Application No. G17475

Permit No. G 16905

Certificate No. _____

Name _____

By _____

Address William, Douglas and Thomson Martin
PO Box 201
Rufus, OR 97050

c/2017

Priority 7-7-2011

County SHER WM# 3

FEES PAID

Date	Amount	Receipt No.
7-7-11	1650.00	103329
	Cert. Fee	

Date

DENIED _____

MISFILED _____

WITHDRAWN _____

CANCELLED _____

Volume	Page

FEES REFUNDED

Date	Amount	Receipt No.

RELATED FILES

_____

_____

_____

_____

ASSIGNMENTS

Date	To Whom	Address

DEVELOPMENT Date

Completion 3/29/2017

Extended to _____

_____

Final Proof received _____

Proposed Cert. Mailed _____

REMARKS _____

_____

_____

_____

_____

_____

_____

_____

MAP LOCATION _____

Rev. 04/03

'IR' DUE DATE:

8-21-2011

VS 7/8/2011

Mailing List for FO Copies

Application #G-17475

Original mailed to applicant with claim of beneficial use form:

DOUGLAS MARTIN, THOMSON S. MARTIN, WILLIAM MARTIN
PO BOX 201
RUFUS OR 97050

Copies sent to:
1. WRD - File # G-17475
2. WRD - Ken Stahr

Copies Mailed
By: Connie Vance
(SUPPORT STAFF)
on: 3/29/2012
(DATE)

FO and Map Copies sent to (remember to reduce copy margins):
3. WRD - Watermaster District #: 3
4. WRD - Regional Manager (not to SCR): NC

Copies sent to Other Interested Persons *(CWRE, Agent, Commenter, etc.)*
1. Toll, Larry, CWRE #132
Tenneson Engineering Corp, 3313 W 2nd Street, Suite 100, The Dalles OR 97058-4186

CASEWORKER : Jeana Eastman

Oregon Water Resources Department
Water Rights Services Division

Water Rights Application
Number G-17475

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 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 July 7, 2011, Douglas Martin, Thomson S. Martin, and William Martin submitted an application to the Department for a water use permit.

The Department issued a Proposed Final Order on November 29, 2011. The protest period closed January 13, 2012, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest, but the Department's continuing evaluation reveals that the Proposed Final Order requires modification to correctly describe the water well report associated with the well, being SHER 296.

Order

Application G-17475 therefore is approved with the above modifications to the Proposed Final Order, and Permit G-16905 is issued as limited by the conditions set forth therein.

DATED March 29, 2012

E. Timothy Wallin

E. Timothy Wallin, Water Rights Program Manager
for Phillip C. Ward, Director
Water Resources Department

This document was prepared by Jeana Eastman. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 503-986-0859.

If you have previously filed a protest and want to know its 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 97301-1266, Fax: 503-986-0901.

STATE OF OREGON

COUNTY OF SHERMAN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DOUGLAS MARTIN
THOMSON S. MARTIN
WILLIAM MARTIN
PO BOX 201
RUFUS, OR 97050

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

APPLICATION FILE NUMBER: G-17475

SOURCE OF WATER: A WELL (SHER 296) IN COLUMBIA RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 120.0 ACRES

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JULY 7, 2011

WELL LOCATION: NE ¼ NE ¼, SECTION 11, T2N, R16E, W.M.; 1243 FEET SOUTH AND 752 FEET WEST FROM NE CORNER, SECTION 11

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW ¼ NE ¼ 0.5 ACRE
SE ¼ NE ¼ 31.1 ACRES
NE ¼ SE ¼ 28.7 ACRES
NW ¼ SE ¼ 29.2 ACRES
SW ¼ SE ¼ 2.1 ACRES
SE ¼ SE ¼ 2.4 ACRES
SECTION 11

SW ¼ NW ¼ 21.8 ACRES
SE ¼ NW ¼ 4.2 ACRES
SECTION 12
TOWNSHIP 2 NORTH, RANGE 16 EAST, W.M.

Measurement, recording and reporting conditions:

A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the meter in good working order.

B. The permittee shall keep a complete record of the amount of water diverted each month, and shall submit a report which includes the recorded report 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.

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

D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

Dedicated Measuring Tube: Wells with pumps shall be equipped with an unobstructed, dedicated measuring tube pursuant to figure 200-5 in OAR 690-200.

The well(s) shall produce ground water only from a single aquifer in Columbia River Basalt ground water reservoir.

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured during February 1 through March 31. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial February/March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

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. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

A. Associate each measurement with an owner's well name or number and a Department well log ID; and
B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
C. Specify the method of 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 restricted use shall continue until the water level rises above the decline level which triggered the action or 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 causing substantial interference with senior water rights. The water user shall not 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.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

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 be subject to cancellation, 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 well(s) 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.

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet state or federal water quality standards due to reduced flows.

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 to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data 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 practical technologies or conservation practices to achieve this end.

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

Completion of construction and application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

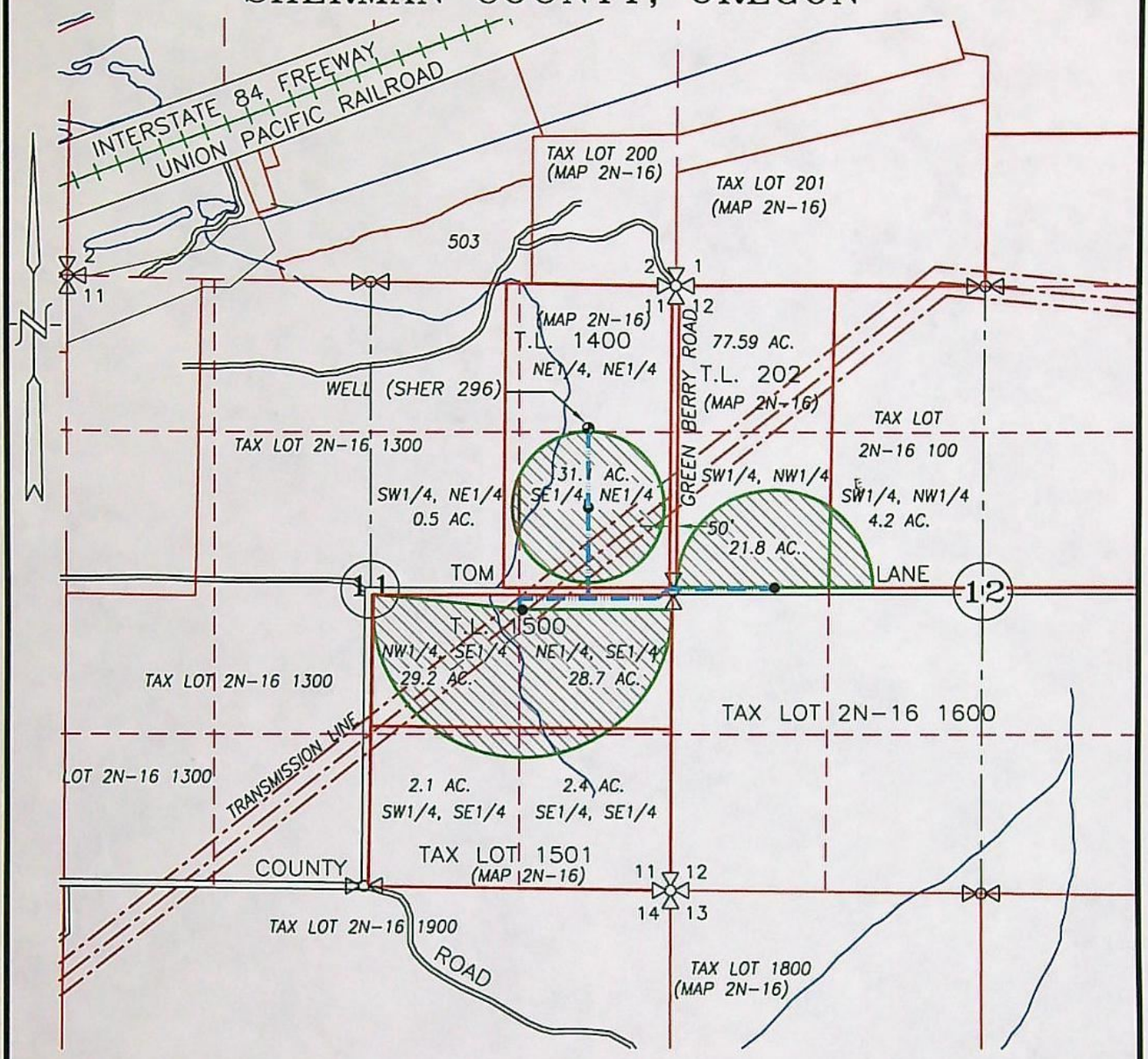
Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued March 29, 2012

E. Timothy Wallin

E. Timothy Wallin, Water Rights Program Manager
for Phillip C. Ward, Director
Water Resources Department

SECTION 11, TWP.2 N. RANGE 16 E. W.M.
SHERMAN COUNTY, OREGON



WELL (SHER 296) 1243' SOUTH & 752' WEST OF NE COR. SEC. 11

APPLICATION AREA FOR SUPPLEMENTAL IRRIGATION = 120.0 ACRES

IRRIGATION MAIN

APPLICATION MAP FOR
FOR GROUNDWATER

SCALE: 1"= 1320'

0' 660' 1320' 2640'

RECEIVED
AUG 11 2011
WATER RESOURCES DEPT
SALEM, OREGON

APPLICATION No. _____

PERMIT No. _____

IN THE NAME OF:

WILLIAM, DOUGLAS & THOMSON MARTIN

DATE: DECEMBER 23, 2010
AMENDED AUGUST 10, 2011

CERTIFIED WATER RIGHT EXAMINER
132
LARRY M. TOLL
NOV. 19, 1987
STATE OF OREGON

EXPIRES: 06/30/2012

NOTE:

"THIS MAP IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES."

BY: TENNESON ENGINEERING CORP.
3313 W. 2ND. STREET, SUITE 100
THE DALLES, OREGON. 97058
PH. (541) 296-9177
FAX (541) 296-6657

W.O. #12508wr2(App)

FO CHECKLIST

Application g-17475

/ Name and/or address has **changed or been assigned** ☐ Yes ☑ No

/ Respond to **significant comments, issues, or disputes** related to the proposed use of water. ☑ N/A

/ **Affected landowner(s)** have been notified ☐ N/A ☑ Yes ☐ No, send a letter to landowners before FO issuance.

/ **Verify names/addresses** of affected landowners, and those who commented and/or paid $10 fee. ☐ N/A

/ PFO conclusions **require modification** due to typos, errors or omission of conditions ☐ Yes ☑ No
If so: _____

/ Within North Umpqua settlement reach and issuing permit, **spreadsheet has been updated** ☑ N/A ☐ Yes

/ **SWW** If GW and interference, copy form for Stahr. ☑ N/A

/ **Fees**

Base Fee	Water Amount (Q)	
$300 / $500 $700 / $1000	1st CFS/AF	250
	_____ Addl @ _____	_____
	_____ Addl @ _____	_____
	Add'l ☐ POD/POA ☐ use +	_____

1000 (base) + 250 (Q) = 1250 (total exam fee)

EXAM FEE REQUIRED	1250	RECORDING FEE REQUIRED	$250 / $300 / $400
EXAM FEE PAID	-1250	RECORDING FEE PAID	-400
STILL OWED	0	STILL OWED	0

___ FO w/ draft permit; still needed:
- ___ fees
- ___ well construction approval
- ___ land use approval
- ___ easement
- ___ approved dam plans & specs
- ___ st water contract

/ FO w/ permit # g-16905

___ FO to deny
refund $_____

Name: Jeana Eastman Date: 3/15/12 Peer Reviewer: KWM KFK

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

PFO CHECKLIST

App g-17475
1-sher 296

Application was **filed *prior to*** 10/23/99 ☑ No ☐ Yes (If Yes, add A date requirement)

IR requested additional information ☑ No ☐ Yes _____

Have **conflicts** been addressed? ☑ NA ☐ No ☐ Yes _____

PN Date 9/27/11 **Comment deadline** 10/27/11 **Comments received?** ☑ No ☐ Yes _____

SWW ☑ NA ☐ above ☐ within _____ If GW and interference, copy form for Stahr.

DIV 9 ☐ NA ☐ will likely be available... ☐ will **not** likely be available... ☑ will, if properly conditioned...

well _____ has PSI with _____

GW conditions 7h, 7n (feb/mar), 7p, 7t, large-tfm, single ag mrkt

Conditions _____

☐ **Small** ≤ 0.1 CFS, ≤ 9.2 AF ☐ **Medium** > 0.1 CFS but < 0.5 CFS, > 9.2 AF but < 100 AF ☑ **Large** ≥ 0.5 CFS, ≥ 100 AF tfm

SW availability ☑ NA ☐ 80% ☐ 50% _____

Allowed **Use/Rate/Season** IS - 120.0 ac, 1.0 cfs, 4/1 - 10/31 **Limit** 1/50 **Duty** 3.0

DIV 33 ☑ NA ☐ No ☐ above Bonneville, and ☐ not allowed 4/15 - 9/30 ☐ below Bonneville ☐ statewide

Prior to permit, applicant must submit ☑ NA ☐ fees ☐ storage contract ☐ easement ☐ plans/specs ☐ evidence of well repair

Changes from IR determinations _____

Copy to ☐ NWR ☑ NCR ☐ ER ☐ SWR ☑ WM # 3 ☑ agent toll ✓ ☐ CWRE ☐ affected landowner(s) ☐ _____

Fees

Base Fee	Water Amount (Q)	
$300 / $500 $700 / $1000	1st CFS/AF	_____
	_____ Addl @ _____ +	_____

_____ (base) + _____ (Q) = _____ (total exam fee)

EXAM FEE REQUIRED	1250	RECORDING FEE REQUIRED	$250 / $300 / $400
EXAM FEE PAID	-1250	RECORDING FEE PAID	-400
STILL OWED	0	STILL OWED	0

Name: Jeana Eastman Date: 11/9/11 Peer Reviewer: michele

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App g-17475
1-sher 296

IR CHECKLIST

Requested Use/Rate/Season IS- 120.0 AF, 1.0 cfs 4/1 - 10/31

Allowed Use/Rate/Season 120/80 = 1.5 " Limit 1/80 Duty 3.0

DIV 9 ☐ NA ☐ will likely be available... ☐ will **not** likely be available... ☑ will, if properly conditioned...

☐ classify as surface water well _____ has PSI with _____

(include basin map if true) well _____ is within ☐ 1N 3E 20, 21, 28, 29 ☐ GWLA ☐ CGWA _____

GW conditions 7b, 7n (feb|mar), 7p, 7t, large- tfm, single aquifer in erb

Conditions _____

☐ **Small** ≤ 0.1 CFS, ≤ 9.2 AF ☐ **Medium** > 0.1 CFS but < 0.5 CFS, > 9.2 AF but < 100 AF ☑ **Large** ≥ 0.5 CFS, ≥ 100 AF tfm

use **at least** Medium for: Siltcoos Lake, stored water contract, and Sandy Basin ground water
use Large for: Tenmile Lake, NU or other temp control, gov. entities, and HC exceptions; Large-7g, Large-7i for 7g/7i
use Large-TFM if GW in: South Salem Hills, or 10+ acres in Stage Gulch CGWA

ORS 538 prohibits use ☑ No ☐ Yes (stop processing and return app and fees)

Use is ☑ allowed ☐ not allowed ☐ limited ☑ OAR ☐ Compact 6-10-505-0400

Stream is **withdrawn** ☑ NA ☐ No ☐ Yes, allows use/season _____

SW availability ☑ NA ☐ 80% ☐ 50% _____ WID: _____

☐ Use DWF's 6/21/05 non-standard W/A memo if the source is: trib to Drews Res, Snake R, Columbia R, North Umpqua R below Rock Cr, or within drainages of Lost R, Chehalem Cr, or Champoeg Cr (including Mission Cr and Case Cr)

DIV 33 ☑ NA ☐ No ☐ above Bonneville, ☐ and not allowed 4/15 - 9/30
☐ below Bonneville
☐ statewide

SWW ☑ NA ☐ above ☐ within _____ (If GW and interference, copy form for Stahr.)

Use is within a **high priority area for streamflow restoration** ☑ NA ☐ No ☐ Yes

POU **conflict** ☐ NA ☐ No ☑ No, different sources ☐ No, make up a deficiency in rate ☐ No, existing not at max. rate

☐ Yes _____

Use is supplemental, checked for primary rights ☐ NA ☑ Yes limits _____

Land use ☑ approved ☐ not approved ☐ being pursued ☐ **not** being pursued ☐ county notified ☐ NA

MU or QM ☑ NA ☐ will complete construction within 20 years
☐ Fujii reviewed recommendations _____

Storage contract ☑ NA ☐ BOR ☐ Doug Co ☐ Corp of Eng ☐ needed ☐ obtained _____

Prior to permit, applicant must submit ☑ NA ☐ storage contract ☐ easement ☐ plans/specs ☐ evidence of well repair

POD is within **North Umpqua settlement reach** and the spreadsheet was updated ☑ NA ☐ Yes

App g-17475
1-sher 296

IR CHECKLIST

Requested Use/Rate/Season IS-120.0AF, 1.0cfs 4/1-10/31

Allowed Use/Rate/Season 120/80 = 1.5 " Limit 1/80 Duty 3.0

DIV 9 ☐ NA ☐ will likely be available... ☐ will not likely be available... ☑ will, if properly conditioned...

☐ classify as surface water well _____ has PSI with _____

(include basin map if true) well _____ is within ☐ 1N 3E 20, 21, 28, 29 ☐ GWLA ☐ CGWA _____

GW conditions 7b, 7n (feb/mar), 7p, 7t, large- tfm, single aquifer in erb

Conditions _____

☐ **Small** ≤ 0.1 CFS, ≤ 9.2 AF ☐ **Medium** > 0.1 CFS but < 0.5 CFS, > 9.2 AF but < 100 AF ☑ **Large** ≥ 0.5 CFS, ≥ 100 AF tfm

use **at least** Medium for: Siltcoos Lake, stored water contract, and Sandy Basin ground water
use Large for: Tenmile Lake, NU or other temp control, gov. entities, and HC exceptions; Large-7g, Large-7i for 7g/7i
use Large-TFM if GW in: South Salem Hills, or 10+ acres in Stage Gulch CGWA

ORS 538 prohibits use ☑ No ☐ Yes (stop processing and return app and fees)

Use is ☑ allowed ☐ not allowed ☐ limited ☑ OAR ☐ Compact 690-505-0405

Stream is **withdrawn** ☑ NA ☐ No ☐ Yes, allows use/season _____

SW availability ☑ NA ☐ 80% ☐ 50% _____ WID: _____

☐ Use DWF's 6/21/05 non-standard W/A memo if the source is: trib to Drews Res, Snake R, Columbia R, North Umpqua R below Rock Cr, or within drainages of Lost R, Chehalem Cr, or Champoeg Cr (including Mission Cr and Case Cr)

DIV 33 ☑ NA ☐ No ☐ above Bonneville, ☐ and not allowed 4/15 - 9/30
☐ below Bonneville
☐ statewide

SWW ☑ NA ☐ above ☐ within _____ (If GW and interference, copy form for Stahr.)

Use is within a **high priority area for streamflow restoration** ☑ NA ☐ No ☐ Yes

POU **conflict** ☐ NA ☐ No ☑ No, different sources ☐ No, make up a deficiency in rate ☐ No, existing not at max. rate

☐ Yes _____

Use is supplemental, checked for primary rights ☐ NA ☑ Yes limits _____

Land use ☑ approved ☐ not approved ☐ being pursued ☐ not being pursued ☐ county notified ☐ NA

MU or QM ☑ NA ☐ will complete construction within 20 years
☐ Fujii reviewed recommendations _____

Storage contract ☑ NA ☐ BOR ☐ Doug Co ☐ Corp of Eng ☐ needed ☐ obtained _____

Prior to permit, applicant must submit ☑ NA ☐ storage contract ☐ easement ☐ plans/specs ☐ evidence of well repair

POD is within **North Umpqua settlement reach** and the spreadsheet was updated ☑ NA ☐ Yes

✓ **Forms** ☑ NA ☐ HC except ☐ spring description other _____

✓ **Authorized agent specified** ☐ NA ☐ needed ☑ Yes Tennison eng. (I. Toll)

✓ **Copy to** ☐ SWR ☑ WM # 3 ☐ DOA ☐ CRIFC
☐ ER ☑ agent ☐ CTUIR ☐ US Fish & Wildlife
☑ NCR ☐ CWRE ☐ NW Planning Council

☐ DOA Food Safety Division (bottled water) ☐ city _____ (w/in 5-mile muni wells)

✓ **Fees** 1.0 CFS Base 1000

_____ AF Up to 1 CFS 250

_____ Add'l CFS @ _____ _____

Up to 20 AF _____

_____ Add'l AF @ _____ _____

_____ Add'l ☐ POD/POA ☐ use + _____

Exam Fee Required = 1250

Exam Fee Paid 1250

Still Owed 0

✓ App and map meet **min. requirements** ☑ Yes ☐ No _____
(If not, send IR certified)

✓ **Letter format** ☑ good ☐ limited ☐ bad ☐ bad w/ rate reduction opportunity ☐ bad w/ HC opportunity

✓ **Scanned images exist for application form and map**

Name: Jeana Eastman **Date:** 9/20/11 **Peer Reviewer:** KTK

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Point of Diversion Characteristics

Right:	App: G 17475 *
Name:	DOUGLAS MARTIN

TRSQQ: 02.00N-16.00E-11-NENE Digital Map of TRSQQ

County: Sherman
Basin: Deschutes
WM District: 3
WM Region: NC
Withdrawn Area:
WAB:
Priority WAB:
Rule 4D: Rules apply
Groundwater Restricted Area:
Scenic Water Way:
Division 33: UPPER COLUMBIA
Water Quality Limited:

G-17475

WATER RESOURCES DEPARTMENT

DIVISION 505

DESCHUTES BASIN PROGRAM

690-505-0400 Ground Water Classification

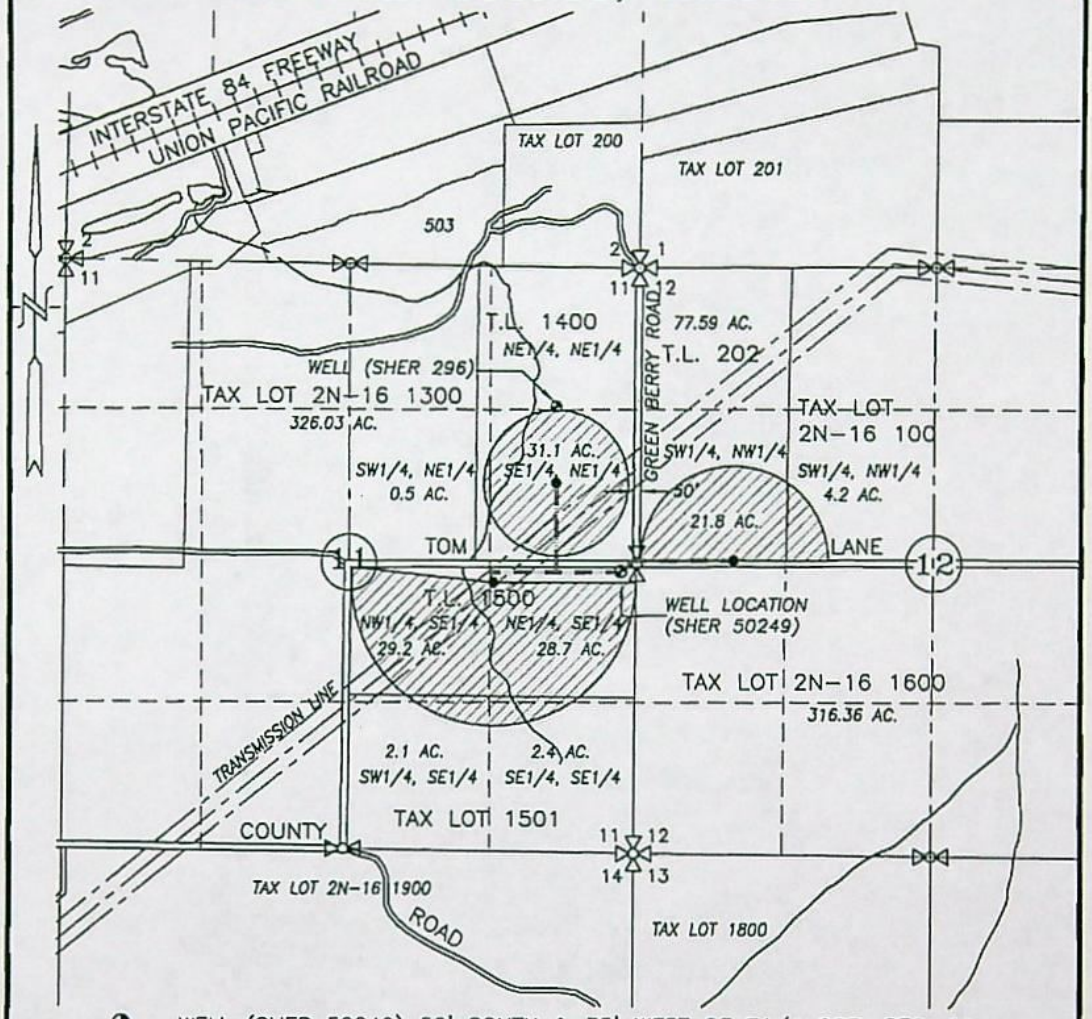
Ground water in the Deschutes Basin is classified for any beneficial use.

Place of Use Conflict Report

The following rights have acreage in the same quarter-quarter as App: G 17475 *

Right	Name	Decree	App	Permit	Cert	Priority	Status	Use	T-R-S-QQ	DLC	Gov't Lot	Acres
CERT:60446 OR *	WILLIAM F MARTIN		G-10048	G-9559	60446	12/10/1980	NC	IR	02.00N-16.00E-12-SENW			39.3000
								IR	02.00N-16.00E-12-SWNW			5.9000
PERMIT: G 12404 *	THOMSON MARTIN		G-13481	G-12404		8/6/1993	NC	IS	02.00N-16.00E-12-SENW			34.0000
								IS	02.00N-16.00E-12-SWNW			3.0000
PERMIT: G 16285 *	DOUGLAS MARTIN		G-16803	G-16285		2/22/2007	NC	IR	02.00N-16.00E-11-SWNE			0.5000
								IR	02.00N-16.00E-11-SENE			31.1000
								IR	02.00N-16.00E-11-NESE			28.7000
								IR	02.00N-16.00E-11-NWSE			29.2000
								IR	02.00N-16.00E-11-SWSE			2.1000
								IR	02.00N-16.00E-11-SESE			2.4000
								IR	02.00N-16.00E-12-SWNW			21.8000
								IR	02.00N-16.00E-12-SENW			4.2000

SECTION 11, TWP.2 N. RANGE 16 E. W.M.
SHERMAN COUNTY, OREGON



- WELL (SHER 50249) 52' SOUTH & 35' WEST OF E1/4 COR. SEC. 11
- WELL (SHER 296) 1243' SOUTH & 752' WEST OF NE COR. SEC. 11

APPLICATION AREA TO BE TRANSFERRED TO = 120.0 ACRES

IRRIGATION MAIN

RECEIVED
FEB 26 2010
WATER RESOURCES DEPT
SALEM, OREGON

PERMIT
AMENDMENT TO MAP

SCALE: 1"= 1320'

APPLICATION No. G-16803

PERMIT No. G-16285

T 11027

IN THE NAME OF:

BILL MARTIN

DATE: APRIL 1, 2009

CERTIFIED WATER RIGHT EXAMINER
132
LARRY M. TOLL
NOV. 19, 1987
STATE OF OREGON

EXPIRES: 06/30/2010

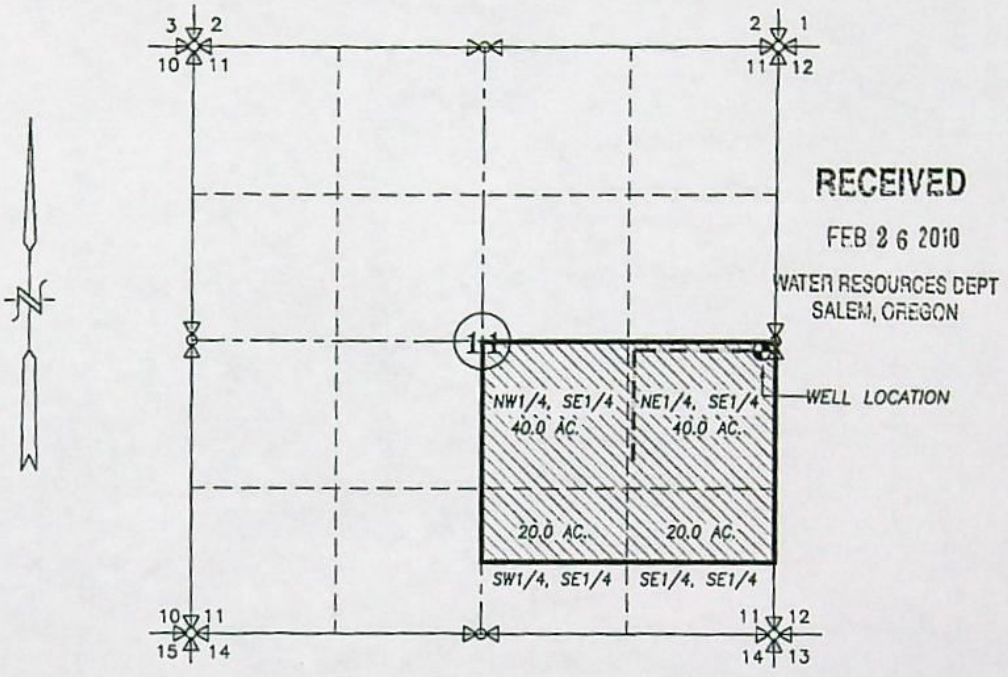
BY: TENNESON ENGINEERING CORP.
3313 W. 2ND. STREET, SUITE 100
THE DALLES, OREGON. 97058
PH. (541) 296-9177
FAX (541) 296-6657

NOTE:
"THIS MAP IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES."

W.O. #12508wr2

SECTION 11, TWP.2 N. RANGE 16 E. W.M.

SHERMAN COUNTY, OREGON



RECEIVED
FEB 2 6 2010
WATER RESOURCES DEPT
SALEM, OREGON

EXISTING WELL, 52' SOUTH & 35' WEST OF E1/4 COR. SEC. 11

APPLICATION AREA TO BE TRANSFERRED FROM = 120.0 ACRES

IRRIGATION MAIN

PERMIT

AMENDMENT FROM MAP

SCALE: 1"= 1320'

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W.O. #12508wr2

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Permit Amendment T-11027, Sherman County	)))	**FINAL ORDER** APPROVING A CHANGE IN PLACE OF USE

Authority

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

Applicant

WILLIAM, DOUGLAS, & THOMSON MARTIN
PO BOX 128
RUFUS OR 97050

Agent

TENNESON ENGINEERING CORP.
ATTN: LARRY TOLL
3313 W 2ND ST SUITE 100
THE DALLES OR 97058

Findings of Fact

Background

1. On February 26, 2010, WILLIAM, DOUGLAS, AND THOMSON MARTIN filed an application for an additional point of appropriation and to change in place of use under Permit G-16285. The Department assigned the application number T-11027.

2. On April 23, 2010, the Department found that the proposed point of appropriation developed a different aquifer (source).

3. On June 30, 2010, the agent, on behalf of the applicant, asked to remove the request for an additional point of appropriation from the application.

4. The permit to be amended is as follows:

Permit:	G-16285 in the name of WILLIAM, DOUGLAS, AND THOMSON MARTIN
Use:	IRRIGATION OF 120 ACRES
Priority Date:	FEBRUARY 22, 2007
Quantity:	1.25 CUBIC FEET PER SECOND
Rate/Duty:	The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

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.

Period of Use: APRIL 1 THROUGH OCTOBER 31

Source: A WELL, in the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 N	16 E	WM	11	NE SE	SHER 50249 - 52 FEET SOUTH AND 35 FEET WEST FROM THE E¼ CORNER OF SECTION 11

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	16 E	WM	11	NE SE	40.0
2 N	16 E	WM	11	NW SE	40.0
2 N	16 E	WM	11	SW SE	20.0
2 N	16 E	WM	11	SE SE	20.0

5. Permit Amendment Application T-11027 proposes to change the place of use of the permit to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	16 E	WM	11	SW NE	0.5
2 N	16 E	WM	11	SE NE	31.1
2 N	16 E	WM	11	NE SE	28.7
2 N	16 E	WM	11	NW SE	29.2
2 N	16 E	WM	11	SW SE	2.1
2 N	16 E	WM	11	SE SE	2.4
2 N	16 E	WM	12	SW NW	21.8
2 N	16 E	WM	12	SE NW	4.2

6. On February 26, 2010, Thomson S. Martin submitted an affidavit requesting cancellation of Permit G-15781, which covers a portion of the land described in Finding of Fact #5. A separate order will be issued by the Department.

7. Notice of the application for the permit amendment was published in the Department's weekly notice on March 2, 2010, and in the Dallas Chronicle newspaper on July 16, 23, and 30, 2010, pursuant to ORS 540.520(5). No comments were filed in response to the notices.

Permit Amendment Review Criteria

8. The changes would not result in injury to other water rights.

9. The proposed place of use is owned and/or controlled by the permit holder.

10. The changes do not enlarge the permit.

11. The changes do not alter any other terms of the permit.

12. The proposed place of use is contiguous to the authorized place of use.

Conclusions of Law

The change in place of use proposed by Permit Amendment Application T-11027 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

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

1. All other terms and conditions of Permit G-16285 remain the same.

2. Permit G-16285, in the name of William, Douglas, and Thomson Martin, is amended as described herein.

Dated at Salem, Oregon this 15 day of September, 2010.

Phillip C. Ward, Director

Mailing Date: SEP 16 2010

MEMO

To: Juno Pandian, Well Construction and Compliance Section Manager
From: Kristopher Byrd, Well Construction Program Coordinator
Subject: Review of Water Right Application G-17475
Date: September 15, 2011

The attached application was forwarded to the Well Construction and Compliance Section by Water Rights. Marc Norton reviewed the application. Please see Marc's review and the Well Log.

Well #1 (Sher 296): Based on a review of the Well Report, Well #1 seems to protect the groundwater resource.

The construction of Well #1 may not satisfy hydraulic connection issues.

9-19-11
I concur

INTEROFFICE MEMORANDUM

TO: Marc Norton, Ground Water Section

FROM: Jeana Eastman

DATE: 9/14/11

FILE: G-17475, Douglas Martin, and Thomson Martin

RE: aquifer determination for underlying primary right, Permit G-16285

Application G-17475 proposes supplemental irrigation on lands covered by Permit G-16285. In order to determine if supplemental irrigation can be approved under Application G-17475, it is necessary for me to know if the source/aquifer of the well for Application G-17475 (SHER 296) is the same source/aquifer as the authorized well for Permit G-16285 (SHER 50249). I'm asking for your assistance in this matter. Please place a copy of your written review in the file.

Once completed, please route to Kris Byrd for a determination of compliance with well construction standards.

Thanks.

OREGON WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO

To: Jeana Eastman Date: September 14, 2011

From: Mike Zwart

Subject: G-17475, Wells SHER 296 and SHER 50249

Ivan asked me to take a look at this issue since Marc is in the field this week. Both wells penetrate basalt of the Columbia River Basalt Group. However, Marc determined that the wells penetrate different aquifers when he reviewed transfer application T-11027 (copy of review attached). On that basis, the transfer was denied. Therefore, the applicants filed for a new groundwater permit. It would have been useful if Marc had included some discussion of this issue or included a copy of the transfer review in his review of file G-17475.

In any case, Marc has previously made a finding that these wells develop different sources of groundwater.

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Groundwater Review Form:

- ☐ Water Right Transfer
- ☐ Permit Amendment
- ☐ GR Modification
- ☐ Other

Application: T-11027 Applicant Name: Tom, Bill, & Doug Martin

Proposed Changes: ☐ POA ☒ APOA ☐ SW→GW ☐ RA ☐ USE ☐ POU ☐ OTHER

Reviewer(s): Marc Norton Date of Review: April 23, 2010

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

☐ The water well reports provided with the application do not correspond to the water rights affected by the transfer.

☐ The application does not include water well reports or a description of the well construction details sufficient to establish the groundwater body developed or proposed to be developed.

☐ Other _____

---

1. Basic description of the changes proposed in this transfer: The proposed change is to add an additional POA, SHER 296, to the original POA, SHER 50249.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
   ☐ Yes ☒ No Comments: Based on information on the well log, the proposed POA develops water from water bearing zones above the elevation where the original POA develops water. The original POA, SHER 50249, did not report water until a depth of 272 feet, about 50 feet below the SHER 296, allowing for elevation change between the wells.

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
   ☒ Yes ☐ No. Possible – see Bob Wood's comments. Both are basalt wells but develop different aquifers based on water levels.

   b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): _____

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another groundwater right**?
   ☐ Yes ☒ No Comments: _____

   b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
   ☐ Yes ☐ No If yes, explain: _____

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
   ☐ Yes ☒ No Comments: _____

NOTE: THIS WELL MAY ACCESS SAME SOURCE AS PRIMARY RIGHT. G.W. WILL DETERMINE.

KS 7/8/2011

PUBLIC INTEREST REVIEW FOR GROUNDWATER APPLICATIONS

TO: Water Rights Section Date **August 22, 2011**

FROM: Groundwater Section **Marc Norton**
Reviewer's Name

SUBJECT: Application G- **17475** 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 groundwater 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: **William, Douglas & Thomson Martin** County: **Sherman**

A1. Applicant(s) seek(s) **1.0** cfs from **1** well(s) in the **Deschutes River** Basin, _____ subbasin Quad Map: **Biggs Junction**

A2. Proposed use **Supplemental Irrigation – 120 acres** Seasonality: **April 1 to October**

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

Well	Logid	Applicant's Well #	Proposed Aquifer*	Proposed Rate(cfs)	Location (T/R-S QQ-Q)	Location, metes and bounds, e.g. 2250' N, 1200' E fr NW cor S 36
1	**SHER 296**		**CRB**	**1.0**	**02N/16E-11 NE NE**	**1243' S, 752' W fr NE cor S 11**
2						
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 Intervals (ft)	Perforations Or Screens (ft)	Well Yield (gpm)	Draw Down (ft)	Test Type
1	**860**	**110**	**40**	**2/27/1970**	**170**	**0 – 21**	**0 – 21**	------	------	**200**	**120**	**pump**

Use data from application for proposed wells.

A4. **Comments: The same lands are covered under permit G-16285 with SHER 50249 as the POA.**

Requested discharge rate is 448.8 gpm = 1.0 cfs.

A5. ☐ **Provisions of the Deschutes River** Basin rules relative to the development, classification and/or management of groundwater hydraulically connected to surface water ☐ **are,** *or* ☒ **are not,** activated by this application. (Not all basin rules contain such provisions.)
Comments: _____

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

B. GROUNDWATER 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 groundwater 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 groundwater 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 groundwater resource; or

d. ☒ **will, if properly conditioned,** avoid injury to existing groundwater rights or to the groundwater resource:
   i. ☐ The permit should contain condition #(s) **7B – Interference, 7N - Annual WL (February/March), 7P – Well Tag, 7T – Measuring Tube, Large measuring and reporting with flow meter on each well**;
   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 groundwater production from no deeper than _____ ft. below land surface;

b. ☐ **Condition** to allow groundwater production from no shallower than _____ ft. below land surface;

c. ☐ **Condition** to allow groundwater production only from the _____ groundwater reservoir between approximately_____ ft. and_____ ft. below land surface;

d. ☒ **Condition** to allow production only from a single aquifer in the Columbia River Basalt groundwater reservoir;

e. ☐ **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 Groundwater 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. **Groundwater availability remarks:** **There are no wells with long-term water level data near the proposed POA. The groundwater level in the well when it was constructed in 1970 was at 40 below land surface. No current water levels were submitted. The well is located on the plateau above the Columbia River. There are two springs that issue from shallow aquifers in the CRB within 1850 feet of the well. Permits S-54033 and S-54473 have been issued on the springs or from the spring discharge.**

The use of this well will interfere with the discharge of both springs.

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
1	CRB	☒	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐

Basis for aquifer confinement evaluation: Groundwater level rose above where water was encountered during construction of the well.

C2. **690-09-040 (2) (3):** Evaluation of distance to, and hydraulic connection with, surface water sources. All wells located a horizontal distance less than ¼ mile from a surface water source that produce water from an unconfined aquifer shall be assumed to be hydraulically connected to the surface water source. Include in this table any streams located beyond one mile that are evaluated for PSI.

Well	SW #	Surface Water Name	GW Elev ft msl	SW Elev ft msl	Distance (ft)	Hydraulically Connected? YES	NO	ASSUMED	Potential for Subst. Interfer. Assumed? YES	NO
1	1	Spring (East)	820	760	1860	☒	☐	☐	☐	☒
	2	Spring (West)	820	715	1510	☒	☐	☐	☐	☒
	3	Columbia River	820	160	4400	☐	☒	☐	☐	☒
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐

Basis for aquifer hydraulic connection evaluation: The well penetrates several shallow water bearing zones at or above the elevation of both springs.

Water Availability Basin the well(s) are located within: none

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

Well	SW #	Well < ¼ mile?	Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
1	1	☐	☐			☐		☐		☐
	2	☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐

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?
			☐			☐		☐		☐
			☐			☐		☐		☐
			☐			☐		☐		☐
			☐			☐		☐		☐

Comments: Groundwater models available for calculating interference do not work well in this hydrogeologic setting.

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

Non-Distributed Wells Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													

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

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

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 groundwater 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**_____

References Used:_____

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 groundwater reservoir;
c. ☐ permits the loss of artesian head;
d. ☐ permits the de-watering of one or more groundwater 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.

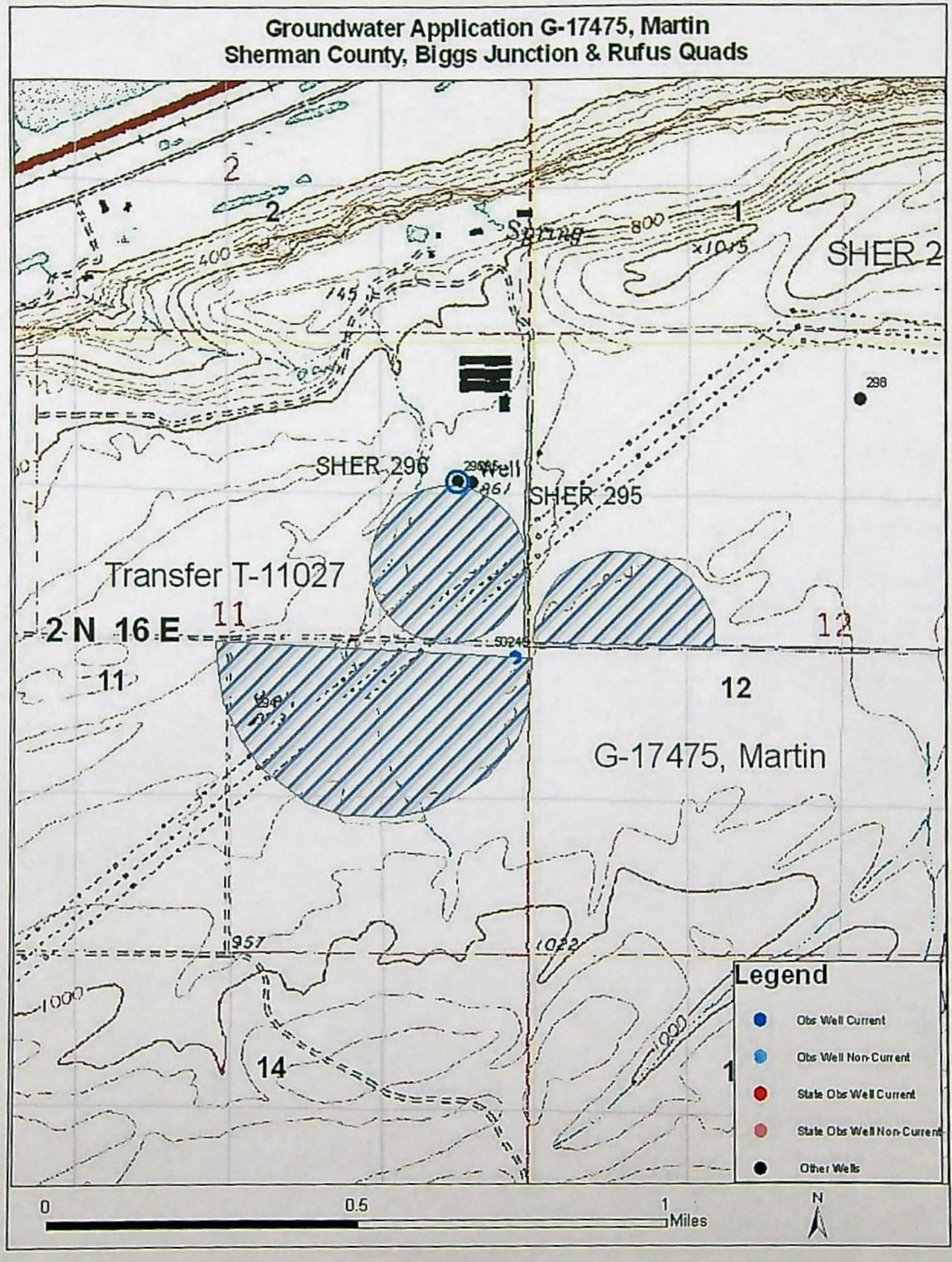
D6. ☐ **Route to the Enforcement Section.** I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Enforcement Section and the Groundwater Section.

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).**


Groundwater Application G-17475, Martin
Sherman County, Biggs Junction & Rufus Quads
SHER 2
SHER 296
SHER 295
Well
Transfer T-11027
2 N 16 E
11
12
G-17475, Martin
14
Legend
Obs Well Current
Obs Well Non-Current
State Obs Well Current
State Obs Well Non-Current
Other Wells
0
0.5
1
Miles
N

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE # # G-17475

ROUTED TO: Water Rts.

TOWNSHIP/
RANGE-SECTION: 02N/16E-11

CONDITIONS ATTACHED?: [X] yes [ ] no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: MARC NORTON

Standard Application Completeness Checklist

Minimum Requirements (OAR 690-310-0040)(ORS 537.400)
This is the checklist used by WRD staff.

Application G-17475 County SHERMAN Priority Date 7-7-2011

Township 2 N Range 16 E Section 11 & 12

Amount ONE CFS Use IRRIG/SUPPL 120 ACRES WM Dist # 5

Caseworker Assigned ✓ Jeana Eastman ○ Kerry Kavanagh ○ Michele McAleer

✓ Applicant/Organization Name, Mailing Address, and Telephone Number.

✓ Source of water. If stored water, is the stored water component filed out, including a non-expired agreement for stored water must be included. (ORS 537.400) *NOTE: A surface water application cannot be filed at the same time as a Reservoir or Alt Reservoir if it will be for the use of the stored water under the PROPOSED Reservoir application (E2).*

✓ The proposed source is of is not (circle one) withdrawn from further appropriation. If it is withdrawn under ORS 538, then return application and fees. If it is withdrawn by other means, accept the application and a negative IR will be issued.

✓ Property ownership indicated. STATES BOTH YES! & NO!

✓ If applicant does not own all the land, the affected landowner's name and mailing address must be listed.

✓ If applicant does not own all the land, a signed statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.

✓ Well Development (Section 3) or a well log report. SHER 295

✓ Proposed use of water. If supplemental, list primary acreage.

✓ Enclosed Supplemental Form for each proposed use.

✓ Form I (Irrigation) ○ Form M (Municipal or Quasi-Municipal)

○ Form R (Mining) ○ Form Q (Commercial or Industrial)

○ Spring Description Sheet

✓ Amount of water from *each* source in gallons per minute (GPM), cubic feet per second (CFS), or acre feet (AF)

✓ Period of use

✓ Water management section (Please estimate if the water system has not been designed).

✓ Resource Protection Section

✓ Project schedule (If system is already completed, indicate "existing").

- ○ Preliminary plans and specifications including dam height, width, crest width and surface area for each reservoir for all standard reservoir applications
- ○ A map prepared by a CWRE for a standard reservoir application proposing to store more than 9.2 acre feet and having a dam height of more than 10 feet

- ✓ All applicants or the applicant's authorized agent (include title or authority if for an organization or corporation), must sign the application in ink. *Signature must be an original "wet" signature. Copies cannot be accepted.*
- ✓ LEGAL GOOD JK You must include a Legal description of all the properties involved where water is diverted, crossed, and used. The Legal description includes a metes and bounds, or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or you may submit a lot book report prepared by a title company. The Department will not accept a copy of the tax bill.
- ✓ LAND-USE GOOD JK A completed Land-Use Form or receipt signed and dated by the appropriate planning department officials. *Please be certain that the Land-Use form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months. Signature must be an original "wet" signature. Copies cannot be accepted.*
- ✓ The map must meet all the minimum requirements of OAR 690-310-0050.
  - ✓ Township, Range, Section
  - ✓ Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU)
  - ✓ Place of use, 1/4, 1/4's and tax lot clearly identified
  - ✓ Even map scale not less than 4" = 1 mile (example: 1" = 100 ft, 1" = 200 ft, etc.)
  - ✓ Location of each diversion point, well or dam by reference to a recognized public land survey corner. Multiple wells shall be uniquely labeled, and identified on well logs if existing. (IN WRITING)
  - ✓ Reference corner on map
  - ✓ North Directional Symbol
  - ✓ Number of acres per 1/4, 1/4, if for irrigation, nursery, or agriculture
  - ○ Other _____

- ✓ Fees: Amount of water requested ONE CFS

Base Fee $ 1000 ✓ — ~~Additional Use @ ____ = ____~~

1st CFS/AF 250 ✓ — Total Exam Fees $ 1250 ✓

~~Addn'l CFS/AF @ ____ = ____~~ — Total Paid $ 1650 ✓

~~Addn' POD/POA @ ____ = ____~~ — Amount Due $ ALL FEES PAID

~~Amount Returned $ ____~~

Reviewed by: HTM ✓ Date: 7-7-2011 ✓

Oregon Water Resources Department
Water Rights Services Division

Water Rights Application
Number G-17475

Proposed Final Order

Summary of Recommendation: The Department recommends that the attached draft permit be issued with conditions.

Application History

On July 7, 2011, Douglas Martin, Thomson S. Martin, and William Martin submitted an application to the Department for the following water use permit:

- Amount of Water: 1.0 cubic foot per second (CFS)
- Use of Water: supplemental irrigation of 120.0 acres
- Source of Water: a well (SHER 295) in Columbia River Basin
- Area of Proposed Use: Sherman County within Section 11 and Section 12, Township 2 North, Range 16 East, W.M.

On September 23, 2011, the Department mailed the applicant notice of its Initial Review, determining that "*The appropriation of 1.0 CFS from a well (SHER 295) in Columbia River Basin for supplemental irrigation of 120.0 acres is allowable during the full period requested, April 1 through October 31 of each year.*" The applicant did not notify the Department to stop processing the application within 14 days of that date.

On September 27, 2011, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about obtaining future notices and a copy of the Proposed Final Order. No written comments were received within 30 days.

In reviewing applications, the Department may consider any relevant sources of information, including the following:

- any applicable basin program
- applicable statutes, administrative rules, and case law
- the amount of water available
- the rate and duty for the proposed use
- any general basin-wide standard for flow rate and duty of water allowed
- the need for a flow rate and duty higher than the general standard
- pending senior applications and existing water rights of record
- any applicable comprehensive plan or zoning ordinance
- recommendations by other state agencies

- the Scenic Waterway requirements of ORS 390.835
- designations of any critical ground water areas
- any comments received

Findings of Fact

The Deschutes Basin Program allows supplemental irrigation.

An assessment of ground water availability has been completed by the Department's Ground Water/Hydrology section. A copy of this assessment is in the file. Ground water will likely be available within the capacity of the resource, and if properly conditioned, the proposed use of ground water will avoid injury to existing ground water rights.

Ground Water Findings Under OAR 690-009
The Department determined, consistent with OAR 690-009-0040(4), that the proposed ground water use will not have the potential for substantial interference with surface water.

In making this determination, the Department considered whether:

(a) There is a hydraulic connection from the proposed well(s) to any surface water sources.
(b) The point of appropriation is a horizontal distance less than one-fourth mile from the surface water source;
(c) The rate of appropriation is greater than five cubic feet per second, if the point of appropriation is a horizontal distance less than one mile from the surface water source;
(d) The rate of appropriation is greater than one percent of the pertinent adopted minimum perennial streamflow or instream water right with a senior priority date, if one is applicable, or of the discharge that is equaled or exceeded 80 percent of time, as determined or estimated by the Department, and if the point of appropriation is a horizontal distance less than one mile from the surface water source;
(e) The ground water appropriation, if continued for a period of 30 days, would result in stream depletion greater than 25 percent of the rate of appropriation, if the point of appropriation is a horizontal distance less than one mile from the surface water source.

According to the Department's rules, the potential for substantial interference is assumed if (a) and either (b) or (c) or (d) or (e) are met. For this application, the Department determined that there is no potential for substantial interference, because either (a) is not met, or (b), (c), (d) or (e) are not met, or both.

A well (SHER 295) in Columbia River Basin is not within or above a State Scenic Waterway.

The Department finds that the amount of water requested, 1.0 CFS, is an acceptable amount.

The proposed ground water use is not within a designated critical ground water area.

Conclusions of Law

Under the provisions of ORS 537.621, the Department must presume that a proposed use will ensure the preservation of the public welfare, safety and health if the proposed use is allowed in the applicable basin program established pursuant to ORS 536.300 and 536.340 or given a preference under ORS 536.310(12), if water is available, if the proposed use will not injure other water rights and if the proposed use complies with rules of the Water Resources Commission.

The proposed use requested in this application is allowed in the Deschutes Basin Program, or a preference for this use is granted under the provisions of ORS 536.310(12).

Water is available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with other rules of the Water Resources Commission not otherwise described above.

The application is in compliance with the State Agency Coordination Program regarding land use.

No proposed flow rate and duty of water higher than the general basin-wide standard is needed.

For these reasons, the required presumption has been established.

Under the provisions of ORS 537.621, once the presumption has been established, it may be overcome by a preponderance of evidence that either:

(a) One or more of the criteria for establishing the presumption are not satisfied; or

(b) The proposed use would not ensure the preservation of the public welfare, safety and health as demonstrated in comments, in a protest . . . or in a finding of the department that shows:

(A) The specific aspect of the public welfare, safety and health under ORS 537.525 that would be impaired or detrimentally affected; and

(B) Specifically how the identified aspect of the public welfare, safety and health under ORS 537.525 would be impaired or be adversely affected.

In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

The Department therefore concludes that the proposed use would ensure the preservation of the public welfare, safety and health as described in ORS 537.525.

When issuing permits, ORS 537.628(1) authorizes the Department to include limitations and conditions which have been determined necessary to protect the public welfare, safety, and health. The attached draft permit is conditioned accordingly.

Recommendation

The Department recommends that the attached draft permit be issued with conditions.

DATED November 29, 2011

E. Timothy Wallin, Water Rights Program Manager
for Phillip C. Ward, Director
Water Resources Department

Protests

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for ground water), you can protest this Proposed Final Order. Protests must be received in the Water Resources Department no later than **January 13, 2012**. Protests must be in writing, and must include the following:

- Your name, address, and telephone number;
- A description of your interest in the Proposed Final Order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in the Proposed Final Order would impair or be detrimental to your interest;
- A detailed description of how the Proposed Final Order is in error or deficient, and how to correct the alleged error or deficiency;

- Any citation of legal authority to support your protest, if known;

- To affect the department's determination that the proposed use in this application will, or will not, ensure the preservation of the public welfare, safety and health as described in ORS 537.525, ORS 537.621(2)(b) requires that a protest demonstrate, by a preponderance of evidence any of the following: (a) One or more of the criteria for establishing the presumption are, or are not, satisfied; or (b) The specific aspect of the public welfare, safety and health under ORS 537.525 that would be impaired or detrimentally affected, and specifically how the identified aspect of the public welfare, safety and health under ORS 537.525 would be impaired or be adversely affected;

- If you are the applicant, the protest fee of $300 required by ORS 536.050; and

- If you are not the applicant, the protest fee of $600 required by ORS 536.050 and proof of service of the protest upon the applicant.

- If you are the applicant, a statement of whether or not you are requesting a contested case hearing. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the Proposed Final Order.

- *If you do not protest this Proposed Final Order and if no substantive changes are made in the Final Order, you will not have an opportunity for judicial review, protest or appeal of the Final Order when it is issued.*

Requests for Standing

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for ground water), persons other than the applicant who support a Proposed Final Order can request standing for purposes of participating in any contested case proceeding on the Proposed Final Order or for judicial review of a Final Order.

Requests for standing must be received in the Water Resources Department no later than **January 13, 2012**. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;

- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;

- A statement that the requester supports the Proposed Final Order as issued;

- A detailed statement of how the requester would be harmed if the Proposed Final Order is modified; and

- A standing fee of $150. If a hearing is scheduled, an additional fee of $350 must be submitted along with a request for intervention.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been submitted and either:

- upon review of the issues, the director finds that there are significant disputes related to the proposed use of water, or

- the applicant requests a contested case hearing within 30 days after the close of the protest period.

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

This document was prepared by Jeana Eastman. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 503-986-0859.

If you have questions about how to file a protest or a request for standing, please refer to the respective sections in this Proposed Final Order entitled "Protests" and "Requests for Standing". If you have previously filed a protest and want to know its 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 97301-1266, Fax: 503-986-0901.

STATE OF OREGON

COUNTY OF SHERMAN

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

DOUGLAS MARTIN
THOMSON S. MARTIN
WILLIAM MARTIN
PO BOX 201
RUFUS, OR 97050

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

APPLICATION FILE NUMBER: G-17475

SOURCE OF WATER: A WELL (SHER 295) IN COLUMBIA RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 120.0 ACRES

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JULY 7, 2011

WELL LOCATION: NE ¼ NE ¼, SECTION 11, T2N, R16E, W.M.; 1243 FEET SOUTH AND 752 FEET WEST FROM NE CORNER, SECTION 11

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW ¼ NE ¼ 0.5 ACRE
SE ¼ NE ¼ 31.1 ACRES
NE ¼ SE ¼ 28.7 ACRES
NW ¼ SE ¼ 29.2 ACRES
SW ¼ SE ¼ 2.1 ACRES
SE ¼ SE ¼ 2.4 ACRES
SECTION 11

SW ¼ NW ¼ 21.8 ACRES
SE ¼ NW ¼ 4.2 ACRES
SECTION 12
TOWNSHIP 2 NORTH, RANGE 16 EAST, W.M.

Measurement, recording and reporting conditions:

A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the meter in good working order.

B. The permittee shall keep a complete record of the amount of water diverted each month, and shall submit a report which includes the recorded report 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.

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

D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

Dedicated Measuring Tube: Wells with pumps shall be equipped with an unobstructed, dedicated measuring tube pursuant to figure 200-5 in OAR 690-200.

The well(s) shall produce ground water only from a single aquifer in Columbia River Basalt ground water reservoir.

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured during February 1 through March 31. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial February/March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

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. Measurements shall be submitted on forms provided by,

or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

A. Associate each measurement with an owner's well name or number and a Department well log ID; and
B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
C. Specify the method of 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 restricted use shall continue until the water level rises above the decline level which triggered the action or 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 causing substantial interference with senior water rights. The water user shall not 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.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

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 be subject to cancellation, 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 well(s) 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.

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet state or federal water quality standards due to reduced flows.

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 to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data 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 practical technologies or conservation practices to achieve this end.

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

Completion of construction and application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued

DRAFT - THIS IS NOT A PERMIT

E. Timothy Wallin, Water Rights Program Manager
for Phillip C. Ward, Director
Water Resources Department

Mailing List for PFO Copies

Application #G-17475 PFO Date November 29, 2011

Original mailed to applicant:

DOUGLAS MARTIN, THOMSON S. MARTIN, WILLIAM MARTIN , PO BOX 201, RUFUS, OR 97050

Copies sent to:
1. WRD - File # G-17475
2. Water Availability: Ken Stahr

Copies Mailed
By: _____ (SUPPORT STAFF)
on: 11/29/11 (DATE)

PFO and Map Copies sent to:
3. WRD - Watermaster # 3
4. Regional Manager: NC

Protest/
Standing Dates
checked
_____

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

1. Toll, Larry, CWRE #132
Tenneson Engineering Corp, 3313 W 2nd Street, Suite 100, The Dalles OR 97058-4186

CASEWORKER : jme

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

September 23, 2011

DOUGLAS MARTIN
THOMSON S. MARTIN
WILLIAM MARTIN
PO BOX 201
RUFUS, OR 97050

Reference: File G-17475

Dear Applicant:

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 application proposed the appropriation of 1.0 cubic foot per second (CFS) of water from a well (SHER 295) in Columbia River Basin for supplemental irrigation of 120.0 acres April 1 through October 31 of each year.

2. The proposed use is not prohibited by law or rule except where otherwise noted below.

3. The appropriation of water from a well (SHER 295) in Columbia River Basin for supplemental irrigation is allowable under the Deschutes Basin Program.

4. Ground water will likely be available within the capacity of the resource, and if properly conditioned, the proposed use of ground water will avoid injury to existing ground water rights.

   The Department has determined, based upon OAR 690-009, that the proposed ground water use will not have the potential for substantial interference with any surface water source.

Summary of Initial Determinations

The appropriation of 1.0 CFS from a well (SHER 295) in Columbia River Basin for supplemental irrigation of 120.0 acres is allowable during the full period requested, April 1 through October 31 of each year.

Because of these favorable determinations, the Department can now move your application to the next phase of the water-rights application review process, where public interest factors will be evaluated.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a Proposed Final Order.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a $200 processing charge per application). To accomplish this you must notify the Department in writing by **Friday, October 7, 2011**. For your convenience you may use the enclosed "STOP PROCESSING" form.

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

1.Measurement, recording and reporting conditions:

A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the meter in good working order.

B. The permittee shall keep a complete record of the amount of water diverted each month, and shall submit a report which includes the recorded report 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.

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

D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

2.Dedicated Measuring Tube: Wells with pumps shall be equipped with an unobstructed, dedicated measuring tube pursuant to figure 200-5 in OAR 690-200.

3. The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured during February 1 through March 31. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial February/March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

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. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

A. Associate each measurement with an owner's well name or number and a Department well log ID; and
B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
C. Specify the method of 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 restricted use shall continue until the water level rises above the decline level which triggered the action or 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 causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

4. The well(s) shall allow production only from a single aquifer in the Columbia River Basalt ground water reservoir.

5. Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

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

The water source identified in your application may be affected by an Agricultural Water Quality Management Area Plan. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders, and help to ensure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to explore ODA's Water Quality Program web site at http://www.oregon.gov/ODA/NRD/water_agplans.shtml to learn more about the plans and how they may affect your proposed water use.

If you have any questions:

Feel free to call me at 503-986-0859 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: Jeana Eastman, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,

Jeana Eastman
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

G-17475
WAB 5-
POU 5-
GW

APPLICATION FACT SHEET

Application File Number: G-17475

Applicant: DOUGLAS MARTIN, THOMSON S. MARTIN, WILLIAM MARTIN

County: Sherman

Watermaster: 3

Priority Date: July 7, 2011

Source: A WELL (SHER 295) IN COLUMBIA RIVER BASIN

Use: SUPPLEMENTAL IRRIGATION OF 120.0 ACRES

Quantity: 1.0 CUBIC FOOT PER SECOND

Basin Name & Number: Deschutes, #5

Stream Index Reference: Volume 3 COLUMBIA R & MISC

Point of Diversion or Well Location(s): NENE, SECTION 11, T2N, R16E, W.M.;1243 FEET SOUTH AND 752 FEET WEST FROM NE CORNER, SECTION 11

Place of Use:

SW ¼ NE ¼ 0.5 ACRE
SE ¼ NE ¼ 31.1 ACRES
NE ¼ SE ¼ 28.7 ACRES
NW ¼ SE ¼ 29.2 ACRES
SW ¼ SE ¼ 2.1 ACRES
SE ¼ SE ¼ 2.4 ACRES
SECTION 11

SW ¼ NW ¼ 21.8 ACRES
SE ¼ NW ¼ 4.2 ACRES
SECTION 12
TOWNSHIP 2 NORTH, RANGE 16 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, October 7, 2011

PUBLIC NOTICE DATE: Tuesday, September 27, 2011

30 DAY COMMENT DEADLINE DATE: Thursday, October 27, 2011

Mailing List for IR Copies

Application #G-17475 IR Date: September 23, 2011

Original mailed to applicant:

DOUGLAS MARTIN, THOMSON S. MARTIN, WILLIAM MARTIN , PO BOX 201, RUFUS, OR 97050

Copies sent to:
1. WRD - File # G-17475
2. WRD - Water Availability: Ken Stahr

Copies Mailed
By: LA
(SUPPORT STAFF)
on: 9/23/11
(DATE)

IR, Map, and Fact Sheet Copies sent to:
3. WRD - Regional Manager (not SCR): NC
4. WRD -Watermaster # 3

Affected Landowners (include "Notice of Initial Review--Affected Landowner"):
1. Sherman County Community Development & Planning
PO Box 381, Moro OR 97039

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

1. Toll, Larry, CWRE #132

Tenneson Engineering Corp, 3313 W 2nd Street, Suite 100, The Dalles OR 97058-4186

Caseworker: Jeana Eastman

COPYSHT.IR

Jeana Eastman

From: Larry Toll [LToll@tennesoneng.com]
Sent: Wednesday, August 10, 2011 2:46 PM
To: Marc Norton
Cc: Jeana Eastman
Subject: RE: Groundwater Applicaiton G-17475 for Martin
Attachments: Amended_appl_pages.pdf; Amended_appl_map.pdf

Marc (and Jeana),,

OOPS, Thank you for catching that mistake. I got the incorrect well log listed in the application. This application should have been filed on SHER 296, the same well that was denied under T-11027. I talked to William Martin and confirmed that the application is in error and that I would be making the corrections.

Attached are amended pages 4 and 5 of the application, a SHER 296 well log and a revised application map. (Jeana, originals are being mailed to you today)

Thanks again Marc and hope the deck work got completed.

Larry
Larry Toll, P.E., W.R.E.
Tenneson Engineering Corporation
3313 West 2nd Street, Suite 100
The Dalles, OR 97058
Phone: 541-296-9177
Fax: 541-296-6657
E-mail: ltoll@tennesoneng.com

RECEIVED
AUG 10 2011
WATER RESOURCES DEPT
SALEM, OREGON

From: Marc Norton [mailto:nortonma@wrd.state.or.us]
Sent: Monday, August 08, 2011 4:42 PM
To: Larry Toll
Subject: Groundwater Applicaiton for Martin

Hi Larry,

I would have called on Wednesday, but I will be home working on my deck. I am reviewing the application for the Martin Brothers near Rufus. This the same property that the Department denied a transfer because the wells were in different aquifers, but different well, correct? At first glance, it appears that the Martins are requesting supplemental use from two wells in the same aquifer, based on very little information.

Transfer 11027 Wells SHER 296 & SHER 50249

G-17475 Wells SHER 295 & SHER 50249

I know that when I met Mr. Martin (Bill) out at the wells, there was some confusion about which well log goes with which well. I was not able to measure SHER 296. I measured the water level in SHER 50249 and did not visit SHER 295.

I am going to out that way next week, it may be a good idea to try and measure water levels in the Martin wells, these three at least. Maybe more if time allows. What are your thoughts?

My next day in the office is next Monday, August 15th.

Marc

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

☒ Yes
- ☒ There are no encumbrances. **Own all irrigated land.**
- ☐ This land is encumbered by easements, rights of way, roads or other encumbrances.

☒ No
- ☒ I have a recorded easement or written authorization permitting access. **For crossing county roads**
- ☐ 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 irrigation and/or domestic use only (ORS 274.040).
- ☐ Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners *(attach additional sheets if necessary)*.

Easement across County roads: Sherman County Community Development and Planning
PO Box 381
Moro, OR 97039

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SALEM, OREGON

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE: DISTANCE TO NEAREST SURFACE WATER	IF LESS THAN 1 MILE: ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
SHER 296	Unnamed Drainage	200 feet	21 feet

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials *(attach additional sheets if necessary)*.

RECEIVED
AUG 10 2011
WATER RESOURCES DEPT
SALEM, OREGON

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

RECEIVED
MAR 30 1970
STATE ENGINEER
SALEM, OREGON

WATER WELL REPORT

RECEIVED
APR - 6 1970
STATE ENGINEER
SALEM, OREGON

STATE OF OREGON (Please type or print) (Please do not write above this line)

State Well No. 2N/16-11

State Permit No. .....

(1) OWNER:

Name Allen Tom

Address Rufus, Ore

(2) TYPE OF WORK (check):

New Well ☑ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☑ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

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

CASING INSTALLED:

Threaded ☐ Welded ☐

10" Diam. from 0 ft. to 21 ft. Gage .1025

..." Diam. from ..... ft. to ..... ft. Gage .....

..." Diam. from ..... ft. to ..... ft. Gage .....

PERFORATIONS:

Perforated? ☐ Yes ☒ No.

Type of perforator used .....

Size of perforations ..... in. by ..... in.

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

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name .....

Type ..... Model No. .....

Diam. ..... Slot size ..... Set from ..... ft. to ..... ft.

Diam. ..... Slot size ..... Set from ..... ft. to ..... ft.

(8) WATER LEVEL: Completed well.

Static level 40' ft. below land surface Date Feb 27, '70

Artesian pressure ..... lbs. per square inch Date .....

(9) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☑ Yes ☐ No If yes, by whom? Columbia Pump

Yield: 200 gal./min. with 120 ft. drawdown after 4 hrs.

" " " "

" " " "

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

Artesian flow ..... g.p.m. Date .....

Temperature of water 56° Was a chemical analysis made? ☐ Yes ☒ No

(10) CONSTRUCTION:

Well seal—Material used Cement Grout

Depth of seal 21' ft.

Diameter of well bore to bottom of seal 14 in.

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

Was a drive shoe used? ☐ Yes ☒ No

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? ..... depth of strata .....

Method of sealing strata off .....

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

Gravel placed from ..... ft. to ..... ft.

(11) LOCATION OF WELL:

County Sherman Driller's well number 1

¼ ¼ Section 11 T. 2N R. 16E W.M.

Bearing and distance from section or subdivision corner .....

(12) WELL LOG:

Diameter of well below casing 8 3/4"

Depth drilled 170' ft. Depth of completed well 170' ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
Soil, Br. Heavy	0	4	
Claystone, Gray	4	11	
Basalt, Red	11	30	
Basalt, Blk	30	110	
Basalt, Brown Broken Soft	110	115	(water)
Basalt, Black Hd	115	120	
Basalt, Soft Br, Blk Broken	120	125	(water)
Basalt, Blk	125	150	
Basalt, Broken, Blk, Br	150	165	(water)
Basalt, Gray Hd	165	170	

Work started Feb 21 1970 Completed Feb 27 1970

Date well drilling machine moved off of well Feb 28 1970

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Don Casey (Drilling Machine Operator) Date Mar 17, 1970

Drilling Machine Operator's License No. 640

Water Well Contractor's Certification:

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

NAME Project Corporation (Person, firm or corporation) (Type or print)

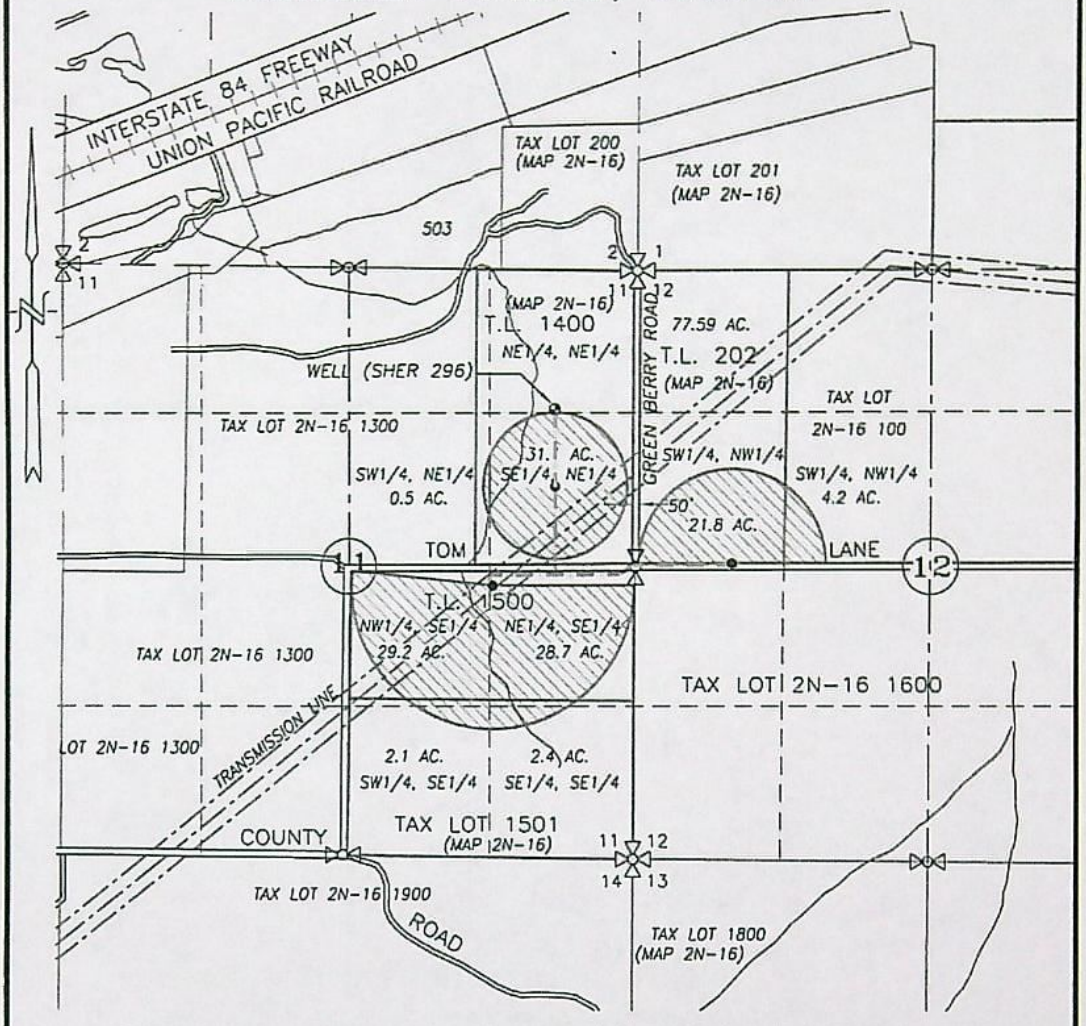
Address One South Second, Walla Walla

[Signed] Gary Wiseman by JK (Water Well Contractor)

Contractor's License No. 527 Date 3/24/, 1970

(USE ADDITIONAL SHEETS IF NECESSARY)

SECTION 11, TWP.2 N. RANGE 16 E. W.M.
SHERMAN COUNTY, OREGON



WELL (SHER 296) 1243' SOUTH & 752' WEST OF NE COR. SEC. 11

APPLICATION AREA FOR SUPPLEMENTAL IRRIGATION = 120.0 ACRES

IRRIGATION MAIN

APPLICATION MAP FOR
FOR GROUNDWATER

SCALE: 1"= 1320'

0' 660' 1320' 2640'

RECEIVED
AUG 10 2011
WATER RESOURCES DEPT
SALEM, OREGON

APPLICATION No. _____

PERMIT No. _____

IN THE NAME OF:

WILLIAM, DOUGLAS & THOMSON MARTIN

DATE: DECEMBER 23, 2010
AMENDED AUGUST 10, 2011

CERTIFIED WATER RIGHT EXAMINER
132
LARRY M. TOLL
NOV. 19, 1987
STATE OF OREGON

EXPIRES: 06/30/2012

NOTE:
"THIS MAP IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES."

BY: TENNESON ENGINEERING CORP.
3313 W. 2ND. STREET, SUITE 100
THE DALLES, OREGON. 97058
PH. (541) 296-9177
FAX (541) 296-6657

W.O. #12508wr2(App)

TENNESON
ENGINEERING CORPORATION
CONSULTING ENGINEERS • SURVEYORS • PLANNERS

3313 WEST SECOND STREET, SUITE 100
THE DALLES, OR 97058

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

LETTER OF TRANSMITTAL

TO: Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Date: 08/10/2011	**Work Order** 12508
Attention Jenna Eastman	
RE: Application G-17475	

ENCLOSED ARE THE FOLLOWING:

QUANTITY	DESCRIPTION
1	AMENDED APPLICATION PAGE 4
1	AMENDED APPLICATION PAGE 5
1	AMENDED APPLICATION MAP
1	CORRECT WELL LOG, SHER296

THESE ARE TRANSMITTED (as checked below)

[X] For approval [ ] As requested [X] Filing/Recording
[ ] For your use [ ] Approved as noted [X] For your review & approval

Remarks:		
	SF Blueline	
	SF Mylar	
	Xerox	
	Tube, Mailer, Etc.	
	P & H	
	TOTAL	

PICKED UP BY:
DELIVERED BY:
COPY TO: Bill Martin w/ 1 of each

BY: Larry M. Toll, C.W.R.E
ltoll@tennesoneng.com

If enclosures are not as noted, please notify us at once.

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AUG 1 1 2011
WATER RESOURCES DEPT
SALEM, OREGON

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

☒ Yes
- ☒ There are no encumbrances. **Own all irrigated land.**
- ☐ This land is encumbered by easements, rights of way, roads or other encumbrances.

☒ No
- ☒ I have a recorded easement or written authorization permitting access. **For crossing county roads**
- ☐ 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 irrigation and/or domestic use only (ORS 274.040).
- ☐ Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners *(attach additional sheets if necessary)*.

Easement across County roads: Sherman County Community Development and Planning
PO Box 381
Moro, OR 97039

SECTION 3: WELL DEVELOPMENT

		IF LESS THAN 1 MILE:	
WELL NO.	NAME OF NEAREST SURFACE WATER	DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
SHER 296	Unnamed Drainage	200 feet	21 feet

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials *(attach additional sheets if necessary)*.

RECEIVED
AUG 11 2011
WATER RESOURCES DEPT
SALEM, OREGON

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Basalt

Total maximum rate requested: 1.0 cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

Complete the table below. If this is an existing well, the following information may be found on the applicable well log. *(If a well log is available, please submit it in addition to completing the table.)* If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner.

										PROPOSED USE			
OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
Well	☐	☒	SHER 296	☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

*** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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AUG 1 1 2011
WATER RESOURCES DEPT
SALEM, OREGON

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

RECEIVED MAR 30 1970 STATE ENGINEER SALEM, OREGON

RECEIVED APR - 6 1970 STATE ENGINEER SALEM, OREGON

WATER WELL REPORT
STATE OF OREGON (Please type or print) (Do not write above this line)

State Well No. 2N/16-11

State Permit No. ____

SHER

SHER

(1) OWNER:
Name Allen Tom
Address Rufus, Ore

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

(3) TYPE OF WELL:
Rotary ☑ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

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

CASING INSTALLED:
Threaded ☐ Welded ☐
10 " Diam. from 0 ft. to 21 ft. Gage .1025
" Diam. from ____ ft. to ____ ft. Gage ____
" Diam. from ____ ft. to ____ ft. Gage ____

PERFORATIONS:
Perforated? ☐ Yes ☑ No.
Type of perforator used
Size of perforations ____ in. by ____ in.
____ perforations from ____ ft. to ____ ft.
____ perforations from ____ ft. to ____ ft.
____ perforations from ____ ft. to ____ ft.
____ perforations from ____ ft. to ____ ft.
____ perforations from ____ ft. to ____ ft.

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

(8) WATER LEVEL: Completed well.
Static level 40' ft. below land surface Date Feb 27, '70
Artesian pressure ____ lbs. per square inch Date ____

(9) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? ☑ Yes ☐ No If yes, by whom? Columbia Pump
Yield: 200 gal./min. with 120 ft. drawdown after 4 hrs.
" " " "
" " " "
Bailer test ____ gal./min. with ____ ft. drawdown after ____ hrs.
Artesian flow ____ g.p.m. Date ____
Temperature of water 56° Was a chemical analysis made? ☐ Yes ☑ No

(10) CONSTRUCTION:
Well seal—Material used Cement Grout
Depth of seal 21' ft.
Diameter of well bore to bottom of seal 14 in.
Were any loose strata cemented off? ☐ Yes ☑ No Depth ____
Was a drive shoe used? ☐ Yes ☑ No
Did any strata contain unusable water? ☐ Yes ☑ No
Type of water? ____ depth of strata ____
Method of sealing strata off
Was well gravel packed? ☐ Yes ☑ No Size of gravel: ____
Gravel placed from ____ ft. to ____ ft.

(11) LOCATION OF WELL:
County Sherman Driller's well number 1
¼ ¼ Section 11 T. 2N R. 16E W.M.
Bearing and distance from section or subdivision corner

(12) WELL LOG:
Diameter of well below casing 8¾"
Depth drilled 170' ft. Depth of completed well 170' ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
Soil, Br. Heavy	0	4	
Claystone, Gray	4	11	
Basalt, Red	11	30	
Basalt, Blk	30	110	
Basalt, Brown Broken Soft	110	115	(Water)
Basalt, Black Hd	115	120	
Basalt, Soft Br, Blk Pieces	120	125	(water)
Basalt, Blk	125	150	
Basalt, Broken, Blk, Br	150	165	(water)
Basalt, Gray Hd	165	170	

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AUG 1 1 2011
WATER RESOURCES DEPT
SALEM, OREGON

Work started Feb 21 1970 Completed Feb 23 1970
Date well drilling machine moved off of well Feb 23 1970

Drilling Machine Operator's Certification:
This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] Don Carey (Drilling Machine Operator) Date Mar 17, 1970
Drilling Machine Operator's License No. 640

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
NAME Project Corporation (Person, firm or corporation) (Type or print)
Address One South Second Walla Walla
[Signed] Gary Diesen by JK (Water Well Contractor)
Contractor's License No. 527 Date 3/24/ 1970

(USE ADDITIONAL SHEETS IF NECESSARY)

Application for a Permit to Use

Ground Water

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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME				PHONE (HM)
William, Douglas, and Thomson Martin				
PHONE (WK)	CELL			FAX
	541-980-5979			
ADDRESS				
PO Box 201				
CITY	STATE	ZIP	E-MAIL	
Rufus	OR	97050		

Organization Information

NAME			PHONE	FAX
ADDRESS				CELL
CITY	STATE	ZIP	E-MAIL	

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME			PHONE	FAX
Tenneson Engineering Corp (Attention: Larry Toll)			541-296-9177	541-296-6657
ADDRESS				CELL
3313 West Second Street, Suite 100				
CITY			E-MAIL	
The Dalles	OR	97058	ltoll@tennesoneng.com	

RECEIVED
JUL 07 2011
WATER RESOURCES DEPT
SALEM, OREGON

Note: Attach multiple copies as needed

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.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- 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 cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

I (we) affirm that the information contained in this application is true and accurate.

Applicant Signature	Print Name *and title if applicable*	Date
Douglas Martin	Douglas Martin	6/28/11
William Martin	William Martin	6/28/11
Thomson S. Martin	Thomson S. Martin	6/28/11

For Department Use

App. No. G 17475 Permit No. _____ Date _____

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

☒ Yes
- ☒ There are no encumbrances. **Own all irrigated land.**
- ☐ This land is encumbered by easements, rights of way, roads or other encumbrances.

☒ No
- ☒ I have a recorded easement or written authorization permitting access. **For crossing county roads**
- ☐ I do not currently have written authorization or easement permitting access.
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List the names and mailing addresses of all affected landowners *(attach additional sheets if necessary)*.

Easement across County roads: Sherman County Community Development and Planning
PO Box 381
Moro, OR 97039

SECTION 3: WELL DEVELOPMENT

		IF LESS THAN 1 MILE:	
WELL NO.	NAME OF NEAREST SURFACE WATER	DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
SHER 295	Unnamed Drainage	200 feet	21 feet

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RECEIVED
JUL 07 2011
WATER RESOURCES DEPT
SALEM, OREGON

G - 17475

G-1745

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Basalt

Total maximum rate requested: 1.0 cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

Complete the table below. If this is an existing well, the following information may be found on the applicable well log. *(If a well log is available, please submit it in addition to completing the table.)* If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner.

										PROPOSED USE			
OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
Well	☐	☒	SHER 295	☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

*** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Supplemental Irrigation	April 1 to October 31	360

Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.

For irrigation use only:
Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).

Primary: _____ Acres Supplemental: 120.0 Acres

List the Permit or Certificate number of the underlying primary water right(s): G-16285 (Permit Amendment T-11027) _____

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 360

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: _____
- If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

_____

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance
What equipment will you use to pump water from your well(s)?

☒ Pump (give horsepower and type): a total of about 60 hp if a submersible in well and centrifugal at the well head is used.

☐ Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Well will pump into existing mainlines that connect an existing full circle pivot and 2 existing half circle pivots

B. Application Method
What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
existing full circle pivot and 2 existing half circle pivots

C. Conservation
Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters.
Flow meter and center pivots

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SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

If you would like to store ground water in a reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir).*

Reservoir name: _____ Acreage inundated by reservoir: _____

Use(s): _____

Volume of Reservoir (acre-feet): _____ Dam height (feet, if excavated, write "zero"): _____

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

If you would like to use stored ground water from the reservoir, complete this section *(if more than one reservoir, reproduce this section for each reservoir).*

Annual volume (acre-feet): _____

USE OF STORED GROUND WATER	PERIOD OF USE

SECTION 8: PROJECT SCHEDULE

Date construction will begin: Started (Well constructed in 1970)

Date construction will be completed: Complete

Date beneficial water use will begin: 10/1/2011

SECTION 9: REMARKS

Use this space to clarify any information you have provided in the application *(attach additional sheets if necessary).*

This is well is to be used to make up any deficiency in the well under Application G-16803.

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Land Use Information Form

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

Applicant: William, Douglas, and Thomson (First) Martin (Last)

Mailing Address: PO Box 201

Rufus (City) OR (State) 97050 (Zip) Daytime Phone: 541-980-5979

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. 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.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
2 N	16 E	11	NE 1/4	1400		☒ Diverted	☒ Conveyed	☒ Used	Irrigation
		11	SE ¼	1500, 1501		☐ Diverted	☒ Conveyed	☒ Used	Irrigation
		12	NW ¼	100, 202		☐ Diverted	☒ Conveyed	☒ Used	Irrigation
						☐ Diverted	☐ Conveyed	☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Sherman County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

☒ Permit to Use or Store Water ☐ Water Right Transfer ☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License ☐ Allocation of Conserved Water ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: 1.0 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

An existing well that will be used in addition to another well to irrigate 120 acres of ground under an existing Full circle pivot and 2 half circle pivots.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

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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 that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Art. 3, Sec. 3.1 (a).

☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
None - permitted use	SCZO Art. 3, Sec. 3.1 (a)	☒ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

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Name: Georgia L. Macnab Title: Planning Director

Signature: Georgia L. Macnab Phone: 541-565-3601 Date: 6-29-11

Government Entity: Sherman County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, 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

Applicant name: William, Douglas & Tom Martin

City or County: Sherman Staff contact: Georgia L. Macnab

Signature: Georgia L. Macnab Phone: 541-565-3601 Date: 6-29-11

6-17475

EXHIBIT A

PARCEL 1:

Beginning at the Southwest corner of Section 1, Township 2 North, Range 16 East of the Willamette Meridian; thence North 1000 feet; thence Northeasterly in a straight line to a point which is 1670 feet, more or less, North of the Southeast corner of the Southwest quarter of said Section 1; thence South 1670 feet, more or less, to the Southeast corner of the Southwest quarter of said Section 1; thence West along said South line to the point of beginning.

PARCEL 2:

The Easterly 90 acres of the Northeast quarter of Section 11, Township 2 North, Range 16 of the Willamette Meridian, in the County of Sherman and State of Oregon.

PARCEL 3:

The Southeast quarter of Section 11, Township 2 North, Range 16 East of the Willamette Meridian, in the County of Sherman and State of Oregon, EXCEPTING THEREFROM the South 1485 feet, more or less, as conveyed to Charles Allen Tom et ux., by deed recorded in Book 42, page 98, Sherman County Deed Records.

MARTIN Chicken FARM Legal

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LEGAL DESCRIPTION

Rufus_Ranch_Legal_Description

TOWNSHIP 2 NORTH, RANGE 16 E.W.M., Sherman County, Oregon

Section 1: The South half of the Southeast quarter (S1/2 SE1/4); the South half of the Southwest quarter (S1/2 SW1/4), and a triangular piece following the bluff in the North half of the Southwest quarter (N1/2 SW1/4), excepting therefrom that certain property conveyed by Charles A. Tom and Lorraine V. Tom, husband and wife, grantors, unto Tom Farms, Inc., an Oregon corporation, by a warranty deed dated June 26, 1974, and recorded in Book 42, page 79, Sherman County Deed Records.

Section 2: The Southeast quarter of the Southeast quarter (SE1/4 SE1/4).

Section 11: The Southwest quarter (SW1/4); the West 70 acres of the West half of the Northeast quarter (W1/2 NE1/4); the East half of the Northwest quarter (E1/2 NW1/4); and the East 20 acres of the West half of the Northwest quarter (W1/2 NW1/4).

Section 12: The Northwest quarter (NW1/4) and the Northeast quarter (NE1/4).

TOWNSHIP 2 NORTH, RANGE 17 E.W.M., Sherman County, Oregon

Section 5: The Southwest quarter (SW1/4).

Section 6: The Southeast quarter (SE1/4); the South half of the Northwest quarter of the Southwest quarter (S1/2 NW1/4 SW1/4); the South half of the Southwest quarter (S1/2 SW1/4) and the Northeast quarter of the Southwest quarter (NE1/4 SW1/4).

Section 7: The Northwest quarter (NW1/4); the Northeast quarter (NE1/4) and the Southeast quarter (SE1/4).

Section 8: The Northwest quarter (NW1/4); the Southwest quarter (SW1/4) and the West half of the East half (W1/2 E1/2) lying West of the county road.

Section 17: All.

Section 18: The Northeast quarter (NE1/4).

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LEGAL DESCRIPTION

Property #1

Rufus Ranch Legal Description (cont'd)

ALSO, the Southerly 1,485 feet, more or less, of the Southeast quarter of Section 11, Township 2 North, Range 16 E.W.M., containing 90 acres, more or less, and also an easement for ingress and egress over the Easterly 75 feet of that portion of the Southeast quarter of Section 11, Township 2 North, Range 16 E.W.M. not herein conveyed.

EXCEPTING therefrom, a parcel of land being a portion of Sections 6 and 7, Township 2 North, Range 17 E.W.M., Sherman County, Oregon, described as follows with reference to the Oregon State Coordinate System, North Zone:

Beginning at a point which is South 89° 23' 14" East 2390.0 feet from the corner of Sections 1, 6, 7 and 12, Twp. 2 North, Ranges 16 and 17 E.W.M.; (Y=733,694.1, and X=1,936,325.8 U.S. Engineers) from the initial corner of notes and bounds North 56° 30' 30" East 1856.1 feet to the Northerly corner, South 0° 22' 50" East 1678.0 feet to the easterly corner, South 61° 08' 40" 1050.00 feet to Southerly corner, North 28° 51' 20" West 1325.00 feet to Westerly corner and point of beginning.

ALSO excepting therefrom, a parcel of land in the Southwest quarter of Section 6, Township 2 North, Range 17 E.W.M., Sherman, County, Oregon, containing 0.06 of an acre, more or less, and described as follows:

Beginning at a point which is North 52° 17' 00" East, 2110.3 feet from the Southwest corner of Section 6, Twp. 2 North, Range 17 E.W.M.; thence North 10° 41' 20" West 50 feet; thence North 79° 18' 40" East 50 feet; thence South 10° 41' 20" East 50 feet; thence South 79° 18' 40" West, 50 feet to the point of beginning. The bearings refer to the Oregon Coordinate System, North Zone. The Survey is shown on B.P.A. Drawing 141358, dated September 15, 1970.

STATE OF OREGON }
County of Sherman } ss.

I hereby certify that this document was received and recorded on June 19 1984 at 2:30 P.M. and assigned No. 960237 in the Microfilm Deed Records of said county.

Fee $20.00 M.C. $1.00 Recording $1.50

Linda Combs, County Clerk

by Jeanne Burk, Deputy

- 2 -

960237

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8

G-17475

080017

After Recording Deliver to:
Annala, Carey, Baker, Thompson & VanKoten, P.C.
Attorneys at Law, 305 Cascade Street
P.O. Box 325, Hood River, Oregon 97031

EASEMENTS FOR UNDERGROUND WATER PIPELINES

KNOW ALL MEN BY THESE PRESENTS, that SHERMAN COUNTY, OREGON, a political subdivision of the State of Oregon, hereinafter called "grantor," does hereby grant, bargain and convey unto **Thomson S. Martin, Douglas T. Martin,** and **William F. Martin,** as tenants in common, all hereinafter called "grantees," and unto grantees' heirs, successors and assigns, three nonexclusive, perpetual easements for underground water pipelines, to be used in common with grantor, grantees and others, 10 feet in even width, 5 feet on either side of the center line of three existing underground water pipelines going under the County Road known as Tom Lane for pipeline #1 and #2, and China Hollow Road for pipeline #3, and serving grantees' property lying on both sides of the County Road and contiguous therewith. Said easements shall be located as follows:

Pipeline Easement No. 1 intersects Tom Lane at a point approximately 690 feet West of the Northeast corner of the Southeast quarter of Section 11, Township 2 North, Range 16 East of the Willamette Meridian, in Sherman County, Oregon.

Pipeline Easement No. 2 intersects the intersection of Tom Lane and Greenberry Road diagonally running SW to NE at a point approximately 30 feet West of the Northeast corner of the Southeast quarter of Section 11, Township 2 North, Range 16 East of the Willamette Meridian, in Sherman County, Oregon.

Pipeline Easement No. 3 intersects China Hollow Road at a point approximately 10 feet South of the Northwest corner of the Southwest quarter, of the Northeast quarter of Section 7, Township 2 North, Range 17 East of the Willamette Meridian, in Sherman County, Oregon.

Said easements shall run with the land and be binding upon grantor, its successors and assigns, and shall be for the benefit of grantees' real property lying on both sides of the County Road and contiguous therewith.

TO HAVE AND TO HOLD said easements and rights of way unto the said grantees herein and unto grantees' heirs, successors and assigns, forever.

Grantees, by accepting this easement and the recordation thereof, agree to pay for the repair of the County Road and replace it in like condition should grantees find it necessary to disturb the roadway in order to repair any of the above described water pipelines.

The true and actual consideration given for this easement is $10.00 and other good and valuable consideration.

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IN WITNESS WHEREOF, the grantor has executed this instrument this 16 day of JAN., 2008.

GRANTOR: SHERMAN COUNTY, OREGON

By _____
Gary Thompson, Sherman County Judge

STATE OF OREGON)
) ss.
County of Sherman)

January 16, 2008

Personally appeared **GARY THOMPSON**, who, being duly sworn, did say that he is the County Judge for **SHERMAN COUNTY, OREGON**, and that said instrument was signed and sealed in behalf of and by authority of the County Court of **SHERMAN COUNTY, OREGON**, and he acknowledged said instrument to be its voluntary act and deed.

Before Me:

OFFICIAL SEAL
CAROL THOMPSON
NOTARY PUBLIC-OREGON
COMMISSION NO. 383393
MY COMMISSION EXPIRES AUG 18, 2008

_____
Notary Public for Oregon
My Commission Expires: Aug 18, 2008

STATE OF OREGON }
County of Sherman } ss.

I hereby certify that this document was received and recorded on 1-16-2008 at 4:20 P M and assigned No. 080017 in the Microfilm Deed Records of said county
A&T 11 LC 10 Recording 10/15
Linda Cornie, County Clerk
by _____ Deputy

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TENNESON
ENGINEERING CORPORATION
CONSULTING ENGINEERS • SURVEYORS • PLANNERS

3313 WEST SECOND STREET, SUITE 100
THE DALLES, OR 97058

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

LETTER OF TRANSMITTAL

TO: Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Date: 07/06/2011	Work Order 12508
Attention Water Right	
RE: New Groundwater Application	

ENCLOSED ARE THE FOLLOWING:

QUANTITY	DESCRIPTION
	(7 pgs) GROUNDWATER APPLICATION
	$1,650 APPLICATION FEE
	APPLICATION MAP
	(2 pgs) LAND USE INFORMATION
	(6 pgs) MISCELLANEOUS FORMS (Legal descriptions, Easements, Well logs, etc.)

THESE ARE TRANSMITTED (as checked below)

[ ] For approval [ ] As requested [X] Filing/Recording
[ ] For your use [ ] Approved as noted [ ] For your review & approval

Remarks:

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SF Blueline	
SF Mylar	
Xerox	
Tube, Mailer, Etc.	
P & H	
TOTAL	

PICKED UP BY:
DELIVERED BY:
COPY TO: Bill Martin w/ 1 copy of each

BY: Larry M. Toll, C.W.R.E
ltoll@tennesoneng.com

If enclosures are not as noted, please notify us at once.

Application for a Permit to Use

Ground Water

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

Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 (www.oregon.gov/owrd/law). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

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2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus $200. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is $300.00 for the applicant and $600.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed, the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department issues a Final Order consistent with the PFO. If the application is approved, a permit is issued that specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.615)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

- ☒ SECTION 1: applicant information and signature
- ☒ SECTION 2: property ownership
- ☒ SECTION 3: well development
- ☒ SECTION 4: water use
- ☒ SECTION 5: water management
- ☐ NA SECTION 6: storage of groundwater in a reservoir
- ☐ NA SECTION 7: use of stored groundwater from the reservoir
- ☒ SECTION 8: project schedule
- ☒ SECTION 9: remarks

Attachments:

- ☒ Land Use Information Form with approval and signature (*must be an original*) or signed receipt
- ☒ 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.
- ☒ Fees - Amount enclosed: $ 1650
  See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

Provide a map and check that each of the following items is included:

- ☒ Permanent quality and drawn in ink
- ☒ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- ☒ North Directional Symbol
- ☒ Township, Range, Section, Quarter/Quarter, Tax Lots
- ☒ Reference corner on map
- ☒ Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- ☒ Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- ☒ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- ☒ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- ☐ Other _____

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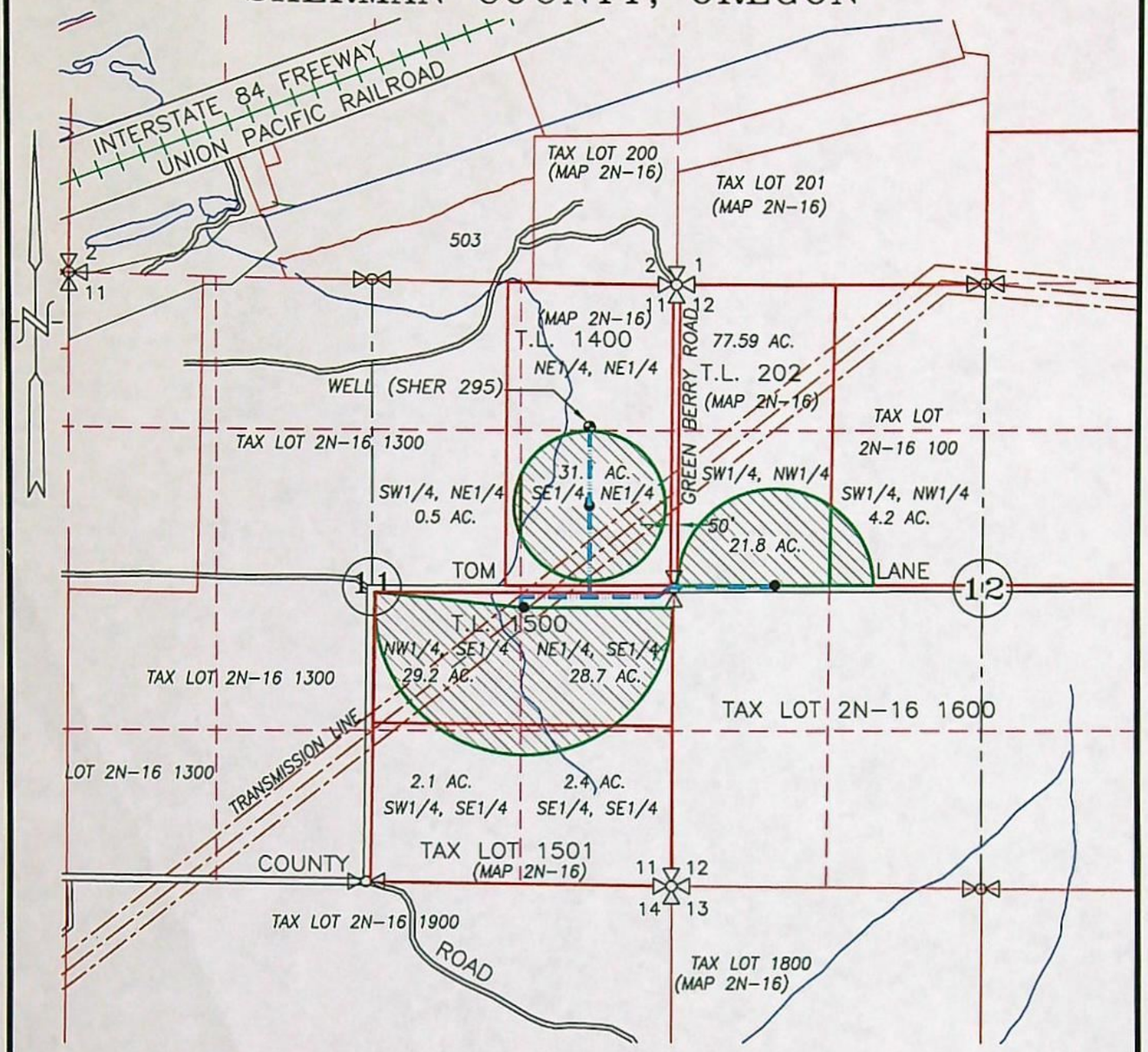
superseded by 8/11/11 map

SECTION 11, TWP.2 N. RANGE 16 E. W.M.
SHERMAN COUNTY, OREGON



WELL (SHER 295) 1243' SOUTH & 752' WEST OF NE COR. SEC. 11

APPLICATION AREA FOR SUPPLEMENTAL IRRIGATION = 120.0 ACRES

IRRIGATION MAIN

APPLICATION MAP FOR
FOR GROUNDWATER

SCALE: 1"= 1320'

0' 660' 1320' 2640'

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APPLICATION No. _____

PERMIT No. _____

IN THE NAME OF:

WILLIAM, DOUGLAS & THOMSON MARTIN

DATE: DECEMBER 23, 2010

CERTIFIED WATER RIGHT EXAMINER
132
LARRY M. TOLL
NOV. 19, 1987
STATE OF OREGON

EXPIRES: 06/30/2012

BY: TENNESON ENGINEERING CORP.
3313 W. 2ND. STREET, SUITE 100
THE DALLES, OREGON. 97058
PH. (541) 296-9177
FAX (541) 296-6657

NOTE:
"THIS MAP IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES."

W.O. #12508wr2(App)

G-17475

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

RECEIVED MAR 30 1970 STATE ENGINEER SALEM.

WATER WELL REPORT

STATE OF OREGON (Please type or print) Do not write above this line

RECEIVED APR - 6 1970 STATE ENGINEER SALEM, OREGON

State Well No. 2N/16-11

State Permit No. [redacted]295

(1) OWNER:
Name Allen Tom
Address Rufus, Ore

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

(3) TYPE OF WELL:
Rotary ☑ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☐

Wrong log
well is actually
Sher 296

CASING INSTALLED:
10" Diam. from 0 ft. to ...
..." Diam. from ... ft. to ...
..." Diam. from ... ft. to ...

PERFORATIONS:
Type of perforator used
Size of perforations in. by
... perforations from ... ft. to ... ft.
... perforations from ... ft. to ... ft.
... perforations from ... ft. to ... ft.
... perforations from ... ft. to ... ft.
... perforations from ... ft. to ... ft.

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

(8) WATER LEVEL: Completed well.
Static level 40 ft. below land surface Date Feb 26, '70
Artesian pressure lbs. per square inch Date

(9) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? ☑ Yes ☐ No If yes, by whom? Columbia pump
Yield 120 gal./min. with [redacted] ft. drawdown after 6 hrs.
" 213 " "
" " " "
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m. Date
Temperature of water 56° Was a chemical analysis made? ☐ Yes ☐ No

(10) CONSTRUCTION:
Well seal—Material used Cement Grout
Depth of seal 18' ft.
Diameter of well bore to bottom of seal 14 in.
Were any loose strata cemented off? ☐ Yes ☑ No Depth
Was a drive shoe used? ☐ Yes ☑ No
Did any strata contain unusable water? ☐ Yes ☑ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☑ No Size of gravel:
Gravel placed from ft. to ft.

(11) LOCATION OF WELL:
County Sherman Driller's well number 2
¼ ¼ Section 11 T. 2N R. 16E W.M.
Bearing and distance from section or subdivision corner

(12) WELL LOG:
Diameter of well below casing 8 3/4"
Depth drilled 280' ft. Depth of completed well 280' ft.

Description: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
Soil, Brown Heavy	0	5	
Basalt, Brown	5	32	
Basalt, Brown, Red	32	65	
Basalt, Blk	65	95	
" "	95	115	
Basalt soft Red	115	125	
Basalt, Blk	125	135	
Basalt, Gray, Hd	135	190	
Basalt, Blk, Brown, Pitka	190	197	
Basalt Gray	197	240	
Basalt, Broken Blk, Flinty Chert	240	255	Water
Basalt, Gray	255	280	

RECEIVED JUL 07 201 WATER RESOURCES DEPT SALEM, OREGON

Work started Feb 23 1970 Completed Feb 25 1970
Date well drilling machine moved off of well Feb 26 1970

Drilling Machine Operator's Certification:
This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Don Parry (Drilling Machine Operator) Date Mar 17 1970
Drilling Machine Operator's License No. 640

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Project Corporation (Person, firm or corporation) (Type or print)
Address One South Second, Walla Walla, Wn.
[Signed] [redacted] (Water Well Contractor)
Contractor's License No. 527 Date 3/24/ 1970

(USE ADDITIONAL SHEETS IF NECESSARY)

G-17475

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

RECEIVED MAR 30 1970 STATE ENGINEER SALEM.

WATER WELL REPORT

STATE OF OREGON (Please type or print) (Do not write above this line)

RECEIVED APR - 6 1970 STATE ENGINEER SALEM, OREGON

State Well No. 2N/16-11

State Permit No. [redacted]295

(1) OWNER:
Name Allen Tom
Address Rufus, Ore

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

(3) TYPE OF WELL:
Rotary ☑ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

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

(5) CASING INSTALLED:
Threaded ☐ Welded ☑
10" Diam. from 0 ft. to 18 ft. Gage .025
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

PERFORATIONS:
Perforated? ☐ Yes ☑ No.
Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

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

(8) WATER LEVEL: Completed well.
Static level 40 ft. below land surface Date Feb 26, '70
Artesian pressure lbs. per square inch Date

(9) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? ☑ Yes ☐ No If yes, by whom? Columbia Pump
Yield 120 gal./min. with [illegible] ft. drawdown after 6 hrs.
" 213 " "
" " " "
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m. Date
Temperature of water 56° Was a chemical analysis made? ☐ Yes ☐ No

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Well seal—Material used Cement Grout
Depth of seal 18' ft.
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Basalt, Gray	197	240	
Basalt, Broken Blk Flinty Chert	240	255	Water
Basalt, Gray.	255	280	

RECEIVED JUL 07 201 WATER RESOURCES DEPT. SALEM, OREGON

Work started Feb 23 1970 Completed Feb 25 1970
Date well drilling machine moved off of well Feb 26 1970

Drilling Machine Operator's Certification:
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[Signed] Don Parry (Drilling Machine Operator) Date Mar. 17, 1970
Drilling Machine Operator's License No. 640

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Project Corporation (Person, firm or corporation) (Type or print)
Address Rye South Second, Walla Walla, Wn.
[Signed] Ray Iverson JC (Water Well Contractor)
Contractor's License No. 527 Date 3/24/, 1970

(USE ADDITIONAL SHEETS IF NECESSARY)

G-17475

MARTIN FARMS, INC. 6039

oregon Water Resource Department 6/30/2011

water right permitt 1,650.00

RECEIVED
JUL 07 2011
WATER RESOURCES DEPT
SALEM, OREGON

Columbia River Bank 1,650.00

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 103329

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

INVOICE # _____

RECEIVED FROM: Martin Farms, Inc.

BY: _____

APPLICATION	G 17475
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # ☒ 10039 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D $ 1650.00

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	46111/46111	$
0410	RESEARCH FEES		$
0408	MISC REVENUE: (IDENTIFY)	_____	$
TC162	DEPOSIT LIAB. (IDENTIFY)	_____	$
0240	EXTENSION OF TIME		$

		EXAM FEE		RECORD FEE
	WATER RIGHTS:			
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$ 1250.00	0204	$ 400.00
0205	TRANSFER	$		

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

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY

		LIC NUMBER	
0233	POWER LICENSE FEE (FW/WRD)		$
0231	HYDRO LICENSE FEE (FW/WRD)		$
_____	HYDRO APPLICATION		$

_____ TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ $

RECEIPT: 103329 DATED: 7.7.11 BY: LAG

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

G-17475
William, Douglas and Thomson Martin
PO Box 201
Rufus, OR 97050