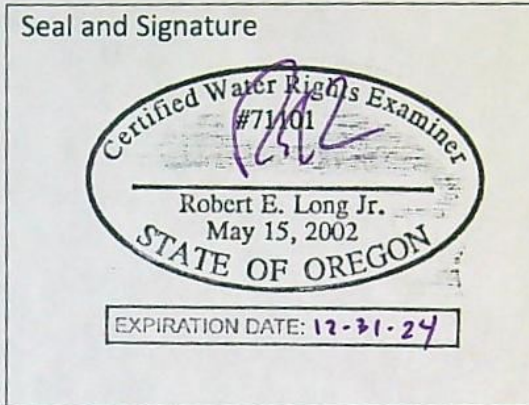
OWRD



## SECTION 2 SIGNATURES

### CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME <b>Robert Long, Jr</b>		PHONE NO. <b>(503) 954-1326</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>311 B Ave, Suite P</b>			
CITY <b>Lake Oswego</b>	STATE <b>OR</b>	ZIP <b>97034</b>	E-MAIL <b>bob.long@cwmh2o.com</b>

### Permit Holder of Record Signature or Acknowledgement

**Each** permit holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Brian Evola	District Manager, Waste Connections	8/2/24

Received  
 SEP 12 2024  
 OWRD



### SECTION 3 CLAIM DESCRIPTION

OWRD

**1. Point of appropriation name or number:**

POINT OF APPROPRIATION (POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
POA-1	WASC-2196 WASC-51876 (alteration)	97081 (filed under alteration well log)

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

**2. Point of appropriation source, if indicated on permit:**

POA NAME OR NUMBER	SOURCE BASIN LOCATED WITHIN	TRIBUTARY
POA-1	Columbia River Basalt-Wanapum Basalt-Frenchman Springs Member-Sand Hollow	Fivemile Creek Basin

**3. Developed use(s), period of use, and rate for each use:**

POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
POA-1	Industrial/Manufacturing	NA	Year-round	110 gpm
Total Quantity of Water Used				110 gpm

**4. Provide a general narrative description of the distribution works.** This description must trace the water system from each point of appropriation to the place of use:

Water from POA-1 is piped several hundred feet to a 10,000-gallon above-ground storage tank. Water from the tank is distributed around the POU by water trucks for use in dust control. Water from POA-1 is also piped to the landfill office facility for exempt commercial uses.

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

**5. Variations:**

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below.

YES NO

(e.g. "The permit allowed three points of appropriation. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

The permit allows for the usage of up to 0.45 cfs (202 gpm) of water from the approved POA. The Applicant has developed 0.245 cfs (110 gpm) from the approved POA within the permit window.

**6. Claim Summary:**

POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POA-1	0.45 cfs	0.235 cfs <sup>1</sup>		Industr./Manu.	NA <sup>2</sup>	NA <sup>2</sup>

- The theoretical value was determined based on available groundwater level data, though the well was observed operating at a rate of 0.245 cfs, matching historic records.
- This use type (industrial/manufacturing) does not have an acreage value assigned.



## SECTION 4 SYSTEM DESCRIPTION

Are there multiple POAs?

YES NO

If "YES" you will need to copy and complete a separate Section 4 for each POA.

POA Name or Number this section describes (only needed if there is more than one):

POA-1

Received  
SEP 12 2024

### A. Place of Use

1. Is the right for municipal use?

OWRD  
YES NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLot	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
1N	13E	Willamette	24	NWNE	100, 200		Industr./Manu.	N/A	N/A
Total Acres Irrigated									

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLot), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLot, and QQ.

### B. Groundwater Source Information (Well)

1. Is the appropriation from a well?

YES NO

If "NO", items 2 through 4 relating to this section may be deleted.

2. Describe the access port or other means to measure the water level in the well:

An airline pressure water level measurement system was installed in October 2011.

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY
6"	660' <sup>1</sup>	1046'	9/8/1994	11/9/2011	Sanifill (Waste Connection predecessor)	Austin Charles

1. Based on the construction listed on the alteration log, WASC-51876. The original log, WASC-2196, lists the casing from +2 to 538 ft.

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

Original Well #: WASC-2196, Alteration #: WASC-51876



Received

SEP 12 2024

**C. Groundwater Source Information (Sump)**

1. Is the appropriation from a dug well (sump)?

YES NO

OWRD

If "NO", items 2 through 4 relating to this section may be deleted.

Reminder: Construction standards for sumps can be found in OAR 690-210-0400.

2. If the appropriation involves a SUMP, provide the following information for each SUMP:

LENGTH	WIDTH	AVERAGE DIAMETER	MAXIMUM DEPTH	SURFACE AREA (IN ACRES)	VOLUME IN CUBIC FEET OR ACRE FEET

3. If the sump is curbed constructed with watertight surface curbing, describe the curbing:

CURBING MATERIAL (CONCRETE, CONCRETE TILES, OR STEEL)	IF CONCRETE, PROVIDE THE THICKNESS OF THE WALL

4. Provide sump volume calculations:

**D. Diversion and Delivery System Information**

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of appropriation to the place of use.

1. Is a pump used?

YES NO

If "NO" items 2 through item 6 may be deleted.

2. Pump Information:

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Grundfos	85S300-27	Unk.	Submersible	5.38"	3"

3. Motor Information:

MANUFACTURER	HORSEPOWER
Grundfos	30 HP

4. Theoretical Pump Capacity:

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a well, the water level DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
30 HP	40 PSI	780 ft	18 ft	0.235



5. Provide pump calculations:

$$Q = ((30\text{hp}) * (7.04\text{ft}^4/\text{sec}/\text{hp})) / (101.6\text{ft} + 798\text{ft}) = 0.235\text{ cfs}$$

OWRD

\*The theoretical rate is based on reported water level data. The rate observed during the site visit (see below), and reflected in historic usage records, is slightly higher. This is probably due to shallower pumping levels or lower PSI.

6. Measured Pump Capacity (using meter if meter was present and system was operating):

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
	501993 gal	10 mins	0.246 (110 gpm)

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES NO

If "NO" items 8 through item 13 may be deleted.

8. Mainline Information:

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
6"	Approx. 480 ft	PVC	Buried

9. Lateral or Handline Information:

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND

10. Sprinkler Information:

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Drip Emitter Information:

SIZE	OPERATING PSI	EMITTER OUTPUT (GPM)	TOTAL NUMBER OF EMITTERS	MAXIMUM NUMBER USED	TOTAL EMITTER OUTPUT (CFS)

12. Drip Tape Information:

DRIPPER SPACING IN INCHES	GPM PER 100 FEET	TOTAL LENGTH OF TAPE	MAXIMUM LENGTH OF TAPE USED	TOTAL TAPE OUTPUT (CFS)	ADDITIONAL INFORMATION



**13. Pivot Information:**

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)

**E. Storage**

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)?

YES NO

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a:      Storage Tank  
                                 Bulge in System / Reservoir

YES NO  
YES NO

Complete appropriate table(s), unused table may be deleted.

**H. Storage Tank:**

MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED
Steel	10,000	Above Ground

**H. Bulge in System / Reservoir:**

RESERVOIR NAME OR NUMBER (CORRESPOND TO MAP)	APPROXIMATE DAM HEIGHT	APPROXIMATE CAPACITY (IN ACRE FEET)

**F. Gravity Flow Pipe**

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

YES NO

If "NO", items 2 through 4 relating to this section may be deleted.

**H. Complete the table:**

PIPE SIZE	PIPE TYPE	"C" FACTOR	AMOUNT OF FALL	LENGTH OF PIPE	SLOPE	COMPUTED RATE OF WATER FLOW (IN CFS)

**H. Provide calculations:**

--

**H. If an actual measurement was taken, provide the following:**

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)

Attach measurement notes.

Received  
SEP 12 2024  
OWRD



### G. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

YES NO

If "NO", items 2 through 4 relating to this section may be deleted.

#### H. Complete the table:

CANAL OR DITCH TYPE (MATERIAL)	TOP WIDTH OF CANAL OR DITCH	BOTTOM WIDTH OF CANAL OR DITCH	DEPTH	"N" FACTOR	AMOUNT OF FALL	LENGTH OF CANAL/ DITCH	SLOPE	COMPUTED RATE (IN CFS)

#### H. Provide calculations:

--

#### H. If an actual measurement was taken, provide the following:

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)

Attach measurement notes:

#### H. Additional notes or comments related to the system:

The well pumps into the storage tank to maintain a full level. Water trucks fill up from the storage tank and distribute water around the place of use for dust control. The only piped part of the system is between the well and the storage tank, and between the storage tank and the office facility, where there is a non-potable hookup for exempt commercial use.

Received  
SEP 12 2024  
OWRD



## SECTION 5 CONDITIONS

All conditions contained in the permit, permit amendment, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

### 1. Time Limits:

Permits and extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or permit extension order:

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	10/10/1996		
BEGIN CONSTRUCTION (A)	10/10/1997	9/8/1994	CLAC-2196 drilling started on September 8, 1994.
COMPLETE CONSTRUCTION (B)	10/1/1998 (original)	Approx. 1/9/1995	Drilling completed by January 1, 1995 (when log was submitted).
COMPLETE APPLICATION OF WATER (C)	10/1/1999 (original) 10/1/2014 (extended)	10/1/1999	The fullest application of water (110 gpm) was reached prior to the latest extension of time. The Applicant has maintained this level of usage since then.

\* MUST BE WITHIN PERIOD BETWEEN PERMIT, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

### 2. Is there an extension final order(s)?

YES NO

If "NO", items a and b relating to this section may be deleted.

a. Did the Extension Final Order require the submittal of Progress Reports?

YES NO

If "NO", item b relating to this section may be deleted.

b. Were the Progress Reports submitted?

YES NO

If the reports have not been submitted, attach a copy of the reports if available.

### 3. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement?

YES NO

If "NO", items b through d relating to this section may be deleted.

b. What month was the initial measurement to be taken in?

March

c. Was the measurement submitted to the Department?

YES NO

Received

SEP 12 2024

OWRD



d. If the initial measurement was not submitted, provide that measurement now, if available:

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT

#### 4. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements? **YES** ~~NO~~

*If "NO", items b through e relating to this section may be deleted.*

b. Provide the month, or months, the static water level measurement(s) were to be made:

**March 1997-March 2004**

c. Were the static water level measurements taken in the month(s) required? **YES** ~~NO~~

d. If "YES", were those measurements submitted to the Department? **YES** ~~NO~~

e. If the annual measurements were not submitted, provide the measurements now:

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT

#### 5. Pump Test:

a. Did the permit require the submittal of a pump test? **YES** ~~NO~~

Ground water permits with priority dates on or after **December 20, 1988**, require the submittal of a pump test prior to issuance of a certificate. In some cases, the permit holder may qualify for a multiple well exemption or an unreasonable burden exemption.

For additional information regarding pump tests see:

<https://www.oregon.gov/OWRD/programs/GWWL/GW/Pages/PumpTestProgram.aspx>

*If "NO", items b through e relating to this section may be deleted.*

b. Has the pump test been previously submitted to the Department? ~~YES~~ **NO**

c. Is the pump test attached to this claim? **YES** ~~NO~~

d. Has the pump test been approved by the Department? ~~YES~~ **NO**

e. Has a pump test exemption been approved by the Department? ~~YES~~ **NO**

**\*\* Claims will not be reviewed until a pump test or exemption has been approved by the Department**

#### 6. Measurement Conditions:

a. Does the permit, permit amendment, or any extension final order require the installation of a meter or approved measuring device? **YES** ~~NO~~

*If "NO", items b through f relating to this section may be deleted.*

**Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.**

b. Has a meter been installed? **YES** ~~NO~~

Received

SEP 12 2024

OWRD



c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POA-1	Aquamaster Totalizer Model 400B	19025	Working	501993	Unk.

If a meter has been installed, items d through f relating to this section may be deleted.

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department? ~~YES~~ **NO**

e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval: **N/A**

NAME	TITLE	APPROXIMATE DATE

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED

7. Recording and reporting conditions:

a. Is the water user required to report the water use to the Department? ~~YES~~ **NO**

If "NO", item b relating to this section may be deleted.

b. Have the reports been submitted? ~~YES~~ **NO**

If the reports have not been submitted, attach a copy of the reports if available.

8. Other conditions required by permit, permit amendment final order, or extension final order:

a. Were there special well construction standards? ~~YES~~ **NO**

b. Was submittal of a ground water monitoring plan required? ~~YES~~ **NO**

c. Was submittal of a water management and conservation plan required? ~~YES~~ **NO**

d. Was a Well Identification Number (Well ID tag) assigned and attached to the well? **YES** ~~NO~~

WELL ID #	DATE ATTACHED TO WELL
<b>97081</b>	<b>Unk.</b>

e. Other conditions? ~~YES~~ **NO**

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

<b>Received</b> <b>SEP 12 2024</b>
---------------------------------------



**SECTION 6**  
**ATTACHMENTS**

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Attachment 1	CBU Map
Attachment 2	POA-1 Well Logs
Attachment 3	Pump Test Report Forms

**SECTION 7**  
**CLAIM OF BENEFICIAL USE MAP**

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

In addition to on-the-ground information collected during the CBU site survey, the following imagery (accessed with Google Earth) was used to prepare this CBU and accompanying map:

- 2006 aerial imagery from USDA/FPAC/GEO
- 2009 aerial imagery from USDA/FPAC/GEO
- 2010 aerial imagery from Landsat
- 2011 aerial imagery from Landsat
- 2013 aerial imagery from USDA/FPAC/GEO
- 2015 aerial imagery from USDA/FPAC/GEO
- 2016 aerial imagery from Google, Landsat, Maxar Technologies
- 2017 aerial imagery from Landsat
- 2018 aerial imagery from Maxar Technologies

Received  
SEP 12 2024  
OWRD



## Map Checklist

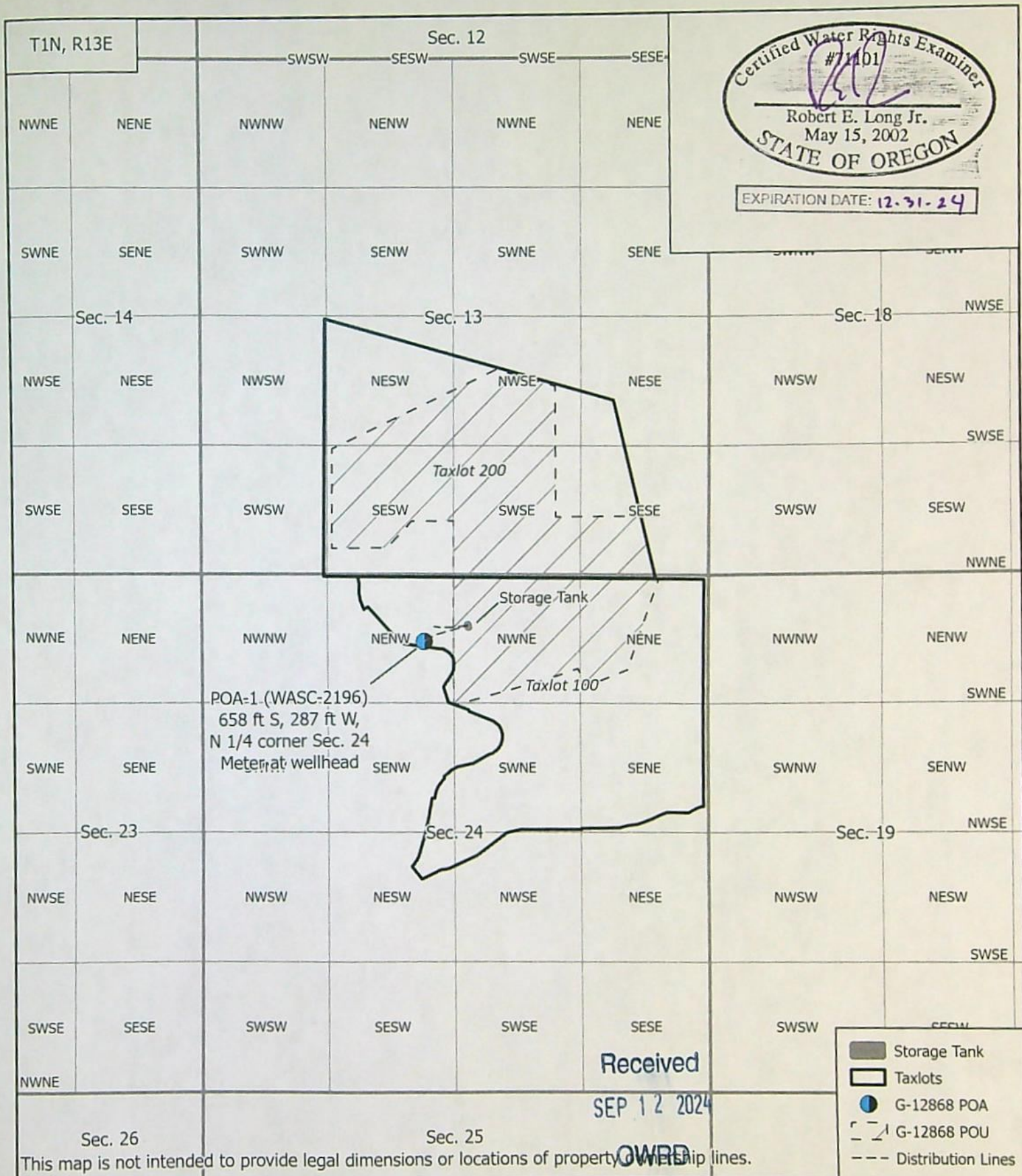
Please be sure that the map you submit includes ALL the items listed below.

(Reminder: Incomplete maps and/or claims may be returned.)

- ☒ Map on polyester film
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- ☐ If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters **Not Applicable due to use type**
- ☐ Locations of fish screens and/or fish by-pass devices in relationship to point of diversion **Not Applicable**
- ☒ Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- ☒ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- ☒ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☒ Tax lot boundaries and numbers
- ☐ Source illustrated if surface water **Not Applicable**
- ☒ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- ☒ Application and permit number or transfer number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature

Received  
SEP 12 2024  
OWRD





This map is not intended to provide legal dimensions or locations of property ownership lines.

**CwM-H2O**  
Complete Water Management

311 B Avenue, Suite P  
Lake Oswego, Oregon 97034  
(503) 954-1326

Figure 1  
Application G-13708  
Permit G-12868  
CBU Map

1	DATE	AUTH	DRAFT
No.	Date	By	Revisions

N  
0 500 1,000 Feet  
1:15,840

Proj#: 2414001  
Wasco County Landfill CBU  
Brian Evola, District Manager  
Waste Connections, Wasco County Landfill  
2550 Steele Road  
The Dalles, Oregon 97508



## ATTACHMENT 2

WATER RESOURCES DEPT.

JAN 12 1995

Page 1 of 1

(START CARD) # 48016

WATER RESOURCES DEPT.

## (1) OWNER:

Name Sanifill

Well Number

Address 2550 Steel Rd

City The Dalles State Or Zip 97058

## (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 1046 ft.Explosives used ☐ Yes ☒ No Type Amount

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
12	0	220				
10 5/8	220	533				
8	533	1046	Cement	0	220	11 Cu. yds

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:	8	+2	538	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 538

## (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 72 Depth Artesian Flow Found

Was a water analysis done? ☐ Yes By whomDid 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 1N N or S. Range 13 E E or W. WM.

Section 24 NE 1/4 NW 1/4

Tax Lot 2500 Lot Block Subdivision

Street Address of Well (or nearest address) same

## (10) STATIC WATER LEVEL:

780 ft. below land surface.

Date

Artesian pressure lb. per square inch.

Date

## (11) WATER BEARING ZONES:

Depth at which water was first found 947

From	To	Estimated Flow Rate	SWL
947	1046		780

## (12) WELL LOG:

Ground elevation

Material	From	To	SWL
Fill	0	4	
SS Fine Brn	4	16	
SS coarse brn	16	35	
Gravel med(broken rock)	35	44	
SS Fine brn	44	49	
Clay Brn	49	55	
Coarse Brn	55	60	
SS Fine hard brn	60	89	
Gravel med, Multi Colored	89	92	
SS Coarse blk	92	99	
Gravel med	99	110	
SS Coarse brn	110	161	
SS Coarse hardbrn	161	168	
SS Fine blk	168	269	
Sand Stone hard Fine Brn	269	280	
SS Fine hard brn	280	360	
SS Fine hard pink	360	420	
Basalt soft blk	420	435	
SS Coarse Multi Color har	435	460	
Clay stone hard grey	460	488	
Sandstone brn	488	521	

Continued page 2

Date started 9-8-94 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. Material 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 1-9-95



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

JAN 12 1995

WATER RESOURCES DEPT.  
SALEM, OREGON (START CARD) # 48016

Page 2 of 3

(1) OWNER: Well Number \_\_\_\_\_  
Name Sanifill  
Address 2550 Steel Rd  
City The Dalles State Or. Zip 97058

(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	To	Material	From	

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 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"/>

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

Yield gal/min \_\_\_\_\_ Drawdown \_\_\_\_\_ Still stem at \_\_\_\_\_ Time \_\_\_\_\_  
1 hr.  
SEP 12 2024  
OWRD

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	SWL

(12) WELL LOG:  
Ground elevation \_\_\_\_\_

Material	From	To	SWL
SS with clay brn	521	535	
Basalt hard grey	535	541	
Rock fract	541	560	
Claystone grey	560	568	
rock	568	586	
Rock W/clay seams	586	590	
Claystone hard grey	590	607	
Basalt hard grey	607	618	
Basalt soft blk	618	622	
SS Coarse hard brn	622	624	
Basalt hard bract blk	624	635	
Basalt hard green clay			
seams grey	635	649	
Basalt hard blk	649	658	
Rock soft multi color	658	667	
Basalt hard grey	667	730	
SS or clay soft brn	730	733	
Rock fract (broken) Brn	733	740	
Basalt hard green clay			
seams	740	760	
Basalt hard grey	760	876	
Basalt hard greygreen clay			

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. Material 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 \_\_\_\_\_  
Date \_\_\_\_\_







**RECEIVED**

**JAN 12 1995**

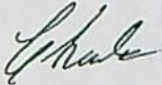
WATER RESOURCES DEPT.  
SALEM, OREGON

AUSTIN WELL DRILLING  
3393 SANDLIN RD.  
THE DALLES, OR. 97058

WATER RESOURCES DEPT.  
3850 PORTLAND RD. NE  
SALEM, OR. 97310  
JAN. 11, 1995

The Work on this well has not been completed but the people at Sanifill want a well log set in so here it is. At this time a test pump is in the well but it has not yet been tested. After the test if we have enough water they want a liner installed. At this time I will send you another well log.

THANK YOU



CHARLES AUSTIN  
AUSTIN WELL DRILLING

Received

SEP 12 2024

OWRD



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

WELL LABEL # L 97081

START CARD # 208052

Contact Info (optional)

Form Version: 0.95





OREGON  
WATER  
RESOURCES  
DEPARTMENT

PUMP TEST FORM  
COVER SHEET

Water-Level Measurement Method: Acoustic Sounder

\*Verify here: { Airline: \_\_\_\_\_ psi \_\_\_\_\_ feet.  
E-Tape: \_\_\_\_\_ feet.

Length of air line (if used): \_\_\_\_\_

\*Airline measurements must be verified by an E-Tape measurement

Pressure transducer (if used):

Manufacturer: \_\_\_\_\_ Serial #: \_\_\_\_\_

Date Last Calibrated: \_\_\_\_\_ Units: \_\_\_\_\_

Pump Type: Submersible

HP: 40 Pump set at: -945 feet.

Pump idle time: 30+ hours

Discharge Measurement Method: Vol/Time

Flowmeter (if used):

Manufacturer: Aquamaster Serial #: \_\_\_\_\_

Date Last Calibrated: Unknown Units: gpm

Note: Well must be idle for at least 16 hours prior to the test. Additional forms can be obtained from our web site at:

<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

Measuring Point (MP): Measuring point distance above land surface 1.2 feet.

Description (e.g., top port of 1 inch port pipe, west side) 3/4" port in top of well casing

Time pump turned on: Date 09/01/2024

Time 9:03

Time pump turned off: Date 09/01/2024

Time 13:13

Total pumping time: 4 hours 10 minutes.

Remember, your pump test may not be approved unless it meets the following criteria\*:

- ☒ The discharge rate was held constant for the entire pumping phase.
- ☒ The pump was on during the entire pumping phase ( $\geq 4$  hours).
- ☒ The discharge was measured at the start of pumping and at least once every hour during the test.
- ☒ Water levels were measured to an accuracy of 0.1 feet or 0.5 percent.
- ☒ Pre-test static water levels were measured at least three times in the hour before pumping began at no less than 20 minutes apart.
- ☒ Water levels were measured at the specified intervals during the pumping phase of the test for at least four hours ( $\leq 2$  min for the first 10 minutes,  $\leq 5$  min for 10 – 30 minutes, and  $\leq 15$  min for the remainder of the test)
- ☒ Water levels were measured at the specified intervals (see above) during the recovery phase of the test for four hours or until 90 percent of the maximum drawdown has recovered.
- ☐ If using an airline, measurements were calibrated with an E-Tape and the depth to water was  $\geq 300$  feet.
- ☒ The pump test cover sheet was completely filled out and signed.
- ☒ The pumping rate was as close as reasonably possible to the (anticipated) pumping rate during normal use of the well.
- ☒ The well was idle for at least 16 hours prior to the test.
- ☒ The pump test was completed by an acceptably qualified person (Oregon licensed water well constructors; Oregon registered professional geologists or certified engineering geologists; certified water rights examiners; Oregon registered professional engineers; and individuals whose primary occupation involves, wholly or in significant part, pump installation, service, or testing).

\*This checklist is intended for information purposes only and does not guarantee a pump test approval. The Department reserves all authority pertaining to the implementation of the rules under OAR 690-217.

Pump tests are intended to provide aquifer and well information for ground water resource characterization and to help solve well problems (OAR 690-217-0015(9)).

Pump test requirements for OAR 690-217 can be found online at:

<https://secure.sos.state.or.us/oard/displayDivisionRules.action;JSESSIONID=OARD=1BdwLynsYAPNSQIW330ZiSFZuMscp4Hfil-1ftsDAAEsMC2.ROSS!-277278532?selectedDivision=3186>

Submit forms to:

Attn: Certificates Section, Oregon Water Resources Department  
725 Summer St NE Suite A, Salem, OR 97301

Forms may additionally be sent to [WRD\\_DL\\_pumptestsupport@oregon.gov](mailto:WRD_DL_pumptestsupport@oregon.gov)

I hereby certify that this test has been conducted in accordance with OAR 690-217:

OPERATOR SIGNATURE: Jan Gordin

DATE: 09/03/2024

OWNER SIGNATURE: Paul S. Gordin

DATE: 9/3/24

Additional forms can be found at: <https://www.oregon.gov/owrd/Forms/Pages/default.aspx>.

OWRD 20200115

Received

SEP 12 2024

OWRD





OREGON  
WATER  
RESOURCES  
DEPARTMENT

Received  
SEP 12 2024

PUMP TEST FORM  
COVER SHEET

OWRD

Owner Information:

OWNER NAME/BUSINESS NAME: Waste Connections (Wasco County Landfill)		PHONE No.:	ADDITIONAL CONTACT No.:
ADDRESS: 2550 Steele Road			
CITY: The Dalles	STATE: OR	ZIP: 97058	E-MAIL:

Pump Test Conducted By (If Different From Owner):

TEST CONDUCTED BY NAME: Ian Godwin	QUALIFICATION: (SELECT) RG	LICENSE #: G2721
COMPANY: CwM-H2O	PHONE No.: 503 954-1326	ADDITIONAL CONTACT No.:
ADDRESS:		
CITY: Lake Oswego	STATE: OR	ZIP: 97034
E-MAIL: igodwin@cwmmh2o.com		

Tested Well Information (please attach well log(s) if available):

WELL LOG # (EX: MARI 99999)	WELL TAG # (EX: L-999999)	WELL NAME OR #	WELL DEPTH	ORIGINAL OWNER	DATE DRILLED	TEST DATE
WASC-2196/51876	L- 97081	Well-2	1,046 ft	Sanifill	9/8/1994	9/1/2024

(CONTINUED)

TWP (EX: 25S)	RNG (EX: 31E)	SEC (EX: 12)	QQ (EX: SE/SW)	SURVEYED LOCATION (EX: 100 ft N & 735 ft E fr SE cor, sec 5)	LATITUDE (EX: 44.94473859)	LONGITUDE (EX: -123.02787000)
1N	13E	24	NWNE	658 ft S and 284 ft W from N1/4 Corner, Section 24	45.56043260	-121.13855882

List all water rights for which you are submitting this test. Please indicate if the tested well is listed as an authorized source of water on each water right. If not, you may also need to fill out a multiple well exemption (MWE) request form.

APPLICATION	PERMIT	TRANSFER	CERTIFICATE	IS THE TESTED WELL AN AUTHORIZED POA ON THIS RIGHT?
G- 13708	G- 12868	T- 9510		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Need MWE Form)
G-	G-	T-		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Need MWE Form)
G-	G-	T-		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Need MWE Form)

Nearby Wells and Streams: Please check yes or no. Do not leave blank.

☐ No Are there any wells, other than domestic or stock wells, within 1000 feet of the tested well?  
If yes, identify the well by OWRD log number or attach a copy of the well log. Note the approximate distance to each well from the tested well and the approximate pumping rate of each.  
If possible, indicate if they were turned on or off during the test or within 24 hours prior to the test (Indicate Not Pumped, if applicable).

WELL LOG # (EX: MARI 99999)	BEARING & DISTANCE FROM PUMPED WELL (FT)	DATE & TIME PUMP ON	DATE & TIME PUMP OFF	PUMPING RATE (GPM)
N/A				

☐ No Is there a lake, stream or other surface water body within 1/4 mile of the tested well?  
If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head.  
Well elevation is  above the surface water body. Approximate distance: \_\_\_\_\_ ft.  
Approximate elevation difference: \_\_\_\_\_ ft.

☒ Yes Was the test conducted during normal use of the well?  
Please indicate where pumped water was discharged: Surface drainage  
How far from the pumped well was water discharged? Approx. 50 ft

Additional forms can be found at: <https://www.oregon.gov/owrd/Forms/Pages/default.aspx>.

OWRD20200115





OREGON  
WATER  
RESOURCES  
DEPARTMENT

Received  
SEP 12 2024  
OWRD

PUMP TEST FORM  
DATA SHEET

Page 1 of 2

WELL LOG # (EX: MARI 99999)	WELL TAG # (EX: L-999999)	WELL NAME OR #	WELL DEPTH	ORIGINAL OWNER	DATE DRILLED	TEST DATE
WASC 2196/51876	L- 97081	Well-2	1,046 ft	San-fill	9/8/1994	9/1/2024

Date	Time	Time Since Pumping Started (min)	Depth to Water Below MP	Discharge Rate (gpm, cfs, gpm)	Phase (Pre- Test, Pumping, Recovery)	Airline or Shut-in Pressure (psi)	Flowmeter Reading (if available)	Comments
9/1/24	8:15	-	780.45	0	Pre-test			
"	8:35	-	790.43	0	Pre-test			
"	8:50	-	780.23	0	Pre-test			
"	8:59	-	780.39	0	Pre-test		52,389,700	
"	9:03	0		74	Pumping			
"		2	790.86	73	Pumping			Rate adjust
"		4	790.67	73	Pumping			Rate adjust
"		6	792.02	71	Pumping			Rate adjust
"		8	790.93	71	Pumping			
"		10	791.60	73	Pumping			
"		12	791.57	75	Pumping			
"		14	799.03	72	Pumping			
"		16	792.16	72	Pumping		52,390,800	
"		18	792.32	73	Pumping			
"		20	791.65	71	Pumping			
"		25	792.55	73	Pumping			
"		30	793.98	71	Pumping			
"		35	793.25	73	Pumping		52,392,600	
"		40	793.92	73	Pumping			
"		45	793.98	72	Pumping			
"		50	794.09	72	Pumping			
"		55	794.05	72	Pumping			
"		60	793.60	71	Pumping		52,394,000	
"		70	794.10	75	Pumping			
"		75	793.17	74	Pumping			
"		80	794.73	71	Pumping			
"		90	794.44	71	Pumping		52,396,100	
"		100	793.61	72	Pumping			
"		110	793.71	72	Pumping		52,398,300	
"		120	794.36	72	Pumping			
"		130	793.11	71	Pumping		52,399,700	
"		140	795.81	70	Pumping			
"		150	794.75	73	Pumping			
"		160	794.55	70	Pumping			
"		170	794.68	70	Pumping		52,402,500	
"		180	794.73	71	Pumping			
"		190	794.87	72	Pumping			
"		200	794.65	70	Pumping			
"					Pumping			





SEP 12 2024

OWRD

## Page 2 of 2

WELL LOG # (EX: MARI 99999)	WELL TAG # (EX: L-999999)	WELL NAME OR #	WELL DEPTH	ORIGINAL OWNER	DATE DRILLED	TEST DATE
N/A	L- 97081	Well-2	1,046 ft	Sanfill	9/8/1994	9/1/2024

[illegible]



## KAVANAGH Kerry L \* WRD

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Wednesday, August 21, 2024 5:10 PM  
**To:** brian.evola@wasteconnections.com  
**Cc:** nancy.mitchell@wasteconnections.com; Bob.long@cwmmh2o.com; Ian Godwin;  
KAVANAGH Kerry L \* WRD  
**Subject:** Application G-13708 (Permit G-12868) - Certificate Reimbursement Authority (RA)  
Estimate Application  
**Attachments:** RA\_Certificate\_Estimate\_Form\_Jan 2024.doc

Hello Brian,

The Oregon Water Resources Department (Department) recently received two checks, one in the amount of \$230 and the other in the amount of \$125 with no accompanying paperwork. I am unable to accept the two checks without paperwork.

I have prepared a return to sender letter that I will send to Nancy Mitchell along with the two checks.

If you wish to pursue the expedited review of a Claim of Beneficial Use (Claim) for Permit G-12868 (Application G-13708), you will need to complete the Department's one page Certificate Reimbursement Authority (RA) Estimate Application. The Certificate RA Estimate Application shows either that you have previously submitted a Claim or that you attaching a Claim. Also, for groundwater permits, a pump test or pump test exemption request will be needed for each well involved in the water right to be either previously submitted to the Department or attached to Claim.

If you wish to pursue the expedited review of a Claim of Beneficial Use (Claim) for Permit G-12868, there is an option to expedite the review of the Claim – the Certificate Reimbursement Authority (RA) Program. Essentially, you would agree to pay additional fees in order to take the Claim review out of line. If you want to pursue the Certificate RA Program, these are the steps involved:

1. Submit a one-page "Certificate Reimbursement Authority Estimate Application" along with a non-refundable fee of \$125 to my attention. On the estimate application, indicate whether the Claim is attached or submitted previously. Also note that for groundwater permits, a pump test or pump test exemption request will be needed for each well involved in the water right. If you do attach a Claim, please submit a check in the amount of \$230 for the Claim Fee.
2. I will then do a cursory review of the Claim and develop an estimate of time and monies I think will be needed to review the Claim and produce a final document. I will prepare a two-page Agreement and send to you via electronic mail. If you agree with the terms of the Agreement and estimated cost, you would then sign and date the Agreement and submit along with a check for the estimated fee. The target date for completion is 120 days from when both parties sign the Agreement.
3. I will do a thorough review of the Claim and prepare draft documents for your review via electronic mail, then I will issue final documents. If the estimate is low, I may request additional monies; if the estimate is high, I will refund any unused fees.

Here is the link to our website explaining the certificate reimbursement authority program: <https://www.oregon.gov/owrd/programs/WaterRights/RA/Pages/Certificate.aspx>



I have attached a word document of the one-page "Certificate Reimbursement Authority Estimate Application" form for your use.

In summary, if you wish to pursue the expedited review of the claim of beneficial use under the Certificate Reimbursement Authority (RA) Program, you may complete the one-page application form described above, indicate that you will be attaching the claim of beneficial use (Claim) along with the Claim Fee of \$230, attach pump test information for the well, sign and date the form and send along with a check for \$125 (non-refundable) to my attention at:

**Kerry Kavanagh**

Certificate Reimbursement Authority Program Coordinator  
Certificate Section, Water Rights Services Division  
725 Summer St NE Suite A | Salem OR 97301 | Direct 503.979.3208  
kerry.l.kavanagh@water.oregon.gov | <https://www.oregon.gov/QWRD>



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





# Oregon

Tina Kotek, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

August 21, 2024

Waste Connections  
Attention: Nancy Mitchell  
2550 Steele Road  
The Dalles OR 97048

RE: Receipt of two checks from Waste Connections for Application G-13708 (Permit G-12868)  
- Claim of Beneficial Use (Claim) nor Certificate RA Estimate Application were submitted

On August 19, 2024, the Water Resources Department (Department) received two checks for Application G-13708 (Permit G-12868), check #5094277 in the amount of \$230, which is presumably for a Claim Fee, and check #5094278 in the amount of \$125, which is presumably for the Certificate RA Estimate Application Fee. No paperwork was included with these two checks. I am unable to accept the two checks without supporting paperwork.

Please find enclosed the check #5094277 in the amount of \$230 and check #5094278 in the amount of \$125

If you wish to apply for the expedited review of the COBU through the Department's certificate RA program, you will need to submit the certificate RA estimate application form, the estimate RA application fee of \$125, the Claim and the \$230 COBU fee.

Please contact me at [kerry.l.kavanagh@water.oregon.gov](mailto:kerry.l.kavanagh@water.oregon.gov) or 503-979-3208 if you have any questions.

Sincerely,

Kerry Kavanagh  
Reimbursement Authority, Certificates, Water Right Services Division

cc: File G-13708  
Bob Long, CWRE, CWM-H2O, LLC, 311 B Avenue, Suite P, Lake Oswego OR 97034  
Enclosures



Laura A. Schroeder  
Oregon, Idaho,  
Nevada, Washington & Utah

Therese A. Ure Stix  
Oregon & Nevada

Caitlin R. Skulan  
Nevada & Idaho



**SCHROEDER**  
LAW OFFICES, P.C.

William F. Schroeder  
(1928 - 2015)

James Browitt  
Of Counsel  
Idaho & Washington

July 12, 2024

**Received**

**JUL 15 2024**

**VIA U.S. PRIORITY MAIL**

**OWRD**

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

**RE: Settlement Option Offered Under the Protections Provided by ORS 40.190  
and OEC 408: Protest to Proposed Final Order to Deny an Extension of  
Time for Permit G-12868, Water Right Application G-13708**

To Whom It May Concern:

This office represents Waste Connections d.b.a. Wasco County Landfill, Inc. ("Wasco" or "Protestant"), in the above referenced protest. The Protestant is interested in resolving the above referenced protest outside a contested case if possible. Please consider the following settlement proposal for this purpose.

### **Background**

Permit G-12686 was issued by Oregon Water Resources Department ("OWRD") on October 10, 1996, and authorized the development of an industrial use for dust control and construction of up to 0.45 cubic feet per second ("cfs") of water from a well in Fivemile Creek Basin. As specified by the permit, construction of the well was to begin by October 10, 1997, construction of the water system was to be completed by October 1, 1998, and complete application of water was to be made on or before October 1, 1999.

On July 1, 2004, OWRD issued an order extending the completion dates for construction and full application of water to October 1, 2014. On December 26, 2023, Wasco submitted another extension of time ("EOT") application, requesting a deadline extension for both water-system construction and full application of water to October 1, 2028. On January 2, 2024, notification of the EOT application for Permit G-12868 was published in OWRD's Water Rights Weekly Public Notice. No public comments were received regarding Wasco's application.

On March 26, 2024, OWRD issued the proposed final order ("PFO") denying the EOT application. Pursuant to the PFO, any protest of this determination must be received by OWRD no later than May 10, 2024. On behalf of the Protestant, a protest was filed on May 9, 2024.



Received  
JUL 15 2024  
OWRD

Settlement Option


Though nearly 10 years have passed since the EOT issued by OWRD has expired, the Protestant believes the unresolved issues related to Permit G-12868 and protest may be resolved through settlement. The option below is legal and a practical alternative that the Protestant wishes OWRD to consider to resolve the protest issues outside a contested case. The option below is not intended to be the only option or commit the Protestant to any one course of action. Further, the Protestant does not waive their right to seek resolution as part of a contested case hearing on any legal theory. The following option is simply provided as a basis for an early option to resolve the matter with OWRD regarding the unresolved issues related to Permit G-12868.

Protestant applied for the EOT to extend the completion deadlines for construction of the water system and application of water to full beneficial use on Permit G-12868 to October 1, 2028. Protestant requests OWRD resolve Wasco's protest by reconsideration to partially grant an EOT on Permit G-12868 to October 1, 2024 (instead of the requested date of October 1, 2028) to permit the filing of the Certificate of Beneficial Use ("COBU").

Wasco relies on Permit G-12868 for dust mitigation on the described place of use ("POU"). It is needed for ordinary waste management operations and various safety considerations. Wasco is willing to give up any additional development of water duty that would have been possible with a 2028 extension. There are no other conceivable options for Protestant to pursue if Permit G-12868 were to be cancelled especially for failure to timely file a COBU. The waste facility will be unable to expand and meet the needs of The Dalles without dust mitigation for its entire project facility at this location. There are significant community benefits without the ability for the Protestant to file the COBU.

We would appreciate a response by August 1, 2024, so we might arrange expeditiously for the employment of a CWRE to assist our client with completing a COBU. If desired, the Protestant would be willing to meet with OWRD staff via ZOOM to further discuss this option.

Very truly yours,  
SCHROEDER LAW OFFICES, P.C.



Laura A. Schroeder

LAS:mpj

Enclosures

cc: Client





Received by OWRD

MAY 10 2024

Salem, OR

Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Wasco County Landfill Inc.  
2550 Steele Rd The Dalles OR 97058  
Transaction Type: Protest G-12868  
Fees Received: \$ 480.00

☐ Cash

☒ Check:

Check No. 30410

Name(s) on Check: Schroeder Law offices

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: Nick Reece  
(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.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.



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 # 142889

INVOICE #

RECEIVED FROM: Schroeder Law Offices, P.C.

BY:

CASH: ☐ CHECK# ☒ 30410 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$480.00

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 47235  
0407 COPY & TAPE FEES \$  
0410 RESEARCH FEES \$  
0408 MISC REVENUE: (IDENTIFY) \$  
TC162 DEPOSIT LIAB. (IDENTIFY) \$  
0240 EXTENSION OF TIME \$  
WATER RIGHTS: EXAM FEE RECORD FEE  
0201 SURFACE WATER \$ 0202 \$  
0203 GROUND WATER \$ 0204 \$  
0205 TRANSFER \$  
WELL CONSTRUCTION EXAM FEE LICENSE FEE  
0218 WELL DRILL CONSTRUCTOR \$ 0219 \$  
LANDOWNER'S PERMIT 0220 \$  
0223 OTHER (IDENTIFY) Protest \$480.00

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND TITLE  
OBJ. CODE VENDOR #  
DESCRIPTION \$

RECEIPT: 142889

DATED: 5-10-24 BY: Lisa D Miller

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

SCHROEDER LAW OFFICES, P.C.

58.00 Oregon Water Resources Department  
05/08/2024 (950.03) Protest Filing Fee

05/08/2024

30410

Gross:

480.00

Ded:

0.00 Net:

480.00

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 # 142889

INVOICE #

RECEIVED FROM: Schroeder Law Offices, P.C.

BY:

CASH: ☐ CHECK# ☒ 30410 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$480.00

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 47235  
0407 COPY & TAPE FEES \$  
0410 RESEARCH FEES \$  
0408 MISC REVENUE: (IDENTIFY) \$  
TC162 DEPOSIT LIAB. (IDENTIFY) \$  
0240 EXTENSION OF TIME \$  
WATER RIGHTS: EXAM FEE RECORD FEE  
0201 SURFACE WATER \$ 0202 \$  
0203 GROUND WATER \$ 0204 \$  
0205 TRANSFER \$  
WELL CONSTRUCTION EXAM FEE LICENSE FEE  
0218 WELL DRILL CONSTRUCTOR \$ 0219 \$  
LANDOWNER'S PERMIT 0220 \$  
0223 OTHER (IDENTIFY) Protest \$480.00

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND TITLE  
OBJ. CODE VENDOR #  
DESCRIPTION \$

RECEIPT: 142889

DATED: 5-10-24 BY: Lisa D Miller

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

30410

FEE

480.00

480.00

OWRD

MAY 10 2024

Received



Laura A. Schroeder  
Oregon, Idaho,  
Nevada, Washington & Utah

Therese A. Ure Stix  
Oregon & Nevada

Caitlin R. Skulan  
Nevada & Idaho



**SCHROEDER**  
LAW OFFICES, P.C.

William F. Schroeder  
(1928 - 2015)

James Browitt  
Of Counsel  
Idaho & Washington

May 9, 2024

**VIA U.S. PRIORITY MAIL EXPRESS**

Received by OWRD

MAY 10 2024

Salem, OR

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

**RE: Protest to Proposed Final Order Denying an Extension of Time for Permit  
G-12868 (Application G-13708)**

To Whom It May Concern:

Enclosed for filing on behalf of applicant Wasco County Landfill, Inc. fka Waste Connections, please find a Protest to the Proposed Final Order issued on the above-referenced Application for Extension of Time, with a check for \$480.00 for the protest fee.

Also enclosed is a copy of the protest that we would kindly ask you to conform with the Oregon Water Resources Department stamp showing receipt and return to our office in the enclosed postage prepaid envelope.

Thank you for your assistance with this matter.

Very truly yours,  
SCHROEDER LAW OFFICES, P.C.

Laura A. Schroeder

LAS:rms

Enclosures

cc: Client

1915 NE Cesar E. Chavez Boulevard, Portland, Oregon 97212 (503) 281-4100

10615 Double R Boulevard, Suite 100, Reno, Nevada 89521 (775) 786-8800

www.water-law.com counsel@water-law.com



MAY 10 2024

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE STATE OF OREGON

Salem, OR

In the Matter of the Application for an  
Extension of Time for Permit G-12868,  
Water Right Application G-13708, in the  
name of Wasco County Landfill, Inc.

**PROTEST TO PROPOSED FINAL  
ORDER TO DENY AN EXTENSION OF  
TIME FOR PERMIT G-12868, WATER  
RIGHT APPLICATION G-13708**

WASCO COUNTY LANDFILL, INC. ("Wasco" or "Protestant"), fka Waste  
Connections, by and through Schroeder Law Offices P.C and its attorneys, files this protest to the  
Proposed Final Order ("PFO" attached hereto as Exhibit 1) issued on Permit G-12868. The  
address and phone number for Protestant can be found at the end of this document.

**STATEMENT OF FACTS**

This protest is to the PFO issued for Permit G-12686, in which the Oregon Water  
Resources Department ("OWRD" or the "Department") denied an application for extension of  
time ("EOT") made by Wasco, the permit holder. Permit G-12868 was issued by OWRD on  
October 10, 1996, and authorized the development of an industrial use for dust control and  
construction of up to 0.45 cubic feet per second ("cfs") of water from a well in Fivemile Creek  
Basin. As specified by the permit, construction of the well was to begin by October 10, 1997,  
construction of the water system was to be completed by October 1, 1998, and complete  
application of water was to be made on or before October 1, 1999 (PFO at p. 2, item 1).

On July 1, 2004, OWRD issued an order extending the completion dates for construction  
and full application of water to October 1, 2014 (*id.* at item 3). On December 26, 2023, Wasco  
submitted another EOT application ("Application" attached hereto as Exhibit 2), requesting a  
deadline extension for both water-system construction and full application of water to October 1,  
2028 (PFO at p. 3, item 4). On January 2, 2024, notification of the EOT application for Permit





1 G-12868 was published in OWRD's Water Rights Weekly Public Notice. No public comments  
2 were received regarding Wasco's application (*id.* at item 5).

3 On March 26, 2024, OWRD issued the PFO denying the EOT application (*see generally,*  
4 *id.*). Pursuant to the PFO, any protest of this determination must be received by OWRD no later  
5 than May 10, 2024 (*id.* at p. 9).

### 6 **STANDING**

7 Under ORS 537.153(6) "any person may submit a protest against a proposed final order."  
8 This protest is timely as it has been submitted, along with the required protest fee, within 45 days  
9 after publication of the PFO by OWRD in its weekly notice. ORS 537.153(7), OAR 690-002-  
10 0025, and ORS 536.050(1)(j)(B).

### 11 **PROTESTANT'S INTEREST**

12 Protestant holds Permit G-12868 and applied for the EOT to extend the completion  
13 deadlines for construction of the water system and application of water to full beneficial use to  
14 October 1, 2028.

### 15 **PROTEST**

16 **Issue #1: OWRD's denial of EOT is erroneous because Protestant exercised "reasonable**  
17 **diligence" as administrative regulations require.**

18 In issuing the PFO, OWRD concluded that Wasco did not exercise "reasonable  
19 diligence" in its previous performance under the permit, therefore no "good cause" existed for  
20 granting an extension (PFO at p. 9, item 3). The Department cites the following as evidence to its  
21 conclusion that Protestant did not demonstrate "reasonable diligence" under Permit G-12868:

- 22 • Finding #10 states the Application "does not identify any work accomplished  
23 during the original development time provided by the permit." (*id.* at p. 4)
- 24 • Finding #11 states the Application "identifies relocation of water storage tanks in  
25 2007, and replacement of tanks and line in November 2011," which OWRD  
26





determined did not constitute “work in the development of the authorized use”  
(*id.*)

- Finding #12 states the Application “does not identify any work accomplished since the end of the most recent extension of time period, which was October 1, 2014” (*id.*)

Pursuant to OAR 690-315-0040(1)(d), OWRD must find “good cause” to approve an extension to complete construction of a water system and/or apply water to full beneficial use. To make a finding of “good cause,” the Department shall consider the requirements outlined in OAR 690-315-0040(2). “Reasonable diligence” is one of the many elements that must be found by OWRD in previous performance by the permit holder. OAR 690-315-0040(2)(a). In determining “reasonable diligence,” OWRD shall consider, but is not limited to considering, the following factors: “(a) the amount of construction completed within the time allowed in the permit or previous extensions; (b) the amount of beneficial use made of the water during the permit or previous extension of time limits; (c) water right holder conformance with the permit or previous extension conditions; and (d) financial investment made towards developing the beneficial use of water.”

#### **Protestant’s Position**

In determining “reasonable diligence,” OWRD may consider “the amount of construction completed within the time allowed in the permit or previous extensions,” and “financial investment made towards developing the beneficial use of water.” OAR 690-315-0040(3)(a)&(d). The most recent extension request resulted in an order issued on July 1, 2004, extending the completion dates for construction and full application of water from October 1, 1999, to October 1, 2014 (PFO at p. 2, item 3). Thus, for this EOT Application, Wasco was required to prove its reasonable diligence from July 1, 2004, to October 1, 2014.

During that extension period – in 2007 to be exact – Wasco relocated the water storage tanks and replaced the piping from the well to the tank at a cost of approximately \$35,000





1 (Application at p. 7). Then, in 2011, Wasco spent \$27,450 replacing water lines and tanks (*id.*).  
2 What OWRD disregards as “maintenance of the water system” (PFO at p. 4) accounts for a  
3 sizable chunk of Protestant’s total investment, which now stands at approximately \$167,500  
4 (Application at p. 7), not to mention a significant “amount of construction” completed during the  
5 previous extension period. The investment expended during this period is hardly insignificant for  
6 a water permit dedicated to industrial “dust control” (PFO at p. 2, item 1). OWRD should  
7 consider construction completed during previous extension period as development of that  
8 authorized use.

9 In view of these factors, Protestant has demonstrated “reasonable diligence” and therefore  
10 provided evidence of “good cause” in seeking the EOT.

11 **Issue #2: OWRD’s denial is erroneous because Protestant has demonstrated that “good**  
12 **cause” exists for extension.**

13 In addition to the evidence addressed above, Wasco’s perseverance in developing Permit  
14 G-12868 despite complications and delays resulting from “unforeseen events” further shows that  
15 “good cause” exists for granting the EOT. Moreover, denial would cause “undue hardship” to  
16 Wasco as no other “reasonable alternatives” for appropriation of water are available. Thus,  
17 OWRD should recognize “good cause” and approve the EOT.

18 Pursuant to OAR 690-315-0040(1)(d), OWRD must find “good cause” to approve an  
19 extension to complete construction of the water system and apply water to full beneficial use. To  
20 make a finding of “good cause,” the Department shall consider the requirements outlined in  
21 OAR 690-315-0040(2). Among the factors this regulation requires OWRD to consider: the cost  
22 to appropriate and supply the water to a beneficial purpose; good faith of the appropriator;  
23 whether other governmental requirements relating to the project have significantly delayed  
24 completion of construction or perfection of the right; any unforeseen event over which the water  
25 right permit holder had no control and which delayed development under the permit; whether  
26 denial of the extension will result in undue hardship to the applicant and that there are no other





1 reasonable alternatives exist for meeting water use needs; any other factors relevant to a  
2 determination of good cause.

3 In denying the EOT, OWRD concluded there was no "good cause" for granting the  
4 extension (PFO at, p. 9, item 3). The Department stated that it considered "the requirements of  
5 governmental agencies," "unforeseen events over which the permit holder had no control,"  
6 "whether denial of the extension will result in undue hardship to the application," "whether there  
7 are no other reasonable alternatives for meeting water use needs," and "any other factors relevant  
8 to a determination of good cause," and found no good cause existed for approving the extension  
9 (*id* at p. 8).

#### 10 **Protestant's Position**

11 Wasco contests OWRD's finding that the EOT application for Permit G-12868  
12 insufficiently establishes "good cause" (PFO at p. 9, item 3). Protestant has demonstrated  
13 sufficient "good cause" as "unforeseen events" hampered permit development, and denial of the  
14 extension would cause "undue hardship" as "no other reasonable alternatives" exist. OAR 690-  
15 315-0040(2). Accordingly, OWRD has ample justification to approve the Application.

16 There have been notable "unforeseen events" over which Wasco had no control that  
17 delayed the development of Permit G-12868. OAR 690-315-0040(2)(h). First, the place of use  
18 associated with G-12868 has changed ownership three times since the permit was issued, which  
19 has impeded the development of beneficial use (Application at p. 11, item 17). However, OWRD  
20 acknowledged that development of "beneficial use of 0.25 cfs has likely been demonstrated"  
21 (PFO at p. 11). Secondly, the instability of the well created the need for major repairs in 2011,  
22 along with the subsequent development of a new site plan (*id.* at p. 10, item 16). These  
23 consequences, which OWRD dismissed as "a maintenance item" and "a business decision made  
24 by the permit holder" (PFO at p. 7), were in fact necessities precipitated by circumstances –  
25 namely an unreliable well – that Wasco could not have anticipated.

Received by OWRD

MAY 10 2024

Salem, OR





1 Denial of the extension will undeniably "result in undue hardship to the applicant" for  
2 which "there are no other reasonable alternatives." OAR 690-315-0040(2)(i). Wasco has  
3 "expended significant funds" and the "permit is nearly perfected, with minor adjustments that  
4 will be corrected" (Application at p. 10, issue 14a). Being that surface water diversion is not  
5 possible for the place of use described in Permit G-12868 (*id.* at p.10, item 14b), Wasco has no  
6 "reasonable alternative" for appropriating water for dust suppression as required under  
7 Department of Environmental Quality ("DEQ") Permit 53 (*id.* at p. 11, item 18). So, any  
8 decision impacting G-12868 could result in harsh consequences – and not just for Wasco. The  
9 Dalles is dependent on the landfill, while Wasco County and Oregon DEQ also stand to be  
10 adversely affected as they receive tonnage fees for the waste delivered to the facility (*id.* at p. 11,  
11 item 20).

12 Protestant has acted in "good faith" and is entitled to a finding of "good cause." OAR  
13 690-315-0040(2)(c). Being that all construction has been completed, an extension solely serves  
14 to allow Wasco to apply permitted water to full beneficial use (*id.* at p. 10, item 12). This is not a  
15 case of a permit holder ignoring responsibilities.

16 Protestant firmly believes that such factors demonstrate "good cause" and a history of  
17 "reasonable diligence" in developing Permit G-12868.

#### 18 REQUESTED RELIEF

19 Protestant respectfully requests that OWRD issue a superseding Proposed Final Order  
20 approving the extension of time from October 1, 2014, to October 1, 2028, to allow for the full  
21 development of Permit G-12868 (Application G-13708).

22 ///

23 ///

24 ///

25 ///

26 ///

Received by OWRD  
MAY 10 2024  
Salem, OR





- 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

DATED this 9th day of May 2024.

Louis Chouard

Received by OWRD  
MAY 10 2024  
Salem, OR



**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	)	PROPOSED
Permit G-12868, Water Right Application G-13708, in the	)	FINAL ORDER
name of Wasco County Landfill Inc.	)	TO DENY

---

Permit Information

Application:	G-13708
Permit:	G-12868
Basin:	4 – Hood / Watermaster District 3
Date of Priority:	June 8, 1994
Source of Water:	a well in Fivemile Creek Basin
Purpose or Use:	industrial use for dust control and construction
Maximum Rate:	0.45 cubic foot per second (cfs)

---

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

*In Summary, the Department proposes to:*

- Deny an extension of time to complete construction of the water system from October 1, 2014, to October 1, 2028.
  
- Deny an extension of time to apply water to full beneficial use from October 1, 2014, to October 1, 2028.

Received by OWRD

MAY 10 2024

Salem, OR

Proposed Final Order: Permit G-12868

Page 1 of 11



#### **ACRONYM QUICK REFERENCE**

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

#### **AUTHORITY**

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

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

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

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

#### **FINDINGS OF FACT**

1. On October 10, 1996, Permit G-12868 was issued by the Department. The permit authorizes the use of up to 0.45 cfs of water from a well in Fivemile Creek Basin for industrial use for dust control and construction. The permit specified actual construction of the well to begin by October 10, 1997, construction of the water system was to be completed by October 1, 1998, and complete application of water was to be made on or before October 1, 1999.
2. On August 4, 2003, an assignment from Sanifill, Inc d.b.a. Northern Wasco County Landfill, to Wasco County Landfill, Inc, a Delaware Corporation, was recorded in the records of the Water Resources Department.
3. One prior permit extensions have been granted for Permit G-12868. The most recent extension request resulted in a Final Order issued July 1, 2004, extending the completion dates for construction and full application of water from October 1, 1999, to October 1, 2014.

Proposed Final Order: Permit G-12868

Received by OWRD

Page 2 of 11

MAY 10 2024

Salem, OR

Exhibit 1

Page 2 of 11



4. On December 26, 2023, the permit holder 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-12868 be extended from October 1, 2014 to October 1, 2028.
5. On January 2, 2024, notification of the Application for Extension of Time for G-12868 was published in the Department's Public Notice. No public comments were received regarding the extension application.

**Review Criteria [OAR 690-315-0040]**

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

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

6. On December 26, 2023, 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)]**

7. Construction of the well began prior to permit issuance.
8. According to the well log received by the Department on January 2, 1995, construction of WASC 2196 began September 8, 1994.

Based on Finding of Fact (FOF 8), the Department has determined that the prosecution of the construction of the well began prior to October 10, 1997.

**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*

Received by OWRD

MAY 10 2024

Salem, OR

Exhibit 1

Page 3 of 11



extension.<sup>1</sup>

9. Construction of the well began prior to permit issuance.
10. The Application does not identify any work accomplished during the original development time provided by the permit.
11. The Application identifies relocation of water storage tanks in 2007, and replacement of tanks and lines in November 2011.
12. The Application does not identify any work accomplished since the end of the most recent extension of time period, being October 1, 2014.

The Department has considered the work accomplished prior to issuance of the permit, during the original development time allowed in the permit, during the most recent extension of time period, and in the years since the previous extension of time ended, and has determined that the permit holder has not demonstrated any work towards the development of the authorized use under the permit since the permit was issued. The work identified in the Application is considered maintenance of the water system, and is not considered work in the development of the authorized use.

**Compliance with Conditions /OAR 690-315-0040(3)(c)**

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

13. The Department has considered the permit holder's compliance with conditions, and has identified the following concern, the required seven consecutive March static water level measurements have not been received by the Department. March static water level measurement have been received for years 1998, 1999, 2000, 2002, 2003, and 2004.

Based on FOF 13, the Department has determined that the permit holder has not demonstrated compliance with following permit condition as required by Permit G-12868:

- "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 within 30 days of measurement.... Measurements must be made according to the following schedule. Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared...."

---

<sup>1</sup> "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.



The requirement to submit seven consecutive static water level measurements in the Month of March remains, however, for the purposes of perfecting the permit, timely March measurements have been received and compliance with the condition, sufficient to make proof, has been demonstrated. The requirement to make seven consecutive static water level measurements will be included on any certificate.

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

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

14. A maximum rate of 0.25 cfs of water has been appropriated from the Well for industrial use.
15. The Application identifies three changes of ownership as a reason full beneficial use has not been made. The Application for Extension of Time submitted July 25, 2003 also identifies three changes of ownership as a reason development was not completed.

The Department has determined beneficial use of 0.25 cfs has likely been demonstrated, however, not additional rate of beneficial use has been pursued during the most recent extension of time period or in the nearly ten years since.

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

16. An investment of approximately \$105,000, has been made in the construction of the well and water system. Maintenance costs totaling \$62,450, for moving tanks to new locations and replacing tanks and (water) have been made, however these are not investments towards the development of additional rate of beneficial use. The Application identifies the cost of a Permit Amendment to change the place of use and to prepare a Claim of Beneficial Use as approximately \$15,000.

The Department has determined that no investment towards the development of the authorized use has been made since prior to permit issuance when the Well was constructed. .

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

The Application does not provide evidence that work has been accomplished towards completion of the water system; the permit holder has demonstrated compliance with permit conditions, and; beneficial use of water has been demonstrated. The Department has determined the applicant has not demonstrated reasonable diligence in previous performance under Permit G-12868.

**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*

Received by OWRD

MAY 10 2024

Salem, OR

Exhibit 1

Page 5 of 11



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.

17. 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-12868; 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).

18. The point of appropriation for Permit G-12868, is located within the Fifteen Mile Creek Basin, is located adjacent to The Dalles Critical Groundwater Area.
19. Fifteen Mile Creek is not located within or above any state or federal scenic waterway.
20. The point of appropriation is not in an area listed by the Department of Environmental Quality as a water quality limited stream.

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

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

21. Fifteen Mile Creek 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.



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

Economic interests dependent on completion of the project.

22. An approximate total of \$105,000 has been invested in the development of the authorized use for this project.

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

Other economic interests dependent on completion of the project.

23. The Application identifies Wasco County and Oregon DEQ as additional economic interests because they receive fees for tonnages disposed of at the landfill.

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

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

24. No other factors relevant to the determination of the market and present demand for water and power have been identified.

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

25. 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)]**

26. Delay in the development of this project was caused by any other governmental requirements.

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

27. Major repairs to the Well in 2011 and a new site development plan are identified as unforeseen events.

Though major well repair may be considered an unforeseen event, the actual repair of the well is considered a maintenance item. The development of a new site plan is not considered an unforeseen event, as it is a business decision made by the permit holder.

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

28. The Application asserts an undue hardship would result in a denial of the extension request. The Application states, "Any denial will result in undue hardship. We have expended significant funds in construction of the well and water system, and compliance with permit requirements. A modification to the place of use requires a permit amendment. Thus, the permit is nearly perfected, with minor adjustments that will be corrected. Although undue time has elapsed since the original date of completion, due

MAY 10 2024

Salem, OR



diligence towards completion of perfection is now being shown, and denial is not appropriate in this circumstance.”

Though the permit holder believes it is not appropriate to deny the extension request because diligence is now being demonstrated, the Department must consider what work has been accomplished towards the development of the permit, and the record does not show that diligence has been demonstrated in the development of the authorized use in more than two decades, and that there no evidence beyond the submittal of a Application for Extension of Time, that diligence is currently being demonstrated.

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

29. The Application does not provide evidence of good faith of the appropriator under Permit G-12868.

Based on Findings of Fact 10, 11, 12, 13, 14, 15, 16, and 28, above, the Department finds that the Applicant has not demonstrated good faith.

**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.*

30. As of December 26, 2023, the Application identifies the need to submit a Permit Amendment, and is requesting five years to pursue the change in place of use.

The Department has determined that an extension of time to October 1, 2028, is not allowable because no work towards the development of the authorized use under the permit has occurred since the well was constructed prior to permit issuance. The permit holders request to extend the permit to October 1, 2028, is not reasonable as the permit was issued over two decades prior to the submittal of the second application for extension of time, and no diligence has been shown in the development of the authorized use.

**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 not 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).

Received by OWRD

MAY 10 2024

Salem, OR

Exhibit 1



## CONCLUSIONS OF LAW

1. The permit holder 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 permit holder has complied with the time allowed for construction work under the permit pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
3. The Application established that there has been no construction, no financial investment or reasonable diligence toward developing the project during the most recent extension of time period, being October 1, 1999, to October 1, 2014, or since the end of the previous extension of time period. The permit holder has not 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).

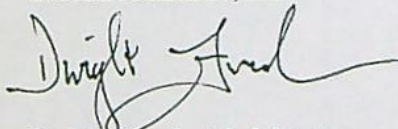
## PROPOSED ORDER

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

Deny the time to complete construction of the water system under Permit G-12868 from October 1, 2014, to October 1, 2028.

Deny the time to apply water to beneficial use under Permit G-12868 from October 1, 2014, to October 1, 2028.

DATED: March 26, 2024



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.*

### Protests

Pursuant to OAR 690-315-0060(1), 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. Protests must be received by the Water Resources Department no later than **May 10, 2024**, at this address: Oregon Water Resources Department, Water Right Services Division, 725 Summer St NE, Suite A, Salem, OR 97301-1266. Protests may not be submitted by electronic mail. OAR 690-002-0025(3).

Protests must be in writing and include all of the following:

Proposed Final Order: Permit G-12868

Received by OWRD

Page 9 of 11

MAY 10 2024

Salem, OR

Exhibit 1  
Page 9 of 11



- The name, address, and telephone number of the protestant
- A detailed description of the protestant'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
- A detailed description of how the action proposed in the proposed final order would impair or be detrimental to the protestant's interest
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency
- If the applicant protests, a statement of whether a hearing is requested
- Citation of legal authority supporting the protestant, if known
- Proof of service of the protest on the water right permit holder, if protestant is other than the water right permit holder, and
- If you are the applicant, the protest fee of \$480 required by ORS 536.050; and
- If you are not the applicant, the protest fee of \$950 required by ORS 536.050.

Within 60 days after the close of the period for requesting a contested case hearing, the Director shall either issue a final order on the extension request, or schedule a contested case hearing if a protest has been submitted, and, upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or, the applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests. The hearing will be conducted as provided in Oregon Revised Statutes (ORS) Chapter 183, and Oregon Administrative Rules (OAR) 137-003-0501 to 137-003-0700.

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

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

**Notice Regarding Servicemembers:** Active-duty service members have a right to stay 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 800-452-8260, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.



- 
- If you have questions about statements contained in this document, please contact Jeffrey D. Pierce at (503) 979-3213.
  - 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 Will Davidson at 503-507-2749.
  - 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

Received by OWRP  
MAY 1 2011  
Salem, OR



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



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)

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.

Received by OWRD

MAY 10 2024

Salem, OR



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, Wasco County Landfill Inc., c/o Nancy Mitchell  
NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

2550 Steele Road The Dalles OR 97058  
ADDRESS CITY STATE ZIP

541-296-4082 \_\_\_\_\_  
PHONE E-MAIL ADDRESS

the permit holder of: Application Number G-13708  
Permit Number G-12868  
[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: 10 Day: 1 Year: 2014, be  
extended to October 1, 2028, [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>Nancy Mitchell</u> Signature	<u>12-21-2023</u> Date
<u>Nancy Mitchell</u> Printed Name	<u>Site Manager</u> Title
The agent below is authorized to represent the applicant in all matters relating to THIS application. <u>nym</u> Permit Holder Initials	
<u>Schroeder Law Offices, P.C.</u> Authorized Agent (Print Agent Name)	<u>counsel@water-law.com; 503.281.4100</u> Agent contact

Received by OWRD  
MAY 10 2024  
Salem, OR



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 \$780
- 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 within the time specified in the permit and applicable statute, 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.

Received by OWRD  
MAY 10 2024  
Salem, OR



- 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: 9 Day: 8 Year: 1994

Details of construction and attach documentation: Well PW-2 drilled to a depth of 1,046 feet below ground surface and is cased with an 8-inch diameter steel casing to 538 feet below ground surface and left as an open borehole to the total depth drilled.

**For Surface/Reservoir Permit**

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

Date construction began Month:      Day:      Year:     

Details of construction and attach documentation:

Received by OWRD  
MAY 10 2024  
Salem, OR



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 2<sup>nd</sup> 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 1<sup>st</sup> column check the box for each condition (row) identified as relevant. In the 3<sup>rd</sup> column check "Yes" if you have completed or met the permit condition. Check "No" if the condition is not yet satisfied. In the 4<sup>th</sup> 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	1994
<input type="checkbox"/>	Submittal of annual water usage report	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	Submittal of static water level measurements in the month required and seven consecutive annual measurements	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	9/8/1994
<input type="checkbox"/>	Special well construction standards	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a monitoring plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	Well ID tag assigned and installed: WASC 2196	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	1994
Surface Water or Reservoir			
<input type="checkbox"/>	Installation of a meter/ totalizing flow meter	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of annual water use report	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish screen	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish by-pass device	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish passage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of an outlet gate/pipe/ conduit	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from ODFW that fish screen, fish by-pass device, and or fish passage is not required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submit as-built plans and specification	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from an engineer prior to storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	

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.  
N/A – conditions are in compliance.

Received by OWRD

MAY 10 2024

Salem, OR



[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*
1994	Installation of well, totalizing flow meter, pump, and storage tank	~105,000
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*
10/10/1996	Date the permit was signed - find date above signature on last page of permit.	
N/A	N/A	N/A
10/1/1999	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 <u>COMPLETE ONLY IF THIS IS YOUR 1st APPLICATION FOR AN EXTENSION OF TIME;</u> 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.	COST*
N/A	N/A	N/A
Total Cost for Chart-B		~105,000

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

Received by OWRD  
MAY 10 2024  
Salem, OR



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*
10/1/1999	"Extended From" date for complete application of water used in the most recent Final Order on Extension of Time.	
2007	Relocation of water storage tank and replace piping from well to tank	~35,000
November 2011	Replacement of tank and lines	27,450.00
10/1/2014	"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	N/A	N/A
Total Cost of Chart-C		~62,450

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

5. Cost of project to date: \$ 167,450  
(The total combined cost from CHART-B and CHART-C) [OAR 690-315-0020(f)]

Received by OWRD  
MAY 10 2024  
Salem, OR



[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):

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 = \_\_\_\_\_ AF 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		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 2196	97081	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	110 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-
		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 51876*	97081	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	n/a	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
Total instantaneous rate from all wells utilized under this permit								

\*Well WASC 51876 is not described on either the permit or permit amendment, however, is included as an "alteration" under the Well Construction History section of OWRD's Groundwater Information System page for Groundwater Site WASC 2196

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

If yes, identify Transfer No. T-9510, approved by Final Order on 8/12/2004

Received by OWRD  
MAY 10 2024  
Salem, OR



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

9. **For Irrigation and Nursery Use Permits Extensions**

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

a) Total acres irrigated to date: \_\_\_\_\_

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

Year	Acres	Year	Acres	Year	Acres

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

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

(POD/POA) # \_\_\_\_\_ Acres \_\_\_\_\_

(POD/POA) # \_\_\_\_\_ Acres \_\_\_\_\_

(POD/POA) # \_\_\_\_\_ Acres \_\_\_\_\_

(POD/POA) # \_\_\_\_\_ Acres \_\_\_\_\_

[OAR 690-315-0020(3)(I)(J)]

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

CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
2024	Permit Amendment to amend place of use	~10,000
Upon completion	Submit Claim of Beneficial Use to OWRD	~5,000
Year: 2028 (or sooner if permit amendment approved by OWRD sooner)	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	October 2028
Total Cost		~15,000

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

11. Estimated remaining cost to complete the project: ~15,000

(The total cost from CHART-E)

Received by OWRD  
MAY 10 2024  
Salem, OR



[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.)* All permit conditions have been met, however an additional permit amendment will be needed to alter the place of use.

[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.)* We are requesting a standard 5-year extension period to allow for the submission of a permit amendment application, and approval by OWRD. Once the permit amendment is granted, and legal use of the water has been made in its authorized revised location, we expect to be in compliance with all permit terms and ready to submit the COBU. However, the approval timeline is not within our control, so we have requested the standard extension period in an abundance of caution to ensure no further extensions will be required.

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

14a. Will a denial of the extension result in undue hardship? *(Describe the hardship and the effects.)* Any denial will result in undue hardship. We have expended significant funds in construction of the well and water system, and compliance with permit requirements. A modification to the place of use requires a permit amendment. Thus, the permit is nearly perfected, with minor adjustments that will be corrected. Although undue time has elapsed since the original date of completion, due diligence toward completion of perfection is now being shown, and denial is not appropriate in this circumstance.

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)* No. Surface water is not available for use on this property.

[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. Delays caused by business decisions are not considered unforeseen events)* The instability of the well leading to major repairs in 2011 as well as a new site development plan.

Received by OWRD  
MAY 10 2024  
Salem, OR



[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.)*

Ownership of the property has changed three times since the initial issuance of the permit leading to ineffective development.

[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.

Water is used pursuant to DEQ Solid Waste Disposal Facility Permit 53 requirements for dust control and firefighting. Permit 53 requires that "at all times, [we] provide water in sufficient quantities to satisfy the approved fire protection plan, dust suppression plan, establishment of vegetation, and for all necessary uses of the disposal site."

[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 use of water will ensure the continued ability to operate under our DEQ permit 53.

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

20. Describe in detail if there are other economic interest, beyond those of the permit holder, which are dependent upon the completion of this project. (Who will be effected and how?) Wasco County and Oregon DEQ receives fees for tonnages brought in at Wasco County landfill.

Received by OWRD  
MAY 10 2024  
Salem, OR



**Attach permit, and documentation to the application**

Received by OWRD  
MAY 10 2024  
Salem, OR



STATE OF OREGON

COUNTY OF WASCO

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

SANIFILL INC., dba NORTHERN WASCO COUNTY LANDFILL  
2550 STEELE RD  
THE DALLES, OREGON 97058

(541) 296-4082

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

APPLICATION FILE NUMBER: G-13708

SOURCE OF WATER: A WELL IN FIVEMILE CREEK BASIN

PURPOSE OR USE: INDUSTRIAL USE FOR DUST CONTROL AND CONSTRUCTION

RATE OF ALLOWED USE: 0.45 CUBIC FOOT PER SECOND

PERIOD OF ALLOWED USE: YEAR ROUND

DATE OF PRIORITY: JUNE 8, 1994

POINT OF DIVERSION LOCATION: NW 1/4 NE 1/4, SECTION 24, T1N, R13E, W.M.  
658.3 FEET SOUTH AND 284.1 FEET WEST FROM THE N 1/4 CORNER OF SECTION 24

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NE 1/4

NW 1/4 NE 1/4

SW 1/4 NE 1/4

SE 1/4 NE 1/4

SECTION 24

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

Measurement, recording and reporting conditions:

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

Application G-13708

Water Resources Department

PERMIT G-12868

Received by OWRD

MAY 10 2024

Salem, OR

Exhibit 2  
Page 13 of 28



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

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 permittee 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.

Received by OWRD

MAY 10 2024

Salem, OR

Exhibit 2



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 3 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 permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or 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.

#### STANDARD CONDITIONS

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

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

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

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

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

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

Application G-13708 Water Resources Department

PERMIT G-12868

Received by OWRD

MAY 10 2024

Salem, OR

Exhibit 2

Page 15 of 28



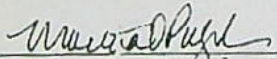
PAGE 4

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

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

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

Issued October 10, 1996

  
Martha C. Pagel, Director  
Water Resources Department

Received by OWRD

MAY 10 2024

Salem, OR



BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Permit Amendment )  
T-9510, Wasco County, Oregon )

**FINAL ORDER**

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**

Wasco County Landfill, Inc.,  
2550 Steele Road,  
The Dalles, Oregon 97058.

**Findings of Fact**

1. Wasco County Landfill, Inc., filed an application to amend the place of use under Permit G-12868. The Department assigned the application number T-9510.

2. The permit to be amended is as follows:

**Permit:** G-12868, in the name of Wasco County Landfill, Inc.;

**Use:** Industrial use for dust control and construction;

**Priority Date:** June 8, 1994;

**Quantity:** 0.45 cubic foot per second;

**Source:** A well, in the Fivemile Creek Basin.

**Date Of**

**Complete**

**Application of**

**Water:** October 1, 2014.

Received by OWRD

MAY 10 2024

Salem, OR

**Authorized Point of Appropriation:**

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Location
1	N	13	E	W.M.	24	NE NW	658.3 feet South and 284.1 feet West from N¼ Corner of Section 24

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order other than a 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.

T-9510.PKS

Page 1 of 1

Special Order Vol. 61, Page 231

Exhibit 2

Page 17 of 28



**Authorized Place of Use:**

Township		Range		Meridian	Sec	1/4 1/4		Lot	DLC	Acres
1	N	13	E	W.M.	24	NE	NE			
1	N	13	E	W.M.	24	NW	NE			
1	N	13	E	W.M.	24	SW	NE			
1	N	13	E	W.M.	24	SE	NE			

3. Application T-9510 proposes to change the place of use of the permit to:

Township		Range		Meridian	Sec	1/4 1/4		Lot	DLC	Acres
1	N	13	E	W.M.	13	NE	SW			
1	N	13	E	W.M.	13	SE	SW			
1	N	13	E	W.M.	13	NW	SE			
1	N	13	E	W.M.	13	SW	SE			
1	N	13	E	W.M.	13	SE	SE			
1	N	13	E	W.M.	24	NE	NE			
1	N	13	E	W.M.	24	NW	NE			

4. Notice of the application for permit amendment was published pursuant to ORS 540.520(5). No comments were filed in response to the notice.
5. The change would not result in injury to other water rights.
6. The proposed place of use is owned and/or controlled by the permit holder.
7. The change does not enlarge the permit.
8. The change does not alter all other terms of the permit.
9. The proposed place of use is contiguous to the authorized place of use.

Received by OWRD  
MAY 10 2024  
Salem, OR

**Conclusion of Law**

The change in place of use proposed by Permit Amendment Application T-9510 is consistent with the requirements of ORS 537.211.

**Now, therefore, it is ORDERED:**

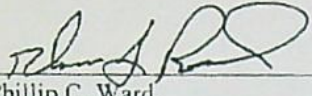
The change and subsequent use of water shall be subject to the following conditions:

1. The former place of use shall no longer be irrigated as part of this permit.
2. All other terms and conditions of Permit G-12868 remain the same.



3. Permit G-12868, in the name of Wasco County Landfill, Inc., is amended as described herein.

Dated at Salem, Oregon this 12<sup>th</sup> day of August, 2004.

  
Fv Phillip C. Ward,  
Acting Director

Received by OWRD

MAY 10 2024

Salem, OR



Wasco County Landfill  
Improve Water Supply Well  
CER 2042-11-0003

Cost Summary: M-K Drilling

Task	Quote	Cost	Comments
Camera/Video Well	\$ 500	\$ 500	
Mobilization	\$ 4,000	\$ 4,000	
Initial Well Cleanoutapproval to install liner	\$ 2,600	\$ 5,200	Additional hours due to substantial sloughing in well.
6-Inch Steel Liner	\$ 12,800	\$ 13,200	Cost estimate based on 640 feet of liner. Actual was 660 feet.
Liner Installation	\$ 3,250	\$ 2,925	Cost estimate based on 10 hours to install. 9 hours actual.
Final Well Cleanout	\$ -	\$ 1,625	Additional task was approved by WCI.
Total	\$ 23,150	\$ 27,450	
Difference		\$ 4,300	

Received by  
MAY 10 2024  
Salem, OR



## A line drawing of a truck with a crane. The crane is lifting a tall, thin, lattice-like structure, possibly a tower or a chimney, from the back of the truck. The truck has a cab and a flatbed trailer. The structure being lifted is very tall and tapers slightly towards the top.

## Water Well Drilling

### Statement

Date: NOV 9, 2011  
Well Log: # SC48016

HOME:  
WORK: 503-754-9315  
CELL: 503-754-0938  
PROPERTY: WASCO COUNTY LANDFILL  
2550 STEELE RD, THE DALLES OR

TERMS: 30 DAYS

Received by QWRD

MAY 10 2024

Salem, OR





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 Holders: WASCO COUNTY LANDFILL, INC

Application G-13708  
Permit G-12868

Report Due no later than October 1, 2009

Received by OWRD

Progress Report Form for 2009

MAY 10 2024

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit G-12868

Salem, OR

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, 2004 and October 1, 2009	FINANCIAL INVESTMENT
July to	• Relocate + insulate Water Storage Tank	~ 35K
Nov. 2007	• Replace piping from well to tank	

- Compliance with terms and conditions of the permit and/or previous extension.
  - Ongoing expansion of landfill in accordance with Oregon DEQ Solid Waste Disposal permit.
  - Use of groundwater for construction + dust control.
  - Evaluate anticipated water demand + use based on facility expansion plan.
- Total number of acres irrigated to date = NA (if applicable)
- 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 = 110 gpm (gallons per minute)  
Acre-feet stored to date = \_\_\_\_\_ AF

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

Signature

Date

3.4.10

Wes Garver, Regional Engineer

For OWRD use only

Diligence Shown ☐ Yes ☐ No

Date Public Noticed: \_\_\_\_\_

Reviewed by: \_\_\_\_\_

Date: \_\_\_\_\_





TENNESON

ENGINEERING CORPORATION

CONSULTING ENGINEERS • SURVEYORS • PLANNERS

409 LINCOLN STREET  
THE DALLES, OR 97058

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

September 2, 2003

Wasco County Landfill, Inc.  
2550 Steele Road  
The Dalles, Oregon 97058

Attention: Dan Swanson

Gentlemen:

As requested, enclosed are copies of the following items related to the groundwater supply at the Wasco County Landfill, Inc.

- Well log for the Big Well. 1,046 feet deep and cased with 8" casing down to 538 feet. Current yield is around 110 gallons per minute with the existing pump.
- Well log for the Office Well. 787 feet deep with 6" casing down to 168 feet. Maximum yield is not over 10 gallons per minute.
- Logs of other associated wells within the area. All of them are fairly shallow and very low producers at 10 to 15 gallons per minute, with one apparently at 45 gallons per minute.
- Copy of a portion of The Dalles Area Critical Groundwater Boundary.
- Copy of Assessor's Map 1N-13 showing the Critical Groundwater Boundary relative to the Landfill properties.

In reviewing these, I would make the following observations.

1. The northern portion of the Landfill is within the Critical Boundary and you will not be able to drill a new well in that area. The existing wells are just outside of it to the southeast.
2. The probability of developing additional water by enlarging and deepening the existing Office Well is, in my mind, somewhat questionable from an economic standpoint. You would have to pull the existing casing and ream the well to a much greater size to go to any substantially greater depth and the close adjacency to the Big Well could adversely affect the production of that well. Note this difference in static

Received by OWRD

MAY 10 2024

Salem, OR



Received by OWRD

MAY 10 2024

Salem, OR

Wasco County Landfill, Inc.  
Mr. Dan Swanson  
September 2, 2003  
Page 2

water tables of 441 feet in the Office Well versus around 780 feet in the Big Well. Apparently, two different aquifers.

The information I obtained from A&A Sales was that the Big Well currently has a 40 horsepower Crown pump set at 945 feet, with a 3" column. This was installed in 1995. This pump was set as a test pump, apparently placed in service and used every since. I find no record of any actual pump test of the maximum capacity of the existing well in the available records.

#### RECOMMENDATIONS

1. Do a pump test with a drawdown of the existing well and pump in-place. This would hopefully indicate whether the production of the well is being limited by the horsepower and design of the existing pump or actual water yield at the elevation the present pump set is at.
2. Evaluate that information with regards to specific yield drawdown per foot and see whether it would be advantageous to consider doing additional pump testing using a bigger pump set further in the well. If the water flow is available, this is by far the cheapest alternative to develop the full amount of the water right (200 gpm) versus the current level of production at 110± gallons per minute.
3. If the current well production is limited, then a decision must be made as to whether to try and expand production of the existing well or drill a third well at an alternate location. This location would have to be limited to the southeasterly half of the current Landfill ownership, have available 3-phase power, and be within reasonable plumbing distance of the distribution load tank or an alternate loading station built. There are also some concerns about maintaining separation from the existing closed-out landfill sites. We would suggest a minimum of 500-foot spacing between the existing wells and any new well being considered. There are some firms which specialize in subsurface geologic investigation for potential water bearing drilling sites. In view of the apparent depths that you must go in this area, the cost of such service would probably be well warranted if the alternate well drilling is set up as a the elected alternative. The existing permit extension request is up to October 1, 2014. You will have until that time to develop the additional water. If a third well is proposed, an additional point of appropriation must be obtained from Water Resources. After that date, a Final Proof report will be required by October 1, 2015 on whatever water is actually being generated and used.



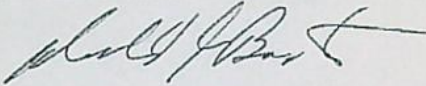
Wasco County Landfill, Inc.  
Mr. Dan Swanson  
September 2, 2003  
Page 3

Tenneson Engineering will be happy to work with you in any way we can to assist you in the test pumping recommendations for potential alternate drilling sites or the Final Proof reports.

If you have any questions on any of this, please feel free to call.

Very truly yours,

TENNESON ENGINEERING CORPORATION



Donald J. Branton, P.E.

DJB:jm

Enc: Drilling Logs  
Assessor's Map  
Critical Groundwater Boundary

cc: Nancy Mitchell

Received by OWRD

MAY 10 2024

Salem, OR



MAY 10 2024

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

Page 1 of 3

Salem, OR

(START CARD) # 48016

BIG WELL

(1) OWNER: Well Number \_\_\_\_\_  
Name Sanifill  
Address 2550 State Rd  
City The Dalles State Or Zip 97058

(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 1046  
Explosives used ☐ Yes ☒ No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE SEAL  
Diameter From To Material From To Amount  
sacks or pounds  
12 2 220  
10 2 233  
8 533 1046 Cement 0 220 11 Cu. yds

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: 8	+2	538	.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 shoe(s) 538

## (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 ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal/min Drawdown Drill stem int. Time

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

Temperature of Water 72 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 14 N or S. Range 13 E or W. WM  
Section 24 NE 1/4  
Tax Lot 2500 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) same

## (10) STATIC WATER LEVEL:

730 ft. below land surface. Date \_\_\_\_\_  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

## (11) WATER BEARING ZONES:

Depth at which water was first found 947

From	To	Estimated Flow Rate	SWI
947	1046		78

## (12) WELL LOG:

Material	From	To	SWI
Fill	8	4	
SS Fine brn	4	16	
SS coarse brn	16	35	
Gravel med (broken rock)	35	44	
SS Fine brn	44	49	
Clay Brn	49	55	
Coarse Brn	55	60	
SS Fine hard brn	60	89	
Gravel med, Multi Colored	89	92	
SS Coarse blk	92	99	
Gravel med	99	110	
SS Coarse brn	110	161	
SS Coarse hard brn	161	168	
SS Fine blk	168	269	
Sand Stone hard Fine Brn	269	280	
SS Fine hard brn	280	360	
SS Fine hard pink	360	420	
Basalt soft blk	420	435	
SS Coarse Multi Color har	435	460	
Clay stone hard grey	460	488	
Sandstone brn	488	521	

Continued page 2

Date started 9-8-94 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.

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 1-9-95

ORIGINAL &amp; FIRST COPY - WATER RESOURCES DEPARTMENT

SECOND COPY - CONSTRUCTOR

THIRD COPY - CUSTOMER

9809C 10











# Routing Slip

Oregon Water Resources Department

Water Right Services Division

Date: 3-28-2024

File: G-13708

Subject/Process: Assign

From: Mary B.

ACTION	DATE
TO: Tonya — Pls return file to me when done.	THANK!
TO: SELF — Update checkout card & back →	
TO: Jeffrey's in box where found.	
TO: 4-3-2024 → Jeffrey (file forest checkout card)	





# Oregon

Tina Kotek, Governor

## Water Resources Department

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

March 28, 2024

Waste Connections  
2550 Steele Road  
The Dalles, OR 97058

Reference: Application G-13708, Permit G-12868

The assignment from Wasco County Landfill Inc. to Waste Connections has been recorded in the records of the Water Resources Department.

The Departments records will now show Waste Connections as the permit holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 142605 covering the recording fee is also enclosed.

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

Sincerely,

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

Enclosure: Original Request and Receipt 142605

cc: Wasco County Landfill Inc.; c/o Nancy Mitchell - 2550 Steele Road, The Dalles, OR 97058  
Data Center, OWRD (cover letter & request)  
File





STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # **142605**

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

INVOICE # \_\_\_\_\_

RECEIVED FROM: Waste Connections

BY: \_\_\_\_\_

CASH: ☐ CHECK: # 5048025 OTHER: (IDENTIFY) ☐ \_\_\_\_\_

APPLICATION 6-13708  
PERMIT \_\_\_\_\_  
TRANSFER \_\_\_\_\_

TOTAL REC'D \$ 120.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

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

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

**4270 WRD OPERATING ACCT**

MISCELLANEOUS 46111  
0407 COPY & TAPE FEES \$ \_\_\_\_\_  
0410 RESEARCH FEES \$ \_\_\_\_\_  
0408 MISC REVENUE: (IDENTIFY) \_\_\_\_\_ \$ \_\_\_\_\_  
TC162 DEPOSIT LIAB. (IDENTIFY) \_\_\_\_\_ \$ \_\_\_\_\_  
0240 EXTENSION OF TIME \$ \_\_\_\_\_

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

0250 OTHER (IDENTIFY) Assignment \$ 120.00

**0536 TREASURY 0437 WELL CONST. START FEE**

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY RECEIVED**

FUND \_\_\_\_\_ OVER THE COUNTER  
OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_  
DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **142605**

DATED: 3-27-24 BY: [Signature]

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



WASTE CONNECTIONS  
3 WATERWAY SQUARE PLACE, SUITE 110  
THE WOODLANDS, TX 77380

STATE OF OREGON WATER RESOURCES  
ATTN WATER RIGHT PERMIT EXTENSIONS  
725 SUMMER STREET NE SUITE A  
SALEM OR 97301  
USA

\*See Other Side For Opening Instructions\*



# Request for Assignment

OREGON



WATER RESOURCES  
DEPARTMENT

Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

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

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

I, Wasco County Landfill Inc., c/o Nancy Mitchell

(Name of Current Holder of Record)

2550 Steele Road

(Mailing Address)

The Dalles, OR 97058

(City) (State) (Zip)

(541) 296-4082

(Phone #)

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

Application # G-13708 ; Permit # G-12868 ; Transfer Order # \_\_\_\_\_;

Limited License # \_\_\_\_\_; Groundwater Statement # \_\_\_\_\_;

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

Waste Connections

(Name of New Owner)

2550 Steele Road

(Mailing Address)

The Dalles, OR 97058

(City) (State) (Zip)

(541) 296-4082

(Phone #)

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

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

Witness my hand this 25<sup>th</sup> day of March, 20 24.  
(Day) (Month) (Year)

Signature of Current Holder of Record Nancy Mitchell for Wasco County Landfill

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

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.

Fee receipt # 142605

For Director by Mary Bjork, Program Analyst in Water Rights Division. 7831

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$120.

Received by OWRD

MAR 27 2024

Salem, OR

Assign - Approve  
3-28-2024  
WJ





Received by OWRD

MAR 27 2024

Salem, OR

Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Wasco County Landfill Inc C/O Nancy Mitchell  
2550 Steele Rd. The Dalles OR 97058

Transaction Type: Assignment

Fees Received: \$ 170.00

☐ Cash

☒ Check:

Check No. 5048025

Name(s) on Check: Waste Connections

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: Nick Reele  
(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.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.





Received by OWRD

MAR 27 2024

Salem, OR

Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Wasco County Landfill Inc C/O Nancy Mitchell  
7550 Steele Rd. The Dalles OR 97058

Transaction Type: Assignment

Fees Received: \$ 170.00

☐ Cash

☒ Check:

Check No. 5048025

Name(s) on Check: Waste Connections

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: Nick Reele  
(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.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.



Mailing List for Extension PFO Copies

PFO Date: March 26, 2024

Application: G-13708

Permit: G-12868

Copies Mailed

By: KMW/F

On: MAR 26 2024

Original mailed to Applicant:

Wasco County Landfill Inc.  
2550 Steele Rd  
The Dalles, OR 97058

Copies sent to:

1. WRD - App. File G-13708/ Permit G-12868
2. Rachel Shahidzadeh  
Schroeder Law Office  
1915 NE Cesar E Chaves Blvd.  
Portland, OR 97212

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
5. WRD - NCR Regional Manager, Chris Kowitz

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	)	<b>PROPOSED</b>
Permit G-12868, Water Right Application G-13708, in the	)	<b>FINAL ORDER</b>
name of Wasco County Landfill Inc.	)	<b>TO DENY</b>

---

Permit Information

Application:	G-13708
Permit:	G-12868
Basin:	4 – Hood / Watermaster District 3
Date of Priority:	June 8, 1994
Source of Water:	a well in Fivemile Creek Basin
Purpose or Use:	industrial use for dust control and construction
Maximum Rate:	0.45 cubic foot per second (cfs)

---

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

*In Summary, the Department proposes to:*

- Deny an extension of time to complete construction of the water system from October 1, 2014, to October 1, 2028.
  
- Deny an extension of time to apply water to full beneficial use from October 1, 2014, to October 1, 2028.



## **ACRONYM QUICK REFERENCE**

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

## **AUTHORITY**

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

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

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

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

## **FINDINGS OF FACT**

1. On October 10, 1996, Permit G-12868 was issued by the Department. The permit authorizes the use of up to 0.45 cfs of water from a well in Fivemile Creek Basin for industrial use for dust control and construction. The permit specified actual construction of the well to begin by October 10, 1997, construction of the water system was to be completed by October 1, 1998, and complete application of water was to be made on or before October 1, 1999.
2. On August 4, 2003, an assignment from Sanifill, Inc d.b.a. Northern Wasco County Landfill, to Wasco County Landfill, Inc, a Delaware Corporation, was recorded in the records of the Water Resources Department.
3. One prior permit extensions have been granted for Permit G-12868. The most recent extension request resulted in a Final Order issued July 1, 2004, extending the completion dates for construction and full application of water from October 1, 1999, to October 1, 2014.



4. On December 26, 2023, the permit holder 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-12868 be extended from October 1, 2014 to October 1, 2028.
5. On January 2, 2024, notification of the Application for Extension of Time for G-12868 was published in the Department's Public Notice. No public comments were received regarding the extension application.

#### **Review Criteria [OAR 690-315-0040]**

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

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

6. On December 26, 2023, 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)]**

7. Construction of the well began prior to permit issuance.
8. According to the well log received by the Department on January 2, 1995, construction of WASC 2196 began September 8, 1994.

Based on Finding of Fact (FOF 8), the Department has determined that the prosecution of the construction of the well began prior to October 10, 1997.

#### **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.<sup>1</sup>

9. Construction of the well began prior to permit issuance.
10. The Application does not identify any work accomplished during the original development time provided by the permit.
11. The Application identifies relocation of water storage tanks in 2007, and replacement of tanks and lines in November 2011.
12. The Application does not identify any work accomplished since the end of the most recent extension of time period, being October 1, 2014.

The Department has considered the work accomplished prior to issuance of the permit, during the original development time allowed in the permit, during the most recent extension of time period, and in the years since the previous extension of time ended, and has determined that the permit holder has not demonstrated any work towards the development of the authorized use under the permit since the permit was issued. The work identified in the Application is considered maintenance of the water system, and is not considered work in the development of the authorized use.

**Compliance with Conditions /OAR 690-315-0040(3)(c)**

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

13. The Department has considered the permit holder's compliance with conditions, and has identified the following concern, the required seven consecutive March static water level measurements have not been received by the Department. March static water level measurement have been received for years 1998, 1999, 2000, 2002, 2003, and 2004.

Based on FOF 13, the Department has determined that the permit holder has not demonstrated compliance with following permit condition as required by Permit G-12868:

- "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 within 30 days of measurement.... Measurements must be made according to the following schedule. Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared...."

---

<sup>1</sup> "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.



The requirement to submit seven consecutive static water level measurements in the Month of March remains, however, for the purposes of perfecting the permit, timely March measurements have been received and compliance with the condition, sufficient to make proof, has been demonstrated. The requirement to make seven consecutive static water level measurements will be included on any certificate.

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

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

14. A maximum rate of 0.25 cfs of water has been appropriated from the Well for industrial use.
15. The Application identifies three changes of ownership as a reason full beneficial use has not been made. The Application for Extension of Time submitted July 25, 2003 also identifies three changes of ownership as a reason development was not completed.

The Department has determined beneficial use of 0.25 cfs has likely been demonstrated, however, not additional rate of beneficial use has been pursued during the most recent extension of time period or in the nearly ten years since.

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

16. An investment of approximately \$105,000, has been made in the construction of the well and water system. Maintenance costs totaling \$62,450, for moving tanks to new locations and replacing tanks and (water) have been made, however these are not investments towards the development of additional rate of beneficial use. The Application identifies the cost of a Permit Amendment to change the place of use and to prepare a Claim of Beneficial Use as approximately \$15,000.

The Department has determined that no investment towards the development of the authorized use has been made since prior to permit issuance when the Well was constructed. .

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

The Application does not provide evidence that work has been accomplished towards completion of the water system; the permit holder has demonstrated compliance with permit conditions, and; beneficial use of water has been demonstrated. The Department has determined the applicant has not demonstrated reasonable diligence in previous performance under Permit G-12868.

**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.

17. 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-12868; 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).

18. The point of appropriation for Permit G-12868, is located within the Fifteen Mile Creek Basin, is located adjacent to The Dalles Critical Groundwater Area.
19. Fifteen Mile Creek is not located within or above any state or federal scenic waterway.
20. The point of appropriation is not in an area listed by the Department of Environmental Quality as a water quality limited stream.

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

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

21. Fifteen Mile Creek 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.



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

Economic interests dependent on completion of the project.

22. An approximate total of \$105,000 has been invested in the development of the authorized use for this project.

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

Other economic interests dependent on completion of the project.

23. The Application identifies Wasco County and Oregon DEQ as additional economic interests because they receive fees for tonnages disposed of at the landfill.

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

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

24. No other factors relevant to the determination of the market and present demand for water and power have been identified.

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

25. 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)]**

26. Delay in the development of this project was caused by any other governmental requirements.

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

27. Major repairs to the Well in 2011 and a new site development plan are identified as unforeseen events.

Though major well repair may be considered an unforeseen event, the actual repair of the well is considered a maintenance item. The development of a new site plan is not considered an unforeseen event, as it is a business decision made by the permit holder.

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

28. The Application asserts an undue hardship would result in a denial of the extension request. The Application states, "Any denial will result in undue hardship. We have expended significant funds in construction of the well and water system, and compliance with permit requirements. A modification to the place of use requires a permit amendment. Thus, the permit is nearly perfected, with minor adjustments that will be corrected. Although undue time has elapsed since the original date of completion, due



diligence towards completion of perfection is now being shown, and denial is not appropriate in this circumstance.”

Though the permit holder believes it is not appropriate to deny the extension request because diligence is now being demonstrated, the Department must consider what work has been accomplished towards the development of the permit, and the record does not show that diligence has been demonstrated in the development of the authorized use in more than two decades, and that there no evidence beyond the submittal of a Application for Extension of Time, that diligence is currently being demonstrated.

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

29. The Application does not provide evidence of good faith of the appropriator under Permit G-12868.

Based on Findings of Fact 10, 11, 12, 13, 14, 15, 16, and 28, above, the Department finds that the Applicant has not demonstrated good faith.

**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.*

30. As of December 26, 2023, the Application identifies the need to submit a Permit Amendment, and is requesting five years to pursue the change in place of use.

The Department has determined that an extension of time to October 1, 2028, is not allowable because no work towards the development of the authorized use under the permit has occurred since the well was constructed prior to permit issuance. The permit holders request to extend the permit to October 1, 2028, is not reasonable as the permit was issued over two decades prior to the submittal of the second application for extension of time, and no diligence has been shown in the development of the authorized use.

**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 not 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).



## CONCLUSIONS OF LAW

1. The permit holder 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 permit holder has complied with the time allowed for construction work under the permit pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
3. The Application established that there has been no construction, no financial investment or reasonable diligence toward developing the project during the most recent extension of time period, being October 1, 1999, to October 1, 2014, or since the end of the previous extension of time period. The permit holder has not 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).

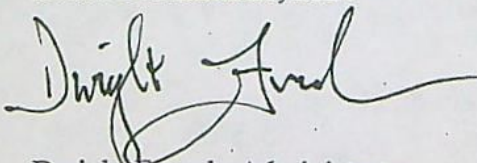
## PROPOSED ORDER

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

Deny the time to complete construction of the water system under Permit G-12868 from October 1, 2014, to October 1, 2028.

Deny the time to apply water to beneficial use under Permit G-12868 from October 1, 2014, to October 1, 2028.

DATED: March 26, 2024



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.*

### Protests

Pursuant to OAR 690-315-0060(1), 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. Protests must be received by the Water Resources Department no later than **May 10, 2024**, at this address: Oregon Water Resources Department, Water Right Services Division, 725 Summer St NE, Suite A, Salem, OR 97301-1266. Protests may not be submitted by electronic mail. OAR 690-002-0025(3).

Protests must be in writing and include all of the following:



- The name, address, and telephone number of the protestant
- A detailed description of the protestant'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
- A detailed description of how the action proposed in the proposed final order would impair or be detrimental to the protestant's interest
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency
- If the applicant protests, a statement of whether a hearing is requested
- Citation of legal authority supporting the protestant, if known
- Proof of service of the protest on the water right permit holder, if protestant is other than the water right permit holder, and
- If you are the applicant, the protest fee of \$480 required by ORS 536.050; and
- If you are not the applicant, the protest fee of \$950 required by ORS 536.050.

Within 60 days after the close of the period for requesting a contested case hearing, the Director shall either issue a final order on the extension request, or schedule a contested case hearing if a protest has been submitted, and, upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or, the applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests. The hearing will be conducted as provided in Oregon Revised Statutes (ORS) Chapter 183, and Oregon Administrative Rules (OAR) 137-003-0501 to 137-003-0700.

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

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

**Notice Regarding Servicemembers:** Active-duty service members have a right to stay 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 800-452-8260, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.



- If you have questions about statements contained in this document, please contact Jeffrey D. Pierceall at (503) 979-3213.
  - 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 Will Davidson at 503-507-2749.
  - 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

- 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 Will Davidson at 503-507-2749.

- 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  
Fax: 503-986-0901 Salem, OR 97301-1266

Fax: 503-986-0901



Application: G-13708

Permit: G-12868

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)

Wasco Co Landfill Inc

2550 Steele Rd

The Dalles, OR 97058

Proposed Completion Date: 10-1-2028

☐ WRIG...Money Received on: 12-26-23

☐ Extension Specialist ...

☐ Added to tracking spreadsheet

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

☐ Kyler or Tonya...

☐ Recent Assignment (Check WRIS for Update)

☐ Publish on Public Notice (initial 30-day comment): Date of  
notice \_\_\_\_\_

☐ 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: SEND Receipt & Copy of EOT Letter TO:

Rachel Shahidzadeh

c/o Schroeder Law Offices

1915 NE Cesar E. Chavez Blvd.

Portland, OR 97212





# 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](http://www.Oregon.gov/OWRD)

January 2, 2024

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-13708 (Permit G-12868)**. 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) 979-3213. 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](http://www.wrd.state.or.us).



Laura A. Schroeder  
Oregon, Idaho,  
Nevada, Washington & Utah

Therese A. Ure Stix  
Oregon & Nevada

Caitlin R. Skulan  
Nevada & Idaho



**SCHROEDER**  
LAW OFFICES, P.C.

William F. Schroeder  
(1928 - 2015)

James Browitt  
Of Counsel  
Idaho & Washington

December 21, 2023

**VIA U.S. MAIL**

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

**RE: Application for Extension of Time for Permit G-12868  
(Application G-13708)**

To Whom It May Concern:

Enclosed on behalf of Wasco County Landfill Inc., c/o Nancy Mitchell, please find an Application for Extension of Time for Permit G-12868 (Application G-13708) with the required enclosures. Also enclosed is a check in the amount of \$780.00 for the application fee.

Thank you for your assistance with this matter. Please contact our office if anything further is needed to process the application.

Very truly yours,  
SCHROEDER LAW OFFICES, P.C.

Rachel Shahidzadeh  
Paralegal

RMS:rms

Enclosures

cc: Client

**RECEIVED**  
**DEC 26 2023**  
**OWRD**

1915 NE Cesar E. Chavez Boulevard, Portland, Oregon 97212 (503) 281-4100

10615 Double R Boulevard, Suite 100, Reno, Nevada 89521 (775) 786-8800

[www.water-law.com](http://www.water-law.com) [counsel@water-law.com](mailto:counsel@water-law.com)



58.00 Oregon Water Resources Department  
12/21/2023 (950.03) Application for Extension  
Time

950.03

780.00

780.00

RECEIVED

DEC 26 2023

OWRD

12/21/2023

30246

Gross:

780.00

Ded:

0.00 Net:

780.00

## 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 # 142158

INVOICE #

RECEIVED FROM: Schroeder Law Offices, P.C.

BY:

APPLICATION G-1508

PERMIT

TRANSFER

CASH: CHECK: # OTHER: (IDENTIFY)



30246



TOTAL REC'D \$ 780.00

## 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 &amp; TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$ 780.00

## WATER RIGHTS:

0201 SURFACE WATER

## EXAM FEE

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

## WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

## 0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD#

0210 MONITORING WELLS

\$

CARD#

OTHER (IDENTIFY)

## 0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

## TREASURY OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION

\$

RECEIPT: 142158

DATED: 12-26-2023 BY: m. millb

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



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



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)

**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.

**RECEIVED**

**DEC 26 2023**

**OWRD**



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, Wasco County Landfill Inc., c/o Nancy Mitchell

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

2550 Steele Road

ADDRESS

The Dalles

CITY

OR

STATE

97058

ZIP

541-296-4082

PHONE

\_\_\_\_\_  
E-MAIL ADDRESS

the permit holder of: Application Number G-13708

Permit Number G-12868

[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: 10 Day: 1 Year: 2014, be  
extended to October 1, 2028, [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>Nancy Mitchell</u>	<u>12-21-2023</u>
Signature	Date
<u>Nancy Mitchell</u>	<u>Site Manager</u>
Printed Name	Title
The agent below is authorized to represent the applicant in all matters relating to THIS application.	
<u>Schroeder Law Offices, P.C.</u>	<u>counsel@water-law.com; 503-281-4100</u>
Authorized Agent (Print Agent Name)	Agent contact
	<u>nym</u> Permit Holder Initials

RECEIVED

DEC 26 2023

OWRD



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 \$780
- 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 within the time specified in the permit and applicable statute, 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.

RECEIVED  
DEC 26 2023  
OWRD



- 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: 9 Day: 8 Year: 1994

Details of construction and attach documentation: Well PW-2 drilled to a depth of 1,046 feet below ground surface and is cased with a an 8-inch diameter steel casing to 538 feet below ground surface and left as an open borehole to the total depth drilled.

**For Surface/Reservoir Permit**

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

Date construction began Month:    Day:    Year:   

Details of construction and attach documentation:

**RECEIVED**

**DEC 26 2023**

**OWRD**



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 2<sup>nd</sup> 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 1<sup>st</sup> column check the box for each condition (row) identified as relevant. In the 3<sup>rd</sup> column check "Yes" if you have completed or met the permit condition. Check "No" if the condition is not yet satisfied. In the 4<sup>th</sup> 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	1994
<input type="checkbox"/>	Submittal of annual water usage report	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	Submittal of static water level measurements in the month required and seven consecutive annual measurements	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	9/8/1994
<input type="checkbox"/>	Special well construction standards	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a monitoring plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	Well ID tag assigned and installed: WASC 2196	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	1994
<b>Surface Water or Reservoir</b>			
<input type="checkbox"/>	Installation of a meter/ totalizing flow meter	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of annual water use report	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish screen	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish by-pass device	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish passage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of an outlet gate/pipe/ conduit	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from ODFW that fish screen, fish by-pass device, and or fish passage is not required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submit as-built plans and specification	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from an engineer prior to storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	

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.

N/A – conditions are in compliance.

RECEIVED

DEC 26 2023

OWRD



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*
1994	Installation of well, totalizing flow meter, pump, and storage tank	~105,000
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*
10/10/1996	Date the permit was signed - find date above signature on last page of permit.	
N/A	N/A	N/A
10/1/1999	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>COMPLETE 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	N/A	N/A
Total Cost for Chart-B		~105,000

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

RECEIVED  
DEC 26 2023  
OWSD



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*
10/1/1999	"Extended From" date for complete application of water used in the most recent Final Order on Extension of Time.	
2007	Relocation of water storage tank and replace piping from well to tank	~35,000
November 2011	Replacement of tank and lines	27,450.00
10/1/2014	"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	N/A	N/A
Total Cost of Chart-C		~62,450

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

5. Cost of project to date: \$ 167,450  
(The total combined cost from CHART-B and CHART-C) [OAR 690-315-0020(f)]

RECEIVED

DEC 26 2023

OWSD



[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):**

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 = \_\_\_\_\_ AF 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 <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		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 2196	97081	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	110 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-
		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	WASC 51876*	97081	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	n/a	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
Total instantaneous rate from all wells utilized under this permit								

\*Well WASC 51876 is not described on either the permit or permit amendment, however, is included as an "alteration" under the Well Construction History section of OWRD's Groundwater Information System page for Groundwater Site WASC 2196

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

If yes, identify Transfer No. T-9510, approved by Final Order on 8/12/2004

**RECEIVED**

**DEC 26 2023**

**OWRD**



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

9. For Irrigation and Nursery Use Permits Extensions

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

a) Total acres irrigated to date: \_\_\_\_\_

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

Year	Acres	Year	Acres	Year	Acres

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

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

(POD/POA)# \_\_\_\_\_ Acres \_\_\_\_\_

(POD/POA) # \_\_\_\_\_ Acres \_\_\_\_\_

(POD/POA) # \_\_\_\_\_ Acres \_\_\_\_\_

(POD/POA) # \_\_\_\_\_ Acres \_\_\_\_\_

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

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

CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
2024	Permit Amendment to amend place of use	~10,000
Upon completion	Submit Claim of Beneficial Use to OWRD	~5,000
Year: 2028 (or sooner if permit amendment approved by OWRD sooner)	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	October 2028
Total Cost		~15,000

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

11. Estimated remaining cost to complete the project: ~15,000

(The total cost from CHART-E)

RECEIVED

DEC 26 2023

OWRD



[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.)* All permit conditions have been met, however an additional permit amendment will be needed to alter the place of use.

[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.)* We are requesting a standard 5-year extension period to allow for the submission of a permit amendment application, and approval by OWRD. Once the permit amendment is granted, and legal use of the water has been made in its authorized revised location, we expect to be in compliance with all permit terms and ready to submit the COBU. However, the approval timeline is not within our control, so we have requested the standard extension period in an abundance of caution to ensure no further extensions will be required.

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

**14a. Will a denial of the extension result in undue hardship?** *(Describe the hardship and the effects.)* Any denial will result in undue hardship. We have expended significant funds in construction of the well and water system, and compliance with permit requirements. A modification to the place of use requires a permit amendment. Thus, the permit is nearly perfected, with minor adjustments that will be corrected. Although undue time has elapsed since the original date of completion, due diligence toward completion of perfection is now being shown, and denial is not appropriate in this circumstance.

**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)* No. Surface water is not available for use on this property.

[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. Delays caused by business decisions are not considered unforeseen events)* The instability of the well leading to major repairs in 2011 as well as a new site development plan.

RECEIVED

DEC 26 2023

OWRD



[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.)**

Ownership of the property has changed three times since the initial issuance of the permit leading to ineffective development.

[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.**

Water is used pursuant to DEQ Solid Waste Disposal Facility Permit 53 requirements for dust control and firefighting. Permit 53 requires that "at all times, [we] provide water in sufficient quantities to satisfy the approved fire protection plan, dust suppression plan, establishment of vegetation, and for all necessary uses of the disposal site."

[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 use of water will ensure the continued ability to operate under our DEQ permit 53.

RECEIVED  
DEC 26 2023  
OWRD

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

**20. Describe in detail if there are other economic interest, beyond those of the permit holder, which are dependent upon the completion of this project. (Who will be effected and how?)** Wasco County and Oregon DEQ receives fees for tonnages brought in at Wasco County landfill.



**Attach permit, and documentation to the application**

**RECEIVED**  
**DEC 26 2023**  
**OWSD**



STATE OF OREGON

COUNTY OF WASCO

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

SANIFILL INC., dba NORTHERN WASCO COUNTY LANDFILL  
2550 STEELE RD  
THE DALLES, OREGON 97058

(541) 296-4082

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

APPLICATION FILE NUMBER: G-13708

SOURCE OF WATER: A WELL IN FIVEMILE CREEK BASIN

PURPOSE OR USE: INDUSTRIAL USE FOR DUST CONTROL AND CONSTRUCTION

RATE OF ALLOWED USE: 0.45 CUBIC FOOT PER SECOND

PERIOD OF ALLOWED USE: YEAR ROUND

DATE OF PRIORITY: JUNE 8, 1994

POINT OF DIVERSION LOCATION: NW 1/4 NE 1/4, SECTION 24, T1N, R13E, W.M.  
658.3 FEET SOUTH AND 284.1 FEET WEST FROM THE N 1/4 CORNER OF SECTION 24

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NE 1/4  
NW 1/4 NE 1/4  
SW 1/4 NE 1/4  
SE 1/4 NE 1/4  
SECTION 24

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

RECEIVED

DEC 26 2023

OWRD

Measurement, recording and reporting conditions:

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

Application G-13708 Water Resources Department

PERMIT G-12868



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

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 permittee 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 3 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 permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or 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.

#### STANDARD CONDITIONS

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

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

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

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

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

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

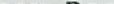


The use of water shall be limited when it interferes with any prior surface or ground water rights.

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

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

Issued October 10, 1996

  
Martha C. Pagel, Director  
Water Resources Department

RECEIVED

DEC 26 2023

**פרטים**

Application G-13708    Water Resources Department  
Basin 04                 Volume 2, FIVEMILE CREEK & MISC.  
MGMT.CODES 7CG, 7CR

PERMIT G-12868  
District 03







**Authorized Place of Use:**

Township		Range		Meridian	Sec	¼ ¼		Lot	DLC	Acres
1	N	13	E	W.M.	24	NE	NE			
1	N	13	E	W.M.	24	NW	NE			
1	N	13	E	W.M.	24	SW	NE			
1	N	13	E	W.M.	24	SE	NE			

3. Application T-9510 proposes to change the place of use of the permit to:

Township		Range		Meridian	Sec	¼ ¼		Lot	DLC	Acres
1	N	13	E	W.M.	13	NE	SW			
1	N	13	E	W.M.	13	SE	SW			
1	N	13	E	W.M.	13	NW	SE			
1	N	13	E	W.M.	13	SW	SE			
1	N	13	E	W.M.	13	SE	SE			
1	N	13	E	W.M.	24	NE	NE			
1	N	13	E	W.M.	24	NW	NE			

4. Notice of the application for permit amendment was published pursuant to ORS 540.520(5). No comments were filed in response to the notice.
5. The change would not result in injury to other water rights.
6. The proposed place of use is owned and/or controlled by the permit holder.
7. The change does not enlarge the permit.
8. The change does not alter all other terms of the permit.
9. The proposed place of use is contiguous to the authorized place of use.

**Conclusion of Law**

The change in place of use proposed by Permit Amendment Application T-9510 is 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:

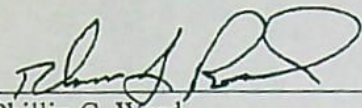
1. The former place of use shall no longer be irrigated as part of this permit.
2. All other terms and conditions of Permit G-12868 remain the same.

**RECEIVED**  
**DEC 26 2023**  
**OWRD**



3. Permit G-12868, in the name of Wasco County Landfill, Inc., is amended as described herein.

Dated at Salem, Oregon this 12<sup>th</sup> day of August, 2004.

  
For Phillip C. Ward,  
Acting Director

RECEIVED

DEC 26 2023

OWRD



Wasco County Landfill  
Improve Water Supply Well  
CER 2042-11-0003

RECEIVED

DEC 26 2023

OWRD

Cost Summary: M-K Drilling

Task	Quote	Cost	Comments
Camera/Video Well	\$ 500	\$ 500	
Mobilization	\$ 4,000	\$ 4,000	
Initial Well Cleanoutapproval to install liner	\$ 2,600	\$ 5,200	Additional hours due to substantial sloughing in well.
6-Inch Steel Liner	\$ 12,800	\$ 13,200	Cost estimate based on 640 feet of liner. Actual was 660 feet.
Liner Installation	\$ 3,250	\$ 2,925	Cost estimate based on 10 hours to install. 9 hours actual.
Final Well Cleanout	\$ -	\$ 1,625	Additional task was approved by WCI.
Total	\$ 23,150	\$ 27,450	
Difference		\$ 4,300	





A line drawing of a truck-mounted crane. The crane has a lattice boom that is extended upwards and slightly to the left. The truck is shown from the side, with a cab and two large wheels. The crane is mounted on the truck's chassis.

## Water Well Drilling

### Statement

HOME:  
WORK: 503-754-9315  
CELL: 503-754-0938  
PROPERTY: WASCO COUNTY LANDFILL  
2550 STEELE RD, THE DALLES OR

RECEIVED

DEC 26 2023

OWRD

**TERMS: 30 DAYS**

**PAYMENT DUE UPON RECEIPT**  
**12% INTEREST STARTS IN 30 DAYS**





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 Holders: WASCO COUNTY LANDFILL, INC

Application G-13708  
Permit G-12868

Report Due no later than **October 1, 2009**

## Progress Report Form for 2009

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit G-12868

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, 2004 and October 1, 2009	FINANCIAL INVESTMENT
July to	• Relocate + insulate Water Storage Tank	~ 35K
Nov. 2007	• Replace piping from well to tank	

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

- Ongoing expansion of landfill in accordance with Oregon DEQ Solid Waste Disposal permit.
- Use of groundwater for construction + dust control.
- Evaluate anticipated water demand + use based on facility expansion plan.

RECEIVED

DEC 26 2023

OWRD

3. Total number of acres irrigated to date = NA (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 = 110 gpm (gallons per minute)

Acre-feet stored to date = \_\_\_\_\_ AF

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

Signature

*[Signature]*

Date 3.4.10

Wes Gauth, Regional Engineer

For OWRD use only

Diligence Shown ☐ Yes ☐ No

Date Public Noticed: \_\_\_\_\_

Reviewed by: \_\_\_\_\_

Date: \_\_\_\_\_





**TENNESON**  
**ENGINEERING CORPORATION**  
CONSULTING ENGINEERS • SURVEYORS • PLANNERS

409 LINCOLN STREET  
THE DALLES, OR 97058

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

September 2, 2003

Wasco County Landfill, Inc.  
2550 Steele Road  
The Dalles, Oregon 97058

Attention: Dan Swanson

Gentlemen:

As requested, enclosed are copies of the following items related to the groundwater supply at the Wasco County Landfill, Inc.

- Well log for the Big Well. 1,046 feet deep and cased with 8" casing down to 538 feet. Current yield is around 110 gallons per minute with the existing pump.
- Well log for the Office Well. 787 feet deep with 6" casing down to 168 feet. Maximum yield is not over 10 gallons per minute.
- Logs of other associated wells within the area. All of them are fairly shallow and very low producers at 10 to 15 gallons per minute, with one apparently at 45 gallons per minute.
- Copy of a portion of The Dalles Area Critical Groundwater Boundary.
- Copy of Assessor's Map 1N-13 showing the Critical Groundwater Boundary relative to the Landfill properties.

In reviewing these, I would make the following observations.

1. The northern portion of the Landfill is within the Critical Boundary and you will not be able to drill a new well in that area. The existing wells are just outside of it to the southeast.
2. The probability of developing additional water by enlarging and deepening the existing Office Well is, in my mind, somewhat questionable from an economic standpoint. You would have to pull the existing casing and ream the well to a much greater size to go to any substantially greater depth and the close adjacency to the Big Well could adversely affect the production of that well. Note this difference in static

RECEIVED

DEC 26 2023

OWRD



Wasco County Landfill, Inc.  
Mr. Dan Swanson  
September 2, 2003  
Page 2

water tables of 441 feet in the Office Well versus around 780 feet in the Big Well. Apparently, two different aquifers.

The information I obtained from A&A Sales was that the Big Well currently has a 40 horsepower Crown pump set at 945 feet, with a 3" column. This was installed in 1995. This pump was set as a test pump, apparently placed in service and used every since. I find no record of any actual pump test of the maximum capacity of the existing well in the available records.

#### RECOMMENDATIONS

1. Do a pump test with a drawdown of the existing well and pump in-place. This would hopefully indicate whether the production of the well is being limited by the horsepower and design of the existing pump or actual water yield at the elevation the present pump set is at.
2. Evaluate that information with regards to specific yield drawdown per foot and see whether it would be advantageous to consider doing additional pump testing using a bigger pump set further in the well. If the water flow is available, this is by far the cheapest alternative to develop the full amount of the water right (200 gpm) versus the current level of production at 110± gallons per minute.
3. If the current well production is limited, then a decision must be made as to whether to try and expand production of the existing well or drill a third well at an alternate location. This location would have to be limited to the southeasterly half of the current Landfill ownership, have available 3-phase power, and be within reasonable plumbing distance of the distribution load tank or an alternate loading station built. There are also some concerns about maintaining separation from the existing closed-out landfill sites. We would suggest a minimum of 500-foot spacing between the existing wells and any new well being considered. There are some firms which specialize in subsurface geologic investigation for potential water bearing drilling sites. In view of the apparent depths that you must go in this area, the cost of such service would probably be well warranted if the alternate well drilling is set up as the elected alternative. The existing permit extension request is up to October 1, 2014. You will have until that time to develop the additional water. If a third well is proposed, an additional point of appropriation must be obtained from Water Resources. After that date, a Final Proof report will be required by October 1, 2015 on whatever water is actually being generated and used.

RECEIVED

DEC 26 2023

OWRD



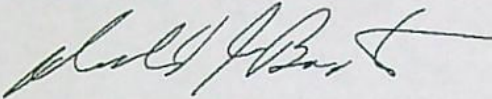
Wasco County Landfill, Inc.  
Mr. Dan Swanson  
September 2, 2003  
Page 3

Tenneson Engineering will be happy to work with you in any way we can to assist you in the test pumping recommendations for potential alternate drilling sites or the Final Proof reports.

If you have any questions on any of this, please feel free to call.

Very truly yours,

TENNESON ENGINEERING CORPORATION



Donald J. Branton, P.E.

DJB:jm

Enc: Drilling Logs  
Assessor's Map  
Critical Groundwater Boundary

cc: Nancy Mitchell

RECEIVED  
DEC 26 2023  
OWRD



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

Page 1 of 3

BIG WELL

(START CARD) # 48016

(1) OWNER:

Name Sanifill  
Address 2550 State Rd  
City The Dalles State Or Zip 97058

Well Number

(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 1046  
Explosives used ☐ Yes ☒ No Type Amount

HOLE		SEAL		Amount	
Diameter	From To	Material	From To	sacks or pounds	
12	0	220			
10 5/8	220	233			
8	233	1046	Cement	0	220 11 Cu yds

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: 3	+2 538	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 538

(7) PERFORATIONS/SCREENS:

☐ Perforations Method ☐ Screen 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 Depth in ft. Time 1 hr.

DEC 26 2023

Temperature of Water 72 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 13 N or S Range 13 E or W. WM  
Section 24 NE 1/4 NW 1/4  
Tax Lot 2500 Lot Block Subdivision  
Street Address of Well (or nearest address) same

(10) STATIC WATER LEVEL:

730 ft. below land surface. Date  
Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:

From	To	Estimated Flow Rate	SW
947	1046		78

(12) WELL LOG:

Material	From	To	SW
Fill	8	4	
SS Fine brn	4	16	
SS coarse brn	16	35	
Gravel med (broken rock)	35	44	
SS Fine brn	44	49	
Clay Brn	49	55	
Coarse Brn	55	60	
SS Fine hard brn	60	89	
Gravel med, Multi Colored	89	92	
SS Coarse blk	92	99	
Gravel med	99	110	
SS Coarse brn	110	161	
SS Coarse hard brn	161	168	
SS Fine blk	168	269	
Sand Stone hard Fine Brn	269	280	
SS Fine hard brn	280	360	
SS Fine hard pink	360	420	
Basalt soft blk	420	435	
SS Coarse Multi Color har	435	460	
Clay stone hard grey	460	488	
Sandstone brn	488	521	

Continued page 2

Date started 9-8-94 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. Material 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 1-9-95



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

Page 2 of 3

(START CARD) # 48016

(1) OWNER: Well Number \_\_\_\_\_

Name Sanifill

Address 2550 Steel Rd

City The Dalles State Or. Zip 97058

(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:

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 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"/>

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

☐ Pump ☐ Bailor ☐ Air ☐ Flowing ☐ Artesian

Yield gal/min \_\_\_\_\_ Drawdown \_\_\_\_\_ Drilling time 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: \_\_\_\_\_

(9) LOCATION OF WELL by legal description

County Wasco Latitude \_\_\_\_\_ Longitude \_\_\_\_\_

Township \_\_\_\_\_ N or S Range \_\_\_\_\_ E or W. W. W.

Section \_\_\_\_\_ 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	SWI

(12) WELL LOG:

Ground elevation \_\_\_\_\_

Material	From	To	SWI
SS with clay brn	521	535	
Basalt hard grey	535	541	
Rock fract	541	560	
Claystone grey	560	568	
rock	568	586	
Rock w/clay seams	586	590	
Claystone hard grey	590	607	
Basalt hard grey	607	618	
Basalt soft blk	618	622	
SS Coarse hard brn	622	624	
Basalt hard bract blk	624	635	
Basalt hard green clay	635	649	
seams grey	649	658	
Basalt hard blk	658	667	
Rock soft multi color	667	730	
Basalt hard grey	730	733	
SS or clay soft brn	733	740	
Rock fract (broken) Bvn	740	760	
Basalt hard green clay	760	876	
seams			
Basalt hard grey			
Basalt hard grey green clay			

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. Material 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 \_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_



Page 3 of 3  
(START CARD) # 43015

Well Number:

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

☐ New Well    ☐ Deepen    ☐ Recondition    ☐ Abandon

☐ Rotary Air      ☐ Rotary Mud      ☐ Cable  
☐ Other \_\_\_\_\_

☐ Domestic    ☐ Community    ☐ Industrial    ☐ Irrigation  
☐ Thermal    ☐ Injection    ☐ Other \_\_\_\_\_

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 \_\_\_\_\_

	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 shoe(s)

☐ Perforations      Method \_\_\_\_\_

☐ Screens      Type \_\_\_\_\_ Material \_\_\_\_\_

[illegible]☐ 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:

County \_\_\_\_\_ 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) \_\_\_\_\_

\_\_\_\_\_ ft. below land surface. Date \_\_\_\_\_

Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

Depth at which water was first found _____			
From	To	Estimated Flow Rate	SW

## Ground elevation \_\_\_\_\_

Material	From	To	SW
Basalt hard grey w/green			
clay seams	976	983	
Basalt hard grey green clay			
seams	983	992	
Basalt hard grey	992	949	
Basalt med blk	949	947	
Basalt soft blk w/g	947	1005	✓
Basalt med blk fract	1005	1012	✓
Basalt med hard fract blk	1012	1026	
Basalt hard fract grey	1026	1046	✓

RECEIVED

DEC 26 2023

OVERD

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 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 of work performed on this well during the construction dates reported above. The 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

Signed \_\_\_\_\_ Date \_\_\_\_\_



# Mailing List for 60-Day Letter

Application: G-13708

Permit: G-12868

Permit Holder(s):

WASCO COUNTY LANDFILL INC.  
2550 STEELE RD  
THE DALLES OR 97058

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

## Copies of 60 Day Letter to be sent to Permit Holder(s) and following:

1. Watermaster District #3 (auto email)
2. File

## Other persons to receive copies:

- 1.

### Copies Mailed

by: TM  
(STAFF)

on: 11.3.2023  
(DATE)

WR	
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"><li>■ Complete items 1, 2, and 3.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>	<p>A. Signature <u>X H. Mitchell</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>H. Mitchell</u></p> <p>C. Date of Delivery <u>NOV 13 2023</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>G-13708 Wasco County Landfill Inc. 2550 Steele Rd. The Dalles, OR 97058</p> <p>9590 9402 4934 9063 7221 99</p>	<p>3. Service Type <u>ANRD</u></p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label) <u>7022 3330 0000 7824 8002</u></p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053 <u>TM</u> · <u>60 D.L.</u> Domestic Return Receipt</p>	





# Oregon

Tina Kotek, Governor

## Water Resources Department

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

NOTE: For water rights information and useful forms, please see our web site at  
[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)

Certified mail number 7022 3330 0000 2824 8002  
Return receipt requested

November 3, 2023

WASCO COUNTY LANDFILL INC.  
2550 STEELE RD  
THE DALLES, OR 97058

Reference: Application G-13708, Permit G-12868

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2014.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2014. The fee for submitting a claim of beneficial use is \$230.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$780.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

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

If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (January 12, 2024) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$610.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.

Should you have any questions, please contact me at [Tonya.L.Miller@water.oregon.gov](mailto:Tonya.L.Miller@water.oregon.gov), the address above or by telephone at 503-979-9983. Email is the best way to reach me.

Sincerely,

*Tonya L. Miller*

Tonya Miller  
Backlog Reduction Caseworker

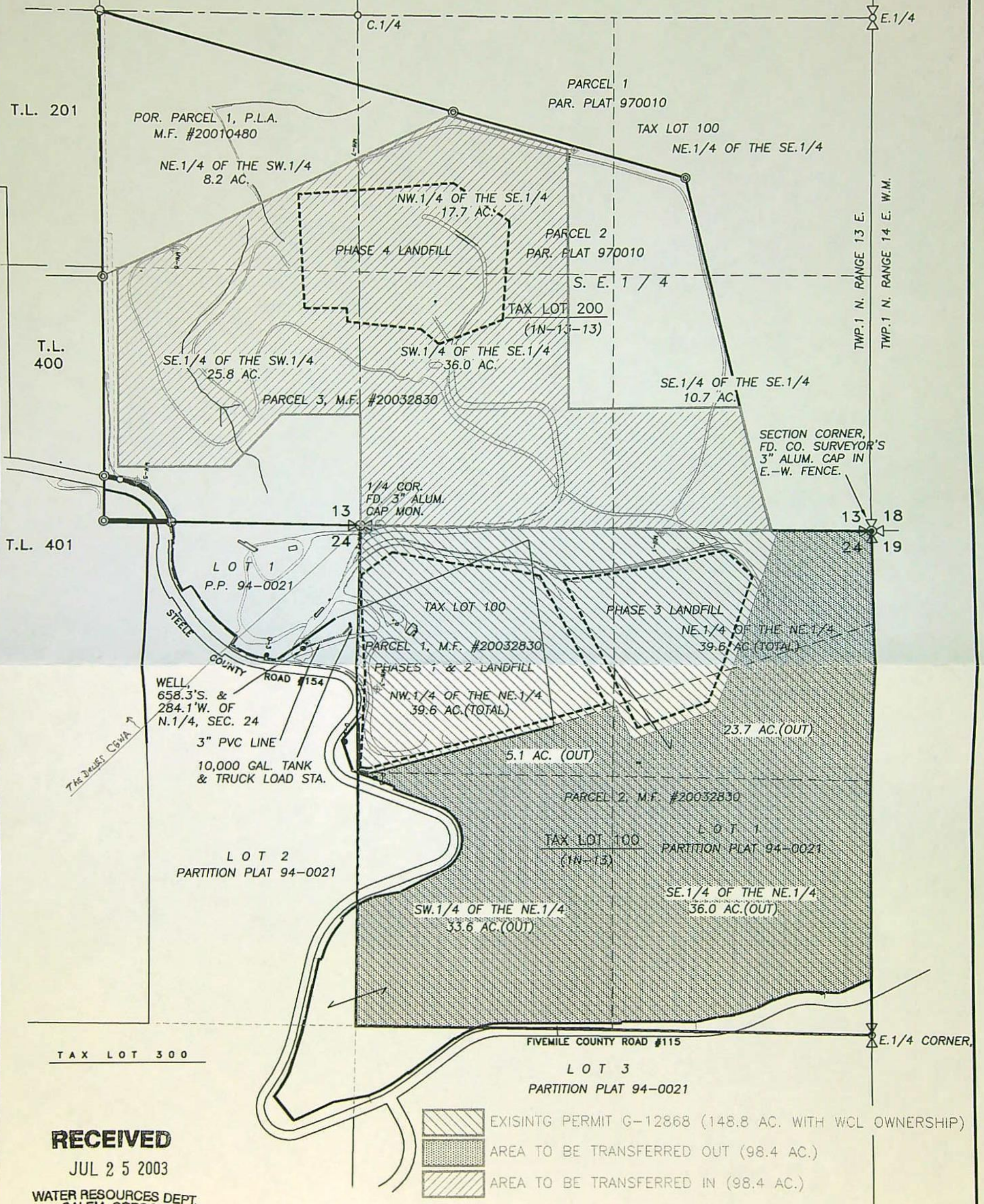
Enclosures (1)

cc: File  
OWRD Watermaster District 3





# SECTIONS 13 & 24, TWP.1 N. RANGE 13 E. W.M. WASCO COUNTY, OREGON

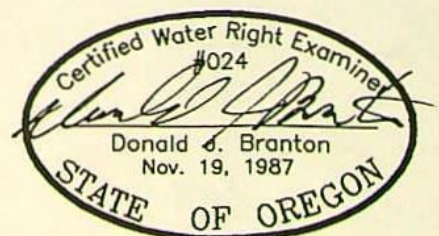


CERTIFICATE No. \_\_\_\_\_  
PERMIT No. G-12868  
IN THE NAME OF:  
WASCO COUNTY LANDFILL  
DATE: JULY 9, 2003

BY: TENNESON ENGINEERING CORP.  
409 LINCOLN STREET,  
THE DALLES, OREGON. 97058  
PH. (541) 296-9177  
FAX (541) 296-6657

## NOTE:

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



RENEW: 12/31/03

W.O. #10635wr



STATE OF OREGON

COUNTY OF WASCO

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

SANIFILL INC., dba NORTHERN WASCO COUNTY LANDFILL  
2550 STEELE RD  
THE DALLES, OREGON 97058

(541) 296-4082

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

APPLICATION FILE NUMBER: G-13708

SOURCE OF WATER: A WELL IN FIVEMILE CREEK BASIN

PURPOSE OR USE: INDUSTRIAL USE FOR DUST CONTROL AND CONSTRUCTION

RATE OF ALLOWED USE: 0.45 CUBIC FOOT PER SECOND

PERIOD OF ALLOWED USE: YEAR ROUND

DATE OF PRIORITY: JUNE 8, 1994

POINT OF DIVERSION LOCATION: NW 1/4 NE 1/4, SECTION 24, T1N, R13E, W.M.  
658.3 FEET SOUTH AND 284.1 FEET WEST FROM THE N 1/4 CORNER OF SECTION 24

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NE 1/4  
NW 1/4 NE 1/4  
SW 1/4 NE 1/4  
SE 1/4 NE 1/4  
SECTION 24

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

Measurement, recording and reporting conditions:

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



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

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 permittee 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 3 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 permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or 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.

#### STANDARD CONDITIONS

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

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

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

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

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

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

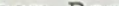


The use of water shall be limited when it interferes with any prior surface or ground water rights.

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

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

Issued October 10, 1996

  
Martha O. Pagel, Director  
Water Resources Department





# Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
503-986-0900  
FAX 503-986-0904

July 29, 2011

WASCO COUNTY LANDFILL INC.  
2550 STEELE RD  
THE DALLES, OR 97058

REFERENCE: Application G-13708 / Permit G-12868

Dear Permit Holder:

The Water Rights and Adjudications Division received your written progress report for Permit G-12868. Receipt of the progress report was published on the Department's weekly Public Notice, dated June 14, 2011. The Department did not receive any public comment on the progress report.

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

If you have any questions, please feel free to contact me by telephone at (503) 986-0827.

Sincerely,

Ann Reece  
Extensions  
Water Rights Services Division

Enclosure

cc: Application G-13708  
Watermaster District 3 - Bob Wood





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

RECEIVED

MAR 05 2010

WATER RESOURCES DEPT  
SALEM OREGON

Extension of Time  
Progress Report Form  
For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holders: WASCO COUNTY LANDFILL, INC

Application G-13708  
Permit G-12868

Report Due no later than **October 1, 2009**

**Progress Report Form for 2009**

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit G-12868

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, 2004 and October 1, 2009	FINANCIAL INVESTMENT
July to	• Relocate + insulate Water Storage Tank	~ 35K
Nov. 2007	• Replace piping from well to tank	

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

- Ongoing expansion of landfill in accordance with Oregon DEQ Solid Waste Disposal permit.
- Use of groundwater for construction + dust control.
- Evaluate anticipated water demand + use based on facility expansion plan.

3. Total number of acres irrigated to date = NA (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 = 110 gpm (gallons per minute)

Acre-feet stored to date = \_\_\_\_\_ AF

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

Signature

*[Signature]*

Date 3.4.10

Wes Garrett, Regional Engineer

For OWRD use only

Diligence Shown ☒ Yes ☐ No

Date Public Noticed: 6-14-2011

Reviewed by: AR

Date: 7-26-2011



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

### 1. Extension Specialist: Progress Report Review

Date Report Received: 3/5/10

Report Complete: YES

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

315 OAR Division under which Progress Report was required

- ☒ Publish on Public Notice Date: 6/14/11 JS
- ☒ Update workflow in WRIS (Fill in Extension Checkpoint 'Completed Date' in appropriate work flow record) 2009
- ☒ Return to Extension Specialist

### 3. Extension Specialist: Prepare Progress Report Confirmation Letter

See progress report procedures.doc

(date / mail out after 30 day comment period)

#### Date Confirmation Letter Needed:

- ☒ Update Progress Report Worksheet.xls
- ☒ Send to permit holder + anyone who made comments after 30 day public notice  
CC: Watermaster \_\_\_\_\_  
File \_\_\_\_\_

### 4. Return file to cabinet

---

## PUBLIC NOTICE INFORMATION

Permit Holder's Name: WASCO COUNTY LANDFILL INC.

Application: G-13708

Permit: G-12868, Modified by Permit Amendment T-9510

County: Wasco

Source: A Well within the Fivemile Creek Basin

Use: Industrial Use for Dust Control and Construction





# 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

February 4, 2010

WASCO COUNTY LANDFILL, INC  
2550 STEELE ROAD  
THE DALLES, OR 97058

REFERENCE: Application G-13708 / Permit G-12868

Dear Permit Holder:

On July 1, 2004 the Department issued a Final Order approving an Extension of Time for Permit G-12868. This Final Order included a condition that required the permit holder to submit a written progress report to the Department by October 1, 2009. This letter is being sent to you because the Department has not yet received the progress report.

For your convenience, I have enclosed a **Progress Report Form** for 2009. In order to maintain the ability to continue developing water under this permit, you should submit your overdue progress report immediately.

As per your most recent extension, the date by which water must be applied to full beneficial use within the terms and conditions of your permit is October 1, 2014. *Failure to submit a written progress report may jeopardize continued development of your permit beyond October 1, 2014, as future extensions are evaluated on past due diligence, and consequently may not be granted.*

If you have any questions concerning this matter, you may contact me by telephone at (503) 986-0813.

Sincerely,

A handwritten signature in dark ink, appearing to be "S. Kudlemyer", with a long horizontal flourish extending to the right.

Scott Kudlemyer  
Extensions  
Water Rights and Adjudications Division

Enclosure

cc:

Application G-13708  
Watermaster District 13 - Bob Wood



TO: Water Rights Section

JAN 9, 19996

FROM: Groundwater/Hydrology Section Doug Woodcock

Reviewer's Name

SUBJECT: Application G- 13708

### GROUNDWATER/SURFACE WATER CONSIDERATIONS

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

### GROUNDWATER AVAILABILITY CONSIDERATIONS

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

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Well Construction Considerations on Reverse Side)

13708



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

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

RECOMMENDATION:

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

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

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

(Signature)

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

\_\_\_\_\_, 199\_\_.

(Signature)







**Water Right Conditions  
Tracking Slip**

Groundwater/Hydrology Section

FILE # G-13708

ROUTED TO: WATER RIGHTS

TOWNSHIP/

RANGE-SECTION: 1N/13E-24

CONDITIONS ATTACHED? ☒ yes ☐ no

REMARKS OR FURTHER INSTRUCTIONS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reviewer: D. Woodcock



# WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Groundwater/Hydrology Files Date DEC 2, 1994  
 FROM: D. WOODCOCK  
 SUBJECT: Groundwater Application G- 13708 Phone: \_\_\_\_\_  
 Name: SANIFILL INC (NORTHERN WASCO CO. LANDFILL)  
 Applicant(s) seek 200 gpm (       cfs) from ONE well(s) in the COLUMBIA R basin  
 Proposed use: \_\_\_\_\_ sub basin  
FIVEMILE CR sub basin.

Pertinent 7 1/2 - minute quads THE DALLAS SOUTH PETERSBURG

Well \_\_\_\_\_ WRD# WASCO 2196 T 1 N R 13 E S 24 QQ NENW County WASCO  
 Legal Description ~ 600 ft S. & 2300 ft E of NW COR SEC 24  
 Well is 200 ft ft from UNNAMED TRIB. TO THREEMILE CR (river/stream)  
 Well is \_\_\_\_\_ ft from \_\_\_\_\_ (river/stream)  
 Well elevation 980 ft. River/stream elevation 950 ft.  
 Well elevation - river/stream elevation 30  
 Well depth 1046 SWL 780 on \_\_\_\_\_  
 Sealed to 220 Depth first water found 947  
 Cased to 538 Perforations/screens \_\_\_\_\_  
 Lined to \_\_\_\_\_ Perforations/screens \_\_\_\_\_  
 Well tests and types \_\_\_\_\_  
 Confined or unconfined? CONFINED Hydraulically connected? NO  
 Potential to cause substantial interference? NO

Well \_\_\_\_\_ WRD# \_\_\_\_\_ T \_\_\_\_\_ R \_\_\_\_\_ S \_\_\_\_\_ QQ \_\_\_\_\_ County \_\_\_\_\_  
 Legal Description \_\_\_\_\_  
 Well is \_\_\_\_\_ ft from \_\_\_\_\_ (river/stream)  
 Well is \_\_\_\_\_ ft from \_\_\_\_\_ (river/stream)  
 Well elevation \_\_\_\_\_ ft. River/stream elevation \_\_\_\_\_ ft.  
 Well elevation - river/stream elevation \_\_\_\_\_  
 Well depth \_\_\_\_\_ SWL \_\_\_\_\_ on \_\_\_\_\_  
 Sealed to \_\_\_\_\_ Depth first water found \_\_\_\_\_  
 Cased to \_\_\_\_\_ Perforations/screens \_\_\_\_\_  
 Lined to \_\_\_\_\_ Perforations/screens \_\_\_\_\_  
 Well tests and types \_\_\_\_\_  
 Confined or unconfined? \_\_\_\_\_ Hydraulically connected? \_\_\_\_\_  
 Potential to cause substantial interference? \_\_\_\_\_

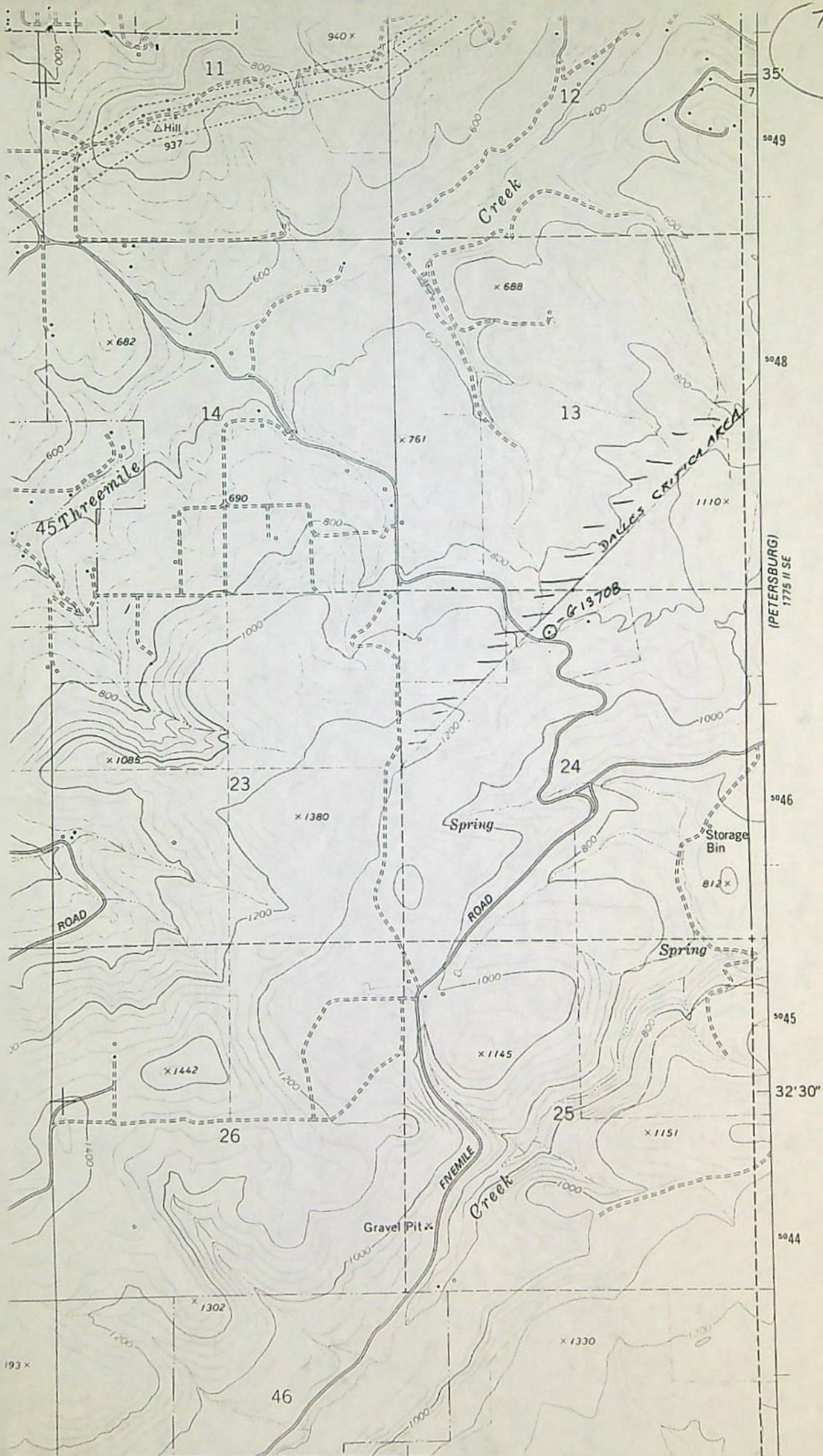
Conditioned water rights in area:     
 Other nearby water rights of record: \_\_\_\_\_  
 Density of nearby wells of record: RURAL DEVELOPMENT

Comments WELL IS DEVELOPED IN CRB AND IS 200 FT OUTSIDE OF THE  
DALLAS CRITICAL AREA. NO POTENTIAL FOR SUBSTANTIAL INTERFERENCE  
WITH SURFACE WATER. CONDITION N/ RESOURCE PROTECTION CONDITION  
(7C).

References used: EVALUATION OF DALLAS CRITICAL AREA, REHM 1989  
USGS QUAD SHEETS - THE DALLAS SOUTH, PETERSBURG



THE DALLIES SOUTH





Ken

# REVIEW CHECKLIST

FOR G- 13708

- ☒ Xerox appropriate parts of the stream index.
- ☒ Estimate number of wells within one mile radius and identify types.
- ☒ Verify that the well log is in application file. If not, provide one.
- ☒ List of state observation wells within five mile radius.
- ☒ List groundwater permits within five mile radius with extraordinary conditions.

## WELLS:

WASCO 4

id vn (T)

IN 13E 24						1	1
23	1	1	1			1	4
14	7	3	5			5	20
13		1					1
	8	5	6			7	26

## OBSERVATION WELLS:

892 IN/13E-1  
CRD  
901 DROPPED  
904 DROPPED  
919 DROPPED

## APPLICATIONS WITH PERMIT CONDITONS:

G- 0

RVW.CKLST



## 7C SEVEN YEAR MINIMUM MEASUREMENT CONDITION

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 (Generally 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 permittee 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:



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

In the Matter of Permit Amendment )  
T-9510, Wasco County, Oregon )  
 )

**FINAL ORDER**

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**

Wasco County Landfill, Inc.,  
2550 Steele Road,  
The Dalles, Oregon 97058.

**Findings of Fact**

1. Wasco County Landfill, Inc., filed an application to amend the place of use under Permit G-12868. The Department assigned the application number T-9510.
2. The permit to be amended is as follows:

**Permit:** G-12868, in the name of Wasco County Landfill, Inc.;  
**Use:** Industrial use for dust control and construction;  
**Priority Date:** June 8, 1994;  
**Quantity:** 0.45 cubic foot per second;  
**Source:** A well, in the Fivemile Creek Basin.  
**Date Of Complete Application of Water:** October 1, 2014.

**Authorized Point of Appropriation:**

Township		Range		Meridian	Sec	¼ ¼		Lot	DLC	Location
1	N	13	E	W.M.	24	NE	NW			658.3 feet South and 284.1 feet West from N¼ Corner of Section 24

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order other than a 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.



**Authorized Place of Use:**

Township		Range		Meridian	Sec	¼ ¼		Lot	DLC	Acres
1	N	13	E	W.M.	24	NE	NE			
1	N	13	E	W.M.	24	NW	NE			
1	N	13	E	W.M.	24	SW	NE			
1	N	13	E	W.M.	24	SE	NE			

3. Application T-9510 proposes to change the place of use of the permit to:

Township		Range		Meridian	Sec	¼ ¼		Lot	DLC	Acres
1	N	13	E	W.M.	13	NE	SW			
1	N	13	E	W.M.	13	SE	SW			
1	N	13	E	W.M.	13	NW	SE			
1	N	13	E	W.M.	13	SW	SE			
1	N	13	E	W.M.	13	SE	SE			
1	N	13	E	W.M.	24	NE	NE			
1	N	13	E	W.M.	24	NW	NE			

4. Notice of the application for permit amendment was published pursuant to ORS 540.520(5). No comments were filed in response to the notice.
5. The change would not result in injury to other water rights.
6. The proposed place of use is owned and/or controlled by the permit holder.
7. The change does not enlarge the permit.
8. The change does not alter all other terms of the permit.
9. The proposed place of use is contiguous to the authorized place of use.

**Conclusion of Law**

The change in place of use proposed by Permit Amendment Application T-9510 is consistent with the requirements of ORS 537.211.

**Now, therefore, it is ORDERED:**

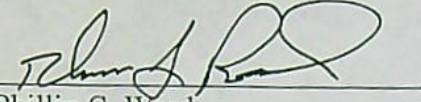
The change and subsequent use of water shall be subject to the following conditions:

1. The former place of use shall no longer be irrigated as part of this permit.
2. All other terms and conditions of Permit G-12868 remain the same.



3. Permit G-12868, in the name of Wasco County Landfill, Inc., is amended as described herein.

Dated at Salem, Oregon this 12<sup>th</sup> day of August, 2004.

  
Fw Phillip C. Ward,  
Acting Director



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

## Mailing List for Extension FO Copies

Application # G-13708

FO Date: July 1, 2004

Permit # G-12868

Original mailed to:

Applicant:     **Wasco Co. Landfill, Inc**  
                  **Attn: Mgr of Wasco Co. Landfill, Inc.,**  
                  **2550 Steele Rd**  
                  **The Dalles, Oregon 97058**

**Copies Mailed**

By: 7/2/04  
(SUPPORT STAFF)

on: 7/1/04  
(DATE)

**For Extension FO's - Copies sent to:**

1.     WRD - Appl. File # G-13708 / Permit # G-12868
2.     WRD - Watermaster District: #3 - Larry Toll, The Dalles
3.     WRD - Regional Manager: NCR
4.     WRD - Support Staff, Salem

**Other interested parties:**

5.     None

CASEWORKER: LJJ/JJU



Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-13708

**Final Order**  
**Extension of Time for Permit Number G-12868**

**Appeal Rights**

**This is a final order other than contested case.** Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition the Director for reconsideration of this order or petition for judicial review of this order. As provided in ORS 536.075, this order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 day time period specified by ORS 183.484(2).

**Application History**

On July 25, 2003, Wasco Co. Landfill, Inc. submitted an application to the Department for an extension of time for permit number G-12868. The Department issued permit number G-12868 on October 10, 1996. The permit called for completion of construction of the water development project by October 1, 1998, and complete application of water to the full beneficial use by October 1, 1999. In accordance with OAR 690-315-0050(2), on May 4, 2004, the Department issued a Proposed Final Order proposing to extend the time to complete construction of the water development project to October 1, 2013, and the time to fully apply water to beneficial use to October 1, 2014. The protest period closed June 18, 2004, in accordance with OAR 690-315-0060(1). No protest was filed.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 537.248, 537.630, 539.010(5) and/or OAR 690-315-0040(2).

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

1. **In accordance with OAR 690-315-0050(6), the permittee must submit a written progress report to the Department by October 1, 2009.** The report must be received by the Department not sooner than 90 days prior to the due date. The permittee's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include:
  - a) The amount of construction completed;
  - b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;
  - c) A review of the permittee's compliance with terms and conditions of the permit



- and/or previous extension; and
- d) Financial investments made toward developing the beneficial water

The Department will review the progress report to determine whether the permittee is exercising diligence towards completion of the project and complying with the terms and conditions of the permit and extension.

***Failure to submit a progress report by the due date above may jeopardize continued development under the permit.***

The Department will take into consideration annual reports submitted under OAR Chapter 690, Division 86 or ORS 537.099, and any other report that demonstrates diligence.

Other reports, however, are not a substitute for the progress reports and anything submitted must clearly show that diligence towards perfecting the water right permit is being attempted.

If the Department finds that diligence is questionable, the Department may:

- a) request the permittee to submit additional information with which to evaluate diligence; or
- b) apply additional conditions and performance criteria for perfection of the right; or
- c) cancel the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410 to 537.450. The Department will grant the permittee a hearing on the cancellation, if one is requested.

In determining whether the permittee has been diligent, the Department will consider any information submitted to the Department by the permittee and any information submitted during the 30-day public comment period following public notice of submittal of the progress report.

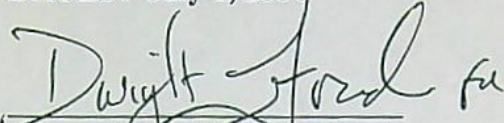
If information is received through the public notice process indicating that the applicant has not been diligent toward completing the project, and if the director determines there are significant disputes related to the use of water, the Department will conduct a hearing.



Order

The extension of time for Application Number G-13708, Permit Number G-12868, therefore, is approved. The deadline for completing construction is extended to October 1, 2013. The deadline for applying water to full beneficial use is extended to October 1, 2014.

**DATED: July 1, 2004**

  
Phillip C. Ward, Acting Director



## Extension "Final Order" Checklist

Application # G-13708 / Permit # G-12868

Permit Holder's Name VIASCO Co. LANDFILL, INC.

This Final Order is processed under: ☒ Div. 315 Rules -or- ☐ Div. 320 Rules

✓ 1. Date Extension Request submitted: 7-25-03

✓ 2. Date permit was issued: 10-10-96

✓ 3. Original "B" Date from permit: 10-1-98  
(Date for completion of construction)

✓ 4. Original "C" Date from permit: 10-1-99  
(Date for complete application of water)

✓ 5. Extension PFO Date: 5-4-04

✓ 6. WRD recommends extending "B" Date to: 10-1-13

and extending the "C" Date to: 10-1-14

✓ 7. Any conditions from PFO: PROGRESS REPORTING

✓ 8. Protest Deadline Date from PFO: 6-18-04

✓ 9. Any written Protests or written Comments received within the Protest period?  
Yes / No

Reviewer's Name: KEN VUONG

Date: 4-26-04



**NOTE:**

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

## **Mailing List for Extension FO Copies**

**Application # G-13708**

**FO Date: July 1, 2004**

**Permit # G-12868**

**Original mailed to:**

Applicant: **Wasco Co. Landfill, Inc**  
**Attn: Mgr of Wasco Co. Landfill, Inc.,**  
**2550 Steele Rd**  
**The Dalles, Oregon 97058**

**Copies Mailed**

**By:** \_\_\_\_\_  
(SUPPORT STAFF)

**on:** \_\_\_\_\_  
(DATE)

**For Extension FO's - Copies sent to:**

2. WRD - Appl. File # G-13708 / Permit # G-12868
3. WRD - Watermaster District: 3
4. WRD - Regional Manager (NOT SCR): NCR
5. WRD - Jonnine Fuss, Salem
6. WRD - Support Staff, Salem

**Other interested parties:**

7. None

CASEWORKER: LJJ/JJU



# Mailing List for Extension PFO Copies

Application #G-13708  
Permit #G-12868

PFO Date: May 4, 2004

Original mailed to:

Applicant: Wasco Co. Landfill, Inc  
Attn: Mgr of Wasco Co. Landfill, Inc.,  
2550 Steele Rd  
The Dalles, Oregon 97058

Copies Mailed

By: SB  
(SUPPORT STAFF)

on: 5/3/04  
(DATE)

For Extension PFO's - Copies sent to:

1. WRD - Appl. File #G-13708 / Permit #G-12868
2. WRD - Watermaster District: 3

Other interested parties:

- 3.

CASEWORKER: LJJ:KAW

S:\groups\wr\extensions\PF O\PFO Peer Review\for KAW to review\KAW finished review\g13708.wpd



**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-12868, Water Right	)	PROPOSED FINAL ORDER
Application #G-13708	)	
(Wasco Co. Landfill, Inc.)	)	

**Permit Information**

**Application File #G-13708 / Permit #G-12868**

Basin: #4 - Hood Basin / Watermaster District: #3

Date of Priority: June 8, 1994

**Authorized Use of Water**

Source of Water:	One Well within the Fivemile Creek Basin
Purpose or Use:	Industrial for dust control and construction
Maximum Rate:	0.45 cubic foot per second (cfs)

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

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

This Proposed Final Order applies only to Permit #G-12868, water right Application #G-13708. A copy of Permit #G-12868 is enclosed as Attachment 1.



## Summary of Proposed Final Order for Extension of Time

### The Department proposes to:

- grant the extension for complete construction of the water system from October 1, 1998, to October 1, 2013;
- grant the extension for complete application of water from October 1, 1999, to October 1, 2014; and
- make the extension subject to certain conditions set forth below.

### AUTHORITY

**ORS 537.230 and ORS 537.630(1)** provide in pertinent part that the Water Resources Department shall, 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).

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

**OAR 690-315-0050(6)** allows 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-12868 was granted by the Water Resources Department on October 10, 1996. The permit authorizes the use of up to 0.45 cfs of water from one well, within the Fivemile Creek Basin, for industrial use. The permit specified that construction of the water development project was to be completed by October 1, 1998, and that complete application of water was to be made on or before October 1, 1999.
2. The permit holder submitted an "Application for Extension of Time" to the Department on July 25, 2003, requesting the time in which to complete construction of the water system be extended from October 1, 1998, to October 1, 2013, and the time in which to accomplish beneficial use of water to the full extent under the terms of Permit #G-12868 be extended from October 1, 1999, to October 1, 2014. This is the first permit extension requested for Permit #G-12868.
3. Notification of the permit holder's extension of time request for Permit #G-12868 was published on the Department's Public Notice dated August 12, 2003. No public comment on the extension application was received.

### **Review Criteria [OAR 690-315-0040(1)(2)]**

As set forth under OAR 690-315-0040(1)(2), the time limits to complete construction or to apply the water to a beneficial use may be extended upon showing of good cause for the untimely completion. This determination shall consider the applicable requirements of ORS 537.230, 537.248<sup>1</sup>, 537.630 and 539.010(5).

### **Other Governmental Requirements [ORS 537.230(2)]**

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

### **Start of Construction [ORS 537.630]**

5. Construction of the well and water system began within the time specified in the permit, being October 10, 1997.

---

<sup>1</sup> ORS 537.248 applies to reservoir permits only.



**Financial Investment [ORS 539.010(5)]**

6. As of July 25, 2003, the permit holder had invested a total of \$105,000 into the project, consisting of construction of the well, installation of a meter, installation of a pump, and installation of a storage tank. An additional \$50,000 investment is anticipated for the completion of this project.

**Reasonable Diligence and Good Faith of the Appropriator [ORS 537.230(1), 537.630(1) and 539.010(5)]**

Reasonable diligence during the permit period constitutes a continuing test of whether and under what conditions to grant an extension [ORS 537.260, OAR 690-315-0040(3)].

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**

7. The following construction was completed within the time allowed in the permit or previous extension:
  - a. Construction of the well and water system began within the time specified in the permit, being October 10, 1997. The work thus far consists of complete construction of the well, installation of a meter, installation of a pump, and installation of a storage tank.

**Beneficial Use of Water**

8. The following beneficial use was made of the water during the permit or previous extension time limits:
  - a. Since the issuance of Permit #G-12868 on March 15, 1996, a maximum rate of 0.245 cfs has been appropriated from the well.
  - b. Delay of full beneficial use of water under Permit #G-12868 was due to the size of the landfill. As the landfill fill expands more water will be required for dust control and construction. When the landfill reaches its maximum size all the water allowed for use under the permit will be appropriated.

**Compliance with Conditions**

9. The water right permit holder's conformance with the permit or previous extension conditions.
  - a. The record does not raise concerns about the permit holder's compliance with conditions.



#### Financial Investments

10. Financial investments made toward developing the beneficial water use.
  - a. As of July 25, 2003, the permit holder had invested approximately 68 percent of the total projected cost for complete development of this project. A total of \$105,000 has been invested into the project, consisting of complete construction of the well, installation of a meter, installation of a pump, and installation of a storage tank. An additional \$50,000 investment is anticipated for the completion of this project.

#### **The Market and Present Demands for Water** [ORS 539.010(5) and OAR 690-315-0040(4)]

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:

11. The amount of water available to satisfy other affected water rights and scenic waterway flows.
  - a. The Department determined on January 9, 1996, that this use of ground water will not have the potential for substantial interference with the nearest surface water source. Because of this determination, this application does not raise concerns about surface water impact. Conditions were, however, placed upon Permit #G-12868 in order to avoid injury to existing rights or to the ground water resource.
  - b. The permitted point of appropriation, authorized under Permit #G-12868, is not located within the boundaries of any designated ground water limited area.
  - c. The permitted point of appropriation, authorized under Permit #G-12868, is not located within or above the designated boundaries of any state scenic waterway.
12. 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).
  - a. The permitted point of appropriation, authorized under Permit #G-12868, is located within an area that has been identified by the Oregon Department of Fish and Wildlife as a "high" needs ranking area for streamflow restoration for fish, and has been identified by the Oregon Department of Environmental Quality as a water quality limited area. The



Department determined on January 9, 1996 that this use of groundwater will not have the potential for substantial interference with the nearest surface water source. Conditions were, however, placed upon Permit #G-12868 in order to avoid injury to existing rights or to the ground water resource. Because of this determination, this application does not raise concerns about surface water impacts.

- b. The permitted point of appropriation, authorized under Permit #G-12868, is not located within a segment of a federal wild and scenic river.
- 13. The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife.
  - a. The permitted well is located within a designated sensitive, threatened or endangered species area for aquatic species utilizing surface water resources, as identified on the Division 33 map furnished by the Oregon Department of Fish and Wildlife. The Department determined on January 9, 1996, that this use of groundwater will not have the potential for substantial interference with the nearest surface water source. Conditions were, however, placed upon Permit #G-12868 in order to avoid injury to existing rights or to the ground water resource. Because of this determination, this application does not raise concerns about surface water impacts.
- 14. Economic investment in the project to date.
  - a. As of July 25, 2003, the permit holder had invested approximately 68 percent of the total projected cost for complete development of this project. A total of \$105,000 has been invested into the project, consisting of complete construction of the well, installation of a meter, installation of a pump, and installation of a storage tank. An additional \$50,000 investment is anticipated for the completion of this project.
- 15. Other economic interests dependent on completion of the project.
  - a. None have been identified.
- 16. Other factors relevant to the determination of the market and present demand for water and power.
  - a. None of been identified.



**Fair Return Upon Investment [ORS 539.010(5)]**

17. The use of this water from the permitted water development will result in reasonable returns against the investment made in the project to date.

**Duration of Extension [OAR 690-315-0040(1)(c), ORS 539.010(5)]**

As set forth under OAR 690-315-0040(1)(c), time extensions granted shall be for the reasonable time period necessary to complete construction and application of water to beneficial use.

18. As of July 25, 2003, the remaining work to be completed consists of complete application of water to beneficial use.
19. Delay of full beneficial use of water under Permit #G-12868 was due to the size of the landfill. As the landfill fill expands more water will be required for dust control and construction. When the landfill reaches its maximum size all the water allowed for use under the permit will be appropriated.
20. Given the amount of development left to occur, the Department has determined that the permittee's request to have until October 1, 2013, to complete construction of the water system and to have until October 1, 2014, to complete the application of water to beneficial use under the terms of Permit #G-12868 is both reasonable and necessary.

**CONCLUSIONS OF LAW**

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.230 and ORS 537.630.
2. The applicant has submitted a complete extension application form and the fee required by ORS 536.050(1)(k).
3. The applicant has pursued perfection of the right in good faith and prosecuted construction with reasonable diligence.
4. The Department has considered the requirements of other governmental agencies, the financial investment made, the reasonable diligence and good faith of the appropriator, the market and present demands for water and the fair return upon the investment, and has determined that the applicant has shown good cause exists for an extension to complete construction and apply water to full



beneficial use pursuant to ORS 537.630(1).

5. Completion of construction can be accomplished by October 1, 2013, and full application of water to beneficial use can be completed by October 1, 2014.<sup>2</sup>
6. In order to ensure future diligence is exercised in the development and perfection of Permit #G-12868, the Department shall establish progress checkpoints in accordance with OAR 690-315-0050(6). (See Item #1 of the "Conditions" section contained in this Proposed Final Order for an Extension of Time.)

### **Proposed Order**

Based upon the foregoing findings of fact and conclusions of law, the Department proposes to issue an order to:

Extend the time for complete construction of the water system under Permit #G-12868 from October 1, 1998, to October 1, 2013; and

Extend the time for complete application of water to beneficial use under Permit #G-12868 from October 1, 1999, to October 1, 2014.

Subject to the following conditions:

### **CONDITIONS**

1. **In accordance with OAR 690-315-0050(6), the permittee must submit a written progress report to the Department by October 1, 2009.** The report must be received by the Department not sooner than 90 days prior to the due date. The permittee's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include:
  - a) The amount of construction completed;
  - b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;
  - c) A review of the permittee's compliance with terms and conditions of the

---

<sup>2</sup> Pursuant to ORS 537.630(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use.



- permit and/or previous extension; and
- d) Financial investments made toward developing the beneficial water use. The Department will review the progress report to determine whether the permittee is exercising diligence towards completion of the project and complying with the terms and conditions of the permit and extension.

The Department will review the progress report to determine whether the permittee is exercising diligence towards completion of the project and complying with the terms and conditions of the permit and extension.

***Failure to submit a progress report by the due date above may jeopardize continued development under the permit.***

The Department will take into consideration annual reports submitted under OAR Chapter 690, Division 86 or ORS 537.099, and any other report that demonstrates diligence.

Other reports, however, are not a substitute for the progress reports and anything submitted must clearly show that diligence towards perfecting the water right permit is being attempted.

If the Department finds that diligence is questionable, the Department may:

- a) request the permittee to submit additional information with which to evaluate diligence; or
- b) apply additional conditions and performance criteria for perfection of the right; or
- c) cancel the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410 to 537.450. The Department will grant the permittee a hearing on the cancellation, if one is requested.

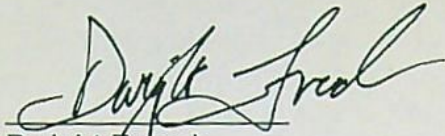
In determining whether the permittee has been diligent, the Department will consider any information submitted to the Department by the permittee and any information submitted during the 30-day public comment period following public notice of submittal of the progress report.

If information is received through the public notice process indicating that the applicant has not been diligent toward completing the project, and if the director determines there are significant disputes related to the use of water, the Department will conduct a hearing.

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



DATED: May 4, 2004



Dwight French  
Water Rights Section Manager

### **Proposed Final Order Hearing Rights**

1. Under the provisions of OAR 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may request a contested case hearing on the proposed final order. Your request for contested case hearing must be in writing and must be received by the Water Resources Department no later than **Friday, June 18, 2004** being 45 days from the date of publication of the proposed final order in the Department's weekly public notice.
2. A written request for contested case hearing shall include:
  - a. The name, address and telephone number of the petitioner;
  - b. A description of the petitioner's interest in the 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 final order would adversely affect or aggrieve the petitioner's interest;
  - d. A detailed description of how the 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 petition upon the water right permit holder, if petitioner is other than the water right permit holder; and
  - g. The 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 request for contested case hearing has been submitted, and:
    - A. Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
    - B. The applicant submitted a timely request for a contested case hearing.

**If you have other questions about the Department, or any of its programs, please contact our Water Rights Information Group at (503)986-0900. Address all other correspondence to:**



Water Rights Section  
Oregon Water Resources Department  
725 NE Summer Street, Suite A  
Salem, OR 97301-1271  
Fax #: (503)986-0901

If you have any questions about statements contained in this document, please contact Lisa Juul at (503)986-0808.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her telephone number is (503)986-0824.

If you have other questions about the Department or any of its programs, please contact our Water Rights Information Group at (503)986-0900.



STATE OF OREGON

COUNTY OF WASCO

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

SANIFILL INC., dba NORTHERN WASCO COUNTY LANDFILL  
2550 STEELE RD  
THE DALLES, OREGON 97058

(541) 296-4082

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

APPLICATION FILE NUMBER: G-13708

SOURCE OF WATER: A WELL IN FIVEMILE CREEK BASIN

PURPOSE OR USE: INDUSTRIAL USE FOR DUST CONTROL AND CONSTRUCTION

RATE OF ALLOWED USE: 0.45 CUBIC FOOT PER SECOND

PERIOD OF ALLOWED USE: YEAR ROUND

DATE OF PRIORITY: JUNE 8, 1994

POINT OF DIVERSION LOCATION: NW 1/4 NE 1/4, SECTION 24, T1N, R13E, W.M.  
658.3 FEET SOUTH AND 284.1 FEET WEST FROM THE N 1/4 CORNER OF SECTION 24

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NE 1/4  
NW 1/4 NE 1/4  
SW 1/4 NE 1/4  
SE 1/4 NE 1/4  
SECTION 24

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

Measurement, recording and reporting conditions:

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



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

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 permittee 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 3 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 permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or 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.

#### STANDARD CONDITIONS

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

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

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

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

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

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







Application # G-13708 / Permit # G-12868

## Route Slip ... Extension of Time

*per Division 315 Rules... (Extensions received on July 1, 2001 or after)*

♦ WRIG...  
Money Received: \$100.00 on 7-25-03

♦ Lisa Juul...  
Extension Completeness: OK  
If NOT complete, send certified letter requesting additional information. )

*If Extension Appl complete and \$100 fee submitted, route to...*

♦ Jonnine Fuss...  
Initial 30-day Public Notice: 8/12/03 n  
Update Extension Database: 8/12/03 n  
Files back to filing cabinets: Back to Lisa

*At the close of the Initial 30-day Comment Period...*

♦ Lisa Juul...  
Pull files for Ext PFO review: \_\_\_\_\_  
Extension PFO completed: \_\_\_\_\_

*Once Extension PFO signed by Dwight French...*

♦ Jonnine Fuss...  
Prepare Ext PFO for mailing to applicant: \_\_\_\_\_  
Mail to those who commented and paid copy fee: \_\_\_\_\_  
Include Ext PFO on weekly Public Notice: \_\_\_\_\_

*Within 60 days after the close of the 45-day PFO Protest Period...  
(PFO Protest Period ends 45 days from PFO sign date)...*

♦ Lisa Juul...  
Issue an Extension FO: \_\_\_\_\_



# EXTENSION REVIEW CHECKLIST for PFO... per Div. 315 Rules

Application #: G-13708 / Permit #: G-12868

Permittee's Name: Wasco Co. Landfill Inc, Attn:

Permittee's Mailing Address: 2550 Steele Road, The Dalles, OR 97058

POD Location: Township 1-N Range 13-E Section 24  $\frac{1}{4}$   $\frac{1}{4}$  NW NE

Stream Basin: \_\_\_\_\_ County: Wasco

✓ 1. Has the applicant completely filled out the updated Extension Application form? Yes / No \$100.00 - Yes  
\*\*\*If "No"..... has certified request for the new extension form been sent? Yes / No

✓ 2. Shortcomings of Extension Request..... based upon review of updated extension form Yes / No  
\*\*\* (NOTE: Any missing Extension information that is needed before an Extension PFO can be completed???)

✓ 3. Date Permit was issued: 10-10-96 (priority = 6-8-94)

✓ 4. Source: One Well in the Five Mile Creek Basin

✓ 5. Use: Industrial Use for Dust Control & Construction

✓ 6. "Q": 0.45 cfs

✓ 7. Original "B" Date: 10-1-98 Original "C" Date: 10-1-99

✓ 8. Conditions of Permit: Original "A" Date: 10-10-97

• Before water use begins → shall install a meter or other suitable meas. device.  
• Once well constr. is complete - shall submit a March SWL measurement  
• ~~once~~ once use begins, submit seven (7) consecutive March SWL meas.

✓ 9. Extension request received: 7-25-03 Request Number (...1<sup>st</sup> 2<sup>nd</sup>, 3<sup>rd</sup>): 1<sup>st</sup>

✓ 10. Last Authorized "B" Date: 10-1-98 Last Authorized "C" Date: 10-1-99

✓ 11. Proposed "B" Date: 10-1-2013 Proposed C Date: 10-1-2014

12. Amount Invested to date: \$105,000.00 Estimated Total Cost: \$155,000.00

(\*\*\*Estimated Remaining Cost: \$50,000.00\*)



\_\_\_13. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit. **Yes / No** \*\*\*If "No"..... What permit terms and/or conditions have not been met?

\_\_\_14. Work on the water development project completed to date includes: \_\_\_\_\_

\_\_\_15. The work remaining to be completed consists of: \_\_\_\_\_

\_\_\_16. Progress in perfecting the permit is being held up by: \_\_\_\_\_

\_\_\_17. Has the applicant pursued perfection of the right in good faith and with reasonable diligence? **Yes / No**

**Some Factors that may be considered in determining "Reasonable Diligence" [OAR 690-315-040(3)]**

- 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 permit holder conformance with the permit or previous extension conditions; and
- d. Financial investments made toward developing the beneficial water use.

\_\_\_18. Determination of the market and the present demand for water or power to be supplied: \_\_\_\_\_

**Some factors to consider in determining the Market and the Present Demand for water or power [OAR 690-315-040(4)]:**

- 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 (such as...state scenic waterways, federal wild and scenic rivers, serious water management problem areas, water quality limited sources, etc.);
- c. The habitat needs of sensitive, threatened or endangered species, in consultation with ODFW;
- 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 the present demand for water or power.

\_\_\_19. 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**

\_\_\_20. Conditions to be included on Extension PFO: \_\_\_\_\_

**Extension "PFO" Dates**

Checklist Last Revised: 9 / 12 / 2001

**Mailing / Issuance Date:** \_\_\_\_\_ **Reviewer's Name:** \_\_\_\_\_

**Protest Deadline Date:** \_\_\_\_\_ **Date:** \_\_\_\_\_



- \_\_\_13. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit. Yes / No \*\*\*If "No"..... What permit terms and/or conditions have not been met?

MET 'A' DATE

- \_\_\_14. Work on the water development project completed to date includes: \_\_\_\_\_

- CONSTRUCTION OF THE WELL • 10,000 gallon STEEL TANK INSTALLED
- METER INSTALLED
- A SWL MADE/SUBMITTED; ANNUAL MEASUREMENTS MADE
- INSTALLED 40HP 3PHASE SUBMERSIBLE PUMP W/ 745' OF 3" COLUMBIA TO 3" PVC

- \_\_\_15. The work remaining to be completed consists of: \_\_\_\_\_

- PUMP-UP / FULL APPLICATION OF WATER

- \_\_\_16. Progress in perfecting the permit is being held up by: \_\_\_\_\_

- RATE OF USE INCREASES W/ SIZE OF LANDFILL... @ FULL OPERATION THE LANDFILL WILL REQUIRE THE 0.45 CFS
- AIN OWNERSHIP • MIGHT FOR WELL CONSTRUCTION MORE EXPENSIVE DUE TO DEPTH REQUIRED

- \_\_\_17. Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes / No

Some Factors that may be considered in determining "Reasonable Diligence" [OAR 690-315-040(3)]

- 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 permit holder conformance with the permit or previous extension conditions; and
- d. Financial investments made toward developing the beneficial water use.

- Permit holder has completed approximately 100 % of the construction.
- Permit holder has beneficially used 54 % of the total permitted quantity of water.  $.245 / .45 = 54\%$
- Has the permit holder complied with conditions? Yes / No
- If No, reasons why not? \_\_\_\_\_
- Permit holder has invested approximately 68 % of the total estimated cost to complete the project.
- Other: \_\_\_\_\_

- \_\_\_18. Determination of the market and the present demand for water or power to be supplied: \_\_\_\_\_

Some factors to consider in determining the Market and the Present Demand for water or power [OAR 690-315-040(4)]:

- 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 (such as...state scenic waterways, federal wild and scenic rivers, serious water management problem areas, water quality limited sources, etc.);
- c. The habitat needs of sensitive, threatened or endangered species, in consultation with ODFW;
- 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 the present demand for water or power.

Is the POD/POA located.....

- If a GW permit, is GW hydraulically connected to SW (see original Div. 09 GW review)? NO
- within or above a state scenic waterway? NO
- within a ground water limited/critical area? NO
- within or above a segment that has been identified as a federal wild and scenic river? NO
- within an area that ODFW has identified as an ST&E Area? \_\_\_\_\_
- within an area that ODFW has identified as a HIGH Needs Ranking Area for streamflow restoration for fish?
- within an area that DEQ has identified as being water quality limited? YES
- Other: \_\_\_\_\_



19. 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

20. 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

☐ Other: \_\_\_\_\_

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

☒ COBU Requirement - Ground Water - post July 9, 1987

"Pursuant to ORS 537.630(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use."

NOTES:

Extension "PFO" Dates

Checklist Last Revised: 3/4/ 2004

Mailing / Issuance Date: \_\_\_\_\_

Reviewer's Name: Law

Protest Deadline Date: \_\_\_\_\_

Date: 4-26-04



# APPLICATION FOR EXTENSION OF TIME TO THE WATER RESOURCES DIRECTOR OF OREGON

I, Wasco County Landfill, Inc., a Delaware Corporation  
NAME

2550 Steele Road  
ADDRESS

The Dalles  
CITY

OR 97058  
STATE ZIP

(541) 296-4082  
PHONE

owner of record, or duly authorized agent, of Application No. G13708, Permit No. G12868,  
do hereby request that the time in which to:

- ☒ complete the 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, 1998, be extended to October 1, 2013,

and/or the time in which to:

- ☒ accomplish beneficial use of water to the full extent under the terms of the permit, which time now expires on October 1, 1999, be extended to October 1, 2014.

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

Attached is an instruction sheet to assist you in completing the information on the permit extension application form. Oregon Water Law and Administrative Rules requires this information to be considered by the Water Resources Department when reviewing a permit extension application. All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information that would aid us in making our decision. Please use additional sheets of paper as needed to fully respond to the questions.

After reviewing the application form and the instruction sheet, if you have any questions, you may contact the Department at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.



1. Did water system construction/well drilling begin within the time specified in the permit [yes/no]?  
Yes \_\_\_\_\_
2. Has construction of diversion/appropriation works, distribution system, and use of water, if any, been accomplished consistent with the limitations and conditions of this permit [yes/no]?  
Yes \_\_\_\_\_
- A) Please describe how you have complied with each applicable permit condition (**NOTE: the instruction sheet for permit extension applications provides some direction as to what is an "applicable" condition at time of permit extension review**).  
Well completed in 1994 with a required flow meter installed, initial level reading made and submitted. Use started immediately thereafter at approximately 50% of permitted rate. Watermaster has access to pump building anytime requested. Seven-year annual level measurements made and submitted thereafter with no substantive change in water levels. (+3')  
\_\_\_\_\_
- B) If you have not complied with all applicable conditions, please explain the reasons why and indicate a date certain, in the near future, by which time you will be in compliance with applicable conditions.  
All conditions complied with, but have not developed full use rate of permit. Landfill is expanding and use rate will be increased by requested October 1, 2013 date for extension.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit:
- A) Within the past year or, if a prior extension was authorized, during the last permit extension period:  
No new equipment added within last year.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- B) Prior to the past year or, if a prior extension was authorized, prior to the last extension period:



Drilled and cased 1,046 feet deep well. Installed 40 hp 3-phase submersible Crown pump with 945 feet of 3" column to 3" PVC feed main into a 10,000 gallon steel tank. Line also serves an adjacent fire hydrant. Tank is established with a tanker truck, gravity fill spout, and drive under truck load area. Two 4,000 gallon tankers transport water to use on site acquired.

4. I have accomplished beneficial use of water under the permit to the extent of (amount of water used and acres irrigated):

A) Quantity of Water Used [in cubic feet per second (cfs) or gallons per minute (gpm) if using surface water or ground water.....and/or..... in acre-feet (af) if using stored water]:

110 gpm --which is present pump capacity.

B) Number of Acres Irrigated (if an irrigation permit):

N/A

5. Cost of project to date \$105,000.00. Estimated remaining cost to complete the project \$50,000.00.

6. Please list the reasons why the project was not constructed, and/or water not beneficially used within permit time limits under the appropriate categories below. Please provide supporting information for each reason identified:

A) The project is of a size and scope that the original intent was to phase it in over a period longer than the timeframes allowed in the permit.

Landfill has changed ownership three times since original permit was issued. Landfill site has increased by nearly 100% in size. Original owner's method for development was "do minimum". Current owner is for full development of site for long-term benefit and use of Wasco County residents.



- B) Financing and/or cash-flow needs to develop the project precluded completion of the project within authorized timeframes.

Cash required for initial development was considerably more than anticipated due to depth required to develop water (over 1,000 feet). Cash flow is dependent on overall site development.

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

The applicant has complied with all permit conditions insofar as they are aware.

- D) Acts of God or other unforeseen events delayed full development of the water system and use of water.

N/A

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

Nancy Mitchell  
Signature  
Mgr of Wasco Co. Landfill, Inc.

7-9-03  
Date

**MAIL COMPLETED APPLICATION and STATUTORY FEE OF \$100 TO:**

WATER RIGHT PERMIT EXTENSIONS  
WATER RESOURCES DEPARTMENT  
158 12<sup>th</sup> STREET NE  
SALEM, OREGON 97301- 4172

revised: September 18, 2002

**RECEIVED**

JUL 25 2003

WATER RESOURCES DEPT.  
SALEM, OREGON



## Permit Extension Ground Water Review

Date: August 21, 2003  
To: ~~Franklin~~, Ground Water Section Manager  
From: Lisa Juul, Permit Extension Review  
Subject: Ground Water Review Needed for File #G- 13708 / Permit #G- 12868

The above referenced permit is currently being reviewed for an extension of time. Before I can determine whether or not an extension of time should be granted, however, a Ground Water review for this file is necessary due to the following:

**NOTE:** Original Division 9 review completed by: Doug Woodcock

- ☐ No Division 9 Ground Water Review Done.... **please see below**
- ? ☒ Located within a **Critical** Ground Water Area ? Close to Threemile Reservoir  
OK, OUTSIDE, CGWA.  
DW
- ☐ Located within a Ground Water **Limited** Area
- ☐ Located within a Ground Water **Study** Area
- ☐ 5-Year Limited Permit
- ☒ Other: Please See Below

### For Ground Water / Hydrology Staff Use: DEW 9-26-03

☐-YES ☒-NO

Please complete a Div. 9 and Scenic Waterway (SWW) Review for this file. Due to the early priority date associated with this permit, no prior Div. 9 or SWW review was ever done.

\* Please answer the following questions. If necessary, attach an additional sheet.

1. Should any additional conditions be added to this permit? No
2. Should the extension of time request be further conditioned or **DENIED** due to ground water supply concerns? No
3. Should the Department establish a new reference level for water level declines due to the failure of permittee to submit annual measurements? No
4. Other issues or concerns? \_\_\_\_\_



# Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## G-13708

ROUTED TO: WATER RIGHTS

TOWNSHIP/

RANGE-SECTION: 1N/13E-24

CONDITIONS ATTACHED? ☒ yes ☐ no

REMARKS OR FURTHER INSTRUCTIONS:

---

---

---

Reviewer: D. Woodcock







TO: Water Rights Section

JAN 9, 1994

FROM: Groundwater/Hydrology Section Doug Woodcock

Reviewer's Name

SUBJECT: Application G- 13708

### GROUNDWATER/SURFACE WATER CONSIDERATIONS

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

### GROUNDWATER AVAILABILITY CONSIDERATIONS

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

REMARKS:

(Well Construction Considerations on Reverse Side)

13708



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

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

RECOMMENDATION:

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

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

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

(Signature)

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

(Signature)

\_\_\_\_\_, 199\_\_.



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

JAN 12 1995

Page 1 of 3

48016

(1) OWNER:

Name Sanifill  
Address 2550 Steel Rd  
City The Dalles State Or Zip 97058

(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 1046 ft.  
Explosives used ☐ Yes ☒ No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
12	0	220				
10 5/8	220	533				
8	533	1046	Cement	0	220	11 Cu. yds

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	8	+2	538	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 538

(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 72 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 1N N or S. Range 13 E E or W. WM.  
Section 24 NE 1/4 NW 1/4  
Tax Lot 2500 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) same

(10) STATIC WATER LEVEL:

780 ft. below land surface. Date \_\_\_\_\_  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:

Depth at which water was first found 947

From	To	Estimated Flow Rate	SWI
947	1046		780

(12) WELL LOG:

Ground elevation \_\_\_\_\_

Material	From	To	SWI
Fill	0	4	
SS Fine Brn	4	16	
SS coarse brn	16	35	
Gravel med(broken rock)	35	44	
SS Fine brn	44	49	
Clay Brn	49	55	
Coarse Brn	55	60	
SS Fine hard brn	60	89	
Gravel med, Multi Colored	89	92	
SS Coarse blk	92	99	
Gravel med	99	110	
SS Coarse brn	110	161	
SS Coarse hardbrn	161	168	
SS Fine blk	168	269	
Sand Stone hard Fine Brn	269	280	
SS Fine hard brn	280	360	
SS Fine hard pink	360	420	
Basalt soft blk	420	435	
SS Coarse Multi Color har	435	460	
Clay stone hard grey	460	488	
Sandstone brn	488	521	

Continued page 2

Date started 9-8-94 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. Material 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 [Signature] WWC Number 790  
Date 1-9-95



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

JAN 12 1995  
WATER RESOURCES DEPT.  
SALEM, OREGON (START CARD) # 48016

Page 2 of 3

(1) OWNER: Well Number \_\_\_\_\_  
Name Sanifill  
Address 2550 Steel Rd  
City The Dalles State Or. Zip 97058

(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:

	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 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

<input type="checkbox"/> Pump	<input type="checkbox"/> Bailer	<input type="checkbox"/> Air	<input type="checkbox"/> 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	SWL

(12) WELL LOG:

Ground elevation \_\_\_\_\_

Material	From	To	SWL
SS with clay brn	521	535	
Basalt hard grey	535	541	
Rock fract	541	560	
Claystone grey	560	568	
rock	568	586	
Rock w/clay seams	586	590	
Claystone hard grey	590	607	
Basalt hard grey	607	618	
Basalt soft blk	618	622	
SS Coarse hard brn	622	624	
Basalt hard bract blk	624	635	
Basalt hard green clay			
seams grey	635	649	
Basalt hard blk	649	658	
Rock soft multi color	658	667	
Basalt hard grey	667	730	
SS or clay soft brn	730	733	
Rock fract (broken) Brn	733	740	
Basalt hard green clay			
seams	740	760	
Basalt hard grey	760	876	
Basalt hard greygreen clay			

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 \_\_\_\_\_  
Signed \_\_\_\_\_ Date \_\_\_\_\_



## 48016

JAN 12 1995

T (START CARD) #

48016

## Well Number:

Name Sanifill  
Address 2550 Steel Rd.  
City The Dalles State Or. Zip 97058

☐ New Well    ☐ Deepen    ☐ Recondition    ☐ Abandon

☐ Rotary Air      ☐ Rotary Mud      ☐ Cable  
☐ Other \_\_\_\_\_

☐ Domestic    ☐ Community    ☐ Industrial    ☐ Irrigation  
☐ Thermal    ☐ Injection    ☐ Other \_\_\_\_\_

Special Construction approval Yes No Depth of Completed Well \_\_\_\_\_ ft  
 Yes No ☐ ☐  
 Explosives used ☐ ☐ Type \_\_\_\_\_ Amount \_\_\_\_\_

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

	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 shoet(s)

☐ Perforations      Method \_\_\_\_\_

☐ Screens      Type \_\_\_\_\_ Material \_\_\_\_\_

[illegible]☐ 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: \_\_\_\_\_

County \_\_\_\_\_ 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) \_\_\_\_\_

\_\_\_\_\_ ft. below land surface. Date \_\_\_\_\_

Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

Depth at which water was first found _____			
From	To	Estimated Flow Rate	SWL

## Ground elevation \_\_\_\_\_

Material	From	To	SWL
Basalt hard grey W/green clay seams	876	888	
Basalt hard grey green clay seams	888	902	
Basalt hard grey	902	940	
Basalt med blk	940	947	
Basalt soft blk W/B	947	1006	
Basalt med blk fract	1006	1012	
Basalt med hard bract blk	1012	1026	
Basalt hard fract grey	1026	1046	780

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.

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. 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.

Signed [Signature] WWC Number \_\_\_\_\_  
Date \_\_\_\_\_



TO: Water Rights Section

JAN 9, 19996

FROM: Groundwater/Hydrology Section Doug Woodcock  
Reviewer's Name

SUBJECT: Application G- 13708

### GROUNDWATER/SURFACE WATER CONSIDERATIONS

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

### GROUNDWATER AVAILABILITY CONSIDERATIONS

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

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Well Construction Considerations on Reverse Side)



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

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

RECOMMENDATION:

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

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

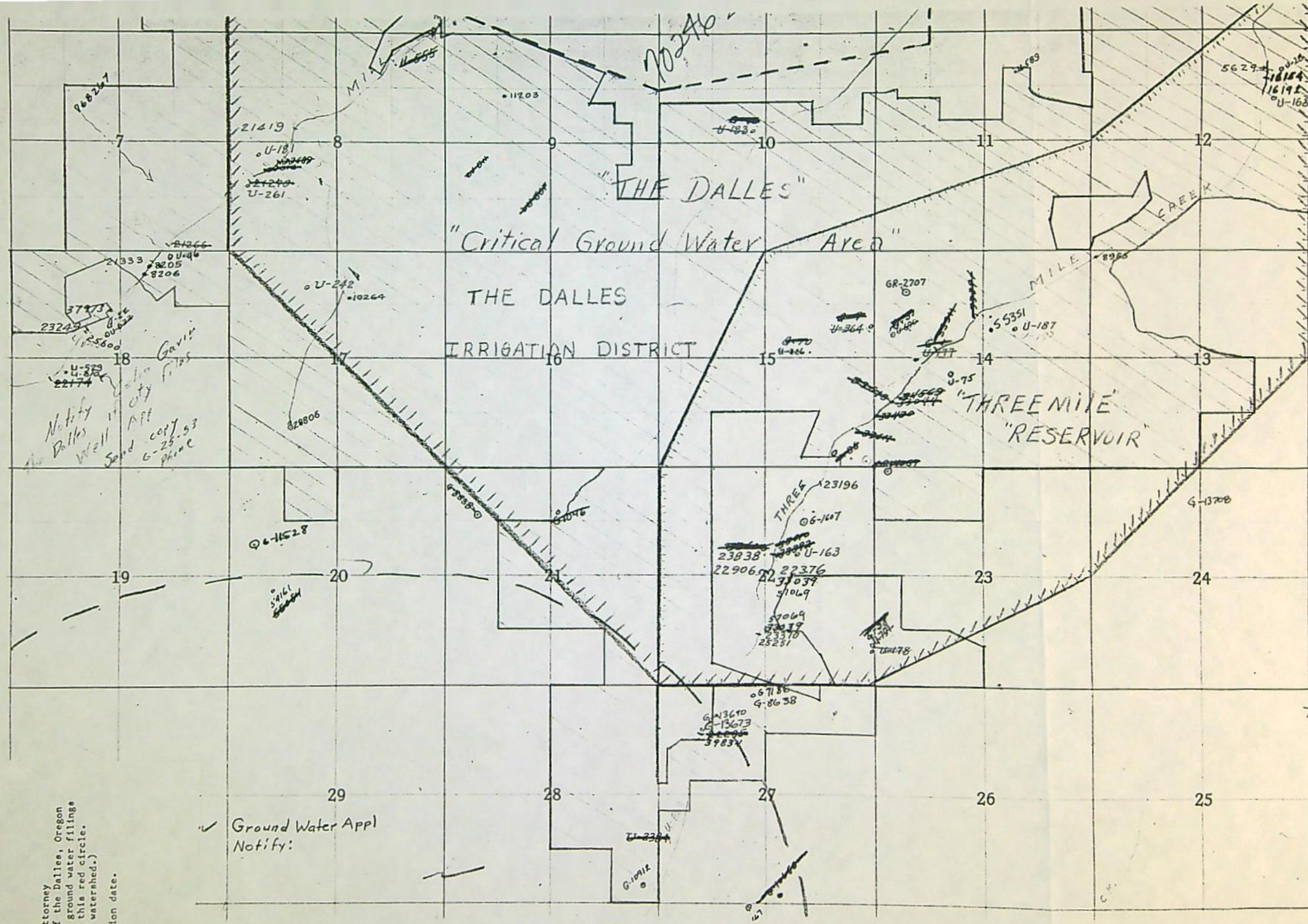
I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit

\_\_\_\_\_, 199\_\_\_\_.  
(Signature)

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

\_\_\_\_\_, 199\_\_\_\_.  
(Signature)





Attorney  
of the Dalles, Oregon  
ground water filing\*  
this red circle.  
waterashed.)  
tion date.



RECEIVED

APR 10 2003

WATER RESOURCES DEPT.  
SALEM, OREGONOregon Water Resources Department  
PERMIT CONDITION WATER-LEVEL REPORTING FORM

RI: Required Water Level Report for a Well on Permit G 12868 Certificate 0 Pod 1 Application G 13708  
 Listed on water right as: A WELL. Well log ID (if any, in our records): WASC 2196  
 Well location: In the NW quarter of the NE quarter of Section 24, Township 1N, Range 13E  
 058.3 FEET SOUTH & 284.1 FEET WEST FROM NW/4 CORNER, SECTION 24  
 Priority date: 6/8/1994

SANIFILL INC.; NORTHERN WASCO COUNTY LANDFILL  
 3550 STEELE RD  
 TIR DALLES OR 97058

Our records indicate that you are the holder of a groundwater permit that requires that you periodically measure and report static water levels in your well(s). If you are no longer the holder of this permit or no longer have an interest in it, please contact our department. Consult your permit to determine the required times for measuring and reporting, as well as any requirements regarding who may make the measurements. We recommend that you keep a copy of all measurement reports for your records. All measurements should be made to at least the nearest tenth of a foot or the nearest inch (e.g. 10.2 feet or 10 feet 3 inches). All wells that have been constructed must be measured regardless of whether they are being used, in accordance with your permit.

## MEASUREMENT REPORT

(Complete one form for each well.)

Well Identification (Provide as much of the following information as possible; correct any errors from our files):

Well not yet drilled as of date: \_\_\_\_\_  
 Original owner on well log: SANIFILL Northern Wasco Co. Landfill  
 Well ID # (on tag attached to casing): L 48016 Storyard number (if listed on well log): 48016  
 Well depth: 046.00 (ft) Casing diameter: 8.00 (in) Date drilled: 9-8-94 9/8/1994  
 Owner's well name: Wasco County Landfill Drilled by: Charles Austin

When did water use begin under this permit from this well? Date: Month/Yr Sept 1994

Show all water rights listing this well:

Application number(s): G13708  
 Permit number(s): G10868  
 Certificate number(s): \_\_\_\_\_

## Measurement Details:

Date of measurement: 3-26-03

Description of measuring point (e.g. 1 1/4" port pipe on north side): ground level

Static water level above/below (circle one) measuring point: 99.33' feet, or airline pressure 43 psi

Measuring point distance above/below (circle one) land surface: \_\_\_\_\_ feet, or airline length \_\_\_\_\_ feet

Static water level above/below (circle one) land surface: \_\_\_\_\_ feet

Shut-in pressure (if flowing artesian well): N/A psi

Method of measurement: E-tube \_\_\_\_\_ Airline ☒ Other (specify): \_\_\_\_\_Water-level status when measured: Static ☒ Pumping \_\_\_\_\_ Rising \_\_\_\_\_ Flowing \_\_\_\_\_ Other \_\_\_\_\_

Length of time well was idle before measurement: 2 hours

Comments (use back or extra sheet if necessary): \_\_\_\_\_

I hereby certify that, to the best of my ability, the information on this report is accurate and, at the time of measurement, representative of the static water level in the aquifer.

Person making measurement (print): Roger Wolff

Signature of measurer: \_\_\_\_\_

Company: M-K Drilling Co.

License number (CWR, RCI, PI, WWC, Pump Installer): \_\_\_\_\_

Daytime phone number: 509-767-1348 Email address: water@gorge.net

If you have any questions about this notice, please call the Ground Water/Hydrology Section of the Department at 503-378-8655 ext. 245.  
 Return this Form to: OWRD, Ground Water/Hydrology Section, 158 12th St. NE, Salem, OR 97310-4172.

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

OWRD 2/19/2003

GW/KCW

Water Level Data on File at OWRD for this well (last 3 measurements only, most recent date on top):

DATE	STATUS	METHOD	NP Height	WL BLS MEASURED BY	COMMENTS
03/26/03	STATIC	AIRLINE		848.00 ROGER WOLFF	OFF 2 HRS
03/26/03	STATIC	AIRLINE		848.00 ROGER WOLFF	
03/26/03	STATIC	AIRLINE		848.00 CHARLES MOORE	IDLE 4 HRS



ed times for measuring and reporting, as well as a list of persons eligible to make the  
measurements.

Use this letter for your reply, placing any additional information on the back side if necessary.  
I commend you keep a copy of this measurement report for your records.

RECEIVED

APR 10 2003

WATER RESOURCES DEPT.  
SALEM, OREGON

## MEASUREMENT REPORT

Name or Number (if any): Wasco County LandfillMeasurement Date: 3-26-03Person Making Measurement: ROGER WOLFDescription of Measuring Point: GROUND LEVEL feet above/below  
surfaceWater Level: 845.67 feet below land surfaceTime Well was Idle Before Measurements: 24 HRS

Notes/Comments:

SUX UP 233' SINCE 2007

I certify that, to the best of my ability, the information on this report is accurate and, at the  
measurement, representative of the static water level in the aquifer.

Signature of Person Making Measurement:

Charles Moore

Organization:

M-K Drilling Co.

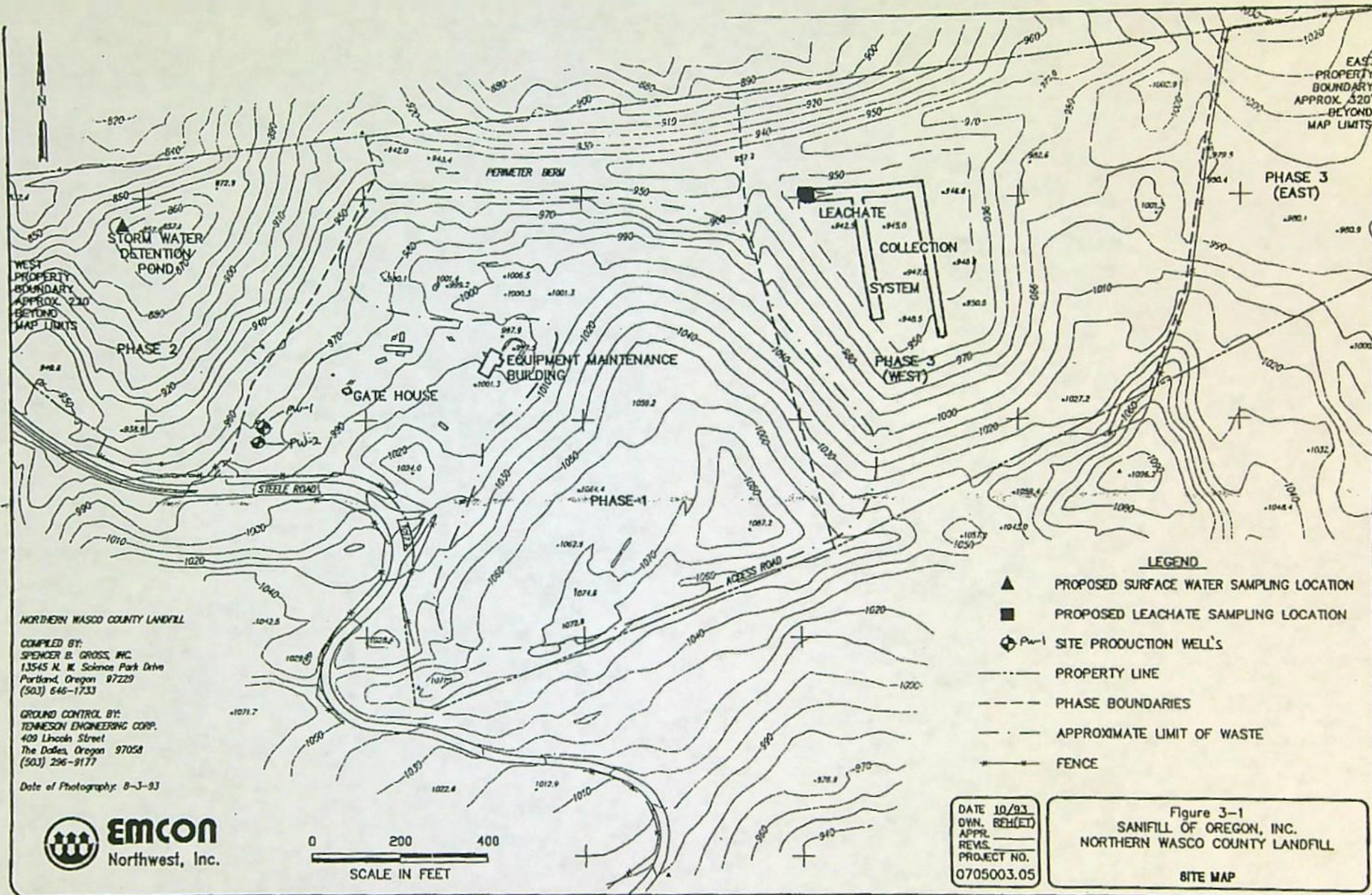
For your attention to this matter. If you have any questions about this notice, please call  
Groundwater/Hydrology Section of the department at 378-8455 ext. 207.



06/30/95 FRI 13:39 FAX 503 620 7658

EMCON - PORTLAND

0003



RFH C:\DWG\0705\003\05F3-1 10/29/93

PW-2  
S-658.3 ft  
W-284.1 ft

FROM  
N 1/4 CORNER  
SEC. 24  
T1N, R13E  
KEND.

Application No. G 13708  
Permit No. G12868

WATER RESOURCES DEPT.  
SALEM, OREGON

RECEIVED

JUL 16 1996



613708

512 Washington Street  
The Dalles, OR 97058

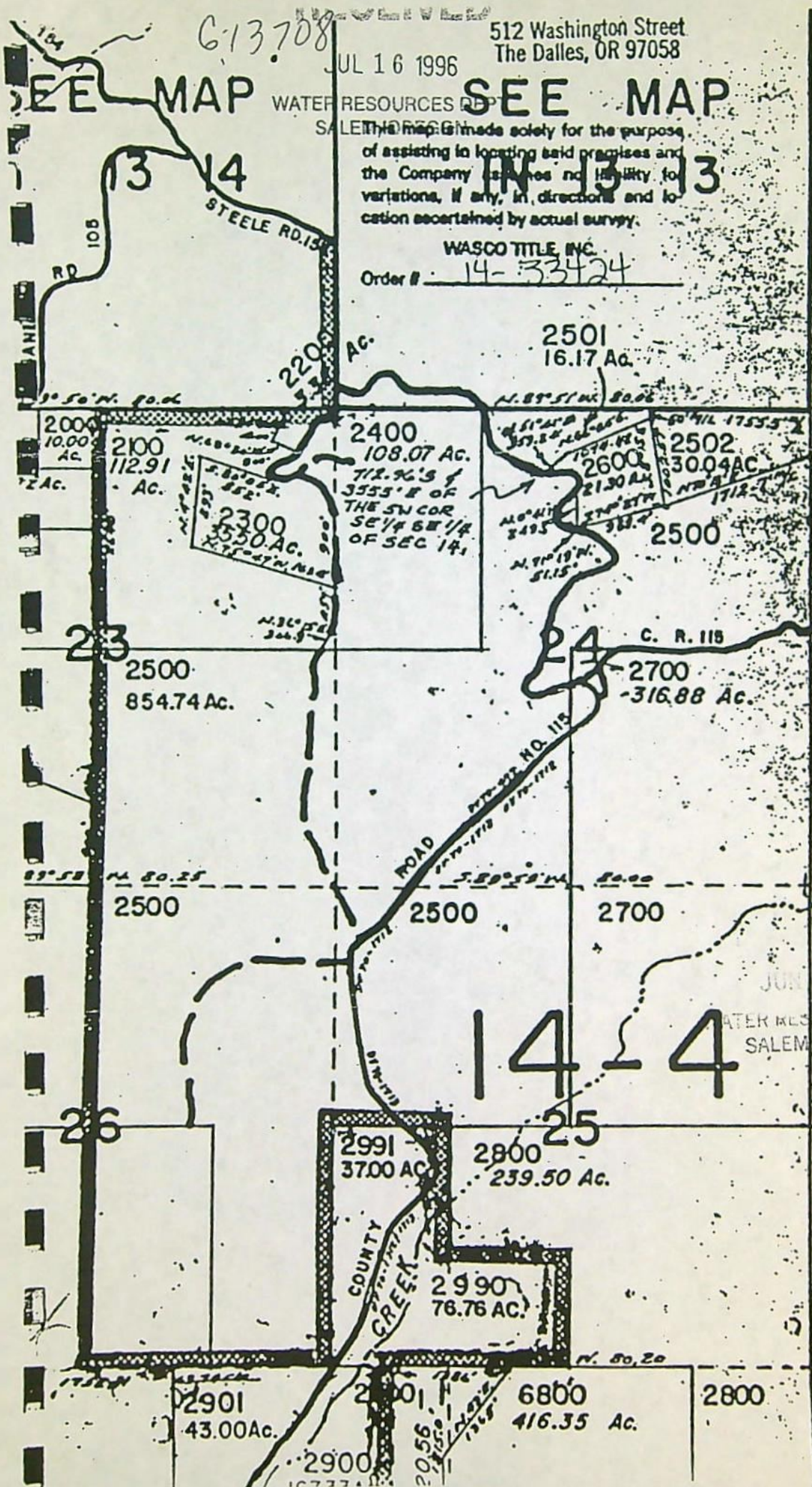
JUL 16 1996

WATER RESOURCES DEPT

SALE OF LAND made solely for the purpose  
of assisting in locating said premises and  
the Company assumes no liability for  
variations, if any, in directions and lo-  
cation ascertained by actual survey.

WASCO TITLE, INC.

Order # 14-33424



- 3202
- 3203
- 3204
- 3205
- 3206
- 3300
- 3400
- 3401
- 3402
- 3501
- 3502
- 3503
- 3504
- 3505
- 3506
- 3507
- 3600
- 3601
- 3701
- 3900
- 4000
- 4100
- 4400
- 4500
- 4600
- 4700
- 4800
- 100
- 200
- 300
- 401
- THRU
- 405
- 500

1994

OREGON

JUN 15 1994

WATER RESOURCES DEPT  
SALEM OREGON

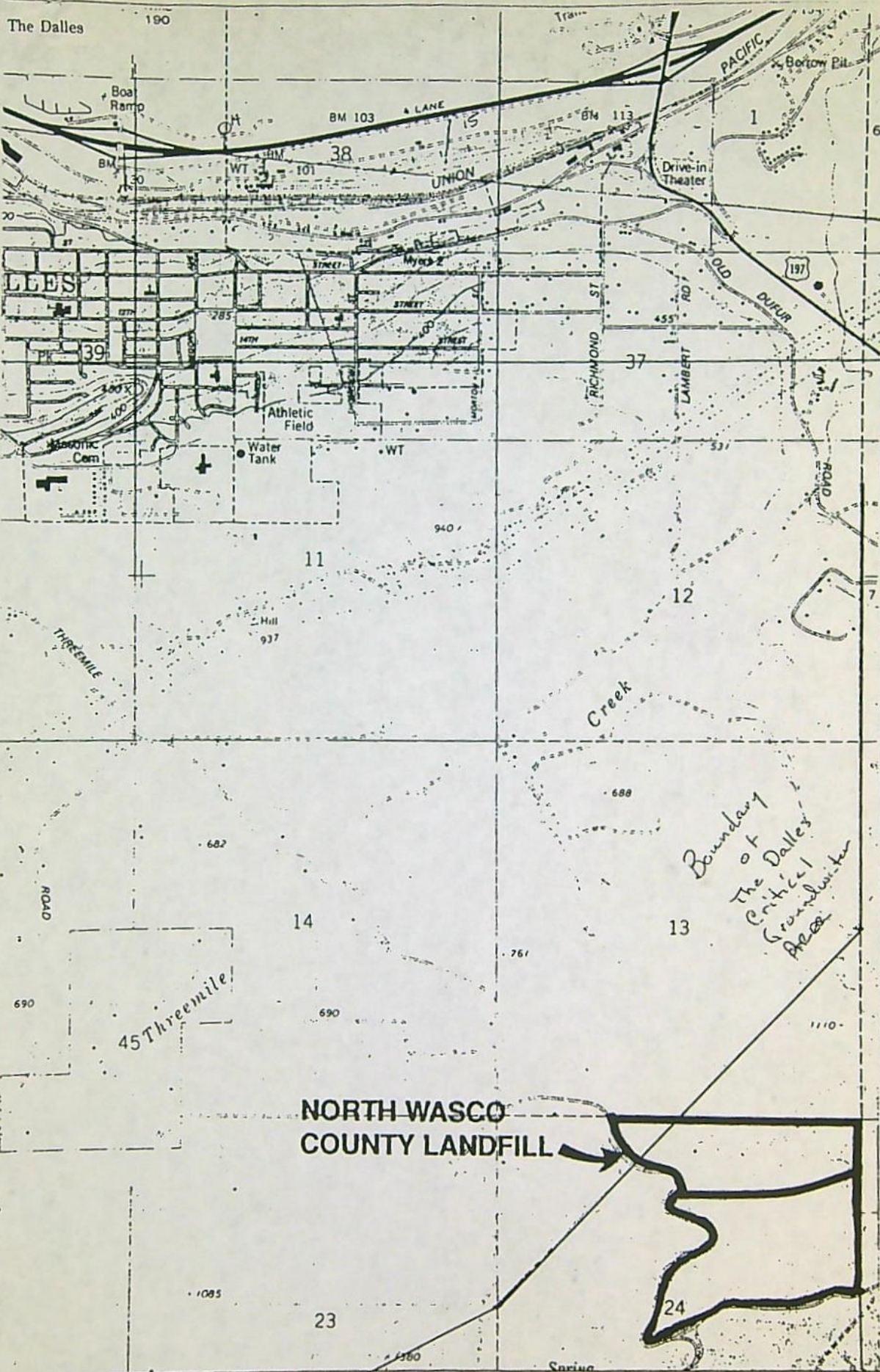
PARCEL  
6101

1.21 AC  
2.21 AC  
2.16 AC  
3.11 AC  
5.75 AC



The Dalles

190



RECEIVED

JUN - 8 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

RECEIVED

JUL 16 1996

WATER RESOURCES DEPT.  
SALEM, OREGON

Critical Groundwater restricts use  
from Three mile Groundwater Reservoir  
Dalles Groundwater Reservoir

NORTH WASCO  
COUNTY LANDFILL

ICINITY MAP

No. G-13708  
Permit No.



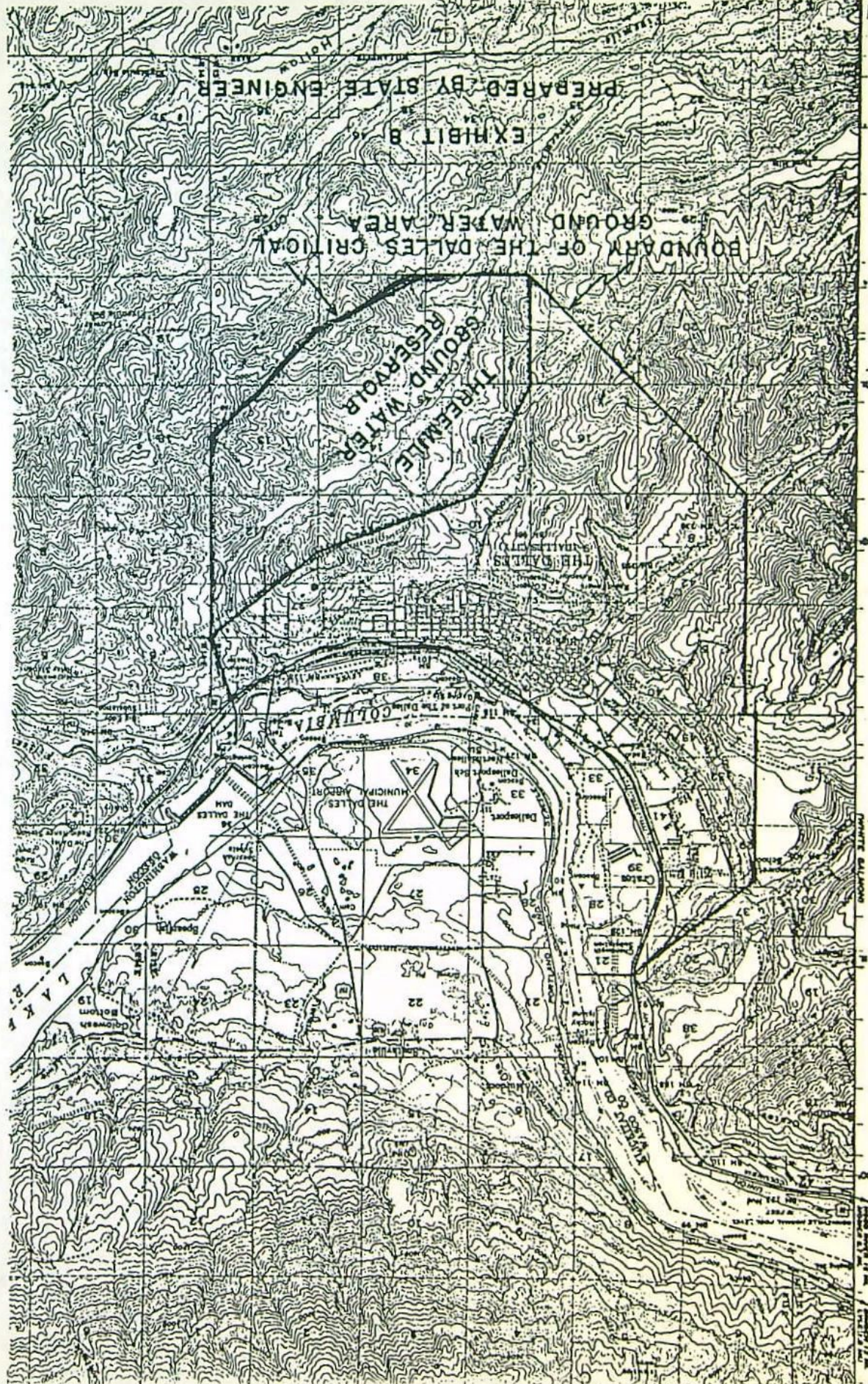
RECEIVED

JUN - 8 1994

WATER RESOURCES DEPT.

SALEM, OREGON

N



613708





# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

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

August 4, 2003

Tenneson Engineering Corporation  
409 Lincoln Street  
The Dalles, Oregon 97058

Reference: Application G-13708, Permit G-12868

The assignment by deed from Sanifill Inc., Northern Wasco County Landfill to Wasco County Landfill, Inc., a Delaware Corporation, has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 61605 covering the recording fee of \$25.00 is also enclosed.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosure: receipt 61605

cc: Watermaster 3  
Sanifill Inc.  
Wasco County Landfill, Inc.  
Data Center, OWRD  
Mary Rohling  
File



Oregon Water Resources Department

Date 07/24/2003  
Type Bill  
Reference Pmt # G-12868Original Amt.  
25.00

7/24/2003

Balance Due 25.00  
Discount  
Check Amount28265  
Payment 25.00  
25.00

Columbia River Bank

Permit # G-12868 Request for Assignment

**RECEIVED**  
JUL 25 2003  
WATER RESOURCES DEPT.  
SALEM, OREGON

25.00

STATE OF OREGON  
WATER RESOURCES DEPARTMENT158 12TH ST. N.E.  
SALEM, OR 97301-4172  
378-8455 / 378-8130 (FAX)

RECEIPT # 61605

INVOICE #

RECEIVED FROM: Tenneson Engineering  
BY: CorpAPPLICATION G13708  
PERMIT  
TRANSFERCASH: ☐ CHECK: # 28265 OTHER: (IDENTIFY) ☐TOTAL REC'D \$ 25.00

## 0401 TREASURY 0417 WRD MISC CASH ACCT

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

## 0427 WRD OPERATING ACCT

MISCELLANEOUS		
0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY) <u>Assign</u>	\$ <u>25.00</u>
TC162	DEPOSIT LIAB. (IDENTIFY)	\$
0240	EXTENSION OF TIME	\$

## WATER RIGHTS:

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

## WELL CONSTRUCTION

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

OTHER (IDENTIFY)

## 0536 TREASURY 0437 WELL CONST. START FEE

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

## 0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

## TREASURY OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION \$

RECEIPT: 61605

DATED: 7/25/03BY: Connie Vance



# REQUEST FOR ASSIGNMENT

RECEIVED

JUL 25 2003

WATER RESOURCES DEPT.  
SALEM, OREGON

I, Sanifill, Inc. dba Northern Wasco County Landfill  
(Name of Applicant / Permit Holder)

2550 Steele Road  
(mailing address)

The Dalles  
(City)

OR  
(State)

97058  
(Zip)

(541) 296-4082  
(Phone #)

## CHECK ONE

- ✓ • ...hereby assign **all my interest** in and to application/permit;
- • ...hereby assign **all my interest** in and to a **portion** of application/permit;  
(You must include a map showing the portion of the application/permit to be assigned.)
- • ...hereby assign **a portion of my interest** in and to the **entire** application/permit;

Application # G-13708, Permit # G-12868;

-OR-

GR Statement # --, GR Certificate of Registration # --

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

Wasco County Landfill, Inc., a Delaware Corporation  
(Name of New Owner)

2550 Steele Road  
(mailing address)

The Dalles  
(City)

OR  
(State)

97058  
(Zip)

(541) 296-4082  
(Phone #)

## NOTE:

If there are other owners of the property described in this Application, Permit or Certificate of Ground Water Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form. N/A

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 9 day of July, 2003.

Applicant/Permit holder

Nancy Mitchell  
Nancy Mitchell, Manager

Applicant/Permit holder

## DO NOT WRITE IN THIS BOX

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
- Fee receipt # 61605
- For Director by Jerry Sauter, Program Analyst in Water Rights Division

The completed "Request for Assignment" form *must be* submitted to the Department along with the appropriate recording fees:

- •\$25 for the first page, and
- •\$5 for **each** additional page.  
[as required by ORS 536.050(1)(d)]

WATER RESOURCES DEPARTMENT  
158 12<sup>TH</sup> STREET NE  
SALEM, OREGON 97301-4172



Microfilm No. 20032830<sup>(5)</sup>

Grantor:

Republic Services of Oregon I, LLC  
620 Coolidge Drive, Suite 350  
Folsom, California 95630-3155

Grantee:

Wasco County Landfill, Inc.  
620 Coolidge Drive, Suite 350  
Folsom, California 95630-3155

After recording, return to:

Winnifred C. Ward, Esq.  
Shartsis, Friese & Ginsburg LLP  
One Maritime Plaza, 18<sup>th</sup> Floor  
San Francisco, California 94111

Until requested otherwise, send all tax statements to:

Wasco County Landfill, Inc.  
620 Coolidge Drive, Suite 350  
Folsom, California 95630-3155  
Attention: Mr. Randy Renfro

FILED  
WASCO COUNTY

2003 MAY 15 P 3:02

KAREN LEBRETON COATS  
STATE OF OREGON  
County of Wasco, Oregon  
I certify that this document was received  
and recorded in the  
**DEED** records.  
Karen LeBreton, County Clerk  
A+T 11 LC 10 Recording 25

BARGAIN AND SALE DEED

REPUBLIC SERVICES OF OREGON, LLC, an Oregon limited liability company,  
Grantor, conveys to WASCO COUNTY LANDFILL, INC., a Delaware corporation, Grantee,  
the following real property situated in Wasco County, Oregon, to-wit:

[SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF]

The true consideration for this conveyance is Zero Dollars (\$0.00).

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.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

20032830<sup>(5)</sup>

WCW51190871228549.01  
DEED FROM REPUBLIC TO WASCO; TAX LOTS 100 & 200

RECEIVED

JUL 25 2003

WATER RESOURCES DEPT.  
SALEM, OREGON

AMERITITLE

20032830<sup>(5)</sup>

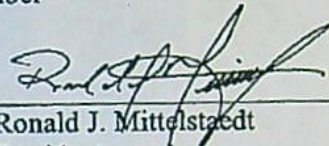


Dated this 12<sup>th</sup> day of May, 2003.

REPUBLIC SERVICES OF OREGON, LLC, an Oregon limited liability company

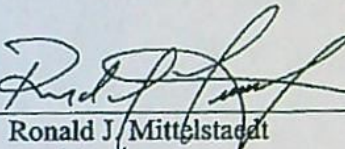
By: WASTE CONNECTIONS, INC.,  
a Delaware corporation,  
Its Member

By:

  
\_\_\_\_\_  
Ronald J. Mittelstaedt  
President

By: ARROW SANITARY SERVICE, INC.,  
an Oregon corporation,  
Its Manager

By:

  
\_\_\_\_\_  
Ronald J. Mittelstaedt  
President

20032830(5)

WCW5119087\1228549.01  
DEED FROM REPUBLIC TO WASCO; TAX LOTS 100 & 200

20032830(5)

**RECEIVED**

JUL 2 5 2003

WATER RESOURCES DEPT.  
SALEM, OREGON



EXHIBIT A

LEGAL DESCRIPTION

PARCEL I:

The following described property situated in the County of Wasco and State of Oregon:

A tract of land located in the North one-half of Section 24, Township 1 North, Range 13 East of the Willamette Meridian, described as follows:

Beginning at a point on the Northerly right-of-way line of Three Mile County Road, said point being 712.76 feet South and 3,555 feet East of the Southwest corner of Southeast quarter of the Southeast quarter of Section 14, said Township and Range, said point also being 30 feet opposite (when measured at right angles from) Engineers Centerline Station 80+74; thence North 51°41 minutes East 359.24 feet; thence North 65°24 minutes East 1,074.42 feet; thence South 8°15 minutes East 1,002.57 feet; thence South 74°27 minutes West 989.4 feet; thence North 71°19 minutes West 51.15 feet; thence North 0°41 minutes West 249.5 feet, more or less, to a point on the Southeasterly right-of-way line of said County Road, which point is 30 feet opposite (when measured at right angles from) Engineers Centerline Station 88+75.6; thence tracing said Easterly and Northerly right-of-way line 801.0 feet, more or less, to the point of beginning.

PARCEL II:

Lot 1 of PARTITION PLAT 94-0021, recorded August 22, 1994, Microfilm No. 94-3855 being in Section 24, Township 1 North, Range 13 East of the Willamette Meridian, Wasco County, Oregon.

PARCEL III:

A tract of land in the South 1/2 of Section 13, Township 1 North, Range 13 East of the Willamette Meridian, Wasco County, Oregon, being more particularly described as follows:

Commencing at the Southeast corner of said Section 13; thence North 88°56 minutes 36 seconds West along the South line of said Section 13 a distance of 489.79 feet to the true point of beginning of this description; thence North 13°35 minutes 22 seconds West 1,883.32 feet; thence North 73°33 minutes 06 seconds West 1242.77 feet; thence South 64°46 minutes 41 seconds West 2,000.87 feet to the intersection with the West line of the East 1/2 of the West 1/2 of said Section 13; thence South 00°10 minutes 35 seconds West along the said West line 1,266.46 feet to the intersection with the South line of said Section 13, said point also being the Southwest corner of the Southeast 1/4 of the Southwest 1/4 of said Section 13; thence South 88°57 minutes 07 seconds East along the South line of said Section 13 a distance of 1,316.63 feet to the South 1/4 corner of said Section 13; thence continuing along the South line of said Section 13, South 88°56 minutes 36 seconds East 2,132.38 feet to the point of beginning.

LESS AND EXCEPT Steele County Road #154 right-of-way.

Bearings based on Steele/Fivemile County Road alignment.

WCW5119087\1228549.01  
DEED FROM REPUBLIC TO WASCO; TAX LOTS 100 & 200

20032830<sup>(5)</sup>

RECEIVED

JUL 25 2003

WATER RESOURCES DEPT.  
SALEM, OREGON

20032830<sup>(5)</sup>



# CALIFORNIA ALL PURPOSE ACKNOWLEDGEMENT

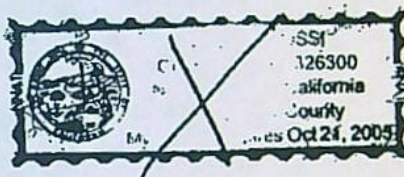
State of California )

SS.

County of Sacramento )

On May 12, 2003, before me, Gale M. Rossi, Notary Public  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Ronald J. Mittelstaedt  
Name(s) of Signer(s)



☒ personally known to me  
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Gale M. Rossi  
Signature of Notary Public

Place Notary Seal Above

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: Bargain and Sale Deed

Document Date: May 12, 2003 Number of Pages: 3

Signer(s) Other Than Named Above: NONE

### Capacity(ies) Claimed by Signer

Signer's Name: Ronald J. Mittelstaedt

- ☐ Individual  
☒ Corporate Officer - Title(s) President  
☐ Partner - ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other

Signer is Representing: Waste Connections, Inc.

RIGHT THUMBPRINT  
 OF SIGNER  
 Top of Thumb Here

20032830(5)

20032830(5)

RECEIVED

JUL 25 2003

WATER RESOURCES DEPT.  
 SALEM, OREGON



# CALIFORNIA ALL PURPOSE ACKNOWLEDGEMENT

State of California )

SS.

County of Sacramento )

On May 12, 2003, before me, Gale m. Rossi Notary Public  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Ronald J. Mittelstaedt  
Name(s) of Signer(s)

☒ personally known to me  
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Gale M. Rossi  
Signature of Notary Public

Place Notary Seal Above

## OPTIONAL

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

### Description of Attached Document

Title or Type of Document: Bargain and Sale Deed

Document Date: May 12, 2003 Number of Pages: 3

Signer(s) Other Than Named Above: NONE

### Capacity(ies) Claimed by Signer

Signer's Name: Ronald J. Mittelstaedt

- ☐ Individual  
☒ Corporate Officer - Title(s) President  
☐ Partner - ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other

Signer is Representing: Arrow Sanitary Service, Inc.



WCWS119V0871228549.01  
 DEED FROM REPUBLIC TO WASCO; TAX LOTS 100 & 200

20032830<sup>(5)</sup>

RECEIVED

JUL 25 2003

WATER RESOURCES DEPT.  
 SALEM, OREGON

TOTAL P.06

20032830



**WASCO TITLE, INC.**  
512 WASHINGTON STREET  
THE DALLES, OR 97058  
Phone: (541) 296-2495 ♦ Fax: (541) 298-2870

---

Date: July 18, 2003

Our Order No. 14-42944

Lot Book Service

Fee  
\$150.00

### LOT BOOK SERVICE

PROPERTY ADDRESS: BAREGROUND

TENNESON ENGINEERING CORPORATION  
Attention: DONALD J. BRANTON  
409 LINCOLN ST.  
THE DALLES, OR 97058

We have searched our Tract Indices as to the following described property:

FOR LEGAL DESCRIPTION SEE EXHIBIT 'A'

and as of July 11, 2003 at 8:00 A.M. the last Deed of Record runs to:

WASCO COUNTY LANDFILL, INC.;

**RECEIVED**  
JUL 25 2003  
WATER RESOURCES DEPT.  
SALEM, OREGON

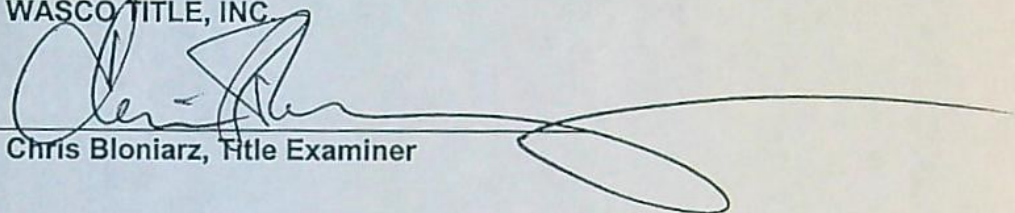


We also find the following unpaid taxes and city liens, encumbrances, judgments, and state and federal taxes liens within ten years prior to effective date thereof:

1. NONE

**THIS IS NOT A TITLE REPORT**, since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore, above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Lot Book Service and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.

WASCO TITLE, INC.

A handwritten signature in black ink, appearing to read 'Chris Bloniarz', is written over a horizontal line. The signature is stylized with a large, sweeping loop at the end.

Chris Bloniarz, Title Examiner

**RECEIVED**  
JUL 25 2003  
WATER RESOURCES DEPT.  
SALEM, OREGON



## EXHIBIT "A"

### PARCEL I:

The following described property situated in the County of Wasco and State of Oregon:

A tract of land located in the North one-half of Section 24, TOWNSHIP 1 NORTH RANGE 13 EAST OF THE WILLAMETTE MERIDIAN, described as follows:

Beginning at a point on the Northerly right of way line of Three Mile County Road, said point being 712.76 feet South and 3,555 feet East of the Southwest corner of Southeast quarter of the Southeast quarter of Section 14, said Township and Range, said point also being 30 feet opposite (when measured at right angles from) Engineers Centerline Station 80+74; thence North 51° 41' East 359.24 feet; thence North 66° 24' East 1,074.42 feet; thence South 8° 15' East 1,002.57 feet; thence South 74° 27' West 989.4 feet; thence North 71° 19' West 51.15 feet; thence North 0° 41' West 249.5 feet, more or less, to a point on the Southeasterly right of way line of said County Road, which point is 30 feet opposite (when measured at right angles from) Engineers Centerline Station 88+75.6; thence tracing said Easterly and Northerly right of way line 801.0 feet, more or less, to the point of beginning.

### PARCEL II:

Lot 1 of PARTITION PLAT 94-0021, recorded August 22, 1994, Microfilm No. 94-3855 being in Section 24, Township 1 North, Range 13 East of the Willamette Meridian, Wasco County, Oregon.

### PARCEL III:

A tract of land in the South ½ of Section 13, Township 1 North, Range 13 East of the Willamette Meridian, Wasco County, Oregon, being more particularly described as follows:

Commencing at the Southeast corner of said Section 13; thence North 88° 56' 36" West along the South line of said Section 13 a distance of 489.79 feet to the true point of beginning of this description; thence North 13° 35' 22" West 1,883.32 feet; thence North 73° 33' 06" West 1242.77 feet; thence South 64° 46' 41" West 2,000.887 feet to the intersection with the West line of the East ½ of the West ½ of said Section 13; thence South 00° 10' 35" West along the said West line 1,266.46 feet to the intersection with the South line of said Section 13, said point 13; thence South 88° 57' 07" East along the South line of said Section 13 a distance of 1,316.63 feet to the South ¼ corner of said Section 13; thence continuing along the South line of said Section 13, South 88° 56' 36" East 2,132.38 feet to the point of beginning.

LESS AND EXCEPT Steele County Road #154 right of way.

Bearings based on Steele/Fivemile County Road alignment.

AND

### PARCEL IV

A tract of land lying in the East half of the Southwest quarter and Northwest quarter of the Southeast quarter of Section 13, Township 1 North, Range 13 East of the Willamette Meridian, Wasco County, Oregon, also being a portion of Parcel 1 of Wasco County Partition Plat 97-0010, being more particularly described as follows:

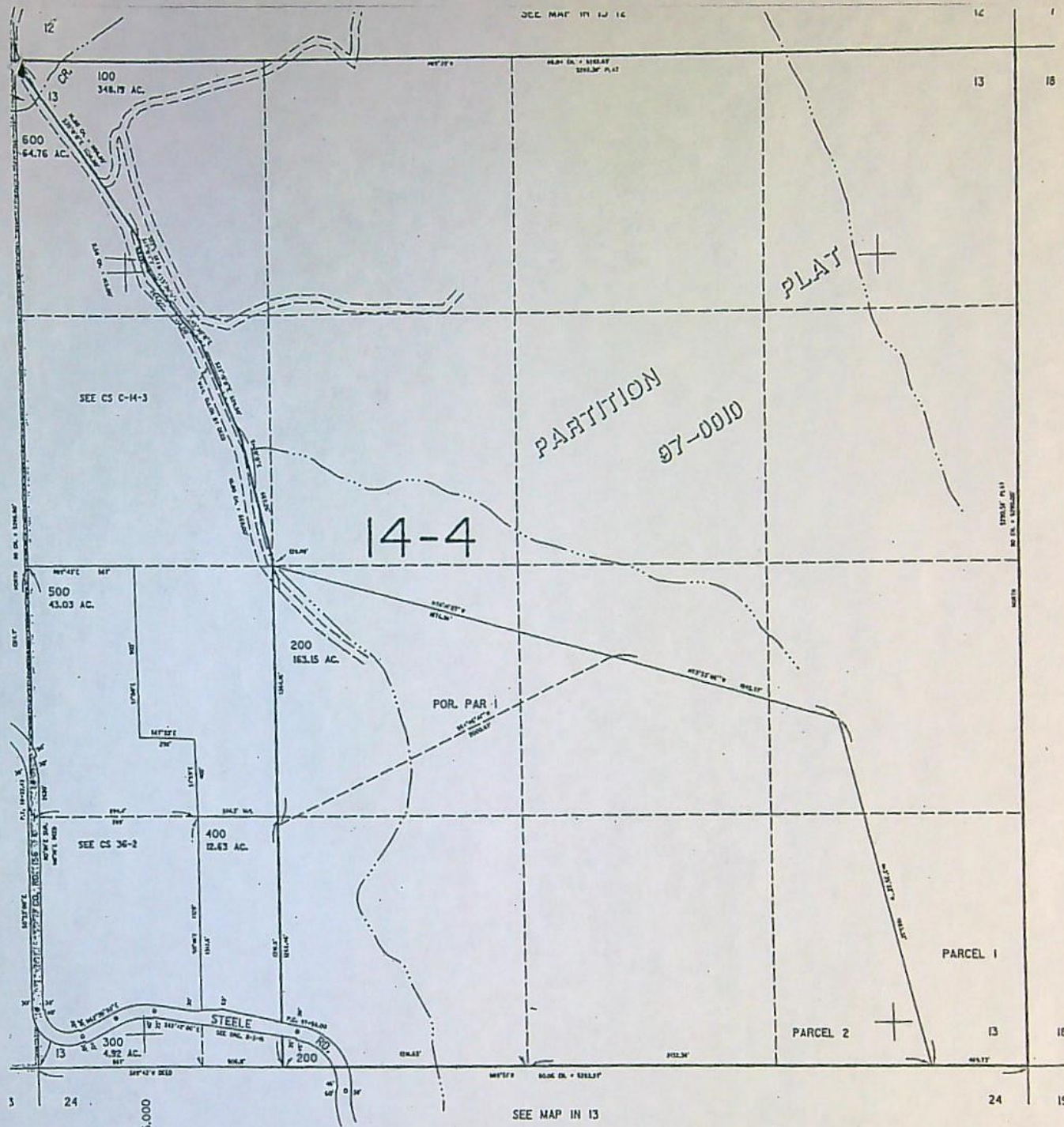
Beginning at the Northwest corner of Parcel 2 of said Partition Plat; thence North 64° 46' 41" East along the North line of said Parcel 2 a distance of 2,000.87 feet to the North-most corner of said Parcel 2; thence leaving said line North 74° 11' 07" West 1,876.96 feet to the Northwest corner of the Northeast quarter of the Southwest quarter of said Section 13; thence South 00° 10' 35" West along the West line of the East half of the said Southwest quarter a distance of 1,364.16 feet to the point of beginning and there terminating.

**RECEIVED**

JUL 25 2003

WATER RESOURCES DEPT.  
SALEM, OREGON





SEE MAP IN 14

692.000

Revised  
5/31/01 RT

IN 13 13

WASCO TITLE INC.  
512 Washington Street  
The Dalles, OR 97058

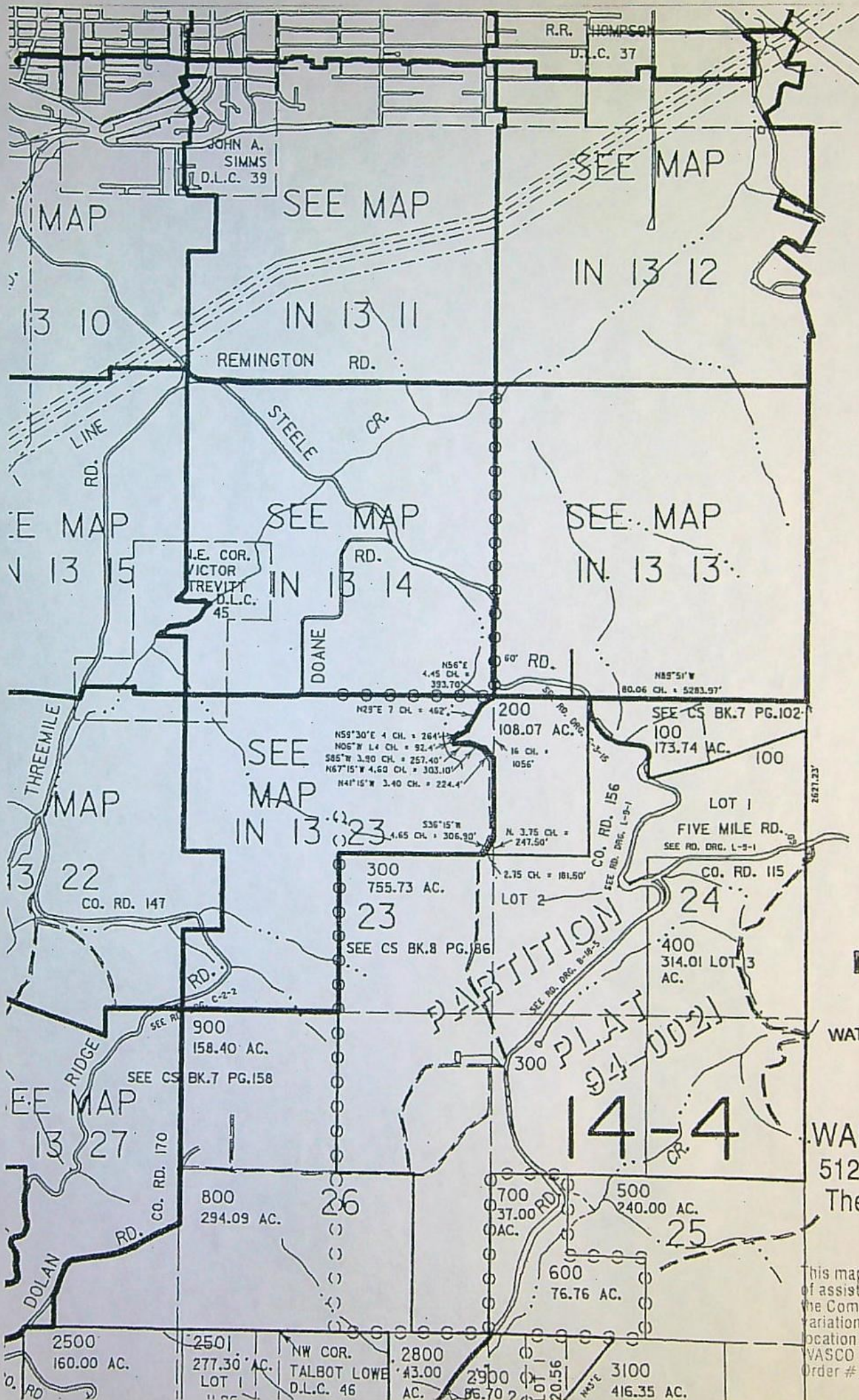
**RECEIVED**

JUL 25 2003

WATER RESOURCES DEPT.  
SALEM, OREGON

This map is made solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in directions and location ascertained by actual survey.  
WASCO TITLE, INC.  
Order # 14-42944





SEE MAP IN 14

**RECEIVED**  
JUL 25 2003

WATER RESOURCES DEPT.  
SALEM, OREGON

**WASCO TITLE INC.**  
512 Washington Street  
The Dalles, OR 97058

This map is made solely for the purpose of assisting in locating said premises as the Company assumes no liability for variations, if any, in directions and location ascertained by actual survey.  
WASCO TITLE, INC.  
Order # **14-42944**



0000 0000 1034

RECEIVED

JUL 25 2003

WATER RESOURCES DEPT.  
SALEM, OREGON

Grantor:

Waste Connections, Inc.  
620 Coolidge Drive, Suite 350  
Folsom, California 95630-3155

Grantee:

Wasco County Landfill, Inc.  
620 Coolidge Drive, Suite 350  
Folsom, California 95630-3155

After recording, return to:

Winnifred C. Ward, Esq.  
Shattels, Fries & Ginsburg LLP  
One Maritime Plaza, 18<sup>th</sup> Floor  
San Francisco, California 94111

Until requested otherwise, send all tax statements to:

Wasco County Landfill, Inc.  
620 Coolidge Drive, Suite 350  
Folsom, California 95630-3155  
Attention: Mr. Randy Renfro

Microfilm No.

20010480

FILED WASCO CTY  
THE DALES OR.

FEB 5 11 05 AM '01

KAREN H. LUDWIG  
COUNTY CLERK

STATE OF OREGON,  
County of Wasco,  
I certify that this document was received  
and recorded in the

Karen Ludwig, County Clerk  
A-T 101 1010 Recording 15

QUITCLAIM DEED

WASTE CONNECTIONS, INC., a Delaware corporation, Grantor, releases and  
quitclaims to WASCO COUNTY LANDFILL, INC., a Delaware corporation, Grantee, all right,  
title and interest in and to the following described real property:

[SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF]

The true consideration for this conveyance is Zero Dollars (\$0.00).

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 26<sup>th</sup> day of January, 2001.

WASTE CONNECTIONS, INC., a Delaware corporation

By: Ronald J. Klumicki  
Ronald J. Klumicki  
President

20010480 (2)

WCVS1119067111111111

01/23/2001 2:31



0000 0000 1032

0000 00

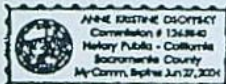
RECEIVED

JUL 25 2003

WATER RESOURCES DEPT.  
SALEM, OREGON

## CALIFORNIA ALL PURPOSE ACKNOWLEDGEMENT

State of California

County of SacramentoOn 1/24/01, before me, Alice Kristine Dsoffsky  
personally appeared: Ronald J. Matuszak
☒ personally known to me  
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

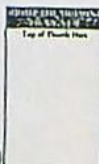
## Description of Attached Document

Title or Type of Document: Quitclaim Deed from WCT toDocument Date: 1-24-01 Number of Pages: 2Signer(s) Other Than Named Above: 0

## Capacity(ies) Claimed by Signer

Signer's Name: Ronald J. Matuszak

☐ Individual  
☒ Corporate Officer - Title(s) President & CEO of WCT  
☐ Partner - ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other

Signer is Representing: WCT (Water Connections Inc)

A tract of land 1  
quarter of the Sec  
Willamette Merid  
Wasco County I  
follows.

Beginning at the 1  
64°46'41" East at  
the North-most co  
West 1,876.96 ft  
Southwest quarter  
West line of the E  
to the point of beg



July 24, 2003

Oregon Water Resources Department  
158 12th Street Northeast  
Salem, Oregon 97310-0210

**RECEIVED**

**JUL 25 2003**

**WATER RESOURCES DEPT.  
SALEM, OREGON**

Reference: Application G-13708; Permit G-12868

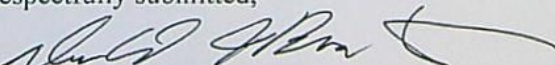
Gentlemen:

On behalf of our client, and as the authorized agent thereof, we are submitting, for Water Resource Department review, the following items relative to the above-referred permit G-12868.

1. Request for Assignment to the current property owner vesting, together with fees check of \$25.00.
2. Request for Extension of Time to complete full beneficial use of the water authorized under Permit G-12868, together with fees check in amount of \$100.00.
3. Application of Transfer for that portion of the water right referenced permit to additional lands of the property owner. Accompanying the application is:
  - A. Plat map prepared by CWRE.
  - B. Appropriate land use information form.
  - C. Lot Book service from Wasco County Title, Inc. verifying ownership, together with appropriate Assessor's Plats for parcel.
  - D. Copies of latest deeds of record (2)
  - E. Power bills verifying usage of the well pump covered under this permit (4 years).
  - F. Fees check in the amount of \$200.00 to reflect the transfer.

If there are any questions or additional information needed, it should be directed to ourselves as the authorized agent to proceed with these water right transfers.

Respectfully submitted,

  
Donald J. Branton, CWRE #024

DJB:kb

Enclosures as noted

cc: Wasco County Landfill, Attn: Nancy Mitchell  
Waste Connections, Inc., Attn: Dan Swanson



file

Oregon

APRIL 8, 1996

WATER  
RESOURCES  
DEPARTMENT

SANIFILL INC.;  
NORTHERN WASCO COUNTY LANDFILL  
2550 STEELE RD  
THE DALLES, OREGON 97058

Reference: File G-13708

Dear Applicant:

**THIS IS NOT A PERMIT AND IS  
SUBJECT TO CHANGE AT NEXT PHASE OF PROCESS**

This letter is to inform you of the status of your application for water use. Based on the information you have supplied, the Water Resources Department has reached the following conclusions:

Initial Review Determinations:

1. Your application is complete and not defective.
2. The proposed use is not prohibited by law or rule.
3. The use of water for Industrial purposes is allowed under OAR 504, the Hood Basin Program.
4. The use of 0.45 cubic foot per second (200.0 gallons per minute) from a Well for Industrial (Dust Control and Construction) use is available year round.

Summary of Initial Determinations

The use of 0.45 cfs from a Well for Industrial use may be allowed year round.

Because of these favorable determinations to your application 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.

G-18-96  
SPOKE w/ NANCY  
@ OFFICE:  
(JIM TARR on VARIATION.)  
SHE SAYS WELL #2 IS PRODUCTION  
WELL. INFORMED HER OF NEED  
FOR MAP w/ BEARING-COORDINATES-  
FOR WELL TIES TO SURVEY  
MONUMENTS) CORNER(S).  
(H)



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



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 APRIL 22, 1996. For your convenience you may use the enclosed "STOP PROCESSING" form.

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

1. You may be required to measure the amount of water used and report that use annually.
2. 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 (Generally 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 permittee 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.



G-13708  
April 8, 1996  
Page 4

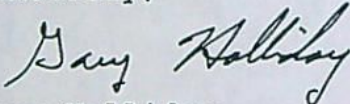
The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or 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.

3. The priority date for this application is June 8, 1994.

If you have any questions:

Feel free to call me at (503) 378-8455 ext. 454 or 1 (800) 624-3199 if you have any questions. Please have your application number available if you call.

Sincerely,



Gary Holliday  
Initial Reviewer

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



**CERTIFIED MAIL**  
**Return Receipt Requested**

June 24, 1996

SANIFILL INC. NORTHERN WASCO COUNTY  
2550 STEELE RD  
THE DALLES, OREGON 97058

RE: Application File #G-13708

Dear Mr. Tarr,

On JULY 2, 1996, a Proposed Final Order will be sent from the Department and requests additional information necessary to complete your application for water use.

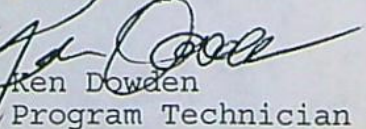
Prior to the issuance of a permit, a map must be submitted showing the location of the (well) point of appropriation, in relation to a recognized public land survey corner or established monument. The location must be shown by distance and bearing or by coordinates (distance north or south and distance east or west from the corner). For example, "XX feet south and YY feet west from the north 1/4 corner of Section 24, Township 1 North, Range 13 East.

I am returning your original maps submitted with the application. The map must be corrected to show your proposed Well #2 and place or extent of use.

Please submit these items by **AUGUST 16, 1996**. If we do not receive the items requested above by this date, we may reject your application consistent with ORS 537.153. If your application is rejected, any fees submitted in excess of the examination fee will be refunded; however, the examination fee is non-refundable and will not be returned. In addition, the priority date associated with your application will be lost.

Should you have any questions regarding your application or the required materials listed above, or if you need to request an extension of time, please call me personally at 1-800-624-3199, extension 269.

Sincerely,

  
Ken Dowden  
Program Technician I

Enclosures

WATER  
RESOURCES  
DEPARTMENT



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



PFO CHECKLIST

Application #G-13708

Basin: HOOD RIVER WAB: \_\_\_\_\_  
 Township 1 NORTH Range 13 EAST Section 24

no A1. Public Interest Screen Criteria

- ☒ 1. Is the file complete by the Completeness Checklist?
- ☐ 2. Fees or other shortcomings (items needed before a permit and/or FO can be issued)
- ☒ 3. Check file for indicators that the process **should not** continue until a later date (ie - protest, letter to file indicating hold, or other)
- ☒ 4. A groundwater review has been evaluated for substantial interference with surface water (convert old GW conditions to the 7 series and add to the PFO, if necessary)
- ☐ a. Is second groundwater review necessary? (objection)
- ☒ b. Is HB 1033 review complete?
- ☐ 5. Is the source withdrawn or limited? - State Engineer, Legislative (ORS 538), etc.
- ☐ 6. Is the Proposed Use located in or above a Scenic Waterway?
- ☐ 7. Is the proposed use located in a TMDL Basin? (Tualatin, Yamhill, Pudding)
- ☐ 8. Is the use allowed or limited by the Basin Program?
- ☐ 9. If source is groundwater, is the well located in a groundwater limited area? (If applicable, include map with POD)
- ☐ 10. Water Availability Data has been verified (50% before July 17, 1992; 80% live flow & 50% storage after July 17, 1992)
- ☐ 11. Rate\_\_ Duty\_\_ Irrigation Season
- ☒ 12. Period of Allowed Use YEAR ROUND
- ☐ 13. Is use from a B.O.R. project and if so, is a signed contract in the file?
- ☐ 14. Div 33 has been addressed - if applicable (Above Bonn after July 17, 1992 & Below Bonn after April 8, 1994 or June 3, 1994)
- ☒ 15. Have conflicts been identified, verified and/or addressed?
- ☒ 16. The use is Medium >0.1 or <1.5cfs
- ☒ 17. Check TR/IR for permit conditions not included in the Draft Permit attached to the PFO
- ☐ 18. Fill out Accuracy Checklist
- ☒ 19. Spell Check
- ☒ 20. Documents used in determination are attached and highlighted
- ☒ 21. Fill out PFO CC List (a.k.a. the Check-Off Sheet) - don't forget to check for other property owners.
- ☐ a. Does Ken Stahr need to be on the CC list (Rate, Duty and Period of Allowed Use changes)
- ☒ 22. Final PFO report hard copy check (format, margins, etc.)
- ☒ 23. Final PFO has been saved to m:\t\pfo\done\week#\application #G-13708

Name: KEN DOWDEN Date: JUNE 18, 1996 KDD



RECEIVED

SEP 20 1996

WATER RESOURCES DEPT.  
SALEM, OREGON

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-13708

Final Order

*Application History*

On June 8, 1994, SANIFILL INC.; dba NORTHERN WASCO COUNTY LANDFILL submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on July 2, 1996. The protest period closed August 16, 1996, and no protest was filed.

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

Order

Upon payment of outstanding permit recording fees, Application G-13708 shall be approved as proposed by the Proposed Final Order and as provided on the attached draft permit.

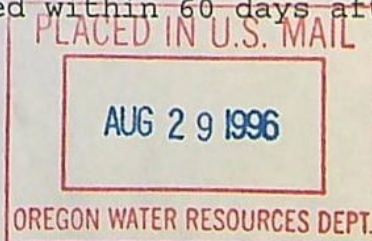
Permit recording fees are required in the amount of \$100.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees within 60 days from the date of this Final Order will result in the proposed rejection of Application G-13708.

DATED August 28, 1996

*for Martha O. Pagel*  
Martha O. Pagel  
Director

*Appeal Rights*

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





Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-13708

Final Order

*Application History*

On June 8, 1994, SANIFILL INC.; dba NORTHERN WASCO COUNTY LANDFILL submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on July 2, 1996. The protest period closed August 16, 1996, and no protest was filed.

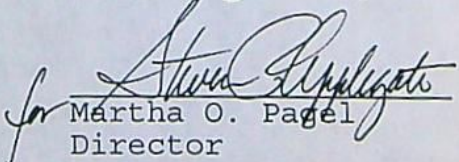
The proposed use would not impair or be detrimental to the public interest.

Order

Upon payment of outstanding permit recording fees, Application G-13708 shall be approved as proposed by the Proposed Final Order and as provided on the attached draft permit.

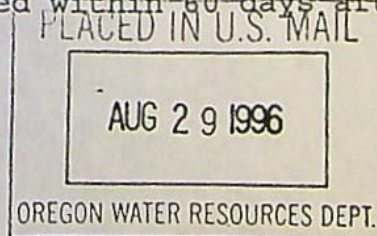
Permit recording fees are required in the amount of \$100.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees within 60 days from the date of this Final Order will result in the proposed rejection of Application G-13708.

DATED August 28, 1996

  
for Martha O. Pagel  
Director

*Appeal Rights*

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





STATE OF OREGON

COUNTY OF WASCO

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

SANIFILL INC., dba NORTHERN WASCO COUNTY LANDFILL  
2550 STEELE RD  
THE DALLES, OREGON 97058

(541) 296-4082

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

APPLICATION FILE NUMBER: G-13708

SOURCE OF WATER: A WELL IN FIVEMILE CREEK BASIN

PURPOSE OR USE: INDUSTRIAL USE FOR DUST CONTROL AND CONSTRUCTION

RATE OF ALLOWED USE: 0.45 CUBIC FOOT PER SECOND

PERIOD OF ALLOWED USE: YEAR ROUND

DATE OF PRIORITY: JUNE 8, 1994

POINT OF DIVERSION LOCATION: NW 1/4 NE 1/4, SECTION 24, T1N, R13E, W.M.  
658.3 FEET SOUTH AND 284.1 FEET WEST FROM THE N 1/4 CORNER OF SECTION 24

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NE 1/4  
NW 1/4 NE 1/4  
SW 1/1 NE 1/4  
SE 1/4 NE 1/4  
SECTION 24

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

Measurement, recording and reporting conditions:

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



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

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 permittee 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 3 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 permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or 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.

#### STANDARD CONDITIONS

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

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

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

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

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

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



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

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

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

{DATE}

DRAFT

\_\_\_\_\_  
Martha O. Pagel, Director  
Water Resources Department



OREGON WATER RESOURCES DEPARTMENT  
WATER RIGHTS DIVISION

Water Rights Application  
Number G-13708

PROPOSED FINAL ORDER

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

*Additional Information Required:* Prior to the issuance of a permit, a map must be submitted showing the location of the point of diversion from the well in relation to a recognized public land survey corner or monument. The location must be shown by distance and bearing or by coordinates (distance north or south and distance east or west from the corner). In addition, the applicant must identify which well is to be used. The original map submitted shows three wells.

*Application History*

On June 8, 1994, SANIFILL, INC - dba NORTHERN WASCO COUNTY LANDFILL submitted an application to the Department for the following water use permit:

- Amount of Water: 200.0 GALLONS PER MINUTE (0.45 CFS)
- Use of Water: DUST CONTROL AND CONSTRUCTION (INDUSTRIAL USE)
- Source of Water: A WELL IN FIVEMILE CREEK BASIN
- Area of Proposed Use: Wasco County within SECTION 24, TOWNSHIP 1 NORTH, RANGE 13 EAST, W.M.

On APRIL 8, 1996, the Department mailed the applicant notice of its Initial Review, determining that THE USE OF 0.45 CUBIC FOOT PER SECOND MAY BE ALLOWED YEAR ROUND FOR INDUSTRIAL USES. The applicant did not notify the Department to stop processing the application within 14 days of that date.

On APRIL 23, 1996, 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 following uses: DUST CONTROL AND CONSTRUCTION (INDUSTRIAL USE)

Senior water rights exist on this WELL IN FIVEMILE CREEK BASIN.

A WELL IN FIVEMILE CREEK BASIN is not within or above a State Scenic Waterway.

Groundwater is available in the amounts requested for the period YEAR ROUND FOR INDUSTRIAL USE.

The Department finds that no more than 0.45 CUBIC FOOT PER SECOND would be necessary for the proposed use. The amount of water requested, 0.45 CFS (200.0 GPM), is allowable.

The proposed use of groundwater is not within a designated critical ground water area.

The Department determined, based upon OAR 690-09, that the proposed groundwater use will not have the potential for substantial interference with the nearest surface water source, namely a tributary of Threemile Creek.

The Groundwater Section finds that 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.

### *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.

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

Water is available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with rules of the Water Resources Commission.

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

For these reasons, the required presumption has been established.

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

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

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

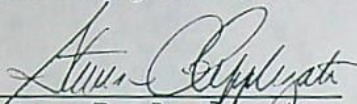
The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in injury to existing water rights; and the proposed use would ensure the preservation of the public welfare, safety and health as described in ORS 537.525.



Recommendation

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

DATED July 2, 1996

  
Steven P. Applegate

Administrator

Water Rights and Adjudications Division

Protest Rights

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

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

Your protest must be received in the Water Resources Department no later than August 16, 1996.

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.

KDD



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

SANIFILL INC. NORTHERN WASCO COUNTY  
2550 STEELE RD  
THE DALLES, OREGON 97058

(541) 296-4082

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

APPLICATION FILE NUMBER: G-13708

SOURCE OF WATER: A WELL IN FIVEMILE CREEK BASIN WITHIN THE HOOD BASIN

PURPOSE OR USE: INDUSTRIAL USE FOR DUST CONTROL AND CONSTRUCTION

RATE OF ALLOWED USE: 0.45 CUBIC FOOT PER SECOND

PERIOD OF ALLOWED USE: YEAR ROUND FOR INDUSTRIAL USE

DATE OF PRIORITY: JUNE 8, 1994

POINT OF DIVERSION LOCATION: NE, SECTION 24, T 1 N, R 13 E, W.M.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE  
SECTION 24  
TOWNSHIP 1 NORTH, RANGE 13 EAST, W.M.



Measurement, recording and reporting conditions:

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

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 (Generally 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 permittee 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 permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or 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.

#### STANDARD CONDITIONS

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

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

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



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

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

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

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

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

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

Issued \_\_\_\_\_, 199\_\_

DRAFT - THIS IS NOT A PERMIT

Water Resources Department  
Director



PERMIT STATUS REVIEW BY jd DATE 10/30/02 FILE # G 13708

1. Per Dwight French, do not send "C" DATE NOTICE PACKET if : note on JS list

no Permit is for municipal or quasi-municipal use or in Bonanza study area  
(per DF, when in doubt about MU/QM, change database code)

no Extension pending \_\_\_\_\_ final \_\_\_\_\_

no Assignment is pending \_\_\_\_\_

no Cancellation is requested \_\_\_\_\_ final \_\_\_\_\_

no Dept. has already sent a certified "Form 100" letter (date \_\_\_\_\_, # \_\_\_\_\_)

Was 60 days notice allowed? \_\_\_\_\_

Was mail deliverable as addressed? \_\_\_\_\_ date \_\_\_\_\_

Send cancellation letter \_\_\_\_\_

no Claim of beneficial use and final proof map (COBU) have been received by Department  
Date information received \_\_\_\_\_

2. IF NONE OF THE ABOVE APPLY

no Send certified "C" date notice packet to permit holder.

"C" DATE 10/1/99

WATERMASTER DISTR # 3

WATERMASTER NAME Larry Tall

no CWRE - send cc to EMCON; ATTN C. D. FANSHIER.  
15055 SW Sequoia Pkwy, Suite 140  
Portland OR 97224.





# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130  
www.wrd.state.or.us

November 20, 2002

Certified mail number 9951 7522  
Return receipt requested

SANIFILL INC; NORTHERN WASCO COUNTY  
2550 STEELE RD  
THE DALLES OR 97058

Reference: Application G-13708, Permit G-12868

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 1999.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use, to include a final proof survey map of the development. The map and claim of beneficial use was to have been submitted to our Department within one year of October 1, 1999. A list of certified water right examiners is enclosed for your use.

If you are not finished with the development of your permit, you need to file for an extension of time to complete your development. An extension form is also enclosed with this letter.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. A cancellation form is enclosed, if you are interested in this option.

**If you have not submitted either a Claim of Beneficial Use or a request for an extension of time of your permit, within 60 days of the date of this letter (January 19, 2003) the Department may cancel your permit without further notice.**

Please give me a call if you have questions. My phone number is 503-378-8455 extension 274.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosures (3)

cc: OWRD Watermaster LARRY TOLL, District 3  
File G-13708

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"><li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li><li>Print your name and address on the reverse so that we can return the card to you.</li><li>Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>		<p>A. Signature </p> <p>B. Received by (Printed Name) </p> <p>C. Date of Delivery 11-21-02</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
1. Article Addressed to:  G13708 JS 9951 7522 SANIFILL INC; NORTHERN WASCO COUNTY 2550 STEELE RD THE DALLES OR 97058		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Transfer from service label) 7099 3220 0000 9951 7522		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	





# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130  
www.wrd.state.or.us

November 20, 2002

Certified mail number 9951 7522

Return receipt requested

SANIFILL INC; NORTHERN WASCO COUNTY  
2550 STEELE RD  
THE DALLES OR 97058

Reference: Application G-13708, Permit G-12868

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 1999.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use, to include a final proof survey map of the development. The map and claim of beneficial use was to have been submitted to our Department within one year of October 1, 1999. A list of certified water right examiners is enclosed for your use.

If you are not finished with the development of your permit, you need to file for an extension of time to complete your development. An extension form is also enclosed with this letter.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. A cancellation form is enclosed, if you are interested in this option.

**If you have not submitted either a Claim of Beneficial Use or a request for an extension of time of your permit, within 60 days of the date of this letter (January 19, 2003) the Department may cancel your permit without further notice.**

Please give me a call if you have questions. My phone number is 503-378-8455 extension 274.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosures (3)

cc: OWRD Watermaster LARRY TOLL, District 3  
File G-13708



STATE OF OREGON  
WATER RESOURCES DEPARTMENT  
158 12TH ST. N.E.  
SALEM, OR 97310-0210  
378-8455 / 378-8130 (FAX)

RECEIPT # 113009

RECEIVED FROM: Samfull Inc.  
BY: \_\_\_\_\_

APPLICATION	G-13708
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 11-35 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$200.00

01-00-0 WRD MISC CASH ACCT

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

REDUCTION OF EXPENSE

CASH ACCT.	\$
VOUCHER #	

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:

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

WATER RIGHTS:

842.001	SURFACE WATER	\$	842.002	\$
842.003	GROUND WATER	\$ 200.00	842.004	\$
842.005	TRANSFER	\$	842.006	\$

WELL CONSTRUCTION

842.022	WELL DRILL CONSTRUCTOR	\$	842.023	\$
	LANDOWNER'S PERMIT		842.024	\$
	OTHER (IDENTIFY)			

06-00-0 WELL CONST START FEE

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

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

07-00-0 HYDRO ACTIVITY

LIC NUMBER

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

HYDRO APPLICATION \$

NUMBER

96721

Check 200.00 NO Cash

Surface Application

Reservoir Application

X Ground Water Application

Transfer Application

Power Claim

Hydroelectric Examination

Hydroelectric License

Copying

Assignment

Extension of Time

Other

P-6

Quadrangle

Basin

Protest

Constructors Examination

Constructors License

Adjudication

DATA  
Center

RECEIPT # 113009

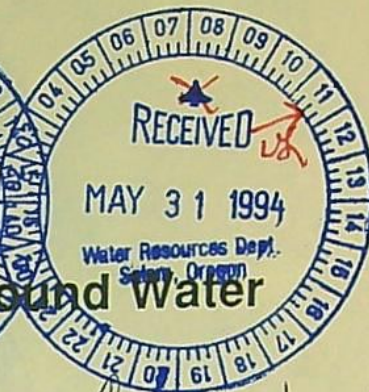
DATED: 6-9-94 BY: Celia Jensen



Application No. \_\_\_\_\_

6-13708

State of Oregon  
WATER RESOURCES DEPARTMENT  
Water Resources Dept.  
Salem, Oregon



## Application for a Permit to Appropriate Ground Water

Applicant(s) Sanifill, Inc -dba Northern Wasco County Landfill  
(Please print or type - use dark ink)

Mailing Address: 2550 Steele Rd

The Dalles

City

OR

State

97058

Zip

503-296-4082

Daytime Phone No.

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

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

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

Distance from development to stream: \_\_\_\_\_

Elevation difference between streambed and development: \_\_\_\_\_

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

Diameter of well: 6 inches Depth in feet: est. 1000

Type and size of well casing: steel 6 inches No. of feet: 800

Estimated depth to water: 800

Type of access port or measuring device: Solinst probe

Wells to be drilled by: Austin Well Drilling

Address: 3393 Sandlin Rd

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

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: \_\_\_\_\_ cubic feet per second, OR 200 gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each: \_\_\_\_\_



3. **INTENDED USE(s) OF WATER:** dust control and construction

If for more than one use, give the quantity of water from each source for each use; 100 gallons per min during construction, 20 gallons per min dust control

If for **DOMESTIC** use, state the number of households to be supplied; \_\_\_\_\_

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

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

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

Irrigation \_\_\_\_\_

Other (describe) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

50 horsepower for 200 gal per minute  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Proposed date construction work will begin 6-13-94

Proposed date construction work will be completed 6-24-94

Proposed date water use will be completed \_\_\_\_\_

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



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

Applicant	CWRE	Other (Identify in REMARKS section)
-----------	------	-------------------------------------

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

Applicant	CWRE	Other (Identify in REMARKS section)
-----------	------	-------------------------------------

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

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

REMARKS:

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

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

Jim Tan  
Signature of Applicant

5-25-94  
Date

Signature of Co-Applicant, if any

Date \_\_\_\_\_



-----  
**FOR WATER RESOURCES DEPARTMENT USE ONLY**

Dear Applicant:

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_, 19\_\_\_\_.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
*Water Resources Director*

By: \_\_\_\_\_

This instrument was first received in the office of the Water Resources Director at SALEM, Oregon, on the 8 day of June, 19 94, at 10 o'clock, A M.

APPLICATION NO: G-13708



# IR CHECKLIST

Application #: G 13708 Vol      Subbasin       
 Basin: 4 WAB: POU-WAB  
 Township 1 N Range 13 E Section 24 1/4 1/4     

- 1 Items have been verified on Completeness Checklist.
- 12 Check file for indicators that the process should not continue until a later date (ie - protest, items (other than oath) missing from the completeness check, letter to file indicating hold, or other)
- 3 A groundwater review has been evaluated for substantial interference with surface water (convert old gw conditions to the 7 series and add to the PFO, if necessary)
  - a Is the well located in a groundwater limited area?
  - b A (B) C D
  - NO c. SWW
- NO 4. Is the Proposed Use located in or above a Scenic Waterway?
- NO 5. Is the proposed use located in a TMDL Basin? (Tualatin, Yamhill, Pudding)
- ✓ 6. Is the use allowed or limited by the Basin Program?      OAR(s)
- NO 7. Is the source withdrawn or limited? - State Engineer, Legislative (ORS 538), etc.
- ✓ 8. Basin Maps (metal cabinet) have been checked and River Mile (      ) has been identified
- NA 9. Water Availability Data has been verified (50% < July 17, 1992 \*\* 80% [50% storage] > July 17, 1992)
- NA 10. Rate      Duty      Season
- ✓ 11. Use Industrial Period of Allowed Use
- ✓ 12. Priority Date(s) June 8, 1994
- NO 13. Is use from a B.O.R. project and if so, is a signed contract in the file?
- NA 14. Division 33 (Abv Bonn > July 17, 1992 & Blw Bonn > April 18, 1994 or June 3, 1994)
- ✓ 15. Plat cards have been checked and a copy of the map is attached showing the conflict with
- 16 Land use approval OK'd needs approval county notified NA
- 17 conditions? (BOR, GW, etc.) 7C
- ✓ 18. Watermaster District #:
- ✓ 19. Regional Office (NWR, NCR, ER, SCR, or SWR)
- 20 IR has been saved to m:\t\ir\sent\app # from m:\t\ir\work\app #

Name: M. A. Date: 4-5-96



OREGON WATER RESOURCES DEPARTMENT  
ADMINISTRATIVE RULES  
CHAPTER 690  
DIVISION 504  
HOOD BASIN PROGRAM

**Classifications**

690-504-001

(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 with the following exceptions:

(a) The maximum economic development of this state, the attainment of the highest and best use of the waters of Dog River above its point of diversion at Water Resources Department - U.S. Geological Survey Gage 1134, as shown on State Water Resources Board Map 4.6, 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 municipal use and the waters of Dog River above its point of diversion at Water Resources Department - U.S. Geological Survey Gage 1134, as shown on State Water Resources Board Map 4.6, are hereby so classified.

(b) The maximum economic development of this state and the attainment of the highest and best use of the waters of the natural lakes 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, irrigation of lawn or noncommercial garden not to exceed one-half acre in area, power development not to exceed 7 1/2 theoretical horsepower, recreation, wildlife, and fish life uses and the waters of natural lakes of the basin are hereby so classified.

(2) Applications for the use of these specified waters of the Hood Basin shall not be accepted by any state agency for any other use and the granting of applications for such other uses is declared to be prejudicial to the public interest and the granting of applications for such other uses would be contrary to the integrated and coordinated program for the use and control of the water resources of the state.

(3) Structures or works for the utilization of the waters in accordance with the aforementioned classifications are also declared to be prejudicial to the public interest unless planned, constructed, and operated in conformity with the applicable provisions of ORS 536.310 and any such structures or works are further declared to be prejudicial to the public interest which do not give cognizance to the multiple-purpose concept.

**Minimum Perennial Streamflows**

690-504-002



SECTION 24[illegible]



RECEIVED

JAN 12 1995

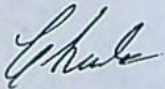
WATER RESOURCES DEPT.  
SALEM, OREGON

AUSTIN WELL DRILLING  
3393 SANDLIN RD.  
THE DALLES, OR. 97058

WATER RESOURCES DEPT.  
3850 PORTLAND RD. NE  
SALEM, OR. 97310  
JAN. 11, 1995

The Work on this well has not been completed but the people at Sanifill want a well log set in so here it is. At this time a test pump is in the well but it has not yet been tested. After the test if we have enough water they want a liner installed. At this time I will send you another well log.

THANK YOU



CHARLES AUSTIN  
AUSTIN WELL DRILLING



---

Marvin H. Beeson, Geology Consultant

---

7264 Wilshire Court, Milwaukie, OR 97267  
(503) 654-5242

December 4, 1994

EMCON Northwest Inc.  
15055 SW Sequoia Parkway  
Suite 140  
Portland, OR 97224

DEC 7 1994  
PORTLAND OFFICE

ATTN: Craig Fanshier

RE: Hydrogeologic Consultation for the North Wasco County Landfill, The Dalles, Oregon, production well.

I was delighted to hear that the water well on the North Wasco County Landfill site was completed successfully at the projected target depth and that it is capable of producing at least the 100 gpm yield required. That was my projection based on all of the evidence available and on my own experience in The Dalles area, but the complexity of nature seldom allows these kinds of estimates to hold up so accurately to the rigorous test of drilling. Needless to say, I'm very pleased and just a bit relieved. Now, to complete my agreed upon consultation on this project, I have enclosed the final stratigraphic section based on my study of the drilling chips.

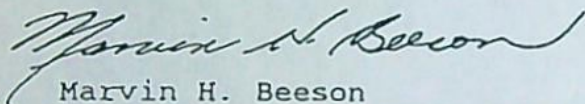
The CRBG part of the section was my primary concern even though I also washed and dried the sedimentary chips from the Chenoweth Formation (Dalles Group). The upper 460' is almost totally made up of volcanic material erupted from the Cascade volcanic arc. Based on a size classification of the clasts, the resulting sediments range from clays to gravel, with sand being the most abundant. The gravels are mostly confined to the upper 210' and appear to be transported and deposited by streams, probable flowing from the Cascades. However, some of these may be the distal ends of lahars from Cascadian volcanoes since the clasts appear to be mostly andesite and dacite. Some of the layers of sand-sized clasts in the 200 to 400' depth range, are largely volcanic ash and pumice and probably represent ash-flow deposits. One white, clay to silt, layer at about 50' may well be an ash fall deposit. The depths to boundaries on these units are approximations only since there seemed to be a considerable amount of contamination which made logging difficult. Perhaps the later cored holes will allow you to refine this part of the stratigraphic section.

The CRBG part of the section is quite similar to that in The Dalles, if my projections are accurate. Chemical analysis of several samples could yield unambiguous correlations if that is important to the project. The upper two flows, the Lolo and the Rosalia flows, are represented largely by vesicular or open textured lava apparently mixed with sediments through invasion of lava lobes at the bases and erosional reworking of the flow tops. Distinct boundaries again are difficult to establish. The lower flows are separated by thin interbeds, but otherwise contain the



normal intraflow textural zones as indicated on the stratigraphic section. The sedimentary interbeds in the CRBG are distinctly more gray in color than most of the post-CRBG Chenoweth Formation sediments, probably indicating a larger component of weathered basalt. The target aquifer occurs at the base of a thick Sand Hollow flow and probably represents pillow basalts mixed with a certain amount of sedimentary interbed. This interflow zone correlates with one of the interflow zones that supplies most of the ground water from The Dalles wells.

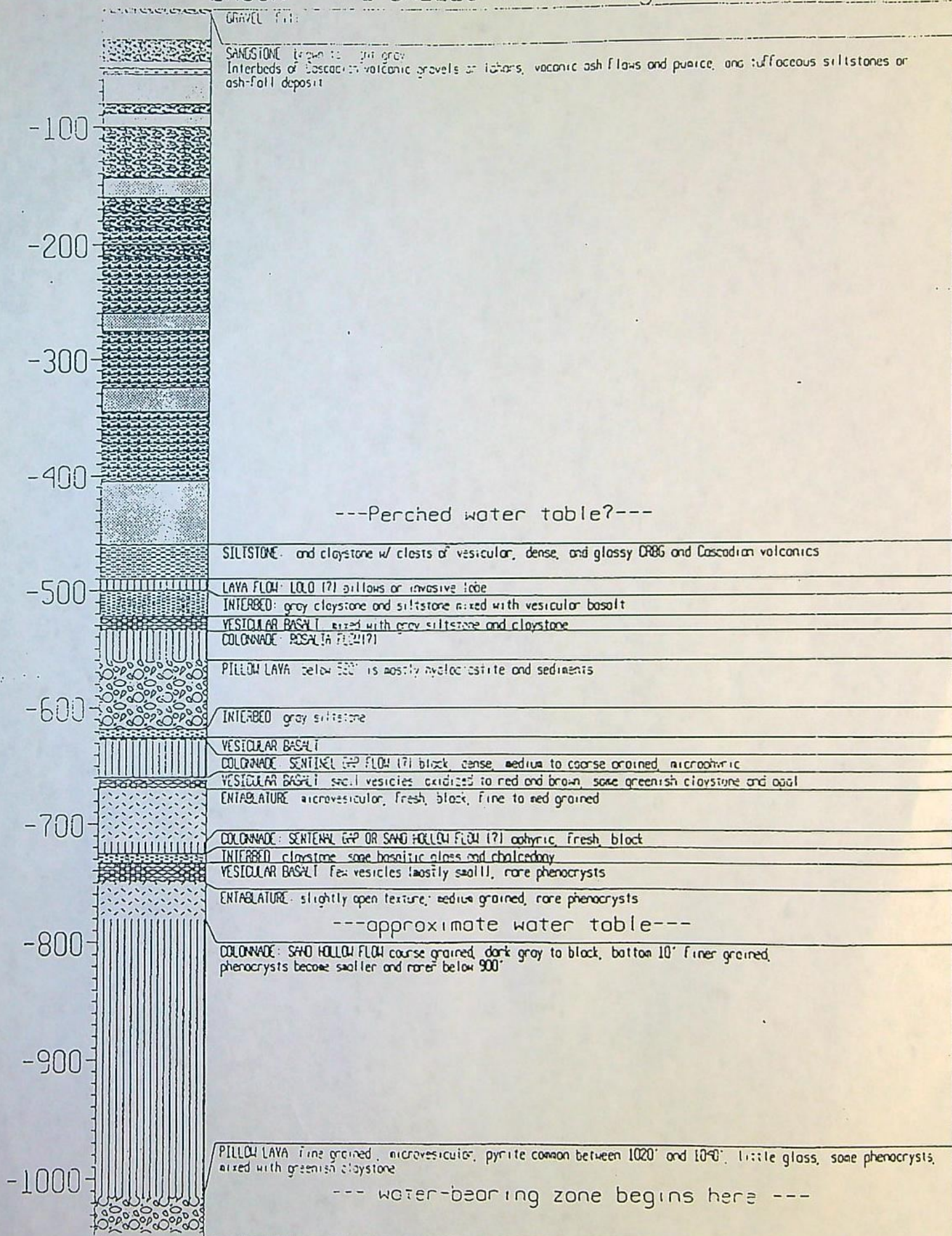
I would be very interested in spending an hour or two discussing my findings with you and perhaps refining this stratigraphic section based on data on drilling rates and core from some of your shallower monitoring wells. Also, what should I do with the chip samples from this well? I will certainly store them and would be glad to keep them for future reference if you have no further need of them. Please contact me if you have any questions or would like to discuss these results.



Marvin H. Beeson  
Oregon Geologist G493



## EMCON - THE DALLES (Final Log 12-3-94)





Application No. 673708  
Permit No. EXHIBIT "A"

RECEIVED

JUN - 8 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

PARCEL I

The following described property situated in the County of Wasco and State of Oregon:

A tract of land located in the North one-half of Section 24, Township 1 North, Range 13 East of the Willamette Meridian, described as follows:

Beginning at a point on the northerly right of way line of Three Mile County Road, said point being 712.76 feet South and 3,555 feet East of the Southwest corner of Southeast quarter of the Southeast quarter of Section 14, in said Township and Range, said point also being 30 feet opposite (when measured at right angles from) Engineers Center line Station 80+74; thence North 51°41' East 359.24 feet; thence North 66°24' East 1,074.42 feet; thence South 8°15' East 1,002.57 feet; thence South 74°27' West 989.4 feet; thence North 71°19' West 51.15 feet; thence North 0°41' West 249.5 feet, more or less, to a point on the southeasterly right of way line of said County Road, which point is 30 feet opposite (when measured at right angles from) Engineers Center line Station 88+75.6; thence tracing said easterly and northerly right of way line 801.0 feet, more or less, to the point of beginning.

PARCEL II

The following described property situated in the County of Wasco and State of Oregon:

A tract of land located in the North one-half of Section 24, Township 1 North, Range 13 East of the Willamette Meridian, described as follows:

Beginning at a point on the northerly right of way line of Three Mile County Road, said point being 712.76 feet South and 3,555 feet East of the Southwest corner of Southeast quarter of the Southeast quarter of Section 14, in said Township and Range, said point also being 30 feet opposite (when measured at right angles from) Engineers Center line Station 80+74; thence North 51°41' East 359.24 feet; thence North 66°24' East 1,074.42 feet; thence North 50 feet, more or less, to the North line of Section 24; thence West along said North line to the Easterly right of way of the County Road; thence Southerly and Easterly along said Easterly right of way to the point of beginning.

PARCEL III

The following described property situated in the County of Wasco and State of Oregon:

A tract of land located in the Northeast quarter of Section 24, Township 1 North, Range 13 East of the Willamette Meridian, described as follows:

Commencing at a point on the northerly right of way of Three Mile County Road, said point being 712.96 feet South and 3,555 feet East of the Southwest corner of the Southeast quarter of the Southeast quarter of Section 14, Township 1 North, Range 13 East of the Willamette Meridian,

cont.



RECEIVED

JUN - 8 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

EXHIBIT "A" (continued)

PARCEL III (continued)

said point also being 30 feet (when measured at right angles from) Engineers Station 80+74; thence North  $51^{\circ}41'$  East 359.24 feet; thence North  $66^{\circ}24'$  East 1074.42 feet to the true point of beginning of this description; thence South  $8^{\circ}15'$  East 1002.57 feet; thence North  $70^{\circ}13'$  East 1712.7 feet, more or less, to the East line of said Section 24; thence North along said East line 472.4 feet to the Northeast corner of said Section 24; thence West along the North line thereof 1755.5 feet, more or less, to a point lying North of the true point of beginning; thence South 50 feet, more or less, to the true point of beginning.



EXHIBIT "A"  
Application No. 6-13708  
Permit No.

RECEIVED

JUN - 8 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

That portion of the following described real property lying Easterly of Steele Road No. 154 and Northerly of Five Mile County Road No. 115 in the County of Wasco and State of Oregon:

Southeast quarter of Section 23; Southwest quarter, East 60 acres of Northwest quarter, and all of Northeast quarter of Section 24; EXCEPTING tract conveyed by Robert E. Williams to W. M. Sharp, by deed recorded in Book 60, Page 610, Deed Records of said county and state, described as follows: the certain strip of land situated in the Southeast corner of the Northeast quarter of Section 24, described as follows: Commencing at the Southeast corner of the Northeast quarter of said Section 24; running thence West on the South boundary line of said Northeast quarter of said Section 24, 42 rods; thence in an Easterly direction to the East line of said Section 24 to a point on said line 3 1/2 rods North of said beginning point, save and except such portions of said above granted tract as are occupied by the present county road running across said granted premises; AND EXCEPTING the tract conveyed in deed from Edna M. Forbes, a single woman, et al., to Joe W. Miller and Patricia Marie Miller, husband and wife, recorded January 31, 1955 in Book 130, Page 232, Deed Records of said county and state. ALSO the Northwest quarter of Section 25; Northeast quarter and East half of Southeast quarter of Section 26; all in Township 1 North, Range 13 East of the Willamette Meridian.

EXCEPTING THEREFROM the following three tracts:

Warranty Deed, Joe W. Miller and Patricia Marie Miller to Wasco County, recorded April 6, 1970, Micro Film No. 70-0497;

Memorandum of Agreement, Joe W. Miller and Patricia Marie Miller to Northern Wasco County Landfill, Inc., an Oregon corporation, recorded October 14, 1980, Micro Film No. 80-3017;

Memorandum of Agreement, Joe W. Miller and Patricia Marie Miller to Arthur V. Braun, recorded October 17, 1986, Micro Film No. 86-2509.

921299(3)

Microfilm No

FILED WASCO CTY  
THE DALLES, OR.

APR 15 1 30 PM '92

CLERK  
COUNTY CLERK  
STATE OF OREGON, as  
County of Wasco,

I certify that this document was  
received and recorded in the

records  
Karan R. Leffler, County Clerk  
Deputy

thru file

Net. d.

921299(3)



**EMCON**

15055 SW Sequoia Parkway • Suite 140 • Portland, Oregon 97224 • (503) 624-7200 • Fax (503) 620-7658

**RECEIVED****TRANSMITTAL****JUL 3 1995**Project/Task No. **0705**

WATER RESC

SALEM, OREGON

TO: Doug Woodcock  
Oregon Water Resources Department  
156 12th St. NE  
Salem OR 97310

DATE: ~~0705~~ June

RE: Location Map for Production Well (PW-2), Located  
at the Northern Wasco County Landfill, Near the Dollar Oregon

**WE ARE SENDING:****QUANTITY**1**DESCRIPTION**PW-2 information:1) Site location Map 2) Site Map w/ Approx. PW-2 loc3) Boring log and Interpretations 4) large scale drawing  
with PW-2 located by survey coordinates.**For Your:**X **USE**       **APPROVAL**       **REVIEW/COMMENTS**       **INFORMATION**       **OTHER****Sent By:**X **REGULAR MAIL**       **FEDERAL EXPRESS**       **UPS**       **COURIER**       **OTHER**COMMENTS: This map has surveyed locations for the well.This compliments the map faxed to you on Friday 6/30/95If you have any questions please Call - (503) 624-7200

CC:

BY:

raig D Farnham



**EMCON**

15055 SW Sequoia Parkway • Suite 140 • Portland, Oregon 97224 • (503) 624-7200 • Fax (503) 620-7658

**RF****JUL 3 1995****FAX TRANSMITTAL**WATER  
SAL.

EPT

TO: Doug WoodcockDATE: 6/30/95FROM: Craig D. FanshierTIME: 13:40

Number of Pages \_\_\_\_\_ (Including Cover Page)

*If you have received this communication in error, please notify us at the telephone number listed above.*

Sender Note: Complete if applicable.

CLIENT: Sanifill, N. Wasco County landfillProject/Task #: 0705-003.09

PHONE #: \_\_\_\_\_

FAX #: 376-2496

Unless otherwise indicated or obvious from the nature of the transmittal, the information contained in this facsimile message is confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

**COMMENTS:**

I have included a site location map, a site map with  
the approximate location of the new production well PW-2,  
and the boring log with interpretations.

All of these will be mailed to you today, plus I have  
included a large scale drawing with the new production  
well (PW-2).

ORIGINAL TO FOLLOW: X

ORIGINAL WILL NOT FOLLOW: \_\_\_\_\_

BROADCAST: \_\_\_\_\_

ANY QUESTIONS REGARDING THIS TRANSMISSION, PLEASE CALL THE NUMBER LISTED ABOVE





Base Map From: USGS 15' quad. THE DALLES, OREG. (1957)

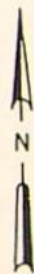
RECEIVED

JUL 3 1995

WAL. SALEM, OREGON



Scale in miles

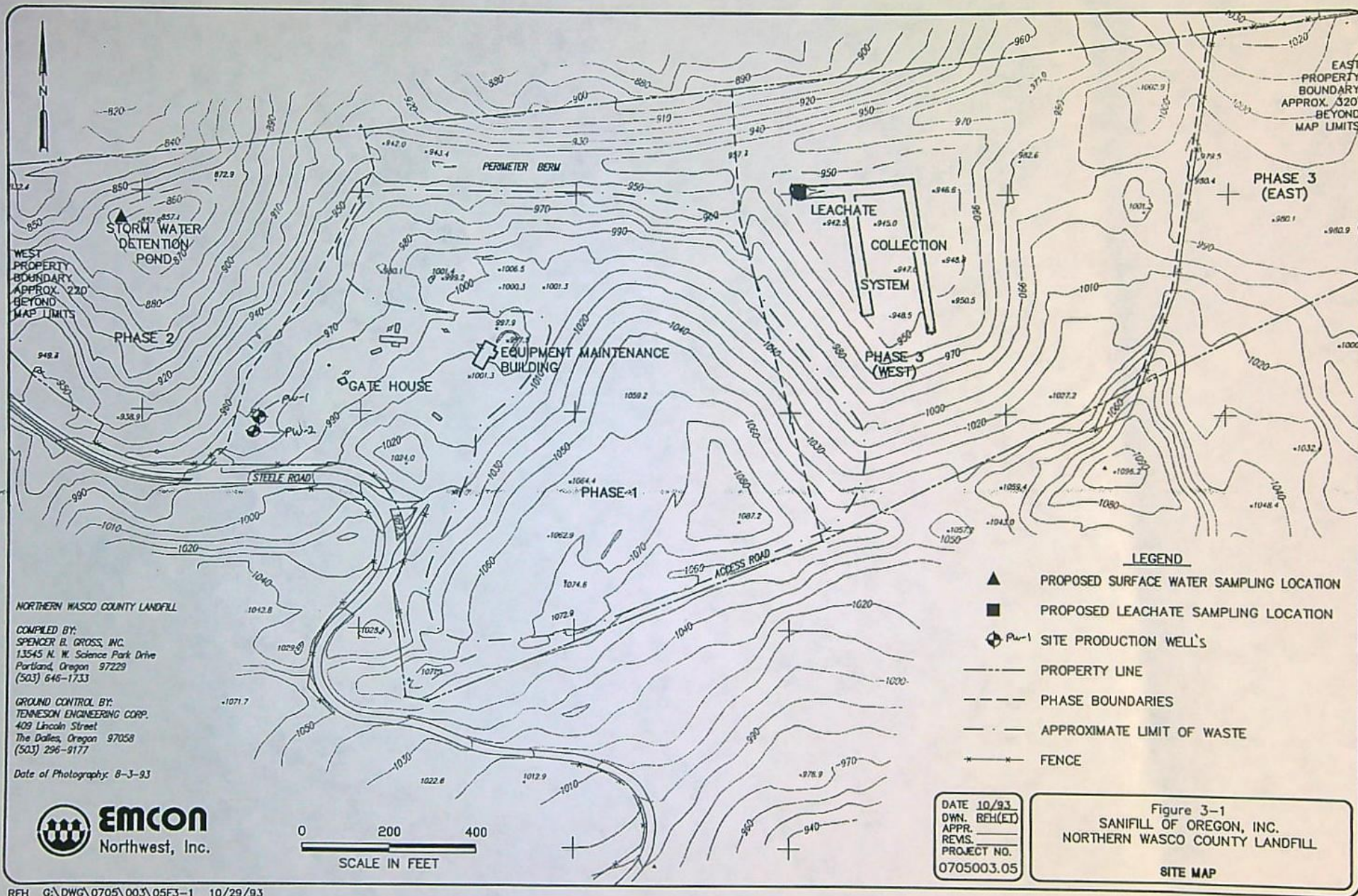


**Emcon**  
Northwest, Inc.

DATE 10/93  
DWN. mk  
APPR. *lf*  
REVIS.  
PROJECT NO.  
0705003.05

Figure 1-  
SANIFILL OF OREGON, INC.  
NORTHERN WASCO COUNTY LANDFILL  
WASCO COUNTY, OREGON  
**LOCATION MAP**





RFH G:\DWG\0705\003\05F3-1 10/29/93

RECEIVED  
 JUL 8 1995  
 NORTH  
 SALE



REC'D

Marcia H. Beeson / Geology Consultant

JUL 3 1995

7264 Wilshire Court, Milwaukie, OR 97267  
(503) 634-5242

WATER RES.

SALEM, OREGON

December 4, 1994

EMCON Northwest Inc.  
15055 SW Sequoia Parkway  
Suite 140  
Portland, OR 97224

PORTLAND OFFICE

ATTN: Craig Fanshier

RE: Hydrogeologic Consultation for the North Wasco County  
Landfill, The Dalles, Oregon, production well.

I was delighted to hear that the water well on the North Wasco County Landfill site was completed successfully at the projected target depth and that it is capable of producing at least the 100 gpm yield required. That was my projection based on all of the evidence available and on my own experience in The Dalles area, but the complexity of nature seldom allows these kinds of estimates to hold up so accurately to the rigorous test of drilling. Needless to say, I'm very pleased and just a bit relieved. Now, to complete my agreed upon consultation on this project, I have enclosed the final stratigraphic section based on my study of the drilling chips.

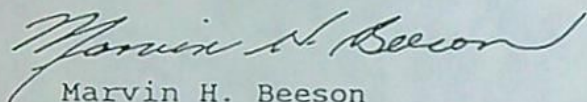
The CRBG part of the section was my primary concern even though I also washed and dried the sedimentary chips from the Chenoweth Formation (Dalles Group). The upper 460' is almost totally made up of volcanic material erupted from the Cascade volcanic arc. Based on a size classification of the clasts, the resulting sediments range from clays to gravel, with sand being the most abundant. The gravels are mostly confined to the upper 210' and appear to be transported and deposited by streams, probable flowing from the Cascades. However, some of these may be the distal ends of lahars from Cascadian volcanoes since the clasts appear to be mostly andesite and dacite. Some of the layers of sand-sized clasts in the 200 to 400' depth range, are largely volcanic ash and pumice and probably represent ash-flow deposits. One white, clay to silt, layer at about 50' may well be an ash fall deposit. The depths to boundaries on these units are approximations only since there seemed to be a considerable amount of contamination which made logging difficult. Perhaps the later cored holes will allow you to refine this part of the stratigraphic section.

The CRBG part of the section is quite similar to that in The Dalles, if my projections are accurate. Chemical analysis of several samples could yield unambiguous correlations if that is important to the project. The upper two flows, the Lolo and the Rosalia flows, are represented largely by vesicular or open textured lava apparently mixed with sediments through invasion of lava lobes at the bases and erosional reworking of the flow tops. Distinct boundaries again are difficult to establish. The lower flows are separated by thin interbeds, but otherwise contain the



normal intraflow textural zones as indicated on the stratigraphic section. The sedimentary interbeds in the CRBG are distinctly more gray in color than most of the post-CRBG Chenoweth Formation sediments, probably indicating a larger component of weathered basalt. The target aquifer occurs at the base of a thick Sand Hollow flow and probably represents pillow basalts mixed with a certain amount of sedimentary interbed. This interflow zone correlates with one of the interflow zones that supplies most of the ground water from The Dalles wells.

I would be very interested in spending an hour or two discussing my findings with you and perhaps refining this stratigraphic section based on data on drilling rates and core from some of your shallower monitoring wells. Also, what should I do with the chip samples from this well? I will certainly store them and would be glad to keep them for future reference if you have no further need of them. Please contact me if you have any questions or would like to discuss these results.



Marvin H. Beeson  
Oregon Geologist G493

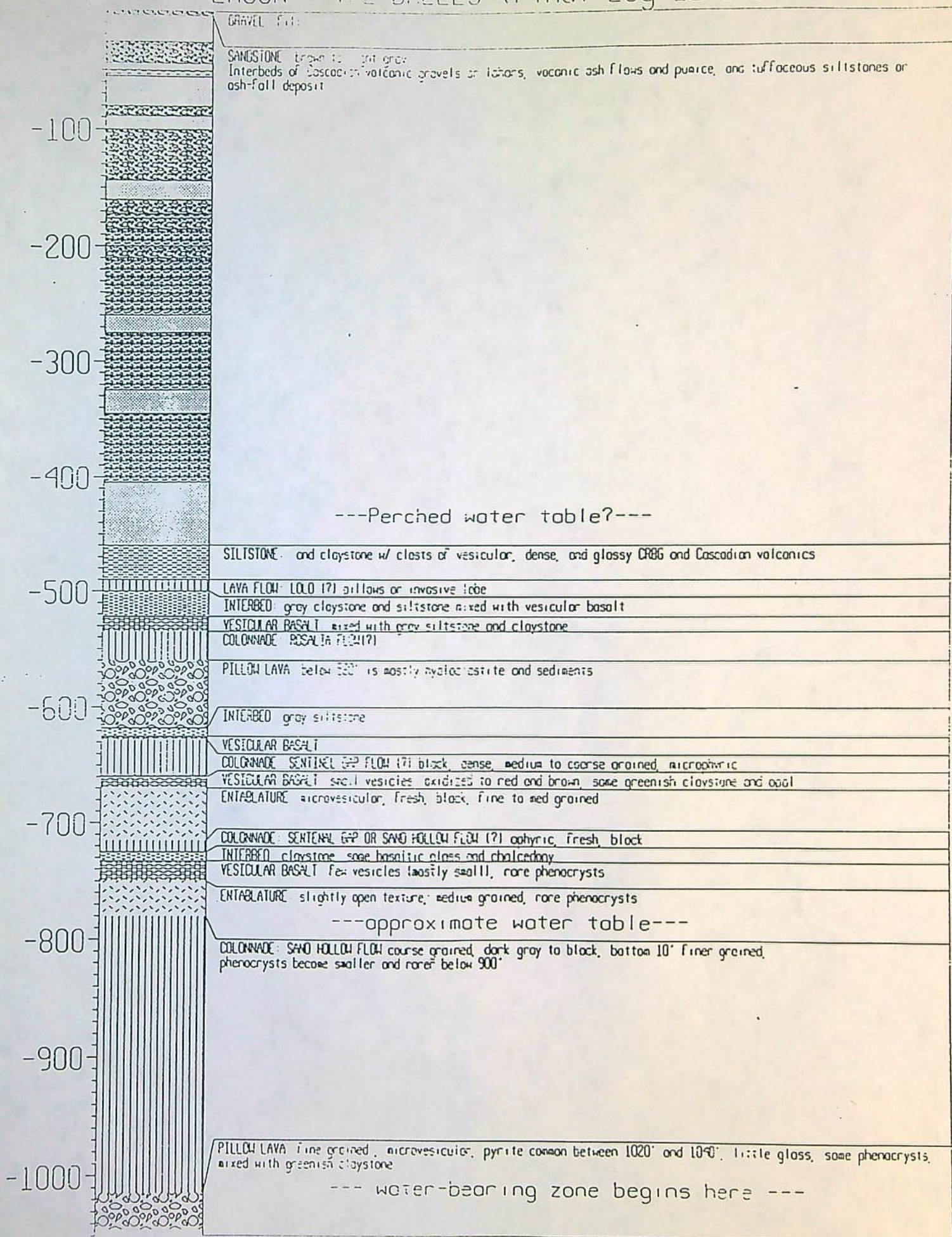
RECEIVED

JUL 3 1995

WATER RESOUR  
SALEM, OREG



# EMCON - THE DALLES (Final Log 12-3-94)





# Northern Wasco County Landfill, Inc.

FAX COVER PAGE

FAX TO:

*Doug Woodcock*

DATE:

*6-30-95*

TIME:

*11:00 AM*

NUMBER OF PAGES

*2*

, INCLUDING THIS PAGE.

FROM: SANIFILL OF OREGON, INC.  
dba NORTHERN WASCO COUNTY LANDFILL, INC.  
2550 STEELE ROAD  
THE DALLES, OR 97058

PHONE: 503-296-4082

FAX: 503-296-6449

CONTACT

*Linda*

if there are

problems with this transmittal.



**EMCON**

15055 SW Sequola Parkway • Suite 140 • Portland, Oregon 97224 • (503) 624-7200 • Fax (503) 620-7658

**FAX TRANSMITTAL**TO: Doug WoodcockDATE: 6/30/95FROM: Craig D. FenshlerTIME: 13:40

Number of Pages \_\_\_\_\_ (Including Cover Page)

If you have received this communication in error, please notify us at the telephone number listed above.

Sender Note: Complete if applicable.

CLIENT: Sanifill, N. Wasco County landfillProject/Task #: 0705-003.09

PHONE #: \_\_\_\_\_

FAX #: 378-2496

Unless otherwise indicated or obvious from the nature of the transmittal, the information contained in this facsimile message is confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

**COMMENTS:**

I have included a site location map, a site map with  
the approximate location of the new production well PW-2,  
and the boring log with interpretations.

All of these will be mailed to you today, plus I have  
included a large scale drawing with the New production  
well (PW-2).

ORIGINAL TO FOLLOW: X

ORIGINAL WILL NOT FOLLOW: \_\_\_\_\_

BROADCAST: \_\_\_\_\_

ANY QUESTIONS REGARDING THIS TRANSMISSION, PLEASE CALL THE NUMBER LISTED ABOVE



512 Washington Street  
The Dalles, OR 97058

SEE MAP

This map is made solely for the purpose  
of assisting in locating said premises and  
the Company assumes no liability for  
variations, if any, in directions and lo-  
cation ascertained by actual survey.

WASCO TITLE, INC.

Order # 14-33424

3202

3203

3204

3205

3206

3300

3400

3401

3402

3501

3502

3503

3504

3505

3506

3507

3600

3601

3701

3900

4000

4100

4400

4500

4600

4700

4800

100

200

300

401

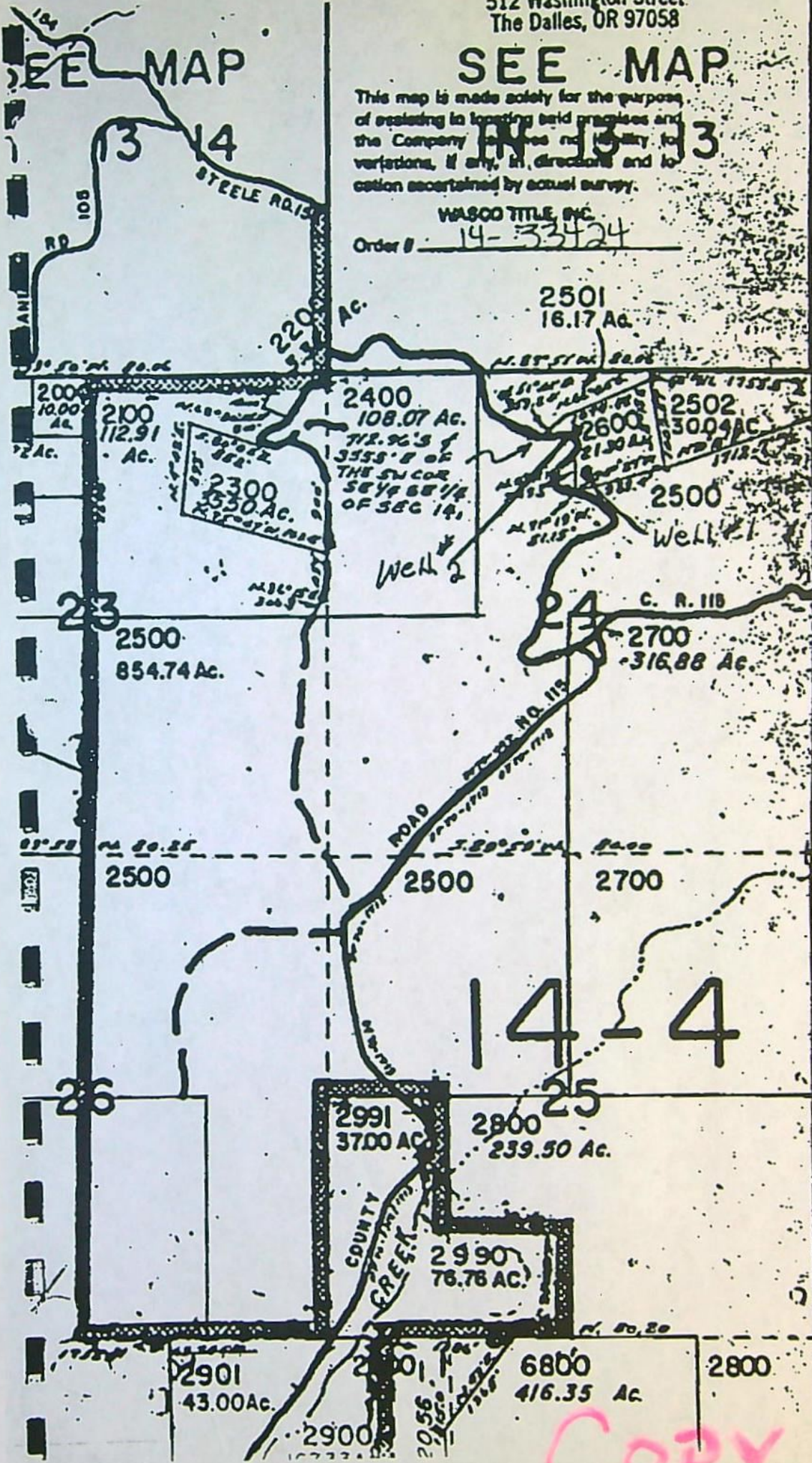
THRU

405

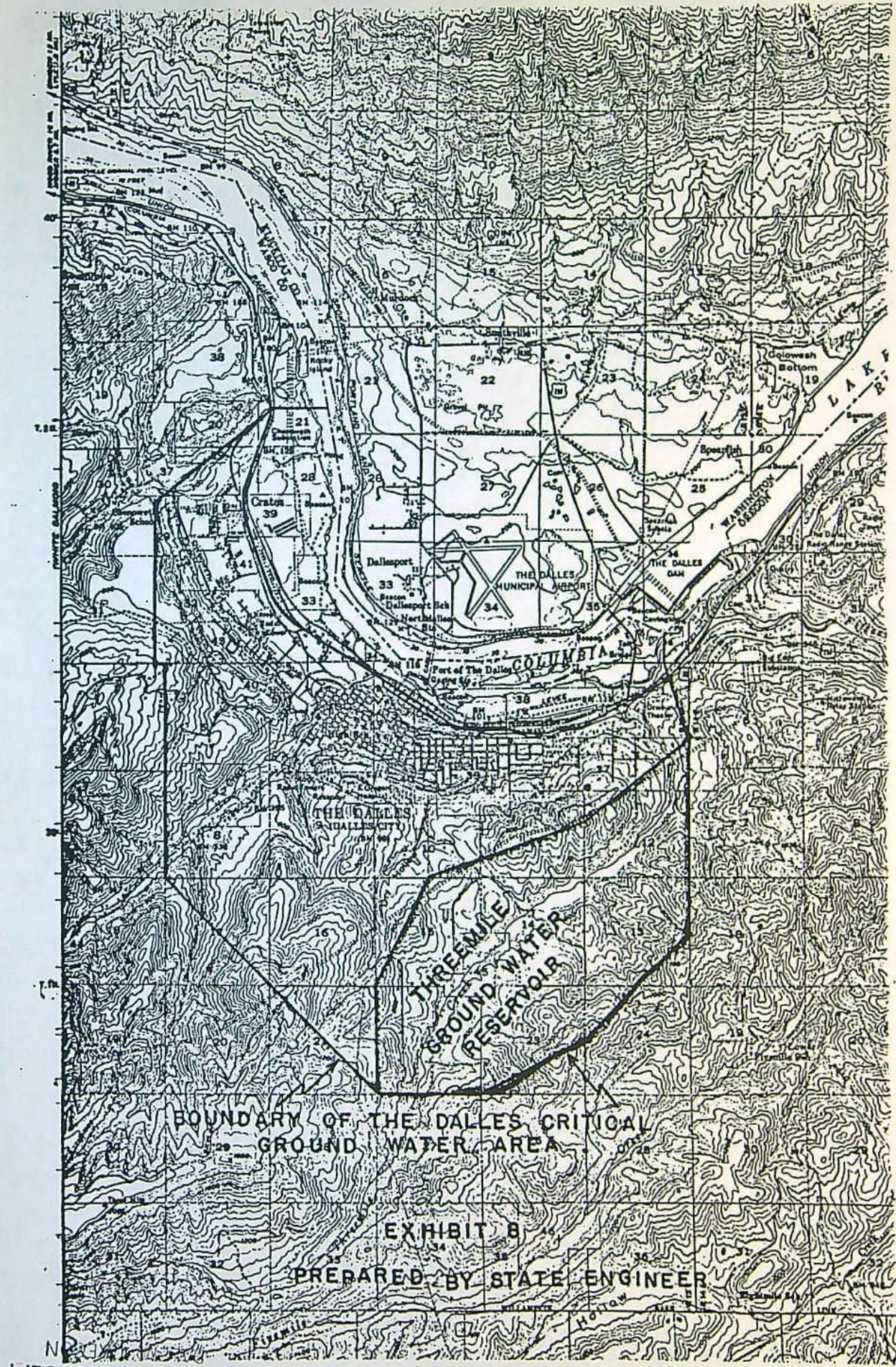
600

PARCEL

6107







Application No. 673708  
Permit No.

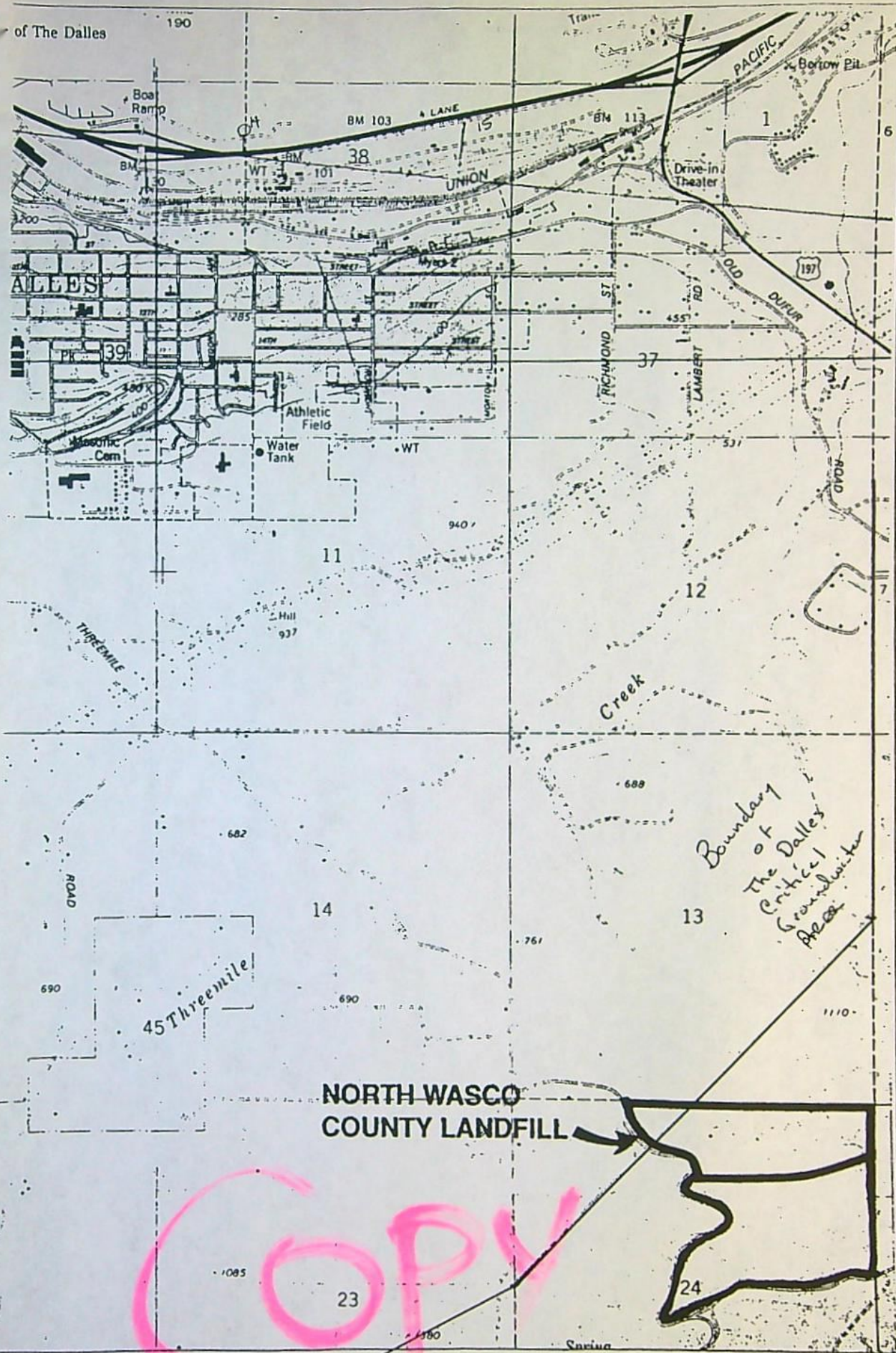
RECEIVED  
JUN - 8 1994  
WATER RESOURCES DEPT

COPY



of The Dalles

190



RECEIVED

JUN - 8 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

Critical Groundwater restricts use of water from Three mile Groundwater Reservoir and Dalles Groundwater Reservoir

VICINITY MAP

Application No. G-13708  
Permit No.



Application No. C-13708

# Northern Wasco County Landfill, Inc.

MAY 27, 1994

RECEIVED

JUN - 8 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

RECEIVED

MAY 31 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

WATER RESOURCES DEPARTMENT  
3850 PORTLAND ROAD NE  
SALEM, OR 97310

DEAR WATER RESOURCES DEPARTMENT:

Enclosed please find Northern Wasco County Landfill's "Application for a Permit to Appropriate Ground Water". We are submitting this to you in an effort to meet the requirements of our Solid Waste Disposal Facility Permit (issued by the Oregon Department of Environmental Quality - DEQ).

The DEQ permit requires that we "at all times, provide water in sufficient quantities to satisfy the approved fire protection plan, dust suppression plan, establishment of vegetation, and for all necessary uses of the disposal site".

We are planning to install a well at the site which we estimate will produce 200 gallons per minute (gpm). Water use at the site is expected to require 100 gpm for construction projects and 20 gpm for dust control.

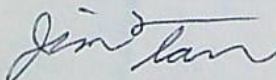
Due to the above mentioned DEQ permit requirement, we hope you will give this application immediate consideration so we can maintain compliance with our state permit.

Please let us know if there is anything we can do to assist you in review of our application, and feel free to call me if you have any questions.

Thank you, in advance, for your assistance and response.

Sincerely,

Northern Wasco County Landfill



Jim Tarr  
Site Manager



Application No. 6-13708

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

RECEIVED

MAY 31 1994

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

SOURCES DEPT.  
SALEM, OREGON

Applicant's Name: Samifill, Inc. dba Northern Wasco County Landfill  
Address: 2550 Steele Rd  
City: The Dalles State: OR Zip: 97058 Day Phone: 503-296-4082

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

RECEIVED

JUN - 8 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Use
2501	FARM / A-1(80) / <del>RR-5</del>			✓
2500	FARM / A-1(80) / EPD-2			✓
2500	FARM / A-1(80)			✓
2500	FARM / A-1(80) / EPD-2			✓

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

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

For Local Government Use Only

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

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

☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): \_\_\_\_\_ . Go to section b) on reverse side.

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

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily
NONE				

(over)

Receipt for Request for Land Use Information

WRD Applicant Name: \_\_\_\_\_

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

City or County: \_\_\_\_\_

Staff Contact: \_\_\_\_\_ Phone: \_\_\_\_\_

Signature: \_\_\_\_\_ Date of Information Request: \_\_\_\_\_



(For Local Use Continued)

b) Please provide printed name and written signature.

Name: DAWN BAIRD

Title: Planner

Date: 6/6/94

Phone: 298-5169

Signature: Dawn Baird

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

Additional Comments:

This image shows a full page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or printed text on the paper.



## Description of Water Use

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

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

Applicant Name: Sniffill, Inc - dba - Northern Wasco CountyAddress: 2550 Steele RdThe Dalles, ORPhone: 503-296-408297058

RECEIVED

MAY 31 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

RECEIVED

JUN - 8 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- ☐ Irrigation (crop type, golf course, nursery or greenhouse): \_\_\_\_\_
- ☐ Livestock (type of livestock, feedlot, slaughterhouse): \_\_\_\_\_
- ☐ Residential (# units, single or multi-family, # lots if partition or subdivision): \_\_\_\_\_
- ☐ Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): \_\_\_\_\_
- ☐ Industrial (i.e., factory, pulp mill, research and development, processing, etc.): \_\_\_\_\_
- ☐ Institutional (i.e., school, library, etc.): \_\_\_\_\_
- ☐ Mining (aggregate, metal, open pit, placer, etc.): \_\_\_\_\_
- ☐ Recreation (park, campsite, pond, etc.): \_\_\_\_\_
- ☐ Fish and Wildlife (pond, hatchery, etc.): \_\_\_\_\_
- ☐ Hydropower (dam, reservoir, power generating or transmitting facilities): \_\_\_\_\_
- ☒ Other (Name and list key characteristics): dust control and construction

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input type="checkbox"/> Surface Water Name sources: _____ _____ _____	_____ Cubic feet per second. <u>200</u> Gallons per minute. _____ Acre-Feet
<input type="checkbox"/> Reservoir or pond	
<input checked="" type="checkbox"/> Ground Water	



Application # G-18600      Permit # G-18221      Transfer #

Fulton Family Enterprises  
Inc

RA# R13068-25

**Reimbursement Authority Process**  
***Itemized Estimate Sheet***  
for  
**Certificates**

	New Est. Time (hr)	Multiplie r	Total Est Hours	Individual	Hourly Rate	New Est. Cost	Date/Act. Time
1. Review COBU - claimed 1 well	1.50	31%	1.97	Kerry	\$78.56	\$ 154.37	
2. Conflict Check	0.50	31%	0.66	Kerry	\$78.56	\$ 51.46	
3. Prep of def. letter - contingency time	0.50	31%	0.66	Kerry	\$78.56	\$ 51.46	
4. Enter pump test data -	0.00	31%	0.00	Kerry	\$78.56	\$ -	
5. Prep of 1 cert- 1 well	3.00	31%	3.93	Kerry	\$78.56	\$ 308.74	
6a. Peer review - consultation	0.50		0.50	Gerry	\$74.84	\$ 37.42	
6b. Peer review	0.30		0.30	Dwight	#####	\$ 33.57	
6c. Peer review	1.00	26%	1.26	Gerry	\$74.84	\$ 94.30	
7. Project Management	4.50	31%	5.90	Kerry	\$78.56	\$ 463.11	
8a. Water right data record update	0.75	31%	0.98	Support- Tonya	\$41.54	\$ 40.81	
8b. Water right data record update	2.25		2.25	Data Tech	\$57.65	\$ 129.71	
submitted. After estimate cost paid, send email to GW	2.00		2.00	Boschman n	\$89.41	\$ 178.82	
<b>Total</b>	<b>16.80</b>		<b>20.39</b>		<b>Total</b>	<b>\$1,544</b>	
						Overhe	\$154.38
						<b>TOTAL</b>	<b>\$1,698</b>

Permit G-15592 issued 4-8-2004. C Date=10-1-2008 - extended to 10-1-2023.

-- 1.0 cfs, being 0.346 cfs for IR of 27.64 ac and 0.696 cfs for IS of 55.66 ac from 1 well

COBU rec'd 8-12-2024. Claimed 1 well CLAC 55308 - 0.72 cfs for IR of 22.1 ac and IS of 48.8 cfs. Lower Q & fewer acres -



Application # G-13708

Permit # G-12868

Transfer #

Waste Connections

RA# R13072-25

**Reimbursement Authority Process**  
**Itemized Estimate Sheet**  
 for  
**Certificates**

	New Est. Time (hr)	Multiplie r	Total Est Hours	Individual	Hourly Rate	New Est. Cost	Date/Act. Time
1. Review COBU - claimed 1 well	1.50	31%	1.97	Kerry	\$78.56	\$ 154.37	
2. Conflict Check	0.50	31%	0.66	Kerry	\$78.56	\$ 51.46	
3. Prep of def. letter - contingency time	0.50	31%	0.66	Kerry	\$78.56	\$ 51.46	
4. Enter pump test data -	0.00	31%	0.00	Kerry	\$78.56	\$ -	
5. Prep of 1 cert- 1 well	4.00	31%	5.24	Kerry	\$78.56	\$ 411.65	
6a. Peer review - consultation	0.50		0.50	Gerry	\$74.84	\$ 37.42	
6b. Peer review	0.30		0.30	Dwight	#####	\$ 33.57	
6c. Peer review	1.00	26%	1.26	Gerry	\$74.84	\$ 94.30	
7. Project Management	4.75	31%	6.22	Kerry	\$78.56	\$ 488.84	
8a. Water right data record update	0.75	31%	0.98	Support- Tonya	\$41.54	\$ 40.81	
8b. Water right data record update	1.50		1.50	Data Tech	\$57.65	\$ 86.48	
9. Pump Test - attached to COBU - also ask about GW monitoring plan req per permit	1.50		1.50	Boschman n	\$89.41	\$ 134.12	
<b>Total</b>	<b>16.80</b>		<b>20.78</b>		Sub Total	<b>\$1,584</b>	
					Overhe	\$158.45	
					<b>TOTAL</b>	<b>\$1,743</b>	

Permit G-12868 issued 10-10-1996. C Date=10-1-1998 extended to 10-1-2014.

-- 0.45 cfs from 1 well for INDustrial Use (dust control &amp; construction)

Permit Amendment T-9510 issued 8-12-2004 - change in POJ.

COBU rec'd 9-12-2024. Claimed POA 1 (WASC 2196) - 110 GPM (about 0.245 cfs) for Industrial Use. Lower Q - PROP



STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # 143940

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

INVOICE #

RECEIVED FROM: Waste Connections  
BY:

APPLICATION 6-13708  
PERMIT  
TRANSFER

CASH: ☐ CHECK: # X5703264 OTHER: (IDENTIFY)

TOTAL REC'D \$1,743.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47123 R13072.25 \$  
0413 OTHER: (IDENTIFY) Certificate By Impulsant \$1,743.00  
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 RECORD FEE  
0203 GROUND WATER \$ 0202 \$  
0205 TRANSFER \$ 0204 \$

WELL CONSTRUCTION

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

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ CARD#  
0210 MONITORING WELLS \$ CARD#

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND TITLE RECEIVED  
OBJ. CODE VENDOR# OVER THE COUNTER  
DESCRIPTION \$

RECEIPT: 143940

DATED: 10-7-24 BY: [Signature]

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

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # 143940

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

INVOICE #

RECEIVED FROM: Waste Connections  
BY:

APPLICATION 6-13708  
PERMIT  
TRANSFER

CASH: ☐ CHECK: # X5703264 OTHER: (IDENTIFY)

TOTAL REC'D \$1,743.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47123 R13072.25 \$  
0413 OTHER: (IDENTIFY) Certificate By Impulsant \$1,743.00  
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 RECORD FEE  
0203 GROUND WATER \$ 0202 \$  
0205 TRANSFER \$ 0204 \$

WELL CONSTRUCTION

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

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ CARD#  
0210 MONITORING WELLS \$ CARD#

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND TITLE RECEIVED  
OBJ. CODE VENDOR# OVER THE COUNTER  
DESCRIPTION \$

RECEIPT: 143940

DATED: 10-7-24 BY: [Signature]

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

WASTE CONNECTIONS

DATE 10/1/2024 CHECK NUMBER 5103264

Invoice	Invoice Date	PO No.	Description	Net Amount
G-12868 COBU APP	9/11/2024	PO-2042-24-00286	Beneficial use permit application fees	1,743.00

Received  
OCT 07 2024  
OWRD

Vendor No. U0053280

Pay To STATE OF OREGON WATER RESOURCES

Net Total

\$ 1,743.00





OREGON  
WATER  
RESOURCES  
DEPARTMENT

OREGON WATER RESOURCES DEPARTMENT  
CERTIFICATE REIMBURSEMENT AUTHORITY  
APPLICANT'S AGREEMENT  
Contract Number: **R13072-25**

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Waste Connections, hereafter Applicant, hereafter known together as the parties.

**OWRD Information**

Project Contact: Kerry Kavanagh  
Reimbursement Authority  
Oregon Water Resources Department  
725 Summer Street NE  
Salem OR 97301-1271  
Phone: 503-979-3208  
Email: [Kerry.L.Kavanagh@water.oregon.gov](mailto:Kerry.L.Kavanagh@water.oregon.gov)

**Applicant's Information**

Name: Brian Evola  
Title: District Manager  
Company: Waste Connections  
Address: 2550 Steele Rd  
The Dalles OR 97058  
Phone: 360-425-4302  
Email\*: [brian.evola@wasteconnections.com](mailto:brian.evola@wasteconnections.com)

**Applicant's Representative**

Name: Robert Long, Jr.  
Title: Representative  
Company: CwM-H2O LLC  
Address: 311 B Avenue, Suite P  
Lake Oswego OR 97034  
Phone: 503-954-1326  
Email\*: [bob.long@cwmmh2o.com](mailto:bob.long@cwmmh2o.com)

\*By providing an Email address, consent is given to receive all correspondence electronically. (Paper copies of the certificate and final order documents will also be mailed.)

1. **Purpose.** The purpose of this Agreement is to expedite the processing of the **Claim of Beneficial Use**.  
(Application Number: G-13708)

Received by OWRD

2. **Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.

OCT 07 2024

Salem, OR

3. **Restrictions.** Waste Connections and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.

4. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.

5. **Consideration.** Waste Connections shall pay OWRD in advance for actual costs incurred by OWRD. Waste Connections agrees to pay the full amount of **\$1743** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.

6. **Confidentiality.** Waste Connections agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.

7. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

PCA 47123



8. **Termination.** Applicant may request to terminate this agreement only in writing at any time during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
9. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certifies that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
10. **Duration of Estimate.** The Estimate of Time to complete the work is no later than one hundred and twenty days (120) days once this Agreement has been fully executed and payment of the estimated cost deposited. However, this estimate is contingent on the Applicant's expeditious resolution of any deficiency and may be affected by the Department's work load. This Estimate of Time may become null and void after thirty (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate.
11. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
12. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
13. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: Brian Evola  
Name: Brian Evola  
Title: District Manager  
Company: Waste Connections  
Date: 10-3-24

For OWRD: K Kavanagh  
Name: Kerry Kavanagh  
Water Right Services Division  
Date: 10-9-2024

Received by OWRD

OCT 07 2024

Salem, OR

Mail signed Agreement to:

Kerry Kavanagh  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271

PCA 47123



STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # 143797

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

INVOICE #

RECEIVED FROM: Waste Connections  
BY:

APPLICATION 6-13708  
PERMIT  
TRANSFER

CASH: ☐ CHECK: # 59812 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47123 R13072-25  
0413 OTHER: (IDENTIFY) Certificate Reimbursement Authority \$125.00  
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 \$  
0203 GROUND WATER EXAM FEE 0204 \$  
0205 TRANSFER EXAM FEE

WELL CONSTRUCTION

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

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ CARD#  
0210 MONITORING WELLS \$ CARD#

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND TITLE  
OBJ. CODE VENDOR #  
DESCRIPTION

RECEIPT: 143797

DATED: 9-12-24 BY: [Signature]

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

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # 143797

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

INVOICE #

RECEIVED FROM: Waste Connections  
BY:

APPLICATION 6-13708  
PERMIT  
TRANSFER

CASH: ☐ CHECK: # 59812 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47123 R13072-25  
0413 OTHER: (IDENTIFY) Certificate Reimbursement Authority \$125.00  
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 \$  
0203 GROUND WATER EXAM FEE 0204 \$  
0205 TRANSFER EXAM FEE

WELL CONSTRUCTION

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

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ CARD#  
0210 MONITORING WELLS \$ CARD#

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND TITLE  
OBJ. CODE VENDOR #  
DESCRIPTION

RECEIPT: 143797

DATED: 9-12-24 BY: [Signature]

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

WASTE CONNECTIONS

Invoice	Invoice Date	PO No.	Description	Net Amount
G-12868 RA App Fee	7/31/2024	PO-2042-24-00286	Beneficial use permit application fees	125.00

Received  
SEP 12 2024

OWRD

Vendor No. U0053280 Pay To STATE OF OREGON WATER RESOURCES

Net Total

\$ 125.00

WLP528511VTL28 (6230)





OREGON WATER RESOURCES DEPARTMENT  
CERTIFICATE REIMBURSEMENT AUTHORITY  
ESTIMATE APPLICATION

ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

The purpose of this application is to obtain estimates of the cost and time required to process a Certificate Request. A separate estimate application is required for each application and/or transfer number. There is a non-refundable application fee of \$125.00 per request.

REQUEST	TYPE	FILE NUMBER
<input checked="" type="checkbox"/>	Certificate Request	Application Number G-13708 Permit Number G-12868 Transfer Number/Permit Amendment (if applicable) T-9510

Applicant Information		Applicant's Representative/Contact
Name:	Waste Connections, Brian Evola, District Manager	Robert Long, Jr
Address:	2550 Steele Rd. The Dalles, OR 97058	311 B Ave. Suite P, Lake Oswego, OR, 97034
Phone:	360-425-4302	(503) 954-1326
Fax:		
E-Mail:	brian.evola@wasteconnections.com	bob.long@cwmmh2o.com

I certify that I (check one):

- ☒ I have previously filed a Claim of Beneficial Use  
☐ I am attaching the Claim of Beneficial Use with this request and have included the appropriate claim fee.

I understand the following:

- That upon receipt of my non-refundable application fee in the amount of \$ 125.00, OWRD will, within fourteen (14) days, notify me in writing of the estimates of cost and time frame for the expedited service.
- For a groundwater permit, a pump test or exemption request must be submitted to OWRD prior to this request.
- The fee covers reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate Claim of Beneficial Use may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:  
Oregon Water Resources Department  
Certificate Reimbursement Authority Program  
725 Summer St. NE, Suite A  
Salem, OR 97301-1271

I certify that I am the (check one):

- ☒ Applicant ☐ Applicant's Representative ☐ Other (Please specify) \_\_\_\_\_

Name: Brian Evola

Signature: Brian Evola

OWRD USE ONLY: Reimbursement Authority Number: R13072-25

Received  
SEP 12 2024  
OWRD





Received  
SEP 12 2024  
OWRD

September 11, 2024

Oregon Water Resources Department  
Attn: Kerry Kavanagh,  
Certificate Reimbursement Authority Program Coordinator  
725 Summer St. NE Ste A  
Salem, Oregon 97301

**RE: CLAIM OF BENEFICIAL USE AND REIMBURSEMENT AUTHORITY APPLICATION – G-12868**

Dear OWRD Staff,

Please find accompanying this letter a Claim of Beneficial Use (COBU) Application for Groundwater Permit G-12868 on behalf of Waste Connections (Applicant), the operator of the Wasco County Landfill. The COBU is accompanied by an application for expedited review through the Reimbursement Authority (RA) as well as two checks for the RA fee (\$125, Check #5094612) and the COBU review fee (\$230, Check #5094611).

Also accompanying this application is a pump test report for a 4-hour constant rate pump test performed on September 1, 2024. The report has also been submitted electronically to the Pump Test Program of the Groundwater Section.

Please let us know if there are any issues with processing the RA application, COBU application or map, any of the supplementary attachments, or if you have questions regarding the information included therein. Thank you for your assistance.

Sincerely,

**CwM H2O, L.L.C.**

Robert Long, CWRE