

G13270

FILE#: G 13270

RE-GRET INC.
8603 5E LIESER A. DR.
Vancouver WA 98664

Priority
Action suspended until FPD

Return to applicant
Date of approval 11/22/97 6/21/97

CONSTRUCTION

Date for beginning 1/22/98
Date for completion 10/11/99

Extended to
Date for application of water 10/11/00

Extended to
.....

PROSECUTION OF WORK

Form "A" filed
Form "B" filed
Form "C" filed 10-1-99

FINAL PROOF

Blank mailed
Proof received
Date certificate issued

Application No. G13270Permit No. G13086 G13122

Certificate No.

Stream Index, Page No. 505-19 80-1170V 2 C created 2 years**FEES PAID**

Date	Amount	Receipt No.
1-26-93	200.00	96483
12-23-96	5.66.	9164
4-9-97	\$10.00	11319

Cert. Fee

FEES REFUNDED		
Date	Amount	Check No.

ASSIGNMENTS				
Date	To Whom	Address	Volume	Page
.....
.....
.....

REMARKSNo Pump test as of 9/17/08

Doug:
This map submitted
with application has the
measurement west - the
measurement north was
submitted - has arrow.
I made rough measure-
ment with compass.
See with compass.

Jerry

Map's questionable

Callouts
S tots
4/12/94
7/18/94

NEEDS

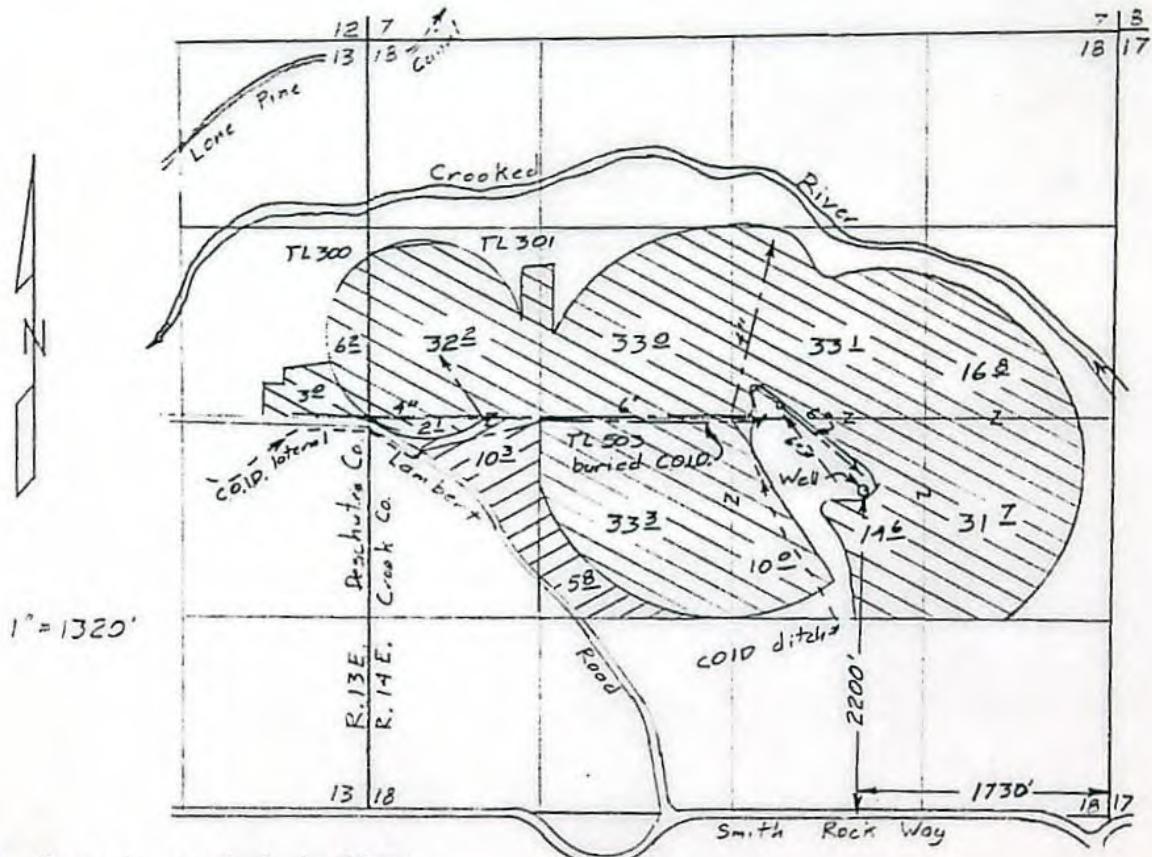
1033

Gov Review

Martin Zimmerman
called 12/1/93
will be submitting
an amendment to
the application

Called for
status
4/12/94
7/18/94

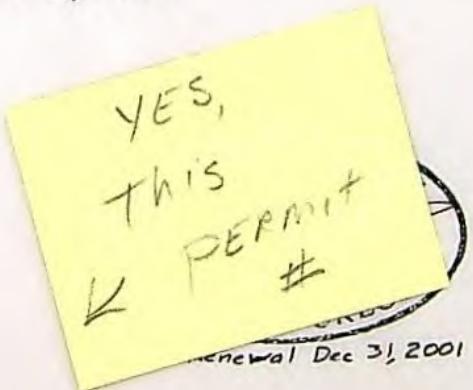
TOWNSHIP 14 SOUTH, RANGES 13 & 14 EAST, W. M.



- Supplemental to C.O.I.D.
- Primary

Surveyed June 19, 2000

Claim of Beneficial Use Map
for
Re - Gret, Inc.



Application # G-13270

Permit # G-13122

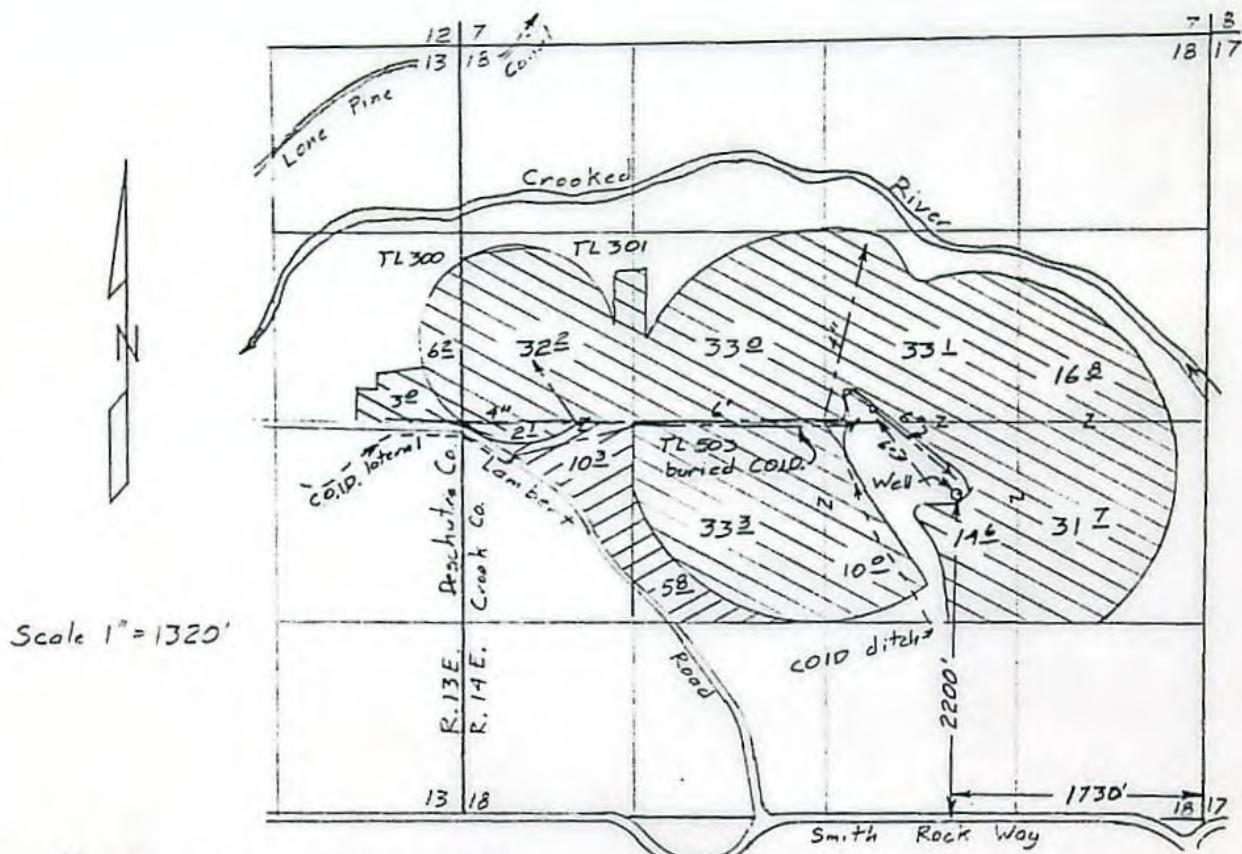
This map is for the purpose of
locating a water right only
and has no intent to provide
legal dimensions or the location
of property lines.



ESTES SURVEYS

6293 Sunnyview Rd. NE 60382 Arnold Rd.
Salem, OR 97305 Bend, OR 97702
(503) 585-7593 (503) 382-7391

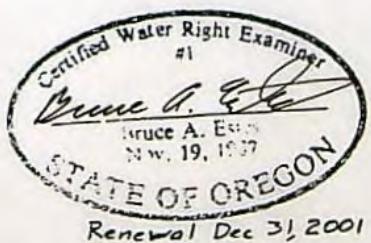
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ESTES SURVEYS



Oregon

Theodore R. Kulongoski, Governor

App # G-13270

Water Resources Department

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

February 7, 2003

G 13122
RE-GRET INC.
8603 SE LIESER POINT DR
VANCOUVER, WA 98664

RE: Deschutes Ground Water Mitigation Rules, Division 505
Deschutes Basin Mitigation Bank and Mitigation Credit Rules, Division 521

Dear Water Right Permit Holder:

Our records indicate that you are the holder of a ground water permit issued by the Department after July 17, 1995, in the Deschutes Basin Ground Water Study Area (Study Area). Your permit (or subsequent certificate) was issued with a condition allowing for regulation of use if it was later determined that the use would "measurably reduce" scenic waterway flows in the Deschutes River.

As you may be aware, the Department has been working over the last several years to develop administrative rules that address the impact of ground water use in the Study Area upon surface water flows—specifically those flows designated for the Deschutes Scenic Waterway and Instream Water Rights. Recently, the Department finalized the Deschutes Ground Water Mitigation Rules and Deschutes Basin Mitigation Bank and Mitigation Credit Rules. The rules were adopted by the Water Resources Commission (WRC) on September 13, 2002, and were effective on September 27, 2002. Copies of the rules can be obtained from the Department's web page at:

<http://www.wrd.state.or.us/law/oar1999.shtml>

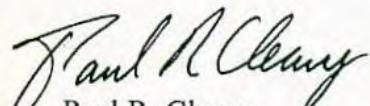
The primary purpose of the rules is to provide a mechanism for those with pending ground water use applications in the Study Area to mitigate for the impact of their proposed ground water use on surface water flows. The rules do not require those with existing conditioned ground water permits (or subsequent certificates) in the Study Area to mitigate for their ground water uses.

While only those requesting new ground water uses from the Department are required to provide mitigation, the rules provide an opportunity for holders of existing conditioned permits to provide mitigation. Holders of existing conditioned permits that provide mitigation will no longer be subject to future regulation for scenic waterway flows.

Department staff are presently working internally to develop the processes and structure to implement the new rules. While you are not required to mitigate for your ground water use, we will be sending you a letter, sometime within the next several months, letting you know what you would need to do if you choose to mitigate for your ground water use. You may also receive additional information updates from the Department in our effort to keep you informed.

If you have any questions about the new administrative rules for the Deschutes Basin and the mitigation opportunity described in the rules; or would like to request a copy of the new rules, please contact Laura Snedaker at (503) 378-8455, extension 331, or by e-mail at Laura.K.Snedaker@wrd.state.or.us.

Sincerely,



Paul R. Cleary
Director

c: Kyle Gorman, South Central Region Manager
Jeremy Giffin, District 11 Watermaster
Deschutes Steering Committee Members



App: 613270 USER-ID 28849

Oregon Water Resources Department
October 1999 through September 2000
Annual Water Use - Monthly Quantities Form



Facility # POD-ID #				
October - 1999	0			
November - 1999	0			
December - 1999	0			
January - 2000	0			
February - 2000	0			
March - 2000	0			
April - 2000	720,000 gal			
May - 2000	144,000 gal			
June - 2000	1,440,000 gal			
July - 2000	1,442,000 gal			
August - 2000	720,000 gal			
September - 2000	432,000 gal			
TOTAL *				

RECEIVED

APR 16 2001

WATER RESOURCES DEPT.
SALEM, OREGON

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

Describe method of measuring the water used: METOR - ESTIMATE for ^{this year} If use is irrigation, total number acres irrigated Supplemental

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

Bonnie F. Cesar
Signature

Farmer

Re-6n-t Inc.
Reporting Entity

4/13/01
Date

Bonnie F. Cesar
Name - Please Print

Please complete and mail to: Water Resources Department, Water Use Reporting Program;
158 12th Street NE; Salem, OR 97310-0210

**ESTES
SURVEYS**

**SURVEYS
CONSULTING**

LAND & WATER RIGHTS

Bruce A. Estes, PLS, CWRE

60382 Arnold Rd.
Bend, OR 97702
(541) 382-7391
FAX 382-7391

PO Box 17519
Salem, OR 97305-7519
(503) 585-7593
FAX 585-7593

RECEIVED

OCT 05 2000

WATER RESOURCES DEPT.
SALEM, OREGON

CLAIM OF BENEFICIAL USE AND SITE REPORT

Application G-13270, Permit G-13086

in the name of RE - GRET, INC.

INFORMATION: Went over the project with Martin Zimmerman, Agricultural Consultant

SOURCE: A well in the Crooked River Basin. The well was drilled in 1990 for Cascade Farms.

The pump was installed and use made under an emergency drought permit in 1992.

DIVERSION POINT: NW 1/4 SE 1/4 of Section 18, T 14 S, R 14 E, W.M.; 2200' North and 1730' West from the SE corner of section 18.

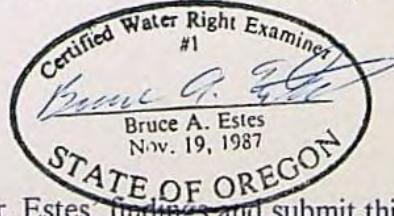
USE: Irrigation of 16.1 acres and supplemental irrigation of 216 acres all in alfalfa. There is a 6" McCrometer flow meter serial # 97 3612 6. It read 80,623,100 gallons. This well was operational when the permit was issued in 1997 and has been used each year since.

CAPACITY: The well has a submersible pump which runs open discharge through downhill to the pump pond. The well log indicates a static level of 75' and a drawdown of 7' so the pump should be capable of $7.04 \times 15/82 = 1.29$ cfs. The pond has two pumps - #1 is a 40HP Baldor motor DDC with a Berkeley 4"x3" pump. It has an 8" suction pipe and sits 4' above the pond. Its capacity at 80% should be $6.6 \times 40/4 + 100 = 2.54$ cfs at 43 psi. Pump #2 is a Baldor 25 HP DDC with a 4"x3" Berkeley pump. Its capacity at 80% should be $6.6 \times 25/4 + 100 = 1.59$ cfs at 43 psi. The delivery system includes 3 center pivots and 73 lengths of 3" x 40' hand line with 5/32" nozzles along with 62 lengths of 4" and 5" hand move mainline and approximately 5000' of buried mainline. The permit authorized 1 cfs per 80 acres so the authorized rate for the 16.1 acres primary and 216 acres supp is $232.1/80 = 2.90$ cfs, but the permit is only for 1.6 cfs. The pump capacity of 1.29 cfs (579 GPM) has to be the limit for this permit.

TIE: The map was tied to an NRCS aerial photo.

REMARKS: The fields were in very good shape and the supplemental use is made most years. The primary right under the supplemental in this permit is from Central Oregon Irrigation District delivered into the same pump pond.

An inspection of the land under the terms of permit G-13122 was made by me June 19, 2000, and the facts contained in this report and accompanying map are correct to the best of my knowledge.



We, Rebecca Julian and Gretchen Brooks, agree with Mr. Estes findings and submit this site report and map as our Claim of Beneficial Use of the water as provided under the terms and conditions of permit G-13122 and hereby request a water right certificate be issued.

Rebecca Julian

Gretchen Brooks

**ESTES
SURVEYS**

SURVEYS
CONSULTING

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in the name of RE - GI

SEE FILE -
NOT this
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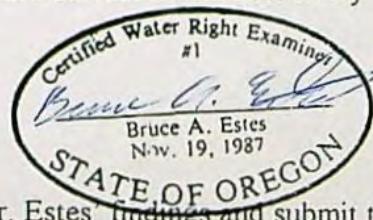
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**ESTES
SURVEYS**

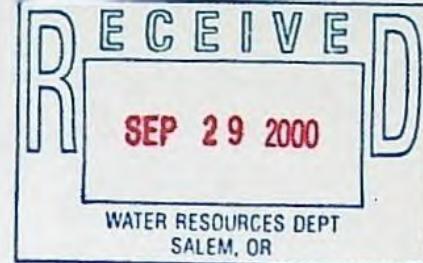
SURVEYS
CONSULTING

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CLAIM OF BENEFICIAL USE AND SITE REPORT

Application G-13270, Permit G-13086

in the name of RE - GRET, INC.

INFORMATION: Went over the project with Martin Zimmerman, Agricultural Consultant
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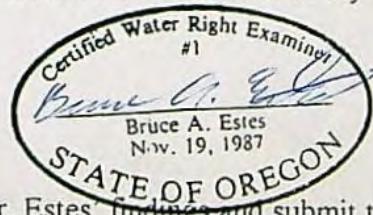
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We, Rebecca Julian and Gretchen Brooks, agree with Mr. Estes' findings and submit this site report and map as our Claim of Beneficial Use of the water as provided under the terms and conditions of permit G-13122 and hereby request a water right certificate be issued.



Oregon

John A. Kitzhaber, M.D., Governor

November 23, 1999

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

RE GRET INC
8603 SE LIESER POINT DR
VANCOUVER WA 98664

REFERENCE: File G13270
Permit G13122

We have received your notice that complete application of water has been made under the above permit.

In order to obtain a certificate of water right, you are required by law to hire a Certified Water Right Examiner (CWRE) to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before **October 1, 2000**. A list of Certified Examiners is available upon request by calling the above number, extension 320.

The Department requires that the CWRE has a copy of the permit or transfer order to compile the claim of beneficial use. All permit conditions need to be addressed in the claim and map you submit.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

In addition, before the Water Right Certificate is issued, you are required to submit a well pump test. This test must be done according to the instructions in the brochure. Forms and brochures are available upon request. This is not required if your priority date is before December 20, 1988.

In the meantime, the permit you hold is valid evidence of your right to use the water.

If you have any questions, please contact the Water Rights Section at 378-3739, or toll-free within Oregon 1-800-624-3199.

Sincerely,

DALLAS MILLER
Natural Resource Specialist 2

DM:jh

cc: Watermaster
CWRE

RECEIVED

Form C (600-0-77)

IMPORTANT—This form is a notice to the Water Resources Director that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof of inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. 13270

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

RE-GRET, INC., the holder of Permit No. 13122

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 22 day of SEPTEMBER, 1999.

Remarks:

IN WITNESS WHEREOF, I have hereunto set my hand this 22 day of SEPTEMBER, 1999.

Martin J. Zimmerman for 8603 SE LIESER POINT DR.
(Signature of Applicant) RE-GRET, INC., VANCOUVER WA 98664
Address

STATE OF OREGON

COUNTY OF CROOK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RE-GRET, INC.
13001 NE BRAZEE
PORTLAND, OREGON 97230

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

APPLICATION FILE NUMBER: G-13270

SOURCE OF WATER: ONE WELL WITHIN THE CROOKED RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 243.0 ACRES

MAXIMUM RATE: 1.6 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 OF EACH YEAR

DATE OF PRIORITY: JANUARY 26, 1993

POINT OF DIVERSION LOCATION: NW 1/4 SE 1/4, SECTION 18, T14S, R14E, W.M.; 2244 FEET NORTH AND 1640 FEET WEST FROM THE SE CORNER OF SECTION 18

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE 1/4 NE 1/4 8.6 ACRES
SECTION 13
TOWNSHIP 14 SOUTH, RANGE 13 EAST, W.M.

SW 1/4 NE 1/4	33.1 ACRES
SE 1/4 NE 1/4	16.1 ACRES
NE 1/4 NW 1/4	5.0 ACRES
NW 1/4 NW 1/4	0.3 ACRE
SW 1/4 NW 1/4	34.9 ACRES
SE 1/4 NW 1/4	38.4 ACRES
NE 1/4 SW 1/4	39.0 ACRES
NW 1/4 SW 1/4	10.4 ACRES
NE 1/4 SE 1/4	30.6 ACRES
NW 1/4 SE 1/4	26.6 ACRES

SECTION 28

TOWNSHIP 14 SOUTH, RANGE 14 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter 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.

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

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

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

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.

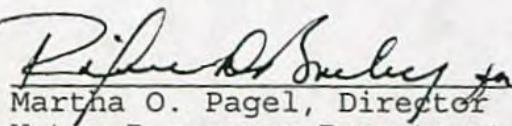
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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, 1999. The reservoirs shall be filled and complete application of water shall be made on or before October 1, 2000.

Issued January 22, 1997



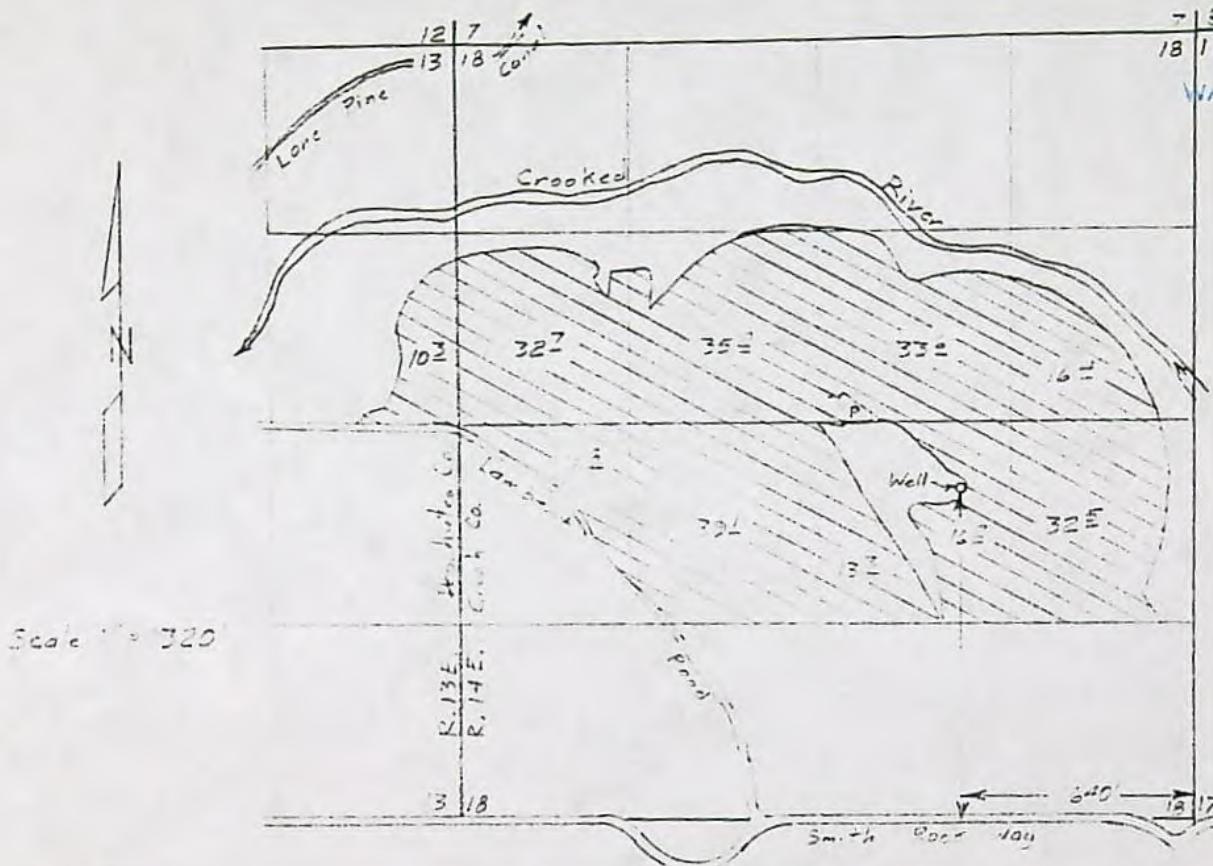
Martha O. Pagel, Director
Water Resources Department

TOWNSHIP 14 SOUTH, RANGES 13 & 14 EAST, W. M.

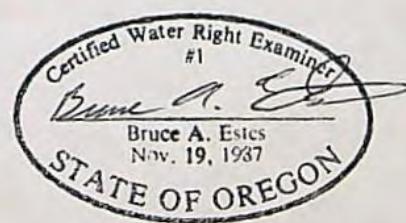
RECEIVED

7-3 FEB - 1 1993
18-17

WATER RESOURCES DEPT
SALEM, OREGON



Application Map
for
Re-Gret, Inc.

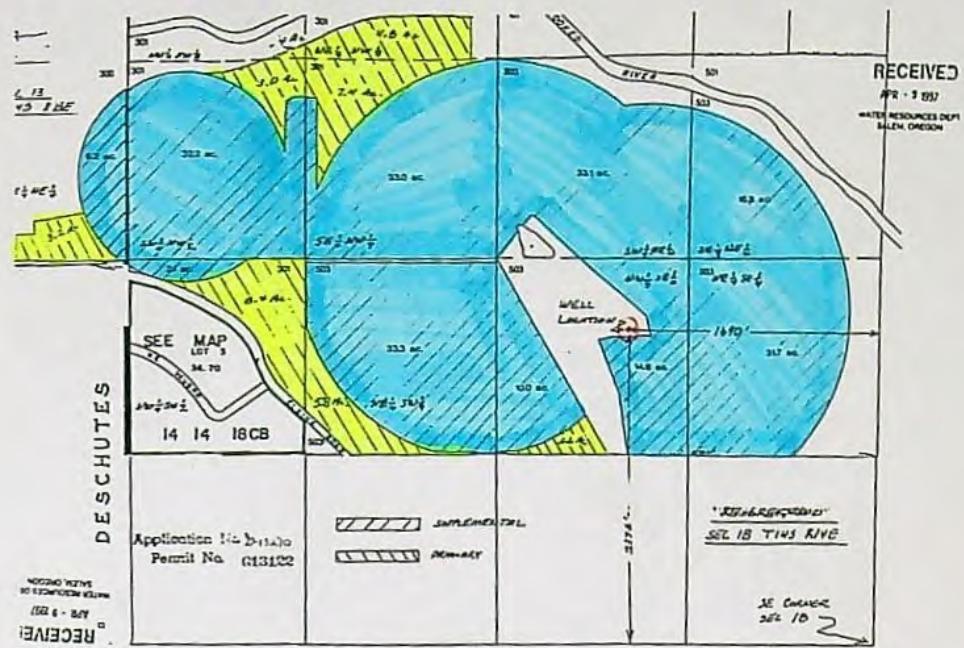


Application # G-13270

Permit # G- G13086

This map is for the purpose of locating a water right only and has no intent to provide legal dimensions or the location of property lines.

Copy



4ER

SEC 13
T14S R13E

SE $\frac{1}{4}$ NE $\frac{1}{4}$

1-21

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Application No. D-13270
Permit No. G1312

Permit No. G13122

WATER RESOURCES DEPT.
SALEM, OREGON

APR - 9 1997

RECEIVED

SUPPLEMENTAL

1 2 3 4 5 6 7 8 9

PRIMARY

DE-GRET, INC

SEL 1B T145 R14E

SE CORNER
SEC 18 -

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 15007

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM:	<i>Martin J. Zimmerman</i>	APPLICATION	
BY:		PERMIT	
		TRANSFER	

CASH: CHECK: # 96-7427 OTHER: (IDENTIFY) 3232 TOTAL REC'D \$ 10.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY)

\$

OTHER: (IDENTIFY)

\$

REDUCTION OF EXPENSE

CASH ACCT.

PCA AND OBJECT CLASS

VOUCHER #

\$

0427 WRD OPERATING ACCT

MISCELLANEOUS

\$ 10.00

COPY & TAPE FEES

\$

0410

RESEARCH FEES

\$

0408

MISC REVENUE: (IDENTIFY)

\$

New) TC165

DEPOSIT LIAB. (IDENTIFY)

\$

Existing) TC168

WATER RIGHTS:

RECORD FEE

0201

SURFACE WATER

\$

0203

GROUND WATER

\$

0205

TRANSFER

\$

WELL CONSTRUCTION

LICENSE FEE

0218

WELL DRILL CONSTRUCTOR

\$

LANDOWNER'S PERMIT

0219

\$

0220

\$

OTHER (IDENTIFY)

0437 WELL CONST. START FEE

0211

WELL CONST START FEE

EXAM FEE

0202

\$

0210

MONITORING WELLS

EXAM FEE

0204

\$

OTHER (IDENTIFY)

EXAM FEE

0206

\$

0539 LOTTERY PROCEEDS

1302

LOTTERY PROCEEDS

\$

0467 HYDRO ACTIVITY

LIC NUMBER

0233

POWER LICENSE FEE (FW/WRD)

\$

0231

HYDRO LICENSE FEE (FW/WRD)

\$

HRDRO APPLICATION

\$

RECEIPT # 15007

DATED: 8-15-97

BY:

J. Dailey

RECEIVED

AUG 15 1997

WATER RESOURCES DEPT.
SALEM, OREGON

Oregon
WATER
RESOURCES
DEPARTMENT

REFERENCE: NOTICE OF FINAL ORDER,

APPLICATION FILE 813270-Re-Bret Inc.

You have been identified as a person who submitted written comments or protests, or otherwise requested notice of the Final Order relative to the above referenced application.

As required under Section 13(9), Chapter 416, Oregon Laws, 1995, you are hereby notified that a Final Order has been issued by the Department pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly.

To obtain a copy of the Final Order, send \$10 along with your request to the address listed below.

If you need further assistance please contact the Water Rights Section at the address listed below or phone (503)378-3739.

Please send copy!

✓
Martin Zimmerman
673 NE Lakeside Dr.
Madras, Oregon 97741

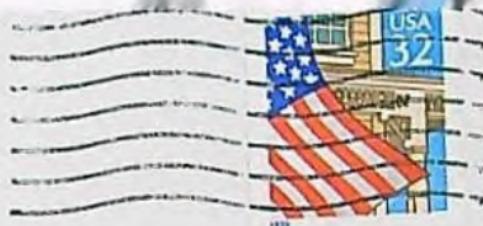
sent
8/27/97
cm



m:\forms\fonotice

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

Martin Zimmerman
673 NE Lakeside Dr.
Madras, Oregon 97741



OREGON WATER RESOURCES DEPT.
158 12th St. NE
SALEM, OR 97310-0210

37310+0210

11111111111111111111111111111111

Application G-13270

COPY CHECK-OFF SHEET FOR PROPOSED FINAL ORDERS

CC: FILE # G-13270

WATERMASTER # 11 - KYLE GORMAN

REGIONAL MANAGER: BOB MAIN

ODF&W - Crook County:

CWRE (if agent):

DEQ

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):

Dick Brown, Planning Consultant
222411 Jumping Grass Lane
Prineville, Oregon 97754

Martin Zimmerman
673 NE Lakeside Dr
Madras OR 97741

Ron Yockum

CASEWORKER : LJJ

File

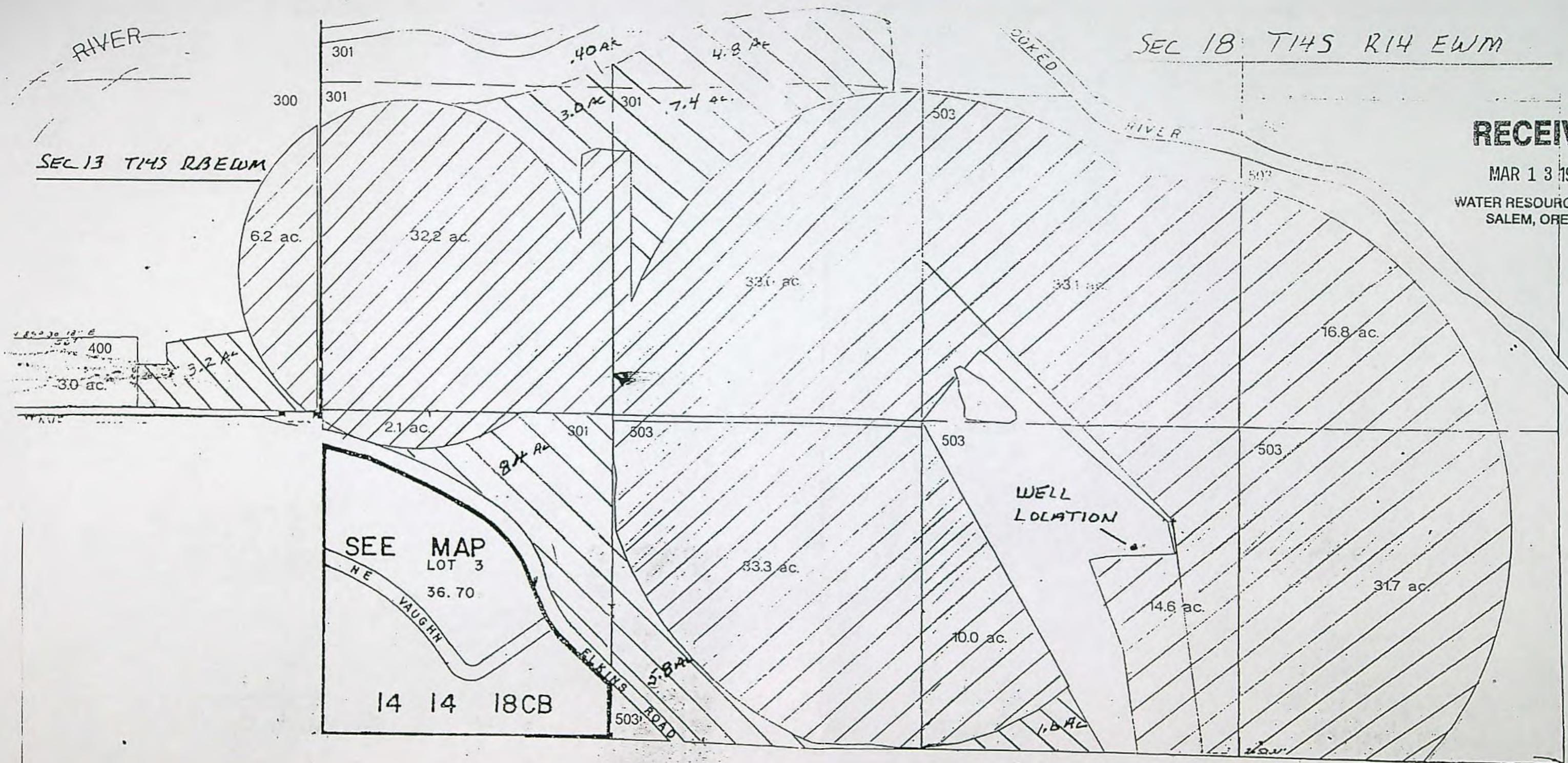
SEC 18: T14S R14 EWM

RECEIVED

MAR 13 1997

WATER RESOURCES DEPT.
SALEM, OREGON

SEC 13 T14S R3E04



SUPPLEMENTAL



PRIMARY

RE-GRET, Inc

RE: QWRD APPLIC. G13270

SCALE - 1" = 400'

RECEIVED

MARTIN ZIMMERMAN

AGROMOMIST

AGRICULTURAL CONSULTING

673 NE Lakeside Dr. Madras, OR 97741

(541) 475-6589

APR - 9 1997

WATER RESOURCES DEPT.
SALEM, OREGON

April 7, 1997

Douglas Baer
Oregon Water Resources Department
158 12th Street NE
Salem, OR 97310-0210

Dear Mr Baer,

I am responding to your March 31, 1997 letter to RE-GRET, INC. regarding G-13270.

Enclosed is a revised map which I hope provides the needed information.

The map shows the location of the well in relation the the SE corner of Section 18,
T14S, R14E.

As per your request the Qtr/Qtr sections are labeled.

Enclosed also is the \$10 fee.

Thank you for your assistance in getting this matter completed.

Sincerely,

Martin Zimmerman

Martin Zimmerman

Oregon

March 31, 1997

WATER
RESOURCES
DEPARTMENT

RE-GRET INC
REBECCA JULIAN
8603 SE LIESER POINT DR
VANCOUVER WA 98664

RE: FILE G-13270; RECONSIDERATION OF PERMIT

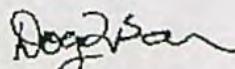
Dear Permittee:

Your written request for reconsideration of Permit G-13086 and your revised map have been received. When Permit G-13086 was issued, permit recording fees were assessed based upon the number of acres of irrigation allowed, which was 243.0 acres. Since you are now requesting a permit for irrigation of 34.6 acres and supplemental irrigation of 213.0 acres there is a net increase of 4.6 acres of irrigated area. Before a new permit could be issued approving your request for reconsideration, permit fees in the amount of \$10 must be paid for the additional acreage.

The revised map is being returned. It requires correction before a new permit may be issued. Please indicate on the map the location of the well referenced to a recognized public land survey corner. The location may be shown by distance and bearing or by coordinates (distance north or south and distance east or west from the corner). You should also label the quarter-quarter sections (40 acre parcel) in which each of the tax lots are located.

If you need further assistance, please contact the Water Rights Section at the address or phone number printed on this letter.

Sincerely



Douglas L. Baer
Senior Water Rights Technician

cc: Watermaster #11
Martin Zimmerman, 673 NE Lakeside DR, Madras OR 97741
Darlene Castle, Track #126
File



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

RECEIVED

MAR 13 1997

RE-GRET, INC.
8603 SE Lieser Point Drive
Vancouver, WA 98664

WATER RESOURCES DEPT.
SALEM, OREGON

February 27, 1997

Oregon Water Resources Department
158 12th Street NE
Salem, OR 97310-1210

Attention: Dwight French

RE: app. G-13270 and permit G-13086

Dear Sir,

We request reconsideration of the above permit. It was our intent to apply for both supplemental and primary water rights with the original application and subsequent request for amendment, dated January 4, 1994. It was not until a visit with Mr. Ben Bishop at the Department's Bend office that we discovered the application had been approved for the supplemental right only.

The map included with the original application may have been inadequate.

We are including a more adequate map as per instructions from Mr. Bishop, and hope that it contains the necessary information.

Please note there is a correction in the legal description which should read sections 13 and 18. The Final Order lists them as Sections 13 and 28.

Sincerely,

Rebecca L. Julian
Rebecca Julian
RE-GRET, INC.

MARTIN ZIMMERMAN

AGROMOMIST

AGRICULTURAL CONSULTING

673 NE Lakeside Dr. Madras, OR 97741

(541) 475-6589

RECEIVED

MAR 13 1997

WATER RESOURCES DEPT.
SALEM, OREGON

March 10, 1997

file

#126

3/17/97

3/31/97

Dwight

Oregon Water Resources Department
158 12th Street, NE
Salem, OR 97310-1210

ATTN: Dwight French.

Dear Mr. French,

Enclosed is a request from my client, RE-GRET, INC. regarding water right permit G-13806.

If you have any questions regarding the request, please refer them to me, as I have been working with them on this matter.

I trust the enclosed map will be adequate until the final CWRE map is prepared.

Sincerely,

Martin Zimmerman

Martin Zimmerman

RECEIVED

Oregon Water Resources Department
Water Rights Division

DEC 23 1996
WATER RESOURCES DEPT.
SALEM, OREGON

Water Rights Application
Number G-13270

Final Order

Application History

On January 25, 1993, RE-GRET, INC. submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on August 13, 1996. The protest period closed September 27, 1996, and no protest was filed.

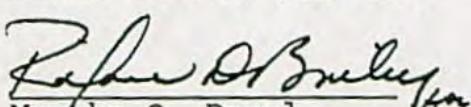
The proposed use would not impair or be detrimental to the public interest.

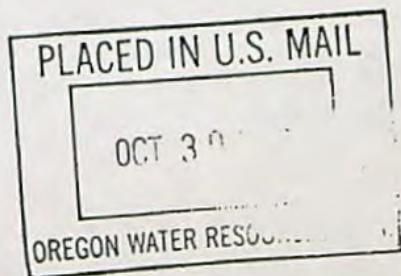
Order

Upon payment of outstanding permit recording fees, Application G-13270 shall be approved as proposed by the Proposed Final Order and as provided on the attached draft permit.

Permit recording fees are required in the amount of \$566.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees within 60 days from the date of this Final Order will result in the proposed rejection of Application G-13270.

DATED October 25, 1996


Martha O. Pagel
Director



Appeal Rights

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

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-13270

Proposed Final Order

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

Additional Information Required: Prior to the issuance of a permit, the applicant must submit a map that identifies the location coordinates of the point of diversion (well). This information must be submitted to the Department within 45 days. Failure to provide this information may result in the Department withholding issuance of the permit.

Application History

On January 25, 1993, RE-GRET, INC. submitted an application to the Department for the following water use permit:

- Amount of Water: 1.6 CUBIC FEET PER SECOND (CFS)
- Use of Water: SUPPLEMENTAL IRRIGATION OF 206.5 ACRES, LATER AMENDED TO INCLUDE AN ADDITIONAL 36.5 ACRES, BEING A TOTAL OF 243.0 ACRES OF SUPPLEMENTAL IRRIGATION
- Source of Water: ONE WELL WITHIN THE CROOKED RIVER BASIN
- Area of Proposed Use: CROOK COUNTY WITHIN SECTION 13, TOWNSHIP 14 SOUTH, RANGE 13 EAST, W.M., AND SECTION 18, TOWNSHIP 14 SOUTH, RANGE 14 EAST, W.M.

On DECEMBER 4, 1995, the Department mailed the applicant notice of its Initial Review, determining that THE USE OF 1.6 CFS FROM ONE WELL WITHIN THE CROOKED RIVER BASIN FOR SUPPLEMENTAL IRRIGATION OF 243.0 ACRES MAY BE ALLOWED FROM MARCH 1 THROUGH OCTOBER 31 OF EACH YEAR. The applicant did not notify the Department to stop processing the application within 14 days of that date.

On DECEMBER 19, 1995, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.

No written comments were received within 30 days.

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

- comments by or consultation with another state agency
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available
- the rate and duty for the proposed use
- pending senior applications and existing water rights of record
- designations of any critical groundwater areas
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any general basin-wide standard for flow rate and duty of water allowed
- the need for a flow rate and duty higher than the general standard
- any comments received

Findings of Fact

The Deschutes Basin Program allows the following uses: SUPPLEMENTAL IRRIGATION OF 243.0 ACRES.

Senior water rights exist on ONE WELL WITHIN THE CROOKED RIVER BASIN or on downstream waters.

ONE WELL WITHIN THE CROOKED RIVER BASIN is above a State Scenic Waterway.

Water is likely available for further appropriation (at an 80 percent exceedance probability) for the period MARCH 1 THROUGH OCTOBER 31.

The Department finds that no more than 1.6 CFS would be necessary for the proposed use. The amount of water requested, 1.6 CFS, is allowable.

The well is NOT within a designated critical ground water area.

The Department determined, based upon OAR 690-09, that the proposed groundwater use will, if properly conditioned, adequately protect the surface water from interference.

The Groundwater Section finds that there is NOT a preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

Conclusions of Law

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

of the Water Resources Commission.

The proposed use requested in this application is allowed in the Deschutes Basin Plan.

No preference for this use is granted under the provisions of ORS 536.310(12).

Water is available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with rules of the Water Resources Commission.

The proposed use complies with the State Agency Agreement for land use.

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

For these reasons, the required presumption has been established.

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

- (a) One or more of the criteria for establishing the presumption are not satisfied; or
- (b) The proposed use would not ensure the preservation of the public welfare, safety and health as demonstrated in comments, in a protest . . . or in a finding of the department that shows:
 - (A) The specific aspect of the public welfare, safety and health under ORS 537.525 that would be impaired or detrimentally affected; and
 - (B) Specifically how the identified aspect of the public welfare, safety and health under ORS 537.525 would be impaired or be adversely affected.

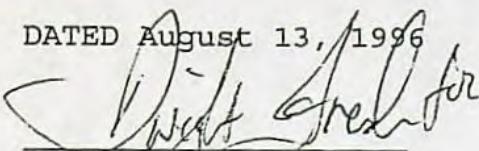
In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in injury to existing water rights; and the proposed use would ensure the preservation of the public welfare, safety and health as described in ORS 537.525.

Recommendation

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

DATED August 13, 1996


Steven P. Applegate
Administrator
Water Rights and Adjudications Division

Protest Rights

Under the provisions of ORS 537.621(7), you have the right to submit a protest against this proposed final order. Your protest must be in writing, and must include the following:

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and
- If you are not the applicant, the \$200 protest fee required by ORS 536.050.
- If you are the applicant, a statement of whether or not you are requesting that a contested case hearing be held. If you do not request a hearing, the Department will presume that you do not wish for a hearing to be held.

Your protest must be received in the Water Resources Department no later than September 27, 1996.

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

- upon review of the issues the director finds that there are significant disputes related to the proposed use of water, or
- the applicant requests a contested case hearing within 30 days after the close of the protest period.

DRAFT

This is not a permit!!!

DRAFT

STATE OF OREGON

COUNTY OF CROOK

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

RE-GRET, INC.
13001 NE BRAZEE
PORTLAND, OREGON 97230

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

APPLICATION FILE NUMBER: G-13270

SOURCE OF WATER: ONE WELL WITHIN THE CROOKED RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 243.0 ACRES

MAXIMUM RATE: 1.6 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 OF EACH YEAR

DATE OF PRIORITY: JANUARY 26, 1993

POINT OF DIVERSION LOCATION: NW 1/4 SE 1/4, SECTION 18, T14S, R14E, W.M.;

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE 1/4 NE 1/4 8.6 ACRES
SECTION 13
TOWNSHIP 14 SOUTH, RANGE 13 EAST, W.M.

SW 1/4 NE 1/4 33.1 ACRES
SE 1/4 NE 1/4 16.1 ACRES
NE 1/4 NW 1/4 5.0 ACRES
NW 1/4 NW 1/4 0.3 ACRE
SW 1/4 NW 1/4 34.9 ACRES
SE 1/4 NW 1/4 38.4 ACRES
NE 1/4 SW 1/4 39.0 ACRES
NW 1/4 SW 1/4 10.4 ACRES
NE 1/4 SE 1/4 30.6 ACRES
NW 1/4 SE 1/4 26.6 ACRES
SECTION 28

TOWNSHIP 14 SOUTH, RANGE 14 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter 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.

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

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

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

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

STANDARD CONDITIONS

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

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

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

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

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

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

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

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

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

Issued _____, 199____

DRAFT - THIS IS NOT A PERMIT

Water Resources Department
Director

Application G-13270 Water Resources Department
Basin 05 Volume
LJJ MGMT.CODE

PERMIT DRAFT
District 11

Sharon Steckler, 02:34 PM 2/24/97 , RE-GRET Appl G13270, Permit G-

Received: from berry.deschutes.org (berry.deschutes.org [206.58.9.23]) by klamath.wrd.state.or.us (8.7.5/8.7.3) with SMTP id OAA20696 for <Cory.C.ENGEL@wrd.state.or.us>; Mon, 24 Feb 1997 14:29:03 -0800 (PST)
Message-Id: <1.5.4.32.19970224223427.00681e80@mailhub.wrd.state.or.us>
X-Sender: stecklsm@mailhub.wrd.state.or.us
X-Mailer: Windows Eudora Light Version 1.5.4 (32)
Mime-Version: 1.0
Content-Type: text/plain; charset="us-ascii"
Date: Mon, 24 Feb 1997 14:34:27 -0800
To: Cory.C.ENGEL@wrd.state.or.us
From: Sharon Steckler <Sharon.M.STECKLER@wrd.state.or.us>
Subject: RE-GRET Appl G13270, Permit G-13086
X-UIDL: 1a1d2d293ced09280d96fd339044b74a

Thanks for your reply. Ben & I are going to see what we can do to clear up this confusion. In the meantime, please fax me a copy of the original appl (G-13270).

Thanks again

Doreen
, CE 2/25/97

Received: from bacon (bacon.wrd.state.or.us [204.94.11.146]) by
klamath.wrd.state.or.us (8.7.5/8.7.3) with SMTP id LAA12380; Mon, 24 Feb 1997
11:56:02 -0800 (PST)
Date: Mon, 24 Feb 1997 11:56:02 -0800 (PST)
Message-Id: <1.5.4.16.19970224120202.1b07a99c@mailhub.wrd.state.or.us>
X-Sender: engelcc@mailhub.wrd.state.or.us
X-Mailer: Windows Eudora Light Version 1.5.4 (16)
Mime-Version: 1.0
Content-Type: text/plain; charset="us-ascii"
To: Sharon Steckler <Sharon.M.STECKLER@wrd.state.or.us>
From: "Cory C. Engel" <Cory.C.ENGEL@wrd.state.or.us>
Subject: Re: app. G-13270, permit G-13086
Cc: cory.c.engel@wrd.state.or.us
X-UIDL: 7e05229455c8ab9ecdbbe1642551cc2

At 10:52 AM 2/24/97 -0800, you wrote:

>Unbeknownst to me, someone from Re-Gret was in talking to Ben last week. It
>was clear to Ben that the owner was expecting both primary and supplemental
>from the well. I have no idea what the owner intends to do (if anything)
>about the permit that was issued.

2

>I need a reply back from you...re: what Salem (or who now has the file?)
>intends to do to clear up this confusion.

Sharon,

I spoke with Doug Baer, "the permit guy," about this, and we agreed on the following:

1. It appears that the department, in an attempt to accomodate the applicant, accepted substandard maps; as a result, the permit may not be exactly what the applicant intended.

2. The permit was issued as proposed by the Proposed Final Order, because we received no protest from the applicant (or any other party).

3. Under the Administrative Procedures Act, the permit holder has 60 days from the date of permit issuance to request reconsideration. If the applicant believes that the permit contains errors requiring correction, they should submit a request for reconsideration (in the form of a letter to Dwight French) by 5:00 pm on Monday, March 24. (The 60th day, 3/23, falls on a Sunday.) The request for reconsideration should be accompanied by a map that meets the standards of OAR 690-310, including notations of the number of primary acres applied for in each section quarter-quarter and the number of supplemental acres applied for in each section quarter-quarter, as well as the locations of those acres.

I believe it would be inappropriate for the Department to make an attempt to issue a correction permit without a request for reconsideration from the permittee that includes a satisfactory map, because. (I think any attempt at correcting the problem with the maps we have would be futile.)

I would recommend contacting the permit holder with this information, since they have only 28 days until the request for reconsideration filing deadline. Since Ben has had recent contact with them, perhaps he should follow up.

I have faxed you a copy of the "working copy" map I mentioned on the telephone.

If you have any questions, let me know.

\ Cory C. Engel Cory.C.ENGEI@wrd.state.or.us /
/ Water Right Info Group http://www.wrd.state.or.us /
\ Oregon Water Resources Dept. ftp://ftp.wrd.state.or.us /

Sharon Steckler, 10:52 AM 2/24/97 , app. G-13270, permit G-13086

Received: from berry.deschutes.org (berry.deschutes.org [206.58.9.23]) by
klamath.wrd.state.or.us (8.7.5/8.7.3) with SMTP id KAA06269 for
<Cory.C.ENGEL@wrd.state.or.us>; Mon, 24 Feb 1997 10:47:14 -0800 (PST)
Message-Id: <1.5.4.32.19970224185237.0067aeb8@mailhub.wrd.state.or.us>
X-Sender: stecklsm@mailhub.wrd.state.or.us
X-Mailer: Windows Eudora Light Version 1.5.4 (32)
Mime-Version: 1.0
Content-Type: text/plain; charset="us-ascii"
Date: Mon, 24 Feb 1997 10:52:37 -0800
To: Cory.C.ENGEL@wrd.state.or.us
From: Sharon Steckler <Sharon.M.STECKLER@wrd.state.or.us>
Subject: app. G-13270, permit G-13086
X-UIDL: 7f19d35bd53c58b26a82fa09fd90f10a

Unbeknownst to me, someone from Re-Gret was in talking to Ben last week. It was clear to Ben that the owner was expecting both primary and supplemental from the well. I have no idea what the owner intends to do (if anything) about the permit that was issued.

I need a reply back from you...re: what Salem (or who now has the file?) intends to do to clear up this confusion.

CRAIG FARMS

BONNIE CRAIG

5915 NW GERKE ROAD * PRINEVILLE, OREGON * 97754 * 503-447-4879

DATE: 9/4/96TIME: 2:35FAX #: 503-378-6203FACSIMILE COVER LETTER

PLEASE DELIVER THE FOLLOWING TO:

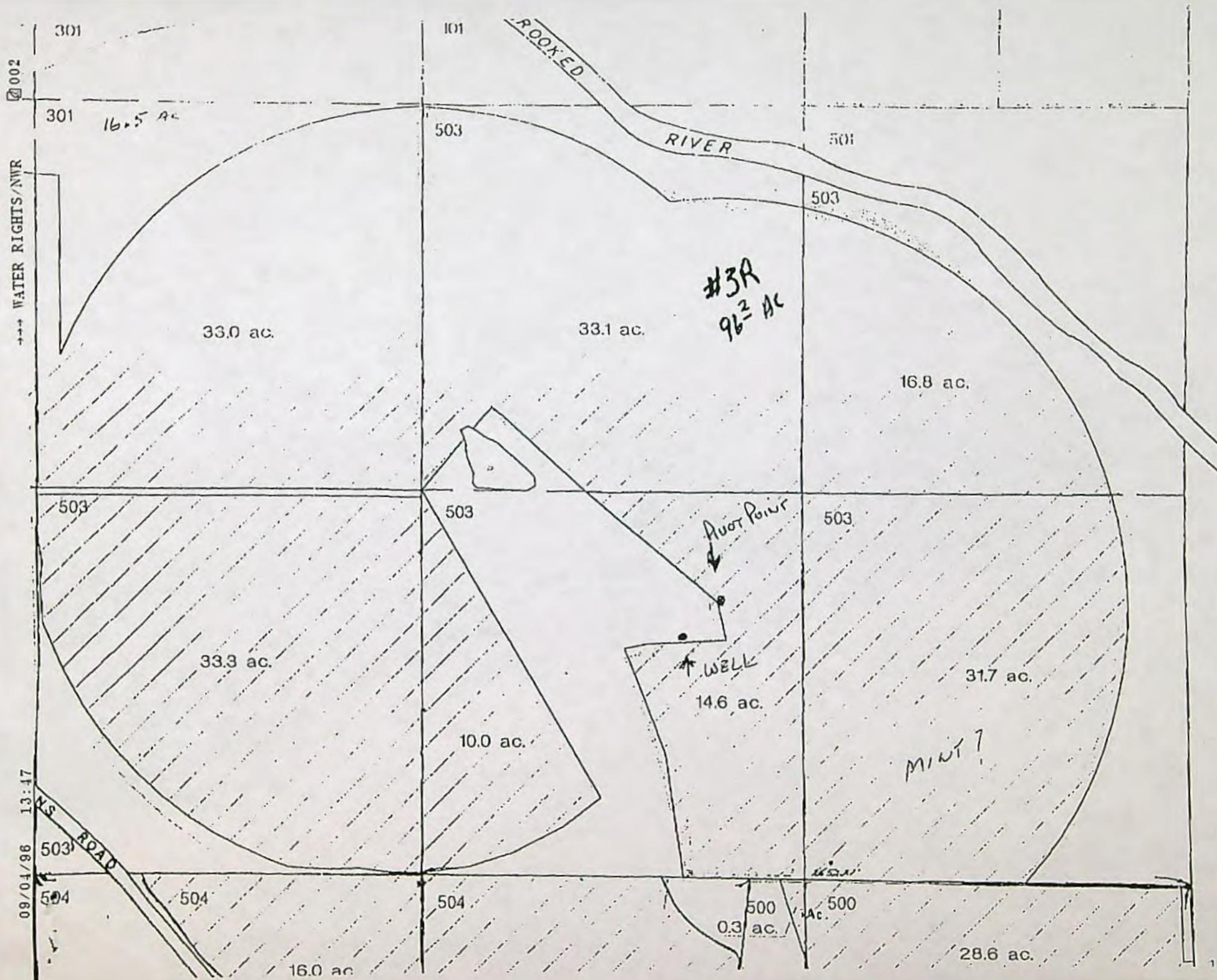
NAME Lisa TuckCOMPANY/DEPARTMENT Water Resources DepartmentFROM BONNIE CRAIGA TOTAL OF 2 PAGES (INCLUDING COVER PAGE) ARE TRANSMITTED.IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL (503) 447-4879
FOR FUTURE REFERENCE, MY FAX NUMBER IS (503) 447-2791

Application F.I. # 6-13270

LISA,

I went out to the well and measured off
footage from Pivot Point on map. Approximately 83'
West and 60' south. Hope this meets with your

DI. Gau



NUMBER 8640

Check 566.00 Mo _____ Cash _____

- Surface Application
- Reservoir Application
- Ground Water Application
- Transfer Application
- PFO Request
- Research
- Hydroelectric Fees
- Copying
- Assignment
- Extension of Time
- Protest
- Other

0
566
Doug

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 9164

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE #

RECEIVED FROM: KE-GREET INC
BY:

APPLICATION	<u>6/3220</u>
PERMIT	
TRANSFER	

CASH: CHECK: # 24-22 OTHER: (IDENTIFY)

TOTAL REC'D \$ 50.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY)

\$

OTHER: (IDENTIFY)

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

0427 WRD OPERATING ACCT

PCA 6611

MISCELLANEOUS

\$

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC165 DEPOSIT LIAB. (IDENTIFY)

\$

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$

0204

\$ 56.00

0205 TRANSFER

\$

0206

\$

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS

\$

0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HRDRO APPLICATION

\$

RECEIPT #

9164

DATED

12-23-96

BY:

R. Bushnell

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **8461**

158 12TH ST. N.E.

SALEM, OR 97310-0210

378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: *Martin J. Zimmerman*
BY: _____

APPLICATION	_____
PERMIT	_____
TRANSFER	_____

CASH: CHECK: # **96-742** OTHER: (IDENTIFY)

TOTAL REC'D **\$ 10. -**

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$	_____
\$	_____
\$	_____
\$	_____

PUBLICATIONS / MAPS

OTHER: (IDENTIFY) _____

OTHER: (IDENTIFY) _____

REDUCTION OF EXPENSE

CASH ACCT.

PCA AND OBJECT CLASS

VOUCHER #

\$	_____
----	-------

0427 WRD OPERATING ACCT

PCA 66111

MISCELLANEOUS

\$	_____
\$	_____
\$	10. -
\$	_____

COPY & TAPE FEES

RESEARCH FEES

MISC REVENUE: (IDENTIFY)

TC165 DEPOSIT LIAB. (IDENTIFY)

PFO Request

WATER RIGHTS:

EXAM FEE	RECORD FEE
\$	_____
\$	_____
\$	_____
EXAM FEE	LICENSE FEE
\$	_____
\$	_____

SURFACE WATER

0202

GROUND WATER

0204

TRANSFER

0206

WELL CONSTRUCTION

0219

0218 WELL DRILL CONSTRUCTOR

0220

LANDOWNER'S PERMIT

OTHER (IDENTIFY) _____

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$	_____
\$	_____

0210 MONITORING WELLS

CARD #	_____
CARD #	_____

OTHER (IDENTIFY) _____

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS

\$	_____
----	-------

0467 HYDRO ACTIVITY

0233 POWER LICENSE FEE (FW/WRD)

LIC NUMBER	_____
\$	_____

0231 HYDRO LICENSE FEE (FW/WRD)

HRDRO APPLICATION

\$	_____
\$	_____
\$	_____

RECEIPT #

8461

DATED:

11-15-96 BY: *D. Bushnell*

RECEIVED

MARTIN ZIMMERMAN

NOV 15 1996

AGROMOMIST
AGRICULTURAL CONSULTING
673 NE Lakeside Dr. Madras, OR 97741
(541) 475-6589

WATER RESOURCES DEPT.
SALEM, OREGON

November 10, 1996

Oregon Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR 97310-3739 ~~0210~~

I would like to receive a copy of the final order for application G-13270. Enclosed is a check for \$10 to cover the cost.

Sincerely

Martin Zimmerman

Copy
sent
11/20/96

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-13270

Final Order

Application History

On January 25, 1993, RE-GRET, INC. submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on August 13, 1996. The protest period closed September 27, 1996, and no protest was filed.

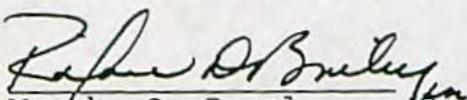
The proposed use would not impair or be detrimental to the public interest.

Order

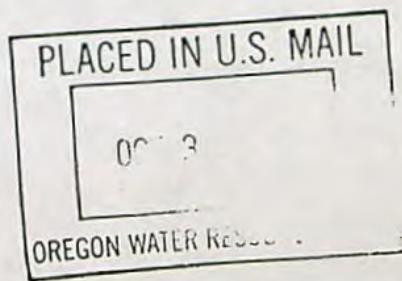
Upon payment of outstanding permit recording fees, Application G-13270 shall be approved as proposed by the Proposed Final Order and as provided on the attached draft permit.

Permit recording fees are required in the amount of \$566.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees within 60 days from the date of this Final Order will result in the proposed rejection of Application G-13270.

DATED October 25, 1996



Martha O. Pagel
Director



Appeal Rights

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

STATE OF OREGON

COUNTY OF CROOK

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

RE-GRET, INC.
13001 NE BRAZEE
PORTLAND, OREGON 97230

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

APPLICATION FILE NUMBER: G-13270

SOURCE OF WATER: ONE WELL WITHIN THE CROOKED RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 243.0 ACRES

MAXIMUM RATE: 1.6 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 OF EACH YEAR

DATE OF PRIORITY: JANUARY 26, 1993

POINT OF DIVERSION LOCATION: NW 1/4 SE 1/4, SECTION 18, T14S, R14E, W.M.; 2244 FEET NORTH AND 1640 FEET WEST FROM THE SE CORNER OF SECTION 18

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE 1/4 NE 1/4 8.6 ACRES
SECTION 13
TOWNSHIP 14 SOUTH, RANGE 13 EAST, W.M.

SW 1/4 NE 1/4	33.1	ACRES
SE 1/4 NE 1/4	16.1	ACRES
NE 1/4 NW 1/4	5.0	ACRES
NW 1/4 NW 1/4	0.3	ACRE
SW 1/4 NW 1/4	34.9	ACRES
SE 1/4 NW 1/4	38.4	ACRES
NE 1/4 SW 1/4	39.0	ACRES
NW 1/4 SW 1/4	10.4	ACRES

NE 1/4 SE 1/4 30.6 ACRES
NW 1/4 SE 1/4 26.6 ACRES
SECTION 28
TOWNSHIP 14 SOUTH, RANGE 14 EAST, W.M.

Measurement, recording and reporting conditions:

A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

B. The permittee shall allow the watermaster access to the meter 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.

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

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

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

STANDARD CONDITIONS

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

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

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

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

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

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

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

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

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

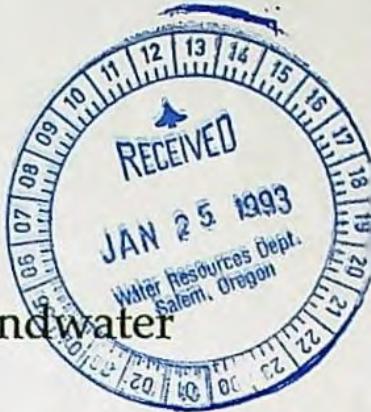
{DATE}

DRAFT

Martha O. Pagel, Director
Water Resources Department

Application No. 6-13270

State of Oregon
WATER RESOURCES DEPARTMENT



Application for a Permit to Appropriate Groundwater

Applicant(s) Re-Gret, Inc.

(Please print or type - use dark ink)

Mailing Address: 13001 NE Brazee

Portland Oregon 97230
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.): One well

If development is less than one mile from a natural stream, give the following:

Distance from development to stream: Approximately 3,100 ft.

Elevation difference between streambed and development: >500 ft.

NOTE: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well driller's log with this application, and skip to Section 2 below.

Diameter of well: 12 in. Depth in feet: #2 - 235 ft.

Type and size of well casing: 12 in. steel No. of feet:

Estimated depth to water: 75 ft.

Type of access port or measuring device:

Wells to be drilled by: See attached well log

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: 1.6 cubic feet per second, OR gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each:

3. INTENDED USE(s) OF WATER: Irrigation (supplemental)

If for more than one use, give the quantity of water from each source for each use; N/A

If for DOMESTIC use, state the number of households to be supplied; N/A

If for MUNICIPAL OR QUASI-MUNICIPAL use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)

N/A

If for MINING use, state the nature (gold, silver, etc.) of the mines to be served; N/A

If for IRRIGATION, or other land area use, state the TOTAL number of acres to be developed under each use;

Irrigation 206.5 acres

Other (describe)

243 Ac

4. DESCRIPTION OF WATER DI
construction of diversion works,
type of pump and motor. If for irrigation, use SEE AMENDMENT : dimensions and type of
ply ditches or pipelines, size and
f system (i.e., flood, wheel line, hand
line, drip, other).

Submersible pump in well; 600 ft. to pond; 75 HP pump in pond to pivot
system.

5. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin 7/8/90

Proposed date construction work will be completed 7/8/90

Proposed date water use will be completed as soon as a permit is issued

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.

3. INTENDED USE(s) OF WATER: Irrigation (supplemental)

If for more than one use, give the quantity of water from each source for each use; N/A

If for DOMESTIC use, state the number of households to be supplied; N/A

If for MUNICIPAL OR QUASI-MUNICIPAL use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)

N/A

If for MINING use, state the nature (gold, silver, etc.) of the mines to be served; N/A

If for IRRIGATION, or other land area use, state the TOTAL number of acres to be developed under each use;

Irrigation 206.5 acres

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).

Submersible pump in well; 600 ft. to pond; 75 HP pump in pond to pivot system.

5. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin 7/8/90

Proposed date construction work will be completed 7/8/90

Proposed date water use will be completed as soon as a permit is issued

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.

6. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

Applicant CWRE Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

Applicant CWRE Other (Identify in REMARKS section)

7. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? Yes. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

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

REMARKS: On March 24, 1992, Ted Fehrenbacher applied to the Department for an emergency water use permit for use of this well and another well on his own property. Mr. Fehrenbacher leases the lands in this application from Re-Gret, Inc. where the water developed under this application will be used. Re-Gret, Inc., however, is the applicant for this water right.

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 acknowledge plan. Your city or county planning agency can advise you about the land-use plan in your area.

Gretchen Brooks
Signature of Applicant
President, Re-Gret, Inc.

21 Jan. 1993
Date

Signature of Applicant

Date

RECEIVED

JAN 25 1993

FOR WATER RESOURCES DEPARTMENT USE ONLY

WATER RESOURCES DEPT
SALEM, OREGON

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 26th day of January 1993, at 8:00 o'clock, A M.

APPLICATION NO: 6-13270

In preparing the FO, you should check the following:

1. Y / N Were comments or protests received in response to the PFO?
2. X If #1 = "Y", from whom were the comments received and when?
3. X Verify names and addresses on the PFO CC list. ALL commentors (regardless of comment date), affected landowners (were they notified?), and those who paid the \$10 fee should be listed.
4. 566 Verify payment of recording fees (circle the appropriate option)
 - (1) Issue FO w/permit if fees are paid – Prepare refund request for excess fees, including standing fees if no protest is filed and no modifications are being made to the PFO
 - (2) Issue FO w/o permit if fees are lacking
5. Y / N Is the file lacking a signed oath of accuracy for the application?
6. Y / N Has ODFW asked for self certification on screening condition?
7. Y / N Is water use prohibited for one or more months of the normal use period?
8. Y / N If #6 = "Y", is short season letter on file? Note: If short season letter is lacking prepare FO with Draft permit giving applicant 60 days to submit letter.
9. Y / N Is further processing possible? If not state reason: _____
10. _____ Notify applicant of additional information or fees required prior to permit issuance (SEND CERTIFIED LETTER & use standard wording from M:\T\FO\TOOLS if possible)
11. _____ Assign permit numbers to files with oath, fees, and no protests or other issues

DENIAL LARRY FO w/o PERMIT JERRY

Route to: (circle one)
 FO & PERMIT JEREMY COMMENTS DOUG

7/3/95

Initials JTB

Modify FO as needed to:

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

Once FO document is completed:

15. Y Save WordPerfect document in M:\T\FO\WEEK55 & delete duplicates
16. Y Print final draft of document and submit to team leader for review
17. Y / N Team leader review completed

G13753

WORK COPY

Application No.

G11799

Permit No.

FOR REFERENCE ONLY

T.14S., R.13 & 14E., W.M.

DE SCHUTES CO.
T.14S., R.13 & 14E., W.M.
CROOK CO.

DE SCHUTES & CROOK COUNTY

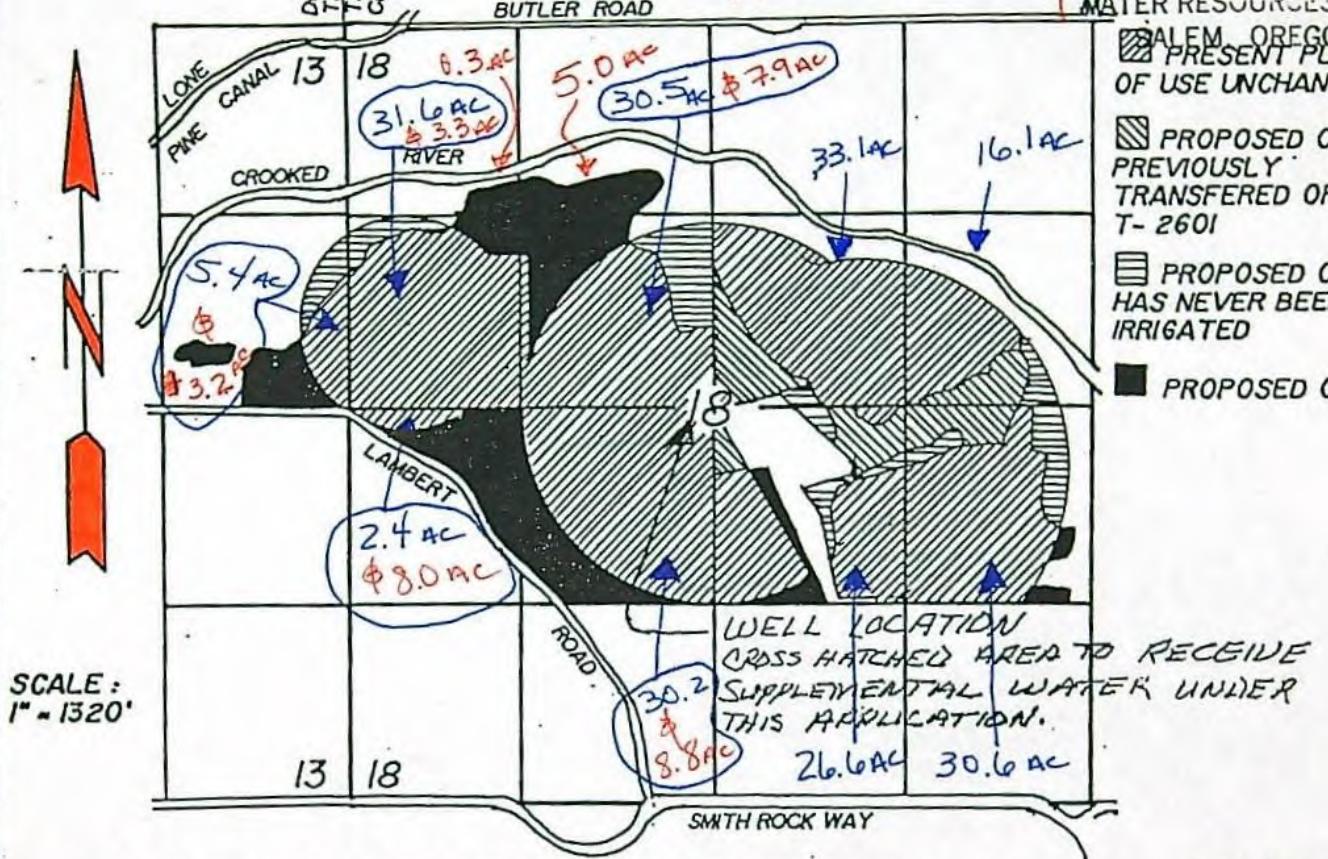
RECEIVED

JUL 27 1994

MATER RESOURCES DEPT.

SALEM, OREGON
PRESENT PLACE
OF USE UNCHANGEDPROPOSED ON,
PREVIOUSLY
TRANSFERRED OFF BY
T-2601PROPOSED ON,
HAS NEVER BEEN
IRRIGATED

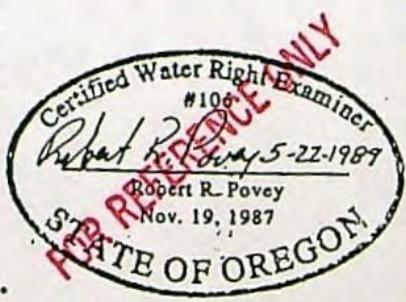
PROPOSED OFF



APPLICATION MAP FOR WATER RIGHT TRANSFER -

RAWLINS to
RAWLINS/ C.O.I.D.

					BALANCE
SW 1/4 NE 1/4 S. 18	25.5 AC.	6.4 AC.	1.2 AC.	-0-	33.1 AC.
SE 1/4 NE 1/4 S. 18	9.0 AC.	4.0 AC.	3.1 AC.	-0-	16.1 AC.
NE 1/4 NW 1/4 S. 18	-0-	-0-	-0-	5.0 AC.	-0-
NW 1/4 NW 1/4 S. 18	-0-	-0-	-0-	2.0 AC.	-0-
SW 1/4 NW 1/4 S. 18	28.7	-0-	2.9 AC.	3.3 AC.	31.6 AC.
SE 1/4 NW 1/4 S. 18	24.1 AC.	-0-	6.4 AC.	7.9 AC.	30.5 AC.
NE 1/4 SW 1/4 S. 18	30.2 AC.	-0-	-0-	8.8 AC.	30.2 AC.
NW 1/4 SW 1/4 S. 18	2.4 AC.	-0-	-0-	8.6 AC.	2.4 AC.
NE 1/4 SE 1/4 S. 18	17.5 AC.	6.5 AC.	6.6 AC.	2.0 AC.	30.6 AC.
NW 1/4 SE 1/4 S. 18	18.4 AC.	5.1 AC.	3.1 AC.	3.1 AC.	26.6 AC.
SE 1/4 NE 1/4 S. 13	4.0 AC.	-0-	1.4 AC.	6.0 AC.	5.4 AC.
NE 1/4 SE 1/4 S. 13	-0-	-0-	-0-	-0-	-0-
TOTAL	159.8 AC.	22.0 AC	24.7 AC	46.7 AC.	206.5 AC.



I, Robert R. Povey, Oregon Certified Water Right Examiner #106, hereby certify the above application map was prepared under my direct supervision.

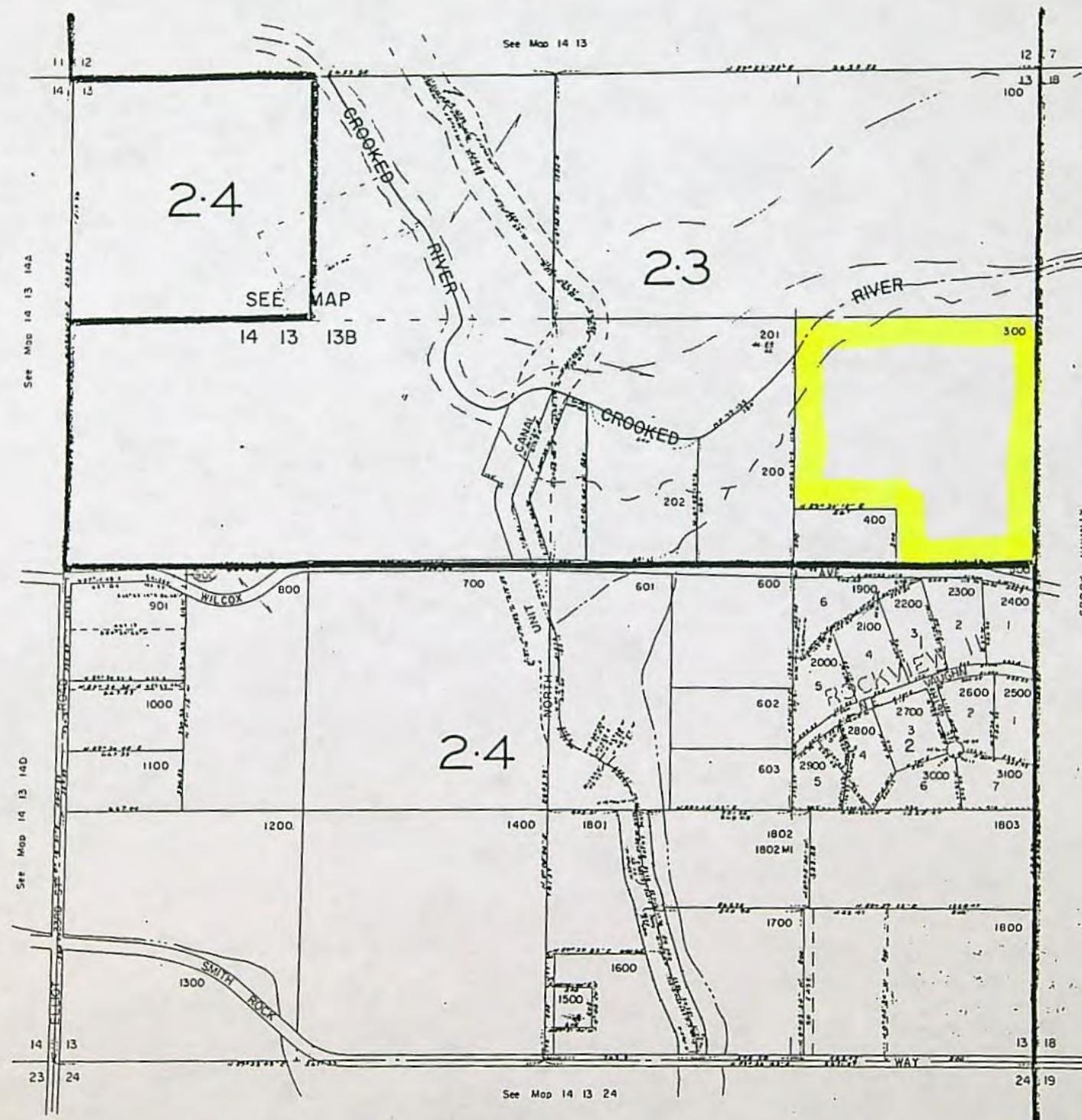
The preparation of this map is for the purpose of identifying the location of the water right only and has no intent to provide dimensions of locations of property ownership lines.

Added to file by/ staff
9/26/95

SCALE 1: 9600.
0 400 800
PEST
KILOMETER

FOR REFERENCE ONLY

$T = 400^\circ$



RECEIVED FOR REFERENCE ONLY

SECTION 18 T.14S. R.14E W.M.

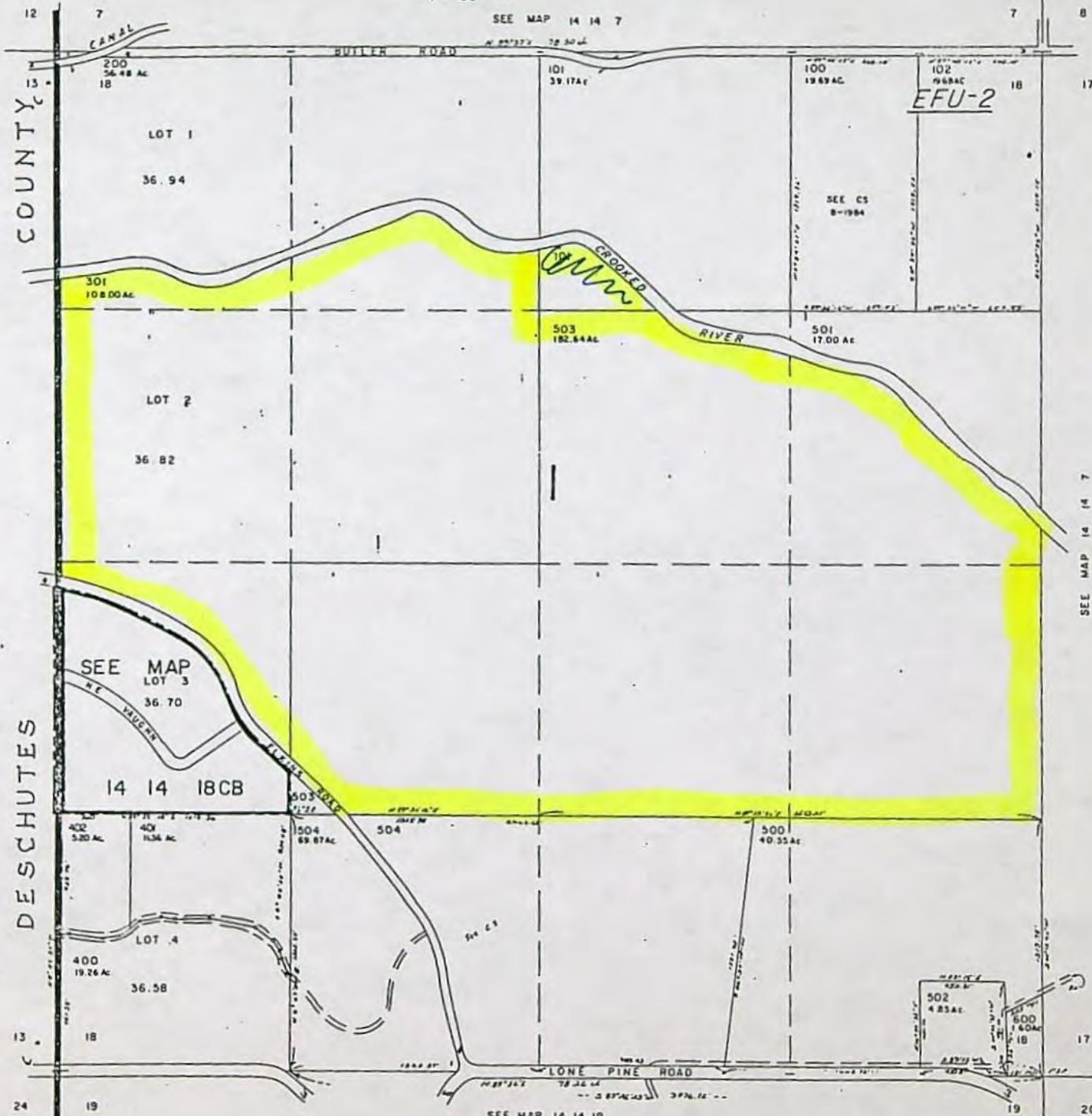
CROOK COUNTY

1" = 400'

14 14 18

SCALE 1:9600
0 400 FEET
0 400 KILOMETER

FOR REFERENCE ONLY



RECEIVED
JUL 02 1992
DEPT. OF REVENUE STATE OF UTAH
ASSESSMENT & APPRAISAL DIV

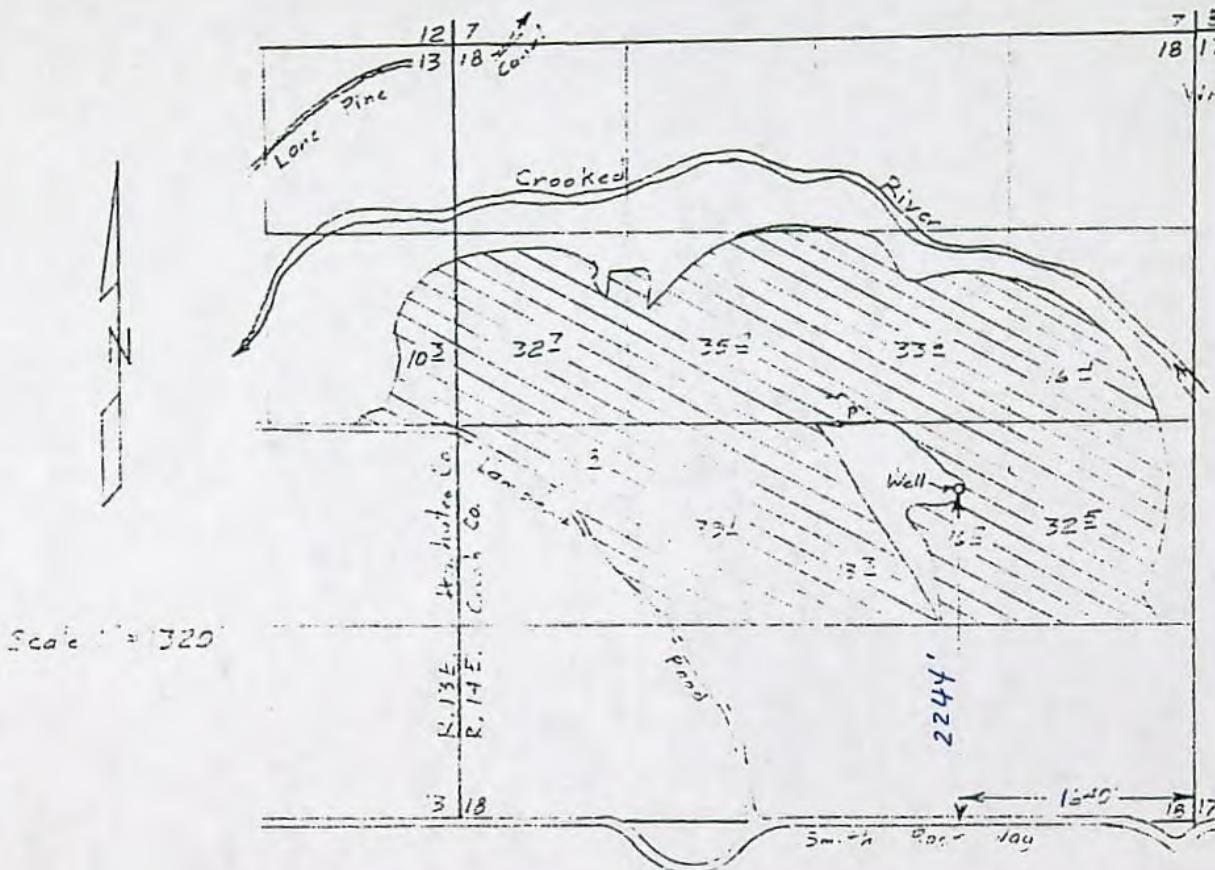
WORK COPY

TOWNSHIP 14 SOUTH, RANGES 13 & 14 EAST ONLY M.
FOR REFERENCE ONLY

RECEIVED

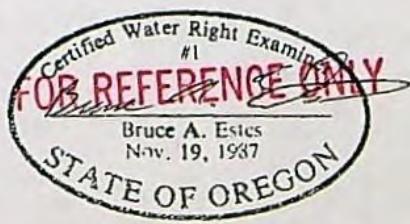
7 3 FEB - 1 1993

WATER RESOURCES DEPT
SALEM, OREGON



Application Map
for

Re-Gret, Inc.



Application # G-13270

Permit # G- **FOR REFERENCE ONLY**

This map is for the purpose of locating a water right only and has no intent to provide legal dimensions or the location of property lines.

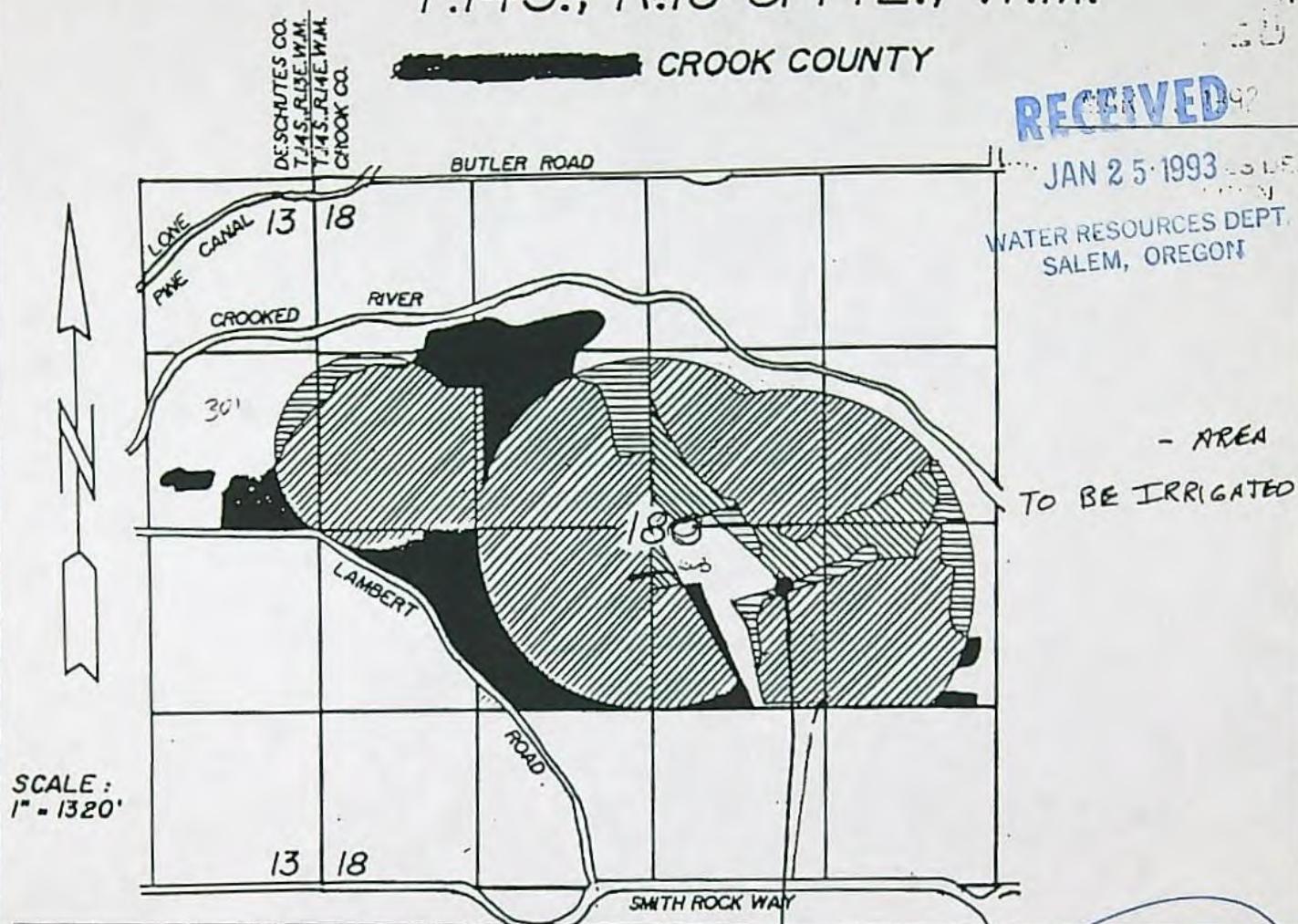
T.14S., R.13 & 14E., W.M.

[REDACTED] CROOK COUNTY

RECEIVED

JAN 25 1993

WATER RESOURCES DEPT.
SALEM, OREGON



Application No. G 13270
Permit No.

*Suspended
2-1-93*

SUPERSEDED

RECEIVED

FEB - 3 1994

WATER RESOURCES DEPT.
SALEM, OREGON

RE-GRET, INC.
8603 SE Lieser Point Dr.
Vancouver, WA, 98664

January 4, 1994

Oregon Water Resources Department
Applicant and permits section
3850 Portland Road NE
Salem, OR 97310

RE: Application number G13270, Permit to appropriate ground water.

We hereby amend the above application to include a primary water right from subject well to be applied to approximately 36.5 acres designated on the attached preliminary map. This amendment does not increase the quantity of water requested in the application.

The 36.5 acres are currently non-irrigated.

Sincerely,

Gretchen Brooks

Gretchen Brooks
RE-GRET, INC

PROPOSED ACREAGE FOR WATER RIGHT FROM WELL
PRELIMINARY MAP
RE-GRET, INC.

T14, R13 & 14E W.M.

300

X

400

3.2 Ac

1803

16.5 ac

16.3 ac.

2110 L.

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
FEB - 3 1994

L ROAD 20'

RECEIVED

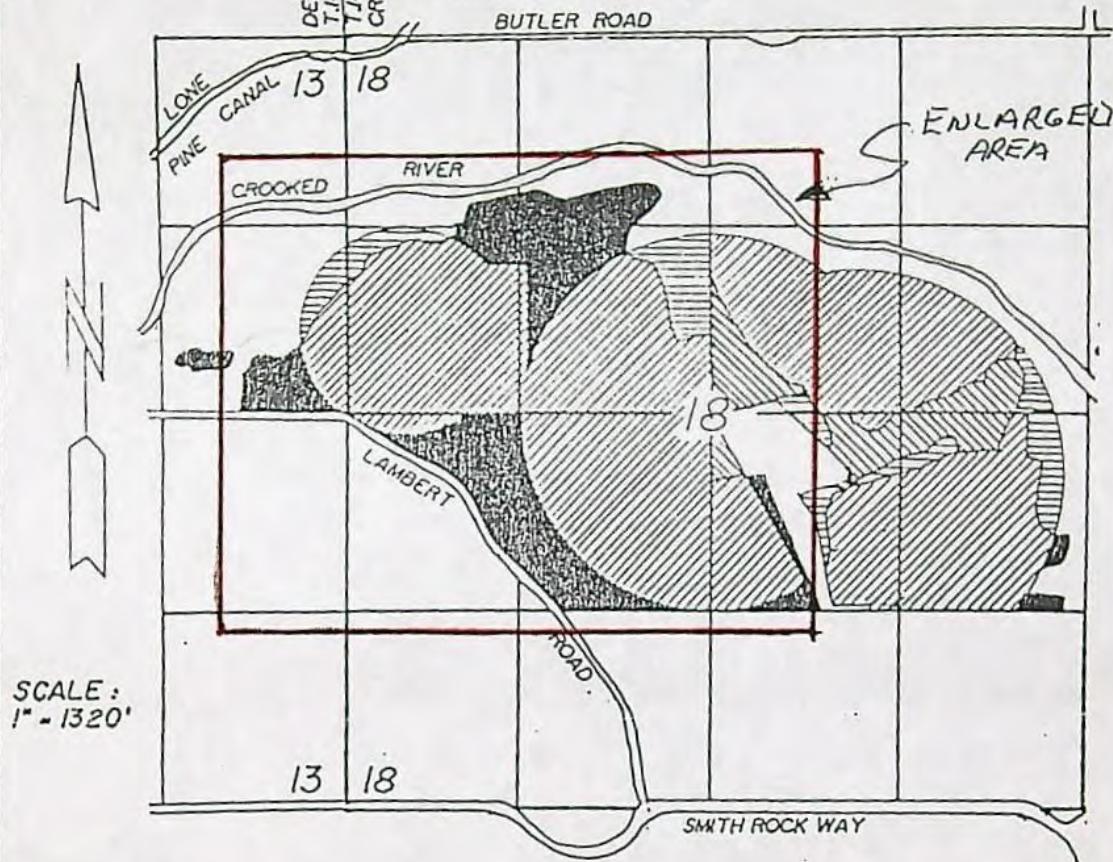
FEB - 3 1994

WATER RESOURCES DEPT
SALEM, OREGON

T.14S., R.13 & 14E., W.M.

DESCHUTES & CROOK COUNTY
RE-GRET, INC.

DESCHUTES CO.
T.14S., R.13 & 14E., W.M.
CROOK CO.



Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## G-13270
ROUTED TO: Water Rights
TOWNSHIP/
RANGE-SECTION: 14S/14E - 18

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

note conditions
includes Scenic waterway finding

Reviewer: K. Lite

TO: Water Rights Section
FROM: Groundwater/Hydrology Section
SUBJECT: Application G-13270

Sept. 21, 1995

K. Lite

Reviewer's Name

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE ~~Basin rules, one or more of the proposed POA's is/is not within _____ feet/mile of a surface water source (_____)~~ and taps a groundwater source hydraulically connected to the surface water.
2. BASED UPON 0AR 690-09 currently in effect, I have determined that the proposed groundwater use
 - a. will, or have the potential for substantial interference with the nearest
 - b. will not surface water source, namely _____; or
 - c. will if properly conditioned, adequately protect the surface water from interference:
 - i. The permit should contain condition #(s) 7B;
 - ii. The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. The permit should be conditioned as indicated in item 4 below; or
 - 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: _____

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:

- review of the well log;
- field inspection by _____;
- report of CWRE _____;
- other: (specify) _____

6. THE WELL construction deficiency:

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

7. THE WELL construction deficiency is described as follows: _____

8. THE WELL

- was, or constructed according to the standards in effect at the time of
- was not original construction or most recent modification.
- I don't know if it met standards at the time of construction.

RECOMMENDATION:

A. I recommend including the following condition in the permit:
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."

B. I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.

C. REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

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

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

_____, 199_____.
(Signature)

Water Resources Department

MEMO

Sept. 21, 1995

TO Application G-13270

FROM K.Lite

SUBJECT Scenic Waterway Finding

FINDING (Circle either 1 or 2 below. If you circle 2, fill in the table below):

1. 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.

2. The Department finds 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 2 above is circled):

Exercise of this permit is calculated to reduce monthly flows by the following amounts in _____ Scenic Waterway as measured in cfs:

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

CONDITIONING:

DO NOT (Circle one) include condition 7J.

Condition 7J:

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

FEB 11 1993

COMMENT FORM

Please list below the Application Number of the water use application(s) that are of interest to you. When the technical is completed a report of the technical review of these applications will be delivered to you.

Application #s G-13270, 73197, 73198, 73199, _____, _____

Send to:

Dick Brown, Planning Consultant
222411 Jumping Grass Lane
Alpineville, OR 97754

Please include specific comments or concerns. Use additional sheets if necessary.

*Please send copy of filing, rec. review & other
related info*

Return to:

Oregon Water Resources Department
3850 Portland Road N.E.
Salem, Oregon 97310

This Comment corresponds to the FEB/ 3/1993 Public Notice.

INITIAL REVIEW CHECKLIST

APPLICATION # G 13270
BASIN 5
WAB #
POU-WAB 01034460

1. ITEMS NOTED AS MISSING BY COMPLETENESS TEAM ARE NOW IN FILE
2. GW - A, B, OR C (IF B OR C THEN 3b,d;4;5;6;8 DO NOT APPLY)
3. DETERMINATION OF WHETHER USE IS OR IS NOT ALLOWED BY...
 - a BASIN PLAN
 - b N/A LEGISLATIVE WITHDRAWAL (ORS 538)
 - c RULES
 - d 10/14 SCENIC WATERWAY (OTHER THAN WA ORS 390.826)
 - e OTHER
4. N/A WATER AVAILABILITY (WA) AF CFS 1,60 MONTHS
50 % BEFORE JULY 17, 1992; 80 % LIVE FLOW 50 % STORAGE AFTER JULY 17, 1992
5. N/A INSTREAM WATER RIGHT EXEMPTIONS ARE DOCUMENTED ON WATER AVAILABILITY SHEETS
6. N/A USE IS NOT FROM A BOR PROJECT OR A SIGNED CONTRACT IS IN THE FILE
7. GROUND WATER REVIEW HAS BEEN EVALUATED (USE WA DATABASE IF GW A) REQUIRED CONDITIONS (GENERIC 7B) 7B, 7J
8. DIVISION 33 HAS BEEN ADDRESSED...
 - a N/A SEASON FOR DIRECT FLOW (ABOVE BONN ONLY)
 - b N/A WATER QUALITY PARAGRAPH
 - c N/A EFFICIENCY DESCRIPTION (BELOW BONN AND MORE THAN 1 CFS)
9. PLAT CARDS HAVE BEEN CHECKED AND A COPY OF THE MAP IS ATTACHED SHOWING THE CONFLICT WITH STORAGE
10. IRRIGATION SEASON March 1 - Oct 31 (DECREE, BASIN PLAN, PERMIT, GENERIC)
11. RATE & DUTY 80 3 (DECREE, BASIN PLAN, PERMIT, GENERIC)
GROUND WATER ALWAYS GENERIC FOR RATE AND DUTY
OF ACRES PRI SUPP 243.0 NOT SURE
12. ALL DOCUMENTS USED IN EVALUATION ARE ATTACHED AND HIGHLIGHTED AND PACKET IS STAPLED TOGETHER
13. ISSUES HINDERING PROCESS None
14. WATERMASTER # 11
15. REGNL MANGER - SEND COPY (SW, SC, E) DO NOT SEND COPY TO (NW, NC)
16. BASIN # AND WAB # ARE ADDED & SPELL ✓ HAS BEEN COMPLETED
17. LETTER WAS SAVED FROM M:\T\IR\WORK TO M:\T\IR\SENT

NAME J. RL DATE 12-1-95

(a) The maximum economic development of this state, the attainment of the highest and best use of the waters of the Deschutes - Upper Crooked River Basin, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, power development, industrial, mining, recreation, wildlife and fish life uses and the waters of the Deschutes - Upper Crooked River Basin are hereby so classified.

(b) Applications for the use of the waters of the Deschutes - Upper Crooked River Basin shall not be accepted by any state agency for any other use and the granting of applications for such other uses is declared to be prejudicial to the public interest and the granting of applications for such other uses would be contrary to the integrated and coordinated program for the use and control of the water resources of the state.

(c) Structures or works for the utilization of the waters in accordance with the aforementioned classifications are also declared to be prejudicial to the public interest unless planned, constructed, and operated in conformity with the applicable provisions of ORS 536.310 and any such structures or works are further declared to be prejudicial to the public interest which do not give proper cognizance to the multiple-purpose concept.

(2) Water Quality

Rights to use of water for industrial or mining purposes granted by any state agency shall be issued only on condition that any effluents or return flows from such uses shall not interfere with other beneficial uses of water.

Lower Crooked River Basin

690-505-005

(1) Classifications

(a) The maximum economic development of this state, the attainment of the highest and best use of the waters of the Deschutes - Lower Crooked River Basin, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, power development, industrial, mining, recreation, wildlife and fish life uses and the waters of the Deschutes - Lower Crooked River Basin are hereby so classified with the following exceptions:

(A) OAR 690-505-006, Lower Main Stem Deschutes River, adopted April 3, 1964, as modified by the Water Policy Review Board.

(B) No further appropriations of water except for domestic or livestock uses shall be made or granted by any state agency for the waters of Ochoco Creek and its tributaries.

(b) Applications for the use of the waters of the Deschutes - Lower Crooked River Basin shall not be accepted by any state agency for any other use and the granting of applications for such uses is declared to be prejudicial to the public interest and the granting of applications for such other uses would be contrary to the integrated and coordinated program for the use and control of the water resources of the state.

(c) Structures or works for the utilization of the water in accordance with the aforementioned classifications are also declared to be prejudicial to the public interest unless planned, constructed and operated in conformity with the applicable provisions of ORS 536.310 and any such structures or works are further declared to be prejudicial to the public interest which do not give proper cognizance to the multiple-purpose concept.

(2) Water Quality

Rights to use water for industrial or mining purposes granted by any state agency shall be issued only on condition that any effluents or return flows from such uses shall not interfere with other beneficial uses of water.

Note: The Upper Deschutes River, Midddle Deschutes River, Lower Deschutes River, Upper Crooked River and Lower Crooked River Basins are delineated on State Water Resources Board Map, File 5.7014, available from the Water Resources Department.

Lower Main Stem Deschutes River

690-505-006

(1) Classifications

(a) The maximum beneficial use of that portion of the main stem of the Deschutes River from its confluence with the Columbia River to and including river mile 100.0 is for recreation, fish and wildlife purposes and no appropriations of water in this area shall be permitted except for domestic, livestock, irrigation of lawn or noncommercial garden not to exceed one-half acre in area, recreation, fish and wildlife uses.

(b) The maximum economic development of the state and the attainment of the highest and best use of the waters of the lower main stem Deschutes River from river mile 100.0 to river mile 120.0 and the attainment of an integrated and balanced program for the benefit of the state as a whole will be achieved through utilization of the aforementioned waters for domestic, livestock, irrigation of lawn or noncommerical garden not to exceed one-half acre in area, hydroelectric power, fish, wildlife, and recreation purposes and the afore- mentioned waters of the main stem Deschutes River are hereby so classified.

DUTY OF WATER TO BE USED WHEN ISSUING PERMITS

STREAMS	DUTY	STREAMS	DUTY	STREAMS	DUTY	MISC. DUTIES	
BASIN No. 1 ALL WATER	1/80 2 1/2	BASIN No. 7 -WEST PRONG LITTLE WALLA WALLA RIVER -UMATILLA RIVER BELOW AND WEST OF PENDLETON -WALLA WALLA RIVER -BUTTER CREEK -PINE AND WILLOW CREEKS -TRIBS. OF WALLA WALLA RIVER FOR UPLAND EARLY IRRIGATION -DUGGAR CREEK, MUD CREEK AND BRANCHES, AND UMATILLA RIVER ABOVE AND EAST OF PENDLETON -JOHNSON CREEK -GROUND WATER IN MILTON-FREewater GRAVEL AREA -OTHER GROUND WATER	1/40 3 1/40 4 1/2 3/80 - 1/50 4 1/60 3 1/80 2 1/2 1/80 3	BASIN No. 12 -COFFEE POT CREEK -RATTLESNAKE CR. AND DONNER AND BLITZEN R. -SILVER CREEK -SILVIES RIVER -BLACK CANYON, H.L., HOME ROARING SPRINGS, ROCK, SKULL, AND THREE MILE CREEKS - GROUND WATER	1/40 2 1/2 1/40 3 1/60 3 1/80 2 1/2 1/80 3 1/80 3	FROST PROTECTION HARVESTING OF CRANBERRIES IRR. OF CRANBERRIES	0.15 cfs per. ac.
BASIN No. 2 ALL WATER	1/80 2 1/2						0.50 cfs for 10 ac. of bog!
BASIN No. 3 -ALL WATER	1/80 2 1/2						1/40 3
BASIN No. 4 CHENOWITH, HOLMAN OR THREE MILE, MILL, AND MOSIER CREEKS FIFTEEN MILE AND NEAL CREEKS AND HOOD RIVER GROUND WATER	1/60 3 1/80 3 1/80 3						0.01 0.02 0.03
BASIN No. 5 -HAY CREEK AND WHITE R. CROOKED AND DESCHUTES RIVERS -TROUT CREEK -SQUAW CREEK -WILLOW CREEK -METOLIOUS RIVER -THALO CREEK -PAHLINA LAKE AND CREEK SNOW AND THREE CREEKS -ANTLOPE CREEK GROUND WATER	1/40 3 1/40 4 1/40 6 1/50 4 1/2 1/60 2 1/60 3 1/70 2 1/2 1/70 4 1/80 2 1/2 1/80 3 1/80 3	BASIN No. 8 -GRANDE RONDE RIVER -HURRICANE CREEK AND WALLOWA RIVER AND SOUTH FORK -IMNABA AND SNAKE RIVERS -MILL CREEK -GROUND WATER	1/40 3 1/40 3 1/2 1/40 4 1/80 3 1/80 3	BASIN No. 13 -CRANE CR. AND GOOSE LAKE -BUCK AND SILVER CREEKS AND HART, SUMMER, AND WARNER LAKES -CHEWAULAN RIVER -BRIDGE CREEK -GROUND WATER	1/40 2 1/2 1/40 3 1/40 4 1/80 3 1/80 3	DOMESTIC - L. & G 1-2 HOUSES 3-5 HOUSES 6-10 HOUSES DOMESTIC ONLY 1 HOUSE UP TO 10 HOUSES	0.005 0.01
BASIN No. 6 -CHERRY CREEK -BRIDGE CREEK, SOUTH FORK JOHN DAY RIVER, AND TRIBS. JOHN DAY R. -JOHN DAY RIVER, NORTH FORK, AND MIDDLE FORK COCHRAN (CUPPER) CREEK GABLE CREEK GROUND WATER	1/40 3 1/40 4 1/40 5 1/50 4 1/80 4 1/80 3	BASIN No. 9 -BURNt RIVER -POWDER RIVER -NORTH POWDER AND SNAKE RIVERS -PINE CREEK -GROUND WATER	1/40 3 1/40 3 1/2 1/40 4 1/40 4 1/2 1/80 3	BASIN No. 14 -WILDHORSE CREEK; TRIBS. TO LOST RIVER; KLAMATH, SPRAGUE, AND WILLIAMSON RIVERS; KLAMATH AND SWAN LAKES -FOUR AND SEVEN MILE CREEKS AND WOOD R. -LOST RIVER -ANNA AND CHERRY CR. -GROUND WATER	1/40 3 1/50 5 1/80 2 1/2 1/80 3 1/80 3	STOCK, UNLESS INFO ON STOCK AND DISTRIBUTION SYSTEM JUSTIFIES MORE	0.005
		BASIN No. 10 -WILLOW CREEK AND MALHEUR RIVER -SNAKE RIVER -COTTONWOOD CREEK -GROUND WATER	1/40 3 1/40 4 1/80 3 1/80 3	BASIN No. 15 -ROGUE RIVER TRIBS. IF REQUESTED -ALTHOUSE CREEK AND ILLINOIS RIVER -LITTLE BUTTE CREEK AND ROGUE RIVER -GROUND WATER	1/40 4 1/2 1/50 3 1/2 1/80 4 1/2 1/80 2 1/2		
		BASIN No. 11 -SNAKE RIVER -WILDHORSE CREEK -JORDAN CR. AND ONYHEES R. -GROUND WATER	1/40 4 1/60 2 1/2 1/60 4 1/80 3	BASIN No. 16 -COW CREEK -OTHER STREAMS -GROUND WATER	1/70 3 1/2 1/80 2 1/2 1/80 2 1/2		
				BASINS No. 17 & 18 ALL	1/10 2 1/2		

TOWNSHIP 14S RANGE 13E W. M. SECTION 13

TOWNSHIP 14 S. RANGE 14 E. W. M. SECTION 18

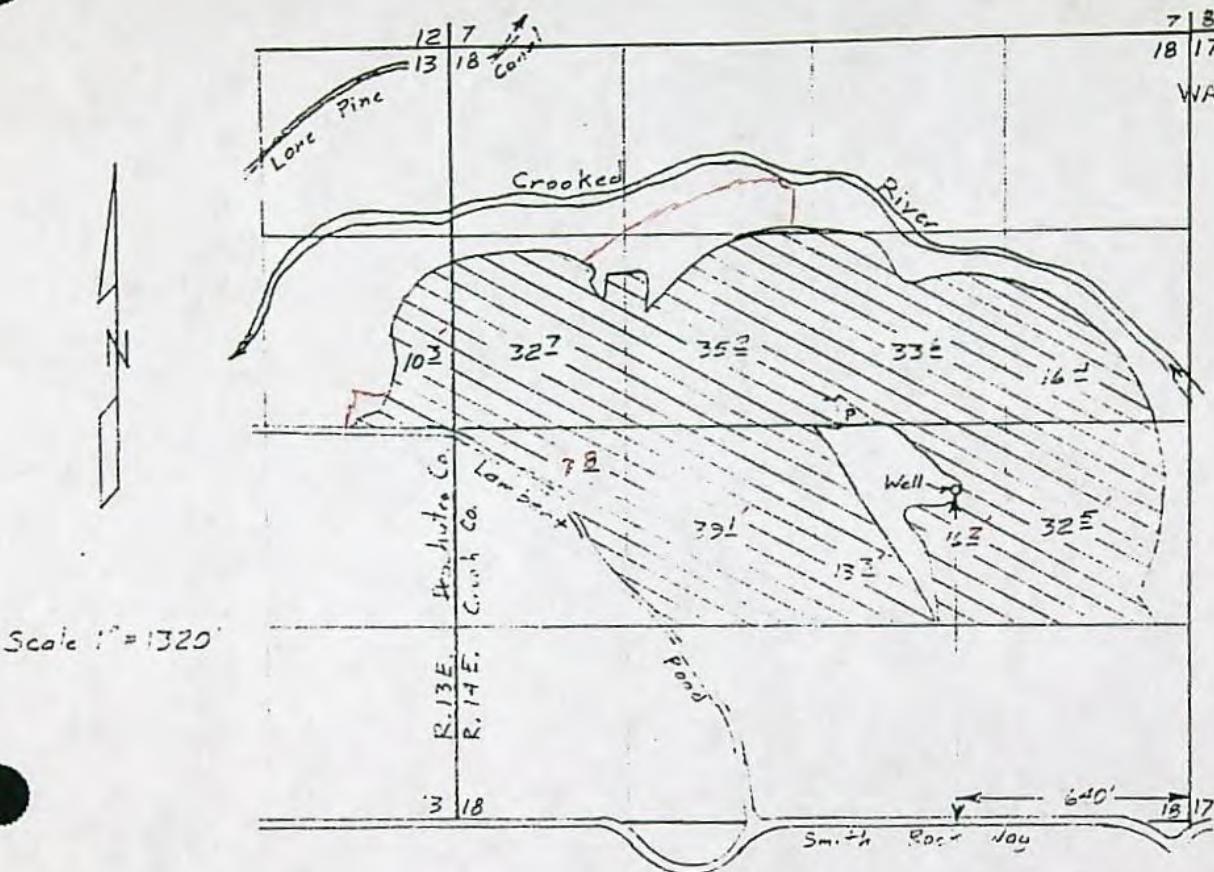
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& Sec. 27
145. 13E.

TOWNSHIP 14 SOUTH, RANGES 13 & 14 EAST, W. M.

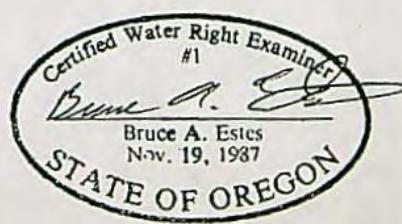
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18 17 FEB - 1 1993

WATER RESOURCES DEPT.
SALEM, OREGON



Application Map
for
Re-Gret, Inc.



Application # G-13270

Permit # G-

This map is for the purpose of locating a water right only and has no intent to provide legal dimensions or the location of property lines.

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):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

RE-GRET INC.
13001 NE BRAZEE
PORTLAND OR 97230

4a. Article Number

P56412

4b. Service Type

<input type="checkbox"/> Registered	<input checked="" type="checkbox"/> Certified
<input type="checkbox"/> Express Mail	<input type="checkbox"/> Insured
<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> COD

7. Date of Delivery

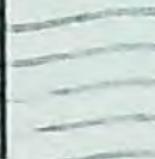
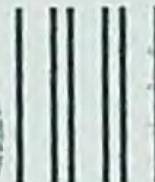
5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X Gretchen Brooks

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

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

WATER RESOURCES DEPARTMENT
158 12TH STREET NE
SALEM OR 97310

Oregon

CERTIFIED MAIL Return Receipt Requested

WATER
RESOURCES
DEPARTMENT

August 13, 1996

RE-GRET, INC.
13001 NE BRAZEE
PORTLAND, OR 97230

RE: Application File #G-13270

Dear Applicant:

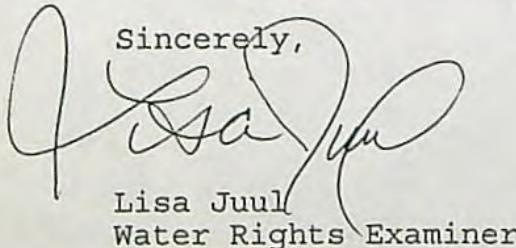
On AUGUST 13, 1996, a Proposed Final Order was sent from the Department requesting additional information necessary to complete your application for water use. This item must be received:

- The Department proposes to issue a draft permit contingent on the receipt of a map that identifies the location coordinates of the point of diversion (well). This information must be submitted to the Department within 45 days. Failure to provide this information may result in the Department withholding issuance of the permit and may result in the eventual rejection of your application.

Please submit this item by SEPTEMBER 27, 1996. If we do not receive the item requested above by this date, we may reject your application consistent with ORS 537.153. If your application is rejected, any fees submitted in excess of the examination fee will be refunded; however, the examination fee is non-refundable and will not be returned. In addition, the priority date associated with your application will be lost.

If you have any questions regarding your application or the required information listed above, please call me at 1(800)624-3199 extension 267. I have enclosed a copy of the map for your use.

Sincerely,



Lisa Juul
Water Rights Examiner
Water Rights Division



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

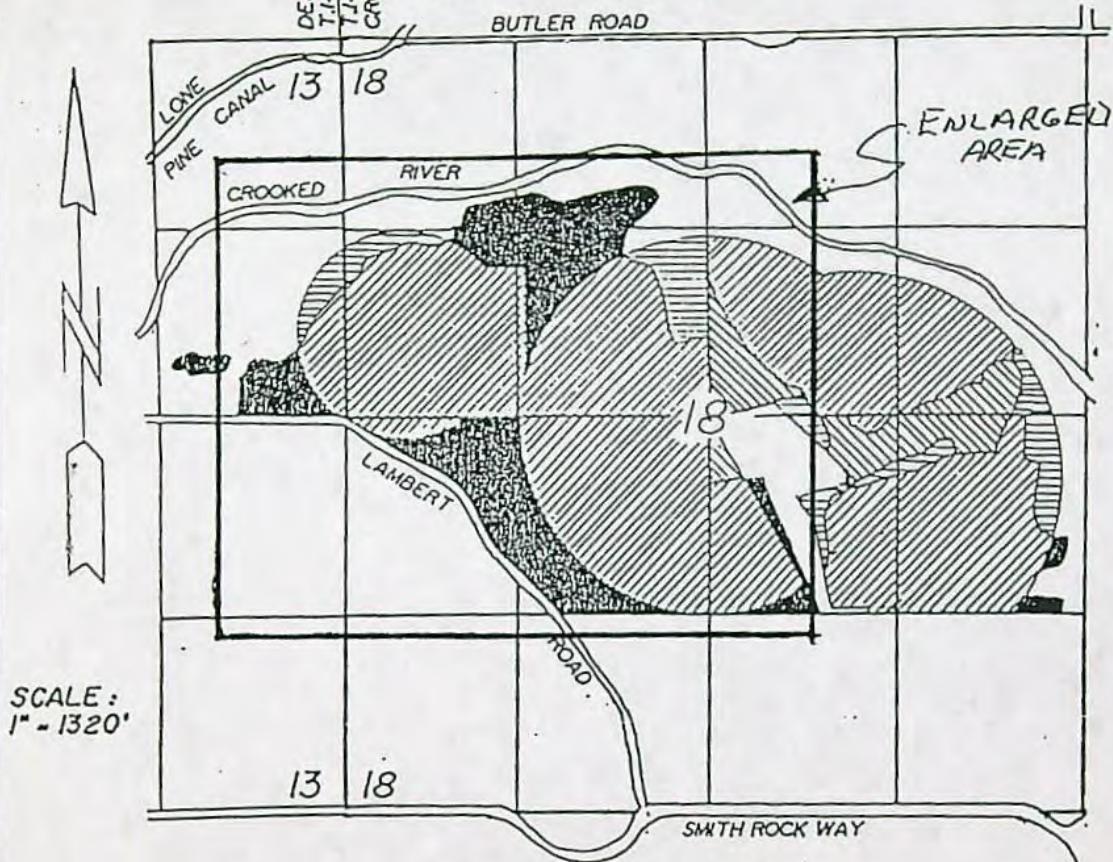
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T.14S., R.13 & 14E., W.M.

FEB - 3 1994

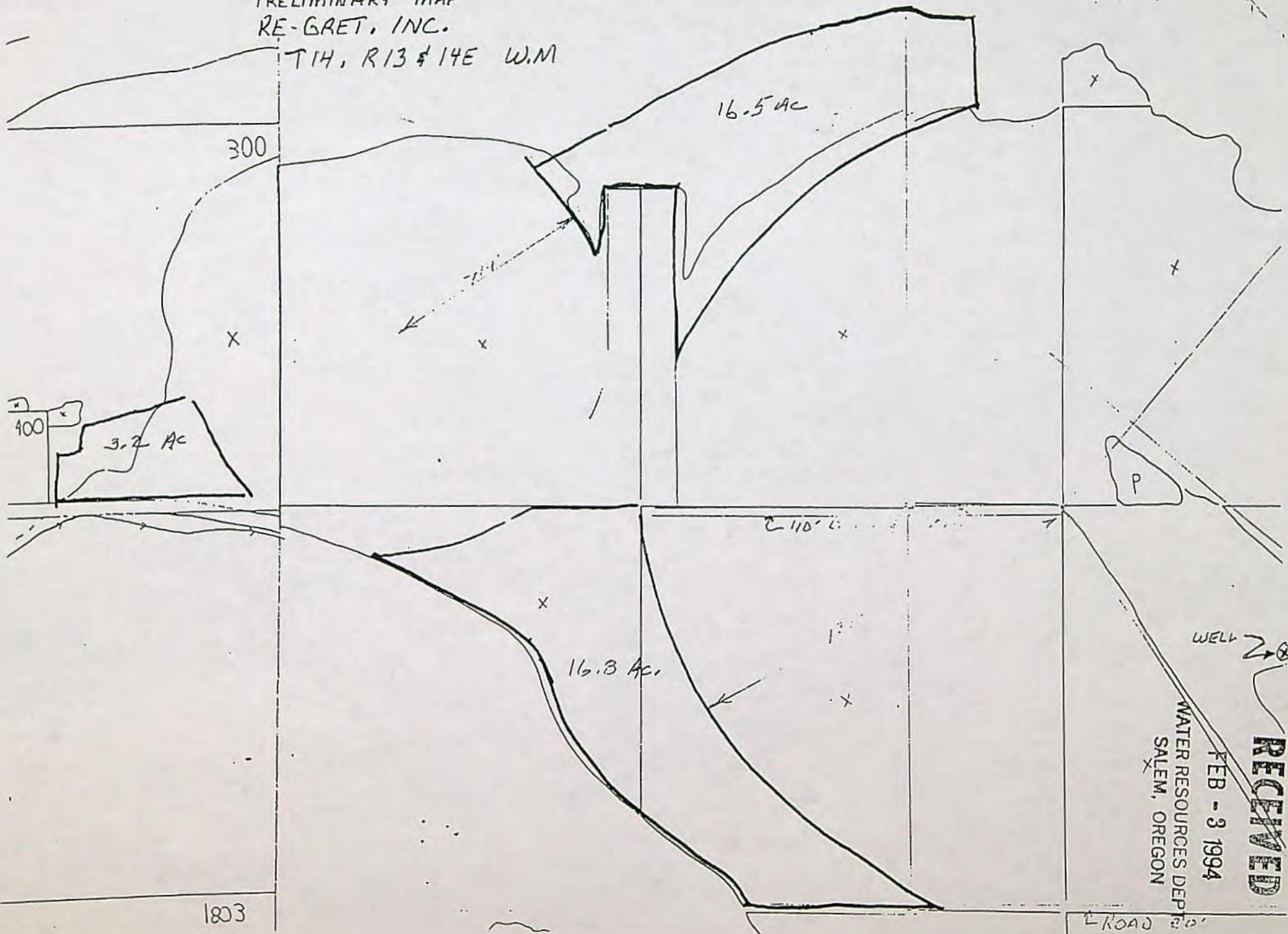
WATER RESOURCES DE
SALEM, OREGON

DESCHUTES & CROOK COUNTY
RE-GRET, INC.



PROPOSED ACREAGE FOR WATER RIGHT FROM WELL
PRELIMINARY MAP
RE-GRET, INC.

T14, R13 & 14E W.M.



Application #: G-13270 Vol _____ Subbasin _____

Basin: 5 - Deschutes WAB: 0103 44

Township 14 south Range 13 east Section 13 1/4 1/4 SENE
T. 14th R. 14th S. 18 - POD - NWSE
POU - S 1/2 NE, S 1/2 NW
N 1/2 SW & N 1/2 SE

1. Completeness checklist verified? Y / N

2. Indicators that the process should not continue (e - protest, items missing, letter to file indicating hold, other) Y / N

3. Groundwater review A B C D 7B 7J
NO a. Is second groundwater review necessary? Y / N reason _____
NO b. Is the well located in a groundwater limited area? Y / N

4. SWW Y / N X Triage Y / N conditions/restrictions Y / N

5. Basin Program limitations? Y / N CAR 690-505-005 (1)(a)

6. Withdrawal? Y / N season allowed _____

7. Basin Maps have been checked Y / N The River Mile is _____

8. Water Availability (50% < July 17, 1992 OR 80% [50% storage] > July 17, 1992) NA
a. Notify Ken Stahr Y / N (Q, Duty, or Season)

9. Rate/Duty/Season Y 80 \$ 3; March 1 - October 31

10. Use Irrigation Supplemental Period of Allowed Use March 1 - October 31

11. Priority Date(s) January 26, 1993 TR / IR mail date December 4, 1995

12. B.O.R. project Y / N contract # _____

13. TMDL Basin? Y / N (Tualatin, Yamhill, Pudding) Division 33 Y / N (Abv Bonn > July 17, 92 // Blw Bonn > April 18, 94 or June 3, 94)

14. Conflicts Y / N Suppl to Permit 23256 & Permit G-11794

15. Objections? Y / N different from IR/TR PFO different from IR/TR Y / N

16. Conditions (from IR/TR/ or Additional) Y / N (macro series 4 - 7) 7B \$ 7J \$ 3B

17. Land use approval OK'd needs approval county notified NA

18. SIZE Small ($\leq 0.1 \text{ cfs}$, $\leq 9.2 \text{ AF}$), Medium (> 0.1 or $< 1.5 \text{ cfs}$, > 9.2 or $< 100 \text{ AF}$) Large ($> 1.5 \text{ cfs}$, $\geq 100 \text{ AF}$)

19. Watermaster Dist: (1 2 16 18 - NWR) (3 4 5 - NCR) (6 8 9 10 - ER) (11 12 17 - SCR) (14 15 19 - SWR)

Requested 243.0 ac CC: Dick Brown, Planning Consultant
1.6 cfs 206.5 ac 222411 Jumping Grass Ln.
See C of A Approximate + 36.5 ac Prineville, OR 97754
Work for Map Increase 1.6 cfs 243.0 - Amendment
 $243 \text{ ac} \div 80 = 3.04 \text{ cfs}$

206.5 Ac Suppl to Appl G-13753

Name: JessaDate: 7-30-96

Save to m:\t\pof\done\week\app#.w51

Week 55

file

Oregon

DECEMBER 4, 1995

WATER
RESOURCES
DEPARTMENT

RE-GRET INC
13001 NE BRAZEE
PORTLAND, OREGON 97230

Reference: File G-13270

Dear Applicant:

**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT NEXT PHASE OF PROCESS**

This letter is to inform you of the potential limitations to your proposed use of water and to describe some of your options. Based on the information you have supplied, the Water Resources Department has reached the following conclusions:

Initial Review Determinations:

1. Your application is complete and not defective.
2. The proposed use is not prohibited by law or rule.
3. The use of water for SUPPLEMENTAL IRRIGATION OF 243.0 ACRES is allowed under OAR 505, the Deschutes Basin Program.
4. The use of 1.60 CUBIC FEET PER SECOND from a Well for Supplemental Irrigation is available year round.
5. The Irrigation season is from March 1 through October 31 set by Department policy.

Summary of Initial Determinations

The use of 1.60 cfs from a Well for Supplemental Irrigation of 243.0 acres from March 1 through October 31 of each year may be allowed.

Because of the Departments determination, your application can be moved to the next phase of the water rights application review process. However, due to #5 above your application will likely be limited as summarized above.



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

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

At this time, you must decide whether to proceed or to withdraw your application as described below.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by DECEMBER 18, 1995. For your convenience you may use the enclosed "STOP PROCESSING" form.

To Proceed With Your Application:

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

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

1. You may be required to measure the amount of water used and report that use annually.
2. If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.
3. Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

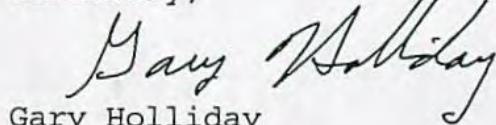
G-13270
December 4, 1995
Page 3

4. You will be required to comply with state and federal water quality standards.
5. This right is limited to any deficiency in the available supply of any prior right existing for the same land.
6. The priority date for this application is

If you have any questions:

Feel free to call me at (503) 378-8455 ext. 454 or 1 (800) 624-3199 if you have any questions. Please have your application number available if you call.

Sincerely,



Gary Holliday
Initial Reviewer

cc: Regional Manager, Watermaster, Water Availability
Section, Dick Brown, Planning Consultant
enclosures: Flow Chart of Water Right Process
Stop Processing Form

RECEIVED

FEB - 3 1994

WATER RESOURCES DEPT.
SALEM, OREGON

MARTIN ZIMMERMAN
AGROMOMIST
AGRICULTURAL CONSULTING
673 NE Lakeside Dr. Madras, OR 97741
(503) 475-6589

January 31, 1994

Oregon Water Resources Department
Application and Permits Section
3850 Portland Road NE
Salem, OR 97310

Dear Sir,

Enclosed is an amendment for application G13270 for my client, RE-GRET, INC. Should there be any question about this matter, please refer those questions to me.

Sincerely,

Martin Zimmerman

RECEIVED

OCT 26 1995

WATER RESOURCES DEPT.
SALEM, OREGON

I/We certify that the information I have provided in application # G-13270 is an accurate representation of the proposed water use and is true and correct to the best of my knowledge.

Gretchen Brooks Pres.

Name

Title

23 Oct. 1995

Date

Rebecca L. Julian Sec.

Name

Title

23 Oct. 1995

Date

Name

Title

Date

Name

Title

Date

PG. 1

MARTIN ZIMMERMAN

AGROMOMIST

AGRICULTURAL CONSULTING

673 NE Lakeside Dr. Madras, OR 97741
(503) 475-6589

October 20, 1995

G-13270

Oregon Water Resources Department

ATTN: Jerry Gainey

Rebecca Julian, Co-owner of Re-Grel has request that I provide you with the attached legal description of the properties relevant to Application # 13270,

They will send the signed certification document to you.

Please refer any questions about the application to me. My phone is 503 475-6589.

Pg 2

MARTIN ZIMMERMAN

AGROMOMIST

AGRICULTURAL CONSULTING673 NE Lakeside Dr. Madras, OR 97741
(503) 475-6589

October 20, 1995

Oregon Water Resources Department
Commerce Building
150 12th Street
Salem, OR 97310-3739

ATTN: Mr. Jerry Gainey

RE: Application # G-13270

As per your request of September 26, the following is the legal description of the property on which the water, both supplemental and primary is to be used:

T14S, R13E Section 13, Deschutes County, Oregon

Tax lot 300: SE1/4 NE1/4 except the following: Commencing at the SW corner of the SE Quarter of the NE Quarter of said Section 13; thence North 300 feet; thence East 567 feet; thence South 300 feet; thence West 567 feet to the Point of Beginning.

That portion of the NE1/4 SE1/4 of Section 13 lying north of and adjacent to Wilcox Road (shown as Lambert Road of the Plat of Rockview II)

T14S, R14E Section 18, Crook County, Oregon

Tax lot 301: S1/2 NW1/4; NW1/4 SW1/4; that portion of lot 1 and NE1/4 NW1/4 lying south of the Crooked River except that portion of the NW1/4 SW1/4 lying south of the county road.

Tax lot 503: S1/2 NE1/4 lying south of the NE bank of the Crooked River; the N1/2 SE1/4; NE1/4 SW1/4, except Elkins Road.

Tax lot 500: Parcel A: Commencing at the SE corner of Section 18, thence South 89 15' 00" West along the South line of said Section 18 a distance of 181.00 feet to the true point of beginning, thence continuing South 89 15' 00" west along the South line of said Section 18 a distance of 452.81 feet; thence north 00 00' 33" East a distance of 481.00 feet; thence North 89 15' 00" East a distance of 452.81 feet; thence South 00 00' 33" West a distance of 481.00 to the true point of beginning, Excepting therefrom the right of way for Lone Pine Road along the South boundary.

Parcel B: The South half of the Southeast quarter of Section 18, T14S, R14E of the Willamette Meridian, excepting therefrom the following described parcels:

163

1. A tract of land in the SE corner of the the SE quarter of the SE quarter of Section 18 lying south and East of the Distribution ditch of the Central Oregon Irrigation District which runs diagonally across said SE corner and comprising 1.6 acres, more or less and described as follows: Beginning at the intersection of the East line of said distributing ditch with the South line of said Section 18, which point is 181 West of the SW corner thereof; thence North along the East line of said ditch a distance of 320 feet to the point where said ditch turns northeasterly, thence northeasterly along the East line of said ditch 225 feet to the East line of said section Section 18; thence South along said East line 481 feet to the SE corner of said Section 18; thence West along the South line thereof 181 feet to the point of beginning.
2. That portion of the SW quarter of the SE quarter lying West of a line described as follows: Beginning at a point on the South line of said Section 18, 1665.72 feet South 89 28' 28" West from the SE corner thereof; thence north 06 39' 14" West 1331.78 feet to the north line of said SW quarter of the SE quarter and the terminus of the herein described line.
3. That portion of the SE quarter of the SE quarter of said Section 18 described as follows: Beginning at a point on the South line thereof 181 feet south 89 15' 00" West from the SE corner of said Section 18; thence continuing along said South line 452.81 feet; thence North 00 00' 33" East 481.00 feet; thence North 89 15' 00" 452.81 feet to the point of beginning
4. Right of way for Lone Pine Road.

G13270

MARTIN ZIMMERMAN

AGROMOMIST

AGRICULTURAL CONSULTING

673 NE Lakeside Dr. Madras, OR 97741

(503) 475-6589

December 13, 1994

**Oregon Water Resources Department
Application and Permits Section
3850 Portland Road NE
Salem, OR 97310**

RE: Applic. G13270

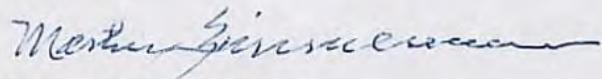
Dear Sir,

Enclosed is a well log and reaming log for the well in the above application.

I regret that it has taken so long to get this information.

Should there be any questions about this matter, please refer those questions to me.

Sincerely,



Martin Zimmerman

WaterWatch

O F O R E G O N

February 13, 1993

Water Resources Department
3850 Portland Rd. N. E.
Salem, OR 97310

RE: Application for Permit #G13270, Re-Gret, Inc.
Crooked R. Basin, Crook Co., Irrigation

WaterWatch has reviewed the limited amount of information contained in the public notice of this water right application. Based upon that information, WaterWatch raises the following issues, questions and concerns:

Is there unappropriated water available for this proposed use? How will the Department determine water availability for this proposed use? What will be the cumulative effect of this proposed use, in combination with other, already existing uses of the aquifer?

Is the groundwater source in question in hydraulic connection with surrounding surface waters? If so, what is the amount of surface water depletion and what effect will this proposed use have on instream flows necessary to protect the public's interest in fish, wildlife, recreation and a healthy aquatic system? We oppose any application which in any way reduces surface water flows needed for the public uses that are served by any instream water right.

Given the importance of this groundwater resource, and the Department's limited enforcement staff, it only makes sense to require this applicant to measure and record water use. Measurement not only helps the Department carry out its statutory mandate to promote the control of water resources in Oregon for all beneficial uses, it helps the Department protect the public's interest in assuring the use is within the bounds of the permit. ORS 536.220(1)(a), 537.170(5)

Will this proposed use be compatible with Goal 5 elements in the local comprehensive plan?

It is a high priority of the state to eliminate waste and improve the efficiency of water use. OAR 690-410-060(1) Statewide policy also calls upon water users to use and maintain their water systems in a manner consistent with the state's priority. What conditions are proposed for this permit that will carry out and encourage compliance with state policy?

Is this an existing illegal use of water? If so, will the continued use without a permit cause harm to existing water rights and the public interest?

We request copies of the draft permit and the Department's technical review of this application.

Sincerely,

Jim Myron

bc:

**ESTES
SURVEYS**

LAND SURVEYS
CONSULTING

WATER RIGHT SURVEYS
Bruce A. Estes, PLS, CWRE

60382 Arnold Rd.
Bend, OR 97702
382-7391

6293 Sunnyview Rd. NE
Salem, OR 97305
585-7593

Application No. *G-13270*
Permit No.

RECEIVED

FEB - 1 1993

WATER RESOURCES DEPT.
SALEM, OREGON

January 29, 1993

Reed Marbut, Manager Permit Section
Water Resources Department
3850 Portland Road NE
Salem, Oregon 97310

Dear Reed:

Ref. File: G-13270

A permit application for supplemental irrigation of 206 acres was submitted last week with a provisional map for Re-Gret, Inc. It was probably submitted by their attorney, Steve Brown, with a notation that I would submit the official map later. Enclosed is the map referred to. Please include it in the file.

This map includes all the acreage found by the Central Oregon Irrigation District resurvey for that location. The owners have not made an appointment with the COI office to resolve the acreage difference yet. When that has been accomplished I will amend the map to correspond with the HB 3111 petition. Possibly there will be some acreage which will be primary in addition to the supplemental irrigation. The quantity of water will not change though.

If you have any questions please call. Thank you very much.

Sincerely,

Bruce

Bruce A. Estes, PLS, CWRE

enclosure

cc Steve Brown

Land Use Information Form: Permits, Hydroelectric Licenses, Water Uses In
Addition to Classified Uses

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.

as
Information
be RECEIVED
JAN 25 1993

Applicant's Name: TED FEHRENBACHER
Address: Rt. 1 Box 58
City: Terrebonne State: Or Zip: 971

WATER RESOURCES DEPT.
SALEM, OREGON

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Use
400	EFU-2			
402	EFU-2			

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used. CROOK - [REDACTED]

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within city limits. In this case, only the city planning agency must complete this form. Please request extra forms as needed.

For Local Government Use Only

Local government planning officials are to complete the remainder of this form. If this form can not be completed while the applicant waits, please sign and detach the receipt as instructed below. Please mail the completed form directly to the Water Resources Department (3850 Portland Rd. NE, Salem, OR, 97310) within 60 days of the date of receipt as shown below. If the form is not completed within 60 days, the Department may take action to approve the water use.

a) Check the appropriate box below and provide requested information.

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Sec 3.02.0 (1) (4). Go to section b) on reverse side.

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)

(iver)

Receipt for Request for Land Use Information

WRD Applicant Name:

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

City or County: _____

Staff Contact: _____ Phone: _____

Signature: _____ Date of Information Request: _____

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: Gordon Moore
Title: Planner

Date: 3-26-92
Phone: 447-3211

Signature: Saylon Briscoe

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet. For additional information call Roberta Jortner or Rick Bastasch at 378-3671.

Additional Comments:

Description of Water Use

Note to Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

Note to Local Planning Officials: Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: TEO FEHRENBACKER
 Address: RF 1 TENGREN RD OR
 Phone: 544-4727

RECEIVED

JAN 25 1993

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

WATER RESOURCES DEPT
SALEM, OREGON

Irrigation (crop type, golf course, nursery or greenhouse): MINT potatoes, hay

Livestock (type of livestock, feedlot, slaughterhouse): _____

Residential (# units, single or multi-family, # lots if partition or subdivision): _____

Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): _____

Industrial (i.e., factory, pulp mill, research and development, processing, etc.): _____

Institutional (i.e., school, library, etc.): _____

Mining (aggregate, metal, open pit, placer, etc.): _____

Recreation (park, campsite, pond, etc.): _____

Fish and Wildlife (pond, hatchery, etc.): _____

Hydropower (dam, reservoir, power generating or transmitting facilities): _____

Other (Name and list key characteristics): _____

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input type="checkbox"/> Surface Water Name sources: _____ _____ _____	<u>2.6</u> Cubic feet per second. <u> </u> Gallons per minute. <u> </u> Acre-Feet
<input type="checkbox"/> Reservoir or pond	
<input checked="" type="checkbox"/> Ground Water	

RECEIVED

JAN 25 1993

WATER RESOURCES DEPT.
SALEM, OREGON

Re-Gret, Inc.
13001 NE Brazee
Portland, OR 97230

January 21, 1993

Application No. 613270
Permit No.

Oregon Water Resources Department
Applications and Permits Section
3850 Portland Road NE
Salem, OR 97310

Re: Application for Groundwater Right

Dear Sir or Madam:

Enclosed for filing are:

1. A completed application for a permit to appropriate groundwater;
2. A map prepared by a certified water rights examiner;
and
3. A land use compatibility statement.

Mr. Ted Fehrenbacher is the lessee of the property. Please note that the land use compatibility statement lists Mr. Fehrenbacher's name as the applicant. The applicant actually is Re-Gret, Inc., the landowner of the property.

If you have any questions about this application please call me at 253-2714 in Portland or my attorney, Gail L. Acterman at 294-9123.

Very truly yours,

Gretchen Brooks
Gretchen Brooks
President

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 96483

3850 PORTLAND ROAD NE

SALEM, OR 97310

378-8455/378-8130 (FAX)

RECEIVED FROM:	<i>Re-Gut, Inc.</i>	APPLICATION	<i>G-13270</i>
BY:		PERMIT	
CASH:	CHECK: # <i>✓ 2422</i>	OTHER: (IDENTIFY)	TRANSFER

CASH: <input type="checkbox"/>	CHECK: # <input checked="" type="checkbox"/> <i>✓ 2422</i> <input type="checkbox"/>	OTHER: (IDENTIFY)	TOTAL REC'D \$ <i>200.00</i>
--------------------------------	---	-------------------	------------------------------

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
	OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

COST CENTER AND OBJECT CLASS	CASH ACCT.	\$
	VOUCHER #	

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:

840.001	COPY FEES	\$
850.200	RESEARCH FEES	\$
880.109	MISC REVENUE: (IDENTIFY)	\$
520.000	OTHER (P-6): (IDENTIFY)	\$

WATER RIGHTS:

842.001	SURFACE WATER	\$	842.002	\$
842.003	GROUND WATER	<i>✓ 200.00</i>	842.004	\$
842.005	TRANSFER	\$	842.006	\$
	WELL CONSTRUCTION			LICENSE FEE
842.022	WELL DRILL CONSTRUCTOR	\$	842.023	\$
842.016	WELL DRILL OPERATOR	\$	842.019	\$
	LANDOWNER'S PERMIT		842.024	\$

06-00-0 WELL CONST START FEE

842.013	WELL CONST START FEE	\$	CARD #	
	MONITORING WELLS	\$	CARD #	

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

07-00-0 HYDRO ACTIVITY

842.011	POWER LICENSE FEE(FW/WRD)	\$
842.115	HYDRO LICENSE FEE(FW/WRD)	\$

HYDRO APPLICATION

RECEIPT # 96483	DATED: <i>1/26/93</i>	BY: <i>C. Engl</i>
-----------------	-----------------------	--------------------

9295
NUMBER _____

Check 10 - Mo _____ Cash _____

Surface Application

Reservoir Application

Ground Water Application

Transfer Application

PFO Request

Research

Hydroelectric Fees

Copying

Assignment

Extension of Time

Protest

Other

10
Dana

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 11319

158 12TH ST. N.E.

SALEM, OR 97310-0210

378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Martony, Zimmerman
BY: _____

APPLICATION	612270
PERMIT	13086
TRANSFER	

CASH: CHECK: # OTHER: (IDENTIFY)

96-7467

TOTAL REC'D

\$ 101

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY)

\$

OTHER: (IDENTIFY)

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

0427 WRD OPERATING ACCT

PCA 66111

MISCELLANEOUS

\$

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC165 DEPOSIT LIAB. (IDENTIFY)

\$

WATER RIGHTS:

RECORD FEE

0201 SURFACE WATER

0202

\$

0203 GROUND WATER

0204

\$ 10,-

0205 TRANSFER

0206

\$

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS

\$

0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HRDRO APPLICATION

\$

RECEIPT # 11319

DATED: 4-9-77 BY: *R Bushnell*

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

FPD

Application No.

G13270

Permit No.

~~G13286~~

8/13/22

RE-GRET INC.

Name ~~13001 NE BRAZEE~~ 8603 SE Lieser H. Dr.

Address ~~PORTLAND, OR~~ 97230 Vancouver, WA

98664

Assigned

Address

Beginning construction 1/22/98

Completion of construction 10/1/99

Extended to

Complete application of water 10/1/00

Extended to