

Name

By

Address

Date filed

Priority

Action suspended until

Return to applicant

Date of approval

CONSTRUCTION

Date for beginning

Date for completion

Extended to

Date for application of water

Extended to 10-1-2053

PROSECUTION OF WORK

Form "A" filed

Form "B" filed

Form "C" filed

FINAL PROOF

Blank mailed

Proof received

Date certificate issued

Application No. G12608

Permit No. G13521

Certificate No.

Stream Index, Page No. 2

02-1140-0760-0130-230-120

SEE R-71755 and 71756

V 11 A Boasnoek Crmiso

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
1/6/95	Buell-Red Prairie Water Dist.	6430 Red Prairie Rd. 1 Shenandoah, OR 97378	7	3015

REMARKS

Applicant must comply w/ OAR 690-11-044(2) cxd
Revised & Renumbered to OAR 690-350-120(3)

FEES PAID

Date	Amount	Receipt No.
7-12-91	300.00	76322
3/26/08	350.00	91880

Cert. Fee

FEES REFUNDED

Date	Amount	Check No.

QAR 690-11-099
HAVE NOT BEEN FULFILLED

200 EXAM
100 1 CFS
300

ASSIGNED

FILE#: G 12608

BUELL - RED PRAIRIE WATER ASSOCIATION
6890 FRANK RD
SHERIDAN, OR 97378

File
S-66101
+ G1268

Annual Recharge Report to the Oregon Water Resources Department

By: Buell Red Prairie Water District

Recharge Year: 2014-2015

As required by Permit 51165, Certificate 87392, T-11390

(This covers the time period of June 1st through May 31st and is due June 15th each year.)

Discharges during the year:

Total in Gallons	To Recharge Well
Max Rate in gpm	75 gpm (this is our max)
Min Rate in gpm	0 gpm (this is our min)

General Operations review during the water year:

New plant is working good and was able to keep up for most of the year, we did have a decent amount of well use during power outages, maintenance, planned or otherwise. Recharging of the well topped off at 22 ft, measured from the base of the floor.

Estimate of Storage account at end of year:

This value is equal to 80% of the recharge over the last 5 years minus the sum of the two well discharges less 5 million gallons of natural water over the last 4 years.

Year	Recharge		Credited recharge	discharge from wells	Credit	Credited Discharge	Residual
2011	-	x .80	-	3,680,300	5,000,000	0	0
2012	-	x.80	-	4,325,651	5,000,000	0	0
2013	1,453,900	x.80	1,163,120	1,789,500	0	0	1,163,120
2014	68,800	x.80	55,040	798,400	0	0	55,040
2015	833,800	x.80	667,040	2,667,300	0	0	667,040
5 year total			1,885,200			0	1,885,200

Credited recharge minus the difference of discharge minus credit subtracted from credited recharge if you meet the criteria below.

If Discharge is GREATER than 5mill, then subtract 5 mill from discharge then subtract the credited recharge from that (5mill from the discharge number) number will be the residual.

If Discharge is LESS than 5 mill use 0 and use the credited recharge number for residual

Water Levels at Monitoring Wells: to be collected between April 1 and June 1, once per year.

Upper and **Lower** are set by permit. The **level** is where we are at between April and June, give date. **Upper**, **Lower** and **Both**, just put a check mark if we are in that level with our level.

Well	Upper Target	Lower Target	Level & Date	Above Upper	Below Lower	Between Both
Well #1	55	125	22ft, May 31, 2015	X		
Well #2			23.8ft, July 9, 2015			
Recharge	15	50	5ft, July 9, 2015	X		

Allowable Use of Stored Water (See Certificate Condition 7 for Explanation)

Number of Key Wells above upper Target Water Levels: 2 (if 2, use falls in Green Zone)

Number of Key Wells below lower Target Water Levels: 0 (if 2, use falls in Red Zone)

(If neither Green nor Red Zone water levels prevail, default to Yellow Zone)

The allowable use of stored water is in the Green Zone for the next water year.

Other Data Pertinent to the Storage Account (if any)

List and Dates of Water Quality Reports Submitted to State Agencies during Recharge Year

Report submitted by:

Cody Naylin
District Manager
Buell Red Prairie Water District



Introduction :: Data Search Options :: WS Name Look Up :: WS ID Look Up

:: DWS Home :: Quick Data Links

ND = Not Detected at the Minimum Reporting Level

Spreadsheet

Latest Chemical Results - PWS ID: 01174 ---- BUELL-RED PRAIRIE WD

Sample ID	Sample Date	Receive Date	Chemical	Source ID	Results	Current MCL UOM
<u>20150608044-D</u>	6/8/2015		7/2/2015 TOTAL HALOACETIC ACIDS (HAA5)	DIST-A	0.0217	0.06 MG/L
<u>20150608045-D</u>	6/8/2015		7/2/2015 TTHM	DIST-A	0.0302	0.08 MG/L
<u>20150330045-D</u>	3/30/2015		4/20/2015 TTHM	DIST-A	0.0268	0.08 MG/L
<u>2015330044-D</u>	3/20/2015		4/20/2015 TOTAL HALOACETIC ACIDS (HAA5)	DIST-A	0.013	0.06 MG/L
<u>20141212034-D</u>	12/12/2014		1/7/2015 TOTAL HALOACETIC ACIDS (HAA5)	DIST-A	0.019	0.06 MG/L
<u>20141212035-D</u>	12/12/2014		1/7/2015 TTHM	DIST-A	0.0301	0.08 MG/L
<u>20140903040-T</u>	9/3/2014		10/1/2014 TOTAL ORGANIC CARBON	CH-A	2.51	
<u>20140903041-D</u>	9/3/2014		10/1/2014 TOTAL HALOACETIC ACIDS (HAA5)	DIST-A	0.0224	0.06 MG/L
<u>20140903042-D</u>	9/3/2014		10/1/2014 TTHM	DIST-A	0.0498	0.08 MG/L
<u>20140610051</u>	6/10/2014		6/30/2014 COPPER	DIST-A	0.117	1.3 MG/L
<u>20140610051</u>	6/10/2014		6/30/2014 LEAD	DIST-A	0.0024	0.015 MG/L
<u>20140610052</u>	6/10/2014		6/30/2014 COPPER	DIST-A	0.221	1.3 MG/L
<u>20140610052</u>	6/10/2014		6/30/2014 LEAD	DIST-A	ND	0.015 MG/L
<u>20140610053</u>	6/10/2014		6/30/2014 COPPER	DIST-A	0.436	1.3 MG/L
<u>20140610053</u>	6/10/2014		6/30/2014 LEAD	DIST-A	0.0088	0.015 MG/L
<u>20140610055</u>	6/10/2014		6/30/2014 COPPER	DIST-A	ND	1.3 MG/L
<u>20140610055</u>	6/10/2014		6/30/2014 LEAD	DIST-A	ND	0.015 MG/L
<u>20140610056</u>	6/10/2014		6/30/2014 COPPER	DIST-A	ND	1.3 MG/L
<u>20140610056</u>	6/10/2014		6/30/2014 LEAD	DIST-A	ND	0.015 MG/L
<u>20140610057</u>	6/10/2014		6/30/2014 COPPER	DIST-A	0.104	1.3 MG/L
<u>20140610057</u>	6/10/2014		6/30/2014 LEAD	DIST-A	ND	0.015 MG/L
<u>20140610058</u>	6/10/2014		6/30/2014 COPPER	DIST-A	0.466	1.3 MG/L
<u>20140610058</u>	6/10/2014		6/30/2014 LEAD	DIST-A	ND	0.015 MG/L
<u>20140610059</u>	6/10/2014		6/30/2014 COPPER	DIST-A	0.113	1.3 MG/L
<u>20140610059</u>	6/10/2014		6/30/2014 LEAD	DIST-A	ND	0.015 MG/L
<u>20140610060</u>	6/10/2014		6/30/2014 COPPER	DIST-A	ND	1.3 MG/L
<u>20140610060</u>	6/10/2014		6/30/2014 LEAD	DIST-A	ND	0.015 MG/L
<u>20140610054</u>	6/9/2014		6/30/2014 COPPER	DIST-A	0.222	1.3 MG/L

<u>20140610054</u>	6/9/2014	6/30/2014 LEAD	DIST-A	ND	0.015 MG/L
<u>20140514013-T</u>	5/13/2014	6/12/2014 TOTAL ORGANIC CARBON	CH-A	0.894	
<u>20140514011-D</u>	5/13/2014	6/12/2014 TOTAL HALOACETIC ACIDS (HAA5)	DIST-A	0.0387	0.06 MG/L
<u>20140514012-D</u>	5/13/2014	6/12/2014 TTHM	DIST-A	0.0472	0.08 MG/L
<u>20140318011-I</u>	3/17/2014	3/31/2014 NITRATE	EP-B	0.417	10 MG/L
<u>20140318013-I</u>	3/17/2014	3/31/2014 NITRATE	EP-C	ND	10 MG/L
<u>20140203059-D</u>	2/3/2014	3/6/2014 TOTAL HALOACETIC ACIDS (HAA5)	DIST-A	0.013	0.06 MG/L
<u>20140203060-D</u>	2/3/2014	3/6/2014 TTHM	DIST-A	0.017	0.08 MG/L
<u>20140203055-I</u>	2/3/2014	2/13/2014 NITRATE	EP-A	ND	10 MG/L
<u>20140203058-V</u>	2/3/2014	3/6/2014 1,1,1-TRICHLOROETHANE	EP-A	ND	0.2 MG/L
<u>20140203058-V</u>	2/3/2014	3/6/2014 1,1,2-TRICHLOROETHANE	EP-A	ND	0.005 MG/L
<u>20140203058-V</u>	2/3/2014	3/6/2014 1,1-DICHLOROETHYLENE	EP-A	ND	0.007 MG/L
<u>20140203058-V</u>	2/3/2014	3/6/2014 1,2,4-TRICHLOROBENZENE	EP-A	ND	0.07 MG/L
<u>20140203058-V</u>	2/3/2014	3/6/2014 1,2-DICHLOROETHANE	EP-A	ND	0.005 MG/L
<u>20140203058-V</u>	2/3/2014	3/6/2014 1,2-DICHLOROPROPANE	EP-A	ND	0.005 MG/L
<u>20140203058-V</u>	2/3/2014	3/6/2014 BENZENE	EP-A	ND	0.005 MG/L
<u>20140203058-V</u>	2/3/2014	3/6/2014 CARBON TETRACHLORIDE	EP-A	ND	0.005 MG/L
<u>20140203058-V</u>	2/3/2014	3/6/2014 CHLOROBENZENE	EP-A	ND	0.1 MG/L
<u>20140203058-V</u>	2/3/2014	3/6/2014 CIS-1,2-DICHLOROETHYLENE	EP-A	ND	0.07 MG/L
<u>20140203058-V</u>	2/3/2014	3/6/2014 DICHLOROMETHANE	EP-A	ND	0.005 MG/L
<u>20140203058-V</u>	2/3/2014	3/6/2014 ETHYLBENZENE	EP-A	ND	0.7 MG/L
<u>20140203058-V</u>	2/3/2014	3/6/2014 O-DICHLOROBENZENE	EP-A	ND	0.6 MG/L
<u>20140203058-V</u>	2/3/2014	3/6/2014 P-DICHLOROBENZENE	EP-A	ND	0.075 MG/L
<u>20140203058-V</u>	2/3/2014	3/6/2014 STYRENE	EP-A	ND	0.1 MG/L
<u>20140203058-V</u>	2/3/2014	3/6/2014 TETRACHLOROETHYLENE	EP-A	ND	0.005 MG/L
<u>20140203058-V</u>	2/3/2014	3/6/2014 TOLUENE	EP-A	ND	1 MG/L
<u>20140203058-V</u>	2/3/2014	3/6/2014 TRANS-1,2-DICHLOROETHYLENE	EP-A	ND	0.1 MG/L
<u>20140203058-V</u>	2/3/2014	3/6/2014 TRICHLOROETHYLENE	EP-A	ND	0.005 MG/L
<u>20140203058-V</u>	2/3/2014	3/6/2014 VINYL CHLORIDE	EP-A	ND	0.002 MG/L
<u>20140203058-V</u>	2/3/2014	3/6/2014 XYLENES, TOTAL	EP-A	ND	10 MG/L
<u>20131120011-D</u>	11/20/2013	12/19/2013 TOTAL HALOACETIC ACIDS (HAA5)	DIST-A	0.0251	0.06 MG/L
<u>20131120012-D</u>	11/20/2013	12/19/2013 TTHM	DIST-A	0.043	0.08 MG/L
<u>20130806012-D</u>	8/6/2013	8/28/2013 TOTAL HALOACETIC ACIDS (HAA5)	DIST-A	0.0126	0.06 MG/L
<u>20130806013-D</u>	8/6/2013	8/28/2013 TTHM	DIST-A	0.0583	0.08 MG/L
<u>20130806014-D</u>	8/6/2013	8/28/2013 TOTAL HALOACETIC ACIDS (HAA5)	DIST-A	0.0166	0.06 MG/L
<u>20130806015-D</u>	8/6/2013	8/28/2013 TTHM	DIST-A	0.0508	0.08 MG/L

<u>20130806016-S</u>	8/6/2013	9/4/2013 ATRAZINE	EP-A	ND	0.003 MG/L
<u>20130806016-S</u>	8/6/2013	9/4/2013 BENZO(A)PYRENE	EP-A	ND	0.0002 MG/L
<u>20130806016-S</u>	8/6/2013	9/4/2013 DI(2-ETHYLHEXYL) ADIPATE	EP-A	ND	0.4 MG/L
<u>20130806016-S</u>	8/6/2013	9/4/2013 DI(2-ETHYLHEXYL) PHTHALATE	EP-A	ND	0.006 MG/L
<u>20130806016-S</u>	8/6/2013	9/4/2013 HEXACHLOROBENZENE	EP-A	ND	0.001 MG/L
<u>20130806016-S</u>	8/6/2013	9/4/2013 HEXACHLOROCYCLOPENTADIENE	EP-A	ND	0.05 MG/L
<u>20130806016-S</u>	8/6/2013	9/4/2013 LASSO	EP-A	ND	0.002 MG/L
<u>20130806016-S</u>	8/6/2013	9/4/2013 SIMAZINE	EP-A	ND	0.004 MG/L
<u>20130716010-S</u>	7/16/2013	8/6/2013 1,2-DIBROMO-3-CHLOROPROPANE	EP-A	ND	0.0002 MG/L
<u>20130716010-S</u>	7/16/2013	8/6/2013 2,4,5-TP	EP-A	ND	0.05 MG/L
<u>20130716010-S</u>	7/16/2013	8/6/2013 2,4-D	EP-A	ND	0.07 MG/L
<u>20130716010-S</u>	7/16/2013	8/6/2013 BHC-GAMMA	EP-A	ND	0.0002 MG/L
<u>20130716010-S</u>	7/16/2013	8/6/2013 CARBOFURAN	EP-A	ND	0.04 MG/L
<u>20130716010-S</u>	7/16/2013	8/6/2013 CHLORDANE	EP-A	ND	0.002 MG/L
<u>20130716010-S</u>	7/16/2013	8/6/2013 DALAPON	EP-A	ND	0.2 MG/L
<u>20130716010-S</u>	7/16/2013	8/6/2013 DINOSEB	EP-A	ND	0.007 MG/L
<u>20130716010-S</u>	7/16/2013	8/6/2013 DIQUAT	EP-A	ND	0.02 MG/L
<u>20130716010-S</u>	7/16/2013	8/6/2013 ENDOTHALL	EP-A	ND	0.1 MG/L
<u>20130716010-S</u>	7/16/2013	8/6/2013 ENDRIN	EP-A	ND	0.002 MG/L
<u>20130716010-S</u>	7/16/2013	8/6/2013 ETHYLENE DIBROMIDE	EP-A	ND	0.00005 MG/L
<u>20130716010-S</u>	7/16/2013	8/6/2013 GLYPHOSATE	EP-A	ND	0.7 MG/L
<u>20130716010-S</u>	7/16/2013	8/6/2013 HEPTACHLOR	EP-A	ND	0.0004 MG/L
<u>20130716010-S</u>	7/16/2013	8/6/2013 HEPTACHLOR EPOXIDE	EP-A	ND	0.0002 MG/L
<u>20130716010-S</u>	7/16/2013	8/6/2013 METHOXYCHLOR	EP-A	ND	0.04 MG/L
<u>20130716010-S</u>	7/16/2013	8/6/2013 OXAMYL	EP-A	ND	0.2 MG/L
<u>20130716010-S</u>	7/16/2013	8/6/2013 PENTACHLOROPHENOL	EP-A	ND	0.001 MG/L
<u>20130716010-S</u>	7/16/2013	8/6/2013 PICLORAM	EP-A	ND	0.5 MG/L
<u>20130716010-S</u>	7/16/2013	8/6/2013 TOTAL POLYCHLORINATED BIPHENYLS (PCB)	EP-A	ND	0.0005 MG/L
<u>20130716010-S</u>	7/16/2013	8/6/2013 TOXAPHENE	EP-A	ND	0.003 MG/L
<u>20130716011-V</u>	7/16/2013	8/6/2013 1,1,1-TRICHLOROETHANE	EP-A	ND	0.2 MG/L
<u>20130716011-V</u>	7/16/2013	8/6/2013 1,1,2-TRICHLOROETHANE	EP-A	ND	0.005 MG/L
<u>20130716011-V</u>	7/16/2013	8/6/2013 1,1-DICHLOROETHYLENE	EP-A	ND	0.007 MG/L
<u>20130716011-V</u>	7/16/2013	8/6/2013 1,2,4-TRICHLOROBENZENE	EP-A	ND	0.07 MG/L
<u>20130716011-V</u>	7/16/2013	8/6/2013 1,2-DICHLOROETHANE	EP-A	ND	0.005 MG/L
<u>20130716011-V</u>	7/16/2013	8/6/2013 1,2-DICHLOROPROPANE	EP-A	ND	0.005 MG/L

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report
are to be filed with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

State Well No. 6067W-35db

State Permit No. _____

(1) OWNER:

Name Buell - Red Prairie Water Association
Address _____

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

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

CASING INSTALLED:

Threaded ☐ Welded ☐
10" Diam. from 18 ft. to 110 ft. Gage 250
8" Diam. from 0 ft. to 160 ft. Gage 250
8" Diam. from 180 ft. to 190 ft. Gage 250

PERFORATIONS:

Perforated? ☐ Yes ☒ No

Type of perforator used _____

Size of perforations in. by in.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? ☒ Yes ☐ No

Manufacturer's Name Johnson
Type G.I. irrigator Model No. _____
Diam. 8" Slot size 100 Set from 160 ft. to 180 ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static level

Was a pump test made? ☐ Yes ☒ No If yes, by whom?

Yield: gal./min. with ft. drawdown after hrs.

" " " "

" " " "

300 gal./min. with 179 ft. drawdown after 2 hrs.

Artesian flow g.p.m.

Temperature of water Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Well seal—Material used Cement + grout
Well sealed from land surface to 18 ft.
Diameter of well bore to bottom of seal 18 in.
Diameter of well bore below seal 10 in.
Number of sacks of cement used in well seal 33 sacks
How was cement grout placed? pumped from bottom up.

Was a drive shoe used? ☐ Yes ☒ No Plugs _____ Size: location _____ ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? _____ depth of strata _____

Method of sealing strata off _____

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

Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Polk Driller's well number _____
NW 1/4 SE 1/4 Section 35 T. 6S R. 7W. W.M.
Bearing and distance from section or subdivision corner _____

(11) WATER LEVEL: Completed well.

Depth at which water was first found 153 ft.
Static level 11 1/2 ft. below land surface. Date 6-14-79
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 10

Depth drilled 190 ft. Depth of completed well 190 ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change in
position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top Soil	0	1	
Clay	1	8	
Weathered basalt	8	13	
Basalt	13	25	
Volcanic tuff	25	133	
Sandstone (Grey)	133	147	
Sandstone (Brown)	147	153	
Volcanic tuff	153	190	
(decomposed - red)			

RECEIVED

JUL 3 1979

WATER RESOURCES DEPT.
SALEM, OREGON

Work started 6-11 19 79 Completed 6-14 19 79

Date well drilling machine moved off of well 6-17 19 79

Drilling Machine Operator's Certification:

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

[Signed] Keith M. Johnson Date 6-15, 19 79
(Drilling Machine Operator)

Drilling Machine Operator's License No. 1330

Water Well Contractor's Certification:

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

Name AQUA-TECH Well Construction Inc.
(Person, firm or corporation) (Type or print)

Address 868 Delta Dr. N. E. Salem

[Signed] David Bosch
(Water Well Contractor)

Contractor's License No. 696 Date June 28, 19 79

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-12608

Final Order
Extension of Time for Permit Number G-13521

Appeal Rights

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

Application History

The Department issued Permit G-13521 on October 28, 1998. The permit called for complete application of water to beneficial use by October 1, 2003. On March 26, 2008, Buell-Red Prairie Water District submitted an application to the Department for an extension of time for Permit G-13521. In accordance with OAR 690-315-0050(2), on June 10, 2008, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2053. The protest period closed July 25, 2008, in accordance with OAR 690-315-0060(1). No protest was filed.

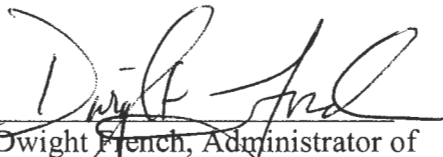
At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to no additional conditions.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0080(3).

Order

The extension of time for Application G-12608, Permit G-13521, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use is extended to October 1, 2053.

DATED: August 14, 2008



Dwight French, Administrator of
Water Rights and Adjudications
for
Phillip C. Ward, Director

If you have any questions about statements contained in this document, please contact Ann
Reece at (503) 986-0827.

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.

Mailing List for Extension FO Copies

Note: Include a copy of the "Important Notice" document along with the original copy of the Final Order being sent to the permit holder.

FO Date: August 14, 2008

Application G-12608
Permit G-13521

Copies Mailed	
By:	<u>MS</u> (SUPPORT STAFF)
on:	<u>8/14/08</u> (DATE)

Original mailed to permit holder:

Buell-Red Prairie Water District
Attn: Mark Millikan
PO Box 367
Sheridan, OR 97378

Copies sent to:

1. WRD - App. File G-12608/ Permit G-13521
2. WRD - NWR Regional Manager, Bill Ferber
*NOTE: Do not send FO's to South Central Region (Kyle Gorman)
Do not send FO's to Northwest Region (Bill Ferber)*
3. Paul Eckley, 579 Juntura Court SE, Salem, OR 97302 (representative of BRPWD)
4. WRD - Support Staff, Salem...*Permit record update*

Fee paid as specified under ORS 536.050 to receive copy:

5. None

Receiving via e-mail (10 AM day of signature date)

6. WRD - Water Master District 16 - Mike McCord, Salem
Done by alr Date 8-15-08

CASEWORKER: ALR

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BUELL RED PRAIRIE WATER DISTRICT
6430 RED PRAIRIE ROAD
SHERIDAN, OREGON 97378

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

APPLICATION FILE NUMBER: G-12608

SOURCE OF WATER: ARTIFICIALLY RECHARGED GROUNDWATER STORED UNDER PERMIT 51165 DIVERTED FROM TWO WELLS IN GOOSENECK CREEK BASIN

PURPOSE OR USE: QUASI-MUNICIPAL

RATE OF USE: 61.0 ACRE-FEET PER YEAR

PERIOD OF ALLOWED USE: YEAR ROUND

DATE OF PRIORITY: JULY 12, 1991

POINT OF DIVERSION LOCATION: NE 1/4 SE 1/4, NW 1/4 SE 1/4, SECTION 35, T6S, R7W, W.M.; WELL 2 - 2050 FEET NORTH & 480 FEET WEST; WELL 1 - 1600 FEET NORTH & 1400 FEET WEST BOTH FROM SE CORNER OF SECTION 35

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4

SE 1/4

SECTION 32

SW 1/4

SE 1/4

SECTION 33

TOWNSHIP 5 SOUTH, RANGE 6 WEST, W.M.

SW 1/4

SECTION 34

TOWNSHIP 5 SOUTH, RANGE 6 WEST, W.M.

NW 1/4

SW 1/4

SECTION 3

ALL

SECTION 4

ALL

SECTION 5

ALL

SECTION 8

ALL
SECTION 9
ALL
SECTION 10
NW 1/4
SW 1/4
SECTION 13
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SECTION 14
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SECTION 15
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SECTION 22
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NW 1/4
SW 1/4
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SECTION 28
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SECTION 30
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SECTION 31
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SECTION 32
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SECTION 33
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SECTION 34
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SECTION 35
TOWNSHIP 6 SOUTH, RANGE 6 WEST, W.M.

ALL
SECTION 13

ALL
SECTION 24
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SECTION 25
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SECTION 35
ALL
SECTION 36
TOWNSHIP 6 SOUTH, RANGE 7 WEST, W.M.

ALL
SECTION 4
NE 1/4
SECTION 8
NE 1/4
NW 1/4
SECTION 9
TOWNSHIP 7 SOUTH, RANGE 6 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.
- 1. This right is limited to any deficiency in the available supply of any prior right existing for the same land.
 - 2. Meters: The permittee shall meter all withdrawals from wells covered by this permit and keep records and reports as described below.
 - 3. Water level monitoring: Once each year between April 1 and June 1, the permittee shall measure, to one foot accuracy, and record the depth to water below land surface in both wells.

4. The maximum annual diversion shall not exceed 61.0 acre-feet of artificially recharged ground water or a lesser amount as herein provided in condition #9 (Allowable Use of Stored Water).
5. Target water levels in key wells: Permit 51165 designates two existing wells as key wells in the water level monitoring program. As determined between April 1 and June 1 of each year, actual water levels at these wells shall be compared to the target levels to determine allowable use as indicated under the allowable use of stored water condition. Key wells and associated target levels are:

Target Levels

(feet below Land Surface Datum)

<u>Well Location</u>	<u>Common Name</u>	<u>Upper</u>	<u>Lower</u>
T6S/R7W-35db	Buell-Red Prairie #1	25	125
T6S/R7W-35dc	Recharge Well	0	50

6. Estimated data: When metered or measured data are missing in whole or in part, the Director may make estimates from available data. Those estimates shall be reasonable and, where a range of uncertainty exists, conservatively low on water delivered to the place of recharge and conservatively high on withdrawals of stored water.
7. Records, inspections: The permittee shall keep accurate and current records of metered values, water levels and other pertinent information. The Director may inspect the records and works covered by this permit upon reasonable notice and at any reasonable time.
8. Annual report: The permittee shall keep accurate and current records for the recharge water year beginning June 1 and ending May 31 and submit an annual withdrawal report to the Director by June 15 of each year. The withdrawal report shall note total withdrawals, recently measured and dated water levels at each well, and other data pertinent to the storage account during the recharge year.
9. Allowable use of stored water: The availability of recharge water shall be determined on the basis of secondary groundwater rights and the allowable use of stored recharge water. The allowable use of stored recharge water falls into three categories. For ease of reference, these categories are named as the following color zones:
 - A. Green Zone: If water levels at key wells are above the upper target level, use is allowed up to the maximum of the storage account or maximum duty, whichever is lower. These target levels are noted in item 15.
 - B. Red Zone: If recent water levels as determined between April 1 and June 1 at the two keys wells are below the lower target

levels, no use of recharge water is allowed the following recharge year.

C. Yellow Zone: If neither Green Zone or Red Zone water levels prevail, use is allowed up to 80 percent of the recharge volume for the preceding 12 months.

10. Condition changes: If the Director has reason to believe that the well(s) is not with-drawing artificially recharged groundwater or there are other substantial groundwater concerns, the permittee shall cease withdrawal upon notice from the Director. No further withdrawal shall be made until measures to prevent, correct or monitor the situation have been agreed to and implemented.
11. Permit assignment: A potential assignee shall prove, to the Director's satisfaction, the financial capability to construct uncompleted portions of, and operate, the project authorized by the permit.

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.

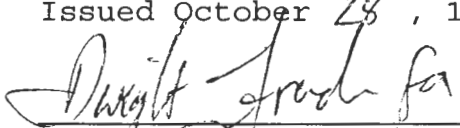
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 by October 28, 1999. Complete application of water to the use shall be made on or before October 1, 2003. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued October 28, 1998


Martha O. Pagel, Director
Water Resources Department

Mailing List for Permit Copies

Application#G-12608

Mailing List Print Date October 7, 1998

Original mailed to(when permit issued, include copy of permit map):

Applicant: BUELL RED PRAIRIE WATER DISTRICT, 6430 RED PRAIRIE RD,
SHERIDAN, OREGON 97378

Copies Mailed
By: <u>H9W</u> (SUPPORT STAFF)
on: <u>10/28/98</u> (DATE)

For Permit only - Permit Copies sent to (Remember to reduce copy margins):

1. WRD - File # G-12608
2. WRD - Ken Stahr
3. WRD - Data Center
4. WRD - NWR (Gloria)
5. WRD - Watermaster District #: 16 (w/copy of permit map)
6. WRD - Donn Miller

CASEWORKER: RWK

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- Grant an extension of time to apply water to full beneficial use from October 1, 2003 to October 1, 2053.

ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources

District – Buell-Red Prairie Water District

PFO – Proposed Final Order

WMCP – Water Management and Conservation Plan

Units of Measure

cfs – cubic feet per second

gpm – gallons per minute

acre feet - AF

AUTHORITY

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

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

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

OAR 690-315-0080 provides in pertinent part that the Department shall make findings to determine if an extension of time for quasi-municipal water use permit holders may be approved to complete construction and/or apply water to full beneficial use.

OAR 690-315-0090(4-5) provides in pertinent part that quasi-municipal water use permit holders that serve a population of less than 1000 and/or can reasonably demonstrate that fewer than five years is necessary to complete construction and apply the water to beneficial use are not subject to OAR 690-315-0090(3) unless on review of the certain criteria the Department determines that compliance is necessary.

FINDINGS OF FACT

Background

1. Permit G-13521 was granted to Buell-Red Prairie Water District by the Department on October 28, 1998. The permit authorizes the use 61.0 AF/year of artificially recharged groundwater (stored under Permit S-51165) from two wells (Well 1 and Well 2) within the Gooseneck Creek Basin for quasi-municipal use. The permit specified complete application of water was to be made on or before October 1, 2003.
2. Due to an ongoing permit extension rulemaking, the Department placed all pending applications for extension of time for municipal and quasi-municipal permits on hold and did not require municipal and quasi-municipal water use permit holders to submit applications for extension of time until the new rules were adopted.
3. Municipal and quasi-municipal water use permit extension rules OAR 690-315-0070 through 690-315-0100 were adopted by the Water Resources Commission November 1, 2002, were further revised, filed with the Secretary of State, and became effective on November 22, 2005.
4. The permit holder submitted an "Application for Extension of Time" to the Department on March 26, 2008 requesting the time to apply water to full beneficial use under the terms of Permit G-13521 be extended from October 1, 2003 to October 1, 2053. This is the first extension of time request for Permit G-13521.
5. Notification of the Application for Extension of Time for Permit G-13521 was published in the Department's Public Notice dated April 8, 2008. No public comments were received regarding the extension application.
6. On April 28, 2008 and June 3, 2008, the permit holder submitted additional information to supplement their Application for Extension of Time.

Review Criteria for Quasi-Municipal Water Use Permits [OAR 690-315-0080(1)]

The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0080. This determination shall consider the applicable requirements of ORS 537.230¹, 537.248², 537.630³ and/or 539.010(5)⁴

Complete Extension of Time Application [OAR 690-315-0080(1)(a)]

7. On March 26, 2008, the Department received an Application for Extension of Time and the fee specified in ORS 536.050 from the permit holder.

¹ ORS 537.230 applies to surface water permits only.

² ORS 537.248 applies to reservoir permits only.

³ ORS 537.630 applies to ground water permits only.

⁴ ORS 537.010(5) applies to surface water and ground water permits.

Start of Construction [OAR 690-315-0080(1)(b)]

8. Actual construction of the two wells began in June 1979 which was prior to the October 28, 1999 deadline specified in the permit.

Duration of Extension [OAR 690-315-0080(1)(c) and (1)(d)]

Under OAR 690-315-0080(1)(c), (d), in order to approve an extension of time for quasi-municipal water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.

9. The remaining work to be accomplished under Permit G-13521 consists of construction of a new water treatment plant, expanding the groundwater pumping groundwater recharge and recharge recovery system, and completing construction of the water system and applying water to full beneficial use.
10. As of March 26, 2008, the permit holder has appropriated 24.6 AF/year of water authorized under Permit G-13521 for quasi-municipal purposes.
11. The District holds the following water rights for use of a total of 124.85 AF/year and 0.02 cfs of water from Mountain Springs Reservoir as follows:
- 3.0 AF/year of water under T-6287 (Permit S-30517) for domestic and commercial use and livestock watering *[storage of water from Gooseneck Creek, a tributary of Mill Creek, authorized under T-6287 (Permit R-4592)]*;
 - 60.85 AF/year of water under T-6287 (Permit S-31865) for domestic and commercial use and livestock watering *[storage of water from Gooseneck Creek, a tributary of Mill Creek, authorized under T-6287 (Permit R-4840)]*;
 - 0.02 cfs of water under T-6291 (Permit S-37623) for domestic and commercial use and livestock watering *[storage of 6 AF/year of water from Gooseneck Creek, a tributary of Mill Creek, authorized under T-6291 (Permit R-6100)]*; and
 - 61.0 AF/year of water under Permit S-53238 for quasi-municipal use *[storage of water from Gooseneck Creek, a tributary of Mill Creek, authorized under Permit R-12221]*).
12. The District also holds a surface water right for use of water from Gooseneck Creek, a tributary of Mill Creek, as follows:
- 0.21 cfs of water under T-6287 (Permit S-28946) for domestic and commercial use and livestock watering.
13. The District holds the following two groundwater rights:
- Permit G-8748 for use of 300 gallons per minute (0.67 cfs) of water from Well 1 and Well 2, within the Gooseneck Creek Basin. The permit allows 200 gpm (0.45 cfs) of water from Well 1 and 100 gpm (0.22 cfs) from Well 2 for quasi-municipal use, including domestic and commercial use and livestock watering.

- Permit G-13521 for use of 61.0 AF/year of artificially recharged groundwater from Well 1 and Well 2 for quasi-municipal use [*storage of recharged groundwater from Gooseneck Creek (at a rate not to exceed 75 gpm, and only from October 1 through May 31), authorized under Permit S-51165*]. The use of water under Permit G-13521 is limited to any deficiency in the available supply of any prior right existing for the same land.
14. In summary, the Districts water rights total 124.85 AF/year of water from Mountain Springs Reservoir and 0.9 cfs of water, being 0.02 cfs from Mountain Springs Reservoir, 0.21 cfs of live flow (surface water) from Gooseneck Creek, and 0.67 cfs of groundwater. The District also has use of 61 AF/year from an artificially recharged groundwater system, limited to any deficiency in the available supply of any prior right existing for the same land.
 15. The District has made beneficial use of 0.57 cfs, being 0.18 cfs under T-6287 (Permit S-28946), and 0.39 cfs of groundwater under Permit G-8748, being 0.33 cfs from Well 1 and 0.06 cfs from Well 2. Under Permit G-8748, the District has an undeveloped portion of 0.28 cfs, being 0.12 cfs from Well 1 and 0.16 cfs from Well 2. The 0.02 cfs of water under T-6291 (Permit S-37623) is not currently being used.
 16. The District has also made beneficial use of 63.85 AF/year of water, being 3 AF/year from Mountain Springs Reservoir under T-6287 (Permit S-30517), and 60.85 AF/year from Mountain Springs Reservoir under T-6287 (Permit S-31865). Within the artificially recharged groundwater system, the District has diverted water at 75 gpm from Gooseneck Creek for the storage of 61.0 AF/year under Permit S-51165, and appropriated 24.6 AF/year of water authorized under Permit G-13521 for quasi-municipal purposes.
 17. The District has not stored any water in Mountain Springs Reservoir under Permit R-12221 and has not made any use of water from Mountain Springs Reservoir authorized under Permit S-53238.
 18. According to the District, as of March 26, 2008, they utilized a peak demand of 64 AF/year of water, and have a total of 299 service connections.
 19. According to the District, in 2007, the population within the service boundary of Buell-Red Prairie Water District was 748. The District anticipates reaching an estimated population of 1580 by the year 2046, and estimates population growth to increase at a rate of 1.36 percent per year beyond the year 2040. This calculates to an estimated population of 1737 by the year 2053.
 20. Based on the District's projected peak demand of 130 AF/year by the year 2046, their projected peak demand calculates to 142 AF/year of water by the year 2053; they expect to increase their service connections to a total of 632.

21. Full development of Permit G-13521 is needed to meet the present and future water

demands of Buell-Red Prairie Water District, including system redundancy and emergency use.

22. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2053, to accomplish the application of water to beneficial use under the terms of Permit G-13521 is both reasonable and necessary.

Good Cause [OAR 690-315-0080(1)(e) and (3)(a-g) and (4)]

The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0080(3).

Reasonable Diligence and Good Faith of the Appropriator [OAR 690-315-0080(3)(a), (3)(c) and (4)]

Reasonable diligence and good faith of the appropriator must be demonstrated during the permit period or prior extension period as a part of evaluating good cause in determining whether or not to grant an extension. In determining the reasonable diligence and good faith of a quasi-municipal water use permit holder, the Department shall consider activities associated with the development of the right including, but not limited to, the items set forth under OAR 690-315-0080(4) and shall evaluate how well the applicant met the conditions of the permit or conditions of a prior extension period.

23. Actual construction of the two wells began in June 1979 which was prior to the October 28, 1999 deadline specified in the permit.
24. Prior to October 28, 1998, the following work was accomplished by the District:
- Wells 1 and 2 were completed,
 - five steel water reservoirs were installed,
 - 36 miles of distribution pipe were installed,
 - 49 service connections were added to the water system, and
 - the District received approval of a 1997 Water Management and Conservation Plan (WMCP).
25. During the permit development period, being October 28, 1998 to October 1, 2003, no new work was accomplished; however, according to the District, recharged water has been recovered under Permit G-13521 each year.
26. Since the October 1, 2003, the District has accomplished the following work:
- replaced the pump for Well 1 and reconditioned Well 1.
27. As of March 26, 2008, the permit holder has invested \$2,278,288, which is approximately 53 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$2,000,000 investment is needed for the completion of this project.

28. Since the issuance of Permit G-13521 on October 28, 1998, 24.6 AF/year of water has been appropriated for beneficial quasi-municipal purposes under the terms of this permit.
29. The Department has considered the permit holder's compliance with conditions, and did not identify any concerns.

Cost to Appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0080(3)(b)]

30. As of March 26, 2008, the permit holder has invested \$2,278,288, which is approximately 53 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$2,000,000 investment is needed for the completion of this project.

The Market and Present Demands for Water [OAR 690-315-0080(3)(d)]

31. As described in Findings 10 through 21 above, Buell-Red Prairie Water District has indicated, and the Department finds that the District must rely on water authorized under Permit G-13521 to meet current and future demands.
32. The Buell-Red Prairie Water District projects an average population increase that calculates to 1.9 percent per year over the next thirty-nine years, being the years 2007 to 2046, followed by a 1.3 percent per year increase to 2053. The District expects to more than double their current number of service connections.
33. Given the current water supply situation of Buell-Red Prairie Water District, including current and expected demands, the need for system redundancy, and emergency water supply, there is a market and present demand for the water to be supplied under Permit G-13521.
34. The Department has determined, for the purposes of this permit extension that the permit holder of G-13521 is not subject to OAR 690-315-0090 because the District serves a population less than 1000. Therefore, Buell-Red Prairie Water District is not required to submit a WMCP consistent with OAR Chapter 690, Division 86 as a condition of this permit extension. However, upon approval of the District's 1997 WMCP, the Department required Buell-Red Prairie Water District to submit a plan update if after July 28, 1998: (1) the District requires an additional source of water, (2) service connections exceed 300, (3) there is a concurrent need for a System Master Plan (if required by the Health Division), or (4) the District is absorbed by another entity.

Fair Return Upon Investment [OAR 690-315-0080(3)(e)]

35. Use and income from the permitted water development project would result in reasonable returns upon the investment made in the project to date.

Other Governmental Requirements [OAR 690-315-0080(3)(f)]

36. Delays caused by any other governmental requirements in the development of this project have not been identified.

Events which Delayed Development under the Permit [OAR 690-315-0080(3)(g)]

37. According to Buell-Red Prairie Water District, delay of development under Permit G-13521 was due, in part, to the size and scope of the quasi-municipal water system, which was designed to be phased in over a period of years.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and completely apply water to the full beneficial use pursuant to ORS 537.630(1).
2. The applicant has submitted a complete extension application form and the fee specified under ORS 536.050(1)(k), as required by OAR 690-315-0080(1)(a).
3. The applicant demonstrated that actual construction on the project began within the time specified in the permit, as required by OAR 690-315-0080(1)(b).
4. The time requested to apply water to full beneficial use is reasonable, as required by OAR 690-315-0080(1)(c).
5. Full application of water to beneficial use can be completed by October 1, 2053⁵ pursuant to OAR 690-315-0080(1)(d).
6. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and the fair return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the water right permit holder had no control, and the Department has determined that the permit holder has shown good cause for an extension of time to apply the water to full beneficial use pursuant to OAR 690-315-0080(1)(e).
7. In accordance with OAR 690-315-0090(4-5), and as described in Finding 34 above, the Department has determined that the permit holder of G-13521 is not subject to OAR 690-315-0090(3). Buell-Red Prairie Water District is not required to submit a WMCP consistent with OAR Chapter 690, Division 86 as a condition of this extension. The District is required to submit a WMCP update if certain criteria specified in the July 28, 1998 WMCP approval letter from OWRD are met.

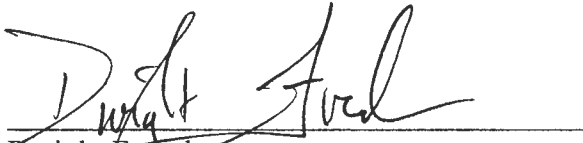
⁵ Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use.

Proposed Order

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

Extend the time to apply the water to beneficial use under Permit G-13521 from October 1, 2003 to October 1, 2053.

DATED: June 10, 2008


Dwight French
Administrator
Water Rights and Adjudications Division

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **July 25, 2008**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The protest fee required under ORS 536.050, if petitioner is other than the water right permit holder.

3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
 - a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a protest has been submitted, and:
 - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

-
- If you have any questions about statements contained in this document, please contact Ann Reece at 503-986-0827.
 - If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Patricia McCarty at 503-986-0820.
 - If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0801.
 - Address any correspondence to: Water Rights and Adjudications Division
725 Summer St NE, Suite A
Salem, OR 97301-1266
Fax: 503-986-0901
-

Mailing List for Extension PFO Copies

PFO Date: June 10, 2008

Application G-12608

Permit G-13521

Original mailed to Applicant:

Buell-Red Prairie Water District
Attn: Mark Millikan
PO Box 367
Sheridan, OR 97378

Copies Mailed
By: <u>MS</u> (SUPPORT STAFF)
on: <u>6/10/08</u> (DATE)

Copies sent to:

1. WRD - App. File G- 12608 / Permit G-13521
2. ~~WRD - Watermaster District 16 - Mike McCord~~
3. Paul Eckley, 579 Juntura Court SE, Salem, OR 97302 (representative of BRPWD)

Fee paid as specified under ORS 536.050 to receive copy:

4. None

Receiving via e-mail (10 AM Tuesday of signature date)

5. PFO: WRD - Watermaster District 16 - Mike McCord, Salem
Done by MS Date 6-10-08

CASEWORKER: ALR

Municipal or Quasi-Municipal

Extension PFO Checklist for Water Use Permits

issued on or prior to November 2, 1998

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

Application: G- 12608 Permit: G- 13521 Permit Amendment? No ☒ Yes ☐ T- _____

Permit Holder's Name: Buell Red Prairie Water District

Permit Holder's Mailing Address: PO Box 367, Sheridan OR 97378 / Attn Mark Millikan

Phone Number: 503-364-8199 (for Paul Eckley, representative)

POD Location: Township 6S Range 7W Section 35 $\frac{1}{4}$ NESE, NWSE

Drainage Basin: 2 County: Polk Watermaster District: 16 Watermaster: Mike McCord

Date Permit was issued: 10/28/1998

Priority Date: 7/12/1991

Date of PN: 4/8/2008

Source: Artificially Recharged Groundwater stored under Permit S-51165 diverted from two wells within Gooseneck Creek Basin

Use: ☐ Municipal ☒ Quasi Municipal _____

"Q": 61.0 AF per year

Orig "A" Date: 10/28/1999

Orig "B" Date: 10/1/

Orig "C" Date: 10/1/2003

Extension
request rec'd: 3/26/2008

Last Authorized
"B" Date: 10/1/

Last Authorized
"C" Date: 10/1/2003

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

Proposed
"B" Date: 10/1/

Proposed
C Date: 10/1/2053

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
☒	☐	A-date met; construction began June 1979
☒	☐	install meter prior to water use
☒	☐	record withdrawals from wells, measure and report water levels annually, submit annual recharge water reports (reports are filed in file S-66101)
☒	☐	maximum annual diversion shall not exceed 61.0 acre-feet
☐	☐	

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

Yes No

- ☒ ☐ Work was accomplished within the time allowed in the permit or previous extension
- ☒ ☐ Water right permit holder conformed with the permit or previous extension conditions
- ☒ ☐ Beneficial use made of the water during the permit or previous extension time limits
 - Permit holder has beneficially used 24.6 ☐ cfs ☐ gpm ☒ af Undeveloped portion 36.4 ☐ cfs ☐ gpm ☒ af
- ☒ ☐ Financial investments were made toward developing the beneficial water use.
 - Amount Invested to date: \$29,538 Estimated Remaining Cost: \$2,000,000 53%
+ 2,248,750 (see 6-308 update) = 2,278,288

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

As of Population Projected
Population 748 (Year) 2007 ☒ Growth 1.9/1.36 after 2046% ☒ Population 1,737 by (Year) 2053 Calculated? Yes ☒

As of Projected
Peak Demand 64 AF/year cfs (Year) 2007 ☒ Peak Demand 142 AF/year cfs by (Year) 2053 Calculated? Yes ☒

Application: G- 12608 Permit: G- 13521 Township 6S Range 7W Section 35

For MUNICIPAL permits ONLY.

Yes No

- ☐ ☒ Is this a Municipal use Permit (If YES, proceed. If NO, skip to "Good Cause")
☐ ☐ Has full "Q" been beneficially used? (If YES, skip to "Good Cause")
☐ ☐ Is this the first extension issued since 6/29/05? (If NO, skip to "Good Cause")
☐ ☐ If GW permit, does it have PSI? (If NO, skip to "Good Cause")
☐ ☐ Does the permit holder have any existing fish protection agreements with a state or federal agency?

Date sent to ODFW for review _____

Date returned from ODFW _____

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

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

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

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

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

- ☐ Max "Q" Development Limitations and Div. 86 Water Management and Conservation Plan
☐ Other:

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

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

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

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

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

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

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

NOTES:

cc: Paul Eckley, Representative, 579 Juntura Court SE, Salem, OR 97302

Extension "PFO" Dates

Mailing / Issuance Date: _____ Protest Deadline Date: _____

Reviewer's Name: _____ Date: _____

Application # G-12608

Permit # G-13521

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

◆ **WRIG...**

Money Received on: 3-26-08

◆ **Kim French...**

☒ Added to tracking spreadsheet

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

◆ **Jonnine Skaug...**

☒ Publish on Public Notice (initial 30-day comment): Date of notice 4/8/08 JIS

☒ Update WRIS Database

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

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

Return to Ann



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

April 8, 2008

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Rights Section has received your application for an extension of time for **APPLICATION FILE # G-12608 (PERMIT # G-13521)**. Your application will be reviewed in the near future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

If you have questions concerning your extension of time application, please contact Ann Reece at (503) 986-0827. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's Internet home page at: "**www.wrd.state.or.us**".

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **91880**

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

INVOICE # _____

RECEIVED FROM: **BUELL-RED PRAIRIE**
BY: **WATER DISTRICT**

APPLICATION: **See below**
PERMIT: _____
TRANSFER: _____

CASH: ☐ CHECK: # **5287** OTHER: (IDENTIFY) _____

\$ **1750.00**

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES **PLA 46111** RECEIVED
OTHER: (IDENTIFY) **OVER THE COUNTER**

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

MISCELLANEOUS
0407 COPY & TAPE FEES **6- 9326 = 350.00**
0410 RESEARCH FEES **6- 12608 = 350.00**
0408 MISC REVENUE: (IDENTIFY) **2- 71755 = 350.00**
TC162 DEPOSIT LIAB. (IDENTIFY) **5- 66101 = 350.00**
0240 EXTENSION OF TIME **5- 71756 = 350.00**
\$1750.00

WATER RIGHTS:
0201 SURFACE WATER
0203 GROUND WATER
0205 TRANSFER
WELL CONSTRUCTION
0218 WELL DRILL CONSTRUCTOR
LANDOWNER'S PERMIT
OTHER (IDENTIFY) _____

EXAM FEE	RECORD FEE
\$	\$
\$	\$
\$	\$

EXAM FEE	LICENSE FEE
\$	\$
\$	\$

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$
0210 MONITORING WELLS \$
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 / BOX

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

RECEIPT: **91880**

DATED: **3/26/08** BY: **[Signature]**

68748 - Well 1 Reports



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

Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

A separate extension application must be submitted for each permit as per OAR 690-315-0070(2). This page, with an original signature by the permit holder of record, must accompany any application for extension of time.

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

I, Buell Red Prairie Water District Mark Millikan
NAME OF PERMIT HOLDER [OAR 690-315-0070(1) and (3)(a)] NAME OF CONTACT

P.O. Box 367 Sheridan Oregon 97378
ADDRESS CITY STATE ZIP

PHONE E-MAIL ADDRESS

the permit holder of: Application Number G - 12608

Permit Number G - 13521
[OAR 690-315-0070(3)(b)]

do hereby request that the time in which to:

☒ complete construction (of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water), which time now expires on October 1, 1999,
be extended to October 1, 2049.

and/or the time in which to:

☒ apply water to full beneficial use under the terms and conditions of the permit, which time now expires on October 1, 2003, be extended to October 1, 2053.

I am the permittee, or have written authorization from the permittee, to apply for an extension of time under this permit. I certify that the information I have provided in this application is true and correct to the best of my knowledge.

Mark Millikan
Signature

March 11, 2008
Date

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MAR 26 2008

[OAR 690-315-0070(3)]

WATER RESOURCES DEPT
SALEM, OREGON

March 25, 2008

Oregon Water Resources Department
725 Summer Street NE
Salem, OR 97301

**RE: WATER RIGHT TIME EXTENSIONS FOR
BUELL RED PRAIRIE WATER DISTRICT**

The Buell Red Prairie Water District desires to extend its five water rights. A check in the amount of \$1,750 is enclosed.

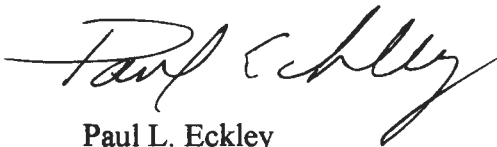
The District has a total of twelve water rights. A claim of beneficial use was filed for the seven most senior rights in 1997. The COBU determined that the District was properly utilizing the water in these rights and could claim beneficial use.

These time extensions are for the future. The District's service population should double over the next 40 to 50 years. The District's water use should also double over this same time period.

The District desires to provide this additional water with a combination of groundwater and surface water sources. So, the District needs these water rights extended in order to properly provide this future water supply.

Please contact me with any questions about these time extensions.

Sincerely,



Paul L. Eckley
579 Juntura Court SE
Salem, OR 97302
(503) 364-8199
pauleckley@comcast.net

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MAR 26 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

1. Submit the appropriate extension of time fee (\$350), as specified under ORS 536.050.

If the extension application fee has already been paid, please provide indicate why and when it was paid. *The statute for this fee may be viewed at www.leg.state.or.us/ors/536.html.*

A check for \$350 is enclosed.

[OAR 690-315-0070(3)(c)]

2. For Quasi-Municipal water use permit holders, provide evidence of the actions taken to begin actual construction on the project if required under the applicable statute. All Quasi-Municipal permits issued prior to October 23, 1999, are generally required to begin actual construction within one (1) year.

Preferred Format for Item 2:

Begin Date 1979 Construction of Wells #1 and #2 began.
(month/year) (details)

Permit #G-13521 was for the purpose of pumping water back out of the ground which was recharged under Permit #S-51165. The District's intent was to pump the recharge water back out of the ground using two wells constructed under Permit # G-8748. These wells were drilled in 1979.

[OAR 690-315-0070(3)(d)]

3. For Municipal water use permits issued on or after June 29, 2005, evidence of the actions taken to begin actual construction on the project.

N/A

[OAR 690-315-0070(3)(e)]

4. Provide evidence of actions taken to develop the water right permit within the permitted time period and/or the time period of the previous extension.

Preferred Format for Item 4: Answer in conjunction with Item 8

(Use these headings and fill in details in chronological order on separate sheet(s) of paper.)

INSERT DATES	ALL WORK AND ACTIONS ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List work/actions done before the permitted was issued – eg. Well drilled.</i>	COST ¹
June 1979	Wells #1 and #2 drilled.	Unk.
INSERT DATES	ALL WORK AND ACTIONS ACCOMPLISHED DURING PERMITTED TIME PERIOD (after permit was issued and prior to permit "C-date") <i>List work/actions done during the permitted time period.</i>	COST
10/28/98	The permit was signed - find date above signature on last page of permit.	Unk.
10/28/99	The permit specified "Actual Construction Work" shall begin ("A-Date") -not all permits contain this date.	

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WATER RESOURCES DEPT
SALEM, OREGON

10/1/03	The permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date.	
INSERT DATES	ALL WORK AND ACTIONS ACCOMPLISHED AFTER PERMIT "C-Date" and PRIOR TO ANY EXTENSION OF TIME REQUEST <i>For the 1st Application for Extension of Time: List work/actions done after the permit "C-date" up to the date of this extension request.</i> <i>For Other than the 1st Application for Extension of Time: List any work/actions done after the permit C-Date but prior to the most recent extension.</i>	COST
	Water recharged under Permit #S-51165 has been recovered under this permit each year.	
INSERT DATES	ALL WORK AND ACTIONS ACCOMPLISHED DURING THE MOST RECENT EXTENSION OF TIME GRANTED <i>For Other than 1st Application for Extension of Time: List any work/actions done during the time period most recent extension.</i>	COST
10/1/___	"Extended To" date for complete application of water resulting from the most recent extension of time.	
	N/A	
10/1/___	Last "Extended From Date" for complete application of water resulting from the most recent extension of time	
INSERT DATES	ALL WORK AND ACTIONS ACCOMPLISHED AFTER THE MOST RECENT EXTENSION OF TIME GRANTED <i>List work/actions done after the last authorized date for complete application of water has passed.</i>	COST
	N/A	
Total Cost to Date		

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WATER RESOURCES DEPT
SALEM, OREGON

¹ In combination with Item 8

[OAR 690-315-0070(3)(f)]

5. Provide evidence of compliance with conditions contained in the original permit, and any previous extension(s), or the reason the condition was not satisfied.

Conditions requiring a written response in the extension of time application include those which:

- A. Stipulate a specific date by which the permit holder was to accomplish a specific action, such as a condition that requires plans and specifications for a reservoir, a Water Management and Conservation Plan, a groundwater monitoring plan or some other document which "...shall be submitted...within two years of permit issuance." If your permit requires submittal of a Water Conservation and Management Plan, please indicate the date the plan was submitted to or approved by OWRD, or whether it is still being drafted, etc.;
- and/or
- B. Are triggered by the use of water, but do not stipulate a specific date. These conditions represent a milestone in development of the project and use of water, such as the

Buell-Red Prairie Water District

Water Use Report Summary (Gallons)

Work Sheet
5-14-08

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Total Well 1
	184800	197600	0	401800	366100	479600	53300	184500	38100	311300	45500	245500	2508100
	902200	50500	628000	385100	30700	161000	39600	227700	102300	55000	336200	293700	7890400
	829700	214500	343900	350500	664900	342500	297000	0	673200	148500	416400	397300	9328600
	95500	635400	531000	0	0	616500	182100	23300	168400	256500	1311800	829700	6532600
	306900	238900	266300	0	0	0	299000	128400	23800	44200	486100	88800	6796200
	284700	282300	269800	393000	116100	307400	233900	141600	287100	250600	1155700	1191600	9544200
	1064300	859200	449200	154900	397300	239600	12400	213700	337100	74000	378800	449900	9823000
	977500	456900	182800	595800	170100	264600	432300	378300	420900	686400	393800	233200	11661600
	160800	390700	1242000	0	618900	942300	597800	150700	89200	421300	1309200	546100	6469000
													Total Well 2
	37700	97400	156200	0	120500	183300	31300	30400	61500	103100	92600	120500	1034500
	38600	0	207300	137500	0	43100	87000	147000	93900	0	75400	0	829800
	162000	58300	126000	132400	25500	154600	126100	189600	188800	134100	120400	144200	1562000
	19400	156600	116300	0	0	58500	25800	13200	77300	132900	473400	162000	1235400
	200200	186200	66400	0	0	0	80100	54700	3500	15300	147000	28500	781900
	173200	117400	241900	241400	154800	143000	802000	146000	290900	309400	496600	363100	3479700
	453300	400400	144100	142600	169500	182500	10100	115300	305200	226700	352900	233100	2735700
	397800	269200	79300	145600	99400	82500	241500	83700	145800	3131900	183700	144500	5004900
	67700	68900	24100	0	175100	189100	0	79900	75200	131800	387300	447900	1647000

Total Well 1	Total Well 2	Total Both Wells
2508100	1034500	3542600
7890400	829800	8720200
9328600	1562000	10890600
6532600	1235400	7768000
6796200	781900	7578100
9544200	3479700	13023900
9823000	2735700	12558700
11661600	5004900	16666500
6469000	1647000	8116000

	AF Total Well 1	AF Total Well 2	AF Total Both Wells
2005 G	7.7	3.17	10.87
2004 G	24.2	2.5	26.7
2003 G	28.6	4.8	33.4
2002 G	20	3.8	23.8
2001 G	20.8	2.4	23.2
2000 G	29.3	10.6	39.9
1999 G	30.1	8.4	38.5
1998 G	35.8	15.3	51.1
1997 G	19.8	5.1	24.9

Well 1
Jan 2000 - Dec 2000 4,476,100

Well 2
Jan 2000 - Dec 2000 3,400,000

→ highest volume during permitted time period
Dec 1999 - Nov 2000 3,519,000

→ precedes permitted time period (Oct 97 - Sept 98)

Wells 1 + 2 pumped 39.9 AF in 2000.

IN GALLONS
13,023,900 less 5,000,000 "native water" = 8,023,900 = 24.6 AF of water used under Permit G-13521 in 2000.
(Total Well water) (recovered water)

permit holder, "shall install...a water meter or other suitable measuring device approved by the Director...before any use of water begins." Another common condition triggered by the use of water is that; "fish screens are to be installed according to Oregon Department of Fish and Wildlife specifications."

The permit requires reports be filed with the Water Resources Department each year which summary recharge, storage and withdrawal activity under this permit. The District has filed these reports.

[OAR 690-315-0070(3)(g)]

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

The maximum instantaneous rate, or duty if applicable, must be based upon at least a continuous 4-hour period of beneficial water use, and reported in the same units of measurement as specified on the permit, being cfs (cubic feet per second), gpm (gallons per minute), or AF (acre-feet – usually only specified on a reservoir right to store water). *Do not provide daily, monthly or annual water volume totals.*

Preferred Format for Item 6:

Acre Feet "rate of use" to date= 14 AF; which is less than the 61 acre-feet allowed under this permit.

→ 24.6 (see 5-14-08 worksheet)

[OAR 690-315-0070(3)(h)]

7. **Provide an estimate of the population served under this permit and a description of the methodology(ies) used to make the estimate.**

Estimate the current population that is supplied water by the municipality or quasi-municipality and if applicable, current population served under this permit. Describe how that estimate was derived, or cite the source document from which the data was obtained. Include any calculations, formulas, supporting documentation, including copies of source documents.

The 2007 estimated population is 748 as shown on page 9 of the 2007 Water Rights Report.

[OAR 690-315-0070(3)(i)]

8. **Provide a description of the financial expenditures made toward completion of the water development under this permit.**

Provide a list that describes all major work and actions accomplished from the date this permit was issued up to the time this extension application is prepared. Include dates the work was accomplished, the cost of each development component listed, and the total cost of all work described.

Preferred Format for Item 8: Answer in conjunction with Item 4

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**WATER RESOURCES DEPT
SALEM, OREGON**

DATE	WORK OR ACTIONS ACCOMPLISHED	COST
	Operate and Maintain Wells #1 and #2. Well #1 worked on 2 years ago (new pump and reconditioning).	\$29,538
Total Cost		\$29,538

[OAR 690-315-0070(3)(j)]

9. Provide an estimate of the cost necessary to complete the water development.

Provide your best estimate of the total remaining financial investment necessary to complete construction of the system and/or apply water to full beneficial use. Include a list that briefly describes the major future components or actions needed, the approximate time frames, and estimated costs anticipated to complete the water development within the parameters of this permit.

Preferred Format for Item 9: Answer in conjunction with Item 12

APPROXIMATE DATE RANGE (projected)	WORK AND ACTIONS TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
2010	The new water treatment plant is to be online by the year 2010, which will then allow the District to recharge more water.	\$2 Million
2020 – 2030	Expand groundwater recovery system.	Unknown.
Total Cost		\$2 Million

[OAR 690-315-0070(3)(k)]

10. Provide a summary of any events that delayed completion of the water development or application of water to full beneficial use, including other governmental requirements (if any), relating to the project that have significantly delayed completion of construction or perfection of the right.

N/A

[OAR 690-315-0070(3)(l)]

11-A. Provide an estimated demand projection and a description of the methodology(ies) used for the subject water right permit, considering the other water rights held by the municipal or quasi-municipal water use permit holder, and a date by which the water development is anticipated to be completed and water put to full beneficial use.

In developing your estimated demand projections for the permit being extended, you should include the following items:

- a) Inventory of Water Rights Held

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**WATER RESOURCES DEPT
SALEM, OREGON**

List all water rights held, including this permit, currently held by the permit holder. Use the format shown in "Attachment A"(see last page of this Application for Extension of Time). A link to the Water Rights Information System (WRIS), accessed through OWRD's website at <http://www.wrd.state.or.us> may be a helpful source for compiling this information.

Use the "Use Limitations" column to identify and explain why any water right is not currently utilized to meet current peak water demands, or which is used only in a limited capacity.

See 2007 Report.

b) Water Supply Contracts and/or Agreements

List any water supply contracts or agreements for water that will be supplied by the permit holder to other entities. List any water supply contracts or agreements for water that will be supplied from other entities that the permit holder will depend on to meet its own current or anticipated future water needs.

The District has an intertie with Grand Ronde Water.

c) Current Peak Water Demands

Identify the total rate, or duty if applicable, of water being used to meet the current peak demands for water from all water rights held by the municipal or quasi-municipal entity. This must be reported in the same units of measurement as specified in the permits, being cfs (cubic feet per second), gpm (gallons per minute), and/or AF (acre-feet – usually only specified on a reservoir right to store water). This total rate should be based on the information provided on "Attachment A" in the column named "*Max Amount of Beneficial Water Used to Date*" (under Item 11-A (a)).

See 2007 Report.

d) Projected Population

Identify the projected population growth rate. The population projection must be extended out, at a minimum, to the year requested for complete application of water. Describe the methodology used to create the population projections such as historical growth rates or any factors affecting growth trends.

By the year 2053, the District should have slightly more than 632 service connections, and a population of 1,580.

e) Future Peak Water Demands

Identify the projected peak water. The peak water demand projection must be extended out, at a minimum, to the year requested for complete application of water. Describe the methodology used to create the water demand projection, such as historical growth rates or any factors affecting growth trends. Include a summary of how the subject permit, and other water rights and /or supply contracts held by the permit holder are planned or expected to be used to meet anticipated future water needs.

By 2053, the District should have an annual water demand of 128 acre-feet.

f) Potential Growth

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**WATER RESOURCES DEPT
SALEM, OREGON**

Describe the potential for growth of the service area (such as the annexation of lands or new industrial and/or commercial ventures locating within the service area) and describe how those projects are expected to affect future water demands.

The growth of the District is expected to follow the growth rates for Polk County determined by Portland State University.

g) Completion Date

Provide the date by which the water development is anticipated to be completed and water put to full beneficial use.

The water should be put to full beneficial use by October 1, 2053.

[OAR 690-315-0070(3)(l)]

- 11-B. Application for Extension of Time requests for greater than 50 years must include documentation that the demand projection is consistent with the amount and types of lands and uses proposed to be served by the permit holder.**

Show that permit holder's potential for future growth and expansion is feasible and consistent with the amounts and types of lands and uses proposed to be served. Information that may be addressed includes, but is not limited to: land use plan(s); current service area(s) in relation to the urban growth boundary; amounts of lands currently un-served and available for future development; and/or low-density vs. high-density areas.

N/A

[OAR 690-315-0070(3)(m)]

- 12. Provide a summary of the future plan and schedule to complete construction and/or perfect the water right.**

Considering the demand projections in Item 11-A, describe major future work and actions that must be accomplished in order to fully develop and perfect the subject permit. Provide a list of the planning, work and/or actions that must occur, and give an approximate date range by which that work or action is expected to be accomplished. The review of a Capital Improvement Plan (CIP) or other system infrastructure improvement plan may help when formulating a response.

Preferred Format for Item 12: Answered in conjunction with Item 9

APPROXIMATE DATE RANGE	WORK AND ACTIONS TO BE ACCOMPLISHED	ESTIMATED COST ¹
By 2010	Construct new surface water treatment plant.	\$2 Million
2020 – 2030	Expand groundwater recovery system.	Unknown.
Total Cost		\$2 Million

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SALEM, OREGON

¹ In combination with Item 8

Describe the potential for growth of the service area (such as the annexation of lands or new industrial and/or commercial ventures locating within the service area) and describe how those projects are expected to affect future water demands.

The growth of the District is expected to follow the growth rates for Polk County determined by Portland State University.

g) Completion Date

Provide the date by which the water development is anticipated to be completed and water put to full beneficial use.

The water should be put to full beneficial use by October 1, 2053.

[OAR 690-315-0070(3)(l)]

- 11-B. Application for Extension of Time requests for greater than 50 years must include documentation that the demand projection is consistent with the amount and types of lands and uses proposed to be served by the permit holder.**

Show that permit holder's potential for future growth and expansion is feasible and consistent with the amounts and types of lands and uses proposed to be served. Information that may be addressed includes, but is not limited to: land use plan(s); current service area(s) in relation to the urban growth boundary; amounts of lands currently un-served and available for future development; and/or low-density vs. high-density areas.

N/A

[OAR 690-315-0070(3)(m)]

- 12. Provide a summary of the future plan and schedule to complete construction and/or perfect the water right.**

Considering the demand projections in Item 11-A, describe major future work and actions that must be accomplished in order to fully develop and perfect the subject permit. Provide a list of the planning, work and/or actions that must occur, and give an approximate date range by which that work or action is expected to be accomplished. The review of a Capital Improvement Plan (CIP) or other system infrastructure improvement plan may help when formulating a response.

Preferred Format for Item 12: Answered in conjunction with Item 9

APPROXIMATE DATE RANGE	WORK AND ACTIONS TO BE ACCOMPLISHED	ESTIMATED COST ¹
By 2011	Construct new surface water treatment plant.	\$2 Million
2020 – 2030	Expand groundwater recovery system.	Unknown.
Total Cost		\$2 Million

¹ In combination with Item 8

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13. Justify the time requested to complete the project and/or apply the water to full beneficial use.

A justification should integrate information from Items 9, 10, 11-A, 11-B, and 12 of this application, and should include any other information or evidence to establish that the requested amount of time is reasonable, and that you will be able to complete the project within the amount of time requested.

The District plans to first construct a new water treatment plant and to have the plant in service by the year 2010. This is estimated to cost \$2 million.

Then, the District wants to expand the groundwater pumping, groundwater recharge and recharge recovery system. This work is currently estimated to take place between 2020 and 2030.

14. Provide any other information you wish OWRD to consider while evaluating the Application for Extension of Time

15. For Municipal water use permits issued before November 2, 1998, for the first extension issued after June 29, 2005, provide a copy of any agreements regarding use of the undeveloped portion of the permit between the permit holder and a federal or state agency that include conditions or required actions that maintain the persistence of listed fish species in the portions of the waterways affected by water use under the permit.

N/A

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**WATER RESOURCES DEPT
SALEM, OREGON**

THIS PERMIT IS HEREBY ISSUED TO

BUELL RED PRAIRIE WATER DISTRICT
6430 RED PRAIRIE ROAD
SHERIDAN, OREGON 97378

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

APPLICATION FILE NUMBER: G-12608

(SOURCE OF WATER: ARTIFICIALLY RECHARGED GROUNDWATER STORED UNDER PERMIT
51165 DIVERTED FROM TWO WELLS IN GOOSENECK CREEK BASIN)

PURPOSE OR USE: QUASI-MUNICIPAL

RATE OF USE: (61.0 ACRE-FEET PER YEAR) =

PERIOD OF ALLOWED USE: YEAR ROUND

DATE OF PRIORITY: JULY 12, 1991

POINT OF DIVERSION LOCATION: NE 1/4 SE 1/4, NW 1/4 SE 1/4, SECTION 35,
T6S, R7W, W.M.; WELL 2 - 2050 FEET NORTH & 480 FEET WEST; WELL 1- 1600
FEET NORTH & 1400 FEET WEST BOTH FROM SE CORNER OF SECTION 35

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4

SE 1/4

SECTION 32

SW 1/4

SE 1/4

SECTION 33

TOWNSHIP 5 SOUTH, RANGE 6 WEST, W.M.

SW 1/4

SECTION 34

TOWNSHIP 5 SOUTH, RANGE 6 WEST, W.M.

NW 1/4

SW 1/4

SECTION 3

ALL

SECTION 4

ALL

SECTION 5

ALL

SECTION 8

Application G-12608 Water Resources Department

PERMIT G-13521

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WATER RESOURCES DEPT
SALEM, OREGON

SECTION 10

NW 1/4

SW 1/4

SECTION 13

ALL

SECTION 14

ALL

SECTION 15

ALL

SECTION 16

ALL

SECTION 17

ALL

SECTION 18

ALL

SECTION 19

ALL

SECTION 20

ALL

SECTION 21

ALL

SECTION 22

ALL

SECTION 23

NW 1/4

SW 1/4

SECTION 24

ALL

SECTION 27

ALL

SECTION 28

ALL

SECTION 29

ALL

SECTION 30

ALL

SECTION 31

ALL

SECTION 32

ALL

SECTION 33

ALL

SECTION 34

ALL

SECTION 35

TOWNSHIP 6 SOUTH, RANGE 6 WEST, W.M.

ALL

SECTION 13

Application G-12608

Water Resources Department

PERMIT G-13521

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WATER RESOURCES DEPT
SALEM, OREGON

SECTION 25
ALL
SECTION 35
ALL
SECTION 36
TOWNSHIP 6 SOUTH, RANGE 7 WEST, W.M.

ALL
SECTION 4
NE 1/4
SECTION 8
NE 1/4
NW 1/4
SECTION 9
TOWNSHIP 7 SOUTH, RANGE 6 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.
- 1. This right is limited to any deficiency in the available supply of any prior right existing for the same land.
 - 2. Meters: The permittee shall meter all withdrawals from wells covered by this permit and keep records and reports as described below.
 - 3. Water level monitoring: Once each year between April 1 and June 1, the permittee shall measure, to one foot accuracy, and record the depth to water below land surface in both wells.

Application G-12608 Water Resources Department

PERMIT G-13521

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5. Target water levels in key wells: Permit 51165 designates two existing wells as key wells in the water level monitoring program. As determined between April 1 and June 1 of each year, actual water levels at these wells shall be compared to the target levels to determine allowable use as indicated under the allowable use of stored water condition. Key wells and associated target levels are:

Target Levels

(feet below Land Surface Datum)

<u>Well Location</u>	<u>Common Name</u>	<u>Upper</u>	<u>Lower</u>
T6S/R7W-35db	Buell-Red Prairie #1	25	125
T6S/R7W-35dc	Recharge Well	0	50

6. Estimated data: When metered or measured data are missing in whole or in part, the Director may make estimates from available data. Those estimates shall be reasonable and, where a range of uncertainty exists, conservatively low on water delivered to the place of recharge and conservatively high on withdrawals of stored water.
7. Records, inspections: The permittee shall keep accurate and current records of metered values, water levels and other pertinent information. The Director may inspect the records and works covered by this permit upon reasonable notice and at any reasonable time.
8. **Annual report:** The permittee shall keep accurate and current records for the recharge water year beginning June 1 and ending May 31 and submit an annual withdrawal report to the Director by June 15 of each year. The withdrawal report shall note total withdrawals, recently measured and dated water levels at each well, and other data pertinent to the storage account during the recharge year.
9. Allowable use of stored water: The availability of recharge water shall be determined on the basis of secondary groundwater rights and the allowable use of stored recharge water. The allowable use of stored recharge water falls into three categories. For ease of reference, these categories are named as the following color zones:
 - A. **Green Zone:** If water levels at key wells are above the upper target level, use is allowed up to the maximum of the storage account or maximum duty, whichever is lower. These target levels are noted in item 15.
 - B. **Red Zone:** If recent water levels as determined between April 1 and June 1 at the two keys wells are below the lower target

Application G-12608

Water Resources Department

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SALEM, OREGON**

C. Yellow Zone: If neither Green Zone or Red Zone water levels prevail, use is allowed up to 80 percent of the recharge volume for the preceding 12 months.

10. Condition changes: If the Director has reason to believe that the well(s) is not with-drawing artificially recharged groundwater or there are other substantial groundwater concerns, the permittee shall cease withdrawal upon notice from the Director. No further withdrawal shall be made until measures to prevent, correct or monitor the situation have been agreed to and implemented.
11. Permit assignment: A potential assignee shall prove, to the Director's satisfaction, the financial capability to construct uncompleted portions of, and operate, the project authorized by the permit.

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.

Application G-12608 Water Resources Department

PERMIT G-13521

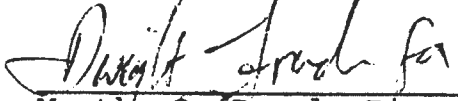
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Actual construction of the well shall begin by October 28, 1999. Complete application of water to the use shall be made on or before October 1, 2003. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued October 23, 1998



Martha O. Pagel, Director
Water Resources Department

Application G-12608
Basin 02
RWK

Water Resources Department
Volume 11A
GOOSENECK CREEK & MISC.

PERMIT G-13521
District 16

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WATER RESOURCES DEPT
SALEM, OREGON

Paul L. Eckley

579 Juntura Court SE
Salem, OR 97302
503-364-8199
pauleckley@comcast.net

Buell Red Prairie Water District

2007 Water Rights Report

Updated March 25th, 2008

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**WATER RESOURCES DEPT
SALEM, OREGON**

Buell Red Prairie Water District; Water Rights Report

The purpose of this report is to update the report prepared on October 22, 2007, for the Buell Red Prairie Water District and make recommendations to the District.

Background on District:

The Buell Red Prairie Water District provides potable water service to 299 service connections.

Water Rights History:

A summary of the twelve water rights for the Buell Red Prairie Water District is found on the following table.

Ref#	Application#	Permit#	Priority Date	Point of Diversion(POD)	Original Cert #	Transfer Order #	Use of Water
1	S38861	S28946	6/28/63	GOOSENECK CREEK > MILL CREEK	40054	T6287	Domestic, Commercial & Livestock Watering
2	R41412	R4592	9/21/65	GOOSENECK CREEK > MILL CREEK	40055	T6287	Domestic, Commercial & Livestock Watering
3	S41422	S30517	9/23/65	RESERVOIR > GOOSENECK CREEK	40056	T6287	Domestic, Commercial & Livestock Watering
4	R43211	R4840	1/19/67	GOOSENECK CREEK > YAMHILL RIVER	41646	T6287	Domestic, Commercial & Livestock Watering
5	S43212	S31865	1/19/67	MT SPRINGS RANCH RESERVOIR > GOOSENECK CREEK	41647	T6287	Domestic, Commercial & Livestock Watering
6	R50051	R6100	2/16/73	GOOSENECK CREEK > MILL CREEK	47083	T6291	Domestic, Commercial & Livestock Watering
7	S50052	S37623	2/16/73	GOOSENECK CREEK/RESERVOIR > MILL CREEK	47084	T6291	Domestic, Commercial & Livestock Watering
8	G9326	G8748	7/23/79	Well #1 and Well #2	N/A	N/A	QUASI-MUNICIPAL USES
9	S66101	S51165	6/8/84	GOOSENECK CREEK > MILL CREEK	N/A	N/A	GROUND WATER RECHARGE (Primary)
10	G12608	G13521	7/12/91	Well #1 and Well #2	N/A	N/A	QUASI-MUNICIPAL USES (Supplemental)
11	R71755	R12221	7/12/91	GOOSENECK CREEK/MOUNTAIN SPRING RESERVOIR	N/A	N/A	QUASI-MUNICIPAL USES (Primary)
12	S71756	S53238	7/12/91	MTN SPRINGS RESERVOIR > GOOSENECK CREEK	N/A	N/A	QUASI-MUNICIPAL

The original seven water rights were in the name of the Propes. Transfer applications were filed to transfer the ownership to the District and the two transfer orders were approved by the Oregon Water Resources Department in 1989. The earliest priority date is 1963, over 44 years ago. The water rights are to; 1) use water from Gooseneck Creek; 2) store water from Gooseneck Creek in the reservoir; 3) use the stored water; 4) use groundwater wells; 5) recharge the groundwater aquifer with surface water; and finally 6) use the stored water from the aquifer.

Detailed Water Right Information:

S28946 - This is the original water right, which was certificated for 0.5 cubic feet per second (cfs), but later transferred at the rate of 0.21 cfs.

R4592 – This right is to store 3 acre-feet of water from Gooseneck Creek in the reservoir.

S30517 – This right is to use the 3 acre-feet of water stored under R4592.

R4840 – This right is to store 60.85 acre-feet of water from Gooseneck Creek in the reservoir.

S31865 – This right is to use the 60.85 acre-feet of water stored under R4840.

R6100 – This right is to store 6 acre-feet of water from Gooseneck Creek in the reservoir.

S37623 – This right is to use the 6 acre-feet of stored water under R6100.

A Claim of Beneficial Use (COBA) was filed on behalf of the District on September 30, 1997, for Transfers T-6287 and T-6291. This covers the seven preceding water rights. No action has been taken by WRD on these Claims.

G8748 – This is the right for the two wells operated by the District.

S51165 – This right allows the District to recharge water into the groundwater aquifer.

G13521 – This right is to use 61 acre-feet of recharged water.

R12221 – This right was for enlarging the reservoir and storing an additional 61 acre-feet of water each year.

S53238 – This right was to use the water stored under R12221.

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SALEM, OREGON**

The following table summarizes detailed information on the District's water rights. The "C" date (completion date) is the date by which completion of the water right was to take place and when the right should have been certificated, or completed. All twelve water right "C" dates are in the past, however, the WRD shows all twelve rights as "NC", which means "not cancelled". This "NC" status is the best standing which WRD will show for any water right, other than for rights which have been cancelled.

Ref#	Permit#	Priority Date#	POD	Original Cert #	Transfer Order #	Quantity	C Date	Status
1	S28946	6/28/63	GOOSENECK CREEK > MILL CREEK	40054	T6287	0.21 cfs	10/1/1996	NC
2	R4592	9/21/65	GOOSENECK CREEK > MILL CREEK	40055	T6287	3 af storage	10/1/1996	NC
3	S30517	9/23/65	RESERVOIR > GOOSENECK CREEK	40056	T6287	3 af of stored water	10/1/1996	NC
4	R4840	1/19/67	GOOSENECK CREEK > YAMHILL RIVER	41646	T6287	60.85 af storage	10/1/1996	NC
5	S31865	1/19/67	MT SPRINGS RANCH RESERVOIR > GOOSENECK CREEK	41647	T6287	60.85 af of stored water	10/1/1996	NC
6	R6100	2/16/73	GOOSENECK CREEK > MILL CREEK	47083	T6291	6 af storage	10/1/1996	NC
7	S37623	2/16/73	GOOSENECK CREEK/RESERVOIR > MILL CREEK	47084	T6291	0.02 cfs	10/1/1996	NC
8	G8748	7/23/79	Well #1 and Well #2	N/A	N/A	300 gallons per minute (gpm)	10/1/1996	NC
9	S51165	6/8/84	GOOSENECK CREEK > MILL CREEK	N/A	N/A	75 gpm, nte 61 af/yr	10/1/1999	NC
10	G13521	7/12/91	Well #1 and Well #2	N/A	N/A	61 af/year	10/1/2003	NC
11	R12221	7/12/91	GOOSENECK CREEK/MOUNTAIN SPRING RESERVOIR	N/A	N/A	61 af/year	10/1/2001	NC
12	S53238	7/12/91	MTN SPRINGS RESERVOIR > GOOSENECK CREEK	N/A	N/A	61 af/year	10/1/2001	NC

Historical Water Use:

The following table summarizes water use of the District for the last three years and is based on information supplied by and reviewed with Mr. Mark Lyon. See Appendix A for the detailed records.

Buell Red Prairie Water District							
Total Usage Stats by Calendar Year							
			Gooseneck Creek Source			Total to	Total
Date	Well #1	Well #2	System	Recharge	Total	Users	Pumped
2005							
TOTAL (gallons)	3,429,400	1,126,900	15,310,700	5,371,100	20,681,800	19,867,000	24,811,800
AVERAGE (gallons per day)	9,396	3,087	41,947	14,715	56,662	54,430	67,978
AVERAGE (gallons per minute)	7	2	29	10	39	38	47
TOTAL (acre-feet)	11	3	47	16	63	61	76
2006							
TOTAL (gallons)	2,840,495	605,200	15,372,700	5,535,000	20,907,700	18,818,395	24,353,395
AVERAGE (gpd)	7,782	1,658	42,117	15,164	57,281	51,557	66,722
AVERAGE (gpm)	5	1	29	11	40	36	46
TOTAL (af)	9	2	47	17	64	58	75
2007 (to date)							
TOTAL (gallons)	2,130,665	-	11,729,900	4,159,600	15,889,500	13,860,565	18,020,165
AVERAGE (gpd)	7,805	-	42,967	15,237	58,203	50,771	66,008
AVERAGE (gpm)	5	-	30	11	40	35	46
TOTAL (af)	7	-	36	13	49	43	55

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March 25, 2008

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**WATER RESOURCES DEPT
SALEM, OREGON**

Comparison of Actual Water Use and Water Rights:

Historical water use summary:

Maximum capacity of existing treatment plant = 80 gallons per minute (gpm).
 Well #1 maximum capacity = up to 150 gpm.
 Well #2 maximum capacity = 25 gpm.
 Maximum recharge rate = 40 gpm.
 Maximum annual withdrawal volume from Gooseneck Creek = 64 acre-feet (2006).
 Maximum annual recharge volume = 17 acre-feet (2006).
 Maximum annual recharge recovery volume = 14 acre-feet (2005).

Future Water Plans:

Maximum new water treatment plant capacity = 120 gallons per minute.
 Maximum planned aquifer recharge rate = 75 gpm.
 The following table compares actual water use with the use allowed by the various water rights.

Ref#	Permit#	Priority Date	Original Cert #	Transfer Order #	Quantity Per Right	C Date	Actual Use
1	S28946	6/28/63	40054	T6287	0.21 cfs	10/1/1996	80 gpm = 0.18 cfs
2	R4592	9/21/65	40055	T6287	3 af storage	10/1/1996	3 acre-feet
3	S30517	9/23/65	40056	T6287	3 af of stored water	10/1/1996	3 acre-feet
4	R4840	1/19/67	41646	T6287	60.85 af storage	10/1/1996	60.85 acre-feet
5	S31865	1/19/67	41647	T6287	60.85 af of stored water	10/1/1996	60.85 acre-feet
6	R6100	2/16/73	47083	T6291	6 af storage	10/1/1996	0.15 acre-feet
7	S37623	2/16/73	47084	T6291	0.02 cfs	10/1/1996	Not Used
8	G8748	7/23/79	N/A	N/A	300 gpm	10/1/1996	150+25=175 gpm
9	S51165	6/8/84	N/A	N/A	75 gpm, nte 61 af/yr	10/1/1999	40 gpm, 17 af/yr
10	G13521	7/12/91	N/A	N/A	61 af/year	10/1/2003	14 af/year
11	R12221	7/12/91	N/A	N/A	61 af/year	10/1/2001	Not Used
12	S53238	7/12/91	N/A	N/A	61 af/year	10/1/2001	Not Used

Summary of November 19th, 2007, meeting with the Oregon Water Resources Department:

A meeting was held with WRD staff on November 19, 2007. Mark Millikan, Julien Verheyden, and Paul Eckley met first with Gerry Clark of WRD and later with both Kim French and Ann Reece. It was discovered at the meeting that Claims of Beneficial Use forms were filed with the Oregon Water Resources Department on September 30, 1997 for Transfers T-6287 and T-6291. However, the Department has taken no action on the Claims to date. The District does not need to take any further action on these transfers at this time.

We were also told at the meeting that the Department currently has no backlog for processing water right extensions for Quasi-Municipal water uses, which includes the Buell Red Prairie Water District. It appears from the meeting with WRD staff that 1) the Claims of Beneficial Use filings are in the hands of WRD and they will eventually process them; and 2) the District should file for time extensions on the remaining five water rights (the most junior water rights for the District).

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**WATER RESOURCES DEPT
SALEM, OREGON**

Updated Recommendations:

The recommendations now include:

- 1) Allow the Claims of Beneficial Use filed in 1997 to move through the WRD process; and
- 2) File extension requests for the remaining water rights.

This is shown in the following table.

	Permit	Priority Date	Original Cert #	Transfer Order #	Quantity	C Date (Oct 1 st)	Actual Use	Recommendation
1	S28946	6/28/63	40054	T6287	0.21 cfs	1996	N/A	COBU filed 1997
2	R4592	9/21/65	40055	T6287	3 af storage	1996	N/A	COBU filed 1997
3	S30517	9/23/65	40056	T6287	3 af of stored water	1996	N/A	COBU filed 1997
4	R4840	1/19/67	41646	T6287	60.85 af storage	1996	N/A	COBU filed 1997
5	S31865	1/19/67	41647	T6287	60.85 af of stored water	1996	N/A	COBU filed 1997
6	R6100	2/16/73	47083	T6291	6 af storage	1996	N/A	COBU filed 1997
7	S37623	2/16/73	47084	T6291	0.02 cfs	1996	N/A	COBU filed 1997
8	G8748	7/23/79	N/A		300 gpm	1996	150+25=175 gpm	File Time Extension
9	S51165	6/8/84			75 gpm, nte 61 af/yr	1999	40 gpm, 17 af/yr	File Time Extension
10	G13521	7/12/91			61 af/year	2003	14 af/yr.	File Time Extension
11	R12221	7/12/91			61 af/year	2001	None	File Time Extension
12	S53238	7/12/91			61 af/year	2001	None	File Time Extension

Time Extension Recommendations:

The Oregon Administrative Rules for "Water Right Permit Extensions" are found in OAR Division 315. At our November 19th, 2007, meeting with WRD staff, they indicated that water right permit extension requests for Quasi-municipal water use permit holders would go through a somewhat simplified process if:

- 1) the service population is less than 1000, and
- 2) the requested time extension period is no more than 50 years.

The current service population can be estimated from the number of service connections and the estimated number of people living at each connection. For BRPWD, the number of service connections is 299. Using 2.5 persons per connection yields a service population of 748. Using 3.0 persons per connection yields a service population of 897. Both of these numbers are well below the 1000 service population threshold.

The time period requested in the extension is the one from the date at which water right is currently extended to the date the applicant believes, and can demonstrate, the water will be put to full beneficial use. For the five permits in question for BRPWD, the current extension dates range from 1996 to 2003.

For the District's three water rights related to 1) the groundwater wells (G8748), 2) recharging the wells (S51165), and 3) using the stored recharged water (G13521), the District can set its own schedule for developing the unused portion of these rights. This schedule can then be used to justify the requested extension date or dates. The district is planning to improve both recharge rates and withdrawal rates after the completion of the new water treatment plant. The District may want to request a longer time period to allow them time to fully test and incrementally increase groundwater storage and recovery. This could be as much as 40 to 50 years.

The District's two most junior water rights (R12221 and S53238) are to allow storing and using an additional 61 acre-feet of water from the reservoir. The permits for these water rights imply the District planned to eventually expand the reservoir to gain additional storage capacity. Since the District's customers (299 service connections) are currently using approximately 64 acre-feet of water each year, it can be estimated how long it may take the District to utilize the additional 61 acre-feet of water from growth.

Population growth projection numbers for Polk County have been prepared by Portland State University, and one could assume the District would grow at the same rate each year. Using this approach, the following table shows that the number of service connections in the District could slightly more than double by the year 2045. Assuming

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March 25, 2008

MAR 26 2008

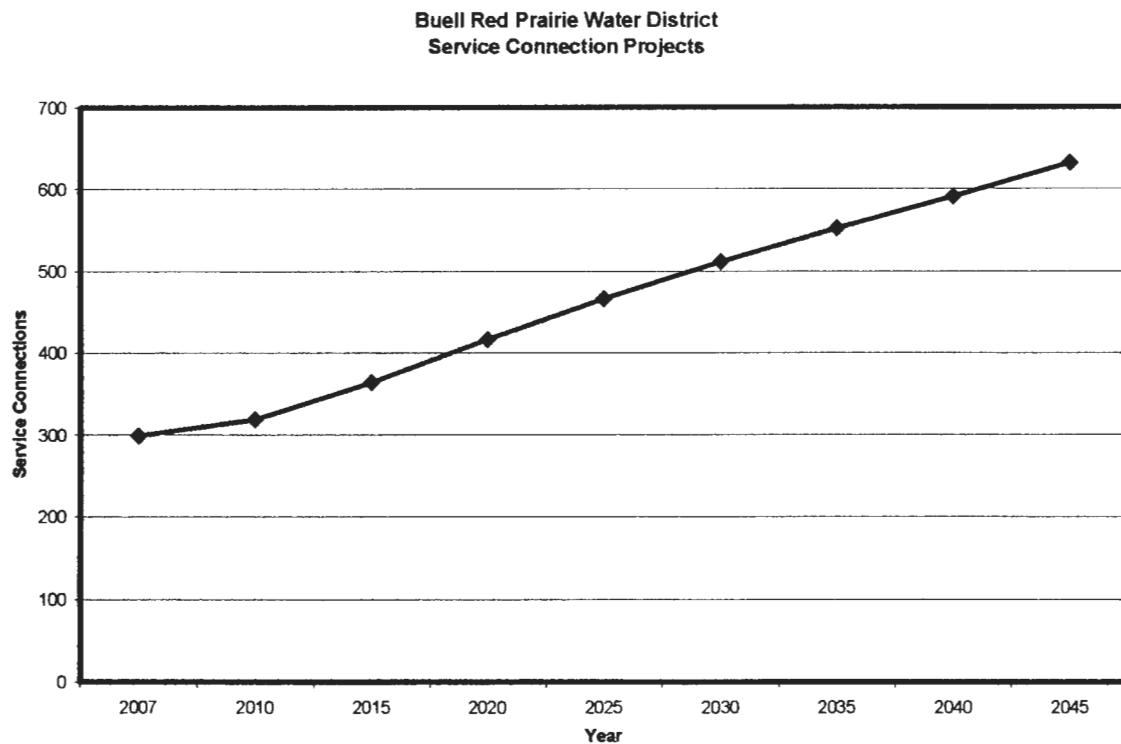
Page 9 of 15

**WATER RESOURCES DEPT
SALEM, OREGON**

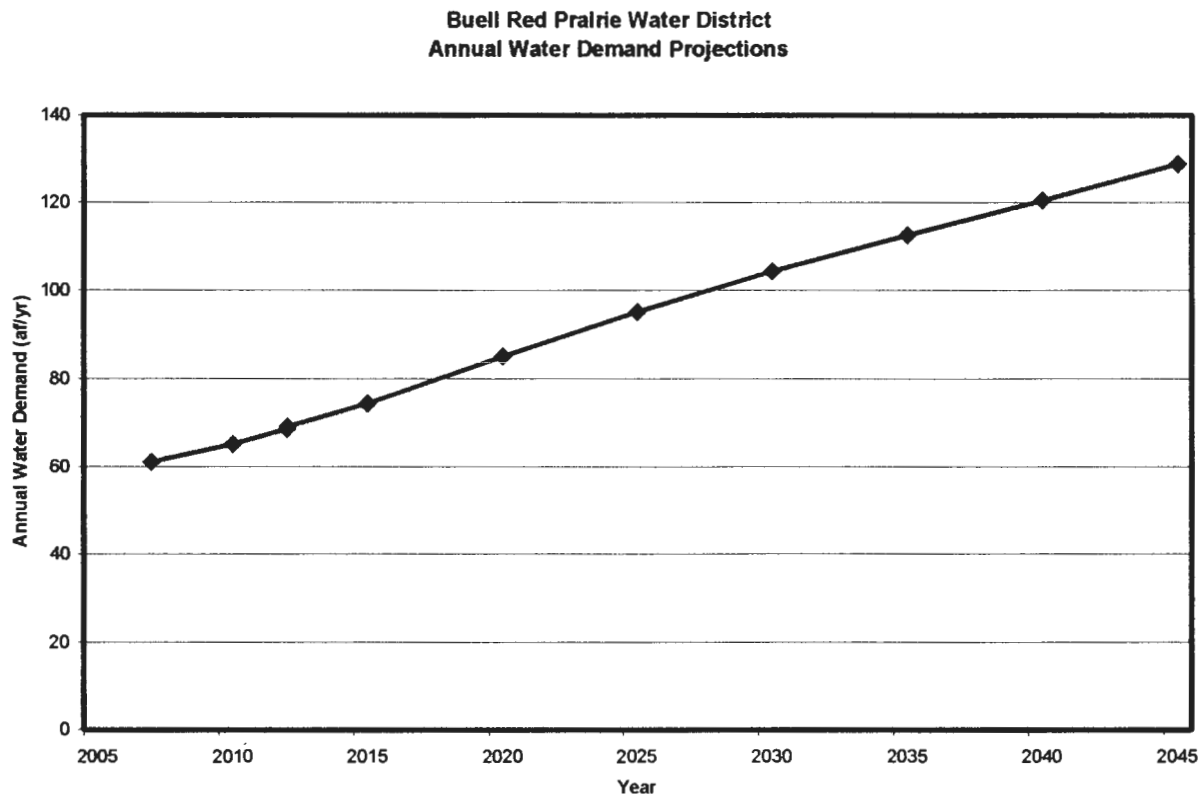
the average use of water per service connection remains the same each year, the District could use this approach to justify the need for the additional 61 acre-feet of water, and request a 44 year time extension (2045 minus 2001, the current extension date). It should be noted that the PSU projections only go to the year 2040, and so to calculate the projections beyond 2040, the last growth rate projection number (1.36%) was repeated. It should also be noted the District has a waiting list of potential customers. They have not been factored into this simple projection.

Growth Rate per Year (Polk County)		2.15%	2.69%	2.74%	2.28%	1.86%	1.55%	1.36%	1.36%
Growth Rate Years		2007-2010	2010-2015	2015-2020	2020-2025	2025-2030	2030-2035	2035-2040	2040-2045
Year	2007	2010	2015	2020	2025	2030	2035	2040	2045
Service Connections	299	319	364	417	466	511	552	591	632

This information is also shown in the following graph.



The following graph shows projected annual water demand for BRPWD. The projections are based on the same growth rates from Portland State University and the assumption that per capita (or per service connection) water demand will remain the same into the future. This shows that annual water demand will increase from approximately 61 acre-feet per year to approximately 130 acre-feet per year by the year 2045.

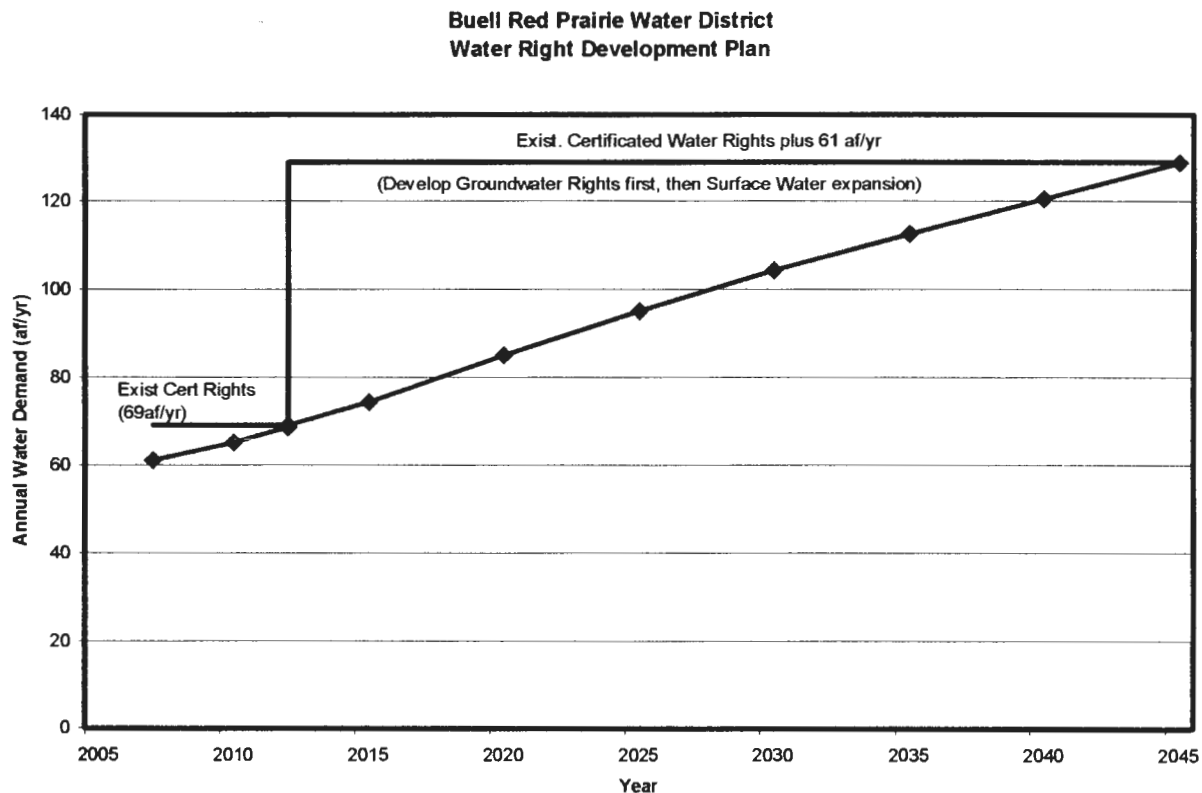


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**WATER RESOURCES DEPT
SALEM, OREGON**

This final graph shows the water right development plan for BRPWD. The existing seven water rights (which Claims of Beneficial Use (COBU) were filed in 1997), match up closely with existing annual water demand. The five water rights for which time extensions are being filed, will provide future water supply for BRPWD for the next 40 to 50 years.



APPENDIX A (Historical Water Usage Records):

Buell Red Prairie Water							
Total Usage Stats by Calendar Year							
			Gooseneck Creek Source			Total to	Total
Date	Well #1 (gal)	Well #2	System	Recharge	Total	Users	Pumped
1/31/2005	401,800	-	1,436,100	769,300	2,205,400	1,837,900	1,837,900
2/28/2005	366,100	120,500	867,600	1,083,700	1,951,300	1,354,200	1,354,200
3/31/2005	479,600	183,300	833,900	987,300	1,821,200	1,496,800	3,192,100
4/30/2005	53,300	31,300	1,361,300	1,048,400	2,409,700	1,445,900	1,445,900
5/31/2005	184,500	30,400	1,293,800	1,037,300	2,331,100	1,508,700	1,508,700
6/30/2005	38,100	61,500	1,971,300		1,971,300	2,070,900	2,954,600
7/31/2005	311,300	103,100	1,039,400		1,039,400	1,453,800	1,453,800
8/31/2005	45,500	92,600	1,599,000		1,599,000	1,737,100	1,737,100
9/30/2005	245,500	120,500	1,872,400		1,872,400	2,238,400	3,190,900
10/31/2005	287,400	129,300	1,086,900	-	1,086,900	1,503,600	1,503,600
11/30/2005	277,800	129,300	1,157,600	-	1,157,600	1,564,700	1,564,700
12/31/2005	738,500	125,100	791,400	445,100	1,236,500	1,655,000	3,068,300
2005							
TOTAL (gallons)	3,429,400	1,126,900	15,310,700	5,371,100	20,681,800	19,867,000	24,811,800
AVERAGE (gpd)	9,396	3,087	41,947	14,715	56,662	54,430	67,978
AVERAGE (gpm)	7	2	29	10	39	38	47
TOTAL (af)	11	3	47	16	63	61	76

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**WATER RESOURCES DEPT
SALEM, OREGON**

Buell Red Prairie Water District Water Rights Report

Date	Well #1	Well #2	Gooseneck Creek to System	Gooseneck Creek to Recharge	Total	Total to Users	Total Pumped
1/31/2006	371,800	130,100	909,000	387,300	1,296,300	1,410,900	1,798,200
2/28/2006	266,100	113,400	975,800	1,556,900	2,532,700	1,355,300	2,912,200
3/31/2006	220,500	87,700	1,488,300	1,035,500	2,523,800	1,796,500	2,832,000
4/30/2006	87,700	-	1,227,800	1,414,200	2,642,000	1,315,500	2,729,700
5/31/2006	241,600	-	1,256,100	773,600	2,029,700	1,497,700	2,271,300
6/30/2006	111,000	-	1,554,200		1,554,200	1,665,200	1,665,200
7/31/2006	331,700	78,000	1,724,800		1,724,800	2,134,500	2,134,500
8/31/2006	186,500	41,000	1,740,300		1,740,300	1,967,800	1,967,800
9/30/2006	444,800	23,800	1,549,000		1,549,000	2,017,600	2,017,600
10/31/2006	49,700	28,900	1,031,500	-	1,031,500	1,110,100	1,110,100
11/30/2006	280,670	102,300	922,200	-	922,200	1,305,170	1,305,170
12/31/2006	248,425	-	993,700	367,500	1,361,200	1,242,125	1,609,625
TOTAL (gallons)	2,840,495	605,200	15,372,700	5,535,000	20,907,700	18,818,395	24,353,395
AVERAGE (gpd)	7,782	1,658	42,117	15,164	57,281	51,557	66,722
AVERAGE (gpm)	5	1	29	11	40	36	46
TOTAL (af)	9	2	47	17	64	58	75

Buell Red Prairie Water District Water Rights Report

Date	Well #1	Well #2	Gooseneck Creek to System	Gooseneck Creek to Recharge	Total	Total to Users	Total Pumped
1/31/2007	761,250	-	870,000	421,800	1,291,800	1,631,250	2,053,050
2/28/2007	40,903	-	1,186,200	1,866,600	3,052,800	1,227,103	3,093,703
3/31/2007	142,211	-	1,279,900	957,800	2,237,700	1,422,111	2,379,911
4/30/2007	99,500	-	1,393,000	526,800	1,919,800	1,492,500	2,019,300
5/31/2007	-	-	1,651,000	386,600	2,037,600	1,651,000	2,037,600
6/30/2007	86,100	-	1,947,200		1,947,200	2,033,300	2,033,300
7/31/2007	213,000	-	1,970,400		1,970,400	2,183,400	2,183,400
8/31/2007	787,700	-	1,432,200		1,432,200	2,219,900	2,219,900
TOTAL (gallons)	2,130,665	-	11,729,900	4,159,600	15,889,500	13,860,565	18,020,165
AVERAGE (gpd)	7,805	-	42,967	15,237	58,203	50,771	66,008
AVERAGE (gpm)	5	-	30	11	40	35	46
TOTAL (af)	7	-	36	13	49	43	55

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**WATER RESOURCES DEPT
SALEM, OREGON**

Permit Extension Division 86 Plan Condition Review

Date: April 23, 2008

To: Bill Fujii, Field Services

From: Ann Reece, Permit Extension Review

Subject: WMCP review for Extensions of Time for Buell-Red Prairie Water District
App. G-9326 / Permit G 8748; App. G-12608 / Permit G-13521
App. S-66101 / Permit S-51165 App. S-71756 / Permit S-53238
App. R-71755 / Permit R-12221

The above referenced permits are currently being reviewed for an Extension of Time. The permit holder serves a population of less than 1000, but is asking for extensions up to 50 years. In accordance with OAR 690-315-0090(4) and (5), the permit holder is not subject to submittal of a Water Management and Conservation Plan consistent with OAR Chapter 690, Division 86 unless, upon review of the criteria under OAR 690-315-0080(1) and (2), the Department determines submittal of a Plan is necessary.

Permit Information

Permit Holder Name Buell-Red Prairie Water District
and Mailing Address: PO Box 367
Sheridan, OR 97378

Source of Water and Rate:

In summary, the Districts water rights total 124.85 AF/year of water from Mountain Springs Ranch Reservoir and 0.9 cfs of water, being .02 cfs from Mountain Springs Ranch Reservoir, 0.21 cfs of live flow (surface water) from Gooseneck Creek, and 0.67 cfs of groundwater. The District also has supplemental use of 61 AF/year from an artificially recharged groundwater system.

POD Locations: SESW, NESE, NWSE, 35, T6S, R7W

Purpose or Use: Quasi-Municipal

Current Population Served: 748

Future Population to be Served: 1725 by year 2051

Future Peak Demand: 64 AF

Future Peak Demand 125AF/year

Requested Duration of Extension:

App. G-9326 / Permit G-8748 :	50 years – to 10/1/2046
App. G-12608 / Permit G-13521	50 years – to 10/1/2053
App. S-66101 / Permit S-51165	50 years – to 10/1/2049
App. S-71756 / Permit S-53238	50 years – to 10/1/2051
App. R-71755 / Permit R-12221	50 years – to 10/1/2051 (only 10 years allowed under ORS 537.248)

STEP 1: Please choose one of the following options :

1. No Water Management and Conservation Plan (WMCP) required; **or**
(If you choose Option 1, go to "STEP 3" below.)
2. WMCP required within ____ years.
[Being not more than 3 years from the date of issuance of a final order for extension of time, in accordance with OAR 690-315-0090(3).]]; **or**
(If you choose Option 2, see "STEP 2" below.)
3. Other*: Please remind them of Conditional WMCP Approval
(**NOTE to FS staff:** Other recommendations may be forwarded with the approval of the Field Services Administrator. [See OAR 690-315-0090(4) and (5)])
(If you choose Option 3, see "STEP 2" below.)

STEP 2: If you choose Options 2 or 3 above:

- a. To the best of your ability, the requirement for submittal of a Div. 86 WMCP should coincide with other due dates already in the Muni Plan Access Database; **and**
- b. You should provide an explanation that justifies your determination to require a Div. 86 WMCP. The explanation justifying your determination should be expressed in a manner consistent with the Finding of Fact language below. This Finding of Fact language will be included in the Extension of Time Proposed Final Order document.

Finding of Fact Language for Extension of Time Proposed Final Order

In accordance with OAR 690-315-0090(4) and/or (5), the Department has determined that, based upon _____, the permit holder shall be subject to OAR 690-315-0090(3) requiring submittal of a new/revised Water Management and Conservation Plan consistent with OAR Chapter 690, Division 86. The required Water Management and Conservation Plan shall be submitted to the Department within ____ years from the date this extension is final.

Justification language: _____

STEP 3: Sign, Date and Return to Extension Staff:

Reviewer's Signature: <u>Wm H B</u>	Date: <u>4/23/04</u>
-------------------------------------	----------------------



Oregon

John A. Kitzhaber, M.D., Governor

File G-12608

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

July 28, 1998

Mark Lyon, Manager
Buell Red Prairie Water District
6430 Red Prairie Road
Sheridan, Oregon 97378

Re: Approval of Water Management and Conservation Plan - Permit S-51165

Dear Mr. Lyon:

Congratulations on completion of the Water Management and Conservation Plan for the Buell Red Prairie Water District. We approve of your plan and believe it will be useful to you for years to come. Thank you for your cooperation in the preparation and implementation of it.

This plan meets the guidelines established by our rules as submitted with no additional conditions. A plan update will not be required unless: 1) the District requires an additional source of water; 2) service connections exceed 300; 3) there is a concurrent need for a System Master Plan (if required by Health Division); or 4) the District is absorbed by another entity.

Again, thank you for all your efforts and hard work. If you have any questions regarding this matter please feel free to contact Bill Fujii of our staff at 378-8455, ext. 254.

Sincerely,

Martha O. Pagel
Director

c: Tom Paul
Bill Ferber
Dick Bailey
Water Right Permit #S-51165

BEFORE THE BOARD OF COMMISSIONERS
FOR POLK COUNTY, OREGON

In the matter of creation of the)
Buell Red Prairie Water District)

ORDER NO. 92-39

Whereas, by Order No. 92-35, dated November 16, 1992, the Board of Commissioners approved the petition for formation of the Buell Red Prairie Water District as modified, with boundaries as described in Appendix "A" thereto and as depicted on a map which constituted Appendix "B" thereto, both of which were incorporated into such Order by reference; and

Whereas, by such Order the Board scheduled a final public hearing on the petition as modified to be held at 9 a.m. on December 2, 1992, including within such Order information on the filing of written requests for an election on creation of the district; and

Whereas, the Board caused notice of the time and place of the final public hearing to be posted and published pursuant to ORS 198.730, and as a courtesy not required by law mailed copies of such Order to the owners of property within such district; and

Whereas, at 9 a.m. on December 2, 1992, the Board convened the final public hearing in the Polk County Courthouse, as announced in the posted and published notices, and received testimony from all in attendance but did not receive any written requests for an election on the question of creating the district; and

Whereas, at the conclusion of the public hearing a majority of the members of the Board, Commissioner Propes abstaining because of the possibility of a perceived conflict of interest, found no reason to recede from their findings set out in Order No. 92-35, nor to reconsider their conclusion pursuant to ORS 198.805 that the area embraced within the boundaries of the proposed district, as modified, will be benefitted by formation of the district; now, therefore,

IT IS ORDERED:

(1) In accordance with ORS 198.820, no requests for an election on the question having been received by the Board and creation of a tax base not having been requested, the Buell Red Prairie Water District hereby is declared created. Such district shall function as a domestic water supply district under ORS Chapter 264 and shall have boundaries as described in Order No. 92-35 until such boundaries are modified as prescribed by law.

POLK COUNTY COUNSEL
Polk County Courthouse - Dallas, Oregon 97338
Telephone: 623-8173

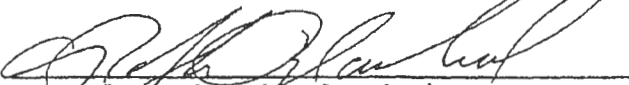
1 (2) In accordance with ORS 198.825 an election is ordered for
2 the purpose of electing the first members of the district board.
3 In accordance with ORS 255.345 such election shall be held on the
4 fourth Tuesday in March 1993.

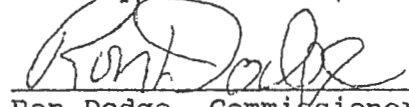
5 (3) In accordance with ORS 198.845 such district shall
6 reimburse Polk County for its expenses in making necessary
7 preliminary engineering studies and surveys in connection with the
8 formation of such district, including but not limited to expenses
9 incurred by the County Assessor in modifying boundaries as
10 described in the petitions for formation.

11 (4) The Recording Secretary of the Board shall transmit
12 copies of this Order to the County Assessor, the County Treasurer,
13 Yamhill County, the Division of Audits of the Secretary of State's
14 office, the Oregon Ethics Commission and the chief sponsor of the
15 petitions for formation.

16 Dallas, Oregon, December 9, 1992.

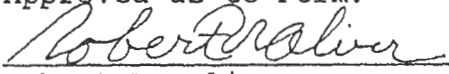
POLK COUNTY BOARD OF COMMISSIONERS


C. Ralph Blanchard, Chairman


Ron Dodge, Commissioner

abstained
Mike Propes, Commissioner

17 Approved as to Form:

18 
19 Robert W. Oliver
20 County Counsel

Memorandum

To: FILE - App. G-9326 / Permit G-8748;
App. S-71756 / Permit S-53238
App. G-12608 / Permit G-13521
App. R-71755 / Permit R-12221

From: Ann Reece

Date: May 13, 2008

Re: Work notes for Estimated Population /Demand Projections for Buell-Red
Prairie Water District (BRPWD)

BRPWD 3/26/2008 Extension Materials provide a "2007 Water Rights Report."

- On Page 9: BRPWD estimates the 2007 population @ 748 with 299 service connections and assumes 2.5 persons per connection.
- On Page 9: BRPWD reports that the 2007 demand for 299 connections is 64 acre feet (AF)/year
- On Page 10: BRPWD estimates 632 connections by the year 2045. At 2.5 persons per connection, the population estimate is 1580 in 2045. The population growth rate averages (calculates to) 1.9% per year from 2007 to 2045.
- On Page 10: BRPWD estimates a growth rate of 1.36 % per year beyond the year 2040.
- On Page 11: BRPWD estimates demand to reach 130 acre feet (AF) per year.

The following projections were calculated [CALC] based on the above information provided by BRPWD.

<u>Year</u>	<u>Population</u>	<u>Growth Rate</u>	<u>Demand</u>	<u>Connections</u>
2007	748		64 AF/year	299 (2.5 persons/connection)
2046*	1580	1.9 %/year [CALC]	130 AF/year	632 (2.5 persons/connection)
2051	1691 [CALC]	added 5 yrs at 1.36%	139 AF/Year [CALC]	
2053	1737 [CALC]	added 7 yrs at 1.36%	142 AF/Year [CALC]	

*used 2045 data for the extension that requested until 2046

Ann Reece

File G-12608

From: Ann Reece
Sent: Tuesday, June 03, 2008 8:06 AM
To: 'pauleckley@comcast.net'
Subject: RE: Estimated Costs for Permit #'s R12221 and S53238 - BRPWD

Paul,

Thanks for the cost information. I will update the extension applications accordingly.

Ann Reece
 Water Resources Department

From: pauleckley@comcast.net [mailto:pauleckley@comcast.net]
Sent: Monday, June 02, 2008 9:12 PM
To: Ann Reece
Subject: Estimated Costs for Permit #'s R12221 and S53238 - BRPWD

Ann: Finally returning cost information from the District you requested on Permit #'s R12221 and S53238. Information is in **bold** after each question.

Paul...

From: "Ann Reece" reeceal@wrdd.state.or.us

Paul, This is a summary of the work I show accomplished towards the development of this permit to date. Please provide an estimate of District's investment to date. Also, please let me know if I need to add or delete anything from this list.

- Mountain Springs Reservoir was constructed, **\$260,000**
- **five steel water reservoirs were installed, \$1.2 million**
- **36 miles of distribution pipe were installed; more than \$1,000,000**
- an intake pump and totalizing flow meter were installed, **The intake pump was installed prior to the purchase of the DE plant and was used for our pilot studies. Once the plant was installed we continued to use it. It's been replaced at least twice since 1992, the last time in September 2005 at a cost of \$3118.35. An electronic totalizing flow meter was installed as a part of the DE plant but, because of a design flaw, never worked properly. Mark Lyon installed a 2" mechanical flow meter on the system side of the plant and there is another meter at the entrance of the recharge well. Between the two the District can account for all the water taken from the lake.**

- a surface water treatment plant was constructed, and **\$140,000**
- **49 service connections were added to the water system between October 1, 1999 and October 1, 1996,**
Our cost to install a connection was \$750 per (parts & labor) in the period mentioned. That works out to 49 x \$750 = \$36,750.

- **1997 Water Management and Conservation Plan, \$12,000**

Additional
 investment
 costs to G-12608

6/4/2008

Ann Reece

File G-9326

File G-12608

From: pauleckley@comcast.net
Sent: Monday, April 28, 2008 8:34 PM
To: Ann Reece
Subject: Re: BRPPWD - Permit G-9326 Extension

Ann: I spoke with Mark Lyon today about your request. Yes, the District did add about 48 connections during that time period. Each new service does involve adding a new service line and meter.

Paul..

----- Original message -----

From: "Ann Reece" <reeceal@wrд.state.or.us>
Paul,

I still need to identify work accomplished during the last extension period, October 1, 1991 to October 1, 1996, for this particular permit.

According the District's 1997 WMCP, they had 299 service connections. On the last extension filed on Sept. 9, 1991 the District reported 251 service connections.

It seems reasonable that the District may have added up to 48 connections during the last extension period. Could you please verify this with the District?

Thanks.

Ann Reece
Extensions Specialist
Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301-1271
tele: 503-986-0827
fax: 503-986-0901

4/29/2008



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

January 6, 2003

BUELL RED PRAIRIE WATER DISTRICT
6430 RED PRAIRIE RD
SHERIDAN OR 97378

REFERENCE: Permit #G13521 (App File #G12608) and the Adoption of New Administrative Rules for Municipal and Quasi-Municipal Water Use Permit Extensions

Dear Municipal and/or Quasi-Municipal Water Use Permit Holder:

The Water Resources Commission has adopted new administrative rules that govern the processing of Municipal and Quasi-Municipal permit extension requests. The new rules are contained in the Oregon Administrative Rules Chapter 690, Division 315 (OAR 690-315-0070 through 690-315-0100). If you wish to view a copy of the new Chapter 690, Division 315 Extension Rules, you may access the document from the Department's web page at:

http://www.wrd.state.or.us/cgi-bin/notices.pl?new_oars

The new rules implement many changes to the extension process for municipal and quasi-municipal permit holders. One of the most significant changes is that an extension is linked to the requirement to develop a Water Management and Conservation Plan under OAR Chapter 690, Division 86.

In preparation for implementing the new extension rules, the Department has reviewed its records and determined that the authorized date for completion of development for your water use permit has passed and that neither a permit extension of time application, nor a claim of beneficial use and final proof survey map, have been received.

As a result of this review, your water use permit falls into one of the three following categories:

1. Development is Not Complete

If development of your water use permit is not finished, you must submit an application for extension of time to complete construction of the water system and/or complete beneficial use of water to the full extent of the permit. You may access the "Application for Extension of Time for Quasi-Municipal and Municipal Water Use Permits" on the Department's website at:

<http://www.wrd.state.or.us/publication/forms/index.shtml>



January 6, 2003
page two

2. Development is Complete and Final Proof Must be Submitted

If your water use permit was issued *after* July 9, 1987, and development of the permit is complete, you are required by law (ORS 537.230 and/or 537.630) to hire a certified water rights examiner to prepare and submit a claim of beneficial use and final proof survey map.

3. Development is Complete and Waiting for WRD to Conduct Final Proof Survey

If you applied for or received a permit ***on or before July 9, 1987***, and development of the permit is complete, you must notify the Department that the work has been completed and choose to either: (a) 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** (b) continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and the commission issues a water right certificate under ORS 537.250 or 537.625.

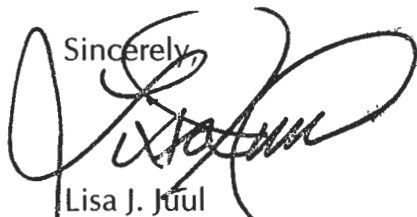
4. Permit is Not Needed and Wish to Authorize Cancellation

If you have determined that this permit is no longer needed and/or you have chosen not to pursue development of the permit, you may choose to authorize its cancellation. If you are interested in this option, please contact Jerry Sauter of our Department at extension 274 for the appropriate cancellation form.

Once you have determined which development category applies to your water use permit, please complete the enclosed "Quasi-Municipal/Municipal Water Use Permit Development Questionnaire" form and return it to my attention at the Water Resources Department by April 6, 2003.

If you would like the new rules or extension application forms sent to you by mail, or if have any questions, please feel free to contact me by telephone at 503-378-8455, extension 272.

Sincerely,



Lisa J. Juul
Water Rights Specialist
Water Rights Section

enclosure

cc: App File #G12608 (Permit #G13521)

Oregon Water Resources Department
Quasi-Municipal/Municipal Water Use Permit Development Questionnaire

Permit Holder: BUELL RED PRAIRIE WATER DISTRICT
Permit #G13521 Application File #G12608

Please indicate which of the following applies to the above referenced Quasi-Municipal or Municipal water use permit by checking the appropriate box:

1. The Permit is Ready for Final Proof and...

- ☐ a Claim of Beneficial Use and Final Proof Survey map will be prepared and submitted by a Certified Water Rights Examiner;

- OR -

- ☐ the Water Resources Department (WRD) has been notified that development of the permit is complete, and the permit holder is waiting for WRD to conduct the final proof survey.

2. Development of the Permit is Not Complete and...

- ☐ the permit holder will submit a permit extension of time application to **WRD no later than 90 days from the date of this letter (April 6, 2003).**

3. The Permit is Not Needed and Wish to Authorize Cancellation...

- ☐ the permit holder has determined that this permit is no longer needed and/or has chosen not to pursue development of the permit, and wishes to authorize its cancellation.

Signature of Authorized Personnel

Date

Please return completed form by April 6, 2003 to:
Water Resources Department
Attention: Lisa Juul
158 - 12th Street NE
Salem OR 97301-4172

Buell Red Prairie Water District
6430 Red Prairie Road
Sheridan, OR. 97378

September 28, 1998

Jarred Gainey
Water Rights File Technician
Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR, 97310

RECEIVED

SEP 29 1998

WATER RESOURCES DEPT.
SALEM, OREGON

Dear Mr. Gainey

In reference to your letter of July 23, 1998, we understand the content of the current recharge permit, No. 51165, and the conditions of that recharge.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Millikan".

Mark Millikan, chairman



Buell Red Prairie Water District
PO Box 367, 6430 Red Prairie Rd., Sheridan, OR 97378

RECEIVED

SEP 15 1998

WATER RESOURCES DEPT.
SALEM, OREGON

September 8, 1998

Jarred Gainey
Water Right File Technician
Water Resources Department
Commerce Building
158 12th Street N.E.
Salem, OR 97310

ref.: Application file #G 12608
Permit # 51165

Dear Mr. Gainey,

At our August 11, 1998 board meeting, we discussed the above permit and conditions. Two conditions were of particular concern: the target level of 125 feet for Well #1, and the in-stream flow of 10 cubic feet per second on Gooseneck Creek, November through May.

It appears that Well #1 has about a 1.5 million gallon capacity at the 120 ft. - 140 ft. level. Below that level the capacity diminishes rapidly. We worry about losing regular use of this level.

The staff gauge was installed June 2, 1998, and recorded 7 cubic feet per second. This was a year with an unusually late rainy season. The spillway from the lake did not stop overflowing until July 27th. Often the overflow stops by June 15th, and in very dry years, June 1st. We believe a lower streamflow requirement of 6 or 7 cubic feet per second would be in order.

After all, when Fish and Wildlife looked at the permit and set the streamflow, there was no data on what Gooseneck Creek's actual streamflow was. Ten cubic feet per second was just a number someone pulled out of a hat.

We would appreciate you giving our concerns consideration.

Sincerely,

Mark Millikan, chairman
503-843-2548

TALKED W/ WILL BE
SENDING THE STATEMENT
WE ASKED FOR

MARK & BARBARA MILLIKAN
7680 HARMONY ROAD
SHERIDAN, OR 97378



6-12608
Garred

Water Resources Department
Garred Garney
Commerce Building
158 12th Street N.E.
Salem Or. 97310

97310/9703



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CCB# 33228
OWWC# 633

Lisa Juul
Oregon Water Resources Department
158- 12th Street NE
Salem, OR 97301-4172

March 17, 2003

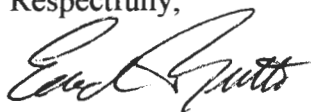
RE: Buell-Red Prairie Water District

Permit # G8748—Application # G9326- Response Due: March 20, 2003
Permit # G13521—Application # G12608-Response Due: April 6, 2003
Permit # R12221—Application # R71755-Response Due: April 6, 2003
Permit # S53238—Application # S71756-Response Due: April 22, 2003

Dear Ms. Juul,

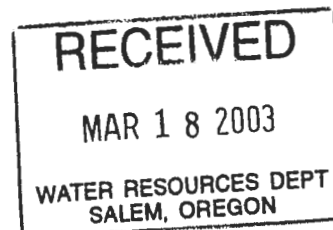
As discussed on the telephone this morning, as we were evaluating the conditions of the above permits and whether or not either an extension or final proof was warranted, we realized that these permits are interrelated due to the Groundwater Recharge Permit #G13521 element and therefore careful consideration must be made for all of the permits to prevent any undue effect on any other permit. The Groundwater Recharge Permit was procured before the current Aquifer Storage and Recovery permitting system now on the books and I am concerned how, if any, premature action on a final proof survey for any of the permits may affect the other permits. For this reason, I believe that we need additional time to meet with OWRD personnel and evaluate the permits currently in place, verify their current validity, determine the impact from a specific course of action, and only then, complete the forms with the appropriate direction. In order to accomplish this task, I am formally requesting an extension of 60 (sixty) additional days from the initial due date of March 20, 2003 to complete and forward the forms for all of the above permits. The anticipated due date, therefore, for completion of all of the questionnaires will be May 20, 2003. As we discussed on the phone this morning, it is my understanding that this extension will have no impact on the final action of the OWRD in relation to any of the permits and that all of the permits will continue in full force until at least this revised date. Please let me know if my understanding does not coincide with yours. Thank you for your consideration in this matter.

Respectfully,



Edward Butts, PE, DEE, CWRE
District Engineer

Cc: Buell-Red Prairie Water District



Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

BUELL-RED PRAIRIE WATER DIST
18710 SW PACIFIC DRIVE
SHERWOOD, OR 97140

4a. Article Number

P56224

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

7-11-98

5. Received By: (Print Name)

G12608 WJG

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

~~X~~ Michael Shuck

Thank you for using Return Receipt Service

UNITED STATES POSTAL SERVICE



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

● Print your name, address, and ZIP Code in this box ●

WATER RESOURCES DEPARTMENT
158 12th ST NE
SALEM OR 97310





Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

CERTIFIED MAIL Return Receipt Requested

July 10, 1998

Buell - Red Prairie Water District
6430 Red Prairie Rd.
Sheridan, OR 97378

RE: Application File # G12608

Dear Applicant:

On January 26, 1996, the Department issued a Final Order for application G12608. The Final Order identified that additional information must be submitted to the Department before a permit would be issued. The Department has not yet received the following:

- ▶ A signed statement from you that you understand the content of the current recharge permit 51165, and the conditions of that recharge. Under OAR 690-350-130 (2d) applicant must submit a statement that applicant understands the content to continue with the permit process.

Please submit this information by **September 10, 1998**. If we do not receive the information requested above by this date, we **will** 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 at (503) 378-8455, extension 264, or toll free within Oregon at 1-800-624-3199.

Sincerely,

Jarred Gaaney
Water Right File Technician

Enclosures: Copy of permit 51165

cc: Bill Ferber, Watermaster District 16

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

BUELL RED PRAIRIE WATER DIST.
6430 RED PRAIRIE RD.
SHERIDAN, OR 97378

4a. Article Number

PS6497

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

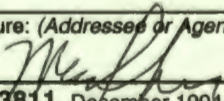
7-29-98

5. Received By: (Print Name)

G12608 JWC

6. Signature: (Addressee or Agent)

X

**8. Addressee's Address (Only if requested and fee is paid)**

UNITED STATES POSTAL SERVICE



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

SALEM OR 97301 2107 07/19/98

• Print your name, address, and ZIP Code in this box •

WATER RESOURCES DEPARTMENT
158 12th ST NE
SALEM OR 97310

NOT
SOS



COPY CHECK-OFF SHEET FOR PROPOSED FINAL ORDERS

8

CC: FILE # G-12608

WATERMASTER # 16

REGIONAL MANAGER: Northwest

ODF&W - Polk County:

CWRE (if agent): James M. Schuette #117

DEO

OTHER STATE AGENCY IF NECESSARY:

DIVISION 33 LIST: _____ COLUMBIA RIVER INTERTRIBAL FISH COMMISSION; U.S. FISH & WILDLIFE;
(CHECK ONLY IF APPLICABLE) NORTHWEST POWER PLANNING COUNCIL & NATIONAL MARINE FISHERIES

POWER BUILDER UPDATER; FRONT COUNTER

OTHER ADDRESSES OF PEOPLE WHO PAID THE \$10 FEE:

PEOPLE WITH OBJECTIONS, COMMENTS OR REQUESTED COPY W/O \$10 (SEND THE \$10 LETTER):

CASEWORKER : GH

STATE OF OREGON
WATER RESOURCES DEPARTMENT
WATER RIGHTS DIVISION

File Copy
ORIGINAL photocopy
Lost

DB 6/14/96

For w/Draft Permit
was issued 1/26/96

Before the Director of the Water Resources Department

In the matter of) FINAL
Groundwater Application) ORDER
G-12608 submitted by)
BUELL RED PRAIRIE WATER
DISTRICT

FINDINGS OF FACT

Water Use Request

1. BUELL RED PRAIRIE WATER DISTRICT, which will divert artificially recharged ground water, requested use of 0.17 CUBIC FOOT PER SECOND (CFS) of water from TWO WELLS IN GOOSE CREEK BASIN within the Willamette basin for QUASI-MUNICIPAL. Total withdrawal each year will not exceed 61.0 acre feet.
2. The area of proposed use is in Polk County within SECTIONS 32, 33, 34, TOWNSHIP 5 SOUTH, RANGE 6 WEST, W.M.; SECTIONS 3, 4, 5, 8, 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31, 32, 33, 34, 35, TOWNSHIP 6 SOUTH, RANGE 6 WEST, W.M.; SECTIONS 13, 24, 25, 35, 36, TOWNSHIP 6 SOUTH, RANGE 7 WEST, W.M.; SECTIONS 4, 8, 9, TOWNSHIP 7 SOUTH, RANGE 6 WEST, W.M.
3. The water delivery system is described by the applicant as well #1 uses a 20 horsepower submersible pump and Well #2 uses a 3 horsepower submersible pump connected to various sizes of PVC pipe lines.
4. The request was made in Application G-12608 which was received by the Water Resources Department on July 12, 1991.

Affected Waters

1. This proposed use of artificially recharged groundwater is not within or above a State Scenic Waterway.
2. There are no senior water rights from this point of appropriation.

Department Actions

1. The application was determined to be complete and not defective.
2. The Department determined, based upon OAR 690-09, that the proposed artificially recharged groundwater use will not have the potential for substantial interference with the nearest surface water source, namely **Gooseneck Creek**.

3. A technical review of the application was completed and a report of the results of that review was mailed to the applicant on November 9, 1994.
4. The technical review determined:
 - a. QUASI-MUNICIPAL is allowed under the Willamette Basin Program.
 - b. The use is not prohibited by Statute.
 - c. Water for the proposed use is available in the amounts requested for the period **year round**. The use cannot exceed 61.0 acre feet per year.
 - d. The use would not injure existing water rights.
5. The report of technical review listed these determinations and disclosed a number of conditions and restrictions that would likely be included in the permit if issued. These conditions and restrictions are listed in the attached draft permit.
6. A Proposed Final Order for this application was completed and a copy of that review was mailed to the applicant on October 31, 1995.

Assessment

1. In proceeding with evaluation of Application G-12608, the following criteria were found to be relevant by the Department.
 - a. The Willamette Basin Program (OAR Chapter 690, Division 502)
 - b. The Polk County Comprehensive Plan and Zoning Ordinance
 - c. Groundwater availability as determined by the Groundwater/Hydrology staff (OAR Chapter 690, Division 9)
 - d. The established rate for the proposed use
 - e. Pending, senior applications and existing water rights of record
 - f. Comments received
 - g. Artificially Recharge Groundwater rules OAR 690-11-044

CONCLUSIONS OF LAW

1. Based upon continued evaluation, the Department finds the determinations of the Proposed Final Order require modification to correctly describe application requirements pertaining to the use of artificially recharged waters.
2. Prior to issuance of any permit the applicant shall submit a statement that the applicant understands the content of the current recharge permit and the conditions of that recharge.
3. The period of allowed use is year round of artificially recharged groundwater for quasi-municipal.

4. The Department finds that no more than 61.0 acre feet as identified in Permit #51165 would be necessary for the proposed use. The amount of water requested, 61.0 ACRE FEET, is allowed for the proposed use.
5. Polk County Planning Department staff acknowledged receipt of the Department's Land Use Information Form. Since land use information was not postmarked or received within the 30 day comment period initiated pursuant to OAR 690-11-155, the Department has presumed that the land use served by the proposed water use is compatible with the comprehensive plans and land use regulations of affected local governments.
6. The proposed use would not conflict with existing water rights, and, if exercised in accordance with law, rule, and the proposed conditions would not result in injury to existing water users.
7. The proposed use complies with all other rules of the Commission.
8. Pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly, and given the findings listed above, a rebuttable presumption has been established that the use will not impair or be detrimental to the public interest if exercised in the manner described in the attached draft permit.
9. No protests were timely filed in response to the Proposed Final Order of October 31, 1995, and no significant issues or disputes are known to the Department at this time.
10. Therefore, the proposed use, as conditioned, and described in the attached draft permit, would not impair or be detrimental to the public interest.

ORDER

IT IS HEREBY ORDERED that UPON SUBMISSION OF A SIGNED STATEMENT THAT THE APPLICANT UNDERSTANDS THE CONTENT AND CONDITIONS OF THE EXISTING RECHARGE PERMIT, the Application G-12608 in the name of BUELL RED PRAIRIE WATER DISTRICT be approved FOR WITHDRAWAL OF ARTIFICIALLY RECHARGED GROUNDWATER for QUASI-MUNICIPAL as provided in the attached draft permit.

DATED January 26, 1996

Copy — *ORIGINAL FILE COPY COST*

Martha O. Pagel
Director
Water Resources Department

NOTICE:

This Final Order is issued by the Department pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly.

If this Final Order has modified the Department's prior findings or conditions, the applicant may request a contested case hearing within 14 days from the date of this order.

Issues on which a contested case hearing may be requested and conducted are limited to issues based on modifications to the Proposed Final Order.

Requests for a contested case hearing must be made in proper form, submitting the information required under Section 11(6), Chapter 416, Oregon Laws, 1995.

Requests for a contested case hearing must be received by the Water Resources Department in Salem, Oregon by 5:00 on February , 1996.

Only the applicant and any persons who timely filed a protest may appeal the provisions of this final order.

STATE OF OREGON

COUNTY OF Polk

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BUELL RED PRAIRIE WATER DISTRICT
6430 RED PRAIRIE RD
SHERIDAN, OREGON 97378

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

APPLICATION FILE NUMBER: G-12608

SOURCE OF WATER: ARTIFICIALLY RECHARGED GROUNDWATER STORED UNDER PERMIT
51165 DIVERTED FROM TWO WELLS IN GOOSENECK CREEK BASIN

PURPOSE OR USE: QUASI-MUNICIPAL

RATE OF USE: 61.0 ACRE-FEET PER YEAR

PERIOD OF ALLOWED USE: YEAR ROUND

DATE OF PRIORITY: July 12, 1991

POINT OF DIVERSION LOCATION: WELL #1 - 1600 FEET NORTH & 1400 FEET WEST
FROM SE CORNER OF SECTION 35, T 6 S, R 7 W, W.M.; WELL #2 - 2050 FEET
NORTH & 480 FEET WEST FROM SE CORNER OF SECTION 35, T 6 S, R 7 W, W.M.;

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4
NE 1/4 SE 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4
SE 1/4 SE 1/4

SECTION 32

NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4
NE 1/4 SE 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4
SE 1/4 SE 1/4

SECTION 33

TOWNSHIP 5 SOUTH, RANGE 6 WEST, W.M.

NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4

SECTION 34

TOWNSHIP 5 SOUTH, RANGE 6 WEST, W.M.

NE 1/4 NW 1/4
NW 1/4 NW 1/4
SW 1/4 NW 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4

SECTION 3

ALL
SECTION 4

ALL
SECTION 5

ALL
SECTION 8

ALL
SECTION 9

ALL
SECTION 10

NE 1/4 NW 1/4
NW 1/4 NW 1/4
SW 1/4 NW 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4

SECTION 13

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SECTION 14

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SECTION 20

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SECTION 22

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SECTION 23

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SW 1/4 SW 1/4
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SECTION 27

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SECTION 28

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SECTION 29

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SECTION 32

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SECTION 34

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SECTION 35
TOWNSHIP 6 SOUTH, RANGE 6 WEST, W.M.

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SECTION 13

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SECTION 24

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SECTION 25

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SECTION 35

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SECTION 36
TOWNSHIP 6 SOUTH, RANGE 7 WEST, W.M.

ALL
SECTION 4

NE 1/4 NE 1/4
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SE 1/4 NE 1/4
SECTION 8

NE 1/4 NE 1/4
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SW 1/4 NE 1/4
SE 1/4 NE 1/4
NE 1/4 NW 1/4
NW 1/4 NW 1/4
SW 1/4 NW 1/4
SE 1/4 NW 1/4

SECTION 9
TOWNSHIP 7 SOUTH, RANGE 6 WEST, W.M.

Measurement, recording and reporting conditions:

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

measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

1. This right is limited to any deficiency in the available supply of any prior right existing for the same land.
2. Meters: The permittee shall meter all withdrawals from wells covered by this permit and keep records and reports as described below.
3. Water level monitoring: Once each year between April 1 and June 1, the permittee shall measure, to one foot accuracy, and record the depth to water below land surface in both wells.
4. The maximum annual diversion shall not exceed 61.0 acre-feet of artificially recharged ground water or a lesser amount as herein provided in condition #9 (Allowable Use of Stored Water).
5. Target water levels in key wells: Permit 51165 designates two existing wells as key wells in the water level monitoring program. As determined between April 1 and June 1 of each year, actual water levels at these wells shall be compared to the target levels to determine allowable use as indicated under the allowable use of stored water condition. Key wells and associated target levels are:

Target Levels

(feet below Land Surface Datum)

<u>Well Location</u>	<u>Common Name</u>	<u>Upper</u>	<u>Lower</u>
T6S/R7W-35db	Buell-Red Prairie #1	25	125
T6S/R7W-35dc	Recharge Well	0	50

6. Estimated data: When metered or measured data are missing in whole or in part, the Director may make estimates from available data. Those estimates shall be reasonable and, where a range of uncertainty exists, conservatively low on water delivered to the place of recharge and conservatively high on withdrawals of stored water.

7. Records, inspections: The permittee shall keep accurate and current records of metered values, water levels and other pertinent information. The Director may inspect the records and works covered by this permit upon reasonable notice and at any reasonable time.
8. Annual report: The permittee shall keep accurate and current records for the recharge water year beginning June 1 and ending May 31 and submit an annual withdrawal report to the Director by June 15 of each year. The withdrawal report shall note total withdrawals, recently measured and dated water levels at each well, and other data pertinent to the storage account during the recharge year.
9. Allowable use of stored water: The availability of recharge water shall be determined on the basis of secondary groundwater rights and the allowable use of stored recharge water. The allowable use of stored recharge water falls into three categories. For ease of reference, these categories are named as the following color zones:
 - A. Green Zone: If water levels at key wells are above the upper target level, use is allowed up to the maximum of the storage account or maximum duty, whichever is lower. These target levels are noted in item 15.
 - B. Red Zone: If recent water levels as determined between April 1 and June 1 at the two keys wells are below the lower target levels, no use of recharge water is allowed the following recharge year.
 - C. Yellow Zone: If neither Green Zone or Red Zone water levels prevail, use is allowed up to 80 percent of the recharge volume for the preceding 12 months.
10. Condition changes: If the Director has reason to believe that the well(s) is not with-drawing artificially recharged groundwater or there are other substantial groundwater concerns, the permittee shall cease withdrawal upon notice from the Director. No further withdrawal shall be made until measures to prevent, correct or monitor the situation have been agreed to and implemented.
11. Permit assignment: A potential assignee shall prove, to the Director's satisfaction, the financial capability to construct uncompleted portions of, and operate, the project authorized by the permit.

STANDARD CONDITIONS

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

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

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

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

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

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

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

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

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

Issued January , 1996

Water Resources Department
Martha O. Pagel
Director

Water Resources Department

MEMO

March 15, 1996

TO Application G- 12608

FROM GW: Donna Mills
(Reviewer's Name)

SUBJECT Scenic Waterway Interference Evaluation

☐ Yes

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

☒ No

☐ Yes

Use the Scenic Waterway condition (Condition 7J).

☒ No

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.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec

12608

**Water Right Conditions
Tracking Slip**

Groundwater/Hydrology Section

FILE ## G-12608

ROUTED TO: WR

TOWNSHIP/

RANGE-SECTION: 6S/7W-35

CONDITIONS ATTACHED? ☐ yes ☒ no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Don Miller

TO: Water Rights Section

Sept 1, 1994

FROM: Groundwater/Hydrology Section Don Miller

Reviewer's Name

SUBJECT: Application G- 12608

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE Div 502 Basin rules, one or more of the proposed POA's is (is not) within 1/4 ~~feet~~ mile of a surface water source (Goose Neck CK) 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 Goose Neck CK; or
 - c. will if properly conditioned, adequately protect the surface water from interference:
 - i. The permit should contain condition #(s) _____;
 - ii. The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. The permit should be conditioned as indicated in item 4 below; or
 - d. will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
 - a. will, or likely be available in the amounts requested without injury to prior rights
 - b. will not and/or within the capacity of the resource; or
 - c. ☒ will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
 - i. The permit should contain condition #(s) _____;
 - 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: This review supersedes the 9/11/91 review for natural water.

* This application seeks water stored under permit 51165. Conditioning for this application's permit is extraordinary and must consider the conditions in the recharge permit (51165) as well as OAR 690-11-044. The application itself must also comply with that rule. Please consider the permit language proposed for G-11892. Also consult Permit G-10836.

(Well Construction Considerations on Reverse Side)

6-12608

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)

M: Groundwater/Hydrology Section

meyer
Reviewer's NameJECT: Application G- 12608

PER THE Willamette Basin rules, one or more of the proposed POA's is within _____ mile of a surface water source and taps a groundwater source hydraulically connected to the surface water.

N/A

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 surface water
b. ☒ will not } source, namely Gooseneck Creek; or
c. _____ will, if properly conditioned, adequately protect the surface water from interference:
i. _____ The permit should contain condition #(s) _____;
ii. _____ The permit should contain special condition(s) as indicated in "Remarks" below;
iii. _____ The permit should be conditioned as indicated in item 4 below; or
d. _____ will, with well reconstruction, adequately protect the surface water from substantial interference.

BASED UPON available data, I have determined that groundwater for the proposed use

- a. _____ will, or }
b. _____ will not } likely be available in the amounts requested without injury to prior rights; or
c. _____ can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
i. _____ The permit should contain condition #(s) _____;
ii. _____ The permit should contain special condition(s) as indicated in "Remarks" below;
iii. _____ The permit should be conditioned as indicated in item 4 below.

- 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.

MARKS: _____



STATE OF OREGON
WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

TO: FILE G-12608

DATE: 8/11/91

FROM: SARAH C MEYER

SUBJECT: SURFACE/GROUND WATER CONSIDERATIONS

The applicant seeks 17 cfs from two wells for supplemental quasi-municipal in the Gooseneck Creek Basin

Per Division 9

T6S / R7W Sec 35

FACTS

The well locations and aquifer display the following:

- 1) Well #1 is located 600' from Gooseneck Creek and well #2 is located 600' from same
- 2) Well #1 is 190' and well #2 is 320' developing water in volcanic tuff / grey tuff. The well logs are in the file.
- 3) The static water level for well #1 was 11.5' on 6-14-79 and for well #2 it was 16' on 6-12-79 from the log reports. W32 = 160 to 180' (153') W82 = 184'
- 4) The approximate elevations of the wells are 1040' for well #1 and 980' for well #2.
- 5) The nearby stream reach elevation is 780' / 760' feet.
- 6) describes groundwater conditions in the area of the application.
- 7) A ^{air} pump test on the well #1 produced 300+ gpm ^{at} with 17.9 feet drawdown in 2 hours. Well #2 produced 60 gpm ^{at} 304 feet ~~at~~ in 2 hours.

CONCLUSIONS

- 1) The head at well #1 is 1028' and at well #2, 964', indicating higher standing with the nearby stream reach.
- 2) The well develops water from the
- 3) Based on requested rate, heads, distances, general geologic environment and logged materials, I conclude that the alluvial aquifer is ~~is~~ confined with no hydraulic connection to the nearby stream and w/o the potential to cause substantial interference.

$$\begin{array}{r} 1040 \\ 12 \\ \hline 1028 \end{array} \quad \begin{array}{r} 980 \\ 16 \\ \hline 964 \end{array}$$

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## G-12608

ROUTED TO: WR

TOWNSHIP/

RANGE-SECTION: 65/7W-35

CONDITIONS ATTACHED? ☐ yes ☒ no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Donna M. Allen

MEMO

March 15, 1996

FROM GW: Donna Miller
(Reviewer's Name)

SUBJECT Scenic Waterway Interference Evaluation

☐ Yes

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

☒ No☐ Yes

Use the Scenic Waterway condition (Condition 7J).

☒ No

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]

same wells
same as applicant
(b) Written consent. The applicant shall include the written consent of the holder of the recharge permit or certificate;

(c) Source proof. The applicant shall submit proof that the proposed use will actually be from the recharged reservoir. Documentation may include water level similarities to the recharged reservoir, geologic and geographic similarities, hydraulic information, and other pertinent data; and

(d) Recharge understanding. The applicant shall attach a copy of the currently valid recharge certificate or permit and a statement that the applicant understands its content and the conditions of that recharge.

(3) Limitations on secondary groundwater permit approval. During the first five years of recharge, the Department shall limit cumulative secondary permits to no more than 85 percent of the project's permitted annual recharge volume. Subsequent recharge permits may exceed 85 percent based on recharge performance as determined by the Department.

(4) Secondary groundwater permit conditions. A secondary groundwater permit shall address the following items:

(a) Maximum rate and volume. A permit shall specify a maximum diversion rate and annual diversion volume;

(b) Meters. The permit shall require the permittee to meter all withdrawals so as to provide data as a debit against the storage account;

(c) Water levels. The permit shall require the permittee to measure water levels on a specified basis;

(d) Estimated data. The permit shall specify that when metered or measured data are missing in whole or in part, the Director may make estimates from available data. The Director's estimates shall be reasonable and, where a range of uncertainty exists, be conservatively high on withdrawal of stored water;

(e) Records, inspections. The permit shall require the permittee to keep accurate and current records of withdrawals and water levels. The Director may inspect any records or works covered by the permit upon reasonable notice and at any reasonable time;

(f) Annual report. The permittee shall be required to submit an annual report to the Director and holder of the recharge right. The report shall note withdrawals, dated water levels and other data pertinent to the storage account;

(g) Allowable use of stored recharge water. The permit shall indicate that availability shall be determined on the basis of secondary groundwater right priority and the allowable use of stored recharge water. The allowable use of stored recharge water falls into three categories. For ease of reference, these categories are named as the following color zones:

(A) Green zone. If water levels at key wells are above the upper target level, use is allowed up to the maximum of the storage account or maximum duty, whichever is lower. These wells and targets are noted in the recharge permit;

(B) Yellow zone. If water levels at key wells are between the upper and lower target levels, use is allowed up to 85 percent of the recharge volume for the preceding 12 months; and

(C) Red zone. If water levels at key wells are below the lower target level, no use of stored recharge water is allowed.

(h) Condition changes. If the Director has reason to believe that the well(s) is not withdrawing artificially recharged groundwater or there are other substantial groundwater concerns, the permittee shall cease withdrawal upon notice from the Director. No further withdrawal shall be made until measures to prevent, correct or monitor the situation have been agreed to and implemented; and

(i) Other conditions. The permit may contain other conditions which the Director specifies.

percent of metered values. Calculations of stored recharge water shall be based only on recharge over the last five years;

(B) Definitive groundwater investigation. The applicant may present a definitive groundwater investigation as a method to determine stored recharge water. The Director must be satisfied that use of such information accurately describes the quantity and location of water available for withdrawal as a result of the recharge. That quantity must be in excess of the groundwater which would be available if artificial recharge were not practiced. If no agreement is reached by negotiation, the applicant must determine stored recharge water by a definitive groundwater investigation.

(g) Storage account. The Department shall record its final determinations on stored recharge water in a storage account. The permit shall specify a method by which the permittee may obtain information on that account;

(h) Annual report. The permittee shall submit an annual report to both the Department and any secondary permittee. That report shall include the range of recharge rates and total quantities during the year at both the diversion point and the place of recharge. In addition, the report shall include a general operations review, the permittee's estimate of the storage account and the results of other water quantity and quality programs which are required in the permit;

(i) Allowable use of stored recharge water. See rules governing secondary groundwater permits in OAR 690-11-044;

(j) Permit assignment. A permit condition shall require a potential assignee to prove, to the Director's satisfaction, the financial capability to construct uncompleted portions of an operate the project, if such proof was required for the application;

(k) Condition changes. If, under actual operation of the recharge project, the Director notifies the permittee that the Director has reason to believe there are adverse groundwater quantity or quality effects, the permittee shall cease recharge activities. No further diversion shall be made until measures to prevent, correct or monitor those adverse effects have been agreed to and implemented;

(l) Technical Oversight. If the recharge diversion is for five cfs or more, the permit may require the permittee to have the construction and operation of the proposed project overseen by a professional(s) registered or allowed, under Oregon law, to practice civil engineering;

(m) Other conditions. The permit may contain other conditions which the Commission believes are necessary.

(6) Recharge certificate. Annual reports as required in the permit shall be an element of proof of appropriation to the satisfaction of the Department prior to issuance of a confirming water right certificate. Operational conditions of the permit shall become conditions of the certificate.

Stat. Auth.: ORS 536.025, 536.027, 536.220, 536.300, 536.310, 537.338, 537.356 - 537.358, Ch. 540 & 543

Hist.: WRD 5-1988, f. & cert. ef. 6-28-88; WRD 16-1990, f. & cert. ef. 8-23-90; WRD 9-1992, f. & cert. ef. 7-1-92; Renumbered from 690-11-085

Secondary Groundwater Permits for Use of Artificially Recharged Waters; Supplemental Information Requirements; Limitations; Conditions

690-11-044 (1) Permit required. The appropriation of artificially recharged groundwater for any beneficial use requires a secondary groundwater permit.

(2) Supplemental information for permit application. In addition to data required for permit applications under OAR 690-11-020, the applicant shall submit certain additional information. The following attachments are necessary:

(a) Identify source. The applicant shall identify an artificially recharged groundwater reservoir as a supply of water;

STATE OF OREGON WATER RESOURCES DEPARTMENT

INTEROFFICE MEMORANDUM

June 14, 1996

TO: DWIGHT
CC: *File*
FROM: DBaer

SUBJECT: G-12608, BUELL RED PRAIRIE GROUNDWATER RECHARGE

Donn Miller's GW review of 9/1/94 pointed out that this application was subject to requirements for supplemental information under OAR 690-11-044(2), and recommended special conditioning to reflect this.

A PFO was done 10/31/95 proposing to allow the use but also noting that items required under OAR 690-11-044(2) were lacking. The protest period ended December 15 and none was filed.

On January 26, 1996 a Final Order was issued which stated that:

upon submission of a signed statement that the applicant understands the content and conditions of the existing recharge permit, the application G-12608 in the name of buell red prairie water district be approved for withdrawal of artificially recharged groundwater for quasi-municipal as provided in the attached draft permit.

Unfortunately, the FO was issued during a time when no response deadlines were placed on the applicant. To date the district has submitted no additional information regarding the groundwater recharge.

On 2/12/96 new rules were adopted for groundwater recharge applications. The requirements of OAR 690-11-044(2) were substantially revised, expanded and renumbered to OAR 690-350-120(3). Do these new rules apply to all pending applications, including G-12608? Or, will this application only be subject to the requirements of Div 11?

If the District were to submit the information requested in the FO, the application would not meet the requirements listed in OAR 690-350-120(3). Should a new request for additional information be sent to the district?

The FO was issued prior to the adoption of the ~~new~~ new, more restrictive rule, therefore, the application is not subject to the new rule(s).

Dwight

7/5/96

FO CHECKLIST

PFO TO FO CONVERSION

FILE # G-12608

WEEK # 10

FO-126-96

REVIEW DATE: 6/13/96

INITIALS: JT6

Send Certified Letter-
Need same info as was
Requested in 11/9/94 letter
& req'd by Rule
(See m:\T\FO\Letters\G12608)

In preparing the FO, you should check the following:

1. Y / ☒ N Were comments or protests received in response to the PFO?
2. ☒ List names and addresses of **ALL** commentors (regardless of comment date) on the PFO CC list.
3. ☒ Verify payment of recording fees (circle the appropriate option)
☒ (1) Issue FO w/permit if fees are paid -- Prepare refund request for excess fees 200 Ex 100 Rec 300
☐ (2) Issue FO w/o permit if fees are lacking
4. Y / ☒ N Is the file lacking a signed oath of accuracy for the application?
5. Y / ☒ N Has ODFW asked for self certification on screening condition?
6. Y / ☒ N Is water use prohibited for one or more months of the normal use period?
7. Y / N If #6 = "Y", is short season letter on file?
8. ☐ Assign permit numbers to files with oath, fees, and no protests or other issues

DENIAL FO w/o PERMIT FO & PERMIT COMMENTS
LARRY CORY JERRY DOUG

Route to: (circle one)

9. Y / ☒ N Is further processing possible? If not state reason: Lacks Recharge info & Statement of understanding
10. ☐ Notify applicant of additional information or fees required prior to permit issuance (Use standard wording from M:\T\FO\TOOLS if possible)

Modify FO as needed to:

11. ☐ Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)
12. ☐ Include or exclude permit conditions and management codes
13. ☐ Correct PFO errors (such as POD or POU location (verify from map), Permit format)

Once FO document is completed:

14. ☐ Save WordPerfect document in M:\T\FO\WEEK & delete duplicates
15. ☐ Print final draft of document and submit to team leader for review
16. Y / N Team leader review completed

STATE OF OREGON
WATER RESOURCES DEPARTMENT
WATER RIGHTS DIVISION

Before the Director of the Water Resources Department

In the matter of	)	PROPOSED
Groundwater Application	)	FINAL
G-12608 submitted by	)	ORDER
BUELL RED PRAIRIE WATER		
DISTRICT		

FINDINGS OF FACT

Water Use Request

1. BUELL RED PRAIRIE WATER DISTRICT, which will divert artificially recharged ground water, requested use of 0.17 CUBIC FOOT PER SECOND of water from TWO WELLS IN GOOSE CREEK BASIN within the Willamette basin for QUASI-MUNICIPAL. Total withdrawal each year will not exceed 61.0 acre feet.
2. The area of proposed use is in Polk County within SECTIONS 32, 33, 34, TOWNSHIP 5 SOUTH, RANGE 6 WEST, W.M.; SECTIONS 3, 4, 5, 8, 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31, 32, 33, 34, 35, TOWNSHIP 6 SOUTH, RANGE 6 WEST, W.M.; SECTIONS 13, 24, 25, 35, 36, TOWNSHIP 6 SOUTH, RANGE 7 WEST, W.M.; SECTIONS 4, 8, 9, TOWNSHIP 7 SOUTH, RANGE 6 WEST, W.M.
3. The water delivery system is described by the applicant as follows: Well #1 uses a 20 horsepower submersible pump and Well #2 uses a 3 horsepower submersible pump connected to various sizes of PVC pipe lines.
4. The request was made in Application G-12608 which was received by the Water Resources Department on July 12, 1991.

Affected Waters

1. This proposed use of artificially recharged groundwater is not within or above a State Scenic Waterway.
2. There are no senior water rights from this point of appropriation.

Department Actions

1. The application was determined to be complete and not defective.

2. The Department determined, based upon OAR 690-09, that the proposed artificially recharged groundwater use will not have the potential for substantial interference with the nearest surface water source, namely **Gooseneck Creek**.
3. A technical review of the application was completed and a report of the results of that review was mailed to the applicant on November 9, 1994.
4. The technical review determined:
 - a. QUASI-MUNICIPAL is allowed under the Willamette Basin Program.
 - b. The use is not prohibited by Statute.
 - c. Water for the proposed use is available in the amounts requested for the period **year round**. The use cannot exceed 61.0 acre feet per year.
 - d. The use would not injure existing water rights.
5. The report of technical review listed these determinations and disclosed a number of conditions and restrictions that would likely be included in the permit if issued. These conditions and restrictions are listed in the attached draft permit.

Assessment

1. In proceeding with evaluation of Application G-12608, the following criteria were found to be relevant by the Department.
 - a. The Willamette Basin Program (OAR Chapter 690, Division 502)
 - b. The Polk County Comprehensive Plan and Zoning Ordinance
 - c. Groundwater availability as determined by the Groundwater/Hydrology staff (OAR Chapter 690, Division 9)
 - d. The established rate for the proposed use
 - e. Pending, senior applications and existing water rights of record
 - f. Comments received
 - g. Artificially Recharge Groundwater rules OAR 690-11-044 (2) (c) & (d).

CONCLUSIONS OF LAW

1. Based upon continued evaluation, the Department finds the determinations of the technical review remain valid.
2. The Department has further determined that, to protect the resource, an additional condition(s) on the proposed water use is necessary. The condition, as further described on the attached draft permit, would require additional conditions stated by the groundwater section of our Department.
3. The period of allowed use is year round of artificially recharged groundwater for quasi-municipal .
4. The Department finds that no more than 61.0 acre feet as identified in Permit #51165 would be necessary for the proposed use. The amount of water requested, 61.0 ACRE FEET, is allowed for the proposed use.
5. Polk County Planning Department staff acknowledged receipt of the Department's Land Use Information Form. Since land use information was not postmarked or received within the 30 day comment period initiated pursuant to OAR 690-11-155, the Department has presumed that the land use served by the proposed water use is compatible with the comprehensive plans and land use regulations of affected local governments.
6. The proposed use would not conflict with existing water rights, and, if exercised in accordance with law, rule, and the proposed conditions would not result in injury to existing water users.
7. The proposed use complies with all other rules of the Commission.
8. Pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly, and given the findings listed above, a rebuttable presumption has been established that the use will not impair or be detrimental to the public interest if exercised in the manner described in the attached draft permit.
9. Therefore, the proposed use, as conditioned, and described in the attached draft permit, would not impair or be detrimental to the public interest.

PROPOSED ORDER

IT IS PROPOSED that Application G-12608 in the name of BUELL RED PRAIRIE WATER DISTRICT be approved FOR WITHDRAWAL OF ARTIFICIALLY RECHARGED GROUNDWATER for QUASI-MUNICIPAL as provided in the attached draft permit.

DATED October 31, 1995


Steven P. Applegate
Administrator
Water Rights and Adjudications Division

NOTICE:

This Proposed Final Order is issued by the Department pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly.

To seek changes in this proposed final order, you must file a formal protest.

Formal protests to this proposed final order must be made in proper form and accompanied by the statutory fee in the amount of \$200. Note: The applicant is not subject to this fee.

For other than the applicant, if you agree with the findings in this proposed order, but wish to maintain your right to participate in any contested case proceeding or judicial review, you must file a written request for standing. Requests for standing in proceedings relating to this application must be made in the proper form and accompanied by the statutory fee in the amount of \$50.

Protests or requests for standing, along with the appropriate fees must be received by the Water Resources Department in Salem, Oregon by 5:00 pm on December 15, 1995.

Only the applicant and any persons who timely file a protest or request for standing may participate in further proceedings before the Department or the Commission which deal with this Application.

DRAFT
STATE OF OREGON

COUNTY OF Polk

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

BUELL RED PRAIRIE WATER DISTRICT
6430 RED PRAIRIE RD
SHERIDAN, OREGON 97378

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

APPLICATION FILE NUMBER: G-12608

SOURCE OF WATER: ARTIFICIALLY RECHARGED GROUNDWATER FROM TWO WELLS
IN GOOSENECK CREEK BASIN

PURPOSE OR USE: QUASI-MUNICIPAL

RATE OF USE: 61.0 ACRE FEET PER YEAR

PERIOD OF ALLOWED USE: YEAR ROUND

DATE OF PRIORITY: July 12, 1991

POINT OF DIVERSION LOCATION: WELL #1 - 1600 FEET NORTH & 1400 FEET
WEST FROM SE CORNER OF SECTION 35, T 6 S,
R 7 W, W.M.;
WELL #2 - 2050 FEET NORTH & 480 FEET WEST
FROM SE CORNER OF SECTION 35, T 6 S, R 7
W, W.M.;

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4	QUASI-MUNICIPAL
NW 1/4 SW 1/4	
SW 1/4 SW 1/4	
SE 1/4 SW 1/4	
NE 1/4 SE 1/4	
NW 1/4 SE 1/4	
SW 1/4 SE 1/4	
SE 1/4 SE 1/4	
SECTION 32	

NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4
NE 1/4 SE 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4
SE 1/4 SE 1/4
SECTION 33

NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4
SECTION 34

TOWNSHIP 5 SOUTH, RANGE 6 WEST, W.M.

NE 1/4 NW 1/4
NW 1/4 NW 1/4
SW 1/4 NW 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4
SECTION 3

ALL
SECTION 4

ALL
SECTION 5

ALL
SECTION 8

ALL
SECTION 9

ALL
SECTION 10

NE 1/4 NW 1/4
NW 1/4 NW 1/4
SW 1/4 NW 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4
SECTION 13

ALL
SECTION 14

ALL
SECTION 15

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SECTION 16

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SECTION 17

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SECTION 18

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SECTION 19

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SECTION 20

ALL
SECTION 21

ALL
SECTION 22

ALL
SECTION 23

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

ALL
SECTION 27

ALL
SECTION 28

ALL
SECTION 29

ALL
SECTION 30

ALL
SECTION 31

ALL
SECTION 32

ALL
SECTION 33

ALL
SECTION 34

ALL
SECTION 35
TOWNSHIP 6 SOUTH, RANGE 6 WEST, W.M.

ALL
SECTION 13

ALL
SECTION 24

ALL
SECTION 25

ALL
SECTION 35

ALL
SECTION 36
TOWNSHIP 6 SOUTH, RANGE 7 WEST, W.M.

ALL
SECTION 4

NE 1/4 NE 1/4
NW 1/4 NE 1/4
SW 1/4 NE 1/4
SE 1/4 NE 1/4
SECTION 8

NE 1/4 NE 1/4
NW 1/4 NE 1/4
SW 1/4 NE 1/4
SE 1/4 NE 1/4
NE 1/4 NW 1/4
NW 1/4 NW 1/4
SW 1/4 NW 1/4
SE 1/4 NW 1/4
SECTION 9
TOWNSHIP 7 SOUTH, RANGE 6 WEST, W.M.

- 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.
- 1. 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 wells at all times. The use of water shall be limited when it interferes with any prior surface or ground water rights.
 - 2. 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.
 - 3. This right is limited to any deficiency in the available supply of any prior right existing for the same land.
 - 4. Meters: The permittee shall meter all withdrawals from wells covered by this permit and keep records and reports as described below.
 - 5. Water level monitoring: Once each year between April 1 and June 1, the permittee shall measure, to one foot accuracy, and record the depth to water below land surface in both wells.
 - 6. The maximum annual diversion shall not exceed 61.0 acre-feet of artificially recharged ground water or a lesser amount as herein provided in condition 10 (Allowable Use of Stored Water).

7. Target water levels in key wells: Permit 51165 designates two existing wells as key wells in the water level monitoring program. As determined between April 1 and June 1 of each year, actual water levels at these wells shall be compared to the target levels to determine allowable use as indicated under the allowable use of stored water condition. Key wells and associated target levels are:

Target Levels (feet below Land Surface Datum)			
<u>Well Location</u>	<u>Common Name</u>	<u>Upper</u>	<u>Lower</u>
T6S/R7W-35db	Buell-Red Prairie #1	25	125
T6S/R7W-35dc	Recharge Well	0	50

8. Estimated data: When metered or measured data are missing in whole or in part, the Director may make estimates from available data. Those estimates shall be reasonable and, where a range of uncertainty exists, conservatively low on water delivered to the place of recharge and conservatively high on withdrawals of stored water.
9. Records, inspections: The permittee shall keep accurate and current records of metered values, water levels and other pertinent information. The Director may inspect the records and works covered by this permit upon reasonable notice and at any reasonable time.
10. Annual report: The permittee shall keep accurate and current records for the recharge water year beginning June 1 and ending May 31 and submit an annual withdrawal report to the Director by June 15 of each year.

The withdrawal report shall note total withdrawals, recently measured and dated water levels at each well, and other data pertinent to the storage account during the recharge year.

11. Allowable use of stored water: The availability of recharge water shall be determined on the basis of secondary groundwater rights and the allowable use of stored recharge water. The allowable use of stored recharge water falls into three categories. For ease of reference, these categories are named as the following color zones:

A. Green Zone: If water levels at key wells are above the upper target level, use is allowed up to the maximum of the storage account or maximum duty, whichever is lower. These target levels are noted in item 15.

B. Red Zone: If recent water levels as determined between April 1 and June 1 at the two keys wells are below the lower target levels, no use of recharge water is allowed the following recharge year.

C. Yellow Zone: If neither Green Zone or Red Zone water levels prevail, use is allowed up to 80 percent of the recharge volume for the preceding 12 months.

12. Condition changes: If the Director has reason to believe that the well(s) is not with-drawing artificially recharged groundwater or there are other substantial groundwater concerns, the permittee shall cease withdrawal upon notice from the Director. No further withdrawal shall be made until measures to prevent, correct or monitor the situation have been agreed to and implemented.
13. Permit assignment: A potential assignee shall prove, to the Director's satisfaction, the financial capability to construct uncompleted portions of, and operate, the project authorized by the permit.
14. OAR 690-11-044 (2) (c) states that additional statements are necessary containing information showing proof that the proposed use will actually be from the recharged reservoir. This information may include water level similarities to the recharged reservoir, geologic and geographic similarities, hydraulic information, and other pertinent data.
15. OAR 690-11-044 (2) (d) states that additional statements are necessary containing valid recharge certificate or permit and a statement that the applicant understands its content and the conditions of that recharge.

See OAR
690-350-120(3)
DB
6/14/46

STANDARD CONDITIONS

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

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

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

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

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

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

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

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

Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1997. Complete application of the water to the use shall be made on or before October 1, 1998.

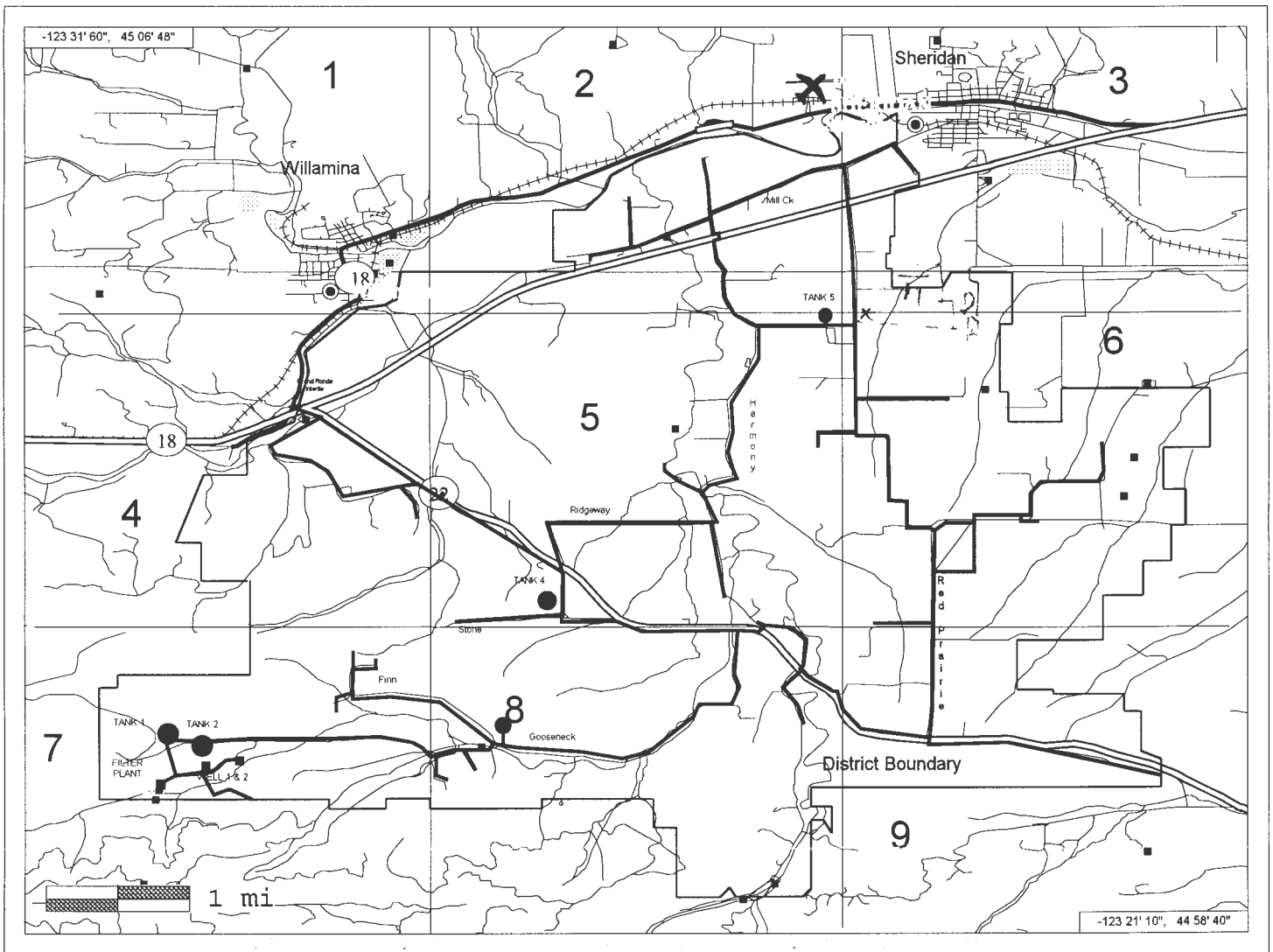
Issued _____, 199_

DRAFT

Water Resources Department
Martha O. Pagel
Director

Application G-12608 Water Resources Department
Basin 02 Volume 11A
GH GOOSENECK CREEK & MISC.

PERMIT DRAFT
District 16



Buell-Red Prairie Water District
 6430 Red Prairie Rd.
 Sheridan, OR 97378

RECEIVED

MAR - 5 1996

WATER RESOURCES DEPT.
 SALEM, OREGON

February 27, 1995

WATER
RESOURCES
DEPARTMENT

BUELL RED PRAIRIE WATER DISTRICT
6430 RED PRAIRIE RD
SHERIDAN OR 97378

REFERENCE: File G-12608, 71756, & R-71755

The assignment of the above applications from Buell Red Prairie Water Association to you has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original is enclosed along with our receipt number 29111 covering the recording fee of \$10 you submitted.

Sincerely,

THOMAS E. SHOOK
Water Rights Specialist

TES:jh

Enclosure



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

CK 96-7031 29111

NAME Buell-Red Prairie	SHIP TO
ADDRESS Water District	ADDRESS
CITY, STATE, ZIP	CITY, STATE, ZIP

ORDER NUMBER G 12608	TERMS	DATE 1-6-95
WHEN SHIP	HOW SHIP	SALESMAN

[illegible]

BUYER:

KEEP THIS SLIP FOR REFERENCE

November 9, 1994

BUELL - RED PRAIRIE WATER ASSOCIATION
6890 FRANK RD
SHERIDAN, OR 97378

Reference: File G 12608

Your application file was recently reviewed. Under separate cover I have enclosed our report of technical review. Before we can process your application further, you need to provide us with additional information, documentation, or fees.

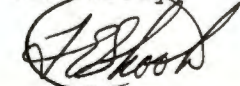
You will have to submit proof that the proposed use will actually be from the recharged reservoir. Documentation may include water level similarities to the recharged reservoir, geologic and geographic similarities, hydraulic information, and other pertinent data.

It will also be necessary for you to submit a copy of the currently valid recharge permit and a statement that you understand its contents and the conditions of that recharge.

After the file is complete and the deadline for objections to the technical review expires, staff will again review the file for objections and further process your application as soon as possible.

Please feel free to contact me if you have any questions and I will be happy to address any concerns you may have.

Sincerely,



Thomas E. Shook
Water Right Specialist

cc: SCHUETTE, CWRE

Note:
Permit copy
received, but
no statement of
understanding
was included.

DJB
7/9/96



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

November 9, 1994

WATER
RESOURCES
DEPARTMENT

BUELL - RED PRAIRIE WATER ASSOCIATION
6890 FRANK RD
SHERIDAN, OR 97378

Reference: File G 12608

The Water Resources Department has finished the first step of its analysis of your application. Enclosed is a copy of this first report, which is called the Report of Technical Review.

The technical review is the Department's legal and scientific analysis of the application, including a calculation of the expected availability of water for your proposed use, an analysis of whether the use would conflict with other existing water rights, and if the use is compatible with the Department's river basin programs and local land use plans. Step two, is the 60-day public review period.

In the case of your application, the Technical Review was satisfactory, and it concluded that water would be available for this use for the time period described in the permit conditions of the attached Report. The Report also includes other conditions which may be placed in the water right permit to protect other water users, the public or fish and wildlife resources.

The Report of Technical Review is only the first step of the review process and does not authorize you to construct a water system or to use the public waters. The Report does not represent any commitment by the Department ultimately to approve your application. Before a permit may be granted, the Department must complete a public interest review.

In this second step of the review process, state regulations require that other water users and the general public be given an opportunity to object to your proposed water use. You also may object to any of the Department's findings or proposed permit conditions contained in the technical report. If you wish to object, you must file your objection with the Department in writing by 5 p.m. on or before JANUARY 19, 1995. Interested parties must also submit their objections before the same deadline.



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

Please review the enclosed informational sheet which describes the appeals process and the steps that must be taken by any party objecting to your Report of Technical Review or by parties wishing to protest issuance of the permit.

If you have questions, please feel free to telephone me or any of the Department's Water Rights Division staff members. My telephone number is 378-3739 in Salem, or you may call toll-free from within the state to 1-800-624-3199.

Sincerely,

A handwritten signature in dark ink, appearing to read 'T. Shook', enclosed within a circular scribble.

Thomas E. Shook
Water Right Specialist

Enclosures

Report Date: November 9, 1994

OREGON WATER RESOURCES DEPARTMENT

SATISFACTORY REPORT OF TECHNICAL REVIEW

FOR WATER USE PERMIT(S)

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 158 12th ST N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE: JANUARY 19, 1995

1. APPLICATION FILE NUMBER -G 12608
2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:

BUELL - RED PRAIRIE WATER ASSOCIATION
6890 FRANK RD
SHERIDAN, OR 97378
COUNTY OF POLK

503-843-2218

Date application received for filing and/or tentative date
7/12/1991

SOURCE: TWO WELLS IN GOOSE CREEK BASIN

Purpose and/or use: SUPPLEMENTAL QUASI-MUNICIPAL.

Flow: 0.17 CUBIC FOOT PER SECOND (CFS)

Point of Diversion Location:

NW 1/4 SE 1/4, SECTION 35, T 6 S, R 7 W, W.M.;
1600 FEET NORTH & 1400 FEET WEST FROM SE CORNER, SECTION 35.
NE 1/4 SE 1/4, SECTION 35, T 6 S, R 7 W, W.M.;
2050 FEET NORTH & 480 FEET WEST FROM SE CORNER, SECTION 35.

Place of use:

WITHIN THE BUELL-RED PRAIRIE WATER DISTRICT SERVICE AREA

GROUNDWATER AVAILABILITY

This is an application for use of artificially recharged groundwater. The Groundwater/Hydrology Section report indicates that:

Pursuant to OAR 690-09-040, the proposed groundwater withdrawal will not have the potential to cause substantial interference with surface water.

In addition, the Groundwater/Hydrology Section has reported that the groundwater for the proposed use will if properly conditioned, avoid injury to existing rights or to the groundwater resource.

CONFLICTS WITH OTHER WATER RIGHTS:

There are no existing rights from this point of diversion.

There are existing water rights appurtenant to the lands described in the application. See proposed permit conditions.

REPORT CONCLUSIONS:

Based on the Department's review of water availability and Oregon Administrative Rules, water in the amount of 0.17 cfs is likely available for 12 months.

Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

THE PROPOSED WATER USE, AS CONDITIONED, SATISFIES THE REQUIREMENTS OF THIS TECHNICAL REVIEW.

This Report of Technical Review sets out the Director's technical analysis of the application. In addition to this technical analysis, the Director will evaluate this application to determine whether the proposed water use might impair or be detrimental to the public interest under the standards set out in ORS 537.170(5) and OAR 690-11-195. Matters relating to public interest in the proposed water use which are raised in objections will be evaluated following the 60-day objection period.

PROPOSED PERMIT CONDITIONS

Application: G 12608

The following conditions will apply to water use under the permit, and will appear in the permit, if issued.

1. Use of water under this permit is subject to all prior rights.
2. Period of allowed use of artificially recharged groundwater for quasi-municipal purposes: YEAR ROUND
3. Rate of use: 0.17 CFS
4. The maximum annual diversion shall not exceed 65 acre-feet of artificially recharged ground water or a lesser amount as herein provided in condition 19 (Allowable Use of Stored Water)
5. Water use development requirements:
 - A. Begin construction by (one year from issuance of permit).
 - B. Complete construction by October 1, 1996.
 - C. Completely apply the water to beneficial use by October 1, 1997.
6. 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.
7. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.

8. The 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.
9. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
10. 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 wells at all times. The use of water shall be limited when it interferes with any prior surface or ground water rights.
11. 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.
12. This right is limited to any deficiency in the available supply of any prior right existing for the same land.
13. Meters: The permittee shall meter all withdrawals from wells covered by this permit and keep records and reports as described below.
14. Water level monitoring: Once each year between April 1 and June 1, the permittee shall measure, to one foot accuracy, and record the depth to water below land surface in both wells.
15. Target water levels in key wells: Permit 51165 designates two existing wells as key wells in the water level monitoring program. As determined between April 1 and June 1 of each year, actual water levels at these wells shall be compared to the target levels to determine allowable use as indicated under the allowable use of stored water condition. Key wells and associated target levels are:

Target Levels (feet below Land Surface Datum)			
<u>Well Location</u>	<u>Common Name</u>	<u>Upper</u>	<u>Lower</u>
T6S/R7W-35db	Buell-Red Prairie #1	25	125
T6S/R7W-35dc	Recharge Well	0	50

16. Estimated data: When metered or measured data are missing in whole or in part, the Director may make estimates from available data. Those estimates shall be reasonable and, where a range of uncertainty exists, conservatively low on water delivered to the place of recharge and conservatively high on withdrawals of stored water.
17. Records, inspections: The permittee shall keep accurate and current records of metered values, water levels and other pertinent information. The Director may inspect the records and works covered by this permit upon reasonable notice and at any reasonable time.
18. Annual report: The permittee shall keep accurate and current records for the recharge water year beginning June 1 and ending May 31 and submit an annual withdrawal report to the Director by June 15 of each year.

The withdrawal report shall note total withdrawals, recently measured and dated water levels at each well, and other data pertinent to the storage account during the recharge year.

19. Allowable use of stored water: The availability of recharge water shall be determined on the basis of secondary groundwater rights and the allowable use of stored recharge water. The allowable use of stored recharge water falls into three categories. For ease of reference, these categories are named as the following color zones:

A. Green Zone: If water levels at key wells are above the upper target level, use is allowed up to the maximum of the storage account or maximum duty, whichever is lower. These target levels are noted in item 15.

B. Red Zone: If recent water levels as determined between April 1 and June 1 at the two keys wells are below the lower target levels, no use of recharge water is allowed the following recharge year.

C. Yellow Zone: If neither Green Zone or Red Zone water levels prevail, use is allowed up to 80 percent of the recharge volume for the preceding 12 months.

20. Condition changes: If the Director has reason to believe that the well(s) is not with-drawing artificially recharged groundwater or there are other substantial groundwater concerns, the permittee shall cease withdrawal upon notice from the Director. No further withdrawal shall be made until measures to prevent, correct or monitor the situation have been agreed to and implemented.
21. Permit assignment: A potential assignee shall prove, to the Director's satisfaction, the financial capability to construct uncompleted portions of, and operate, the project authorized by the permit.

TO: Water Rights Section

Sept 1, 1994

FROM: Groundwater/Hydrology Section Don Miller

Reviewer's Name

SUBJECT: Application G- 12608

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE Div 502 Basin rules, one or more of the proposed POA's is is not within 1/4 foot/mile of a surface water source (Gooseneck CK) 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 Gooseneck CK; or
 - c. ☐ will if properly conditioned, adequately protect the surface water from interference:
 - i. ☐ The permit should contain condition #(s) _____;
 - ii. ☐ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. ☐ The permit should be conditioned as indicated in item 4 below; or
 - d. ☐ will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
 - a. ☐ will, or likely be available in the amounts requested without injury to prior rights
 - b. ☐ will not and/or within the capacity of the resource; or
 - c. ☒ will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
 - i. ☐ The permit should contain condition #(s) _____;
 - 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: This review supersedes the 9/11/91 review for natural water,

recharged
* This application seeks water stored under permit 51165. Conditioning
for this application's permit is extraordinary and must consider the
conditions in the recharge permit (51165) as well as OAR 690-11-044.
The application itself must also comply with that rule. Please consider the
permit language proposed for G-11892. Also consult Permit G-10836.

(Well Construction Considerations on Reverse Side)

↑ G-3649

City of Hermiston
(TR done by SB)

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

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

RECOMMENDATION:

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

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit _____, 199__.

(Signature)

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

(Signature)

OM: Groundwater/Hydrology Section

meyer
Reviewer's Name

BJECT: Application G- 12608

PER THE Willamette Basin rules, one or more of the proposed POA's is within _____ mile of a surface water source and taps a groundwater source hydraulically connected to the surface water.

N/A

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 surface water
b. X will not } source, namely Gooseneck Creek; or
c. _____ will, if properly conditioned, adequately protect the surface water from interference:
i. _____ The permit should contain condition #(s) _____;
ii. _____ The permit should contain special condition(s) as indicated in "Remarks" below;
iii. _____ The permit should be conditioned as indicated in item 4 below; or
d. _____ will, with well reconstruction, adequately protect the surface water from substantial interference.

BASED UPON available data, I have determined that groundwater for the proposed use

- a. _____ will, or }
b. _____ will not } likely be available in the amounts requested without injury to prior rights; or
c. _____ can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
i. _____ The permit should contain condition #(s) _____;
ii. _____ The permit should contain special condition(s) as indicated in "Remarks" below;
iii. _____ The permit should be conditioned as indicated in item 4 below.

- 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:

Satisfied

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

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) _____

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) _____

THE WELL construction deficiency is described as follows: _____

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:

- ☐ 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."
- ☐ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- ☐ REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

concur in G/H's recommendation A or B above relating to conditioning or withholding the permit.
_____, 1991.

(Signature)

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

(Signature)

_____, 1991.

(WRF08\91)

OREGON ADMINISTRATIVE RULES
CHAPTER 690, DIVISION 11 — WATER RESOURCES DEPARTMENT

(j) Permit assignment. A permit condition shall require a potential assignee to prove, to the Director's satisfaction, the financial capability to construct uncompleted portions of an operate the project, if such proof was required for the application;

(k) Condition changes. If, under actual operation of the recharge project, the Director notifies the permittee that the Director has reason to believe there are adverse groundwater quantity or quality effects, the permittee shall cease recharge activities. No further diversion shall be made until measures to prevent, correct or monitor those adverse effects have been agreed to and implemented;

(l) Technical Oversight. If the recharge diversion is for five cfs or more, the permit may require the permittee to have the construction and operation of the proposed project overseen by a professional(s) registered or allowed, under Oregon law, to practice civil engineering;

(m) Other conditions. The permit may contain other conditions which the Commission believes are necessary.

(6) Recharge certificate. Annual reports as required in the permit shall be an element of proof of appropriation to the satisfaction of the Department prior to issuance of a confirming water right certificate. Operational conditions of the permit shall become conditions of the certificate.

Stat. Auth.: ORS 536.025, 536.027, 536.220, 536.300, 536.310, 537.338, 537.356 - 537.358, Ch. 540 & 543
Hist.: WRD 5-1988, f. & cert. ef. 6-28-88; WRD 16-1990, f. & cert. ef. 8-23-90; WRD 9-1992, f. & cert. ef. 7-1-92;
Renumbered from 690-11-085

Secondary Groundwater Permits for Use of Artificially Recharged Waters; Supplemental Information Requirements; Limitations; Conditions

690-11-044 (1) Permit required. The appropriation of artificially recharged groundwater for any beneficial use requires a secondary groundwater permit.

(2) Supplemental information for permit application. In addition to data required for permit applications under OAR 690-11-020, the applicant shall submit certain additional information. The following attachments are necessary:

(a) Identify source. The applicant shall identify an artificially recharged groundwater reservoir as a supply of water;

(b) Written consent. The applicant shall include the written consent of the holder of the recharge permit or certificate;

(c) Source proof. The applicant shall submit proof that the proposed use will actually be from the recharged reservoir. Documentation may include water level similarities to the recharged reservoir, geologic and geographic similarities, hydraulic information, and other pertinent data; and

(d) Recharge understanding. The applicant shall attach a copy of the currently valid recharge certificate or permit and a statement that the applicant understands its content and the conditions of that recharge.

(3) Limitations on secondary groundwater permit approval. During the first five years of

recharge, the Department shall limit cumulative secondary permits to no more than 85 percent of the project's permitted annual recharge volume. Subsequent recharge permits may exceed 85 percent based on recharge performance as determined by the Department.

(4) Secondary groundwater permit conditions. A secondary groundwater permit shall address the following items:

(a) Maximum rate and volume. A permit shall specify a maximum diversion rate and annual diversion volume;

(b) Meters. The permit shall require the permittee to meter all withdrawals so as to provide data as a debit against the storage account;

(c) Water levels. The permit shall require the permittee to measure water levels on a specified basis;

(d) Estimated data. The permit shall specify that when metered or measured data are missing in whole or in part, the Director may make estimates from available data. The Director's estimates shall be reasonable and, where a range of uncertainty exists, be conservatively high on withdrawal of stored water;

(e) Records, inspections. The permit shall require the permittee to keep accurate and current records of withdrawals and water levels. The Director may inspect any records or works covered by the permit upon reasonable notice and at any reasonable time;

(f) Annual report. The permittee shall be required to submit an annual report to the Director and holder of the recharge right. The report shall note withdrawals, dated water levels and other data pertinent to the storage account;

(g) Allowable use of stored recharge water. The permit shall indicate that availability shall be determined on the basis of secondary groundwater right priority and the allowable use of stored recharge water. The allowable use of stored recharge water falls into three categories. For ease of reference, these categories are named as the following color zones:

(A) Green zone. If water levels at key wells are above the upper target level, use is allowed up to the maximum of the storage account or maximum duty, whichever is lower. These wells and targets are noted in the recharge permit;

(B) Yellow zone. If water levels at key wells are between the upper and lower target levels, use is allowed up to 85 percent of the recharge volume for the preceding 12 months; and

(C) Red zone. If water levels at key wells are below the lower target level, no use of stored recharge water is allowed.

(h) Condition changes. If the Director has reason to believe that the well(s) is not withdrawing artificially recharged groundwater or there are other substantial groundwater concerns, the permittee shall cease withdrawal upon notice from the Director. No further withdrawal shall be made until measures to prevent, correct or monitor the situation have been agreed to and implemented; and

(i) Other conditions. The permit may contain other conditions which the Director specifies.

(5) Secondary groundwater Certificate. Annual reports as required in the permit shall be an element of proof of appropriation to the satisfaction



County of

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION G-8649 and do hereby grant the same SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

This permit is issued to County Line Water Improvement District, c/o Tyler Hansell, Rural Route 1, Box 1824, Hermiston, Oregon 97838, phone 567-8939 for the use of artificially recharged ground water from 27 wells.
for the PURPOSE of supplemental irrigation of 5,339.48 acres,

that the **PRIORITY OF THE RIGHT** dates from February 15, 1978

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 60.26 cfs

measured at the point of diversion from the wells, or its equivalent in case of rotation with other water users.

THEXGAPKEXXEXXOCATLQXX

The maximum annual diversion shall not exceed 14,688.00 acre-feet of artificially recharged ground water or a lesser amount as herein provided in condition 8 (Allowable Use of Stored Water).

A description of the PLACES OF USE under the report and to which such victim is referring is as follows:

The amount of water used for irrigation together with the amount secured under other existing rights for the same lands shall be limited to 1/80 of one cubic foot per second per acre, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of March 10 to October 15 for each calendar year. This permit does not alter the Ordinance Critical Ground Water Area Order.

The wells are to be located:

- Well 1 - 3920.4 feet South and 1353.0 feet East of NW Corner of Section 30 within the SW 1/4 SW 1/4, Section 30;
Well 1A - 2831.4 feet South and 2092.2 feet East of NW Corner of Section 30 within the NE 1/4 SW 1/4, Section 30;
Well 2 - 3847.8 feet South and 4158 feet East of NW Corner of Section 30 within the NW 1/4 SE 1/4, Section 30;
Well 3 - 290.4 feet North and 52.8 feet West of SE Corner of Section 30 within the SE 1/4 SE 1/4 of Section 30;
Well 4 - 99.0 feet North and 39.6 feet West of SE Corner of Section 30 within the SE 1/4 SE 1/4 of Section 30;
Well 5 - 13.2 feet North and 92.4 feet East of SW Corner of Section 20 within the SW 1/4 SW 1/4 of Section 20;
Well 6 - 158.4 feet North and 468.6 feet East of SW Corner of Section 20 within the SE 1/4 SW 1/4 of Section 20;
Well 7 - 52.8 feet South and 2706.0 feet West of NE Corner of Section 32 within the NE 1/4 NW 1/4 of Section 32;
Well 8 - 52.8 feet South and 1412.4 feet West of NE Corner of Section 32 within the NW 1/4 NE 1/4 of Section 32;
Well 9 - 343.2 feet South and 1188.0 feet West of NE Corner of Section 32 within the NE 1/4 NE 1/4 of Section 32;

SEE NEXT PAGE

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times. The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

Actual construction work shall begin on or before September 7, 1989, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1990.

Complete application of the water to the proposed use shall be made on or before October 1, 1991.

Witness my hand this 7th day of September, 1989.

/s/ WILLIAM H. YOUNG

WATER RESOURCES DIRECTOR

This permit is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

APPLICATION
G-8649

PERMIT G10886

COPY CHECK-OFF SHEET FOR TECHNICAL REVIEWS

✓ CC: FILE # G - 12008
✓ WATERWATCH
✓ ODF&W - County: Polk
✓ WATERMASTER #: 16 DAVE JAKUETT
✓ REGIONAL MANAGER: 1111 TOM PAUL
✓ CWRE: JAMES SCHUETTE
✓ DEQ
✓ OREGON ASSOCIATION OF NURSERYMEN INC.
✓ KEN STAHR

OTHER ADDRESSES:

CASEWORKER (initials/date) JS 11-9-84 ORIGINAL TO APPLICANT 6/28/94

OREGON ADMINISTRATIVE RULES
WATER RESOURCES DEPARTMENT
CHAPTER 690
DIVISION 500
BASIN PROGRAMS

Basin Programs Preamble

690-500-010

- (1) The Water Resources Commission is responsible for the establishment of policy and procedures for the use and control of the state's water resources. In executing this responsibility, the Commission develops, adopts and periodically modifies programs for the state's major drainage basins as shown in Figure 1.
- (2) Basin programs are administrative rules which establish water management policies and objectives and which govern the appropriation and use of the surface and ground water within each of the respective basins. The rules classify surface and ground waters according to the uses which are permitted, may establish preferences among uses, may withdraw surface and ground waters from further appropriation, may reserve waters for specified future uses, and may establish minimum perennial streamflows. These rules are in addition to rules with statewide applicability which govern the allocation and use of water.
- (3) The Commission has adopted programs for the following basins:
 - (a) North Coast Basin (Division 501)
 - (b) Willamette Basin (Division 502)
 - (c) Sandy Basin (Included in Division 502)
 - (d) Hood Basin (Division 504)
 - (e) Deschutes Basin (Division 505)
 - (f) John Day Basin (Division 506)
 - (g) Umatilla Basin (Division 507)
 - (h) Grand Ronde Basin (Division 508)
 - (i) Powder Basin (Division 509)
 - (j) Malheur - Owyhee Basins (Division 510)
 - (k) Goose and Summer Lakes Basin (Division 513)
 - (l) Rogue Basin (Division 515)
 - (m) Umpqua Basin (Division 516)
 - (n) South Coast Basin (Division 517)
 - (o) Mid Coast Basin (Division 518)
 - (p) Columbia River (Division 519)
 - (q) Middle Snake River Basin (Division 520)
- (4) Although the Commission has not adopted a comprehensive basin program for the waters of the Malheur Lake Basin, minimum perennial streamflows have been adopted for specified streams in the basin. These minimum perennial streamflows are in Division 512. Allocation and use of the waters of the basin also are subject to administrative rules with statewide applicability.
- (5) The Commission has not adopted a comprehensive basin program for the waters of the Klamath Basin. Allocation and use of the waters of the basin are subject to administrative rules with statewide applicability and to the provisions of the Klamath River Basin Compact (ORS 542.62)

{ adopted 9-23-88 and renumbered from 690-80-000 }

Definitions

690-500-020 Unless otherwise defined in a basin program, the following definitions apply in OAR Chapter 690, Divisions 501, 504-512, and 515-520 to any classification adopted prior to January 1, 1993:

- (1) "Domestic use" means the use of water for domestic water use, group domestic water use, commercial water use of less than 5,000 gallons per day, or human consumption as defined in OAR 690-11-010.
- (2) "Fish culture or fish life use" means the use of water for aquatic life water uses as defined in OAR 690-11-010 and public uses related to fish culture or fish life water uses as defined in OAR 690-77-010.
- (3) "Industrial use" means the use of water for commercial water use or industrial water use as defined in OAR 690-11-010.
- (4) "Irrigation use" means the use of water for agricultural water use, cranberry use, irrigation, nursery operations use, or temperature control as defined in OAR 690-11-010.
- (5) "Livestock use" means the use of water for stockwater use as defined in OAR 690-11-010.
- (6) "Mining use" means the use of water for mining water use or placer mining as defined in OAR 690-11-010.
- (7) "Municipal use" means the use of water for commercial water use, municipal water uses, or quasi-municipal water uses as defined on OAR 690-11-010.
- (8) "Pollution abatement use" means the use of water for pollution abatement or prevention water use as defined in OAR 690-11-010 and public uses related to pollution abatement as defined in OAR 690-77-010.
- (9) "Power or power development use" means the use of water for power development water use as defined in OAR 690-11-010.
- (10) "Recreation use" means the use of water for recreation water use as defined in OAR 690-11-010 and public uses related to recreation uses as defined in OAR 690-77-010.
- (11) "Wildlife use" means the use of water for wildlife use as defined in OAR 690-11-010 and public uses related to wildlife uses as defined in OAR 690-77-010.

{ adopted 10-1-93 }

fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses.

(3) Multnomah Channel and drainage waters originating within drainage districts are classified for domestic, livestock, municipal, industrial, irrigation, commercial, agricultural, mining, power, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses.

(4) Except as specified in subsections (1)(a), (b) and (c) of this rule, all stream systems in the Columbia Subbasin and Columbia Slough are classified year-round only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses.

Stat. Auth.: ORS 536.300 & 536.340

Hist.: WRD 4-1992, f. & cert. ef. 3-13-92

Groundwater Classifications and Conditions

690-502-160 (1) Use of groundwater from the basalt aquifer within the Cooper-Bull Mountain Critical Groundwater Area shall be as described in the State Engineer's order designating the Cooper-Bull Mountain Critical Groundwater Area dated May 17, 1974.

(2) Groundwater Classification: The ground-water resources of the Willamette Basin are classified for domestic, livestock, irrigation, municipal, industrial, agricultural, commercial, power, mining, recreation, fish life, wildlife, pollution abatement, wetland enhancement and statutorily exempt groundwater uses with the following exceptions:

(a) Groundwater from the *shallow* Troutdale aquifer and the specially designated portion of the *deep* Troutdale aquifer in the Sandy-Boring area is classified for exempt uses only. The Sandy-Boring Groundwater Limited Area is as described and shown in Exhibit 1. Groundwater applications pending on October 4, 1991 shall be processed according to the classifications in effect on the date the application was filed and shall contain the Special Permit Conditions specified in section (4) of this rule. Applications may be rejected if the aquifer displays any of the adverse impacts defined in OAR 690-08. Applications submitted after October 4, 1991 shall be processed according to the requirements of these rules and classifications;

(b) Groundwater from the basalt aquifers in the Damascus, Glad Tidings, Kingston, Mt. Angel, Parrett Mountain, and Stayton-Sublimity areas, and the Troutdale aquifer in the Damascus area is classified for exempt uses only:

(A) The Damascus Groundwater Limited Area is as described and shown in Exhibit 2. The Glad Tidings Groundwater Limited Area is as described and shown in Exhibit 3. The Kingston Groundwater Limited Area is as described and shown in Exhibit 4. The Mt. Angel Groundwater Limited Area is as described and shown in Exhibit 5. The Parrett Mountain Groundwater Limited Area is as described and shown in Exhibit 9. The Stayton-Sublimity Groundwater Limited Area is as described and shown in Exhibit 7;

(B) Groundwater applications pending on October 4, 1991 shall be processed according to the classifications in effect on the date the application was filed. Permits may be issued for a period not to exceed five years and shall contain the Special Permit Conditions specified in section (3) of this rule. Permits may be extended for additional five-year periods if the Director finds that the groundwater resource can probably support the extended use. Applications may be rejected or permit or certificate extensions may be denied if the aquifer displays any of the adverse impacts defined in OAR 690-08. Applications submitted after October 4, 1991 shall be processed according to the requirements of these rules and classifications. Within two years of permit issuance, the applicant shall prepare a plan for the Water

(i) Allowable use of stored recharge water. See rules governing secondary groundwater permits in OAR 690-11-044;

(j) Permit assignment. A permit condition shall require a potential assignee to prove, to the Director's satisfaction, the financial capability to construct uncompleted portions of an operate the project, if such proof was required for the application;

(k) Condition changes. If, under actual operation of the recharge project, the Director notifies the permittee that the Director has reason to believe there are adverse groundwater quantity or quality effects, the permittee shall cease recharge activities. No further diversion shall be made until measures to prevent, correct or monitor those adverse effects have been agreed to and implemented;

(l) Technical Oversight. If the recharge diversion is for five cfs or more, the permit may require the permittee to have the construction and operation of the proposed project overseen by a professional(s) registered or allowed, under Oregon law, to practice civil engineering;

(m) Other conditions. The permit may contain other conditions which the Commission believes are necessary.

(6) Recharge certificate. Annual reports as required in the permit shall be an element of proof of appropriation to the satisfaction of the Department prior to issuance of a confirming water right certificate. Operational conditions of the permit shall become conditions of the certificate.

Stat. Auth.: ORS 536.025, 536.027, 536.220, 536.300, 536.310, 537.338, 537.356 - 537.358, Ch. 540 & 543

Hist.: WRD 5-1988, f. & cert. ef. 6-28-88; WRD 16-1990, f. & cert. ef. 8-23-90; WRD 9-1992, f. & cert. ef. 7-1-92; Renumbered from 690-11-085

Secondary Groundwater Permits for Use of Artificially Recharged Waters; Supplemental Information Requirements; Limitations; Conditions

690-11-044 (1) Permit required. The appropriation of artificially recharged groundwater for any beneficial use requires a secondary groundwater permit.

(2) Supplemental information for permit application. In addition to data required for permit applications under OAR 690-11-020, the applicant shall submit certain additional information. The following attachments are necessary:

(a) Identify source. The applicant shall identify an artificially recharged groundwater reservoir as a supply of water;

(b) Written consent. The applicant shall include the written consent of the holder of the recharge permit or certificate;

(c) Source proof. The applicant shall submit proof that the proposed use will actually be from the recharged reservoir. Documentation may include water level similarities to the recharged reservoir, geologic and geographic similarities, hydraulic information, and other pertinent data; and

(d) Recharge understanding. The applicant shall attach a copy of the currently valid recharge certificate or permit and a statement that the applicant understands its content and the conditions of that recharge.

(3) Limitations on secondary groundwater permit approval. During the first five years of recharge, the Department shall limit cumulative secondary permits to no more than 85 percent of the project's permitted annual recharge volume. Subsequent recharge permits may exceed 85 percent based on recharge performance as determined by the Department.

(4) Secondary groundwater permit conditions. A secondary groundwater permit shall address the following items:

(a) Maximum rate and volume. A permit shall specify a maximum diversion rate and annual diversion volume;

Application No. 6-12608
Permit No.

RECEIVED

JUL 12 1991

WATER RESOURCES DEPT
SALEM, OREGON

Receipt for Request for Land Use Information

WRD Applicant Name: Buell - Red Prairie Water Assoc.

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government can not provide the above requested land use information while the applicant waits.

City or County: Polk County

Staff Contact: Dale Jordan Phone: 623-9257

Signature: Gene Clemens Date of Information Request: 7-12-91

COMPLETENESS DETERMINATION CHECKLIST

Application #	Review Date	Reviewer
G - 12608	9/28/95	JERRY

EXAM: _____

RECORD: _____

TOTAL: **COMPLETED**

A checkmark (✓) indicates that the item is incomplete or defective.

- ☒ 1. Examination fees (and recording fees, if for PFO/FO).
- ☒ 2. Name and address of the applicant, and title if applicable.
- ☒ 3. Source of water.
- ☒ 4. Use of water.
- ☒ 5. Amount of water.
- ☒ 6. Description of delivery system.
- ☒ 7. A statement of whether the applicant has written authorization or easements permitting access to lands owned by others.
- ☒ 8. Name(s) and address(es) of the owners of any lands involved, but not owned by the applicant.
- ☒ 9. Proposed dates of beginning and completion of construction, and complete application of water.
- ☒ 10. If for **municipal use**, the present population to be served and expected future water requirements.
- ☒ 11. If for **mining use**, the type of mines and methods of supplying & utilizing the water.
- ☒ 12. If for a **reservoir**:
 - ☒ a. The height of the dam.
 - ☒ b. The storage capacity.
 - ☒ c. The area submerged.
 - ☒ d. The maximum depth.
 - ☒ e. The construction method (earthfill, concrete, flashboard, etc.).
 - ☒ f. A description of the outlet conduit.
 - ☒ g. A description of the spillway.
- ☒ 13. If for **groundwater**, the horizontal distance from the well to the nearest surface water source (if within one mile), and the difference in land surface elevation between them.
- ☒ 14. If the application was made under **HB 2107**:
 - ☒ a. Name and address of each adjacent property owner and verification that each owner has been mailed a copy of the completed notice.
 - ☒ b. A description of the proposed water used and related project, the condition it will address, and the benefits that are expected to result from the project.
 - ☒ c. The number of reservoirs per application is appropriate as per OAR 690-11-049 (3)(b)
- ☒ 15. An oath that the application information is true and correct.
- ☒ 16. The signature of the applicant(s).
- ☒ 17. A satisfactory map of the proposed POD & POU.
- ☒ 18. A Land Use Information Form or receipt.
- ☒ 19. A legal description of the property where water will be used.

TECHNICAL REVIEW CHECKLIST

1. Application: G 12608
2. Review Date: 5.3.94 DWF

S indicates information was completed or adequately addressed.
 U indicates information is needed, or incomplete, or inadequately addressed
 N/A indicates Not Applicable

SUMMARY

S Land Use

NA/yes/no Substantial SW interference w/GW
 (if yes, see results of surface water availability analysis)

S Conflicts

S Water Availability (GW Report)
(Water Availability - See Report)

U The application, map and supporting LD data are complete and free of defects.

yes NA A TMDL letter has been received for this source or tributary. If yes, the period of use has been adjusted.

3. S The applicant has certified that the information provided in the application is an accurate representation of the proposed use and is true and correct to the best of their knowledge.

4. N/A No oath is required because application was filed before June 5, 1992.

5. S Application fees:

Examination fee:	\$ <u>200</u>
Recording fee:	\$ <u>100</u>
TOTAL REQUIRED	\$ <u>300</u>
TOTAL SUBMITTED	\$ <u>300</u>
AMOUNT DUE prior to issuance of permit	\$ <u>✓</u>
AMOUNT OVERPAID	\$ <u> </u>
refund due applicant	\$ <u> </u>

6. S Proposed dates of beginning and completion of construction, and complete application of water.
7. S A satisfactory map of the proposed place of water use prepared by a certified water right examiner, unless exempt under OAR 690-14-150(3). (A CWRE map is not required for applications filed before November 9, 1987.)
8. S A written copy of the legal description of the property on which the water is to be used. map - Quasi-mun.
9. N/A A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.
10. N/A No statement of ownership was required for applications filed before August, 1990.
11. S The proposed use is not restricted or prohibited by statute.
12. S The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.
13. S Quasi Mun. use(s) is/are classified uses(s) under the WUL Basin Program, OAR 690 - 502160 (2)

Land Use Compatibility:

14. As expressed by the Planning Department of Polk
15. S The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section _____).
16. / The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.
17. / The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For reservoir applications:

18. / Plans, specifications and supporting information for the dam and impoundment area.

TECHNICAL REVIEW CHECKLIST

Application: G-12608

Review Date: 04/09/93

JS

- OK indicates information was completed or adequately addressed.
N indicates information is needed, or incomplete, or inadequately addressed
N/A indicates Not Applicable

SUMMARY

<u>U</u>	Completeness: <i>Legal Description, Groundwater Report</i>
<u>S</u>	Land Use
<u>S</u>	GW Interference (if potential interference with surface water, see results of water availability analysis)
<u>S</u>	Conflicts
<u>S</u>	Water Availability <i>Assuming favorable groundwater report.</i>
<u>S or U</u>	Satisfactory or Unsatisfactory Conclusions based on information available on the review date above.

n/a

The applicant has certified that the information provided in the application is an accurate representation of the proposed use and is true and correct to the best of their knowledge.

OK

No oath is required because application was filed before June 5, 1992.

OK

Application fees:

Examination fee:	\$200
Recording fee:	\$100
TOTAL REQUIRED	\$300
TOTAL SUBMITTED	\$300
AMOUNT DUE prior to issuance of permit	\$ <u>0</u>
AMOUNT OVERPAID	\$ <u>—</u>
refund due applicant	\$ <u>—</u>

- OK Proposed dates of beginning and completion of construction, and complete application of water.
- OK A satisfactory map of the proposed place of water use prepared by a certified water right examiner, unless exempt under OAR 690-14-150(3).
- n/a A CWRE map is not required for applications filed before November 9, 1987.
- N A written copy of the legal description of the property on which the water is to be used.
- n/a A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.
- n/a No statement of ownership was required for applications filed before August, 1990.
- N The report from watermaster has been received.
- n/a The proposed use is not restricted or prohibited by statute.
- n/a The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.
- OK Quasi-Municipal use(s) is/are classified under the Willamette River Basin Program, OAR 690 - 502-100.(d)
- OK The application, map and supporting data are complete and free of defects.

Land Use Compatibility:

As expressed by the Planning Department of Polk County

- OK The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section not stated).
- n/a The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.
- n/a The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For ground water applications:

OK

A copy of the constructor's log, if available, for any well already constructed, or required information regarding actual or anticipated construction.

N

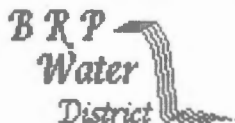
The report from groundwater section has been received.

Not Complete

For reservoir applications:

n/a

Plans, specifications and supporting information for the dam and impoundment area.



BUELL-RED PRAIRIE WATER DISTRICT

6430 Red Prairie Road, Sheridan OR 97378

(503) 843-2675

RECEIVED

JAN - 6 1995

WATER RESOURCES DEPT.
SALEM, OREGON

WATER RESOURCES DIRECTOR
3850 PORTLAND ROAD N.E.
SALEM OR 97310

November 30, 1994

Dear Sirs:

Enclosed please find an "assignment" of water rights from the BUELL-RED PRAIRIE WATER ASSOCIATION to the BUELL-RED PRAIRIE WATER DISTRICT. It was my understanding that this had been previously filed some time ago. However, a recent telephone check with your office indicated that they could find no record of the transfer.

Please complete whatever records are required and advise us that the transfer has been completed.

Also, please find an enclosed check for \$10., as requested.

Yours truly,

Buell-Red Prairie Water District


by John F. Kumley
Secretary

Copies: Mark Millikan
Mark Lyon
Mark Irick

**SHETTERLY
IRICK
SHETTERLY**



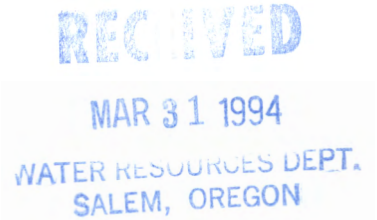
KENNETH E. SHETTERLY (1920-1986)
MARK IRICK
LANE P. SHETTERLY
TERESA S. OZIAS

ATTORNEYS AT LAW

189 S.W. ACADEMY STREET • POST OFFICE BOX 105 • DALLAS, OREGON 97338
TELEPHONE 503 / 623-6695 • FAX: 623-6698

March 29, 1994

Water Rights Division
3850 Portland Road NE
Salem, OR 97310



To Whom It May Concern:

Please let this letter serve as notice that the Buell-Red Prairie Water Association has been dissolved and all its assets, including all water rights held by the Association, have been transferred to the Buell-Red Prairie Water District. In my previous contact with your Department, I was informed that all that needed to be done in order for you to note the change of the holder of the water rights was to send written notification of the change. If you should need any further information or documentation regarding this matter, please feel free to contact me.

If you should need to contact the Buell-Red Prairie Water District for any reason its address is 6430 Red Prairie Road, Sheridan, Oregon 97378.

Yours very truly,

MARK IRICK

MI:mac

cc: Mr. John Kumley

c:\M\BuellRP\WaterDiv.329

November 1, 1994

BUELL - RED PRAIRIE WATER ASSOCIATION
6890 FRANK RD
SHERIDAN, OR 97378

Reference: File G 12608

Your application file was recently reviewed. Under separate cover I have enclosed our report of technical review. Before we can process your application further, you need to provide us with additional information, documentation, or fees.

You will have to submit proof that the proposed use will actually be from the recharged reservoir. Documentation may include water level similarities to the recharged reservoir, geologic and geographic similarities, hydraulic information, and other pertinent data.

It will also be necessary for you to submit a copy of the currently valid recharge permit and a statement that you understand its contents and the conditions of that recharge.

After the file is complete and the deadline for objections to the technical review expires, staff will again review the file for objections and further process your application as soon as possible.

Please feel free to contact me if you have any questions and I will be happy to address any concerns you may have.

Sincerely,

Thomas E. Shook
Water Right Specialist

cc: SCHUETTE, CWRE



Report Date: November 1, 1994

OREGON WATER RESOURCES DEPARTMENT

SATISFACTORY REPORT OF TECHNICAL REVIEW

FOR WATER USE PERMIT(S)

WATER
RESOURCES
DEPARTMENT

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 158 12th ST N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE: JANUARY 5, 1995

1. APPLICATION FILE NUMBER -G 12608

2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:

BUELL - RED PRAIRIE WATER ASSOCIATION
6890 FRANK RD
SHERIDAN, OR 97378
COUNTY OF POLK

503-843-2218

Date application received for filing and/or tentative date
7/12/1991

SOURCE: TWO WELLS IN GOOSE CREEK BASIN WHICH DIVERT ^{ARTIFICIALLY} RECHARGED
GROUNDWATER →

Purpose and/or use: SUPPLEMENTAL QUASI-MUNICIPAL.

Flow: 0.17 CUBIC FOOT PER SECOND (CFS)

Point of Diversion Location:

NW 1/4 SE 1/4, SECTION 35, T 6 S, R 7 W, W.M.;
1600 FEET NORTH & 1400 FEET WEST FROM SE CORNER, SECTION 35.
NE 1/4 SE 1/4, SECTION 35, T 6 S, R 7 W, W.M.;
2050 FEET NORTH & 480 FEET WEST FROM SE CORNER, SECTION 35.

Place of use:

WITHIN THE BUELL-RED PRAIRIE WATER DISTRICT SERVICE AREA



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

GROUNDWATER AVAILABILITY

*artificially
recharge*

This is an application for use of groundwater. The Groundwater/Hydrology Section report indicates that:

WATER
RESOURCES
DEPARTMENT

Pursuant to OAR 690-09-040, the proposed groundwater withdrawal will not have the potential to cause substantial interference with surface water.

In addition, the Groundwater/Hydrology Section has reported that the groundwater for the proposed use will if properly conditioned, avoid injury to existing rights or to the groundwater resource.

CONFLICTS WITH OTHER WATER RIGHTS:

There are no existing rights from this point of diversion.

There are existing water rights appurtenant to the lands described in the application. See proposed permit conditions.

REPORT CONCLUSIONS:

Based on the Department's review of water availability and Oregon Administrative Rules, water in the amount of 0.17 cfs is likely available for 12 months.

Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

THE PROPOSED WATER USE, AS CONDITIONED, SATISFIES THE REQUIREMENTS OF THIS TECHNICAL REVIEW.

This Report of Technical Review sets out the Director's technical analysis of the application. In addition to this technical analysis, the Director will evaluate this application to determine whether the proposed water use might impair or be detrimental to the public interest under the standards set out in ORS 537.170(5) and OAR 690-11-195. Matters relating to public interest in the proposed water use which are raised in objections will be evaluated following the 60-day objection period.



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(503) 378-3739
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PROPOSED PERMIT CONDITIONS

Application: G 12608

WATER
RESOURCES
DEPARTMENT

The following conditions will apply to water use under the permit, and will appear in the permit, if issued.

1. Use of water under this permit is subject to all prior rights.
2. Period of allowed use: YEAR ROUND
- ✓ 3. Rate of use: 0.17 CFS
- ✓ 4. The maximum annual diversion shall not exceed 65 acre-feet of artificially recharged ground water or a lesser amount as herein provided in condition ~~4~~ (Allowable Use of Stored Water) 19
5. Water use development requirements:
 - A. Begin construction by (one year from issuance of permit).
 - B. Complete construction by October 1, 1996.
 - C. Completely apply the water to beneficial use by October 1, 1997.
6. 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.
7. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.
8. The 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.



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

10. 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 wells at all times. The use of water shall be limited when it interferes with any prior surface or ground water rights.

11. 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.

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

✓ 13. Meters: The permittee shall meter all withdrawals from wells covered by this permit and keep records and reports as described below.

✓ 14. Water level monitoring: Once each year between April 1 and June 1, the permittee shall measure, to one foot accuracy, and record the depth to water below land surface in both wells.

15. Target water levels in key wells: Permit 51165 designates two existing wells as key wells in the water level monitoring program. As determined between April 1 and June 1 of each year, actual water levels at these wells shall be compared to the target levels to determine allowable use as indicated under the allowable use of stored water condition. Key wells and associated target levels are:

Target Levels (feet below Land Surface Datum)			
<u>Well Location</u>	<u>Common Name</u>	<u>Upper</u>	<u>Lower</u>
T6S/R7W-35db	Buell-Red Prairie #1	25	125
T6S/R7W-35dc	Recharge Well	0	50

✓ 16. Estimated data: When metered or measured data are missing in whole or in part, the Director may make estimates from available data. Those estimates shall be reasonable and, where a range of uncertainty exists, conservatively low on water delivered to the place of recharge and conservatively high on withdrawals of stored water.



17. Records, inspections: The permittee shall keep accurate and current records of metered values, water levels and other pertinent information. The Director may inspect the records and works covered by this permit ~~and permit 51165~~ upon reasonable notice and at any reasonable time.

18. Annual reports: The permittee shall keep accurate and current records and submit annual reports to the Director by June 15 of each year.

and the holder of the recharge right ~~for this permit~~
A. The recharge report shall include the range of discharge rates and total quantities during the prior water year at both the diversion point and the place of recharge. The water year begins ~~October 1~~ ^{May 31} and ends ~~September 30~~ ^{June 30}. The report shall include a general operations review, the permittee's estimate of the storage account and the results of other related water quantity and quality programs.

B. The withdrawal report shall note total withdrawals, recently measured and dated water levels at each well, and other data pertinent to the storage account.

during the recharge year
19. Allowable use of stored water: The availability of recharge water shall be determined on the basis of secondary groundwater rights and the allowable use of stored recharge water. The allowable use of stored recharge water falls into three categories. For ease of reference, these categories are named as the following color zones:

A. Green Zone: If water levels at key wells are above the upper target level, use is allowed up to the maximum of the storage account or maximum duty, whichever is lower. These target levels are noted in item 15.

B. Red Zone: If recent water levels as determined between April 1 and June 1 at the two keys wells are below the lower target levels, no use of recharge water is allowed the following recharge year.

C. Yellow Zone: If neither Green Zone or Red Zone water levels prevail, use is allowed up to 80 percent of the recharge volume for the preceding 12 months.

20. Permit assignment: A potential assignee shall prove, to the Director's satisfaction, the financial capability to construct uncompleted portions of, and operate, the project authorized by the permit.



this is not required in Div II for the secondary permit

Application No. 6-12608

Permit No.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

WATER RESOURCES DEPARTMENT.
SALEM, OREGON 97310
within 30 days from the date
of well completion.

State Well No.

65/7W-35 db

State Permit No.

1) OWNER:

Name Buell - Red Prairie Water Association
Address _____

2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
abandonment, describe material and procedure in Item 12.

3) TYPE OF WELL:

Artesian ☒ Driven ☐
Pile ☐ Jetted ☐
Bored ☐

(4) PROPOSED USE (check):

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

CASING INSTALLED:

Threaded ☐ Welded ☐

6" Diam. from 18 ft. to 110 ft. Gage 250
8" Diam. from 0 ft. to 160 ft. Gage 250
8" Diam. from 180 ft. to 190 ft. Gage 250

PERFORATIONS:

Perforated? ☐ Yes ☒ No.

Type of perforator used _____

Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

5) SCREENS:

Well screen installed? ☒ Yes ☐ No

Manufacturer's Name Johnson
Type Galv. irrigator Model No. _____
am. 8" Slot size 100 Set from 160 ft. to 180 ft.
am. Slot size Set from ft. to ft.

6) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☐ Yes ☒ No If yes, by whom?
Pump: gal./min. with ft. drawdown after hrs.

Flow test 300 + gal./min. with 179 ft. drawdown after 2 hrs.
Testian flow g.p.m.

Temperature of water Depth artesian flow encountered ft.

7) CONSTRUCTION:

Well seal—Material used Cement + grout
Well sealed from land surface to 18 ft.
Diameter of well bore to bottom of seal 18 in.
Diameter of well bore below seal 10 in.
Number of sacks of cement used in well seal 33 sacks
How was cement grout placed? pumped from bottom up.

Is a drive shoe used? ☐ Yes ☒ No Plugs _____ Size: location _____ ft.

Do any strata contain unusable water? ☐ Yes ☒ No

Depth of water? depth of strata _____

Method of sealing strata off _____

Is well gravel packed? ☐ Yes ☒ No Size of gravel: _____

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Polk Driller's well number
NW 1/4 SE 1/4 Section 35 T. 6 S R. 7 W. W.M.

Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 153 ft.

Static level 11 1/2 ft. below land surface. Date 6-14-79

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 10

Depth drilled 190 ft. Depth of completed well 190 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top Soil	0	1	
Clay	1	8	
Weathered basalt	8	13	
Basalt	13	25	
Volcanic tuff	25	133	
Sandstone (Grey)	133	147	
Sandstone (Brown)	147	153	
Volcanic tuff (decomposed - red)	153	190	

WATER RESOURCES DEPT.
SALEM, OREGON

JUL 12 1979

RECEIVED

JUL 3 1979

WATER RESOURCES DEPT.
SALEM, OREGON

Work started 6-14 1979 Completed 6-14 1979
Date well drilling machine moved off of well 6-17 1979

Drilling Machine Operator's Certification:

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

(Signed) Keith M. Palmer Date 6-15, 1979
(Drilling Machine Operator)

Drilling Machine Operator's License No. 1330

Water Well Contractor's Certification:

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

Name AQUA-TECH Well Construction Inc.
(Person, firm or corporation) (Type or print)

Address 868 Delta Dr. N. E. Salem

(Signed) David Beach
(Water Well Contractor)

Contractor's License No. 696 Date June 28, 1979

are to be filled with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date
of well completion.

STATE OF OREGON

(Please type or print)

(Do not write above this line)

State Well No. 65/7w-35 cl

State Permit No. 5-2746

(1) OWNER:

Name Buxill-Red Prairie Water Association
Address _____

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
Aug ☐ Bored ☐

(4) PROPOSED USE (check):

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

CASING INSTALLED:

Threaded ☐ Welded ☒

3" Diam. from +2 ft. to 28 ft. Gage 250
6" Diam. from +2 ft. to 320 ft. Gage 250
" Diam. from ft. to ft. Gage

PERFORATIONS:

Perforated? ☐ Yes ☒ No.

Type of perforator used _____

Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☒ Yes ☐ No

Manufacturer's Name Johnson
Type Galv. irrigator Model No. _____
Diam. 6" Slot size 100 Set from 220 ft. to 230
Diam. 6" Slot size 100 Set from 290 ft. to 300

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

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

Yield: gal./min. with ft. drawdown after hrs.

Water test 60 gal./min. with 304 ft. drawdown after 2 hrs.

Artesian flow g.p.m.

Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Cement grout
Well sealed from land surface to 28 ft.
Diameter of well bore to bottom of seal 12 in.
Diameter of well bore below seal 8 in.
Number of sacks of cement used in well seal 14 sacks
How was cement grout placed? pumped from bottom up

Was a drive shoe used? ☐ Yes ☒ No Plugs _____ Size: location _____ ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? _____ depth of strata _____

Method of sealing strata off _____

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

Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Polk Driller's well number _____

NE 1/4 SE 1/4 Section 35 T. 4 S R. 7 W W.M.

Bearing and distance from section or subdivision corner _____

(11) WATER LEVEL: Completed well.

Depth at which water was first found 188 ft.

Static level 16 ft. below land surface. Date 6-12-79

Artesian pressure lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 6"

Depth drilled 405 ft. Depth of completed well 320 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top Soil	0	1	
Brown clay - boulders	1	16	
Gray silt	16	405	

RECEIVED
JUL 12 1979
WATER RESOURCES DEPT.
SALEM, OREGON

Work started 6-4 1979 Completed 6-11 1979

Date well drilling machine moved off of well 6-11 1979

Drilling Machine Operator's Certification:

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

[Signed] Keith M. Palma Date 6-15, 1979
(Drilling Machine Operator)

Drilling Machine Operator's License No. 1330

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

Name AQUA-TECH Well Construction Inc.
(Person, firm or corporation) (Type or print)

Address 868 Delta Dr. N.E. Salem

[Signed] David Beach
(Water Well Contractor)

Contractor's License No. 696 Date June 28, 1979

225 S. E. Walnut Ave.
Dallas, OR 97338
February 1, 1991

Water Resources Department
3850 Portland Road NE
Salem, OR 97310

Re: Buell-Red Prairie Domestic Water Association
Groundwater recharge application

Testimony

My testimony will be primarily a history of this project for your information. I would welcome questions that you may have.

We purchased the property in the early 60's where Mt. Springs Dam and Lake are located as well as the wells that will be used for the recharge application by the Water Association.

My husband and I owned and operated a small construction company working over the Northwestern States on many rural projects. Some of these were on Dams, roads and other infrastructure projects. My husband was and is very knowledgeable about construction projects that require clearing, dirt moving and compaction. We also worked very closely with several engineers.

After purchasing the property we improved the pasture land, buildings, tree stand and perimeter fencing. My husband early on recognized the importance of having water storage to allow irrigation as well as to improve the condition of the creek flow, not only in the summer, but to help control erosion in the winter on the downstream areas. With consultation and help from Polk Soil and Water Conservation, PGE for necessary preliminary engineering for the irrigation systems and others, he constructed two water storage small lakes. The first was in a swamp area that he opened and deepened to catch and store the water from some spring areas. The second was constructed on Gooseneck Creek in two stages. We were only able to do this because of his particular expertise and willingness to invest considerable time and money in the projects.

Our entire family worked on the project and our son Mike Propes not only helped on the actual construction of the project running the tractors, scrapers, grader, backhoe and other equipment, but he has been active in the management of the system since it was built.

We obtained all the necessary permits and complied with all the requirements necessary to build these storage reservoirs. We met with the Water Resources Department many times. We received permission to place the dam on Gooseneck Creek from the Fish and Wildlife Department. All of this project was on our property.

We managed and maintained the reservoirs and protected the water supply at all times. In addition we stocked both reservoirs with fish.

In the 70's it became apparent many people in the area were having some problem with their water supplies, either from springs or wells. During this time we had a business associate who was a geologist and he prepared some information for us that indicated we had an excellent underground water supply. We had drilled several wells on our property as well as building the lake. They all were good producers. We irrigated out of one of them prior to completion of the lake irrigation.

During the 70's when the area began planning a water supply to furnish the people of the area we talked with Boatwright Engineering that we would be interested in hooking onto their system and in the event of an emergency, fire, etc. they could possibly use water from the lake. They were pursuing several possibilities for water. After several years it became apparent they were unable to locate a satisfactory supply. We were approached to consider selling some of our well locations provided the water was satisfactory quantity or quality to meet a water association needs. Many tests were done and several more wells were drilled. One was an artesian well producing a very large amount of water.

We subsequently entered into an agreement with the Water Association to allow them to purchase by easements two well sites and the necessary pipeline and tank easements.

It became apparent after a period of time that the water supply was coming from an underground reservoir and the amount of available water was becoming limited as it was not recharging rapidly. After considerable experimentation with trying to obtain water from other sources, it became obvious there was only one solution and that was to utilize the water stored in Mt. Springs Lake or the district was going to be without water. It was important to supplement the water that was available in the wells. It also seemed important if possible to recharge that underground and use it for additional storage.

For our family to decide to sell the lake, additional easements, release our irrigation rights and other amenities was very difficult. However, we all feel an obligation and concern for our neighbors who could have a very serious problems in the future for a adequate and healthy water supply. From the tests we had made on the lake it was obvious it was excellent water for human consumption.

After consulting with several engineers with other water districts on utilizing the lake considering the quality of the water, the location boarding forestland and rainfall it became obvious the use of the storage facility was vital to our community.

It is also important if at all possible to make use of the underground storage. We are fully supportive of the efforts of the Buell Water Association to meet the needs of the people. In our opinion there is nothing they are doing or plan to do that will adversely affect the stream, lake or general area. In fact in enhances the area, increases the wildlife, birds and helps stop erosion. In their proposal to utilize the water to recharge their underground reservoir in no way could adversely affect the steam.

Alice Propes

August 30, 1991

Dear Applicant or Interested Party:

On May 31, 1991, the Water Resources Commission decided to allow the processing of water use permit applications submitted after April 18, 1991 if an applicant voluntarily agrees to the Department's use of both the current and proposed basin rules in evaluating the application.

The Commission encourages applicants to wait until the new rules are adopted to have their applications processed. However, if an application is processed, and found to be inconsistent with the proposed rules, the Department will hold the application until rule adoption. No application will be rejected only on the basis of inconsistency with the proposed rules.

The Commission's purpose in delaying the processing of applications is to prevent additional water supply and water quality problems in the basin. However, it became apparent that holding all applications until the new basin rules are adopted could be too strict. Of particular concern are several of wetland restoration and enhancement projects which could lose public funding if made to wait until rule adoption. There are also a number of agricultural and municipal applicants that would benefit from this more flexible approach.

If you have any questions, please contact the Application/Permit Section at 378-3739.

0818



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

July 19, 1991

BUELL - RED PRAIRIE WATER ASSOCIATION
6890 FRANK RD
SHERIDAN, OR 97378

REFERENCE: File(s) G-12608, R-71755, S-71756

We received your application(s) proposing to use water, along with supporting data and fees. Your receipt is enclosed unless you received it earlier. The application has been assigned the above referenced file number and will be reviewed in detail as time allows. If you need to call or write to us, be sure to reference the file number(s) listed above so we may assist you promptly.

Applications which are received in proper form with required maps, supporting data and fees can be considered for approval by issuance of permits following a mandatory 60-day waiting period and after public interest matters are resolved.

Processing of applications which require additional information will be delayed further. If you feel that a delay in the processing of your application will cause a hardship, please advise in writing.

If the application is approved, the use allowed by the permit will be subject to the Water Resources Commission's Basin Program statements, instream flow requirements, and demands of prior rights.

If you have any questions, please contact the Water Right Section at the telephone number referenced below.

cc: CWRE



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

BUELL-RED PRAIRIE DOMESTIC WATER ASSOCIATION (ASSOCIATION)

6890 FRANK ROAD
SHERIDAN, OREGON 97378

503-843-2218

to use the waters of GOOSENECK CREEK, a tributary of MILL CREEK, for GROUNDWATER RECHARGE. The permit to use these waters is issued under Application 66101. The date of priority is JUNE 8, 1984. The use is limited to the period from October 1 through May 31, not more than 75.0 GALLONS PER MINUTE, and not to exceed 61.0 ACRE-FEET each recharge period/year, measured at the point of diversion.

The point of diversion is located as follows:

SE 1/4 SW 1/4, Section 35, T 6 S, R 7 W, W.M.; North 59 Degrees, 25 Minutes West, 1121 feet from S 1/4 corner Section 35.

The permittee shall appropriate water from Gooseneck Creek only when the following instream flows in cubic feet per second are maintained at the mouth of Gooseneck Creek:

OCTOBER

1.0

NOVEMBER THROUGH MAY

10.0

The water user shall install and maintain an in-line flow meter, weir, or other suitable device, of a type and at a location to be approved by the watermaster, for measuring or recording the above instream flows.

The use of water allowed under this permit shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The place of use is the recharge well which is located as follows:

SW 1/4 SE 1/4
SECTION 35
TOWNSHIP 6 SOUTH, RANGE 7 WEST, W.M.

This permit is also subject to the following conditions:

1. Meters: The permittee shall meter the water withdrawn at the diversion and meter the water injected into the recharge well.

2. Records, inspections: The permittee shall keep accurate and current records of daily metered values, water levels and other operational information. The Water Resources Director (Director) may inspect the records and works covered by this permit upon one day notice and at any reasonable time.

3. Estimated data: When data are missing in whole or in part, the Director may make estimates from available data. Those estimates shall be reasonable and, where a range of uncertainty exists, conservatively low on water delivered to the place of recharge.

4. Water level monitoring: Once each year between April 1 and June 1, the permittee shall measure and record the depth to water below land surface in each of the following wells to 1 foot accuracy. Prior to the determinations, recharge and pumping shall be suspended by the permittee for at least seven days. Two of the wells are not controlled by the Association, however the permittee shall attempt to cooperate with the other owners to obtain these measurements.

<u>Well Location</u>	<u>Common Name</u>	<u>Remarks</u>
T6S/R7W-35db	Buell-Red Prairie #1	
T6S/R7W-35da	Buell-Red Prairie #2	
T6S/R7S-35dc	Recharge Well	
T6S/R7W-35ca	Mike Propes Well	Not controlled by Association
T6S/R7W-35db	Villager Well	Not controlled by Association

5. Target water levels in key wells: This permit designates two existing wells as key wells in the water level monitoring program. As determined between April 1 and June 1 of each year, actual water levels at these wells shall be compared to the target levels to determine allowable use as indicated under the allowable use of stored water condition. Key wells and associated target levels are:

Target Levels
(feet below Land Surface Datum)

<u>Well Location</u>	<u>Common Name</u>	<u>Upper</u>	<u>Lower</u>
T6S/R7W-35db	Buell-Red Prairie #1	25	125
T6S/R7W-35dc	Recharge Well	0	50

6. Storage account for the determination of stored recharge water: The Water Resources Department (WRD) shall make final determinations on stored groundwater. This shall occur through a storage account which covers this permit. The storage account shall be based on recharge and secondary permit withdrawals over only the preceding five recharge years. For this permit, the recharge year is the period from June 1 through May 31 of each year. It shall be credited at 80% of water metered to the place of recharge. Withdrawals of stored water shall be debited at 100% of metered values at wells covered by a secondary permit(s). The debit applies to that portion of withdrawals which are in excess of the permittee's natural water pumpage of 5 million gallons annually under Permit G-8748. The permittee may obtain information on the storage account from the WRD by submitting a written request.

7. Allowable use of stored recharge water: The availability of recharge water stored under this permit is based on the priority of secondary groundwater rights and the allowable use of stored recharge water. The allowable use of stored recharge water during any water year falls into 3 categories. For ease of reference, these categories are named as color zones.

- (A) Green zone: If recent water levels as determined between April 1 and June 1 at the two (2) key wells are above the upper target levels, use is allowed up to the maximum of the storage account.
- (B) Yellow zone: If neither Green zone nor Red zone water levels prevail, use is allowed up to 80 percent of the recharge volume for the preceding 12 months.
- (C) Red zone: If recent water levels as determined between April 1 and June 1 at two (2) key wells are below the lower target levels, no use of recharged water is allowed the following

11. Under actual operation of the recharge project, the Director notifies the permittee that the Director has reason to believe there are adverse groundwater quantity or quality effects, the permittee shall cease recharge activities. No further diversion shall be made until measures to prevent, correct or monitor those adverse effects have been agreed to and implemented.

(B) If, in the judgement of the Director, project performance or other hydrologic circumstances indicate that provision(s) in this permit are an unnecessary hardship, or are either inappropriate or inadequate to monitor or manage the quantity or protect the quality of the groundwater resource, the Director may modify target water levels, key wells, the storage account credit factor, the storage account, or any other term of this permit as necessary to remedy the deficiencies.

10. Technical oversight: The construction and operation of the recharge project shall be overseen by a professional registered civil engineer(s) licensed to practice in Oregon.

11. Other state or federal agency requirements:

The following conditions are notices of requirements of other Oregon state agencies. The permittee shall correspond directly with each agency regarding monitoring, reporting and any other requirements. Reports shall only be submitted to the requiring agency, unless otherwise specified herein.

The WRD will enforce these conditions in a manner similar to other conditions in this permit but only upon notice of noncompliance and request for enforcement from the responsible agencies.

Conditions 11(A) and (B) shall remain in effect unless and until WRD receives a written agreement signed by the permittee and responsible agencies to modify the conditions.

(A) The permittee shall comply with the requirements of the Oregon State Health Division.

(B) The permittee shall provide appropriate groundwater quality protection as specified by the Oregon Department of Environmental Quality (DEQ). The DEQ monitoring and sampling plan for this project was submitted to the WRD by letter of January 18, 1991, and is, by reference, included as part of this permit.

12. Water conservation program: Within one year from the date the Water Resources Commission adopts rules describing the schedules, standards and procedures for water management plans by water suppliers, the Association shall submit a plan which is consistent with the rules.

13. Annual and other reports:

(A) The permittee shall submit an annual report to the WRD and any secondary permittee by June 15 of each year. That report shall include the range of diversion and recharge rates and total quantities diverted and recharged during the prior recharge year (ending May 31) as metered under conditions 1, 2, and 3. In addition, the report shall include the water level data from condition 4, the permittee's estimate of the storage account under condition 6, a brief narrative describing operational factors related to the recharge project and conditions 8, 9, 10, 12, and a list of the dates of any reports submitted to other agencies under condition 11.

the well at all times.

This development was reviewed and approved by the Water Resources Commission on FEBRUARY 1, 1991.

Actual construction work shall begin on or before February 4, 1992 , and shall be completed on or before October 1, 1992. Complete application of the water to the use shall be made on or before October 1, 1993.

This permit is for the beneficial use of water without waste. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

Issued this date, FEBRUARY 4, 1991.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director

Application 66101 Water Resources Department
Basin 2 Volume 11A Gooseneck Creek & Misc.
66101.SB MGMT.CODE XXG, XXR, 3CW

PERMIT 51165
District 16

Application No. 6-12608

RECEIVED

State of Oregon

JUL 12 1991

WATER RESOURCES DEPARTMENT

WATER RESOURCES DEPT

Application for a Permit to Appropriate Ground Water

Applicant(s) Buell - Red Prairie Water Association
(Please print or type - use dark ink)

Mailing Address: 6890 FRANK ROAD
SHERIDAN OREGON 97378 843-2218
City State Zip 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.):
TWO WELLS

If development is less than one mile from a natural stream, give the following:

Distance from development to stream: _____

Elevation difference between streambed and development: _____

NOTE: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well driller's log with this application, and skip to Section 2 below.

(SEE ATTACHED WELL LOGS)

Diameter of well: _____ Depth in feet: _____

Type and size of well casing: _____ No. of feet: _____

Estimated depth to water: _____

Type of access port or measuring device: _____

Wells to be drilled by: _____

Address: _____

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: 0.17 cubic feet per second, OR 75.0 gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each: _____

PC
HCR

3. **INTENDED USE(s) OF WATER:** Supplemental Supply for
Water Association.

If for more than one use, give the quantity of water from each source for each use; _____

If for **DOMESTIC** use, state the number of households to be supplied; _____

If for **MUNICIPAL OR QUASI-MUNICIPAL** use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)

235 EXIST'G SERVICES (POPULATION ± 1000) Ave. DAILY
USAGE ± 70000 GPD

If for **MINING** use, state the nature (gold, silver, etc.) of the mines to be served; _____

If for **IRRIGATION**, or other land area use, state the **TOTAL** number of acres to be developed under each use;

Irrigation _____

Other (describe) _____

4. **DESCRIPTION OF WATER DELIVERY SYSTEM:** Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).

WELL#1: 20hp Sub. Pump

WELL#2: 3 hp Sub. Pump

DISTRIBUTION SYSTEM CONSISTS OF VARIOUS SIZE
PVC LINES; 6", 4", 3" & 2"

5. **PROJECT SCHEDULE:** (List month and year)

Proposed date construction work will begin COMPLETED

Proposed date construction work will be completed COMPLETED

Proposed date water use will be completed OCT 1, 1995

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.

6. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

____ Applicant X 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 X 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? NO. 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.

2807
REMARKS: REFER TO RECHARGE PERMIT # 51165 66101

I/We certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge.

NOTE: The permit, when issued, is for the beneficial use of water without waste. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Buell-Red Prairie Water Assn.
Signature of Applicant

7/9/91
Date

James B. Bell
Signature of Co-Applicant, if any

7/9/91
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 12 day of July, 1991, at 4:00 o'clock, P M.

APPLICATION NO: 6-12608

Oregon

WATER
RESOURCES
DEPARTMENT

March 31, 1994

SHETTERLY IRICK SHETTERLY
PO BOX 105
DALLAS, OR 97338

REFERENCE FILES: G-12608, R-71755, AND 71756

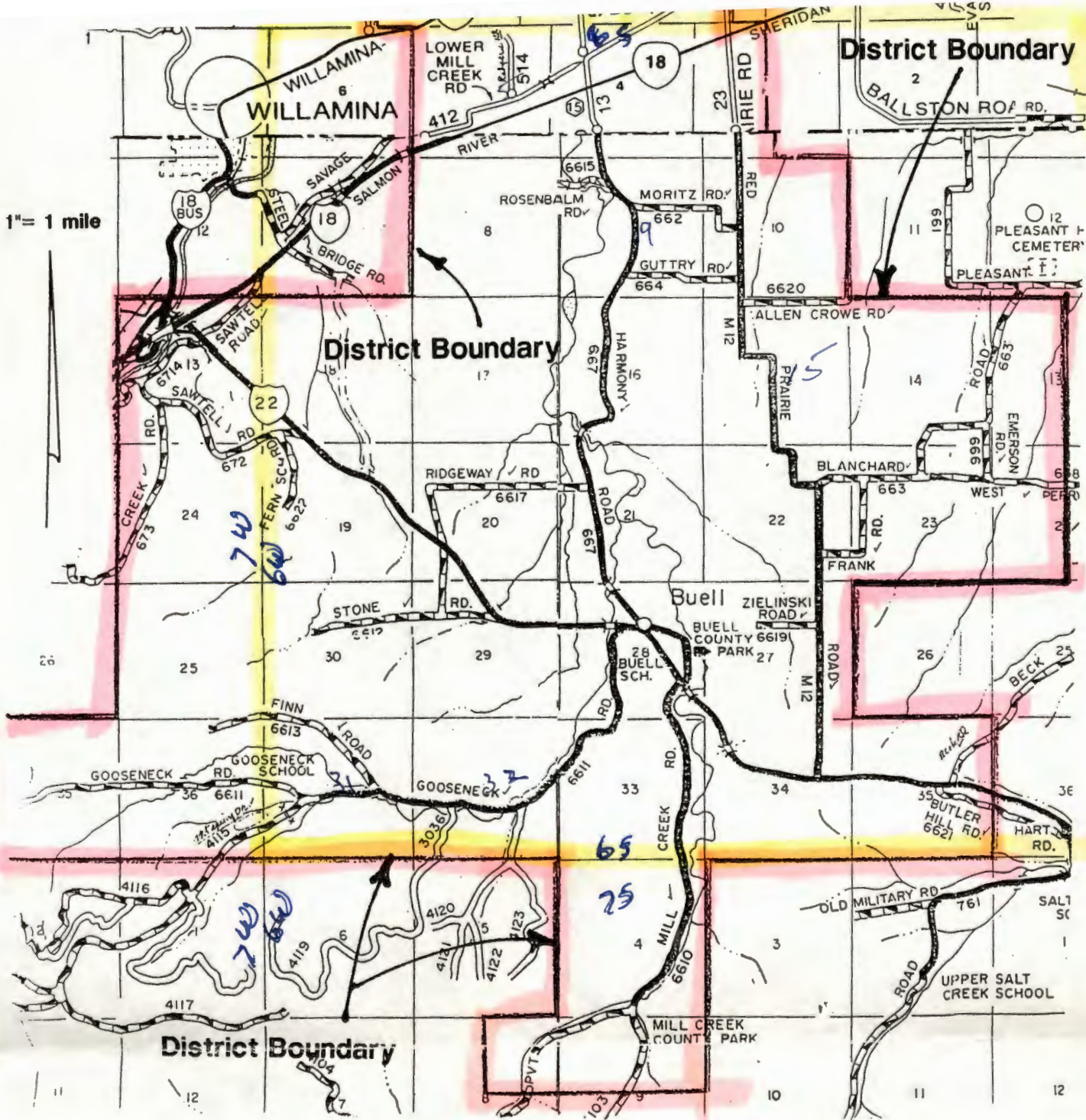
The enclosed assignment form will have to be signed by an officer of the Association. A fee of \$10 is also needed.

Sincerely,

Thomas E. Shook
Water Right Specialist



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

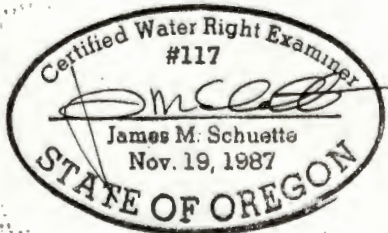


Buell-Red Prairie Water Assoc.

Application Map

Application #:

Permit #:

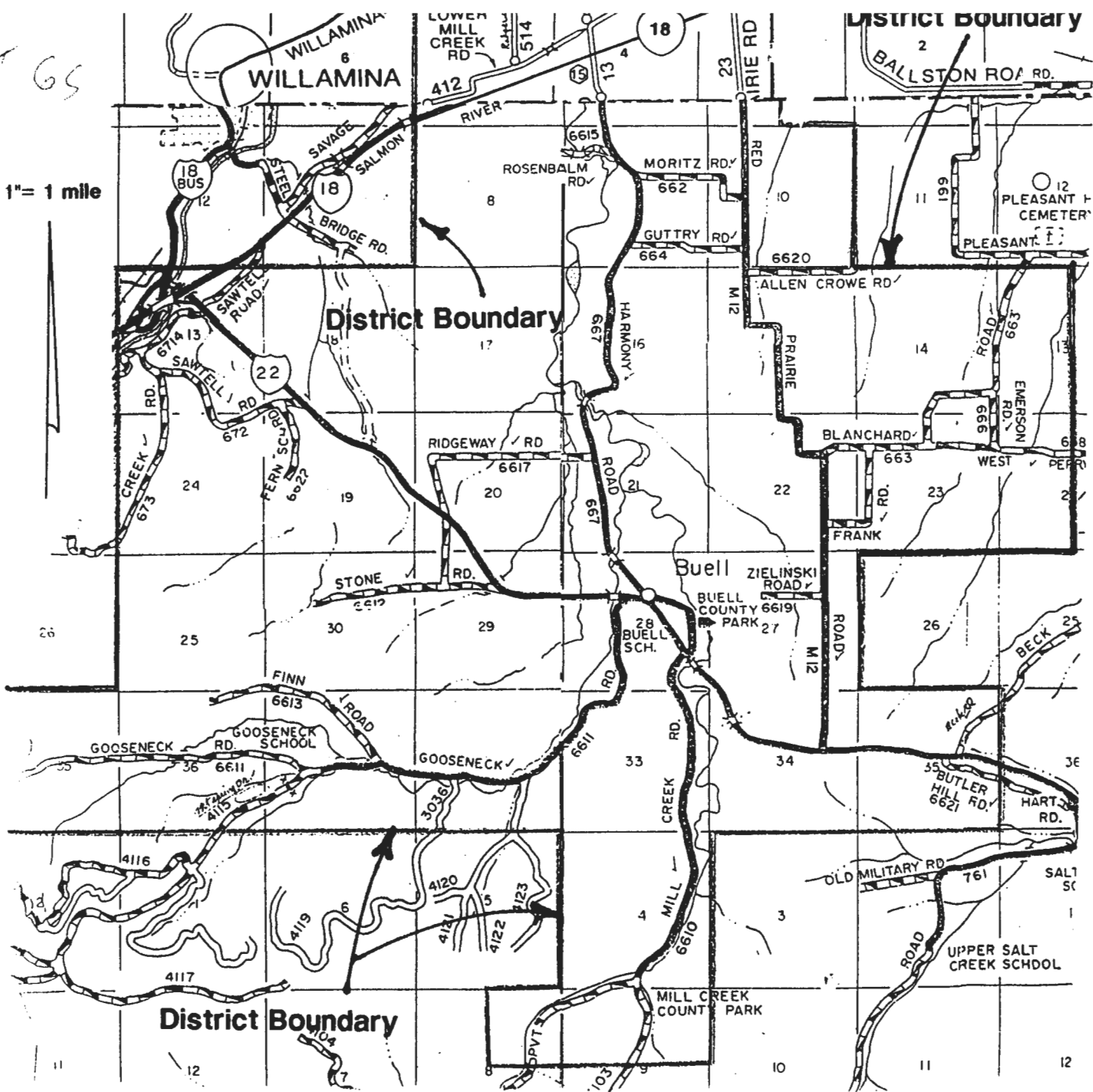


RECEIVED
 JUL 12 1991
 WATER RESOURCES DEPT
 SALEM, OREGON

Map #2

THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY

See Map #1 for Well Locations

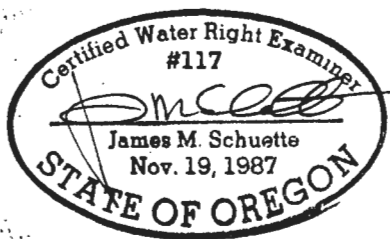


Buell-Red Prairie Water Assoc.

Application Map

Application #:

Permit #:



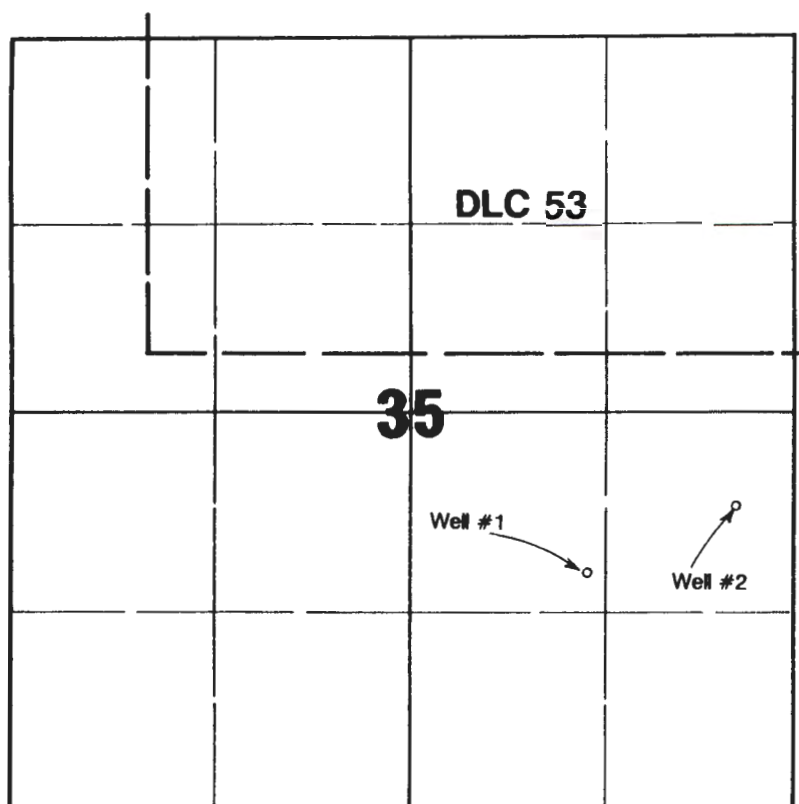
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WATER RESOURCES DEPT
SALEM, OREGON

Map #2

THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

See Map #1 for Well Location

T.6S., R.7W., W.M.



1" = 1320'

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JUL 12 1991

**WATER RESOURCES DEPT
SALEM, OREGON**

Well #1 located 1600'N & 1400'W from SE corner Section 35.

Well #2 located 2050'N & 480'W from SE corner Section 35.



Buell-Red Prairie Water Assoc.

Application Map

Application #: 6-12608

Permit #: 013521

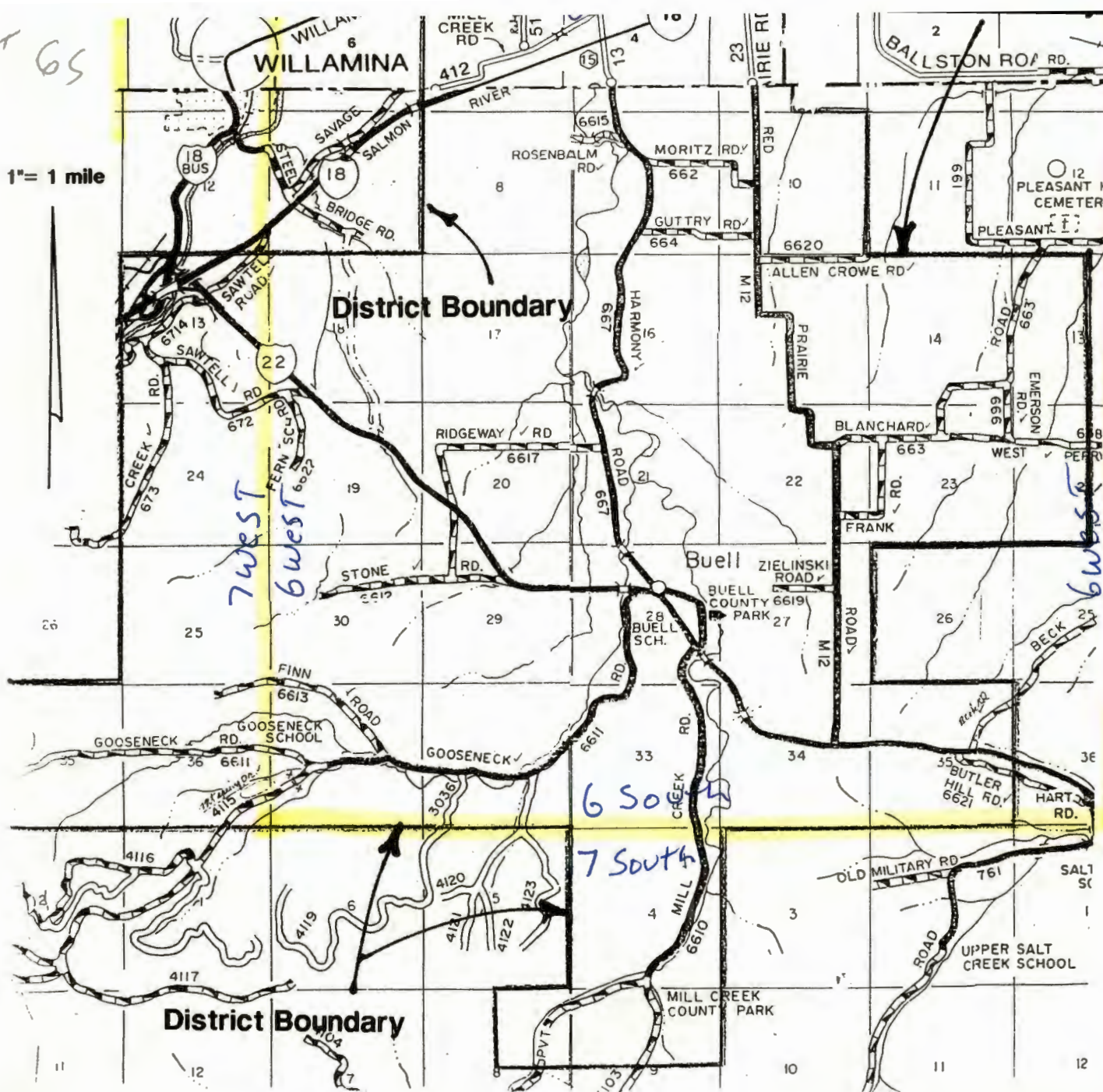
Map #1

**THIS MAP WAS PREPARED FOR THE PURPOSE OF
IDENTIFYING THE LOCATION OF A WATER RIGHT
ONLY AND IS NOT INTENDED TO PROVIDE LEGAL
DIMENSIONS OR LOCATION OF PROPERTY
OWNERSHIP LINES.**

See Map #2 for Service Area

65

1" = 1 mile

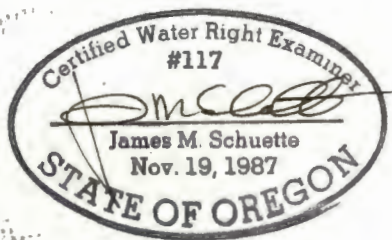


Buell-Red Prairie Water Assoc.

Application Map

Application #:

Permit #:

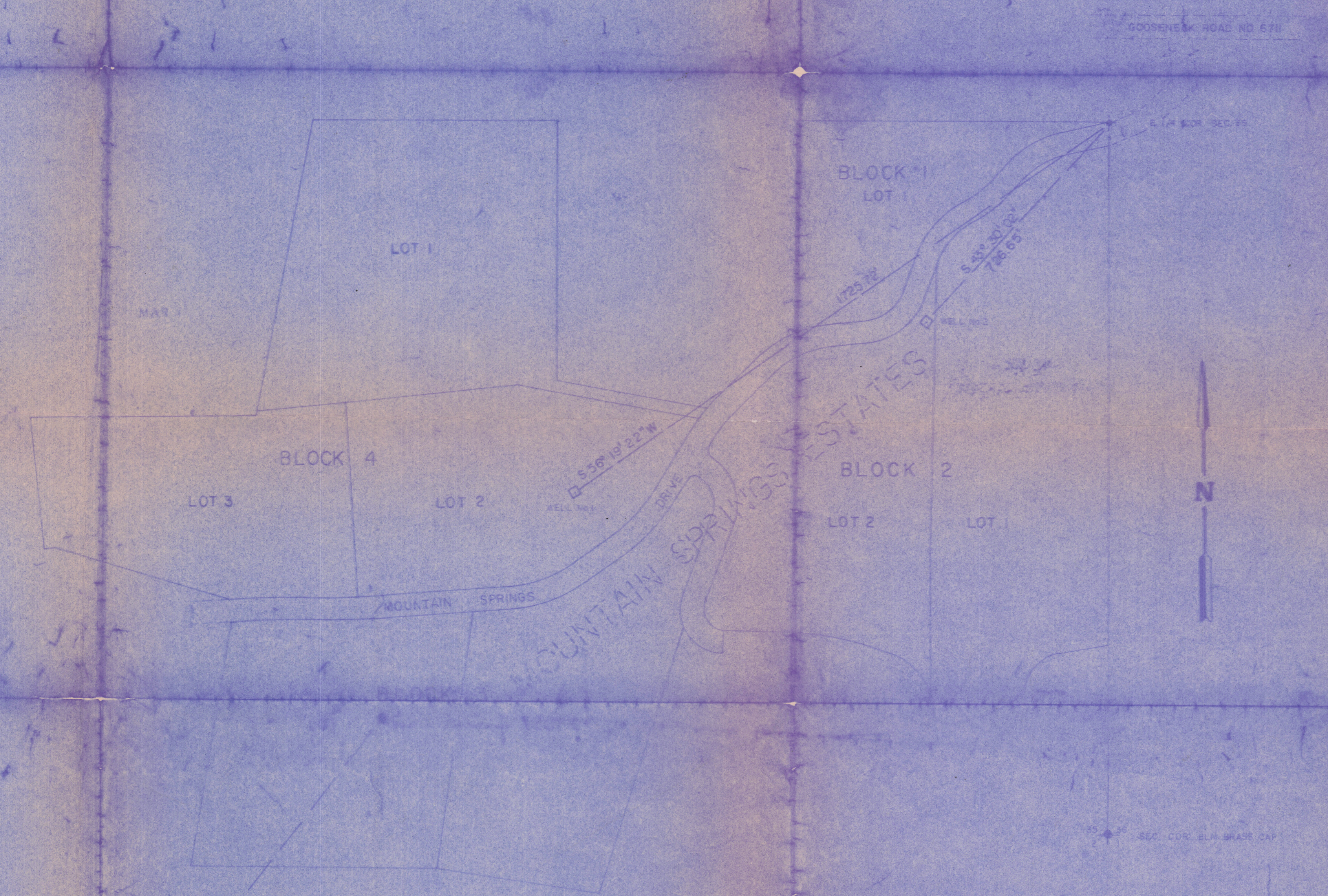
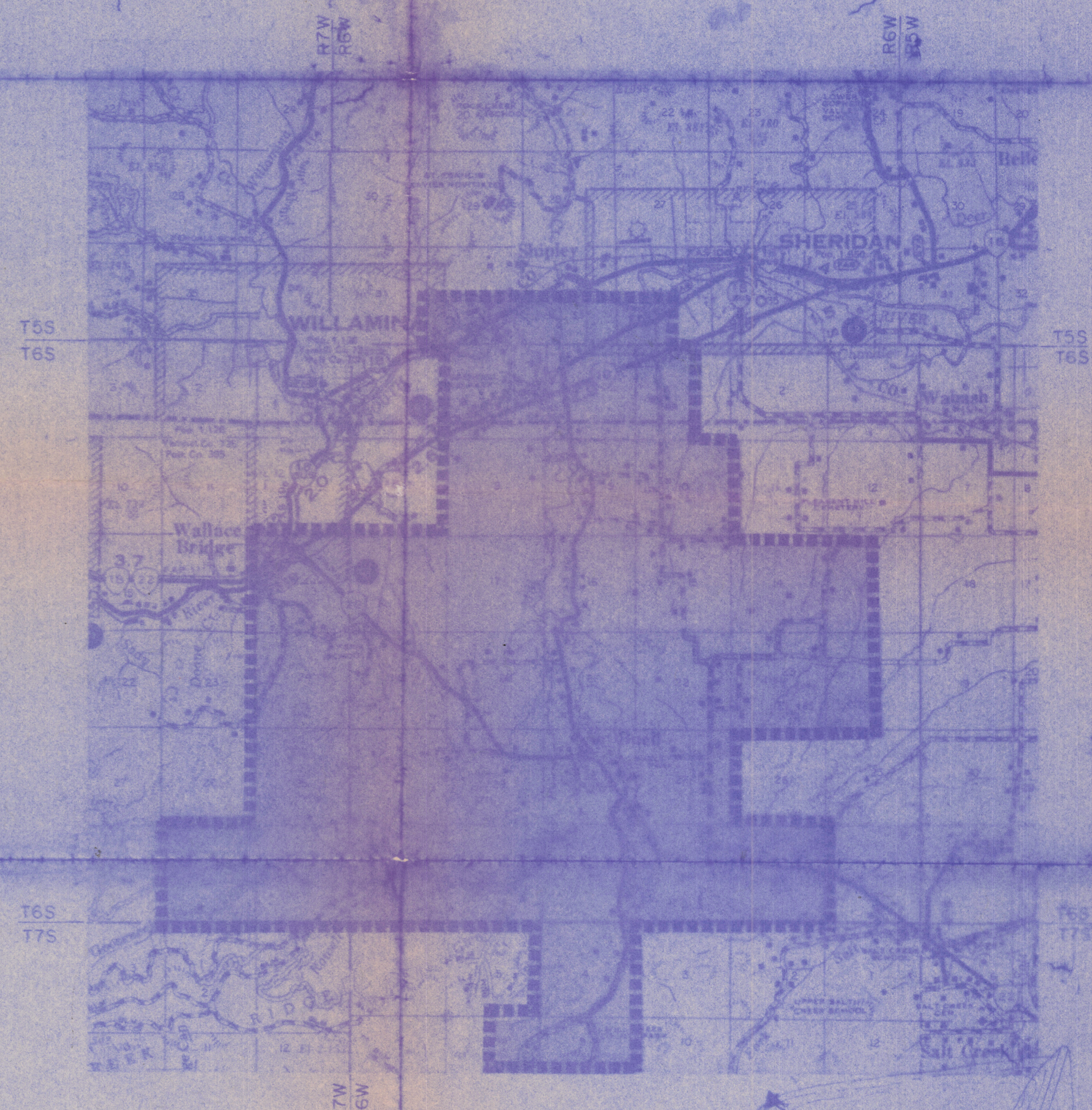


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JUL 12 1991
WATER RESOURCES DEPT
SALEM, OREGON

Map #2

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See Map #1 for Well Locations



WATER RIGHTS USE AREA-SYSTEM MAP
POLK & YAMHILL COUNTIES, ORE.
SCALE 1" = 1 MILE

SOURCE OF SUPPLY LOCATION
MOUNTAIN SPRINGS ESTATES
SECTION 35, T.6S, R.7W, W.M.
POLK COUNTY, OREGON

RECEIVED
SLIP 10-033
LAND RESOURCES DEPT.
SALEM, OREGON

Application No. 66101
Permit No. 51165

BUELL-RED PRAIRIE WATER ASSOCIATION POLK & YAMHILL COUNTIES, OREGON			
WATER RIGHTS MAP			
Scale: As Shown	Orig: JULY 1979	Revised: 9-15-88	
Design: MGS	BOATWRIGHT ENGINEERING, INC.		SHEET
Drawn: JD/MM	2613 Twelfth Street S.E.		
Checked: JRH	SALEM, OREGON 97302		