

G7

ASSIGNED

FILE#: G 14417

DANIEL A HOYT

BLUE MOUNTAIN GOLF COURSE
58020 HWY 203
UNION, OR 97883Application No. G14417Permit No. G12220

Certificate No. _____

Stream Index, Page No. _____

FEES PAID

Date	Amount	Receipt No.
11-27-96	\$500.5	8735
Ext. 6/14/02	100.00	53381
1/31/03	65.00	58068
9-18-03	100.00	62979
8-21-06	25.00	83575
8/27/08	50.00	93900
Date	Amount	Check No.

FEES REFUNDED

Date filed _____

Priority _____

Action suspended until CR6"on ext 20"

Return to applicant _____

Date of approval 11-28-97**CONSTRUCTION**Date for beginning 11-28-98

Date for completion _____

Extended to _____

Date for application of water 10-1-2001Extended to 10-1-03, 10-1-06**PROSECUTION OF WORK**

Form "A" filed _____

Form "B" filed _____

Form "C" filed _____

FINAL PROOF

Blank mailed _____

Proof received FPD 9/29/2006

Date certificate issued _____

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
11/31/03	Stanley Layne + Martha Lindley	62153 Matheson Rd, LaGrande		OR 97850
8/22/2006	Northwest Farm Credit Services P O B ox 2515 Spokane WA 99220-2515	Ethan E Janke and Rene N Janke 1334 Sunset Burbank WA 99323		

REMARKS**ASSIGNMENTS**

8/27/08

G-14417
ETHAN & RENE JANKE
285 PARADISE DR
BURBANK WA 99323

Fees Paid

4-12-23 \$120-140495

4.24.2023

James N. Orth 3045 10th Ct., Vero Beach, FL 32960-4908

Mailing List for Proposed Certificate

Scheduled Mailing Date:

Application: G-14417

Permit: G-13220

Certificate:

Permit/Certificate Holder:

✓ JAMES N. ORTH
3045 10TH CT
VERO BEACH, FL 32960-4908

Copies Mailed	
by:	 (STAFF)
on:	<u>06/13/2025</u> (DATE)

Copies of Final Certificate to be sent to:

- ✓ 1. Watermaster District 6
- 2. File

Other persons to receive copies: (include map):

- ✓ 1. GREGORY T. BLACKMAN, CWR 126 Ridge Dr La Grande 97850
- ✓ 2. Intermountain Realty, Inc.
Greg Sakos
1425 Campbell St.
Baker City, OR 97814



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

www.oregon.gov/owrd

Date Mailed: JUN 3 2025

Reference: Application G-14417 Permit G-13220

Enclosed is a proposed certificate of water right and map. The map and proposed certificate represent the extent water was used within the terms of the permit based upon Claims of Beneficial Use, prepared by a Certified Water Right Examiner, that either you or a previous permit holder submitted.

The certificate is the final step in the water right process. The Department encourages you to review these proposals. If you do not agree with the proposed certificate, Oregon Administrative Rule 690-330-010 (2) allows the permittee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If you agree with the proposed certificate, no response to this notice is required. Sometime after comment period, the recorded certificate of water right will be mailed to the permit holder of record.

If your name is not listed on the proposed certificate, and you are the current landowner, and would like to have the final certificate issued in your name, you may apply through the Department to have the permit assigned to you. If you have any questions about the assignment process, please contact Mary Bjork at 503-979-9895.

If you have any questions please contact Gerry Clark at 503-979-9103.

Sincerely,

Katherine Ratcliffe
Administrator
Water Right Services

CLARK Gerald E * WRD

From: CLARK Gerald E * WRD
Sent: Monday, March 3, 2025 12:10 PM
To: MARCY Phillip I * WRD
Cc: SEYMOUR Timothy R * WRD
Subject: SWL Reference Level Request - Application G-14417, Permit G-13220

Good Afternoon,

I am in the process of preparing to issue a certificate for the above referenced permit. The permit was issued to allow for the development of one well. I reviewed WRIS to make sure Groundwater had not set a reference level for this well, and they have not.

Here is a link to WRIS for Permit G-13220:
[Permit: G 13220 *](#)

Well
First March measurement was March 29, 2017.
Well [UNIO0050681](#)

Please review the data and let me know what you have determined the SWL references to be for this well.

Thank you in advance for your help with this!

Have a great day!

Gerry Clark
Program Analyst, Certificate Section, Water Right Services Division | Phone 503-979-9103

MEMO – 2014-2015 Certificate Project Proof to Satisfaction (Aug 7, 2014)

Application # <u>G-14417</u>	Permit # <u>G-13220</u>	Transfer #
WRD Reviewer <u>Jessica Joye</u>	Date <u>6/16/15</u>	
WRD Peer Reviewer <u>J Skaug</u>	Date <u>6/29/15</u>	

A Clark

2/27/2025

Research

- ☒ Organize file in chronological order
- ☒ Pull CBU Report & Map(s), Application Map, relevant Permit, Certificate, or Transfer Order, most recent Assignments, Extension Orders, SWL Measurements, Fish Screen Certification Documents, Water Use Reports & Pump Tests
- ☒ Search for Water Right Location using Interactive Mapper. Identify Tax Lots & check for Area of Interest (AOI)
- ☒ Water Organization identified using AOI? ☒ No ☐ Yes
If "Yes" cc: _____ & Add to Mailing List
- ☒ Print Tax Lot Map from ormap.net for the original Place of Use, and confirm Current Ownership & Address with County Assessor
If there is a new owner, Add to Mailing List, including the owner(s) name & tax lot number
- ☒ Print Platcard & check for Place of Use Conflict? ☒ No ☐ Yes
If "Yes", provide copy of certificate & relevant map
- ☒ Print BLM Cadastral Survey
- ☒ Does Claim Map identify correct DLC, Gov't Lots, QQ's? No ☒ Yes
If "No", either _____ WRD amend map OR _____ prepare Order of Certification

Reviewing Claim

Have conditions on relevant permit, certificate, or transfer order been complied with? Yes, No, OR N/A

- N/A Fish Conditions
- YES Meter/measuring device 2003-installed
- N/A Water Use Reporting
- NO Pump Test (post December 19, 1988) → Rejected 12/30/08
- N/A Other Conditions _____
- YES SWL 28'1"
- YES C-Date 9/18/06

YES Run Capacity Calculator and Print Findings (for pump, sprinklers, pipes, ditches, as appropriate)

NOTES:

Drilled
Well log - 5/7/03
C-Date - 10/1/01, extended to 10/1/06.
CBU - 9/29/06
SWL - 1st April 2003 - 27'51"
2nd March 13, 2005 - 28'1"
3rd March 22, 2006 - 28'

Pump test rejected.
Drafted cert & letter informing about rejected pump test.
swl Reference level set by GW swl = 28.08
DC 5/5/25

Determination

___ I've determined that the permit/transfer was fully developed as authorized and that a **FINAL** Certificate should be issued.

___ I've determined that the permit/transfer was not fully developed as authorized and that a **PROPOSED** Certificate should be issued. A proposed Certificate should be issued for the following reason(s):

___ I've determined that beneficial use was NOT made within the terms and conditions and that a **Proposed Order of Certification** (denial) should be issued. A proposed Order of Certification should be issued for the following reason(s):

Processing

___ Stamp PROPOSED or Assign CERT# _____ or ORDER OF CERTIFICATION (circle one)

___ Draft Certificates or Proposed Order of Certifications are available in the Application directory.

___ Prepare Mailing List. Include Applicant(s); Receiving Landowner(s); Current Owner(s); Water Organizations; CWRE. Indicate records to be marked.

___ Record marking:	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____

NOTES:

current owner: James N. Orth

3045 10th Ct

Vero Beach, FL 32900-4908

2/26/2025 per Assessor

James N Orth Revocable Trust

Same address as above

Contacted GW to establish SWR Reference level.

Pump Capacity Calculator

using Department designed formula: MAIN PUMP

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 40
Efficiency = 7.04
Lift = 27
PSI = 60

Results Calculated

$(hp)(\text{efficiency}) = 281.6$
Head based on psi = 152.4
Total dynamic head = 179.4
(head + lift)

Pump Capacity = 1.569 cubic feet per second ✓

claim = 1.56 cfs ✓

Pump Capacity Calculator

using Department designed formula: *Booster Pump*

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 10
Efficiency = 6.61
Lift = 100
PSI = 60

Results Calculated

$(hp)(\text{efficiency}) = 66.1$
Head based on psi = 152.4
Total dynamic head = 252.4
(head + lift)

Pump Capacity = 0.262 cubic feet per second ✓

Claim = 0.26 CFS ✓

Sprinkler Capacity Calculator

Data Entry (fill in underlined blanks)

Sprinkler group 1 Nozzle size = 1 1/64 inch (type an apostrophe before the size)
 Pressure = 60 PSI
 Number of heads = 50

Sprinkler group 2 Nozzle size = 3/16 inch (type an apostrophe before the size)
(if applicable) Pressure = 60 PSI
 Number of heads = 13

Sprinkler group 3 Nozzle size = 5/32 inch (type an apostrophe before the size)
(if applicable) Pressure = 60 PSI
 Number of heads = 40

Results calculated

Sprinkler group 1 capacity = 330 gpm, or 0.735 cfs *claim = 0.74 cfs ✓*
Sprinkler group 2 capacity = 101.4 gpm, or 0.226 cfs *claim = 0.23 cfs ✓*
Sprinkler group 3 capacity = 0 gpm, or 0.000 cfs ** claim = 0.50 cfs ✓*

Total sprinkler capacity = 431.4 gpm, or 0.961 cfs

Note: If entered values return a result of 0 gpm or "#N/A", then the sprinkler capacity chart does not contain a rate for that nozzle size and PSI.
A rough alternate calculation can be made using this formula:
 $28.93 \times (\text{orifice size in decimal, squared}) \times (\text{square root of pressure})$
(Source: rainbird.com)

* Rough calc:

$$(28.93)(0.15625)^2(\sqrt{60}) =$$

$$(28.93)(0.023)(7.75) = 5.22 \text{ gpm/sprinkler} \times 40 \text{ sprinklers} = 208.8 \text{ gpm}$$
$$= 0.47 \text{ cfs} -$$

Rainbird Nozzle Size Reference

<u>Nozzle #</u>	<u>Size (in)</u>
4	1/16
5	5/64
6	3/32
7	7/64
8	1/8
9	9/64
10	5/32
11	11/64
12	3/16
13	13/64
14	7/32
15	15/64
16	1/4
17	17/64
18	9/32
20	5/16
22	11/32
24	3/8
26	13/32
28	7/16
30	15/32
32	1/2
34	17/32
36	9/16
40	5/8
44	11/16

Property Address: 62153 MATHSON RD , COUNTY Assessor's Map

Property Owner: ORTH, JAMES N

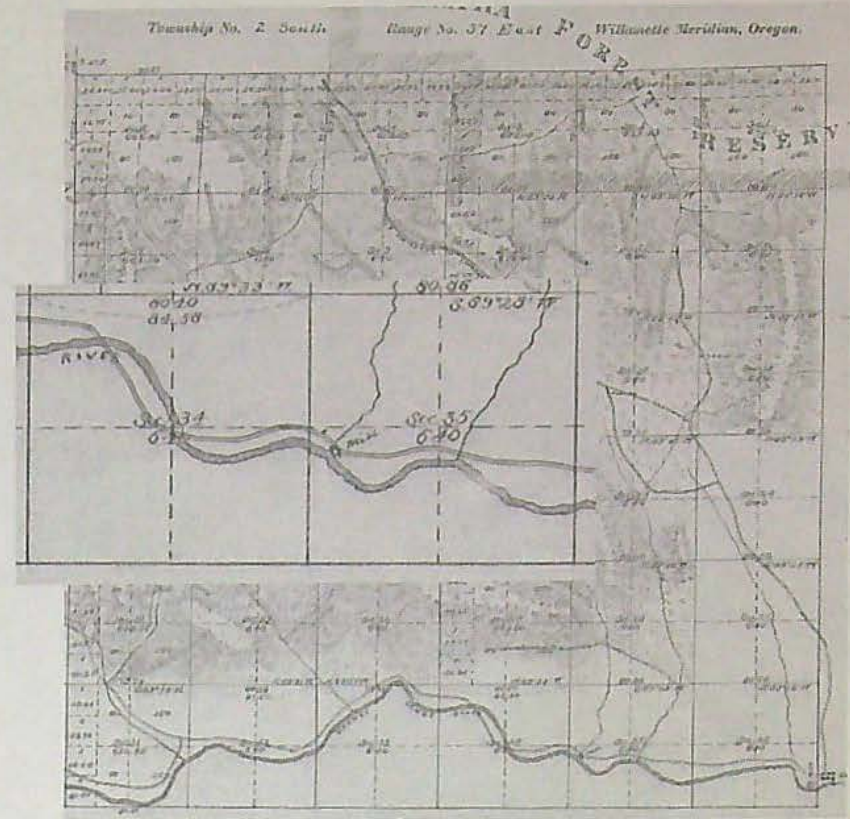
ETAL(s):

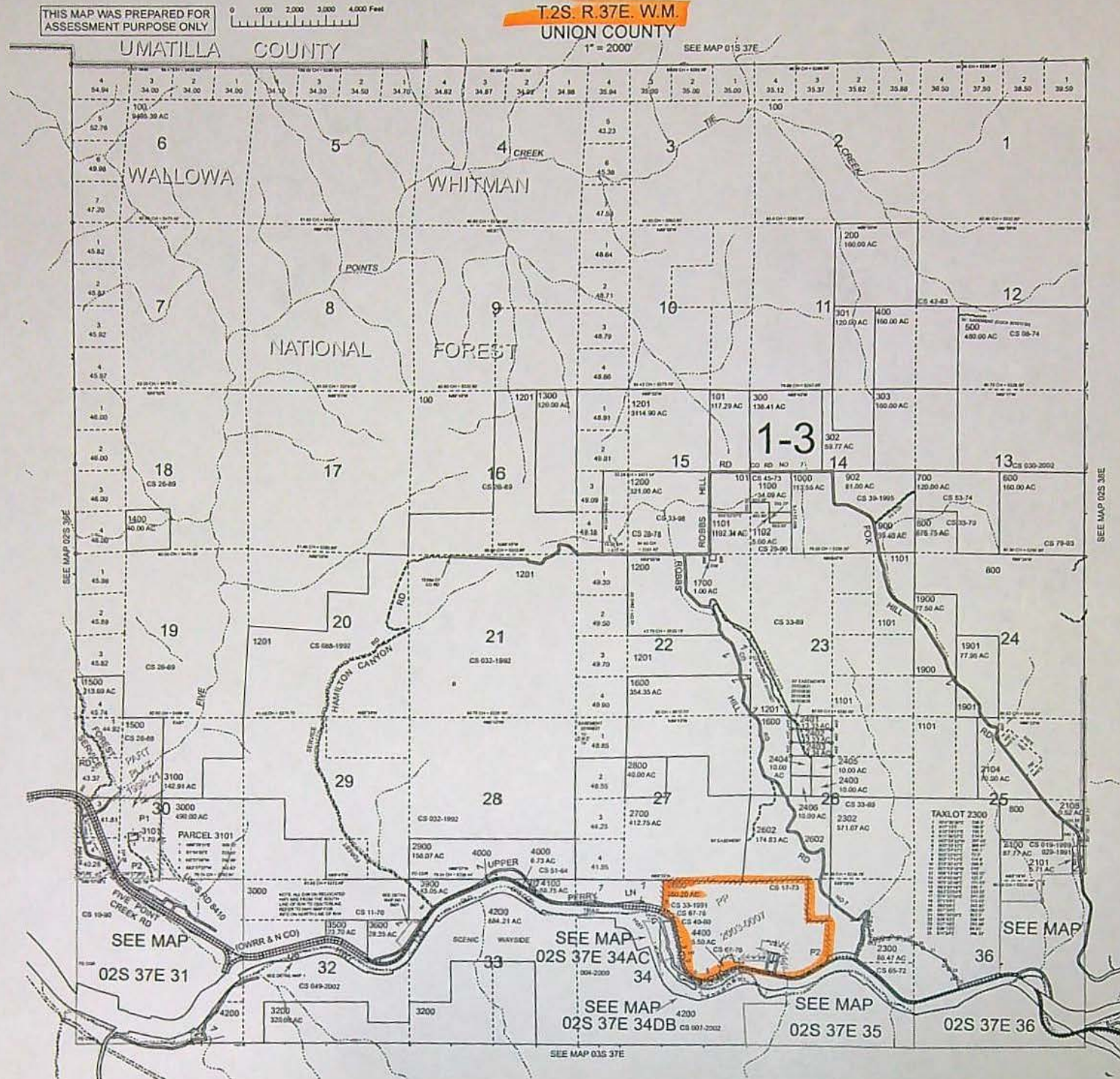
Mailing Address: 3045 10TH CT VERO BEACH FL 32960-4908

Property Address: 62153 MATHSON RD, COUNTY

Map Number: 02S37

Tax Lot Number: 2600





Water Rights Platcard Report

Meridian: Township: Range: Section: Records per Page: SearchPlatcards Maps!
Learn about • View Map

Water Right	Changing Xfers	Priority	Use	Use Status	Plat	Gov't Lot	QQ(49) Q(169)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE
Select Cert: 6293 OR CN		12/31/1889	DOMESTIC	CN				▲	▲	▲	▲												
Additional Info: GRANDE RONDE LUMBER CO. Decree: GRANDE RONDE RIVER, CONSOLIDATED Cert: 6293																							
Select Cert: 14534 OR *		6/24/1941	DOMESTIC																				
Additional Info: MIKE KLENG App: S19381 Permit: S14994 Cert: 14534																							
Select Cert: 51223 OR *		7/6/1971	DOMESTIC INCLUDING LAWN AND GARDEN																				
Additional Info: ADRIA TESKE App: S48399 Permit: S36344 Cert: 51223																							
Select Cert: 6293 OR CN		12/31/1889	INDUSTRIAL/MANUFACTURING USES	CN				▲	▲	▲	▲												
Additional Info: GRANDE RONDE LUMBER CO. Decree: GRANDE RONDE RIVER, CONSOLIDATED Cert: 6293																							
Select Permit: G 13220 *		11/27/1996	IRRIGATION					5		10	29									11	15		
Additional Info: ETHAN JANKE App: G14417 Permit: G13220																							
Select Cert: 14534 OR *		6/24/1941	IRRIGATION																	1			
Additional Info: MIKE KLENG App: S19381 Permit: S14994 Cert: 14534																							
Select App: R 81736 RJ		11/27/1996	STORAGE	RJ				▲															
Additional Info: DANIEL HOYT App: R81736																							

Acreage Legend: 12.25 Regular acreage ±2.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended * Acreage is not specified

Water Rights Platcard Report

NCR

 Meridian: Township: South East Section: Records per Page: Search

 Platcards Maps!
[Learn about](#) * [View Map](#)

Water Right	Changing Xfers	Priority	Use	Use Status	PLC	Gov't Lot	QQ(40): NE NW SW SE NE NW SW SE NE NW SW SE NE NW SW SE NE NW SW SE NE NW SW SE	Unknown QQ
Select Permit: G 13220 *		11/27/1996	IRRIGATION				6 15 11 10	
Additional Info: ETHAN JANKE App: G14417 Permit: G13220								
Select Cert: 7688 OR CN		4/27/1927	IRRIGATION CN					±
Additional Info: A F INGRAM App: S11441 Permit: S7906 Cert: 7688								
Select App: R 81736 RJ		11/27/1996	STORAGE RJ				±	
Additional Info: DANIEL HOYT App: R81736								
Select Cert: 7688 OR CN		4/27/1927	SWIMMING CN					±
Additional Info: A F INGRAM App: S11441 Permit: S7906 Cert: 7688								

Acreage Legend: 12.25 Regular acreage ±2.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended * Acreage is not specified

Water Right Information Query Results																																											
Contact Information	Documents View all scanned documents																																										
▼ Current contact information OWNER: ▶ ETHAN JANKE 285 PARADISE DR BURBANK, WA 99323 OWNER: ▶ RENE JANKE 285 PARADISE DR BURBANK, WA 99323 ▼ Prior contact information OWNER: ▶ BLUE MOUNTAIN GOLF COURSE DANIEL A HOYT 58020 HWY 203 UNION, OR 97883 OWNER: ▶ STANLEY LAYNE 62153 MATHSON RD LA GRANDE, OR 97850 OWNER: ▶ MARTHA LINDLEY 62153 MATHSON RD LA GRANDE, OR 97850 OWNER: ▶ NORTHWEST FARM CREDIT SERVICES FLCA PO BOX 2515 SPOKANE, WA 99220	▼ Application: G 14417 ▶ Received: 11/27/1996 ▼ Permit: G 13220 document , paper map ▶ Signature: 11/28/1997 <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="4" style="text-align: center;">Permit Workflow</th> </tr> <tr> <th>Action</th> <th>Date</th> <th>Result</th> <th>Completed By</th> </tr> </thead> <tbody> <tr> <td>Permit Issued</td> <td>11/28/1997</td> <td></td> <td></td> </tr> <tr> <td>Extension Received</td> <td>9/18/2003</td> <td></td> <td>ANN REECE</td> </tr> <tr> <td>Extension Comment Period Ends</td> <td>9/30/2003</td> <td></td> <td>ANN REECE</td> </tr> <tr> <td>Extension PFO 315 Issued</td> <td>6/22/2004</td> <td></td> <td>ANN REECE</td> </tr> <tr> <td>Extension FO Issued</td> <td>8/18/2004</td> <td></td> <td></td> </tr> <tr> <td>CBU Received</td> <td>9/29/2006</td> <td></td> <td>GREGORY BLACKMAN</td> </tr> <tr> <td>Extended Completion Date</td> <td>10/1/2006</td> <td></td> <td>ANN REECE</td> </tr> <tr style="background-color: #ffcc99;"> <td>Pump Test Received</td> <td>12/30/2008</td> <td>Approved</td> <td>ANGELA HOUCK</td> </tr> </tbody> </table> ▶ View right with Web Mapping ▶ View Places of Use from Water Rights in the Same Area ➔ pump test in file was rejected. Do not have an approved copy in file. -send letter - draft cert.			Permit Workflow				Action	Date	Result	Completed By	Permit Issued	11/28/1997			Extension Received	9/18/2003		ANN REECE	Extension Comment Period Ends	9/30/2003		ANN REECE	Extension PFO 315 Issued	6/22/2004		ANN REECE	Extension FO Issued	8/18/2004			CBU Received	9/29/2006		GREGORY BLACKMAN	Extended Completion Date	10/1/2006		ANN REECE	Pump Test Received	12/30/2008	Approved	ANGELA HOUCK
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Water Right Information																																											
Status: Non-Cancelled County: Union File Folder Location: Salem Watermaster District: 6																																											
Point(s) of Diversion																																											
▶ POD 1 - A WELL > FIVE POINTS CREEK																																											
Place(s) of Use Add TRS grouping																																											
▶ Use - IRRIGATION (Primary) - 112.0 acres; Priority Date: 11/27/1996																																											
Water Right Genealogy																																											
—No genealogy records available for this water right, try the family link below instead.																																											

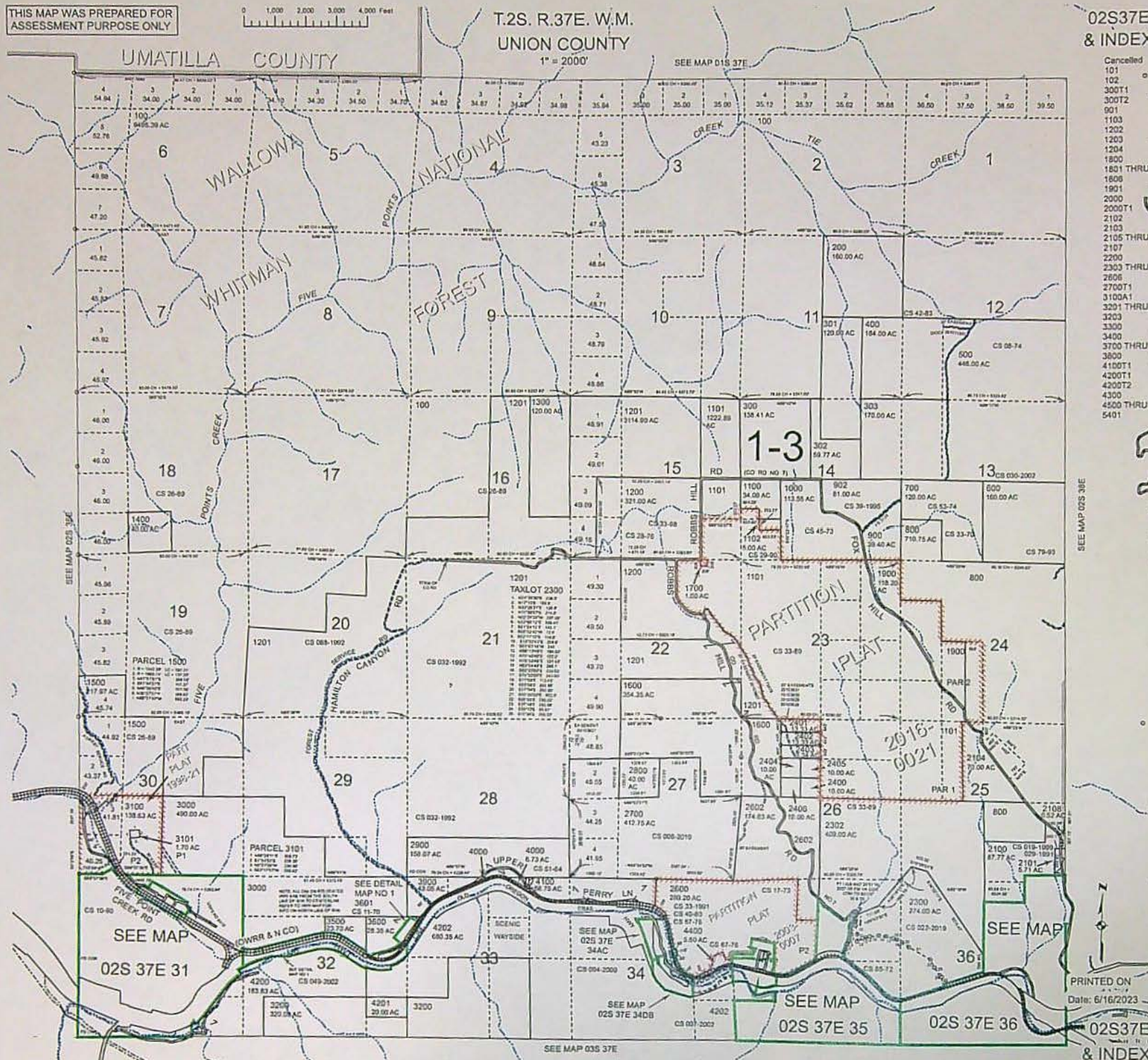
[View Water Rights in same Family](#)
[Report Errors with Water Right Data](#)
[Return to WRIS Query](#)

SEE MAP DIS 37E

Cancelled
101
102
300T1
300T2
901
1103
1202
1203
1204
1800
1801 THRU
1806
1901
2000
2000T1
2102
2103
2105 THRU
2107
2200
2303 THRU
2606
2700T1
3100A1
3201 THRU
3203
3300
3400
3700 THRU
3800
4100T1
4200T1
4200T2
4300
4500 THRU
5401

FREE MAP 07S 3AE

PRINTED ON
Date: 6/16/2023

02S37E
& INDEX



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

July 9, 2015

ETHAN E JANKE
RENE N JANKE
285 PARADISE DR
BURBANK WA 99323

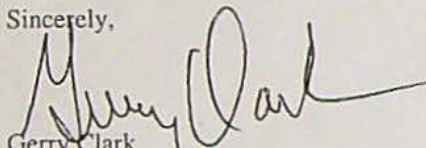
Reference: Applications G-14417, Permit G-13220

The Department has been reviewing the Claim of Beneficial Use (claim) report and map, received on September 29, 2006, for the above referenced ground water application involving Permits G-13220 (priority date of November 27, 1996). The Department is prepared to issue a proposed certificate for this permit; however the Department has identified an issue that must be resolved before the issuance of certificate.

The Department has discovered that a pump test has been performed for the authorized well, however the results of the pump test did not meet the Departments standards and was rejected. The Department tried to contact you with a letter sent December 30, 2008, which explained why the pump test was rejected. Oregon Administrative Rule 690-217-0020(1) requires that ground water permit holders with a priority date after December 20, 1988, submit the results of a pump test before the Water Resources Department can issue a water right certificate.

Please contact the Department and let us know how you wish to proceed. In addition to the December 30, 2008 letter, please see enclosures which include 1) a copy of Permit G-13220 2) a "Pump Test Form Cover Sheet", 3) the claim of beneficial use, and 4) draft certificate for Application G-14417. If you have any questions please contact me at 503-986-0811.

Sincerely,



Gerry Clark
Certificate Section

enclosures

Cc: Files G-14417
WM # 6
Gregory Blackman - CWRE
James N Orth, 3045 10th CT, Vero Beach, FL, 32960-4908

CLAIM OF BENEFICIAL USE

The completion of this form is required by OAR 690-014-010(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. Every numbered item must have a response. If any requested information does not apply to the Claim, insert "n/a." Do not delete any section of this form unless directed by the form. The Department may require the submittal of additional information from any water user or authorized agent. A separate form shall be completed for each permit or transfer final order.

I. General Information

1. Application number: G-14417
2. Permit number: G-13220
3. County: Union
4. Tax Lot Information:

Tax map number	Tax lot number
T2S R37E	#2600

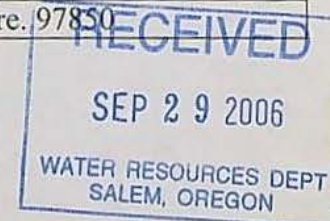
5. Date of Site Inspection: September 18, 2006
6. Person(s) interviewed and description of their association with the project:

Name	Date	Association with the project
Jim Bob Bloomfield	9-18-2006	Partner of Landowner on site.

7. Permittee / Transferee of record (this may not be the current property owner)

a. Individuals

	Individual 1	Individual 2
Name	Ethan & Rene Janke	Jim Bob Bloomfield
Mailing Address	1334 Sunset	62153 Mathson
City/State/Zip	Burbank, Washington 99323	La Grande, Ore. 97850



b. Businesses/Organizations

Name	N/A
Contact Person and Title	
Mailing Address	
City/State/Zip	

8. Property owner (current owner information)

c. Individuals

Name	Ethan & Rene Janke	Jim Bob Bloomfield
Mailing Address	1334 Sunset	62153 Mathson
City/State/Zip	Burbank, Washington 99323	La Grande, Ore. 97850
Phone #	n/a	(541) 975-1492
Fax #		
e-mail address		

d. Businesses/Organizations

Name	
Contact Person and Title	
Mailing Address	
City/State/Zip	
Phone	
Fax	
e-mail	

If the current property owner is not the permittee or transfer holder of record, it is recommended that an assignment be filed with the Department.

9. If any property described in the permit or transfer final order is not included in this report, identify the owner of record for that property (ORS 537.230(3)):

**Mark "NA" if there are no owners of property not included in this claim

Name	N/A
Contact Person and Title	
Mailing Address	
City/State/Zip	
Phone #	

Name	
Contact Person and Title	
Mailing Address	
City/State/Zip	
Phone #	



II. Points of Diversion/Appropriation and Place of Use

For each point of diversion or appropriation, provide the following information. If the claim is for more than one point of diversion/appropriation, copy and complete this section for each point of diversion or appropriation.

1. Point of diversion/appropriation name or number (correspond to map):

Point of diversion/appropriation name or number (correspond to map)	Well log ID # for all work performed on the well (if applicable)	Well tag # (if applicable)
Well	UNIO 50681	L 40701

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

2. Point of diversion/appropriation sources and tributary:

Source Groundwater	Tributary to
--------------------	--------------

3. Point of diversion/appropriation location:

(DLC, Government Lot, 1/4 1/4, Section, Township, Range)	Reference to a recognized public land survey corner by distance and bearing or by coordinates
NE 1/4 NE 1/4 of Section 34, T2S R37E	1521' North & 331' West of E1/4 Cor. of Sec. 34

4. Use(s), period of use, and rate for each use:

Uses	When water is used	Rate for use
Irrigation	March 1- October 31	1.34 c.f.s.

Total Quantity of Water 1.34 c.f.s.

5. Place of use for the point of diversion or appropriation:

DLC	Gov lot	1/4 1/4	Section	Township	Range	Use	# of primary acres	# of supplemental acres
		NE/NE	34	2S	37E	I	10.0 Ac.	
		SW/NE	34	2S	37E	I	5.5 Ac.	
		SE/SE	34	2S	37E	I	29.0 Ac.	
		NE/SE	34	2S	37E	I	8.0 Ac.	
		NW/SE	34	2S	37E	I	7.0 Ac.	
		NE/NW	35	2S	37E	I	3.0 Ac.	
		NW/NW	35	2S	37E	I	10.0 Ac.	
		SW/NW	35	2S	37E	I	9.0 Ac.	
		SE/NW	35	2S	37E	I	10.0 Ac.	

Total Acres Irrigated 91.5 Ac.

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WATER RESOURCES DEPT
SALEM, OREGON

Groundwater Source Information (Well and Sump)

**If the appropriation is not from ground water (well or sump), this section, items 1-4, can be deleted.

1. Describe the access port or other means to measure the water level in the well in the box below:

N/A

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

Casing Diameter	Casing Depth	Total Depth	Completion Date of Original Well	Completion Dates of Alterations	Well drilled for	Well drilled by
11"	225'	225'		5-6-2003	Layne Lindley	Earth & Water Works WWC #1775

In addition to the information requested in item "2" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

Original well was started in or around November 1998 by Daniel Hoyt, Start Card #90198 WWC #1399.

From our records show that the well was deepened and finished in 5-6-2003, by new owner Layne Lindley.

System Information:

Provide the following information concerning the diversion and delivery system. Trace the flow of water from the point of diversion/appropriation to the place of use.

1. Pump information

Brand	Model	Serial Number	Type	Intake size	Discharge size	Impeller
Pump	Submersible		Shaft Turbine	n/a	6"	n/a
Booster Pump	4RB-CC-10-4	130235	Centrifugal	n/a	6"	n/a

If a performance curve is available, attach to the claim

2. Motor information

Brand	Model	Horsepower	Max RPM	Voltage
Submersible	n/a	40 H.P.		460
Baldor (Booster)	Design B	10 H.P.	1760	230/460

3. Meter information (if required in permit or transfer final order)

Make	Serial #	Condition	Current meter reading	Notes
Micrometer Flowmeter	03-05482-6	New	96618 Ac./Ft.	

4. Measurement device description

Device description	Condition	Notes
Inline Flow meter	New	

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SALEM, OREGON

5. Measured pump capacity (using meter if meter was present and system was operating)

Initial meter reading	Ending meter reading	Duration of time observed	Total pump output
96618 Ac./Ft. 440 G.P.M.	440 G.P.M.	½ Hour	440 G.P.M.

6. Theoretical pump capacity

Horsepower	Operating psi	Lift from source to pump *If a well, the water level during pumping (see pump test results)	Lift from pump to place of use	Total pump output
40 H.P.	60	27'	0'	1.56 c.f.s.
10 H.P.	60	0'	100'	0.26 c.f.s.
				Total = 1.82 c.f.s.

7. Provide pump calculations in the box below:

Main Pump $\frac{7.04 \times 40}{27+152.4} = \frac{281.6}{179.4} = 1.56 \text{ c.f.s.}$	Booster Pump $\frac{6.61 \times 10}{100+152.4} = 0.26 \text{ c.f.s.}$
--	--

8. Mainline information

Mainline size	Length	Type of pipe
6"	3000'	Aluminum
4"	400'	Aluminum
6"	4700'	PVC

9. Handline information

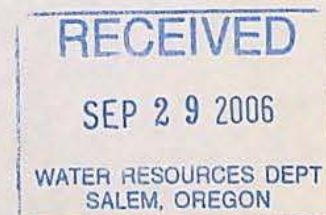
Handline size	Length	Type of pipe
3"	1600'	Aluminum

10. Sprinkler information Make and model:

Make	Model	Size	Operating psi	Sprinkler output	Maximum number used	Total sprinkler output
-	-	11/64	60	6.6	50	0.74
		3/16	60	7.8	13	0.23
		5/32	60	5.6	40	0.50

Refer to the chart of sprinkler output at various pressures for most nozzle sizes.

$$Q_{\text{sprinklers}} = \frac{(\text{max \# heads})(\text{gpm/head})}{448.8 \text{ gpm/cfs}} = \text{cfs}$$



11. Additional notes or comments related to the system:

The system has 40 section of 40' 3" hand pack, 4 Wheel lines and 4 Nelson Big Guns. He operates either 3 Big guns and 2 Wheel lines, or 1 Big gun and 4 Wheel lines. When the hand lines are in use one of the Wheel lines are not.

*Note: The acreage on the application and permit are different from what I show on this final proof because the application map was hand drawn and I don't think the acreages shown on that map were accurate. The acreage shown on this final proof map is the land that is currently being irrigated. The total acreage applied for was 112.0 acres, I found that only 91.5 acres were developed and irrigated. Some of the acreages in the quarter sections were bigger or smaller, I reflect the correct acreage number on the final proof map.

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SALEM, OREGON**

III. CONDITIONS

Please pay special attention to this section. All conditions contained in the permit or transfer final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

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

	Date	Explanation
Begin construction	5-6-2003	Well Drilled
Complete construction	7-17-2003	Well & mainlines in operation
Complete application of water	9-18-2006	Claim of Beneficial Use report and field inspection.

2. Initial Water Level Measurements:

**If the Claim is for surface water or a reservoir, or if the water user was not required to submit static water level measurements, items b through e relating to this section can be deleted.

- a. Was the water user required to submit an initial static water level measurement? YES NO NA
- b. What month was the initial measurement to be taken in? March
- c. Did the water user make the initial static water level measurement in the month required? YES NO
- d. If "YES", was the measurement submitted to the Department? YES NO
- e. If the initial measurement not been submitted, provide that measurement now if available:

Date of measurement	Who made measurement	Method	Measurement
---------------------	----------------------	--------	-------------

****If the Claim is for surface water or a reservoir, or if the water user was not required to submit static water level measurements, items b through e relating to this section can be deleted.**

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

b. In the box below, provide the month in which the static water level was to be made:

--

c. Did the water user make the static water level measurements in the month required? YES NO

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

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

Year	Month	Measurement made by	Measurement

4. Measurement, recording, and reporting conditions:

a. Does the permit or transfer final order require the installation of a meter or approved measuring device?
YES ****If "NO", items b through g relating to this section can be deleted.**

b. Has a meter been installed? YES NO

c. Provide the date the meter was installed:

2003

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

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

Name	Title	Approximate date

f. Is the water user required to report the water use to the Department? YES NO

g. Have the reports been submitted? YES NO

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

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**WATER RESOURCES DEPT
SALEM, OREGON**

6. Pump Test (typically required for ground water uses prior to issuance of a certificate, but not a requirement of permit development)

a. Has a pump test been submitted and approved by the Department? YES NO NA

b. If no, is the pump test attached to this Claim? YES NO

7. **Other Permit Conditions** (examples: special well construct standards, water conservation plans, no obstructions to fish without a fishway, etc.; number as appropriate.)

IV. Conclusions, Signatures

Permit and Transfer Final Order Rates and System Rates Comparisons:

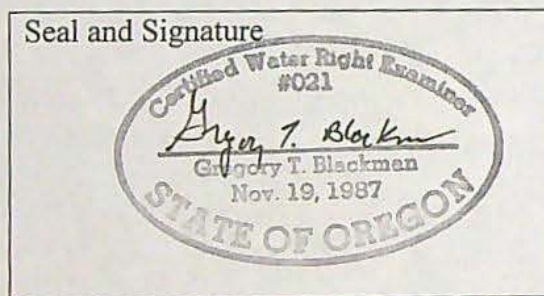
POD or POA name or #	Rate allowed by permit or transfer final order	Calculated theoretical rate of water based on system	Actual amount of water measured (if measured)	# of acres allowed by permit or transfer final order	# of acres developed
Well	1.34	1.94	440 g.p.m.	112.0	91.5

Claim of Beneficial Use Map

The Claim of Beneficial Use Map must be submitted with this Claim. Claims submitted without the Claim of Beneficial Use map will be returned.

CWRE Statement, Seal and Signature

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

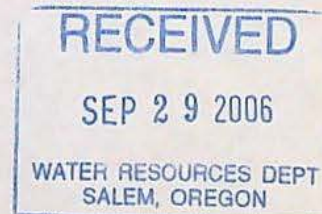


Land Owners Signature or Acknowledgement

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

Ethan Janke Ethan Janke 9/25/06
Signature Print or type name Date

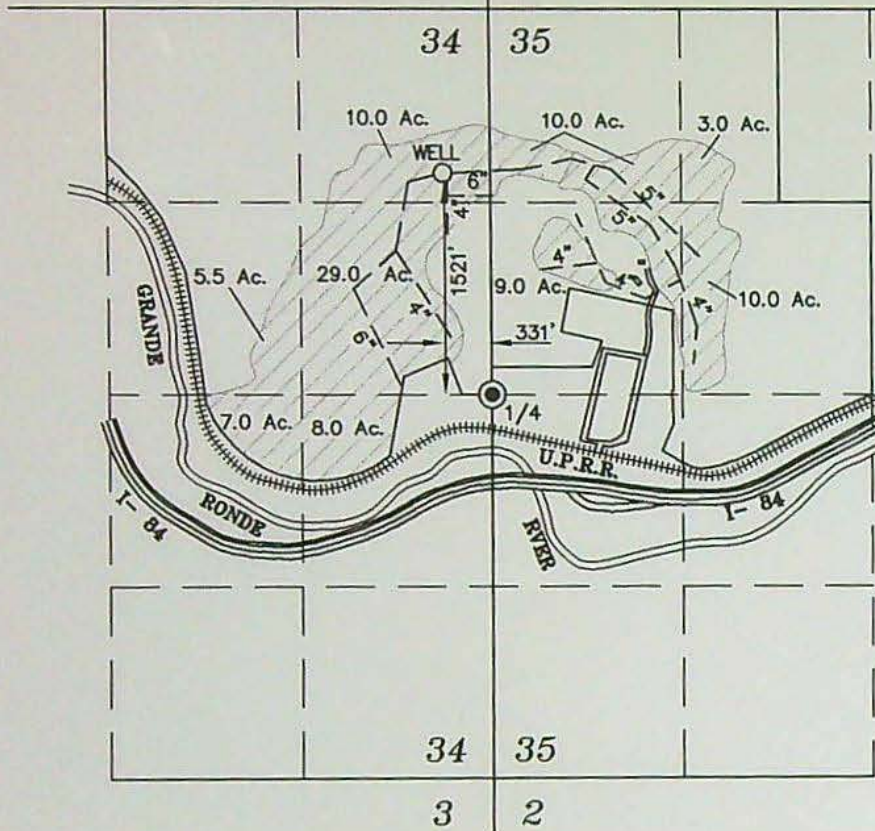
Rene Janke Rene Janke 9/25/06
Signature Print or type name Date



T 2 S R 37 E

27 26

34 35



SCALE: 1"=1320'



Lands irrigated from well, under Permit number G-13220.



Existing Mainline.



NOTE: The preparation of this map was for the purpose of identifying the location of the proposed water right and has no intent to provide dimensions or location of property ownership lines. Location information shown hereon was furnished by the applicant.

September 19, 2006

FINAL PROOF MAP OF WATER RIGHTS FROM A WELL FOR

ETHAN & RENE JANKE

BY

BAGETT - GRIFFITH & BLACKMAN

2006 ADAMS AVENUE

LAGRANDE, OREGON 97850

Application No. G-14417

Permit Number G-13220

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WATER RESOURCES DEPT.
SALEM, OREGON



Oregon

Theodore R. Kulongoski, Governor

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

December 30, 2008

ETHAN JANKE
RENE JANKE
1334 SUNSET
BURBANK WA 99323

GW

The Department has rejected the pump tests for the following permitted well(s):

Application	Permit	Permitted Well	Tested Well	Test Date	Test Status	Owner's Well Name
G	14417	G 13220	UNIO 50681	UNIO 50681	09/07/2006 Rejected	

The test was rejected for the following reasons:

- ☐ The discharge rate was not held constant.
- ☐ The pump was turned off for a portion of the pumping phase.
- ☐ The discharge was not measured at the specified time intervals during the pumping phase of the test.
- ☒ Water levels were not measured to an accuracy of 0.1 feet.
- ☐ Pre-test static water levels were not measured at the specified intervals.
- ☐ Water levels were not measured at the specified time intervals during the test.
- ☐ Water levels were not measured during the recovery phase of the test.
- ☐ Airline measurements are not allowed if the depth to water is less than or equal to 300 feet.
- ☐ Airline measurements were not verified by an electric tape measurement.
- ☐ Test data and the supporting documentation were not reported on the Department's forms.
- ☐ A graph indicates that the data is probably corrupt.
- ☐ Rising water levels during some or all of the pumping phase of the test indicate that the pumping rate was not held constant or that water-level measurements are inaccurate.

A copy of the Oregon Administrative Rules (OAR 690-217) that pertain to the deficiencies with your pump test are included with this letter. The following related materials can also be found on our web site at:

Pump test administrative rules: http://arcweb.sos.state.or.us/rules/OARS_600/OAR_690/690_217.html

A booklet explaining pump tests: http://www1.wrd.state.or.us/pdfs/pump_test.pdf

Pump Test Cover Sheet: http://www1.wrd.state.or.us/pdfs/pump_test_cover.pdf

Pump Test Data Sheet: http://www1.wrd.state.or.us/pdfs/pump_test_data.pdf

Please contact me if you have any questions about the status of your test. Please call Gerry Clark at 503-986-0811 if you have any questions about how this action may affect the status of your water right.

Sincerely yours,

Emily Bray-Nash
Ground Water/Hydrology Section

cc: GW Pump Test File



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

Oregon Administrative Rules 690-217 Requirement for Pump Testing of Non-Exempt Wells

690-217-0045

Acceptable Techniques for Measurement of Water Level and Discharge

(1) Water level measurements shall be taken by one of the following methods:

(a) An electric water level measuring tape specifically designed for this purpose. Depth markings on the tape shall be no more than five feet apart, and shall be accurate to 0.5 percent. All water level measurements shall be reported to a precision of at least one-tenth of a foot;

(b) A calibrated electronic pressure transducer coupled with an appropriate output device or data logger. The accuracy and precision of the transducer and output device or data logger shall meet those outlined in subsection (1)(a) of this rule for electric water level measuring tapes. If an electronic pressure transducer is used for water level measurement, the manufacturer's name, the serial number and calibration date of the device must be supplied in the pump test report;

(c) An air line and pressure gauge. Air line measurements shall be accepted only where water levels deeper than 300 feet below ground level are encountered or expected. Air line accuracy shall be verified by at least one water level measurement with an electric water level measuring tape;

(d) An acoustic sounding device designed and manufactured specifically for measuring the depth to water in wells;

(e) The wetted steel tape method. This method may be used for static water level measurements only.

(2) Measurements of air line pressure or shut-in pressure of flowing artesian wells shall be with a calibrated pressure gauge with marked intervals of one PSI or less.

(3) Discharge from the pump shall be physically measured by a standard and acceptable method. In no case will visually estimated flow rates be accepted. Acceptable methods include:

(a) A properly installed flow meter which is functional and calibrated within reasonable limits;

(b) A properly installed weir or flume;

(c) A properly installed calibrated orifice plate and manometer;

(d) Known volume/time calculations (including calibrated bucket and stopwatch up to 60 gallons per minute); and

(e) Properly used ultrasonic flow measuring devices.

STATE OF OREGON

COUNTY OF UNION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DANIEL A. HOYT
BLUE MOUNTAIN GOLF COURSE
58020 HWY 203
UNION, OREGON 97883

PHONE: (541) 562-5332

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

APPLICATION FILE NUMBER: G-14417

SOURCE OF WATER: ONE WELL, IN THE FIVEPOINT CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 112.0 ACRES

MAXIMUM RATE: 1.34 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: NOVEMBER 27, 1996

POINT OF DIVERSION LOCATION: NE 1/4 NE 1/4, SECTION 34, T2S, R37E, W.M.;
1240 FEET SOUTH & 60 FEET WEST FROM NE CORNER, SECTION 34

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 (or its equivalent) and 3 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NE 1/4 5.0 ACRES
SW 1/4 NE 1/4 10.0 ACRES
SE 1/4 NE 1/4 29.0 ACRES
NE 1/4 SE 1/4 11.0 ACRES
NW 1/4 SE 1/4 15.0 ACRES
SECTION 34
NE 1/4 NW 1/4 6.0 ACRES
NW 1/4 NW 1/4 15.0 ACRES
SW 1/4 NW 1/4 11.0 ACRES
SE 1/4 NW 1/4 10.0 ACRES
SECTION 35

TOWNSHIP 2 SOUTH, RANGE 37 EAST, W.M.

Measurement, recording and reporting conditions:

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

Application G-14417 Water Resources Department

PERMIT G-13220

approved by the Director. The permittee shall maintain the meter or measuring device in good working order.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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

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.

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

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

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

After Use of Water has Begun

Seven Consecutive Annual Measurements

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

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

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

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

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

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

STANDARD CONDITIONS

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

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

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

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

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

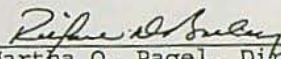
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

Actual construction of the well shall begin within one year from permit issuance. Complete application of water to the use shall be made on or before October 1, 2001.

Issued November 28, 1997


Martha O. Pagel, Director
Water Resources Department

Application G-14417 Water Resources Department
Basin 08 Volume 1 GRANDE RONDE R MISC
LKS MGMT.CODES 7BG 7BR 7CG 7CR 7JG 7JR

PERMIT G-13220
District 06

Oregon Water Resources Department
PUMP TEST FORM COVER SHEET

Well Owner:

Name: _____
Address: _____
County: _____
City: _____ State: OR Zip: _____
Original owner (from well log): _____

Well Location:

Township: _____ S Range: _____ E
Section: _____ 1/4 NE 1/16 NE 1/64 NE
Well depth: _____ Date drilled: _____
Owners well no. (if any): _____
POD ID: _____

Water Right Information:

Application: _____ Permit: _____ Certificate: _____
Is this well listed on more than one water right? ☐ Yes If yes, list additional water rights below:
Application: _____ Permit: _____ Certificate: _____
Application: _____ Permit: _____ Certificate: _____

Pump Test:

Test Conducted by: _____ Well Owner? ☐ Yes
Company: _____
Address: _____ Date of Test: _____
City: _____ State: OR Zip: _____
Daytime phone: _____

Method of discharge measurement (see our brochure for more information): Flow meter
Method of water-level measurement (pick one or enter other method used): Choose or enter method
Length of air line (if used): _____

Pump type (pick one or enter other method used): Choose one or enter alternative

Was the pump test conducted during normal use of the well? ☐ Yes Note: _____

Are you aware of any wells, other than domestic or stock wells, pumping within 1000 feet of the tested well during the test or within 24 hours prior to the test? ☐ Yes Note: _____
If yes, give approximate distances to each and approximate pumping rate of each. If possible, indicate if they were turned on or off during the test: _____

Is there a lake, stream or other surface water body within 1/4 mile of the tested well? ☐ Yes If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head. Approx. distance: _____ ft Approx. elevation difference: _____ ft

Well elevation is below surface water body.

Description of measuring point (e.g. top port of 1 inch port pipe, west side) _____

Measuring point distance below land surface _____ feet.

Static water level measurements: (A minimum of three measurements are required in the hour before pumping begins at no less than 20 minutes apart):

Time	Depth to water below meas. point	Depth to water below land surface
_____	_____	_____
_____	_____	_____
_____	_____	_____

Discharge measurements: (A discharge measurement is required at the start of pumping and at least once an hour during the test; additional measurements should be noted on the Pump Test Data Sheet):

Time	Discharge Rate	Discharge Units (e.g. gpm, cfs, etc)
_____	_____	<u>gpm (gallons per minute)</u>
_____	_____	<u>gpm (gallons per minute)</u>
_____	_____	<u>gpm (gallons per minute)</u>
_____	_____	<u>gpm (gallons per minute)</u>
_____	_____	<u>gpm (gallons per minute)</u>

Time pump turned on: Date _____ Time _____
Time pump turned off: Date _____ Time _____
Total pumping time: _____ hours _____ minutes

Note: Well must be idle for at least 16 hours prior to the test.

Additional forms can be obtained from our web site at: <http://www.wrd.state.or.us>

OWRD 2/9/2000

Required Signature: _____



UNIO 51371

UNIO

51371

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 517.765)

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

WELL I.D. # L 57732
START CARD # 153955

(1) LAND OWNER Well Number _____
Name LAYNE LINDLEY
Address 62153 MATHSON
City LA GRANDE State OR Zip 97850

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

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval ☐ Yes ☒ No Depth of Completed Well 225
Explosives used ☐ Yes ☒ No Type _____ Amount _____

HOLE			SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds
18"	0	13	CEMENT	63	75	10 SACKS
16"	13	20	BENTONITE	0	19	37 SACKS
11.8"	20	75				
10"	75	225				

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

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

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 10"	+3	75	25	☒	☐	☒	☐
				☐	☐	☐	☐
				☐	☐	☐	☐
				☐	☐	☐	☐
Liner:				☐	☐	☐	☐
				☐	☐	☐	☐

Drive Shoe used ☐ Inside ☐ Outside ☒ None
Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

☐ Perforations Method _____
☐ Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						☐	☐
						☐	☐
						☐	☐
						☐	☐

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

Yield gal/min	Drawdown	Drill stem at	Flowing Time
700		220	1 hr.
450		115	
350		75	

Temperature of water 60° Depth Artesian Flow Found _____
Was a water analysis done? ☐ Yes (By whom _____)
Did any strata contain water not suitable for intended use? ☐ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County UNION Latitude _____ Longitude _____
Township 2 N or S Range 37 E or W. WM.
Section 34 NE 1/4 NE 1/4
Tax Lot 2600 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) SAME

(10) STATIC WATER LEVEL:
27 ft. below land surface. Date 5/4/03
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES:

From	To	Estimated Flow Rate	SWL
130	225	700 GPM	27

(12) WELL LOG:

Material	From	To	SWL
SOIL	0	3	
CLAY GRAVEL &	3	-	
BOULDERS	-	13	
FRACTURED BASALT	13	62	27
BLACK BASALT	62	105	
RED CINDERS	105	108	
BLACK BASALT	108	131	
BROKEN BASALT	131	140	
FRACTURED BASALT	140	225	27

RECEIVED	RECEIVED
MAY 21 2003	JUN 09 2003
WATER RESOURCES DEPT SALEM, OREGON	WATER RESOURCES DEPT SALEM, OREGON

Date started 4-28-03 Completed 5-6-03

(unbonded) Water Well Constructor Certification:

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

WWC Number _____
Signed _____ Date _____

(bonded) Water Well Constructor Certification:

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

WWC Number 1775
Signed [Signature] Date 5-7-03

ORIGINAL - WATER RESOURCES DEPARTMENT FIRST COPY - CONSTRUCTOR SECOND COPY - CUSTOMER



Oregon

Tina Kotek, Governor

Water Resources Department

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

April 24, 2023

Intermountain Realty, Inc.
1425 Campbell St.
Baker City, OR 97814

Reference: Application G-14417, Permit G-13220

The assignment from Ethan E. Janke and Rene N. Janke to James N. Orth has been recorded in the records of the Water Resources Department.

The Departments records will now show James N. Orth as the permit holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 140495 covering the recording fee is also enclosed.

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

Please note that this permit required complete application of water to the proposed use by October 1, 2006, and within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use (COBU), which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE). A COBU was received on September 29, 2006. The Department is prepared to issue a proposed certificate for the permit; however, the required pump test did not meet the Departments standards and was rejected as explained in the enclosed correspondence dated July 9, 2015.

Sincerely,

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

Enclosure: Original Request, Receipt # 140495 & 2015 Letter

cc: Ethan E. & Rene N. Janke – 285 Paradise Dr., Burbank, WA 99323
James N. Orth – 3045 10th Ct., Vero Beach, FL 32960-4908
Data Center, OWRD (cover letter & request)
File



**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **140495**

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

INVOICE # _____

RECEIVED FROM: Intermountain Realty, Inc.
BY: _____

APPLICATION	6-14417
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 1066 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 120.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____

OTHER: (IDENTIFY) \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE 0202 \$ _____ RECORD FEE \$ _____

0203 GROUND WATER EXAM FEE 0204 \$ _____ RECORD FEE \$ _____

0205 TRANSFER EXAM FEE \$ _____

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE 0219 \$ _____ LICENSE FEE \$ _____

LANDOWNER'S PERMIT

0250 OTHER (IDENTIFY) Assignment \$ 120.00

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____

0210 MONITORING WELLS \$ _____ CARD# _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____

0231 HYDRO LICENSE FEE (FW/WRD) \$ _____

HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION \$ _____

RECEIPT: **140495**

DATED: 4-12-23 BY: [Signature]

RECEIVED

APR 12 2023

OWRD
SALEM, OREGON

Request for Assignment

OREGON



WATER RESOURCES
DEPARTMENT

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

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

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

I, ETHAN E. JANKE and RENE N. JANKE

(Name of Current Holder of Record)

285 PARADISE DR.

(Mailing Address)

BURBANK, WA 99323

(City) (State) (Zip)

509-539-1644

(Phone #)

☒ hereby assign all my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, sold all the land authorized under the right)

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

☐ hereby assign a portion of my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, adding an additional person)

Application # G-14417 ; Permit # G-13220 ; Transfer Order # _____;

Limited License # _____ ; Groundwater Statement # _____;

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

JAMES N. ORTH

(Name of New Owner)

3045 10TH CT. VERO BEACH, FL 32910

(Mailing Address)

(City) (State) (Zip)

772-473-3446

(Phone #)

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

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

Witness my hand this 5th day of April, 2023.

(Day)

(Month)

(Year)

Signature of Current Holder of Record

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

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

Fee receipt # 140495

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

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

Ass:82-Approve
MFB 4-24-2023



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

July 9, 2015

ETHAN E JANKE
RENE N JANKE
285 PARADISE DR
BURBANK WA 99323

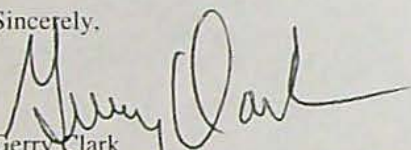
Reference: Applications G-14417, Permit G-13220

The Department has been reviewing the Claim of Beneficial Use (claim) report and map, received on September 29, 2006, for the above referenced ground water application involving Permits G-13220 (priority date of November 27, 1996). The Department is prepared to issue a proposed certificate for this permit; however the Department has identified an issue that must be resolved before the issuance of certificate.

The Department has discovered that a pump test has been performed for the authorized well, however the results of the pump test did not meet the Departments standards and was rejected. The Department tried to contact you with a letter sent December 30, 2008, which explained why the pump test was rejected. Oregon Administrative Rule 690-217-0020(1) requires that ground water permit holders with a priority date after December 20, 1988, submit the results of a pump test before the Water Resources Department can issue a water right certificate.

Please contact the Department and let us know how you wish to proceed. In addition to the December 30, 2008 letter, please see enclosures which include 1) a copy of Permit G-13220 2) a "Pump Test Form Cover Sheet", 3) the claim of beneficial use, and 4) draft certificate for Application G-14417. If you have any questions please contact me at 503-986-0811.

Sincerely,



Gerry Clark
Certificate Section

enclosures

Cc: Files G-14417
WM # 6
Gregory Blackman - CWRE
James N Orth, 3045 10th CT, Vero Beach, FL, 32960-4908

JOYE Jessica L

From: JOYE Jessica L
Sent: Friday, August 21, 2015 3:15 PM
To: 'spraybird2@gmail.com'
Subject: Water Right Application G-14417
Attachments: G-14417.pdf

Hello James,

I've attached the correspondence in regards to Water Right Application G-14417 Permit G-13220.

Sincerely,

Jessica L Joye | Certificate Specialist

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

Ph: 503 986-0814 | Fax: 503 986-0901

Email: Jessica.L.Joye@wrdd.state.or.us | Web: <http://www.wrdd.state.or.us>



CLARK Gerry E

From: CLARK Gerry E
Sent: Tuesday, July 28, 2015 4:32 PM
To: 'gtblackman@yahoo.com'; gerald.e.clark@state.or.us
Subject: RE: G-13220

Greg,

Sorry for not getting back to you sooner, I was out of the office for several days.

At this point I have not been contacted by the permit holders.

Gerry

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

Phone: 503-986-0811

From: gtblackman@yahoo.com [<mailto:gtblackman@yahoo.com>]
Sent: Wednesday, July 22, 2015 8:34 AM
To: gerald.e.clark@state.or.us
Subject: G-13220

Good morning Gerry. I received your letter concerning the well test of the Janke property near La Grande. Just a note that Pendleton Grain Growers here in La Grande has been sold to Precision Rain. Most of the people that worked under PPG are still working for Precision Rain. I will be glad to help in any way possible to get the proper well test. Have the owners of the well contacted someone yet, or have they responded to the letter? I have not heard from the owners myself. Greg Blackman, CWRE



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

August 29, 2008

Northwest Farm Credit Services, FLCA
P.O. Box 2515
Spokane Washington 99220-2515

Reference: Application G-14417, Permit G-13220

The assignment from Northwest Farm Credit Services, FLCA and Ethan E. Janke and Rene' N. Janke to Ethan E. Janke and Rene' N. Janke has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 93900 covering the recording fee of \$50 is also enclosed.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure: Receipt 93900

cc: Watermaster 6
Ethan E. Janke and Rene' N. Janke
Data Center, OWRD (Complete Copy of Assignment Request)
Hydrographics
File



**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # **93900**

INVOICE # _____

RECEIVED FROM: Northwest Farm

BY: Credit - Sell

APPLICATION	<u>C-14417</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 29102293 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 50.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$
OTHER: (IDENTIFY)	\$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY) <u>Assignment</u>	\$ <u>50.00</u>
TC162 DEPOSIT LIAB. (IDENTIFY)	\$
0240 EXTENSION OF TIME	\$

WATER RIGHTS:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **93900**

DATED: 2/22/04 BY: [Signature]



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

Request for Assignment

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

1. Northwest Farm Credit Services, FLCA

(Name of Applicant / Permit / Transfer Holder)

PO Box 2515 Spokane, WA 99220-2515 (509) 340-5300

(Mailing address) (City) (State) (Zip) (Phone #)

☒ ...hereby assign all my interest in and to application/permit/transfer;

☐ ...hereby assign all my interest in and to a portion of application/permit/transfer;
(You must include a map showing the portion of the application/permit to be assigned.)

☐ ...hereby assign a portion of my interest in and to the entire application/permit/transfer;

Application # 6-14417, Permit # G-13220; Transfer # _____

-OR-

GR Statement # _____, GR Certificate of Registration # _____

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

Ethan E. Janke and Rene' N. Janke

(Name of New Owner)

1334 Sunset Burbank, WA 99323 (509) 539-1644

(Mailing address) (City) (State) (Zip) (Phone #)

NOTE: If there are other owners of the property described in this Application, Permit, Transfer or Certificate of Ground Water Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 18th day of August, 2008.

Applicant/Permit holder Ethan E. Janke, General Manager - Central Washington

Applicant/Permit holder _____

DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.
Fee receipt # 93900
For Director by Jerry Sauter, Program Analyst in Water Rights Division

This certifies assignment and record change at

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

Last updated: June 1, 2007

Request for Assignment/1

RECEIVED

AUG 27 2008

WATER RESOURCES DEPT
SALEM, OREGON

WR

OL-ASIG-70
8002 728
8/27/08

RECEIVED

AUG 11 1997

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. G-14417

Permit No. G13220

Location. T.2S R.37E Tax Lot #2600

Map scale 4 inches = 1 mile

MAP LEGEND

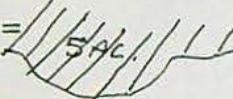
Hwy. I-84= 

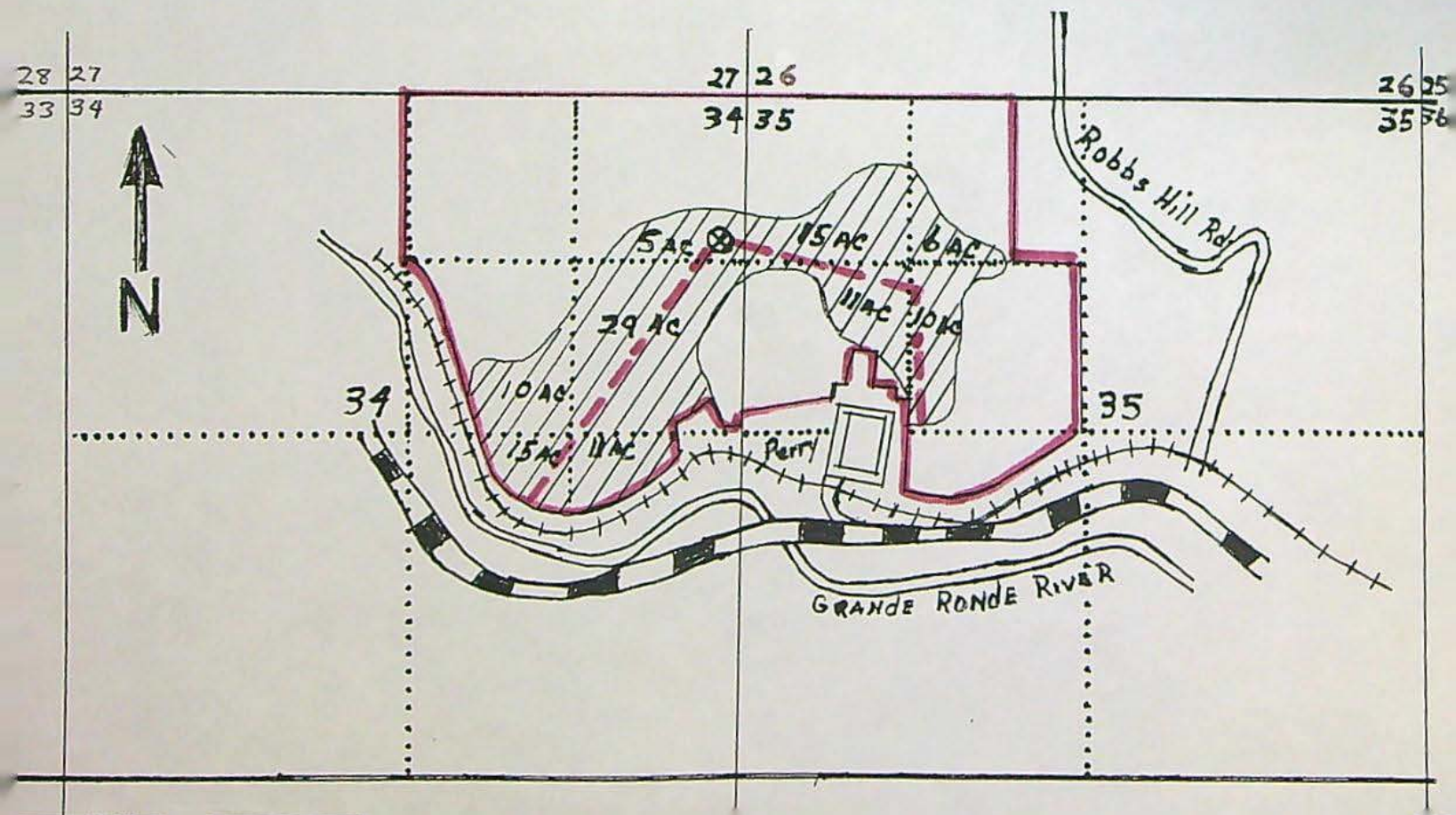
Union Pacific Railroad = 

Property Bdy. = 

Well location = 

Water mainline (underground) = 

location and acres of water use = 





Oregon

Theodore R. Kulongoski, Governor

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

December 30, 2008

ETHAN JANKE
RENE JANKE
1334 SUNSET
BURBANK WA 99323

GW

The Department has rejected the pump tests for the following permitted well(s):

Application Permit	Permitted Well	Tested Well	Test Date	Test Status	Owner's Well Name
G 14417	G 13220	UNIO 50681	UNIO 50681	09/07/2006 Rejected	

The test was rejected for the following reasons:

- ☐ The discharge rate was not held constant.
- ☐ The pump was turned off for a portion of the pumping phase.
- ☐ The discharge was not measured at the specified time intervals during the pumping phase of the test.
- ☒ Water levels were not measured to an accuracy of 0.1 feet.
- ☐ Pre-test static water levels were not measured at the specified intervals.
- ☐ Water levels were not measured at the specified time intervals during the test.
- ☐ Water levels were not measured during the recovery phase of the test.
- ☐ Airline measurements are not allowed if the depth to water is less than or equal to 300 feet.
- ☐ Airline measurements were not verified by an electric tape measurement.
- ☐ Test data and the supporting documentation were not reported on the Department's forms.
- ☐ A graph indicates that the data is probably corrupt.
- ☐ Rising water levels during some or all of the pumping phase of the test indicate that the pumping rate was not held constant or that water-level measurements are inaccurate.

A copy of the Oregon Administrative Rules (OAR 690-217) that pertain to the deficiencies with your pump test are included with this letter. The following related materials can also be found on our web site at:

Pump test administrative rules: http://arcweb.sos.state.or.us/rules/OARS_600/OAR_690/690_217.html

A booklet explaining pump tests: http://www1.wrd.state.or.us/pdfs/pump_test.pdf

Pump Test Cover Sheet: http://www1.wrd.state.or.us/pdfs/pump_test_cover_.pdf

Pump Test Data Sheet: http://www1.wrd.state.or.us/pdfs/pump_test_data.pdf

Please contact me if you have any questions about the status of your test. Please call Gerry Clark at 503-986-0811 if you have any questions about how this action may affect the status of your water right.

Sincerely yours,

Emily Bray-Nash
Ground Water/Hydrology Section

cc: GW Pump Test File

VANCE Connie R

From: TURNER Shawn M
Sent: Friday, February 21, 2014 1:42 PM
To: VANCE Connie R; HUBER Linda L
Subject: USPS Updates

Application #	Permit #	WR Owner	New Address	City	State	Zip
S-70477	S-53072	Maria's Chance Delford, LLC	1271 NE Highway 99W	McMinnville	Or	97128
G-16405	G-15999	Alfred Sennhauser	508 Beach Street	Ashland	Or	97520
G-17459	G-16894	Carri & Jeff Heisler/Pitchfork & Crow	20 E Airport Rd	Lebanon	Or	97355
G-15187	G-15381	Rene Huurman	17150 University Ave, Ste 301	Sandy	Or	97055
G-13562	G-11927	George Richard Teufel	PO Box 1789	North Plains	Or	97133
G-14417	G-13220	Ethan & Rene Janke	285 Paradise Dr	Burbank	Wa	99323
G-13041	G-12436	Shield Crest Condo Assoc	6510 S 6th St #115	Klamath Falls	Or	97603
G-16586	G-16091	Kenneth Cryslar	70287 Highway 395 S	Pendleton	Or	97801
G-15530	G-15180	S Waldrip	22521 N 81st Ave	Peoria	Az	85383

Thank You,

Shawn Turner
Assistant Hydrographer
Measurement, Recording & Reporting Section
Oregon Water Resources Department
Direct Line: 503-986-0822
Water Use Reporting Line: 503-986-0905
Water Use Email: wateruse@wrdd.state.or.us
[Online Water Use Reporting / Water Rights Map Tool / Water Rights Info Query](#)

 Please consider the environment before printing



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
503-378-3739
FAX 503-378-8130

August 22, 2006

Northwest Farm Credit Services, FLCA
Attn: Peggy Wolny
P.O. Box 2515
Spokane, Washington 99220-2515

Reference: Application G-14417, Permit G-13220

The assignment by deed from Stanley Layne Lindley and Martha Lindley to Northwest Farm Credit Services, FLCA and Ethan E. Janke and Rene' N. Janke, has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 83575 covering the recording fee of \$25.00 is also enclosed.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure: Receipt 83575

cc: Watermaster 6
Stanley Layne Lindley and Martha Lindley
Ethan E. Janke and Rene' N. Janke
Data Center, OWRD
Water Availability
File

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **83575**

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

INVOICE # _____

RECEIVED FROM: Farm Credit Services

APPLICATION 614417

BY: _____

PERMIT _____

TRANSFER _____

CASH: ☐ CHECK: # 79693445 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 25.00

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

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) assignment \$ 25.00

TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202 \$ _____

0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ _____

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____ 0219 \$ _____

LANDOWNER'S PERMIT 0220 \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____

0210 MONITORING WELLS \$ _____ CARD # _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____

0231 HYDRO LICENSE FEE (FW/WRD) \$ _____

HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION \$ _____

RECEIPT: **83575**

DATED: 8-21-06 BY: AB

RECEIVED

JUL 24 2006

WATER RESOURCES DEPT
SALEM, OREGON

REQUEST FOR ASSIGNMENT

We, (permit holder, applicant) Ethan E. Janke and Rene' N. Janke, husband and wife

1334 Sunset Burbank, WA 99323 (509) 539-1644
(mailing address) (City, State, Zip) (Phone)

CHECK ONE

- ☒ hereby assign all my interest in and to application/permit;
☐ hereby assign all my interest in and to a portion of application/permit (include a map showing portion of application assigned);
☐ hereby assign a portion of my interest in and to the entire application/permit;

Application # 6-14417, Permit # G-13220;

OR GR Statement # _____, GR Certificate of Registration # _____ as
filed in the office of the Water Resources Director. TO:

Northwest Farm Credit Services, FLCA and Ethan E. Janke and Rene' N. Janke, h/w (509) 340-5300
(name of new owner) (phone #)

PO Box 2515 Spokane, WA 99220-2515
(address) (city, state, zip)

1334 Sunset Burbank, WA 99323
(address) (city, state, zip)

(Note: If there are other owners of the property described in this Application, Permit or Certificate of Groundwater Registration you must attach a list of their names and addresses to this form.)

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 12th day of June 2006

Applicant/permit holder Ethan E. Janke

Applicant/permit holder Rene N. Janke

PLEASE DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.
Fee receipt # 83575
For Director by Jerry Sauter, Program Analyst in Water Rights Division J. Sauter

The completed assignment must be submitted to the Water Resources Department together with a recording fee of \$25. Additional pages will cost \$5 per page.

WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE, SUITE A
SALEM, OREGON 97301-2430

RECEIVED

AUG 21 2006

WATER RESOURCES DEPT
SALEM, OREGON

OK by Assignment By Deed
J. Sauter 8/22/2006

Completion Checklist for CWRE Claims of Beneficial Use



Date Received 9/29/2006
CWRE Name Alegary Blockman
Claim Logged ✓
File Marked _____
Oversized Map # _____
Read and attach copy of permit or transfer

Application # G14417
Permit # G13230
Transfer # _____
Date _____
Reviewer _____

Map Review:

- _____ Map on polyester film
- _____ Application & permit #; or transfer #
- _____ Disclaimer
- _____ North arrow
- _____ CWRE stamp and signature
- _____ Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map)
- _____ Township, range, section, and tax lot numbers
- _____ Source illustrated if surface water
- _____ Point(s) of diversion or appropriation (illustrated)
- _____ Point(s) of diversion or appropriation (coordinates)
- _____ Conveyance structures illustrated (pump, pipelines, ditches, etc.)
- _____ Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required
- _____ Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot)
- _____ Checked to legal description

Report Review:

- _____ On form or format provided by the Department
- _____ Application & permit #; or transfer #
- _____ County
- _____ Tax lot information
- _____ Date of survey
- _____ Person interviewed
- _____ Ownership information
- _____ Source(s) of water
- _____ Point of diversion/appropriation location
- _____ Use, period of use, and rate for use
- _____ Place of use location
- _____ Type of use
- _____ Extent of use
- _____ Rate and Duty
- _____ Diversion rate for each use
- _____ Description of conveyances system (from POD to POU)
- _____ Diversion works description (pump make, serial model, capacity, and description)
- _____ System capacity
 - _____ Calculated capacity of system (required)
 - _____ Measured amount of use (optional)
- _____ Permit conditions
 - _____ Time limits
 - _____ Initial water level measurements
 - _____ Annual static water level measurements
 - _____ Measurement, recording, and reporting
 - _____ Meter/measuring device
 - _____ Water use reporting
 - _____ Fish screening and/or by-pass
 - _____ Pump test (ground water)
 - _____ Other conditions
- _____ CWRE stamp and signature
- _____ Signature(s) of permittee of transfer holder

Certificate Issuance Processing Checklist

____ Map and COBU reviewed
____ Conflict check (include copy of plat card printout)
____ Check current ownership

Any Conflicts? _____

Staff Recommendations:

____ Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.

____ Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: _____

____ Proof to the Satisfaction has not been established for the following reasons: _____

Proposed Actions:

Send letter requesting the following items/information: _____

Send letter recommending extension to cure deficiencies: _____

Can certificate be processed further?

____ Yes

If "Yes":

____ Proposed
____ Final

Certificate # _____

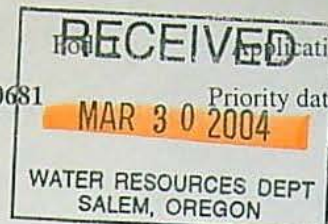
Mailing list:

Proposed:

Final:

Oregon Water Resources Department
PERMIT CONDITION WATER-LEVEL REPORTING FORM

RE: Required Water Level Report for a Well on Permit G 13220 Certificate 0 Application G 14417
 Listed on water right as: A WELL Well log ID (if any, in our records): UNIO 50681 Priority date: 11/27/1996
 Well location: In the NE quarter of the NE quarter of Section 34, Township 2S, Range 37E
 1240 FEET SOUTH & 60 FEET WEST FROM NE CORNER, SECTION 34



~~DANIEL A HOYT~~
~~BLUE MOUNTAIN GOLF COURSE~~
~~58020 HWY 203~~
~~UNION OR 97883~~

TRANSFERRED TO

STANLEY LAYNE & MACHAE E. LINDLEY
62153 MATHEWSON RD
LAGRANDE, OR 97050

Our records indicate that you are the holder of a groundwater permit that requires that you periodically measure and report static water levels in your well(s). If you are no longer the holder of this permit or no longer have an interest in it, please contact our department. Consult your permit to determine the required times for measuring and reporting, as well as any requirements regarding who may make the measurements. We recommend that you keep a copy of all measurement reports for your records. All measurements should be made to at least the nearest tenth of a foot or the nearest inch (e.g. 10.2 feet or 10 feet 3 inches). All wells that have been constructed must be measured regardless of whether they are being used, in accordance with your permit.

MEASUREMENT REPORT

(Complete one form for each well.)

Well Identification (Provide as much of the following information as possible; correct any errors from our files):

Well not yet drilled as of date: _____
 Original owner on well log: DANIEL HOYT; BLUE MOUNTAIN GOLF COURSE
 Well ID # (on tag attached to casing): L 40701 Startcard number (if listed on well log): 90198
 Well depth: 225.00 (ft) Casing diameter: 10 (in) Date drilled: 11/27/1998
 Owner's well name: S. LAYNE LINDLEY Drilled by: EARTH AND WATER WORKS

When did water use begin under this permit from this well? Date: Month/Yr JULY 2003

Show all water rights listing this well:

Application number(s): G14417
 Permit number(s): G13220
 Certificate number(s): _____

Measurement Details:

Date of measurement: _____

Description of measuring point (e.g. 1 1/4" port pipe on north side): _____

Static water level above / below (circle one) measuring point: _____ feet, or airline pressure 35 psi
 Measuring point distance above / below (circle one) land surface: 30" feet, or airline length 110 (+2.5) feet
 Static water level above / below (circle one) land surface: 27.5' feet
 Shut-in pressure (if flowing artesian well): _____ psi

Method of measurement: E-tape _____ Airline X Other(specify): _____
 Water-level status when measured: Static X Pumping _____ Rising _____ Flowing _____ Other _____
 Length of time well was idle before measurement: 6 MONTHS (SINCE 10/1/03)

Comments (use back or extra sheet if necessary): _____

I hereby certify that, to the best of my ability, the information on this report is accurate and, at the time of measurement, representative of the static water level in the aquifer.

Person making measurement (print): Stanley Layne Lindley
 Signature of measurer: [Signature]
 Company: LINDLEY ENGINEERING
 License number (CWRE, RG, PE, WWC, Pump Installer): _____
 Daytime phone number: 541-915-1652 Email address: llindley@eoni.com

If you have any questions about this notice, please call the Ground Water/Hydrology Section of the Department at 503- 378-8455 ext. 245.
 Return this Form to: OWRD, Ground Water/Hydrology Section, 158 12th St. NE, Salem, OR 97310-4172. -9860834

Additional forms can be obtained from our web sit at: <http://www.wrd.state.or.us> OWRD 2/19/2003 GW/KCW

Water Level Data on File at OWRD for this well (last 3 measurements only, most recent date on top):

DATE	STATUS	METHOD	MP Height	WL BLS	MEASURED BY	COMMENTS
4/03		EARTH AND WATER WORKS				

475

Oregon Water Resources Department
PERMIT CONDITION WATER-LEVEL REPORTING FORM

RE: Required Water Level Report for a Well on: Application G 14417 Permit G 13220 Certificate Transfer
Listed on water right as: Pod 1 Priority date: 11/27/1996

Well Identification (if any, from our records): Log ID: UNIO 50681 Well Tag: L 40701

Well location: In the NE quarter of the NE quarter of Section 34, Township 2.00S, Range 37.00E
1240 FEET SOUTH & 60 FEET WEST FROM NE CORNER, SECTION 34

STANLEY LAYNE
LINDLEY, MARTHA E
62153 MATHSON RD
LA GRANDE OR 97850

GW/KCW

Well History:			
Logid	Type Work	Date	Depth
UNIO 51371	DEEPENING	05/06/2003	

Our records indicate that you are the holder of a groundwater permit that requires that you periodically measure and report static water levels in your well(s). If you are no longer the holder of this permit or no longer have an interest in it, please contact our department. Consult your permit to determine the required times for measuring and reporting, as well as any requirements regarding who may make the measurements. We recommend that you keep a copy of all measurement reports for your records. All measurements should be made to at least the nearest tenth of a foot or the nearest inch (e.g. 10.2 feet or 10 feet 3 inches). All wells that have been constructed must be measured regardless of whether they are being used, in accordance with your permit.

MEASUREMENT REPORT

(Complete one form for each well.)

Well Identification (Please provide a well id (next line) or as much information about the well as possible; correct any errors listed):

Well Log ID: UNIO 50681 Well Tag: L 40701 Startcard #: 90198

Well not yet drilled as of date:

Original owner on well log: DANIEL HOYT; BLUE MOUNTAIN GOLF COURSE

Well depth: (ft) Casing diameter: (in) Date drilled: 11/27/1998

Owner's well name: Drilled by:

When did water use begin under this permit from this well? Date: Month/Yr

Show all water rights listing this well:

Application number(s):

Permit number(s):

Certificate number(s):

Date of measurement: 3/22/06

Description of measuring point (e.g. 1 1/4" port pipe on north side): 1 1/4" PORT PIPE ON N. SIDE OF WELL CASING

Static water level above / below (circle one) measuring point: 28' 29.5" feet, or airline pressure psi

Measuring point distance above / below (circle one) land surface: 18' 1.5" feet, or airline length feet

Static water level above / below (circle one) land surface: 28' feet

Shut-in pressure (if flowing artesian well): psi

Method of measurement: E-tape ☒ Airline ☐ Other(specify):

Water-level status when measured: Static ☒ Pumping ☐ Rising ☐ Flowing ☐ Other ☐

Length of time well was idle before measurement: 6 MONTHS

Comments (use back or extra sheet if necessary):

I hereby certify that, to the best of my ability, the information on this report is accurate and, at the time of measurement, representative of the static water level in the aquifer.

RECEIVED

Person making measurement (print): R. L. ACQUISTAPACE

Signature of measurer: [Signature]

Company: EARTH & WATER WORKS, INC.

License number (CWRE, RG, PE, WWC, Pump Installer): 1775

Daytime phone number: 541-963-2244 Email address:

MAR 24 2006

WATER RESOURCES DEPT
SALEM, OREGON

If you have any questions about this notice, please call the Measurement & Reporting Section of the Department at 503-986-0834 or 503-986-0831. Return this Form to: OWRD, Meas & Rept Section, 725 Summer St. NE, Suite. A, Salem, OR 97301-1271.

Additional forms can be obtained from our web sit at: <http://www.wrd.state.or.us>

OWRD 2/14/2006 GW/KCW

Water Level Data on File at OWRD for this well (last 3 measurements only, most recent date on top):

DATE	STATUS	METHOD	MP Height	WL BLS	MEASURED BY	COMMENTS
03/13/2005	STATIC		1.17	28.08	JASON ACQUISTAPACE	IDLE 6 1/2 MONTHS
03/13/2004	STATIC		2.30	27.50	LAYNE LINDLEY	IDLE 6 MONTHS, DATE ESTIMATE
05/06/2003	UNKNOWN			27.00	DRILLER	

Oregon Water Resources Department
PERMIT CONDITION WATER-LEVEL REPORTING FORM

RE: Required Water Level Report for a Well on: Application G 14417 Permit G 13220 Certificate Transfer
Listed on water right as: A WELL Pod 1 Priority date: 11/27/1996

Well Identification (if any, from our records): Log ID: UNIO 50681 Well Tag: L 40701

Well location: In the NE quarter of the NE quarter of Section 34, Township 2.00S, Range 37.00E
1240 FEET SOUTH & 60 FEET WEST FROM NE CORNER, SECTION 34

STANLEY LAYNE
LINDLEY, MARTHA E
62153 MATHSON RD
LA GRANDE OR 97850

GW/KCW

RECEIVED

MAR 16 2005

WATER RESOURCES DEPT
SALEM, OREGON

Our records indicate that you are the holder of a groundwater permit that requires that you periodically measure and report static water levels in your well(s). If you are no longer the holder of this permit or no longer have an interest in it, please contact our department. Consult your permit to determine the required times for measuring and reporting, as well as any requirements regarding who may make the measurements. We recommend that you keep a copy of all measurement reports for your records. All measurements should be made to at least the nearest tenth of a foot or the nearest inch (e.g. 10.2 feet or 10 feet 3 inches). All wells that have been constructed must be measured regardless of whether they are being used, in accordance with your permit.

MEASUREMENT REPORT

(Complete one form for each well.)

Well Identification (Please provide a well id (next line) or as much information about the well as possible; correct any errors listed):

Well Log ID: UNIO 50681 Well Tag: L 40701 Startcard #: 90198

Well not yet drilled as of date:

Original owner on well log: DANIEL HOYT; BLUE MOUNTAIN GOLF COURSE

Well depth: 5.00 (ft) Casing diameter: (in) Date drilled: 11/27/1998

Owner's well name: S. LAYNE LINDLEY Drilled by: EARTH AND WATER WORKS

When did water use begin under this permit from this well? Date: Month/Yr 8/03

Show all water rights listing this well:

Application number(s): G14417

Permit number(s): G13220

Certificate number(s):

Date of measurement: 3-13-05

Description of measuring point (e.g. 1 1/4" port pipe on north side): 1 1/4" PORT PIPE ON NORTH SIDE

Static water level above/below (circle one) measuring point: 29' 3" feet, or airline pressure psi

Measuring point distance above/below (circle one) land surface: 14" feet, or airline length feet

Static water level above/below (circle one) land surface: 28' 1" (CONCRETE PAD) feet

Shut-in pressure (if flowing artesian well): psi

Method of measurement: E-tape ☒ Airline ☐ Other(specify):

Water-level status when measured: Static ☒ Pumping ☐ Rising ☐ Flowing ☐ Other ☐

Length of time well was idle before measurement: 6 MONTHS

Comments (use back or extra sheet if necessary): NO (OR ALMOST NO) PRECIP SINCE 1ST PART OF DEC 2004

I hereby certify that, to the best of my ability, the information on this report is accurate and, at the time of measurement, representative of the static water level in the aquifer.

Person making measurement (print): JASON ACQUISTAPACE

Signature of measurer: [Signature]

Company: EARTH & WATER WORKS

License number (CWRE, RG, PE, WWC, Pump Installer): WWC# 1775

Daytime phone number: 541-963-2244 Email address: JAM@EONI.COM

If you have any questions about this notice, please call the Measurement & Reporting Section of the Department at 503-986-0834 or 503-986-0831. Return this Form to: OWRD, Meas & Rept Section, 725 Summer St. NE, Suite. A, Salem, OR 97301-1271.

Additional forms can be obtained from our web sit at: <http://www.wrd.state.or.us>

OWRD 2/15/2005 GW/KCW

Water Level Data on File at OWRD for this well (last 3 measurements only, most recent date on top):

DATE	STATUS	METHOD	MP Height	WL BLS	MEASURED BY	COMMENTS
03/15/2004	STATIC		2.50	27.50	LAYNE LINDLEY	IDLE 6 MONTHS, DATE ESTIMATE
05/06/2003	UNKNOWN			27.00	DRILLER	

AFTER RECORDING RETURN TO:
EASTERN OREGON TITLE INC.
1601 ADAMS AVENUE
LA GRANDE, OR 97850

SEND TAX STATEMENTS TO:
ETHAN E. JANKE

CERTIFIED TO BE A TRUE
AND ORIGINAL COPY

WARRANTY DEED

STANLEY LAYNE LINDLEY and MARTHA E. LINDLEY, Grantors, convey and warrant to ETHAN E. JANKE, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

* and RENE N. JANKE, HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETY.

Parcel Two (2) of Major Partition No. 2003-7, located in Sections 34 and 35, Township 2 South, Range 37 East of the Willamette Meridian, in Union County, Oregon:

TOGETHER WITH the 30 foot easement for access and utilities across Parcel One (1) of Major Partition No. 2000-14, as dedicated on said plat;

ALSO TOGETHER WITH, the easement for ingress, egress and utilities on the West 30 feet of Parcel One (1) on Major Partition No. 2000-14, as granted by deed, recorded August 15, 2002, as Microfilm Document No. 20024715.

Assessor Account No. 02S37-2600; Code 103; Ref. #4664

TOGETHER WITH any and all improvements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining including any appurtenant easements, and all water and water rights, ditches and ditch rights and timber rights appurtenant thereto.

SUBJECT TO additional taxes, penalties and interest, if any are imposed in the event of declassification of the property from its present classification as farm or forest lands which buyer assumes and agrees to pay and hold Seller harmless therefrom.

SUBJECT TO reservations in patents of the United States Federal Government, deeds issuing by, through or under the State of Oregon, deeds issuing by, through or under Baker County, Oregon, covenants, conditions, restrictions, reservations and easements for all roads, ditches, road rights of way, and utility installations as such roads, ditches and utility installations now cross the property whether of record or apparent from an inspection of the property and including easements and assessments, if any, pertaining thereto.

SUBJECT TO rights of the public in and to any portion of the above described premises lying within the boundaries of roads or highways.

SUBJECT TO rights of the public and of governmental bodies in and to any portion of the premises lying below the mean high water mark of the various streams crossing said property.

SUBJECT TO discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose.

SUBJECT TO zoning ordinances, building and use restrictions, reservations in federal patents, easements of record, and private covenants, conditions and restrictions of record, including but not limited to:

1. Right of Way Easement granted to the Pacific Telephone and Telegraph Company, a California corporation, dated December 17, 1923, recorded February 8, 1924 in Book 79, page 351, Deed Records of Union County, Oregon.
2. Right of Way Easement granted to the Pacific Telephone and Telegraph Company, a California corporation, recorded February 8, 1924 in Book 79, page 356, Deed Records of Union County, Oregon.
3. Right of Way Easement granted to the Pacific Telephone and Telegraph Company, a California corporation, dated November 25, 1930, recorded January 2, 1931 in Book 90, page 463, Deed Records of Union County, Oregon.
4. Right of Way Easement granted to Eastern Oregon Light and Power Company, a corporation, dated October 6, 1940, recorded December 31, 1941 in Book 103, page 246, Deed Records of Union County, Oregon. All electric utility easements have been transferred to Oregon Trial Electric Co-op.

RECEIVED

AUG 21 2006

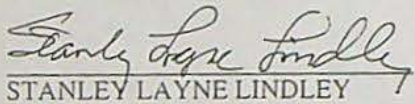
WATER RESOURCES DEPT
SALEM, OREGON

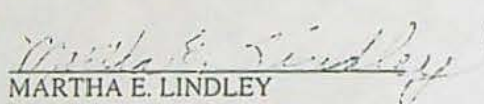
5. Right of Way Easement, granted to The Pacific Telephone and Telegraph Company, a California corporation; recorded May 6, 1942, in Book 103, page 548, Deed Records of Union County, Oregon.
6. Right of Way Easement granted to California-Pacific Utilities Company, a corporation; dated February 21, 1958, recorded March 3, 1958, in Book 140, page 216, Deed Records of Union County, Oregon. All electric utility easements have been transferred to Oregon Trail Electric Co-op.
7. Right of Way Easement granted to California-Pacific Utilities Company, a corporation; dated April 15, 1977, recorded April 22, 1977, as Microfilm Document No. 68414, Deed Records of Union County, Oregon. All electric utility easements have been transferred to Oregon Trail Electric Co-op.
8. Easements dedicated on the plat of Major Partition No. 2003-7, as follows:
- (a) For septic tank and drainfield, 320 feet by 287.40 feet, as shown on said plat;
 - (b) A 30 foot easement for ingress, egress and utilities, 320 foot long, adjacent to the Southerly line of this property as shown on said plat.
9. Right of Way Easement Private Party granted to Oregon Trail Electric Consumers Cooperative, a corporation, dated March 24, 2004, recorded March 25, 2004, as Microfilm Document No. 20041590, Deed Records of Union County, Oregon.
10. Well Ownership Information Form, recorded June 6, 2003, Microfilm Document No. 20033817. Records of Union County, Oregon; containing Well Identification No. L61801.

The true consideration for this conveyance is \$540,000.00,
which however includes personal property.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES [AND], TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

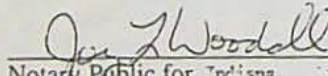
DATED this _____ day of _____, 2006.


STANLEY LAYNE LINDLEY


MARTHA E. LINDLEY

STATE OF INDIANA)
County of Daviess) ss.

The foregoing instrument was acknowledged before me this 7th day of June, 2006, by Stanley Layne Lindley and Martha E. Lindley as their voluntary act and deed.


Notary Public for Indiana Joy L. Woodall
My Commission Expires 4/2/07





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
503-378-3739
FAX 503-378-8130

July 25, 2006

Northwest Farm Credit Services, FLCA
P.O. Box 2515
Spokane, Washington 99220-2515

Reference: Application G-14417, Permit G-13220

The Department is not able to perform the assignment you requested on the above referenced water right. This right is currently in the name of Stanley Layne and Martha Lindley. Either the Lindley's must sign the form, or proof of ownership for the lands covered by this permit must be submitted. A copy of the deed with the legal description works well for this purpose. A tax statement is not acceptable as proof.

Your request and fees that you submitted are being returned to you. Should you have any questions, please do not hesitate to contact me at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure: Original request and check

cc: Gina Beaman - OWRD Fiscal
File



Jerry -

Enclosed is the Warranty Deed showing transfer of the property from the Lindley's to our customers the Jenke's. If you need any additional information please let me know.

Thanks

Peggy Wolny (503) 340-5684.



1700 South Assembly Street
PO Box 2515, Spokane, WA 99220-2515
Voice: 509.340.5300 Toll Free: 800.827.6505 Fax: 509.340.5400

July 17, 2006

Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-2430

Re: Ethan and Rene' Janke

Ladies and Gentlemen:

Enclosed please find a Request for Assignment executed by Ethan & Rene' Janke.

Northwest Farm Credit Services is taking a security interest in the Assignment, and we are requesting that copies of all notices and correspondence be sent to our office at the above address.

Please sign the bottom of this letter acknowledging receipt of the assignment and return in the enclosed envelope.

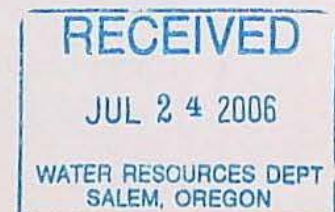
If you should have any questions, please feel free to contact me at (509) 340-5684.

Sincerely,

Peggy Wolny
Financial Specialist

Acknowledge receipt of the assignment:

Water Resources Department





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
503-378-3739
FAX 503-378-8130

July 25, 2006

Northwest Farm Credit Services, FLCA
P.O. Box 2515
Spokane, Washington 99220-2515

Reference: Application G-14417, Permit G-13220

The Department is not able to perform the assignment you requested on the above referenced water right. This right is currently in the name of Stanley Layne and Martha Lindley. Either the Lindley's must sign the form, or proof of ownership for the lands covered by this permit must be submitted. A copy of the deed with the legal description works well for this purpose. A tax statement is not acceptable as proof.

Your request and fees that you submitted are being returned to you. Should you have any questions, please do not hesitate to contact me at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure: Original request and check

cc: Gina Beaman – OWRD Fiscal

File

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-14417

Final Order
Extension of Time for Permit Number G-13220

Appeal Rights

This is a final order other than contested case. Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition the Director for reconsideration of this order or petition for judicial review of this order. As provided in ORS 536.075, this order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 day time period specified by ORS 183.484(2).

Application History

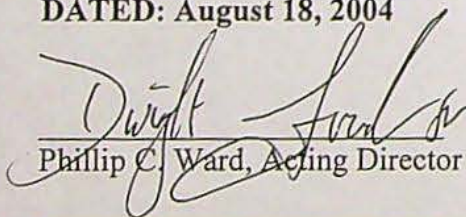
On September 18, 2003, Stanley Layne and Martha Lindley submitted an application to the Department for an extension of time for permit number G-13220. The Department issued permit number G-13220 on November 28, 1997. The permit called for complete application of water to the full beneficial use by October 1, 2001. In accordance with OAR 690-315-0050(2), on June 22, 2004, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2006. The protest period closed August 6, 2004, in accordance with OAR 690-315-0060(1). No protest was filed.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 537.248, 537.630, 539.010(5) and/or OAR 690-315-0040(2).

Order

The extension of time for Application Number G-14417, Permit Number G-13220, therefore, is approved. The deadline for applying water to full beneficial use is extended to October 1, 2006.

DATED: August 18, 2004


Phillip C. Ward, Acting Director

If you have any questions about statements contained in this document, please contact Lisa Juul at (503) 986-0808.

If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900.

Extension "Final Order" Checklist

Application # G-14417 / Permit # G-13220

Permit Holder's Name Stanley and Martha Lindley

This Final Order is processed under: ☒ Div. 315 Rules -or- ☐ Div. 320 Rules

✓ 1. Date Extension Request submitted: 9-18-03

✓ 2. Date permit was issued: 11-28-97

✓ 3. Original "B" Date from permit:
(Date for completion of construction)

✓ 4. Original "C" Date from permit: 10-1-01
(Date for complete application of water)

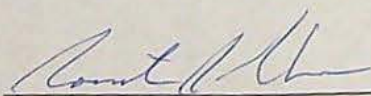
✓ 5. Extension PFO Date: 6-22-04

✓ 6. WRD recommends extending "B" Date to:

and extending the "C" Date to: 10-1-06

✓ 7. Protest Deadline Date from PFO: 8-6-04

✓ 8. Any written Protests or written Comments received within the Protest period? Yes / **No**

Reviewer's Name: 

Date: 8/16/04

**Oregon Water Resources Department
Water Rights Division**

Application for Extension of Time

In the Matter of the Application	)	
for an Extension of Time for	)	
Permit #G-13220, Water Right	)	PROPOSED FINAL ORDER
Application #G-14417	)	
(Stanley Layne and Martha Lindley)	)	

Permit Information

Application File #G-14417 / Permit #G-13220

Basin: #08 - Grande Ronde / Watermaster District: #6

Date of Priority: November 27, 1996

Authorized Use of Water

Source of Water:	One Well in the Fivepoint Creek Basin
Purpose or Use:	Irrigation of 112.0 acres
Maximum Rate:	1.34 cubic feet per second (cfs)

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

Please read this Proposed Final Order in its entirety.

This Proposed Final Order applies only to Permit #G-13220, water right Application #G-14417. A copy of Permit #G-13220 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- grant the extension for complete application of water from October 1, 2003, to October 1, 2006.

AUTHORITY

ORS 537.230 and ORS 537.630(1) provide in pertinent part that the Water Resources Department shall, for good cause shown, order an extension of time within which: irrigation or other works shall be completed; the well or other means of developing and securing ground water shall be completed; or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5).

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

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

FINDINGS OF FACT

Background

1. Permit #G-13220 was granted by the Water Resources Department on November 28, 1997. The permit authorizes the use of up to 1.34 cfs of water from one well, within the Fivepoint Creek Basin, for irrigation of 112.0 acres. The permit specified that complete application of water was to be made on or before October 1, 2001.

2. One previous extension has been filed resulting in the completion date to accomplish full beneficial use of water being extended to October 1, 2003.
3. The permit holder submitted an "Application for Extension of Time" to the Department on September 18, 2003, requesting the time in which to accomplish beneficial use of water to the full extent under the terms of Permit #G-13220 be extended from October 1, 2003, to October 1, 2006.
4. Notification of the permit holder's extension of time request for Permit #G-13220 was published on the Department's Public Notice dated September 30, 2003. No public comment on the extension application was received.

Review Criteria [OAR 690-315-0040(1)(2)]

As set forth under OAR 690-315-0040(1)(2), the time limits to complete construction or to apply the water to a beneficial use may be extended upon showing of good cause for the untimely completion. This determination shall consider the applicable requirements of ORS 537.230, 537.248¹, 537.630 and 539.010(5).

Other Governmental Requirements [ORS 537.230(2)]

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

Start of Construction [ORS 537.630]

6. Construction of the well and water system began within the time specified in the permit, being November 28, 1998.

Financial Investment [ORS 539.010(5)]

7. As of September 18, 2003, the permit holder had invested a total of \$39,500 into the project, consisting of complete construction of the well, installation of a pump and flow meter, and installation of a temporary distribution system. An additional \$40,000 investment is anticipated for the completion of this project.

¹ ORS 537.248 applies to reservoir permits only.

Reasonable Diligence and Good Faith of the Appropriator [ORS 537.230(1), 537.630(1) and 539.010(5)]

Reasonable diligence during the permit period constitutes a continuing test of whether and under what conditions to grant an extension [ORS 537.260, OAR 690-315-0040(3)].

In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:

Amount of Construction

8. The following construction was completed within the time allowed in the permit or previous extension:
 - a. Construction of the well and water system began within the time specified in the permit, being November 28, 1998. The work thus far consists of complete construction of the well, installation of a pump and flow meter, and installation of a temporary distribution system.

Beneficial Use of Water

9. The following beneficial use was made of the water during the permit or previous extension time limits:
 - a. Since the issuance of Permit #G-13220 on November 28, 1997 a maximum rate of 390 gallons per minute (0.87 cfs) of water has been appropriated from the well for irrigation of 65.0 acres.
 - b. Delay of full beneficial use of water under Permit #G-13220 was due to the process of conversion to a permanent water distribution system.

Compliance with Conditions

10. The water right permit holder's conformance with the permit or previous extension conditions.
 - a. The record does not raise concerns about the permit holder's compliance with conditions.

Financial Investments

11. Financial investments made toward developing the beneficial water use.
 - a. As of September 18, 2003, the permit holder had invested approximately 50 percent of the total projected cost for complete development of this project. A total of \$39,500 into the project, consisting of complete construction of the well, installation of a pump and flow meter, and installation of a temporary distribution system. An additional \$40,000 investment is anticipated for the completion of this project.

The Market and Present Demands for Water [ORS 539.010(5) and OAR 690-315-0040(4)]

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

12. The amount of water available to satisfy other affected water rights and scenic waterway flows.
 - a. The Department determined on December 16, 1996, that this use of ground water will, if properly conditioned, adequately protect the surface water from interference. Conditions were, therefore, placed upon Permit #G-13220 in order to avoid injury to existing rights or to the ground water resource.
 - b. The permitted point of appropriation (the well), authorized under Permit #G-13220, is not located within the boundaries of any designated ground water limited area.
 - c. The permitted point of appropriation, authorized under Permit #G-13220, is located within the designated boundaries of a state scenic waterway.
13. Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d).
 - a. The permitted point of appropriation, authorized under Permit #G-13220, is located within the Fivepoint Creek Basin which has been identified by the Oregon Department of Fish and Wildlife as a "moderate" needs ranking area for streamflow restoration for fish. Additionally, Fivepoint Creek has been designated by the Oregon Department of Environmental Quality as a water quality limited stream. The Department determined on December 16, 1996 however, that this use of groundwater will, if properly conditioned, adequately protect the surface water from interference. The Department, therefore, placed conditions upon Permit #G-13220 in order to avoid injury to existing rights or to the ground water resource. Because of this determination, this application does not raise concerns about surface water impacts.
 - b. The permitted point of appropriation, authorized under Permit #G-13220, is not located within a designated reach of any federal wild and scenic river.

14. The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife.
 - a. The permitted well is located within a designated sensitive, threatened or endangered species area for aquatic species utilizing surface water resources, as identified by the Oregon Department of Fish and Wildlife. The Department determined on December 16, 1996, however, that this use of groundwater will, if properly conditioned, adequately protect the surface water from interference. The Department, therefore, placed conditions upon Permit #G-13220 in order to avoid injury to existing rights or to the ground water resource. Because of this determination, this application does not raise concerns about surface water impacts.
15. Economic investment in the project to date.
 - a. As of September 18, 2003, the permit holder had invested approximately 50 percent of the total projected cost for complete development of this project. A total of \$39,500 into the project, consisting of complete construction of the well, installation of a pump and flow meter, and installation of a temporary distribution system. An additional \$40,000 investment is anticipated for the completion of this project.
16. Other economic interests dependent on completion of the project.
 - a. None have been identified.
17. Other factors relevant to the determination of the market and present demand for water and power.
 - a. None have been identified.

Fair Return Upon Investment [ORS 539.010(5)]

18. Use and income from the permitted water development will result in reasonable returns upon the investment made to date.

Duration of Extension [OAR 690-315-0040(1)(c), ORS 539.010(5)]

As set forth under OAR 690-315-0040(1)(c), time extensions granted shall be for the reasonable time period necessary to complete construction and application of water to beneficial use.

19. As of September 18, 2003, the remaining work to be completed consists of

complete application of water to beneficial use.

20. The process of conversion to a permanent water distribution system extended the length of time needed to fully develop and perfect the permit.
21. Given the amount of development left to occur, the Department has determined that the permittee's request to have until October 1, 2006, to accomplish the application of water to beneficial use under the terms of Permit #G-13220 is both reasonable and necessary.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.230 and ORS 537.630.
2. The applicant has submitted a complete extension application form and the fee specified under ORS 536.050(1)(k), as required by OAR 690-315-0040(1)(a).
3. The applicant demonstrated that actual construction on the project began within the time specified in the permit, as required by OAR 690-315-0040(1)(b).
4. Full application of water to beneficial use can be accomplished by October 1, 2006², as required by OAR 690-315-0040(1)(c).
5. The Department has considered the requirements of other governmental agencies, the financial investment made, the reasonable diligence and good faith of the appropriator, the market and present demands for water and the fair return upon the investment, and has determined that the applicant has shown good cause exists for an extension to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

Proposed Order

Based upon the foregoing findings of fact and conclusions of law, the Department proposes to issue an order to:

² Pursuant to ORS 537.630(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use.

Extend the time for complete application of water to beneficial use under Permit #G-13220 from October 1, 2003, to October 1, 2006.

DATED: June 22, 2004


Dwight French
Water Rights Section Manager

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may request a contested case hearing on the proposed final order. Your request for contested case hearing must be in writing and must be received by the Water Resources Department no later than **Friday, August 6, 2004**, being 45 days from the date of publication of the proposed final order in the Department's weekly public notice.
2. A written request for contested case hearing shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the petition upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
 - a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a request for contested case hearing has been submitted, and:
 - A. Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - B. The applicant submitted a timely request for a contested case hearing.

If you have other questions about the Department, or any of its programs, please contact our Water Rights Information Group at (503)986-0801. Address all other correspondence to:

Water Rights Section
Oregon Water Resources Department
725 NE Summer Street, Suite A
Salem, OR 97301-1271
Fax #: (503)986-0901

If you have any questions about statements contained in this document, please contact Lisa Juul at (503)986-0808.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her telephone number is (503)986-0824.

If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503)986-0900.

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

158 12TH ST. N.E.
SALEM, OR 97301-4172
378-8455 / 378-8130 (FAX)

RECEIPT #

62979

INVOICE # _____

RECEIVED FROM: S. Lynne Lindley
BY: _____

APPLICATION	<u>G14417</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 1116 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 100.00

0401 TREASURY 0417 WRD MISC CASH ACCT

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

0427 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201	SURFACE WATER	\$	0202	\$
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$		

WELL CONSTRUCTION

0218	WELL DRILL CONSTRUCTOR	\$	0219	\$
	LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT:

62979

DATED:

9/18/03

BY:

Linda Dwyer

**APPLICATION FOR EXTENSION OF TIME
TO THE WATER RESOURCES DIRECTOR OF OREGON**

I, STANLEY LAYNE AND MARTHA E. LINDLEY
NAME
62153 MATSON ROAD LAGRADE OR 97850 541-
ADDRESS CITY STATE ZIP PHONE
975-1652

owner of record, or duly authorized agent, of Application No. G-14417, Permit No. G-13220,
do hereby request that the time in which to:

- ☐ complete the construction of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 2003, be extended to October 1, 2006,

and/or the time in which to:

- ☒ accomplish beneficial use of water to the full extent under the terms of the permit, which time now expires on October 1, 2003, be extended to October 1, 2006.

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

Attached is an instruction sheet to assist you in completing the information on the permit extension application form. Oregon Water Law and Administrative Rules requires this information to be considered by the Water Resources Department when reviewing a permit extension application. All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information that would aid us in making our decision. Please use additional sheets of paper as needed to fully respond to the questions.

After reviewing the application form and the instruction sheet, if you have any questions, you may contact the Department at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.

1. Did water system construction/well drilling begin within the time specified in the permit [yes/no]?
Yes, see attached copy of start card
2. Has construction of diversion/appropriation works, distribution system, and use of water, if any, been accomplished consistent with the limitations and conditions of this permit [yes/no]?

No,

- A) Please describe how you have complied with each applicable permit condition (NOTE: the instruction sheet for permit extension applications provides some direction as to what is an "applicable" condition at time of permit extension review).

PREVIOUS HOLDER OF PERMIT FOR THIS WELL STARTED WELL ON NOV. 26, 1998 AND SPENT \$4000 WAS HURT AND APPLIED FOR AN EXTENSION TO COMPLET UNTIL OCT 1, 2003. WE BOUGHT FARM IN AUG 15, 2002, APPLIED FOR A REASSIGNMENT WHICH WAS GRANTED ON FEB 13, 2002. THE WELL WAS FINISHED ON MAY 6, 2003. THE PUMP WAS INSTALLED (WITH FURNITURE) ON JULY 26, 2003. BENEFICIAL WATER APPLICATION WAS STARTED ON AUG 6, 2003. AN 'EQIP' AGREEMENT FOR WATER DISTRIB. SYSTEM WAS ENTERED ON JULY 2003.

- B) If you have not complied with all applicable conditions, please explain the reasons why and indicate a date certain, in the near future, by which time you will be in compliance with applicable conditions.

I HAVE ONLY A PARTIAL WATER DISTRIBUTION SYSTEM THAT IS A SURFACE MAINLINE SYSTEM THAT I RENTED. IT GOES BENEFICIAL USE FOR APPROXIMATELY 65 AC. NOT YET THE FULL 112 AC. PERMITTED. THE EQIP PLAN THAT WAS APPROVED ALLOWED FOR THIS TEMPORARY SYSTEM THIS YEAR, TO BE FOLLOWED BY A PERMANENT DISTRIB. SYSTEM WITH INSTALLATION TO BE COMPLETED IN THE NEXT 2 YEARS WITH COMPLETION BEFORE 2006.

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

- A) Within the past year or, if a prior extension was authorized, during the last permit extension period: WELL COMPLETED, MAY 6, 2003 - \$7800;

60HP PUMP, 10HP BOOSTER PUMP, FLOWMETER, VALVE & PLUMBING - JULY & AUG 2003, - \$14,000;
60 KW GENERATOR - \$5000; RENTED 6" MAINLINE, 4" SUB MAIN & 3" HEADLINES - \$1050;
PURCHASED WHEEL LINE (NEW) 2 B16 GWS NEW - \$9100; SECURED A
LOAN FOR \$74,500 FROM NORTHWEST FARM CREDIT SPECIFICALLY FOR IRRIGATION SYSTEM;
SECURED AN "EQIP" CONTRACT FROM NRCS (USDA) FOR \$49,000 TO PAY BACK PARTIAL
FARM CREDIT LOAN; FINALLY APPLIED WATER TO 65 AC OF PASTURE & HAYLAND. 8-6-2003

- B) Prior to the past year or, if a prior extension was authorized, prior to the last extension period:

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DAN HOYT, PREVIOUS OWNER, HAS SPENT \$4000 ON DRILLING WELL BEFORE GETTING NEAR FATAL INJURY. THIS WAS PRIMARILY SEEVING AND MOVING IN OF DRILL RIG AND DRILLING FIRST PART OF WELL BEFORE UNCLIMATE WEATHER BROUGHT OPERATION TO HALT.

4. I have accomplished beneficial use of water under the permit to the extent of (amount of water used and acres irrigated):

- A) Quantity of Water Used [in cubic feet per second (cfs) or gallons per minute (gpm) if using surface water or ground water.....and/or..... in acre-feet (af) if using stored water]:

THE FLOWMETER (MICROMETER BRAND) INDICATES 375 GPM, SOMETIMES 390 GPM. BUT THE OLD PUMP HAS SOME OF GASKETS THAT LEAK SO I BELIEVE IT TO BE 350 TO 360 GPM. OF ACTUAL BENEFICIAL APPLICATION.

- B) Number of Acres Irrigated (if an irrigation permit):

ABOUT 65 AC ON THIS TEMPORARY DISTRIBUTION SYSTEM.

5. Cost of project to date \$39,500. Estimated remaining cost to complete the project \$40,000.

6. Please list the reasons why the project was not constructed, and/or water not beneficially used within permit time limits under the appropriate categories below. Please provide supporting information for each reason identified:

- A) The project is of a size and scope that the original intent was to phase it in over a period longer than the timeframes allowed in the permit.

I APPLIED FOR AND RECEIVED A CONTRACT UNDER THE ENVIRONMENTAL QUALITY INCENTIVES PROGRAM WITH THE U.S.D.A., ADMINISTERED BY NRCS. IT IS SET UP AS A PHASED IN PROGRAM OVER 2-3 YEARS. IN FACT BECAUSE OF THE SIZE AND IT PART TO ALLOW TIME FOR NRCS ENGINEERS TO DO FINAL DESIGN AND SURVEYS, THEY ARE OVERBOUNDED NOW. THE PRESENT SYSTEM IS TEMPORARY OTHER THAN PUMP/WELL HEAD. THIS CAN BE VERIFIED THRU RON ALVARADO, NRCS, LA GRANDE, OR OR JOHN BUSCH, NRCS, BAKER CITY, OR. (COPY ATTACHED)

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- B) Financing and/or cash-flow needs to develop the project precluded completion of the project within authorized timeframes.

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

- D) Acts of God or other unforeseen events delayed full development of the water system and use of water.

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

Stanley Payne Lindley
Martha E. Lindley
Signature

9/6/03
Date

MAIL COMPLETED APPLICATION and STATUTORY FEE OF \$100 TO:

WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES DEPARTMENT
158 12th STREET NE
SALEM, OREGON 97301-4172

revised: September 18, 2002

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CCC-1200 (06/06/2003)	U.S. DEPARTMENT OF AGRICULTURE COMMODITY CREDIT CORPORATION	1. State & County Code 2. a. Farm Number(s) b. Tract Number(s) 3. Contract Number 4. Primary Fund Code 5. HUA Number 6. Total Treated Acres	41061 2165 2821 EQIP 1706010420 100.0
CONSERVATION PROGRAM APPLICATION/CONTRACT			

THIS is an APPLICATION to participate in the:

7. PROGRAM (Check One)	a. Agricultural Management Assistance Program (AMA)	b. Conservation Security Program (CSP)	c. Environmental Quality Incentives Program (EQIP)	X
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On the farm identified above the Applicant agrees to participate in the identified program if the offer is accepted by Commodity Credit Corporation (CCC). The undersigned person shall hereafter be referred to as "the Applicant." The Applicant understands that starting a practice prior to CCC approval causes the practice to be ineligible for program financial assistance and the applicant will obtain the landowners signature on the contract to install structural practices. BY SIGNING THIS APPLICATION, THE APPLICANT ACKNOWLEDGES, RECEIPT OF THE FOLLOWING FORMS: CCC-1200, THE CCC-1200 APPENDIX AND ANY ADDENDA THERETO.

S. Layne Lindley
SIGNATURE OF APPLICANT
(signature of individual or authorized representative of entity or joint operation)

7/2/03
DATE

7a. Limited Resource Producer and Beginning Farmer Certification

I, S. Layne Lindley certify that I am a: ☐ LIMITED RESOURCE PRODUCER(EQIP);
☒ BEGINNING FARMER/RANCHER (EQIP, CSP), as per the following guidelines:

Limited Resource Farmer or Rancher:

A Limited Resource Farmer or Rancher has the following characteristics:

- (a) A person with direct or indirect gross farm sales not more than \$100,000 in each of the previous two years (to be increased starting in FY 2004 to adjust for inflation using Prices Paid By Farmers Index as compiled by NASS), and
- (b) Has a total household income at or below the national poverty level for a family of four, or less than 50 percent of county median household income (to be determined annually using Commerce Department Data), in each of the previous two years.

An entity or joint operation can be a Limited Resource Producer if all individual members qualify as a Limited Resource Producer.

Beginning Farmer or Rancher:

- (a) Has not operated a farm or ranch, or who has operated a farm or ranch for not more than 10 consecutive years. This requirement applies to all members of an entity, and
- (b) Will materially and substantially participate in the operation of the farm or ranch.
- (i) In the case of a contract with an individual, individually or with the immediate family, material and substantial participation requires that the individual provide substantial day-to-day labor and management of the farm or ranch, consistent with the practices in the county or State where the farm is located.
- (ii) In the case of a contract made with an entity, all members must materially and substantially participate in the operation of the farm or ranch. Material and substantial participation requires that the members provide some amount of the management, or labor and management necessary for day-to-day activities, such that if the members did not provide these inputs, operation of the farm or ranch would be seriously impaired.

NOTE: All applicants that certify eligibility as a Limited Resource Farmer or Rancher or Beginner Farmer or Rancher will provide all records necessary to justify their claim as requested by a CCC representative. It is the responsibility of the applicant to provide accurate data. False certifications are subject to criminal and civil fraud statutes.

<i>S. Layne Lindley</i> Signature	7/2/03 Date
--------------------------------------	----------------

8. Contract Language

THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners, operators, or tenants (referred to as "Owner," "Operator," & "Tenant"; respectively) on the farm identified above. The undersigned person or persons shall hereafter be referred to as "the Participant". The Participant agrees to participate in the program designated in Section 7 from the date the Contract is executed by CCC to the contract expiration date in Section 9. The Participant also agrees to implement the plan of operations developed and approved by the Participant and CCC. Additionally, the Participant and CCC agree to comply with the terms and conditions contained in this Contract, including the appendix to this Contract, entitled "Appendix to Form CCC-1200" for the applicable program (referred to as "Appendix"), and any other addenda thereto. The Participant also agrees to pay such applicable liquidated damages in an amount specified in the Appendix for the applicable program if the Participant cancels the agreement before termination or the CCC terminates the contract.

Continued on next page

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U.S. DEPARTMENT OF AGRICULTURE
COMMODITY CREDIT CORPORATION

1. State & County Code
2. a. Farm Number(s)
b. Tract Number(s)
3. Contract Number
4. Primary Fund Code
5. HUA Number
6. Total Treated Acres

41061
2165
2821

1706010420
100.0

Applicant: S. Layne Lindley	County: Union	State: Oregon
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[illegible]

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WATER RESOURCES DEPT.
SALEM, OREGON

CCC-1200 (06/06/2003)	U.S. DEPARTMENT OF AGRICULTURE COMMODITY CREDIT CORPORATION	1. State & County Code 2. a. Farm Number(s) b. Tract Number(s) 3. Contract Number 4. Primary Fund Code 5. HUA Number 6. Total Treated Acres	41061 2165 2821 1706010420 100.0
CONSERVATION PROGRAM APPLICATION/CONTRACT			

2. FARM & TRACT NUMBER(S), (continued):	
FARM NUMBERS:	
TRACT NUMBERS:	

9b. AGREEMENT PERIOD

Contract Start Date: July 2, 2003 Contract Expiration Date: June 1, 2005

NOTE: Contract can expire no earlier than one year after the last scheduled practice is certified completed to standards and specifications.

	TOTAL	2003_	2004_	20__	20__	20__	20__	20__	20__	20__	20__
Total Obligations (FA):											
Total TSP (TA):											
Total Contract Obligations:	48,930	16,380	32,550								

10. CONTRACT PARTICIPANTS					
NAME, ADDRESS, and PHONE NUMEBR S. Layne Lindley 62153 Mathson Road La Grande, OR 97850	OW X	OP X	PAYMENT SHARES (%) 100%	ID NUMBER: 1/ SIGNATURE: <i>S. Layne Lindley</i>	DATE: 7/2/03
NAME, ADDRESS, and PHONE NUMEBR	OW	OP	PAYMENT SHARES (%)	ID NUMBER: 1/ SIGNATURE:	DATE:
NAME, ADDRESS, and PHONE NUMEBR	OW	OP	PAYMENT SHARES (%)	ID NUMBER: 1/ SIGNATURE:	DATE:
11. CCC USE ONLY - Payments according to the shares approved.			SIGNATURE OF CCC REPRESENTATIVE DATE:		

1/ Joint operation ID, if applicable.

Continued on next page

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WATER RESOURCES DEPT.
SALEM, OREGON

CCC-1200 (06/06/2003)	U.S. DEPARTMENT OF AGRICULTURE COMMODITY CREDIT CORPORATION	1. State & County Code	41061
CONSERVATION PROGRAM APPLICATION/CONTRACT		2. a. Farm Number(s)	2165
		b. Tract Number(s)	2821
		3. Contract Number	
		4. Primary Fund Code	EQIP
		5. HUA Number	1706010420
		6. Total Treated Acres	100.0

CONTRACT MODIFICATIONS (+/-)			
AMOUNT.	NRCS INITIAL	DATE	COMMENTS
A.			
B.			
C.			
D.			
E.			
F.			
G.			
H.			
I.			
J.			
K.			
L.			
M.			
O.			
P.			
Q.			
R.			
S.			
T.			
U.			
W.			

PRIVACY ACT

NOTE: The following statement is made in accordance with the Privacy Act of 1974, (5 U.S.C. 552a). The authority for requesting the following information is 7 CFR 1466 (EQIP), 7 CFR 1469 (FPP), 7 CFR 636 (WHIP), and Public Law 106-224, Section 133(b), AMA, and Section 211(b), SWCA. The information will be used to allow a farmer, rancher, or landowner to apply for conservation benefits under the terms and conditions of the contract. Furnishing the required information is necessary to determine properly the eligible land for the applicable program benefits. Failure to furnish the requested information will result in the applicant being unable to apply for or receive benefits under the applicable programs. This information may be provided to other agencies, IRS, Department of Justice, or other State or Federal Law Enforcement agencies, and in response to a court magistrate or administrative tribunal. The provisions of criminal and civil fraud statutes, including 18 U.S.C. 286, 287, 371, 641, 651, 1001; 15 U.S.C. 714m; and 31 U.S.C. 3729 may also be applicable to the information provided.

USDA NONDISCRIMINATION STATEMENT

"The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice or TDD). USDA is an equal opportunity provider and employer."

Continued on next page

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WATER RESOURCES DEPT.
SALEM, OREGON

CCC-1200
(06/06/2003)

U.S. DEPARTMENT OF AGRICULTURE
COMMODITY CREDIT CORPORATION

1. State & County Code
2. a. Farm Number(s)
b. Tract Number(s)
3. Contract Number
4. Primary Fund Code
5. HUA Number
6. Total Treated Acres

CONSERVATION PROGRAM APPLICATION/CONTRACT

10. CONTRACT PARTICIPANTS, (continued)

NAME, ADDRESS, and PHONE NUMBER	OW	OP	PAYMENT SHARES (%)	ID NUMBER: 1/ SIGNATURE: _____	DATE: _____
NAME, ADDRESS, and PHONE NUMBER	OW	OP	PAYMENT SHARES (%)	ID NUMBER: 1/ SIGNATURE: _____	DATE: _____
NAME, ADDRESS, and PHONE NUMBER	OW	OP	PAYMENT SHARES (%)	ID NUMBER: 1/ SIGNATURE: _____	DATE: _____
NAME, ADDRESS, and PHONE NUMBER	OW	OP	PAYMENT SHARES (%)	ID NUMBER: 1/ SIGNATURE: _____	DATE: _____
NAME, ADDRESS, and PHONE NUMBER	OW	OP	PAYMENT SHARES (%)	ID NUMBER: 1/ SIGNATURE: _____	DATE: _____
NAME, ADDRESS, and PHONE NUMBER	OW	OP	PAYMENT SHARES (%)	ID NUMBER: 1/ SIGNATURE: _____	DATE: _____
NAME, ADDRESS, and PHONE NUMBER	OW	OP	PAYMENT SHARES (%)	ID NUMBER: 1/ SIGNATURE: _____	DATE: _____
NAME, ADDRESS, and PHONE NUMBER	OW	OP	PAYMENT SHARES (%)	ID NUMBER: 1/ SIGNATURE: _____	DATE: _____
NAME, ADDRESS, and PHONE NUMBER	OW	OP	PAYMENT SHARES (%)	ID NUMBER: 1/ SIGNATURE: _____	DATE: _____
NAME, ADDRESS, and PHONE NUMBER	OW	OP	PAYMENT SHARES (%)	ID NUMBER: 1/ SIGNATURE: _____	DATE: _____

1/ Joint Operation ID, if applicable.

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WATER RESOURCES DEPT.
SALEM, OREGON

Conservation Plan

S. Layne Lindley
62153 Mathson Road
La Grande, OR 97850

Hay

Tract: 2821

IRRIGATION SYSTEM, SPRINKLER

Install a sprinkler irrigation system to efficiently apply irrigation water without waste or erosion.

Field	Planned Amount	Month	Year	Applied Amount	Date
1	50.0 no.	9	2003		
2	50.0 no.	6	2004		
Total:	100.0 no.				

IRRIGATION WATER MANAGEMENT

Control the rate, amount and timing of irrigation water to minimize soil erosion and control water loss from runoff and deep percolation.

Field	Planned Amount	Month	Year	Applied Amount	Date
1	50.0 ac.	9	2003		
2	50.0 ac.	9	2003		
Total:	100.0 ac.				

FORAGE HARVEST MANAGEMENT

Fields are managed for alfalfa and/or grass/alfalfa hay. Forage is machine harvested to optimize the economic yield of forage at the desired quality and quantity, promote vigorous plant regrowth, maintain stand life for the desired time period, and maint

Field	Planned Amount	Month	Year	Applied Amount	Date
1	50.0 ac.	8	2003		
2	50.0 ac.	8	2003		
Total:	100.0 ac.				

PUMPING PLANT FOR WATER CONTROL

Install a pumping facility to transfer water for a need(s). Concrete pad to be constructed as shown on the plan map and according to specifications to be supplied prior to construction.

Field	Planned Amount	Month	Year	Applied Amount	Date
1	1.0 no.	9	2003		
Total:	1.0 no.				

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WATER RESOURCES DEPT.
SALEM, OREGON

IRRIGATION WATER CONVEYANCE, PIPELINE, HIGH-PRESSURE, UNDERGROUND, PLASTIC

Install underground pipeline and appurtenances to reduce erosion and seepage.

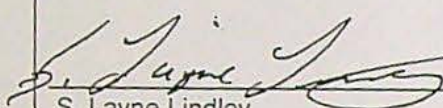
Field	Planned Amount	Month	Year	Applied Amount	Date
1	2,600.0 ft.	9	2003		
1	2,575.0 ft.	6	2004		
2	2,575.0 ft.	6	2004		
Total:	7,750.0 ft.				

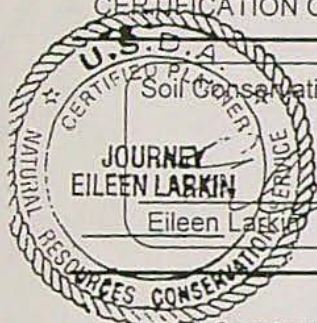
IRRIGATION WATER CONVEYANCE, PIPELINE, STEEL

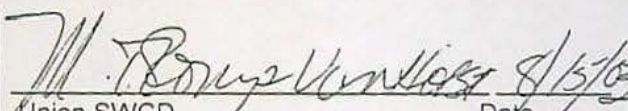
Install underground pipeline and appurtenances to reduce erosion and seepage.

Field	Planned Amount	Month	Year	Applied Amount	Date
1	20.0 ft.	9	2003		
Total:	20.0 ft.				

CERTIFICATION OF PARTICIPANTS

 7/3/03
S. Layne Lindley Date

CERTIFICATION OF:**CONSERVATION DISTRICT**

 8/15/03
Union SWCD Date

NONDISCRIMINATION STATEMENT

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

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WATER RESOURCES DEPT.
SALEM, OREGON

FOR WATER RESOURCES DEPARTMENT USE ONLY

Date Postmarked

Date Hand-delivered

Watermaster Initials

W90198

WRD Receipt

Date Fee Received

Check No.

START CARD

NOTICE OF BEGINNING OF WELL CONSTRUCTION

(as required by ORS 537.762)

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WATER RESOURCES DEPT.
SALEM, OREGON

This form must be completed, signed by both the owner (or authorized agent) and constructor, and the original mailed delivered to the Water Resources Department, 158 12th St. NE, Salem, OR 97310, no later than the day construction, alteration, conversion or abandonment work begins. A \$75 fee shall accompany all notices for new well construction or conversion of an existing hole not previously used to obtain water (make checks payable to the Water Resources Department). Notices meeting this requirement but received without the required fee will not be accepted as properly and timely filed. In addition, the constructor shall provide the "Watermaster Copy" of this notice to the office of the district watermaster within which the well is being constructed, altered, converted or abandoned using one of the following options: (a) by regular mail no later than three (3) calendar days (72 hours) prior to commencement of work; or, (b) by hand delivery, during regular office hours, no later than the day work is commenced; or, (c) by FAX no later than the day work is commenced. If method (c) is used, the original "Watermaster copy" of this notice shall also be mailed or delivered to the office of the district watermaster no later than the day work is commenced. The Water Resources Commission has authority to impose civil penalties for failure to submit the required \$75 fee with the start card and for failure to submit cards prior to beginning any construction, alteration, conversion or abandonment work.

Owner's name and mailing address: Daniel Hoyt Blue Mountain Golf Course58020 Or. Hwy 203 Union Or. 97133Phone: (541) 562-5332

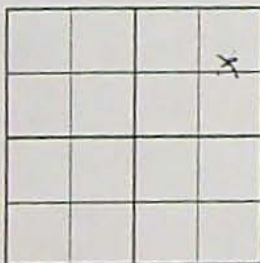
Check type of work: Fee Required ☒ New construction ☐ Conversion No Fee Required ☐ Alteration (Repair/Recondition) ☐ Deepening ☐ Abandonment Original Start Card Number

Proposed Commencement Date Existing or Proposed Well Depth 300' Diameter 8"

Check Use: ☐ Domestic ☐ Public System (Community) ☐ Industrial ☒ Irrigation ☐ Monitoring ☐ Thermal ☐ Injection ☐ Other

Proposed Well Location: County Union Owner's Well Id. No. G-14417 G-15220Township 2S (N or S) Range 37E (E or W) Section 34

N

1. NE 1/4 of NE 1/4 of above section

2. Street address of well location

3. Tax lot number of well location 26004. Attach map with location identified.
See reverse of this form for approved maps.

5. Show well location within 1/4, 1/4 of section grid at left.

We hereby certify that we have read the back of this form and that the information provided is accurate to the best of our knowledge.

[Signature]
Bonded Water/Monitor Well Constructor

License No. 299Company [Signature]

[Signature]
Owner

WELL INSP → MAXWELL

NOTE: This is not a water right application. The owner is responsible for obtaining a water right through the Water Resources Department, if required. The Oregon Health Division requires plans to be submitted and approved prior to construction if the well is to be used as a public system.

THIS COPY TO CUSTOMER

FOR WATER RESOURCES DEPARTMENT USE ONLY

Date Postmarked _____

W 153955

Date Hand-Delivered _____

OWRD Receipt _____

Date Region Office Rec'd _____

Date Fee Received _____

Check No. _____

START CARD

NOTICE OF BEGINNING OF WELL CONSTRUCTION

(as required by ORS 537.762)

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This form must be completed and the original mailed or delivered to the Water Resources Department, 1501 12th Street, NE, Salem, OR 97301-4172 for all new construction, conversion, alteration, deepening and abandonments. This original must be mailed or delivered no later than the day work is commenced. A \$75 fee shall accompany the original for all new well construction and conversion (make checks payable to the Water Resources Department). In addition, the constructor shall provide a legible copy of this notice to the region office within which the well is being constructed, converted, altered, deepened, or abandoned using one of the following methods: (a) by regular mail no later than three (3) calendar days (72 hours) prior to commencement of work; (b) by hand delivery, during regular office hours, no later than the day work is commenced; or (c) by FAX no later than the day work is commenced. If method (c) is used, a legible copy of the start card shall also be mailed or delivered to the region office no later than the day work is commenced. The Water Resources Commission has authority to impose civil penalties for failure to submit the required \$75 fee with the start card, for failure to submit the \$75 fee in a timely manner, and for failure to timely submit start cards.

Owner's name and mailing address: _____

Home _____

Phone: _____

Work _____

Phone: _____

Check type of work:

Fee



New Construction

No Fee



Alteration (Repair/Recondition)

Required:



Conversion

Required:



Deepening

Original Start



Abandonment

Card No.

Proposed Commencement Date:

4/24/03

Existing or Proposed Well Depth:

300'

Diameter:

10"

Original Well I.D. Label Number: _____

Check use:



Domestic



Public System (Community)



Industrial



Irrigation



Monitoring



Thermal



Injection



Other

Proposed Well Location: County

UNION

Township

2 S

Range

37 E

Section

34

North or South

East or West

NE 1/4

NE 1/4

Tax Lot

Street Address of well (or directions if no street address).

SAME

Show well location within 1/4, 1/4 of section grid at left.

Attach map with location identified. (See reverse for recommended maps.)

We hereby certify that we have read the back of this form and that the information provided is accurate to the best of our knowledge.

Owner/Agent

Date Signed

Bonded Water Supply/Monitor Well Constructor

Company

License No.

1775

Date Signed

4/23/03

OWNER PLEASE NOTE: This is not a water right application. The owner is responsible for obtaining a water right through the Water Resources Department, if required. The Oregon Health Division requires plans to be submitted and approved prior to construction if the well is to be used as a public system.

ADDITIONAL IMPORTANT INFORMATION ON BACK.

THIS COPY TO CUSTOMER



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
503-378-3739
FAX 503-378-8130

February 13, 2003

Stanley Layne and Martha E. Lindley
62153 Mathson Rd.
LaGrande, Oregon 97850

Reference: Application G-14417, Permit G-13220

The assignment by deed from Daniel A. Hoyt, Blue Mountain Golf Course, to Stanley Layne and Martha E. Lindley, has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 58068 covering the recording fee of \$65.00 is also enclosed.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure

cc: Watermaster 6
Daniel A. Hoyt, Blue Mountain Golf Course
Data Center, OWRD
File

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WATER RESOURCES DEPT.
SALEM, OREGON

PGG

P.O. Box 848, La Grande, OR. 97850

LAYNE LINDLEY

Perry, OR.

541-975-1652

Prepared By: **Dave Whelan**

Phone: (541)963-4195

Fax: (541) 963-0931

Cell: (541) 786-0705

**PROPOSAL
IRRIGATION PROJECT**

QTY	ITEM	COST	
PUMP STATION			
	40HP SUBMERSIBLE TURBINE W/FRT	\$	3,993.57
	450GPM @ 200'TDH		
	PUMP INSTALLATION	\$	900.00
	50HP PANEL W/ 10HP INTERLOCKING CURCUITRY	\$	2,536.00
	110' - 6" COLUMN, W/ FRT.	\$	934.50
	120' FLAT JACKET SUB CABLE	\$ 2.07	\$ 217.35
	ELECTRICAL FTGS, PERMIT & LBR.	\$	213.00
	10HP BOOSTER PUMP W/FRT	\$	3,160.00
	10HP BOOSTER PUMP PANEL W/FRT	\$	689.00
	ELECTRICAL FTGS & LBR.	\$	213.00
		\$	12,856.42
PUMP DISCHARGE PIPING & FTGS.			
	6" DISCHARGE ELBOW & TOP PLATE	\$	300.00
	LOW PRESSURE CUT-OUT SWITCH	\$	115.00
	6" CHEMCHECK VALVE, BFV'S		
	CONTINUOS ACTING AIR VENT, PRV'S, PG'S		
	DISCHARGE FTGS		
	SHOP FAB, FIELD FAB, SHOP LBR & FLD. LBR		
		\$	3,077.00
	FLOWMETER W/ FRT	\$	1,070.33
		\$	4,562.33
ALUM. MAINLINE			
	3000' - 6" ALUM. MAINLINE		
	400' - 4" ALUM. MAINLINE		
		\$	800.00
WHEEL LINES			
2	WADE WHEEL LINE, 500 FT	\$ 5,821.00	\$ 11,642.00
2	WADE WHEEL LINE, 800 FT	\$ 7,583.00	\$ 15,166.00
		\$	26,808.00

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pg 1 of 2

WATER RESOURCES DEPT.
SALEM, OREGON

7/17/03

QTY	ITEM	COST	
PORTABLE BIG GUN			
2	BIG GUN W/CART	\$ 1,011.03	\$ 2,022.06
PVC MAINLINE			
2500	6" 125PR PVC PIPE	\$ 1.75	\$ 4,375.00
14	6" GALV. SADDLE RISER, INSTALLED	\$ 100.00	\$ 1,400.00
2200	6" 125PR PVC PIPE	\$ 1.75	\$ 3,850.00
12	6" GALV. SADDLE RISER, INSTALLED	\$ 100.00	\$ 1,200.00
1	PIPE LINE FTGS., CONCRETE THB'S		\$ 1,100.00
25	3" X 40' AHL W /FTGS.		\$ 1,650.00
4700	TRENCH /BACKFILL/PIPE INSTALL	\$ 1.00	\$ 4,700.00
			\$ 18,275.00
ELECTRICAL METER SERVICE			
1	METER, ELECTRICAL FTGS., PERMITS, LABOR		\$ 8,800.00
			\$ 74,123.81
OPTIONAL			
2	USED WHEEL LINE, 500FT	\$ 3,250.00	\$ 6,500.00
2	USED WHEEL LINE, 800 FT	\$ 3,800.00	\$ 7,600.00
			\$ 14,100.00

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WATER RESOURCES DEPT.
SALEM, OREGON

Application # G-14417 / Permit # G-13220

Route Slip ... Extension of Time

per Division 315 Rules... (Extensions received on July 1, 2001 or after)

♦ **WRIG...**
Money Received: \$100.00 on 9-18-03

♦ **Lisa Juul...**
Extension Completeness: OK
(If NOT complete, send certified letter requesting add'l information.)

If Extension Appl complete and \$100 fee submitted, route to...

♦ **Jonnine Fuss...**
Initial 30-day Public Notice: 9/30/03 n
Update Extension Database: 9/30/03 n
Files back to filing cabinets: Back to Lisa

At the close of the Initial 30-day Comment Period...

♦ **Lisa Juul...**
Pull files for Ext PFO review: _____
Extension PFO completed: _____

Once Extension PFO signed by Dwight French...

♦ **Jonnine Fuss...**
Prepare Ext PFO for mailing to applicant: _____
Mail to those who commented and paid copy fee: _____
Include Ext PFO on weekly Public Notice: _____

Within 60 days after the close of the 45-day PFO Protest Period...

(PFO Protest Period ends 45 days from PFO sign date)...

♦ **Lisa Juul...**
Issue an Extension FO: _____

EXTENSION REVIEW CHECKLIST for PFO... per Div. 315 Rules

Application #: G-14417 / Permit #: G-13220

Permittee's Name: Stanley ^{Layne} & Martha Lindley

Permittee's Mailing Address: 62153 Mathson Rd, LaGrande, OR 97850

POD Location: Township 2-S Range 37-E Section 34 $\frac{1}{4}$ $\frac{1}{4}$ NENE

Stream Basin: _____ County: Union

✓ 1. Has the applicant completely filled out the updated Extension Application form? Yes / No

***If "No"..... has certified request for the new extension form been sent? Yes / No

✓ \$100 - Yes

✓ 2. Shortcomings of Extension Request..... based upon review of updated extension form Yes / No

*** (NOTE: Any missing Extension information that is needed before an Extension PFO can be completed???)

✓ 3. Date Permit was issued: 11-28-97 (priority = 11-27-96)

✓ 4. Source: One Well in the Fivepoint Creek Basin

✓ 5. Use: Irrigation of 112.0 Ac

✓ 6. "Q": 1.34 cfs

✓ 7. Original "B" Date: _____ Original "C" Date: 10-1-2001

8. Conditions of Permit: Orig. "A" Date: 11-28-98

- Before use begins → shall install meter or other suitable meas. device
- Once well constructed → obtain initial SWL meas. in March. & annually thereafter until use begins.
- Once use begins → shall obtain seven consecutive March SWL's meas.

✓ 9. Extension request received: 9-18-03 Request Number (...1st 2nd, 3rd): 2nd

✓ 10. Last Authorized "B" Date: _____ Last Authorized "C" Date: 10-1-2003

✓ 11. Proposed "B" Date: 10-1-2006 Proposed C Date: 10-1-2006

✓ 12. Amount Invested to date: \$39,500.00 Estimated Total Cost: \$79,500.00

(***Estimated Remaining Cost: \$40,000.00

___13. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit. **Yes / No** ***If "No"..... What permit terms and/or conditions have not been met?

___14. Work on the water development project completed to date includes: _____

___15. The work remaining to be completed consists of: _____

___16. Progress in perfecting the permit is being held up by: _____

___17. Has the applicant pursued perfection of the right in good faith and with reasonable diligence? **Yes / No**

Some Factors that may be considered in determining "Reasonable Diligence" [OAR 690-315-040(3)]

- a. The amount of construction completed within the time allowed in the permit or previous extension;
- b. The amount of beneficial use made of the water during the permit or previous extension time limits;
- c. Water right permit holder conformance with the permit or previous extension conditions; and
- d. Financial investments made toward developing the beneficial water use.

___18. Determination of the market and the present demand for water or power to be supplied: _____

Some factors to consider in determining the Market and the Present Demand for water or power [OAR 690-315-040(4)]:

- a. The amount of water available to satisfy other affected water rights and scenic waterway flows;
- b. Special water use designations established since permit issuance (such as...state scenic waterways, federal wild and scenic rivers, serious water management problem areas, water quality limited sources, etc.);
- c. The habitat needs of sensitive, threatened or endangered species, in consultation with ODFW;
- d. Economic investment in the project to date;
- e. Other economic interests dependent on completion of the project; and
- f. Other factors relevant to the determination of the market and the present demand for water or power.

___19. Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

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

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

___20. Conditions to be included on Extension PFO: _____

Extension "PFO" Dates

Checklist Last Revised: 9 / 12 / 2001

Mailing / Issuance Date: _____ **Reviewer's Name:** _____

Protest Deadline Date: _____ **Date:** _____

___13. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit. Yes / No ***If "No"..... What permit terms and/or conditions have not been met?
"A" date met

___14. Work on the water development project completed to date includes: _____
• Construction of well
• Installation of a temporary distribution system.

___15. The work remaining to be completed consists of: _____
• Installation of permanent distribution system.
• Full application of water for beneficial use.

___16. Progress in perfecting the permit is being held up by: _____
• The process of conversion to a permanent water distribution system.

___17. Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes / No

Some Factors that may be considered in determining "Reasonable Diligence" [OAR 690-315-040(3)]

- The amount of construction completed within the time allowed in the permit or previous extension;
- The amount of beneficial use made of the water during the permit or previous extension time limits;
- Water right permit holder conformance with the permit or previous extension conditions; and
- Financial investments made toward developing the beneficial water use.

- Permit holder has completed approximately 50 % of the construction.
- Permit holder has beneficially used 65 % of the total permitted quantity of water. 0.87 of 1.34
- Has the permit holder complied with conditions? Yes / No
—If No, reasons why not? _____
- Permit holder has invested approximately 50 % of the total estimated cost to complete the project.
- Other: _____

___18. Determination of the market and the present demand for water or power to be supplied: _____

Some factors to consider in determining the Market and the Present Demand for water or power [OAR 690-315-040(4)]:

- The amount of water available to satisfy other affected water rights and scenic waterway flows;
- Special water use designations established since permit issuance (such as...state scenic waterways, federal wild and scenic rivers, serious water management problem areas, water quality limited sources, etc.);
- The habitat needs of sensitive, threatened or endangered species, in consultation with ODFW;
- Economic investment in the project to date;
- Other economic interests dependent on completion of the project; and
- Other factors relevant to the determination of the market and the present demand for water or power.

Is the POD/POA located.....

- If a GW permit, is GW hydraulically connected to SW (see original Div. 09 GW review)? no
- within or above a state scenic waterway? yes
- within a ground water limited/critical area? no
- within a segment that has been identified as a federal wild and scenic river? no
- within an area that ODFW has identified as an ST&E Area? yes
- within an area that ODFW has identified as a moderate Needs Ranking Area for streamflow restoration for fish?
- within an area that DEQ has identified as being water quality limited? yes
- Other: _____

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

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

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

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

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

☐ 5-year Progress Report Checkpoints

☐ Other: _____

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

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

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

☐ COBU Requirement - Surface Water - post July 9, 1987

"Pursuant to ORS 537.230(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use."

☒ COBU Requirement - Ground Water - post July 9, 1987

"Pursuant to ORS 537.630(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use."

NOTES:

App. File # G-14417

___ PFO peer review by _____

___ final PFO preparation

___ move file to "done" and print out

___ set up e-mail notification, if NW region

___ prepare FO checklist

___ prepare FO draft

___ update workingcopy.xls

___ update personal tracking db

Extension "PFO" Dates

Drafting / Issuance Date: _____

Coordinator
WRD Project Manager: Renata K. Uman

Protest Deadline Date: _____

Date: _____

Permit Extension Ground Water Review

Date: June 27, 2002

To: Fred Lissner, Ground Water Section Manager

From: Lisa Juul, Permit Extension Review

Subject: Ground Water Review Needed for File # G14417 / Permit # G13220

The above referenced permit is currently being reviewed for an extension of time. Before I can determine whether or not an extension of time should be granted, however, a Ground Water review for this file is necessary due to the following:

NOTE: Original Division 9 review completed by: Mike Zwart

- ☐ No Division 9 Ground Water Review Done.... **please see below**
- ☐ Located within a **Critical** Ground Water Area
- ☐ Located within a Ground Water **Limited** Area
- ☐ Located within a Ground Water **Study** Area
- ☐ 5-Year Limited Permit

☒ Other: See Questions below.

For Ground Water / Hydrology Staff Use:

☐ YES ☒ NO

Please complete a Div. 9 and Scenic Waterway (SWW) Review for this file. Due to the early priority date associated with this permit, no prior Div. 9 or SWW review was ever done.

★ Please answer the following questions. If necessary, attach an additional sheet.

1. Should any additional conditions be added to this permit? No
2. Should the extension of time request be further conditioned or **DENIED** due to ground water supply concerns? No
3. Should the Department establish a new reference level for water level declines due to the failure of permittee to submit annual measurements? ??
4. Other issues or concerns? Is the well construction completed?

Permittee drilled 5-ft. well in 1998 to meet beginning of const.

11-14-02
Zwart

No.

...OK per Mike Zwart on 11-15-02 date.

TO: Water Rights Section

Dec. 16, 1996

FROM: Groundwater/Hydrology Section Michael Zwart

Reviewer's Name

SUBJECT: Application G-14417

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE _____ Basin rules, one or more of the proposed POA's is/is not within _____ feet/mile of a surface water source (_____) and taps a groundwater source hydraulically connected to the surface water.
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
 - a. _____ will, or _____ have the potential for substantial interference with the nearest
 - b. _____ will not _____ surface water source, namely _____; or
 - c. ☒ will if properly conditioned, adequately protect the surface water from interference:
 - i. ☒ The permit should contain condition #(s) 7J;
 - ii. _____ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. _____ The permit should be conditioned as indicated in item 4 below; or
 - d. _____ will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
 - a. _____ will, or _____ likely be available in the amounts requested without injury to prior rights
 - b. _____ will not _____ and/or within the capacity of the resource; or
 - c. ☒ will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
 - i. ☒ The permit should contain condition #(s) 7B;
 - ii. _____ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. _____ The permit should be conditioned as indicated in item 4 below; or
4.
 - a. _____ THE PERMIT should allow groundwater production from no deeper than _____ ft. below land surface;
 - b. _____ The permit should allow groundwater production from no shallower than _____ ft. below land surface;
 - c. _____ The permit should allow groundwater production only from the _____ groundwater reservoir between approximately _____ ft. and _____ ft. below land surface;
 - d. _____ Well reconstruction is necessary to accomplish one or more of the above conditions.
 - e. _____ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: _____

(Well Construction Considerations on Reverse Side)

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

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

RECOMMENDATION:

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

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

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

_____, 199____
(Signature)

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

_____, 199____
(Signature)

MEMO

December 16, 1996

FROM GW: Michael Zwart

(Reviewer's Name)

SUBJECT Scenic Waterway Interference Evaluation

☒ Yes☐ No

The source of appropriation is within or above a Scenic Waterway.

☒ Yes☐ No

Use the Scenic Waterway condition (Condition 7J).

PREPONDERANCE OF EVIDENCE FINDING: (Check box only if statement is true)



At this time the Department is unable to find that there is a preponderance of evidence that the proposed use of ground water will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

FLOW REDUCTION: *(To be filled out only if Preponderance of Evidence box is not checked)*

Exercise of this permit is calculated to reduce monthly flows in _____ Scenic Waterway by the following amounts expressed as a proportion of the consumptive use by which surface water flow is reduced.

[illegible]

STATE OF OREGON
WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

To: FILE

Date: December 16, 1996

From: MICHAEL ZWART *MZ*

Subject: APPLICATION G-14417, DANIEL A. HOYT - BLUE MOUNTAIN
GOLF COURSE

This application proposes to appropriate 600 gpm from one proposed well for irrigation of 110.0 acres. The proposed well will definitely produce water from a confined to semi-confined aquifer developed basalt of the Columbia River Basalt Group. The target aquifer is not specified, but it is not likely in hydraulic connection with nearby surface water sources. The Grande Ronde River is at a distance of about 1800 feet from the proposed well site. There is no potential for substantial interference with the river, based on the distance and nature of the aquifer penetrated.

I recommend permit conditions 7B and 7J.

County: Union

Quad name & #: _____

REVIEW CHECKLIST

FOR G- 14417

- ☒ Appropriate parts of the stream index
- ☒ Estimated number of wells within a one-mile radius & identified types.
- ☒ State Observation wells within a five-mile radius.
- ☐ Verify that well log is in file. If not provide one. ✓ = No well cost yet.
- ☒ List groundwater permits within a five-mile radius with extraordinary conditions.

Number of wells: _____

Well location: T-02S/R-37E/Sec 34

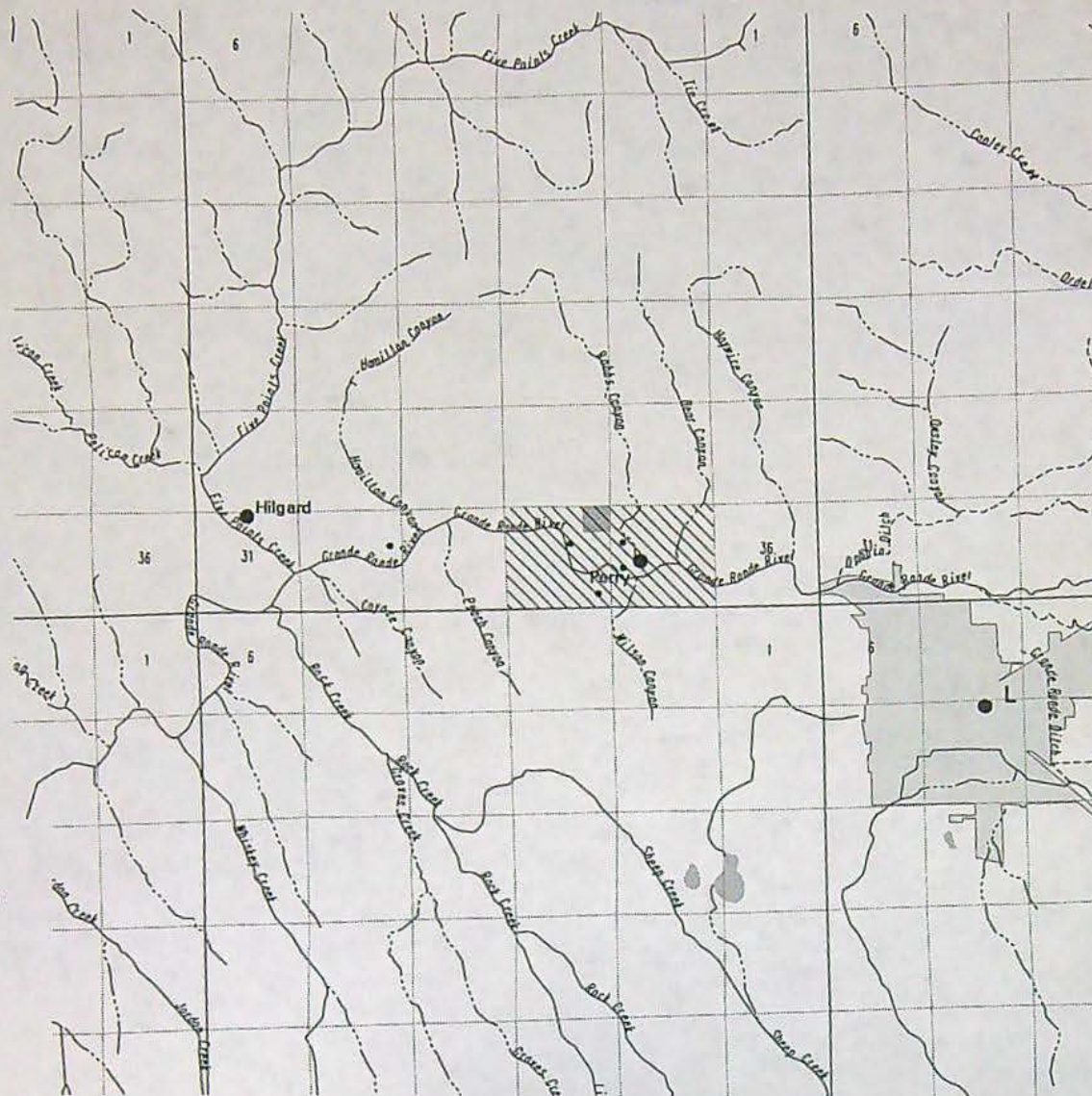
APPLICATIONS WITH PERMIT CONDITIONS:

G-12780

~~12780~~

Wells in the vicinity of application G 14417

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



WELLS WITHIN 1 MILE OF G 14417
DO 9

PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 14417

PERMIT	T/R/S/QQ	USE	RATE	UNITS
--------	----------	-----	------	-------

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-14417

Final Order¹
Extension of Time for Permit Number G-13220

Application History

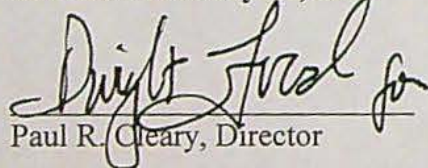
On JUNE 14, 2002, DANIEL A. HOYT; BLUE MOUNTAIN GOLF COURSE submitted an application to the Department for an extension of time for permit number G-13220. The Department issued permit number G-13220 on NOVEMBER 28, 1997. The permit called for complete application of water to the full beneficial use by OCTOBER 1, 2001. In accordance with OAR 690-315-0050(2), on DECEMBER 3, 2002, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to OCTOBER 1, 2003. The protest period closed JANUARY 17, 2003, in accordance with OAR 690-315-0060(1). No protest was filed.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 537.248, 537.630, 539.010(5) and/or OAR 690-315-0040(2).

Order

The extension of time for Application Number G-14417, Permit Number G-13220, therefore, is approved. The deadline for applying water to full beneficial use is extended to OCTOBER 1, 2003.

DATED: January 31, 2003


Paul R. Cleary, Director

¹

Appeal Rights

Under the provisions of ORS 536.075, the applicant may appeal this order by filing a petition for review in the Circuit Court for Marion County or the circuit court for the county in which the applicant resides or has a principal business office. The petition for review must be filed within 60 days after the date this order is served. ORS 183.484.

**Oregon Water Resources Department
Water Rights Division**

Application for Extension of Time

In the Matter of the Application	)	
for an Extension of Time for	)	
Permit #G-13220, Water Right	)	PROPOSED FINAL ORDER
Application #G-14417	)	
(Daniel A. Hoyt;	)	
Blue Mountain Golf Course)	)	

Permit Information

Application File #G-14417 / Permit #G-13220

Basin: #08 - Grande Ronde Basin / Watermaster District: #6

Date of Priority: November 27, 1996

Authorized Use of Water

Source of Water:	One Well within the Fivepoint Creek Basin
Purpose or Use:	Irrigation of 112.0 acres
Maximum Rate:	1.34 cubic foot per second (cfs)

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

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

This Proposed Final Order applies only to Permit #G-13220, water right Application #G-14417. A copy of Permit #G-13220 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- grant the extension for complete application of water from October 1, 2001, to October 1, 2003.

FINDINGS OF FACT

Background

1. Permit #G-13220 was granted by the Water Resources Department on November 28, 1997. The permit authorizes the use of up to 1.34 cfs of water from one well, within the Fivepoint Creek Basin, for the irrigation of 112.0 acres. The permit specified that complete application of water was to be made on or before October 1, 2001.
2. The permit holder submitted an "Application for Extension of Time" to the Department on June 14, 2002, requesting the time in which to accomplish beneficial use of water to the full extent under the terms of Permit #G-13220 be extended from October 1, 2001, to October 1, 2003. This is the first permit extension requested for Permit #G-13220.

Development Overview

3. Construction of the well began on November 27, 1998. The permit holder, therefore, began construction of the water system within the time specified by Permit #G-13220, being November 28, 1998.
4. Because of adverse weather conditions which made drilling difficult, construction was suspended at 5 feet below land surface. In order to protect the well from contamination, a seal was installed to 3 feet below land surface and a protective cover was placed on the top of the casing.
5. Since the issuance of Permit #G-13220 on November 28, 1997, the permit holder has not applied any water to the permitted use because construction of the well is not yet complete.

6. Additional complications in completing the project arose when the permit holder was involved in a near fatal accident while cutting a tree with a chainsaw. On its way down, the falling tree hit a standing tree and broke the top half out of it. The top half of the standing tree came down and drove him to the ground. Among other injuries, the permit holder suffered a fractured skull, fractured vertebrae, broken ribs and shattered teeth. The permit holder was in the hospital for two weeks and then had to wear neck and back braces during his lengthy recovery.

Review Criteria [OAR 690-315-0040(1)(2)]

7. As set forth under OAR 690-315-0040(1)(2), the time limits to complete construction or to apply the water to a beneficial use may be extended upon showing of good cause for the untimely completion. This determination shall consider the applicable requirements of ORS 537.230, 537.248¹, 537.630 and 539.010(5).

Other Governmental Requirements [ORS 537.230(2)]

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

Start of Construction [ORS 537.630]

9. Construction of the well began on November 27, 1998. The permit holder, therefore, began construction of the water system within the time specified by Permit #G-13220, being November 28, 1998. To date, the well has been only partially constructed, as evidenced by documentation of work contained in the file.

Financial Investment [ORS 539.010(5)]

10. As of June 14, 2002, the permit holder had invested a total of \$4,000.00 into the project, consisting of partial construction of the well. An additional \$8,000.00 investment is anticipated for the completion of this project.

¹ ORS 537.248 applies to reservoir permits only.

Reasonable Diligence and Good Faith of the Appropriator *[ORS 537.230(1), 537.630(1) and 539.010(5)]*

11. Reasonable diligence during the permit period constitutes a continuing test of whether and under what conditions to grant an extension [ORS 537.260, OAR 690-315-0040(3)].
12. In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:
 - a. The amount of construction completed within the time allowed in the permit or previous extension.
 - Construction of the well began on November 27, 1998. The permit holder, therefore, began construction of the water system within the time specified by Permit #G-13220, being November 28, 1998. To date, the well has been only partially constructed, as evidenced by documentation of work contained in the file.
 - b. The amount of beneficial use made of the water during the permit or previous extension time limits.
 - Since the issuance of Permit #G-13220 on November 28, 1997, the permit holder has not applied any water from the well to beneficial use, as allowed under the permit.
 - Delay of full beneficial use of water under Permit #G-13220 was due, in part, to near fatal injuries suffered by the permit holder and the time involved in his recovery.
 - c. The water right permit holder's conformance with the permit or previous extension conditions.
 - The record does not raise concerns about the permit holder's compliance with conditions.
 - d. Financial investments made toward developing the beneficial water use.

- As of June 14, 2002, the permit holder had invested approximately 33 percent of the total projected cost for complete development of this project. A total of \$4,000.00 has been invested into the project, consisting of partial construction of the well. An additional \$8,000.00 investment is anticipated for the completion of this project.

The Market and Present Demands for Water [ORS 539.010(5) and OAR 690-315-0040(4)]

13. In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:
 - a. The amount of water available to satisfy other affected water rights and scenic waterway flows.
 - The permitted point of appropriation (a well), authorized under Permit #G-13220, is located within or above a state scenic waterway.
 - The Department determined on December 16, 1996, that this use of ground water will, if properly conditioned, adequately protect the surface water from interference. Conditions were, therefore, placed upon Permit #G-13220 in order to avoid injury to existing rights or to the ground water resource. Because of this determination, this application does not raise concerns about surface water impact.
 - The permitted point of appropriation, authorized under Permit #G-12315, is not located within the boundaries of any designated ground water limited area.
 - b. Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d).
 - The permitted point of appropriation, authorized under Permit #G-13220, is located within an area that has been identified by the Oregon Department of Fish and Wildlife as a "moderate" needs ranking area for streamflow restoration for fish. The

Department determined on December 16, 1996, that this use of ground water will, if properly conditioned, adequately protect the surface water from interference. Conditions were, therefore, placed upon Permit #G-13220 in order to avoid injury to existing rights or to the ground water resource. Because of this determination, this application does not raise concerns about surface water impact.

- c. The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife.
 - The permitted well is located within a designated sensitive, threatened or endangered species area for aquatic species utilizing surface water resources, as identified on the Division 33 map furnished by the Oregon Department of Fish and Wildlife. The Department determined on December 16, 1996, that this use of ground water will, if properly conditioned, adequately protect the surface water from interference. Conditions were, therefore, placed upon Permit #G-13220 in order to avoid injury to existing rights or to the ground water resource. Because of this determination, this application does not raise concerns about surface water impact.
- d. Economic investment in the project to date.
 - As of June 14, 2002, the permit holder had invested approximately 33 percent of the total projected cost for complete development of this project. A total of \$4,000.00 has been invested into the project, consisting of partial construction of the well. An additional \$8,000.00 investment is anticipated for the completion of this project.
- e. Other economic interests dependent on completion of the project.
 - None have been identified.
- f. Other factors relevant to the determination of the market and present demand for water and power.
 - None have been identified.

Fair Return Upon Investment [ORS 539.010(5)]

14. Upon completion of the project, income from the permitted water development will result in reasonable returns against the investment made.

Duration of Extension [OAR 690-315-0040(1)(c), ORS 539.010(5)]

15. As set forth under OAR 690-315-0040(1)(c), time extensions granted shall be for the reasonable time period necessary to complete construction and application of water to beneficial use.
16. As of June 14, 2002, the remaining work to be completed consists of completion of construction and complete application of water to beneficial use.
17. Unforeseen events extended the length of time needed to fully develop and perfect the permit, caused mainly by near fatal injuries suffered by the permit holder and the time involved in his recovery.
18. Given the amount of development left to occur, the Department has determined that the permittee's request to have until October 1, 2003, to complete the application of water to beneficial use under the terms of Permit #G-13220 is both reasonable and necessary.

Conclusions of Law

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.230 and ORS 537.630.
2. The applicant has submitted a complete extension application form and the fee required by ORS 536.050(1)(k).
3. The applicant has pursued perfection of the right in good faith and prosecuted construction with reasonable diligence.
4. The Department has considered the requirements of other governmental agencies, the financial investment made, the reasonable diligence and good faith of the appropriator, the market and present demands for water and the fair return upon the investment, and has determined that the applicant has

shown good cause exists for an extension to complete construction and apply water to full beneficial use pursuant to ORS 537.630(1).

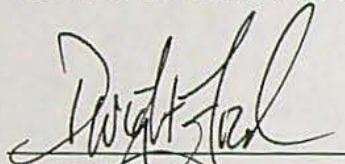
5. Full application of water to beneficial use can be completed by October 1, 2003.²

Proposed Order

Based upon the foregoing findings of fact and conclusions of law, the Department proposes to issue an order to:

Extend the time for complete application of water to beneficial use under Permit #G-13220 from October 1, 2001, to October 1, 2003.

DATED: December 3, 2002



Dwight French
Water Rights Section Manager

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may request a contested case hearing on the proposed final order. Your request for contested case hearing must be in writing and must be received by the Water Resources Department no later than **Friday, January 17, 2003**, being 45 days from the date of publication of the proposed final order in the Department's weekly public notice.

² Pursuant to ORS 537.630(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use.

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

If you have other questions about the Department, or any of its programs, please contact our Water Rights Information Group at (503) 387-8455, extension 201. Address all other correspondence to:

Water Rights Section
Oregon Water Resources Department
158 12th Street NE
Salem, OR 97301-4172
Fax #: (503) 378-2496

This document was prepared by Lisa J. Juul. 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 may contact me by telephone at (503) 378-8455, extension 272.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Dwight French. His extension number is 268.

If you have other questions about the Department or any of its programs, please contact our Water Rights Information Group at extension 201.

Application # G-14417 / Permit # G-13220

Route Slip ... Extension of Time

per Division 315 Rules... (Extensions received on July 1, 2001 or after)

♦ **WRIG...**
Money Received: \$100.⁰⁰ on 6-14-02

♦ **Lisa Juul...**
Extension Completeness: [Signature]
*If **NOT** complete, send certified letter requesting add'l information.)*

If Extension Appl complete and \$100 fee submitted, route to...

♦ **Jonnine Fuss...**
Initial 30-day Public Notice: 6/25/02 JF
Update Extension Database: 6/25/02 JF
Files back to filing cabinets: Back to Lisa

At the close of the Initial 30-day Comment Period...

♦ **Lisa Juul...**
Pull files for Ext PFO review: _____
Extension PFO completed: _____

Once Extension PFO signed by Dwight French...

♦ **Jonnine Fuss...**
Prepare Ext PFO for mailing to applicant: _____
Mail to those who commented and paid copy fee: _____
Include Ext PFO on weekly Public Notice: _____

Within 60 days after the close of the 45-day PFO Protest Period...
(PFO Protest Period ends 45 days from PFO sign date)...

♦ **Lisa Juul...**
Issue an Extension FO: _____

EXTENSION REVIEW CHECKLIST for PFO... per Div. 315 Rules

Application #: G-14417 / Permit #: G-13220

Permittee's Name: Daniel A. Hoyt ; Blue Mtn Golf Course

Permittee's Mailing Address: 58020 Hwy 203, Union, OR 97883

POD Location: Township 2-S Range 37-E Section 34 $\frac{1}{4}$ $\frac{1}{4}$ NE NE

Stream Basin: Grande Ronde R misc County: Union

✓ 1. Has the applicant completely filled out the updated Extension Application form? Yes / No ✓ \$100.00 - Yes
***If "No"..... has certified request for the new extension form been sent? Yes / No

✓ 2. Shortcomings of Extension Request..... based upon review of updated extension form Yes / No
*** (NOTE: Any missing Extension information that is needed before an Extension PFO can be completed???)

✓ 3. Date Permit was issued: 11-28-97 (priority = 11-27-96)

✓ 4. Source: One Well, within the Fivepoint Creek Basin

✓ 5. Use: Irrig. of 112.0 ac

✓ 6. "Q": 1.34 cfs / Orig. "A" Date: 11-28-98

✓ 7. Original "B" Date: _____ Original "C" Date: 10-1-2001

✓ 8. Conditions of Permit: SWW "7j" Condition included

• Before Water Use Begins → - Shall install a meter or other suitable meas. device.
- May be required to keep and maintain a record of water use.

• Once well constr. is complete → submit the initial SWL meas in MARCH... and annually thereafter until water use begins.

• Following first year of water use → shall submit 7 consecutive annual reports of SWL meas.

✓ 9. Extension request received: 6-14-2002 Request Number (...1st 2nd, 3rd): 1st

✓ 10. Last Authorized "B" Date: _____ Last Authorized "C" Date: 10-1-2001

✓ 11. Proposed "B" Date: 10-1-2003 Proposed C Date: 10-1-2003

✓ 12. Amount Invested to date: \$4,000.00 Estimated Total Cost: \$12,000.00

(***Estimated Remaining Cost: \$8,000.00.)

13. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit. Yes / No ***If "No"..... What permit terms and/or conditions have not been met?

"A" Date met - well constr. began on 11-27-98 - See copy of well log.
(See

14. Work on the water development project completed to date includes:

• Well Construction began on 11-27-98 *Construction NOT yet complete. as of phone call on 11-14-02
(- See Copy of well log)

15. The work remaining to be completed consists of:

• Completion of well constr. & water distrib system
• Use of Water

16. Progress in perfecting the permit is being held up by:

• Severely injured on July 31, 2001.

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

Some Factors that may be considered in determining "Reasonable Diligence" [OAR 690-315-040(3)]

- The amount of construction completed within the time allowed in the permit or previous extension;
- The amount of beneficial use made of the water during the permit or previous extension time limits;
- Water right permit holder conformance with the permit or previous extension conditions; and
- Financial investments made toward developing the beneficial water use.

• Invested 33% of total projected cost.
• Construction 5% completed.
• No beneficial use of water yet.
• Conditions - OK well not completed & no water used

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

Some factors to consider in determining the Market and the Present Demand for water or power [OAR 690-315-040(4)]:

- The amount of water available to satisfy other affected water rights and scenic waterway flows;
- Special water use designations established since permit issuance (such as...state scenic waterways, federal wild and scenic rivers, serious water management problem areas, water quality limited sources, etc.);
- The habitat needs of sensitive, threatened or endangered species, in consultation with ODFW;
- Economic investment in the project to date;
- Other economic interests dependent on completion of the project; and
- Other factors relevant to the determination of the market and the present demand for water or power.

• Is within a Div. 33 Area
• Is within a SWW Area
• Is NOT in a GW Ltd Area
• Is within an ODFW "moderate" needs ranking area for streamflow restoration for fish
• Div 9 Review on 12-16-96 "...will if properly cond. adequately protect SW from interference."

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

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

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

20. Conditions to be included on Extension PFO:

No

Extension "PFO" Dates

Checklist Last Revised: 9/12/2001

Mailing / Issuance Date: 12-3-02

Reviewer's Name:

Protest Deadline Date: 1-17-03

Date:



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
503-378-3739
FAX 503-378-8130

February 13, 2003

Stanley Layne and Martha E. Lindley
62153 Mathson Rd.
LaGrande, Oregon 97850

Reference: Application G-14417, Permit G-13220

The assignment by deed from Daniel A. Hoyt, Blue Mountain Golf Course, to Stanley Layne and Martha E. Lindley, has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 58068 covering the recording fee of \$65.00 is also enclosed.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure

cc: Watermaster 6
Daniel A. Hoyt, Blue Mountain Golf Course
Data Center, OWRD
File

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **58068**

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

INVOICE # _____

RECEIVED FROM: S. Layne Lindley
BY: _____

APPLICATION	13-14417
PERMIT	
TRANSFER	

CASH: ☐ CHECK # 2619 ☒ OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 6500

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY) _____

\$

OTHER: (IDENTIFY) _____

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

0427 WRD OPERATING ACCT

MISCELLANEOUS

\$

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) _____

\$

(New) TC162 DEPOSIT LIAB. (IDENTIFY) _____

\$

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

0206

\$

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY) _____

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY) _____

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS

\$

0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

RECEIPT # **58068**

DATED: 11/31/03 BY: K. Hall

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

REQUEST FOR ASSIGNMENT

BY PROOF OF OWNERSHIP (IF PERMIT HOLDER IS NOT AVAILABLE)

STANLEY LAYNE AND MARTHA E. LINDLEY
(Name of Party Requesting Assignment)

62153 MATHSON RD. LAGANOLE, OR 97850 541-975-1652
(Mailing address) (City) (State) (Zip) (Phone #)

CHECK ONE

- ☐ ...hereby request assignment in and to application/permit;
- ☐ ...hereby request assignment in and to a portion of application/permit;
(You must include a map showing the portion of the application/permit to be assigned.)
- ☒ ...I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly;
(Remember to include \$5 for each additional page.)

Application # G-14417, Permit # G-13220;
-OR-

GR Statement # _____, GR Certificate of Registration # _____

DANIEL A. HOYT, BLUE MOUNTAIN GOLF COURSE
(Name of Permit Holder of Record)

58020 HWY 203 UNION, OREGON 97833 541-562-5332
(Mailing address) (City) (State) (Zip) (Phone #)

NOTE: If there are other owners of the property described in this Application, Permit or Certificate of Ground Water Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 28TH day of JANUARY, 2003.

Party Requesting Assignment Stanley Layne Lindley

Party Requesting Assignment Martha E. Lindley

RECEIVED

JAN 31 2003

WATER RESOURCES DEPT
SALEM, OREGON

DO NOT WRITE IN THIS BOX

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
- Fee receipt # 58068
- For Director by Jerry Sauer, Program Analyst in Water Rights Division

The completed "Request for Assignment" form must be submitted to the Department along with the appropriate recording fees:

- ◆ \$25 for the first page, and
- ◆ \$5 for each additional page.
(as required by ORS 536.050(1)(d))

WATER RESOURCES DEPARTMENT
158 12TH STREET NE
SALEM, OREGON 97301-4172

READ AND APPROVED

SL
MEZ

8/14/02

8/14/02

STATUTORY WARRANTY DEED

DANIEL E. HOYT and BRENDA S. HOYT, husband and wife, as tenants by the entirety, Grantors, convey and warrant to STANLEY LAYNE LINDLEY and MARTHA E. LINDLEY, husband and wife, Grantee, the real property, free of encumbrances and fully described as follows:

The true and actual consideration is \$ 275,000.00.

TRACT "A" Parcel 2 of major Partition No. 2000-014 as filed July 7, 200 in Plat Cabinet "B", Slide 573, records of Union County, Oregon.
SITUATE IN the east half Section 34 and west half of Section 35, Township 2 South, Range 37 East of the Willamette Meridian, in Union County, Oregon.

TRACT "B" A strip of land 30 feet in width for access and utility easement purposes located on Parcel 1 of Major Partition No. 2000-014 filed July 7, 2000 in Plat Cabinet "B", Slide 573, records of Union County, Oregon, as said easement was created and shown on the plat map of said Partition.

TRACT "C" An easement for ingress, egress and utilities on the west 30 feet of Parcel 1 of Major Partition No. 2000-14, filed July 7, 2000, in Plat Cabinet "B", Slide 573, records of Union County, Oregon.

SUBJECT TO:

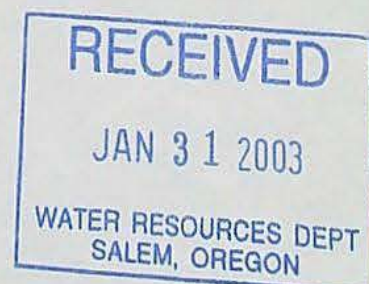
1. 2002-2003 taxes (fiscal tax year ending June 30, 2003) are now a lien; amount not yet extended or payable.
(2001-2002 taxes in the sum of \$684.17 are PAID)
-Code 1-3 02S37 #2600 Ref 4664-
2. AS DISCLOSED by Union County assessment records, the premises herein described have been zoned or classified for farm use. If said land has been disqualified, or is subsequently disqualified for such use, the property will be subject to additional taxes or penalties and interest.

AFTER RECORDING, RETURN TO:

Abstract & Title
P.O. Box 489
La Grande, OR 97850

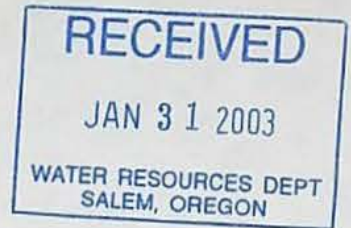
SEND TAX NOTICE TO:

Mathson



Customer/Note No: 44889 - 441

After Recording Return to: Farm Credit Services - Pendleton
1 Southwest Nye
PO Box 878
Pendleton, OR 97801



Deed of Trust

On July 29, 2002, Stanley L. Lindley, same person as Stanley Layne Lindley and Martha E. Lindley, husband and wife, hereinafter called Grantors, whose address is

2302 East L Avenue
LaGrande, OR 97850

grant, convey, warrant, transfer and assign to Abstract & Title Company, a corporation, hereinafter called Trustee, whose address is 1430 Washington, PO Box 489, LaGrande, OR 97850, in trust with power of sale for the benefit of Northwest Farm Credit Services, FLCA, a corporation organized under the Farm Credit Act of 1971, as amended, hereinafter called Beneficiary, whose address is 1700 South Assembly Street, P.O. Box 2515, Spokane, Washington 99220-2515, property in Union County(ies), State of Oregon, more particularly described as follows:

TRACT "A": Parcel 2 of Major Partition No. 2000-014 as filed July 7, 2000 in Plat Cabinet "B" Slide 573, records of Union County, Oregon.

SITUATE IN the east half of Section 34 and the west half of Section 35, Township 2 South, Range 37 East of the Willamette Meridian, in Union County, Oregon.

TRACT "B": A strip of land 30 feet in width for access and utility easement purposes located on Parcel 1 of Major Partition No. 2000-014 filed July 7, 2000 in Plat Cabinet "B", Slide 573, records of Union County, Oregon, as said easement was created and shown on the plat map of said Partition.

TRACT "C": An easement for ingress, egress and utilities on the west 30 feet of Parcel 1 of Major Partition No. 2000-14, filed July 7, 2000, in Plat Cabinet "B", Slide 573, records of Union County, Oregon.

Code 1-3 02S37 #2600 Ref 4664;

and including all rents, issues, profits, buildings and improvements thereon and in all tenements, hereditaments, rights, privileges, easements, rights of way and appurtenances, (including without limitation private roads, grazing privileges, water rights, ditches and conduits and rights of way therefor, all plumbing, lighting, heating, cooling, ventilating, elevating, and irrigating apparatus and other equipment and fixtures, now or hereafter belonging to or used in connection therewith), all of which is hereinafter called the "Property."

The following described Note(s), Membership Agreements, security documents and any other documents or instruments signed in connection with the note(s) and security documents and any amendments thereto are collectively called the "Loan Documents." "Advances" shall include any amounts provided to Grantors under the terms of the Loan Documents and any amounts expended by Beneficiary to protect the Property or enforce its rights under the Loan Documents. This conveyance is intended to secure performance of the covenants and agreements contained herein, and in any Loan Documents, and payment of the indebtedness under the terms of the Note(s) made by Grantors to the order of Beneficiary, with interest and charges as provided therein and in the Loan Documents, and any extensions, modifications or renewals thereof:

DATE OF NOTE	PRINCIPAL AMOUNT	FINAL INSTALLMENT DATE
July 29, 2002	\$ 150,000.00	August 1, 2022

The terms of the Note(s) and Loan Documents, described above, provide that the interest rate, payment terms or amounts due may be indexed, adjusted, renewed or renegotiated.

Grantors and each of them REPRESENT, WARRANT, COVENANT and AGREE:

1. That they have title to the Property free from encumbrances, except as described above, they have good right and lawful authority to convey and encumber the same; they will warrant and defend the same forever against the lawful claims and demands of all persons whomsoever; and they agree this covenant shall not be extinguished by foreclosure

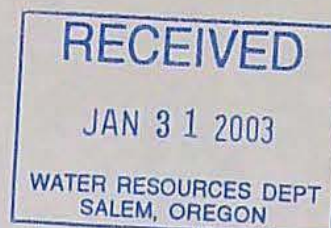
RECEIVED

JAN 31 2003

WATER RESOURCES DEPT
SALEM, OREGON

or other transfers. Grantors authorize Beneficiary to file a financing statement and any continuations thereof, describing any personal property or fixtures described herein, without further signature by Grantor.

2. That this deed of trust also constitutes a Security Agreement granting Beneficiary a security interest in any and all personal property described above.
3. To keep all buildings and other improvements, now or hereafter existing, in good repair; not to remove or demolish or permit the removal or demolition of any building or other improvement; to restore promptly in a good and workmanlike manner, any building or improvement, which may be damaged or destroyed; to maintain and cultivate the Property in a good and husbandlike manner; not to change or permit change in the use of the Property; and not to do anything which would reduce the value of the Property; and Beneficiary shall have the right to enter upon the Property to make full inspection of the Property.
4. To maintain casualty insurance, naming Beneficiary as loss payee, on all buildings and improvements, against loss or damage by fire or other risks; to maintain liability insurance; to obtain flood insurance at any time it is determined that any building or improvement is located, in whole or in part, within a special flood hazard area; to pay all premiums and charges on all such insurance when due; and to provide Beneficiary satisfactory evidence of such insurance upon request. All such insurance shall be in such form(s), with such company(ies) and in such amount(s) as shall be satisfactory to Beneficiary.
5. To pay all debts and money, secured hereby, when due; to pay, when due, all taxes, assessments, rents and other charges upon the Property and to suffer no other encumbrance, charge or lien on the Property, which would be superior to this deed of trust, except as stated above.
6. To specifically assign and deliver to Beneficiary all rents, royalties, damages and payments of every kind, including without limitation insurance reimbursements and condemnation awards, at any time accruing, for any transfer, loss or seizure of the Property, any portion thereof or any rights therein; Beneficiary may, at its option, apply such amounts in any proportion to any of the indebtedness hereby secured; and application or release of such amounts shall not cure or waive any default or notice of default or invalidate any act done pursuant to such notice.
7. To comply with all laws, ordinances, regulations, covenants, conditions and restrictions affecting the Property and its use, including without limitation all environmental laws; not to use or permit the use of the Property for any unlawful or objectionable purpose or for any purpose that poses an unreasonable risk of harm, or that impairs or may impair the value of the Property, or any part thereof; not to apply residue from waste water treatment facilities to the Property without prior written notice to Beneficiary; to remedy any environmental contamination or violation of environmental laws that may occur or be discovered in the future; to allow Beneficiary access to the Property to inspect its condition and to test and monitor for compliance with applicable laws (any inspections or tests made by Beneficiary shall be for Beneficiary's purposes only and shall not be construed to create any responsibility or liability on the part of Beneficiary to Grantors or to any other person); to forward copies of any notices received from any environmental agencies to Beneficiary; to provide Beneficiary copies of any independent test or inspection reports on the environmental status of the Property; and to indemnify and hold Beneficiary, its directors, employees, agents and its successors and assigns, harmless from and against any environmental claims of any kind, and all costs and expenses incurred in connection therewith, including, without limitation, attorney's fees.
8. That neither Grantors nor, to the best of Grantors' knowledge, any prior owner has created or permitted conditions on the Property, which may give rise to environmental liability; no enforcement actions are pending or threatened; no underground tanks are located on the Property except as already disclosed; any such underground tanks currently or previously located on the Property do not now and never have leaked and no contaminated soil is located on the Property; and Grantor's representations, warranties, covenants and indemnities herein and in the Loan Documents shall survive satisfaction of the Note(s) and Loan Documents, foreclosure of this deed of trust, acceptance of a deed in lieu of foreclosure or any transfer or abandonment of the Property.
9. To perform all terms and conditions of each water or other contract, described above, if any, and to promptly pay all sums due or to become due under each contract so that no delinquency or default will occur under such contract(s); not to apply or enter into any federal, state or local program which limits or restricts the use of the Property, in any way without prior written consent of Beneficiary; to perform all acts necessary to perfect and maintain any water permit, certificate, license or other water interest, however designated, described in or used in conjunction with the real property described above; any assignment of any such interest during the term of this deed of trust, naming Beneficiary as an assignee shall be for security purposes and shall not alter Grantors' obligations hereunder; and any failure of Grantors to perform any such obligation shall constitute an event of default.
10. That the term "Grazing Rights," as hereinafter used refers to that portion of the Property, if any, consisting of grazing leases, permits, licenses, privileges, and preferences, or any of them, which have or will be assigned, conveyed or waived to Trustee or Beneficiary, together with any additions, renewals, replacements or substitutions thereof; if any portion of the Grazing Rights is a leasehold interest in state lands, such leasehold shall be considered to be real property; such leasehold and all other real property portions of the Property constitute a single operating unit; and in the event of foreclosure, Beneficiary shall have the right to have such leasehold and the other real property sold as a unit and not in parcels; any statements and representations in any applications for Grazing Rights are true and



correct; Grantors have received no notice that the Grazing Rights have or are to be terminated, cancelled or modified; and any termination or cancellation of any of the Grazing Rights shall constitute an event of default under this deed of trust.

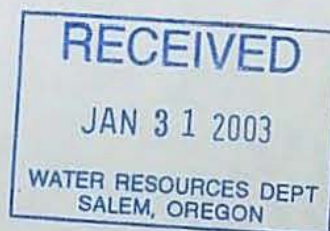
11. To execute any instrument deemed necessary by the Beneficiary to assign, convey or waive such Grazing Rights to the Trustee; to pay all fees and charges, and to perform all acts and things necessary to preserve and keep in good standing the Grazing Rights; to take no action which would adversely affect the Grazing Rights; to procure renewals of the Grazing Rights upon or prior to their expiration date; to operate the lands covered by the Grazing Rights in conjunction with the other real estate portion of the Property and not to convey or attempt to convey either separately; to forward to Beneficiary copies of any notices received by Grantors regarding the Grazing Rights; and in the event of foreclosure of this deed of trust, to waive all claims for preference in the Grazing Rights upon demand from the purchaser of the Property at Trustee's or foreclosure sale, or from any successor to such purchaser.
12. That if the Property is within an irrigation block and/or subject to water service contract(s) governed by the provisions of "Federal reclamation law," and the regulations issued thereunder, Grantors shall comply with the terms and provisions of said laws, regulations and contracts; Grantors, and each of them, for themselves, their heirs, successors and assigns, hereby appoint Beneficiary their attorney-in-fact to select and designate the portion of the property to be subject to a recordable contract, in the event Grantors become subject to the excess land limitation; if Grantors fail to comply with the terms of said law, regulations or contracts, or if the delivery of water for the irrigation of the Property is discontinued in whole or in part, Grantors shall be in default; in the event the Bureau of Reclamation determines that continued drainage maintenance on the Property is no longer feasible, and Grantors purchase other lands offered as a preference purchase right (as an adjustment for wetlands), Grantors shall execute a supplemental deed of trust on such lands in favor of the Beneficiary; and failure to execute such deed of trust on demand, shall constitute an event of default.
13. That in the event of default in any of the covenants or agreements herein, or in any of the Loan Documents, Beneficiary may, at its option, perform the same, in whole or in part; any advances, attorney fees or costs, paid or incurred by Beneficiary to protect or enforce its rights under the Loan Documents, in bankruptcy, appellate proceedings or otherwise, shall be payable on demand and shall become a part of the obligation secured by this deed of trust.
14. That the indebtedness and obligations secured by this deed of trust are personal to the Grantors and are not assignable by Grantors; Beneficiary relied upon the credit of Grantors, the interest of Grantors in the Property and the financial market conditions then existing when making this loan; if Grantors sell, transfer or convey or contract to sell, transfer or convey the Property, or any portion thereof, or if the ownership of any corporation or partnership, owning all or any portion of the Property shall be changed either by voluntary or involuntary sale or transfer or by operation of law, without prior written consent of Beneficiary, or if Grantors default in the payment of the indebtedness, or with respect to any warranty, covenant or agreement in the Loan Documents or if a receiver or trustee for any part of the Property is appointed, or if any proceedings under the bankruptcy or insolvency laws is commenced by or against Grantors, or if Grantors become insolvent, or if any action is commenced to foreclose or enforce a lien on any portion of the Property, then, Grantors shall be in default hereunder.
15. That time is of the essence and in the event of default, at Beneficiary's option, the entire indebtedness secured hereby shall forthwith become due and payable and bear interest at the rate set forth in the Loan Documents for delinquent payments; Beneficiary shall have the right to foreclose the lien of this deed of trust or to direct Trustee, in writing, to foreclose this deed of trust by notice and sale, to have a receiver appointed in any court proceeding, to collect any rents, issues and profits from the Property and to deliver them to Beneficiary to be applied as provided above and to exercise any rights and remedies available under the Uniform Commercial Code for the state in which the property is located; and reasonable notice if required by such Code shall be five (5) days.
16. That Beneficiary may from time to time, in writing and without further notice or consent, release any person from liability for payment of any of the indebtedness or extend the time or otherwise alter the terms of payment of any of the indebtedness; and Trustee may, with written consent of Beneficiary, at any time and from time to time, and without affecting the liability of any person:
 - a. Join in any subordination or other agreement affecting this deed of trust or lien or charge thereof.
 - b. Reconvey, without warranty, any or all of the Property.
17. That after all sums secured hereby have been paid, upon receipt of the deed of trust and note and payment of its fees, Trustee shall reconvey without warranty the Property, as provided by law. The grantee in such reconveyance may be described as "the person or persons legally entitled thereto."
18. That, in the event of foreclosure of this deed of trust by notice and sale, the power of sale shall be exercised by the Trustee according to and under the authority of the law pertaining to deeds of trust then in effect in the state in which the Property is situated; Trustee shall deliver to purchaser its deed, without warranty, containing recitals demonstrating compliance with the requirements of such law.
19. To surrender possession of such premises within the time period provided by law; in the event Beneficiary is purchaser of the Property and possession is not delivered, as provided by law, to pay Beneficiary the costs and the

expenses, including reasonable attorney fees, incurred in any suit or action by Beneficiary to obtain possession of the premises.

20. That Trustee accepts this trust when this deed, duly executed and acknowledged is recorded as provided by law; any Trustee lawfully appointed by Beneficiary as a substitute or successor Trustee shall succeed to all the powers and duties of the Trustee named herein; Trustee is not obligated to notify any party hereto of the pending sale under any other deed of trust or any action or proceeding in which Grantors, Trustee, or Beneficiary shall be a party unless such action or proceeding is brought by Trustee.
21. That as used herein, the term "deed of trust" shall be synonymous with the terms "trust indenture" and "trust deed"; the term "Grantors" shall be synonymous with the term "Trustors" as used in any of the laws of the state in which the Property is situated; the term "Beneficiary" shall mean the holder and owner of any Note secured hereby, or if any Note(s) has been pledged, the pledgee thereof.
22. That the failure of Beneficiary to exercise any right or option provided herein, at any time shall not preclude Beneficiary from exercising any of such rights at any other time; the covenants and agreements contained herein shall be binding on and inure to the benefit of the parties and their respective heirs, successors and assigns; all rights conferred on Beneficiary or on Trustee are cumulative and additional to any rights conferred by law; and if any provision is found to be invalid or unenforceable, such invalidity or unenforceability shall not affect any other provision hereof and the deed of trust shall be construed as though such provision had been omitted.
23. That Grantors and each of them join in this instrument for the purpose of subjecting each of their right, title and interest, if any, in the Property, whether of record or otherwise and including any right to possession, to the lien of this deed of trust.

Stanley L. Lindley
Stanley L. Lindley

Martha E. Lindley
Martha E. Lindley



STATE OF Oregon)
County of Union)ss.

On this 14th day of August, 2002, before me personally appeared Stanley L. Lindley, to me known to be the person(s) described in and who executed the within instrument, and acknowledged that he/she executed the same as his/her free act and deed.



Laina Haefner
Printed name Laina Haefner
Notary Public for the State of Oregon
Residing at Island City
My commission expires 10-31-05

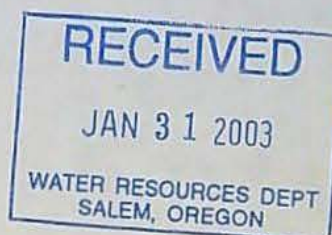
STATE OF Oregon)
County of Union)ss.

On this 14th day of August, 2002, before me personally appeared Martha E. Lindley, to me known to be the person(s) described in and who executed the within instrument, and acknowledged that he/she executed the same as his/her free act and deed.

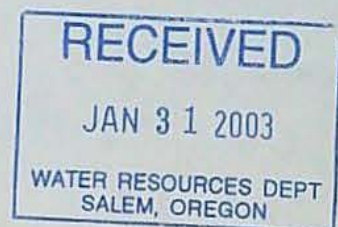


Laina Haefler
Printed name Laina Haefler
Notary Public for the State of Oregon
Residing at Idaho City
My commission expires 10-31-05

Beneficiary acknowledges that this deed of trust is subject to a security interest in favor of AgAmerica, FCB (Bank) and by its acceptance hereof and pursuant to and in confirmation of certain agreements and assignments by and between Beneficiary and Bank, does assign, transfer and set over the same unto Bank, its successors and assigns, to secure all obligations of Beneficiary to Bank, provided that pursuant to such agreements and assignments Beneficiary has authority to perform all loan servicing and collection actions and activities hereunder, including without limitation thereto, releasing in whole or in part and foreclosing judicially or otherwise this deed of trust until the Bank, by instrument recorded in the office in which this deed of trust is recorded, revokes such authority; provided, however, if Bank is the Beneficiary in this transaction, this paragraph is without effect.



3. RIGHT OF WAY, including the terms and provisions thereof;
Dated: December 17, 1923
Recorded: February 8, 1924, book 79, page 351
Granted To: PACIFIC TELEPHONE AND TELEGRAPH COMPANY
Affects: The southwest quarter of the northeast quarter and the north half of the southeast quarter of Section 34, Township 2, South, Range 37 East of the Willamette Meridian.
4. RIGHT OF WAY, including the terms and provisions thereof;
Recorded: February 8, 1924, book 79, page 356
Granted To: PACIFIC TELEPHONE AND TELEGRAPH COMPANY
Affects: The northwest quarter of the northeast quarter of Section 34, Township 2 South, Range 37 East of the Willamette Meridian.
5. EASEMENT, including the terms and provisions thereof;
Recorded: December 31, 1930, book 90, page 463
Granted To: PACIFIC TELEPHONE AND TELEGRAPH COMPANY
Affects: The southwest quarter of the northeast quarter of Section 34, Township 2 South, Range 37 East of the Willamette Meridian.
6. EASEMENT, including the terms and provisions thereof;
Recorded: December 31, 1941, book 103, page 246
Granted To: EASTERN OREGON LIGHT & POWER COMPANY
Affects: The southeast quarter of the northwest quarter and the north half of the southwest quarter of Section 35, north half of the southwest quarter and the north half of the southwest quarter of Section 35, Township 2 South, Range 37 East of the Willamette Meridian.
7. EASEMENT, including the terms and provisions thereof;
Recorded: May 6, 1942, book 103, page 548
Granted To: PACIFIC TELEPHONE AND TELEGRAPH COMPANY
Affects: The east half of Section 34, the southwest quarter of the northwest quarter of Section 35, and the southeast quarter of the southwest quarter of Section 28, Township 2 South, Range 37 East of the Willamette Meridian.



8. RIGHT OF WAY EASEMENT, including the terms and provisions thereof;

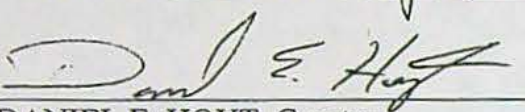
Dated: February 21, 1958
Recorded: March 3, 1958, book 140, page 216
Granted To: CALIFORNIA-PACIFIC UTILITIES COMPANY, a corporation
Affects: The north half of southeast quarter of Section 34, Township 2 South, Range 37 East of the Willamette Meridian.

9. RIGHT OF WAY EASEMENT, including the terms and provisions thereof;

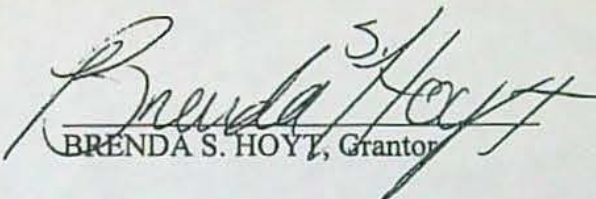
Dated: April 15, 1977
Recorded: April 22, 1977
Microfilm Document No.: 68414
Granted To: CALIFORNIA-PACIFIC UTILITIES COMPANY, a corporation
Affects: The northwest quarter of Section 35, Township 2 South, Range 37 East of the Willamette Meridian.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED this 14 day of August, 2002.



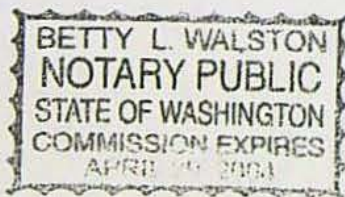
DANIEL E. HOYT, Grantor



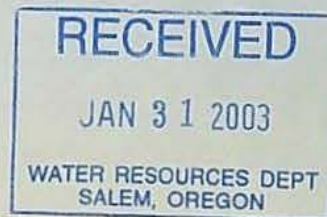
BRENDA S. HOYT, Grantor

STATE OF ^{Washington} OREGON)
County of ^{Union} ~~Union~~ King) ss

The foregoing instrument was acknowledged before me this 14th day of August, 2002, by DANIEL E. HOYT and BRENDA S. HOYT, husband and wife acknowledged said instrument to be his voluntary act and deed.




Notary Public for ~~Oregon~~ Washington
My commission expires: 4-27-04



1-29-03

Div. 315

Extension "Final Order" Checklist

Application # G-14417 / Permit # G-13220

Permit Holder's Name Daniel A. Hoyt ; Blue Mtn. Golf Course
58020 Hwy 203, Union OR 97883

- ✓ 1. Date Extension Request submitted: 6-14-2002
- ✓ 2. Date permit was issued: 11-28-97
- ✓ 3. Original "B" Date from permit: _____
(Date for completion of construction)
- ✓ 4. Original "C" Date from permit: 10-1-2001
(Date for complete application of water)
- ✓ 5. Extension PFO Date: 12-3-02
- ✓ 6. WRD recommends extending "B" Date to: _____
and extending the "C" Date to: 10-1-2003
- ✓ 7. Protest Deadline Date from PFO: 1-17-2003
- ✓ 8. Any written Protests or written Comments received within the Protest period? Yes / (No)
- ✓ 9. Conditions from Extension PFO? No

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **53381**

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

INVOICE # _____

RECEIVED FROM: Daniela Hoyt
BY: _____

APPLICATION	G14417
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # ☐ OTHER: (IDENTIFY) ☒ MO 75-53

TOTAL REC'D \$ 100.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

PCA AND OBJECT CLASS

CASH ACCT. _____
VOUCHER # _____ \$ _____

0427 WRD OPERATING ACCT

MISCELLANEOUS

PCA # 66111

0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY)	\$
(New) TC162	DEPOSIT LIAB. (IDENTIFY)	\$

WATER RIGHTS:

0201	SURFACE WATER	\$	0202	RECORD FEE	\$
0203	GROUND WATER	\$	0204		\$
0205	TRANSFER	\$	0206		\$

WELL CONSTRUCTION

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

OTHER (IDENTIFY) Ext of Time \$ 100.00

0437 WELL CONST. START FEE

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

0539 LOTTERY PROCEEDS

1302	LOTTERY PROCEEDS	\$
------	------------------	----

0467 HYDRO ACTIVITY

LIC NUMBER

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

RECEIPT # **53381**

DATED: 6/14/02 BY: KD Hall

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

APPLICATION FOR EXTENSION OF TIME
TO THE WATER RESOURCES DIRECTOR OF OREGON

RECEIVED

JUN 14 2002

WATER RESOURCES DEPT.
SALEM, OREGON

I, Daniel A. Hoyt
NAME

58020 Or Hwy 203 Union Or 97883 (541) 562-5332
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. G-14417 Permit No. G-13220 do hereby request that the time in which to:

☒ complete the construction of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 2001, be extended to October 1, 2003,

and/or the time in which to:

☒ accomplish beneficial use of water to the full extent under the terms of the permit, which time now expires on October 1, 2001, be extended to October 1, 2003.

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

Attached is an instruction sheet to assist you in completing the information on the permit extensions application form. Oregon Water Law and Administrative Rules requires this information to be considered by the Water Resources Department when reviewing a permit extension. All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information that would aid us in making our decision. Please use additional sheets of paper as needed to fully respond to the questions.

After reviewing the application form and the instruction sheet, if you have any questions, please contact the Department at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.

1. Did water system construction/well drilling begin within the time specified in the permit?
☒ Yes ☐ No attachment # 3 start card

2. Has construction of diversion/appropriation works, distribution system, and use of water, if any, been accomplished consistent with the limitations and conditions of this permit?
☐ Yes ☒ No

*Jo
Gakula*

- A Please describe how you have complied with each applicable permit condition (NOTE: the 2002 instruction sheet for permit extension applications provides some direction as to what is an "applicable" condition at time of permit extension review).

WATER RESOURCES DEPT.
SALEM, OREGON

actual Construction of Well was started on Nov. 26, 1998
(See Attachment 3)
The drilling was muddy and difficult to get too. Work was
stopped on Dec. 1, 1998. (see Attachment #2)

- B If you have not complied with all applicable conditions, please explain the reasons why and indicate a date certain, in the near future, by which time you will be in compliance with applicable conditions.

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

- A Within the past year or, if a prior extension was authorized, during the last permit extension period:

- B Prior to the past year or, if a prior extension was authorized, prior to the last extension period:

- C I have accomplished beneficial use of water under the permit to the extent of (amount of water used or acres irrigated):

4. Cost of project to date \$4,000⁰⁰. Estimated remaining cost to complete the project \$8,000.

5. Please list the reasons why the project was not constructed, and/or water not beneficially used within permit time limits under the appropriate categories below. Please provide supporting information for each reason identified.

A The project is of a size and scope that the original intent was to phase it in over a period longer than the time frames allowed in the permit.

This project has
Numerous milestones - The well was started on time
and would have been completed on time if I had
Not injured myself.

B Financing and/or cash-flow needs to develop the project precluded completion of the project within authorized time frames.

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

D Acts of God or other unforeseen events delayed full development of the water system and use of water.

Injury on July 31, 2001 prevented well completion.
Please See Attached Summary of Accident #2

6. Please identify the economic market or markets to which beneficial use of water under the permit is responding.

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WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JUN 14 2002

WATER RESOURCES DEPT.
SALEM, OREGON

A Has there been any change in this market since the permit was issued?

None

B Have these changes, if any, affected the economic feasibility of your project?

No

7. Are there other present competing demands for water in your community?

No

A Has there been any change in these demands for water since the permit was issued?

No

B Are you aware of alternative sources of water that may be able to satisfy the competing demands?

There are None

C Are you aware of any adverse affects on your source of water that may have been caused by recent changes in use of water in your community?

None

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JUN 14 2002

WATER RESOURCES DEPT.
SALEM, OREGON

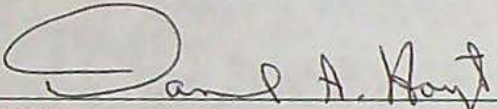
8. Will the income or use from the water development project authorized by this permit provide reasonable returns against the investment in the project?

YES

9. If the extension request is denied, is the current level of water use economically feasible?

NO

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


Signature

June 10, 2002
Date

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$ 100 TO:

WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES
158 12TH ST NE
SALEM, OREGON 97310

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JUN 14 2002

WATER RESOURCES DEPT.
SALEM, OREGON

Information for Blue Mtn. Golf Course Well Log
Permit # G-13220

November 26, 1998: Valley Truck Towing (driver Ray Gore) moved Waldo Lowes drilling rig to Perry, Oregon. Dan A. Hoyt setup tower.

November 27, 1998: Waldo Lowe (owner of Waldo Well Drilling) arrived on site at 10:45 and set up tower braces and started drilling at 12:15 p.m..

December 1, 1998: Dan Hoyt called the water master at 2:30 p.m. and was told to call Carrie Jones, Well Inspector at 541-523 8224. I called Carrie at 2:12 p.m. and told her that we started our well on 11/26/98 and would not have time to finish it until spring. I explained the vandalism problem in the area where the well rig would be left and ask if I could pull the well rig out for the winter? Carrie said yes as long as I seal the hole. She recommended beninite granules around the casing and something over the casing to keep it sealed. She said to make a note on the well log on what we had done and to reference the start card number. We will be issued a new start card when we get back on the site in the spring. She said the spring start card would not require a fee.

RECEIVED

JUN 14 2002

WATER RESOURCES DEPT.
SALEM, OREGON

Summary of my accident, written on Aug 30th 2001

Injury Date was July 31st

I was cutting a Tamarack snag (tree) with a chainsaw and while it was Felling, it hit a Standing tree and broke the top half out of it. The top Half came down and drove me to the ground, causing the following injuries to my body.

1. Fractured skull.
2. Knocked my teeth together and bit clear through my tongue on both sides.
3. Shattered one bottom molar.
4. Fractured vertebrae # C-4 and T-8, Broke 4 ribs on top left side, badly Separated left shoulder, injured both knees when I was drove to the ground

This accident would have killed me if I had been working alone! My Wife was there and quickly ran to my side. I was unconscious with my eyes wide open, My scalp was badly ripped, blood running out of my mouth and the top of my head. She thought I was gone until she noticed slight breathing.

She went for help. I was flown from LaGrande hospital to Saint Alphonsus Hospital at Boise Idaho on July 31, 2001

I was in ICU from July 31st until Aug 5th.

I returned back to ICU on Aug 6th after a blood clot that started from below my right knee passed through my heart and into my lungs.

The 32 stitches and tubes in top of my head were removed Aug 12th

I was Released from the hospital on Aug. 14th (to home care) I will have to wear both neck and back braces for at least 12 weeks. Also I may have to stay on coumadin for my lifetime.

FOR WATER RESOURCES DEPARTMENT USE ONLY

Date Postmarked

Date Hand-delivered 11/30/98Watermaster Initials RSWRD Receipt W90198

Date Fee Received

Check No. _____

RECEIVED

JUN 14 2002

START CARD

NOTICE OF BEGINNING OF WELL CONSTRUCTION

(as required by ORS 537.762)

WATER RESOURCES DEPT.
SALEM, OREGON

This form must be completed, signed by both the owner (or authorized agent) and constructor, and the original mailed or delivered to the Water Resources Department, 158 12th St. NE, Salem, OR 97310, no later than the day construction, alteration, conversion or abandonment work begins. A \$75 fee shall accompany all notices for new well construction or conversion of an existing hole not previously used to obtain water (make checks payable to the Water Resources Department). Notices meeting this requirement but received without the required fee will not be accepted as properly and timely filed. In addition, the constructor shall provide the "Watermaster Copy" of this notice to the office of the district watermaster within which the well is being constructed, altered, converted or abandoned using one of the following options: (a) by regular mail no later than three (3) calendar days (72 hours) prior to commencement of work; or, (b) by hand delivery, during regular office hours, no later than the day work is commenced; or, (c) by FAX no later than the day work is commenced. If method (c) is used, the original "Watermaster copy" of this notice shall also be mailed or delivered to the office of the district watermaster no later than the day work is commenced. The Water Resources Commission has authority to impose civil penalties for failure to submit the required \$75 fee with the start card and for failure to submit cards prior to beginning any construction, alteration, conversion or abandonment work.

Owner's name and mailing address:

Daniel Hoyt Blue Mountain Golf Course
58020 Or. Hwy 203 Union Or. 97823

Phone:

(541) 562-5332Check type of work: Fee Required ☒ New construction ☐ ConversionNo Fee Required ☐ Alteration (Repair/Recondition) ☐ Deepening ☐ Abandonment

Original Start Card Number _____

Proposed Commencement Date _____

Existing or Proposed Well Depth 300'Diameter 8"

Check Use:

☐ Domestic ☐ Thermal☐ Public System (Community) ☐ Injection☐ Industrial ☒ Irrigation☐ Monitoring ☐ Other _____Proposed Well Location: County UnionOwner's Well Id. No. G-14417G-13220Township 2S

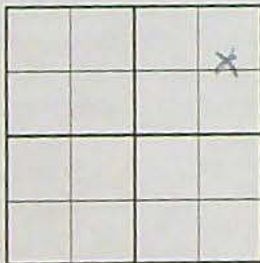
(N or S)

Range 37E

(E or W)

Section 34

N

1. NE 1/4 of NE 1/4 of above section

2. Street address of well location _____

3. Tax lot number of well location 26004. Attach map with location identified.
See reverse of this form for approved maps.

5. Show well location within 1/4, 1/4 of section grid at left.

We hereby certify that we have read the back of this form and that the information provided is accurate to the best of our knowledge.

Bonded Water/Monitor Well Constructor

License No. 1399Company Lowe Well Drilling

Owner

NOTE: This is not a water right application. The owner is responsible for obtaining a water right through the Water Resources Department, if required. The Oregon Health Division requires plans to be submitted and approved prior to construction if the well is to be used as a public system.

THIS COPY TO CUSTOMER

STATE OF OREGON
WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

To: LAURA SNEDAKER/FILE

Date: July 7, 1997

From: MICHAEL ZWART

Subject: APPLICATION G-14417, DANIEL A. HOYT - BLUE MOUNTAIN
GOLF COURSE

I previously (December 1996) recommended permit conditions 7B and 7J to be included in the permit, if issued. The file copy of the Union County Board of Commissioners Decision Findings included excerpts from a report by Associated Earth Sciences, Inc (AES). The report was prepared for the applicant and recommends that a network of monitoring wells be installed and selected from the existing residential wells so that any changes "in the water quantity or quality can be quantified and assessed." I therefore decided that requiring a water-level measurement condition may not be necessary. However, given the concerns of the local well owners and the fact that the 'approval condition #5' (page 14 of the Findings), regarding groundwater quantity monitoring, is subject to differing interpretations, I now strongly recommend including permit condition 7C.

As a follow-up note, I believe that it is appropriate that a copy of the AES report be obtained for our file.

INTEROFFICE MEMORANDUM

Water Rights Section

TO: Fred Lissner

FROM: Dwight French, x268 *DWF*

7-3, 1997

RE: GW File number G-14417

Please have someone on your staff review the Memo attached.
& comments

Mike Zwaren of your staff appears to be the most recent GW person to look at this file.

Please route to Laura when finished.

Thanks.

*If possible, please expedite
back to Laura
thx.*

MEMO

DATE: JUNE 24, 1997
TO: DWIGHT FRENCH
FROM: LAURA SNEDAKER
SUBJECT: APPLICATION G-14417 FOR BLUE MOUNTAIN GOLF COURSE

On March 21, 1997, the Department received some comments addressing concerns about the proposed use of groundwater for Irrigation of a golf course. Please route this memo and the attached file to the groundwater section for some additional review for a determination of whether the Division 9 findings need to be modified based upon the information submitted in the comments. The comments are located in the front of the file.

There also appears to be some pertinent groundwater information in the Mathson/Hoyt Conditional Use Blue Mountain Golf Course Board of Commissioners Findings dated July 22, 1996.

Thanks.

Please expedite, if possible

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-14417

Proposed Final Order

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

Additional Information Required: According to Department records, there is an existing water right, Certificate 6293, on lands requested under this application. The applicant has identified that this water right should be canceled. Before a permit may be issued under this application, Certificate 6923 needs to be canceled.

Also before a permit may be issued under this application, a revised application map, which meets the Department's map requirements, needs to be submitted to the Department.

According to Department records, there appears to be another existing water right, Certificate 14534, for Irrigation, located completely or partially on the lands requested under this application. If this water right is located on lands requested under this application, the existing right needs to be canceled or transferred before a permit may be issued, or the overlapping lands under this application made supplemental to the existing right. If the proposed use is to be supplemental to this existing right, the revised application map will also need to show the number of acres to receive primary irrigation and the number of acres to receive supplemental irrigation in each quarter quarter section.

Application History

On November 27, 1996, DANIEL A. HOYT, BLUE MOUNTAIN GOLF COURSE, submitted an application to the Department for the following water use permit:

- Amount of Water: 600.0 GALLONS PER MINUTE (GPM)
- Use of Water: IRRIGATION OF 110.0 ACRES
- Source of Water: ONE WELL IN FIVEPOINT CREEK BASIN
- Area of Proposed Use: UNION County within SECTION 34 AND SECTION 35, TOWNSHIP 2 SOUTH, RANGE 37 EAST, W.M.

On 5/16/97, the Department mailed the applicant notice of its Initial Review, determining that the use of 1.34 Cubic Feet Per Second (CFS) from one well for Irrigation of 110.0 acres is allowable from March 1 through October 31 of each year. The applicant waived the option to stop processing the application within 14 days of that date.

On 5/20/97, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.

Within 30 days of the Department's public notice, written comments were received from Debbie Mellinger for Community Residents.

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

- comments by or consultation with another state agency
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available
- the rate and duty for the proposed use
- pending senior applications and existing water rights of record
- designations of any critical groundwater areas
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any general basin-wide standard for flow rate and duty of water allowed
- the need for a flow rate and duty higher than the general standard
- any comments received

Findings of Fact

As identified in the Initial Review, there is an existing water right, Certificate 6293, on some of the lands requested under this application. Upon further review of Department records, there appears to be an additional existing water right, Certificate 14534, for Irrigation of 1.0 acre and Domestic Use, located entirely or partially on lands requested under this application for irrigation. Unless otherwise identified, irrigation of these lands shall be made supplemental. Determination of the number of acres to receive supplemental irrigation shall be based upon a revised application map and/or additional information from the applicant.

The Grande Ronde Basin Program allows the following uses: IRRIGATION OF 110.0 ACRES.

Senior water rights exist on ONE WELL, IN THE FIVEPOINT CREEK BASIN, or on downstream waters.

ONE WELL, IN THE FIVEPOINT CREEK BASIN, is above the Grande Ronde State Scenic Waterway.

Water is available for further appropriation for the period MARCH 1 THROUGH OCTOBER 31.

The Department finds that no more than 1.37 CFS (615.0 GPM) would be necessary for the proposed use. The amount of water requested, 600.0 GPM (1.34 CFS), is allowable.

The well is not within a designated critical ground water area.

The Department determined, based upon OAR 690-09, that the proposed groundwater use will, if properly conditioned, adequately protect the surface water from interference. Based upon review of comments submitted by Debbie Mellinger, for Community Residents, additional conditioning on the proposed well was determined to be necessary by the Department's Groundwater/Hydrology Section on July 7, 1997.

The Groundwater Section finds that there is NOT a preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

Conclusions of Law

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

The proposed use requested in this application is allowed in the Grande Ronde Basin Plan.

No preference for this use is granted under the provisions of ORS 536.310(12).

Water is available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with rules of the Water Resources Commission.

The proposed use complies with the State Agency Agreement for land use.

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

For these reasons, the required presumption has been established.

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

- (a) One or more of the criteria for establishing the presumption are not satisfied; or
- (b) The proposed use would not ensure the preservation of the public welfare, safety and health as demonstrated in comments, in a protest . . . or in a finding of the department that shows:
 - (A) The specific aspect of the public welfare, safety and health under ORS 537.525 that would be impaired or detrimentally affected; and
 - (B) Specifically how the identified aspect of the public welfare, safety and health under ORS 537.525 would be impaired or be adversely affected.

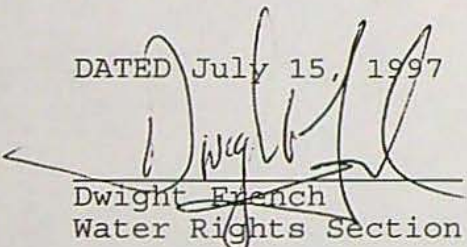
In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in injury to existing water rights; and the proposed use would ensure the preservation of the public welfare, safety and health as described in ORS 537.525.

Recommendation

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

DATED July 15, 1997


Dwight French
Water Rights Section Manager

Protest Rights

Under the provisions of ORS 537.621(7), you have the right to submit a protest against this proposed final order. Your protest must be in writing, and must include the following:

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;

- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and
- If you are not the applicant, the \$200 protest fee required by ORS 536.050 and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting that a contested case hearing be held. If you do not request a hearing, the Department will presume that you do not wish for a hearing to be held.

Your protest must be received in the Water Resources Department no later than August 29, 1997.

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

- upon review of the issues the director finds that there are significant disputes related to the proposed use of water, or
- the applicant requests a contested case hearing within 30 days after the close of the protest period.

LKS

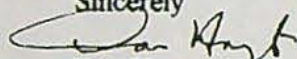
Aug 8, 1997

Senior Water Rights Examiner Laura Snedaker

Dear Laura:

I am Faxing you a copy of the Maps you requested on G #14417. Also I am sending you a packet in the mail today. It will have a larger County plat map and additional information on the location of a water right your office was concerned with. The reason for the fax is to make double sure that you get the information that you requested. If you need to fax me anything, Give me a call at 541-562-5332 and I will give you a fax number to use. Thanks for all the help!

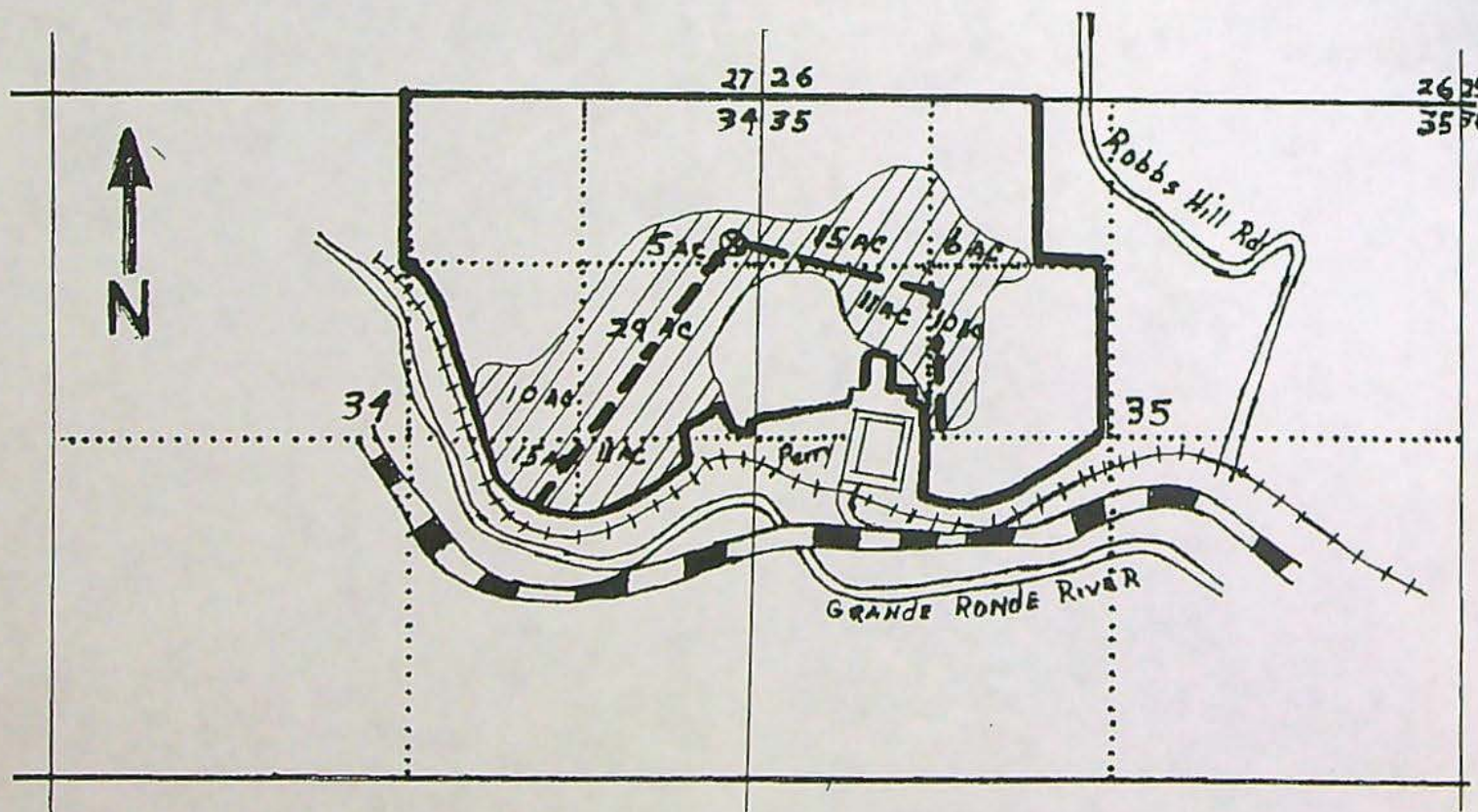
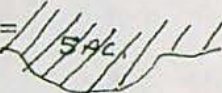
Sincerely



Dan Hoyt

Application No. G-14417

Permit No. _____

Location. T.2S R37E Tax Lot #2600Map scale 4 inches = 1 mile**MAP LEGEND**Hwy. I-84= Union Pacific Railroad = Property Bdy. = Well location = Water mainline (underground) = location and acres of water use = 

MAY 16, 1997

DANIEL A HOYT
BLUE MOUNTAIN GOLF COURSE
58020 HWY 203
UNION, OREGON 97883

Reference: File G-14417

Dear Applicant:

**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT NEXT PHASE OF PROCESS**

This letter is to inform you of the status of your application for water use. Based on the information you have supplied, the Water Resources Department has reached the following conclusions:

Initial Review Determinations:

1. Your application is complete and not defective.
2. The proposed use is not prohibited by law or rule.
3. The Department has determined, based upon OAR 690-09, that the proposed groundwater use, if properly conditioned, will not have the potential for substantial interference with surface water sources.
4. The use of water for IRRIGATION OF 110.0 ACRES is allowed under OAR 690-508-010(1), the Grande Ronde Basin Program.
5. Water in the amount of 1.34 CUBIC FEET PER SECOND (600.0 GALLONS PER MINUTE) for IRRIGATION OF 110.0 ACRES is available March 1 through October 31.
6. There is an existing irrigation right (Water Right Certificate #6293) in the name of Grande Ronde Lumber Company for Manufacturing and Domestic Use and storage of water in a mill pond covering lands where water is proposed to be used under this application. If the right has been abandoned, it should be canceled. In the event that you wish to cancel the conflicting certificate, a cancellation affidavit form is enclosed.



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

Summary of Initial Determinations

The use of 1.34 CUBIC FEET PER SECOND (CFS) from ONE WELL IN FIVEPOINT CREEK BASIN for IRRIGATION OF 110.0 ACRES is allowable from March 1 to October 31 of each year.

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

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.

NOTE: In your application, you indicated that you were the sole owner of the lands involved in the proposed water use. However, other information you submitted ("Board of Commissioners Decision Findings, July 22, 1996") indicates lists you as an "agent" for Helen Mathson, which that document describes as the "owner." Within 30 days, please confirm that you own all lands where the well is located, and where water will be conveyed and used. If Helen Mathson or any parties other than you own lands involved in this application, please provide the names and addresses of those landowners.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by MAY 30, 1997. 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 meter or other suitable measuring device as approved by the Director. The

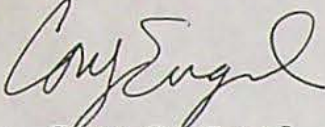
permittee shall maintain the meter or measuring device in good working order.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.
- 2. 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.
 - 3. Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.
 - 4. You will be required to comply with state and federal water quality standards.
 - 5. The priority date for this application is November 27, 1996.

If you have any questions:

Feel free to call me at (503) 378-8455 or 1 (800) 624-3199 extension 457 if you have any questions. Please have your application number available if you call.

Sincerely,



Mr. Cory C. Engel
Initial Reviewer

cc: Regional Manager, Watermaster District 06, Water
Availability Section
enclosures: Flow Chart of Water Right Process
Stop Processing Form

G-14417
gw-C

RECEIVED

MAR 21 1997

To: Water Resources

Re: Blue Mt. Golf Course
Daniel A. Hoyt
Application G-14417
Filed 11/27/96

**WATER RESOURCES DEPT.
SALEM, OREGON**

We are requesting a proposed final order copy of this application G-14417 as soon as the Water Resources Department has taken all things into consideration upon the review of the water rights application. Enclosed is \$10.00 for the copy of the application findings. We, the citizens of Lower Perry have some very serious concerns about the aquifer that will be affected by the development of this golf course. As a small rural community we are not able to get city water or sewer from the nearby city of LaGrande Oregon. We are out of the urban growth and development boundary for this city. (See Attached 3A). As it works, we all have individual wells and septic tank systems for our homes. As required, we must remain 50 -100 feet from our neighbors, with our wells. This is required by the D.E.Q. (See Attached 4B.) Most of the wells that had information on them have been dug any where from 1958-1968. Only one of the wells has a recent date of 1985. Because of the situation, the residents of Lower Perry have NO way of getting another water source if contamination or drought to our aquifer were to occur. As a community we requested that a hydrological assessment and pump test be conducted before any permits were granted at our local level. Hanley Jenkins, Planning Director, made a statement that the only way to get positive proof of the amount of water in an aquifer, was by this hydrological pump and assessment test. (See Attached 5C,6D) . The majority of the people that own property in this community, signed a petition for this test to be done (See Attached 7E). None were conducted nor was there any guarantees put into the conditional use permit, on this land, for a provision of water for the existing homes and families in our community, in the event that something were to happen to our water. The well drillers that gave information on digging wells said that they would not dig the wells that exist any deeper because of the age of these wells, but would move the location of our individual wells and dig new ones. The problem there is that we do not have room on our properties to move them and still remain the required distance from our neighbors that live on all sides of us. At least 2 of the homes are built over their wells and have access to do pump repairs, if necessary. But one yard is a complete sand and filter system for their septic system. Their front yard is too small and close to the neighbors well for a new well to be dug. How would these people supply their home with water?

After speaking with the local water master and Department of Water Resources, it is stated that before the residents could do anything about our water, we would first have to all dig our wells deeper to make the maximum use of our resources. There again is the problem, we can not dig them deeper where

they are now . And there is not the amount of room required by the D.E.Q. to move them.(See Map9G) The cost of digging a domestic well with a 6 inch casing starts at \$25.00 per foot plus \$350.00 for a set up fee if under 50 feet. If we have to dig 40 feet, it would cost each residence at the least \$1350.00 If a well is using an 8 inch casing of course it costs more, approximately \$1430.00 to go 40 feet for each residence(See Attached 8F).Also it was stated that the residents must prove that the golf course developement had caused the problem of contamination or dried up our wells. I asked how people could prove this, and I was told it becomes a civil matter, which means going to court and fighting it with lawyers. That would also be at the expense of the residents. Because Lower Perry is in an unprotected fire zone, which means that rural nor city fire departments will come out to put out a fire, the developers promised to install 2 fire hydrants close to the homes in Perry, in order to ease the conscious of those sitting on the planning committee. There again will be a whole lot more water being sucked from our aquifer, for the use of the golf course. Fire hydrants must be able to put out certain gallons per minute to be of any use and will be determined by the size of the dwellings in the community. Which in fact does not help ease the cost of fire insurance in Lower Perry, nor does it mean that the golf course will not be held liable for any damages done, if we residents were to use the hydrants that the developers are saying will be left unlocked for hydrant use, in the event of fire occurrences to any of our homes. This golf course is going to surround the whole community of Lower Perry except on the South side. Some of the golf course greens will be situated on hills that slope directly down toward homes and wells. With the amounts of chemicals, herbicides and fertilizers used, it is possible and probable that contamination will occur.

As the citizens that run the risk of losing alot and at the expense that will be the responsibility of all of us people, that live in Perry, we would like to request the water rights application be denied. If the water rights are granted, we would like the conditions on the application to include a guarantee that the developers have to supply water to the residents, at the developers expense, by building a community water supply or reservoir, that we can be connected to, to ensure that we will not be without the modern convience of water, which is our right as citizens.

Curantly there are 22 homes in Lower Perry. Of these 22 homes, most of them are owned by people that are retired and living on their fixed incomes. For any of us to come up with \$1500.00 or more to dig wells or fight this matter in a court of law, would be too great a burden on any of us. We simply do not have the money it would take and do not feel that it should become a financial problem for us residents, that live in this communtiy. It would seem that if these developers can afford to build an 18 hole golf course, that they should be able to build a water supply for the residents, so we can receive water.

Please send your findings to:

Community Residents:

C/O Debbie Mellinger

62091 Lower Perry Lp

LaGrande Ore 97850

541-963-8393

RECEIVED

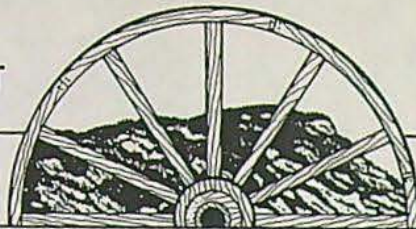
MAR 21 1997

WATER RESOURCES DEPT.
SALEM, OREGON

PUBLIC WORKS DEPARTMENT

800 X Avenue
La Grande, OR 97850
(503) 962-1325
FAX (503) 963-3608

CITY OF



LA GRANDE

THE HUB OF NORTHEASTERN OREGON

February 18, 1997

Debbie Mellinger
62091 Lower Perry Loop
La Grande OR 97850

RE: Request for information regarding extension of City Sewer and Water services
from La Grande to Perry.

Mrs. Mellinger,

Under the current State Law the City of La Grande is normally prohibited from
extending water and sewer services beyond the Urban Growth Boundary for the
City of La Grande.

In the event that the current policy was to change at the State level, the cost of sewer
and water extensions to Perry most likely would not be cost effective for the
residents of Perry.

You are welcome to petition our City Manager, R. Wes Hare, for this service if
current State Land Use Laws were to change at a later date.

Sincerely,

Ron Gross
Public Works Director

RECEIVED

MAR 21 1997

WATER RESOURCES DEPT.
SALEM, OREGON

RG/lmg

cc: Wes Hare, City Manager
Dan Moore, City Planner
Norman Paullus, Engineering Supt.
file

3A

~~Attn: [unclear]~~ **RECEIVED**

MAR 21 1997

DEPARTMENT OF ENVIRONMENTAL QUALITY

WATER RESOURCES DEPT.
SALEM, OREGON

TABLE 1

Minimum Separation Distances

Items Requiring Setback	From Sewage Disposal Area Including Replacement Area	From Septic Tank and Other Treatment Units, Effluent Sewer and Distribution Units
1. Groundwater Supplies.	100'	50'
2. Temporarily Abandoned Wells.	100'	50'
3. Springs:		
• Upgradient.	50'	50'
• Downgradient.	100'	50'
*4. Surface Public Waters:		
• Year round.	100'	50'
• Seasonal.	50'	50'
5. Intermittent Streams:		
• Piped (watertight not less than 25' from any part of the on-site system).	20'	20'
• Unpiped.	50'	50'
6. Groundwater Interceptors:		
• On a slope of 3% or less.	20'	10'
• On a slope greater than 3%:		
• Upgradient.	10'	5'
• Downgradient.	50'	10'
7. Irrigation Canals:		
• Lined (watertight canal).	25'	25'
• Unlined:		
• Upgradient.	25'	25'
• Downgradient.	50'	50'
8. Cuts Manmade in Excess of 30 Inches (top of downslope cut):		
• Which Intersect Layers that Limit Effective Soil Depth Within 48 Inches of Surface.	50'	25'
• Which Do Not Intersect Layers that Limit Effective Soil Depth.	25'	10'
9. Escarpments:		
• Which Intersect Layers that Limit Effective Soil Depth.	50'	10'
• Which Do Not Intersect Layers that Limit Effective Soil Depth.	25'	10'
10. Property Lines.	10'	5'
11. Water Lines.	10'	10'
12. Foundation Lines of any Building, Including Garages and Out Buildings.	10'	5'
13. Underground Utilities.	10'	—
* This does not prevent stream crossings of pressure effluent sewers.		

Rural residences

Planning staff hopes to eventually set guidelines for county

Related story, Page 1

COVE — Union County Planning Department staff plan to review high-density residential development in an area east of Cove, but some residents are still concerned that the county's actions may become too little, too late.

County Planning Director Hanley Jenkins said his staff this summer may be looking at rural residential areas like those near Cove and Medical Springs to determine a course of action for the county.

But for now the county commissioners and the planning commission have placed those areas lower on a list of priorities.

The planning department's focus

is to revise the county's subdivision and partition ordinances and administrative procedures to make them more streamlined, Jenkins said.

To make those kind of changes, the county will have to conduct hearings like the one scheduled for April 29.

Then the planning department has been instructed to look at revising its resource zone ordinances, he added. After all that work, the county planning department would have time to look at the residential areas near Cove and Medical Springs.

Jenkins hopes the county could begin hearings on proposed zoning changes this summer or late fall.

But the planning director said

he doesn't know how much the county could change the density on the hills east of Cove without knowing the carrying capacity of the aquifer in the area.

The only way to get irrefutable proof of the carrying capacity would be to conduct a hydrologic assessment and pump test. But the county cannot afford to do those, he added.

Though he wouldn't venture a guess as to how much an assessment would cost, he said similar studies in other areas have cost hundreds of thousands of dollars. Such studies were conducted in areas where high development for industrial or multiple housing uses were proposed. Conducting a similar study for an area where

there would just be single homes on one-acre lots is not be justified, he added.

Jim Hall, 60865 Lovelock, he would like to see establish a zone in the Cove that would require a minimum size of five acres and then conduct a hydrologic assessment and pump test to determine the true carrying capacity of the area's aquifer.

Hall said he realized it could be expensive, but it was necessary to protect the area.

Hall said he spoke with attorneys who told him that drilling of artesian wells in the area would be affected by development. He also said that the county would have to determine if the wells were legal and financially sound.

RECEIVED

MAR 21 1997

To: Union County Planning Committee

WATER RESOURCES DEPT.
SALEM, OREGON

From: Perry residents

Re: Hydrologic Assessment of
Blue Mt. Golf Course project

Petition to require Union County or the developer of the Blue Mountain Golf Course project to do a hydrologic assessment prior to the approval of a conditional use permit.

In a March 27 Observer article, county planning director Hanly Jenkins stated that the only way to get irrefutable proof of the carrying capacity of an aquifer would be to conduct a hydrologic assessment and pump test.

He also outlined the criteria that would justify such a study. These justifications were "areas where high development for industrial or multiple housing uses were proposed." We assume that he meant high water use, commercial projects. Obviously the golf course project at Perry satisfies these justifications.

The developers project water usage at 168,000 gallons of water per day from 10:00 pm to 4:00 am, 28,000 gallons per hour or 467 gallons per minute! This is a tremendous amount of water to expect from this already stressed aquifer.

In another Observer article, project representative, Roger Goodman pointed out that the developers will have to prove to the state water master that their well would not effect adjacent wells. According to Mr. Jerkins this is not possible without a hydrologic assessment.

It is a forgone conclusion that without an adequate water supply the golf course project will fail. By Mr. Jerkins admission without a hydrologic assessment the county planning commission can not know whether or not there is enough water to support the golf course project and our household needs or even if it will cause catastrophic damage to the aquifer.

For the planning commission to make a decision on assumptions would be an injustice to all parties concerned. We believe the information from an assessment is vital for the planning commission to make an informed, unbiased and ecologically sound decision to protect our water resources.

Respectfully Yours,

The Undersigned

⑧ D.

PETITION FOR NONPARTISAN OR INDEPENDENT NOMINATION
SIGNATURE SHEET

PETITION I.D. _____

ONE OR MORE/NO (CIRCLE ONE) PETITION CIRCULATORS WILL BE COMPENSATED.	CANDIDATE'S NAME	NONPARTISAN/INDEPENDENT (CIRCLE ONE)	THIS IS A CANDIDATE NOMINATING PETITION. SIGNERS OF THIS PAGE MUST BE REGISTERED VOTERS IN _____ COUNTY ONLY.
	OFFICE	DISTRICT, POSITION, DEPARTMENT OR ZONE NUMBER (IF APPLICABLE)	

TO THE SECRETARY OF STATE/COUNTY
ELECTIONS OFFICIAL/CITY RECORDER:WE, THE UNDERSIGNED VOTERS, REQUEST THE CANDIDATE'S NAME PRINTED ABOVE, FOR NOMINATION TO THE OFFICE INDICATED, BE PLACED UPON THE APPROPRIATE
BALLOT AT THE NEXT _____ ELECTION FOLLOWING THE FILING OF THIS PETITION.

SIGNATURE	DATE SIGNED MO/DAY/YR	PRINT NAME	RESIDENCE ADDRESS STREET AND NUMBER	CITY OR POST OFFICE	ZIP CODE	PRECINCT (IF KNOWN)
1. Robert Murphy	3/29/96	Robert Murphy	62108 Lower Perry Loop	LaGrande	97850	
2. Dallas K Armon	3-29/96	DALLAS K ARMON	62049 Lower Perry Loop	LaGrande	97850	
3. Rosina Armon	3/29/96	Rosina Armon	"	"	"	
4. Gusta V. Hall	3/29/96	Gusta V. Hall	62157 Lower Perry Loop	LaGrande	97850	
5. Kenneth Hall	3/29/96	Kenneth B Hall	"	"	"	
6. Therese M. Lowry	3/29/96	Therese M. Lowry	62173 Lower Perry	LaGrande	97850	
7. David Ray Lowry	3/29/96	David Ray Lowry	62173 Lower Perry	LaGrande	97850	
8. Keri Myer	3/29/96	Keri Myer	62145 Lower Perry Loop	LaGrande	97850	
9. Phil Myer	3/29/96	PHIL MYER	" " " "	"	"	
10. Dotty Miller	3/29/96	Dotty Miller	62140 Lower Perry Loop	LaGrande	97850	
11. Pat Potter	3/29/96	Pat Potter	62078 " " " "	"	"	
12. Leroy V. Bushman	3/29/96	Leroy V. Bushman	62054 Lower Perry Loop	LaGrande	97850	
13. Beverly J. Bushman	3/29/96	Beverly J. Bushman	62054 Lower Perry Loop	LaGrande	97850	
14. Maria O'Neil	4/1/96	Maria O'Neil	62148 Lower Perry Loop	LaGrande	97850	
15. Phyllis C. Potter	4/2/96	Phyllis C. Potter	62078 Lower Perry Loop	LaGrande	97850	
16. Bayle Musgrave	4-2-96	BAYLE MUSGRAVE	62134 Lower Perry Loop	LaGrande	97850	
17. Kenneth Musgrave	4/2/96	KENNETH MUSGRAVE	62134 Lower Perry Loop	LaGrande	97850	
18. David Mellinger	4-2-96	DAVID MELLINGER	62091 Lower Perry Loop	LaGrande	97850	
19. Clifton Slack	4/6/96	CLIFTON SLACK	53252 134 Perry exit	LaGrande	97850	
20. Curt A. Walter	4/6/96	CURT A. WALTER	2405 Century Loop	LaGrande	97850	

CIRCULATOR'S VERIFICATION

THIS VERIFICATION MUST BE
SIGNED BY THE CIRCULATOR.

SHEET NUMBER _____

PETITION FOR NONPARTISAN OR INDEPENDENT NOMINATION

I, (print circulator's name) _____, hereby verify every person who signed this
sheet did so in my presence and I believe each person is a qualified voter of the state of Oregon (ORS 249.061,
249.740):

SIGNATURE OF CIRCULATOR

CIRCULATOR'S ADDRESS (street, city and zip code)

Perry Social Center
Sue / Mrs
62091 Lower Perry Loop LaGrande
ORE

signatures on this petition are those of registered voters in _____

County, Oregon. DATE CERTIFIED _____
SIGNATURE OF COUNTY ELECTIONS OFFICIAL _____NOTE TO CANDIDATE: PETITION SIGNATURES MUST BE VERIFIED BEFORE A PETITION CAN BE FILED. BE SURE YOU
SUBMIT YOUR PETITION IN AMPLE TIME FOR THIS PROCESS TO BE COMPLETED BEFORE 5:00 P.M. ON THE FILING DEADLINE DAY.

8

STOFFEL BROS. DRILLING CO.

P.O. BOX 549
ENTERPRISE, OREGON 97828

RECEIVED

MAR 21 1997

WATER RESOURCES DEPT.
SALEM, OREGON

DATE 2/19/97

SUBJECT DEEPING WELL

TO DEBBIE MILLINGER

62091 LOWER PERRY LOOP

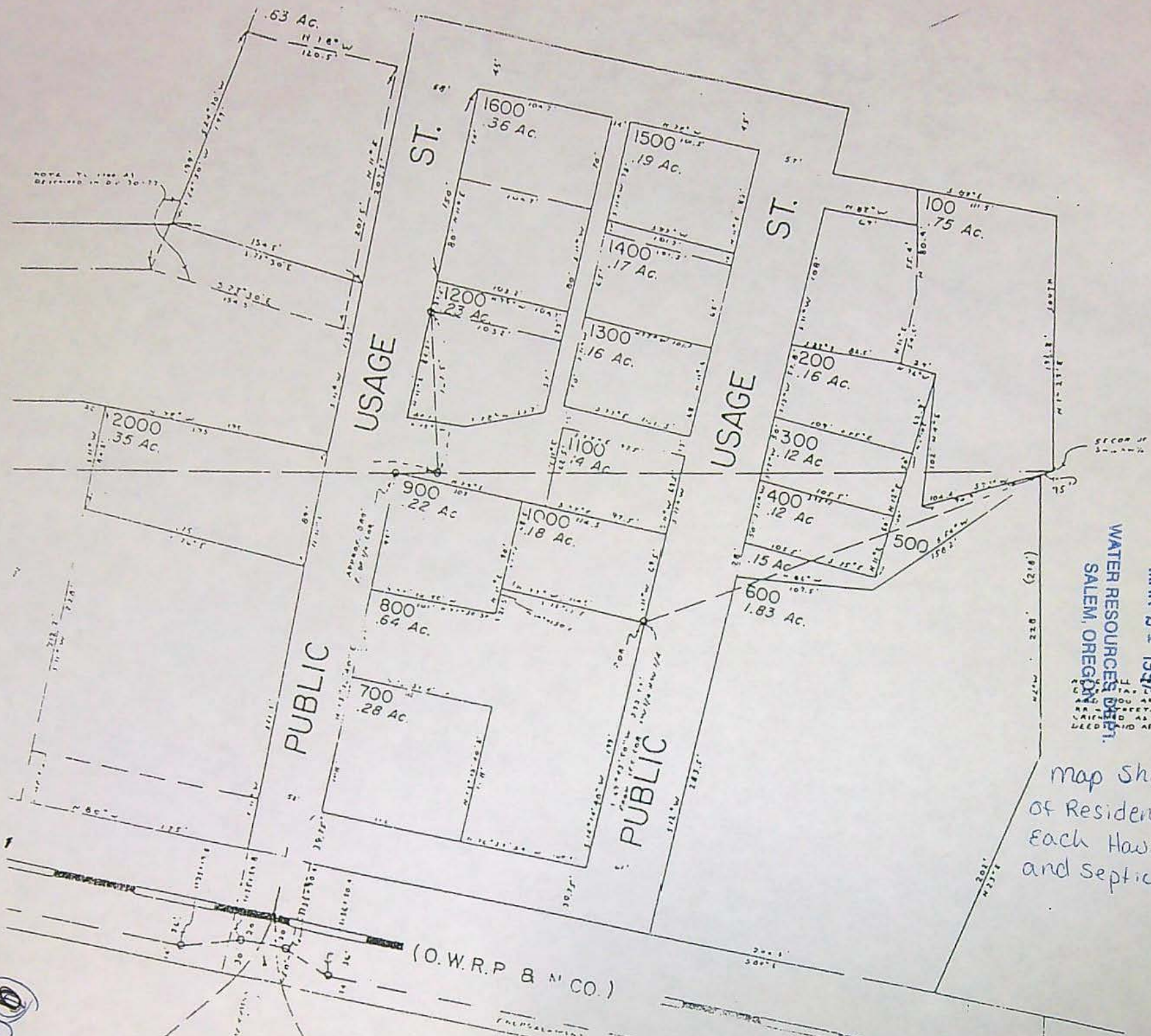
LA GRANDE, OR. 97850

6" WELL \$350.00 SET UP CHARGE FOR ANYTHING UNDER 50 FEET.
\$25.00 PER FT FOR FOOTAGE DRILLED.

8" WELL \$350 SET UP CHARGE FOR ANYTHING UNDER 50 FEET.
\$27.00 PER FT FOR FOOTAGE DRILLED.

SIGNED

Robert V. Stoffel Pres



RECEIVED

MAR 21 1994

WATER RESOURCES DEPT.
SALEM, OREGON

map showing lots
of Residents in Perry
Each Having a well
and septic system.

(O.W.R.P. & CO.)

46

file

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-14417

Final Order

Application History

On November 27, 1996, DANIEL A HOYT (BLUE MOUNTAIN GOLF COURSE) submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on July 15, 1997. The protest period closed August 29, 1997, and no protest was filed.

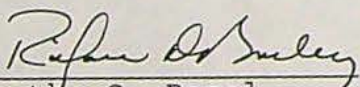
The proposed use would not impair or be detrimental to the public interest, but the Department's continuing evaluation reveals that the number of acres requested in the application does not agree with the area shown on the application map. The findings of the Proposed Final Order require modification to correctly describe the irrigated area as shown on the application map. However, no permit shall be issued until the applicant has requested cancellation of underlying water rights evidenced by Certificate #6293 and the Department has approved the cancellation of same.

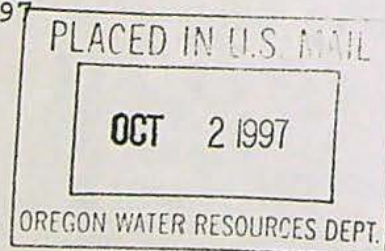
Order

Upon cancellation of underlying water rights evidenced by Certificate #6293, Application G-14417 shall be approved as modified above and as provided on the attached draft permit.

An affidavit requesting cancellation of underlying water rights evidenced by Certificate #6293 shall be submitted no later than 60 days from the date of this Final Order. Failure to submit an affidavit within 60 days from the date of this Final Order will result in the proposed rejection of Application G-14417.

DATED September 15, 1997


Martha O. Pagel
Director



Hearing and Appeal Rights

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

RECEIVED

OCT - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

Request for Modification Of permit # G-14417

We have discovered that we made a 2 acre error in our application!

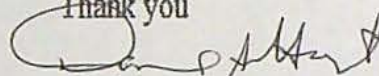
The maps are correct and my adding of acres were wrong!

Please accept my apology and find attached a check for the two additional acres.

Your final Order for 112 acres is correct.

My Oct. 1996 check was for \$500.00 and it should have been for \$504.00
(attached is ck#6826 for \$4.00)

Thank you



Daniel A. Hoyt

Blue Mtn Golf Course

Good, Albert	(See under Orodell Ditch Association)					
57399 Goodbrod, A.J. Union, Oregon. T3256	1863	16	Irrigation	(Red Barn) Goodbrod A to Guild	Catherine	16 acres in SE 1/4 NE 1/4 Section 24, T. 4 S. R. 39 E.W.M.
	1865	2.5	Irrigation	(Red Barn) Goodbrod A to Guild	Catherine Creek	2.5 acres in NE 1/4 NW 1/4 Section 19, T. 4 S.R. 40 E.W.M.
57400 Goodnough Mercantile & Stook Company, Elgin, Oregon.	Nov. 11 1901	3	Irrigation	Jackson Graham	Phillips Creek	Beginning 10 rods west of the northeast corner of the SW 1/4 NE 1/4 Sec. 16, T. 1 N.R. 39 E., thence, west 14 rods; thence south 40 rods; thence east 14 rods; to place of beginning, containing 3 acres, more or less. (Being in the SW 1/4 NE 1/4 Sec. 16, T.1 N.R. 39 E.W.M.)
53398 Graham, William J. Estate, Lucy E. Graham, Adams La Grande, Oregon. (1) PC 84-2 (Part)	1878	46.5	Irrigation	King or Graham	Ladd Creek	(1) 24 acres in NE 1/4 SW 1/4 10.2 acres 22.5 acres in SE 1/4 SW 1/4 Section 1, T. 4 S.R. 38 E.W.M.
57400 Graham, Thomas Union, Oregon. T3256	1891	0.50	Irrigation	Guild A to Guild	Catherine Creek	.50 acres in NE 1/4 NW 1/4 Section 19, T. 4 S.R. 40 E.W.M.
57403 Grande Ronde Lumber Company, Perry, Oregon.	1889	57.5	Manufacturing domestic and storage for millpond	Grande Ronde Lumber Co.	Grande Ronde River	Mill situated on NE 1/4 Sec. 34, T. 2 S.R. 37 E.W.M.
CANCELED (all) Spec. Or. V. 12, 423 Grandy, W.D. La Grande, Oregon.	1870	400	Irrigation		Ladd Creek Kekeler Slough	40 acres in SW 1/4 SW 1/4 40 acres in SE 1/4 NE 1/4 40 acres in SW 1/4 NE 1/4 40 acres in NE 1/4 SE 1/4 40 acres in SE 1/4 SE 1/4 40 acres in SW 1/4 SE 1/4 40 acres in NW 1/4 SE 1/4 40 acres in NE 1/4 SW 1/4 40 acres in SE 1/4 SW 1/4 40 acres in NW 1/4 SW 1/4 Section 25, T. 3 S.R. 38 E.W.M. GRANDE RONDE RIVER Consolidated @ 40.

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UNION COUNTY

IN THE MATTER OF CANCELLATION)
OF A WATER RIGHT IN THE NAME OF)
GRANDE RONDE LUMBER COMPANY) ORDER

The Water Resources Department (Department) received an affidavit from owners of land stating they have abandoned the water right appurtenant to their land and requesting the cancellation of the certificate. Whenever the owner of a perfected and developed water right abandons the right, an order canceling the right shall be entered. The Water Resources Director has reviewed the affidavit and makes the following disposition of the request:

STATEMENT OF FACTS

The Department received an affidavit from Daniel A. Hoyt. The affidavit states he is the owner of land and the water right as evidenced by Certificate 6293, State Record of Water Right Certificates. The affidavit further states the right has been abandoned and requests that the certificate be canceled. The abandoned water right is the right to use 57.5 second feet of water from the Grande Ronde River, for manufacturing, domestic, and mill pond uses with a priority date of 1889.

A description of the place of use of the abandoned right is as follows:

Mill situated in the NE¼
Section 34
Township 2 South, Range 37 East, W.M.

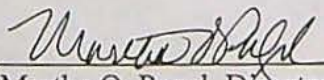
CONCLUSIONS OF LAW

Whenever the owner of a perfected and developed water right certifies under an oath to the Water Resources Commission that the water right has been abandoned by the owner and that the owner desires cancellation thereof, the Commission shall enter an order canceling the water right (ORS 540.621).

ORDER

IT IS ORDERED that the right described by Certificate 6293 allowing for the use of 57.5 cfs of water from the Grande Ronde River with a priority of 1889 for the manufacturing, domestic, and storage for the mill pond, State Record of Water Right Certificates, is canceled.

Dated October 23, 1997.


Martha O. Pagel, Director

Special Order Volume 51, Page 1240

august 8, 1997

RECEIVED

AUG 11 1997

WATER RESOURCES DEPT.
SALEM, OREGON

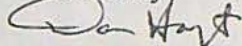
Senior Water Rights Examiner Laura Snedaker

Dear Laura:

I am Faxing you a copy of the Maps you requested on G #14417. Also I am sending you a packet in the mail today. It will have a larger County plat map and additional information on the location of a water right your office was concerned with.

The reason for the fax is to make double sure that you get the information that you requested. If you need to fax me anything, Give me a call at 541-562-5332 and I will give you a fax number to use. Thanks for all the help!

Sincerely



Dan Hoyt

RECEIVED

AUG 11 1997

Dear Water Resources Dept.

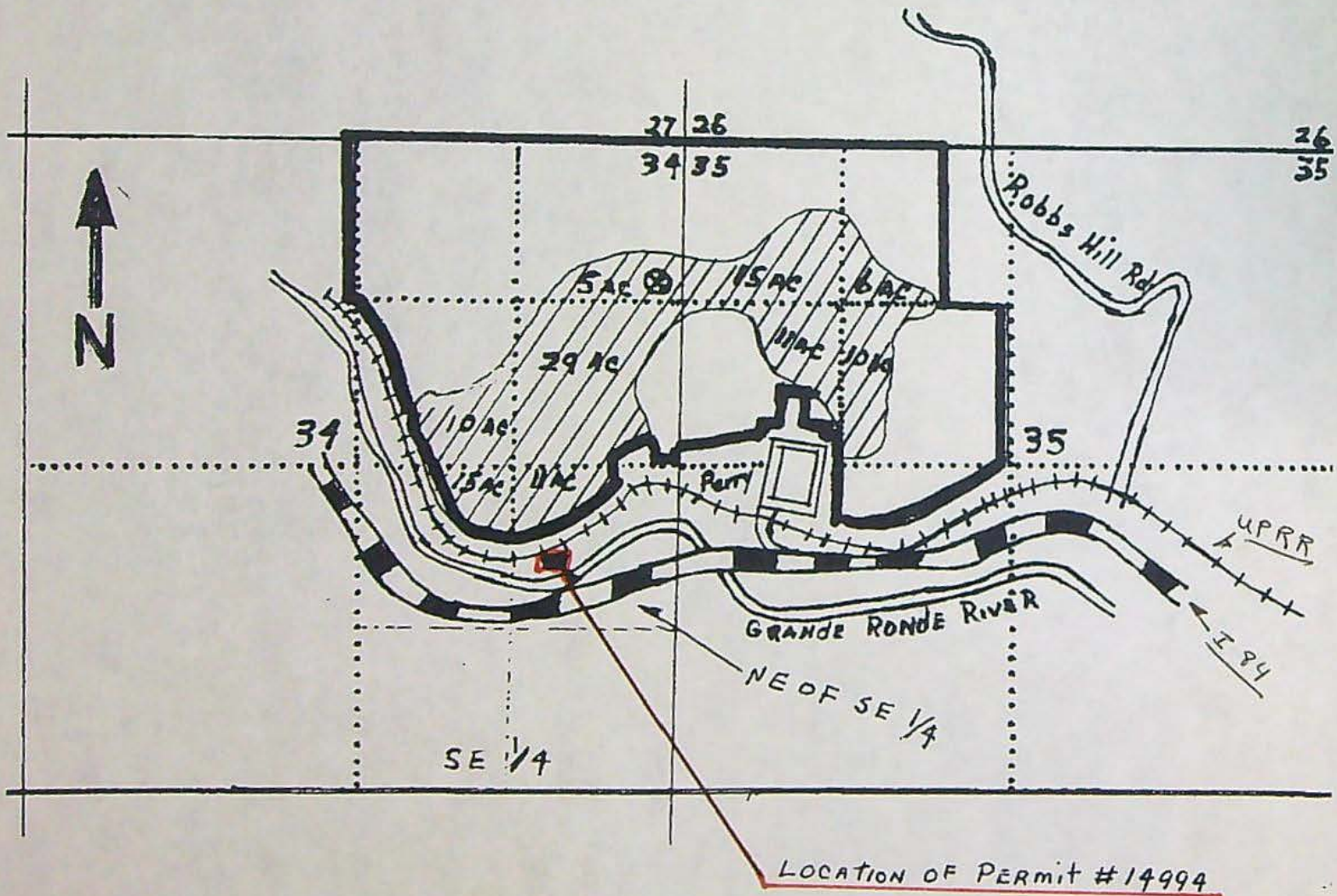
WATER RESOURCES DEPT.
SALEM, OREGON

In reference to your concern on permit no 14994, please see the attached documents that show the actual location of the permit. The land that the permit was issued for is now under the roadway and second railroad track that was put in a several years back. Please note that the water came from a spring on the south side of the Grande Ronde river. I believe the spring is now under the I-84 freeway.

Thank you

Dan Hoyt

Dan Hoyt



AUG 11 1997

WATER RESOURCES DEPT.
1499 SALEM, OREGON

Abstract of Permit No. 14994

Application No. 19381

Certificate No. 14534

Name Mike Kleng

Address La Grande, Oregon

Source of water supply Unnamed spring

Use	Domestic and Irrigation
1. Domestic	1. Domestic
2. Irrigation	2. Irrigation
3. Industrial	3. Industrial
4. Power	4. Power
5. Navigation	5. Navigation
6. Recreation	6. Recreation
7. Fishery	7. Fishery
8. Other	8. Other

Point of diversion 700 ft. S. and 1200 ft. E. from the center of section 34,
T. 2 S., R. 37 E., W. M., being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec.

Number of acres 34, Tp. 2 S., R. 37 E., W.M.

UNION County

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

[illegible]

Priority date June 24, 1941

Amount of water 0.04 c.f.s., measured at the point of diversion from the stream, being 0.01 c.f.s for domestic and 0.03 c.f.s for irrigation.

Time limit to begin construction September 15, 1942

Time limit to complete construction 10/1/43 extended to extended to

Time limit to completely apply water 10/1/44 extended to extended to

Remarks: If for irrigation, this appropriation shall be limited to 1/40th of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated throughout the irrigation season, and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

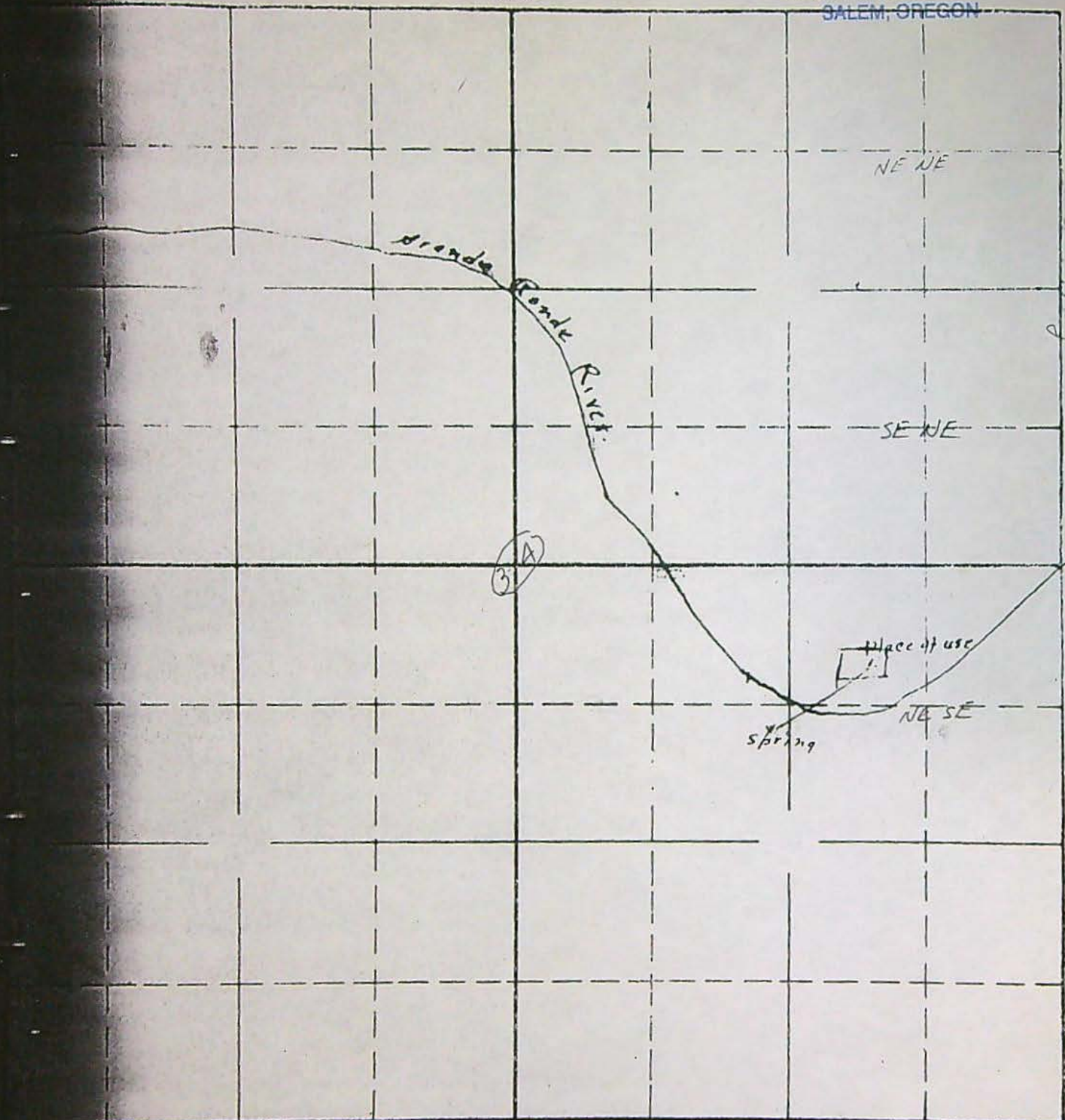
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TOWNSHIP 21, RANGE 37E, W. M.

AUG 11 1997

North

WATER RESOURCES DEPT.
SALEM, OREGON



South

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JUL 24 1941
STATE ENGINEER
SALEM, OREGON

RECEIVED

JUL 24 1941
STATE ENGINEER
SALEM, OREGON

Mike Kleng
APPLICATION No. 19581
PERMIT No. 14994
Certificate No 14534
Priority date 1941
GR River Misc

CERTIFIED MAIL
Return Receipt Requested

WATER
RESOURCES
DEPARTMENT

July 15, 1997

Daniel A. Hoyt
Blue Mountain Golf Course
58020 Hwy. 203
Union, Oregon 97883

RE: Application File # G-14417

Dear Mr. Hoyt:

On **July 15, 1997**, a Proposed Final Order was sent from the Department requesting additional information necessary to complete your application for water use. The following information must be received:

- ▶ A revised application map showing the following information:

The map must include a scale to which the map is drawn and a north directional symbol.

The coordinates, from a recognized public land survey corner (such as a section corner) to the proposed well location. The coordinates are the distances east or west and north or south from a recognized public land survey corner. Information submitted by the applicant identified two different sets of coordinates. Please clarify the correct coordinates.

If applicable, the location of main canals, ditches, pipelines or flumes needs to be shown on the map.

The map must also show the location of the lands to be irrigated to the nearest quarter quarter sections in addition to the Township, Range, Section, and tax lot number.

Please refer to the enclosed complete list of the Department's map requirements and example maps.

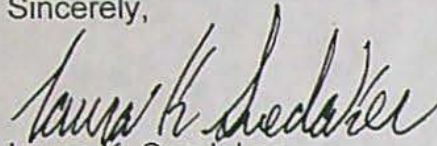


Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

Please submit this item by **August 29, 1997**. If we do not receive the item requested above by this date, we **may** reject your application consistent with ORS 537.153. If your application is rejected, any fees submitted in excess of the examination fee will be refunded; however, the examination fee is non-refundable and will not be returned. In addition, the priority date associated with your application will be lost.

Should you have any questions regarding your application or the required materials listed above, or if you need to request an extension of time, please call me personally at 1-800-624-3199, extension 331.

Sincerely,

A handwritten signature in dark ink, appearing to read "Laura K. Snedaker", written in a cursive style.

Laura K. Snedaker
Senior Water Rights Examiner

Enclosures: Department Map Requirements
Copy of Applicants Maps
Example Maps

cc: Rick Lusk, Watermaster District 6

Application No.

G-14417

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NOV 27 1996

NOV -4 1996

State of Oregon
WATER RESOURCES DEPARTMENT
SALEM, OREGONWATER RESOURCES DEPT
SALEM, OREGON

Application for a Permit to Appropriate Groundwater

Applicant(s) Daniel A. Hoyt for the Blue Mountain golf Course

(Please print or type - use dark ink)

Mailing Address: 58020 Or. Hwy. 203Union

City

Or

State

97883

Zip

(541) 562-5332

Daytime Phone No.

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

1. THE DEVELOPMENT (number of wells, tile lines, infiltration galleries, etc.): ONE Well
For golf Course Irrigation.

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

Distance from development to stream: 1940 FeetElevation difference between streambed and development: 80 Feet

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

Diameter of well: _____ Depth in feet: _____

Type and size of well casing: 10 inch No. of feet: _____Estimated depth to water: 300 FeetType of access port or measuring device: Local State Water Master will decide.Wells to be drilled by: Pitcher Pump & Well DrillingAddress: 608 N Ave. La Grande Or. 97850

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

2. TOTAL AMOUNT OF WATER to be applied to beneficial use: _____ cubic feet per second, OR 600 gallons per minute. If water is to be used from more than one groundwater source, give the quantity of water from each: _____

3. INTENDED USE(s) OF WATER: Irrigation for Turf on
18 hole Public Golf Course

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

N/A

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

N/A

If for MUNICIPAL OR QUASI-MUNICIPAL use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)

N/A

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

N/A

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

Irrigation

110 AC.

Other (describe) _____

4. DESCRIPTION OF WATER DELIVERY SYSTEM: Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).

Water System for Irrigation. (all underground pipe)
System will be Computerized and closely monitored
To Avoid wasting Water.

5. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin March 97

Proposed date construction work will be completed July 97

Proposed date water use will be completed June 1997

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

☒ Applicant _____ CWRE _____ Other (Identify in REMARKS section)

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

☒ Applicant _____ CWRE _____ Other (Identify in REMARKS section)

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

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

REMARKS: The Attached "Conditional Use Decision Findings"
Strongly Define The Well Development on
Page 12 b.

8. If you answered "NO" to question #7 above, do you have written authorization or an easement permitting access to the lands you do not own?

YES _____ NO _____

I understand that if I do not own all property associated with this application, I may be required to submit a copy of my written authorization or easement for access before a permit can be issued.

I/We certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge:

Daniel A. Hoyt
Signature

Oct 28, 1996
Date

Signature

Date

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

_____, 19____.

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

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 27th day of November, 1996, at 8 o'clock, AM.

APPLICATION NO: _____

G-14417

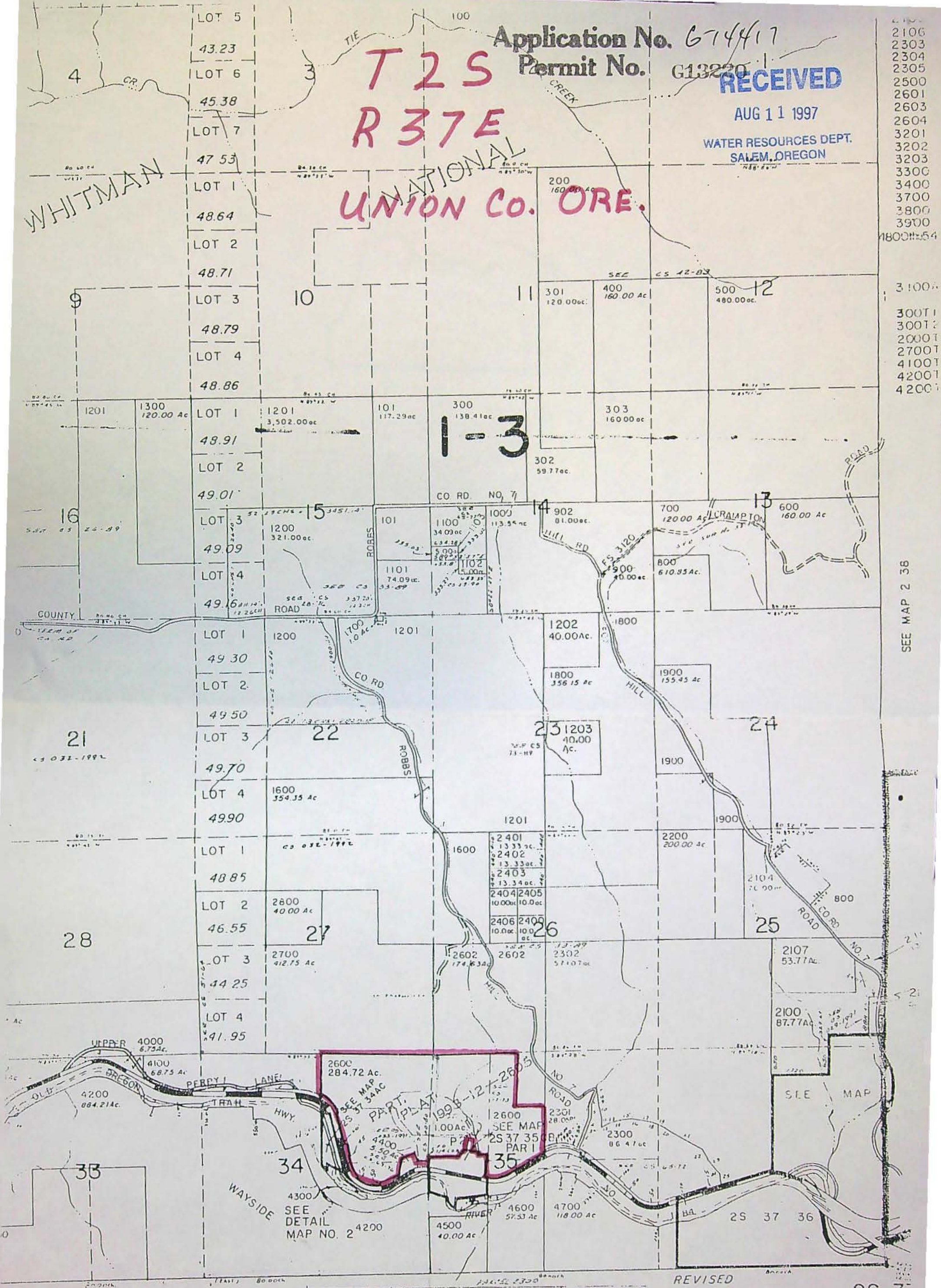
Application No. 674417
Permit No. G13220
T2S R37E
UNION CO. ORE.

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AUG 11 1997

WATER RESOURCES DEPT.
SALEM, OREGON

WHITMAN



1	424°30'30"E 130.5	8	55°31'45"N 72.5	14	N15°33'44"E 111.45	20	S57°31'4" 123.00
2	N11°13'00"E 189.5	9	S52°11'32"E 114.8	15	S43°04'40"E 285.10	21	S40°30'5" 801.36
3	N33°26'27"E 120.5	10	S11°32'47"E 218.1	16	S83°25'2" 113.55	22	S16°05'2" 215.00
4	N1°39'53"E 214.8	11	S1°03'13"W 140.0	17	S74°32'5" 241.05	23	S51°44'2" 213.98
5	N2°24'33"W 187.05	12	S1°43'13"E 195.42	18	S71°08'6" 113.45	24	S18°13'6" 36.91
6	S21°15'12"E 164.11	13	S1°43'40"E 121.10	19	S63°06'5" 202.05	25	S11°34'2" 124.13
7	S2°44'12"W 40.1						

SEE MAP 3 37

REVISED

2S 3

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NOV 27 1996

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. G-14417
Permit No.

RECEIVED

NOV -4 1996

WATER RESOURCES DEPT.
SALEM, OREGON

MATHSON/HOYT CONDITIONAL USE
BLUE MOUNTAIN GOLF COURSE
BOARD OF COMMISSIONERS DECISION FINDINGS
JULY 22, 1996

The applicants (Helen Mathson, land owner & Dan Hoyt, agent) have submitted a Conditional Use application (February 26, 1996) for an 18 hole public golf course (Blue Mountain Golf Course) in a County A-4 Timber-Grazing Zone (this zone complies with statewide planning Goals 3 & 4).

The County Planning Commission advertised and held an evidentiary hearing on March 25 and requested additional information from the applicants. The 120 day decision clock was stopped by the applicants until April 22 when the additional information was submitted. Notice was mailed (4/22/96) to previous participants of a second hearing by the Planning Commission on April 29. During the second meeting respondents were given seven days (5/6/96) to submit written testimony followed by seven days (5/13/96) for the applicants to submit oral arguments. The County Planning Commission made a final decision on May 28 to approve the application with conditions. The Planning Commission's decision was appealed by the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) on June 25, 1996. A de novo public hearing before the Board of Commissioners was advertised and held on July 10, 1996. A tentative decision was reached on July 17 and a final decision on July 22, 1996 (exactly 120 days from the initial application minus time suspended by the applicant).

The following findings support the decision to approve. Conditions are adopted to limit or direct development to resolve or satisfactorily mitigate anticipated conflicts.

A. CRITERIA

1. The proposed golf course will be located in a County A-4 Timber-Grazing Zone (a qualifying EFU Zone subject to ORS 215.283). Section 5.03(6) of the County Zoning, Partition and Subdivision Ordinance (CZPSO) identifies "golf courses" as conditional uses.
2. Section 21.06(1) (CZPSO) is interpreted to require all conditional use applications to meet a "general test of compatibility" with uses allowed outright in the applicable zone, except as modified by the Planning Commission (interpreted to allow conditions of approval)-
 1. A conditional use shall ordinarily comply with the standards of the zone concerned for uses permitted outright except as specifically modified by the Planning Commission in granting the conditional use.

3. County Board of Commissioners adopted (1/5/94) Ordinance 1994-1 Interim Amendments to Implement HB3661 in Conjunction with Union County Zoning, Partition & Subdivision Ordinance & Declaring an Emergency which authorizes County implementation of HB3661 (1993 Legislation). HB3661 is codified in ORS Chapter 215. The Interim Ordinance has been interpreted to include subsequent LCDC rules. The following OAR's further explain state law requirements:

OAR 660-33-130(5) states that uses may be approved where such uses:

- (a) Will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; and
- (b) Will not significantly increase the cost of accepted farm or forest practices on lands devoted to farm or forest use.

OAR 660-33-130(20) states the following:

"Golf Course" means an area of land with highly maintained natural turf laid out for the game of golf with a series of 9 or more holes, each including a tee, a fairway, a putting green, and often one or more natural or artificial hazards. A "golf course" for the purpose of ORS 215.213(2)(f), ORS 215.283(2)(e) and this division means a 9 or 18 hole regulation golf course or a combination 9 or 18 hole regulation golf course consistent with the following:

- (a) A regulation 18 hole golf course is generally characterized by a site of about 120 to 150 acres of land, has a playable distance of 5,000 to 7,200 yards, and a par of 64 to 73 strokes.
- (b) A regulation 9 hole golf course is generally characterized by a site of about 65 to 90 acres of land, has a playable distance of 2,500 to 3,600 yards and a par of 32 to 36 strokes.
- (c) Non-regulation golf courses are not allowed uses within these areas. "Non-regulation golf course" means a golf course or golf course like development that does not meet the definition of a golf course in this rule, including but not limited to executive golf courses, Par 3 golf courses, pitch and putt golf courses, miniature golf courses and driving ranges.
- (d) Counties shall limit accessory uses provided as part of a golf course consistent with the following standards:

- (A) An accessory use to a golf course is a facility or improvement that is incidental to the operation of the golf course and is either necessary for the operation and maintenance of the golf course or that provides goods or services customarily provided to golfers at a golf course. An accessory use or activity does not serve the needs of the non-golfing public. Accessory uses to a golf course may include: parking, maintenance buildings; cart storage and repair; practice range or driving range; clubhouse; restrooms; lockers and showers; food and beverage service; pro shop; a practice or beginners course as a part of an 18 hole or larger golf course. Accessory uses to a golf course do not include: sporting facilities unrelated to golfing such as tennis courts, swimming pools, and weight rooms; wholesale or retail operations orientated to the non-golfing public; housing.
- (B) Accessory uses shall be limited in size and orientation on the site to serve the needs of persons and their guests who patronize the golf course to golf. An accessory use that provides commercial services (e.g., food and beverage service, pro shop, etc.) shall be located in the clubhouse rather than in separate buildings.

4. In addition to the uses and their requirements in the CZPSO and state law, the most westerly portion of the applicants property is in big game winter range.

Section 20.09, CZPSO identifies Big Game Winter Range as being a Significant Goal 5 Resource Area and details the following standards:

2. Affected land management agencies, landowners and interested persons will be given notice of the proposed land use action and will be given an opportunity to submit testimony per the applicable application procedure prior to a decision on the land use action.
3. Review Classifications
- A. When a 3A or 3C (Limit conflicting uses) decision has been made as indicated in the comprehensive plan, the applicant must, in coordination with the responsible agency, develop a management plan which would allow for both resource preservation and the proposed use. If the responsible agency and the applicant can not agree on such a management plan, the proposed activity will be reviewed through the conditional use process. 3A sites will be preserved where potential conflicts may develop. Conflicts will be mitigated in favor of the resource on 3C sites.

B. BASIC FINDINGS

1. The applicant is proposing to establish a golf course in an A-4 Timber-Grazing Zone.
2. The property is approximately 284.72 acres in size and includes a frame dwelling, two mobile homes and assorted outbuildings.
3. The property is being used for livestock grazing and is receiving farm tax deferral.
4. The USDA Natural Resources Conservation Service has identified the predominant soil types on the applicant's property as Gwinley-Rockly Complex (Map Symbol 18F) which has an agricultural capability class VII and Veazie Voats complex (Map Symbol 66) which has an agricultural capability class VI's. Gwinley-Rockly Complex and Veazie Voats complex are not high-value agricultural soils.
5. The subject property is accessed by Lower Perry Loop which is a Public Use Road, has a variable right-of-way width from 39 to 58 feet wide and a gravel surface.
6. The applicant is proposing to maintain the road surface used by golf course patrons which will include dust abatement as needed.
7. The project area includes about 135 acres in the south-central portion of the property.
8. The majority of the golf course construction will take place in the north and west portions of the project area.
9. The project will consist of an eighteen hole golf course with a playing distance of 6040 yards and a par of 72.
10. The course will be open during daylight hours only.
11. A parking facility capable of accommodating one hundred cars will be located near the center of the project area.
12. Structures to be constructed consist of a maintenance shop and a club house. The club house will be located near the center of the project area, west of the parking lot, and will offer cart rentals, food and beverage including beer and wine (no hard alcohol) services and a pro-shop.
13. A driving range and practice area will be included in the general area of the club house.
14. The National Wetlands Inventory (Hilgard, OREG) has identified the location of possible jurisdictional wetlands, no floodplain is present.

15. Road safety was raised by many people testifying in opposition. This decision adopts specific conditions of approval to address and resolve the safety concerns. Specifically, road safety concerns have been addressed by requiring the applicant to develop an alternate route around Lower Perry, thereby avoiding use of all but the southerly portion of Lower Perry Loop. Also, the road surface under the underpass will be chip sealed and stripped to divide two way traffic and a stop sign will be installed by the applicants for exiting traffic at the intersection of the Loop.
16. The northern portion of the property is within big game winter range. The southern portion which includes the majority of the project area is not included in the winter range boundary, however it is within an impact area (1320 feet) of the designated big game winter range. (Staff report-pg. 5)
17. Several people (Debbie Mellinger, Robert Murphy, Phyllis & Pat Pattee, Leroy & Beverly Bushman, Dallas Armon) testified orally or in writing about concerns for development impacts to deer and elk. Their primary concern was that the big game fence would displace current use in the valley bottom lands and reduce wildlife viewing.

Jim Cadwell, Assistant District Wildlife Biologist, ODFW, stated (3-18-96 letter) that "the developer should build a game fence around the golf course as part of the conditional permit..."

Tom Thomas, M.S. Biology, (4-10-96 letter to Dan Hoyt) testified a game fence would limit potential conflict between big game and the golf course and reduce the need for animal damage control. Mr. Thomas also states-- (selected excerpts)

The area provides better cover and forage habitat for deer than elk.

Elk movement along an East-West line occurs predominantly along the upper third of the ridge line. Minor game trails bisect the steep midslope and toeslope areas and are probably used primarily by deer to access the numerous shrub fields.

Fence design should include gates at strategic locations...

Radio telemetry studies on elk in the general vicinity indicate there is very little movement of animals back and forth across the freeway.

A primary East-West migration route which lies parallel to and on the upper third of the ridge line will not be impacted.

Use of the exterior side of the fence line for the purpose of hunting should be discouraged...

18. Two testifiers (Gary Hathoway & Armand Minthorn) expressed concern for impacts to fisheries resources in the onsite intermittent stream and the Grande Ronde River.

Tom Thomas, M.S. Biologist (4-10-96 letter to Dan Hoyt) states in part--

The ponds that retain water year-round are isolated from any surface flow entering from the stream and river and do not provide viable fish habitat.

Stream in valley floor--This section of stream does not appear to provide any satisfactory spawning or rearing habitat because of substrate, low flows and potentially high summer water temperatures.

By following the mitigation described for crossing the wetlands and stream channels, available spawning habitat (below the culvert) in this stream will be maintained.

19. Almost all of the people testifying in opposition to the application expressed concern for ground water quality and quantity and potential impacts to existing residential wells in Lower Perry from irrigation withdrawal and chemical application.

The applicants submitted a report to address these concerns--"Analysis of Impact of Wells Blue Mountain Golf Course Perry, Oregon-April 19, 1996" by AES Associated Earth Sciences, Inc. Excerpts addressing water quality and quantity concerns are as follows:

A door-to-door survey of residents in Lower Perry was conducted on April 15, 1996 to gather information regarding drinking water wells. Where permission was granted or the well was readily accessible, a ground water level measurement was obtained. Subsurface and ground water conditions at the site were explored in a series of eight test pits completed on April 16, 1996 using a backhoe. A visual reconnaissance of the site and surrounding area was performed by a geologist from Associated Earth Sciences, Inc. In addition, available geologic and ground water reports and maps were reviewed for the project area. (pg.2)

Local residents reported that the stream flows only during the wet winter/spring season and goes dry during the summer/fall season. It is our (AES) understanding that the proposed golf course will not alter the course of the small stream. (pg. 2)

The general geology within the Blue Mountain Golf Course project area consists of an underlayment of volcanic basalt bedrock with recent sediments associated with the former Grande Ronde River mantling the former drainage channel. (pg. 3)

The recent alluvial soils were observed over much of the lower-lying former river meander channel. The recent alluvium typically consisted of thinly laminated, moist to wet, soft to stiff, silt and clayey silt along the eastern meander. These soils are typically of lower permeability and usually exhibit poorly drained conditions. In addition, subsurface explorations at the site along the eastern meander indicated well drained gravel consisting of very dense, well rounded, fine gravel to cobble-size material underlying the silt unit. The gravel is associated with the former river bed deposits and was primarily composed of basalt. (pg. 3)

The upper sections of the basalt flows are typically porous and tend to be "spongy" in appearance, from the presence of numerous gas bubbles and vesicles. Fracturing in the flow tops varies from platy, irregular joints to general blocky rubble-like structures. Individual flows range from 10 to 200 feet thick and average about 80 feet. The upper sections of the basalt flows are generally capable of yielding significant quantities of ground water. Water bearing zones are also contained within the sedimentary interbeds often associated between individual basalt flows. The Grande Ronde basalt consists of perhaps as many as 131 individual basalt flows. (Vaccaro, 199s). (pg.4)

There are two principal aquifers in the project area. Recent alluvial sediments deposited by the former Grande Ronde River channel comprise a shallow aquifer. Bedrock, underlying the unconsolidated recent alluvial deposits, comprises the deep aquifer in the project area. (pg. 5)

It appears that the shallow aquifer is between 17 to 25 feet thick in the town of Lower Perry, based on depth to the top of bedrock noted in the well logs. This ground water aquifer may be confined by a low permeability layer, silt or clayey silt layer, observed above the gravel in each of the test pits. (pg. 5)

Some of the shallow dug wells in Perry may still exist, however, all of the residents of Perry currently obtain their drinking water from the deep aquifer located in the basalt bedrock. (pg. 5)

The dense solid parts of the (Grande Ronde basalt) flows form hydraulic separations between the interflow zones and generally act as confining layers. (pg 5 & 6)

Irrigation wells completed in the basalt in the upper Grande Ronde basin typically yield between 500 and 2,000 gallons per minute (gpm) with an average yield of about 700 gpm (Hampton and Brown, 1963). The general water quality from the basalt aquifer is considered excellent, with total dissolved solids concentrations generally less than 500 parts per million (ppm). (pg. 6)

Ten well logs were recorded for Lower Perry, Oregon. The wells on record were all completed within the deep basalt aquifer at depths ranging between 29 to 85 feet. The deepest wells reported at the site are the Mathson and Murphy wells, which are thought to be between 120 to 130 feet deep. (pg 6)

The basalt aquifer is confined, which indicates that the water-bearing zone within the bedrock is located beneath a structure with a significantly lower permeability such that water cannot move readily in a vertical direction between the surface and the aquifer. The Rich Wiser well drilled in upper Perry reported the depth of the first water-bearing zone at 75 feet with a static ground water level of 24 feet, which is indicative of a confined aquifer. (pg. 6)

If similar water-bearing zones occur at depth, a well capable of producing 300 gallons per minute or greater should be able to be developed at the site. (pg. 7)

Water supply needs for the golf course, as recorded in the Union County Planning Commission minutes of march 25, 1996, are based on between 200,000 to 300,000 gallons per day or about 300 gallons per minute. The main purpose of the well will be as a irrigation supply for the golf course grounds. Water from the well will be transferred to on-site storage ponds. The well will be located along the northwest portion of the property and is required to be set back 1,320 feet from any stream. It is our (AES) understanding that the well will be cased and grouted into solid impermeable rock below the elevation of the deepest residential well. (pg. 7)

The potential for pesticides and nitrates from fertilizers to enter the water table and impact regional aquifers can be minimized or eliminated through proper turf grass management and irrigation practices. (pg 10)

A network of ground water monitoring wells should be installed upgradient and downgradient from the golf course in the shallow aquifer to allow periodic measurement of ground water levels. Ground water monitoring of existing residential wells completed in the deep aquifer is recommended. (pg 10)

With a monitoring well network, changes, if present, in the quantity and quality of ground water can be quantified and assessed. (pg 10)

Several steps can be taken that will decrease the potential impacts of golf course maintenance on the local aquifer, and decrease irrigation and turf maintenance chemical requirements:

- * The use of a high technology irrigation system that determines the necessary amount of water to apply based upon current and past weather conditions.
- * Avoiding use of water-soluble fertilizers that dissolve rapidly and increase potential for leaching through the turf grass horizon.
- * Integrated Management Programs (IMP) using biological controls, natural conditions in combination with conventional application, and state-of-the-art maintenance systems can greatly reduce quantities of chemical required for turf maintenance, also cutting fertilizer and pesticide costs.

As mentioned previously, completion of the golf course water supply well below the depth of the water-bearing zone intersected by the Perry residential wells should mitigate impacts of well interference. The golf course well should be cased and grouted at least 10 feet into solid lower permeable basalt at an elevation below the deepest residential well.

It is recommended that a Golf Course Management Plan (GCMP) be developed. The goal of a GCMP is to describe management strategies and options and probable management by characterization of similar operating golf courses. The purpose of the plan will be to lay out the best management practices, which will ensure the proper turf grass control that will provide the

least amount of impact to the ground water quality at the site.

20. Jeff VanPelt, Program Manager, Confederated Tribes of the Umatilla Indian Reservation (CTUIR) in his April 29, 1996 letter states "There are archaeological sites on the project area that are significant to the CTUIR. This area has not been archaeologically surveyed or tested". Armand Minthorn, Board Member CTUIR, in a letter dated April 29, 1996 stated--"Based on historical research, oral histories and accounts from Tribal members and non-Indians and ethnographic knowledge we believe this is an area where it is highly likely that archaeological or cultural properties may be discovered."

Carl Sampson's, CTUIR, letter dated June 10, 1996 states -

pg.1 "A cultural resources inventory conducted by qualified individuals is necessary before disturbing this cultural and historical place."

pg.2 "The approval conditions for the conditional use permit do not address the possibility of an inadvertent discovery plan to address the circumstance if ground disturbance activities uncover human remains not visible from the surface nor discovered during the archaeological survey."

Jeff Van Pelt, CTUIR, letter to Dr. Leland Gilson dated July 10, 1996, paragraph two states -

"Perry may qualify as a "site of archaeological significance" under ORS 358.905 as the mill and associated buildings that were removed must have left physical signs of their presence."

Dr. Leland Gilson, SHPO, submitted a letter received July 15, 1996 which was five days beyond the record being closed - July 10; therefore Dr. Gilson's letter was not included in the recorded.

Dan Hoyt, Agent, submitted six(6) photographic enlargements of the Lower Perry area dating from as early as 1887, 1904 and 1912 displaying the extensive area disturbance from the Perry-Ingle Saw Mill which included all of the valley bottom area suspected to have cultural significance.

C. ULTIMATE FINDINGS

1. The applicants have submitted a conditional use application to establish a regulation 18 hole golf course in an A-4 Timber-Grazing Zone. The A-4 Timber-Grazing Zone is a qualifying EFU Zone subject to ORS 215.283 uses. Golf courses are listed as (2)(e) nonfarm uses which may be established subject to local review and approval.
2. The applicants have met the OAR 660-33-130(20) "golf course" definition per their application response to these rule requirements. In summary, the course will include about 135 acres, 6040 playable yards, and 72 par. Maintenance building, clubhouse and 100+ unit parking lot will be established for course users and employees.
3. The applicants have satisfied OAR 660-33-130(5) which require the proposed use not to force a significant change in or significantly increase the cost of accepted farm or forest practices on surrounding lands. Their application explains the golf course is an open space use and because no off-site external impacts are anticipated surrounding livestock grazing uses (the only farm or forest use) on their and adjacent properties will not be impacted by golf course construction and operations. Livestock use will be more closely regulated on the applicants remaining property to retain winter wildlife feed.

Commercial forestlands on surrounding property would not be impacted by the golf course because no external impacts (i.e. dust, chemicals and human activity) are anticipated or planned.

4. The applicants have satisfied Section 20.09 UCZPSO big game winter range requirements because they have cooperatively worked with the ODFW to prepare a management plan for a 3C site. The management plan includes the construction of a big game fence with adequate gates to ODFW standards on the west, north and east sides of the golf course (Jim Cadwell 3-18-96 letter). In addition, the applicant proposes to enhance and/or expand existing ponds and the intermittent stream and riparian vegetation.
5. The Planning Commission has interpreted the CZPSO Section 21.06(1) "general test of compatibility" requirement to more specifically resolve the following:
 - a. Vehicular access conflicts through Lower Perry between existing residents and future golf course users;

This decision includes an approval condition (1.) which requires the applicants to acquire, construct and use an

alternate access route to reduce traffic conflicts. It is assumed Lower Perry residents and visitors will choose to use that portion of the Lower Perry Loop not designated for golf course use (go straight north-south at the Loop intersection).

- b. Groundwater quality and quantity impacts to Lower Perry residential wells and surface water quality impacts to the Grande Ronde River; and

This decision includes approval conditions (4. & 5.) to monitor and comply with DEQ water quality standards.

The applicant has testified ("Analysis of Impact of Wells Blue Mountain Golf Course Perry, Oregon"-AES, Inc., April 19, 1996) that the upper units of Grande Ronde basalt are generally capable of yielding significant quantities of ground water (pg. 4 & 5). These basalt flows consist of a complex series of layers. Dense solid parts of the flows form hydraulic separations and generally act as confining layers (pg. 5 & 6). Irrigation wells in these layers typically yield between 500 and 2,000 gallons per minute with an average yield of about 700 gpm. Water quality from the basalt aquifers is considered excellent (pg. 6). The applicants anticipate needing about 300 gpm for about 300,000 gallons per day during the growing season. A deep 300 plus foot well is anticipated. Such quantities are feasible based on the above findings. The confining layers and planned casing below existing residential wells are expected to prevent impacts to the existing residential wells. The County Watermaster is authorized to stop golf course irrigation if a demonstrated water quantity problem develops.

- c. Big game fence installation impacts on animal use and migration routes.

This decision includes an approval condition (2.) to establish and maintain a big game fence with gates adjacent to the golf course near the toeslope to avoid existing deer and elk migration routes. Tom Thomas (4-10-96 letter) testified the big game fence would eliminate conflicts between big game and the golf course. He states that elk movement is along an East-West line in the upper one-third of the slope and deer browse in the middle to lower one third. Deer and elk generally don't move north-south due to the steep slopes, railway and freeway except in the vicinity of the weigh station.

The big game fence is recommended by ODFW staff to eliminate conflicts between the big game and golf course.

Therefore the big game fence is considered an appropriate practice to mitigate conflict between big game and the golf course.

- 6. Applicable statutes and administrative rules review found no requirement to conduct or include as a part of a land use

decision the need to conduct a cultural resources inventory or an inadvertent discovery plan. Specifically, ORS 358.905(1)(b) defines "Site of archaeological significance" but this term is not subsequently used in ORS 358.905 through 358.955. These statutes do require a developer to stop excavation and obtain a permit or contact SHPO and the Commission on Indian Services which very likely will result in project delays (ORS 358.920). In addition, OAR 736-51-090(2)(a) states - "It is strongly recommended that anyone considering a development project on private lands on previously undisturbed ground contact the SHPO and the appropriate Tribe(s) to determine whether archaeological sites and objects area likely to be present in the project area. this contact will reduce the chance that the project will be delayed due to the discovery of an archeologic site." (underline added)

Dr. Leland Gilsen, SHPO, verified to Planning Department Staff the statutes and administrative rules do not "require" the County to impose nor the applicant to conduct a cultural resources inventory or prepare an inadvertent discovery plan.

"Strongly recommended" is obviously not a mandatory requirement to contact SHPO and CTUIR. Also, the historical photographs provided by the applicant showing the early Lower Perry townsite and succession of lumber mills confirms extensive "previous ground disturbance."

Clearly, the applicants are on notice by CTUIR and SHPO that archaeological objects may be encountered during any site excavation. Existing statutes prescribe a process which must be followed if such an encounter occurs; therefore, no additional limitations are necessary or appropriate for the decision.

APPROVAL CONDITIONS

1. Road access to and from the golf course will enter Lower Perry through the railroad underpass, immediately turn right onto Lower Perry Loop, extend east over a 40 foot wide easement obtained from William & Twilla Carson and follow the alternate route described by the applicant in testimony received on April 22, 1996 "Item 1". This alternate route will be rocked and chip sealed to County surface standard or equivalent. The applicant will establish a regulation stop sign for exiting traffic (west bound) at the intersection of Lower Perry Loop. The road surface at the railroad underpass will be striped to divide opposing lanes. Construction traffic will be allowed to use Lower Perry Loop until the alternate route is completed. Once open for course use the existing Mathson driveway will be blocked to thru traffic. Chip sealing will follow course and building construction. A dust palliative or water will be applied to

all rocked roads used during construction to keep road dust within DEQ limits.

2. A big game fence with adequate gates (at least 2 per side) will be constructed at least on the west, north and east sides of the golf course according to ODFW requirements. The fence will follow the toeslope immediately adjacent to the golf course to prevent deer and elk migration restrictions. The applicant will adopt a no hunting policy complete with signage on their remaining property to prevent animal harassment.
3. The applicant will acquire and conform to a Division of State Lands fill-removal permit(s) for any activity within designated wetlands. Riparian vegetation along the intermittent stream will be maintained and enhanced in conjunction with the golf course management plan.
- 4.a. A water quality monitoring program will be developed and implemented similar to the one described in Golf Course BMF Manual-January 1993, Section 9.5 Water Quality Monitoring, pg. 9-27 to 9-29. Monitoring wells upgradient and downgradient of the golf course will be established and sampled employing basic monitoring principles for pesticides and fertilizers at a frequency determined by a calculated model based on estimated transport times and including baseline sampling with staged monitoring criteria in response to results. Sampling results will be available to DEQ and the County on request.
- 4.b. The water quality monitoring program will include quarterly surface water quality grab samples from the intermittent drainage at the south property boundary. Surface water samples will be tested for the same pesticide and fertilizer residues as the ground water samples.
5. Groundwater quantity will be sampled using existing wells (Mathson and one other deep well in Lower Perry) and the monitoring wells. Baseline and subsequent pump tests will be adequate to estimate existing conditions and any direct adverse impacts from golf course operations to the existing residential wells in Lower Perry. Pump test date will be provided to the County Watermaster on request.
6. A Golf Course Management Plan (GCMP) will be prepared and implemented by the course managers with a purpose to layout best management practices for proper turf grass control and to include the following plans:

Integrated Pest Management
Irrigation Systems & Management
Maintenance/Operation Chemical Management
Golf Course Water Quality Management

Location of Area For water use

Well location (diverted)

Property Bdy

RECEIVED

HILGARD

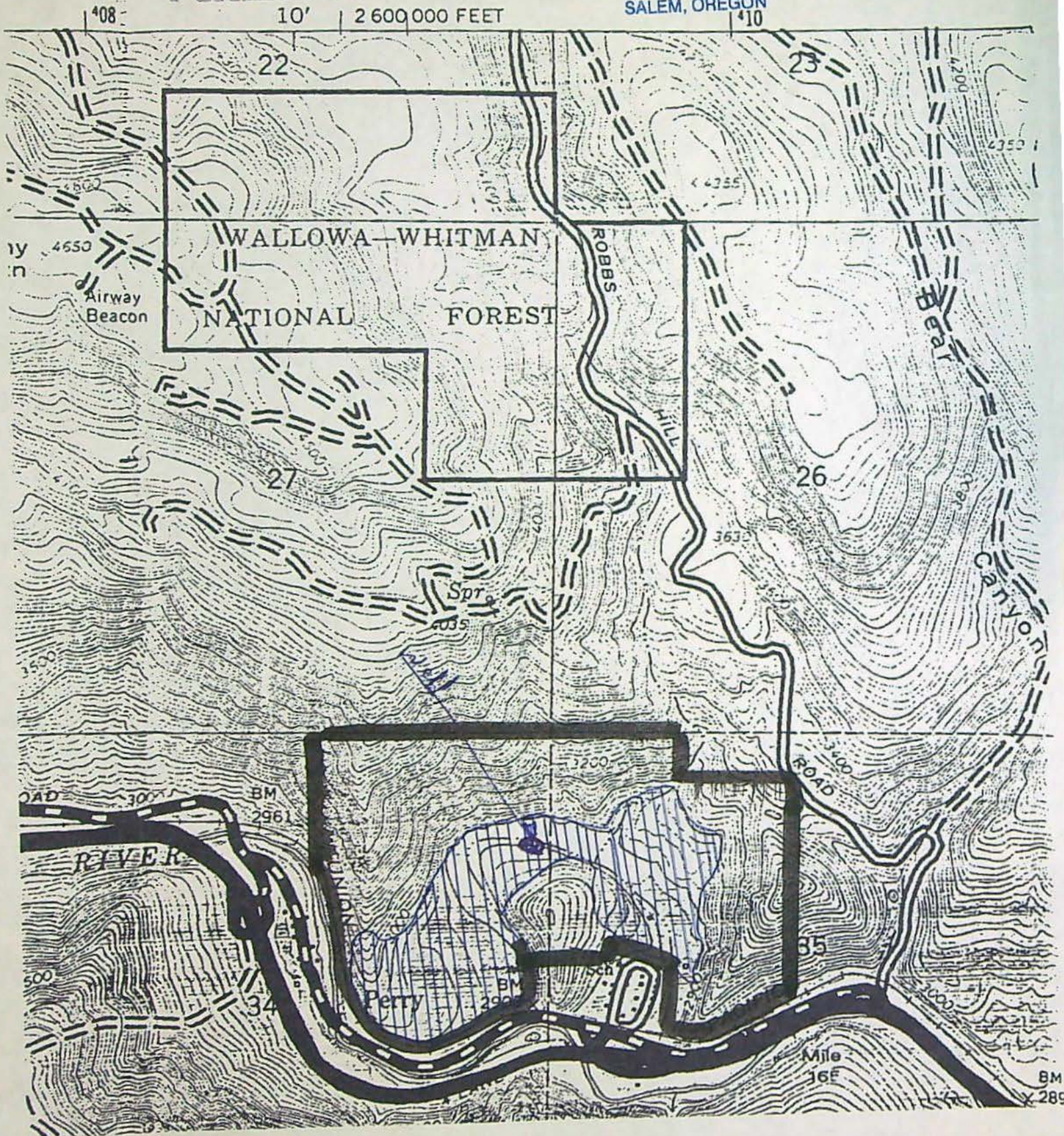
NOV 27 1996

OREGON

Application No. G14417

Permit No.

WATER RESOURCES DEPT 7.5 MINUTE SE
SALEM, OREGON



RECEIVED

Blue Mountain Golf Course

RECEIVED

NOV -4 1996

NOV 27 1996

WATER RESOURCES
SALEM, OREGON

Phone 541 562-5332
Fax 541 967-1289
WATER RESOURCES DEPT.
SALEM, OREGON

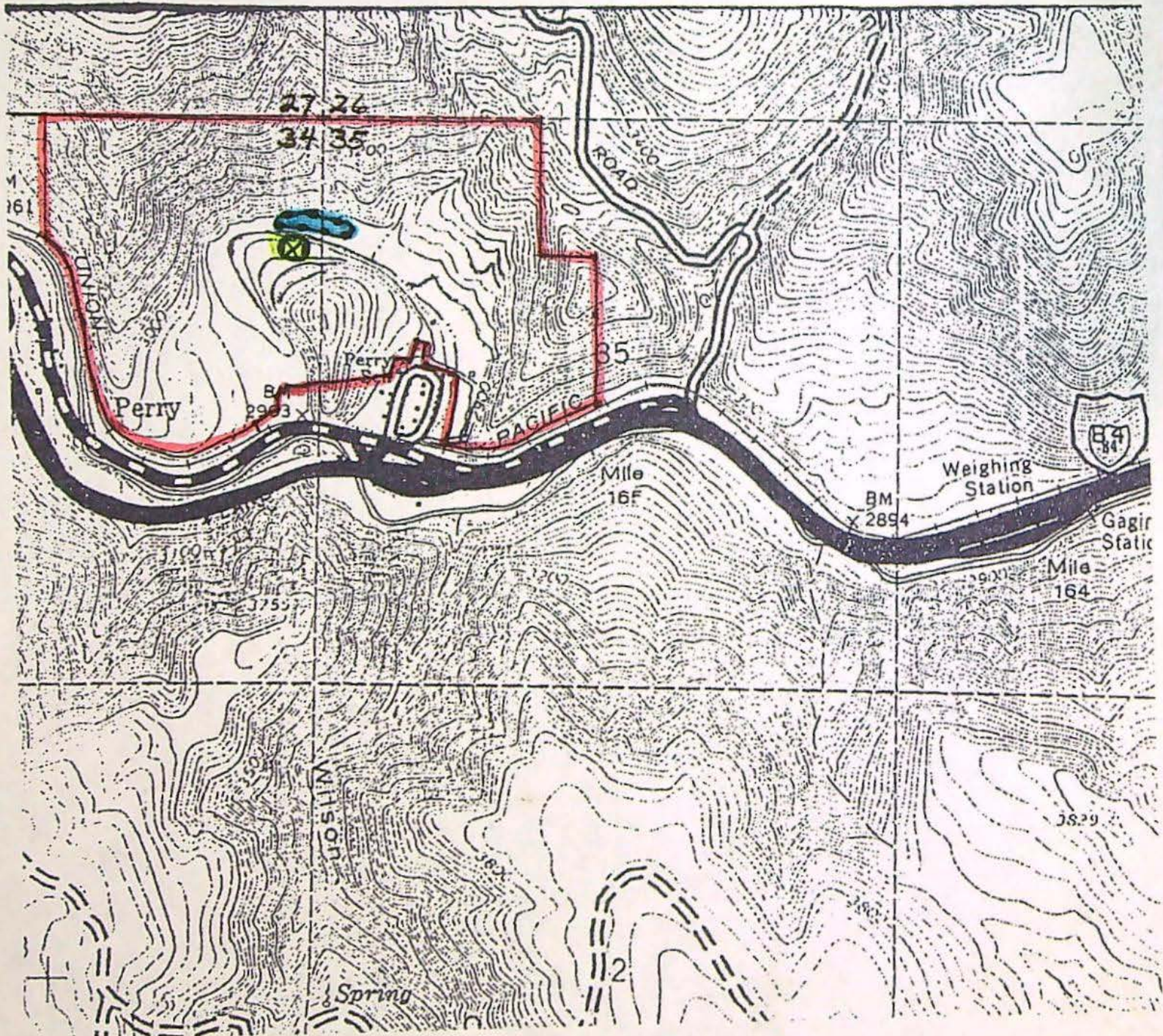
Application No. G-14417
Permit No.

Project Area Location-T2S, R 37E TAX LOT 2600

tax lot boundary ———

location of well (X)

location of water storage pond ——— (To be built)



FAX COVER SHEET

SEND TO		From	
Company name Oregon Water Resources Dept		Dan Hoyt - Blue mtn. Golf Course	
Attention Jake SZRAMek		Date 5-16-97	
Office location Salem Or.		Office location	
Fax number (503) 378-2496		Phone number (541) 562 5332	

☒ Urgent ☐ Reply ASAP ☐ Please comment ☒ Please review ☐ For your information

Total pages, including cover:

2

COMMENTS

Please find Attached - Letter of Waiver
for Review Period on Application # G 14417

Thanks For The help!

Don Hoyt

Entered
5/19/97
d

TO: JAKE SZRAMEK

subject: WAIVER of Initial Review Period for G 14417
for the BLUE MOUNTAIN GOLF COURSE

Urgent- I have reviewed the findings of your Initial Review Determination for the Blue Mountain Golf Course ground water application. We accept the conditions and we would like to waive the 14 day review period. Please proceed with the next phase of the process. We sincerely appreciate your help.

COMMENTS:

Water Right Certificate #6293 should be canceled. The Sawmill was tore down in 1926 and has not been used since that date.

The Dan Hoyt family purchased all the property pertaining to the permit on May, 5 1997. We can provide proof, if necessary!

THANK YOU!



DAN HOYT (541) 562-5332

RECEIVED

NOV 27 1996

DANIEL HOYT BLUE MOUNTAIN GOLF COURSE
AS REQUESTED ON NOV. 4 TH

WATER RESOURCES DEPT.
SALEM, OREGON

WATER WILL BE STORED IN A 1 1/2 ACRE POND LOCATED AS FOLLOWS:
3/4 AC. LOCATED IN THE S.E. of the N.E. of the N.W. AND 3/4 AC. LOCATED IN THE
S.W. of the N.W. of the N.E. quarter of T2S, R 37E. (WM)

THE WATER WILL BE PUMPED FROM A WELL LOCATED 1240 FEET SOUTH
AND 60 FEET WEST OF THE SECTION CORNER FOR SECTIONS :

LOCATED IN T2 S R 37E

27 | 26

34 | 35

WATER WILL BE PUMPED FROM THE WELL INTO THE POND, THEN AT NIGHT THE
WATER WILL BE PUMPED FROM THE POND THRU UNDERGROUND PIPE AND ON
TO THE GOLF COURSE.

ONLY THE AMOUNT NEEDED TO KEEP THE COURSE GREEN AND THE POND FULL
WILL BE USED. THE LEGAL DESCRIPTION OF THE 112 ACRES INTENDED FOR
IRRIGATION IS LOCATED ON THE PROPERTY DESCRIBED BELOW:

ALL LAND IS LOCATED IN TAX LOT 2600 OF UNION COUNTY, OREGON

LEGAL DESCRIPTIONS:

IN SECTION 35 OF TOWNSHIP 2 SOUTH RANGE 37 EAST (WM)

15 acres in the NW 1/4 of the NW 1/4
6 acres in the NE 1/4 of the NW 1/4
11 acres in the SW 1/4 of the NW 1/4
10 acres in the SE 1/4 of the NW 1/4

IN SECTION 34 OF TOWNSHIP 2 SOUTH RANGE 37 EAST (WM)

5 acres in the NE 1/4 of the NE 1/4
29 acres in the SE 1/4 of the NE 1/4
10 acres in the SW 1/4 of the NE 1/4

11 acres in the NE 1/4 of the SE 1/4
15 acres in the NW 1/4 of the SE 1/4

Application No. 6-14417
Permit No.

Blue Mountain Golf Course

Phone 541 562-5332
Fax 541 962-3289

RECEIVED

NOV 27 1996

WATER RESOURCES DEPT.
SALEM, OREGON

October 29, 1996

Oregon Water Resources Department
158 12th St. NE
Salem Or. 97310

RECEIVED

NOV - 4 1996

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. G-14417
Permit No.

Legal description of WELL is:

TOWNSHIP 2 SOUTH - RANGE 37 EAST, NE 1/4 OF THE NE1/4
OF SECTION 34

THE WELL WILL BE CONSTRUCTED 1038 FEET SOUTH AND 45 FEET WEST
OF THE SECTION CORNER FOR SECTION 26, 27, 34, 35

WATER WILL BE USED ONLY ON THE GOLF COURSE PROPERTY!
LOCATED IN SECTIONS 34 AND 35 AS SHOWN ON ATTACHED MAP
AND IDENTIFIED **AS UNION COUNTY TAX LOT 2600 OF T 2S, R 37E**

Please see attached sheet

THANK YOU!

DANIEL HOYT (541) 562-5332

PFO CHECKLIST

Application #: 6 14417

Basin: Granada Ranch

WAB: _____

Township 2S Range 37E Section 34+35 1/4 1/4 _____

- ✓ 1. Is the file complete by the Completeness Checklist? (Y) N
- ✓ 2. Shortcomings (items needed before a permit and/or FO can be issued) (Y) N Map, Cert 6293
Cancellation
- ✓ 3. Check file for indicators that the process **should not** continue until a later date (ie - protest, letter to file indicating hold, or other)
- ✓ 4. Groundwater Review **A B C D** conditions 75, 7B (convert old gw conditions to the 7 series)
 - ✓ a. Is second groundwater review necessary? (comments) (Y) N
 - ✓ b. Is HB 1033 review complete? (Y) N - Done - include cond. 7C
- ✓ 5. If source is groundwater, is the well located in a groundwater limited area? (If applicable, include map with POD) (Y) N
- ✓ 6. Is use from a B.O.R. project? Y N Contract in file? Y N Contract # _____
- ✓ 7. Is the use allowed by the Basin Program? (Y) N Limited? (Y) N
- ✓ 8. Water Availability Data OK / REDONE (NA) (50% before July 17, 1992; 80% live flow & 50% storage after July 17, 1992)
- ✓ 9. Is the source withdrawn or limited by statute or Department withdrawal order? Y (N)
- ✓ 10. Is the Proposed Use located in or above a Scenic Waterway? (Y) N Granada Ranch
- ✓ 11. Division 33 has been addressed - if applicable (Above Bonn after July 17, 1992 & Below Bonn after April 8, 1994; June 3, 1994; or Statewide - in shaded areas on T, E, and S Map - after June 3, 1994) Y (N) NA
- ✓ 12. Have conflicts been identified, verified and/or addressed? (Y) N Cert 6293 (reservoir)
Cert. 14534
- ✓ 13. Rate 1/40 Duty 3.0 Irrigation Season March -> Oct
- ✓ 14. Period of Allowed Use March -> Oct
- ✓ 15. Allowed Rate of Use 1.34 cfs
requesting 600 gpm = 1.34 cfs
- ✓ 16. Is the use Small (≤ 0.1 cfs, ≤ 9.2 AF), Medium (> 0.1 or < 1.5 cfs, > 9.2 or < 100 AF) or Large (≥ 1.5 cfs, ≥ 100 AF)?
- ✓ 17. Conditions 75, 7B, 7C
- ✓ 18. IR Public Notice Date 5-20-97
- ✓ 19. Documents used in determination are attached and highlighted
see also I.R. checklist
- ✓ 20. Spell Check
- ✓ 21. Check for Accuracy
 $110 \text{ ac} \times \frac{1}{80} = 1.37 \text{ cfs}$
- ✓ 22. Final PFO report hard copy check (format, margins, etc.)
- ✓ 23. Final PFO has been saved to m:\tpfo\done\week#\application #
- ✓ 24. Fill out IR/PFO/FO CC List (don't forget to check for other property owners)
 - ✓ a. Re-notify Water Availability? (Rate, Duty and Period of Allowed Use changes) (Y) N

Name: Laura Swedaker Date: 7-3-97

7/ 7/1997

APP. NO. / PERMIT NO.	CERT NO.	GOV'T LOT DLC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
D 6293	6293	V	(DO)	(DO)	(DO)	(IM)												
			(IM)	(IM)	(IM)	(DO)												
S 19381 S 14994	14534	V	Does not appear to conflict possible conflict												1.00 (ID)			
S 48999 S 35344	51223	V	Does not appear to conflict													(DI)		

77 7/1997

	0				(IR)														
G	14417	0	V			10.00													
	0					(IR)													
G	14417	0	V														15.00		
	0																(IR)		
G	14417	0	V														11.00		
	0																(IR)		
G	14417	0	V			29.00													
	0					(IR)													
R	81735	0	V			(IR)													
	0																		

subject
file

OREGON WATER RESOURCES PLAT CARD: Township 2.00 S Range 37.00 E SECTION 35

7/ 7/1997

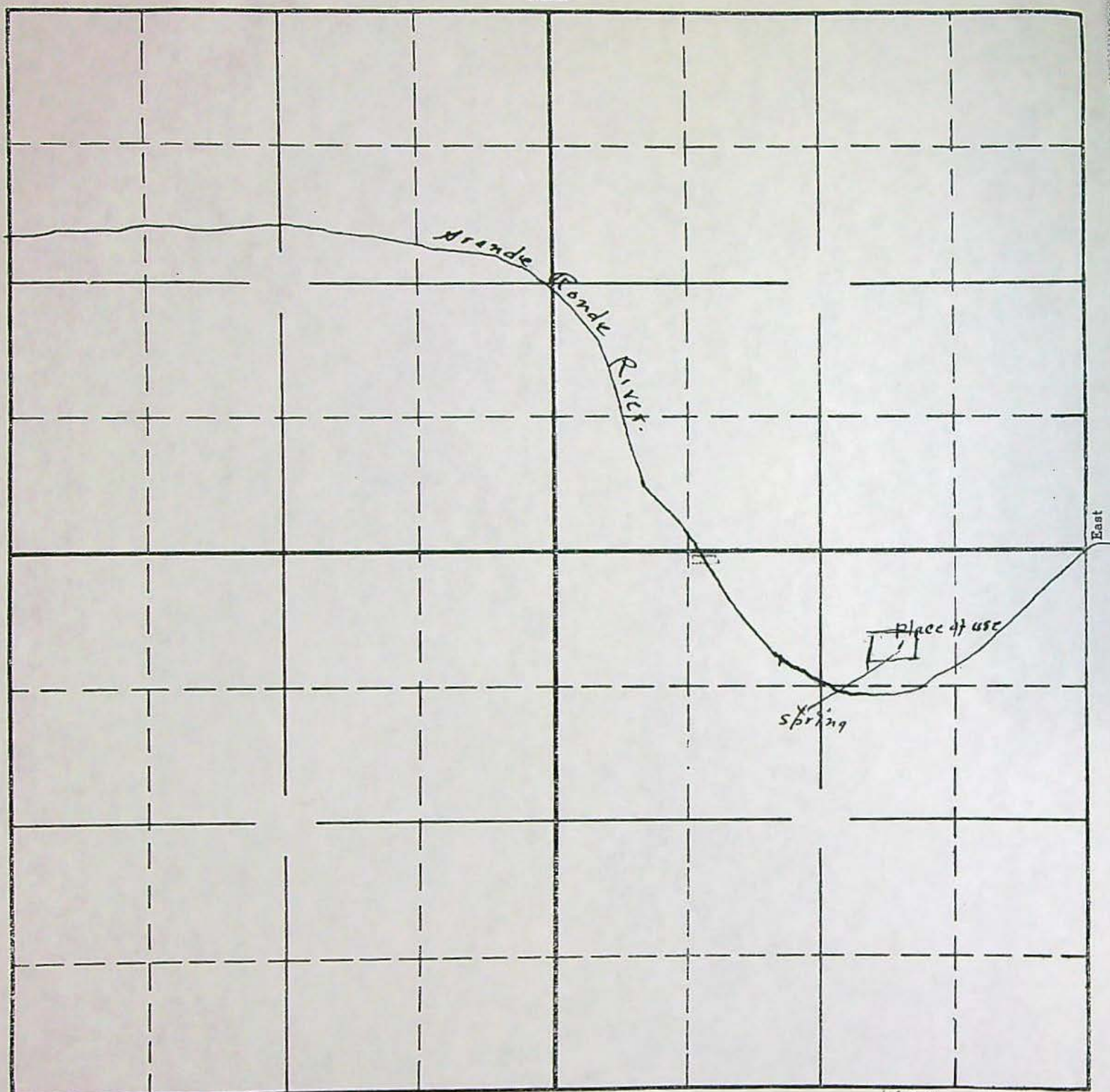
APP. NO. / PERMIT NO.	CERT NO.	GOV'T LOT DLC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
G 14417	0	V							11.00									
	0								(IR)									
G 14417	0	V							15.00									
	0								(IR)									
G 14417	0	V							5.00									
	0																	

subject

34

TOWNSHIP 21, RANGE 37E, W. M.

North



East

South

RECEIVED

JUN 23 1941

STATE ENGINEER
SALEM OREGON

RECEIVED

JUL 3 1941

STATE ENGINEER
SALEM OREGON

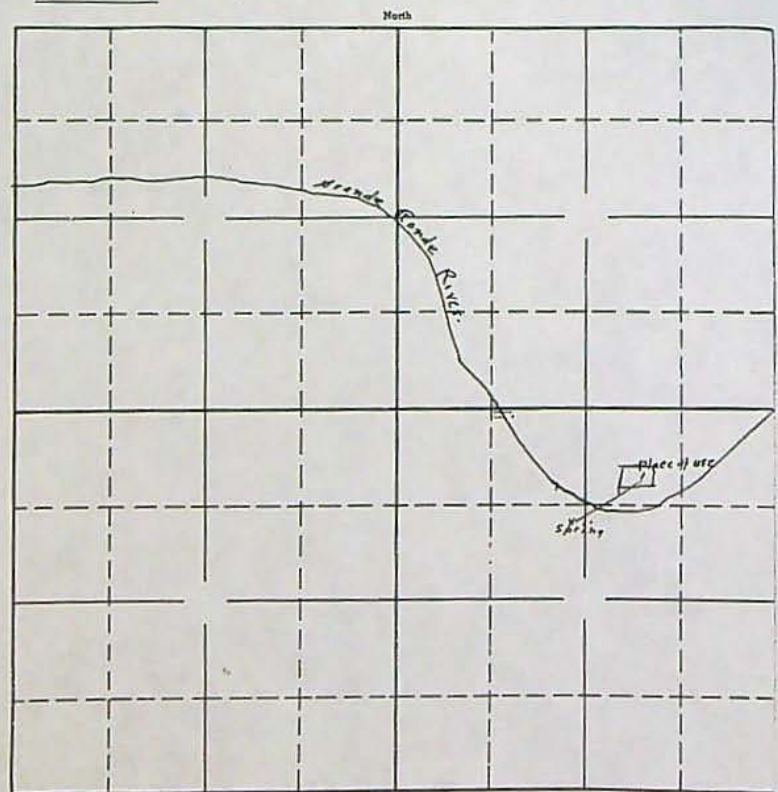
19381 OK
8-18

APPLICATION No. 19381

PERMIT No. 14994

39

TOWNSHIP 24, RANGE 37E, W. M.



RECEIVED
JUN 22 1941
STATE ENGINEER
SALEM OREGON

RECEIVED
JUN 22 1941
STATE ENGINEER
SALEM OREGON

14381 MC
5-18
APPLICATION No. 1958
PERMIT No. 14994

7.5 MINUTE SERIES (TOPOGRAPHIC)

(S)

10' 2 600 000 FEET

410

411

118°07'30"

45°22'30"

35200

630 000
FEET

WHITMAN
NATIONAL FOREST

5024

25

5023

Hilgard

G-14417

LA GRANDE 2.3 MI.
BAKER 4.5 MI.

25 37E

T. 2 S.

T. 3 S.

5021

20'

5020

5019

10

+40/7

11

12

STATE OF OREGON
WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

To: LAURA SNEDAKER/FILE

Date: July 7, 1997

From: MICHAEL ZWART

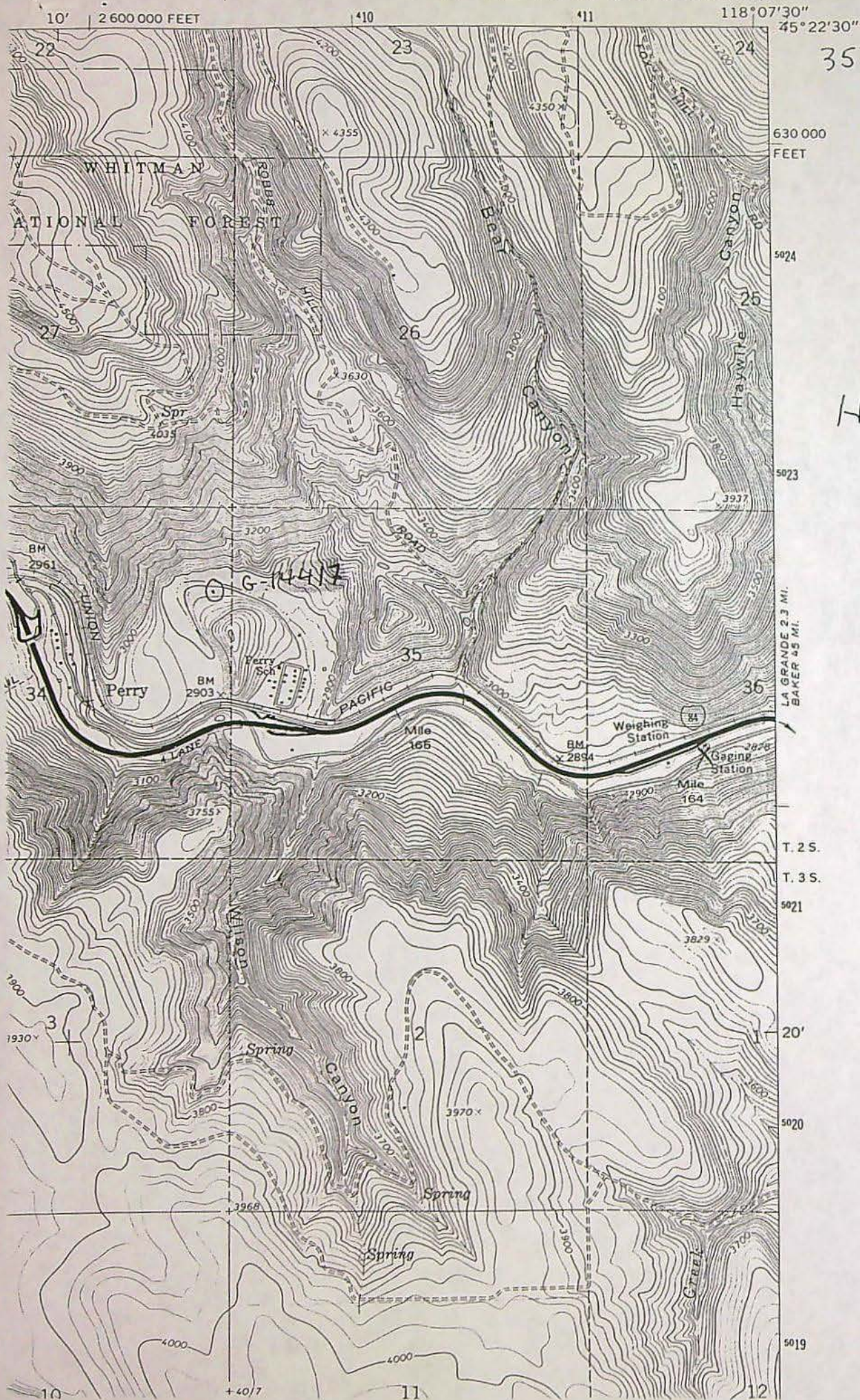
Subject: APPLICATION G-14417, DANIEL A. HOYT - BLUE MOUNTAIN
GOLF COURSE

I previously (December 1996) recommended permit conditions 7B and 7J to be included in the permit, if issued. The file copy of the Union County Board of Commissioners Decision Findings included excerpts from a report by Associated Earth Sciences, Inc (AES). The report was prepared for the applicant and recommends that a network of monitoring wells be installed and selected from the existing residential wells so that any changes "in the water quantity or quality can be quantified and assessed." I therefore decided that requiring a water-level measurement condition may not be necessary. However, given the concerns of the local well owners and the fact that the 'approval condition #5' (page 14 of the Findings), regarding groundwater quantity monitoring, is subject to differing interpretations, I now strongly recommend including permit condition 7C.

As a follow-up note, I believe that it is appropriate that a copy of the AES report be obtained for our file.

7.5 MINUTE SERIES (TOPOGRAPHIC)

50



35200

Hilgard

LA GRANDE 2.3 MI.
BAKER 4.5 MI.

T. 2 S.
T. 3 S.

20'

5020

5019

County: Union

Quad name & #: _____

REVIEW CHECKLIST

FOR G-14417

- ☒ Appropriate parts of the stream index
- ☒ Estimated number of wells within a one-mile radius & identified types.
- ☒ State Observation wells within a five-mile radius.
- ☐ Verify that well log is in file. If not provide one. ☒ = No well cost yet.
- ☒ List groundwater permits within a five-mile radius with extraordinary conditions.

Number of wells: _____

Well location: T-02S/R-37E/Sec 34

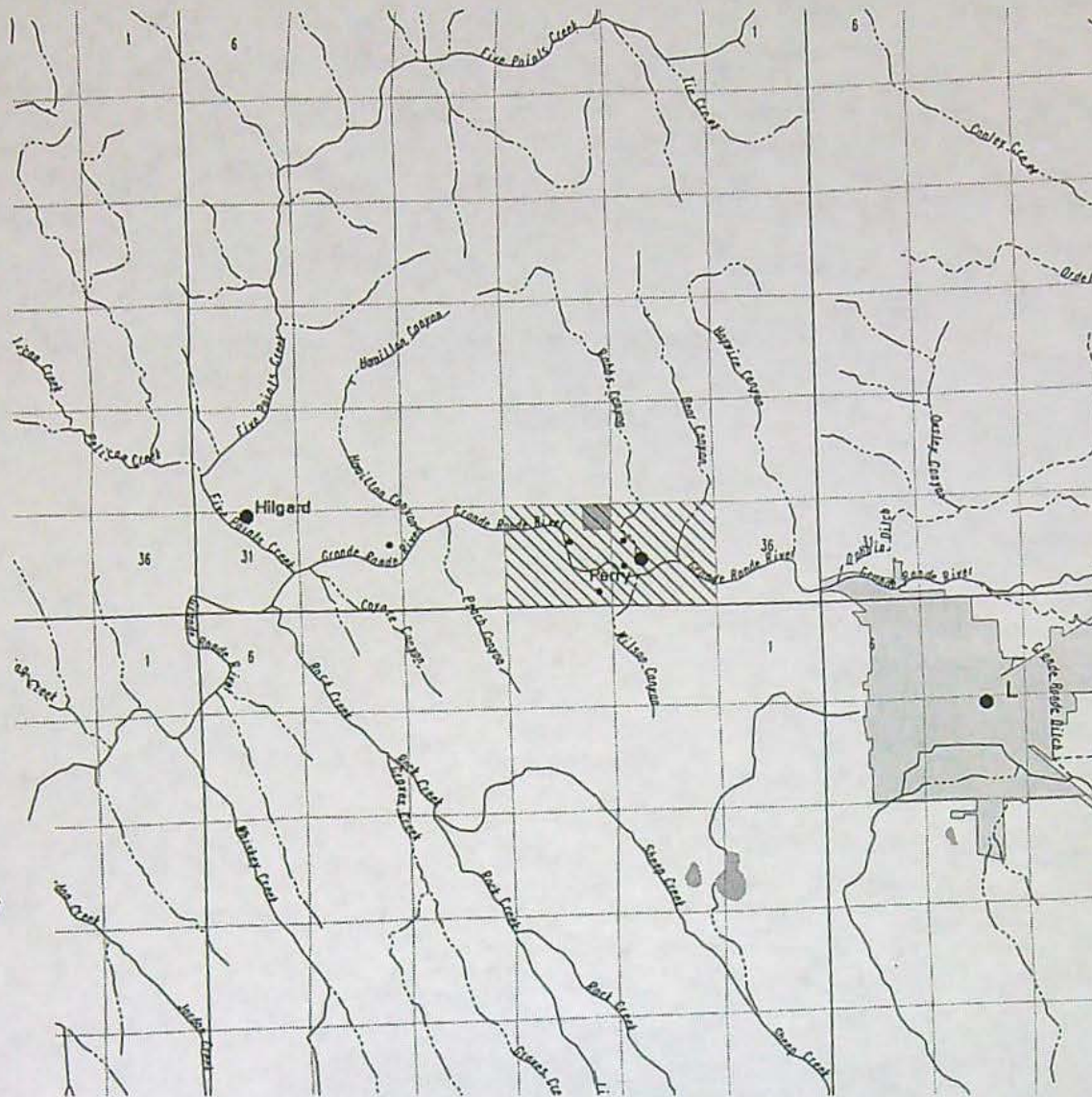
APPLICATIONS WITH PERMIT CONDITIONS:

G-12786

~~12786~~

Wells in the vicinity of application G 14417

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



WELLS WITHIN 1 MILE OF G 14417
DO 9

IR CHECKLIST

Application #: G 14417 Vol _____ Subbasin _____
 Basin: 8 WAB: NA POU-WAB: NA
 Township 25 Range 37E Section 34 & 35 1/4 1/4

TL 2600

- ✓ 1. Completeness checklist verified. (Y) / N or No Checklist
- ✓ 2. Indicators that the process should not continue (ie - protest, items missing, letter to file indicating hold, or other) Y / (N)
- ✓ 3. Groundwater review A B (C) D _____
 a. Is the well located in a groundwater limited area? Y / (N) NO
- ✓ 4. SWW Y / N Triage Y / N conditions/restrictions Y / N _____
- ✓ 5. Basin Program limitations? Y (N)
- ✓ 6. Withdrawn? Y (N) season allowed _____
- ✓ 7. Basin Maps have been checked. Y / N The River Mile is _____
- ✓ 8. Water Availability (50% < July 17, 1992 ** 80% [50% storage] > July 17, 1992) NA _____
- ✓ 9. Rate/Duty/Season 1/80 & 3AF MAR1-OCT31
- ✓ 10. Use IRR Period of Allowed Use MAR1-OCT31
- ✓ 11. Priority Date(s) 11-27-96
- ✓ 12. B.O.R. project Y / N contract # _____
- ✓ 13. TMDL Basin? Y (N) (Tualatin, Yamhill, Pudding) DIVISION 33 Y / (N) New or Old? Map Date _____
- ★ 14. Conflicts (Y) / N CERT. # 6293
- ✓ 15. Conditions? (BOR, GW, other) Y / N _____
- ✓ 16. Land use approval OK'd needs approval county notified NA Has Conditional Use
- ✓ 17. Watermaster Dist: (1 2 16 18 - NWR) (3 4 5 - NCR) (6) 8 9 10 - ER (11 12 17 - SCR) (14 15 19 - SWR)
- ✓ 18. Letter will be (Good) Limited Bad Bad w/IRshort because _____

Request for copies

CONFLICT

Name: [Signature] Date: _____

save to m:\t\ir\sent\app#.w51

CONFLICT

OREGON WATER RESOURCES PLAT CARD: Township 2.00 S Range 37.00 E SECTION 34

4/10/1997

APP. NO. / PERMIT NO.	CERT NO.	GOV'T LOT DLC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
D 6293	6293	V	(DO) (IM)	(IM) (DO)	(IM) (DO)	(DO) (IM)												
S 19381 S 14994	14534	V																
S 48399 S 36344	51223	V																

No WATER RIGHTS of RECORD

FOR SECTION 35 NCR for Sec. 35

WHAT IS STATUS OF POND
& USE of STORED WATER

CANCEL AUTHO NEEDED?

KD

4/10/97

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

This is to Certify, That GRANDE RONDE LUMBER COMPANY

of Perry, State of Oregon has a right to the use of
the waters of Grande Ronde River

for the purpose of Manufacturing, Domestic and storage for mill pond;

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Union County, and the said decree entered of record at Salem, in the Order
Record of the STATE ENGINEER, in Volume 8, at page 1; that the priority
of the right thereby confirmed dates from 1989

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed 57.5 second feet;

A description of the lands irrigated under such right, and to which the water is appurtenant
(or, if for other purposes, the place where such water is put to beneficial use), is as follows:

Mill situated on Northeast Quarter (NE $\frac{1}{4}$),
Section Thirty-four (34), Township 2 South,
Range 37 East of the Willamette Meridian.

And said right shall be subject to all other conditions and limitations
contained in said decrees.

The right to the use of the water for irrigation purposes is restricted to the lands or place
of use herein described.

WITNESS the signature of the State Engineer,

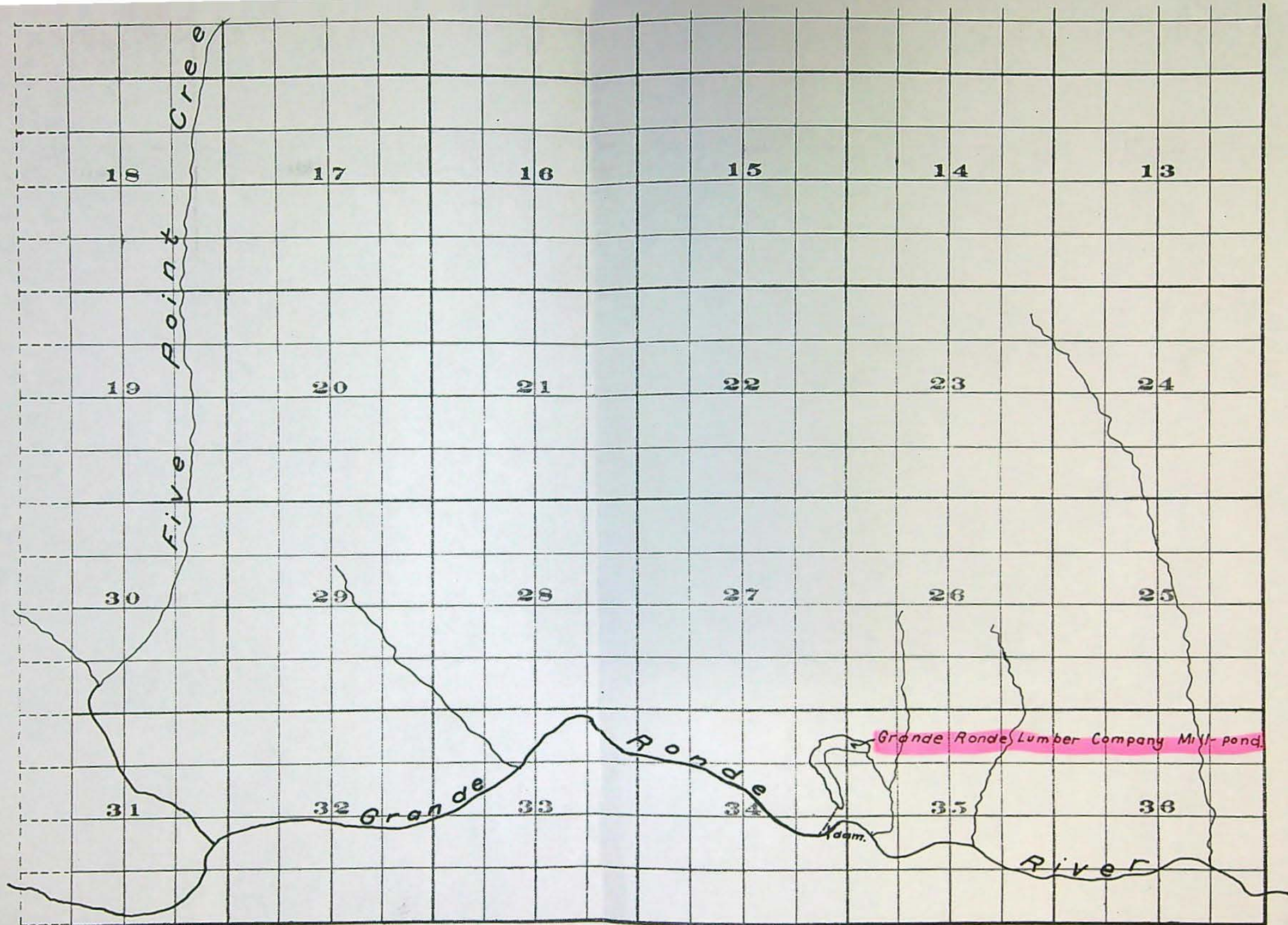
affixed this 1st day
of July, 1926.

RHEA LUBER

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 6, page 629 $\frac{1}{2}$.

✓62



Scale of Feet

Survey by J.L. McAllister
1912.

FROM OFFICE OF THE STATE ENGINEER, SALEM, OREGON

Adjudication
of
GRANDE RONDE RIVER AND TRIBUTARIES
ABOVE AND INCLUDING GORDAN CREEK
John H. Lewis, State Engr.
1912.

February 28, 1997

OREGON WATER RESOURCES DEPARTMENT
ADMINISTRATIVE RULES
CHAPTER 690
DIVISION 508
GRANDE RONDE BASIN PROGRAM

General Classifications

690-508-000 (1) Stored water may be used for any beneficial purpose.

(2) The storage of up to 900 acre-feet of water for domestic or livestock purposes authorized under water rights with priority dates after November 6, 1992, shall be exempt from regulation for storage of water reserved under OAR 690-508-110 through 120.

(3) Storage of water is a beneficial use in the Grande Ronde Basin.

Statutory Authority: ORS Ch. 536

Stats. Implemented: ORS 536.220 and 536.310

Upper Grande Ronde Subbasin

690-508-010 (1) Classifications

(a) The maximum economic development of this state and the attainment of the highest and best use of the waters of the Upper Grande Ronde for the benefit of the state as a whole, will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, power development, industrial, mining, recreation, wildlife, and fish life uses and the waters of the Upper Grande Ronde Basin are hereby so classified.

(b) Applications for the use of such water shall not be accepted by any state agency for any other purpose and the granting of applications for such other purposes is declared to be prejudicial to the public interest and the granting of applications for such other uses would be contrary to the integrated, coordinated program for the use and control of the water resources of the state.

(c) Structures or works for the utilization of the waters in accordance with the aforementioned classifications are also declared to be prejudicial to the public interest unless planned, constructed, and operated in conformity with applicable provisions of ORS 536.310 and any such structures or works are further declared to be prejudicial to the public interest which do not give proper cognizance to the multiple-purpose concept.

(2) Water Quality: Rights to use of water for industrial or mining purposes granted by any state agency shall be issued only on condition that any effluents or return flows from such uses shall not interfere with other beneficial uses of water.

Note: These rules were filed with the Office of the Secretary of State and took effect on February 28, 1997. The rules are subject to non-substantive modifications such as renumbering and correction of typographical errors pursuant to ORS 183.360 (2)(a) when published by the Secretary of State.

Land Use Form

RECEIVED

NOV 27 1996

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

NOV - 4 1996

WATER RESOURCES DEPT.
SALEM, OREGON

Oregon

WATER
RESOURCES
DEPARTMENT

NOTE TO LOCAL GOVERNMENTS

Application No. G14417
Permit No.

The person presenting the attached request for land use information is applying for a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure water rights do not result in land uses that would violate your comprehensive plan.

WRD will not accept applications which are not accompanied by this completed land use form or the signed, dated receipt stub detached from the bottom of the land use information form.

You will receive notice once the applicant formally submits his or her request to WRD. The notice will give more detailed information about WRD's water rights process and comment opportunities. If you give the applicant the receipt stub in lieu of completing the form, you will have 30 days from the date of the notice mentioned above to complete the form and return it to WRD. If no land use information is received from you within that 30 day period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

Your attention to this request for information is greatly appreciated by both the applicant and WRD. If you have questions concerning the form, please contact WRD at 378-3739.



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

Description of Water Use

Note to Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

Note to Local Planning Officials: Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: Daniel Hoyt - Blue Mtn. Golf Course
 Address: 58020 Or. Hwy 203
Union, Or.
 Phone: (541) 562-5332

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- ☒ Irrigation (crop type, golf course, nursery or greenhouse): GOLF Course
- ☐ Livestock (type of livestock, feedlot, slaughterhouse): _____
- ☐ Residential (# units, single or multi-family, # lots if partition or subdivision): _____
- ☐ Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): _____
- ☐ Industrial (i.e., factory, pulp mill, research and development, processing, etc.): _____
- ☐ Institutional (i.e., school, library, etc.): _____
- ☐ Mining (aggregate, metal, open pit, placer, etc.): _____
- ☐ Recreation (park, campsite, pond, etc.): _____
- ☐ Fish and Wildlife (pond, hatchery, etc.): _____
- ☐ Hydropower (dam, reservoir, power generating or transmitting facilities): _____
- ☐ Other (Name and list key characteristics): _____

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
☐ Surface Water Name sources: _____ _____ _____	_____ Cubic feet per second. <u>600</u> Gallons per minute. _____ Acre-Feet
☐ Reservoir or pond	
☒ Ground Water	

Land Use Information Form: Permits, Hydroelectric Licenses, Water Uses in Addition to Classified Uses

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.

Applicant's Name: Daniel Hoyt Blue mtn. Golf Course
Address: 58020 Or. Hwy 203
City: Union State: Or Zip: 97883 Day Phone: (541) 562-5332

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

(CHECK ALL THAT APPLY)

TAX LOT LOCAL ID #	PLAN DESIGNATION/ZONING Rural Residential/RR-5) (e.g.	WATER DIVERTED	WATER CONVEYED	WATER USE
2537 2600	A-4 TIMBER-GRADING			

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used.

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed.

For Local Government Use Only

Local planning officials are to complete the remainder of this form. If it cannot be completed while the applicant waits, sign and detach the receipt as instructed below. You will receive notice when the applicant's water right request is filed with the Water Resources Department (WRD). You will have 30 days from the notice date to return this completed land use form to WRD. If no land use information is received from you within that period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

a) Check the appropriate box below and provide requested information.

☐ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan.
Cite applicable ordinance section(s); _____ Go to section b) on reverse side.

☒ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table on the reverse of this form. **Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

Receipt for Request for Land Use Information

WRD Applicant Name: _____

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government cannot provide the above requested land use information while the applicant waits.

City or County: _____ Phone: _____
Staff Contact: _____
Signature: _____ Date of Information Request: _____

(CHECK THE BOX THAT APPLIES)

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Already Obtained	Already Denied	Being Pursued Satisfactorily
CONDITIONAL VSE	S.03(6) OAR 660-35-130(5)(19)	X		

Name: JOH JIMINGS Date: 10/7/96

Title: ASSOCIATE PLANNER Phone: (541) 963-1014

Signature: _____

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

Additional Comments:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **16537**

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

INVOICE # _____

RECEIVED FROM: Daniel A. Hoyt
BY: _____

APPLICATION	G14417
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # ☒ 96455 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 4.

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY)

\$

OTHER: (IDENTIFY)

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

0427 WRD OPERATING ACCT

PCA 66111

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

New) TC165 DEPOSIT LIAB. (IDENTIFY)

\$

Existing) TC168

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

0206

\$

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS

\$

0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

RECEIPT # **16537**

DATED: 10-8-97

BY: D. Russell

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **10895**

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

INVOICE # _____

RECEIVED FROM: David W. Mellinger

BY: _____

APPLICATION	614417
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 2422 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 10.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY)

\$

OTHER: (IDENTIFY)

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

0427 WRD OPERATING ACCT

PCA 66111

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$ 10.00

TC165 DEPOSIT LIAB. (IDENTIFY)

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

\$

0202

RECORD FEE

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

0206

\$

WELL CONSTRUCTION

EXAM FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

LICENSE FEE

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS

\$

0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HRDRO APPLICATION

\$

RECEIPT # **10895**

DATED: 3-21-97

BY: Melissa Jingle

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

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT #

8735

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

INVOICE # _____

RECEIVED FROM: Daniel A. Hoyt
BY: _____

APPLICATION	<u>GM417</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # X96-455 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 500.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY) _____

\$

OTHER: (IDENTIFY) _____

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

0427 WRD OPERATING ACCT

PCA 66111

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) _____

\$

TC165 DEPOSIT LIAB. (IDENTIFY) _____

\$

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$ 200.00

0204

\$ 300.00

0205 TRANSFER

\$

0206

\$

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY) _____

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY) _____

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS

\$

0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

RECEIPT #

8735

DATED: 11-27-96

BY: D. Buxnell

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

NUMBER 0458

Check 4 - Mo _____ Cash _____

- ☐ Surface Application
- ☐ Reservoir Application
- ☐ Ground Water Application
- ☐ Transfer Application
- ☐ PFO Request
- ☐ Research
- ☐ Hydroelectric Fees
- ☐ Copying
- ☐ Assignment
- ☐ Extension of Time
- ☐ Protest
- ☒ Other FO

G-14417
C# 6293-cancel

001

Application No. G 14417

Permit No. G13220

Name DANIEL A HOYT
BLUE MOUNTAIN GOLF COURSE

Address 58020 HWY 203
UNION, OR 97883

Assigned Address

Beginning construction 11/28/98

Completion of construction

Extended to

Complete application of water 10/1/01

Extended to