

ASSIGNED

Name G-16648 Susan Lee McDougal

By 64682 Cook Ave #45

Address Bend, OR 97701

C 2023

Priority _____

County _____ WM# _____

Application No. G16648

Permit No. C7-16364

Certificate No. _____

Date _____

DENIED _____

MISFILED _____

WITHDRAWN _____

CANCELLED _____

Volume _____ Page _____

FEEES PAID

Date	Amount	Receipt No.
3/28/08	500.00	80512
6/19/08	350.00	92941
6/24/13	575.00	110046
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Receipt No.

RELATED FILES

ASSIGNMENTS

Date	To Whom	Address
6/19/2008	SUSAN LEE MCDUGAL	64682 COOK AVE #45 BEND OR 97701

DEVELOPMENT

Date _____

Completion 10-1-2013

Extended to 10-1-2023

Final Proof received _____

Proposed Cert. Mailed _____

REMARKS

MAP LOCATION

BJORK Mary F * WRD

From: BJORK Mary F * WRD
Sent: Tuesday, December 31, 2024 9:27 AM
To: Caryn Darmer
Cc: BJORK Mary F * WRD
Subject: RE: Deschutes County Permit
Attachments: handbook.pdf

Hi Caryn,

Thanks for taking my calling and discussing your questions. As mentioned, I'm sending a [link to Extensions](#), in case you want to pursue another extension. Also, you can view the Scanned Documents for the permit at [Application G-16648, Permit G-16364](#).

I'm also including pdf of our Water Rights in Oregon Handbook. We covered a lot of information and you might find the handbook helpful in understanding water rights in the state.

Best regards,

[Mary F. Bjork](#)
Water Rights Program Analyst
725 Summer St NE, Suite A, Salem OR 97301 | Phone 503-979-9895

From: Caryn Darmer <caryndarmer@gmail.com>
Sent: Tuesday, December 31, 2024 8:56 AM
To: BJORK Mary F * WRD <Mary.F.BJORK@water.oregon.gov>
Subject: Re: Deschutes County Permit

You don't often get email from caryndarmer@gmail.com. [Learn why this is important](#)

Thanks Mary. Can we get this permit back into good standing? What is the process for that? The owner is recording all the logs for both permits, and she did renew the permit Oct. 2023 she said and the webpage says for Pod 2 - A Well.

On Tue, Dec 31, 2024 at 8:46 AM BJORK Mary F * WRD <Mary.F.BJORK@water.oregon.gov> wrote:

Hi Caryn,

When new landowners purchase property that is covered by a portion of a permit, a **partial assignment** may be pursued. Partial assignments are available with both direct assignments (when the current permit holder of record is available to assign their interest) and with assignments by proof of ownership (when the current permit holder of record is not available to assign their interest).

I've attached copies of both assignment forms. You'll notice they both have an action box that may be checked for partial assignment. Partial assignments require a map indicating the portion of the permit being requested for assignment. You may consider using the permit map for the partial assignment map. It's available via the following water right number link.

[Application G-16648, Permit G-16364](#) has not been split into two permits. There is a process called, [Split a Permit](#), but I don't believe that process is available to this permit because it's completion date has passed and it is therefore considered expired. Information on the process and the current contact is available via the link.

Hope this helps,

Mary

[Mary F. Bjork](#)

Water Rights Program Analyst

725 Summer St NE, Suite A, Salem OR 97301 | Phone 503-979-9895



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

From: Caryn Darmer <caryndarmer@gmail.com>
Sent: Tuesday, December 31, 2024 6:15 AM
To: BJORK Mary F * WRD <Mary.F.BJORK@water.oregon.gov>
Subject: Re: Deschutes County Permit

You don't often get email from caryndarmer@gmail.com. [Learn why this is important](#)

Hi Mary,

Gerry explained most of the process to transfer over the water permit for the property I am about to purchase, last night I had one more question I came up with.

The property was 20 acres, 2 acre water permit was in the back, and a 2 acre water permit was in the front. The owner divided the property (through Deschutes County) and now is selling us the front 10 acres with the 2 acre water permit. What I would like to make sure is if the water permit is able to be divided or if it already is, since the property is now two lots. Address: 18349 Tumalo Reservoir Rd Bend, OR. Permit Number: 16364.

My main concern is purchasing the property and not being able to transfer the water permit after I have already purchased. It is our intention to get it transferred to our name, and have the pump test and claim completed to get it turned into a certificate.

Thank you,

Caryn Darmer 253-282-3720

On Mon, Dec 30, 2024 at 5:06 PM CLARK Gerald E * WRD <Gerald.E.Clark@water.oregon.gov> wrote:

Caryn,

I apologize for not responding sooner. I was out of the office with the flu all last week.

If you were to purchase this property, the interest in the permit can be conveyed to you through the Assignment process.

An Assignment is a formal process to change the name of the holder of an application, permit, limited license, transfer, permit amendment or groundwater registration claim (i.e., non-perfected, non-certificated rights). An Assignment ensures that the Department knows who the water right record belongs to and who will be responsible for finalizing the right.

There are two different types of Assignments, each with a specific form:

Request for Assignment, used when the existing holder of the water right record will be signing the paperwork to assign the water right record, or a portion thereof, to another person or entity.

Request for Assignment in Absence of Permit Holder, used when the existing holder of record is not available to sign the paperwork. In this case, the person requesting the Assignment must provide proof of ownership for the property that is to be involved in the Assignment.

Examples of acceptable "proof of ownership" include, but are not limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property jointly held. The Department cannot accept a copy of a tax statement.

If you have any additional questions concerning the Assignment process, feel free to contact Mary Bjork. I have copied her on this message.

Thank you again for your patience.

Gerry

Gerry Clark

Oregon Water Resources Department

Program Analyst, Certificate Section, Water Right Services Division

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-979-9103

From: Caryn Darmer <caryndarmer@gmail.com>
Sent: Thursday, December 26, 2024 9:37 AM
To: CLARK Gerald E * WRD <Gerald.E.Clark@water.oregon.gov>
Subject: Deschutes County Permit

You don't often get email from caryndarmer@gmail.com. [Learn why this is important](#)

Hi Gerry,

I am looking at a friends property to purchase, she has a water right permit for 2 acres of water off the well in Deschutes County in Tumalo. I am wondering if I purchase the property, does the permit transfer to the new owner or does it need to be made into a certificate to transfer? I know it did transfer ownership in the past as a permit.

Thanks,

Caryn

COURCHANE Corey A * WRD

From: HENDERSON Sarah A * WRD
Sent: Monday, October 16, 2017 1:25 PM
To: COURCHANE Corey A * WRD
Subject: RE: Deschutes mitigation

Hi Corey,

Susan McDougal, Permit G-16364 is up to date with mitigation credits. She acquired 5.4 af permanent mitigation credits with MP-27 (T-9824).

Sarah

From: COURCHANE Corey A * WRD
Sent: Monday, October 16, 2017 1:00 PM
To: HENDERSON Sarah A * WRD
Subject: Deschutes mitigation

Sarah,

I'm inquiring about Susan McDougal, App. G-16648/Permit G-16364. Just want to know if she is current on her mitigation credits.

Thank you,

Corey

COREY A COURCHANE | EXTENSION SPECIALIST

Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301

Ph: 503 986-0825 | Fax: 503 986-0901

Email: corey.a.courchane@oregon.gov | Web: <http://www.oregon.gov/OWRD>



Oregon
Kate Brown, Governor

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

November 20, 2017

Susan Lee McDougal
64682 Cook Ave #45
Bend, OR 97701

REFERENCE: Application G-16648 / Permit G-16364

Dear Permit Holder:

The Water Rights Section received your written Progress Report for Permit G-16364. Receipt of the progress report was published on the Department's weekly Public Notice, dated October 17, 2017. The Department did not receive any public comment on the progress report.

The Department has determined diligence toward completion of the project and/or compliance with the terms and conditions of the permit and extension is questionable, as no additional work has been accomplished, and no water has been appropriated.

Please be aware that the deadline for completion of construction and full beneficial use of water under Permit G-16364 is October 1, 2023. If diligence continues to be questionable, an additional extension of time for Permit G-16364 will likely not be approved by the Department.

It is in your best interest to make substantial progress on the development of Permit G-16364 by the next written progress report with a due date of October 1, 2022. For your convenience, I have enclosed your next *Progress Report Form*. Please calendar this October 1, 2022 due date, as no further reminders will be sent. ***Failure to submit a written progress report will most likely result in any future extensions being denied.***

If you have any questions, please feel free to contact me by telephone at (503) 986-0825.

Sincerely,

Corey Courchane
Adjudication & Extension Specialist

cc: Appl G-16648
Watermaster District 11 - Jeremy Giffin



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

Extension of Time Progress Report Form

For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Susan Lee McDougal Application G-16648 Permit G-16364

Report Due no later than October 1, 2022
 DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

Progress Report Form for 2022

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-16364. FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, 2017 and October 1, 2022	FINANCIAL INVESTMENT

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

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

4. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.
 Maximum rate used to date = _____ cfs (cubic feet per second)

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

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

Signature _____ Date _____

For OWRD use only

Diligence Shown Yes No Date Public Noticed: _____

Reviewed by: _____ Date: _____

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

1. Extension Specialist: Progress Report Review

Date Report was Due: 10/1/2017 (= "Deadline Date" for the corresponding ECP work flow record in WRIS)

Date Report Received: 10/10/2017

Report Complete: YES

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

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

315 320 OAR Division under which Progress Report was required

Publish on Public Notice Date: 10-17-17

Update workflow in WRIS

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

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

Return file to Corey Courchane.

3. Extension Specialist: Prepare Progress Report Confirmation Letter

See [progress report procedures.doc](#)

(date / mail out after 30 day comment period)

Date Confirmation Letter Needed: 11/20/17

Update Progress Report Worksheet.xls

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

CC: Watermaster D:st 11 - J. Giffin

File G-16648

PUBLIC NOTICE INFORMATION

Permit Holder's Name: Susan McDougal Attn:

Application: G-16648

Permit: G-16364

County: Deschutes

Source: Well 1 (DESC 53647) and Well 2 in Deschutes River Basin

Use: Irrigation on 4.0 acres



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

RECEIVED

OCT 10 2017

OWRD

Extension of Time
 Progress Reporting Form
 For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Susan McDougal

Application G-16648 Permit G-16364

Progress Report Form for 2017

Report Due no later than October 1, 2017

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit G-16364. FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between September 24, 2013 and October 1, 2017	FINANCIAL INVESTMENT
	No Activity	

2. Describe actions taken to comply with terms/conditions of the permit and/or previous extension.

Don't need to do any as yet - saving \$

3. Total number of acres irrigated to date= 0

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 = 0 cfs (cubic feet per second)

Well 1 (DESC 53647) X Well 2 _____

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

INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITEM.

Signature _____ Date 3/21/17

Printed Name/Title Sue McDougal

For OWRD use only

Diligence Shown Yes No minimal

Date Public Noticed: 10/12/17

Reviewed by: Craig

Date: 10/10/17

Sue McDougal
64682 Cook Ave #45
Bend, OR 97703

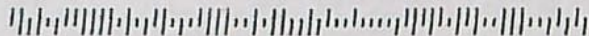
EUGENE OR 974

126 OCT 2017 PM 2 L



OREGON Water Resources Department
725 SUMMER STREET NE Suite A
Salem, OR 97301-1266

97301\$1266



WR



Oregon
Kate Brown, Governor

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

File

March 10, 2017

Susan McDougal
64682 Cook Ave #45
Bend, OR 97701

REFERENCE: Application G-16648 / Permit G-16364

Dear Permit Holder:

On October 10, 2014, the Department issued a Final Order approving an Extension of Time for Permit G-16364. The Final Order contained a condition to submit a progress report to the Department by October 1, 2017.

This letter is being sent to you as a reminder the progress report is due on October 1, 2017.

For your convenience, I have enclosed a **Progress Report Form** for you to fill out and submit. In order to maintain the ability to continue developing water under this permit, you should submit your progress report no later than October 1, 2017.

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, 2023.

Failure to submit written progress reports will most likely result in any future extensions being denied.

If you have any questions concerning this matter, you may contact me by telephone at (503) 986-0825.

Sincerely,

Corey A Courchane
Extensions
Water Rights Services Division

Enclosure

cc: Application G-16648
Watermaster District 11 - Jeremy Giffin

Oregon Water Resources Department
Water Right Services Division

Water Rights Application
Number G-16648

FINAL ORDER

Extension of Time for Permit Number G-16364
Permit Holder: Susan Lee McDougal

Permit Information

Application File:	G-16648
Permit	G-16364
Basin:	5 – Deschutes / Watermaster District 11
Date of Priority:	March 28, 2006
Source of Water:	Well 1 (DESC 53647) and Well 2 in Deschutes River Basin
Purpose of Use:	Irrigation on 4.0 Acres
Maximum Rate:	0.05 Cubic Feet per Second (cfs)

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

Appeal Rights

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

Application History

Permit G-16364 was issued by the Department on November 17, 2008. The permit called for completion of construction and complete application of water to beneficial use by October 1, 2013. On September 24, 2013, permit holder Susan Lee McDougal submitted to the Department an Application for Extension of Time for Permit G-16364. In accordance with OAR 690-315-0050(2), on August 19, 2014, the Department issued a Proposed Final Order proposing to extend both the time to complete construction and the time to fully apply water to beneficial use to October 1, 2023. The protest period closed October 3, 2014, in accordance with OAR 690-315-0060(1). No protest was filed.

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated August 19, 2014.

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

CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2017 and October 1, 2022. A form is enclosed with this Final Order.**

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

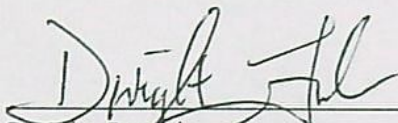
CONCLUSION OF LAW

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

ORDER

The extension of time for Application G-16648, Permit G-16364, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 2013 to October 1, 2023. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2013 to October 1, 2023.

DATED: October 10, 2014



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

-
- If you have any questions about statements contained in this document, please contact the Permit Extension Specialist at (503) 986-0825.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-



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

Extension of Time
 Progress Report Form
 For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Susan Lee McDougal

Application G-16648

Permit G-16364

Progress Report for 2017

Report Due no later than October 1, 2017

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit G-16364.

FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between September 24, 2013 and October 1, 2017	FINANCIAL INVESTMENT

2. Describe actions to achieve compliance with conditions of the permit and/or previous extension.

3. Total number of acres irrigated to date: _____ (NA if not applicable)

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

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

or

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

or

Acre Feet stored to date = _____ AF

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

INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITEM.

Signature _____ Date _____

Printed Name/Title _____

Diligence Shown Yes No

Date Public Noticed: _____
For OWRD use only

Reviewed by: _____

Date: _____

Mailing List for Extension FO Copies

FO Date: October 10, 2014

Copies Mailed

Application G-16648

By: BWJ

Permit G-16364

On: 10/10/14

Original mailed to permit holder

Susan Lee McDougal
64682 Cook Avenue #45
Bend, OR 97701

Copies sent to:

1. WRD - App. File G-16648/ Permit G-16364

Fee paid as specified under ORS 536.050 to receive copy:

2. None

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

3. WRD - Watermaster District 11, Jeremy Giffin
4. WRD - Laura Wilke - Permit with mitigation requirements
Done by NBB Date 10-9-14

If Progress Reports are included:

(DONE BY EXTENSION SPECIALIST)

Add record to Progress Report tracking sheet.xls Done: by MAB Date 10-9-14

CASEWORKER: MAB

Application # G-16648

Permit # G-16364

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

◆ WRIG...

Money Received on: 9/24/13

◆ Extension Specialist...

Added to tracking spreadsheet
mkn

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

◆ Codi Holmes...

swp Publish on Public Notice (initial 30-day comment): Date of notice 10-8-13

swp Update WRIS Database

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

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

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

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

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

RECEIPT # **110046**

INVOICE # _____

RECEIVED FROM: Sue McDougal
BY: _____

APPLICATION	G-16648
PERMIT	
TRANSFER	

CASH: CHECK: # 5957 OTHER: (IDENTIFY)

TOTAL REC'D \$ _____

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) **RECEIVED** \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) **OVER THE COUNTER** \$ _____

0240 EXTENSION OF TIME \$ 575.00

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: **110046**

DATED: 9/24/13 BY: DH



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

October 8, 2013

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-16648 (Permit G-16364). 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.

If you are interested in having your application reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml

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 Extension Specialist at (503) 986-0825. 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.

Extension PFO Checklist for Other than Muni or Quasi-Municipal

Water Use Permits

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

Application: G- 16648 Permit: G- 16364 Permit Amendment? No Yes T- _____ pending approved

Permit Holder's Name: Susan Lee McDougal

Permit Holder's Mailing Address: 64682 Cook Ave #45 email dirtkickin@hotmail.com

Phone Number: 541-480-7622

POD Location: Township 17S Range 11E Section 04 $\frac{1}{4}$ NENE

Drainage Basin: 5 County: Deschutes Watermaster District: 11 Watermaster: Jeremy Giffin

Date Permit was issued: 11/17/2008

Priority Date: 3/28/2006

Date of PN: 10/8/2013

Source: Well 1 & 2 in Deschutes River Basin

Use: Irrigation on 4.0 acres

"Q": 0.05 cfs

Orig "A" Date: _____

Orig "B" Date: 10/1/

Orig "C" Date: 10/1/2013

Extension request rec'd: 9/24/2013

Last Authorized "B" Date: 10/1/

Last Authorized "C" Date: 10/1/2013

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

Proposed "B" Date: 10/1/

Proposed C Date: 10/1/2023

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Instal TFM before water use
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Keep record of monthly use and submit annually
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Obtain annual static water level in March and report within 30 days
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Obtain 5.4 mitigation credits from MP-27
<input type="checkbox"/>	<input type="checkbox"/>	

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

Yes No

Work was accomplished within the time allowed in the permit or previous extension

Water right permit holder conformed with the permit or previous extension conditions

Financial investments were made toward developing the beneficial water use.

- Amount Invested to date: \$15,000 Estimated Remaining Cost: \$50,000

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

- Permit holder has beneficially used 0.05 cfs gpm af of the total permitted quantity of water on 2 acres

GW REVIEW: Y N *OSWP*
2006 modern review
 MITIGATION REVIEW: Y N

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

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

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

Yes No

- above a state scenic waterway? Name Deschutes Scenic Waterway Source: OWRD "Areas Above State Scenic Waterways" Map
- within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html
- within a sensitive, threatened or endangered species area Source: "/>

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

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

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

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

- 5-year Progress Report Checkpoints (Years: 2019)
- Other: _____

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

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

NOTES:

Not sure why they would need another well to irrigate 2 more acres when Well 1 is producing the max rate allowed by permit. There is evidence in file of mitigation credits and Laura W confirms they have such credits.

Extension "PFO" Dates

Mailing / Issuance Date: _____ Protest Deadline Date: _____

Reviewer's Name: Steven Parrett Date: 2-27-14



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

Application for Extension of Time For a Water Right Permit

(Non-Municipal / Non-Quasi-municipal Water Use)

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

*A separate extension application must be submitted for each permit as per
 OAR 690-315-0020(2).*

*This application and a summary of review criteria and procedures that are generally applicable to this
 application are available at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>.*

I, JUBAN LEE McDougal
 NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

64682 COOK AVE #45 BEND OR 97701
 ADDRESS CITY STATE ZIP

541-480-7622 DIRTKICKIN@HOTMAIL.COM
 PHONE E-MAIL ADDRESS

the permit holder of: Application Number 4-11648
 Permit Number 4-116364
 [OAR 690-315-0020(3)(b)]

do hereby request that the time in which to:

- complete construction (of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water), which time now expires on October 1, ____, be extended to October 1, ____,
- N/A (Check this box if the permit does not specify a date by when construction must be completed.)

and/or the time in which to:

- apply water to full beneficial use under the terms and conditions of the permit, which time now expires on October 1, 2013, be extended to October 1, 2023

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 WRSD

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 \$575.
- Signature page (last page of this Application for Extension of Time).
- All supporting documentation and/or evidence referenced in the Application for Extension of Time.

MAIL COMPLETED APPLICATION

along with the

\$575 STATUTORY FEE TO:

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



GENERAL TIPS:

- Permit holders of **municipal or quasi-municipal water use permits DO NOT use this form.** The correct form is *Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits*, available at the following link:
<http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#other>
- Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate Application for Extension of Time must be submitted for each permit. OAR 690-315-0020(2).
- An instruction sheet, *Instructions for Completing an Application for Extension of Time for a Water Right Permit* (attached), provides details that will help you answer each question on the application. Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at: <http://www.wrd.state.or.us/OWRD/LAW/index.shtml>.

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

Reference Materials Needed to Complete this Application:

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

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

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

1. Did the actual construction of the water system/well drilling begin within the time specified in the permit? Yes No



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

Date construction began is: UNK - previous owner drilled well

Details of construction: unk.

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

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



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

CHART-A

Condition No.**	Date Satisfied	Describe How Permit Condition Has Been Satisfied
	at constr.	install HFM
		initial & annual SWH - meet March report r/w 30 days.

** Condition No: Hand-number each condition on a copy of your permit (and, if applicable, any permit amendment and/or prior extension). Include a copy of your hand-numbered permit with the application.

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

CHART-B

Condition No.**	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied
		n/a (one well not yet done)

** Condition No: Hand-number each condition on a copy of your permit (and, if applicable, any permit amendment and/or prior extension). Include a copy of your hand-numbered permit with the application.

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

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

CHART-C

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
	See above	

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*
	Date the permit was signed - find date above signature on last page of permit.	
	Date the permit specified "Actual Construction Work" shall begin ("A-Date") -not all permits contain this date.	
10/1/	Date the permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date.	

CHART-C (continued)

DATE	WORK ACCOMPLISHED AFTER "C-DATE" <i>COMPETE ONLY IF THIS IS YOUR 1st APPLICATION FOR 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*
2010	new pump installation for well & secondary	15,000
2009		
2009	installed flow meter	
Total Cost for Chart-C		\$ 15,000

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

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Mr *1st app.*

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

CHART-D

DATE	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
10/1/	"Extended From" date for complete application of water used in the 1 st (or the most recent) Application for Extension of Time.	
10/1/	"Extended To" date for complete application of water resulting from the 1 st (or the most recent) Application for Extension of Time.	

CHART-D (Continued)

DATE	WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
Total Cost of Chart-D		\$ 15,000

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

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

4. Cost of project to date: \$ 15,000
 (The total combined cost from CHART-C and CHART-D)

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



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

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



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

Maximum rate used to date = 0.05 cfs (cubic feet per second) or,

Maximum rate used to date = ~~0~~ gpm (gallons per minute) or,

Acre-feet stored to date = ~~0~~ AF

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



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

CHART-E

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? (See 5-C below)	Maximum instantaneous rate used from this well - - under this permit only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	If yes, provide the Permit, Certificate, or Transfer No.
		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		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						<u>0.05</u>		

5-C) If the drilled location of a well is not authorized on this permit, please specify its location below, or provide a map showing its location. Has or will a Permit Amendment Application been/be filed? Yes No

If a Permit Amendment Application has been filed: Transfer No. T-_____

Well # _____: Actual location: _____

Well # _____: Actual location: _____

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SALEM, OREGON
WRSD

6. Provide the total number of acres irrigated to date under this permit (if applicable).

Total acres irrigated to date: 20

Ground Water Permits: Please specify which wells are being utilized for this irrigation.

Well # 1 Acres 2.0 Well # Acres
 Well # Acres Well # Acres

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

CHART-F

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
<u>ASAP</u>	<u>Drill 2nd well & apply water to beneficial use to remaining</u>	<u>\$50,000</u>
Year:	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
Total Cost		<u>\$50,000</u>

8. Estimated remaining cost to complete the project: \$50,000
 (The total cost from CHART-F)

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

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

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

Economic Downturn

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

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

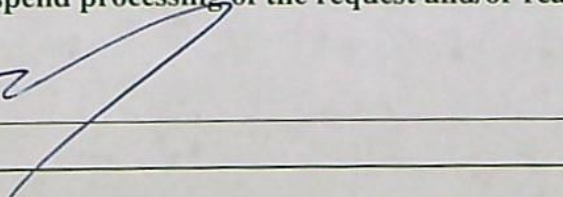
[OAR 690-315-0020(3)(k)]

10. **Justify the time requested to complete the project and/or apply the water to full beneficial use.** Your justification should combine information from your answers from Questions 2-B, 7, 8, and 9 of this Application for Extension of Time, and should also include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.

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

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

Signature



Date

9/24/13

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Oregon Water Resources Department
Water Right Services Division

PROPOSED FINAL ORDER

In the Matter of the Application for an Extension of Time for Permit G-16364, Water Right Application G-16648, in the name of Susan Lee McDougal

Permit Information

Application File:	G-16648
Permit:	G-16364
Basin:	5 – Deschutes / Watermaster District 11
Date of Priority:	March 28, 2006
Source of Water:	Well 1 (DESC 53647) and Well 2 in Deschutes River Basin
Purpose of Use:	Irrigation of 4.0 Acres
Maximum Rate:	0.05 cubic feet per second

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

In Summary, the Department proposes to:

- Grant an extension of time to complete construction of the water system from October 1, 2013 to October 1, 2023.
- Grant an extension of time to apply water to full beneficial use from October 1, 2013 to October 1, 2023¹.
- Make the extension subject to certain conditions set forth below.

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

¹Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources

PFO – Proposed Final Order

cfs – cubic feet per second

gpm – gallons per minute

AUTHORITY

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

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

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

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

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

FINDINGS OF FACT

Background

1. Permit G-16364 was granted by the Department on November 17, 2008. The permit authorizes the use of up to 0.05 cfs of water from Well 1 (DESC 53647) and Well 2 in Deschutes River Basin for irrigation on 4.0 acres. The permit specified construction of the water system was to be completed and complete application of water was to be made on or before October 1, 2013.

2. The permit holder Susan Lee McDougal submitted an "Application for Extension of Time" to the Department on September 24, 2013, 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-16364 be extended from October 1, 2013 to October 1, 2023. This is the first permit extension requested for Permit G-16364.
3. Notification of the Application for Extension of Time for Permit G-16364 was published in the Department's Public Notice dated October 8, 2013. No public comments were received regarding the extension application.

Review Criteria [OAR 690-315-0040]

The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0040. This determination shall consider the applicable requirements of ORS 537.230², 537.248³, 537.630⁴ and/or 539.010(5)⁵.

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

4. On September 24, 2013, the Department received a completed Application for Extension of Time and the fee specified in ORS 536.050 from the permit holder.

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

5. Senate Bill 300 (1999 legislation) eliminated the requirement that holders of new surface water and ground water permits start construction on water projects within one year after the Department issues the permit. Senate Bill 300 applies to any application for a permit filed after October 23, 1999, including this application.

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.

6. As of September 24, 2013, the remaining work to be completed consists of drilling Well 2 as permitted, installing irrigation system components, and making beneficial use of the water on two acres of land.
7. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2023, to complete construction of the water system and to accomplish the application of water to beneficial use under the terms and conditions of Permit G-16364 is both reasonable and necessary.

²ORS 537.230 applies to surface water permits only.

³ORS 537.248 applies to reservoir permits only.

⁴ORS 537.630 applies to ground water permits only.

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

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

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

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

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

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

8. Work was accomplished within the time allowed in the permit or previous extension as follows:
 - a. Construction of well 1, DESC 53647, was started and completed in January of 2001.
 - b. Work was completed during the original development time frame under Permit G-16364 including installation of totalizing flow meter and new pump in the well.

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

9. The following beneficial use of water was made during the permit or previous extension time limits:
 - a. Since the issuance of Permit G-16364 on November 17, 2008, a maximum rate of 0.05 cfs of water has been appropriated from Well 1 for irrigation on 2.0 acres.

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

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

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

11. As of September 24, 2013, the permit holder has invested approximately \$15,000 which is approximately 23 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$50,000 investment is needed for the completion of this project.

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

12. The Department has found good faith of the appropriator under Permit G-16364.

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

The Department's determinations of market and present demand for water or power to be supplied shall consider the requirements set forth under OAR 690-315-0040(4)(a-f). In

accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

13. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0040(4)(a-c)].

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-16364; 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. The points of appropriation for Permit G-16364, located within the Deschutes River Basin, are not located within a limited or critical ground water area. The Deschutes River is a State Scenic Waterway and is ranked "high" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. The points of appropriation are not in an area listed by the Department of Environmental Quality as a water quality limited stream.

Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].

14. None have been identified.

Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0040(4)(f)].

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

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

16. 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)]

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

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

18. None have been identified.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630(1).
2. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
3. The applicant complied with begin actual construction timeline requirements pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
4. Completion of construction and full application of water to beneficial use can be accomplished by October 1, 2023, as required by OAR 690-315-0040(1)(c).
5. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).
6. As required by OAR 690-315-0050(6) and as described in Finding 15 above, the Department has established, as specified in the "Conditions" section of this PFO (Item 1), progress checkpoints in order to ensure future diligence is exercised in the development and perfection of Permit G-16364.

PROPOSED ORDER

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

Extend the time to complete construction of the water system under Permit G-16364 from October 1, 2013 to October 1, 2023.

Extend the time to apply water to beneficial use under Permit G-16364 from October 1, 2013 to October 1, 2023.

Subject to the following conditions:

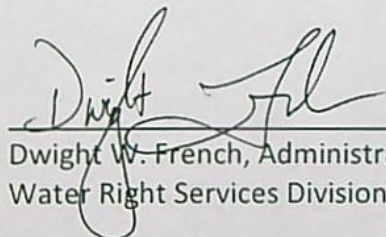
CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2017 and October 1, 2022. *A form will be enclosed with your Final Order.*

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

DATED: August 19, 2014


Dwight W. French, Administrator,
Water Right Services Division

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **October 3, 2014**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The applicant or non-applicant protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
 - a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a protest has been submitted, and:
 - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

-
- If you have questions about statements contained in this document, please contact Steven Parrett at (503)986-0825.
 - If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Patricia McCarty at 503-986-0820.
 - If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.
 - Address any correspondence to : Water Right Services Division
 725 Summer St NE, Suite A
Fax: 503-986-0901 Salem, OR 97301-1266
-

Mailing List for Extension PFO Copies

PFO Date: August 19, 2014

Copies Mailed

Application G-16648
Permit G-16364

By: FW
On: 8/19/14

Original mailed to Applicant:

Susan Lee McDougal
64682 Cook Avenue #45
Bend, OR 97701

Copies sent to:

1. WRD - App. File G-16648/ Permit G-16364

Fee paid as specified under ORS 536.050 to receive copy:

2. None

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

3. WRD - Watermaster District 11, Jeremy Giffin

✓ SWP 8-15-14

4. WRD - Laura Wilke - Permit with mitigation requirements
Done by SWP Date 8-15-14

CASEWORKER: SWP

STATE OF OREGON
COUNTY OF DESCHUTES
PERMIT TO APPROPRIATE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

SUSAN LEE MCDUGAL
64682 COOK AVE. #45
BEND, OR 97701

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

APPLICATION FILE NUMBER: G-16648

SOURCE OF WATER: WELL 1 (DESC 53647) AND WELL 2 IN DESCHUTES RIVER BASIN

RATE: 0.05 CUBIC FOOT PER SECOND

DATE OF PRIORITY: MARCH 28, 2006

USE: IRRIGATION ON 4.0 ACRES

PERIOD OF USE: APRIL 1 - OCTOBER 31

Authorized Points of Diversion:

Source	Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
WELL 1	17 S	11 E	WM	4	NE NE	431 FEET SOUTH AND 825 FEET WEST FROM NE CORNER, SECTION 4
WELL 2	17 S	11 E	WM	4	NE NE	975 FEET SOUTH AND 825 FEET WEST FROM NE CORNER, SECTION 4

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	11 E	WM	4	NE NE	4.0

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

Measurement, Recording and Reporting Conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation, and maintain the device(s) in good working order. The permittee shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water-use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter; where the meter is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to obtain, from a qualified individual (see below), and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes PlaceInitial and Annual Measurements

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

After Use of Water has BegunSeven Consecutive Annual Measurements

Following the first year of water use, the user shall report seven consecutive annual 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 the user to 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 reported to the Department.

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

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

The period of non-use or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the 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.

Ground Water Mitigation Conditions:

Failure to comply with these mitigation conditions shall result in the Department regulating the ground water permit, or subsequent certificate(s), proposing to deny any permit extension application for the ground water permit, and proposing to cancel the ground water permit, or subsequent certificate(s).

Mitigation Obligation: 5.4 acre-feet of mitigation water in the General Zone of Impact.

Mitigation Source: 5.4 mitigation credits originating from Mitigation Project MP-27, established by instream Certificate 81324, within the General Zone of Impact.

Mitigation water must be legally protected instream in the General Zone of Impact for the life of the permit and subsequent certificate(s). Regulation of the use and/or cancellation of the permit, or subsequent certificate(s) will occur if the required mitigation is not maintained.

The permittee shall provide additional mitigation if the Department determines that average annual consumptive use of the subject appropriation has increased beyond the originally mitigated amount.

If mitigation is from a secondary right for stored water from a storage project not owned or operated by the permittee, the use of water under this right is subject to the maintenance and terms and conditions of a valid contract or satisfactory replacement, with the owner/operator of the storage project, a copy of which must be on file in the records of the Water Resources Department.

Scenic Waterway Condition:

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right, or as those quantities may be reduced subsequently. However, the use of ground water allowed under the terms of this permit will not

be subject to regulation for Scenic Waterway flows, provided the required mitigation is maintained.

STANDARD CONDITIONS

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.

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

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

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

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

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

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-practice technologies or conservation practices to achieve this end.

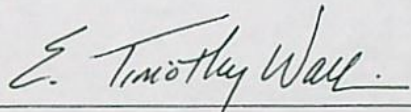
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged comprehensive land-use plan.

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

Completion of construction and complete application of the water to the use shall be made on or before October 1, 2013. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued November 17, 2008



for Phillip C. Ward, Director
Water Resources Department

April 28,2007

Dear Oregon Water Resources Department,

Enclosed is our Documentary Evidence Form for Ground Water Permit # G-16648 and Assignment Record For Mitigation Credits.

Please note that our mailing address has changed to 34860 Rice Rd. Hereford, OR 97837. Also, our new phone number is 541 419-5994.

Thank you,

Paige Kochan

Phillip J. Kochan

Phil and Paige Kochan

RECEIVED

MAY 10 2007

**WATER RESOURCES DEPT
SALEM, OREGON**



Oregon

Theodore R. Kulongoski, Governor

send to Anita - original

Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

OREGON WATER RESOURCES DEPARTMENT DESCHUTES BASIN MITIGATION CREDIT DOCUMENTARY EVIDENCE FORM

This form is to be completed when mitigation credits are obtained from a mitigation credit holder, other than a mitigation bank, by a ground water application/permit/certificate holder to satisfy a mitigation obligation under the Deschutes Ground Water Mitigation rules. If there are any questions about this form, please contact the Department.

Ground Water User Information:

Name: Phillip and Paige Kochan
Mailing Address (Street, City, State, Zip): 18349 Tumalo Reservoir Rd, Vend, OR 97701
Phone Number (Home and Work - including area code): 541-330-9751 E-Mail (optional): _____
Ground Water Application, Permit, or Certificate #: G-16648
Mitigation Obligation (amount) (see Notice of Mitigation Obligation or Initial Review for this information): 7.2 acre feet of mitigation
Zone of Impact (see Notice of Mitigation Obligation or Initial Review for this information): General Zone

RECEIVED

MAY 10 2007

Mitigation Credit Holder Information:

Mitigation Credit Holder Name: Creative Water Solutions, LLC
Mailing Address: 2660 NE Hwy 20, Suite 610-44, Bend, OR 97701
Phone Number (Home and Work - including area code): 541-815-0203 E-Mail (optional): _____
If mitigation credits have changed hands beyond the original credit holder, a complete assignment record (chain-of-custody) for the mitigation credits should be included with this documentary evidence form to help demonstrate that the credits are valid. This information may be obtained from the mitigation credit holder.

WATER RESOURCES DEPT
SALEM, OREGON

Mitigation Credit Information:

In the following table, identify the mitigation project identification number(s), the number of credits assigned from each mitigation project, the zone of impact in which the credits are to be used (note - many credits may be used within more than one zone of impact) and the type of mitigation project upon which the credits are based.

Project Type Codes: Allocation of Conserved Water = ACW Permanent Instream Transfers = PT Storage Release = SR
Aquifer Recharge = AR Other = Other (if other, please describe under project type in space provided below)

Mitigation Project ID	# Mitigation Credits Assigned	Zone of Impact	Mitigation Project Type Code (see above)
MP-27	5.4	General	PT
MP-_____	_____	_____	_____

Add additional mitigation projects and credits below using above format:

1.8 mitigation credits from groundwater cancellation

Mitigation Project Operator (if other than original credit holder): _____ (for example, name of storage project or aquifer recharge project operator)

Mailing Address: _____
Phone Number (including area code): _____

For Stored Water Releases (if applicable):

Name of Reservoir: _____
Reservoir Permit/Certificate: _____ Contract Number(s): _____

The above described mitigation credits have been transferred from Creative Water Solutions, LLC, mitigation credit holder, to Phillip and Paige Kochan, ground water application/permit/certificate holder.

Mitigation Credit Holder Signature

Date

4-27-07

Ground Water Application/Permit/Certificate Holder Signature

Date

4/28/07

return to Tammy

OREGON WATER RESOURCES DEPARTMENT
ASSIGNMENT RECORD FOR MITIGATION CREDITS
CHAIN-OF-CUSTODY (Additional Form)

Mitigation Credit Project: MP-27 Mitigation Credits: _____ (# held by current credit holder)

Mitigation Credit Holder: Creative Water Solutions, LLC

5.4 Mitigation credits have been assigned to (Name): Phillip & Paige Kochan

Mailing Address: 34860 Rice Rd Herford, OR 97337

Phone Number: 541 419-5994

Current Mitigation Credit Holder Signature _____

_____ Date

* Paige Kochan Phillip J. Kochan
New Mitigation Credit Holder Signature

4/28/07
Date

RECEIVED

Mitigation Credit Holder: _____

MAY 10 2007

_____ Mitigation credits have been assigned to (Name): _____

WATER RESOURCES DEP
SALEM, OREGON

Mailing Address: _____

Phone Number: _____

Current Mitigation Credit Holder Signature _____

_____ Date

New Mitigation Credit Holder Signature _____

_____ Date

Mitigation Credit Holder: _____

_____ Mitigation credits have been assigned to (Name): _____

Mailing Address: _____

Phone Number: _____

Current Mitigation Credit Holder Signature _____

_____ Date

New Mitigation Credit Holder Signature _____

_____ Date

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF CANCELLATION OF AN)
ENTIRE PERFECTED AND DEVELOPED) FINAL ORDER
WATER RIGHT EVIDENCED BY)
CERTIFICATE 64030 IN THE NAME OF)
LAVEITA WELCH AND L. V. CHAMBERLAIN.)

Authority

ORS 540.621 directs the Commission to enter an order canceling a water right whenever the owner of a perfected and developed water right certifies under oath to the Commission that the water right has been abandoned and the owner desires to cancel the right.

Findings of Fact

1. On February 15, 2005, the Department received an affidavit from James E. and Debra E. Marshall, 8920 NE Clements Dr., Madras, OR 97741, stating they are the owners of lands and the water right appurtenant as evidenced by Certificate 64030, State Record of Water Right Certificates. The affidavit further states the entire water right appurtenant to the property has been abandoned and requests the certificate be canceled.
2. A request has been submitted to use the cancellation of Certificate 64030 to offset a portion of the mitigation obligation for Ground Water Permit Application G-16648 pursuant to OAR 690-505-0610 (8) under the Deschutes Ground Water Mitigation Rules. Appropriate findings with regard to the use of this cancellation to offset a portion of the mitigation obligation will be made as part of the review process of Ground Water Permit Application G-16648.
3. Pursuant to OAR 690-017-0100, the Department has determined that James E. and Debra E. Marshall are the recorded owners, as established by county deed records, of property to which the water right evidenced by Certificate 64030 is appurtenant.
4. Certificate 64030 allows for the use of 0.43 cubic foot per second (cfs) of water from a well in the Deschutes River Basin; for primary irrigation of 3.6 acres and supplemental irrigation of 31.0 acres. The date of priority is February 23, 1982.

This is an order in 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 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

5. The entirety of the water right evidenced by Certificate 64030 which has been abandoned is located as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	13 E	WM	19	NW NE	3.6

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	13 E	WM	19	NW NE	31.0

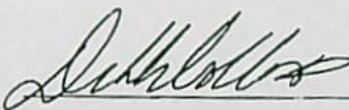
Conclusions of Law

The Director of the Water Resources Department concludes the entire right evidenced by Water Right Certificate 64030 has been abandoned in accordance with the provisions of ORS 540.621 and shall be canceled.

Now, therefore, it is ORDERED:

Certificate 64030 is canceled.

Dated at Salem, Oregon this 22nd day of April, 2008.



* Phillip C. Ward, Director

Mailing Date: APR 24 2008

GERRY,

3/26/12

This is THE REPORT MATT
STEELE, from Hickman Williams
says you are missing - missing
last yr not sure where it
went. Hope this works. We
are working on getting the permit
requirements to date.
Thank you for your help.

Sue
McDougal

541-480-7622

IK? Thanks again

RECEIVED

MAR 28 2012

WATER RESOURCES DEPT
SALEM, OREGON

Gerry Clark

From: Erin Oost
Sent: Tuesday, March 20, 2012 1:46 PM
To: Gerry Clark
Subject: RE: Water Use Reporting question
Attachments: G-16364.pdf

Hi Gerry,

I don't have anything for Permit G-16159, but I do have WY 2009 and 2010 reporting for G-16364. They were submitted by mail and have not been entered into the system yet. See attached.

Thanks!

Erin Oost

Assistant Hydrographer
Measurement, Recording, & Reporting Section
Oregon Water Resources Department
erin.c.oost@wrд.state.or.us
503.986.0822

From: Gerry Clark
Sent: Tuesday, March 20, 2012 12:43
To: Erin Oost
Subject: Water Use Reporting question

Erin,

I received calls from two water users concerning whether water use reports had been submitted for their permits. I checked in the files and did not locate reports. Could you please check to see if they have reported electronically?

The files are:

App G-16483, Permit G-16159
App G-16648, Permit G-16364

Thanks for your help!

Gerry

Gerry Clark
Water Right Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0811
Fax: 503-986-0901

WRD Home Page: www.wrd.state.or.us

2008

Oregon Water Resources Department
 October 2008 through September 2009
 Monthly Water Use Form

USER-ID 30148

2009

Facility → Report ID →	FRONT Parcel 63598	BACK Parcel 63599			
October - 2008	n/a - permit	issued Nov. 08			
November - 2008		0			
December - 2008		0			
January - 2009		0			
February - 2009		0			
March - 2009		0	NOT VERIFIED		
April - 2009		0			
May - 2009		0			
June - 2009	24,000 gal	0			
July - 2009	46,300 gal	0			
August - 2009	46,336 gal	0			
September - 2009	4336 46,336 gal	0			
TOTAL *	162,972 gal	0			

* Describe the units of measurement as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe the method of measurement used: EST If used for irrigation, total number of acres irrigated: 2

I certify this information is true and accurate to the best of my knowledge.

[Signature]
 Signature
SUE McDONALD
 Name

OWNER
 Title
64682 COOK AVE #45 BEND, OR 97701
 Mailing Address

OWNER
 Reporting Entity

3/16/11
 Date
541-480-7622
 Phone Number

RECEIVED

Please complete and mail to: Oregon Water Resources Department; Water Use Reporting Program;
 725 Summer Street NE, Suite A; Salem, OR 97301-1266.

MAR 21 2011

WATER RESOURCES DEPT
 SALEM, OREGON

2009

Oregon Water Resources Department
October through September
Water Use Recording and Reporting Form

2010

Consult the water right (permit, certificate, order) to determine applicable reporting conditions; the measurement, recording, and reporting conditions identified in a permitted or certified water right typically follow the place of use description. Use the columns below to document measurements for each authorized point of diversion/appropriation or reservoir. We ask that zeros be reported for any given month when water is not being used. Keep a copy of all measurement reports for your records. We encourage you to submit your water use data via our online utility when available, and to use the Monthly Water Use Forms for record keeping purposes. To lookup water rights, access the water use reporting webpage/online utility, or to obtain additional forms visit our web site: <http://www.wrd.state.or.us>

Susan Lee McDougal	same	30148
Water Right Holder's Name	Water Right Holder's Business Name or Entity Name	USER ID#
dirtkickin@hotmail.com	64682 Cook Ave #45 Bend, OR 97701	541-480-7622
Water Right Holder's Email	Water Right Holder's Complete Mailing Address	Phone Number

Facility Report ID	Front Parcel	Back Parcel	Application:	Application:
	63598	63599	-	-
	Application: G - 16648	Application: G - 16648	Permit: -	Permit: -
	Permit: G - 16364	Permit: G - 16364	Other:	Other:
	Other: water use	Other: water use		
Describe the units of measurement as AF (acre-feet), G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), or MCF (million cubic feet)				
October - 2009	24000	0		
November - 2009	0	0		
December - 2009	0	0		
January - 2010	0	0		
February - 2010	0	0		
March - 2010	0	0		
April - 2010	0	0		
May - 2010	0	0		
June - 2010	20000	0		
July - 2010	46336	0		
August - 2010	46336	0		
September - 2010	46336	0		
TOTAL *	183,008.00	0.00		
Unit of Measurement	<input checked="" type="checkbox"/> G <input type="checkbox"/> KG <input type="checkbox"/> MG <input type="checkbox"/> AF <input type="checkbox"/> CF <input type="checkbox"/> MCF	<input checked="" type="checkbox"/> G <input type="checkbox"/> KG <input type="checkbox"/> MG <input type="checkbox"/> AF <input type="checkbox"/> CF <input type="checkbox"/> MCF	<input type="checkbox"/> G <input type="checkbox"/> KG <input type="checkbox"/> MG <input type="checkbox"/> AF <input type="checkbox"/> CF <input type="checkbox"/> MCF	<input type="checkbox"/> G <input type="checkbox"/> KG <input type="checkbox"/> MG <input type="checkbox"/> AF <input type="checkbox"/> CF <input type="checkbox"/> MCF

RECEIVED
 MAR 21 2011
 WATER RESOURCES DEPT
 SALEM OREGON

Describe the method of measurement used: est If used for irrigation, total number of acres irrigated: 2

I certify this information is true and accurate to the best of my knowledge.

3-16-11		Sue McDougal	n/a	541-480-7622
Date	Signature	Name and Title (print)	Company	Phone Number

Please complete and mail to: Oregon Water Resources Department; Water Use Reporting Program; 725 Summer Street NE, Suite A: Salem, OR 97301.

2010

Oregon Water Resources Department
October through September
Water Use Recording and Reporting Form

2011

App G-16648

Consult the water right (permit, certificate, order) to determine applicable reporting conditions; the measurement, recording, and reporting conditions identified in a permitted or certified water right typically follow the place of use description. Use the columns below to document measurements for each authorized point of diversion/appropriation or reservoir. We ask that zeros be reported for any given month when water is not being used. Keep a copy of all measurement reports for your records. We encourage you to submit your water use data via our online utility when available, and to use the Monthly Water Use Forms for record keeping purposes. To lookup water rights, access the water use reporting webpage/online utility, or to obtain additional forms visit our web site: <http://www.wrd.state.or.us>

RECEIVED

MAY 28 2012

WATER RESOURCES DEPT
SALEM, OREGON

Sue Lee McDougal
Water Right Holder's Name

N/A
Water Right Holder's Business Name or Entity Name

30148
USER ID#

dirskickin@hotmail.com
Water Right Holder's Email

64682 COOK AVE #45 BEND, OR 97701
Water Right Holder's Complete Mailing Address

541-480-7622
Phone Number

Facility Report ID	FRONT Parcel 63598	Back Parcel		
	Application: - Permit: - Other: -	Application: - Permit: - Other: -	Application: - Permit: - Other: -	Application: - Permit: - Other: -
Describe the units of measurement as AF (acre-feet), G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), or MCF (million cubic feet)				
October - 2010	24000 G	0		
November - 2010	0	0		
December - 2010	0	0		
January - 2011	0	0		
February - 2011	0	0		
March - 2011	0	0		
April - 2011	0	0		
May - 2011	20,000 G	0	No Well Not Pooled	
June - 2011	42,000 G	0		
July - 2011	46,336 G	0		
August - 2011	46,336 G	0		
September - 2011	47,000 G	0		
TOTAL *	0.0 222,162.5 gal	0.0	0.0	0.0
Unit of Measurement	<input checked="" type="checkbox"/> G <input type="checkbox"/> KG <input type="checkbox"/> MG <input type="checkbox"/> AF <input type="checkbox"/> CF <input type="checkbox"/> MCF	<input checked="" type="checkbox"/> G <input type="checkbox"/> KG <input type="checkbox"/> MG <input type="checkbox"/> AF <input type="checkbox"/> CF <input type="checkbox"/> MCF	<input type="checkbox"/> G <input type="checkbox"/> KG <input type="checkbox"/> MG <input type="checkbox"/> AF <input type="checkbox"/> CF <input type="checkbox"/> MCF	<input type="checkbox"/> G <input type="checkbox"/> KG <input type="checkbox"/> MG <input type="checkbox"/> AF <input type="checkbox"/> CF <input type="checkbox"/> MCF

mon
11/2/11
109 MW
3/27/12

Describe the method of measurement used: EST If used for irrigation, total number of acres irrigated: 2

I certify this information is true and accurate to the best of my knowledge.

3/16/11 Date [Signature] Signature Sue McDougal, owner Name and Title (print) N/A Company 541-480-7622 Phone Number

Please complete and mail to: Oregon Water Resources Department; Water Use Reporting Program; 725 Summer Street NE, Suite A; Salem, OR 97301.

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-16648

Final Order

Hearing and Appeal Rights

Under the provisions of ORS 537.170 and ORS 537.622, the applicant may request a contested case hearing by submitting the information required for a protest under ORS 537.153(6) or ORS 537.621(7) to the Department within 14 days after the date of mailing of this order as shown below. If a contested case hearing is requested, the Department must schedule one. In the contested case hearing, however, only those issues based on the above modifications to the proposed final order may be addressed.

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

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

Application History

On March 28, 2006, Phillip and Paige Kochan submitted an application for a water use permit. On March 11, 2008, the Department issued a Proposed Final Order concluding that with the mitigation proposed by the applicant, water is available and the proposed use will ensure the preservation of the public welfare, safety and health and proposing to approve the application. The protest period closed April 25, 2008, and no protest was filed.

On February 23, 2007, the applicant submitted a mitigation proposal to provide 7.2 acre-feet of mitigation water within the General Zone of Impact. The applicant proposed to obtain credits or suitable mitigation that meets the requirements of OAR 690-505-0610(2)-(5) within the General Zone of Impact.

On May 10, 2007, the Department received Documentary Evidence that 5.4 mitigation credits had been obtained within the General Zone of

Impact. The mitigation credits originated from mitigation project MP-27, which is a permanent instream transfer.

On August 17, 2007, the Department evaluated the Affidavit for the Cancellation of an Entire Water Right Certificate for Certificate 64030, which was received February 15, 2005. The Department determined that a maximum of 1.8 acre-feet of consumptive use from the cancellation of Certificate 64030 may be used to offset the remaining mitigation obligation.

On April 22, 2008 the Department issued Special Order Vol. 74, pg. 641 in the Matter of Cancellation of an Entire Perfected and Developed Water Right evidenced by Certificate 64030 in the Name of Laveita Welch and L.V. Chamberlain.

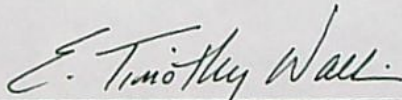
On June 19, 2008, the Department assigned the application from Phillip and Paige Kochan to Susan Lee McDougal.

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

Order

Application G-16648 therefore is approved as proposed by the Proposed Final Order, and Permit G-16364 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED November 17, 2008



for Phillip C. Ward, Director
Water Resources Department

This document was prepared by Brook Geffen. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me at 503-986-0808.

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 Patricia McCarty at 503-986-0820.

If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0801.

Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271; Fax: 503-986-0901.

Mailing List for FO Copies

Application #G-16648

Original mailed to:

Applicant:

Copies sent to:

- 1. WRD - File # G-16648
- 2. Water Availability: Ken Stahr
- 3. WRD - Laura Wilke
- 4. DRC- Scott McCaulou

Copies Mailed
By: <u>SJS</u>
(SUPPORT STAFF)
on: <u>11/17/08</u>
(DATE)

mailed 11/18/08

FO and Map Copies sent to:

(NOTE: please send only one copy per office, even if there is more than one name on the list)

- 5. WRD - Watermaster # 11
- 6. ODFW District Biologist: Brett Hodgson & Amy Stuart
- 7. ODFW-Rick Kepler
- 8. Columbia River Intertribal Fish Commission
- 9. US Fish & Wildlife
- 10. NW Power Planning Council
- 11. DEQ- Eric Nigg & Bonnie Lamb, Eastern Region
- 12. DOA- Salem: Jim Johnson & Paul Measeles
- 13. State Parks-Jan Houck & John Potter
- 14. Department of State Lands-Nancy Pustis (Bend)

Copies sent to Other Interested Persons (CWRE, Agent, Well Driller, Commenter, etc.)

- 15. JOHN SHORT, DESCHUTES IRRIGATION, LLC, PO BOX 1830, BEND, OR 97709

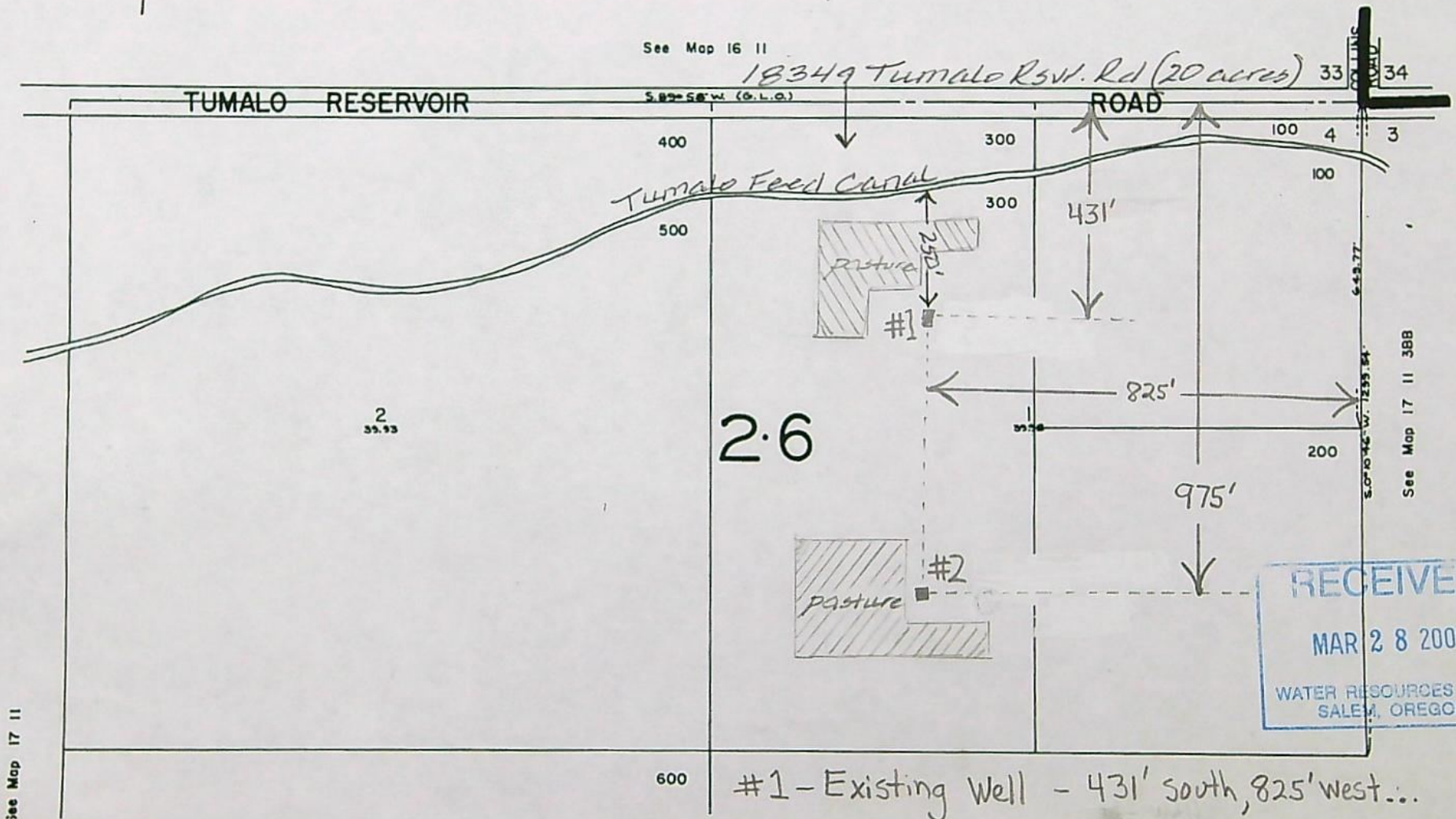
Affected Landowners (include "Notice of Proposed Final Order--Affected Landowner"):

CASEWORKER: Brook Geffen

North
↑

NE1/4 SEC. 4 T.17S. R.11E.W.M.
DESCHUTES COUNTY
1"=300'

17 11 4A



RECEIVED
MAR 28 2006
WATER RESOURCES DEPT
SALEM, OREGON

App No G-16648 Permit No G-16364

#1 - Existing Well - 431' south, 825' west...
#2 - Proposed Well - 975' south, 825' west...
of section corner.

See Map 17 11

See Map 17 11 388

DESCHUTES GWSA FO CHECKLIST

Applicant: Phillip + Paige Kochan Application #: 116640

- Has applicant name and/or address changed, or has the file been assigned? Y / N
If new: Phillip + Paige Kochan, 34860 Rice Rd., Hereford OR 97837
- Were comments received? If so, from whom and when? 0
Respond to significant comments, issues, or disputes related to the proposed use of water
- Mitigation team notified? Y / N Comments rec'd? 0
- Verify names and mailing addresses of all commentors, affected landowners and those who paid \$10 fee on PFO cc: list.
- Have affected landowner(s) been notified? Y / N / NA If not, do not issue FO. Send a letter to affected landowner(s).
- Has applicant provided mitigation information Y / N If yes, has documentary evidence been submitted? Yes 5.4
MAP-27C(24, 21324)
- Will the mitigation be provided incrementally? Y / N
- Are requested GW conditions included in permit? Y / N If not, add condition(s) 7C, 7J, 7B
- Do PFO conclusions require modification due to typos or errors? Y / N What and why? _____

Fees

Base Fee	Water Amount (Q)	
\$100 / \$150	1 st CFS/AF	<u>20</u>
\$250 / <u>\$300</u>	_____ Addl @ _____ + _____	
<u>30</u>	<u>20</u>	= <u>50</u>
(base)	(Q)	(total exam fee)

* Cert 64030 must be cancelled prior to permit issuance!

EXAM FEE REQUIRED	<u>50</u>	RECORDING FEE REQUIRED	\$175 / \$250 / <u>\$300</u>
EXAM FEE PAID	<u>50</u>	RECORDING FEE PAID	<u>—</u>
STILL OWED	<u>—</u>	STILL OWED	<u>30</u>

FO type — DENIAL FO w/ Permit # 116369 FO w/o permit NA lacks fees — lacks easement — lacks documentary evidence —

- fees paid 6/19/08

Name: [Signature] Date: _____ Peer Reviewer: [Signature]

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.

S:\groups\wr\DGWSA_DESCHUTES RELATED\FORMS\FO checklist.wpd

Brook Geffen

From: Laura Snedaker
Sent: Friday, August 01, 2008 12:06 PM
To: Brook Geffen
Subject: RE: Permit Issuance for App: G-16648 - Sara Lee McDougal/Kochan

Brook:

I've got a record that we received documentary evidence from them for 5.4 mitigation credits from MP-27 (permanent project involving instream certificate 81324).

In the ground water application file you should have:

The documentary evidence form.

An e-mail from addressing the use of these credits.

You should also have a copy of the evaluation I completed for the use of the voluntary cancellation of certificate 64030.

And then you should also have a copy of the order cancelling this certificate.

I think that's all you need.

Thanks, Laura

Laura Snedaker
Senior Water Resources Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Web: www.oregon.gov/OWRD

From: Brook Geffen
Sent: Friday, August 01, 2008 11:35 AM
To: Laura Snedaker
Subject: Permit Issuance for App: G-16648 - Sara Lee McDougal/Kochan

Laura:

The MO obligation for this application is 7.2 AF. The file shows that doc ev of 5.4 has been submitted and that cancellation of cert. 64030 grants them 1.8 AF of mitigation water, which totals 7.2 AF, satisfying their MO.

Can you let me know if there is any further documentation I need from you (or you need from me) before I issue a permit??

Thanks,
Brook

Brook A. Geffen
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, Oregon 97301
(503)986-0808

DESCHUTES BASIN PFO CHECKLIST

Application #: 61 10048

APPLICANT: Phillip and Paige Kochan

PRIORITY DATE 3/28/06

WELL ID well 1 (DESC 53047) (sonnas like CO-shan)
well 2 (proposed)

- 1. Is the file complete by the Minimum Requirements Checklist? N
- 2. Mitigation Team review completed? N Date notified: 2/24/07
Comments Received? N
- 3. Zone of Impact General
- 4. Proposing Credits? N Mitigation Credits Needed 7.2 total / 5.4 obtained 1.8 offset
- 5. Mitigation Source mp-27 (5.4) Expired at time of PFO? Y/N Documentary Evidence provided?
Y/N (If yes, send copy to Laura Snedaker)
- 6. Proposing a Project? N (If Yes, Did Field Services buy off on the project?) YES; offset by cancellation of 64030
- 7. Incremental Mitigation? N If yes, note dates and amount _____
- 8. If incremental and use is Q-muni, do they expect to begin construction within five years of permit issuance? N n/a
- 9. Have conflicts been addressed? Y / N No Conflicts
- 10. Rate 1/80 Duty 3 Period of Allowed Use April - October (requested)
- 12. Allowed Rate of Use 0.05 (restricted) for 4.0 acres
- 13. Large MM&R for all applications. If the use is Municipal or Quasi-Municipal use Large TOTALIZING condition.
- 14. GW or other Conditions (Not Mitigation) TC
- 15. IR Public Notice Date Feb 20th Comments Received? Y / N
- 16. Was the application filed on or after October 23, 1999? N If yes, then no A date.

NOTES:

*need recording fees \$300.00
finalize cancellation w/ Susan @ FO/Permit.*

Name: ANISSA WICKEN

Date: Feb 20, 08

Peer Reviewer by

Date: _____



STATE OF OREGON
WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO

DATE: August 17, 2007
TO: GW Application File G-16648 in the name of Phillip Kochan
FROM: Laura Snedaker, Field Services
SUBJECT: Voluntary Cancellation to offset new ground water use

On March 23, 2007, Tammy Harty, agent for the applicant, identified that applicant would like to use the voluntary cancellation of certificate 64030 to offset a portion of the mitigation obligation for application G-16648.

Pursuant to OAR 690-505-0610 (8), a ground water permit applicant may offset the impact of their ground water application by a proposed voluntary cancellation of an existing ground water use subject to transfer. The impact of the existing ground water use on surface water must be the same as or greater than the impact of the proposed ground water use. If the cancellation of the existing ground water use meets these criteria, then the ground water application may be approved without additional mitigation once the proposed cancellation is complete.

The ground water use proposed to the Department under application G-16648 is for the primary irrigation of 4.0 acres. Per the Initial Review, this application has a mitigation obligation of 7.2 acre-feet (AF) in the General Zone of Impact.

On May 10, 2007, the Department received documentary evidence that the applicant has obtained 5.4 permanent mitigation credits from Mitigation Project 27. These are permanent credits and have been assigned to this ground water use. This leaves a remaining mitigation obligation of 1.8 AF in the General Zone of Impact.

On February 15, 2005, the Department received a voluntary cancellation request to cancel all of certificate 64030 (file G-10659). This certificate allows the use of ground water from a well for the purpose of primary irrigation of 3.6 acres and supplemental irrigation of 31.0 acres. This cancellation request was originally received as a proposed offset for groundwater application G-16282. However, mitigation for this application was ultimately provided by MP-25, a permanent instream transfer.

The supplemental portion of Certificate 64030, when issued, was supplemental to Certificate 29052 in the name of Central Oregon Irrigation District (COID). Certificate 29052 was later superseded by certificate 76358.

The COID water right carries priority dates of 1900 and 1907 and allows the diversion of water from the Deschutes River for a variety of purposes including primary irrigation. Certificate 76358 is generally available almost 100% of the irrigation season.

Supplemental water rights may be exercised when the primary water right is not available.

Only the primary portion of certificate 64030 may be used to offset the proposed primary irrigation under application G-16648.

Between issuance Certificate 29052 (issued in 1961) and certificate 76358 (issued in 1999) (see attached map) the location of primary irrigation was modified. However, ground water certificate 64030 (see attached map) was not modified.

A portion of the lands that are identified as supplemental under certificate 64030 now no longer have an underlying primary right. Also, a portion of the lands that are identified as primary under certificate 64030 are now underlain by Certificate 76358, the primary irrigation right.

Based upon a comparison between the water right maps for certificates 76358 and 64030 there is only 1.0 acre of primary irrigation that is not underlain by certificate 76358. Therefore, only 1.0 acre of primary irrigation under certificate 64030 is available for use as an offset under OAR 690-505-0610(8). See the attached overlay map, which overlaps the maps for Certificates 76358 and 64030 and highlights the areas of primary irrigation under certificate 64030 that do not have an underlying primary irrigation right.

No other issues have been identified in association with certificate 64030.

The consumptive use portion of 1.0 acre of irrigation is 1.8 acre-feet (1.0 acre * 1.8 acre-feet of consumptive use per acre).

The proposal to use the voluntary cancellation of certificate 64030 to offset the impact of ground water permit application G-16648 has also been reviewed by the Department's Groundwater Section. According to Ken Lite, Hydrogeologist for the Department, ground water use under certificate 64030 would impact surface water flows in the same zone of impact as application G-16648, being the General Zone of Impact.

Conclusion: Use of ground water under Certificate 64030 impacts surface water flows in the General Zone of Impact, the same zone of impact as application G-16648. A maximum of 1.8 acre-feet of consumptive use is available to offset a portion of the mitigation obligation for ground water permit application G-16648. The remaining mitigation obligation for ground water permit application G-16648 is 1.8 AF based upon recent mitigation credit acquisition.

If certificate 64030 is used to offset a portion of the mitigation obligation, the cancellation of certificate 64030 must be completed before a new permit for ground water application G-16648 may be issued.

A draft cancellation order for Certificate 64030 has been prepared by Susan Douthit, Transfer Specialist, and a copy has been placed in the file for Certificate 64030. A copy of that draft order has also been attached to this memo. The cancellation of this certificate is contingent upon the approval of ground water permit application G-16648. The cancellation of this certificate and issuance of a permit for application G-16648 should occur at the same time.

STATE OF OREGON
COUNTY OF DESCHUTES
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LAVEITA WELCH AND L.V. CHAMBERLAIN
4250 S.W. OBSIDIAN DRIVE
REDMOND, OREGON 97756

confirms the right to use the waters of A WELL in the DESCHUTES RIVER BASIN for the purpose of THE PRIMARY IRRIGATION OF 3.6 ACRES AND THE SUPPLEMENTAL IRRIGATION OF 31.0 ACRES.

The right has been perfected under Permit G-9760. The date of priority is FEBRUARY 23, 1982. The right is limited to not more than 0.43 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NW 1/4 NE 1/4, SECTION 19, T 15 S, R 13 E, W.M.; 300 FEET SOUTH AND 380 FEET EAST FROM THE NORTH 1/4 CORNER OF SECTION 19.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right shall be limited to any deficiency in the available supply of any prior right for the same land and shall not exceed the limitation allowed herein.

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

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

	PRIMARY	SUPPLEMENTAL
NW 1/4 NE 1/4	3.6 ACRES	31.0 ACRES
	SECTION 19	
	TOWNSHIP 15 SOUTH, RANGE 13 EAST, W.M.	

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

WITNESS the signature of the Water Resources Director, affixed this date FEBRUARY 7, 1990.

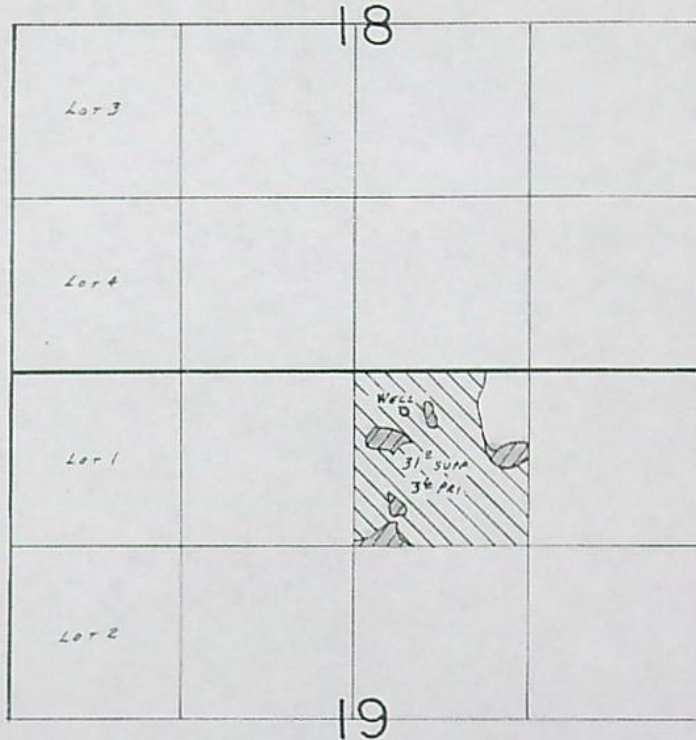
/s/ WILLIAM H. YOUNG

Water Resources Director



Recorded in State Record of Water Right Certificates numbered 64030

G-10659.BWB

T.15S., R.13E., W.M.



WELL LOC: 300S & 380E. FROM N 1/4 COR. SWC 19.

-  Primary
-  Supplemental

FINAL PROOF SURVEY
UNDER

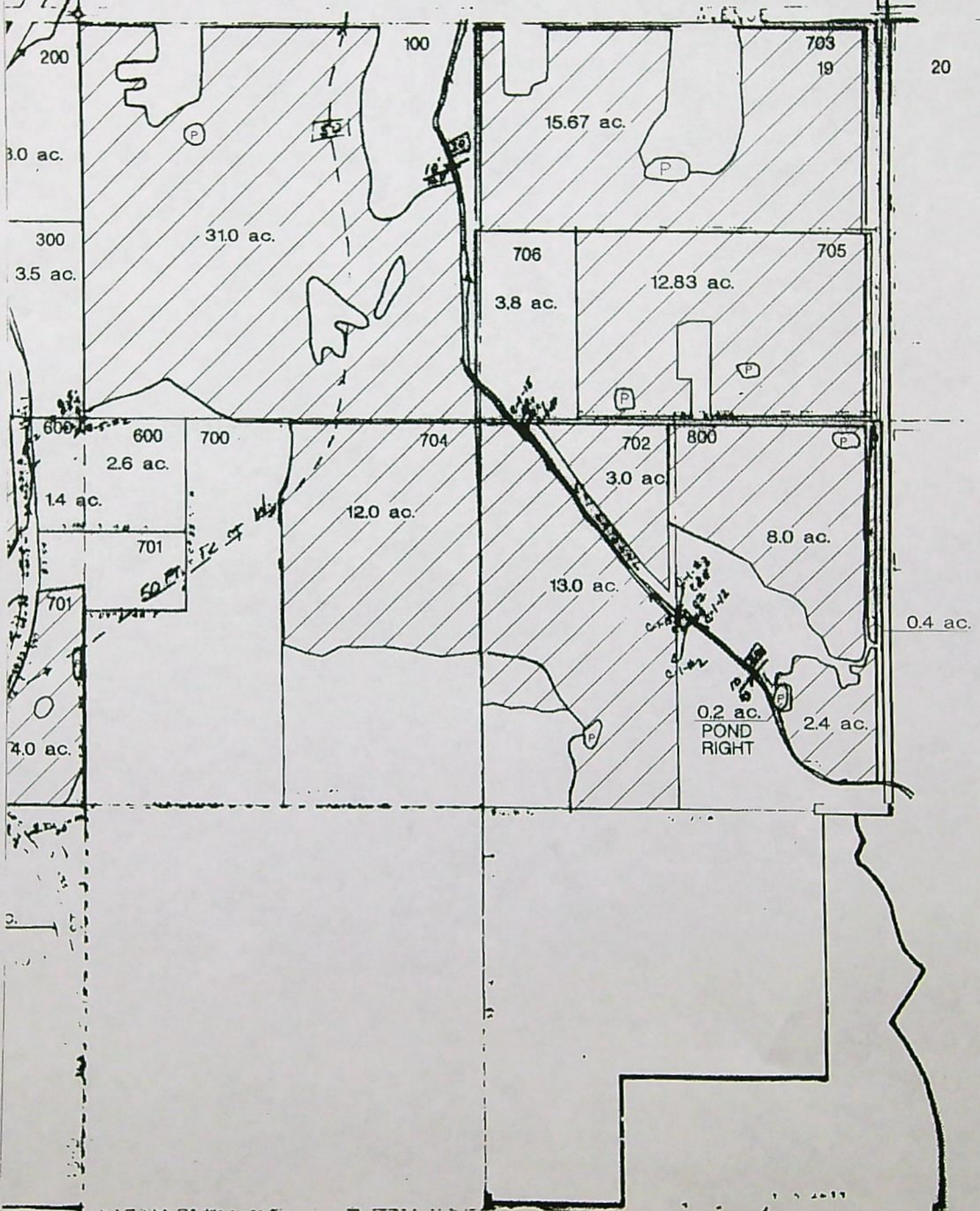
Application No. G-10659 Permit No. G-9760.....
IN NAME OF

LAVEITA WELCH & L.V. CHAMBERLAIN

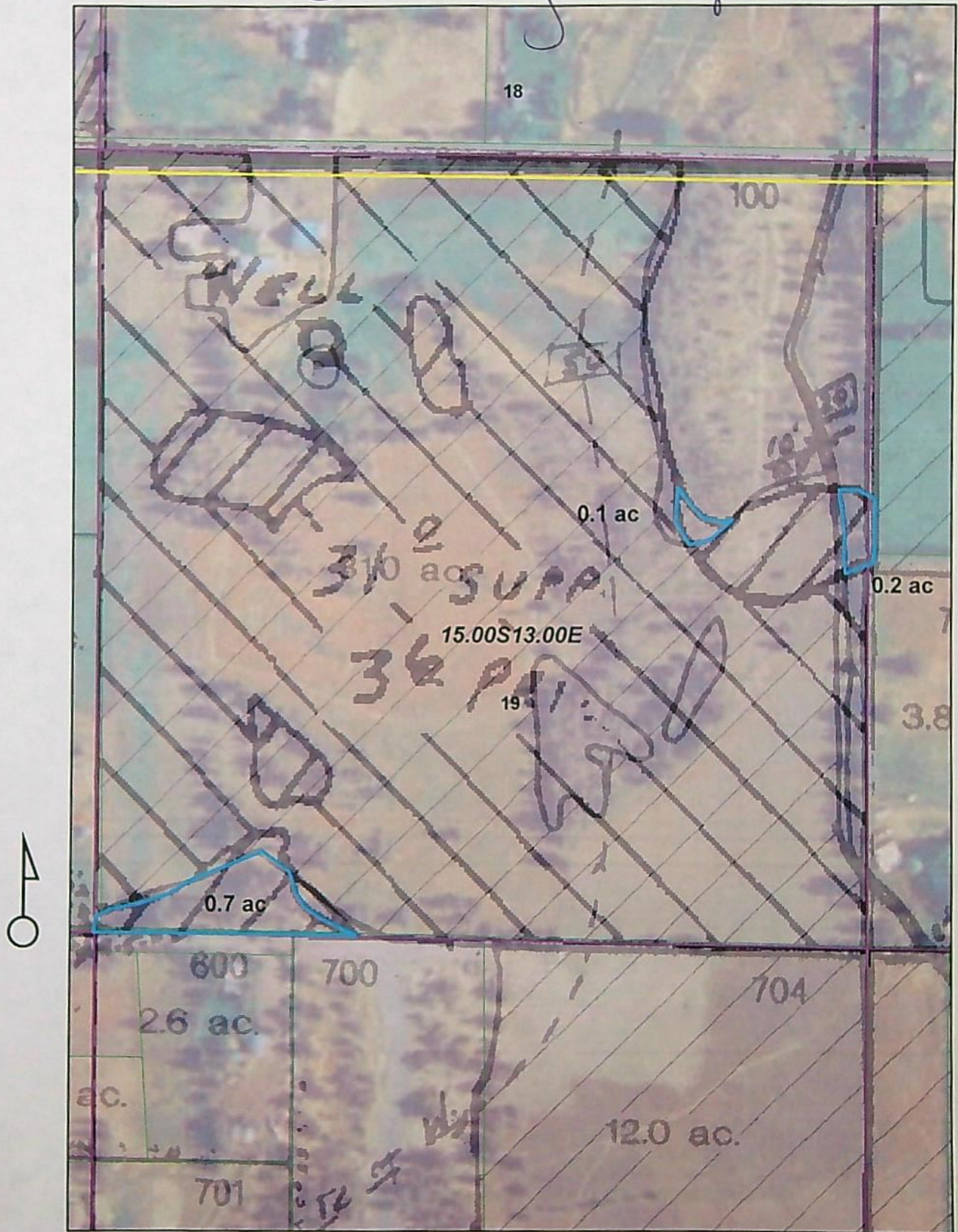
Surveyed JUNE 22, 1988, by B.W. BISHOP.....

11/1/88 BWD
41013-179-1850

Sec 19 T155 R13E
Certificate 76358 "3111 map" 18 17



Inventory Map



1:2,761

1 inch equals 230.05 feet

Laura Snedaker

From: Jeremy Giffin [Jeremy.T.Giffin@wrд.state.or.us]
Sent: Thursday, June 01, 2006 1:55 PM
To: 'Laura Snedaker'
Subject: RE: Deschutes GW Use Offset Request for Application G-16282

-->

Laura, I do not see any issues. It appears from your attachment that someone has already overlaid the groundwater right over the coi rights. You may want to ask Jason Ecklund in our office to overlay the groundwater right over the GIS that he has for coi. He is very busy so you may have to ask nicely.

--Jeremy

From: Laura Snedaker [mailto:Laura.K.SNEDAKER@wrд.state.or.us]
Sent: Thursday, June 01, 2006 12:17 PM
To: Jeremy.T.GIFFIN@wrд.state.or.us
Subject: Deschutes GW Use Offset Request for Application G-16282
Importance: High

-->

Jeremy:

This is a resending of a message I sent you a couple weeks ago. Wanted and needed to get this under your nose again.

The Department has received a request from ground water permit applicant Fred Moore, Land Acquisition and Development, G16282, to use existing ground water certificate 64030 to offset a portion of the use requested under application G-16282.

Application G-16282 has a mitigation obligation in the General Zone of Impact for 18.0 acre-feet of consumptive use. In responding to their notice of mitigation obligation, the applicant identified that they would like to voluntarily cancel certificate 64030 and use a portion of that right to offset the impact of the proposed ground water use.

8/17/2007

Certificate 64030 allows the use of ground water for primary irrigation of 3.6 acres and supplemental irrigation of 31.0 acres. This certificate has a priority date of February 23, 1982 and was originally approved by a permit issued in July, 1982. The permit and certificate do not contain the scenic waterway regulation condition that was placed on ground water permits beginning in July, 1995.

While a voluntary cancellation affidavit has been submitted to cancel all of certificate 64030, the applicant is only requesting to use the 3.6 of primary irrigation to offset the proposed ground water use (G-16282). Ken Lite has identified that the well authorized under the existing right and the well proposed by the ground water permit application are both in the same zone of impact, being the General Zone of Impact.

In order for an existing ground water use to be used to offset all or a portion of a proposed ground water use, the impact on surface water from the proposed use must be the same or less than the impact on surface water of the existing ground water use. Or rather, they need to be in the same zone of impact and the existing use needs to have an equivalent or greater consumptive use than the proposed ground water use.

Primary Portion of 64030: In reviewing the primary portion of this right, it has been identified that some of the 3.6 acres are underlain by COID's water rights (76358 & 76714) and are actually supplemental to these rights. Some work has been previously done to try to identify what portion of the 3.6 acres is actually supplemental (see attached review materials). But upon looking at this information further, the polygons on the map showing the overlay between COID's water rights and this water right, specifically the primary portion, do not add up to 3.6 acres. In addition, this map was originally prepared in association with a transfer that proposed to only remove a portion of COID's water rights from these lands so the lands shown as COID's are not the entire portion of the right that overlays the ground water right. Would it be possible for you or someone from your office to overlay COID's water rights from this quarter quarter with 64030 and identify which portion of the primary 3.6 acres are actually supplemental to COID's water right?

I am also interested in whether there are any other issues that may affect this water right. Are there any non use issues, regulation issues, source reliability issues or other issues? Anything that would cause the need to calculate the amount of offset generated by the cancellation of this right differently.

Laura Snedaker

Senior Water Resources Coordinator

Oregon Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

Phone: (503) 986-0884

Web: www.oregon.gov/OWRD

8/17/2007

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF CANCELLATION OF AN)
ENTIRE PERFECTED AND DEVELOPED)
WATER RIGHT EVIDENCED BY)
CERTIFICATE 64030 IN THE NAME OF)
LAVEITA WELCH AND L. V. CHAMBERLAIN.)

DRAFT FINAL ORDER

Authority

ORS 540.621 directs the Commission to enter an order canceling a water right whenever the owner of a perfected and developed water right certifies under oath to the Commission that the water right has been abandoned and the owner desires to cancel the right.

Findings of Fact

1. On February 15, 2005, the Department received an affidavit from James E. and Debra E. Marshall, 8920 NE Clements Dr., Madras, OR 97741, stating they are the owners of lands and the water right appurtenant as evidenced by Certificate 64030, State Record of Water Right Certificates. The affidavit further states the entire water right appurtenant to the property has been abandoned and requests the certificate be canceled.
2. Pursuant to OAR 690-017-0100, the Department has determined that James E. and Debra E. Marshall are the recorded owners, as established by county deed records, of property to which the water right evidenced by Certificate 64030 is appurtenant.
4. Certificate 64030 allows for the use of 0.43 cubic foot per second (cfs) of water from a well in the Deschutes River Basin; for primary irrigation of 3.6 acres and supplemental irrigation of 31.0 acres. The date of priority is February 23, 1982.
5. The entirety of the water right evidenced by Certificate 64030 which has been abandoned is located as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	13 E	WM	19	NW NE	3.6

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	13 E	WM	19	NW NE	31.0

Conclusions of Law

The Director of the Water Resources Department concludes the entire right evidenced by Water Right Certificate 64030 has been abandoned in accordance with the provisions of ORS 540.621 and shall be canceled.

Now, therefore, it is ORDERED:

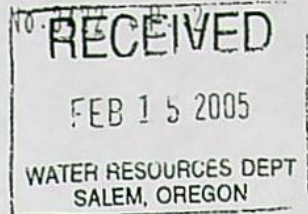
Certificate 64030 is canceled.

Dated at Salem, Oregon this _____ day of _____, 2007.

draft

Phillip C. Ward, Director

Mailing Date: _____



GROUND WATER RIGHT CANCELLATION
AFFIDAVIT ATTESTING TO THE USE OF WATER DURING THE PREVIOUS FIVE YEARS

State of Oregon)
County of Deschutes)
I James Marshall, in my capacity as landowner,
Mailing address 8920 NE Clemens Dr. Madras, OR 97741,
Telephone number 541-475-6027, being first duly sworn depose and say:

- 1. I attest that the water was used during the previous five years within the authorized place of use of the water right subject to transfer as described by the accompanying transfer application. My knowledge of the exercise of the water right is based on (check one);
 Personal observation
 Professional expertise

- 2. My knowledge is specific to the use of water at the following location(s):

T. 15 R. 13 S. 19 $\frac{1}{4}$ $\frac{1}{4}$ NW NE tax lot 100
T. _____ R. _____ S. _____ $\frac{1}{4}$ $\frac{1}{4}$ _____ tax lot _____

- 3. The water right was exercised for the authorized purposes and is described as follows:

grass and pasture

- 4. The water delivery system used to apply water as authorized by the water right is described as follows:

Groundwater was pumped from the well with a 30 hp pump into a holding reservoir. It was then pumped through a 4-6" mainline to 2 and 3" handline with sprinklers to the mapped areas.

(continues on next page)
PLEASE PRINT LEGIBLY OR TYPE. PLEASE BE AS SPECIFIC AS POSSIBLE.
ATTACH ADDITIONAL PAGES IF YOU NEED MORE SPACE.
SUPPORTING DOCUMENTATION MUST BE ATTACHED.

5. One or more of the following documentation supporting the above statements is attached:
- Copy of water right certificate which has been issued within the last five years (not a remaining certificate),
 - Copies of receipts from sales of irrigated crops or for expenditures relating to use of water,
 - Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
 - Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
 - Dedicated power usage records or receipts,
 - IF the right has not been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2), or
 - Other: In stream Lease
 - Other: _____

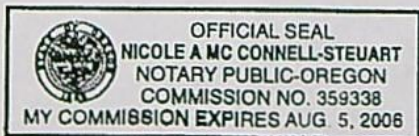
James Marshall
 Signature of Affiant James Marshall

1-27-05
 Date

Subscribed and Sworn to Before Me this 27 day of January, ~~2004~~ 2005

[Signature]
 Notary Public for Oregon

My commission expires 8-5-06



**PLEASE PRINT LEGIBLY OR TYPE. PLEASE BE AS SPECIFIC AS POSSIBLE.
 ATTACH ADDITIONAL PAGES IF YOU NEED MORE SPACE.
 SUPPORTING DOCUMENTATION MUST BE ATTACHED.**

Deschutes County
6-16-282

**AFFIDAVIT FOR THE CANCELLATION OF AN ENTIRE
WATER RIGHT CERTIFICATE**

State of Oregon)
) ss
County of Deschutes)

I/We (or authorized agent), James E & Debra E. Marshall
residing at 8920 NE Clements Dr. Madras, OR 97741

telephone number 541-475-6027, being first duly sworn depose and say:

- I/We are the legal and deeded owner(s) of the property described as tax lot number 100, within the NW 1/4 NE 1/4, Section 19, Township 15 N, Range 13 E, of the Willamette Meridian, in Deschutes County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
- Water right certificate number 64030 issued to Laveta Welch & L.V. Chamberlain with a date of priority of Feb 7, 1990 for use of 180th cubic foot per second of water from a well (source) for the purpose of Irrigation (use) is appurtenant to my/our property; (c. 43 cfs)
- The appurtenant water right is not located within the boundaries of an irrigation district (if the right is located within a district, name it here: Central Oregon Irrigation Dist); and
- I/We have abandoned any and all interest in this water right and request the right be canceled.

James E. Marshall
Signature of legal owner as listed on deed, or authorized agent

10-15-04
Date

Debra Marshall
Signature of legal co-owner as listed on deed
(If applicable)

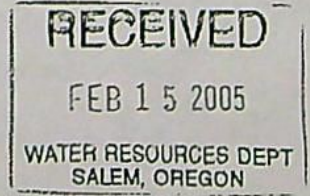
10-15-04
Date

Subscribed and Sworn to Before Me this 15th day of October, 2004.

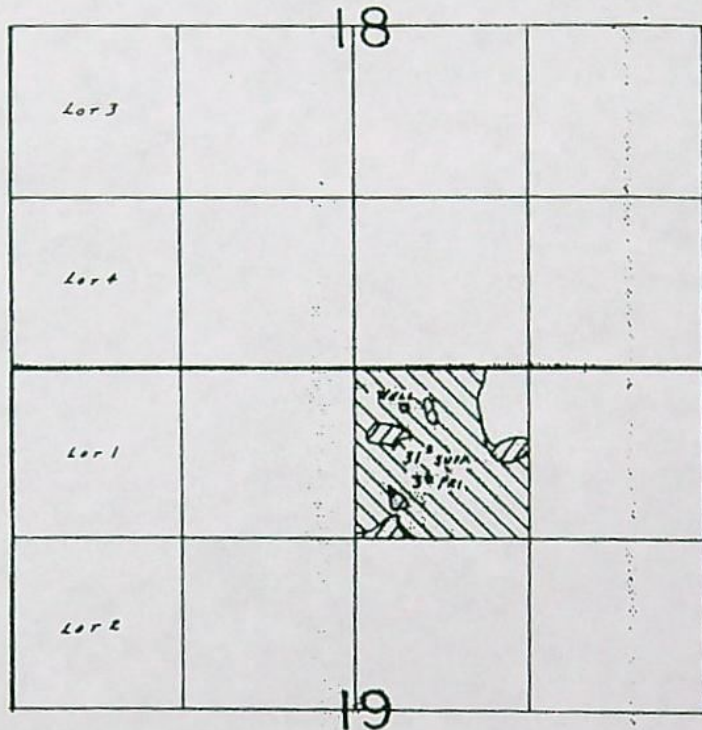


Tammy Sailors
Notary Public for Oregon
My Commission Expires 8-29-2005

PLEASE ATTACH A LEGIBLE COPY OF: 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) A COPY OF AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE ABANDONED RIGHT CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S). January 2003 WTR



T.15S., R.13E., W.M.



WELL LOC.: 300'S. & 380' E. FROM N 1/4 COR. SEC. 19.

- Primary
- Supplemental

RECEIVED

FEB 15 2005

WATER RESOURCES DEPT
SALEM, OREGON

FINAL PROOF SURVEY
UNDER

Application No. G-10559 Permit No. G-9760.....
IN NAME OF

LAVEITA WELCH & L.V. CHAMBERLAIN

Surveyed JUNE 22, 1988, by B.W. BISHOP.....

4.44030

RECEIVED
 DATE 2-28-90
 WATER MASTER DISTRICT #11
 BY [Signature]

G-9760
11/1/88 [Signature]

STATE OF OREGON
COUNTY OF DESCHUTES
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LAVEITA WELCH AND L.V. CHAMBERLAIN
4250 S.W. OBSIDIAN DRIVE
REDMOND, OREGON 97756

confirms the right to use the waters of A WELL in the DESCHUTES RIVER BASIN for the purpose of THE PRIMARY IRRIGATION OF 3.6 ACRES AND THE SUPPLEMENTAL IRRIGATION OF 31.0 ACRES.

The right has been perfected under Permit G-9760. The date of priority is FEBRUARY 23, 1982. The right is limited to not more than 0.43 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NW 1/4 NE 1/4, SECTION 19, T 15 S, R 13 E, W.M.; 300 FEET SOUTH AND 380 FEET EAST FROM THE NORTH 1/4 CORNER OF SECTION 19.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right shall be limited to any deficiency in the available supply of any prior right for the same land and shall not exceed the limitation allowed herein.

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

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

	PRIMARY	SUPPLEMENTAL
NW 1/4 NE 1/4	3.6 ACRES	31.0 ACRES
	SECTION 19	
TOWNSHIP 15 SOUTH, RANGE 13 EAST, W.M.		

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

WITNESS the signature of the Water Resources Director, affixed this date FEBRUARY 7, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 64030

G-10659.BWB

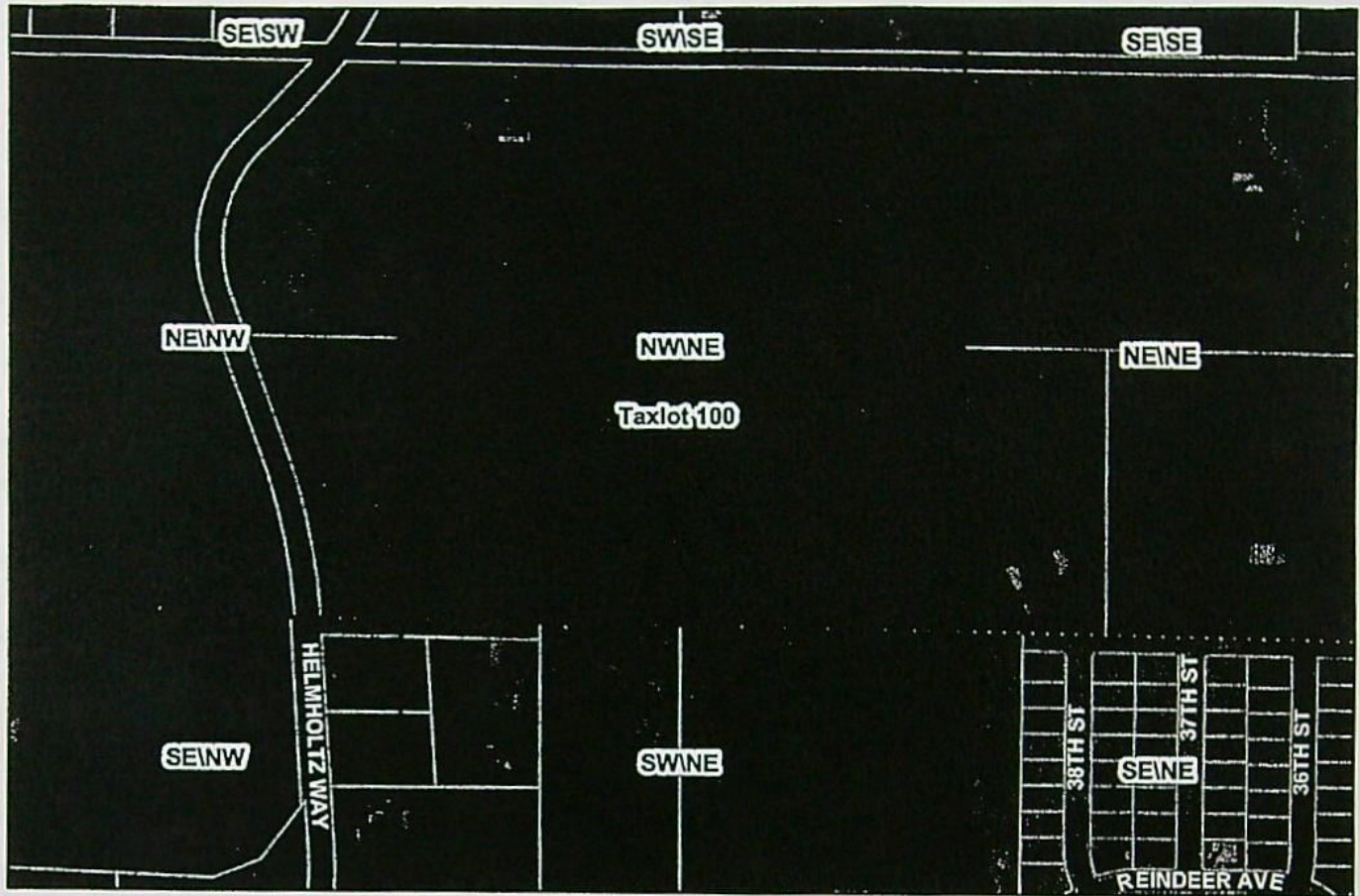
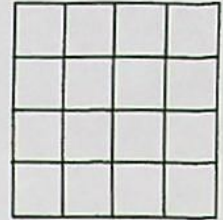
RECEIVED

FEB 15 2005

WATER RESOURCES DEPT
SALEM, OREGON

GROUND WATER CANCELLATION MAP

T15N. R13 SECTION 19



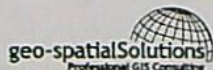
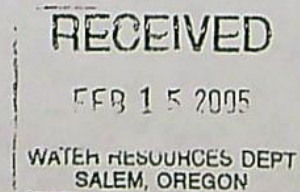
GROUND WATER CANCELLATION MAP for James & Debra Marshall - Tax Lot 100

ACRES TO BE CANCELLED:

Primary (3.6 ac)

Supplemental (31.0 ac)

Year of Photography: 2000
Source: City of Redmond Public Works
Contact: Mark Chambers, GIS Coordinator



Geo-Spatial Solutions, Inc.

www.geospatialolutions.com

Date Created: January 28, 2005



1 inch equals 400 feet

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Deschutes County

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Account: 130014 Map/TL: R 2-004 151319 00 00100

* * * Ownership Information ONLY

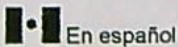
MARSHALL, JAMES E
MARSHALL, DEBRA E
PO BOX 2181
REDMOND OR 97756

Site Address: 4250 SW OBSIDIAN AVE REDMOND 97756

Assessor Property Description

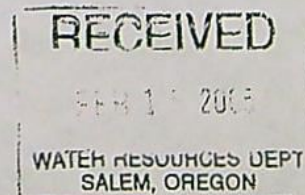
Lot: Block:

Prop Cls:451 MA:2 VA:30 NH 000 Vol-Page: 1999-11685
Asmt Zone:EFU CDD Zone:AS (AIRPORT SAFETY COMBINING ZONE)
" :EFUTRB (EXCLUSIVE FARM USE - TUMALO/REDMOND/BEND)



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Laura Snedaker

From: Susan Douthit
Sent: Monday, July 23, 2007 2:39 PM
To: Laura Snedaker
Cc: Alyssa Mucken
Subject: Cancellation of Cert 64030 for offset of G-16648

The DRAFT order to cancel the entirety of cert 64030 has been generated. A copy will be placed in the necessary files. Additionally, an electronic copy of the draft order can be found at S:\groups\fs\transfer\Cancellations\Orders and RRs\64030-ord-cancel-entirety.doc. It's running on public notice tomorrow.

~S

Susan Douthit
Transfer Specialist
725 Summer St. NE
Salem, OR 97301
(503)986-0858
Susan.M.Douthit@wrd.state.or.us
www.wrd.state.or.us

7/23/2007

Alyssa Mucken

From: Susan Douthit
Sent: Thursday, July 19, 2007 2:18 PM
To: TAMMY HARTY
Cc: Alyssa Mucken
Subject: RE: cancellation of certificate 64030 for offset request

I mis-spoke.

I will actually generate a DRAFT cancellation order and then when the new permit caseworker (Alyssa Mucken) goes to issue the permit she will finalize the cancellation order.

~S

Susan Douthit
503-986-0858

From: TAMMY HARTY [mailto:tammyharty@msn.com]
Sent: Thursday, July 19, 2007 11:52 AM
To: Susan Douthit
Subject: RE: cancellation of certificate 64030 for offset request

Thank you.

Once the notice runs and you issue the order - does that then finalize the water right offset and gives the Kochan's the right to the water ? Tammy

Tammy Harty
Creative Water Solutions, LLC
541-617-8936
Cell # 541-815-0203

Subject: RE: cancellation of certificate 64030 for offset request
Date: Thu, 19 Jul 2007 11:58:46 -0600
From: douthism@wrdd.state.or.us
To: tammyharty@msn.com

This works.

I thought I had noticed this cancellation on the 3rd of July. However, when I went back to check myself (I've recently took over the a piece of the 'machine' we call our Public Notice) I discovered that it hadn't been run. The notice for this cancellation is scheduled to run on the 24th. I will issue the order shortly thereafter.

Thanks.

~S

Susan Douthit
503-986-0858

From: TAMMY HARTY [mailto:tammyharty@msn.com]
Sent: Thursday, July 19, 2007 9:08 AM
To: Susan Douthit
Subject: RE: cancellation of certificate 64030 for offset request

Thanks for the reminder. I just got a copy of the deed this AM. Let me know if this is what you need. Thanks, Tammy

Tammy Harty
Creative Water Solutions, LLC
541-617-8936
Cell # 541-815-0203

Subject: FW: cancellation of certificate 64030 for offset request
Date: Thu, 19 Jul 2007 10:03:19 -0600
From: douthism@wrdd.state.or.us
To: tammyharty@msn.com

Hello,

Thought I should follow up on this.

Let me know.

~S

Susan Douthit
503-986-0858

From: TAMMY HARTY [mailto:tammyharty@msn.com]
Sent: Tuesday, June 26, 2007 11:18 AM
To: Susan Douthit
Subject: RE: cancellation of certificate 64030 for offset request

Susan,

I am traveling for the next week and do not have that file with me. I will get the file next week and get back with you. Tammy

Tammy Harty Creative Water Solutions, LLC 541-617-8936 Cell # 541-815-0203

Subject: cancellation of certificate 64030 for offset request
Date: Tue, 26 Jun 2007 11:31:36 -0600
From: douthism@wrdd.state.or.us
To: tammyharty@msn.com
CC: snedaklk@wrdd.state.or.us

Laura Snedaker

From: Laura Snedaker
Sent: Wednesday, May 30, 2007 3:59 PM
To: Anita Huffman
Subject: RE: offset-please help refresh my memory

Anita:

Before this can go down the PFO road, I need to review the offset request for G-16648 and put together a new memo. I haven't seen this request yet. I'm assuming Tammy sent us one???? The memo we had only addressed it as a possible offset for G-16282. And then, if it's a go, Greg (or someone) needs to put together another draft cancellation. I'll have to find out who's taking care of cancellations these days since Greg is going on an extended leave.

I'm out of here for the day but this is something I could easily do tomorrow.

Thanks, Laura

Laura Snedaker
Senior Water Resources Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Web: www.oregon.gov/OWRD

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

From: Anita Huffman
Sent: Wednesday, May 30, 2007 3:48 PM
To: Laura Snedaker
Subject: offset-please help refresh my memory

Laura, I've got G16648-Kochan-ready for PFO. They've submitted doc ev that they have obtained all but 1.8 credits for their mitigation. The last 1.8 is to be in the form of an offset.

The offset is the cancellation that was done for Fred Moore, that resulted in only a small fraction of offset available. You, Tammy and I had correspondence about it.

Ken Lite has reviewed the offset (cancellation of cert 64030) and has noted that it will have the same impact on SW as the proposed POA for G16648.

Do I need to do anything more? Or can I just find that the MO should be for 3.0 acres (5.4AF) rather than 4.0 acres (7.2af)?


I'm on a push to get the last of the PFO's out before I leave, so the sooner, the better. Thanks!

Anita Huffman
Water Rights Caseworker
Water Rights Division
Oregon Water Resources Department
VOICE: 503-986-0815 FAX: 503-986-0901

Memorandum

May 23, 2007

TO: Anita Huffman

FROM:  Ken Lite, Hydrogeologist, Oregon Water Resources Dept.

SUBJECT Cancellation / Offset Review for G-16648

I have completed a review of the potential cancellation / offset for water right application G-16648. The POA (Desc 3930) on certificate 64030 will have the same impact on surface water as the proposed POA on G-16648.

INTEROFFICE MEMORANDUM

Water Rights Section

TO: Ken Lite

March 23, 2007

FROM: Anita Huffman

RE: GW File Number G-16648

Ken, the applicant for this file would like to use the 1.0 acre of irrigation under Cert 6⁴3030 as a partial offset to their irrigation mitigation. This cert was originally going to be used as an offset for G-16828, but that applicant opted not to use it.

Can you please let me know if the use of groundwater under Cert 6⁴3030 will be in the appropriate zone as that for application G-16648?

Thank you.

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE # # G-16648

ROUTED TO: Aiita Hoffman

TOWNSHIP/

RANGE-SECTION: 17s/11E-4

CONDITIONS ATTACHED?: yes no

REMARKS OR FURTHER INSTRUCTIONS:

Mitigation Offset Review
(see memo 5/23/07)

Reviewer: K. Lite

Anita Huffman

From: Laura Snedaker
Sent: Friday, May 18, 2007 12:34 PM
To: 'Anita Huffman'; Jeremy Giffin
Subject: Documentary Evidence for G-16648 (Kochan)

Anita:

On May 10, 2007, the Department received a documentary evidence form for application G-16648 (Kochan) requesting that 5.4 mitigation credits from MP-27 be assigned to this ground water application.

This application has a mitigation obligation of 7.2 AF in the General Zone of Impact.

The chain of custody attached to the documentary evidence form is not complete. The chain shows the assignment of credits from Creative Water Solutions (CWS) to Phillip & Paige Kochan. These credits were originally held by COID and CWS. The chain does not show the assignment of credits from COID and CWS to CWS. However, the Department does have on file a copy of the assignment of credits from COID and CWS to CWS under MP-27. *C.O.C. 15*

MP-27 is the result of an instream transfer (T-9824), which created instream water right certificate 81324. This mitigation project generated mitigation credits that are available for use in the General and Middle Deschutes Zones of Impact. The account held by CWS contains sufficient mitigation credits to satisfy the mitigation obligation of the above described application. Therefore, 5.4 mitigation credits have been debited from the MP-27 account held by CWS and assigned to ground water application G-16648.

The applicant still needs to obtain an additional 1.8 mitigation credits in the General Zone to meet the mitigation obligation.

Thanks, Laura

Laura Snedaker
Senior Water Resources Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Web: www.oregon.gov/OWRD

Anita Huffman

cut 63030

From: TAMMY HARTY [tammyharty@msn.com]
Sent: Friday, March 23, 2007 7:19 AM
To: Anita.M.HUFFMAN@wrd.state.or.us
Subject: RE: Moore G-16282

Anita, I would like to try on the Kochan application for 1 of the acres. I have other mitigation credits to make up the balance on that application. Let me know what you come up with. Thanks, Tammy

Tammy Harty
Creative Water Solutions, LLC
541-617-8936
Cell # 541-815-0203

>From: "Anita Huffman" <Anita.M.HUFFMAN@wrd.state.or.us>
>To: "'TAMMY HARTY'" <tammyharty@msn.com>
>Subject: RE: Moore G-16282
>Date: Thu, 22 Mar 2007 16:24:17 -0700

>
>Tammy, it's possible that the one acre available for offset could work with
>either of these applications. As long as they're within the same zone of
>impact, and our Hydrogeologist buys off on the proposal, I can use it for
>one or the other.

>
>You'd have to submit a request for whichever one, and I'll run it past
>groundwater and then at PFO have an answer for you. I can't say right now
>if it will work or not, but it's something you can try.

>
>Both those apps have a greater mitigation obligation than the 1.8 AF that
>would result from the cancellation, but it offsets a portion, if it
>qualifies.

>
>I'm going to be working on PFO's in the next couple of weeks. The PFO's
>for
>these applications are going to be at least a month out at this point, but
>if you want to submit a NOMO now for one or the other using the
>cancellation, now would be a good time.

>
>
>
>Anita Huffman
>Water Rights Caseworker

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

>From: TAMMY HARTY [mailto:tammyharty@msn.com]
>Sent: Thursday, March 22, 2007 8:54 AM
>To: Laura.K.SNEAKER@wrd.state.or.us; Anita.M.HUFFMAN@wrd.state.or.us
>Subject: RE: Moore G-16282

>
>Remember this one ??

>
>We didn't use the groundwater cancellation on the Moore application.

>
>I want to use it now for either The Kahl G-16683
>OR Kochan G-16648

>
>Is that possible for either one ? Thanks, Tammy
>
>
>
>Tammy Harty
>Creative Water Solutions, LLC
>541-617-8936
>Cell # 541-815-0203
>
>
>
>
>
> >From: "Laura Snedaker" <Laura.K.SNEDAKER@wrd.state.or.us>
> >To: "'Anita Huffman'" <Anita.M.HUFFMAN@wrd.state.or.us>, "'TAMMY
>HARTY'"
> ><tammyharty@msn.com>
> >Subject: RE: Moore G-16282
> >Date: Thu, 28 Sep 2006 07:52:07 -0700
> >
> >Anita, Tammy:
> >
> >Here's a PDF of the review memo (with attachments) for the offset request
> >for ground water permit application G-16282.
> >
> >Laura
> >
> >Laura Snedaker
> >Senior Water Resources Coordinator
> >Oregon Water Resources Department
> >725 Summer Street NE, Suite A
> >Salem, OR 97301-1271
> >Phone: (503) 986-0884
> >Web: www.oregon.gov/OWRD
> >
> >-----Original Message-----
> >From: Anita Huffman [mailto:Anita.M.HUFFMAN@wrd.state.or.us]
> >Sent: Tuesday, September 26, 2006 2:32 PM
> >To: 'Laura Snedaker'
> >Subject: FW: Moore G-16282
> >
> >Laura, I think she's wanting info on how the offset was calculated to be
> >only the 1 acre. Do you have the info she wants? Do you want to email
> >(or
> >call) her with it?
> >
> >Anita Huffman
> >Water Rights Caseworker
> >
> >
> >-----Original Message-----
> >From: Tammy Harty [mailto:tammyharty@msn.com]
> >Sent: Friday, September 22, 2006 9:29 AM
> >To: Anita Huffman
> >Subject: Re: Moore G-16282
> >
> >Anita,
> >Can you e-mail me the determination and documentation as to how that was
> >arrived at ? Thanks, Tammy
> >----- Original Message -----
> >
> >
> >From: "Anita Huffman" <Anita.M.HUFFMAN@wrd.state.or.us>
> >To: <tammyharty@msn.com>
> >Cc: "'Laura Snedaker'" <Laura.K.SNEDAKER@wrd.state.or.us>; "'Tim Wallin'"
> ><Timothy.WALLIN@wrd.state.or.us>

> >Sent: Thursday, August 31, 2006 10:33 AM
> >Subject: Moore G-16282
> >
> >
> > > Tammy,
> > >
> > > I have just gotten back the results of the determination of the offset
> > >for
> > > Mr. Moore's application. The Department has determined that the
> > > cancellation of certificate 64030 will result in 1.0 acre of primary
> > > irrigation to offset for application G16282. This is less than the
> > > original
> > > offset amount requested of 3.6 acres.
> > >
> > > The Department determined that a portion of the lands under cert 64030
> > > were
> > > underlain by a primary right (76358) belonging to COID. After
>deducting
> > > the
> > > underlying primary rights, Cert 64030 has only 1.0 acre of valid,
> >primary
> > > rights. The Department has also determined that Cert 64030 is within
> >the
> > > General Zone of Impact, so it can be used as an offset for the 1.0
>acre
> >of
> > > irrigation if it's cancelled.
> > >
> > > Because the offset will only be 1.0 acre, the total mitigation
> >obligation
> > > for G16282 will now be 16.2 AF, calculated at 9.0 acres at 1.8 AF per
> > > acre.
> > > I will be sending Mr. Moore a letter to outline the Department's
> >findings
> > > and ask him to submit a new Notice of Mitigation Obligation
> > > Acknowledgment.
> > > Once I receive the form, I will process the Final Order (after Cert
> >64030
> > > is
> > > cancelled). If Cert 64030 is not cancelled, then the mitigation
> > > obligation
> > > will be 18.0 AF (10.0x1.8).
> > >
> > > No matter what the final total is that Mr. Moore is proposing for
> > > mitigation, be it the 9.0 acres with the 1.0 acre offset, or the full
> >10.0
> > > acres, I cannot issue a permit until documentary evidence that all the
> > > necessary mitigation has been obtained is received by the Department.
> >I'm
> > > ready to process the final order, so I'll just wait to hear from Mr.
> >Moore
> > > as to how he wants to proceed.
> > >
> > >
> > > Anita Huffman
> > > Water Rights Caseworker
> > > Water Rights Division
> > > Oregon Water Resources Department
> > > VOICE: 503-986-0815 FAX: 503-986-0901
> > >
> > >
> > >
> > >
>
>
> ><< G16282-offset-memo-64030.pdf >>
>

>
>Mortgage refinance is hot 1) Rates near 30-yr lows 2) Good credit get
>intro-rate 4.625%*
><https://www2.nextag.com/goto.jsp?product=100000035&url=%2fst.jsp&tm=y&search>
>=mortgage_text_links_88_h2a5f&s=4056&p=5117&disc=y&vers=743
>

It's tax season, make sure to follow these few simple tips
[http://articles.moneycentral.msn.com/Taxes/PreparationTips/PreparationTips.aspx?](http://articles.moneycentral.msn.com/Taxes/PreparationTips/PreparationTips.aspx?icid=HMMartagline)
icid=HMMartagline

Anita Huffman

From: Laura Snedaker [Laura.K.SNEDAKER@wrd.state.or.us]
Sent: Friday, March 09, 2007 8:06 AM
To: 'Anita Huffman'
Subject: RE: Notice of Mitigation Obligation for G-16648 (Kochan)

Anita:

Ground water permit application G-16648⁸ for Phillip and Page Kochan has a mitigation obligation in the General ZOI for 7.2 AF.

They have proposed to obtain mitigation credits. There are presently sufficient credits (both permanent and temporary) available in the General ZOI to satisfy the applicant's mitigation obligation.

Laura

Laura Snedaker
Senior Water Resources Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0884
Web: www.oregon.gov/OWRD

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

From: Anita Huffman [mailto:Anita.M.HUFFMAN@wrd.state.or.us]
Sent: Thursday, March 08, 2007 1:03 PM
To: 'Laura Snedaker'
Subject: FW: Notice of Mitigation Obligation

Anita Huffman
Water Rights Caseworker

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

From: Anita Huffman [mailto:Anita.M.HUFFMAN@wrd.state.or.us]
Sent: Monday, February 26, 2007 8:31 AM
To: bonnie.lamb@state.or.us; Clair.M.Kunkel@state.or.us; 'Eric Nigg';
James.W.Johnson@state.or.us; jan.houck@state.or.us;
'Jeremy.T.Giffin@wrd.state.or.us'; Nancy.Pustis@state.or.us;
Paul.A.Measeles@state.or.us; rick.j.kepler@state.or.us;
Steven.D.Marx@state.or.us
Subject: Notice of Mitigation Obligation

(NOTE: I've recently sent out a great deal of Mitigation Obligation Notices so there will likely be many of these messages over the coming weeks. For processing reasons, I'll be sending them individually, as they're returned, rather than in a batch. Sorry for the inconvenience!)

APPLICANT: Kochan, Phillip & Page APPLICATION: G-16648 USE:
Irrigation of 4.0 acres VOLUME: 12.0 AF MITIGATION OBLIGATION: 7.2
AF ZONE OF IMPACT: General

The applicants intend to purchase available mitigation credits. The information provided by the applicants meets the criteria of the DGWSA rules and the application may continue processing.

Please respond with your comments by MARCH 12, 2007.

Anita Huffman
Water Rights Caseworker
Water Rights Division
Oregon Water Resources Department
VOICE: 503-986-0815 FAX: 503-986-0901

Anita Huffman

From: PUSTIS Nancy [Nancy.Pustis@state.or.us]
Sent: Monday, February 26, 2007 3:00 PM
To: HUFFMAN Anita M
Subject: RE: Notice of Mitigation Obligation

DSL has no comment.

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

From: Anita Huffman [mailto:Anita.M.Huffman@state.or.us]
Sent: Monday, February 26, 2007 8:31 AM
To: LAMB Bonnie; KUNKEL Clair M; NIGG Eric; JOHNSON James W; HOUCK Jan; GIFFIN Jeremy T; PUSTIS Nancy; MEASELES Paul A; KEPLER Rick J; MARX Steven D
Subject: Notice of Mitigation Obligation

(NOTE: I've recently sent out a great deal of Mitigation Obligation Notices so there will likely be many of these messages over the coming weeks. For processing reasons, I'll be sending them individually, as they're returned, rather than in a batch. Sorry for the inconvenience!)

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Anita Huffman
Water Rights Caseworker
Water Rights Division
Oregon Water Resources Department
VOICE: 503-986-0815 FAX: 503-986-0901

Anita Huffman

From: Anita Huffman [Anita.M.HUFFMAN@wrd.state.or.us]
Sent: Monday, February 26, 2007 8:31 AM
To: bonnie.lamb@state.or.us; Clair.M.Kunkel@state.or.us; 'Eric Nigg';
James.W.Johnson@state.or.us; jan.houck@state.or.us; 'Jeremy.T.Giffin@wrd.state.or.us';
Nancy.Pustis@state.or.us; Paul.A.Measeles@state.or.us; rick.j.kepler@state.or.us;
Steven.D.Marx@state.or.us
Subject: Notice of Mitigation Obligation

(NOTE: I've recently sent out a great deal of Mitigation Obligation Notices so there will likely be many of these messages over the coming weeks. For processing reasons, I'll be sending them individually, as they're returned, rather than in a batch. Sorry for the inconvenience!)

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VOLUME: 12.0 AF MITIGATION OBLIGATION: 7.2 AF ZONE OF IMPACT: General

The applicants intend to purchase available mitigation credits. The information provided by the applicants meets the criteria of the DGWSA rules and the application may continue processing.

Please respond with your comments by MARCH 12, 2007.

Anita Huffman
Water Rights Caseworker
Water Rights Division
Oregon Water Resources Department
VOICE: 503-986-0815 FAX: 503-986-0901

IR CHECKLIST DESCHUTES GROUNDWATER STUDY AREA

Application #: 616648 Applicant: Kochan WID# 5-30530112

Use(s): 1R2 4AC Priority Date: 3/28/06

- If quasi/muni, reviewed by Bill Fujii Y / N / NA
- Is the application complete? Y / N
- GW Review will not will likely be available ...without injury... and/or within the capacity of the resource conditions 7B, 7C

- Is there a conflict? Y / N / NA
 - If conflict, are rights from a different source? If supplemental, check for primary right on same land
 - will this be making up a deficiency in rate?

Zone of Impact General zone Mitigation Obligation 4(1.8) = 7.2 AF
 303D Y / N / NA BOTTLED WATER Y / N (cc: DOA Food Safety Division)

Rate 1/80 Rate Max 4/80 = 0.05 (22 GPM) Req 50 GPM (0.11 cfs)
 Duty 3 Season Allowed 3/1-10/31 Req 4/1-10/31

- Land use approval OK needs approval county notified NA
- Does the applicant intend to begin use within 5 years? Y / N (If not, bring to supervisor's attention.)
- Statement allowing someone to act as authorized agent? Y / N / NA Agent Name: _____
- Other Conditions: (Not DGWSA conditions) 7C, 7B

Medium > 0.1 or < 1.5 CFS, > 9.2 or < 100 AF, Large > 1.5 CFS, ≥ 100 AF
 uses that require Large w/totalizing meter: Muni/Q-muni with incremental mitigation

- Basin Maps have been checked Y / N / River Mile _____
- CWRE, representative, etc. to notify? Y / N

Addn'l info req'd? Y / N NOMO Adic
 (If Y, send certified)

Attachments included? Y / N / NA NOMO, DIV 502 DGWSA RULES

Fees	Base Fee	Water Amount (Q)	
	\$100 / \$150	1 st CFS/AF	<u>200</u>
	\$250 / <u>\$300</u>		
		Addl CFS/AF @ _____	+
	<u>300</u> -	<u>200</u>	= <u>500</u> -
(base)		(Q)	(total exam fee)

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.

EXAM FEE REQUIRED	<u>500</u>
EXAM FEE PAID	<u>500</u>
STILL OWED	<u>0</u>

Name: Anita Huffman Date: 2/7/07 Peer Reviewer: Kenny

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE # # G-16648

ROUTED TO: Water Rights (Anita Huffman)

TOWNSHIP/

RANGE-SECTION: 17S/11E-sec4

CONDITIONS ATTACHED?: yes no

REMARKS OR FURTHER INSTRUCTIONS:

Condition 7B, 7C, 7J

Within The Deschutes GW Study Area

Division 690-505-0500 to 0620

Reviewer: K. Lite

Oregon Water Resources Department

MEMO

Sept. 12, 2006

TO Application G- 16648

FROM GW: K. Lite
(Reviewer's Name)

SUBJECT Scenic Waterway Interference & General/Local Surface Water Impact
Evaluation for Deschutes Ground Water Study Area

The source of appropriation is within or above the Deschutes Scenic Waterway

Use the Scenic Waterway condition (Condition 7J).

PREPONDERANCE OF EVIDENCE FINDING UNDER ORS 390.835:

The Department has found that there is a preponderance of evidence that the proposed use of ground water will measurably reduce the surface water flows necessary to maintain the free-flowing character of the Deschutes Scenic Waterway in quantities necessary for recreation, fish and wildlife.

LOCALIZED IMPACT FINDING

The proposed use of ground water will have a localized impact to surface water in the _____ River/Creek Subbasin

If the localized impact box above is checked, then the water use under any right issued pursuant to this application is presumed to have a localized impact on surface water within the identified subbasin. Mitigation of the impact, originating from within the Local Zone of Impact identified by the Department, will be required before a permit may be issued for the proposed use.

If the localized impact box above is not checked, then the water use under any right issued pursuant to this application is presumed to have a general (regional) impact on surface water. Mitigation of the impact, originating anywhere within the Deschutes Basin above the Madras gage, will be required before a permit may be issued for the proposed use.

PUBLIC INTEREST REVIEW FOR GROUND WATER APPLICATIONS

TO: Water Rights Section Date 7 September 2006

FROM: Ground Water/Hydrology Section K. Lite

Reviewer's Name

SUBJECT: Application G- 16648 Supersedes review of _____

Date of Review(s)

PUBLIC INTEREST PRESUMPTION: GROUNDWATER

OAR 690-310-130 (1) *The Department shall presume that a proposed groundwater use will ensure the preservation of the public welfare, safety and health as described in ORS 537.525.* Department staff review ground water applications under OAR 690-310-140 to determine whether the presumption is established. OAR 690-310-140 allows the proposed use be modified or conditioned to meet the presumption criteria. **This review is based upon available information and agency policies in place at the time of evaluation.**

A. **GENERAL INFORMATION:** Applicant's Name: Kochan, Phillip F. & Paige M. County: Deschutes

A1. Applicant(s) seek(s) (50* gpm) 0.11* cfs from 2 well(s) in the Deschutes Basin,
Deschutes subbasin Quad Map: Tumalo Dam

A2. Proposed use: Irrigation (4 acres primary) Seasonality: 1 April - 31 October (214 days)

A3. Well and aquifer data (attach and number logs for existing wells; mark proposed wells as such under logid):

Well #	Logid	Applicant Well #	Proposed Aquifer*	Proposed Rate(cfs)	Location (T/R-S QQ-Q)	Location, metes and bounds, e.g. 2250' N, 1200' E fr NW cor S 36
1	DESC 53647	1	Deschutes Fm.	0.11*	17S/11E-sec 4 AAB	431' S, 825' W fr NE cor sec 4
2	Not Drilled	2	Deschutes Fm.	0.11*	17S/11E-sec 4 AAC	975' S, 825' W fr NE cor sec 4
3						
4						
5						

* Alluvium, CRB, Bedrock

Well	Well Elev ft msl	First Water ft bls	SWL ft bls	SWL Date	Well Depth (ft)	Seal Interval (ft)	Casing Intervals (ft)	Liner Interval s (ft)	Perforations Or Screens (ft)	Well Yield (gpm)	Draw Down (ft)	Test Type
1	3540	845	803	01/23/2001	880	0-38.5	+1.5 - 38.5	10-880	830-870	15	0	A
2	3550				Same	Same	Same	Same	Same			

Use data from application for proposed wells.

A4. **Comments:** NOTE: THE PROPOSED MAXIMUM RATE (50 gpm, 0.11 cfs) IS MORE THAN THE MAXIMUM RATE ALLOWED FOR 4 ACRES (22 gpm, 0.05 cfs). EXISTING AND PROPOSED WELL IS AND WILL LIKELY BE CONSTRUCTED INTO WATER BEARING ZONES WITHIN THE DESCHUTES FM. WATER LEVEL IN THE WELL IS AND WILL LIKELY BE BELOW THE ELEVATION OF THE NEAREST SURFACE WATER SOURCES (UPPER TUMALO RESERVOIR, TUMALO FEED CANAL, TUMALO CREEK, AND DESCHUTES RIVER). GROUND WATER FLOW IS TOWARDS THE NORTH WITH THE NEAREST POSSIBLE DISCHARGE AREA (DESCHUTES RIVER AT AND BELOW LOWER BRIDGE) ABOUT 16 MILES DISTANCE. WELLS ARE LOCATED WITHIN THE DESCHUTES GROUND WATER STUDY AREA AND SUBJECT TO DIVISION 690-505-0500 TO 0620.

A5. Provisions of the Deschutes Basin rules relative to the development, classification and/or management of ground water hydraulically connected to surface water are, or are not, activated by this application. (Not all basin rules contain such provisions.)
Comments: Within USGS Study Area Boundary.

A6. Well(s) # _____, _____, _____, _____, _____, tap(s) an aquifer limited by an administrative restriction.
Name of administrative area: _____
Comments: _____

B. GROUND WATER AVAILABILITY CONSIDERATIONS, OAR 690-310-130, 400-010, 410-0070

B1. Based upon available data, I have determined that ground water* for the proposed use:

- a. is over appropriated, is not over appropriated, or cannot be determined to be over appropriated during any period of the proposed use. * This finding is limited to the ground water portion of the over-appropriation determination as prescribed in OAR 690-310-130;
- b. will not or will likely be available in the amounts requested without injury to prior water rights. * This finding is limited to the ground water portion of the injury determination as prescribed in OAR 690-310-130;
- c. will not or will likely to be available within the capacity of the ground water resource; or
- d. will, if properly conditioned, avoid injury to existing ground water rights or to the ground water resource:
 - i. The permit should contain condition #(s) 7B, 7C;
 - ii. The permit should be conditioned as indicated in item 2 below.
 - iii. The permit should contain special condition(s) as indicated in item 3 below;

- B2. a. Condition to allow ground water production from no deeper than _____ ft. below land surface;
- b. Condition to allow ground water production from no shallower than _____ ft. below land surface;
- c. Condition to allow ground water production only from the _____ ground water reservoir between approximately _____ ft. and _____ ft. below land surface;
- d. Well reconstruction is necessary to accomplish one or more of the above conditions. The problems that are likely to occur with this use and without reconstructing are cited below. Without reconstruction, I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Ground Water Section.

Describe injury –as related to water availability– that is likely to occur without well reconstruction (interference w/ senior water rights, not within the capacity of the resource, etc): _____

B3. Ground water availability remarks: THE TWO NEAREST CURRENT STATE OBSERVATION WELLS ARE OBS WELL 1318 (DESC 3193), ABOUT 7.4 MILES TO THE NORTHWEST, AND OBS WELL 1312 (DESC 1653), ABOUT 4.8 MILES TO THE SOUTHEAST. OBS WELL 1318 HAS BEEN MONITORED PERIODICALLY SINCE 1978. OBS WELL 1312 HAS BEEN MONITORED SINCE 1994. BOTH APPEAR TO BE IN DYNAMIC EQUILIBRIUM. THEIR LONG-TERM TREND SHOW A DECADEAL-SCALE WATER LEVEL FLUCTUATION THAT IS COINCIDENT WITH CLIMATE CYCLES. THE DECADEAL FLUCTUATION FOR OBS WELL 1318 HAS HAD A MAXIMUM AMPLITUDE OF APPROXIMATELY 20- FEET. SINCE 2000, THE WATER LEVEL HAS DROPPED OVER 15 FEET, MOSTLY AS A RESULT OF DECREASED RECHARGE. THE DECADEAL FLUCTUATION FOR OBS WELL 1312 HAS HAD A MAXIMUM AMPLITUDE OF APPROXIMATELY 3- FEET. SINCE 2000, THE WATER LEVEL HAS DROPPED ABOUT 2 FEET, MOSTLY AS A RESULT OF DECREASED RECHARGE.

WATER LEVELS AT THREE OTHER WELLS (DESC 1099, DESC 4679, AND DESC 1653) WERE MEASURED DURING THE USGS GROUND WATER INVESTIGATION. THEIR WATER LEVELS APPEAR TO BE IN DYNAMIC EQUILIBRIUM. AT THESE WELLS, THE MAXIMUM WATER LEVEL FLUCTUATION RANGES FROM 1 TO 4 FEET.

C. GROUND WATER/SURFACE WATER CONSIDERATIONS, OAR 690-09-040

C1. 690-09-040 (1): Evaluation of aquifer confinement:

Well #	Aquifer or Proposed Aquifer	Confined	Unconfined
		<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"/>

Basis for aquifer confinement evaluation: _____

C2. 690-09-040 (2) (3): Evaluation of distance to, and hydraulic connection with, surface water sources. All wells located a horizontal distance less than 1/4 mile from a surface water source that produce water from an unconfined aquifer shall be assumed to be hydraulically connected to the surface water source. Include in this table any streams located beyond one mile that are evaluated for PSI.

Well	SW #	Surface Water Name	GW Elev ft msl	SW Elev ft msl	Distance (ft)	Hydraulically Connected?			Potential for Subst. Interfer. Assumed?	
						YES	NO	ASSUMED	YES	NO
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Basis for aquifer hydraulic connection evaluation: _____

Water Availability Basin the well(s) are located within: _____

C3a. 690-09-040 (4): Evaluation of stream impacts for each well that has been determined or assumed to be hydraulically connected and less than 1 mile from a surface water source. Limit evaluation to instream rights and minimum stream flows that are pertinent to that surface water source, and not lower SW sources to which the stream under evaluation is tributary. Compare the requested rate against the 1% of 80% natural flow for the pertinent Water Availability Basin (WAB). If Q is not distributed by well, use full rate for each well. Any checked box indicates the well is assumed to have the potential to cause PSI.

Well	SW #	Well < 1/4 mile?	Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

C3b. 690-09-040 (4): Evaluation of stream impacts by total appropriation for all wells determined or assumed to be hydraulically connected and less than 1 mile from a surface water source. Complete only if Q is distributed among wells. Otherwise same evaluation and limitations apply as in C3a above.

SW #	Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

Comments: _____

C4a. 690-09-040 (5): Estimated impacts on hydraulically connected surface water sources greater than one mile as a percentage of the proposed pumping rate. Limit evaluation to the effects that will occur up to one year after pumping begins. This table encompasses the considerations required by 09-040 (5)(a), (b), (c) and (d), which are not included on this form. Use additional sheets if calculated flows from more than one WAB are required.

Non-Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
		%	%	%	%	%	%	%	%	%	%	%	%
		%	%	%	%	%	%	%	%	%	%	%	%
		%	%	%	%	%	%	%	%	%	%	%	%
(A) = Total Interf.													
(B) = 80 % Nat. Q													
(C) = 1 % Nat. Q													
(D) = (A) > (C)		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
(E) = (A / B) x 100		%	%	%	%	%	%	%	%	%	%	%	%

(A) = total interference as CFS; (B) = WAB calculated natural flow at 80% exceed. as CFS; (C) = 1% of calculated natural flow at 80% exceed. as CFS; (D) = highlight the checkmark for each month where (A) is greater than (C); (E) = total interference divided by 80% flow as percentage.

Basis for impact evaluation: _____

C4b. 690-09-040 (5) (b) The potential to impair or detrimentally affect the public interest is to be determined by the Water Rights Section.

- C5. If properly conditioned, the surface water source(s) can be adequately protected from interference, and/or ground water use under this permit can be regulated if it is found to substantially interfere with surface water:
- i. The permit should contain condition #(s) _____;
 - ii. The permit should contain special condition(s) as indicated in "Remarks" below;

C6. SW / GW Remarks and Conditions _____

If a permit is issued, condition with 7B and 7C

References Used: USGS WRI REPORT 00-4162; USGS WRI REPORT 02-4015; USGS OPEN-FILE REPORT 97-197; TUMALO DAM QUADRANGLE MAP; APPL. FILE G-16648; WELL REPORT DESC 53647 (PROPOSED WELL 1); STATE OBS WELL 1318 (DESC 3193) & STATE OBS WELL 1312 (DESC 1653); DIVISION 690-505.

D. WELL CONSTRUCTION, OAR 690-200

D1. Well #: _____ Logid: _____

D2. **THE WELL does not meet current well construction standards based upon:**

- a. review of the well log;
- b. field inspection by _____;
- c. report of CWRE _____;
- d. other: (specify) _____

D3. **THE WELL construction deficiency:**

- a. constitutes a health threat under Division 200 rules;
- b. commingles water from more than one ground water reservoir;
- c. permits the loss of artesian head;
- d. permits the de-watering of one or more ground water reservoirs;
- e. other: (specify) _____

D4. **THE WELL construction deficiency is described as follows:** _____

D5. **THE WELL** a. was, or was not constructed according to the standards in effect at the time of original construction or most recent modification.

b. I don't know if it met standards at the time of construction.

D6. **Route to the Enforcement Section.** I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Enforcement Section and the Ground Water Section.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

D7. Well construction deficiency has been corrected by the following actions: _____

_____, 200_____
(Enforcement Section Signature)

D8. **Route to Water Rights Section (attach well reconstruction logs to this page).**

WATER RESOURCES DEPARTMENT MEMORANDUM

DATE 9/7/2006

APPLICATION_NUMBER G 16648
 OWNER KOCHAN, PHILLIP F. & PAIGE M.
 AMOUNT_REQUESTED 50 GPM NUMBER_OF_WELLS 2 BASIN DESCHUTES
 QUADRANGLE_MAP_1 TUMALO DAM SUB_BASIN DESCHUTES
 COUNTY DESCHUTES

WELL_# 1 WELL_LOG_STATUS DRILLED, LOG AVAILABLE POA_AMOUNT 50 GPM
 WELL_LOG_NUMBER DESC 53647 DPN_LOG_1
 TWSHP 17S RANGE 11E SECTION 04 QQQ AAB
 PROPOSED_LEGAL_LOCATION 431 FT SOUTH AND 825 FT WEST FROM THE NE CORNER OF SECTION 04
 DISTANCE_FROM_STREAM_1 19000 FEET STREAM_1 DESCHUTES R.
 DISTANCE_FROM_STREAM_2 18200 FEET STREAM_2 TUMALO CR.
 PROPOSED_WELL_DEPTH 520
 WELL_ELEV 3540 STREAM_ELEV 3180 WELL_ELEV_minus_STREAM_ELEV 360
 WELL_DEPTH 880 SWL 803
 SEAL_DEPTH 38.5 SWL_DATE 1/23/2001
 CASING_DEPTH 38.5 FIRST_WATER_DEPTH 845
 LINER_DEPTH 880 WELL_TEST_1_TYPE AIR
 PERFORATIONS_SCREEN_1 830-870 YIELD_1 15 GPM
 PERFORATIONS_SCREEN_2 DRAWDOWN_1 0
 AQUIFER_TYPE UNCONFINED DURATION_1 1 HR

HYDRAULIC_CONNECTION NOT AT NEAREST REACH

DIVISION_9_FINDING POTENTIAL FOR SUBSTANTIAL INTERFERENCE

ZONE_OF_IMPACT MAIN STEM DESCHUTES RIVER

CONDITIONED_WATER_RIGHTS_IN_AREA SEE ATTACHMENTS

OTHER_NEARBY_WATER_RIGHTS SEE ATTACHMENTS

DENSITY_OF_NEARBY_WELLS SEE ATTACHMENTS

COMMENTS WELL APPEARS CONSTRUCTED INTO WATER BEARING ZONES WITHIN THE DESCHUTES FM. WATER LEVEL IN THE WELL IS BELOW THE ELEVATION OF THE NEAREST SURFACE WATER SOURCES (UPPER TUMALO RESERVOIR, TUMALO FEED CANAL, TUMALO CREEK, & DESCHUTES RIVER). GW FLOW IS TOWARDS THE NORTH WITH THE NEAREST POSSIBLE DISCHARGE AREA (DESCHUTES RIVER) ABOUT 16 MILES DISTANCE. WELL IS LOCATED WITHIN THE DESCHUTES GW STUDY AREA AND SUBJECT TO DIVISION 690-505-0500 TO 0620.

REFERENCES USGS WRI REPORT 00-4162; USGS WRI REPORT 02-4015; USGS OPEN-FILE REPORT 97-197; TUMALO DAM QUAD MAP; APPL. FILE G-16648; WELL REPORT DESC 53647 (WELL 1); STATE OBS WELL 1318 (DESC 3193) & STATE OBS WELL 1312 (DESC 1653); DIVISION 690-505.

WATER RESOURCES DEPARTMENT MEMORANDUM

DATE 9/7/2006

APPLICATION_NUMBER G 16648
 OWNER KOCHAN, PHILLIP F. & PAIGE M.
 AMOUNT_REQUESTED 50 GPM NUMBER_OF_WELLS 2 BASIN DESCHUTES
 QUADRANGLE_MAP_1 TUMALO DAM SUB_BASIN DESCHUTES
 COUNTY DESCHUTES

WELL_# 2 WELL_LOG_STATUS NOT YET DRILLED POA_AMOUNT 50 GPM
 WELL_LOG_NUMBER DPN_LOG_1
 TWSHP 17S RANGE 11E SECTION 04 QQQ AAC

PROPOSED_LEGAL_LOCATION 975 FT SOUTH AND 825 FT WEST FROM THE NE CORNER OF SECTION 04

DISTANCE_FROM_STREAM_1 19000 FEET STREAM_1 DESCHUTES R.

DISTANCE_FROM_STREAM_2 17900 FEET STREAM_2 TUMALO CR.

PROPOSED_WELL_DEPTH 520

WELL_ELEV 3550 STREAM_ELEV 3180 WELL_ELEV_minus_STREAM_ELEV 370

WELL_DEPTH SWL

SEAL_DEPTH SWL_DATE

CASING_DEPTH FIRST_WATER_DEPTH

LINER_DEPTH WELL_TEST_1_TYPE

PERFORATIONS_SCREEN_1 YIELD_1 GPM

PERFORATIONS_SCREEN_2 DRAWDOWN_1

AQUIFER_TYPE UNCONFINED DURATION_1 HR

HYDRAULIC_CONNECTION NOT AT NEAREST REACH

DIVISION_9_FINDING POTENTIAL FOR SUBSTANTIAL INTERFERENCE

ZONE_OF_IMPACT MAIN STEM DESCHUTES RIVER

CONDITIONED_WATER_RIGHTS_IN_AREA SEE ATTACHMENTS

OTHER_NEARBY_WATER_RIGHTS SEE ATTACHMENTS

DENSITY_OF_NEARBY_WELLS SEE ATTACHMENTS

COMMENTS WELL LIKELY TO BE CONSTRUCTED INTO WATER BEARING ZONES WITHIN THE DESCHUTES FM. WATER LEVEL IN THE WELL LIKELY BELOW THE ELEVATION OF THE NEAREST SURFACE WATER SOURCES (UPPER TUMALO RESERVOIR, TUMALO FEED CANAL, TUMALO CREEK, & DESCHUTES RIVER). GW FLOW IS TOWARDS THE NORTH WITH THE NEAREST POSSIBLE DISCHARGE AREA (DESCHUTES RIVER) ABOUT 16 MILES DISTANCE. WELL IS LOCATED WITHIN THE DESCHUTES GW STUDY AREA AND SUBJECT TO DIVISION 690-505-0500 TO 0620.

REFERENCES USGS WRI REPORT 00-4162; USGS WRI REPORT 02-4015; USGS OPEN-FILE REPORT 97-197; TUMALO DAM QUAD MAP; APPL. FILE G-16648; WELL REPORT DESC 53647 (WELL 1); STATE OBS WELL 1318 (DESC 3193) & STATE OBS WELL 1312 (DESC 1653); DIVISION 690-505.

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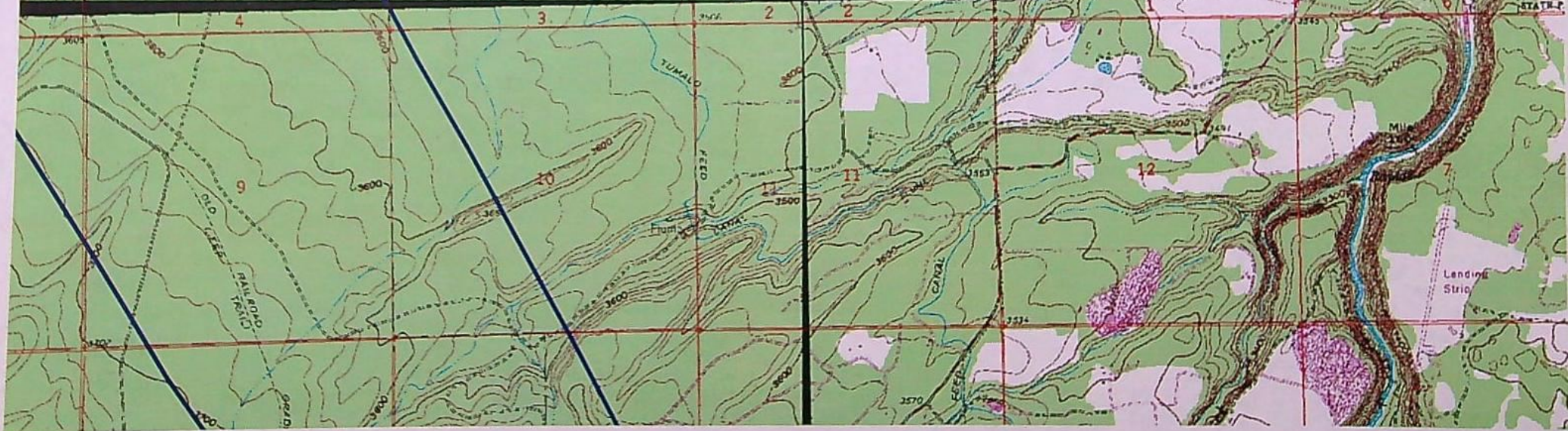
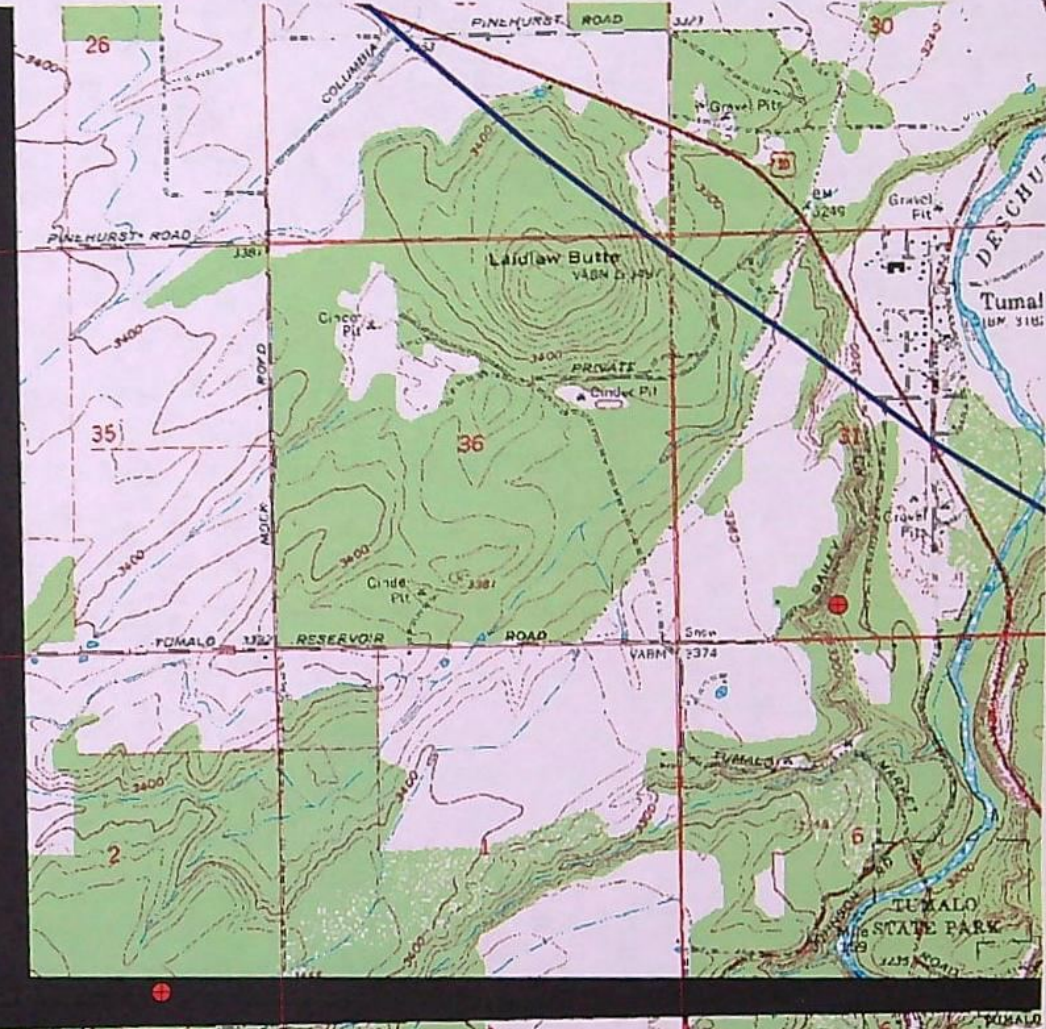
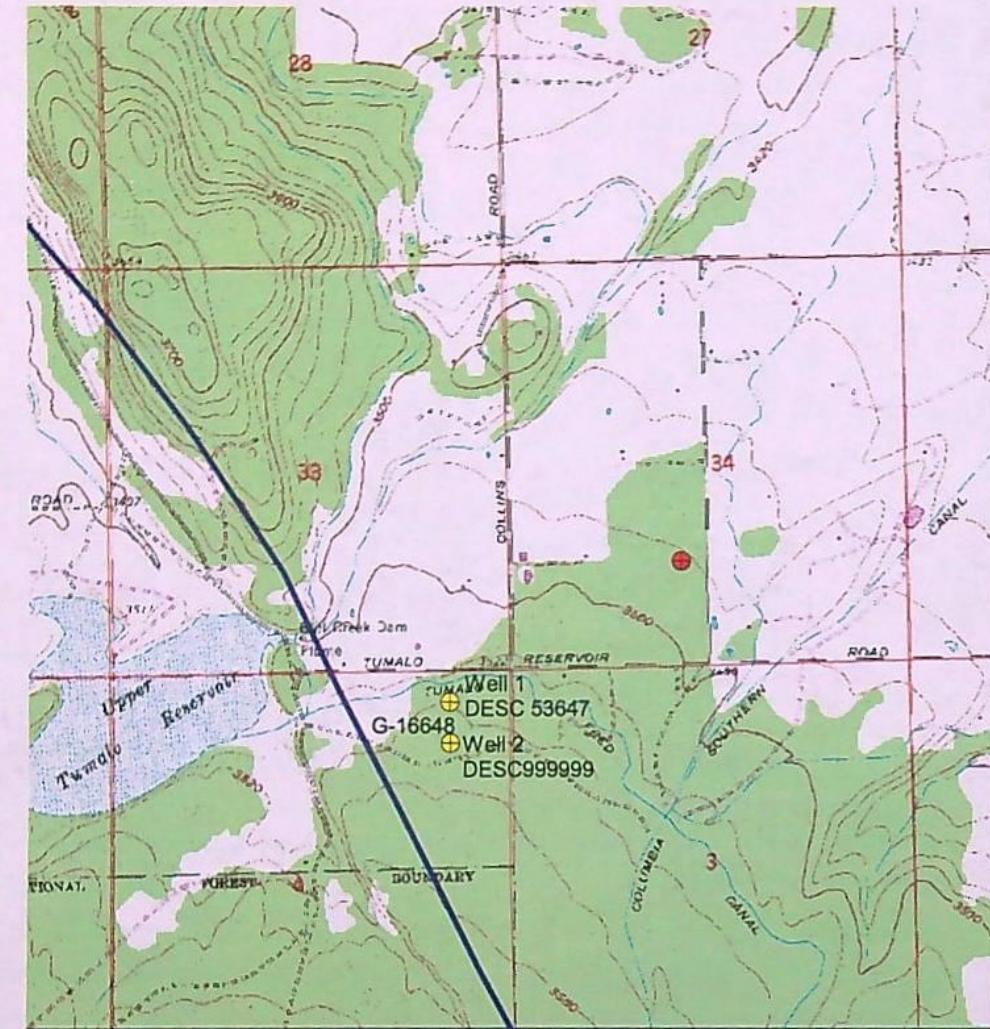
CONDITIONED_WATER_RIGHTS_IN_AREA SEE ATTACHMENTS

OTHER_NEARBY_WATER_RIGHTS SEE ATTACHMENTS

DENSITY_OF_NEARBY_WELLS SEE ATTACHMENTS

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

DESC
53647

WELL I.D. # L 46777
START CARD # 136830

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number _____
Name Phil & Paige Kochan
Address 18349 Tunalto Res. Rd.
City Bend State OR Zip 97701

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

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other _____

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 880 ft.
Explosives used Yes No Type _____ Amount _____

HOLE		SEAL		Sacks or pounds	
Diameter	From To	Material	From To		
12	0 - 38 1/2	Cement	38 1/2 - 14	2	YDS.
		Bentonite	14 - 0	19	SACKS

How was seal placed: Method A B C D E
 Other Sealed in Dry
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	0 - 14	3/8	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner: 6	0 - 10	3/8	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(7) PERFORATIONS/SCREENS:

Perforations Method Factory
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele./pipe size	Casing	Liner
850	870	1/16	228	6		<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Pump Bailer Air Flowing
 Artesian

Yield gal/min	Drawdown	Drill stem at	Time
15	0	875	1 hr

Temperature of water 52° Depth Artesian Flow Found _____
Was a water analysis done? Yes No By whom _____
Did any strata contain water not suitable for intended use? Yes No
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County Desch. Latitude _____ Longitude _____
Township 17 N or S Range 11 E or W. WM.
Section 4 NW 1/4 NE 1/4
Tax Lot 300 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 18349 Tunalto Res. Rd. Bend, OR

(10) STATIC WATER LEVEL:
80.3 ft. below land surface. Date 1-23-01
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 845

From	To	Estimated Flow Rate	SWL
845	880	15+	803

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWL
Top soil	0	5	
Sand-Gravelly Boulders	5	32	
Brown SAND stone	32	74	
Basalt	74	94	
Orange clay Congl.	94	110	
Brown sand stone	110	141	
Basalt	141	152	
Broken Brown Lava	152	165	
Basalt	165	190	
Brown Congl.	190	225	
Brown SAND stone	225	270	
Hard Gray Lava	270	282	
Brown Congl.	282	330	
Hard Gray Lava	330	395	
Brown SAND stone	395	475	
Broken Lava	475	625	
Brown SAND stone	625	740	
Mild Brown Lava	740	845	803
W.B. Red claders	845	880	

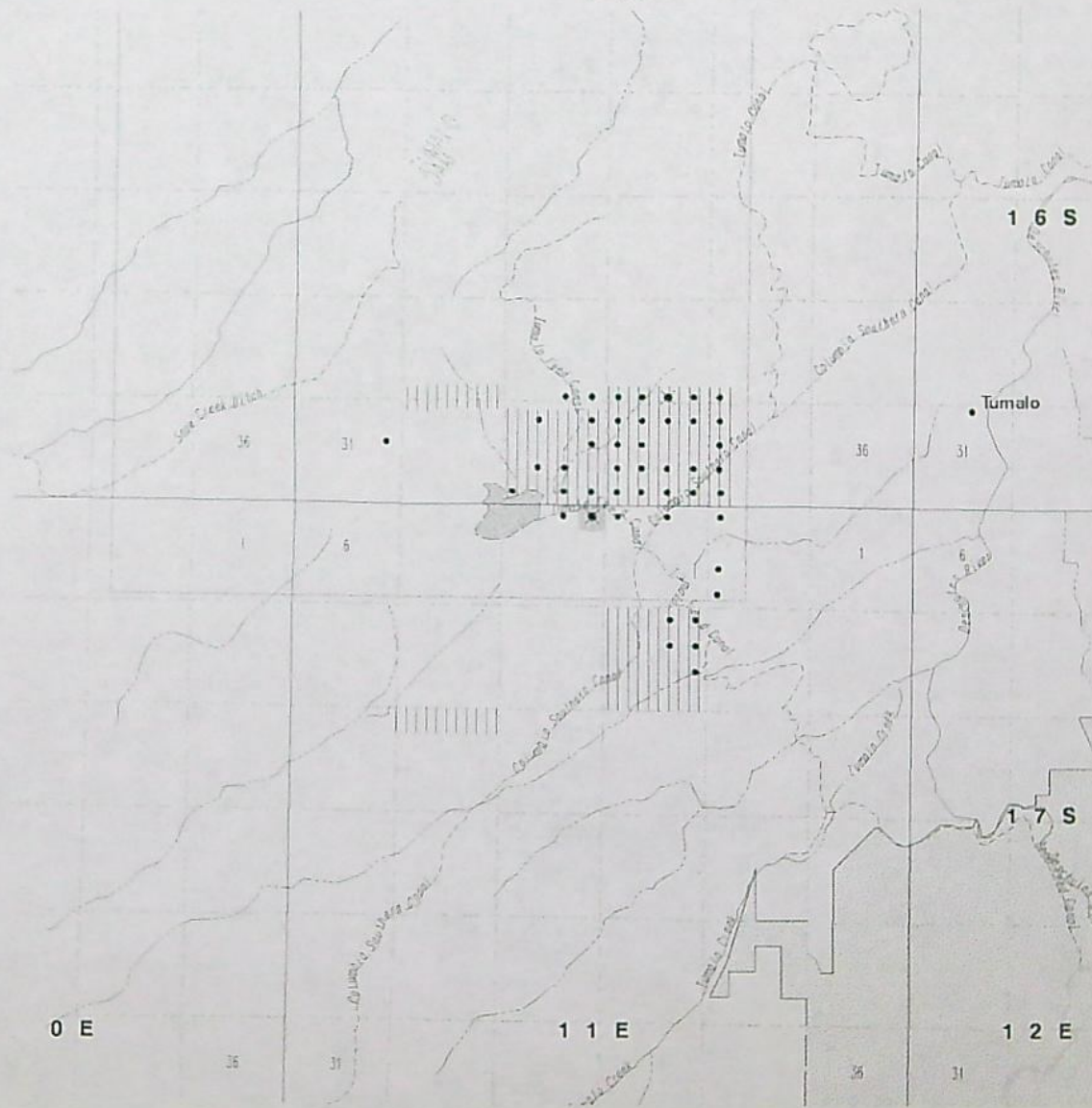
Date started 1-17-01 Completed 1-23-01

(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 water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
Signed Jeff Randall WWC Number _____ Date 1-23-01

(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 water supply well construction standards. This report is true to the best of my knowledge and belief.
Signed Doug Allen WWC Number 1255 Date 1-27-01

Wells in the vicinity of application G 16648

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



WELL LOGS WITHIN 1 MILE OF APPLICATION G 16648

ABANDON: 3
 RECONDITIONED: 10
 REPAIRED: 0
 CONVERSION: 0
 DEEPENINGS: 26
 NEW CONSTRUCT: 144

COMMUNITY USE: 0
 DOMESTIC USE: 174
 INDUSTRIAL USE: 0
 INJECTION USE: 0
 IRRIGATION USE: 2
 THERMAL USE: 0
 LIVESTOCK USE: 0

PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 16648

\$RECNO	APPLICATION	PERMIT	CLAIM	LOC-QQ	USE_CODE
1	G 14189	G 13107		0 16.00S11.00E27SWSE	WI
1	G 14189	G 13107		0 16.00S11.00E27SWSE	IS
2	G 16648		0	0 17.00S11.00E 4NENE	IR
2	G 16648		0	0 17.00S11.00E 4NENE	IR

CONDITIONED WELLS WITHIN 5 MILES OF APPLICATION G 16648

\$RECNO	APPLICATION	PERMIT	LOC-QQ	CONDITION-CODE
1	G 12226	G 11380	17.00S11.00E34SWSE	10G

APPLICATION G 16648 FALLS WITHIN THESE QUAD(S)

TUMALO DAM

Well Location	15.00S10.00E36AAD
Oregon Water Resources Department Well Log ID	DESC 3193
Oregon Water Resources Department State Observation Well Number	1318
Well depth, in feet below land surface	365
Land surface elevation, in feet above mean sea level	
Primary use of well	DOMESTIC

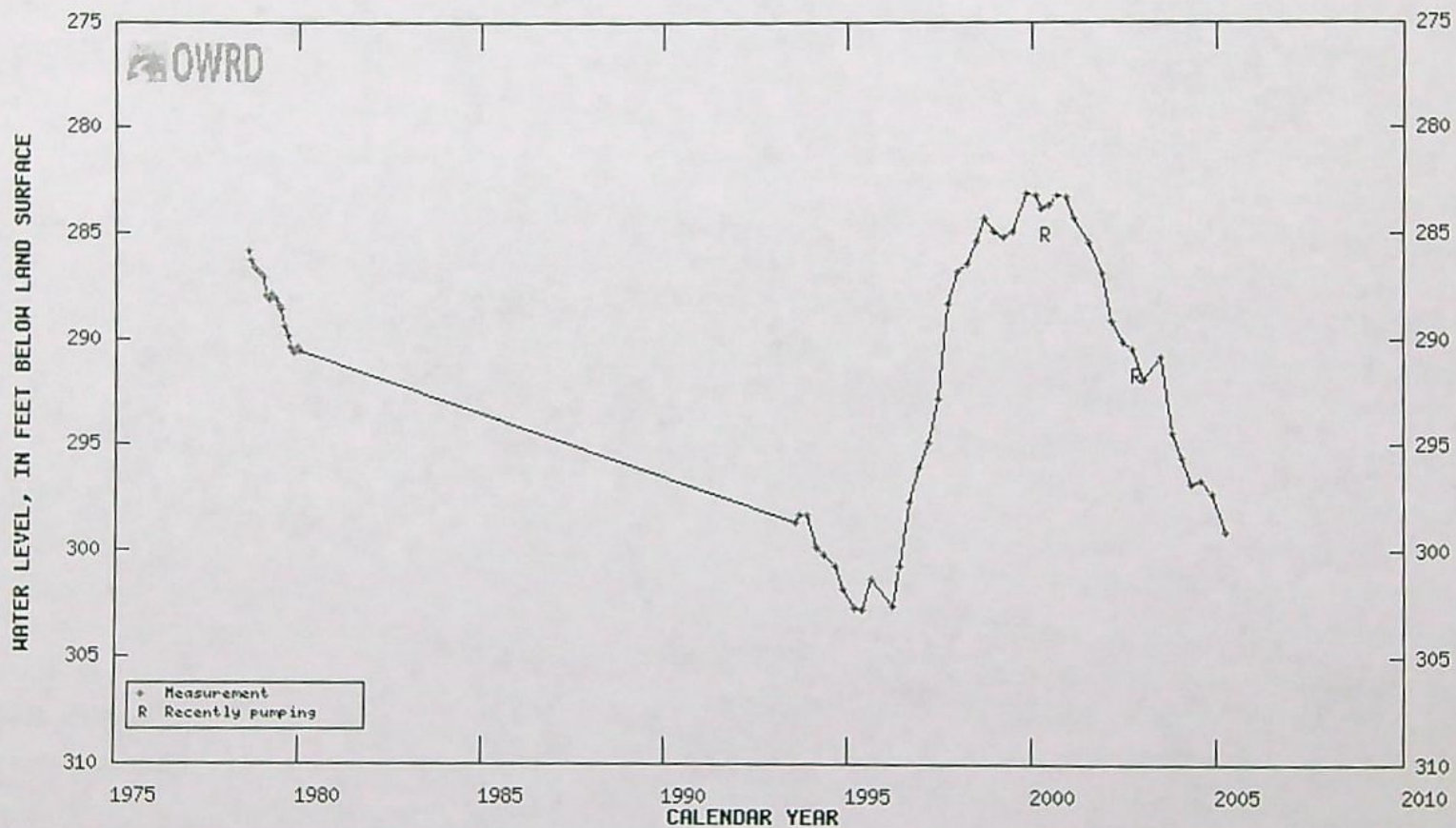


Table showing water-level data for State Well DESC 3193, State Observation Well # 1318

Well Location	17.00S11.00E25ABC
Oregon Water Resources Department Well Log ID	DESC 1653
Oregon Water Resources Department State Observation Well Number	1312
Well depth, in feet below land surface	700
Land surface elevation, in feet above mean sea level	3735
Primary use of well	DOMESTIC

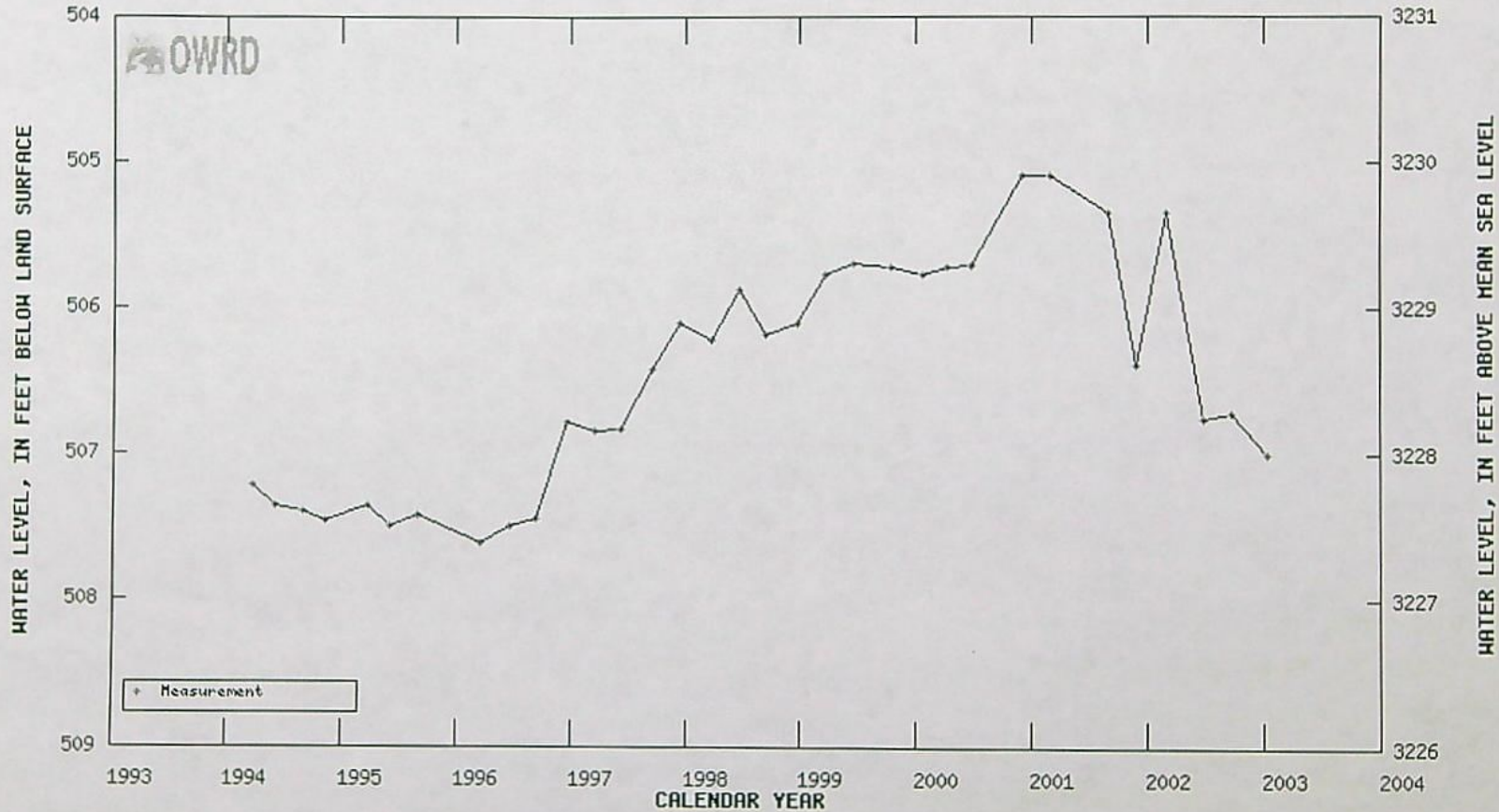


Table showing water-level data for State Well DESC 1653, State Observation Well # 1312

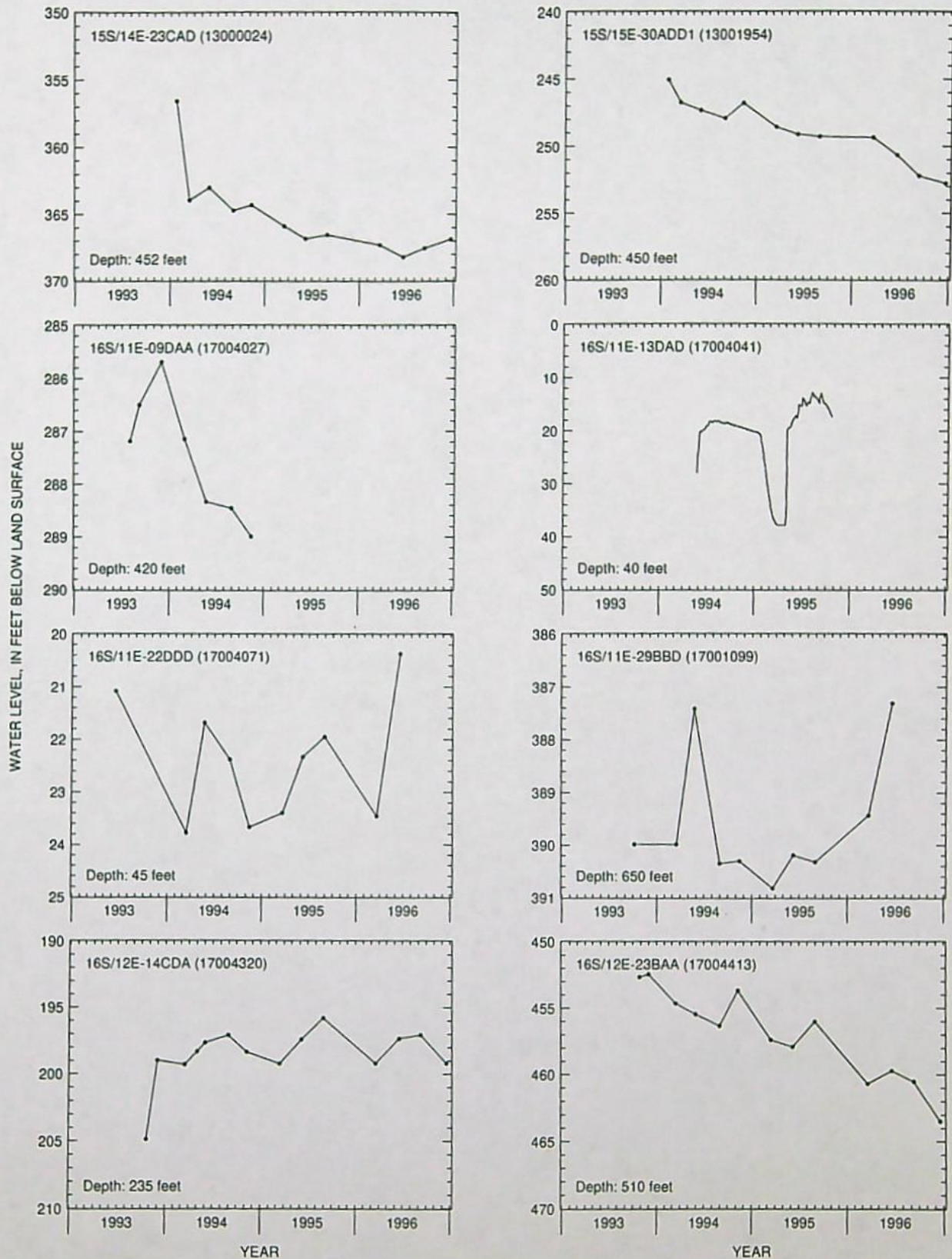


Figure 6. Hydrographs from wells in the upper Deschutes Basin for the period 1993–96, showing well location, log-id number, and well depth (P, measurement affected by pumping)—Continued.

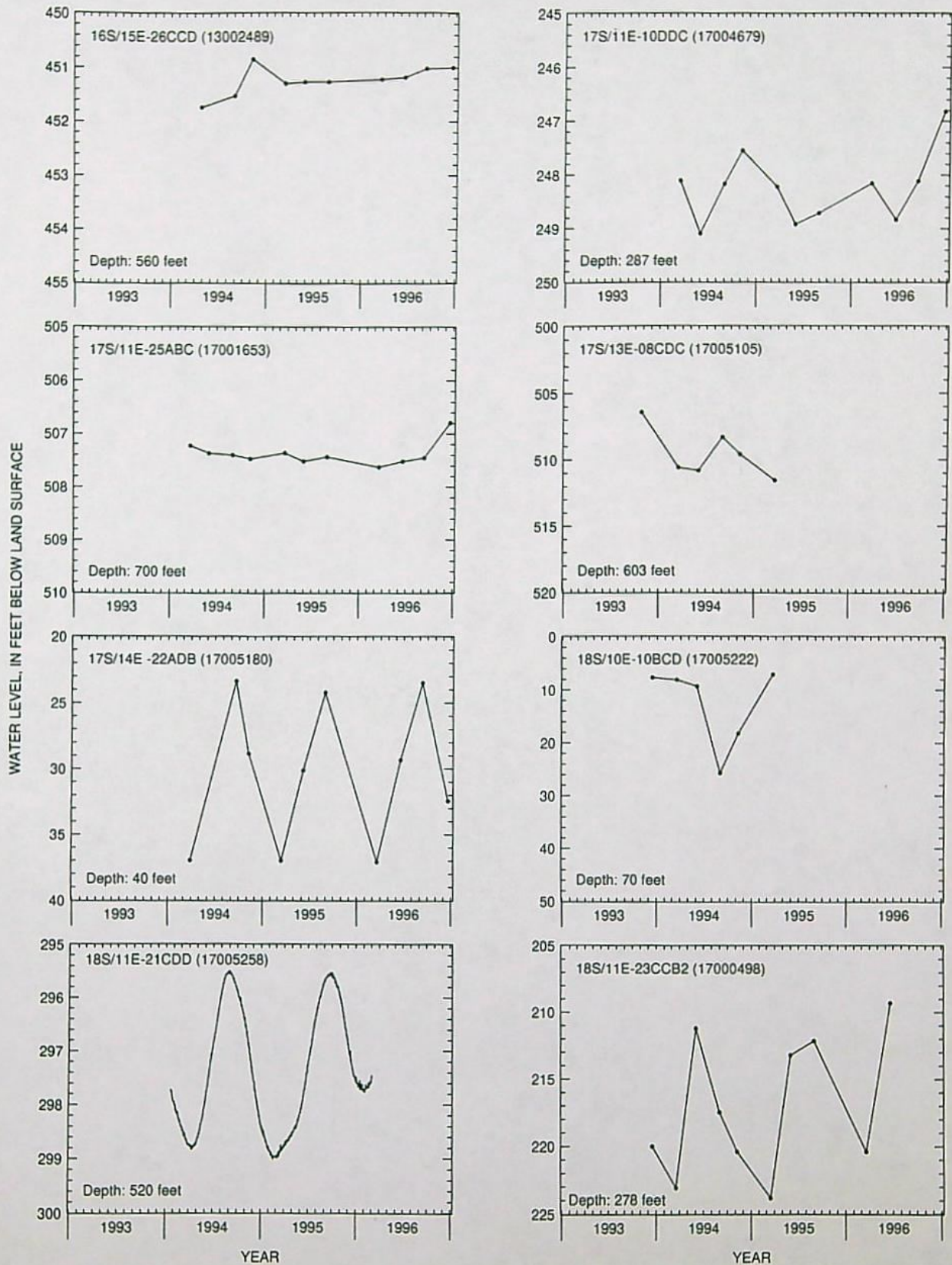


Figure 6. Hydrographs from wells in the upper Deschutes Basin for the period 1993–96, showing well location, log-id number, and well depth (P, measurement affected by pumping)—Continued.

Analysis for Application: G16648

Location: 17S-11E-4-NENE

Uses: IR 4 P

Basins

BASIN_NUM	BASIN_NAME
5	Deschutes

Records Found: 1

WaterMaster Districts

OBJECTID	DISTRICT_N	REGION	WATERMASTE	ADDRESS	CITY	ZIP_CODE	VOICE	EXTENSION	FAX	SHAPE_AREA	SHAPE_LEN
18	11	SC	Jeremy Giffin	1128 NW Harriman St.	Bend	97701	541-388-6669		541-388-5101	239079534318	3288550.83844

Records Found: 1

WAB

GAGE	BASIN	LINK1	LINK2
30530112	5	Water Availability: 50% 80%	Peak Flow Analysis

Records Found: 1

County

COUNTY	FIPS
Deschutes	41017

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

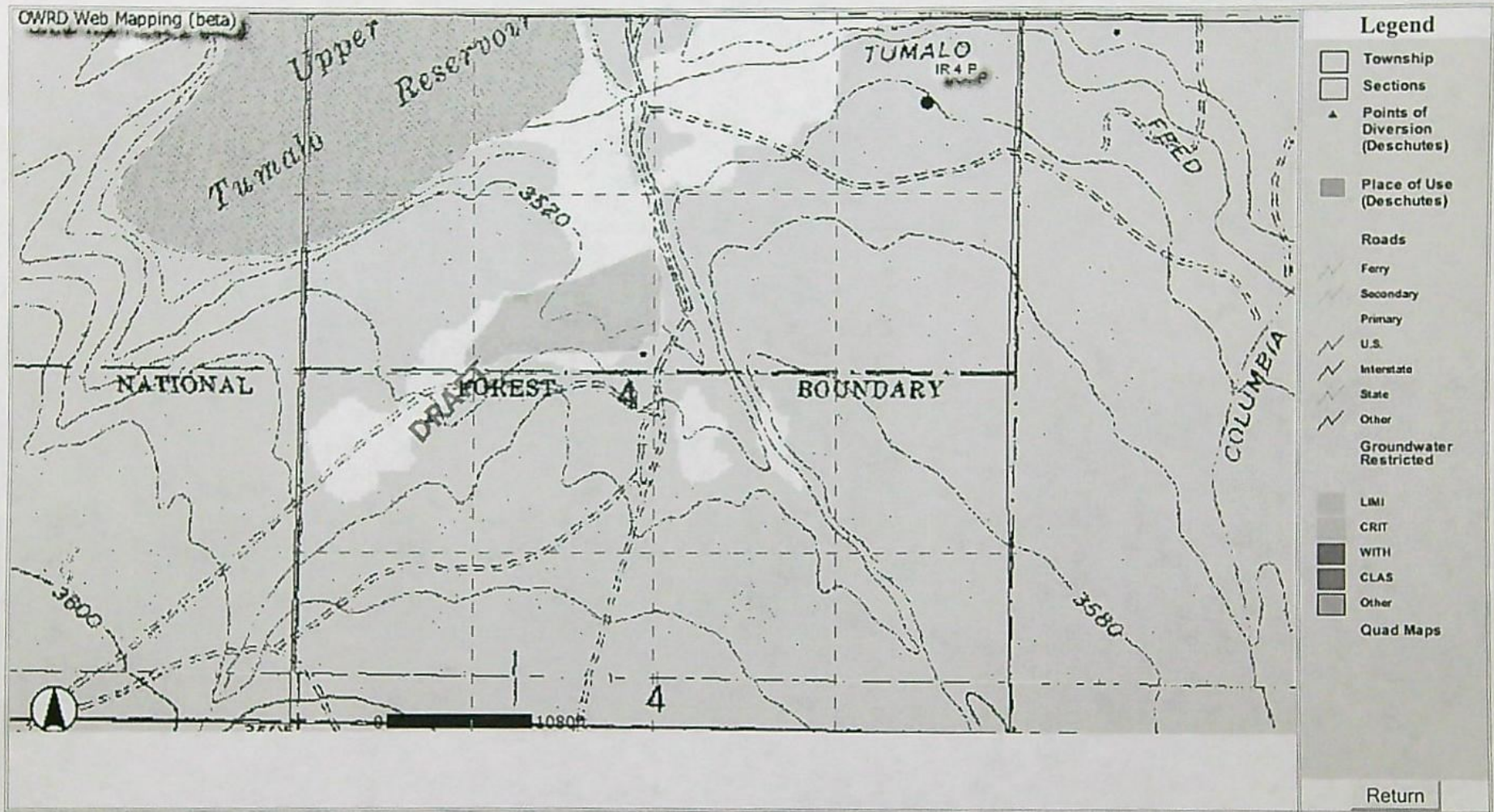
Records Found: 1

Rule 4D Records Found: 0

303D Streams Records Found: 0

303D Lakes Records Found: 0

G16648



Platcard Report

Township 17S Range 11E Section 4

	App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE				NW				SW				SE				Govt Lot	DLC
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
i	- 09/30/1900	74146	Tumalo Creek	see transfers lot: 1	1.0 IR																	
	09/30/1900			see transfers lot: 2		10.0 IR																
	06/01/1907			see transfers lot: 2		3.0 IR																
i	- 04/07/1911	S624 26051		CN see transfers		5.8 IS (s) CN																
i	- 10/29/1913	S19628		xfr#: T9641 lot: 1	2.0 IR																	
	10/29/1913			xfr#: T9641 lot: 1	1.0 IS (s)																	
	10/29/1913			xfr#: T9641 lot: 2		13.0 IS (s)																
i	- 10/29/1913	S19628 74147		SP see transfers lot: 1	2.0 IR SP																	
	10/29/1913			SP see transfers lot: 1	1.0 IS (s) SP																	
	10/29/1913			SP see transfers lot: 2		13.0 IS (s) SP																

Page:1 [2](#) [3](#) [4](#) [Next](#) [Last](#)

[Return to Platcard Query Screen](#)

Run Time: 2 seconds

Platcard Report

Township 17S Range 11E Section 4

App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE				NW				SW				SE				Govt Lot	DLC	
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
i G16648 03/28/2006		<i>Sub jct</i>		4.0 IR																		
i R37238 12/08/1961	R2743 75924		CN xfr#: T8557							ST CN	ST CN	ST CN										
i R37824 12/08/1961	R2743 76684		xfr#: T8557							MP	MP	MP										
i S1343 04/07/1911	S624 74148		see transfers lot: 1	3.0 IS (s)																		
			see transfers lot: 2		13.0 IS (s)																	
i S3263 10/29/1913	S19628 26050		CN see transfers		5.8 IR CN																	
			CN see transfers		LV CN																	
i S29645 12/27/1954	S24949 30937																					
												0.8 IR	17.0 IR									
i S37239 12/08/1961	S27840 -		xfr#: T8356	0.9 IR	2.0 IR							15.0 IR	25.0 IR									

Page: [First](#) [Previous](#) [1](#) [2](#) [3](#) [4](#) [Next](#) [Last](#)

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Platcard Report

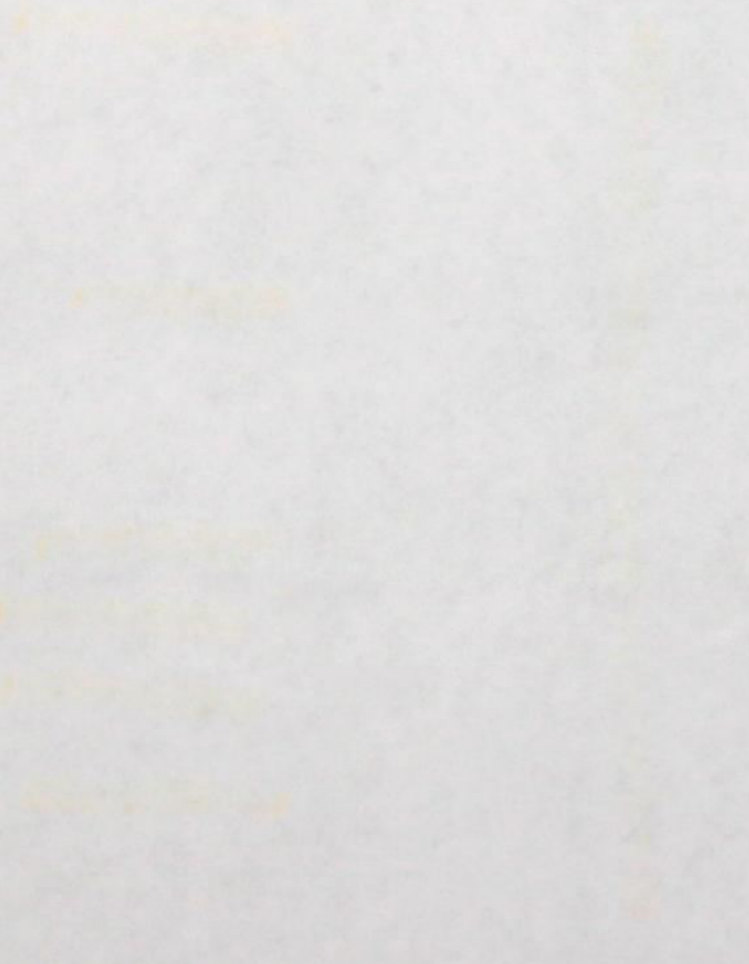
Township 17S Range 11E Section 4

	App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE				NW				SW				SE				Govt Lot	DLC
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
i	S37239 12/08/1961	S27840 75925		CN	0.9 IR CN	2.0 IR CN					15.0 IR CN	25.0 IR CN										
i	S37239 12/08/1961	S27840 76106		CN see transfers	0.9 IR CN	2.0 IR CN					15.0 IR CN	25.0 IR CN										
i	S37239 12/08/1961	S27840 76106		see transfers	0.9 IR	2.0 IR					15.0 IR	25.0 IR										
i	S37241 12/08/1961	S27841 76452		CN xfr#: D139	0.9 IS (s) CN	2.0 IS (s) CN					15.0 IS (s) CN	25.0 IS (s) CN										
	12/08/1961			CN xfr#: D139 lot: 1	0.9 IS (s) CN																	
	12/08/1961			CN xfr#: D139 lot: 2		13.0 IS (s) CN																
i	S37241 12/08/1961	S27841 76520		CN xfr#: T8326	0.9 IS (s) CN	2.0 IS (s) CN					15.0 IS (s) CN	25.0 IS (s) CN										
	12/08/1961			CN xfr#: T8326 lot: 1	0.9 IS (s) CN																	
	12/08/1961			CN xfr#: T8326 lot: 2		13.0 IS (s) CN																
i	S37241 12/08/1961	S27841 76520		see transfers	0.9 IS (s)	2.0 IS (s)					15.0 IS (s)	25.0 IS (s)										

Page: [First](#) [Previous](#) [1](#) [2](#) [3](#) [4](#) [Next](#) [Last](#)

[Return to Platcard Query Screen](#)

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Platcard Report

Township 17S Range 11E Section 4

					NE				NW				SW				SE					
App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Govt Lot	DLC
i S37241 12/08/1961	S27841 76520		see transfers lot: 1	3.0 IS (s)																		
12/08/1961			see transfers lot: 2		13.0 IS (s)																	
i S38440 02/18/1963	S28622 -		CN								15.0 IR CN	25.0 IR CN										
i S38441 02/18/1963	S28623 -		CN								15.0 IS (s) CN	25.0 IS (s) CN										
i S45058 00/13/1968	S33478 -		CN	0.9 IR CN	10.0 IR CN																	

Page: [First](#) [Previous](#) [1](#) [2](#) [3](#) [4](#)

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

RECEIVED

JUN 19 2008

WATER RESOURCES DEPT
SALEM, OREGON

Request for Assignment

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

I, Phillip and Paige Kochan
(Name of Applicant / Permit / Transfer Holder)

34860 Rice Road Hereford OR 97837 541-446-3289
(Mailing address) (City) (State) (Zip) (Phone #)

- ...hereby assign all my interest in and to application/permit/transfer;
- ...hereby assign all my interest in and to a portion of application/permit/transfer;
(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/transfer;

Application # G-16648, Permit # _____; Transfer # _____

-OR-

GR Statement # _____, GR Certificate of Registration # _____

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

Susan Lee McDougal
(Name of New Owner)

64682 Cook Ave. #45 Bend OR 97701 541-480-7622
(Mailing address) (City) (State) (Zip) (Phone #)

NOTE: If there are other owners of the property described in this Application, Permit, Transfer 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.

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 12 day of June, 2008.

Applicant/Permit holder Phillip J. Kochan

Applicant/Permit holder Paige M. Kochan

Copy: APR 16 11 41 AM '08
 6-19-2008
 J. M. J.

DO NOT WRITE IN THIS BOX

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 # 92941
For Director by Jerry Sauter, Program Analyst in Water Rights Division Jerry Sauter

The completed "Request for Assignment" form *must* be submitted to the Department along with a recording fee of \$50.

**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 # **92941**

INVOICE # _____

RECEIVED FROM: Phillip + Paige Keckan
BY: _____

APPLICATION	<u>616648</u>
PERMIT	
TRANSFER	

CASH: CHECK: # OTHER: (IDENTIFY)

TOTAL REC'D \$ 500.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) Assignment \$ 50.00
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 \$ <u>300.00</u>
0205 TRANSFER	EXAM FEE \$ _____	

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **92941**

DATED: 4/19/08

BY: [Signature]



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

June 20, 2008

Phillip and Paige Kochan
34860 Rice Road
Hereford, Oregon 97837

Reference: Application G-16648

The assignment from Phillip and Paige Kochan to Susan Lee McDougal, 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 92941 covering the recording fee of \$50 is also enclosed.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure: Receipt 92941

cc: Watermaster 11
Susan Lee McDougal
Data Center, OWRD (Complete Copy of Assignment Request)
Hydrographics
File

Mailing List for PFO

Scheduled Mailing Date: March 11, 2008

Application: G-16648

Original mailed to Applicants:

~~PHILLIP AND PAIGE KOCHAN
34860 RICE RD
HEREFORD, OR 97837~~

Copies of PFO sent to:

- ~~1. WRD - File G-16648~~
- ~~2. WRD - Water Availability: Ken Stahr~~
- ~~3. WRD - Laura Snedaker~~
- ~~4. DRC - Scott McCaulou~~

Copies of PFO sent to other interested persons (CWRE, Agent, Commenter, etc.):

1.

Copies of Map sent to (remember to reduce copy margins):

- ~~5. Watermaster District # 11~~
- ~~6. ODFW District Biologist: Amy Stuart & Brett Hodgson~~
- ~~7. ODFW-Rick Kepler~~
- ~~8. Columbia River Intertribal Fish Commission~~
- ~~9. US Fish & Wildlife~~
- ~~10. NW Power Planning Council~~
- ~~11. DEQ- Eric Nigg, Eastern Region~~
- ~~12. DOA- Salem: Jim Johnson & Paul Measeles~~
- ~~13. State Parks-Jan Houck & Dave Wright~~
- ~~14. Department of State Lands-Nancy Pustis (Bend)~~

Copies sent to Other Interested Persons (CWRE, Agent, Well Driller, Commenter, etc.)

~~JOHN SHORT, DESCHUTES IRRIGATION LLC, PO BOX 1830, BEND, OR 97709~~

Affected Landowners (include "Notice of Proposed Final Order--Affected Landowner")

CASEWORKER: amm

Copies Mailed	
by: <u>TCB</u>	
(STAFF)	
on: <u>3/11/08</u>	
(DATE)	

Timmie Brandt

From: Timmie Brandt
Sent: Monday, March 10, 2008 11:09 AM
To: Mary Rohling
Cc: Timmie Brandt
Subject: G-16648-----Address Change

Please update WRISUSER with the following information:

Groundwater file G-16648 / No Permit / No Certificate –

PHILLIP F. and PAIGE M. KOCHAN
34860 RICE ROAD E-MAIL: philkochan@msn.com
HEREFORD OR 97837 PH#: 541-446-3280

OLD ADDRESS:
18349 TUMALO RESERVOIR ROAD
BEND OR 97701

◇◇◇◇◇◇◇◇◇◇◇◇◇◇◇◇◇◇◇◇◇◇

Timmie C. Brandt
Water Rights Division

Timmie Brandt

From: Alyssa Mucken
Sent: Thursday, March 06, 2008 9:43 AM
To: Timmie Brandt
Cc: philkochan@msn.com
Subject: FW: Kochan - Water Transfer - Address Update

Timmie,

Can you update G-16648 (Phillip and Paige Kochan) with the new address listed below? I've already updated the Proposed Final Order dated for March 11th. Let me know if you need the file, I can bring it down to you.

Thanks!
Alyssa

Alyssa Mucken
Water Measurement Specialist
Oregon Water Resources Department
725 Summer Street, Suite A
Salem, OR 97301
503-986-0837

From: PHIL KOCHAN [mailto:philkochan@msn.com]
Sent: Thursday, March 06, 2008 9:17 AM
To: MUCKEN Alyssa M
Subject: Kochan - Water Transfer - Address Update

Dear Alyssa,

Thank you for your time today to explain our water transfer process! :)

Could you forward this email to the address update person:

New Address:

Phillip F. and Paige M. Kochan
34860 Rice Road
Hereford, OR 97837

Connect and share in new ways with Windows Live. [Get it now!](#)

April 28, 2007

Dear Oregon Water Resources Department,

Enclosed is our Documentary Evidence Form for Ground Water Permit # G-16648 and Assignment Record For Mitigation Credits.

Please note that our mailing address has changed to 34860 Rice Rd. Hereford, OR 97837. Also, our new phone number is 541 419-5994.

Thank you,

Paige Kochan

Phillip J. Kochan

Phil and Paige Kochan

RECEIVED

MAY 10 2007

WATER RESOURCES DEPT
SALEM, OREGON

616648

OREGON WATER RESOURCES DEPARTMENT
ASSIGNMENT RECORD FOR MITIGATION CREDITS
CHAIN-OF-CUSTODY (Additional Form)

Mitigation Credit Project: MP-27 Mitigation Credits: _____ (# held by current credit holder)

Mitigation Credit Holder: Creative Water Solutions, LLC

5.4 Mitigation credits have been assigned to (Name): Phillip & Paige Kochan

Mailing Address: 34860 Rice Rd Heratford, OR 97337

Phone Number: 541 419-5994

Sammy Clarty _____ 5-1-07
Current Mitigation Credit Holder Signature Date

* Paige Kochan Phillip J. Kochan _____ 4/28/07
New Mitigation Credit Holder Signature Date

Mitigation Credit Holder: _____

_____ Mitigation credits have been assigned to (Name): _____

Mailing Address: _____

Phone Number: _____

Current Mitigation Credit Holder Signature Date

New Mitigation Credit Holder Signature Date

Mitigation Credit Holder: _____

_____ Mitigation credits have been assigned to (Name): _____

Mailing Address: _____

Phone Number: _____

Current Mitigation Credit Holder Signature Date

New Mitigation Credit Holder Signature Date

RECEIVED

FEB 23 2007

WATER RESOURCES DEPT
SALEM, OREGON

RESPONSE TO NOTICE OF MITIGATION OBLIGATION
CREDIT OR PROJECT OPTION

OAD 690-50-06610(2) states a mitigation obligation may be satisfied by obtaining mitigation credits or by providing for implementation of a mitigation project. Please read and complete the acknowledgment of Mitigation Obligation.

Applicant(s) PHILLIP AND PAIGE KOCHAN

Applicant's Agent _____

Application number G-16648

Proposed Use Irrigation of 4.0 Acres

Rate of water requested 0.05 cfs (cubic foot per second)

Volume of water requested 12.0 (acre-feet)

Mitigation Obligation 7.2 AF of mitigation water

Zone of Impact General Zone

Please read and initial the following statements:

PA *PK* I/We intend to provide mitigation in the amounts noted above and in the appropriate zone of impact.

PA *PK* I/We understand that mitigation must be provided within five years of issuance of the final order for this application.

The proposed mitigation source for this use will be: (please check)

Purchase Mitigation Credits (and/or) _____ A mitigation project resulting in credits
Please describe the type of project, e.g., transfer, etc and any associated water right certificate, if known: _____

I understand that I must provide mitigation credits in the amount noted, or a suitable replacement mitigation that meets the requirements of OAR 690-505-0610(2)-(5) within the appropriate zone of impact.

APPLICANT(S) Paige Kochan Phillip J. Kochan or

Applicant's agent _____

Date 2/21/07

Telephone Number: 541 330-9751

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

G-16648
 PHILLIP KOCHAN
 18349 TUMALO RESERVOIR RD
 BEND OR 97701

2. Article Number

(Transfer from service label)

7003 3110 0003 13784478

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Dawn Kochar

 Agent
 Addressee

B. Received by (Printed Name)

D. Kochar

C. Date of Delivery

2/20/07

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

3. Service Type

- | | |
|---|---|
| <input 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. |

4. Restricted Delivery? (Extra Fee)

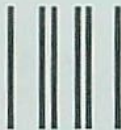
 Yes

Domestic Return Receipt

WTL

102595-02-M-1540

UNITED STATES POSTAL SERVICE



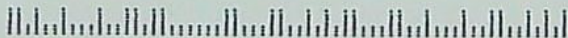
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

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

WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE SUITE A
SALEM OR 97301-1266

FEB 21 2007

RECEIVED





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

February 16, 2007

PHILLIP & PAIGE KOCHAN
18349 TUMALO RESERVOIR RD
BEND, OR 97701

Reference: File G-16648

Dear Mr. & Mrs. Kochan:

**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The proposed use is not prohibited by law or rule except where otherwise noted below.
2. The use of water from WELL 1 (DESC53647), AND WELL 2 IN DESCHUTES RIVER BASIN for IRRIGATION USE ON 4.0 ACRES is allowable under the Deschutes Basin Program.
3. The standard allowable rate for irrigation use of ground water is 1/80 cubic foot per second (CFS) per acre. Your application requested 50.0 gallons per minute (GPM) or 0.11 CFS for 4.0 acres. If the application is approved, the rate allowed will be limited to 0.05 CFS, or 22.0 GPM.
4. If properly conditioned, the proposed use of ground water will avoid injury to existing ground water rights and the resource.

The Department has determined, based upon OAR 690-09, that the proposed ground water use is hydraulically connected to the Deschutes River and will have the potential for substantial interference. Therefore, in accordance with OAR 690-410-0070(1) and 690-400-0010(11)(a)(A), surface water availability and public interest considerations

related to the surface water source must also be considered in the evaluation of this application.

5. Surface water is not available at any time of the year due to prior, senior water rights on the Deschutes River and downstream waters.
6. OAR 690-033-0120(2) prohibits the use of water from April 15 through September 30 of each year.
7. The mainstem Deschutes River is a State Scenic Waterway.
8. Because your well(s) and place of use are located within the Deschutes Ground Water Study Area, unless you provide mitigation, by law, the Water Resources Department is required to deny your application. The unfavorable findings of this Initial Review may be overcome if you provide mitigation pursuant to the Deschutes Ground Water Mitigation Rules, OAR 690-505-0500 through 0630. These mitigation rules provide a process under which ground water applicants may mitigate for the impact that their proposed ground water use would have on surface water flows. The Department has determined your mitigation obligation is **7.2 acre feet (AF)** of water annually.

The required mitigation is based on the use of 0.05 CFS from a well in Deschutes River Basin for irrigation of 4.0 acres from April 1 through October 31 of each year. The mitigation obligation is calculated based on a factor of 1.8 AF of water per acre, on average, as being consumptively used for irrigation.

9. The Department has determined your mitigation must be located in the General Zone of Impact, defined as anywhere in the Deschutes River Basin above the Madras gage which is located below Lake Billy Chinook.

Summary of Initial Determinations

The use of 0.05 CUBIC FOOT PER SECOND from WELL 1 (DESC 53647) AND WELL 2 IN DESCHUTES RIVER BASIN for IRRIGATION USE ON 4.0 ACRES is not allowable. However, by providing sufficient mitigation water for this application, the use may be allowed under OAR 690-505-610.

Mitigation Obligation Options:

To satisfy your mitigation obligation you can either complete a mitigation project as described in the attached administrative rules, or obtain 7.2 qualifying mitigation credits from an individual or mitigation bank. If you are interested in obtaining mitigation credits, you may want to contact the Department for a list of mitigation credit holders.

If you decide to purchase mitigation credits, you must submit a documentary evidence form demonstrating that you have obtained mitigation credits. The mitigation bank or the individual you have obtained credits from should provide you with a complete form. Blank forms may be obtained from the Department at the address above, or from the Bend Regional office.

If you are proposing to implement a mitigation project, you must identify and describe the project in sufficient detail so that the Department can make a preliminary determination as to whether the proposed project will likely meet your mitigation obligation. Please contact the Department for further information on mitigation projects and the requirements to be included in your proposal.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, March 2, 2007**. For your convenience you may use the enclosed "STOP PROCESSING" form.

To Proceed With Your Application:

If you choose to proceed with your application, you must return the enclosed Notice of Mitigation Obligation form. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

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

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, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

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

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

the right or as those quantities may be subsequently reduced. However, the use of ground water allowed under the terms of this permit will not be subject to regulation for Scenic Waterway flows provided the required mitigation is maintained.

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 any of the following events occur:

- A. Annual water level measurements reveal an average water level decline of three or more feet per year for five consecutive years; or
- B. Annual water level measurements reveal a water level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water level measurements reveal a water level decline of 25 or more feet; or
- D. Hydraulic interference leads 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 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.

GROUND WATER MITIGATION CONDITIONS

Mitigation Obligation: 7.2 acre feet of mitigation water in the General Zone of Impact (located anywhere in the Deschutes River Basin above the Madras gage which is located below Lake Billy Chinook.)

Mitigation Source: Obtain 7.2 mitigation credits, or suitable replacement mitigation that meets the requirements of OAR 690-505-0610(2)-(5), within the General Zone of Impact.

Mitigation water must be legally protected instream for instream use within the General Zone of Impact and committed for the life of the permit and subsequent certificate(s). Regulation of the use and/or cancellation of the permit, or subsequent certificate(s) will occur if the required mitigation is not maintained.

The permittee shall provide additional mitigation if the Department determines that average annual consumptive use of the subject appropriation has increased beyond the originally mitigated amount.

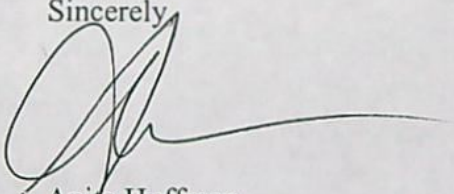
If mitigation is from a secondary right for stored water from a storage project not owned or operated by the permittee the use of water under this right is subject to the terms and conditions of a valid contract or satisfactory replacement, with the owner/operator of the storage project, a copy of which must be on file in the records of the Water Resources Department prior to the use of water.

Failure to comply with these mitigation conditions shall result in the Department regulating the ground water permit, or subsequent certificate(s), proposing to deny any permit extension application for the ground water permit, and proposing to cancel the ground water permit, or subsequent certificate(s).

If you have any questions:

Feel free to call me at 503-986-0815 if you have any questions regarding the contents of this letter or your application. Please have your application number available if you call. General questions about water rights and water use permits should be directed to our customer service staff at 503-986-0801. When corresponding by mail, please use this address: Anita Huffman, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,

A handwritten signature in black ink, appearing to be 'Anita Huffman', with a long horizontal flourish extending to the right.

Anita Huffman
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

G-16648
WAB 5-30530112
POU 5-30530112
GW

APPLICATION FACT SHEET

Mail to: *Applicant, Watermaster, District Biologist (ODFW)*
If necessary, also mail to : Regional Water quality manager (DEQ), and DOA

Application File Number: G-16648

Applicant: PHILLIP & PAIGE KOCHAN

County: DESCHUTES

Watermaster: 11

Priority Date: MARCH 28, 2006

Source: WELL 1 (DESC53647), AND WELL 2 IN DESCHUTES RIVER BASIN

Use: IRRIGATION USE ON 4.0 ACRES

Quantity: 0.11 CUBIC FOOT PER SECOND

Basin Name & Number: Deschutes, #5

Stream Index Reference: Volume 1 DESCHUTES R MISC

Well Location(s):

WELL 1 (DESC 53647): NENE, SECTION 4, T17S, R11E, W.M.; 431 FEET SOUTH &
825 FEET WEST FROM NE CORNER, SECTION 4

WELL 2: NENE, SECTION 4, T17S, R11E, W.M.; 975 FEET SOUTH &
825 FEET WEST FROM NE CORNER, SECTION 4

Place of Use:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 4.0 ACRES
SECTION 4
TOWNSHIP 17 SOUTH, RANGE 11 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, March 2, 2007

PUBLIC NOTICE DATE: Tuesday, February 20, 2007

30 DAY COMMENT DEADLINE DATE: Thursday, March 22, 2007

Mailing List for IR Copies

Application #G-16648

IR Date: February 16, 2007

Original mailed to:

Applicant: PHILLIP KOCHAN , 18349 TUMALO RESERVOIR RD, BEND, OR 97701

Copies sent to:

1. WRD - File # G-16648
2. WRD - Water Availability: Ken Stahr
3. WRD- Laura Snedaker

IR, Map, and Fact Sheet Copies sent to:

4. WRD - Watermaster # 11
5. ODFW District Biologist: Steve Marx
6. Columbia River Intertribal Fish Commission
7. US Fish & Wildlife
8. NW Power Planning Council
9. DEQ- Eric Nigg, Eastern Region
10. DOA- Salem: Jim Johnson

<p>Copies Mailed By: <u>[Signature]</u> (SUPPORT STAFF) on: <u>2/16/07</u> (DATE)</p>

Caseworker: Anita Huffman

COPYSHT.IR



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us
 338-6669

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

A. Individuals

Applicant: Phillip F. and Paige M. Kochan
First Last

Mailing address: 18349 Tumalo Reservoir Rd.
Bend OR 97701
City State Zip

Phone: 541 330-9751 541 419-6012 541 419-5994
Home Work Other

*Fax: 541 610-1935 *E-Mail address: Phil.Kochan@msn.com

B. Organizations

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

Name of organization: n/a

Name and title of person applying: _____

Mailing address of organization: _____

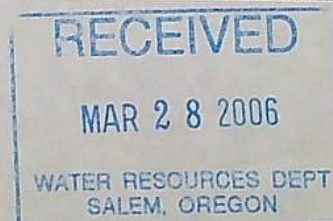
City State Zip

Phone: _____
Day Evening

*Fax: _____ *E-Mail address: _____

* Optional information

For Department Use		
App. No. <u>G-16648</u>	Permit No. _____	Date _____



2. PROPERTY OWNERSHIP

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

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

No (Please check the appropriate box below.)

I have a recorded easement or written authorization permitting access.

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

Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040).

You must provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.

List the names and mailing addresses of all affected landowners.

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): Two

Name of nearest surface water body: Tumalo Feed Canal

Distance from well(s) to nearest stream or lake: 1) 250' from well #1 to Tumalo Feed Canal

2) 794' from well #2 to Tumalo Canal 3) _____ 4) _____

If distance from surface water is less than ^{#1} one mile, indicate elevation difference between nearest surface water and well head. 1) WELL HEAD #1 15' ABOVE Tumalo Feed Canal

2) 15' Above Canal 3) _____ 4) _____

B. Well Characteristics

See attached well report for existing well
Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for #1 each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to section 4 of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

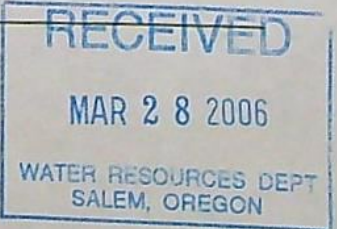
Well(s) will be constructed by: Proposed Well #2 Aiken Well Drilling

Address: _____

REDMOND, OR 97756

Completion date: ~~February~~ OCT, 1, 2006

Ground Water/2



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

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
#1	12	Welded steel 3" Diameter	37'		38	845'			880'
#2	Proposed well to be constructed similar to Existing well								

Note: Well numbers in this listing must correspond to well location(s) shown on accompanying map.

If well log is not available, or well is not yet constructed, you must provide: proposed total depth, depth of casing and seal, and the anticipated perforation and open intervals.

C. Artesian Flows

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

n/a

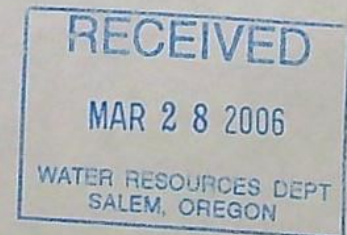
4. WATER USE

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

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

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



B. Amount of Water

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

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
#1	please refer to well log	Irrigation		1,200,000	15+
#2	same	Irrigation			TBD

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 50 gpm

(The fees for your application will be based on this amount.)

A volume of water to be made up of any combination of these two wells.

D. Period of Use

Indicate the time of year you propose to use the water: APRIL 1st - Oct. 31st

(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

E. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used: 4

(This number should be consistent with your application map.)

5. WATER MANAGEMENT

A. Diversion

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

Pump (give horsepower and pump type): 5 HP Jacuzzi submersible

Other means (describe): _____

B. Transport

How will you transport water to your place of use?

Ditch or canal (give average width and depth):

Width _____ Depth _____

Is the ditch or canal to be lined? Yes No

Pipe (give diameter and total length):

Diameter 2" Length 40'

Other (describe) _____

Ground Water/4



C. Application/Distribution Method

What equipment will you use to apply water to your place of use? Underground
Automated pop-up Rain Bird sprinklers

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

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

Distribution method

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

D. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet. Our existing system uses 3.6 Acre-ft on 1.8 acres of pasture. Our proposed system will be the same. We water at night with Automated system & we adjust during rain cycles.

6. PROJECT SCHEDULE

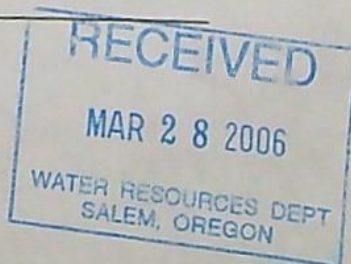
Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

	<u>Existing System</u>	<u>Proposed System</u>
Proposed date construction will begin:		<u>March 2007</u>
Proposed date construction will be completed:	<u>August 2004</u>	<u>August 2007</u>
Proposed date beneficial water use will begin:	<u>August 2004</u>	<u>August 2007</u>

7. REMARKS

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

We are currently partitioning our 20 Acres into 2 ten Acre parcels. This is why we are putting in another well and pasture area.



8. MAP REQUIREMENTS

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

9. SIGNATURE

By my signature below I confirm that I understand:

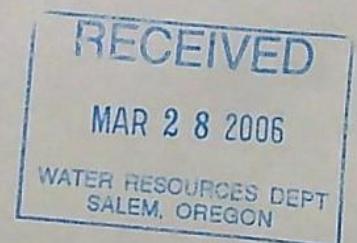
- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

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

Paige Kochan Phillip S. Kochan 3/5/06
Signature of Applicant (If more than one applicant, all must sign.) Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.





Oregon Water Resources Department

FORM I
FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

[X] Primary [] Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: 4 Acres

Secondary: 0 Acres

List the permit or certificate number of the primary water right: No. _____

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- 1. Pasture Grass [X] Full season [] Partial season (from: 7/ to 10/)
2. _____ [] Full season [] Partial season (from: _____ to _____)
3. _____ [] Full season [] Partial season (from: _____ to _____)
4. _____ [] Full season [] Partial season (from: _____ to _____)

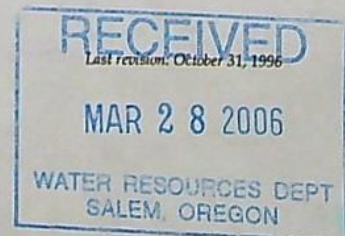
3. Indicate the maximum total number of acre-feet you expect to use in an irrigation season:

12 acre-feet

(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

- [] Daily during daytime hours [X] Daily during nighttime hours
[] Two or three times weekly during daytime [] Two or three times weekly during nighttime
[] Weekly, during daytime hours [] Weekly, during nighttime hours
[] Other, explain: _____



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

DESC
53647

WELL I.D. # L 46777
START CARD # 136830

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number _____

Name Phil & Paige Kochan
Address 18349 Tumalo Res. Rd.
City Bend State OR Zip 97701

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

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

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 880 ft.
Explosives used Yes No Type _____ Amount _____

HOLE		SEAL		Sacks or pounds	
Diameter	From To	Material	From To		
12	0	32% Cement	32	14	2 yds.
		Pentonite	14	0	19 sacks

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

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	+15'	27	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Liner: 6	-10'	220	188	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

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

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
830	870	1/8 x 1/4	228	6		<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Yield gal/min	Drawdown	Drill stem at	Time
15	0	875	1 hr

Temperature of water 57° 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 Desch. Latitude _____ Longitude _____
Township 17 N or S Range 11 E or W. WM.
Section 4 NW 1/4 NE 1/4
Tax Lot 300 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 18349 Tumalo Res. Rd. Bend, OR

(10) STATIC WATER LEVEL:
803 ft. below land surface. Date 1-23-01
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 845

From	To	Estimated Flow Rate	SWL
845	880	15+	803

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL
Top soil	0	5	
Sand-Gravelly Boulders	5	32	
Brown sand stone	32	74	
Basalt	74	94	
Orange clay congl.	94	110	
Brown sand stone	110	141	
Basalt	141	152	
Broken Brown Lava	152	165	
Basalt	165	190	
Brown congl.	190	225	
Brown sand stone	225	270	
Hard Gray Lava	270	282	
Brown congl.	282	330	
Hard Gray Lava	330	395	
Brown sand stone	395	475	
Broken Lava	475	625	
Brown sand stone	625	740	
Mild Brown Lava	740	845	803
W.B. Red cinders	845	880	

Date started 1-17-01 Completed 1-23-01

(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 water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

Signed Phil Kochan WWC Number _____ Date 1-23-01

(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 water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed Phil Kochan WWC Number 1255 Date 1-27-01





Oregon Water Resources Department Land Use Information Form

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. WRD will use this and other information to evaluate the water use application. THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water right transfer, allocation of conserved water, or exchange and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm use zone.

To Be Completed By Applicant

This section must be completed by the individual or group that is filing an application with the Water Resources Department. Attach a copy of the map from the application to this form.

A. Applicant

Name: Phillip F. and Paige M. Kochan
 Address: 18349 Tumalo Riv. Rd.
 City: Bend State: OR Zip: 97701 Day Phone: 541 330-9751

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)			Proposed Land Use
<u>300</u>	<u>Rural Residential</u>	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>MLLA-10</u>
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

List counties and cities where water is proposed to be diverted, conveyed, or used. Deschutes County, Bend, OR

C. Description of Proposed Use

Indicate the type of application to be filed with the Water Resources Department.

Water Use Permit Water Right Transfer Allocation of Conserved Water Exchange

Indicate the intended use of water and describe the key characteristics of the project.

Commercial Industrial Instream Irrigation
 Municipal Quasi-municipal Domestic (indicate number of households) _____
 Other _____

Briefly describe: 4 acres of irrigated pasture for horses using underground automated sprinkler system

Indicate the source of the water to be used.

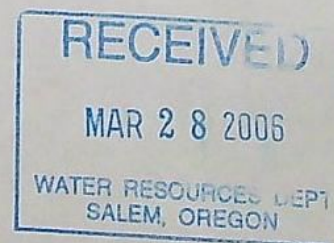
Reservoir/Pond Ground Water Surface Water _____

Indicate the estimated quantity of water the use will require: _____ CFS GPM Acre-Feet ^(source)

Last revised: 04/06/04

Receipt for Request for Land Use Information

State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, OR 97301-1271
 (503) 986-0900



G-16648

For Local Government Use Only

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

A. Allowed Use

Check the appropriate box below and provide requested information.

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): DCC 18.32. Go to section B "Approval" below.

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action/land use decision and accompanying findings are sufficient.)

B. Approval

Please provide printed name and written signature.

Name: WILL GROVES Date: 3/15/06
 Title: ASSOCIATE PLANNER Phone: 541-488-7209 388-6518
 Signature: [Signature]

C. Additional Comments

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet.

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

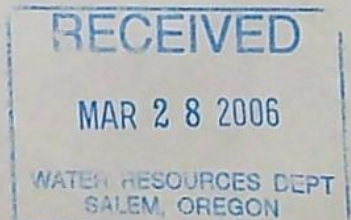
Name of applicant: _____

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included with the application filed with the Water Resources Department if the local government cannot provide the requested land use information while the applicant waits.

City or County: _____

Staff contact: _____ Phone: _____

Signature: _____ Date: _____



VOL: 2001 PAGE: 15919
RECORDED DOCUMENT

STATE OF OREGON
COUNTY OF DESCHUTES



*2001-15919 * Vol-Page

Printed: 04/06/2001 12:37:08

DO NOT REMOVE THIS CERTIFICATE

(This certificate constitutes a part of the original instrument in accordance with ORS 205.180(2). Removal of this certificate may invalidate this certificate and affect the admissibility of the original instrument into evidence in any legal proceeding.)

I hereby certify that the attached instrument was received and duly recorded in Deschutes County records:

DATE AND TIME: Apr. 6, 2001; 12:32 p.m.

RECEIPT NO: 34052

DOCUMENT TYPE: Deed

FEE PAID: \$36.00

NUMBER OF PAGES: 2

A handwritten signature in cursive script, reading "Mary Sue Penhollow".

MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK

RECEIVED

MAR 28 2006

WATER RESOURCES DEF
SALEM, OREGON



After recording return to:

Phillip F. Kochan
~~19836 Tennessee Road~~ 18349 TUMALO RES.
RD
Bend, OR 97701

Until a change is requested all tax statements shall be sent to the following address:

Phillip F. Kochan
~~19836 Tennessee Road~~ 18349 TUMALO RES.
RD
Bend, OR 97701

Escrow No. 0010425
Title No. 155685 MP

FIRST AMERICAN TITLE
INSURANCE COMPANY OF OREGON
P.O. BOX 323
BEND, OR 97709

STATUTORY SPECIAL WARRANTY DEED

Paul J. Pellegrini, Grantor, conveys and specially warrants to Phillip F. Kochan and Paige M. Kochan, husband and wife, Grantee, the following described real property free of encumbrances created or suffered by the grantor except as specifically set forth herein:

The West One-half of the Northeast One-quarter of the Northeast One-quarter (W1/2NE1/4NE1/4) of Section 4 in Township 17 South, Range 11 East of the Willamette Meridian, Deschutes County, Oregon.

**This deed is given in fulfillment of that certain Memorandum of Contract recorded May 1, 2000 in Book 2000, Page 166⁹⁵ Deschutes County Records.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS, BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is \$**

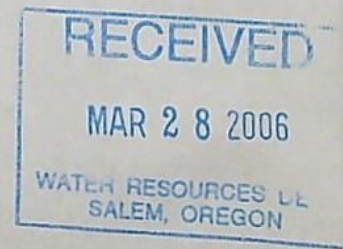
Dated this 20 day of April, 00.

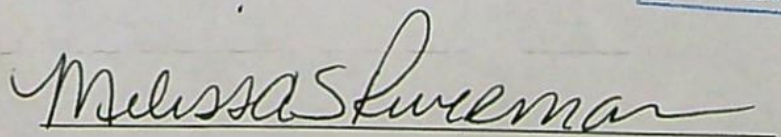

Paul J. Pellegrini



STATE OF OREGON
County of Deschutes } ss.

This instrument was acknowledged before me on this 20 day of April, 2000
by Paul J. Pellegrini





Notary Public for Oregon

ACCEPTED

Standard Application "Completeness" Checklist

Minimum Requirements (OAR 690-310-040)

Application G-16648 County: DESCHUTES
 Priority Date: 3-28-2006 Township: 17 S
 Use(s): IRRIG Range: 11 E
 Section: 4
 Rate: 0.1114 CFS (2) PO 1/4 1/4: NE NE
 (5)
 (2) PO 1/4 1/4: NE NE
 (5)
 50 gpm

Applicant/Organization Name, Mailing Address and Telephone Number. If applicant is other than a private landowner, Organizations section must be completed.

Source listed

Property ownership indicated? If applicant does not own all the land, is the affected landowner's name and mailing address listed? (Including: Lands, not owned by applicant, upon which the source is locatedor..... any Lands, not owned by applicant, which are crossed by the diversion works.) **NOTE: An easement or agreement DOES NOT need to be submitted at this time, however a statement declaring the existence of written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work is required at this time. Easement or agreement will be required before a permit will be issued.**

If a groundwater application...is the groundwater development section completed, including copies of well logs? COMPARABLE WELL LOG

Proposed Use of the water.... Is each proposed use identified?

Has the appropriate "Supplemental Form" for each proposed use been completed, if applicable?

- Form I (Irrigation)
- Form M (Municipal or Quasi-Municipal)
- Form R (Mining)
- Form Q (Commercial or Industrial)
- Spring Description Sheet (if source is a Spring)

Amount of water from each source listed in GPM, CFS or AF?

Acreage being proposed, if applicable.

- Season being requested by applicant.
- Water management section has been completed? If system has not been designed, the applicant may estimate this information.
- Resource protection system completed on Surface Water application?
- Are the dates of construction indicated? Proposed dates for the Beginning of construction, completion of construction, and complete application of water to the proposed use(s) If system already completed, applicant should indicate existing. Applicant may indicate in other than dates, these timelines.
- Is the application signed in ink by the applicant? If the application is in the name of an organization or corporation, the authorized agent with title or authority, must sign the application. If more than one applicant named, both/all must sign or application is incomplete.
- Legal description included? A copy of the deed, land sales contract or title insurance policy can provide this information. We cannot accept a copy of the tax bill.
- A completed Land-Use Form or receipt signed by the appropriate planning department officials enclosed? Does the use on land-use form match the proposed use on the application? Date should be within 6 months.

Does the map meet map requirements of OAR 690-310-050?

- | | |
|---|--|
| <input checked="" type="checkbox"/> Town, Range, Sec, 1/4 1/4 and Tax Lot # | <input checked="" type="checkbox"/> Scale of the Map, not less than 4" = 1 mile |
| <input checked="" type="checkbox"/> Reference corner on map | <input checked="" type="checkbox"/> North Directional Symbol (not fatal if omitted) |
| <input checked="" type="checkbox"/> 1/4 1/4's clearly identified | <input checked="" type="checkbox"/> Location of each diversion point, well or dam |
| <input checked="" type="checkbox"/> POU clearly identified
location of place of use where water is to be used. ie: domestic, industrial stock, irr, etc. | <input checked="" type="checkbox"/> Location Coordinates for each POD by reference to a recognized public land survey corner |
| | <input checked="" type="checkbox"/> Number of acres per 1/4 1/4, if Irrigation |

1" = 300 Feet

Other

fees enclosed? YES Base Fee \$ _____
 Total Paid \$ 500 plus \$ _____
 plus \$ _____
 Total Amount of Water Requested: 0.1114 CFS
50 GPM Total Exam Fee \$ _____

Total Exam Fee \$ 500 Recording Fee \$ ~~XXXXXX~~

Completeness Check by: NJM Date: 3-28-2006

**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 # **80512**

INVOICE # _____

RECEIVED FROM: Phillip F. Kochan
BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: CHECK:# 4047 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 500.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES PCA - 46111 \$ _____
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	\$ <u>500.00</u>	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 (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

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

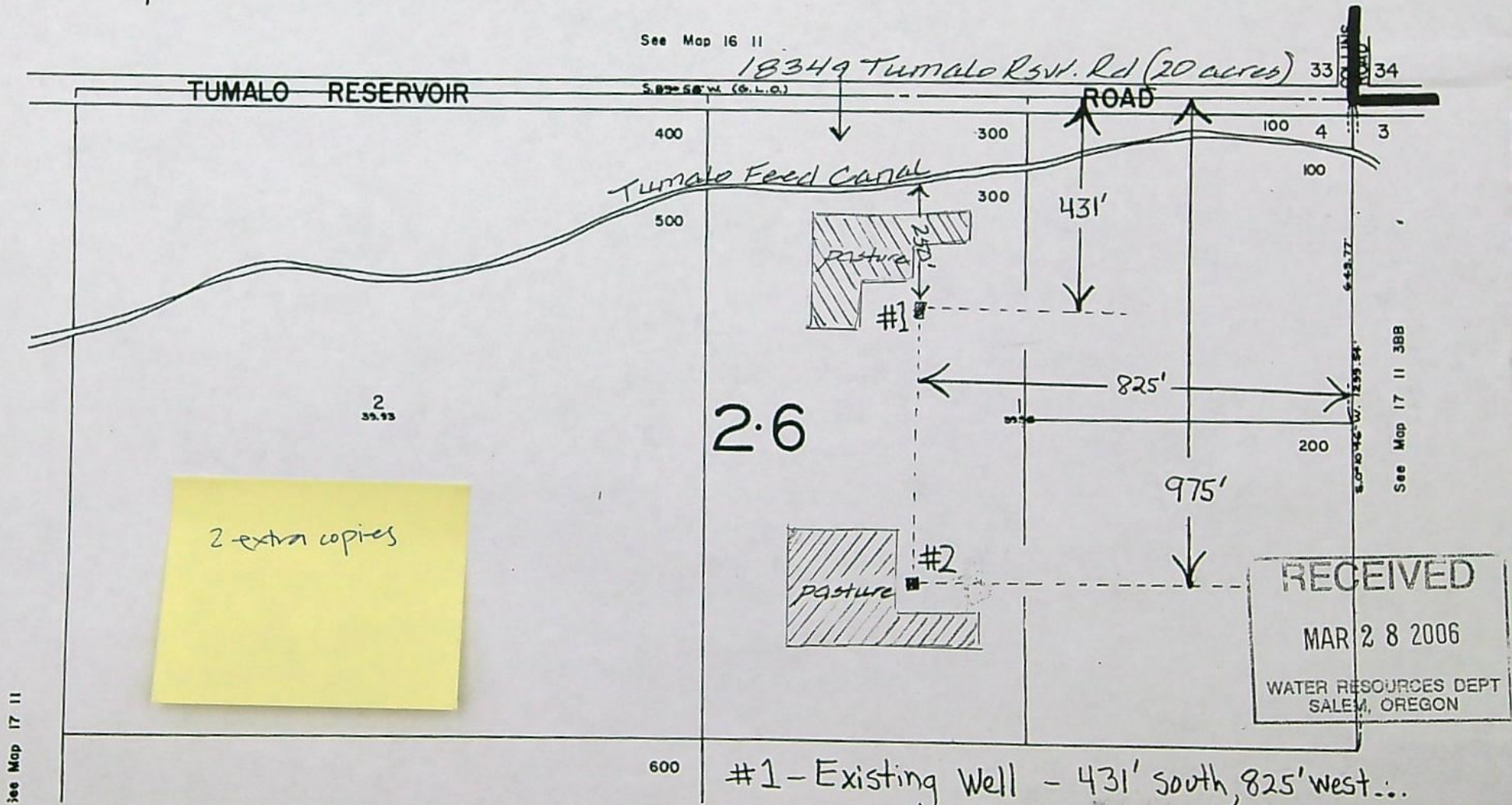
RECEIPT: **80512**

DATED: 3-28-06 BY: Debbie Martin

North
↑

NE1/4 SEC. 4 T.17S. R.11E.W.M.
DESCHUTES COUNTY
1"=300'

17 11 4A



- #1 - Existing Well - 431' south, 825' west...
- #2 - Proposed Well - 975' south, 825' west...
of section corner.

app no G-16648

North

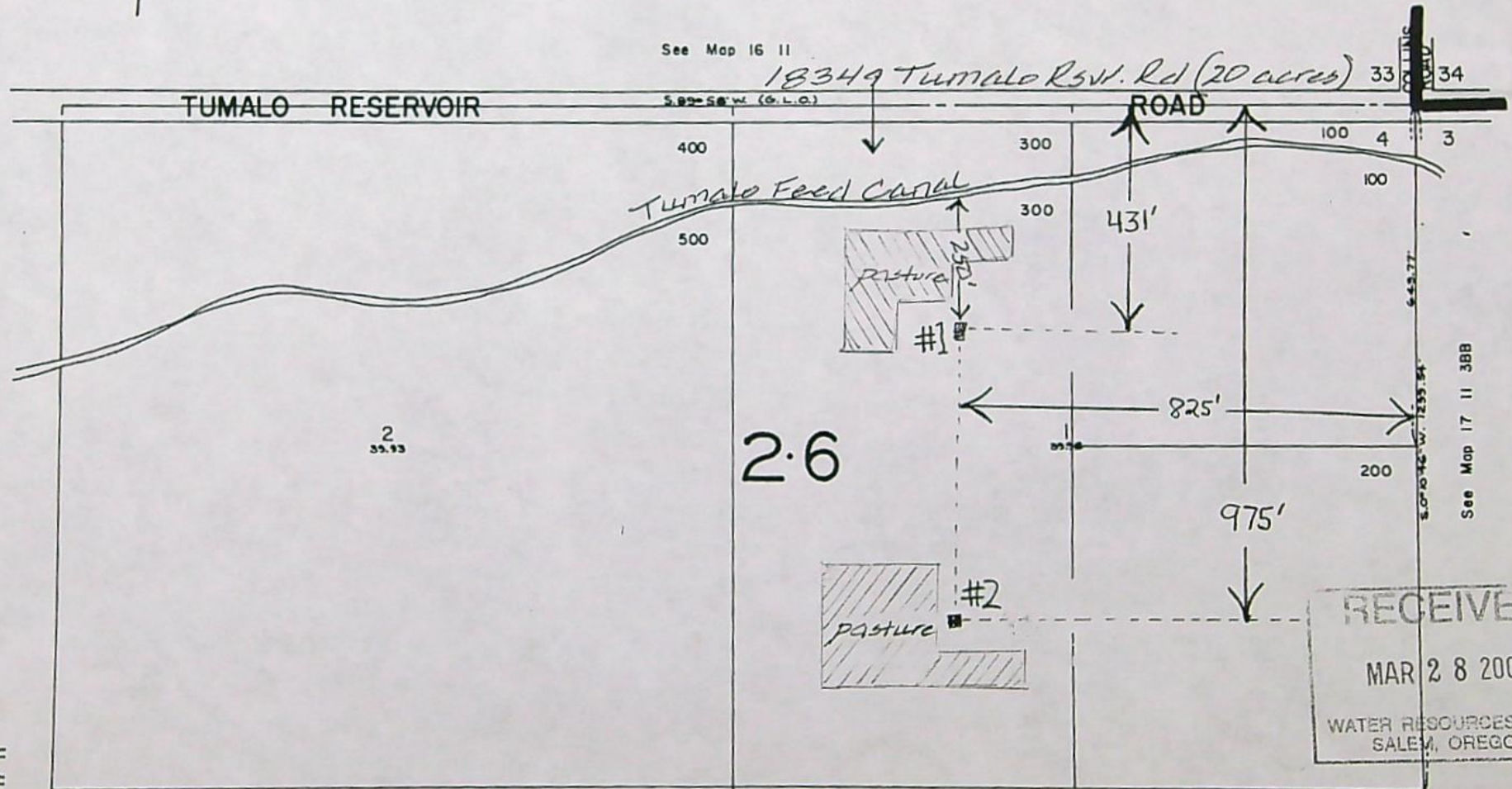


NE1/4 SEC. 4 T.17S. R.11E.W.M.

DESCHUTES COUNTY

1"=300'

17 11 4A



See Map 16 11

18349 Tumalo Rsv. Rd (20 acres)

TUMALO RESERVOIR

S. 89° 58' W. (G.L.O.)

ROAD

400

300

100

4

3

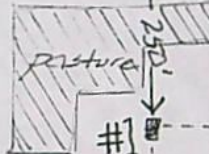
Tumalo Feed Canal

500

300

431'

100



#1

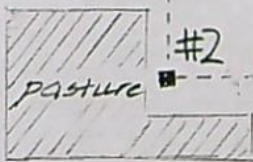
825'

2
35.93

2.6

200

975'



#2

RECEIVED
MAR 28 2006
WATER RESOURCES DEPT
SALEM, OREGON

600

#1 - Existing Well - 431' south, 825' west...

#2 - Proposed Well - 975' south, 825' west...
of section corner.

See Map 17 11

See Map 17 11 3BB

C-16648

NEW APPLICATIONS (GROUND WATER, RESERVOIR, & SURFACE) ROUTE SLIP

RECEIPTING 3/28/06 DM
POST CARD SENT 3-28-2006 NZM
DATA CENTER 8

GROUND WATER YES NO
ENFORCEMENT YES NO

WATER RIGHTS SUPPORT CAS

A "Standard Reservoir" storing 9.2 acre-feet or more of Water & has a dam height of 10.0 feet or greater needs to have a copy of the application & supplemental forms routed to "JOHN FALK"

Alyssa Mucken	503-986-0853	<input type="checkbox"/>
Anita Huffman	503-986-0815	<input checked="" type="checkbox"/>
Cory Engel	503-986-0813	<input type="checkbox"/>
Jeana Eastman	503-986-0859	<input type="checkbox"/>
Kerry Kavanagh	503-986-0816	<input type="checkbox"/>



ATTN: WATER RIGHTS
SUPPORT....>>>> Mark contents of Application File;
Update Powerbuilder with caseworker, etc.;
Route to filing cabinet.



OK