

Mailing List for Extension FO Copies

FO Date: October 23, 2020

Copies Mailed

Application: G-14407

By: TM

Permit: G-13311

On: 10/23/2020

Original mailed to permit holder

James Butsch
15234 Butsch Ln.
Mt. Angel, OR 97362

Copies sent to:

1. WRD - App. File G-14407/ Permit G-13311
2. Jeanne Boatwright, CWRE
2613 12th St SE
Salem, OR 97302

Fee paid as specified under ORS 536.050 to receive copy:

3. None

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

4. WRD - Watermaster District 16, Greg Wacker

If Progress Reports are included:
(DONE BY EXTENSION SPECIALIST)

Add record to Progress Report tracking sheet.xls Done: by _____ Date _____

CASEWORKER: JDP

**Oregon Water Resources Department
Water Right Services Division**

Application for Extension of Time

In the Matter of the Application for an Extension of Time)	
for Permit G-13311, Water Right Application G-14407, in)	FINAL
the name of James Butsch)	ORDER

Permit Information

Application:	G-14407
Permit:	G-13311
Basin:	2B – Middle Willamette / Watermaster District 16
Date of Priority:	November 12, 1996
Source of Water:	a well in Pudding River Basin
Purpose or Use:	Irrigation of 43.0 acres
Maximum Rate:	0.537 cubic foot per second (cfs)

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

Appeal Rights

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Application History

Permit G-13311 was issued by the Department on June 30, 1998. The permit specified actual construction of the well to begin by January 30, 1999, complete application of water to beneficial use by October 1, 2002. On June 29, 2020, James Butsch submitted an Application for Extension of Time for Permit G-13311. In accordance with OAR 690-315-0050(2), on August 25, 2020, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2025. The protest period closed October 9, 2020, in accordance with OAR 690-315-0060(1). No protest was filed.

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated August 25, 2020. At time of issuance of the Proposed Final Order the Department

concluded that, based on the factors demonstrated by the applicant, any comments received, and information within the file, the permit may be extended subject to the following condition:

LIMITATIONS AND CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2024**. *A form will be enclosed with your Final Order.*

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

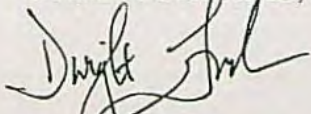
CONCLUSION OF LAW

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

ORDER

The extension of time for Application G-14407, Permit G-13311, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2002, to October 1, 2025.

DATED: October 23, 2020



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

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- If you have any questions about statements contained in this document, please contact the Permit Extension Specialist at (503) 986-0802.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-



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

Extension of Time
 Progress Report Form
 For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: James Butsch

Application G-14407

Permit G-13311

Progress Report for 2024

Report Due no later than October 1, 2024

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit G-13311.

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between June 29, 2020 and October 1, 2024	FINANCIAL INVESTMENT

Use back of form if needed

2. Describe actions to achieve compliance with conditions of the permit and/or previous extension.
(Examples: installed a meter, submitted water usage reports, submitted static water level measurements, installed a fish screen, obtained approval for fish screen from ODFW etc.)

3. Total number of acres irrigated to date: _____
 Total acres irrigated per well,

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

Maximum rate used to date = _____ cfs

Maximum Rate per well:

Well _____

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

INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITEM. FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.

Signature _____ Date _____

Printed Name/Title _____

Diligence Shown Yes No

Date Public Noticed: _____

For OWRD use only

Designed by _____

Date: _____

Mailing List for Extension PFO Copies

PFO Date: August 25, 2020

Copies Mailed

Application: G-14407

By: TM

Permit: G-13311

On: 8/25/2020

Original mailed to Applicant:

James Butsch
15234 Butsch Ln.
Mt. Angel, OR 97362

Copies sent to:

1. WRD - App. File G-14407/ Permit G-13311
2. Jeanne Boatwright, CWRE
2613 12th St SE
Salem, OR 97302

Fee paid as specified under ORS 536.050 to receive copy:

3. None

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

4. WRD - Watermaster District 16, Greg Wacker

CASEWORKER: JDP

Oregon Water Resources Department
Water Right Services Division

Application for Extension of Time

In the Matter of the Application for an Extension of Time)	PROPOSED
for Permit G-13311, Water Right Application G-14407, in)	FINAL
the name of James Butsch)	ORDER

Permit Information

Application:	G-14407
Permit:	G-13311
Basin:	2B – Middle Willamette / Watermaster District 16
Date of Priority:	November 12, 1996
Source of Water:	a well in Pudding River Basin
Purpose or Use:	Irrigation of 43.0 acres
Maximum Rate:	0.537 cubic foot per second (cfs)

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

In Summary, the Department proposes to:

- Grant an extension of time to apply water to full beneficial use from October 1, 2002, to October 1, 2025¹.
- Make the extension subject to certain conditions set forth below.

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

¹Pursuant to ORS 537.630(5), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

ACRONYM QUICK REFERENCE

Agent – Jeanne Boatwright
Application – Application for Extension of Time
Department – Oregon Department of Water Resources
FOF – Finding of Fact
PFO – Proposed Final Order
Well – MARI 51006
cfs - cubic foot per second

AUTHORITY

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

ORS 537.630(2) provides in pertinent part that the Oregon Water Resources Department (Department) for good cause shown shall order and allow an extension of time within which irrigation or other works shall be completed or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

ORS 539.010(5) instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefor; and the income or use that may be required to provide fair and reasonable returns upon the investment.

OAR 690-315-0040 provides that in order to approve an application for an extension of time to complete construction or apply water to full beneficial use, the Department shall make the findings in OAR 690-315-0040(1) including a finding that there is “good cause” to approve the extension. OAR 690-315-0040(2)-(4) contains the factors that the Department must consider to make findings that support a “good cause” determination.

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

FINDINGS OF FACT

1. On June 30, 1998, Permit G-13311 was issued by the Department. The permit authorizes the use of up to 0.537 cfs of water from a well in Pudding River Basin for irrigation of 43.0 acres. The permit specified actual construction of the well to begin by January 30, 1999, and complete application of water was to be made on or before October 1, 2002.
2. On June 29, 2020, the permit holder, James Butsch, submitted an “Application for Extension of Time” (Application) to the Department, requesting the time to apply water to full beneficial use under the terms and conditions of Permit G-13311 be extended from October 1, 2002, to October 1, 2025. This is the first permit extension requested for Permit G-13311.

3. On July 14, 2020, notification of the Application for Permit G-13311 was published in the Department's Public Notice. No public comments were received regarding the Application.

Review Criteria [OAR 690-315-0040]

In order to approve an Application for an Extension of Time to complete construction and/or apply water to full beneficial use pursuant to ORS 537.230 or 537.630, or to begin construction, pursuant to ORS 537.248, the Department must make the findings in OAR 690-315-0040(1)(a) – (d).

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

4. On June 29, 2020, the Department received a completed Application and the fee specified in ORS 536.050 from the permit holder.

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

5. Actual construction of the well began prior to permit issuance.
6. According to the well log received by the Department on October 7, 1996, construction of MARI 51006 (Well) began September 18, 1996.

Based on Finding of Fact (FOF) 5 and 6, the Department has determined that the prosecution of the construction of the well began prior to January 30, 1999.

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

The Department must find that there is "good cause" to approve the extension. In making a "good cause" finding, the Department shall consider the requirements set forth under OAR 690-315-0040(2).

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

In order to make a finding of "good cause" to approve the extension, the Department shall consider whether the applicant has demonstrated "reasonable diligence" in previous performance under the permit. OAR 690-315-0040(2)(a). In determining "reasonable diligence", the Department shall consider, but is not limited to, the following factors: a) The amount of construction completed within the time allowed in the permit or previous extension; b) The amount of beneficial use made of the water during the permit or previous extension time limits; c) Water right holder conformance with the permit or previous extension conditions; and d) Financial investments made toward developing the beneficial use of water.

continued on following page

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

The amount of construction completed within the time allowed in the permit.²

7. Construction of the well was completed prior to permit issuance.
8. Work was accomplished during the original development time frame under Permit G-13311 is as follows:
 - established electrical power at the site; and
 - installed flow meter, and mainline pipes.

Based on FOF 5, 6, 7, and 8, the Department has determined that work has been accomplished prior to permit issuance and within the time allowed in the permit, which provides evidence of good cause and reasonable diligence towards the complete application of water to a beneficial use.

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

The water right permit holder's conformance with the permit conditions.

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

Based on FOF 9, the Department has determined that the permit holder has demonstrated compliance with permit conditions as required by Permit G-13311.

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

The amount of beneficial use made of the water during the permit time limits.

10. A maximum rate of 0.537 cfs of water has been appropriated from the Well for irrigation of 40.4 acres.

Based on FOF 10, the Department has determined that beneficial use of water has been demonstrated under this permit as all permit conditions were satisfied by October 1, 2002.

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

11. An investment of approximately \$115,045, has been made which is about 98 percent of the total projected cost for complete development of this project. An additional \$2,000 investment is needed for the completion of this project.

Based on FOF 11, the Department has determined that the permit holder had made an investment, which provides evidence of good cause and reasonable diligence towards the complete application of water to a beneficial use.

² "Actual Construction" is defined in OAR 690-315-0020(3)(d)(A) and (B) as physical work performed toward completion of the water system which demonstrates the water right permit holder's good faith and intention to complete the project with reasonable diligence. Actual construction does not include planning a diversion system, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land or planting crops.

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

The Application provides evidence that work has been accomplished towards completion of the water system; the permit holder has demonstrated compliance with permit conditions, a financial investment has been made, and; beneficial use of water has been demonstrated. The Department has determined the applicant has demonstrated reasonable diligence in previous performance under Permit G-13311.

The Market and Present Demands for Water [OAR 690-315-0040(4)(a-f)]

The Department's determinations of market and present demand for water or power to be supplied shall consider the requirements set forth under OAR 690-315-0040(4)(a-f). In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

- *(a) The amount of water available to satisfy other affected water rights and scenic waterway flows;*
- *(b) Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d);*
- *(c) The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife;*
- *(d) Economic investment in the project to date;*
- *(e) Other economic interests dependent on completion of the project; and*
- *(f) Other factors relevant to the determination of the market and present demands for water and power.*

OAR 690-315-0040(4)(a)

The amount of water available to satisfy other affected water rights and scenic waterway flows.

12. A review of the amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-13311; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined when an Application for a new water right is submitted.

OAR 690-315-0040(4)(b)

Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d).

13. The point of appropriation for Permit G-13311, located within the Abiqua Creek Basin, is not located within a limited or critical groundwater area.
14. Abiqua Creek is not located within or above any state or federal scenic waterway.

15. The point of appropriation is not in an area listed by the Department of Environmental Quality as a water quality limited stream.

OAR 690-315-0040(4)(c)

The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife.

16. Abiqua Creek is located within an area ranked "moderate" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife.

OAR 690-315-0040(4)(d)

Economic interests dependent on completion of the project.

17. An approximate total of \$115,045 has been invested in the project.

OAR 690-315-0040(4)(e)

Other economic interests dependent on completion of the project.

18. Other economic interests dependent on completion of the project have not been identified.

OAR 690-315-0040(4)(f)

Other factors relevant to the determination of the market and present demand for water and power.

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

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

20. The use and income from the permitted water development will likely result in reasonable returns upon the investment made to date.

Other Governmental Requirements [OAR 690-315-0040(2)(g)]

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

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

22. No unforeseen events were identified that contributed to the extended the length of time needed to fully develop and perfect Permit G-13311.

Denial of the Extension Will Result in Undue Hardship [OAR 690-315-0040(2)(i)]

23. A denial of the extension would not result in undue hardship.

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

24. The Application provides evidence of good faith of the appropriator under Permit G-13311.

Based on FOF 5, through 11, and 17, the Department has determined that the applicant has shown good faith and reasonable diligence.

Duration of Extension [OAR 690-315-0040(1)(c)]

Under OAR 690-315-0040(1)(c), in order to approve an extension of time for water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.

25. As of June 29, 2020, the remaining work to be completed consists of completing construction of the water system, meeting all permit conditions, and applying water to full beneficial use.

Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2025, to accomplish the application of water to beneficial use under the terms and conditions of Permit G-13311 is both reasonable and necessary.

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

The Department must find that there is "good cause" to approve the extension. In making a "good cause" finding, the Department shall consider the requirements set forth under OAR 690-315-0040(2).

The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

LIMITATIONS AND CONDITIONS

1. OAR 690-315-0050(6) requires a checkpoint condition on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use

permit. A "Checkpoint Condition" is specified under Item 1 of the "Limitations and Conditions" section of this PFO to meet this condition.

CONCLUSIONS OF LAW

1. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
2. The applicant has complied with the construction timeline requirements to begin construction as required by ORS 537.630, OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
3. Based on Finding of Facts 5 through 24, full application of water to beneficial use can be accomplished by October 1, 2025, as required by OAR 690-315-0040(1)(c).
4. The applicant can complete the project within the time period requested for the extension on the project and is granted only for the reasonable time necessary to complete water development an apply water to beneficial use. OAR 690-315-0050(5).
5. The applicant has demonstrated good cause for the extension.
6. For extensions exceeding five years, the Department shall establish progress checkpoints to determine if diligence is being excised in the development and perfection of the water use permit. Intervals between progress check points will not exceed five years periods, as required by OAR 690-315-0050(6).

PROPOSED ORDER

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

Extend the time to apply water to beneficial use under Permit G-13311 from October 1, 2002, to October 1, 2025.

Subject to the following conditions:

LIMITATIONS AND CONDITIONS

1. **Checkpoint Condition**
The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2024**. *A form will be enclosed with your Final Order.*
 - (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been

diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

DATED: August 25, 2020


Dwight French, Administrator,
Water Right Services Division

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100 and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than October 9, 2020, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.

IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

2. A written protest shall include:
- The name, address and telephone number of the petitioner;
 - A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;

- e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The applicant or non-applicant protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
- a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a protest has been submitted, and:
 - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

NOTICE TO ACTIVE DUTY SERVICEMEMBERS: Active duty Servicemembers have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571 or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free telephone number.

-
- If you have questions about statements contained in this document, please contact Jeffrey D. Pierceall at 503- 986-0802.
 - If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Patricia McCarty at 503-986-0820.
 - If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.
 - Address any correspondence to : Water Right Services Division
725 Summer St NE, Suite A
Salem, OR 97301-1266
- Fax: 503-986-0901
-

**Application for Extension of Time for a Water Right Permit
(NON-Municipal/NON Quasi-Municipal water Use)**

RECEIVED

JUN 29 2020



**OREGON
WATER
RESOURCES
DEPARTMENT**

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

OWRD

Criteria for a Permit Extension of Time

The Department can accept requests for an extension of time on permits to (1) complete construction, and/or to (2) apply water to beneficial use.

In order to approve a permit extension request the Department must be able to find:

1) Construction has begun:

A. For Groundwater Permits

Construction of the well(s), *authorized by the permit*, began within 5 years of the date the permit was issued or by the actual construction date specified in the permit.

B. For Surface Water or Reservoir Permits

Construction of the water system began within 5 years of the date the permit was issued or by the actual construction date specified in the permit.

The Department will also confirm that:

- 2) If required, a fish screen, fish passage or fish by-pass device was installed before or prior to diversion of any water. An exception to the need to confirm installation prior to diversion of any water would be a waiver submitted to the Department from ODFW stating that a fish screen, fish passage or fish by-pass device was not required, provided your permit allows for a waiver.

If you have questions, please call the Department at (503)-986-0900 and ask to speak with a permit extension specialist.



RECEIVED

JUN 29 2020

OWRD

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT
A separate extension application must be submitted for each permit as per
OAR 690-315-0020(2).

I, James Butsch

NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

15234 Butsch Lane
ADDRESS

Mt. Angel
CITY

Oregon
STATE

97362
ZIP

503.845.2485
PHONE

4Bfarms@mtangel.net
E-MAIL ADDRESS

the permit holder of: Application Number G-14407

Permit Number G-13311
[OAR 690-315-0020(3)(b)]

do hereby request that the date by which the water development will be completed and
water put to full beneficial use, which time now expires on Month: Oct Day: 01 Year: 2002,
be extended to October 1, 2025 , [OAR 690-315-0020(3)(i)]

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

James Butsch
Signature Date 6/19/2020

James Butsch
Printed Name James Butsch Permit Holder
Title

The agent below is authorized to represent the applicant in all matters relating to THIS application.
Jeanne Boatwright, Boatwright Engineering, Inc. 503.363.9225
jeanne@boatwrightengr.com
Agent contact

Before submitting your Application for Extension of Time, make sure the following items are included:

RECEIVED

JUN 29 2020

OWRD

- This completed Application for Extension of Time.
- Statutory fee of \$670
- Signature page (Second page of this Application for Extension of Time).
- Letter granting an agent authority to act on behalf of the permit holder (*if applicable*)
- All supporting documentation and/or evidence referenced in the Application for Extension of Time. (ODFW Fish screen approval or waiver, contract for stored water, etc)

MAIL COMPLETED APPLICATION

along with the Supporting documents and/ or evidence and correct fee to:

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

GENERAL TIPS:

- Permit holders of **municipal or quasi-municipal water use permits DO NOT use this form**. The correct form is APPLICATION FOR EXTENSION OF TIME FOR MUNICIPAL AND QUASI-MUNICIPAL WATER USE PERMITS.
- Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate APPLICATION FOR EXTENSION OF TIME must be submitted for each permit. OAR 690-315-0020(2).
- Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at the State of Oregon, Secretary of State Website. To be granted an extension of time, the Department must make four specific findings; 1) the application is complete, 2) construction of the water system began, 3) there is good cause, and 4) the project can be completed within the time being requested. If the Department cannot make all four findings, the extension of time cannot be approved.
- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 690-315-0020(3)(n).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights Services Division.

- An Application for an Extension of Time will be reviewed for completeness. A response is required for each item contained in the application. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

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Reference Materials Needed to Complete this Application:

- **The water right permit.** If needed, a copy of the water right permit can be downloaded from the Department's Website, or, a copy of the permit may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- **Previous Applications and Orders.** Copies of previous applications and orders that may inform the completion of the Application for Extension of Time, if available, may be downloaded from the Department's Website. **NOTE: If the document requested is not available on the Department's website, you may be required to submit a Public Record Request.**
- **Documentation which demonstrates compliance with permit conditions** (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Questions to complete this application for an Extension of Time

Please see the instruction sheet to help you answer these items.

1. **Beginning Construction within required deadlines.** OAR 690-315-0020(3)(d)

For Groundwater Permits

Has construction of the point of appropriation (well) authorized under this permit begun?

Yes No

Date construction began Month: 09 Day: 18 Year: 1996

Details of construction and attach documentation: Construction of the well shall begin within 1 year of the permit date. Permit Date: January 30, 1998. See attached well log MARI 51006.

For Surface/Reservoir Permit

Has construction of the water system begun? Yes No

Date construction began Month: ___ Day: ___ Year: ___

Details of construction and attach documentation: _____

2a. Permits typically contain standard or special conditions that must be fully satisfied to lawfully develop and use permitted water. Review the permit subject to this extension to identify which of the conditions listed in the 2nd column are contained within it. Using the extra row labeled "other" to specify any other additional conditions included in the permit, or specified in a final order approving a permit amendment or prior extension of time. In the 1st column check the box for each condition (row) identified as relevant. In the 3rd column check "Yes" if you have completed or met the permit condition. Check "No" if the condition is not yet satisfied. In the 4th column, give the date when the condition was satisfied or will be satisfied. Attach any pertinent documentation. Note: a pump test condition does not need to be addressed here however; you must submit the results of the test to the Department for approval prior to certification.

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CHART-A

Permit Conditions in this Permit		Have Completed or Met?	Date satisfied/ or will be satisfied
Checkbox	Ground water Check those included on this permit		
<input checked="" type="checkbox"/>	Installation of a meter/totalizing flow meter	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Prior to May 2002
<input checked="" type="checkbox"/>	Submittal of annual water usage report	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IR season of 2002
<input checked="" type="checkbox"/>	Submittal of initial static water level measurement	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	3-27-1998
<input checked="" type="checkbox"/>	Submittal of annual static water level measurements in the month required	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	March measurement every year since 1998
<input type="checkbox"/>	Submittal of Seven consecutive static water level measurements in the month required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Special well construction standards	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a monitoring plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Surface Water or Reservoir			
<input type="checkbox"/>	Installation of a meter/ totalizing flow meter	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of annual water use report	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish screen	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish by-pass device	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish passage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of an outlet gate/pipe/ conduit	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from ODFW that fish screen, fish by-pass device, and or fish passage is not required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submit as-built plans and specification	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from an engineer prior to storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	

2b. If you have identified that you have NOT complied with Permit conditions, explain the reasons why and indicate a date certain, when you will be in compliance.
 All permit conditions have been met.

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

3. Provide evidence of physical work made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-B); and if applicable, within the time period of the most recent extension granted (CHART-C). CHART-B (below) must be completed for all Application for Extension of Time requests. Use *chronological order*. Itemize each work item, and do not combine multiple work actions in one area. (Planning, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land, or planting crops is not considered work in the development of the water system. Work accomplished under other water rights may not be considered work under this permit.)

CHART-B

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
09-26-1996	Well construction completed	\$33,545
DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER <i>List work/actions done during the permitted time period.</i>	COST*
01-30-1998	Date the permit was signed - find date above signature on last page of permit.	
Spring 1998	Installed power transformer with service line, and flow meter	\$71,500
06-25-2000	2,200 LF of 6-inch buried mainline completed	\$10,000
10-01-2002	Date the permit specified complete application of water to the use shall be made- all permits contain this date.	
DATE	WORK ACCOMPLISHED AFTER the date the permit specified complete application of water and prior to any previous extension order <i>COMPLETE ONLY IF THIS IS YOUR 1st APPLICATION FOR AN EXTENSION OF TIME: List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
Total Cost for Chart-B		\$115,045

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

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

CHART-C

DATE	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
	"Extended From" date for complete application of water used in the most recent Final Order on Extension of Time.	
	"Extended To" date for complete application of water resulting from the most recent Final Order on Extension of Time.	
DATE	WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
Total Cost of Chart-C		NA

* If exact cost is not known, you must provide your best estimate. [OAR 690-315-0020(3)(f)]

5. Cost of project to date: \$115,045

(The total combined cost from CHART-B and CHART-C) [OAR 690-315-0020(f)]

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[OAR 690-315-0020(3)(e)(B)]

Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit made to date.

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

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

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

Maximum rate used to date = 0.537 cfs (cubic feet per second) or,

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

Maximum volume of stored water used to date = _____ or,

Maximum volume stored annually to date = _____ AF

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

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

CHART-D

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment?	Maximum instantaneous rate used to date from this well -- under this permit only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	If yes, provide the Permit, Certificate, or Transfer No.
A Well	North Dahl Well	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	MARI 51006	L-10512	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	0.537 CFS	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Total instantaneous rate from all wells utilized under this permit						0.537 CFS		

8. Has a Permit Amendment Application been filed? Yes No
If yes, identify Transfer No. T-_____

[OAR 690-315-0020(3)(e)(C)]

9. For Irrigation and Nursery Use Permits Extensions

Provide the total number of acres irrigated to date under this permit.

a) Total acres irrigated to date: 40.4

b) List by year, the number of acres irrigated each year since permit issuance.

Year	Acres	Year	Acres	Year	Acres
2002	40.4				

c) Provide a copy of the application map identifying the acres irrigated.

d) Please specify the number of acres irrigated by each Point of Diversion/Point of Appropriation (POD/POA).

(POD/POA)# North Dahl Well Acres 40.4 (POD/POA) # _____ Acres _____

(POD/POA) # _____ Acres _____ (POD/POA) # _____ Acres _____

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[OAR 690-315-0020(3)(i)(j)]

10. In the chart below provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
2020-2021	Obtain Time Extension Approval Order to allow for filing of a Permit Amendment to move authorized place of use in order to maximize acres to match permitted acreage.	\$2000
2020-2021	Submit Permit Amendment Application to change authorized place of use in order to maximize acres to match permitted acreage.	\$2500
2021-2023	Move place of use to area authorized by Permit Amendment.	\$2000
2022-2024	Apply water to full Beneficial Use at new location.	\$2000
2025	File Claim of Beneficial Use Report and map.	\$2000
Year: Oct 1, 2025	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
Total Cost		\$10,500

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

11. Estimated remaining cost to complete the project: \$10,500

(The total cost from CHART-E)

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

12. Provide a summary of your plan to complete construction, meeting all permit conditions and apply the water to beneficial use: *(List all tasks or steps needed to complete the project, the date when each task will be completed, and the cost associated with each task; attach additional pages if necessary.)*

Obtain a Time Extension and Permit Amendment in order to be able to move the place of use and utilize the fully permitted amount of acreage.

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

13. Justify the time requested to complete the project and/or apply the water to full beneficial use. *(Include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.)*

The time requested is my best estimate of what it will take for OWRD to process the two applications and then allow me to irrigate at the new place of use for a minimum of one full season.

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

14a. Will a denial of the extension result in undue hardship? *(Describe the hardship and the effects.)*

Yes. This is a valuable water right and I do not want to go through a repeat permit process that may not yield the same results as what the current permit allows.

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14b. Are there any other reasonable alternatives that exist for meeting your water use needs? *(Explain in detail, consider other potential sources of water, and describe their feasibility)*

No. Well water is the only source available at this site.

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

15. Was the delay in the timely completion of this water development project and/or timely application of water to full beneficial use caused by any additional government requirements, other than the conditions contained within the permit, which significantly delayed the completion and perfection of this right? *(Explain in detail, including how much time did this delay the project; list dates.)*

No.

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

16. Describe any unforeseen events which contributed to the delay of completion of this project that you had no control over. *(Explain in detail what the unforeseen events were (i.e. health issues, natural disaster) and how much time was spent addressing the unforeseen events.)*

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

17. Describe any additional reasons why the construction was not completed, and/or water was not beneficially used within permit time limits. *(Provide supporting information for the reason(s) that best fits your circumstances.)*

Construction was completed and the water put to beneficial use, but the total allowed acreage was not irrigated. I wish to modify the permit through a Permit Amendment in order to be able to exercise the full amount irrigation allowed by the permit.

[OAR 690-315-0020(3)(m)(n)]

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

I expect the Permit Amendment to be allowed because I intend to request that the place of use be moved to land that I, the holder of the permit, own and which is contiguous to the land on which the permit is appurtenant.

For a change in place of use, proposed place of use must be owned or controlled by the holder of the permit [ORS 537.211(4)(b)]

For a change in place of use, land on which the water is to be used must be contiguous to the land to which the permit is appurtenant [ORS 537.211(4)(b)]

[OAR 690-315-0040(2)(f)]

19. Will the income or use of the water project provide a fair and reasonable return on your investment? *(Explain in detail)*

Yes. I have already spent the money required to construct the well and the underground transmission line. Both will continue to be fully utilized if the Permit Amendment is granted. A reliable source of water available for use on the maximum permitted acres will provide a reasonable return based on the increased value of the crop produced.

[OAR 690-315-0040(4)(d)]

20. Describe in detail if there are other economic interests, beyond those of the permit holder, which are dependent upon the completion of this project. *(Who will be effected and how?)*

Any money spent on, or income derived from, farming in the Mt. Angel area contributes to the economic health of the entire community. Equipment, products, and services necessary for farming are purchased and wages and taxes are paid locally. Profits, which are usually greater from irrigated land, versus dry land farming, are available to be reinvested in the local economy.

Attach permit, and documentation to the application

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

MAY - 7 1997

MARI
S1006

ID # 512

(START CARD) # 89032

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

WATER RESOURCES DEPT.
SALEM, OREGON

(1) OWNER:

Name 4-B Farms - Jim Butsch Well Number _____
Address 15234 Butsch Lane NE
City Mt. Angel State OR Zip 97362

(2) TYPE OF WORK

New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:

Rotary Air Rotary Mud Cable Auger
 Other _____

(4) PROPOSED USE:

Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other _____

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes No Depth of Completed Well 516 ft.
Explosives used Yes No Type _____ Amount _____

HOLE SEAL

Diameter	From	To	Material	From	To	Sacks or pounds
16	0	35	Bentonite	0	35	24 Sacks
13 7/4	35	395.5	Cement	395.5	390	10 Sacks
12	395.5	542				
11	542	566				

How was seal placed: Method A B C D E
 Other Upper seal: Poured Dry Lower Seal: Barber Method

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

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 12"	+1	395.5	375	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 395.5

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

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

	Yield gal/min	Drawdown	Drill stem at	Time
<input checked="" type="checkbox"/> Pump				
<input type="checkbox"/> Bailer				
<input checked="" type="checkbox"/> Air				
<input type="checkbox"/> Flowing Artesian				
air	800	N/A	566	1 hr.
Pump	800	140'		1 hr.
Pump	875	146'		2 hr.

Temperature of water 56° Depth Artesian Flow Found _____

Was a water analysis done? Yes By whom _____

Did any strata contain water not suitable for intended use? Too little

Salty Muddy Odor Colored Other _____

Depth of strata: _____

(9) LOCATION OF WELL by legal description:

County Marion Latitude _____ Longitude _____
Township 6S N or S Range 1W E or W. WM. _____
Section 28 NW 1/4 NW 1/4 _____
Tax Lot Unknown Lot 1500 Block _____ Subdivision _____
Street Address of Well (or nearest address) Old Mt. Angel Hwy.

(10) STATIC WATER LEVEL:

53.4 ft. below land surface. Date 9-26-96
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 83'

From	To	Estimated Flow Rate	SWL
83	101	60 gpm	
520	533	800 gpm	

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL
<u>See Attached</u>			
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OCT - 7 1996			
WATER RESOURCES DEPT.			
SALEM, OREGON			
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Date started 9-18-96 Completed 9-26-96

(unbonded) Water Well Constructor Certification:

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

Signed _____ WWC Number _____ Date _____

(bonded) Water Well Constructor Certification:

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

Signed [Signature] WWC Number 1358 Date 10-4-96

Well Feb 8 Dahl Fox

WELL TEST DATA SHEET

Stettler Supply Company ♦ 1810 Lana Avenue NE ♦ Salem, OR 97303 ♦ Phone: 585-5550 Fax: 581-6799

Owner's Name Four B Farms Well Location Mt. Angel & Dahl Rd.
 Date October 1, 1996
 Well Dia. 12" Depth 500' Static Level 53' Cased to _____ Perforated at _____
 Test Pump Setting 350' Test Pump Size _____ Air Line Probe Tested By Butch
 Static after Test _____ Depth after Test _____ Drilled By _____ Test Started _____
 Test Stopped _____ Max GPM _____ Pumping Level _____

GPM	PUMPING LEVEL	TIME OF DAY	CONDITION OF WATER	GPM	PUMPING LEVEL	TIME OF DAY	CONDITION OF WATER
	53'	10:35 A			59'	3:02	OFF
200	76'	10:40	Little Color		54'	3:03	
200	78'	10:45	Dark in Color		53'	3:05	
200	78'	10:46	Clear				
325	83'	10:55	Clear				
500	104'	11:00	Clear				
600	122'	11:10	Clear				
700	144'	11:15	Clear				
800	189'	11:22	Clear				
800	192'	11:29	Clear				
800	193'	11:40	Clear				
800	193'	11:45	Clear				
800	193'	12:00 P	Clear				
800	193' 6"	12:15	Clear				
800	193' 6"	12:30	Clear				
800	193' 9"	12:45					
800	194'	1:00					
875	199'	1:10					
875	199'	1:15					
875	199'	1:30					
875	199'	2:00					
875	199' 2"	2:30					
875	199' 2"	3:00					

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NOV 12 1996

WATER RESOURCES DEPT.
 SALEM OREGON

RECEIVED

OCT - 7 1996

WATER RESOURCES DEPT.
SALEM, OREGON

4-B Farms - Jim Butsch

(12) WELL LOG FORMATIONS

Material	From	To
Top Soil	0	1
Clay soft brown	1	24
Clay soft gray	24	43
Clay, medium gray	43	47
Cobbles-gravels-cemented	47	54
Cobbles-clay brown	54	57
Clay, medium gray	57	66
Gravels, cemented	66	83
Gravels large & fine sand	83	101
Gravels large cemented	101	130
Sandy silt, stone gray	130	136
Clay medium gray	136	174
Clay silty green	174	180
Clay sticky brown	180	310
Clay sticky pec-size gravel, green	310	323
Clay sticky gray	323	388
Basalt broken gray	388	390
Basalt medium black	390	398
Basalt weathered & broken	398	402
Basalt gray, medium hard	402	406
Basalt gray & hard	406	456
Basalt gray & broken w/green claystone seems	456	494
Basalt gray & hard	494	520
Basalt green & gray	520	533
Basalt brown & gray fractured	533	558
Basalt gray, fractured & hard	558	566

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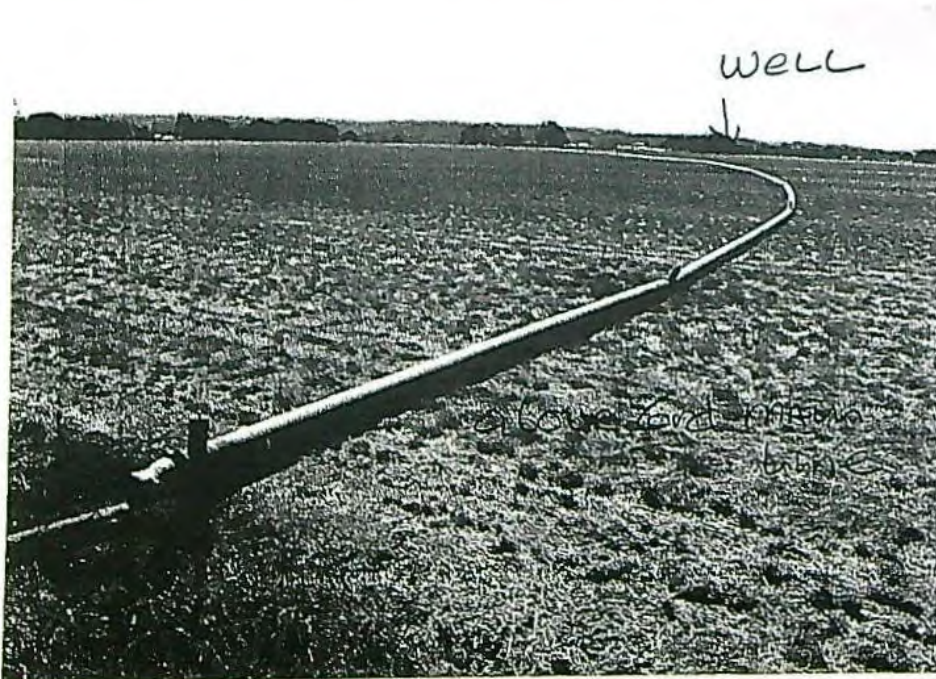
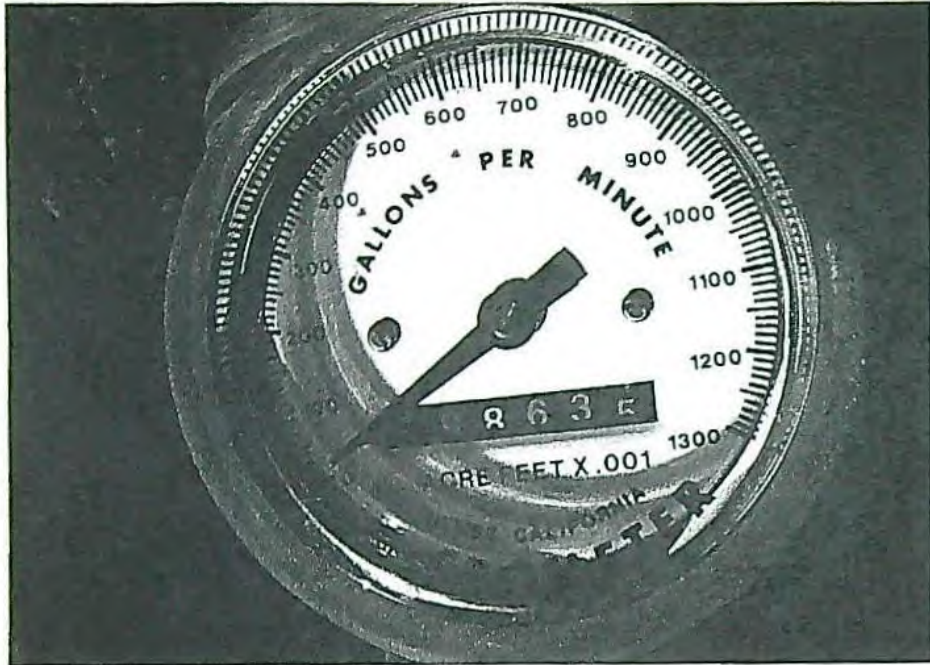
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Photos by James Schuette, CWRE, believed to be in 2009

ATTACHMENT #7

Obtained by James Schuette, CWRE

Water Use Reporting Entry

[Logout](#)

JAMES & DONNA BUTSCH
15234 BUTSCH LANE NE
MT ANGEL, OR 97362

Next reporting period is for water year 2009. Reporting will be available for this time between 10/1/2009 and 3/31/2010.

Records per Page: 5

	<u>Report ID</u>	<u>Facility</u>	<u>Associated Water Rights & Description</u>
<u>Select</u>	37105	WELL 3	<u>Permit:G 12327 *</u> WELL 3; 6S-1W-1-SW NE; 2280 FEET SOUTH & 2360 FEET WEST FROM NE CORNER, SECTION 1
<u>Select</u>	37106	WELL 4	<u>Permit:G 12327 *</u> WELL 4; 6S-1W-1-NE SW; 70 FEET SOUTH & 4 FEET WEST FROM C1/4 CORNER, SECTION 1
<u>Select</u>	37107	WELL 5	<u>Permit:G 12327 *</u> WELL 5; 5S-1W-36-NE SE; 1800 FEET NORTH & 330 FEET WEST FROM SE CORNER, SECTION 36
<u>Select</u>	37108	WELL 7; PIVOT 2	<u>Permit:G 12327 *</u> WELL 7; 5S-1W-36-NW SE; 2550 FEET NORTH & 1500 FEET WEST FROM SE CORNER, SECTION 36
* <u>Select</u>	46388	A WELL D →	<u>Permit:G 13311 *</u> A WELL; 6S-1W-21-SE SW; 70 FEET NORTH & 1470 FEET EAST FROM SW CORNER, SECTION 21

123

Report ID: 46388

<u>Water Year</u>	<u>Unit</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sep</u>
2008	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2007	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2006	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2005	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<u>2004</u>	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<u>6.9</u>	<u>6.4</u>	<u>6.4</u>	0.0
2003	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	10.0
<u>2002</u>	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<u>5.79</u>	<u>6.3</u>	<u>7.9</u>	<u>6.7</u>	0.0
2001	G	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2000	G	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

ATTACHMENT #4

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WATER RESOURCES DEPT
SALEM, OREGON

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OWRD

Facility Water Use Report

MARI 51006/L-10512
Report ID: 67743

A WELL;
70 FEET NORTH AND 1470 FEET EAST FROM SW CORNER, SECTION 21
6S-1W-21-SE SW;
Permit: G 13311 *

BUTSCH PROPERTIES LLC/4B FARMS
JAMES & DONNA BUTSCH
15234 BUTSCH LN NE
MOUNT ANGEL, OR 97362

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OWRD

Records per Page: 5 [View All](#)

Water Year	Reporter Name	Type of Measurement	Unit	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Irrigated Acres
2019	Jeanne Boatwright	FMT	G	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
2018	Jeanne Boatwright	FMT	G	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	

Type(s) of Measurement:

Unit(s) of Measurement:

FMT Flowmeter (recording monthly readings and then reporting the difference between one month's reading and the next) G Gallons

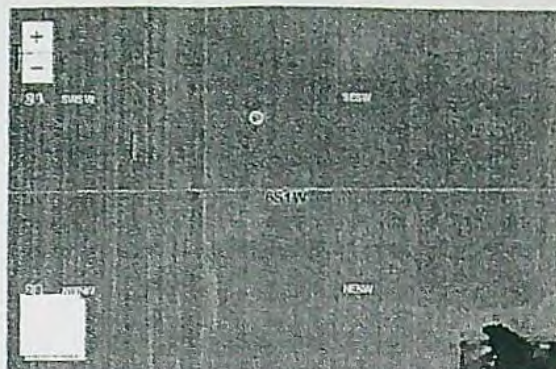
If corrections are needed, send a message to: wateruse@wrd.state.or.us or call (503) 986-0905.

Site Identification [Click to Expand...](#)

Location [Click to Collapse...](#)

GW LogID: MARI 51006 [Well Log Database](#)
 GW Well Tag Number: 10512
 Tag Verified on Well: Yes
 Site Type: WELL
 Primary Use: IRRIGATION
 Unused Status:
 Site Source Organization:
 Site Source OWRD:
 Established By: KARL WOZNAK
 Established Date: 04/22/1999
 Bonded Company: STACO WELL SERVICES INC.
 Stage: COMPLETE

Latitude/Longitude
 Latitude: 45.02787713 Horiz. Error: 10.00
 Longitude: -122.81968030 Datum: WGS1984
 Lat/Long Source: GPS
 Location
 TRSQQ: WM 6.00S1.00W21SESW
 Tax Map: 06S-01W-28
 Taxlot: 500
 24 Quad: SILVERTON
 Basin: 2 - Willamette
 County: Marion
 WM District: 16
 WM Region: NW
 LSD Elev: 191.00 Accy: 5.00 Datum: NGVD1929
 Elev Source: 7.5-MINUTE MAP
[Groundwater Mapping Tool](#)



USDA FSA, GeoEye, Maxar | Oregon Water Resources Department and Bur... Powered by Esri

Water Rights [Click to Expand...](#)

Well Construction History [Click to Collapse...](#)

Well Construction History

Well Log Id	Well Log	Work Type	Started	Well Tag	Owner Name	First Water	Max Case. Depth	Max Case. Depth	Max Seal Depth	Max Depth	Completed Depth	Complete Date
MARI 51006	LOG	NEW	85032	10512 4-B FARMS - JIM BUTSCH		83.00		12		566.00	566.00	9/26/1996

Well Log	Aquifer	Aq. at Max. Depth	System Aquifer	Regional USGS Aquifer	Local USGS Aquifer
MARI 51006	Late Tertiary Basalt Aq	Late Tertiary Basalt Aq	Late Tertiary Basalt Aquifers	Pacific Northwest basaltic-rock aquifers	Columbia River Basalt Group

Well Test

Well Log	Test Type	Yield (gpm)	Drawdown	Duration (hr)	Calculated Specific Capacity (gpm/ft)
MARI 51006	Pump	600.0	140.0	1.0	5.71
MARI 51006	Pump	875.0	146.0	2.0	5.99

Lithology [Click to Expand...](#)

Well Construction [Click to Expand...](#)

Measured Water Level [Click to Collapse...](#)

Records/Page: 150

Measured Water Level

Date	Time	Water Level (ft ASL)	WL Elev (ft AMSL)	Observation	OWRD	Method	Status	MR Height
4/23/2020	13:50:00	80.47	110.53	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/6/2020		80.50	110.50	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.17
1/13/2020	14:47:00	81.04	107.96	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/9/2019	13:04:00	88.72	102.28	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.60
7/17/2019	11:52:00	87.33	103.67	OWRD	GWATER	ETAPE CALIBRATED	FALLING	1.00
4/15/2019	13:17:00	78.89	112.11	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/7/2019		82.33	108.67	PUMP INSTALLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.17
1/16/2019	16:10:00	84.51	106.49	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/22/2018	13:05:00	92.94	98.06	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
7/25/2018	14:04:00	89.15	101.85	OWRD	GWATER	ETAPE CALIBRATED	FALLING	1.00
4/17/2018	11:04:00	74.41	116.59	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/14/2018		76.83	114.17	PUMP INSTALLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.17
1/24/2018	13:03:00	79.20	111.80	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/30/2017	12:17:00	85.91	106.09	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
7/20/2017	13:34:00	85.18	105.82	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/13/2017	13:12:00	74.18	116.82	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/30/2017		74.83	116.17	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.17
1/4/2017	11:32:00	80.80	110.20	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/11/2016	14:07:00	86.43	102.57	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
7/8/2016	10:41:00	79.53	111.49	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/11/2016	14:50:00	78.19	114.81	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.50
3/16/2016		78.10	112.90	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
1/6/2016	14:48:00	83.71	107.29	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/27/2015	11:43:00	90.46	100.54	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
9/16/2015	09:03:00	93.82	97.18	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
7/22/2015	11:58:00	87.60	103.40	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/22/2015	11:04:00	73.89	117.11	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/19/2015		75.90	115.10	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
1/12/2015	11:51:00	80.40	110.51	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
11/12/2014	13:49:00	86.30	104.70	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
7/23/2014	16:19:00	83.59	107.41	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/15/2014	14:08:00	73.01	117.99	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/20/2014		73.50	117.50	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
1/30/2014	15:07:00	77.03	113.97	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
12/19/2013	13:49:00	80.37	110.63	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
7/12/2013	15:49:00	85.49	105.51	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/15/2013	12:57:00	71.34	119.66	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/26/2013		72.20	118.80	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
1/26/2013	14:58:00	77.60	113.40	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/23/2012	15:22:00	86.01	104.99	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00

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OWRD

7/25/2012			OWRD	GWATER	NOT MEASURED	UNKNOWN	1.00	
4/23/2012	15:54:00	68.27	122.73	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/12/2012		68.42	122.58	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
1/27/2012	12:23:00	74.42	156.58	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/13/2011	13:29:00	82.59	108.41	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
7/29/2011	16:06:00	76.95	114.25	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/23/2011		74.00	117.00	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
1/20/2011	14:26:00	80.67	110.33	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
11/16/2010	16:00:00	85.72	105.28	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
7/29/2010	13:10:00	86.36	104.64	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/23/2010	15:29:00	79.15	111.85	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/24/2010		79.80	111.20	OWNER	PERMIT CONDITION PROGRAM	ETAPE	UNKNOWN	1.50
1/11/2010	14:06:00	85.91	105.09	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/28/2009	14:55:00	91.80	99.20	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
6/23/2009	11:05:00	86.55	104.05	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/26/2009		80.75	110.25	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
2/4/2009	11:35:00	83.79	107.21	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
9/17/2008	15:35:00	99.30	91.70	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
6/23/2008	11:56:00	83.78	107.22	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/21/2008	12:57:00	77.50	113.50	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/17/2008		76.60	114.40	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
9/5/2007	15:53:00	92.79	98.21	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/30/2007	13:34:00	75.51	115.49	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/16/2007		76.25	114.75	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
9/28/2006	14:41:00	92.55	98.45	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/11/2006	11:16:00	71.67	119.33	OWRD	GWATER	ETAPE	STATIC	1.00
3/20/2006		73.02	117.98	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
3/7/2006	12:02:00	76.36	114.64	OWRD	GWATER	ETAPE	STATIC	1.00
10/17/2005	09:52:00	83.45	105.55	OWRD	GWATER	ETAPE	STATIC	1.00
9/7/2005	11:23:00	91.58	99.42	OWRD	GWATER	ETAPE	STATIC	1.00
7/7/2005	09:02:00	75.24	115.76	OWRD	GWATER	ETAPE	STATIC	1.00
4/20/2005	09:37:00	73.34	117.66	OWRD	GWATER	ETAPE	STATIC	1.00
3/17/2005		74.80	116.20	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
2/15/2005	10:40:00	76.47	114.53	OWRD	GWATER	ETAPE	STATIC	1.00
12/9/2004	12:09:00	80.60	110.40	OWRD	GWATER	ETAPE	STATIC	1.00
6/24/2004	09:48:00	134.68	56.22	OWRD	GWATER	ETAPE CALIBRATED	PUMPING	1.00
4/22/2004	11:44:00	73.96	117.04	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/20/2004		73.80	117.20	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
2/4/2004	16:04:00	76.82	114.18	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
11/5/2003	16:52:00	83.33	107.67	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
9/4/2003	14:03:00	87.60	103.40	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
6/24/2003	11:50:00	71.90	119.10	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
5/7/2003	11:23:00	67.70	123.30	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/17/2003		74.40	116.60	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
2/11/2003	14:20:00	73.60	118.40	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
12/6/2002	15:10:00	78.40	112.60	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/9/2002	12:34:00	60.03	106.97	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
8/12/2002	14:45:00	85.04	105.96	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
6/10/2002	13:10:00	68.76	122.24	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/9/2002	09:43:00	64.14	126.86	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/23/2002		64.40	126.60	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
2/19/2002	13:46:00	66.15	124.85	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
12/20/2001	15:01:00	69.52	121.48	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/24/2001	12:00:00	75.99	115.01	OWRD	GWATER	STEEL TAPE	STATIC	1.00
8/14/2001	14:30:00	78.01	112.99	OWRD	GWATER	STEEL TAPE	STATIC	1.00
6/20/2001	09:33:00	66.55	124.45	OWRD	GWATER	STEEL TAPE	STATIC	1.00
4/11/2001	09:12:00	61.51	129.49	OWRD	GWATER	STEEL TAPE	STATIC	1.00
3/29/2001	13:06:00	62.19	128.81	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/20/2001		62.16	128.84	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
2/7/2001	14:00:00	64.64	126.36	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
12/5/2000	12:13:00	68.01	122.99	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/10/2000	12:15:00	72.49	118.51	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
8/10/2000	12:15:00	73.57	117.43	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
6/16/2000	12:20:00	56.13	134.87	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/24/2000	12:15:00	55.21	135.79	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/24/2000		55.02	135.98	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
2/17/2000	12:20:00	57.68	133.32	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
12/20/1999	13:49:00	61.55	129.45	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/12/1999	09:45:00	67.75	123.21	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
8/17/1999	11:30:00	65.95	125.05	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
7/19/1999	12:11:00	58.90	132.10	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
7/9/1999		55.65	135.35	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/30/1999		49.54	141.45	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/22/1999		49.83	141.17	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/24/1999		50.50	140.50	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
3/27/1998		46.00	145.00	OWNER	PERMIT CONDITION PROGRAM	UNKNOWN	STATIC	1.00
9/26/1996		53.40	137.60	DRILLER	WELL LOG	REPORTED	UNKNOWN	

Flow Meter/Power Meter

(Click to Expand...)

Available Data

(Click to Expand...)

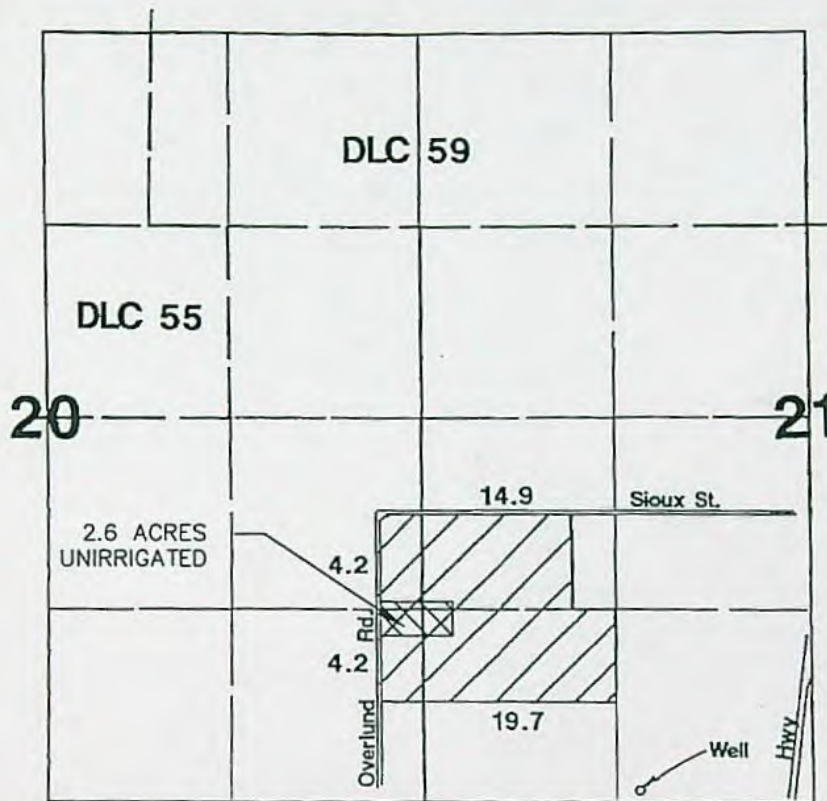
View History

T.6S., R.1W., W.M.

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Well located 70'N & 1470'E from SW corner Section 21.

APPLICATION FOR AN EXTENSION OF TIME
FOR A
WATER RIGHT PERMIT

James Butsch

Application #: G-14407 Permit #: 000001

THIS MAP WAS PREPARED FOR THE PURPOSE
OF IDENTIFYING THE LOCATION OF A WATER
RIGHT ONLY AND IS NOT INTENDED TO PROVIDE
LEGAL DIMENSIONS OR LOCATION OF PROPERTY
OWNERSHIP LINES.



Oregon
Kate Brown, Governor

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

July 7, 2020

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Right Services Division has received your application for an extension of time for **APPLICATION FILE #: S-88031 (Permit S-54949)**. Your application will be reviewed in the future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

You may continue the use of water under your water right until the Water Resources Department formally takes action on your extension application. If your permit includes conditions, water use reporting, water level measurement reporting, etc., you are required to comply with the conditions.

Any additional development that occurs after the expired completion date, identified on the permit or an extension order, can only be claimed upon an approved extension application.

If you have questions concerning your extension of time application, please contact Jeffrey Pierceall at (503) 986-0802. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's website at: www.wrd.state.or.us.

Extension PFO Checklist for
Other than Muni or Quasi-Municipal
 Water Use Permits
 (OAR 690-315-0010 through OAR 690-315-0060)

Application G-14407 Permit: G-1331 Permit Amendment? No Yes T- pending approved

Permit Holder's Name: James Butsch

Permit Holder's Mailing Address: 15234 Butsch Ln.

email 4Bfarms@mtangel.net Mt. Angel OR 97302

Phone Number: 503 845 2485

Agent/CWRE Jeanne Boatwright

Greg Wacker
Joel Fahn

Drainage Basin 2B County: Marion Watermaster District: 16 Watermaster: M. d. Willamette

Date Permit was issued: Jan 30, 1998 Priority Date: Nov 12, 1996 Date of PN: July 14, 2020

Source: a well in Pudding River Basin

Use: irrigation of 430 acres

"Q": 0.537 cfs

Orig "A" Date: Jan 30, 1999 Orig "B" Date: NA Orig "C" Date: Oct 1, 2002

Extension request received: June 29, 2020 Last Authorized Date: — Last Authorized "C" Date: —

Request Number (1, 2, 3...): 1 Proposed "B" Date: NA Proposed C Date: 10-1-2025

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
✓		Begin construction: <u>MARI 51000</u>
✓		<u>meter</u>
✓		<u>AWUR</u>
✓		<u>SWL initial + annual</u>

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

Yes No

- Work was accomplished within the time allowed in the permit or previous extension
- Water right permit holder conformed with the permit or previous extension conditions
- Beneficial use made of the water during the permit or previous extension time limits

GW REVIEW: Y N

MITIGATION REVIEW: Y N

- Permit holder has beneficially used 0.537 cfs/gpm/af of the total permitted quantity of water on 40.4 acres

- Financial investments were made toward developing the beneficial water use.

- Amount Invested to date: \$115,045 Estimated Remaining Cost: \$2,000 (\$18500 Admin Costs)

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

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

Identify the closest surface water or localized water basin. _____

Ground Water Permits: Is the POA located...

Surface Water Permits: Is the POD located...

Yes No

- above a state scenic waterway? Source: OWRD "Areas Above State Scenic Waterways" Map
- within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html
- within a critical or limited Ground Water Area? Name of area _____
- within a sensitive, threatened or endangered species area source: "/gisdata/dev/projects/salmon/div33map.aml"
- in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list _____
- within an area ranking low / moderate / high/Highest (circle one) for stream flow restoration needs Source: OWRD "Streamflow Restoration Maps (by region) Needs"

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

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

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

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

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

5-year Progress Report Checkpoints (Years: _____)

Other: _____

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

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

NOTES:

Extension "PFO" Dates

Mailing / Issuance Date: _____ Protest Deadline Date: _____ FO Issuance Date: _____

Reviewer's Name: _____ Date: _____

Application for Extension of Time for a Water Right Permit
(NON-Municipal/NON Quasi-Municipal water Use)

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

Criteria for a Permit Extension of Time

The Department can accept requests for an extension of time on permits to (1) complete construction, and/or to (2) apply water to beneficial use.

In order to approve a permit extension request the Department must be able to find:

1) Construction has begun:

A. For Groundwater Permits

Construction of the well(s), *authorized by the permit*, began within 5 years of the date the permit was issued or by the actual construction date specified in the permit.

B. For Surface Water or Reservoir Permits

Construction of the water system began within 5 years of the date the permit was issued or by the actual construction date specified in the permit.

The Department will also confirm that:

- 2) If required, a fish screen, fish passage or fish by-pass device was installed before or prior to diversion of any water. An exception to the need to confirm installation prior to diversion of any water would be a waiver submitted to the Department from ODFW stating that a fish screen, fish passage or fish by-pass device was not required, provided your permit allows for a waiver.

If you have questions, please call the Department at (503)-986-0900 and ask to speak with a permit extension specialist.



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TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT
A separate extension application must be submitted for each permit as per
OAR 690-315-0020(2).

I, James Butsch

NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

15234 Butsch Lane Mt. Angel Oregon 97362
ADDRESS CITY STATE ZIP

503.845.2485 4Bfarms@mtangel.net
PHONE E-MAIL ADDRESS

the permit holder of: Application Number G-14407

Permit Number G-13311
[OAR 690-315-0020(3)(b)]

do hereby request that the date by which the water development will be completed and
water put to full beneficial use, which time now expires on Month: Oct Day: 01 Year: 2002,
be extended to October 1, 2025 , [OAR 690-315-0020(3)(i)]

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

Signature: James Butsch, Date: 6/19/2020, Printed Name: James Butsch, Title: Permit Holder, Authorized Agent: Jeanne Boatwright, Boatwright Engineering, Inc., Agent contact: jeanne@boatwrightengr.com

Before submitting your Application for Extension of Time, make sure the following items are included:

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- This completed Application for Extension of Time.
- Statutory fee of \$670
- Signature page (Second page of this Application for Extension of Time).
- Letter granting an agent authority to act on behalf of the permit holder (*if applicable*)
- All supporting documentation and/or evidence referenced in the Application for Extension of Time. (ODFW Fish screen approval or waiver, contract for stored water, etc)

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MAIL COMPLETED APPLICATION

along with the Supporting documents and/ or evidence and correct fee to:

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

GENERAL TIPS:

- Permit holders of municipal or quasi-municipal water use permits **DO NOT use this form**. The correct form is APPLICATION FOR EXTENSION OF TIME FOR MUNICIPAL AND QUASI-MUNICIPAL WATER USE PERMITS.
- Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate APPLICATION FOR EXTENSION OF TIME must be submitted for each permit. OAR 690-315-0020(2).
- Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at the State of Oregon, Secretary of State Website. To be granted an extension of time, the Department must make four specific findings; 1) the application is complete, 2) construction of the water system began, 3) there is good cause, and 4) the project can be completed within the time being requested. If the Department cannot make all four findings, the extension of time cannot be approved.
- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 690-315-0020(3)(n).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights Services Division.

- An Application for an Extension of Time will be reviewed for completeness. A response is required for each item contained in the application. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

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Reference Materials Needed to Complete this Application:

- **The water right permit.** If needed, a copy of the water right permit can be downloaded from the Department's Website, or, a copy of the permit may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- **Previous Applications and Orders.** Copies of previous applications and orders that may inform the completion of the Application for Extension of Time, if available, may be downloaded from the Department's Website. **NOTE: If the document requested is not available on the Department's website, you may be required to submit a Public Record Request.**
- **Documentation which demonstrates compliance with permit conditions** (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Questions to complete this application for an Extension of Time

Please see the instruction sheet to help you answer these items.

1. **Beginning Construction within required deadlines.** OAR 690-315-0020(3)(d)

For Groundwater Permits

Has construction of the point of appropriation (well) authorized under this permit begun?

Yes No

Date construction began Month: **09** Day: **18** Year: **1996**

Details of construction and attach documentation: **Construction of the well shall begin within 1 year of the permit date. Permit Date: January 30, 1998. See attached well log MARI 51006.**

For Surface/Reservoir Permit

Has construction of the water system begun? Yes No

Date construction began Month: _____ Day: _____ Year: _____

Details of construction and attach documentation: _____

2a. Permits typically contain standard or special conditions that must be fully satisfied to lawfully develop and use permitted water. Review the permit subject to this extension to identify which of the conditions listed in the 2nd column are contained within it. Using the extra row labeled "other" to specify any other additional conditions included in the permit, or specified in a final order approving a permit amendment or prior extension of time. In the 1st column check the box for each condition (row) identified as relevant. In the 3rd column check "Yes" if you have completed or met the permit condition. Check "No" if the condition is not yet satisfied. In the 4th column, give the date when the condition was satisfied or will be satisfied. Attach any pertinent documentation. Note: a pump test condition does not need to be addressed here however; you must submit the results of the test to the Department for approval prior to certification.

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CHART-A

Permit Conditions in this Permit		Have Completed or Met?	Date satisfied/ or will be satisfied
Checkbox	Ground water Check those included on this permit		
<input checked="" type="checkbox"/>	Installation of a meter/totalizing flow meter	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Prior to May 2002
<input checked="" type="checkbox"/>	Submittal of annual water usage report	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IR season of 2002
<input checked="" type="checkbox"/>	Submittal of initial static water level measurement	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	3-27-1998
<input checked="" type="checkbox"/>	Submittal of annual static water level measurements in the month required	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	March measurement every year since 1998
<input type="checkbox"/>	Submittal of Seven consecutive static water level measurements in the month required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Special well construction standards	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a monitoring plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Surface Water or Reservoir			
<input type="checkbox"/>	Installation of a meter/ totalizing flow meter	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of annual water use report	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish screen	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish by-pass device	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish passage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of an outlet gate/pipe/ conduit	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from ODFW that fish screen, fish by-pass device, and or fish passage is not required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submit as-built plans and specification	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from an engineer prior to storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	

2b. If you have identified that you have NOT complied with Permit conditions, explain the reasons why and indicate a date certain, when you will be in compliance.

All permit conditions have been met.

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

3. Provide evidence of physical work made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-B); and if applicable, within the time period of the most recent extension granted (CHART-C). CHART-B (below) must be completed for all Application for Extension of Time requests. Use chronological order. Itemize each work item, and do not combine multiple work actions in one area. (Planning, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land, or planting crops is not considered work in the development of the water system. Work accomplished under other water rights may not be considered work under this permit.)

CHART-B

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
09-26-1996	Well construction completed	\$33,545
DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER <i>List work/actions done during the permitted time period.</i>	COST*
01-30-1998	Date the permit was signed - find date above signature on last page of permit.	
Spring 1998	Installed power transformer with service line, and flow meter	\$71,500
06-25-2000	2,200 LF of 6-inch buried mainline completed	\$10,000
10-01-2002	Date the permit specified complete application of water to the use shall be made- all permits contain this date.	
DATE	WORK ACCOMPLISHED AFTER the date the permit specified complete application of water and prior to any previous extension order <i>COMPLETE ONLY IF THIS IS YOUR 1st APPLICATION FOR AN EXTENSION OF TIME: List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
Total Cost for Chart-B		\$115,045

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

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

CHART-C

DATE	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
	"Extended From" date for complete application of water used in the most recent Final Order on Extension of Time.	
	"Extended To" date for complete application of water resulting from the most recent Final Order on Extension of Time.	
DATE	WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
Total Cost of Chart-C		NA

* If exact cost is not known, you must provide your best estimate. [OAR 690-315-0020(3)(f)]

5. Cost of project to date: **\$115,045**

(The total combined cost from CHART-B and CHART-C) [OAR 690-315-0020(f)]

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[OAR 690-315-0020(3)(e)(B)]

Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit made to date.

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

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

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

Maximum rate used to date = **0.537** cfs (cubic feet per second) or,

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

Maximum volume of stored water used to date = _____ or,

Maximum volume stored annually to date = _____ AF

7. **For Ground Water Permit Extensions (e.g. G-XXXX):**

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

CHART-D

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment?	Maximum instantaneous rate used to date from this well - - under <u>this permit</u> only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	If yes, provide the Permit, Certificate, or Transfer No.
A Well	North Dahl Well	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	MARI 51006	L-10512	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	0.537 CFS	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Total instantaneous rate from all wells utilized under this permit						0.537 CFS		

8. Has a Permit Amendment Application been filed? Yes No

If yes, identify Transfer No. T- _____

[OAR 690-315-0020(3)(e)(C)]

9. **For Irrigation and Nursery Use Permits Extensions**

Provide the total number of acres irrigated to date under this permit.

a) Total acres irrigated to date: 40.4

b) List by year, the number of acres irrigated each year since permit issuance.

Year	Acres	Year	Acres	Year	Acres
2002	40.4				

c) Provide a copy of the application map identifying the acres irrigated.

d) Please specify the number of acres irrigated by each Point of Diversion/Point of Appropriation (POD/POA).

(POD/POA)# North Dahl Well Acres 40.4 (POD/POA) # _____ Acres _____

(POD/POA) # _____ Acres _____ (POD/POA) # _____ Acres _____

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[OAR 690-315-0020(3)(i)(j)]

10. In the chart below provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
2020-2021	Obtain Time Extension Approval Order to allow for filing of a Permit Amendment to move authorized place of use in order to maximize acres to match permitted acreage.	-\$2000
2020-2021	Submit Permit Amendment Application to change authorized place of use in order to maximize acres to match permitted acreage.	-\$2500
2021-2023	Move place of use to area authorized by Permit Amendment.	\$2000
2022-2024	Apply water to full Beneficial Use at new location.	-\$2000
2025	File Claim of Beneficial Use Report and map.	-\$2000
Year: Oct 1, 2025	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
Total Cost		\$10,500

\$2,000

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

11. Estimated remaining cost to complete the project: ~~-\$10,500~~ \$2,000
 (The total cost from CHART-E)

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

12. Provide a summary of your plan to complete construction, meeting all permit conditions and apply the water to beneficial use: (List all tasks or steps needed to complete the project, the date when each task will be completed, and the cost associated with each task; attach additional pages if necessary.)

Obtain a Time Extension and Permit Amendment in order to be able to move the place of use and utilize the fully permitted amount of acreage.

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

13. Justify the time requested to complete the project and/or apply the water to full beneficial use. (Include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.)

The time requested is my best estimate of what it will take for OWRD to process the two applications and then allow me to irrigate at the new place of use for a minimum of one full season.

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

14a. Will a denial of the extension result in undue hardship? *(Describe the hardship and the effects.)*

Yes. This is a valuable water right and I do not want to go through a repeat permit process that may not yield the same results as what the current permit allows.

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14b. Are there any other reasonable alternatives that exist for meeting your water use needs? *(Explain in detail, consider other potential sources of water, and describe their feasibility)*

No. Well water is the only source available at this site.

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

15. Was the delay in the timely completion of this water development project and/or timely application of water to full beneficial use caused by any additional government requirements, other than the conditions contained within the permit, which significantly delayed the completion and perfection of this right? *(Explain in detail, including how much time did this delay the project; list dates.)*

No.

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

16. Describe any unforeseen events which contributed to the delay of completion of this project that you had no control over. *(Explain in detail what the unforeseen events were (i.e. health issues, natural disaster) and how much time was spent addressing the unforeseen events.)*

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

17. Describe any additional reasons why the construction was not completed, and/or water was not beneficially used within permit time limits. *(Provide supporting information for the reason(s) that best fits your circumstances.)*

Construction was completed and the water put to beneficial use, but the total allowed acreage was not irrigated. I wish to modify the permit through a Permit Amendment in order to be able to exercise the full amount irrigation allowed by the permit.

[OAR 690-315-0020(3)(m)(n)]

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

I expect the Permit Amendment to be allowed because I intend to request that the place of use be moved to land that I, the holder of the permit, own and which is contiguous to the land on which the permit is appurtenant.

For a change in place of use, proposed place of use must be owned or controlled by the holder of the permit [ORS 537.211(4)(b)]

For a change in place of use, land on which the water is to be used must be contiguous to the land to which the permit is appurtenant [ORS 537.211(4)(b)]

[OAR 690-315-0040(2)(f)]

19. Will the income or use of the water project provide a fair and reasonable return on your investment? *(Explain in detail)*

Yes. I have already spent the money required to construct the well and the underground transmission line. Both will continue to be fully utilized if the Permit Amendment is granted. A reliable source of water available for use on the maximum permitted acres will provide a reasonable return based on the increased value of the crop produced.

[OAR 690-315-0040(4)(d)]

20. Describe in detail if there are other economic interests, beyond those of the permit holder, which are dependent upon the completion of this project. *(Who will be effected and how?)*

Any money spent on, or income derived from, farming in the Mt. Angel area contributes to the economic health of the entire community. Equipment, products, and services necessary for farming are purchased and wages and taxes are paid locally. Profits, which are usually greater from irrigated land, versus dry land farming, are available to be reinvested in the local economy.

Attach permit, and documentation to the application

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

MAY - 7 1997

MARI
51006

ID # 512

(START CARD) # 89032

Instructions for completing this report are on the last page of this form
SALEM, OREGON

(1) OWNER: Well Number _____
Name 4-B Farms - Jim Butsch
Address 15234 Butsch Lane NE
City Mt. Angel State OR Zip 97362

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

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 566 ft.
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds
10	0	35	Bentonite	0	35	24 SACKS
13 3/4	35	395.5	Cement	395.5	390	10 SACKS
12	395.5	542				
11	542	566				

How was seal placed: Method A B C D E
 Other Upper seal: Poured Dry Lower Seal: Barber method
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 12"	+1	395.5	.315	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 395.5

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Material	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

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

	Yield gal/min	Drawdown	Drill stem at	Flowing Time
<input checked="" type="checkbox"/> Pump				
<input type="checkbox"/> Bailer				
<input checked="" type="checkbox"/> Air				
<input type="checkbox"/> Artesian				
air	800	N/A	566	1 hr.
Pump	800	140'		1 hr.
Pump	875	146'		2 hr.

Temperature of water 56° Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County Marion Latitude _____ Longitude _____
Township 6S N or S Range 1W E or W. WM. _____
Section 28 NW 1/4 NW 1/4 _____
Tax Lot Unknown Lot 500 Block _____ Subdivision _____
Street Address of Well (or nearest address) Old Mt. Angel Hwy.

(10) STATIC WATER LEVEL:
53.4 ft. below land surface. Date 9-26-96
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 83'

From	To	Estimated Flow Rate	SWL
83	101	600 gpm	
520	533	800 gpm	

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWL
<u>See Attached</u>			
RECEIVED			
OCT - 7 1996			
WATER RESOURCES DEPT.			
SALEM, OREGON			
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JUN 29 2020			
OWRD			

Date started 9-18-96 Completed 9-26-96

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

Signed _____ WWC Number _____ Date _____

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed [Signature] WWC Number 1358 Date 10-4-96

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OCT - 7 1996

WATER RESOURCES DEPT.
SALEM, OREGON

4-B Farms - Jim Butsch

(12) WELL LOG FORMATIONS

Material	From	To	
Top Soil	0	1	
Clay soft brown	1	24	
Clay soft gray	24	43	
Clay, medium gray	43	47	
Cobbles-gravels-cemented	47	54	
Cobbles-clay brown	54	57	
Clay, medium gray	57	66	
Gravels, cemented	66	83	
Gravels large & fine sand	83	101	WB60
Gravels large cemented	101	130	
Sandy silt, stone gray	130	136	
Clay medium gray	136	174	
Clay silty green	174	180	
Clay sticky brown	180	310	
Clay sticky pec-size gravel, green	310	323	
Clay sticky gray	323	388	
Basalt broken gray	388	390	
Basalt medium black	390	398	
Basalt weathered & broken	398	402	
Basalt gray, medium hard	402	406	
Basalt gray & hard	406	456	
Basalt gray & broken w/green claystone seems	456	494	
Basalt gray & hard	494	520	
Basalt green & gray	520	533	WB
Basalt brown & gray fractured	533	558	
Basalt gray, fractured & hard	558	566	

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Photos by James Schuette, CWRE, believed to be in 2009

ATTACHMENT #7

Obtained by James Schuette, CWRE

Water Use Reporting Entry

[Logout](#)

JAMES & DONNA BUTSCH
 15234 BUTSCH LANE NE
 MT ANGEL, OR 97362

Next reporting period is for water year 2009. Reporting will be available for this time between 10/1/2009 and 3/31/2010.

Records per Page: 5

	<u>Report ID</u>	<u>Facility</u>	<u>Associated Water Rights & Description</u>
Select	37105	WELL 3	<u>Permit:G 12327 *</u> WELL 3; 6S-1W-1-SW NE; 2280 FEET SOUTH & 2360 FEET WEST FROM NE CORNER, SECTION 1
Select	37106	WELL 4	<u>Permit:G 12327 *</u> WELL 4; 6S-1W-1-NE SW; 70 FEET SOUTH & 4 FEET WEST FROM C1/4 CORNER, SECTION 1
Select	37107	WELL 5	<u>Permit:G 12327 *</u> WELL 5; 5S-1W-36-NE SE; 1800 FEET NORTH & 330 FEET WEST FROM SE CORNER, SECTION 36
Select	37108	WELL 7; PIVOT 2	<u>Permit:G 12327 *</u> WELL 7; 5S-1W-36-NW SE; 2550 FEET NORTH & 1500 FEET WEST FROM SE CORNER, SECTION 36
* Select	46388	A WELL D →	<u>Permit:G 13311 *</u> A WELL; 6S-1W-21-SE SW; 70 FEET NORTH & 1470 FEET EAST FROM SW CORNER, SECTION 21

123

Report ID: 46388

<u>Water Year</u>	<u>Unit</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sep</u>
2008	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2007	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2006	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2005	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<u>2004</u>	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<u>6.9</u>	<u>6.4</u>	<u>6.4</u>	0.0
2003	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	10.0
<u>2002</u>	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<u>5.79</u>	<u>6.3</u>	<u>7.9</u>	<u>6.7</u>	0.0
2001	G	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2000	G	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

ATTACHMENT #4

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WATER RESOURCES DEPT
 SALEM, OREGON

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Facility Water Use Report

MARI 51006/L-10512

Report ID: 67743

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OWRD

A WELL;
70 FEET NORTH AND 1470 FEET EAST FROM SW CORNER, SECTION 21
6S-1W-21-SE SW;
Permit: G 13311 *

BUTSCH PROPERTIES LLC/4B FARMS
JAMES & DONNA BUTSCH
15234 BUTSCH LN NE
MOUNT ANGEL, OR 97362

Records per Page: 5 [View All](#)

Water Year	Reporter Name	Type of Measurement	Unit	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Irrigated Acres
2019	Jeanne Boatwright	FMT	G	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
2018	Jeanne Boatwright	FMT	G	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	

Type(s) of Measurement:

Unit(s) of Measurement:

FMT Flowmeter (recording monthly readings and then reporting the difference between one month's reading and the next)

G Gallons

If corrections are needed, send a message to: wateruse@wrd.state.or.us or call (503) 986-0905.

Site Identification [\(Click to Collapse...\)](#)

GW LogID: MARI 51006 [Well Log Database](#)
 GW Well Tag Number: 10512
 Tag Verified on Well: Yes
 Site Type: WELL
 Primary Use: IRRIGATION
 Unused Status:
 Site Source Organization:
 Site Source OWRD:
 Established By: KARL WOZNAK
 Established Date: 04/22/1999
 Bonded Company: STACO WELL SERVICES INC.
 Stage: COMPLETE

Location [\(Click to Collapse...\)](#)

Latitude/Longitude
 Latitude: 45.02787713 Horiz. Error: 10.00
 Longitude: -122.81958030 Datum: WGS1984
 Lat/Long Source: GPS
 Location
 TRSQQ: WM 6.00S1.00W21S6SW
 Tax Map: 06S-01N-28
 Taxlot: 500
 24 Quad: SILVERTON
 Basin: 2 - Willamette
 County: Marion
 WM District: 18
 WM Region: NW
 LSD Elev: 191.00 Acy: 5.00 Datum: NGVD1929
 Elev Source: 7.5-MINUTE MAP
[Groundwater Mapping Tool](#)



Water Rights [\(Click to Expand...\)](#)

Well Construction History [\(Click to Collapse...\)](#)

Well Construction History

Well Log Id	Well Log	Work Type	Startcard	Well Tag	Owner Name	First Water	Max Case Diam.	Max Case Depth	Max Seal Depth	Max Depth	Completed Depth	Complete Date
MARI 51006	Log	NTW	E9032	10512	4-B FARMS - JIM BUTSCH	83.00	12			566.00	566.00	9/16/1996

Well Log	Annular	As at Max Depth	System Annular	Regional USGS Annular	Local USGS Annular
MARI 51006	Late Tertiary Basalt Aq	Late Tertiary Basalt Aq	Late Tertiary Basalt Aquifers	Pacific Northwest basaltic-rock aquifers	Columbia River Basalt Group

Well Test

Well Log	Test Type	Yield (gpm)	Drawdown	Duration (hr)	Calculated Specific Capacity (gpm/ft)
MARI 51006	Pump	800.0	140.0	1.0	5.71
MARI 51006	Pump	875.0	146.0	2.0	5.99

Lithology [\(Click to Expand...\)](#)

Well Construction [\(Click to Expand...\)](#)

Measured Water Level [\(Click to Collapse...\)](#)

Records/Page: 150

Measured Water Level

Date	Time	Water Level (BLSG)	Wt. Elev. (F.A.M.S.)	Organization	OWRD	Method	Status	MF Heights
4/21/2020	13:50:00	80.47	110.51	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/6/2020		80.50	110.50	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.17
1/13/2020	14:47:00	83.04	107.96	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/9/2019	13:04:00	88.72	102.28	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
7/17/2019	11:52:00	87.33	103.67	OWRD	GWATER	ETAPE CALIBRATED	FALLING	1.00
4/15/2019	13:17:00	78.89	112.11	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/7/2019		82.33	108.67	PUMP INSTALLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.17
1/16/2019	16:10:00	84.51	106.49	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/22/2018	13:05:00	92.04	98.06	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
7/25/2018	14:04:00	89.15	101.85	OWRD	GWATER	ETAPE CALIBRATED	FALLING	1.00
4/17/2018	11:04:00	74.41	116.59	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/14/2018		76.83	114.17	PUMP INSTALLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.17
1/24/2018	13:03:00	79.20	111.80	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/30/2017	12:17:00	85.91	105.09	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
7/20/2017	13:34:00	85.18	105.82	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/13/2017	13:12:00	74.18	116.82	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/30/2017		74.83	116.17	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.17
1/4/2017	11:12:00	80.80	110.20	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/11/2016	14:07:00	88.43	102.57	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
7/8/2016	10:41:00	79.51	111.49	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/11/2016	14:50:00	76.19	114.81	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.50
3/16/2016		78.10	112.90	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
1/6/2016	14:48:00	83.71	107.29	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/27/2015	11:43:00	90.46	100.54	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
9/16/2015	09:03:00	93.82	97.18	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
7/22/2015	11:58:00	87.60	103.40	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/22/2015	11:04:00	73.89	117.11	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/19/2015		75.90	115.10	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
1/12/2015	11:51:00	80.49	110.51	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
11/12/2014	13:49:00	86.30	104.70	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
7/21/2014	16:19:00	83.53	107.41	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/15/2014	14:08:00	73.01	117.99	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/10/2014		73.50	117.50	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
1/30/2014	15:07:00	77.83	113.97	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
12/19/2013	13:49:00	80.37	110.63	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
7/12/2013	15:49:00	85.49	105.51	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/15/2013	12:57:00	71.34	119.66	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/26/2013		72.20	118.80	OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
1/16/2013	14:58:00	77.60	113.40	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/23/2012	15:22:00	86.01	104.99	OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00

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OWRD

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 OWRD

7/29/2012			OWRD	GWATER	NOT MEASURED	UNKNOWN	1.00
4/3/2012	15:54:00	68.27	122.73 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/13/2012		68.42	122.58 OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
1/7/2012	12:23:00	74.42	116.58 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/13/2011	13:29:00	82.59	108.41 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
7/19/2011	16:06:00	76.95	114.05 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/23/2011		74.00	117.00 OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
1/20/2011	14:26:00	80.67	110.33 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
11/16/2010	16:00:00	85.72	105.28 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
7/28/2010	13:10:00	86.36	104.64 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/23/2010	15:29:00	79.15	111.85 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/14/2010		79.80	111.20 OWNER	PERMIT CONDITION PROGRAM	ETAPE	UNKNOWN	1.50
1/11/2010	14:06:00	85.51	105.09 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/28/2009	14:55:00	91.80	99.20 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
6/23/2009	11:05:00	86.95	104.05 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/16/2009		80.75	110.25 OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
2/4/2009	11:35:00	83.79	107.21 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
9/17/2008	15:35:00	99.30	91.70 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
6/25/2008	11:56:00	83.78	107.22 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/23/2008	12:57:00	77.50	113.50 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/17/2008		76.60	114.40 OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
9/5/2007	15:53:00	92.79	98.21 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/30/2007	13:34:00	75.51	115.49 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
2/16/2007		76.25	114.75 OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
9/28/2006	14:41:00	92.55	98.45 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/11/2006	11:36:00	71.67	119.33 OWRD	GWATER	ETAPE	STATIC	1.00
3/20/2006		73.02	117.58 OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
3/7/2006	12:02:00	76.36	114.64 OWRD	GWATER	ETAPE	STATIC	1.00
10/17/2005	09:52:00	85.45	105.55 OWRD	GWATER	ETAPE	STATIC	1.00
9/7/2005	11:23:00	91.58	99.42 OWRD	GWATER	ETAPE	STATIC	1.00
7/7/2005	09:02:00	75.24	125.76 OWRD	GWATER	ETAPE	STATIC	1.00
4/20/2005	09:37:00	73.34	117.66 OWRD	GWATER	ETAPE	STATIC	1.00
3/17/2005		74.80	116.20 OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
2/15/2005	10:40:00	76.47	114.53 OWRD	GWATER	ETAPE	STATIC	1.00
12/9/2004	12:09:00	80.60	110.40 OWRD	GWATER	ETAPE	STATIC	1.00
6/24/2004	09:48:00	134.68	56.32 OWRD	GWATER	ETAPE CALIBRATED	PUMPING	1.00
4/23/2004	11:44:00	73.56	117.04 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/20/2004		73.80	117.20 OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
2/4/2004	16:04:00	76.82	114.18 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
11/9/2003	16:52:00	83.13	107.67 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
9/4/2003	14:03:00	87.60	103.40 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
6/24/2003	11:50:00	71.90	119.10 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
5/7/2003	11:23:00	67.70	123.30 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/17/2003		74.40	116.60 OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
2/11/2003	14:20:00	72.60	118.40 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
12/6/2002	15:50:00	78.40	112.60 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/9/2002	12:34:00	84.03	106.97 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
8/12/2002	14:45:00	85.04	105.96 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
6/10/2002	13:10:00	68.76	122.24 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/9/2002	09:43:00	64.14	126.86 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/23/2002		64.40	126.60 OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
2/19/2002	13:48:00	66.15	124.85 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
12/20/2001	15:01:00	69.52	121.48 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/24/2001	12:00:00	75.99	115.01 OWRD	GWATER	STEEL TAPE	STATIC	1.00
8/14/2001	14:30:00	78.01	112.99 OWRD	GWATER	STEEL TAPE	STATIC	1.00
6/20/2001	09:23:00	66.55	124.45 OWRD	GWATER	STEEL TAPE	STATIC	1.00
4/13/2001	09:12:00	61.51	129.49 OWRD	GWATER	STEEL TAPE	STATIC	1.00
3/29/2001	13:06:00	62.19	128.81 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/20/2001		62.16	128.84 OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
2/7/2001	14:00:00	64.64	126.36 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
12/6/2000	12:13:00	68.01	122.99 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/10/2000	12:15:00	72.49	118.51 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
8/10/2000	12:15:00	73.57	117.43 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
6/16/2000	12:20:00	56.13	154.87 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/24/2000	12:15:00	55.21	135.79 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/24/2000		55.02	135.98 OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
2/17/2000	12:20:00	57.68	133.32 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
12/20/1999	13:49:00	61.55	129.45 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
10/12/1999	09:49:00	67.79	123.21 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
8/17/1999	11:30:00	65.55	125.05 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
7/19/1999	12:11:00	58.90	132.10 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
7/9/1999		55.65	135.35 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/30/1999		49.54	141.46 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
4/22/1999		49.83	141.17 OWRD	GWATER	ETAPE CALIBRATED	STATIC	1.00
3/24/1999		50.50	140.50 OWNER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
3/27/1998		46.00	145.00 OWNER	PERMIT CONDITION PROGRAM	UNKNOWN	STATIC	1.00
9/26/1996		53.40	137.60 DRILLER	WELL LOG	REPORTED	UNKNOWN	

Flow Meter/Power Meter

(Click to Expand...)

Available Data

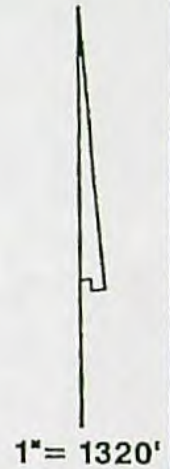
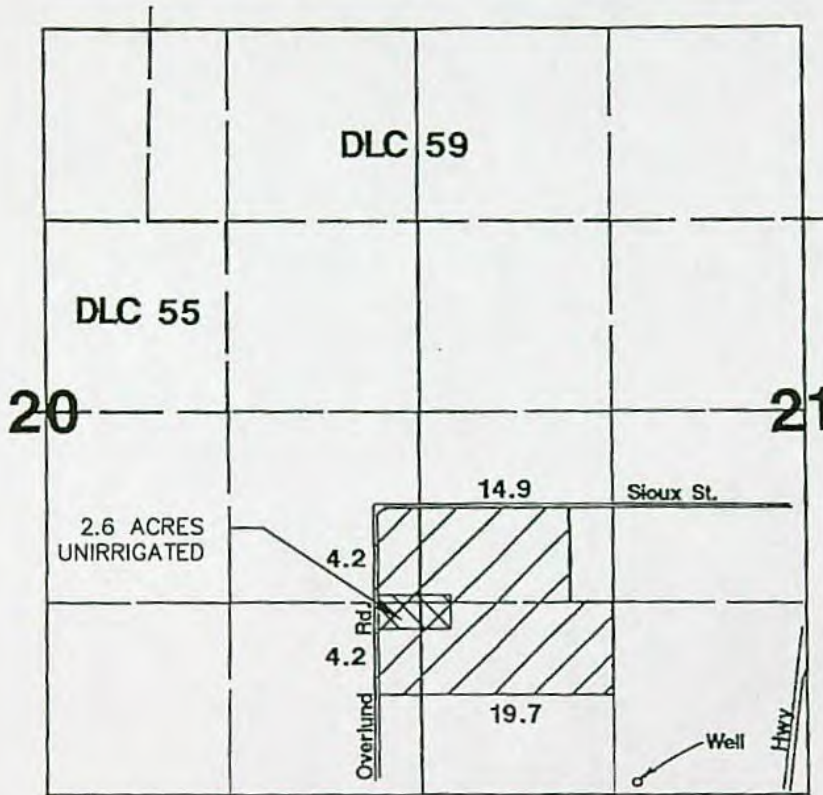
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T.6S., R.1W., W.M.

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Well located 70'N & 1470'E from SW corner Section 21.

APPLICATION FOR AN EXTENSION OF TIME
FOR A
WATER RIGHT PERMIT

James Butsch

Application #: G-14407 Permit #: 0313391

THIS MAP WAS PREPARED FOR THE PURPOSE
OF IDENTIFYING THE LOCATION OF A WATER
RIGHT ONLY AND IS NOT INTENDED TO PROVIDE
LEGAL DIMENSIONS OR LOCATION OF PROPERTY
OWNERSHIP LINES.

Ready to Print

Oregon Water Resources Department
Water Right Services Division

Application for Extension of Time

In the Matter of the Application for an Extension of Time) PROPOSED
for Permit G-13311, Water Right Application G-14407, in) FINAL
the name of James Butsch)

Permit Information

Application: G-14407
Permit: G-13311
Basin: 2B – Middle Willamette / Watermaster District
Date of Priority: November 12, 1996
Source of Water: a well in Pudding River Basin
Purpose or Use: Irrigation of 43.0 acres
Maximum Rate: 0.537 cubic foot per second (cfs)

Great job!
~~0~~ 😊

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

In Summary, the Department proposes to:

- Grant an extension of time to apply water to full beneficial use from October 1, 2002, to October 1, 2025¹.
- Make the extension subject to certain conditions set forth below.

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

¹Pursuant to ORS 537.630(5), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

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Oregon Water Resources Department
Water Right Services Division

Application for Extension of Time

In the Matter of the Application for an Extension of Time) PROPOSED
for Permit G-13311, Water Right Application G-14407, in) FINAL
the name of James Butsch) ORDER

Permit Information

Application: G-14407
Permit: G-13311
Basin: 2B – Middle Willamette / Watermaster District 16
Date of Priority: November 12, 1996
Source of Water: a well in Pudding River Basin
Purpose or Use: Irrigation of 43.0 acres
Maximum Rate: 0.537 cubic foot per second (cfs)

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

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ACRONYM QUICK REFERENCE

Agent – Jeanne Boatwright
Application – Application for Extension of Time
Department – Oregon Department of Water Resources
FOF – Finding of Fact
PFO – Proposed Final Order
Well – MARI 51006
cfs - cubic foot per second

AUTHORITY

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

ORS 537.630(2) provides in pertinent part that the Oregon Water Resources Department (Department) for good cause shown shall order and allow an extension of time within which irrigation or other works shall be completed or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

ORS 539.010(5) instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefor; and the income or use that may be required to provide fair and reasonable returns upon the investment.

OAR 690-315-0040 provides that in order to approve an application for an extension of time to complete construction or apply water to full beneficial use, the Department shall make the findings in OAR 690-315-0040(1) including a finding that there is “good cause” to approve the extension. OAR 690-315-0040(2)-(4) contains the factors that the Department must consider to make findings that support a “good cause” determination.

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

FINDINGS OF FACT

1. On June 30, 1998, Permit G-13311 was issued by the Department. The permit authorizes the use of up to 0.537 cfs of water from a well in Pudding River Basin for irrigation of 43.0 acres. The permit specified actual construction of the well to begin by January 30, 1999, and complete application of water was to be made on or before October 1, 2002.
2. On June 29, 2020, the permit holder, James Butsch, submitted an “Application for Extension of Time” (Application) to the Department, requesting the time to apply water to full beneficial use under the terms and conditions of Permit G-13311 be extended from October 1, 2002, to October 1, 2025. This is the first permit extension requested for Permit G-13311.

3. On July 14, 2020, notification of the Application for Permit G-13311 was published in the Department's Public Notice. No public comments were received regarding the Application.

Review Criteria [OAR 690-315-0040]

In order to approve an Application for an Extension of Time to complete construction and/or apply water to full beneficial use pursuant to ORS 537.230 or 537.630, or to begin construction, pursuant to ORS 537.248, the Department must make the findings in OAR 690-315-0040(1)(a) – (d).

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

4. On June 29, 2020, the Department received a completed Application and the fee specified in ORS 536.050 from the permit holder.

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

5. Actual construction of the well began prior to permit issuance.
6. According to the well log received by the Department on October 7, 1996, construction of MARI 51006 (Well) began September 18, 1996.

Based on Finding of Fact (FOF) 5 and 6, the Department has determined that the prosecution of the construction of the well began prior to January 30, 1999.

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

The Department must find that there is "good cause" to approve the extension. In making a "good cause" finding, the Department shall consider the requirements set forth under OAR 690-315-0040(2).

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

In order to make a finding of "good cause" to approve the extension, the Department shall consider whether the applicant has demonstrated "reasonable diligence" in previous performance under the permit. OAR 690-315-0040(2)(a). In determining "reasonable diligence", the Department shall consider, but is not limited to, the following factors: a) The amount of construction completed within the time allowed in the permit or previous extension; b) The amount of beneficial use made of the water during the permit or previous extension time limits; c) Water right holder conformance with the permit or previous extension conditions; and d) Financial investments made toward developing the beneficial use of water.

continued on following page

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

The amount of construction completed within the time allowed in the permit.²

7. Construction of the well was completed prior to permit issuance.
8. Work was accomplished during the original development time frame under Permit G-13311 is as follows:
 - established electrical power at the site; and
 - installed flow meter, and mainline pipes.

Based on FOF 5, 6, 7, and 8, the Department has determined that work has been accomplished prior to permit issuance and within the time allowed in the permit, which provides evidence of good cause and reasonable diligence towards the complete application of water to a beneficial use.

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

The water right permit holder's conformance with the permit conditions.

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

Based on FOF 9, the Department has determined that the permit holder has demonstrated compliance with permit conditions as required by Permit G-13311.

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

The amount of beneficial use made of the water during the permit time limits.

10. A maximum rate of 0.537 cfs of water has been appropriated from the Well for irrigation of 40.4 acres.

Based on FOF 10, the Department has determined that beneficial use of water has been demonstrated under this permit as all permit conditions were satisfied by October 1, 2002.

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

11. An investment of approximately \$115,045, has been made which is about 98 percent of the total projected cost for complete development of this project. An additional \$2,000 investment is needed for the completion of this project.

Based on FOF 11, the Department has determined that the permit holder had made an investment, which provides evidence of good cause and reasonable diligence towards the complete application of water to a beneficial use.

² "Actual Construction" is defined in OAR 690-315-0020(3)(d)(A) and (B) as physical work performed toward completion of the water system which demonstrates the water right permit holder's good faith and intention to complete the project with reasonable diligence. Actual construction does not include planning a diversion system, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land or planting crops.

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

The Application provides evidence that work has been accomplished towards completion of the water system; the permit holder has demonstrated compliance with permit conditions, a financial investment has been made, and; beneficial use of water has been demonstrated. The Department has determined the applicant has demonstrated reasonable diligence in previous performance under Permit G-13311.

The Market and Present Demands for Water [OAR 690-315-0040(4)(a-f)]

The Department's determinations of market and present demand for water or power to be supplied shall consider the requirements set forth under OAR 690-315-0040(4)(a-f). In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

- *(a) The amount of water available to satisfy other affected water rights and scenic waterway flows;*
- *(b) Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d);*
- *(c) The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife;*
- *(d) Economic investment in the project to date;*
- *(e) Other economic interests dependent on completion of the project; and*
- *(f) Other factors relevant to the determination of the market and present demands for water and power.*

OAR 690-315-0040(4)(a)

The amount of water available to satisfy other affected water rights and scenic waterway flows.

12. A review of the amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-13311; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined when an Application for a new water right is submitted.

OAR 690-315-0040(4)(b)

Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d).

13. The point of appropriation for Permit G-13311, located within the Abiqua Creek Basin, is not located within a limited or critical groundwater area.
14. Abiqua Creek is not located within or above any state or federal scenic waterway.

15. The point of appropriation is not in an area listed by the Department of Environmental Quality as a water quality limited stream.

OAR 690-315-0040(4)(c)

The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife.

16. Abiqua Creek is located within an area ranked “moderate” for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife.

OAR 690-315-0040(4)(d)

Economic interests dependent on completion of the project.

17. An approximate total of \$115,045 has been invested in the project.

OAR 690-315-0040(4)(e)

Other economic interests dependent on completion of the project.

18. Other economic interests dependent on completion of the project have not been identified.

OAR 690-315-0040(4)(f)

Other factors relevant to the determination of the market and present demand for water and power.

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

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

20. The use and income from the permitted water development will likely result in reasonable returns upon the investment made to date.

Other Governmental Requirements [OAR 690-315-0040(2)(g)]

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

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

22. No unforeseen events were identified that contributed to the extended the length of time needed to fully develop and perfect Permit G-13311.

Denial of the Extension Will Result in Undue Hardship [OAR 690-315-0040(2)(i)]

23. A denial of the extension would not result in undue hardship.

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

24. The Application provides evidence of good faith of the appropriator under Permit G-13311.

Based on FOF 5, through 11, and 17, the Department has determined that the applicant has shown good faith and reasonable diligence.

Duration of Extension [OAR 690-315-0040(1)(c)]

Under OAR 690-315-0040(1)(c), in order to approve an extension of time for water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.

25. As of June 29, 2020, the remaining work to be completed consists of completing construction of the water system, meeting all permit conditions, and applying water to full beneficial use.

Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2025, to accomplish the application of water to beneficial use under the terms and conditions of Permit G-13311 is both reasonable and necessary.

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

The Department must find that there is "good cause" to approve the extension. In making a "good cause" finding, the Department shall consider the requirements set forth under OAR 690-315-0040(2).

The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

LIMITATIONS AND CONDITIONS

1. OAR 690-315-0050(6) requires a checkpoint condition on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use

permit. A “Checkpoint Condition” is specified under Item 1 of the “Limitations and Conditions” section of this PFO to meet this condition.

CONCLUSIONS OF LAW

1. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
2. The applicant has complied with the construction timeline requirements to begin construction as required by ORS 537.630, OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
3. Based on Finding of Facts 5 through 24, full application of water to beneficial use can be accomplished by October 1, 2025, as required by OAR 690-315-0040(1)(c).
4. The applicant can complete the project within the time period requested for the extension on the project and is granted only for the reasonable time necessary to complete water development an apply water to beneficial use. OAR 690-315-0050(5).
5. The applicant has demonstrated good cause for the extension.
6. For extensions exceeding five years, the Department shall establish progress checkpoints to determine if diligence is being excised in the development and perfection of the water use permit. Intervals between progress check points will not exceed five years periods, as required by OAR 690-315-0050(6).

PROPOSED ORDER

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

Extend the time to apply water to beneficial use under Permit G-13311 from October 1, 2002, to October 1, 2025.

Subject to the following conditions:

LIMITATIONS AND CONDITIONS

1. **Checkpoint Condition**
The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2024**. *A form will be enclosed with your Final Order.*
 - (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been

diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

DATED: August 18, 2020

Dwight French, Administrator,
Water Right Services Division

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100 and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **October 2, 2020**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The applicant or non-applicant protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:

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

NOTICE TO ACTIVE DUTY SERVICEMEMBERS: Active duty Servicemembers have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571 or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free telephone number.

-
- If you have questions about statements contained in this document, please contact Jeffrey D. Pierceall at 503- 986-0802.
 - If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Patricia McCarty at 503-986-0820.
 - If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.
 - Address any correspondence to : Water Right Services Division
725 Summer St NE, Suite A
Salem, OR 97301-1266
Fax: 503-986-0901
-

Mailing List for Extension PFO Copies

PFO Date: August 18, 2020

Copies Mailed

Application: G-14407

By: _____

Permit: G-13311

On: _____

Original mailed to Applicant:

James Butsch
15234 Butsch Ln.
Mt. Angel, OR 97362

Copies sent to:

1. WRD - App. File G-14407/ Permit G-13311
2. Jeanne Boatwright, CWRE
2613 12th St SE
Salem, OR 97302

Fee paid as specified under ORS 536.050 to receive copy:

3. None

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

4. WRD - Watermaster District 16, Greg Wacker

CASEWORKER: JDP

**Oregon Water Resources Department
Water Right Services Division**

Application for Extension of Time

In the Matter of the Application for an Extension of Time)	
for Permit G-13311, Water Right Application G-14407, in)	FINAL
the name of James Butsch)	ORDER

Permit Information

Application:	G-14407
Permit:	G-13311
Basin:	2B – Middle Willamette / Watermaster District 16
Date of Priority:	November 12, 1996
Source of Water:	a well in Pudding River Basin
Purpose or Use:	Irrigation of 43.0 acres
Maximum Rate:	0.537 cubic foot per second (cfs)

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

Appeal Rights

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Application History

Permit G-13311 was issued by the Department on June 30, 1998. The permit specified actual construction of the well to begin by January 30, 1999, complete application of water to beneficial use by October 1, 2002. On June 29, 2020, James Butsch submitted an Application for Extension of Time for Permit G-13311. In accordance with OAR 690-315-0050(2), on August 18, 2020, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2025. The protest period closed October 2, 2020, in accordance with OAR 690-315-0060(1). No protest was filed.

FINDINGS OF FACT

Except as expressly stated herein, The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated August 18, 2020. Modifications to the Final

Order are shown as follows: additions are shown in underlined text; deletions are shown in ~~strikethrough~~ text.

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

LIMITATIONS AND CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2024**. *A form will be enclosed with your Final Order.*

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

CONCLUSION OF LAW

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

ORDER

The extension of time for Application G-14407, Permit G-13311, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2002, to October 1, 2025.

DATED: October 16, 2020

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

Oregon Water Resources Department

-
- If you have any questions about statements contained in this document, please contact the Permit Extension Specialist at (503) 986-0802.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-

Mailing List for Extension FO Copies

FO Date: October 16, 2020

Copies Mailed

Application: G-14407

By: _____

Permit: G-13311

On: _____

Original mailed to permit holder

James Butsch
15234 Butsch Ln.
Mt. Angel, OR 97362

Copies sent to:

1. WRD - App. File G-14407/ Permit G-13311
2. Jeanne Boatwright, CWRE
2613 12th St SE
Salem, OR 97302

Fee paid as specified under ORS 536.050 to receive copy:

3. None

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

4. WRD - Watermaster District 16, Greg Wacker

If Progress Reports are included:
(DONE BY EXTENSION SPECIALIST)

Add record to Progress Report tracking sheet.xls Done: by _____ Date _____

CASEWORKER: JDP



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

February 21, 2017

JAMES BUTSCH
15234 BUTSCH LANE NE
MOUNT ANGEL, OR 97362

RE: Application G-14407, Permit G-13311
Application G-12503, Permit G-12208

Dear Mr. Butsch,

The Department has received your request through Boatwright Engineering that the Claims of Beneficial Use (Claim) submitted for the above referenced permits be withdrawn. The letter indicated that Extensions of Time may be filed on both permits.

Enclosed are the original Claims you submitted for the above referenced files. The Department has retained copies of the original Claims, however due to your request; the Department will not consider the Claims as valid.

In addition, you will find a refund check enclosed in the amount of \$150.00; the fee submitted to file the Claim for Permit G-13311.

If you have any additional questions, please feel free to contact me at 503-986-0811.

Sincerely,

Gerry Clark
Water Rights Specialist
Certificates

cc: files
Jeanne Boatwright, Boatwright Engineering

enclosures

Completion Checklist for CWRE Claims of Beneficial Use

Application # G-14407
 Permit # G-13311
 Transfer # _____
 Date 12/11/09
 Reviewer C.U.



Date Received	<u>12/10/2009</u>
CWRE Name	<u>James Schuette</u>
Claim Logged	<u>12/11/2009</u>
File Marked	<u>12/10/2009</u>
Oversized Map #	_____
Read the file and attach a copy of the permit or transfer final order. _____	

*Returned
per letter
dated
Feb 15, 17
DL*

Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
- Source illustrated if surface water (OAR 690-014-0170(3))
- Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- Point(s) of diversion or appropriation (coordinates) (OAR 690-014(4) & 690-310-0050)
- Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
- Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014(4))
- Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

Report Review:

- On form or format provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- Tax lot information (OAR 690-014)
- Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- Source(s) of water (OAR 690-014-0100)
- Point of diversion/appropriation location (OAR 690-014-0100)
- Use, period of use, and rate for use (OAR 690-014-0100)
- Place of use location (OAR 690-014-0100)
- Type of use (OAR 690-014-0100)
- Extent of use (OAR 690-014-0100)
- Rate and Duty (OAR 690-014-0100)
- Diversion rate for each use (OAR 690-014-0100)
- Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- System capacity (OAR 690-014-0100)
 - Calculated capacity of system (required)
 - Measured amount of use (optional)
- Permit/Transfer Final Order Conditions (OAR 690-014-0100)
 - Time limits
 - Initial water level measurements
 - Annual static water level measurements
 - Measurement, recording, and reporting
 - Meter/measuring device
 - Water use reporting
 - Fish screening and/or by-pass
 - Pump test (ground water)
 - Other conditions
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of permittee or transfer holder (OAR 690-014-0100)

DEF = deficient
 N/A = Not Applicable

Certificate Issuance Processing Checklist

Map and COBU reviewed
 Conflict check (include copy of plat card printout) Any Conflicts? _____
 Check for ownership

Staff Recommendations:

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

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

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

Proposed Actions:

Send letter requesting the following items/information: _____

_____ Send letter recommending extension to cure deficiencies: _____

Can certificate be processed further?
_____ Yes

If "Yes":

_____ Proposed
_____ Final

Certificate # _____

Mailing list:

Proposed:

Final:

CLAIM OF BENEFICIAL USE

A fee of \$150 must accompany this form to be accepted. (ORS 536.050(1)(x))

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

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

I. General Information

1. File Information

Application Number	Permit Number (if applicable)
G-14407	G-13311

2. Property owner (current owner information)

RECEIVED

DEC 10 2009

a. Individuals

Name	Greg and Robert Ditchen	WATER RESOURCES DEPT
Mailing Address	9712 Nusom Rd	SALEM, OREGON
City/State/Zip	Silverton, Oregon 97381	
Phone #	503-873-6084	
Fax #	503-873-0437	
e-mail address		

b. Businesses/Organizations N/A

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

c. Individuals

Name	James Butsch	N/A
Mailing Address	15234 Butsch Lane NE	
City/State/Zip	Mt. Angel, Oregon 97362	
Phone #	503-845-2485	
Fax	503-845-6295	

d. Businesses/Organizations N/A

4. Date of Site Inspection: August 20, 2009

5. Person(s) interviewed and description of their association with the project:

Name	Date	Association with the project
James Butsch	12/3/2009	Renter and in Charge of Farming Operations

6. County:

Marion

RECEIVED

DEC 10 2009

WATER RESOURCES DEPT
SALEM, OREGON

7. Tax Lot Information:

Tax Map Number	Tax Lot Number
6-1W-21 C	TL 300 & TL 500

8. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(3)):

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

Name	N/A
Contact Person and Title	
Mailing Address	

II. Points of Diversion/Appropriation and Place of Use

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

1. Provide a general narrative description of the distribution works. This description must trace the water system from the point of diversion or appropriation to and include the place of use:

Water is pumped from a well-equipped with a 60-HP line shaft turbine pump- into 1500 lf of 6" buried main line and 920 lf of above-ground 5" mainline. The main line traverses north-south along the east edge of the field. Hand line laterals (running westerly from the mainline) are then connected to the main line to cover the irrigated acreage. Approximately 80 heads are used per setting with each head using an 1 1/64" nozzle while operating @ 60 PSI. Approximate application rate is 528 GPM.

2. Point of diversion/appropriation name or number (correspond to map): See Attachment #2

Point of diversion/appropriation name or number (correspond to map)	Well log ID # for all work performed on the well (if applicable)	Well tag # (if applicable)
Well	Marion 3280	10512

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

3. Point of diversion/appropriation source and, if from surface water, the tributary:

Source	Tributary to
A Well	Within the Pudding River Basin

4. Point of diversion/appropriation location:

(DLC, Government Lot, 1/4 1/4, Section, Township, Range)	Reference to a recognized public land survey corner by distance and bearing or by coordinates
SE1/4-SW1/4 Section 21, T6S, R1W, WM	151' N & 1520'E from SW corner Section 21

5. Actual use(s), period of use, and rate for each use:

Uses	If irrigation, list crop type	When water is used	Rate for use
Irrigation	Grass Seed	March 1-October 31	0.537 CFS

Total Quantity of Water 0.537

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

DLC	Gov lot	1/4 1/4	Section	Township	Range	Use	# of primary acres	# of supplemental acres
--	--	NE SE	20	6S	R1W	Irrig	4.4	--
--	--	SE SE	20	6S	R1W	Irrig	3.2	--
--	--	NW SW	21	6S	R1W	Irrig	14.7	--
--	--	SW SW	21	6S	R1W	Irrig	18.1	--

Total Acres Irrigated: 40.4

Groundwater Source Information (Well and Sump)

1. Describe the access port (type and location) or other means to measure the water level in the well in the box below:

Access can be achieved to measure the well water levels through the well vent tube which is welded onto the north side of the well casing

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

(See Attachment #2-Well Log)

Casing Diameter	Casing Depth	Total Depth	Completion Date of Original Well	Completion Dates of Alterations	Who the Well Was Drilled for	Well Drilled by
16"	181.5	181.5'	6-25-77	--	Jim Butsch	Schneider

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

Well Log is Self Explanatory

System Information:

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

1. Pump information: **Pump data tag is unreadable. Tried to research original purchase but couldn't find original pump data.**

Brand	Model	Serial Number	Type (centrifugal, turbine or submersible)	Intake size	Discharge size
Jacuzzi	--	--	Line Shaft Turbine	6"	6"

2. Motor information

Brand	Model	Horsepower	Max RPM	Voltage
General Electric	5K44404XC21	60	1770	240/480

3. Meter information (if required in permit or transfer final order) **Required by Permit**

Make	Serial #	Condition (working or not)	Current meter reading	Notes
McCrometer	97-2300-6	Working	198.635 Ac-Ft	---

4. Measurement device description

Device description	Condition (working or not)	Notes
In-line Water Meter	Working	Meter in Good Condition

5. Measured pump capacity (using meter if meter was present and system was operating) **System was not operating at time of site visit.**

Initial meter reading	Ending meter reading	Duration of time observed	Total pump output
N/A	N/A	N/A	N/A

6. Theoretical pump capacity

Horsepower	Operating psi	Lift from source to pump *If a well, the water level during pumping (see pump test results)	Lift from pump to place of use	Total pump output
60	60	193'	2'	549.06 GPM

7. Provide pump calculations in the box below:

See Attachment #5

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8. Mainline information

Mainline size	Length	Type of pipe	Buried or above ground
6"	1500'	PVC	Buried
5"	920'	Alum	Above Ground

9. Lateral or hand line information

Lateral or Hand Line size	Length	Type of Pipe	Buried or Above Ground
3"	3200'	Alum	Above Ground

10. Sprinkler information Make and model:

Make	Model	Size	Operating psi	Sprinkler output	Maximum number used	Total sprinkler output
Rain Bird	RB	11/64"	60	6.1 GPM	80	528 GPM

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

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

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11. Additional notes or comments related to the system:

See Attachment #6 for total sprinkler output

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III. CONDITIONS

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

1. Time Limits:

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

	Dates from permit or transfer final order	Date accomplished	Description of actions taken by water user to comply with the time limits
Begin Construction	1-30-99	4-22-77	Well Construction Started
Complete Construction	--	6-25-00	Buried Main Line Completed
Complete Application of Water	10-1-02	9-1-02	Entire 40.4 Acres are Irrigated

2. Initial Water Level Measurements:

- a. Was the water user required to submit an initial static water level measurement? **YES**
- b. What month was the initial measurement to be taken in? **March**
- c. Did an authorized individual (as stated in the permit or transfer final order) make the initial static water level measurement in the month required? **YES**

- d. If "YES", was the measurement submitted to the Department? **YES -See Attachment #3**
- e. If the initial measurement not been submitted, provide that measurement now if available: **N/A**

Date of measurement	Who made measurement	Method	Measurement

3. **Annual Static Water Level Measurements:**

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

- a. Was the water user required to submit annual static water level measurements? **YES**
- b. In the box below, provide the month in which the static water level was to be made:

March

- c. Were the static water level measurements taken in the month required? **YES**
- d. If "YES", were those measurements submitted to the Department? **YES**
- e. If the annual measurements were not submitted, provide the measurements now in the box below: **N/A**

Year	Month	Measurement made by	Measurement

4. **Measurement, recording, and reporting conditions:**

- a. Does the permit or transfer final order require the installation of a meter or approved measuring device? **YES**

If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

- b. Has a meter been installed? **YES**
- c. Provide the date the meter was installed:

March 1994

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- d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department? **Meter has been installed**
- e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval: **N/A**
- f. Is the water user required to report the water use to the Department? **YES**

g. Have the reports been submitted? **YES--See Attachment #4**

5. Fish Screening and/or By-pass Devices

a. Are any points of diversion required to be screened and/or have a by-pass device to prevent fish from entering the point of diversion? **NA**

6. Pump Test (Required for ground permits prior to issuance of a certificate, but not a requirement of permit development)

- a. Did the permit require the submittal of a pump test? **YES**
- b. Has the pump test been previously submitted to the Department? **YES**
- c. Has the pump test been approved by the Department? **YES**
- d. If no, is the pump test attached to this Claim? **NO**

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

IV. Variations, Attachments, Conclusions, Map and Signatures

Variations

Include a description of variations from the permit or transfer final order

Permittee appears to have met all the permit conditions as set forth. Original permitted acreage was 43.0 acres; Actual net measured acreage irrigated is 40.7.

Attachments

If you are attaching any documents to this report, provide a list below:

Attachment name	Description
Attachment #1	Copy of Permit with Conditions Noted
Attachment #2	Well Log/Drillers Data
Attachment #3	Well Water Level Report Data
Attachment #4	Water Use Reporting Data
Attachment #5	Pump Capacity Calculation Sheet
Attachment #6	Sprinkler Capacity Calculation Sheet
Attachment #7	System Photos

Permit and Transfer Final Order Rates and System Rates Comparisons:

POD or POA name or #	Maximum rate allowed by permit or transfer final order	Calculated theoretical rate of water based on system	Actual amount of water measured (if measured)	Developed use	# of acres allowed by permit or transfer final order	# of acres developed
Well	240.8 GPM	549.06 GPM	Not Measured	550 GPM	43.0	40.4

Claim of Beneficial Use Map

The Claim of Beneficial Use Map must be submitted with this Claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320', 1" = 400', or the original full-size scale of the county assessor map for the location.

In the following box, provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

Actual field measurements were obtained tying the well to a known point. A tax map was then used to tie the field point to a know tax map point. Aerial photos were also used view the overall system and component locations.

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CWRE Statement, Seal and Signature

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



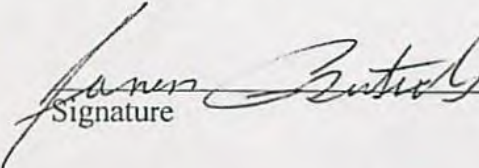
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Permit or Transfer Holders Signature or Acknowledgement

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

 Signature James Butsch Print or type name 12/3/09 Date

Signature Print or type name Date

James
Schuette
CWE

STATE OF OREGON
COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JAMES BUTSCH
15234 BUTSCH LANE NE
MT ANGEL, OREGON 97362

(503)845-2485

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

APPLICATION FILE NUMBER: G-14407

SOURCE OF WATER: A WELL IN PUDDING RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 43.0 ACRES

MAXIMUM RATE: 0.537 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: NOVEMBER 12, 1996

POINT OF DIVERSION LOCATION: SE 1/4 SW 1/4, SECTION 21, T6S, R1W, W.M.;
70 FEET NORTH & 1470 FEET EAST FROM SW CORNER SECTION 21

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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 2 1/2 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SE 1/4 4.2 ACRES
SE 1/4 SE 1/4 4.2 ACRES
SECTION 20

NW 1/4 SW 1/4 14.9 ACRES
SW 1/4 SW 1/4 19.7 ACRES
SECTION 21

TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.

MET
②

Measurement, recording and reporting conditions:

- A. 1 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

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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.

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.

- (1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:
 - (a) An average water level decline of three or more feet per year for five consecutive years; or
 - (b) A total water level decline of fifteen or more feet; or
 - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights. ② MET
- (2) The water user shall install a meter or other measuring device suitable to the Director, and shall submit an annual report of water used to the Department by December 1 of each year.
- (3) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well. ③ MET
 - (a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department. ③ MET
 - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.
 - (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permittee/appropriator.

- (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department. (4) MET
- (e) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

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. (5) MET

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.

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Actual construction of the well shall begin within one year from permit issuance. Complete application of water to the use shall be made on or before October 1, 2002.

Issued January 30 , 1998

6

MET

Martha O. Pagel
Martha O. Pagel, Director
Water Resources Department

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Application G-14407
Basin 02
RWK

Water Resources Department
Volume 13 PUDDING R
MGMT.CODE 7BG, 7BR, 7IG, 7IR

PERMIT G-13311
District 16

Material	From	To
Top soil, brown	0	23
Clay, gray soft	23	44
Gravel, black up to 5" + up to 8"	44	50
Gravel & boulder up to 8", rusty cemented	50	57
Clay, rusty red moist	57	58
Clay, greenish gray	58	66
Clay, dark greenish fine sandy soft	66	67½
Clay, medium coarse sandy w/ pea gravel + base H, conglomerate	67½	70
Gravel, black up to 4" w/ some sand med coarse	70	83
Gravel, boulders, black	83	103
Gravel & boulders	103	110
Sand, cemented, pea gravel & gravel 3" & up	110	115
Sand, loosely cemented, pea gravel & gravel 3" & up boulders	115	123
Boulders & gravel, loosely cemented up to 8"	123	128
Boulders, smaller & pea gravel cemented in medium sandstone, green	128	130
Sandstone, dark green turning to-gray	130	133
Clay, gray dry soft	133	141
Sandstone, fine gray	141	143
Clay, blue green soft	143	148
Clay, gray soft	148	151
Clay, gray fine sandy	151	153
Clay, dark gray medium sandy soft	153	156
Sand, medium coarse	156	158
Clay, dark gray soft sticky	158	159
Clay, dark gray soft	159	165
Clay, dark gray fine sandy moist soft	165	169
Clay, dark gray medium sandy moist soft	169	173
Clay, blue fine sandy dry harder	173	179
Clay, brown sandy	179	183
Clay, gray w/ green streaks dry	183	184
Clay, gray w/ brown streaks dry	189	194
Clay, brown w/ some gray mixed dry	194	199
Clay, gray dry	199	205
Clay, brown to gray & black sandy dry	205	210
Clay, brown dry	210	216
Clay, gray w/ wood dry	216	218
Clay, brown & gray dry sandy	218	223
Clay, gray & brown fine sandy dry	223	234
Clay, blue dry	234	236
Clay, blue & brown	236	240
Clay, gray fine sandy w/ wood moist	240	248
Clay, blue sticky	248	257
Clay, blue green sandy	257	260
Clay, greenish gray sandy w/ wood med coarse	260	265
Clay, blue & green	265	270
Clay, blue sticky	270	273

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cont'd

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Material	To	7712 cont/d From
Clay, blue sticky	273	274
Sand, pea gravel coarse w/ clay, gray	274	274½
Clay, gray brown sticky	274½	300
Clay, blue hard dry sticky	300	314
Clay, blue-gray hard dry	314	321
Clay, gray sticky	321	323

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Jim Butsch
Well Test of 6/10/77

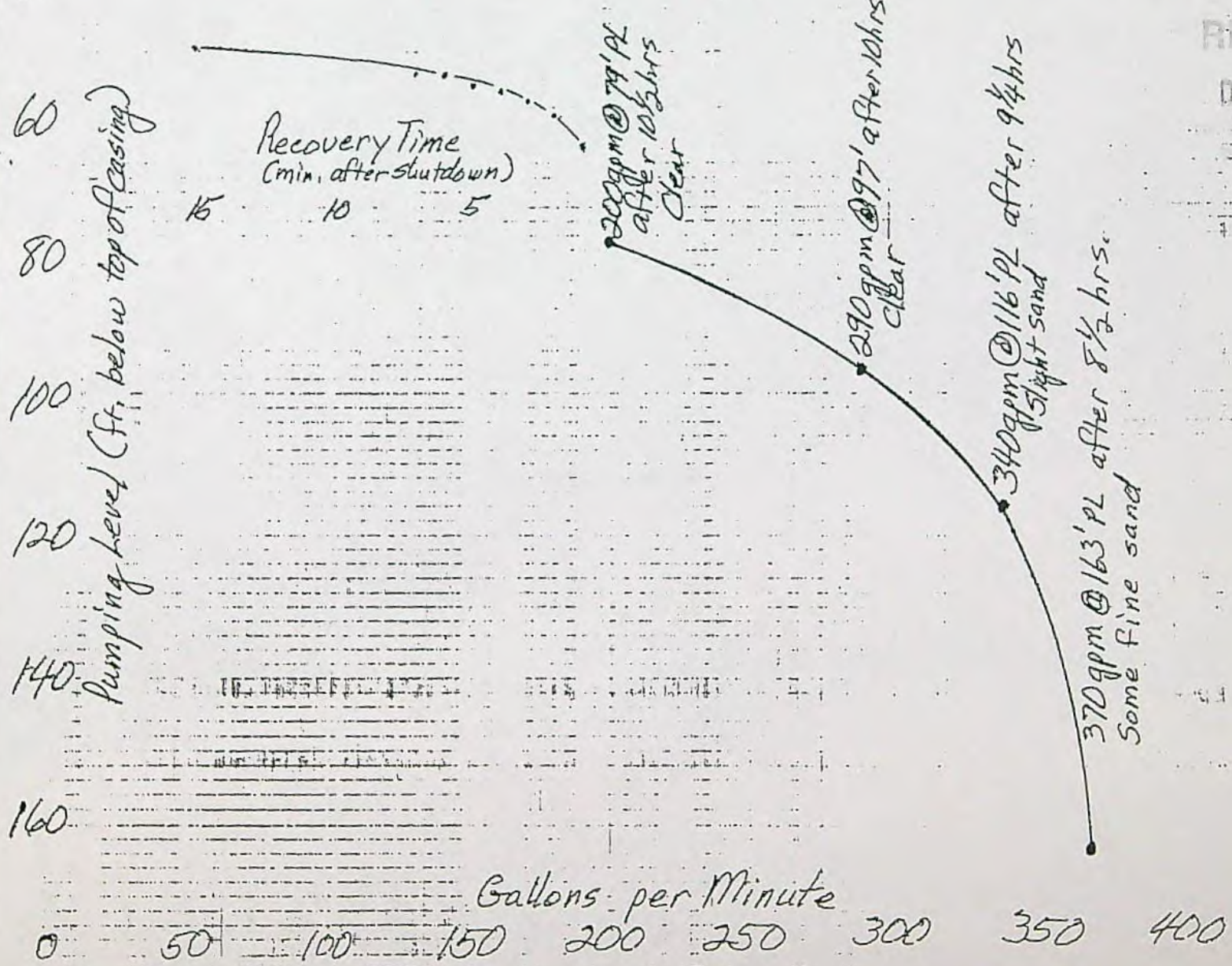
SCHNEIDER EQUIPMENT, INC.
STAR ROUTE, BOX 97 - (503) 633-2666
ST. PAUL, OREGON 97137

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OREGON

Static 37'



Oregon Water Resources Department Permit Condition Water Level Report

OWRD Logid	Main aq	Max depth	LSD Elev	Userid	Township	Range	S	QQ	Q
MARI 51006	Columbia River Basalt	566	191	Y	6.00 S/	1.00 W-	21	SF	SW
Well Tag Log	10512	Well Tag Field	10512	Csg Diam Field	12				
Well Location	70 FEET NORTH & 1470 FEET EAST FROM SW CORNER SECTION 21								
Well Address									
Owner Well Names	WELL #8: NEW DAHL FARM WELL								

Well History:	Water Rights with reporting conditions that list this well:								
Logid	Type Work	Compl Depth	Compl Date	Owner on Log	Permit	Certificate	pod	Reference level	Trigger activated?
MARI 51006	NEW WELL	566	9/26/1996	4-B FARMS - JIM	G 13311		1	46.00	YES

Owner:	
Name	JAMES BUTSCH
Other Name	
Contact	DONNA BUTSCH
Address	15234 BUTSCH LN NE
City / St / Zip	MT ANGELO OR 97362

Date	Time	MP Hght	WL BLS	WL Elev	Method Code	Status Code	Measured By	Pump Idle Time	MP Description	WIComments
09/26/1996			53.40	137.60	R	U	DRILLER			MARI 51006 New well, 566 ft TD
03/27/1998		1	46.00	145.00	U	S	JAMES BUTSCH	7 months		
03/24/1999		1.5	50.50	140.50	T	S	JAMES BUTSCH	60 days		
04/22/1999		1.0	49.83	141.17	V	S	KARL WOZNAK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	NOT USED THIS YEAR RYEGRASS
04/30/1999		1.0	49.54	141.46	V	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	NOT USED THIS YEAR RYEGRASS
07/09/1999		1.0	55.65	135.35	V	S	KARL WOZNAK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	NOT USED THIS YEAR RYEGRASS
07/19/1999	12:11:00	1.0	58.90	132.10	V	S	KARL WOZNAK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
08/17/1999	11:30:00	1.0	65.95	125.05	V	S	KARL WOZNAK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
10/12/1999	09:49:00	1.0	67.79	123.21	V	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
12/20/1999	13:49:00	1.0	61.55	129.45	V	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
02/17/2000	12:20:00	1.0	57.68	133.32	V	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
03/24/2000		1.5	55.02	135.98	T	S	JAMES BUTSCH	12 months		
04/24/2000	12:15:00	1.0	55.21	135.79	V	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
06/16/2000	12:20:00	1.0	56.13	134.87	V	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
08/10/2000	12:15:00	1.0	73.57	117.43	V	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
10/10/2000	12:15:00	1.0	72.49	118.51	V	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
12/06/2000	12:13:00	1.0	68.01	122.99	V	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
02/07/2001	14:00:00	1.0	64.64	126.36	V	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
03/20/2001		1.5	62.16	128.84	T	S	JAMES BUTSCH	12 months		
03/29/2001	13:06:00	1.0	62.19	128.81	V	S	KARL WOZNAK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
04/11/2001	09:12:00	1.0	61.51	129.49	S	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	

Method Codes: A = Airline, T = Etape, V = Calibrated Etape, G = Uncalibrated Gage, H = Calibrated Gage, N - Not Measured, O = Observed, RA = Recorder Analog, RS = Recorder Shaft Encoder, RT = Recorder Transducer, R = Reported, S = Steel Tape, U = Unknown

Status Codes: D = Dry, A = Falling, F = Flowing, P = Pumping, R = Rising, S = Static, U = Unknown

ATTACHMENT #3
(2 PAGES)

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ASBESTOS NETWORK

Oregon Water Resources Department Permit Condition Water Level Report

OWRD Logid	Main aq	Max depth	LSD Elev	Userid	Township	Range	S	Q	0
MARI 51006	Columbia River Basalt	566	191	Y	6.00 S/	1.00 W-	21	SE	SW
Well Tag Log	10512	Well Tag Field	10512	Csg Diam Field	12				
Well Location	70 FEET NORTH & 1470 FEET EAST FROM SW CORNER SECTION 21								
Well Address									
Owner Well Names	WELL #8: NEW DAHL FARM WELL								

<p>Well History:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Logid</th> <th>Type Work</th> <th>Compl Depth</th> <th>Compl Date</th> <th>Owner on Log</th> </tr> </thead> <tbody> <tr> <td>MARI 51006</td> <td>NEW WELL</td> <td>566</td> <td>9/26/1996</td> <td>4-B FARMS - JIM</td> </tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	Logid	Type Work	Compl Depth	Compl Date	Owner on Log	MARI 51006	NEW WELL	566	9/26/1996	4-B FARMS - JIM																																				<p>Water Rights with reporting conditions that list this well:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Permit</th> <th>Certificate</th> <th>pod</th> <th>Reference level</th> <th>Trigger activated?</th> </tr> </thead> <tbody> <tr> <td>G 13311</td> <td> </td> <td>1</td> <td>46.00</td> <td>YES</td> </tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	Permit	Certificate	pod	Reference level	Trigger activated?	G 13311		1	46.00	YES																																			
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G 13311		1	46.00	YES																																																																																							

Owner:	Name JAMES BUTSCH
Other Name	
Contact	DONNA BUTSCH
Address	15234 BUTSCH LN NE
City / St / Zip	MT ANGEL OR 97362

Date	Time	MP Hght	WL BLS	WL Elev	Method Code	Status Code	Measured By	Pump Idle Time	MP Description	WIComments
06/20/2001	09:23:00	1.0	66.55	124.45	S	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
08/14/2001	14:30:00	1.0	78.01	112.99	S	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
10/24/2001	12:00:00	1.0	75.99	115.01	S	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
12/20/2001	15:01:00	1.0	69.52	121.48	V	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
02/19/2002	13:46:00	1.0	66.15	124.85	V	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
03/23/2002		1.5	64.40	126.60	T	S	JAMES BUTSCH	6 months		RECEIVED
04/09/2002	09:43:00	1.0	64.14	126.86	V	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
06/10/2002	13:10:00	1.0	68.76	122.24	V	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	DEC 10 2009
08/12/2002	14:45:00	1.0	85.04	105.96	V	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
10/09/2002	12:34:00	1.0	84.03	106.97	V	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
12/06/2002	15:50:00	1.0	78.40	112.60	V	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
02/11/2003	14:20:00	1.0	72.60	118.40	V	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
03/27/2003		1.5	74.40	116.60	T	S	JAMES BUTSCH	7 months		
05/07/2003	11:23:00	1.0	67.70	123.30	V	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
06/24/2003	11:50:00	1.0	71.90	119.10	V	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
09/04/2003	14:03:00	1.0	87.60	103.40	V	S	DOUG WOODCOCK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
11/05/2003	16:52:00	1.0	83.33	107.67	V	S	KARI WOZNAK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
02/04/2004	16:04:00	1.0	76.82	114.18	V	S	AMY KIM		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
03/20/2004		1.5	73.80	117.20	T	S	JAMES BUTSCH	5.5 months		
04/22/2004	11:44:00	1.0	73.96	117.04	V	S	AMY KIM		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
06/24/2004	09:48:00	1.0	134.68	56.32	V	P	AMY KIM		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	

Method Codes: A = Airline, T = Etape, V = Calibrated Etape, G = Uncalibrated Gage, H = Calibrated Gage, N - Not Measured, O = Observed, RA = Recorder Analog, RS = Recorder Shaft Encoder, RT = Recorder Transducer, R = Reported, S = Steel Tape, U = Unknown

Status Codes: D = Dry, A = Falling, F = Flowing, P = Pumping, R = Rising, S = Static, U = Unknown

Oregon Water Resources Department Permit Condition Water Level Report

OWRD Logid	Main aq	Max depth	LSD Elev	Userid	Township	Range	S	QQ	Q
MARI 51006	Columbia River Basalt	566	191	Y	6.00 S/	1.00 W-	21	SE	SW
Well Tag Log	10512	Well Tag Field	10512	Csg Diam Field	12				
Well Location <u>70 FEET NORTH & 1470 FEET EAST FROM SW CORNER SECTION 21</u>									
Well Address _____									
Owner Well Names <u>WELL #8: NEW DAHL FARM WFLI</u>									

Well History:	Water Rights with reporting conditions that list this well:								
Logid	Type Work	Compl Depth	Compl Date	Owner on Log	Permit	Certificate	pod	Reference level	Trigger activated?
MARI 51006	NEW WELL	566	9/26/1996	4-B FARMS - JIM	G 13311		1	46.00	YES

Owner:	
Name	JAMES BUTSCH
Other Name	_____
Contact	DONNA BUTSCH
Address	15234 BUTSCH LN NE
City / St / Zip	MT ANGELO OR 97362

Date	Time	MP Hght	WL BLS	WL Elev	Method Code	Status Code	Measured By	Pump Idle Time	MP Description	WIComments
12/09/2004	12:09:00	1.0	80.60	110.40	T	S	AMY KIM		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
02/15/2005	10:40:00	1.0	76.47	114.53	T	S	AMY KIM		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
03/17/2005		1.5	74.80	116.20	T	S	JAMES BUTSCH	6 months		
04/20/2005	09:37:00	1.0	73.34	117.66	T	S	AMY KIM		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
07/07/2005	09:02:00	1.0	75.24	115.76	T	S	AMY KIM		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
09/07/2005	11:23:00	1.0	91.58	99.42	T	S	AMY KIM		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
10/27/2005	09:52:00	1.0	85.45	105.55	T	S	AMY KIM		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
02/07/2006	12:02:00	1.0	76.36	114.64	T	S	AMY KIM		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
03/20/2006		1.5	73.02	117.98	T	S	JAMES BUTSCH	6 months	END OF CASING ENTRENCE TO BE ABOVE	
04/11/2006	11:16:00	1.0	71.67	119.33	T	S	AMY KIM		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
09/28/2006	14:41:00	1.0	92.55	98.45	V	S	KARL WOZNAIAK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	FRESHLY PLOWED FIELD
03/16/2007		1.5	76.25	114.75	T	S	JAMES BUTSCH	18 months	1 1/4" ACCESS ON N SIDE OF CASING	
03/30/2007	13:34:00	1.0	75.51	115.49	V	S	KARL WOZNAIAK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
09/05/2007	15:53:00	1.0	92.79	98.21	V	S	KARL WOZNAIAK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	IDLE ADJACENT FIELD IN RYE
03/17/2008		1.5	76.60	114.40	T	S	JAMES BUTSCH	30 months	1-1/4" access on N side of casing	
03/21/2008	12:57:00	1.0	77.50	113.50	V	S	JOSEPH HACKETT		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
06/25/2008	11:56:00	1.0	83.78	107.22	V	S	KARL WOZNAIAK		BOTTOM LIP OF 1-1/4" ANGLED PORT PIPE NORTH	
03/26/2009		1.5	80.75	110.25	T	S	JAMES BUTSCH	12 months	1 1/4" ACCESS ON N SIDE OF CASING	

Method Codes: A = Airline, T = Etape, V = Calibrated Etape, G = Uncalibrated Gage, H = Calibrated Gage, N - Not Measured, O = Observed, RA = Recorder Analog, RS = Recorder Shaft Encoder, RT = Recorder Transducer, R = Reported, S = Steel Tape, U = Unknown

Status Codes: D = Dry, A = Falling, F = Flowing, P = Pumping, R = Rising, S = Static, U = Unknown

Water Use Reporting Entry

[Logout](#)

JAMES & DONNA BUTSCH
15234 BUTSCH LANE NE
MT ANGEL, OR 97362

Next reporting period is for water year 2009. Reporting will be available for this time between 10/1/2009 and 3/31/2010.

Records per Page: 5

	<u>Report ID</u>	<u>Facility</u>	<u>Associated Water Rights & Description</u>
Select	37105	WELL 3	Permit:G 12327 * WELL 3; 6S-1W-1-SW NE; 2280 FEET SOUTH & 2360 FEET WEST FROM NE CORNER, SECTION 1
Select	37106	WELL 4	Permit:G 12327 * WELL 4; 6S-1W-1-NE SW; 70 FEET SOUTH & 4 FEET WEST FROM C1/4 CORNER, SECTION 1
Select	37107	WELL 5	Permit:G 12327 * WELL 5; 5S-1W-36-NE SE; 1800 FEET NORTH & 330 FEET WEST FROM SE CORNER, SECTION 36
Select	37108	WELL 7; PIVOT 2	Permit:G 12327 * WELL 7; 5S-1W-36-NW SE; 2550 FEET NORTH & 1500 FEET WEST FROM SE CORNER, SECTION 36
* Select	46388	A WELL D →	Permit:G 13311 * A WELL; 6S-1W-21-SE SW; 70 FEET NORTH & 1470 FEET EAST FROM SW CORNER, SECTION 21

123

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DEC 10 2009
WATER RESOURCES DEPT
PORTLAND OREGON

Report ID: 46388

Water Year	Unit	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
2008	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2007	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2006	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2005	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<u>2004</u>	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<u>6.9</u>	<u>6.4</u>	<u>6.4</u>	0.0
2003	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	10.0
<u>2002</u>	A	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<u>5.79</u>	<u>6.3</u>	<u>7.9</u>	<u>6.7</u>	0.0
2001	G	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2000	G	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

ATTACHMENT #4

Pump Capacity Calculation Sheet

James Butsch-(file G-14407)

(Using WR Department designed formula)

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

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 60
Efficiency = 7.04
Lift = 193
PSI = 60

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DEC 10 2009

WR DEPT
GON

Results Calculated

$(hp)(\text{efficiency}) = 422.4$
Head based on psi = 152.4
Total dynamic head = 345.4
(head + lift)

Pump Capacity =	1.22 feet per second
	549.06 gallons per minute

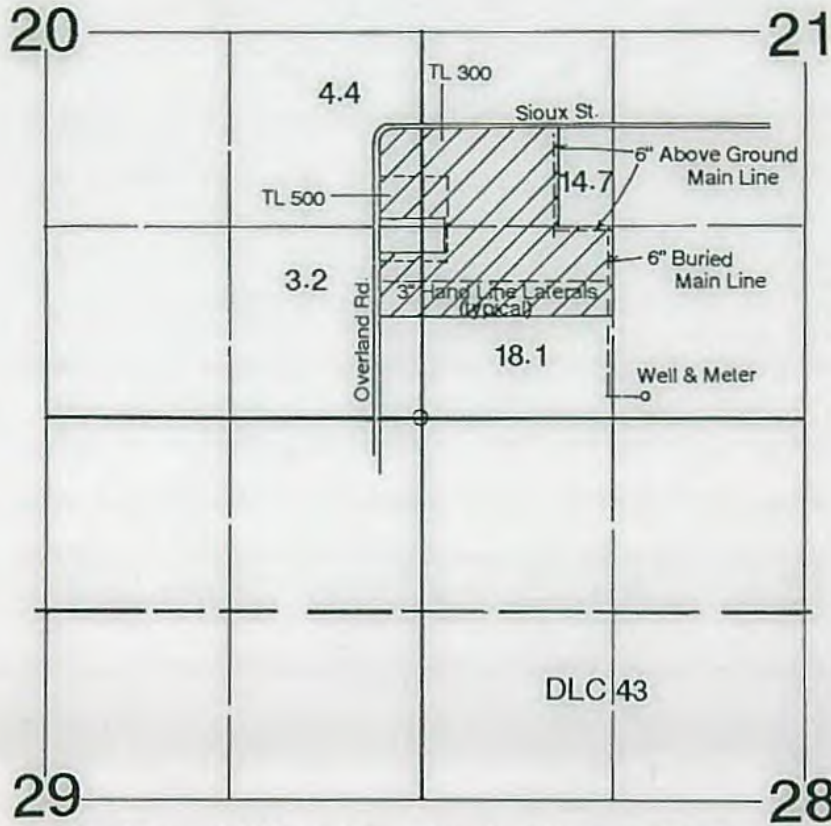
Well

Attachment #5



ATTACHMENT #7

T.6S., R.1W., W.M.



Well is located 151' N & 1520' E from the SW corner of Section 21.

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DEC 10 2009

WATER RESOURCES DEPT
SALEM, OREGON

Final Proof Survey

In the Name of

James Butsch

Application #: G-14407 Permit #: G-13311

Surveyed on August 20, 2009 by JM Schuette

This Map was Prepared for the Purpose of Identifying the Location of a Water Right Only and is Not Intended to Provide Legal Dimensions or Location of Property Ownership Lines.



Application: G. 14407

Permit: G-13311

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

Applicant/Permit

Holder(s) James Butsch
15234 Butsch Lane
Mt. Angel, OR 97362

Proposed Completion Date: 10-1-2025

WRIG...Money Received on: 6-20-20 6-27-2020

Extension Specialist ...

Added to tracking spreadsheet

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

Tonya Miller...

Recent Assignment (Check WRIS for Update)

Publish on Public Notice (initial 30-day comment): Date of notice 7/14/2020

Update WRIS Database

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

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

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

NOTES:

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **132911**

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

INVOICE # _____

RECEIVED FROM: Butsch Properties LLC

APPLICATION 6-14407

BY: _____

PERMIT _____

TRANSFER _____

CASH: CHECK: # 2261 OTHER: (IDENTIFY)

TOTAL REC'D \$ 670.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____

OTHER: (IDENTIFY) _____ \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS 46111

0407 COPY & TAPE FEES \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) _____ \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____

0240 EXTENSION OF TIME \$ 670.00

WATER RIGHTS:

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

0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ _____

WELL CONSTRUCTION

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

LANDOWNER'S PERMIT 0220 \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____

0210 MONITORING WELLS \$ _____ CARD # _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD) \$ _____

0231 HYDRO LICENSE FEE (FWWRD) \$ _____

HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **132911**

DATED: 6-29-2020 BY: [Signature]



Oregon
Kate Brown, Governor

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

July 9, 2020

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Right Services Division has received your application for an extension of time for **APPLICATION FILE #: G-14407 (Permit G-13311)**. Your application will be reviewed in the future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

You may continue the use of water under your water right until the Water Resources Department formally takes action on your extension application. If your permit includes conditions, water use reporting, water level measurement reporting, etc., you are required to comply with the conditions.

Any additional development that occurs after the expired completion date, identified on the permit or an extension order, can only be claimed upon an approved extension application.

If you have questions concerning your extension of time application, please contact Jeffrey Pierceall at (503) 986-0802. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's website at: www.wrd.state.or.us.

WATER RESOURCES DEPARTMENT
REQUEST FOR DISTRIBUTION OF FUNDS

TO: Fiscal Services Section

DATE: February 21, 2017

FROM: Gerry Clark

RE: Request for Refund

APPLICATION: G-14407

RECEIPT #: 98762

Please prepare a refund in the amount of ~~\$175~~ made payable to:

*Should be
\$150.00
JC 2/22/17*

Name: JAMES BUTSCH

Address: 15234 BUTSCH LANE NE

City: MOUNT ANGEL, OR 97362

46111 0200 \$150.00 RRR 98762 G-14407
These funds are being paid or refunded as a result of (check one):

- Request for file to be Withdrawn
- Excess fees were collected for application
- Protest filing fees
- Standing fees
- Permit recording fees
- Other: Claim of Beneficial Use withdrawn

I have reviewed this distribution request and have determined the request to be justified as to the purpose indicated above. Fiscal Services is hereby authorized to process the requested distribution.

Authorized Signature: _____



Date: _____

2-21-17

STATE OF OREGON REMITTANCE ADVICE

TO SIGN UP FOR DIRECT DEPOSIT PAYMENT SERVICE AND RECEIVE CONVENIENT, ELECTRONIC PAYMENTS, LOG IN TO [HTTP://WWW.OREGON.GOV/DAS/EGS/FBS/SFMS/PAGES/ACH.ASPX](http://www.oregon.gov/das/egs/fbs/sfms/pages/ach.aspx) ON THE INTERNET. CLICK ON FORMS AND BROCHURES. THEN SELECT DIRECT DEPOSIT (ACH) AUTHORIZATION FORM.


WARRANT NO. [REDACTED]

WATER RESOURCES DEPARTMENT

(503) 986-0924

INVOICE NO.	INVOICE DATE	INVOICE DESCRIPTION	AGY	DOCUMENT	AMOUNT
	022117	REV REF RCPT#98762 G-14407	690	VP044472	\$150.00

VENDOR NAME	ISSUE DATE	WARRANT AMOUNT
JAMES BUTSCH	02/23/17	\$150.00

FOLD ON PERFORATION LINE BELOW  BEFORE DETACHING.

STATE OF OREGON
 503-986-0924
 WATER RESOURCES DEPARTMENT
 725 SUMMER ST. NE, SUITE A
 SALEM OR 97301-1271

TO THE STATE TREASURER SALEM, OREGON
 PAYABLE THROUGH US BANK

96-10
 1232
 CHECK DATE
 02/23/17




WARRANT NO. [REDACTED]

PAY THIS AMOUNT
 \$150.00

ONE HUNDRED FIFTY AND 00/100 DOLLARS
 PAY TO THE ORDER OF:

VOID 2 YEARS AFTER DATE ISSUED

JAMES BUTSCH
 15234 BUTSCH LANE NE
 MOUNT ANGEL OR 97362

VOID  **VOID**
 AUTHORIZED SIGNATURE

[REDACTED]

February 15, 2017

Gerry Clark
Water Rights Section
Oregon Water Resources Department
725 Summer Street NE
Salem Oregon 97301



Boatwright Engineering Inc.

2613 12th ST SE, SALEM, OREGON 97302
civil engineers • land surveyors

503 363-9225 FAX 363-1051

RECEIVED

FEB 16 2017

OWRD

Re: **FILE G-12503** **FILE G-14407**
PERMIT G-12208 **PERMIT G-13311**

PERMIT HOLDER: JAMES BUTSCH

Dear Gerry,

I met recently with Jim Butsch about the above referenced water rights and we discussed, at some length, both the permits and the Claims of Beneficial Use submitted to WRD on February 15, 1999 and December 10, 2009 by James Schuette.

The well information submitted on both Claims are a mix of two separate wells. This muddle is corroborated by an interoffice memo from Karl Wozniak to the file for G-12503 dated July 24, 2001. Mr. Butsch has a gravel well located south of the south line of Section 21 and a basalt well to the north of this line. The claim for G-12208 should reflect only the gravel well and the claim for G-13311 should reflect only the basalt well.

Additionally, other data, which have been reported over the years to comply with multiple permit conditions pertaining to the wells, have been confused.

Therefore, Mr. Butsch asked me to contact you and withdraw the Claims so that the information can be sorted out and presented to the Department in compliance with the permits. This may involve requesting Extensions of Time for both permits.

Since the 2009 submittal of the Claim of Beneficial Use for file G-14407 included a fee of \$150, could you tell me if that will be refunded or if it can, or should, be applied towards a future submittal or application fee.

Sincerely,

A handwritten signature in green ink that reads "Jeanne".

Jeanne Boatwright

CC: James Butsch, 4B Farms



Oregon

Theodore R. Kulongoski, Governor

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

December 14, 2009

JAMES BUTSCH
15234 BUTSCH LANE NE
MT ANGEL OR 97362

On December 10, 2009 the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

Application G-14404

The COBU included a report and map. The Department hopes to review your submittal within approximately 2-4 years. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

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

Customer Service phone: (503) 986-0801

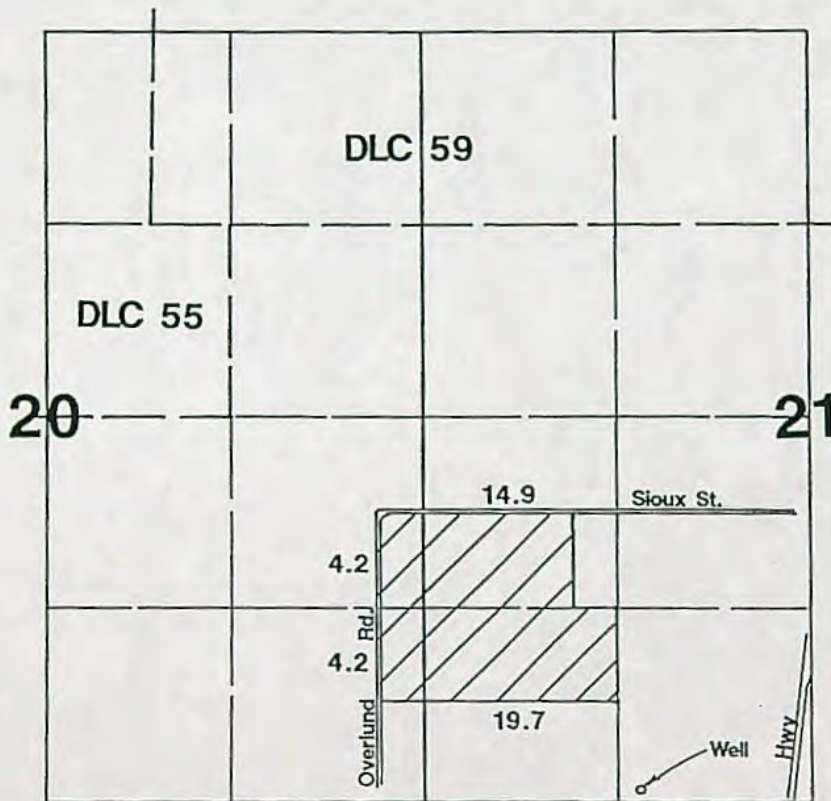
If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

T.6S., R.1W., W.M.

RECEIVED

NOV 12 1996

WATER RESOURCES DEPT.
SALEM, OREGON



1" = 1320'



Well located 70'N & 1470'E from SW corner Section 21.

Application Map

James Butsch

Application #: G14407 Permit #: G13311

THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.



TO: Water Rights Section

11/25, 1996

FROM: Groundwater/Hydrology Section Maura Norton
Reviewer's Name

SUBJECT: Application G- 14407

GROUNDWATER/SURFACE WATER CONSIDERATIONS

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

GROUNDWATER AVAILABILITY CONSIDERATIONS

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

REMARKS: _____

(Well Construction Considerations on Reverse Side)

G-14407

WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Groundwater/Hydrology
 FROM: Marc Norton
 SUBJECT: Groundwater Application G- 14407

Date 11/25/96

Applicants(s) seek 240 gpm (0.54 cfs) from one well in the
W. Willamette basin
Butsch Irrigation Pudding sub basin
 _____ sub basin

Pertinent 7 1/2 - minute quads Silverton

MARI
 Well _____ WRD# 51006 T 6S R 14 S 21 QQ CDC County Marion

Legal Description _____
 Well is 500 ft from UnNamed Tributary to Pudding (river/stream)
 Well is _____ ft from _____ (river/stream)
 Well Elevation 195 ft River/Stream elevation 180 ft.
 Well Elevation - River/Stream elevation 15 ft.
 Well depth 566 ft SWL 53.9 ft on 9/26/96
 Sealed to Split Seal to 395.5 ft Depth first water found 83 ft
 Cased to 395.5 ft Perforations/screens _____ ft
 Lined to _____ ft Perforations/screens _____ ft
 Well test and types 800 GPM @ 140' dd for 1 hr
 (Confined/Semi-confined/Unconfined) Direct hydraulic connection? YES / NO
 Potential to cause substantial interference? NO

Well _____ WRD# _____ T _____ R _____ S _____ QQ _____ County _____

Legal Description _____
 Well is _____ ft from _____ (river/stream)
 Well is _____ ft from _____ (river/stream)
 Well Elevation _____ ft River/Stream elevation _____ ft.
 Well Elevation - River/Stream elevation _____ ft.
 Well depth _____ ft SWL _____ ft on _____
 Sealed to _____ ft Depth first water found _____ ft
 Cased to _____ ft Perforations/screens _____ ft
 Lined to _____ ft Perforations/screens _____ ft
 Well test and types _____
 (Confined/Semi-confined/Unconfined) Direct hydraulic connection? YES / NO
 Potential to cause substantial interference? _____

Conditioned water rights in area: Basalt Well
 Other nearby water rights of record: _____
 Density of nearby wells: _____

Comments: ~ 2 miles SW of Mt Angel G.W. Limited Area

References Used: _____

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

MARI
51006

(START CARD) # 89032

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

(1) OWNER: Well Number _____
Name 4-B Farms - Jim Butsch
Address 15234 Butsch Lane NE
City Mt. Angel State OR Zip 97132

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

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 510 ft.
Explosives used Yes No Type _____ Amount _____

Diameter		From		To		Material		From		To		Sacks or pounds	
16	0	35	Bentonite	0	35	24	Sacks						
13 3/4	35	395.5	Cement	395.5	390	10	Sacks						
12	395.5	542											
11	542	566											

How was seal placed: Method A B C D E
 Other Upper seal: Poured Dry Lower Seal: Burber Method
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 12"	+1	395.5	.375	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 395.5

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Material	Telo/pipe size	Casing	Liner
							<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>

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

	<input checked="" type="checkbox"/> Pump Yield gal/min	<input type="checkbox"/> Bailer Drawdown	<input checked="" type="checkbox"/> Air Drill stem at	<input type="checkbox"/> Flowing Artesian Time
Air	800	N/A	566	1 hr.
Pump	800	140'		1 hr.
Pump	875	140'		2 hr.

Temperature of water 56° Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County Marion Latitude _____ Longitude _____
Township 6S N or S Range 1W E or W. WM.
Section 28 NW 1/4 NW 1/4
Tax Lot Unknown Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) Old Mt. Angel Hwy.

(10) STATIC WATER LEVEL:
53.4 ft. below land surface. Date 9-26-96
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 83'

From	To	Estimated Flow Rate	SWL
83	101	60 gpm	
520	533	800 gpm	

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWL
<u>See Attached</u>			
RECEIVED			
OCT - 7 1996			
WATER RESOURCES DEPT. SALEM, OREGON			

Date started 9-18-96 Completed 9-26-96

(unbonded) Water Well Constructor Certification:

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

Signed _____ WWC Number _____
Date _____

(bonded) Water Well Constructor Certification:

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

Signed Dyn... WWC Number 1358
Date 10-4-96

RECEIVED

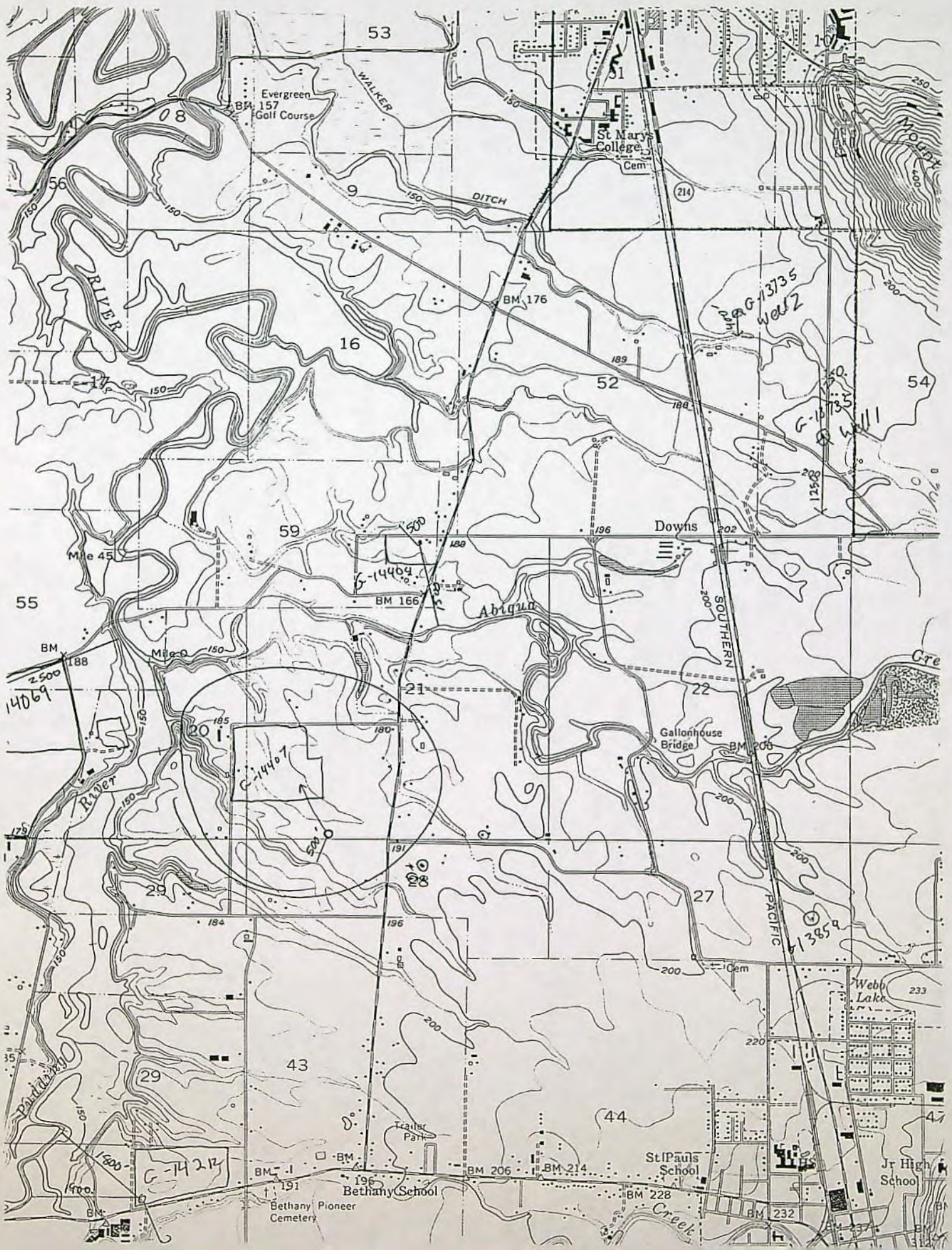
OCT - 7 1996

WATER RESOURCES DEPT.
SALEM, OREGON

4-B Farms - Jim Butsch

(12) WELL LOG FORMATIONS

Material	From	To	
Top Soil	0	1	
Clay soft brown	1	24	
Clay soft gray	24	43	
Clay, medium gray	43	47	
Cobbles-gravels-cemented	47	54	
Cobbles-clay brown	54	57	
Clay, medium gray	57	66	
Gravels, cemented	66	83	
Gravels large & fine sand	83	101	WB60
Gravels large cemented	101	130	
Sandy silt, stone gray	130	136	
Clay medium gray	136	174	
Clay silty green	174	180	
Clay sticky brown	180	310	
Clay sticky pee-size gravel, green	310	323	
Clay sticky gray	323	388	
Basalt broken gray	388	390	
Basalt medium black	390	398	
Basalt weathered & broken	398	402	
Basalt gray, medium hard	402	406	
Basalt gray & hard	406	456	
Basalt gray & broken w/green claystone seems	456	494	
Basalt gray & hard	494	520	
Basalt green & gray	520	533	WB
Basalt brown & gray fractured	533	558	
Basalt gray, fractured & hard	558	566	



County: MARION

Quad name & #: _____

REVIEW CHECKLIST

FOR G- 14407

- Appropriate parts of the stream index
- Estimated number of wells within a one-mile radius & identified types.
- State Observation wells within a five-mile radius.
- Verify that well log is in file. If not provide one.
- List groundwater permits within a five-mile radius with extraordinary conditions.

Number of wells: _____

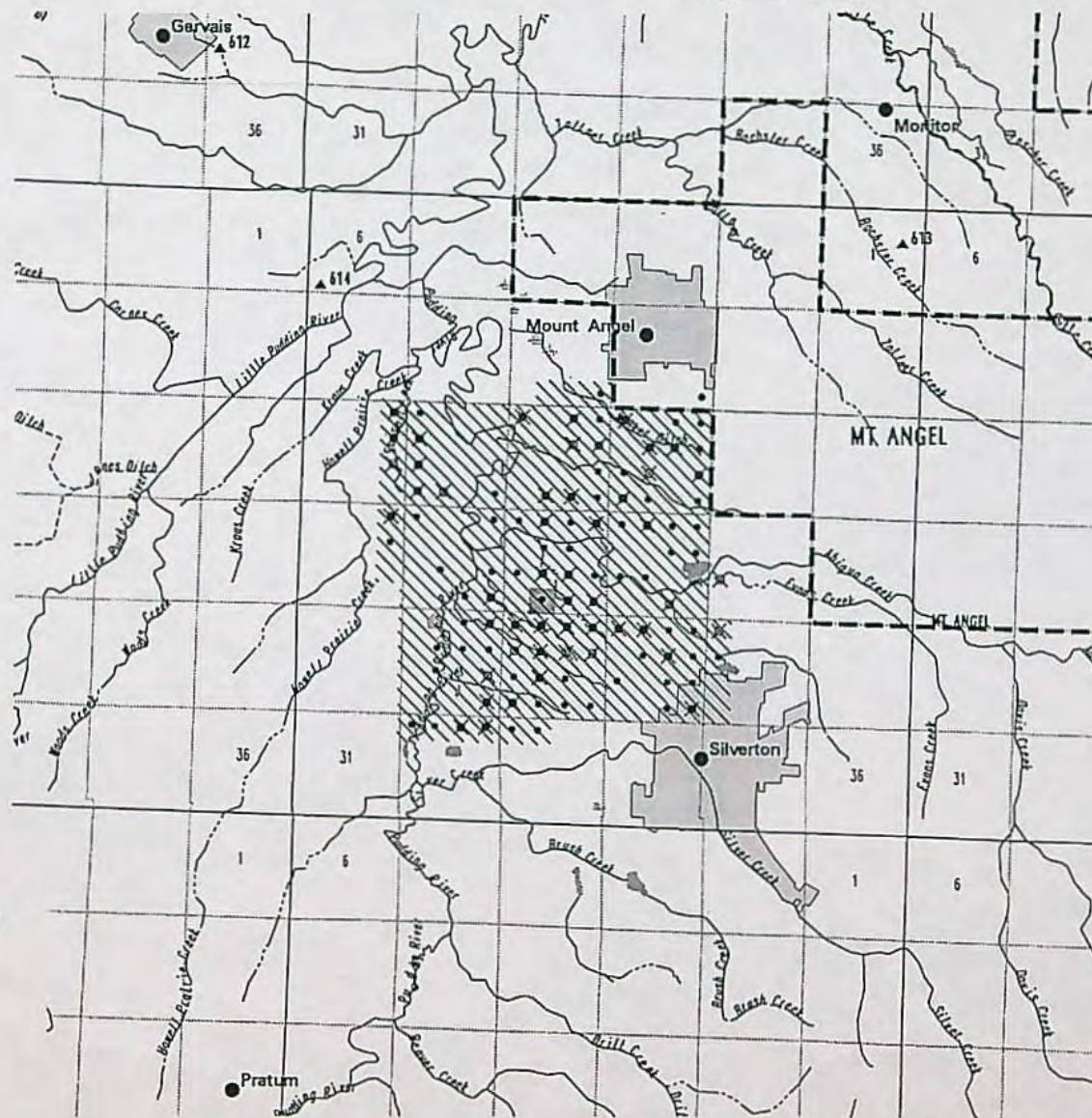
Well location: 065/01W/28 BB

APPLICATIONS WITH PERMIT CONDITIONS:

G-13306	G-13377	G-11943	G-12908
G-12276	G-13738	G-13285	G-12845
G-12527	G-12924	G-13385	G-13513
G-13361	G-13008	G-12161	G-13695
G-12411	G-12434	G-13161	G-12307
G-13290	G-12850	G-12829	G-13454
G-12407	G-12243	G-12217	
G-13204	G-13296	G-13333	
G-13314	G-12504	G-13064	
G-12388	G-12787	G-13261	
G-13696	G-13579	G-12363	
G-13590	G-12606	G-13210	
G-12147	G-13187	G-12288	
	G-13478	G-13247	

Wells in the vicinity of application G 14407

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



WELLS WITHIN 1 MILE OF G 14407

DO	105
ID	21
IM	7
IR	49
MO	4

PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 14407

PERMIT	T/R/S/QQ	USE	RATE	UNITS
GR 3758	6.00S 1.00W18NENE	IR	0.5134	C
G 7573	6.00S 1.00W16NWNW	IS	1.1000	C
G 11912	6.00S 1.00W16NWNW	IR	0.4800	C
G 3282	6.00S 1.00W16NWNE	IR	0.4000	C
G 1949	6.00S 1.00W15NWNW	IR	0.2000	C
GR 332	6.00S 1.00W15NWNW	IR	0.6696	C
G 4808	6.00S 1.00W18SENE	IR	1.2200	C
G 5587	6.00S 1.00W17SWNW	IR	0.5000	C
G 11961	6.00S 1.00W17SWNW	IR	0.6850	C
G 11961	6.00S 1.00W17SWNW	IR	1.0950	C
G 11961	6.00S 1.00W17SWNW	IS	0.6850	C
G 11961	6.00S 1.00W17SWNW	IS	1.0950	C
G 6718	6.00S 1.00W16SWNE	IR	0.2500	C
G 10632	6.00S 1.00W16SENE	IS	0.4800	C
G 11711	6.00S 1.00W15SENE	IR	1.0300	C
G 10828	6.00S 1.00W15SWNE	IC	2.1550	C
G 7299	6.00S 1.00W18NESE	IR	0.2000	C
G 7299	6.00S 1.00W18NESE	IS	1.7800	C
G 8023	6.00S 1.00W17NWSW	IR	0.7900	C
G 8023	6.00S 1.00W17NWSW	IS	0.3800	C
G 10828	6.00S 1.00W15NESW	IS	1.9000	C
G 5362	6.00S 1.00W15NESE	IR	1.2500	C
G 6748	6.00S 1.00W15NESE	IR	0.6400	C
G 6748	6.00S 1.00W15NESE	IS	0.3100	C
G 10828	6.00S 1.00W15NESE	IC	2.1550	C
G 4882	6.00S 1.00W17SWSW	IR	0.9400	C
G 4995	6.00S 1.00W17SESW	IM	2.7000	C
G 291	6.00S 1.00W16SESW	IR	0.0900	C
G 5677	6.00S 1.00W16SWSE	IR	0.0900	C
G 6749	6.00S 1.00W15SWSW	IR	1.0500	C
G 10828	6.00S 1.00W15SWSW	IR	0.5600	C
CG 5359	6.00S 1.00W19NENE	IS	0.1330	C
CG 5359	6.00S 1.00W19NENE	IS	1.3300	C
CG 6101	6.00S 1.00W19NENE	IR	0.4000	C
G 4070	6.00S 1.00W19NENE	IR	0.2800	C
G 5359	6.00S 1.00W19NENE	IS	1.3300	C
G 6101	6.00S 1.00W19NENE	IR	0.4000	C
G 11953	6.00S 1.00W19NENE	AG	2.6700	C
G 11953	6.00S 1.00W19NENE	IS	0.6000	C
GR 1172	6.00S 1.00W21NENW	IR	0.1116	C
G 9643	6.00S 1.00W22NENW	IS	0.2800	C
GR 2911	6.00S 1.00W22NENW	IR	0.0335	C
GR 2912	6.00S 1.00W22NENW	IR	0.3348	C
G 175	6.00S 1.00W21NESW	IR	0.1500	C
G 11885	6.00S 1.00W21NESW	IR	0.2300	C
G 1986	6.00S 1.00W21NWSE	IR	0.1100	C
G 3783	6.00S 1.00W22NESE	IM	0.6100	C
G 9522	6.00S 1.00W23NWSW	IS	0.7400	C
G 12049	6.00S 1.00W20SESE	IR	0.2400	C
G 2322	6.00S 1.00W21SWSE	IR	0.1200	C
G 3290	6.00S 1.00W21SWSE	IR	0.1300	C
G 2683	6.00S 1.00W21SESE	IR	0.1000	C
G 2765	6.00S 1.00W22SWSE	IR	0.5600	C
G 6218	6.00S 1.00W29NENE	IR	0.1500	C
G 6218	6.00S 1.00W29NENE	IS	0.2000	C

G	6442	6.00S	1.00W28NWNW	IR	1.0300	C
G	11947	6.00S	1.00W28NWNW	IR	0.2500	C
G	7783	6.00S	1.00W28NENW	IR	0.5000	C
GR	3403	6.00S	1.00W28NENE	IR	0.3125	C
GR	2370	6.00S	1.00W28NENE	IR	0.1875	C
G	2005	6.00S	1.00W27NWNW	IR	0.4200	C
G	2139	6.00S	1.00W27NWNW	IR	0.1700	C
G	5605	6.00S	1.00W27NWNW	IR	0.0800	C
G	1497	6.00S	1.00W27NENW	IR	0.2000	C
G	2765	6.00S	1.00W27NENW	IR	0.5600	C
G	11264	6.00S	1.00W27NENW	IR	0.2100	C
G	11844	6.00S	1.00W26NWNW	IS	1.3200	C
G	11946	6.00S	1.00W28SWNW	IR	0.2400	C
G	9932	6.00S	1.00W28SENE	IR	0.5500	C
G	2068	6.00S	1.00W28SWNE	IR	0.7800	C
G	2068	6.00S	1.00W28SWNE	IR	0.8200	C
G	6410	6.00S	1.00W28SENE	IR	0.5600	C
G	11434	6.00S	1.00W28SENE	IR	0.8929	C
G	10173	6.00S	1.00W27SWNE	IR	0.6700	C
G	11395	6.00S	1.00W27SWNE	IR	0.0500	C
G	11619	6.00S	1.00W29NESE	IR	0.3259	C
GR	4124	6.00S	1.00W28NESW	IR	0.3348	C
GR	24	6.00S	1.00W29SESE	ID	0.2232	C
G	6314	6.00S	1.00W28SWSW	IR	0.0900	C
G	5452	6.00S	1.00W27SESE	IR	0.1800	C
G	7941	6.00S	1.00W27SESE	IR	0.0600	C
G	11620	6.00S	1.00W32NENE	DB	0.1674	C
G	618	6.00S	1.00W32NENE	IR	0.3500	C
GR	1953	6.00S	1.00W32NENE	IR	0.2567	C

**Water Right Conditions
Tracking Slip**

Groundwater/Hydrology Section

FILE # G-14407
ROUTED TO: 65/1W/21
TOWNSHIP/
RANGE-SECTION:

CONDITIONS ATTACHED? Yes No

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: March Norton

RECEIVED

JAN 16 1998

**WATER RESOURCES DEPT.
SALEM, OREGON**

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-14407

Final Order

Application History

On November 12, 1996, JAMES BUTSCH submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on September 30, 1997. The protest period closed November 14, 1997, and no protest was filed.

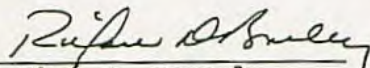
The proposed use would not impair or be detrimental to the public interest.

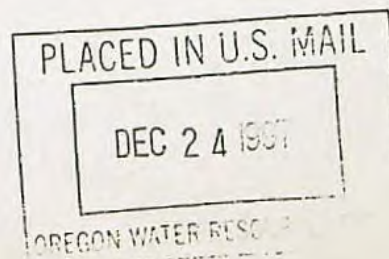
Order

Upon payment of outstanding permit recording fees, Application G-14407 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 \$ 166.00. 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-14407.

DATED December 15, 1997


Martha O. Pagel
Director



Appeal Rights

No changes have been made to the findings of the Proposed Final Order and no protests were filed during the protest period following the Proposed Final Order, therefore, there is no opportunity for appeal or judicial review of this final order (690-310-160(5)).

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JAMES BUTSCH
15234 BUTSCH LANE NE
MT ANGEL, OREGON 97362

(503)845-2485

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

APPLICATION FILE NUMBER: G-14407

SOURCE OF WATER: A WELL IN PUDDING RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 43.0 ACRES

MAXIMUM RATE: 0.537 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: NOVEMBER 12, 1996

POINT OF DIVERSION LOCATION: SE 1/4 SW 1/4, SECTION 21, T6S, R1W, W.M.;
70 FEET NORTH & 1470 FEET EAST FROM SW CORNER SECTION 21

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 2 ½ acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SE 1/4 4.2 ACRES
SE 1/4 SE 1/4 4.2 ACRES
SECTION 20

NW 1/4 SW 1/4 14.9 ACRES
SW 1/4 SW 1/4 19.7 ACRES
SECTION 21

TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, 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.

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.

- (1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:
 - (a) An average water level decline of three or more feet per year for five consecutive years; or
 - (b) A total water level decline of fifteen or more feet; or
 - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The water user shall install a meter or other measuring device suitable to the Director, and shall submit an annual report of water used to the Department by December 1 of each year.
- (3) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.
 - (a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.
 - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.
 - (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permittee/appropriator.

- (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
- (e) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

STANDARD CONDITIONS

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

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

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

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

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

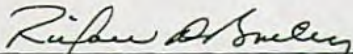
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

Actual construction of the well shall begin within one year from permit issuance. Complete application of water to the use shall be made on or before October 1, 2002.

Issued January 30 , 1998



Martha O. Pagel, Director
Water Resources Department

Application G-14407
Basin 02
RWK

Water Resources Department
Volume 13 PUDDING R
MGMT.CODE 7BG, 7BR, 7IG, 7IR

PERMIT G-13311
District 16

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-14407

Proposed Final Order

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

Application History

On November 12, 1996, JAMES BUTSCH submitted an application to the Department for the following water use permit:

- Amount of Water: 0.54 CUBIC FOOT PER SECOND (CFS)
- Use of Water: IRRIGATION OF 43.0 ACRES
- Source of Water: A WELL IN PUDDING RIVER BASIN
- Area of Proposed Use: MARION County within SECTION 20, SECTION 21, TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.

On 4/18/97, the Department mailed the applicant notice of its Initial Review, determining that "The use of 0.54 CUBIC FOOT PER SECOND from A WELL IN PUDDING RIVER BASIN for IRRIGATION OF 43.0 ACRES is allowable from March 1 to October 31 of each year." The applicant did not notify the Department to stop processing the application within 14 days of that date.

On 5/6/97, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.

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 Willamette Basin Program allows the following uses: IRRIGATION

A WELL IN PUDDING RIVER BASIN is not within or above a State Scenic Waterway.

An assessment of water availability has been completed by the Department's groundwater section. A copy of this assessment is in the file. This assessment determined that water is available for further appropriation MARCH 1 THROUGH OCTOBER 31.

The Department finds that no more than 0.537 CFS would be necessary for the proposed use. The amount of water requested, 0.54 CFS, shall be restricted to 0.537 CFS.

The Department determined, based upon OAR 690-09, that the proposed groundwater use will not have the potential for substantial interference with the nearest surface water source, namely Pudding River.

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 Willamette 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. 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.

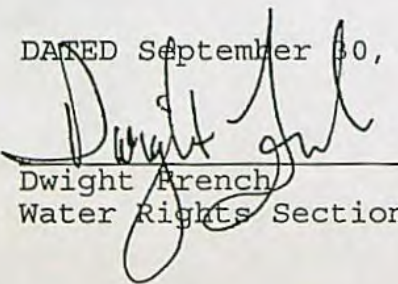
In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

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 September 30, 1997


Dwight French
Water Rights Section Manager

Protest Rights

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

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and
- If you are not the applicant, the \$200 protest fee required by ORS 536.050 and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting a contested case hearing. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the proposed final order.
- If you do not protest this Proposed Final Order and if no substantive changes are made in the final order, you will not have an opportunity for judicial review, protest or appeal of the final order when it is issued.

Your protest must be received in the Water Resources Department no later than November 14, 1997.

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

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

RWK-114

DRAFT

This is not a permit!!!
STATE OF OREGON

DRAFT

COUNTY OF MARION

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

JAMES BUTSCH
15234 BUTSCH LANE NE
MT ANGEL, OREGON 97362

(503)845-2485

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

APPLICATION FILE NUMBER: G-14407

SOURCE OF WATER: A WELL IN PUDDING RIVER BASIN WITHIN THE WILLAMETTE BASIN

PURPOSE OR USE: IRRIGATION OF 43.0 ACRES

MAXIMUM RATE: 0.537 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: NOVEMBER 12, 1996

POINT OF DIVERSION LOCATION: SE 1/4 SW 1/4, SECTION 21, T6S, R1W, W.M.;
70 FEET NORTH & 1470 FEET EAST FROM SW CORNER SECTION 21

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 2 1/2 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SE 1/4 4.2 ACRES
SE 1/4 SE 1/4 4.2 ACRES
SECTION 20

NW 1/4 SW 1/4 14.9 ACRES
SW 1/4 SW 1/4 19.7 ACRES
SECTION 21

TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a

Application G-14407 Water Resources Department

PERMIT DRAFT

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.

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.

- (1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:
 - (a) An average water level decline of three or more feet per year for five consecutive years; or
 - (b) A total water level decline of fifteen or more feet; or
 - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The water user shall install a meter or other measuring device suitable to the Director, and shall submit an annual report of water used to the Department by December 1 of each year.
- (3) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.
 - (a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.
 - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.
 - (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional

engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permittee/appropriator.

- (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
- (e) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

STANDARD CONDITIONS

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

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

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

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

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

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

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

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

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

Issued _____, 199_

DRAFT - THIS IS NOT A PERMIT


Water Resources Department
Director

PFO CHECKLIST

Application #: C 14407

Basin: 2 WILLAMETTE R WAB: _____

County MARION Township 65 Range 16W Section 20, 21 1/4 1/4 _____

- 1. Is the file complete by the Completeness Checklist? Y / N
- 2. Shortcomings (items needed before a permit and/or FO can be issued) Y / N
- 3. Check file for indicators that the process should not continue until a later date (ie - protest, letter to file indicating hold, or other)
- 4. Groundwater Review A B C D River/Stream Name PUGMILL R Conditions _____
 - a. Groundwater Availability A B C
 - b. Is second groundwater review necessary? (comments) Y / N
 - c. Is HB 1033 review complete? Y / N
- 5. If source is groundwater, is the well located in a groundwater limited area? (If applicable, include map with POD) Y / N
- 6. Is use from a B.O.R. project? Y / N Contract in file? Y / N Contract # _____
- 7. Is the use allowed by the Basin Program? Y / N Limited? Y / N _____
- 8. Water Availability Data OK / REDONE / NA (50% before July 17, 1992; 80% live flow & 50% storage after July 17, 1992)
- 9. Is the source withdrawn or limited by statute or Department withdrawal order? Y / N
- 10. Is the Proposed Use located in or above a Scenic Waterway? Y / N
- 11. Division 33: Above Bonn (after July 17, 1992) Y / N / NA
 Below Bonn (after April 8, 1994; June 3, 1994) Y / N / NA
 Statewide - (in shaded areas on T, E, and S Map - after June 3, 1994) Y / N / NA
- 12. Have conflicts been identified, verified and/or addressed? Y / N
- 13. Rate 180 Duty 2.5 Irrigation Season _____
- 14. Period of Allowed Use MARCH - OCT
- 15. Allowed Rate of Use 0.537
- 16. Is the use **Small** (≤ 0.1 cfs, ≤ 9.2 AF), **Medium** (> 0.1 or < 1.5 cfs, > 9.2 or < 100 AF) or **Large** (≥ 1.5 cfs, ≥ 100 AF)?
- 17. Conditions 7B, 7E
- 18. IR Public Notice Date 4/17/97 5/6/97 
- 19. Documents used in determination are attached and highlighted
- 20. Spell Check
- 21. Check for Accuracy
- 22. Final PFO report hard copy check (format, margins, etc.)
- 23. Final PFO has been saved to m:\groups\wr\pfo\done\week#\application #
- 24. Fill out PFO CC List (don't forget to check for other property owners)
 - a. Re-notify Water Availability? (Rate, Duty and Period of Allowed Use changes) Y / N

JAMES SCHUETTE
(CWRE)

Name: RANK

Date: 7/23/97

#10 LETT

RICHARD & PATRICIA AARHUS

7238 OVERLAND RD NE

SILVERTON, OR 97381

November, 1994

OREGON ADMINISTRATIVE RULES
WATER RESOURCES DEPARTMENT
CHAPTER 690
DIVISION 502
WILLAMETTE BASIN PROGRAM

[ED. NOTE: This Division was renumbered from OAR 690-080 by WRD 4-1992, f. & cert. ef. 3-13-92.]

Definitions

690-502-010 As used in this rule, unless the context requires otherwise:

(1) The Willamette Basin is as shown on Water Resources Department Map No. 2.6.

(2) "Agricultural Use" means non-irrigation agricultural use of water such as temperature control, chemigation, mineral leaching, dairy barn washing, greenhouse use, harvest use and other related uses.

(3) "Classification" or "Classified" means the allowed and preferred beneficial use(s) of a given surface or groundwater source for which future uses of water shall be permitted. Except as otherwise provided by the Commission, the Department shall not issue permits to appropriate, and no use shall be initiated of any of the surface or groundwaters of the Willamette Basin for any uses except those for which the waters are classified. A classification does not affect legal uses existing on the date of adoption or alteration of the classification.

(4) "Commission" means the Water Resources Commission.

(5) "Commercial Use" means use of water at a place where commodities or services are bought or sold or provided by an entity open to the public, such as a gas station, restaurant, motel, etc.

(6) "Department" means the Water Resources Department.

(7) "Director" means the Director of the Water Resources Department.

(8) "Domestic Use" includes domestic use, domestic use expanded and group domestic, as defined in OAR 690-11.

(9) "Fish Life Use" includes use of water to support natural or artificial propagation of fish and other aquatic life.

(10) "Groundwater Recharge" means the intentional addition of water to a groundwater reservoir where consistent with OAR 690-11.

(11) "Industrial Use" includes the use of water in the manufacture of a product and maintenance of industrial sites, facilities and buildings, and includes other related miscellaneous uses.

(12) "Irrigation Use" means the application of water to crops or plants by artificial means to promote growth or nourish plants.

(13) "Livestock Use" means the use of groundwater or diversion of water from the natural water course or storage of water for consumption by livestock or wildlife.

(14) "Mining Use" means the use of water to extract metals or minerals including placer mining as defined in OAR 690-11 and leaching operations.

(15) "Municipal Use" means the delivery and use of water through the water service system of an incorporated municipality or a nonprofit corporation and includes quasi-municipal uses as defined in OAR 690-11.

(16) "Pollution Abatement" means the use of water to remove or dilute pollutants or achieve water quality standards.

(17) "Power" means the use of water for electrical or mechanical power or for operation of a hydraulic ram where such uses are consistent with OAR 690-51.

(18) "Public Instream Use" means the public use of water where there is no diversion or other means of physical control over the water. Public instream uses include, but are not limited to, recreation, conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat, wetlands other than those referred to in section (21) of this rule and any other ecological values, pollution abatement or navigation.

(19) "Recreation Use" means the use of natural or stored water to provide recreation uses as defined in OAR 690-11.

(20) "Storage Season" means the time period during which reservoirs may be filled.

(21) "Wetland Enhancement" means the diversion or control of surface or groundwater for the purpose of mitigating, constructing, enhancing and/or maintaining wetlands.

(22) "Wildlife Use" includes use of water by or for sustaining wild animal species and their habitats.

Stat. Auth.: ORS 536.300 & 536.340

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

Policies

690-502-020 Water Resources Commission and Department activities which affect the waters of the Willamette River Basin shall be compatible with the policies established in this rule. Surface water allocation, groundwater management, municipal and domestic water systems, reservoir coordination, conservation and land use coordination are important issues in the Willamette Basin. The Commission's policies on these issues are as follows:

- (1) Surface water allocation:
 - (a) Protect undeveloped streams with instream values for public instream uses;
 - (b) Seek a balance in the future appropriation of water between instream and total out-of-stream uses on those streams already significantly developed for out-of-stream purposes;
 - (c) Preserve opportunities for future economic development by reserving water for future use;
 - (d) Minimize the likelihood of over-appropriation due to new uses;
 - (e) Manage stored waters which have been released for instream purposes to meet flow needs reflected in established instream water rights;
 - (f) Allow irrigation use for the longest period possible between March 1 and October 31 provided sufficient water is available.
- (2) Groundwater management:
 - (a) Prevent excessive water level declines, restore aquifer stability in areas of decline and preserve with limited storage capacity for designated uses;
 - (b) Identify low-yield aquifers and inform local agencies of probable groundwater capacity limitations for some uses;
 - (c) Ensure safe municipal and domestic groundwater supplies by participating with the Department of Environmental Quality and the State Health Division in a formal monitoring program to document changes in quality and provide data for aquifer management;
 - (d) Minimize impairment of surface water uses resulting from hydraulic connection between groundwater and surface water;
 - (e) Encourage the development of programs for making groundwater resource information available to the public and local agencies.
- (3) Municipal and domestic water systems: Support coordinated water service planning and consolidation by water purveyors to preserve and protect adequate and safe drinking water supplies for human consumption in the Willamette Basin.

(4) Reservoir coordination:

(a) Promote funding to study and implement the Willamette River Basin Review Study reconnaissance phase recommendations with significant potential to assist the state in meeting its resource management objectives;

(b) Formalize reservoir operation guidelines with the Corps of Engineers to meet state water management objectives and enter into a memorandum of understanding or other agreement that defines the reservoir coordination process and water management objectives.

(5) Water conservation:

(a) Implement programs to eliminate wasteful water use;

(b) Improve the efficiency of water use through implementation of voluntary conservation measures;

(c) Give priority to developing subbasin conservation plans and providing public assistance in areas of known over-appropriation of surface water and groundwater and in water quality problem areas as listed by the Department of Environmental Quality.

(6) Land use coordination: Promote effective state and local water resource planning and protection and efficient water use through coordination with land use programs.

Stat. Auth.: ORS 536.300 & 536.340

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

Objectives

690-502-030 The objectives of the Commission in managing the waters of Willamette Basin are to:

(1) Retain minimum perennial streamflows as provided in OAR 690-502-050 to 690-502-150 until the process for conversion to instream water rights is completed.

(2) Promote public instream uses and values in headwaters streams exhibiting high instream values.

(3) Meet public instream needs for fish life, wildlife, recreation and pollution abatement.

(4) Protect instream values in state scenic waterways as described in ORS 390.835 and support management of national wild and scenic rivers.

(5) Minimize the potential of future permits to over-appropriate water.

(6) Consider reservations for future uses within the context of planned and reasonably expected mixes of land uses and economic development in the basin or subbasin(s) consistent with the public interest. Establish reservations that provide for appropriate mix(es) of future uses as established by local or regional plans; e.g., comprehensive plans, water supply plans, economic development plans, urban reserves, and other relevant resource development and protection plans. Generally, design, condition or subordinate reservations such that water can be allocated to meet future municipal and irrigation needs without disadvantaging either use in a way that is consistent with the public interest.

(7) Coordinate with the Department of Environmental Quality in efforts to meet total maximum daily loads in designated drainages by limiting new surface water appropriations during the low-flow season and placing conditions on permits requiring efficiency measures. These drainages include, but are not limited to, the Coast Fork of the Willamette, Tualatin, Yamhill, Pudding, Rickreall Creek and Columbia Slough.

(8) Increase basinwide water use efficiency.

(9) Coordinate with the Northwest Power Planning Council in meeting the objectives of the "protected areas" designation when evaluating hydroelectric permit applications.

(10) Protect and encourage use of water which sustains economic development.

Stat. Auth.: ORS 536.220, 536.300, 536.310, 536.340, 536.410, 537.170, 537.356 & 537.358

Hist.: WRD 4-1992, f. & cert. ef. 3-13-92; WRD 12-1992, f. & cert. ef. 9-9-92

General Provisions

690-502-040 (1) Water availability: The classifications in OAR 690-502-050 through 690-502-150 limit access to natural streamflow during periods when remaining available supplies are insufficient to meet existing water rights and public instream uses 80 percent of the time. When improved water availability data show that there is insufficient natural flow to support a classification, any permit issued shall further restrict or condition the time of use to when water is available.

(2) Limited licenses: The uses of surface water for which limited licenses may be issued are prescribed in ORS 537.143(1). Applications for limited licenses may be accepted in the Willamette Basin unless expressly prohibited by statute, order of the State Engineer or the Commission, or by the classifications in OAR 690-502-050 through 690-502-150.

(3) Surface water applications: Applications to use surface water filed after April 18, 1991, shall be processed under the classifications established in OAR 690-502-050 through 690-502-150. Applications filed on or before April 18, 1991, shall be processed under the classification in effect at the time of the application.

(4) Storage:

(a) Unless expressly prohibited by statute, order or administrative rule, the surface waters of the Willamette River and tributaries are classified for storage from November 1 to June 30. A storage permit may be issued for a shorter time period and/or conditioned based on water availability or compatibility with other uses and needs;

(b) Secondary applications to maintain reservoir levels throughout the year may be processed if the proposed use is consistent with the classification;

(c) Water legally stored may be released or used at any time for any beneficial purpose, such as domestic, livestock, irrigation (during the irrigation season as specified in section (6) of this rule), agricultural, commercial, municipal, industrial, power, mining, recreation, fish life, wildlife, pollution abatement, wetland enhancement, public instream uses and uses allowed under a limited license.

(5) Groundwater recharge: Use of surface water to recharge groundwater shall be subject to the same limitations and season as specified in section (4) of this rule. Use of groundwater from one aquifer to recharge another shall be allowed only if consistent with the classification of the providing aquifer as specified in OAR 690-502-160.

(6) Expanded irrigation season: Unless expressly limited by statute, court decree, order, administrative rule (including classification, except for use of stored water), water availability or any other permit condition, an irrigation season of March 1 to October 31 shall apply to future permits for primary and supplemental irrigation.

(7) Conservation: The Department shall require that special conservation and water use efficiency conditions be employed when permitting the use of water from the Columbia River Basalt Group, low-yield aquifers and water quality limited streams.

Stat. Auth.: ORS 536.220, 536.300, 536.310, 536.340, 536.410, 537.170, 537.356 & 537.358

Hist.: WRD 4-1992, f. & cert. ef. 3-13-92; WRD 12-1992, f. & cert. ef. 9-9-92

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

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

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

Stat. Auth.: ORS 536.300 & 536.340

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

Groundwater Classifications and Conditions

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

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

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

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

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

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

Resources Commission which shall indicate the steps for obtaining an alternate long-term water supply.

(C) Except as provided in paragraph (B) of this subsection, groundwater from the basalt aquifers in the Sherwood-Dammasch-Wilsonville Groundwater Limited Area as described and shown in Exhibit 6 is classified for exempt uses only;

(B) Groundwater applications G-12155 (City of Sherwood) and G-13353 (Manke Lumber Co.) shall be processed according to the classifications in effect on the date the application was filed. Permits shall contain the Special Permit Conditions specified in Section (3) of this rule.

(d) Groundwater in the basalt aquifers in the Chehalem Mountain, Eola Hills and South Salem Hills Groundwater Limited Areas is classified for exempt uses, irrigation and rural residential fire protection systems only. Permits may be issued, for a period not to exceed five years, for fire protection and for drip or equally efficient irrigation provided the Director finds the proposed use and amount do not pose a threat to the groundwater resource or existing permit holders. The amount of water used for irrigation shall be further limited to one acre-foot per acre per year. Permits may be extended for additional five-year periods if the Director finds that the groundwater resource can probably support the extended use. Applications may be rejected or permit or certificate extensions may be denied if the aquifer displays any of the adverse impacts defined in OAR 690-08:

(A) The Chehalem Mountain Groundwater Limited Area is as described and shown in Exhibit 8. The Eola Hills Groundwater Limited Area is as described and shown in Exhibit 10. The South Salem Hills Groundwater Limited Area is as described and shown in Exhibit 11;

(B) Groundwater applications pending on October 4, 1991 shall be processed according to the classifications in effect on the date the application was filed. Permits may be issued for a period not to exceed five years and shall contain the Special Permit Conditions specified in section (3) of this rule. Permits may be extended for additional five-year periods if the Director finds that the groundwater resource can probably support the extended use. Applications submitted after October 4, 1991 shall be processed according to the requirements of these rules and classifications. Within two years of permit issuance, the applicant shall prepare a plan for the Water Resources Commission which shall indicate the steps for obtaining an alternate long-term water supply;

(e) Groundwater — Surface water hydraulic connection: These rules are in addition to the requirements of OAR 690-09. Groundwater in unconfined alluvium within 1/4 mile of the banks of a stream or surface water source is presumed to be in hydraulic connection with the surface water source, unless the applicant or appropriator provides satisfactory information or demonstration to the contrary. This hydraulically connected groundwater shall be classified the same as the surface source. This section shall not apply to those groundwater uses exempted by ORS 537.545. Notwithstanding such classification, permits may be issued for the use of water from a well in an unconfined aquifer that is hydraulically connected to groundwater, within a quarter mile of a stream, provided that surface water impacts are mitigated through storage releases.

(3) Special Columbia River Basalt Group Aquifer Permit Conditions: New permits issued to appropriate groundwater from Columbia River Basalt Group aquifers shall be specially conditioned. The conditions shall specify:

(a) A static water level measurement be made and submitted before any use of water may commence at the well;

(b) The permittee/appropriator install a meter or other suitable measuring device approved by the Director and submit an annual report of water used to the Department;

(c) Limits on acceptable amounts of depletion and interference with other users;

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-14407

Final Order

Application History

On November 12, 1996, JAMES BUTSCH submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on September 30, 1997. The protest period closed November 14, 1997, and no protest was filed.

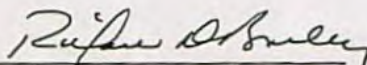
The proposed use would not impair or be detrimental to the public interest.

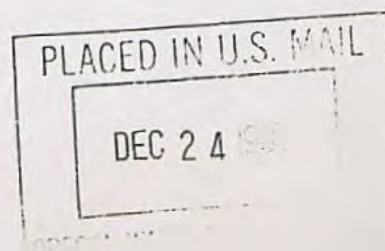
Order

Upon payment of outstanding permit recording fees, Application G-14407 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 \$ 166.00. 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-14407.

DATED December 15, 1997


Martha O. Pagel
Director



Appeal Rights

No changes have been made to the findings of the Proposed Final Order and no protests were filed during the protest period following the Proposed Final Order, therefore, there is no opportunity for appeal or judicial review of this final order (690-310-160(5)).

STATE OF OREGON

COUNTY OF MARION

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

JAMES BUTSCH
15234 BUTSCH LANE NE
MT ANGEL, OREGON 97362

(503)845-2485

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

APPLICATION FILE NUMBER: G-14407

SOURCE OF WATER: A WELL IN PUDDING RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 43.0 ACRES

MAXIMUM RATE: 0.537 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: NOVEMBER 12, 1996

POINT OF DIVERSION LOCATION: SE 1/4 SW 1/4, SECTION 21, T6S, R1W, W.M.;
70 FEET NORTH & 1470 FEET EAST FROM SW CORNER SECTION 21

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 2 1/2 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SE 1/4 4.2 ACRES

SE 1/4 SE 1/4 4.2 ACRES

SECTION 20

NW 1/4 SW 1/4 14.9 ACRES

SW 1/4 SW 1/4 19.7 ACRES

SECTION 21

TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, 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.

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.

- (1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:
 - (a) An average water level decline of three or more feet per year for five consecutive years; or
 - (b) A total water level decline of fifteen or more feet; or
 - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The water user shall install a meter or other measuring device suitable to the Director, and shall submit an annual report of water used to the Department by December 1 of each year.
- (3) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.
 - (a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.
 - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.
 - (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permittee/appropriator.

- (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
- (e) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

STANDARD CONDITIONS

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

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

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

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

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

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

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

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

Actual construction of the well shall begin within one year from permit issuance. Complete application of the water to the use shall be made on or before October 1, 2002.

Issued _____, 199_

DRAFT - THIS IS NOT A PERMIT

Martha O. Pagel, Director
Water Resources Department

IR CHECKLIST

Application #: G 14407 Vol _____ Subbasin _____
Basin: 2 WAB: N/A POU-WAB: N/A
Township 6S Range 1W Section 20 + 21 1/4 1/4 _____

- 1. Completeness checklist verified. Y / (N) or No Checklist
- 2. Indicators that the process should not continue (ie - protest, items missing, letter to file indicating hold, or other) Y / (N)
- 3. Groundwater review A (B) C D _____
a. Is the well located in a groundwater limited area? Y / (N)
- 4. SWW Y / (N) Triage Y / (N) conditions/restrictions Y / (N)
- 5. Basin Program limitations? Y / (N)
- 6. Withdrawn? Y / (N) season allowed _____
- 7. Basin Maps have been checked. (Y) N The River Mile is _____
- 8. Water Availability (50% < July 17, 1992 ** 80% [50% storage] > July 17, 1992) (N/A)
- 9. Rate/Duty/Season 1/80th + 2 1/2
- 10. Use IR 43 acres Period of Allowed Use _____
- 11. Priority Date(s) 11-12-96
- 12. B.O.R. project Y / (N) contract # _____
- 13. TMDL Basin? Y / (N) (Tualatin, Yamhill, Pudding) DIVISION 33 Y / (N) New or Old? Map Date _____
- 14. Conflicts (Y) N MM recommendation: IGNORE MAPPING OVERLAP - C&F.
MINOR CONFLICT w/ LOCATION OF FENCE w/ G-13590 MAP ATTACHED
- 15. Conditions? (BOR, GW, other) (Y) N 7B + 7I
- 16. Land use approval (OK'd) needs approval county notified NA
- 17. Watermaster Dist: (1 2 (16) 18 (NWR) (3 4 5 - NCR) (6 8 9 10 - ER) (11 12 17 - SCR) (14 15 19 - SWR)
- 18. Letter will be (Good) Limited Bad Bad w/IRshort because _____

7B + 7I

Name: DWF Date: 4/8/97

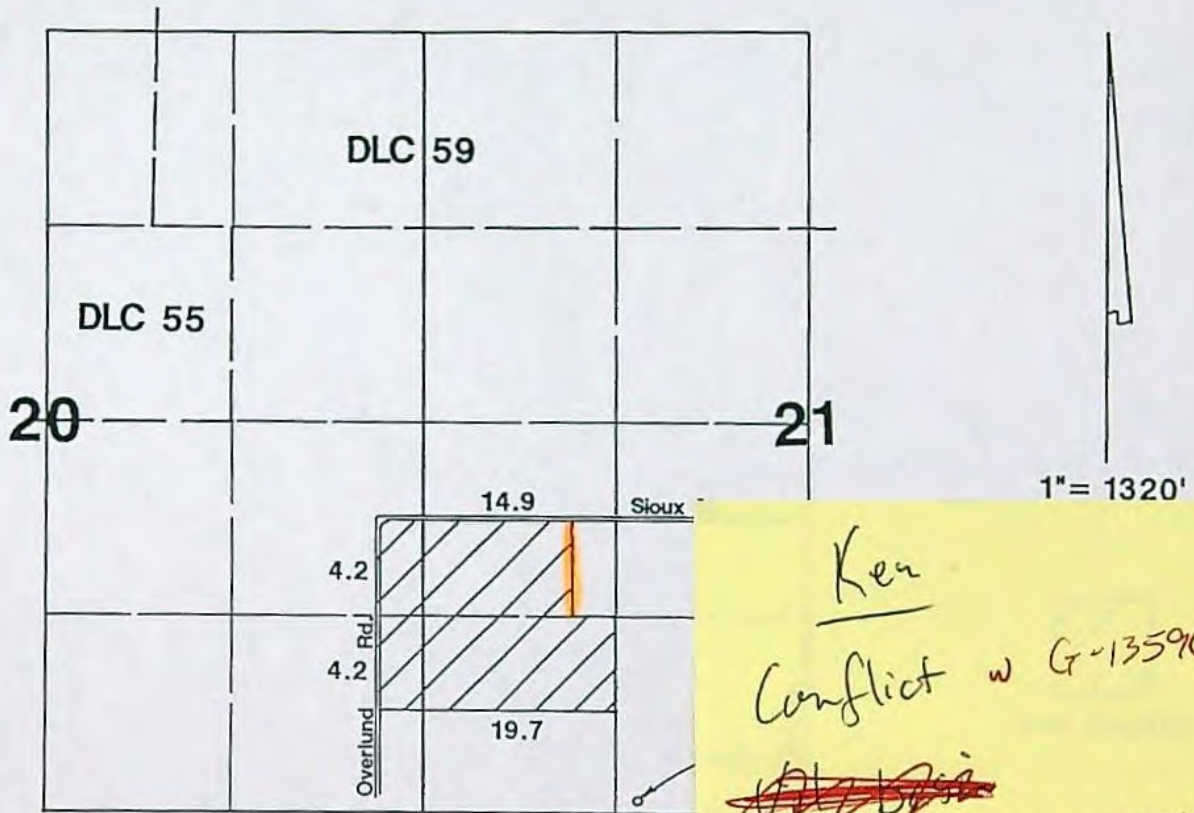
WORK COPY

T.6S., R.1W., W.M.

RECEIVED

NOV 12 1996

WATER RESOURCES DEPT.
SALEM, OREGON



Well located 70'N & 1470'E from SW corner Secti

Ken
 Conflict w G-13590
~~W/13590~~
 SM. ERROR EXISTS
 W/ LOCATION OF FENCE
 LINE I BELIEVE
 (D)

Ignore potential
 conflict
 w/ G-13590
 for now - Not of final proof
 MM 4/11/97

Application Map

James Butsch

Application #: G-14407 Permit #:

THIS MAP WAS PREPARED FOR THE PURPOSE OF
 IDENTIFYING THE LOCATION OF A WATER RIGHT
 ONLY AND IS NOT INTENDED TO PROVIDE LEGAL
 DIMENSIONS OR LOCATION OF PROPERTY
 OWNERSHIP LINES.



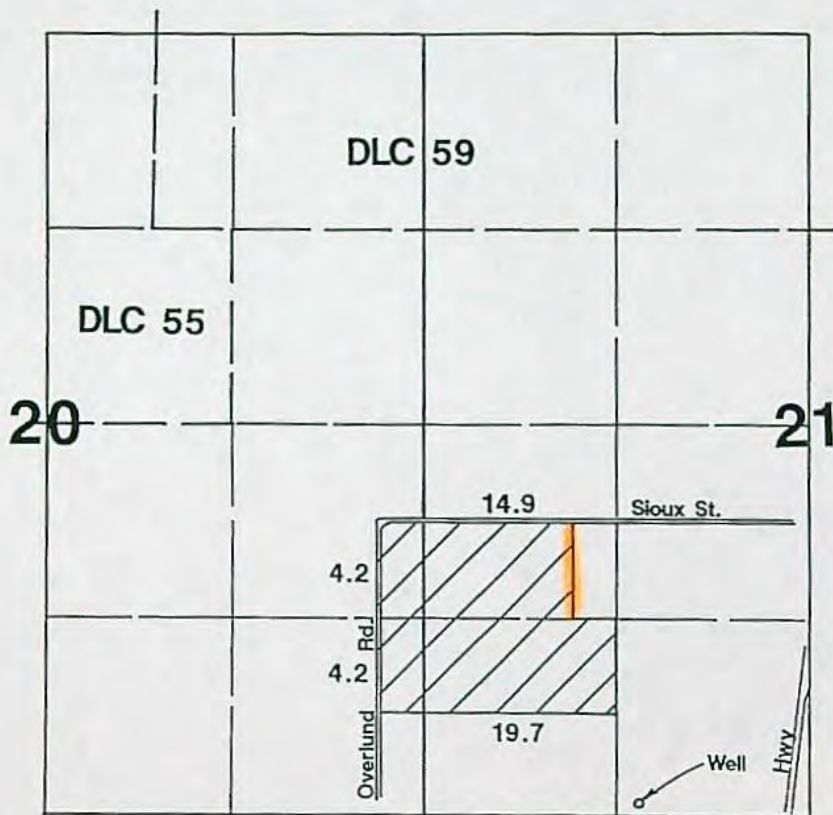
WORK COPY

T.6S., R.1W., W.M.

RECEIVED

NOV 12 1996

WATER RESOURCES DEPT.
SALEM, OREGON



Well located 70'N & 1470'E from SW corner Section 21.

Ignore potential conflict with G-13590 for now - Not of final proof NM 4/11/97

Application Map

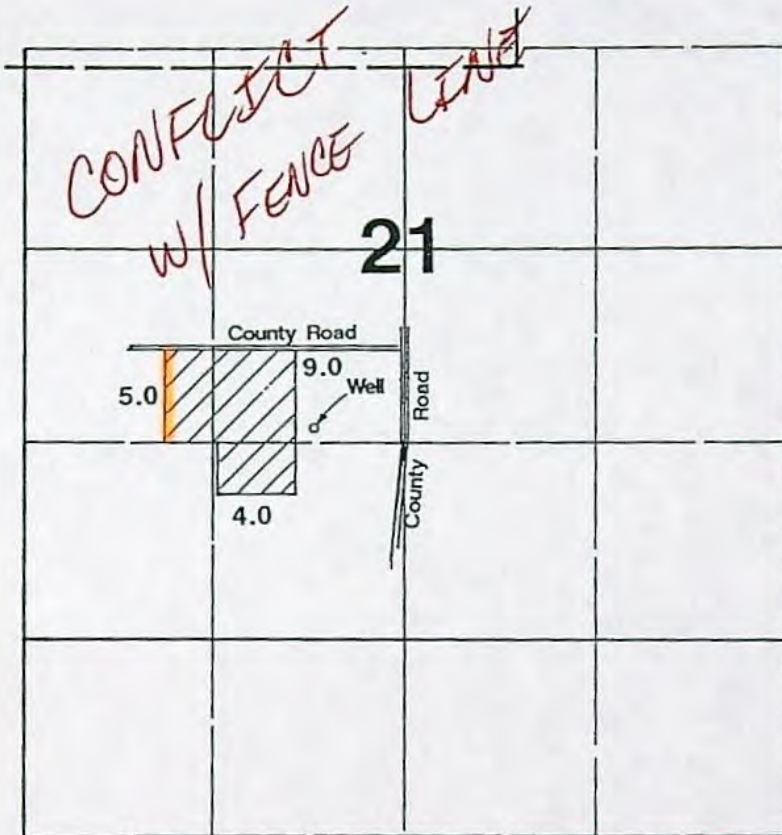
James Butsch

Application #: G-14407 Permit #:

THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.



T.6S., R.1W., W.M.



Well located 1250'S & 660'W from center of Section 21.

Application Map

Robert Ditchen

Application #: G-13590

Permit: G11885



THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

RECEIVED
DEC 30 1992
REP RESOURCES DEPT
SALEM, OREGON

APP. NO. / PERMIT NO.	CERT NO.	GOV'T LOT DLC	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
T 6471 CG 5359	0 V	DLC 59		3.00 (IR) (S)															
		DLC 55						25.10 (IR) (S)											
		DLC 55		8.50 (IR) (S)															
		DLC 55							32.40 (IR) (S)										
T 6471 CG 6101	0 V	LOT 3												0.14 (IR)					
		DLC 55							4.50										

APP. NO. / PERMIT NO.	CERT NO.	GOV'T LOT DLC	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
		DLC 55																	
G 4310 G 4070	39904 V	DLC 55								28.70 (IR)									
		DLC 55							2.70 (IR)										
		DLC 55								4.60 (IR)									
<i>NCR</i> G 7098 G 6442	72222 V																		1.10 (IR)
<i>NCR</i> G 13621 G 11947	0 V																		3.60 (IR)
G 12388 G 11953	0 V			1.40 (IR) (S)				5.00 (IR) (S)	6.40 (AG)		19.70 (IR) (S)								

APP. NO. / PERMIT NO.	CERT NO.	GOV'T LOT DLC	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
S 18283 S 13931	14490 V	LOT 1												1.80 (IR)					
		DLC 42												0.70 (IR)					
		LOT 2																	
		LOT 1													4.70 (IR)				
																	1.80 (IR)		
															5.70 (IR)				5.30 (IR)
S 18880 S 14385	15114 V	DLC 55			6.00 (IR)														
		LOT 2												1.20 (IR)					

Continuing with Township 6.00 S Range 1.00 W SECTION 20

APP. NO. / PERMIT NO.	CERT NO.	GOV'T LOT DLC	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
S 18880 S 14385	15114 V	DLC 42												5.90 (IR)					
		LOT 1																	6.90 (IR)
S 18840 S 14475	35912 V	DLC 55		0.50 (IR)															
		DLC 59		7.60 (IR)															
		DLC 55			0.20 (IR)														
		DLC 59	12.30 (IR)																
S 19361	15169 V	DLC 42												0.50					

Press <RETURN> to continue on 20

APP. NO. / PERMIT NO.	CERT NO.	GOV'T LOT DLC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
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APRIL 18, 1997

JAMES BUTSCH
15234 BUTSCH LANE NE
MT ANGEL, OREGON 97362

Reference: File G-14407

Dear Applicant:

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

This letter is to inform you of the status of your application for water use. Based on the information you have supplied, the Water Resources Department has reached the following conclusions:

Initial Review Determinations:

1. Your application is complete and not defective.
2. The proposed use is not prohibited by law or rule.
3. The use of groundwater for IRRIGATION OF 43.0 ACRES is allowed under OAR 690-502-160(2), the Willamette Basin Program.
4. Water in the amount of 0.54 CUBIC FOOT PER SECOND for IRRIGATION OF 43.0 ACRES is available March 1 through October 31.

Summary of Initial Determinations

The use of 0.54 CUBIC FOOT PER SECOND from A WELL IN PUDDING RIVER BASIN for IRRIGATION OF 43.0 ACRES is allowable from March 1 to October 31 of each year.

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

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



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

To Proceed With Your Application:

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

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by MAY 2, 1997. For your convenience you may use the enclosed "STOP PROCESSING" form.

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

1. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, 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.
2. You will be required to comply with state and federal water quality standards.
3. The priority date for this application is November 12, 1996.
4. 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.

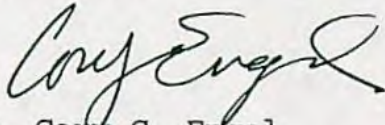
5. (1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:
 - (a) An average water level decline of three or more feet per year for five consecutive years; or
 - (b) A total water level decline of fifteen or more feet; or
 - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The water user shall install a meter or other measuring device suitable to the Director, and shall submit an annual report of water used to the Department by December 1 of each year.
- (3) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.
 - (a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.
 - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.
 - (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permittee/appropriator.
 - (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
 - (e) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of

measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

If you have any questions:

Feel free to call me at (503) 378-8455 or 1 (800) 624-3199 extension 457 if you have any questions. Please have your application number available if you call.

Sincerely,



Mr. Cory C. Engel
Initial Reviewer

cc: Regional Manager, Watermaster District 16,
Water Availability Section
enclosures: Flow Chart of Water Right Process
Stop Processing Form

RECEIVED

NOV 12 1996

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. G-14407

State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Groundwater

Applicant(s) JAMES BUTSCH
(Please print or type - use dark ink)

Mailing Address: 15234 BUTSCH LANE NE
Mt. Angel OREGON 97362 503-845-2485
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: _____
Elevation difference between streambed and development: _____

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

(SEE ATTACHED WELL LOG)

Diameter of well: _____ Depth in feet: _____
Type and size of well casing: _____ No. of feet: _____
Estimated depth to water: _____
Type of access port or measuring device: _____
Wells to be drilled by: _____
Address: _____

If the water well is flowing artesian, describe your water control and conservation works: _____

2. TOTAL AMOUNT OF WATER to be applied to beneficial use: 0.54 cubic feet per second, OR 240.0 gallons per minute. If water is to be used from more than one groundwater source, give the quantity of water from each: _____

3. INTENDED USE(s) OF WATER: IRRIGATION

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

If for DOMESTIC use, state the number of households to be supplied; _____

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

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

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

Irrigation 43.0 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).

60 HP L.S. TURBINE PUMP

Above Grd 6" mainline & handlines

5. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin STARTED

Proposed date construction work will be completed OCT 1, 1998

Proposed date water use will be completed OCT 1, 1999

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? NO. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

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

REMARKS: RICHARD & PATRICIA AARHUS
SILVERTON, OREGON
tele 873-5734

I/We certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge:

[Signature] _____ 11-12-96 _____
Signature Date

Signature Date

RECEIVED

NOV 12 1996

WATER RESOURCES DEPT.
SALEM, OREGON

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

_____, 19__.

WITNESS my hand this _____ day of _____, 19__.

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 12th day of NOVEMBER, 1996, at 1:45 o'clock, P. M.

APPLICATION NO: G-14407

9/10 / 1997

Application File # G-14407

Att.

Laura K Snedaker.

Richard & Patricia Aarhus

7238 Overland Rd NE

Silverton, Ore. 97381

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

1. Addressee's Address
2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

James Butsch
15234 Butsch Lane NE
Mt. Angel, OR 97362

n G-14407

4a. Article Number

P56615

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 |

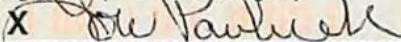
7. Date of Delivery

9-2-97

5. Received By: (Print Name)

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

6. Signature (Addressee or Agent)

X 

Thank you for using Return Receipt Service

UNITED STATES POSTAL SERVICE



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

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

WATER RESOURCES DEPARTMENT
158 12th ST NE
SALEM OR 97310





Oregon

John A. Kitzhaber, M.D., Governor

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

CERTIFIED MAIL
Return Receipt Requested

September 2, 1997

James Butsch
15234 Butsch Lane NE
Mt. Angel, Oregon 97362

RE: Application File # G-14407

Dear Mr. Butsch:

On **April 18, 1997**, an Initial Review was sent from the Department. Based upon further review of your application, the Department is requesting additional information necessary to complete your application for water use. The following information must be received:

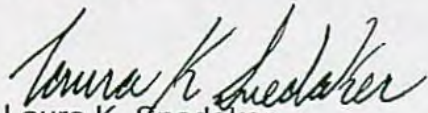
- ▶ The complete mailing address of Richard and Patricia Aarhus, identified in your application as another property owner involved in the proposed development.

If there are other additional property owners involved in the proposed development please submit their names and complete mailing addresses as well. Also include whether you have written authorization or easements permitting access to these lands, if necessary.

Please submit this item by **September 16, 1997**. If we do not receive the item requested above by this date, we **may** reject your application consistent with ORS 537.153. If your application is rejected, any fees submitted in excess of the examination fee will be refunded; however, the examination fee is non-refundable and will not be returned. In addition, the priority date associated with your application will be lost.

Should you have any questions regarding your application or the required materials listed above, or if you need to request an extension of time, please call me personally at 1-800-624-3199, extension 331.

Sincerely,

A handwritten signature in cursive script that reads "Laura K. Snedaker".

Laura K. Snedaker
Senior Water Rights Examiner

cc: Bill Ferber, Watermaster District 16
James Schuette, CWRE

July 11-22-96

Water Right Conditions
Tracking Slip

Groundwater/Hydrology Section

FILE # G-14407

ROUTED TO: 65/1W/21

TOWNSHIP/
RANGE-SECTION: _____

CONDITIONS ATTACHED? Yes No

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: March Norton

TO: Water Rights Section 11/25, 1996
 FROM: Groundwater/Hydrology Section Maura Norton
 SUBJECT: Application G- 14407 Reviewer's Name

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE W. Hamette Basin rules, one or more of the proposed POA's ~~is~~ is not within _____ feet/mile of a surface water source (_____) and taps a groundwater source hydraulically connected to the surface water.

2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
 - a. ___ will, or _____ have the potential for substantial interference with the nearest
 - b. will not surface water source, namely Padding; or
 - c. ___ will if properly conditioned, adequately protect the surface water from interference:
 - i. ___ The permit should contain condition #(s) _____;
 - ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. ___ The permit should be conditioned as indicated in item 4 below; or
 - d. ___ will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
 - a. ___ will, or _____ likely be available in the amounts requested without injury to prior rights
 - b. ___ will not and/or within the capacity of the resource; or
 - c. will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
 - i. The permit should contain condition #(s) 7B, 7E;
 - 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:
- a. ___ review of the well log;
 - b. ___ field inspection by _____;
 - c. ___ report of CWRE _____;
 - d. ___ other: (specify) _____

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

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

8. THE WELL
- a. ___ was, or _____ constructed according to the standards in effect at the time of
 - b. ___ was not _____ original construction or most recent modification.
 - c. ___ I don't know if it met standards at the time of construction.

RECOMMENDATION:

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

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

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

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

_____, 199__
(Signature)

WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Groundwater/Hydrology
FROM: Marc Norton
SUBJECT: Groundwater Application G- 14407

Date 11/25/96

Applicants(s) seek 240 gpm (0.54 cfs) from one wells in the
Butsch Irrigation W. Yamette basin
Pudding sub basin
sub basin

Pertinent 7 1/2 - minute quads Silverton

MARI
Well WRD# 51006 T6S R14 S21 QQ CDC County Marion

Legal Description
Well is 500 ft from UnNamed Tributary to Pudding (river/stream)
Well is ft from (river/stream)
Well Elevation 195 ft River/Stream elevation 180 ft.
Well Elevation - River/Stream elevation 15 ft.
Well depth 566 ft SWL 53.4 ft on 9/26/96
Sealed to Split Seal to 395.5 ft Depth first water found 83 ft
Cased to 395.5 ft Perforations/screens ft
Lined to ft Perforations/screens ft
Well test and types 800 GPM @ 140 of dd for 1 hr
(Confined/Semi-confined/Unconfined) Direct hydraulic connection? YES (NO)
Potential to cause substantial interference? NO

Well WRD# T R S QQ County
Legal Description
Well is ft from (river/stream)
Well is ft from (river/stream)
Well Elevation ft River/Stream elevation ft.
Well Elevation - River/Stream elevation ft.
Well depth ft SWL ft on
Sealed to ft Depth first water found ft
Cased to ft Perforations/screens ft
Lined to ft Perforations/screens ft
Well test and types
(Confined/Semi-confined/Unconfined) Direct hydraulic connection? YES / NO
Potential to cause substantial interference?

Conditioned water rights in area: Basalt Well
Other nearby water rights of record:
Density of nearby wells:

Comments: ~ 2 miles SW of Mt Angel G.W. Limited Area

References Used:

RECEIVED

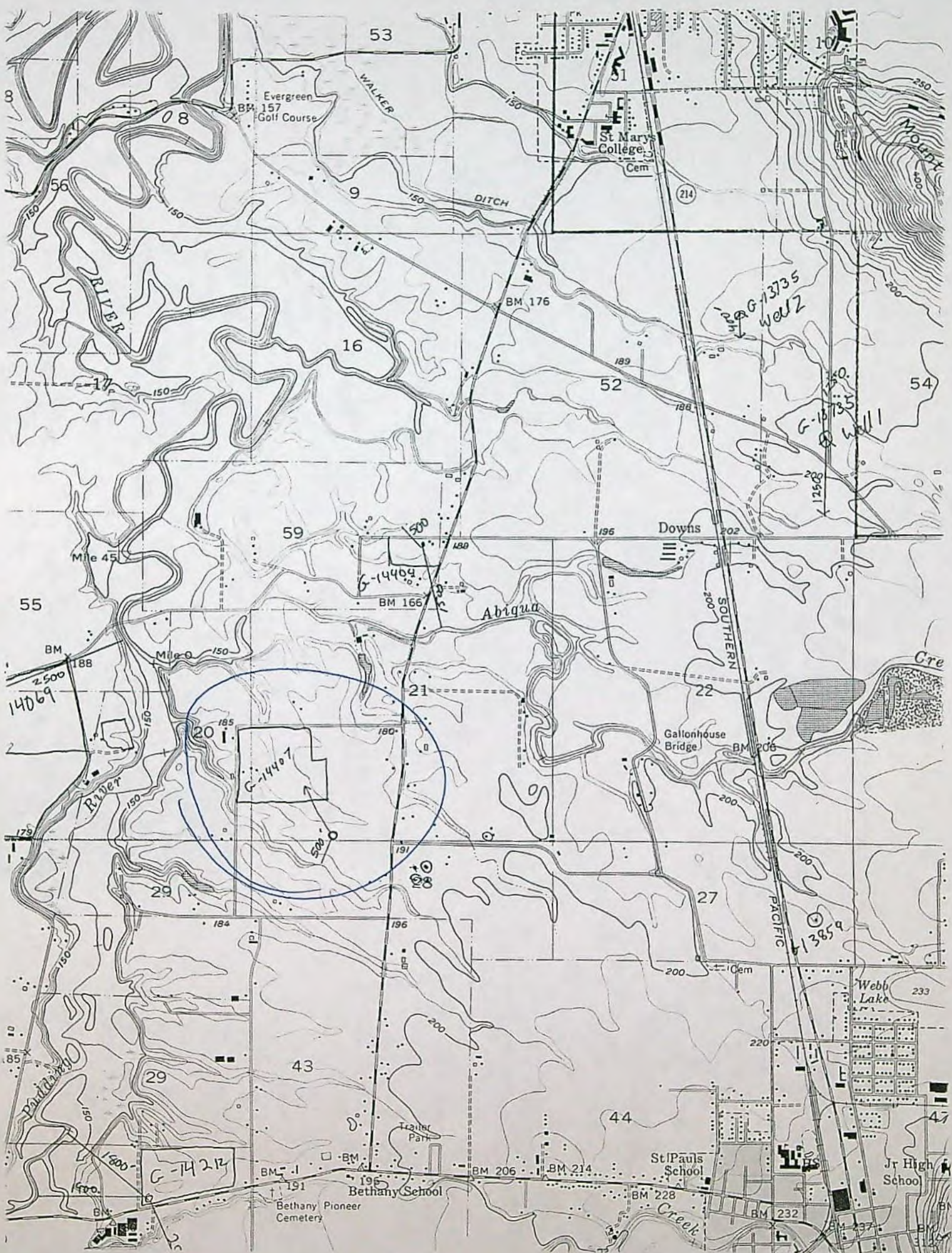
OCT - 7 1996

WATER RESOURCES DEPT.
SALEM, OREGON

4-B Farms - Jim Butsch

(12) WELL LOG FORMATIONS

Material	From	To	
Top Soil	0	1	
Clay soft brown	1	24	
Clay soft gray	24	43	
Clay, medium gray	43	47	
Cobbles-gravels-cemented	47	54	
Cobbles-clay brown	54	57	
Clay, medium gray	57	66	
Gravels, cemented	66	83	
Gravels large & fine sand	83	101	WB60
Gravels large cemented	101	130	
Sandy silt, stone gray	130	136	
Clay medium gray	136	174	
Clay silty green	174	180	
Clay sticky brown	180	310	
Clay sticky pee-size gravel, green	310	323	
Clay sticky gray	323	388	
Basalt broken gray	388	390	
Basalt medium black	390	398	
Basalt weathered & broken	398	402	
Basalt gray, medium hard	402	406	
Basalt gray & hard	406	456	
Basalt gray & broken w/green claystone seems	456	494	
Basalt gray & hard	494	520	
Basalt green & gray	520	533	WB
Basalt brown & gray fractured	533	558	
Basalt gray, fractured & hard	558	566	



Evergreen
BM 157
Golf Course

St Marys
College
Cem

Mount

Abiqua
River

DITCH

G-13735
well

Abiqua

Downs

SOUTHERN
PACIFIC

Gallonhouse
Bridge

Cre

G-14407

G-13859

Webb
Lake

Bethany School

St Pauls
School

Jr High
School

Bethany Pioneer
Cemetery

Creek

County: MARION

Quad name & #: _____

REVIEW CHECKLIST

FOR G- 14407

- Appropriate parts of the stream index
- Estimated number of wells within a one-mile radius & identified types.
- State Observation wells within a five-mile radius.
- Verify that well log is in file. If not provide one.
- List groundwater permits within a five-mile radius with extraordinary conditions.

Number of wells: _____

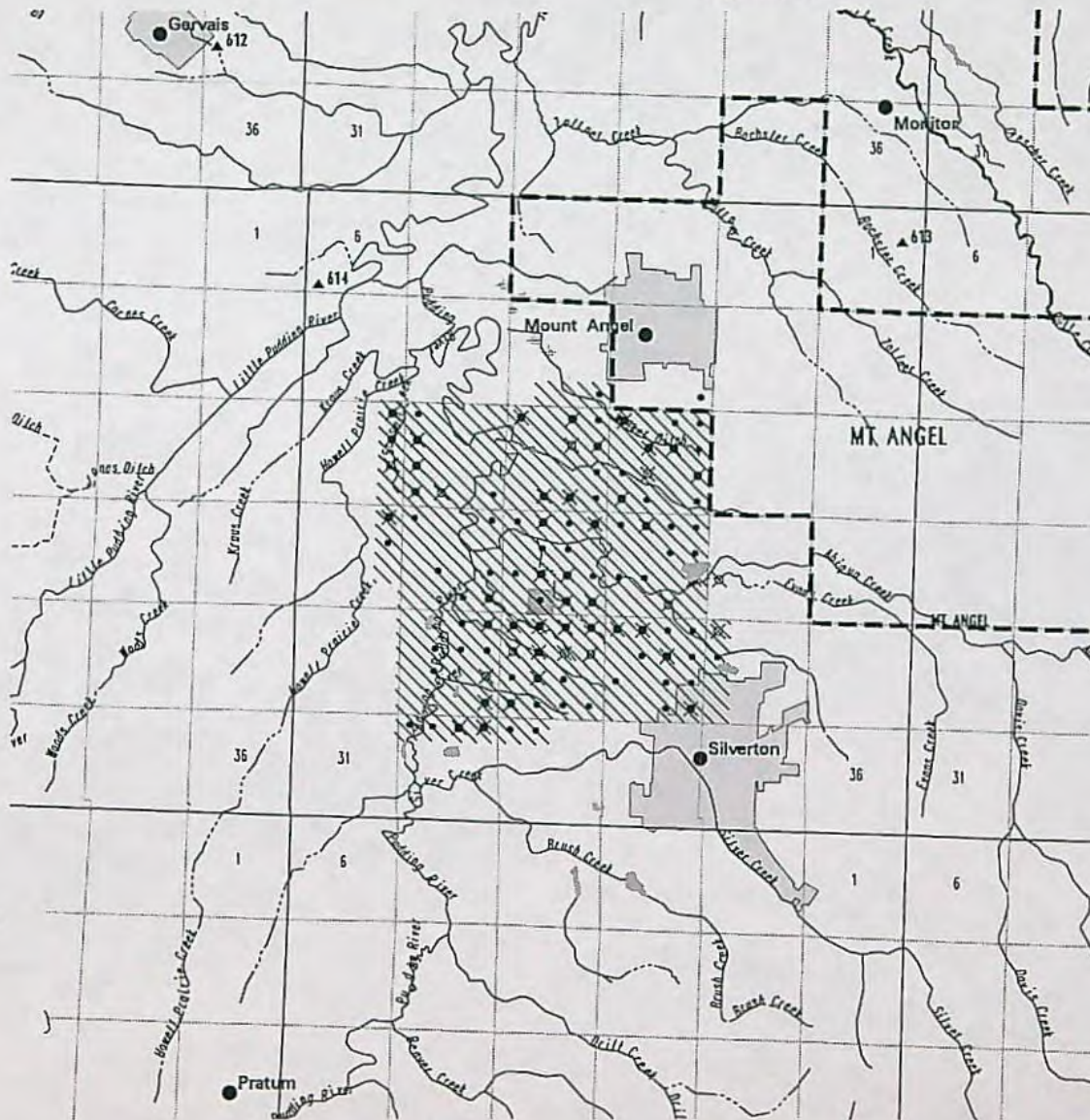
Well location: 06S/01W/28 BB

APPLICATIONS WITH PERMIT CONDITIONS:

G-13300	G-13377	G-11943	G-12908
G-12276	G-13738	G-13285	G-12845
G-12527	G-12924	G-13385	G-13513
G-13361	G-13008	G-12161	G-13695
G-12411	G-12434	G-13161	G-12307
G-13290	G-12850	G-12829	G-13454
G-12407	G-12243	G-12217	
G-13304	G-13296	G-13333	
G-13314	G-12504	G-13004	
G-12388	G-12787	G-13261	
G-13696	G-13508	G-12363	
G-13590	G-12606	G-13210	
G-13147	G-13187	G-12288	
	G-13478	G-13247	

Wells in the vicinity of application G 14407

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



WELLS WITHIN 1 MILE OF G 14407

DO	105
ID	21
IM	7
IR	49
MO	4

PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 14407

PERMIT	T/R/S/QQ	USE	RATE	UNITS
GR 3758	6.00S 1.00W18NENE	IR	0.5134	C
G 7573	6.00S 1.00W16NWNW	IS	1.1000	C
G 11912	6.00S 1.00W16NWNW	IR	0.4800	C
G 3282	6.00S 1.00W16NWNW	IR	0.4000	C
G 1949	6.00S 1.00W15NWNW	IR	0.2000	C
GR 332	6.00S 1.00W15NWNW	IR	0.6696	C
G 4808	6.00S 1.00W18SENE	IR	1.2200	C
G 5587	6.00S 1.00W17SWNW	IR	0.5000	C
G 11961	6.00S 1.00W17SWNW	IR	0.6850	C
G 11961	6.00S 1.00W17SWNW	IR	1.0950	C
G 11961	6.00S 1.00W17SWNW	IS	0.6850	C
G 11961	6.00S 1.00W17SWNW	IS	1.0950	C
G 6718	6.00S 1.00W16SWNE	IR	0.2500	C
G 10632	6.00S 1.00W16SENE	IS	0.4800	C
G 11711	6.00S 1.00W15SENE	IR	1.0300	C
G 10828	6.00S 1.00W15SWNE	IC	2.1550	C
G 7299	6.00S 1.00W18NESE	IR	0.2000	C
G 7299	6.00S 1.00W18NESE	IS	1.7800	C
G 8023	6.00S 1.00W17NWSW	IR	0.7900	C
G 8023	6.00S 1.00W17NWSW	IS	0.3800	C
G 10828	6.00S 1.00W15NESW	IS	1.9000	C
G 5362	6.00S 1.00W15NESE	IR	1.2500	C
G 6748	6.00S 1.00W15NESE	IR	0.6400	C
G 6748	6.00S 1.00W15NESE	IS	0.3100	C
G 10828	6.00S 1.00W15NESE	IC	2.1550	C
G 4882	6.00S 1.00W17SWSW	IR	0.9400	C
G 4995	6.00S 1.00W17SESW	IM	2.7000	C
G 291	6.00S 1.00W16SESW	IR	0.0900	C
G 5677	6.00S 1.00W16SWSE	IR	0.0900	C
G 6749	6.00S 1.00W15SWSW	IR	1.0500	C
G 10828	6.00S 1.00W15SWSW	IR	0.5600	C
CG 5359	6.00S 1.00W19NENE	IS	0.1330	C
CG 5359	6.00S 1.00W19NENE	IS	1.3300	C
CG 6101	6.00S 1.00W19NENE	IR	0.4000	C
G 4070	6.00S 1.00W19NENE	IR	0.2800	C
G 5359	6.00S 1.00W19NENE	IS	1.3300	C
G 6101	6.00S 1.00W19NENE	IR	0.4000	C
G 11953	6.00S 1.00W19NENE	AG	2.6700	C
G 11953	6.00S 1.00W19NENE	IS	0.6000	C
GR 1172	6.00S 1.00W21NENW	IR	0.1116	C
G 9643	6.00S 1.00W22NENW	IS	0.2800	C
GR 2911	6.00S 1.00W22NENW	IR	0.0335	C
GR 2912	6.00S 1.00W22NENW	IR	0.3348	C
G 175	6.00S 1.00W21NESW	IR	0.1500	C
G 11885	6.00S 1.00W21NESW	IR	0.2300	C
G 1986	6.00S 1.00W21NWSE	IR	0.1100	C
G 3783	6.00S 1.00W22NESE	IM	0.6100	C
G 9522	6.00S 1.00W23NWSW	IS	0.7400	C
G 12049	6.00S 1.00W20SESE	IR	0.2400	C
G 2322	6.00S 1.00W21SWSE	IR	0.1200	C
G 3290	6.00S 1.00W21SWSE	IR	0.1300	C
G 2683	6.00S 1.00W21SESE	IR	0.1000	C
G 2765	6.00S 1.00W22SWSE	IR	0.5600	C
G 6218	6.00S 1.00W29NENE	IR	0.1500	C
G 6218	6.00S 1.00W29NENE	IS	0.2000	C

G	6442	6.00S	1.00W28NWNW	IR	1.0300	C
G	11947	6.00S	1.00W28NWNW	IR	0.2500	C
G	7783	6.00S	1.00W28NENW	IR	0.5000	C
GR	3403	6.00S	1.00W28NWNW	IR	0.3125	C
GR	2370	6.00S	1.00W28NENE	IR	0.1875	C
G	2005	6.00S	1.00W27NWNW	IR	0.4200	C
G	2139	6.00S	1.00W27NWNW	IR	0.1700	C
G	5605	6.00S	1.00W27NWNW	IR	0.0800	C
G	1497	6.00S	1.00W27NENW	IR	0.2000	C
G	2765	6.00S	1.00W27NENW	IR	0.5600	C
G	11264	6.00S	1.00W27NENW	IR	0.2100	C
G	11844	6.00S	1.00W26NWNW	IS	1.3200	C
G	11946	6.00S	1.00W28SWNW	IR	0.2400	C
G	9932	6.00S	1.00W28SENW	IR	0.5500	C
G	2068	6.00S	1.00W28SWNE	IR	0.7800	C
G	2068	6.00S	1.00W28SWNE	IR	0.8200	C
G	6410	6.00S	1.00W28SENE	IR	0.5600	C
G	11434	6.00S	1.00W28SENE	IR	0.8929	C
G	10173	6.00S	1.00W27SWNE	IR	0.6700	C
G	11395	6.00S	1.00W27SWNE	IR	0.0500	C
G	11619	6.00S	1.00W29NESE	IR	0.3259	C
GR	4124	6.00S	1.00W28NESW	IR	0.3348	C
GR	24	6.00S	1.00W29SESE	ID	0.2232	C
G	6314	6.00S	1.00W28SWSW	IR	0.0900	C
G	5452	6.00S	1.00W27SESE	IR	0.1800	C
G	7941	6.00S	1.00W27SESE	IR	0.0600	C
G	11620	6.00S	1.00W32NWNW	DB	0.1674	C
G	618	6.00S	1.00W32NENE	IR	0.3500	C
GR	1953	6.00S	1.00W32NENE	IR	0.2567	C

APPLICATION FACT SHEET

Mail to: Applicant, Watermaster, District Biologist (ODFW)

If necessary, also mail to : Regional Water quality manager (DEQ), and DOA

Application File Number: G-14407

Applicant: JAMES BUTSCH

County: MARION

Watermaster: District 16

Priority Date: November 12, 1996

Source: A WELL IN PUDDING RIVER BASIN

Use: IRRIGATION OF 43.0 ACRES

Quantity: 0.54 CUBIC FOOT PER SECOND

Basin Name & Number: Willamette, #02

Stream Index Reference: Volume 13 PUDDING R

Point of Diversion Location: SESW, SECTION 21, T 6S, R1E, W.M.; 70 FEET
NORTH & 1470 FEET EAST FROM SW CORNER, SECTION 21

Place of Use: NESE 4.2 ACRES SESE 4.2 ACRES, SECTION 20 NWSW 14.9
ACRES SWSW 19.7 ACRES, SECTION 21, TOWNSHIP 6 SOUTH, RANGE 1
WEST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: MAY 2, 1997

PUBLIC NOTICE DATE: Tuesday, MAY 6, 1997

30 DAY COMMENT DEADLINE DATE: Thursday, JUNE 5, 1997

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.**

NOV 12 1996

Applicant's Name: JAMES BUTSCH
 Address: 15234 BUTSCH LN NE
 City: SALEM State: OR Zip: 97362 Day Phone: 845-2485

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.

T65, R1W, W.M. Sec 20, 21

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 & 700	Primary Ag / ECU			X

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used. MAZON

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

Application No. 674407
Permit No.

Local planning officials are to complete the remainder of this form. If it cannot be completed while the applicant waits, sign and detach the receipt as instructed below. You will receive notice when the applicant's water right request is filed with the Water Resources Department (WRD). You will have 30 days from the notice date to return this completed land use form to WRD. If no land use information is received from you within that period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

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

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 136.020. 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.)

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily

(over)

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: James Butsch
 Address: 15234 Butsch Ln NE
Salem, Oregon 97362
 Phone: 847-2485

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

- Irrigation (crop type, golf course, nursery or greenhouse): GRASS
- 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>0.54</u> Cubic feet per second. <u>240.0</u> Gallons per minute. _____ Acre-Feet
<input type="checkbox"/> Reservoir or pond	
<input checked="" type="checkbox"/> Ground Water	

RECEIVED
 NOV 12 1996
 WATER RESOURCES DEPT.
 SALEM, OREGON

Supplied as a service of
SALEM TITLE COMPANY

Title Company No.

South 35 Acres

KNOW ALL MEN BY THESE PRESENTS, That EDNA DAHL, a widow,

Grantor
in consideration of TEN AND NO/100 Dollars,
to her paid by the Grantees herein, do es hereby grant, bargain, sell and convey unto
ELSER AARHUS and EDNA H. AARHUS, husband
and wife, Grantees, as tenants by the entirety, the following described real property, situate in the County of
Marion and State of Oregon, to-wit:

Beginning at a point 15.28 chains South 82° 26' East and 30.31 chains North 19' East from the Southwest corner of the Joseph Cox Donation Land Claim in Township 6 South, Range 1 West of the Willamette Meridian, in Marion County, Oregon; thence North 19' East 15.14 chains; thence East 19.72 chains to an iron bar; thence South 5.00 chains; thence East 5.34 chains to a stone; thence South 23' West 9.71 chains; thence North 89° 54' West 25.00 chains to the point of beginning.

VOL 571 PAGE 770

FORM No. 715 - SATISFACTION OF MORTGAGE

VOL 571 PAGE 770

STEVEN H. HERR LAW FUD. CO., PORTLAND, ORE.

North 10 Acres

KNOW ALL MEN BY THESE PRESENTS, That John J. Nortness

owner and holder of the Mortgage and the obligation hereinafter described, do hereby certify and declare that a certain mortgage, bearing date the 2nd day of February, 19.62., made and executed by Elser Aarhus and Edna Aarhus, husband and wife

the mortgagor therein, to Saver Nortness and John J. Nortness, or the survivor of either

the mortgages therein and recorded in the office of the County Recorder of the County of Marion, State of Oregon, in book 517 of Mortgages on page 689 on the 5th day of February, 19.62.

Beginning in the center of County Road No. 639, at a point which is 5.00 chains West, 10.40 chains South 0° 19' West and 20.00 chains North 89° 54' East from the quarter section corner between Sections 20 and 21 in Township 6 South, Range 1 West of the Willamette Meridian in Marion County, Oregon; thence South 89° 54' West along the center of said County Road and along the Westerly extension thereof 20 chains; thence South 0° 19' West 4.85 chains; thence North 89° 54' East 20.00 chains; thence North 0° 19' East 4.85 chains to the place of Beginning.

SAVE AND EXCEPT, rights of the public in and to that portion of the above described tract of land lying within County Road No. 639.

for 43 Acres for 634.2134

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WATER RESOURCES DEPT.
SALEM, OREGON

Jim, Hope this is what you would

Application No. G 1447
Permit No.

Copy

October 10, 1996

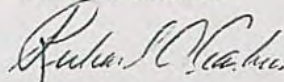
WATER RESOURCES DEPARTMENT
Commerce Building
158 12th street Northeast
Salem, Oregon 97310-0210

To Water Resource Department;

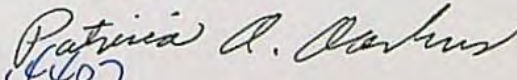
We, Richard and Patricia Aarhus, give permission to, James and Donna Butsch, to obtain a Water Use Permit to apply water from their well onto our property. Furthermore, during the term of the lease between us and 4 B Farms, Inc., we allow James Butsch and any employee of 4 B Farms, Inc. onto said property in lease.

Sincerely,

Richard Aarhus



Patricia Aarhus



Application No. 6-1407
Permit No.

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NOV 12 1996

WATER RESOURCES DEPT.
SALEM, OREGON

FOR WATER RESOURCES DEPARTMENT USE ONLY

Date Postmarked _____
 Date Hand-delivered 11/12/96
 Watermaster Initials JSE

W89032
 WRD Receipt _____
 Date Fee Received _____

Check No. _____

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NOV 12 1996

START CARD
NOTICE OF BEGINNING OF WELL CONSTRUCTION
 (as required by ORS 537.762)

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

Owner's name and mailing address: 4-B Farms - Jim Jensen

Application No. CR 11/12/96

Permit No. 19-102

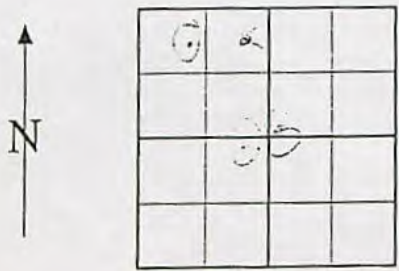
Check type of work: Fee Required New construction Conversion
 No Fee Required Alteration (Repair/Recondition) Deepening Abandonment
 Original Start Card Number _____

Proposed Commencement Date 9-12-96 Existing or Proposed Well Depth 100' Diameter 10"

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

Proposed Well Location: County Umatilla Owner's Well Id. No. _____

Township _____ (N or S) Range _____ (E or W) Section _____



1. SW 1/4 of 10 1/4 of above section

2. Street address of well location _____

3. Tax lot number of well location 100-1000

4. Attach map with location identified. See reverse of this form for approved maps.

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

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

Jim Jensen
 Bonded Water/Monitor Well Constructor

License No. 1234

Company J.E. Jensen CR

Owner

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

THIS COPY TO CUSTOMER

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

Application No: G 14407
Permit No. _____

(START CARD) # 89032

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

(1) OWNER: Well Number _____
Name 4-B Farms - Jim Butsch
Address 15234 Butsch Lane NE
City Mt. Angel State OR Zip 97362

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

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 512 ft.
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
12	0	35	Bestcrete	0	35	24 sacks
12 1/4	35	315.5	Permut	315.5	390	10 sacks
12	315.5	342				
11	342	346				

How was seal placed: Method A B C D E
 Other _____
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 12"	0	315.5	1.315	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 315.5

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>

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

Yield gal/min	Drawdown	Drill stem at	Time
200	N/A	5' c	1 hr.
200	140'		
275	14'		

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

(9) LOCATION OF WELL by legal description:
County Marion Latitude _____ Longitude _____
Township 6S N or S Range 11W E or W. WM.
Section 28 NW 1/4 NW 1/4
Tax Lot Unknown Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) Old Mt Angel Hwy.

(10) STATIC WATER LEVEL:
53.4 ft. below land surface. Date 9-26-96
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 43'

From	To	Estimated Flow Rate	SWL
75	101	100 gpm	
520	533	200 gpm	

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWL
see attached			

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NOV 12 1996

WATER RESOURCES DEPT.
SALEM, OREGON

Date started 9-13-96 Completed 1-24-96

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

WWC Number _____
Signed _____ Date _____

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

WWC Number _____
Signed _____ Date _____

4-B Farms - Jim Butsch

(12) WELL LOG FORMATIONS

Material	From	To	
Top Soil	0	1	
Clay soft brown	1	24	
Clay soft gray	24	43	
Clay, medium gray	43	47	
Cobbles-gravels-cemented	47	54	
Cobbles-clay brown	54	57	
Clay, medium gray	57	66	
Gravels, cemented	66	83	
Gravels large & fine sand	83	101	WB60
Gravels large cemented	101	130	
Sandy silt, stone gray	130	136	
Clay medium gray	136	174	
Clay silty green	174	180	
Clay sticky brown	180	310	
Clay sticky pee-size gravel, green	310	323	
Clay sticky gray	323	388	
Basalt broken gray	388	390	
Basalt medium black	390	398	
Basalt weathered & broken	398	402	
Basalt gray, medium hard	402	406	
Basalt gray & hard	406	456	
Basalt gray & broken w/green claystone seems	456	494	
Basalt gray & hard	494	520	
Basalt green & gray	520	533	WB
Basalt brown & gray fractured	533	558	
Basalt gray, fractured & hard	558	566	

Application No. G-14407
Permit No.

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NOV 12 1996

WATER RESOURCES DEPT.
SALEM, OREGON

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

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

RECEIPT # **98762**

INVOICE # _____

RECEIVED FROM: gms Engineering
BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: CHECK: # 7949 OTHER: (IDENTIFY)

TOTAL REC'D \$ 150.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES		\$
	OTHER: (IDENTIFY)		\$
0243	I/S Lease		
0244	Miscellaneous		

**RECEIVED
OVER THE COUNTER**

4270 WRD OPERATING ACCT

MISCELLANEOUS			
0407	COPY & TAPE FEES	<u>46111</u>	\$
0410	RESEARCH FEES		\$
0408	MISC REVENUE: (IDENTIFY)		\$
TC162	DEPOSIT LIAB. (IDENTIFY)		\$
0240	EXTENSION OF TIME		\$
WATER RIGHTS:			
0201	SURFACE WATER		\$
0203	GROUND WATER		\$
0205	TRANSFER		\$
WELL CONSTRUCTION			
0218	WELL DRILL CONSTRUCTOR		\$
	LANDOWNER'S PERMIT		\$
<u>0200</u>	OTHER (IDENTIFY)	<u>COBU</u>	\$ <u>150.00</u>

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **98762**

DATED: 12-10-09 BY: AR

Q/118/97/Amias.

Application No. -----

AG-14407

Permit No. -----

G

14407

Name JAMES BUTSCH
15234 BUTSCH LANE NE
Address MT ANGEL, OR 97362

Assigned -----

Address -----

Beginning construction -----

Completion of construction -----

Extended to -----

Complete application of water -----

Extended to -----

IMPORTANT MESSAGE

FOR WED DATE _____ TIME 2:12 ~~P.M.~~ A.M.
M. JIM SCHUETE
OF NE SW 36 55 1 W O PHONED
PHONE FAX 585-5578 MOBILE RETURNED YOUR CALL
MESSAGE _____ PLEASE CALL
#166 WILL CALL AGAIN
BUTCH CAME TO SEE YOU
G-14407 STATUS WANTS TO SEE YOU

SIGNED

STATE OF OREGON
 WATER RESOURCES DEPARTMENT

158 12TH ST. N.E.

SALEM, OR 97310-0210

378-8455 / 378-8130 (FAX)

RECEIPT # **18573**

INVOICE # _____

RECEIVED FROM: 4 B Farms INC.
 BY: _____

APPLICATION	G-14407
PERMIT	
TRANSFER	

CASH: CHECK: # X 24-12 OTHER: (IDENTIFY)

TOTAL REC'D \$ 166.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS

PUBLICATIONS / MAPS

OTHER: (IDENTIFY) _____

OTHER: (IDENTIFY) _____

**RECEIVED
 OVER THE COUNTER**

\$
\$
\$
\$

REDUCTION OF EXPENSE

CASH ACCT. _____

PCA AND OBJECT CLASS _____

VOUCHER # _____

\$

0427 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

0410 RESEARCH FEES

0408 MISC REVENUE: (IDENTIFY) _____

(New) TC165 DEPOSIT LIAB. (IDENTIFY) _____

(Existing) TC168

WATER RIGHTS:

0201 SURFACE WATER

0203 GROUND WATER

0205 TRANSFER

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER (IDENTIFY) _____

PCA 66111

EXAM FEE		RECORD FEE
\$	0202	\$
\$	0204	\$ <u>166.00</u>
\$	0206	\$
EXAM FEE		LICENSE FEE
\$	0219	\$
	0220	\$

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

0210 MONITORING WELLS

OTHER (IDENTIFY) _____

\$	CARD #
\$	CARD #

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS

\$

0467 HYDRO ACTIVITY

0233 POWER LICENSE FEE (FWWRD)

0231 HYDRO LICENSE FEE (FWWRD)

HRDRO APPLICATION _____

LIC NUMBER	
	\$
	\$
	\$

RECEIPT # **18573**

DATED: 1-16-99 BY: D. Bushnell

Oregon

WATER RESOURCES
DEPARTMENT

Commerce Building
158 12th Street NE
Salem, OR 97310-0210



- MOVED, LEFT NO ADDRESS
- NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD
- ATTEMPTED - NOT KNOWN
- UNCLAIMED REFUSED
- NO SUCH STREET - NUMBER
- DO NOT RE-MAIL IN THIS ENVELOPE
- INSUFFICIENT ADDRESS
- NO MAIL RECEPTACLE
- BOX CLOSED NO ORDER



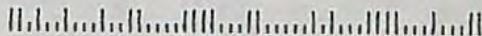
RECEIVED

MAY 12 1997

WATER RESOURCES DEPT.
SALEM, OREGON
DELAY DUE TO
INCORRECT ZIP

Robert Aakas
Silverton, OR
97375

97310/0210



7-5-97

52

SCOTT'S MILLS, OR
MAY
1
1997
PM



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



Made from Recycled Paper

APRIL 18, 1997

JAMES BUTSCH
15234 BUTSCH LANE NE
MT ANGEL, OREGON 97362

Reference: File G-14407

Dear Applicant:

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

This letter is to inform you of the status of your application for water use. Based on the information you have supplied, the Water Resources Department has reached the following conclusions:

Initial Review Determinations:

1. Your application is complete and not defective.
2. The proposed use is not prohibited by law or rule.
3. The use of groundwater for IRRIGATION OF 43.0 ACRES is allowed under OAR 690-502-160(2), the Willamette Basin Program.
4. Water in the amount of 0.54 CUBIC FOOT PER SECOND for IRRIGATION OF 43.0 ACRES is available March 1 through October 31.

Summary of Initial Determinations

The use of 0.54 CUBIC FOOT PER SECOND from A WELL IN PUDDING RIVER BASIN for IRRIGATION OF 43.0 ACRES is allowable from March 1 to October 31 of each year.

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

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



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

To Proceed With Your Application:

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

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by MAY 2, 1997. For your convenience you may use the enclosed "STOP PROCESSING" form.

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

1. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, 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.
2. You will be required to comply with state and federal water quality standards.
3. The priority date for this application is November 12, 1996.
4. 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.

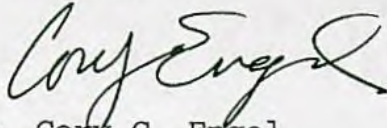
5. (1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:
 - (a) An average water level decline of three or more feet per year for five consecutive years; or
 - (b) A total water level decline of fifteen or more feet; or
 - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The water user shall install a meter or other measuring device suitable to the Director, and shall submit an annual report of water used to the Department by December 1 of each year.
- (3) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.
 - (a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.
 - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.
 - (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permittee/appropriator.
 - (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
 - (e) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of

measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

If you have any questions:

Feel free to call me at (503) 378-8455 or 1 (800) 624-3199 extension 457 if you have any questions. Please have your application number available if you call.

Sincerely,



Mr. Cory C. Engel
Initial Reviewer

cc: Regional Manager, Watermaster District 16,
Water Availability Section
enclosures: Flow Chart of Water Right Process
Stop Processing Form

C02

Application No. : G 14407

Permit No. G13311

Name - JAMES BUTSCH
15234 BUTSCH LANE NE

Address . MT ANGEL, OR 97362

Assigned

Address

Beginning construction 1/30/99

Completion of construction

Extended to

Complete application of water 10/1/02

Extended to