

ASSIGNED

Name G-16613  
By HENRY MAUTZ  
TRIANGLE XLS  
Address 6497 HWY 44  
STAR ID 83669

Application No. G16613  
Permit No. G-16136  
Certificate No. \_\_\_\_\_

Date	Amount	Receipt No.
1-26-06	600.00	79632
10-19-06	250.00	84879
12/19/07	25.00	90995
1-7-13	500.00	10730
5-9-16	\$175.00	119757
6-1-2020	\$100.00	132665

CH  
Priority 3-21-2006  
County \_\_\_\_\_ WM# \_\_\_\_\_

Date \_\_\_\_\_  
DENIED \_\_\_\_\_  
MISFILED \_\_\_\_\_  
WITHDRAWN \_\_\_\_\_  
CANCELLED \_\_\_\_\_

Date	Amount	Receipt No.
_____	_____	_____
_____	_____	_____
_____	_____	_____

RELATED FILES

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ASSIGNMENTS

DEVELOPMENT \_\_\_\_\_ Date \_\_\_\_\_  
Completion 10-1-2011  
Extended to 10/1/2014  
Final Proof received COBU 5/9/2016  
Cert. Mailed \_\_\_\_\_

Date	To Whom	Address
<u>12/20/2007</u>	Northwest Farm Credit Services, <u>FICA</u> Henry R Mautz & Judy Mautz	16034 Equine Drive Nampa ID 83687
<u>9/1/2020</u>	Northwest Farm Credit Services	16034 Equine Dr. Nampa, ID. 83687
<u>9/1/2020</u>	Zachery R. Mautz and Mandy D. Mautz	PO Box 2623. Nyssa, OR. 97913
_____	_____	_____
_____	_____	_____

REMARKS \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MAP LOCATION #995

FOR HJM 2006  
 DATE TUES Feb 28 TIME 9 AM  
 FROM HENRY "BUTCH" MAUTZ  
 FIRM & JUDY  
 PHONE (208)-283-5021  
 FAX  
 MOBILE

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
RETURNED YOUR CALL		WILL CALL AGAIN	
CAME TO SEE YOU		RUSH	
WANTS TO SEE YOU		SPECIAL ATTENTION	
WAITING TO SEE YOU		HOLDING LINE	

MESSAGE IDAHO -

SIGNED 208 283-5021  FORM 4007 MADE IN U.S.A.

OR HJM 2006  
 DATE TH. MAY 11 TIME 9 AM  
 FROM HENRY MAUTZ  
 FIRM "BUTCH" & JUDY  
 PHONE (208)-283-5021  
 FAX  
 MOBILE

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
RETURNED YOUR CALL		WILL CALL AGAIN	
CAME TO SEE YOU		RUSH	<u>9 25</u>
WANTS TO SEE YOU		SPECIAL ATTENTION	
WAITING TO SEE YOU		HOLDING LINE	

MESSAGE AM # G 16613

SIGNED 208 283 5021  FORM 4007 MADE IN U.S.A.

FOR 2006  
 DATE WED. MAR 8 TIME  AM  
 FROM H. MAUTZ  
 FIRM   
 PHONE (208) 283 5021  
 FAX  
 MOBILE

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
RETURNED YOUR CALL		WILL CALL AGAIN	
CAME TO SEE YOU		RUSH	
WANTS TO SEE YOU		SPECIAL ATTENTION	
WAITING TO SEE YOU		HOLDING LINE	

MESSAGE Q FORM - GREAT

COMPUTERIZED PIVOTS WILL ROTATE FOR DUST CONTROL  
ALSO HEADS WITH CATZ  
PNEUMONIA PROSCOMIS

SIGNED 1040  FORM 4007 MADE IN U.S.A.



# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

September 1, 2020

Northwest Farm Credit Services  
Attn: Sarah Furr  
16034 Equine Dr.  
Nampa, ID 83687

Reference: Application G-16613, Permit G-16136

The assignment from Northwest Farm Credit Services, ACA, and Henry R. Mautz and Judy Mautz to Northwest Farm Credit Services, FLCA, and Zachery R. Mautz and Mandy D. Mautz has been recorded in the records of the Water Resources Department.

The Departments records will now show Northwest Farm Credit Services, FLCA, and Zachery R. Mautz and Mandy D. Mautz as the permit holders of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 132665 covering the recording fee is also enclosed.

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

Please note that the Department has not received a Pump Test as required by the permit. Until such time that a Pump Test is submitted and approved, the Department is unable to complete the review of your Claim.

Sincerely,

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

Enclosure: Original Request and Receipt #132665

cc: Watermaster #9

Henry R. & Judy Mautz – PO Box 1625 Nyssa, OR 97913

Zachary R. & Mandy D. Mautz – PO Box 2623, Nyssa, OR 97913

Data Center, OWRD (cover letter & request)

File



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

# Request for Assignment

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

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

I, Northwest Farm Credit Services, ACA and Henry R. Mautz and Judy Mautz  
 (Name of Current Holder of Record)

PO Box 1625 Nyssa OR 97913 208-283-5021  
 (Mailing Address) (City) (State) (Zip) (Phone #)

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

Application # G-16613 ; Permit # G-16136 ; Transfer # \_\_\_\_\_ ;  
 Limited License # \_\_\_\_\_ ; Groundwater Statement # \_\_\_\_\_ ;

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

Northwest Farm Credit Services, FLCA and Zachary R. Mautz and Mandy D. Mautz  
 (Name of New Owner)

PO Box 2623 Nyssa OR 97913 208-871-3827  
 (Mailing Address) (City) (State) (Zip) (Phone #)

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

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

Witness my hand this 28<sup>th</sup> day of August, 2020.  
 (Day) (Month) (Year)

Signature of Current Holder of Record [Signature] Henry R. Mautz Judy Mautz  
Northwest Farm Credit Services, ACA Authorized Agent

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

Assign - Approve  
 MGB 9-1-2020

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.  
 Fee receipt # 132445  
 For Director by Mary F. Bjork, Program Analyst in Water Rights Division. [Signature]

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$100.

RECEIVED  
 AUG 31 2020  
 OWRD

## BJORK Mary F \* WRD

---

**From:** Sarah Furr <Sarah.Furr@northwestfcs.com>  
**Sent:** Monday, August 31, 2020 10:08 AM  
**To:** BJORK Mary F \* WRD  
**Cc:** Jeff Ilk  
**Subject:** RE: Mautz app Application G-16613, Permit G-16136  
**Attachments:** Mautz OR water doc.pdf

Thanks Mary! The updated form is attached. We appreciate your help with this!

Sarah

**From:** BJORK Mary F \* WRD <Mary.F.Bjork@oregon.gov>  
**Sent:** Monday, August 31, 2020 10:43 AM  
**To:** Sarah Furr <Sarah.Furr@northwestfcs.com>  
**Cc:** BJORK Mary F \* WRD <Mary.F.Bjork@oregon.gov>  
**Subject:** RE: Mautz app Application G-16613, Permit G-16136

Hi Sarah,

I can accept a copy during the current pandemic. I am currently teleworking, but everything appears to be in order per my electronic notes and data, and I will process the assignment when I'm in the office tomorrow and have access to the paper file.

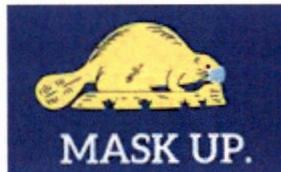
One item that I want to mention is the date. The *Witness my hand* date area above the signatures is blank. Perhaps you could fill in this area and send me a new pdf that includes it.

Thank you,

[Mary F. Bjork](#)

Water Rights Program Analyst

725 Summer St NE, Suite A, Salem OR 97301 | Phone 503-986-0817



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

**From:** Sarah Furr <Sarah.Furr@northwestfcs.com>  
**Sent:** Monday, August 31, 2020 8:44 AM  
**To:** BJORK Mary F \* WRD <Mary.F.Bjork@oregon.gov>  
**Cc:** Jeff Ilk <Jeff.Ilk@northwestfcs.com>  
**Subject:** RE: Mautz app Application G-16613, Permit G-16136

Hi Mary,

Attached is a copy of the completed document. Can you accept a copy, or do you need the original?

Thanks!

Sarah

**From:** BJORK Mary F \* WRD <[Mary.F.Bjork@oregon.gov](mailto:Mary.F.Bjork@oregon.gov)>  
**Sent:** Thursday, July 30, 2020 9:53 AM  
**To:** Sarah Furr <[Sarah.Furr@northwestfcs.com](mailto:Sarah.Furr@northwestfcs.com)>  
**Cc:** Jeff Ilk <[Jeff.Ilk@northwestfcs.com](mailto:Jeff.Ilk@northwestfcs.com)>; BJORK Mary F \* WRD <[Mary.F.Bjork@oregon.gov](mailto:Mary.F.Bjork@oregon.gov)>  
**Subject:** RE: Mautz app Application G-16613, Permit G-16136

Hi Sarah,

I found one item at the top of the form, it lists Northwest Farm Credit Services, PCA. The current name is Northwest Farm Credit Services, ACA. Everything else looks good!

**FROM** Northwest Farm Credit Services, ACA, and Henry R. Mautz and Judy Mautz  
**TO** Northwest Farm Credit Services, FLCA, and Zachary R. Mautz and Mandy D. Mautz  
**FOR** Application G-16613, Permit G-16136  
**SIGNED BY** a representative for Northwest Farm Credit Services, ACA, and Henry R. Mautz and Judy Mautz

Best Regards,

*Mary F. Bjork*

Water Rights Program Analyst

725 Summer St NE, Suite A, Salem OR 97301 | Phone 503-986-0817



OREGON  
WATER  
RESOURCES  
DEPARTMENT



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

**From:** Sarah Furr <[Sarah.Furr@northwestfcs.com](mailto:Sarah.Furr@northwestfcs.com)>  
**Sent:** Wednesday, July 29, 2020 10:30 AM  
**To:** BJORK Mary F \* WRD <[Mary.F.Bjork@oregon.gov](mailto:Mary.F.Bjork@oregon.gov)>  
**Cc:** Jeff Ilk <[Jeff.Ilk@northwestfcs.com](mailto:Jeff.Ilk@northwestfcs.com)>  
**Subject:** RE: Mautz app Application G-16613, Permit G-16136

Hi Mary,

Thanks for your direction on this form for Henry and Zach Mautz. I've filled out a new form for them to sign. Would you remind reviewing this for accuracy before I send it to them please? I'd hate to have to do this a third time!

Sarah

**From:** BJORK Mary F \* WRD <[Mary.F.Bjork@oregon.gov](mailto:Mary.F.Bjork@oregon.gov)>  
**Sent:** Tuesday, July 28, 2020 10:20 AM  
**To:** Sarah Furr <[Sarah.Furr@northwestfcs.com](mailto:Sarah.Furr@northwestfcs.com)>  
**Cc:** BJORK Mary F \* WRD <[Mary.F.Bjork@oregon.gov](mailto:Mary.F.Bjork@oregon.gov)>  
**Subject:** RE: Mautz app Application G-16613, Permit G-16136

Hi Sarah,

Thanks for your call this morning. As mentioned the current permit holders of record for Application G-16613, Permit G-16136, are Northwest Farm Credit Services, ACA, and Henry R. Mautz and Judy Mautz.

The submitted assignment inaccurately lists the current permit holders of record as Zachary R. Mautz and Mandy D. Mautz. They can only assign the permit to themselves if Henry R. Mautz and Judy Mautz are not available. When the current permit holders of record are not available, a request for assignment by proof of ownership is required. I am attaching the form needed for this type of assignment. An assignment by proof requires proof of ownership to the lands, as well as proof that the assignment was given or attempted to the permit holders.

Since you mention that Henry R. Mautz and Judy Mautz are available, the form submitted could be revised to include their signatures. It would also be great to have their names captured at the top of the form as current holders of record. Also, as discussed, Northwest is already a permit holder of record. I'm including the previous 2007 assignment documents.

So, it's my understanding that the request would be as follows:

**FROM** Northwest Farm Credit Services, ACA, and Henry R. Mautz and Judy Mautz

**TO** Northwest Farm Credit Services, FLCA, and Zachary R. Mautz and Mandy D. Mautz

**FOR** Application G-16613, Permit G-16136

**SIGNED BY** a representative for Northwest Farm Credit Services, ACA, and Henry R. Mautz and Judy Mautz

Thanks so much and please let me know if you have any questions.

Mary F. Bjork

Water Rights Program Analyst

725 Summer St NE, Suite A, Salem OR 97301 | Phone 503-986-0817



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

**From:** Sarah Furr <[Sarah.Furr@northwestfcs.com](mailto:Sarah.Furr@northwestfcs.com)>

**Sent:** Tuesday, July 28, 2020 8:49 AM

**To:** BJORK Mary F \* WRD <[Mary.F.Bjork@oregon.gov](mailto:Mary.F.Bjork@oregon.gov)>

**Subject:** Mautz app

Please see attached.

Thanks!



**Sarah Furr**

*Financial Specialist II*

16034 Equine Dr | Nampa, ID 83687

o 208.468.1624 | f 208.468.1605

[northwestfcs.com](http://northwestfcs.com)

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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](http://www.wrd.state.or.us)

# Request for Assignment

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

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

I, Zachary R. Mautz and Mandy D. Mautz  
 (Name of Current Holder of Record)

PO Box 2623 Nyssa, OR 97913 (208) 871-3827  
 (Mailing Address) (City) (State) (Zip) (Phone #)

- hereby assign all my interest in and to the entire application/permit/transfer/limited license/groundwater statement; (example, sold all the land authorized under the right)
- hereby assign all my interest in and to a portion of application/permit/transfer/limited license/groundwater statement; (*You must include a map showing the portion of the application/permit/transfer/limited license/groundwater statement to be assigned.* Example, sold a portion of the land authorized under the right)
- hereby assign a portion of my interest in and to the entire application/permit/transfer/limited license/groundwater statement; (example, adding an additional person)

Application # G-14613 ; Permit # G-16613 ; Transfer # \_\_\_\_\_ ;  
 Limited License # \_\_\_\_\_ ; Groundwater Statement # \_\_\_\_\_ ;

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

Northwest Farm Credit Services, FLCA 16034 Equine Dr, Nampa, ID 83687  
 (Name of New Owner) (Mailing Address) (City) (State) (Zip)

Zachary R. Mautz and Mandy D. Mautz  
 (Name of New Owner)

PO Box 2623 Nyssa, OR 97913 (208) 871-3827  
 (Mailing Address) (City) (State) (Zip) (Phone #)

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

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

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
 (Day) (Month) (Year)

Signature of Current Holder of Record Zachary Mautz Mandy Mautz

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

**DO NOT WRITE IN THIS BOX**



The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$100.



**RECEIVED**  
 JUN 01 2020  
 OWRD

**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 # **132665**

INVOICE # **G-16603**

RECEIVED FROM: Northwest Farm Credit Services

APPLICATION: 16689  
PERMIT  
TRANSFER

BY: 5002 7176  
CASH:  CHECK #  OTHER: (IDENTIFY)

TOTAL REC'D \$ 100.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES \$  
OTHER: (IDENTIFY) \$

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407 COPY & TAPE FEES \$ 46111  
0410 RESEARCH FEES \$  
0408 MISC REVENUE: (IDENTIFY) \$  
TC162 DEPOSIT LIAB. (IDENTIFY) \$  
0240 EXTENSION OF TIME \$

**WATER RIGHTS:**

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

**WELL CONSTRUCTION**

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

0250 OTHER (IDENTIFY) Assignment \$ 100.00

**0536 TREASURY 0437 WELL CONST. START FEE**

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

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

RECEIPT: **132665**

DATED: 6-1-2020 BY: [Signature]

# Completion Checklist for CWRE Claims of Beneficial Use

Application # G16613



Date Received 5/9/2016  
 CWRE Name Patrick Woodcock Claim Logged yes  
 File Marked 420  
 Oversized Map # 995  
 Reviewer C.U.

## 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)
- Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- Source(s) of water (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

\_\_\_\_ Map and COBU reviewed  
\_\_\_\_ Conflict check 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 for Permits claiming more than 0.1 cfs and All Transfers



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

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A fee of \$175 must accompany this form for permits  
with priority dates after July 8, 1987.

A fee of \$175 must accompany this form for any Transfer final orders  
including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights  
has a priority date of July 9, 1987, or later, the fee is required.

A separate form shall be completed for each permit.

*In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.*

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:  
[http://www.oregon.gov/owrd/pages/wr/cwre\\_info.aspx](http://www.oregon.gov/owrd/pages/wr/cwre_info.aspx)

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 item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter 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.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see  
[http://www.oregon.gov/owrd/pages/mgmt\\_reimbursement\\_authority.aspx](http://www.oregon.gov/owrd/pages/mgmt_reimbursement_authority.aspx)

## SECTION 1 GENERAL INFORMATION

### 1. File Information

APPLICATION # (G, R, S or T) <b>G-16613</b>	PERMIT # (IF APPLICABLE) <b>G-16136</b>	PERMIT AMENDMENT # (IF APPLICABLE) <b>Na</b>
--	--	---

## 2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME <b>Henry &amp; Judy Mautz</b>		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS <b>PO Box 1625</b>			
CITY <b>Nyssa</b>	STATE <b>OREGON</b>	ZIP <b>97919</b>	E-MAIL

If the current property owner is not the permit or transfer holder of record, it is recommended that an assignment be filed with the Department. ***Each permit or transfer holder of record must sign this form.***

## 3. Permit or transfer holder of record (this may, or may not, be the current property owner)

PERMIT OR TRANSFER HOLDER OF RECORD <b>Henry &amp; Judy Mautz</b>			
ADDRESS <b>PO Box 1625</b>			
CITY <b>Nyssa</b>	STATE <b>OREGON</b>	ZIP <b>97919</b>	

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD <b>Northwest Farm Credit Services</b>			
ADDRESS <b>16034 Equine Drive</b>			
CITY <b>Nampa</b>	STATE <b>IDAHO</b>	ZIP <b>83687</b>	

4. Date of Site Inspection: 

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
<b>Henry Mautz</b>	<b>11-16-11</b>	<b>Owner/Manager</b>

6. County: 

7. 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(4)):

OWNER OF RECORD <b>Na</b>			
ADDRESS <b>Na</b>			
CITY <b>Na</b>	STATE <b>NA</b>	ZIP <b>NA</b>	

Add additional tables for owners of record as needed

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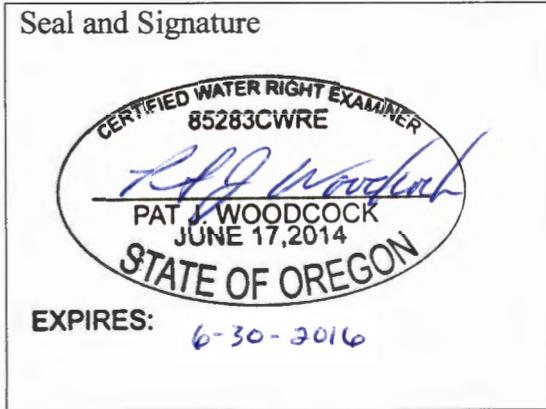
**SECTION 2  
SIGNATURES**

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CWRE Statement, Seal and Signature

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



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CWRE NAME <b>Pat J. Woodcock</b>		PHONE NO. <b>(541) 889-5411</b>	ADDITIONAL CONTACT NO.	
ADDRESS <b>368 SW 5th Avenue</b>				
CITY <b>Ontario</b>	STATE <b>OREGON</b>	ZIP <b>97914</b>	E-MAIL	

Permit or Transfer Holder's of Record Signature or Acknowledgement

*Each permit or transfer holder of record must sign this form in the space provided below.*

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.

	<b>Henry Mautz</b>	<i>Owner</i>	<i>MAY 2, 2016</i>
	<b>Judy Mautz</b>	<i>Owner</i>	<i>5/2/16</i>
 <i>Rep of Northwest FCS</i>	<b>Stephen Parrott</b> <b>Steve Miller</b>	<i>Relationship Manager</i>	<i>5/2/16</i>

**SECTION 3**

MAY 09 2016

**CLAIM DESCRIPTION**

SALEM, OR

**1. Point of diversion/appropriation name or number:**

POINT OF DIVERSION/APPROPRIATION (POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
Well #1	Malh 53202	L85258
Well #2	Malh53142	L85266

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

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

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY
Well #1	Lockett Gulch Basin	NA
Well #2	Lockett Gulch Basin	Na

**3. Developed use(s), period of use, and rate for each use:**

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
Well #1	Industrial & Livestock Watering	Na	Year Round	0.38 cfs
Well #2	Industrial & Livestock Watering	Na	Year Round	0.70 cfs
<b>Total Quantity of Water Used</b>				<b>1.08 cfs</b>

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

Ground Water from Well #1 is pumped into a 4" diameter PVC main, 2" diameter PVC services (off of the main) supply water to the livestock watering troughs and industrial/commercial buildings.

Ground Water from Well #2 is pumped into a 6" tee fitting. One of the 6" diameter PVC lines from the tee goes to an approximately 40'x60'x7' deep pond. Water from the pond is pumped into a 4" diameter PVC pipe and used for dust control. The other 6" diameter PVC line necks down to a 4" diameter PVC and is tied into the 4" diameter PVC main from Well #1, the water is used for livestock watering and industrial/commercial buildings.

**Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).**

**5. Variations:**

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below. **YES**

The Permit allowed for (5) wells & dust control of 85.0 acres. The water user only developed (2) wells and dust control of 22.0 acres

**6. Claim Summary:**

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
Well #1	Not Stated	0.38 cfs	Na	Industrial/ Livestock Watering	Not Stated	0.0
Well #2	Not Stated	0.70 cfs	Na	Industrial/ Livestock Watering	Not Stated	22.0

**SECTION 4  
SYSTEM DESCRIPTION**

Are there multiple PODs or POAs?

**YES**

If "YES" you will need to copy and complete Sections 4B through 4G for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

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Well #1

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SALEM, OR

**A. Place of Use**

1. Is the right for municipal use?

**NO**

*If "YES" the table below may be deleted.*

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
19	46	WM	28	NENW	Na	NA	Industrial & Livestock Watering	NA	NA
<b>Total Acres Irrigated</b>								NA	NA

**Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLOT, and QQ.**

**B. Diversion and Delivery System Information**

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

**YES**

*If "NO" items 2 through item 6 may be deleted.*

**2. Pump Information**

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Goulds	5CHC	Unknown	Submersible	4"	4"

**3. Motor Information**

MANUFACTURER	HORSEPOWER
Na	Na

**4. Theoretical Pump Capacity**

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
30 Hp	40	0	450' approx	0.38

5. Provide pump calculations:

$$Q \text{ Pump} = \frac{(\text{horsepower})(\text{pump efficiency})}{(\text{total head in feet})} = \frac{(30 \text{ Hp})(7.04 \text{ ft}^4/\text{sec} * \text{Hp})}{(450 + 101.6 \text{ feet})} = 0.38 \text{ cfs}$$

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
21326700	21326700	Not Running	Not Running

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
3"	6000'	PVC	Buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
2"	1150'	PVC	Buried

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
NA	NA	NA	NA	NA	NA

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
NA	NA	Na	NA	NA

12. Additional notes or comments related to the system:

Well #1 & Well #2 are "tied" together for livestock watering and domestic type uses only. Well #1 does not supply water for dust control.

C. Groundwater Source Information (Well and Sump)

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1. Is the appropriation from ground water (well or sump)?

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YES

If "NO", items 2 through 8 relating to this section may be deleted.

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

1" diameter access port on top of well casing, with 5/8" pex pipe insert

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

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY
10"	510'	510'	8-09-07	Na	Henry Mautz	Daniel McClaren

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

Na

5. Is the appropriation from a dug well (sump)?

NO

If "NO", items 6 through 8 relating to this section may be deleted.

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**D. Storage**

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)

NO

If "NO", item 2 and 3 relating to this section may be deleted.

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**E. Gravity Flow Pipe**

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

NO

If "NO", items 2 through 4 relating to this section may be deleted.

**F. Gravity Flow Canal or Ditch**

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

NO

If "NO", items 2 through 4 relating to this section may be deleted.

**G. Reservoir**

1. Does the claim involve a reservoir modified through a transfer?

NO

**Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.**

If "NO", items 2 through 9 relating to this section may be deleted.

POD/POA Name or Number this section describes (only needed if there is more than one):

**Well #2**

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**A. Place of Use**

1. Is the right for municipal use?

MAY 09 2016

NO

*If "YES" the table below may be deleted.*

SALEM, OR

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
19	46	WM	28	NWNE	Na	Na	Industrial & Livestock Watering	22.0	Na
<b>Total Acres Irrigated</b>								<b>22.0</b>	<b>0</b>

**Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLOT, and QQ.**

**B. Diversion and Delivery System Information**

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES

*If "NO" items 2 through item 6 may be deleted.*

**2. Pump Information**

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Robco	5HHE	Unknown	Submersible	4"	4"
Emerson	BR4	H0352BLF	Turbine	6"	6"

**3. Motor Information**

MANUFACTURER	HORSEPOWER
Unknown	50
Emerson	30

**4. Theoretical Pump Capacity**

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a well, the water level during pumping	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
50 Hp	40	0	400'	0.70
30 Hp	70	10'	50'	

**5. Provide pump calculations:**

$$Q \text{ Pump} = \frac{(\text{horsepower})(\text{pump efficiency})}{(\text{total head in feet})} = \frac{(50 \text{ Hp})(7.04 \text{ ft}^4/\text{sec} * \text{Hp})}{(450 + 101.6 \text{ feet})} = 0.70 \text{ cfs}$$

$$Q \text{ Pump} = \frac{(\text{horsepower})(\text{pump efficiency})}{(\text{total head in feet})} = \frac{(30 \text{ Hp})(7.04 \text{ ft}^4/\text{sec} * \text{Hp})}{(60 + 177.8 \text{ feet})} = 0.89 \text{ cfs}$$

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
74302300 gal	74302300 gal	Not Running	Not Running

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
6"	4800'	PVC	Buried
4"	3800'	PVC	Buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
3"	6000'	PVC	Buried
2"	1150'	PVC	Buried

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
1"	70	150	31	4	1.34

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
Na	Na	Na	Na	NA

12. Additional notes or comments related to the system:

Well #1 & Well #2 are "tied" together for livestock watering and domestic type uses only. Only Well #2 supplies water for dust control.

C. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)?

YES

If "NO", items 2 through 8 relating to this section may be deleted.

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

1" diameter access port on top of well casing, with 5/8" pex pipe insert

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SALEM, OR

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

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY
12"	545'	545'	5-29-07	Na	Henry Mautz	Terry Daugherty

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

None

5. Is the appropriation from a dug well (sump)? NO

If "NO", items 6 through 8 relating to this section may be deleted.

**D. Storage**

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir) YES

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank NO

Bulge in System / Reservoir YES

Complete appropriate table(s), unused table may be deleted.

2. Storage Tank:

MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED
Na	Na	Na

3. Bulge in System / Reservoir:

RESERVOIR NAME OR NUMBER (CORRESPOND TO MAP)	APPROXIMATE DAM HEIGHT	APPROXIMATE CAPACITY (IN ACRE FEET)
Storage Pond	-7' bgs	0.75

**E. Gravity Flow Pipe**

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe? NO

If "NO", items 2 through 4 relating to this section may be deleted.

**F. Gravity Flow Canal or Ditch**

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? NO

If "NO", items 2 through 4 relating to this section may be deleted.

**G. Reservoir**

1. Does the claim involve a reservoir modified through a transfer? NO

If "NO", items 2 through 9 relating to this section may be deleted.

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## SECTION 5 CONDITIONS

All conditions contained in the permit, permit amendment, transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

**1. Time Limits:**

Permits, transfer final orders, and any extension 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 was to be completed. 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, extension or transfer final order:

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	12-14-06		
BEGIN CONSTRUCTION (A)	NA	3-29-07	Drilled Well #1
COMPLETE CONSTRUCTION (B)	10/01/14	3-12-14	Static Water Level Measurements
COMPLETE APPLICATION OF WATER (C)	10/01/14	5-01-14	Prepared Ground Water Management Plan

\* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)? YES

*If "NO", you may delete item 3 in this section.*

3. If for a transfer extension order, provide the following information:

VOLUME	PAGE	DATE EXTENDED TO
NA	NA	Na

**4. Initial Water Level Measurements:**

a. Was the water user required to submit an initial static water level measurement? YES

*If "NO", items 4b through 4d relating to this section may be deleted.*

b. What month was the initial measurement to be taken in?

Not Stated

c. Was the measurement submitted to the Department? YES

d. If the initial measurement was not submitted, provide that measurement now, if available:

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT
Na	NA	Na	NA

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

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

*If "NO", items 5b through 5e relating to this section may be deleted.*

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b. Provide the month, or months, the static water level measurement(s) were to be made:

Not Stated

c. Were the static water level measurements taken in the month(s) 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:

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT
Na	NA	NA	NA

6. Pump Test (Required for most ground water permits prior to issuance of a certificate)

a. Did the permit require the submittal of a pump test? **YES**

*If "NO", items 6b through 6e relating to this section may be deleted.*

b. Has the pump test been previously submitted to the Department? **NO**

c. Is the pump test attached to this claim? **NO**

d. Has the pump test been approved by the Department? **NO**

e. Has a pump test exemption been approved by the Department? **NO**

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**\*\* Claims will not be reviewed until a pump test or exemption has been approved by the Department**

7. Measurement Conditions:

a. Does the permit, permit amendment, transfer final order, or any extension final order require the installation of a meter or approved measuring device? **YES**

*If "NO", items 7b through 7f relating to this section may be deleted.*

**Reminder: 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. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Well #1	McCrometer	15-01023-04	Working (Assumed)	21326700	Unknown
Well #2	McCrometer	12-06518-04	Working (Assumed)	74302300	Unknown

*If a meter has been installed, items 7d through 7f relating to this section may be deleted.*

8. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? **YES**

*If "NO", item 8b relating to this section may be deleted.*

b. Have the reports been submitted? **YES**

METHOD OF SUBMITTING REPORT (PAPER OR ELECTRONIC)	WATER USER REPORTING ID
Electronic	62411

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

**9. Fish Screening**

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? **NO**

*If "NO", items 9b through 9e relating to this section may be deleted.*

**Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.**

**10. By-pass Devices**

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? **NO**

*If "NO", items 10b and 10c relating to this section may be deleted.*

**Reminder: If by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.**

**11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order:**

- a. Were there special well construction standards? **NO**
- b. Was submittal of a ground water monitoring plan required? **YES**
- c. Was the water user required to restore the riparian area if it was disturbed? **NO**
- d. Was a fishway required? **NO**
- e. Was submittal of a letter from an engineer required prior to storage of water? **NO**
- f. Was submittal of a water management and conservation plan required? **NO**
- g. Other conditions? **NO**

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

**Prepared a Ground Water Management Plan and are submitting it concurrently with this Application**

**SECTION 6  
ATTACHMENTS**

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
<b>WELL LOGS</b>	<b>Malh 53202 &amp; Malh53142</b>
<b>Extension of Time F.O.</b>	<b>Extension of Time Approval</b>
<b>Ground Water Management Plan</b>	<b>Ground Water Management Plan</b>

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## SECTION 7

### 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 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

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.

**A site visit with a hand held GPS and the use of Aerial photographs was used to prepare the COBU Map.**

### Map Checklist

Please be sure that the map you submit includes ALL the items listed below.

**(Reminder: Incomplete maps and/or claims may be returned.)**

- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Source illustrated if surface water
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

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

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WELL I.D. # 84910 85258  
START CARD # 187395

Instructions for completing this report are on the last page of WATER RESOURCES DEPT

(1) LAND OWNER Well Number \_\_\_\_\_ LOCATION OF WELL (legal description)  
Name Henry Maurz County Malheur  
Address P.O. Box 2153 Tax Lot 600 Lot \_\_\_\_\_  
City Nyssa State Or Zip 97713 Township 19S N or S Range 46E E or W WM  
Section 28 NE 1/4 NW 1/4

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

(3) DRILL METHOD  
 Rotary Air  Rotary Mud  Cable  Auger  Cable Mud  
 Other \_\_\_\_\_

(4) PROPOSED USE  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Livestock  Other \_\_\_\_\_

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

BORE HOLE Filled Bottom

Diameter	From	To	Material	From	To	Sacks or Pounds
15"	206	590	1/8 Bentonite	590	510	12,000 LBS

How was seal placed: Method  A  B  C  D  E  
 Other Seal Not Disturbed (Well Dry Before Reopening)  
Backfill placed from 0 ft. to 260 ft. Material 1/8 Bentonite chips  
Gravel placed from 260 ft. to 510 ft. Size of gravel 8-12

(6) CASING/LINER

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 10"	12	178	.280	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10"	178	370	.375	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10"	370	510	.250	<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"/>

Drive Shoe used  Inside  Outside  None  
Final location of shoe(s) \_\_\_\_\_

(7) PERFORATIONS/SCREENS Method Overbore Lower Screens  
 Perforations  Screens Type Knife Material SMITHLESS STEEL

From	To	Slot Size	Number	Diameter	Tele/plpe size	Casing	Liner
<del>370</del>	<del>510</del>	<del>20</del>	<del>304</del>	<del>10"</del>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour  
 Pump  Bailor  Air  Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
180	340	380	6 hrs

Temperature of water 75° 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  \_\_\_\_\_  
Depth of strata: 255 to 265

(10) STATIC WATER LEVEL  
240 ft. below land surface. Date 8-7-07  
\_\_\_\_\_ ft. below land surface. Date \_\_\_\_\_  
Artesian pressure \_\_\_\_\_ lb. per square inch Date \_\_\_\_\_

(11) WATER BEARING ZONES  
Depth at which water was first found 255 FT

From	To	Estimated Flow Rate	SWL
255	265	50 gpm	240
370	510	180 gpm	240

Well was Dry to 255 FT

(12) WELL LOG Ground Elevation \_\_\_\_\_

Material	From	To	SWL
Brown clay	204	230	240
1" with sandstone	230	255	240
fractured sandstone	255	265	
Brown sandstone w/clay	265	340	
Clay w/sandstone layers	340	367	
Clay w/fine sand layers	367	386	
Siltstone	386	408	
Clay w/sand layers	408	425	
Blue clay	425	440	
Hard Blue clay	440	465	
Siltstone	465	500	
Sand and clay layers	500	512	
Blue clay	512	590	

Date Started 6-25-07 Completed 8-9-07

(unbonded) Water Well Constructor Certification  
I certify that the work I performed on the construction, deepening, 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 \_\_\_\_\_ Date \_\_\_\_\_  
Signed \_\_\_\_\_ SALEM, OR

(bonded) Water Well Constructor Certification  
I accept responsibility for the construction, deepening, 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 1818 Date 10-1-07  
Signed Daniel M Green

**RECEIVED**

DEC 31 2007



**MALH 53202**

**Oregon**

Theodore R. Kulongoski, Governor

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

**PLEASE DO NOT REMOVE THIS LETTER FROM THE WELL LOG**

November 26, 2007

DANIEL MCLERAN  
DANIEL MCLERAN  
2850 1ST LANE E  
PARMA, ID 83660

**MALH 53202**

**WATER SUPPLY WELL REPORT COMPLETION**

Additional information is needed on the enclosed Water Supply Well Report(s). The report(s) need the information checked below.

- (5) **BORE HOLE CONSRUCTION** Did well cave? Completed depth is 510, deph drilled is 590, backfill only goes to 510. If well caved, please note as such on log. Thank you. *well D. not cave we filled with 12,000 LBS of Bentonite*
- (10) **STATIC WATER LEVEL** Please note static level before deepening. *well was dry when we arrived*

Please return the corrected/completed **Water Supply Report(s)** within 30 days from the date of this letter. If you have any questions, please call me at (503) 986-0850. Thank you.

Sincerely,

Laurie Norton  
Well Construction & Compliance Section

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**WATER RESOURCES DEPT  
SALEM OREGON**

STATE OF OREGON

WATER SUPPLY WELL REPORT

(as required by ORS 537.765 & OAR 690-205-0210)

06-19-2007

WELL LABEL # L 85266

START CARD # 172235

(1) LAND OWNER Owner Well I.D.#2

First Name HENRY Last Name MAUTZ
Company
Address PO BOX 2753
City NYSSA State OR Zip 97913

(2) TYPE OF WORK [X] New Well [ ] Deepening [ ] Conversion [ ] Alteration (repair/recondition) [ ] Abandonment

(3) DRILL METHOD [ ] Rotary Air [ ] Rotary Mud [ ] Cable [ ] Auger [ ] Cable Mud [X] Reverse Rotary [ ] Other

(4) PROPOSED USE [ ] Domestic [ ] Irrigation [ ] Community [ ] Industrial/ Commercial [ ] Livestock [ ] Dewatering [ ] Thermal [ ] Injection [X] Other AGRICULTURAL

(5) BORE HOLE CONSTRUCTION Special Standard [ ] Attach copy

Depth of Completed Well 545.00 ft.

Table with columns: Dia, From, To, Material, SEAL From, To, Amt, lbs. Row 1: 21, 0, 600, Bentonite, 0, 50, 7,500, P

How was seal placed: Method [ ] A [ ] B [ ] C [ ] D [ ] E [X] Other DRY POUR

Backfill placed from ft. to ft. Material

Filter pack from ft. to ft. Material Size

Explosives used: [ ] Yes Type Amount

(6) CASING/LINER

Table with columns: Casing Liner Dia + From To Gauge Stl Plstc Wld Thrd. Rows for diameters 12, 12, 12, 12, 12.

Shoe [ ] Inside [ ] Outside [ ] Other Location of shoe(s)

Temp casing [ ] Yes Dia From To

(7) PERFORATIONS/SCREENS

Perforations Method Screens Type WIRE WRAP Material S.S.

Perf/ Casing/ Screen Screen Liner Dia From To Scm/slot width Slot length # of slots Tele/ pipe size

Table with columns: Screen Liner Dia From To Scm/slot width Slot length # of slots Tele/ pipe size. Rows for diameters 12, 12, 12, 12.

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

[X] Pump [ ] Bailer [ ] Air [ ] Flowing Artesian

Table with columns: Yield gal/min, Drawdown, Drill stem/Pump depth, Duration (hr). Row 1: 200, 189, 390, 8

Temperature 61 °F Lab analysis [ ] Yes By

Water quality concerns? [ ] Yes (describe below)

Table with columns: From, To, Description, Amount, Units

(9) LOCATION OF WELL (legal description)

County Malheur Twp 19.00 S N/S Range 46.00 E E/W WM

Sec 28 NW 1/4 of the NE 1/4 Tax Lot 701

Tax Map Number Lot

Lat " or DMS or DD

Long " or DMS or DD

[X] Street address of well [ ] Nearest address

3125 KIMBERLY

(10) STATIC WATER LEVEL

Date SWL(psi) + SWL(ft)

Existing Well / Predeepening

Completed Well 05-29-2007 198

Flowing Artesian? [ ] Dry Hole? [ ]

WATER BEARING ZONES Depth water was first found

Table with columns: SWL Date, From, To, Est Flow, SWL(psi), + SWL(ft). Rows for dates 05-29-2007.

(11) WELL LOG

Ground Elevation

Table with columns: Material, From, To. Rows: TOP SOIL, SAND, GRAVEL, BURNT CLAY, BRN SANDSTONE, SILTSTONE, HARD BURNT CLAY, SOFT BRN SANDSTONE, FINE SAND, BRN SILTSTONE, BRN CLAY, SOFT-MED HARD BRN SANDSTONE, SANDY CLAY, SANDSTONE, FINE BLUE SAND, SANDY GREY CLAY, SANDSTONE, FINE SAND, SANDSTONE, HARD GREEN ROCK, SANDSTONE, CLAY, FINE SAND, GREY CLAY, SHALE, SANDSTONE, FINE SAND, SHALE, SANDSTONE, GREY CLAY, HARD GREY SANDSTONE, GREY CLAY.

Date Started 04-24-2007 Completed 05-29-2007

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, 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.

License Number Date MAY 09 2016

Electronically Filed

Signed SALEM, OR

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, 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.

License Number 1505 Date 06-19-2007

Electronically Filed

Signed TERRY DAUGHERTY (E-filed)

Contact Info (optional)

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

Water Rights Application  
Number G-16613

**Final Order**

**Extension of Time for Permit Number G-16136  
Permit Holders: Henry and Judy Mautz;  
Northwest Farm Credit Services FLCA**

---

**Permit Information**

Application File G-16613    Permit G-16136  
Basin: 10 – Malheur / Watermaster District 9  
Date of Priority: March 21, 2006

**Authorized Use of Water**

Source of Water: Well 1, Well 2, Well 3, Well 4, and Well 5 in Locket Gulch  
Basin within the Malheur Basin  
Purpose of Use: Industrial Use (Commercial use including dust control on  
85.0 acres in a stockyard); Livestock watering  
Maximum Rate: 1.89 Cubic Feet per Second (cfs), being 1.78 cfs for  
industrial use and 0.89 cfs for livestock watering

---

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

**Application History**

Permit G-16136 was issued by the Department on December 14, 2006. The permit called for completion of construction and complete application of water to beneficial use by October 1, 2011. On January 7, 2013, Henry Mautz submitted to the Department an Application for

Extension of Time for Permit G-16136. In accordance with OAR 690-315-0050(2), on October 1, 2013, the Department issued a Proposed Final Order proposing to extend the time to complete construction of the water system and to apply water to beneficial use to October 1, 2014. The protest period closed November 15, 2013, 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 October 1, 2013.

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 no additional conditions.

**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-16613, Permit G-16136, therefore, is approved. The deadline for completing construction is extended from October 1, 2011 to October 1, 2014. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2011 to October 1, 2014.

DATED: March 21, 2014



Dwight W. French, Administrator, Water Right Services Division,  
for PHILLIP C. WARD, DIRECTOR

- 
- If you have any questions about statements contained in this document, please contact Steven Parrett at (503) 986-0825.
  - 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
-

# Ground Water Monitoring Plan

The following is a plan intended to satisfy the requirement of Permit G-16136 & Application G-16613:

- 1.) We will measure the water levels of the wells in March of each year.
- 2.) The reference water level will be established by the measurements made on March 12, 2014.
- 3.) The well logs are MALH 53202 (L- 85258) & MALH 53142 (L- 85266).
- 4.) An electronic tape or other suitable measuring device will be used for obtaining the measurements.
- 5.) Measurements will be reported in feet and hundredths of a foot below land surface.
- 6.) The well will not be pumped for a minimum of 4 hours prior to taking the measurement.
- 7.) The person(s) obtaining the measurements will be either a full time employee trained in using the equipment or an other qualified person(s) of our choice.
- 8.) Annual reports will be sent to the Measurements and Reporting Section of the Department by April 30th.

Well No. 1 (MALH53202)

Well No. 2 (MALH53142)

Date:  
Measurement:

Date:  
Measurement:

Date:  
Measurement:

Date:  
Measurement:

Date:  
Measurement:

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MAY 09 2016

SALEM, OR

COB3W 995-

**LEGEND**

DISCRIPTION	SYMBOLS
SECTION LINE	— — — — —
QUARTER-QUARTER LINE	- - - - -
TAX LOT LINE	— — — — —
CREEK	~~~~~
CANAL BANK	=====
CANAL SIPHON	— IRR — IRR
DUST CONTROL MAIN LINE	— 6W — 6W
DUST CONTROL WATER LINE	— 4W — 4W
LIVESTOCK WATERING	— 3W — 3W
DOMESTIC WATER LINES	— 2W — 2W
COUNTY ROAD	=====

SECTION CORNER		36 31
RECOGNIZED SURVEY CORNER		1 6
WELL		
PUMP		
SUMP POND		
WATER RIGHT AREA UNDER SPRINKLER		22.00 ACRES
WATER TROUGH		

**WELL, METER & PUMP LOCATIONS**

- WELL No. 1: 990' SOUTH AND 3340' WEST OF THE NE CORNER SECTION 28, T19S., R.46 E., W.M.
- METER No. 1: SEE (WR3)
- WELL No. 2: 115' SOUTH AND 2285' WEST OF THE NE CORNER SECTION 28, T19S., R.46 E., W.M.
- METER No. 2: SEE (WR3)
- PUMP No. 1: 115' SOUTH AND 2230' WEST OF THE NE CORNER SECTION 28, T19S., R.46 E., W.M.

APPLICATION No.: G-16613  
 PERMIT No.: G-16136

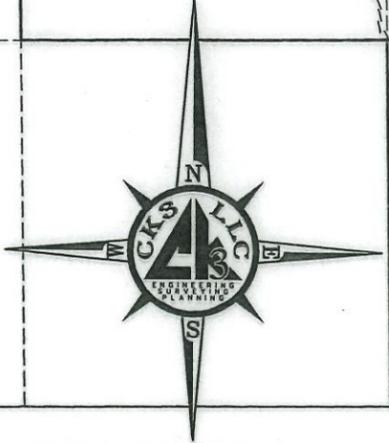
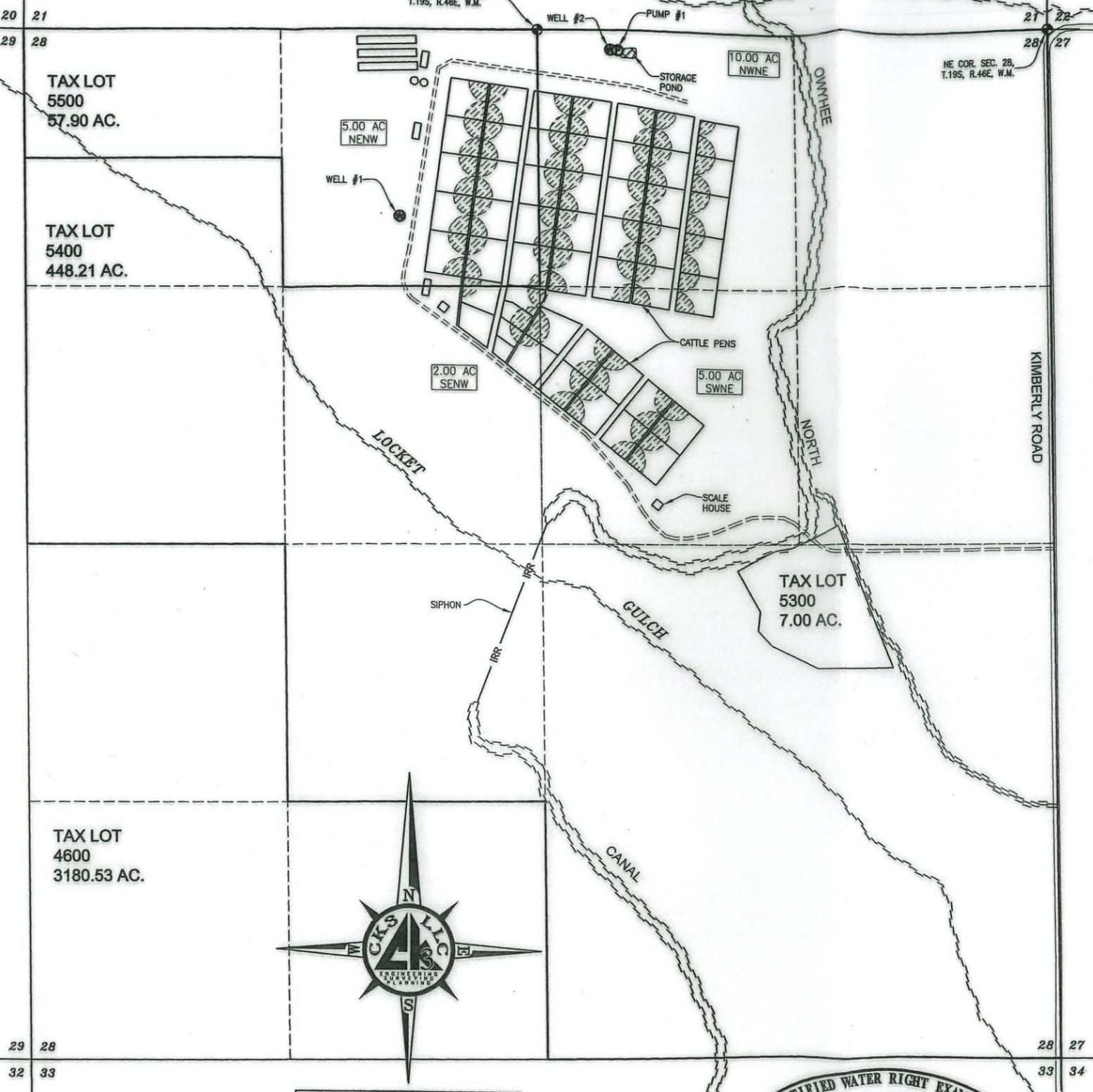
WATER RIGHT PLACE OF USE (SEC., 1/4 1/4, ACRES, TAX LOT, T.19 S. R. 46 E. SECTION 28):

(22.00 AC.)	NWNE	10.00 AC.	TL5400
	SWNE	5.00 AC.	TL5400
	NENW	5.00 AC.	TL5500
	SENW	2.00 AC.	TL5400

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SALEM, OR



SCALE 1" = 1/8 MILE  
 ALL DISTANCES SHOWN HERE ARE IN FEET UNLESS NOTED OTHERWISE

CERTIFIED WATER RIGHT EXAMINER  
 #85283WRE  
*Patrick J. Woodcock*  
 PATRICK J. WOODCOCK  
 JUNE 17, 2014  
 STATE OF OREGON

ENG. BY: PAT WOODCOCK  
 APR. BY: PAT WOODCOCK  
 DWG. BY: PLW / MK  
 DATE: APRIL 20, 2016

#	REVISION	DATE
01		
02		
03		
04		

CLAIM OF BENEFICIAL USE MAP  
 T 19 S, R 46 E,  
 SEC. 28, W.M.  
 MALHEUR COUNTY, OREGON  
 HENRY MAUTZ  
 3125 KIMBERLY ROAD  
 NYSSA, OREGON 97913

CKS, LLC  
 368 S.W. 5th Avenue  
 Ontario, Oregon 97914  
 Phn: (541) 889-5411  
 Fax: (541) 889-2074  
 CIVIL-STRUCTURAL-ELECTRICAL  
 ENGINEERING, SURVEYING & PLANNING

WRI  
 SHEET: 1 OF 3  
 JOB: C011014

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COB3W MAP 995 RENEWS: 6/30/2016

**DISCLAIMER**  
 THIS MAP WAS MADE TO BE A PART OF THE CLAIM OF BENEFICIAL USE FOR WATER RIGHTS. SECTIONAL LINES SHOWN ARE APPROXIMATE AND THIS MAP IS NOT INTENDED FOR ANY OTHER USE AND DOES NOT GUARANTEE LAND OWNERSHIP.

995

**LEGEND**

DISCRIPTION	SYMBOLS
SECTION LINE	—————
QUARTER-QUARTER LINE	- - - - -
TAX LOT LINE	=====
CREEK	~~~~~
CANAL BANK	=====
CANAL SIPHON	IRR IRR
DUST CONTROL MAIN LINE	6W 6W
DUST CONTROL WATER LINE	4W 4W
LIVESTOCK WATERING	3W 3W
DOMESTIC WATER LINES	2W 2W
COUNTY ROAD	=====
SECTION CORNER	36 31 1 6
RECOGNIZED SURVEY CORNER	⊕
WELL	⊙
PUMP	⊙
SUMP POND	⊙
WATER RIGHT AREA UNDER SPRINKLER	☼ 22.00 ACRES
WATER TROUGH	☼

APPLICATION No.: G-16613

PERMIT No.: G-16136

CERTIFIED WATER RIGHT EXAMINER  
#85283WRE  
*Patrick J. Woodcock*  
PATRICK J. WOODCOCK  
JUNE 17, 2014  
STATE OF OREGON

RENEWS: 6/30/2016

**DISCLAIMER**

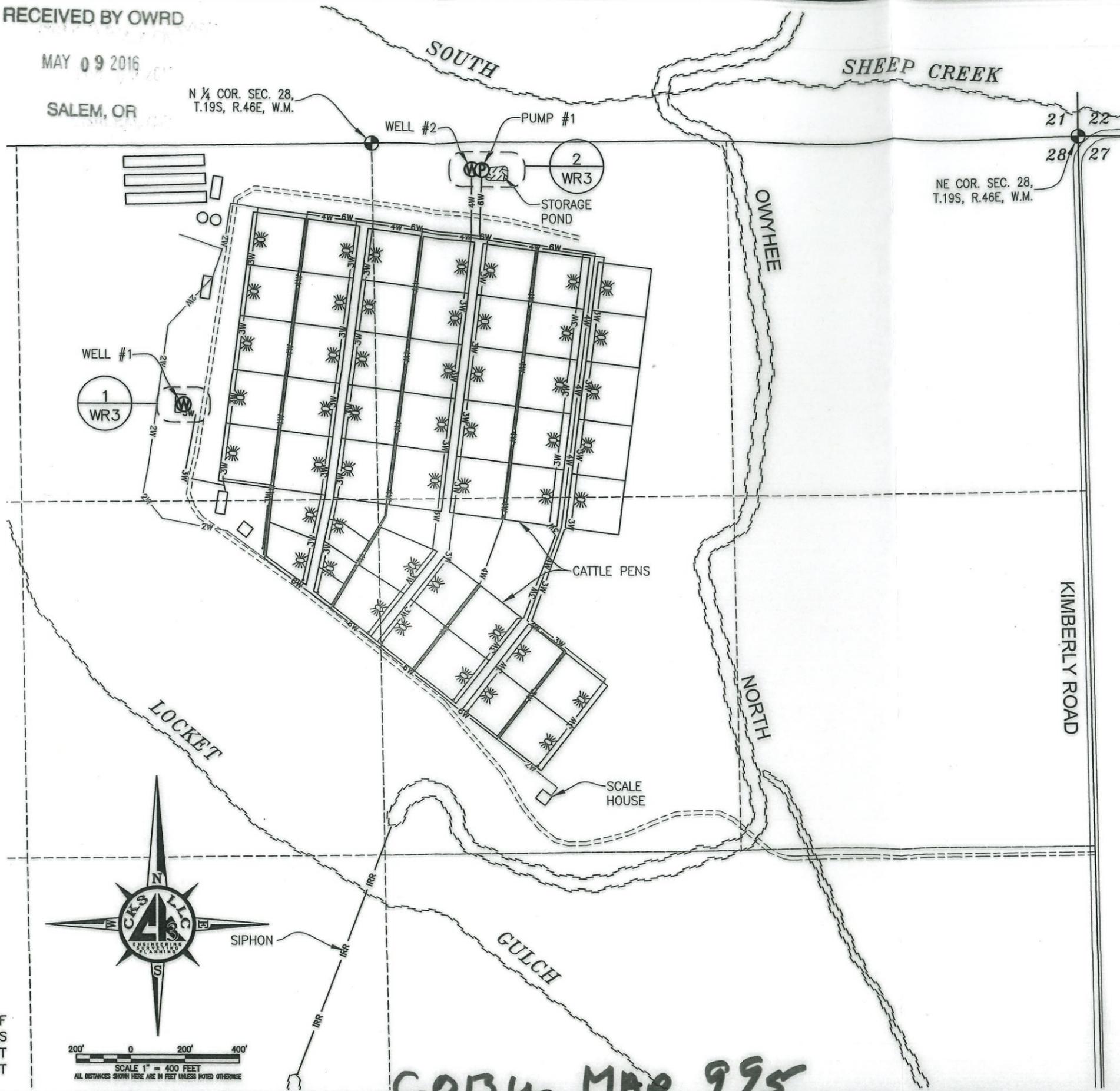
THIS MAP WAS MADE TO BE A PART OF THE CLAIM OF BENEFICIAL USE FOR WATER RIGHTS. SECTIONAL LINES SHOWN ARE APPROXIMATE AND THIS MAP IS NOT INTENDED FOR ANY OTHER USE AND DOES NOT GUARANTEE LAND OWNERSHIP.

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MAY 09 2016

SALEM, OR

N ¼ COR. SEC. 28,  
T.19S, R.46E, W.M.



ENG. BY:	PAT WOODCOCK
APR. BY:	PAT WOODCOCK
DWG. BY:	P.W / M
DATE:	APRIL 20, 2016

#	REVISION	DATE
01		
02		
03		
04		

CLAIM OF BENEFICIAL USE MAP  
T 19 S, R 46 E,  
SEC. 28, W.M.  
MALHEUR COUNTY, OREGON  
HENRY MAUTZ  
3125 KIMBERLY ROAD  
NYSSA, OREGON 97913

**CKS, LLC**  
368 S.W. 5th Avenue  
Ontario, Oregon 97914  
Ph: (541) 889-5411  
Fax: (541) 889-2074  
CIVIL-STRUCTURAL-ELECTRICAL  
ENGINEERING, SURVEYING & PLANNING



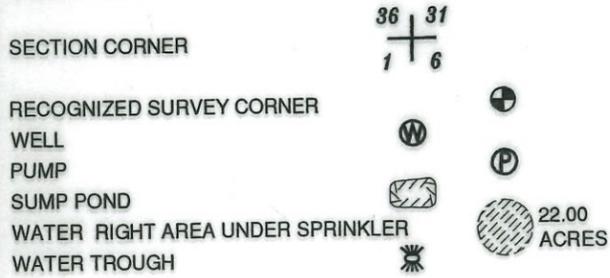
**WR2**  
SHEET: 2 OF 3  
JOB: C011014

COBW MAP 995

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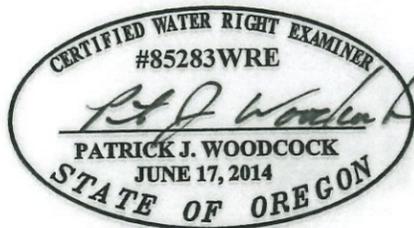
**LEGEND**

DISCRIPTION	SYMBOLS
SECTION LINE	=====
QUARTER-QUARTER LINE	- - - - -
TAX LOT LINE	=====
CREEK	~~~~~
CANAL BANK	=====
CANAL SIPHON	--- IRR --- IRR ---
DUST CONTROL MAIN LINE	--- 6W --- 6W ---
DUST CONTROL WATER LINE	--- 4W --- 4W ---
LIVESTOCK WATERING	--- 3W --- 3W ---
DOMESTIC WATER LINES	--- 2W --- 2W ---
COUNTY ROAD	=====



APPLICATION No.: G-16613

PERMIT No.: G-16136



RENEWS: 6/30/2016

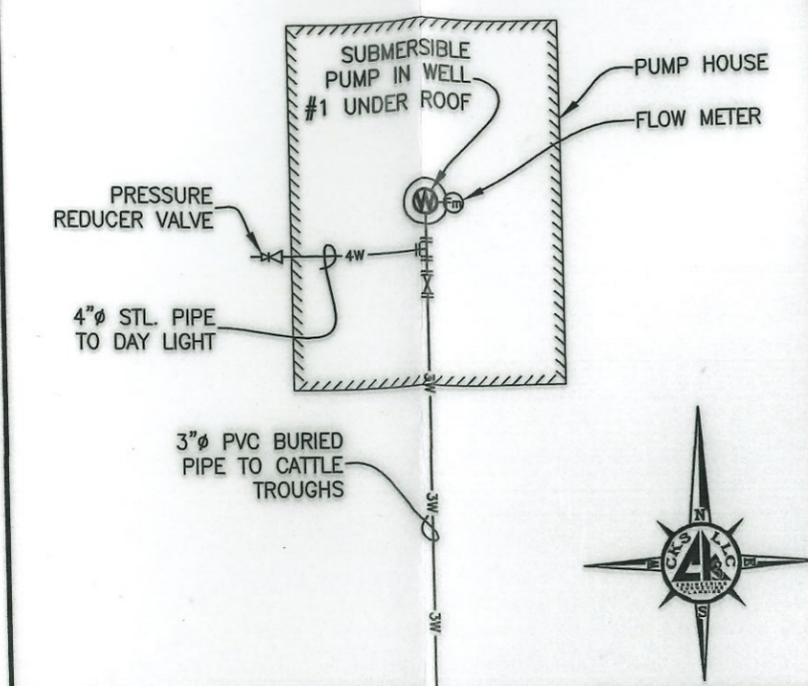
**DISCLAIMER**

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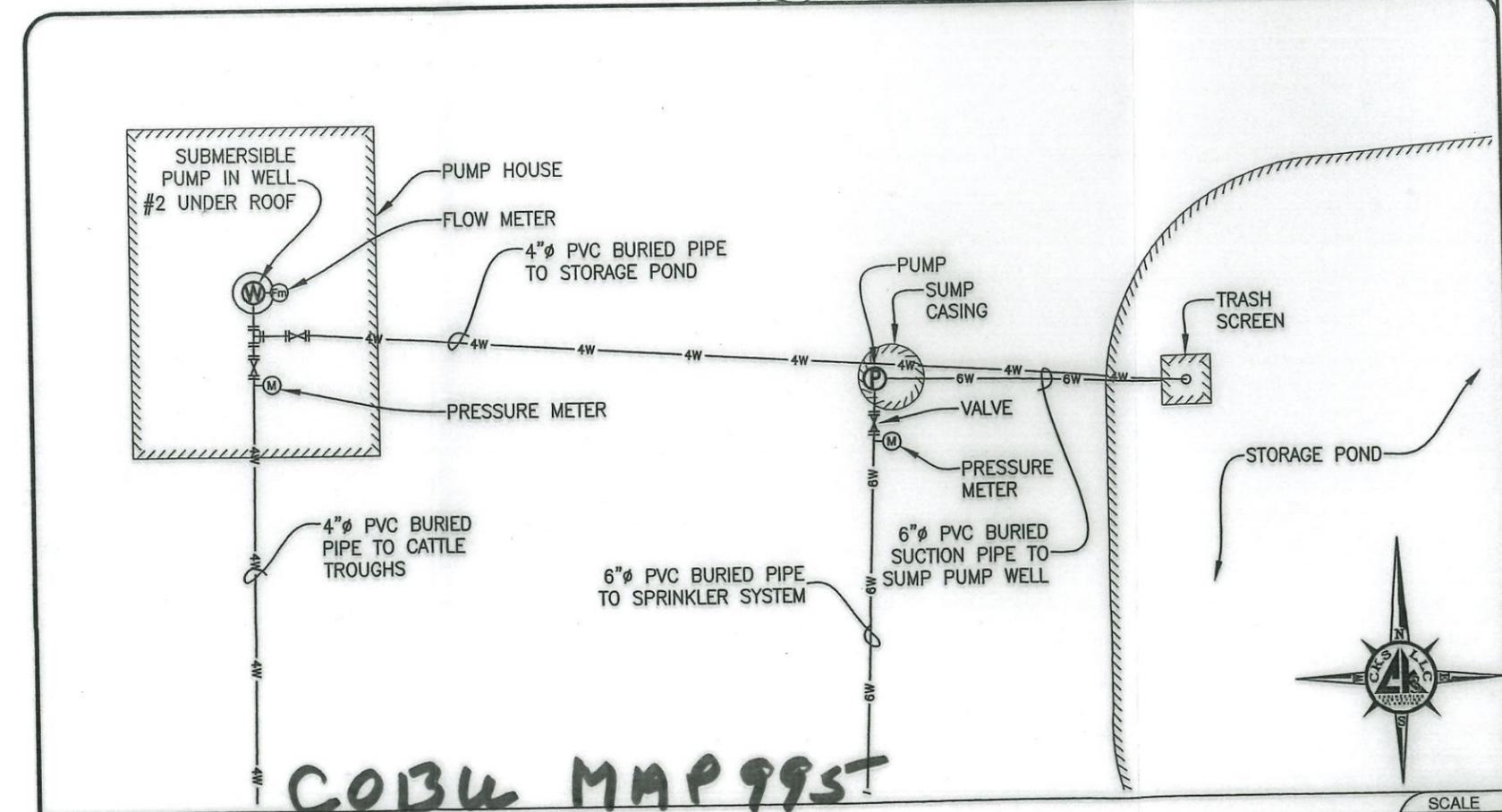
MAY 09 2016

SALEM, OR



1) WELL #1 P.O.A. DETAIL

SCALE 1"=10'-0"



2) WELL #2 P.O.A. DETAIL

SCALE 1"=10'-0"

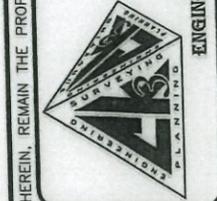
COB4 MAP 995

ENG. BY:	PAT WOODCOCK
APR. BY:	PAT WOODCOCK
DWG. BY:	PJW / MT
DATE:	APRIL 20, 2016

#	REVISION	DATE
01		
02		
03		
04		

CLAIM OF BENEFICIAL USE DETAILS  
 T 19 S, R 46 E,  
 SEC. 28, W.M.  
 MALHEUR COUNTY, OREGON  
 HENRY MAUTZ  
 3125 KIMBERLEY ROAD  
 NYSSA, OREGON 97913

**CK3, LLC**  
 368 S.W. 5th Avenue  
 Ontario, Oregon 97914  
 Phn: (541) 889-5411  
 Fax: (541) 889-2074  
 CIVIL-STRUCTURAL-ELECTRICAL  
 ENGINEERING, SURVEYING & PLANNING



**WR3**  
 SHEET: 3 OF 3  
 JOB: C011014

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# Oregon

Kate Brown, Governor

**Water Resources Department**

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

May 11, 2016

CK3 LLC  
PATRICK WOODCOCK  
368 SW 5TH AVE  
ONTARIO, OR 97914

On May 9, 2016 the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

Application G-16613 Permit G-16136

The COBU included a report and map. In the future the Department will review your submittal. 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](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.

Cc: file  
Henry Mautz  
NW Farm Credit



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

# Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

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**JAN 25 2006**

**WATER RESOURCES DEPT  
SALEM, OREGON**

## 1. APPLICANT INFORMATION

### A. Individuals

Applicant: Henry Mautz  
First Last

Mailing address: 6497 HWY 44  
Star Idaho 83669  
City State Zip

Phone: (208)286-7343  
Home Work Other

\*Fax: (208)286-7343 \*E-Mail address: \_\_\_\_\_

*Call: 503-555-5001*

### B. Organizations

*(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)*

Name of organization: Triangle XLS

Name and title of person applying: Owner

Mailing address of organization: Same

City State Zip

Phone: \_\_\_\_\_  
Day Evening

\*Fax: \_\_\_\_\_ \*E-Mail address: \_\_\_\_\_

\* Optional information

For Department Use		
App. No. <u>G-16613</u>	Permit No. _____	Date _____

2. PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water?

- Yes (Skip to section 3 "Ground water Development.")
- No (Please check the appropriate box below.)
  - I have a recorded easement or written authorization permitting access.
  - I do not currently have written authorization or easement permitting access.
  - Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040).

You must provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.

List the names and mailing addresses of all affected landowners.

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3. GROUND WATER DEVELOPMENT

**A. Well Information**

Number of well(s): 5

Name of nearest surface water body: Locket Gulch, Owyhee Canal

Distance from well(s) to nearest stream or lake: 1) 300 + from the canal

2) ~2500' from Locket Gultch 3) \_\_\_\_\_ 4) \_\_\_\_\_

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) Wells will be 40' or more above

2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_

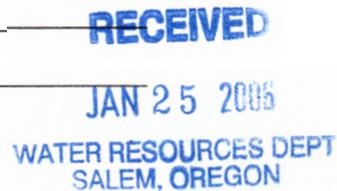
**B. Well Characteristics**

*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 constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to question F in this section of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:*

Well(s) will be constructed by: Unknown but probably by Riverside Well Drilling

Address: Parma, Idaho

Completion date: 12 months to complete feedlot



G-111013

Please provide a description of your well development. (Attach additional sheets if needed.)

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
1-5	12	Steel 0.325 wall	TB	200-300'	100'	250'	250'	2" welded	600' or less

Note: Well numbers in this listing must correspond to well locations(s) shown on accompanying map.

If well log is not available, or well is not yet constructed, you must provide: proposed total depth, depth of casing and seal, and the anticipated perforation and open intervals.

**C. Artesian Flows**

If your water well is flowing artesian, describe your water control and conservation works:

None-see attached well log, this is the neighbors well

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**4. WATER USE**

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

**A. Type(s) of Use(s)**

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: 1
- If your proposed use is **irrigation**, please attach Form I
- If your proposed use is **mining**, attach Form R
- If your proposed use is **municipal or quasi-municipal**, attach Form M
- If your proposed use is **commercial/industrial**, attach Form Q

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SALEM, OREGON

6-166613

**B. Amount of Water**

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
1-5	gravel/sand	Stock Water	400	255,000,000	400/
1-5	gravel/sand	Commercial/Dust Control	800	90,000,000	400
1-5	gravel/sand	Domestic	25	13,000,000	400

**C. Maximum Rate of Use Requested**

What is the maximum, instantaneous rate of water that will be used? 850

*(The fees for your application will be based on this amount.)*

**D. Period of Use**

Indicate the time of year you propose to use the water: January 1 to December 31

*(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)*

**E. Acreage**

If you will be applying water to land, please give the total number of acres where water will be applied or used: ~85 acres of feed lot

*(This number should be consistent with your application map.)*

**5. WATER MANAGEMENT**

**A. Diversion**

What equipment will you use to pump water from your well(s)?

Pump (give horsepower and pump type): 5 to 50 hp depending on well

Other means (describe): \_\_\_\_\_

**B. Transport**

How will you transport water to your place of use?

Ditch or canal (give average width and depth):  
Width \_\_\_\_\_ Depth \_\_\_\_\_

Is the ditch or canal to be lined?  Yes  No

Pipe (give diameter and total length):  
Diameter 4-8" design not done Length Unknown (54+ pen of 200 x 195')

Other (describe) \_\_\_\_\_

G-116613

**C. Application/Distribution Method**

What equipment will you use to apply water to your place of use? stock water tanks, large sprinklers  
one home

Irrigation or land application method (check all that apply):

- Flood
- High-pressure sprinkler
- Low pressure sprinkler
- Drip
- Water cannons
- Center pivot system
- Hand lines
- Wheel lines
- Siphon tubes or gated pipe with furrows
- Other, describe \_\_\_\_\_

Distribution method

- Direct pipe from source
- In-line storage (tank or pond)
- Open canal

**D. Conservation**

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

No runoff, runoff ponds, dust control will be automatic control so no water is wasted  
\_\_\_\_\_  
\_\_\_\_\_

**6. PROJECT SCHEDULE**

*Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.*

Proposed date construction will begin: ASAP, feedlot permit approval expected by January 1, 2006  
Proposed date construction will be completed: Jan 2007  
Proposed date beneficial water use will begin: July 2006

**7. REMARKS**

*If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.*

The well log inclosed is just what is anticipated. The feed lot permit is enclosed. A drawing of what the owner  
expects to construct. Number of wells actually drilled will depend on the capacity of each new well.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**WATER RESOURCES DEPT**  
**SALEM, OREGON**

G-11 at 12

## 8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

## 9. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:



Signature of Applicant (If more than one applicant, all must sign.)

12/29/05  
Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at [www.wrd.state.or.us](http://www.wrd.state.or.us) or call (503) 986-0900.

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SALEM, OREGON**

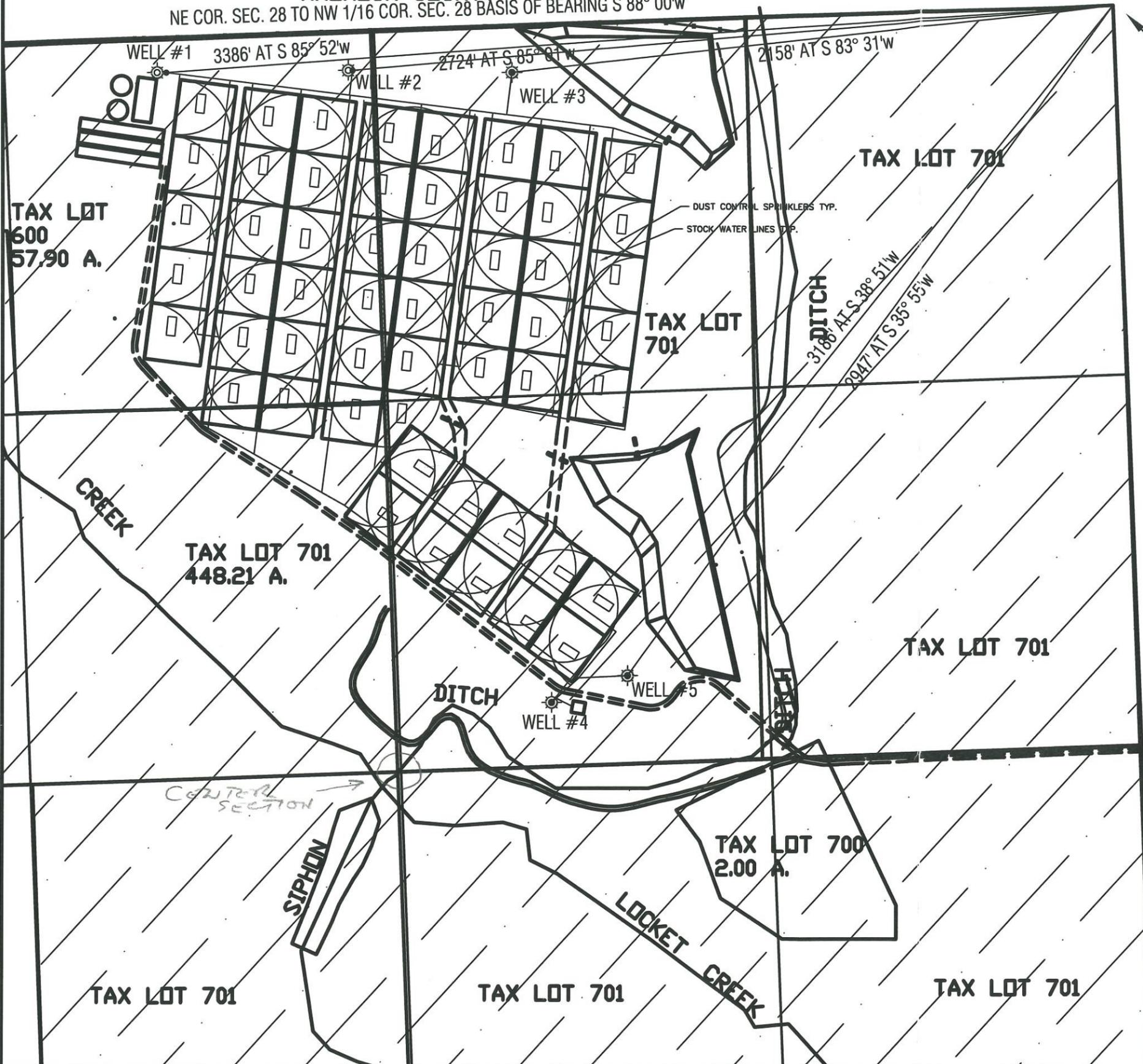
G-110112

**DISCLAIMER**

I, STEWART R. EDWARDS, HEREBY CERTIFY THAT THIS MAP WAS MADE TO BE AN APPLICATION FOR MAP FOR A PERMIT TO APPROPRIATE GROUND WATER. SECTIONAL LINES SHOWN ARE APPROXIMATE AND THIS MAP IS NOT INTENDED FOR ANY OTHER USE AND DOES NOT GUARANTEE LAND OWNERSHIP.

**SW1/4 19S 46E W.M.  
MALHEUR COUNTY**

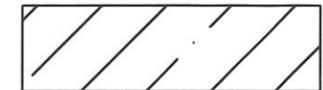
NE COR. SEC. 28 TO NW 1/16 COR. SEC. 28 BASIS OF BEARING S 88° 00'W



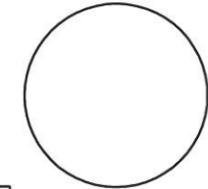
NE COR.  
SEC 28

**LEGEND**

LAND OWNED



DUST CONTROL SPRINKLERS



WATER TANK



BURIED PIPE LINE



WELL PUMP



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SALEM, OREGON



SCALE: 1" = 400'

APPLICATION MAP

FOR: **HENRY MAUTZ**

**EDWARDS & CUMMINGS, LLC**

CIVIL ENGINEERING & LAND SURVEYING  
156 SE 1ST AVE., SUITES NO. 1 & 2, 889-5411, ONTARIO, OREGON 97914

CHECKED BY: S.E.

DRAWN BY: DC

APPROVED BY: SRE

DATE: 12/27/2005

DRAWING No. 208940-1074

REVISED:

SHEET 1 OF 1

JOB No. W0-005004

BK.

appno G-16613 Permit no G-16136



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

Water Rights Application  
Number G-16613

**Final Order**

**Extension of Time for Permit Number G-16136  
Permit Holders: Henry and Judy Mautz;  
Northwest Farm Credit Services FLCA**

---

**Permit Information**

Application File G-16613    Permit G-16136  
Basin: 10 – Malheur / Watermaster District 9  
Date of Priority: March 21, 2006

**Authorized Use of Water**

Source of Water: Well 1, Well 2, Well 3, Well 4, and Well 5 in Locket Gulch  
Basin within the Malheur Basin  
Purpose of Use: Industrial Use (Commercial use including dust control on  
85.0 acres in a stockyard); Livestock watering  
Maximum Rate: 1.89 Cubic Feet per Second (cfs), being 1.78 cfs for  
industrial use and 0.89 cfs for livestock watering

---

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

**Application History**

Permit G-16136 was issued by the Department on December 14, 2006. The permit called for completion of construction and complete application of water to beneficial use by October 1, 2011. On January 7, 2013, Henry Mautz submitted to the Department an Application for

Extension of Time for Permit G-16136. In accordance with OAR 690-315-0050(2), on October 1, 2013, the Department issued a Proposed Final Order proposing to extend the time to complete construction of the water system and to apply water to beneficial use to October 1, 2014. The protest period closed November 15, 2013, 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 October 1, 2013.

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 no additional conditions.

**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-16613, Permit G-16136, therefore, is approved. The deadline for completing construction is extended from October 1, 2011 to October 1, 2014. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2011 to October 1, 2014.

DATED: March 21, 2014



Dwight W. French, Administrator, Water Right Services Division,  
for PHILLIP C. WARD, DIRECTOR

- 
- If you have any questions about statements contained in this document, please contact Steven Parrett at (503) 986-0825.
  - 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: March 21, 2014**

**Copies Mailed**

**Application G-16613  
Permit G-16136**

By: FWJ  
On: 3/21/14

**Original mailed to permit holder**

Henry and Judy Mautz  
3125 Kimberly Road  
Nyssa, OR 97913

**Copies sent to:**

1. WRD - App. File G-16613/ Permit G-16136
2. Northwest Farm Credit Services, FLCA  
16034 Equine Drive  
Nampa, ID 83687

**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 9, Ron Jacobs ✓ SWP 3-20-14
5. WRD – ER Regional Manager, Jason Spriet  
*\*NOTE: Send FO's Region Managers ONLY if denied*

CASEWORKER: SWP

**Mailing List for Extension PFO Copies**

**PFO Date: October 1, 2013**

**Application G-16613  
Permit G-16136**

**Copies Mailed**

By: WRM  
On: 9/30/13

**Original mailed to Applicant:**

~~Henry Mautz, and Triangle XLS  
3125 Kimberly Road  
Nyssa, OR 97913~~

**Copies sent to:**

- ~~1. WRD - App. File G-16613/ Permit G-16136~~
2. None – (\*\*NW Farm Credit Services at FO)

**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)**

CASEWORKER: MRM

**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-16136, Water Right Application G-16613 ) PROPOSED FINAL ORDER  
in the name of Henry Mautz, and Triangle XLS )

---

**Permit Information**

**Application File G-16613 Permit G-16136**

Basin: 10 – Malheur / Watermaster District 9  
Date of Priority: March 21, 2006

**Authorized Use of Water**

Source of Water: Well 1, Well 2, Well 3, Well 4, and Well 5 in Locket Gulch  
Basin within the Malheur Basin  
Purpose of Use: Industrial Use (Commercial use including Dust Control on  
85.0 acres in a stockyard) and Livestock Watering  
Maximum Rate: Not to Exceed 1.89 Cubic Feet per Second (cfs), being 1.78  
cfs for Industrial Use and 0.89 cfs for Livestock Watering

---

**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**

*Please read this Proposed Final Order in its entirety.*

This Proposed Final Order applies only to Permit G-16136, water right Application G-16613.  
A copy of Permit G-16136 is enclosed as Attachment 1.

## Summary of Proposed Final Order for Extension of Time

### The Department proposes to:

- Grant an extension of time for complete construction of the water system and time to apply water to full beneficial use from October 1, 2011 to October 1, 2014.

### ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources

PFO – Proposed Final Order

#### Units of Measure

cfs – cubic feet per second

gpm – gallons per minute

### AUTHORITY

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

**ORS 537.630(1)** provide in pertinent part that the Oregon Water Resources Department (Department) may, for good cause shown, order an extension of time within which: irrigation or other works shall be completed; the well or other means of developing and securing ground water shall be completed; or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

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

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

## **FINDINGS OF FACT**

### **Background**

1. Permit G-16136 was granted by the Department on December 14, 2006. The permit authorizes the use of up to 1.89 cfs of water from Well 1, Well 2, Well 3, Well 4, and Well 5 in Locket Gulch Basin for Industrial Use (Commercial Use including Dust Control on 85.0 acres in a stockyard) and Livestock Watering. The permit specified complete application of water was to be made on or before October 1, 2011.
2. The permit holder submitted an "Application for Extension of Time" to the Department on January 7, 2013 requesting the time to complete construction of the water system and the time to apply water to full beneficial use under the terms and conditions of Permit G-16136 be extended from October 1, 2011 to October 1, 2014. This is the first permit extension requested for Permit G-16136.
3. Notification of the Application for Extension of Time for Permit G-16136 was published in the Department's Public Notice dated January 22, 2013. No public comments were received regarding the extension application.

### **Review Criteria [OAR 690-315-0040]**

*The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0040. This determination shall consider the applicable requirements of ORS 537.230<sup>1</sup>, 537.248<sup>2</sup>, 537.630<sup>3</sup> and/or 539.010(5)<sup>4</sup>.*

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

4. On January 7, 2013, the Department received a completed Application for Extension of Time 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. Senate Bill 300 (1999 legislation) eliminated the requirement that holders of new surface water and ground water permits start construction on water projects within one year after the Department issues the permit. Senate Bill 300 applies to any application for a permit filed after October 23, 1999, including this application.

### **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.*

---

<sup>1</sup>ORS 537.230 applies to surface water permits only.

<sup>2</sup>ORS 537.248 applies to reservoir permits only.

<sup>3</sup>ORS 537.630 applies to ground water permits only.

<sup>4</sup>ORS 539.010(5) applies to surface water and ground water permits.

6. As of January 7, 2013, the remaining work to be completed consists of completing construction of the water system and applying water to full beneficial use.
7. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2014, to complete construction of the water system and to accomplish the application of water to beneficial use under the terms and conditions of Permit G-16136 is both reasonable and necessary.

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

*The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0040(2).*

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

*The Department's determination of reasonable diligence shall consider the requirements set forth under OAR 690-315-0040(3)(a-d). In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:*

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

8. Work was accomplished within the time allowed in the permit or previous extension as follows:
  - a. Construction of the well was completed prior to October 1, 2011.
  - b. Work was completed (specified in the Application for an Extension of Time) during the original development time frame under Permit G-16136.

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

9. The following beneficial use of water was made during the permit or previous extension time limits:
  - a. Since the issuance of Permit G-16136 on December 14, 2006, a maximum rate of 0.76 cfs of water has been appropriated from the well for industrial use (Commercial Use including Dust control on 85.0 acres in a stockyard) and Livestock Watering. The authorized amount of water for Industrial Use and Livestock Watering is 1.89 cfs.

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

10. The water right permit holder's conformance with the permit or previous extension conditions.
  - a. The Department has considered the permit holder's compliance with conditions, including mitigation requirements, and did not identify any concerns.

Financial Investments [OAR 690-315-0040(3)(d)]

11. Financial investments made toward developing the beneficial water use.

As of January 7, 2013, the permit holder has invested approximately \$301,000, which is approximately 80 percent of the total projected cost for complete development of this project.

**Cost to Appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b)]**

12. The permit holder anticipates an additional \$76,500 investment is needed for the completion of this project.

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

13. The Department has found good faith of the appropriator under Permit G-16136.

**The Market and Present Demands for Water [OAR 690-315-0040(2)(d-e)]**

*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:*

14. The amount of water available to satisfy other affected water rights and scenic waterway flows; 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); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0040(4)(a-c)].

a. 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-16136; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined at such time that such application for a new water right is submitted. The points of appropriation for Permit G-16136, located within the Malheur Basin, are not located within a limited or critical ground water area. Malheur Basin is not located within or above any state or federal scenic waterway, however it is located within an area ranked "low" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is not located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. Malheur is not listed by the Department of Environmental Quality as a water quality limited stream.

15. Economic investment in the project to date [OAR 690-315-0040(4)(d)].

As of January 7, 2013, the permit holder has invested approximately \$301,000.

16. Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].  
None have been identified.
17. Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0040(4)(f)].
  - a. None have been identified.

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

18. 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)]**

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

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

20. None have been identified.

## **CONCLUSIONS OF LAW**

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630(1).
2. 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).
3. The applicant complied with begin actual construction timeline requirements pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
4. Completion of construction and full application of water to beneficial use can be accomplished by October 1, 2014<sup>5</sup>, as required by OAR 690-315-0040(1)(c).
5. 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

---

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

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).

### **Proposed Order**

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

Extend the time for complete construction of the water system and to apply water to beneficial use under Permit G-16136 from October 1, 2011 to October 1, 2014.

DATED: October 1, 2013

  
Dwight W. 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(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **November 15, 2013**, 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;





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

# Application for Extension of Time for a Water Right Permit

(Non-Municipal / Non-Quasi-municipal Water Use)

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).*

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

**I, Henry Mautz**

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

3125 Kimberly Road                      Nyssa                      Or                      97913  
 ADDRESS                                      CITY                                      STATE                                      ZIP

(208) 283-5021                                      NA  
 PHONE    E-MAIL ADDRESS

**the permit holder of:**                      Application Number G-16613

Permit Number G-16136  
 [OAR 690-315-0020(3)(b)]

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**do hereby request that the time in which to:**

- complete construction (of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water), which time now expires on October 1, 2012, be extended to October 1, 2014,
- N/A (Check this box if the permit does not specify a date by when construction must be completed.)

**and/or the time in which to:**

- apply water to full beneficial use under the terms and conditions of the permit, which time now expires on October 1, 2012, be extended to October 1, 2014.

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

- This completed Application for Extension of Time.
- Statutory fee of \$500.
- Signature page (last page of this Application for Extension of Time).
- All supporting documentation and/or evidence referenced in the Application for Extension of Time.

## **MAIL COMPLETED APPLICATION**

**along with the**

**\$500 STATUTORY FEE TO:**

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

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### 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*, available at the following link:  
<http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#other>
- Request the reasonable amount of time necessary to fully complete the water construction 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).
- An instruction sheet (Instructions for Filling Out Extension of Time Application for Permits) provides details that will help you answer each question on the application. Permit extensions

are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at:  
<http://www.wrd.state.or.us/OWRD/LAW/index.shtml>.

- 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 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 and Adjudications Division.
- Once an Application for Extension of Time is received by OWRD, it will be reviewed for completeness. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

#### **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 at <http://www.wrd.state.or.us> (find the link to the Water Rights Information System (WRIS)). Or, a copy of the permit (or other documents) may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- 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.).

#### **Answer the Following Questions to Complete this Application for Extension of Time**

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

1. **Did the actual construction of the water system/well drilling begin within the time specified in the permit?**     Yes     No



*TIP:*    *Not all permits specify a date by which construction was to begin.*

**Date construction began is:** 4-24-2007

**Details of construction:** Drilled (2) Wells, Constructed Feed Lot, Installed underground piping, water troughs, and sprinkler systems for dust control.

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[OAR 690-315-0020(3)(e)(A)]  
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2. Permits typically contain standard or special conditions that must be satisfied to lawfully develop and use permitted water. In the development of this water right, have you satisfied the conditions contained in your permit?  Yes  No

2-A) Describe how you have complied with each condition contained in the original permit [and, if applicable, each condition contained in any order approving a permit amendment and/or a final order approving a prior extension of time]. Include the date when the condition was satisfied.



**TIP:** The instruction sheet for the Application for Extension of Time provides an explanation of the typical conditions that must be addressed in this question.

### CHART-A

Condition No.**	Date Satisfied	Describe How Permit Condition Has Been Satisfied
A.	8/15/12	Installed Water Meters on both Wells
B.	8/15/12	Installed Water Meters on both Wells
4.	8/09/07	Both Wells were constructed by a licensed well driller

\*\* Condition No: Hand-number each condition on a copy of your permit (and, if applicable, permit amendment and prior extension). Include a copy of your hand-numbered permit with the application.

2-B) If you have NOT complied with all applicable conditions, explain the reasons why and indicate with a date certain (in the near future) when compliance will occur.

### CHART-B

Condition No.**	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied
B	4/1/2013	Keeping a record of the water use, unfortunately fell thru the cracks on being placed on our log of tasks to be completed. It is now on the log however and we will begin keeping track.
1	4/1/2013	Similar to condition "B" above, the water monitoring plan was not completed however we are in the process of developing the plan and will have it sent in to OWRD this coming spring.
2	10/1/2014	Currently only (2) of the proposed wells have been drilled. We plan to have all of the wells constructed by 10/1/2014.
6	6/1/2013	Similar to numbers two and three above, a pump test has not been completed on the (2) constructed wells. We plan to schedule a pump test for this, this coming spring and it will be submitted upon completion.

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\*\* Condition No: Hand-number each condition on a copy of your permit (and, if applicable, permit amendment and prior extension. Include a copy of your hand-numbered permit with the application.

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

3. Provide evidence of physical progress made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-C); and if applicable, within the time period of the most recent extension granted (CHART-D).

3-A) CHART-C (below) must be completed for all Application for Extension of Time requests. Use chronological order.

**CHART-C**

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
	NA	

DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED <i>and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER</i> <i>List work/actions done during the permitted time period.</i>	COST*
12/14/2006	Date the permit was signed - find date above signature on last page of permit.	
5/29/2007	Completed Well #1	\$25,000.00
8/09/2007	Completed Well #2	\$25,000.00
	Date the permit specified "Actual Construction Work" shall begin ("A-Date") -not all permits contain this date.	
05/01/2008	Installed underground pipe infrastructure for livestock watering and dust control of the cattle pens.	\$250,000.00
10/1/2011	Date the permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date.	

**CHART-C (continued)**

DATE	WORK ACCOMPLISHED AFTER "C-DATE" <i>COMPETE ONLY IF THIS IS YOUR 1st APPLICATION FOR 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*
08/15/2012	Installed Water Meters on both wells	\$1,000.00
<b>Total Cost for Chart-C</b>		<b>\$301,000.00</b>

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

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

### CHART-D

DATE	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
10/1/	"Extended From" date for complete application of water used in the 1 <sup>st</sup> (or the most recent) Application for Extension of Time.	
	NA	
10/1/	"Extended To" date for complete application of water resulting from the 1 <sup>st</sup> (or the most recent) Application for Extension of Time.	

### CHART-D (Continued)

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*
	NA	

<b>Total Cost of Chart-D</b>	<b>NA</b>
------------------------------	-----------

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

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

4. Cost of project to date: \$301,000.00  
(The total combined cost from CHART-C and CHART-D)

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



**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.

5-A) 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 = NA cfs (cubic feet per second) or,

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

Acre-feet stored to date = NA AF

5-B) 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-E**

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					If yes, provide the Permit, Certificate, or Transfer No.
			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? (See 5-C below)	Maximum instantaneous rate used from this well -- under this permit only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	
3	2	Yes <input checked="" type="checkbox"/>	MALH 53142	85266	Yes <input checked="" type="checkbox"/>	0.38 cfs	Yes <input type="checkbox"/>	-NA
		No <input type="checkbox"/>			No <input type="checkbox"/>		No <input checked="" type="checkbox"/>	-NA
	1	Yes <input checked="" type="checkbox"/>	MALH 53202	85258	Yes <input type="checkbox"/>	0.38 cfs	Yes <input type="checkbox"/>	-NA
		No <input type="checkbox"/>			No <input checked="" type="checkbox"/>		No <input checked="" type="checkbox"/>	-NA
		Yes <input type="checkbox"/>			Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	-
		No <input type="checkbox"/>			No <input type="checkbox"/>		No <input type="checkbox"/>	-
		Yes <input type="checkbox"/>			Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	-
		No <input type="checkbox"/>			No <input type="checkbox"/>		No <input type="checkbox"/>	-
<b>Total instantaneous rate from all wells utilized under this permit</b>						<b>0.76</b>		

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Last Revised 1/30/2012

5-C) If the drilled location of a well is not authorized on this permit, please specify its location below, or provide a map showing its location. Has or will a permit amendment application been/be filed? Yes  No

If a Permit Amendment Application has been filed: Transfer No. T-\_\_\_\_\_

Well #1: Actual location: 990' south & 3340' west of the NE corner of Section 28, T. 19S, R. 46E, W.M.

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

6. Provide the total number of acres irrigated to date under this permit (if applicable).

Total acres irrigated to date: 25.4 acres

Ground Water Permits: Please specify which wells are being utilized for this irrigation.

Well #1 Acres 12.7      Well #2 Acres 12.7

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

7. 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-F

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
10/1/12 thru 10/1/13	Record monthly water usage	\$0.00
3/1/13 to 4/1/13	Prepare Water Management Plan	\$500.00
3/1/13 thru 9/1/13	Perform Pump Tests	\$1,000.00
4/1/13 thru 10/1/14	Drill the remaining wells	\$75,000.00
Year: 2013	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
<b>Total Cost</b>		<b>\$76,500.00</b>

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

8. Estimated remaining cost to complete the project: \$76,500.00  
(The total cost from CHART-F)

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Last Revised 1/30/2012

9. **List the reasons why the project was not constructed, and/or water was not beneficially used within permit time limits. Provide supporting information for the reason(s) that best fits your circumstances (A, B, C or D).**

9-A) **The project is of a size and scope that was originally planned to be phased in over a time frame longer than the one allowed in the permit.**

NA

9-B) **The financial resources needed to develop the project precluded completion of the project within authorized time frames.**

NA

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

Unfortunately, the day to day operations of managing and operating the Feedlot which include complying with several other permits and agencies resulted in losing track of ensuring that the required items on the permit were satisfied in the required time frame. The cost of drilling the additional wells has resulted in them not being constructed.

9-D) **Acts of God or other unforeseen events delayed full development of the water system and use of water within the authorized time frames.**

NA

10. **Justify the time requested to complete the project and/or apply the water to full beneficial use.** Your justification should combine information from your answers from Questions 2-B, 7, 8, and 9 of this Application for Extension of Time, and should also 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.

We believe that the items that need complied with on the permit are fairly minor in nature and the necessary corrective actions should be completed within the next year, but the construction of the additional wells and additional underground piping will likely take a couple of years.

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

With so many different permits and regulatory agencies that have to be complied with in our business we forgot about having the necessary permit conditions met within the required time frame, because we weren't in constant contact with OWRD as is the case with other agencies. However, we recognize that it was our duty to ensure that the conditions were met and are now asking OWRD for an extension so that we can accomplish the items required by the permit.

**I am the permit holder, or have authorization from the permit holder, to 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.**

*Amy Maury*

Signature

*Jan 2, 2013*

Date

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WATER RESOURCES DEPT  
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STATE OF OREGON

COUNTY OF MALHEUR

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

TRIANGLE XLS  
6497 HWY 44  
STAR, ID 83669

208-286-7343

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

APPLICATION FILE NUMBER: G-16613

SOURCE OF WATER: WELL 1, WELL 2, WELL 3, WELL 4 AND WELL 5, ALL IN  
LOCKET GULCH BASIN

PURPOSE OR USE: INDUSTRIAL USE (COMMERCIAL USE INCLUDING DUST CONTROL ON  
85.0 ACRES IN A STOCKYARD); LIVESTOCK WATERING

MAXIMUM RATE: NOT TO EXCEED 1.89 CUBIC FEET PER SECOND (CFS), BEING 1.78  
CFS FOR INDUSTRIAL USE AND 0.89 CFS FOR LIVESTOCK WATERING

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MARCH 21, 2006

WELL LOCATIONS: WELL #1: NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , SECTION 28, T19S, R46E, W.M.;  
SOUTH 85 DEGREES 52 MINUTES WEST, 3386 FEET FROM NE  
CORNER, SECTION 28

WELL #2: NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , SECTION 28, T19S, R46E, W.M.;  
SOUTH 85 DEGREES 1 MINUTE WEST, 2724 FEET FROM NE  
CORNER, SECTION 28

WELL #3: NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , SECTION 28, T19S, R46E, W.M.;  
SOUTH 83 DEGREES 31 MINUTES WEST, 2158 FEET FROM NE  
CORNER, SECTION 28

WELL #4: SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , SECTION 28, T19S, R46E, W.M.;  
SOUTH 38 DEGREES 51 MINUTES WEST, 3186 FEET FROM NE  
CORNER, SECTION 28

WELL #5: SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , SECTION 28, T19S, R46E, W.M.;  
SOUTH 35 DEGREES 55 MINUTES WEST, 2947 FEET FROM NE  
CORNER, SECTION 28

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Application G-16613

Water Resources Department

PERMIT G-16136

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW ¼ NE ¼ 26.0 ACRES INDUSTRIAL AND LIVESTOCK  
 SW ¼ NE ¼ 13.0 ACRES INDUSTRIAL AND LIVESTOCK  
 NE ¼ NW ¼ 38.0 ACRES INDUSTRIAL AND LIVESTOCK  
 SE ¼ NW ¼ 8.0 ACRES INDUSTRIAL AND LIVESTOCK  
 SECTION 28  
 TOWNSHIP 19 SOUTH, RANGE 46 EAST, W.M.

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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 on each well, as approved by the Director. The permittee shall maintain the meters or measuring devices 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 meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the watermaster shall request access upon reasonable notice.

(1.) The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.

## STANDARD CONDITIONS

2. If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.
3. 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.
4. 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.
5. Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.
6. 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.

RECEIVED

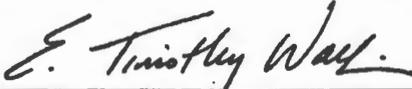
JAN 07 2013

WATER RESOURCES DEPT  
SALEM, OREGON

Completion of construction and complete application of the water to the use shall be made on or before October 1, 2011. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued December 14, 2006



Phillip C. Ward, Director *for*  
Water Resources Department

RECEIVED

JAN 07 2013

WATER RESOURCES DEPT  
SALEM, OREGON

# Extension PFO Checklist for Other than Muni or Quasi-Municipal

Water Use Permits  
(OAR 690-315-0010 through OAR 690-315-0060)

Application: G- 16613 Permit: G- 16136 Permit Amendment? No  Yes  T-  pending  approved

Permit Holder's Name: Henry Mautz

Permit Holder's Mailing Address: 3125 Kimberly Road, Nyssa, OR. 97913 email \_\_\_\_\_

Phone Number: 208-283-5021

POD Location: Township 19S Range 46E Section 28  $\frac{1}{4}$  NENW

Drainage Basin: 10 County: Malheur Watermaster District: 9 Watermaster: Ron Jacobs

Date Permit was issued: 12/14/2006

Priority Date: 3/21/2006

Date of PN: 1/22/2013

Source: Well 1, Well 2, Well3, Well 4, and Well 5, all in Locket Gulch Basin

Use: Industrial use ( commercial use including dust control on 85.0 acres in a stockyard) ; livestock

"Q": Not ot exceed 1.89 Cubic feet per second(CFS), being 1.78 CFS for industrial use and 0.89 for livestock watering

Orig "A" Date: \_\_\_\_\_

Orig "B" Date: 10/1/

Orig "C" Date: 10/1/2011

Extension request rec'd: 1/7/2013

Last Authorized "B" Date: 10/1/

Last Authorized "C" Date: 10/1/

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

Proposed "B" Date: 10/1/

Proposed C Date: 10/1/2014

**Conditions of Permit:**

Condition Met?	Condition Not Met?	Permit Condition
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-Wells constructed
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Install meters
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

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

- |   |   |
|---|---|
| <p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Work was accomplished within the time allowed in the permit or previous extension</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Water right permit holder conformed with the permit or previous extension conditions</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Financial investments were made toward developing the beneficial water use.</p> <p style="margin-left: 20px;">• Amount Invested to date: <b>\$301,000</b> Estimated Remaining Cost: <b>\$76,500</b></p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Beneficial use made of the water during the permit or previous extension time limits</p> <p style="margin-left: 20px;">• Permit holder has beneficially used <b>0.76</b> <input checked="" type="checkbox"/>cfs <input type="checkbox"/>gpm <input type="checkbox"/>af of the total permitted quantity of water on <b>25.4</b> acres</p> | <div style="border: 1px solid black; padding: 5px;"> <p>GW REVIEW: Y N _____</p> <p>MITIGATION REVIEW: Y N _____</p> </div> <p style="font-size: 1.2em; color: blue;">T- 317,500 \$20</p> |
|---|---|

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. Malhuer  
Ground Water Permits: Is the POA located...  
Surface Water Permits: Is the POD located...

**Yes No**

- above a state scenic waterway? Name \_\_\_\_\_ 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 sensitive, threatened or endangered species area Source: "/gisdata/dev/projects/salmon/div33map.aml"
- within a critical or limited Ground Water Area? Name of area \_\_\_\_\_
- within a Withdrawn Area? Name of area \_\_\_\_\_
- 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 for stream flow restoration needs Source: OWRD "Streamflow Restoration Needs" Maps (by region)

**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:** 01 Oct 2013 **Protest Deadline Date:** 15 Nov 2013  
**Reviewer's Name:** [Signature] **Date:** 24 Sep 2013

Application # G-16613

Permit # G-16136

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

◆ **WRIG...**

Money Received on: 1.7.2013

◆ **Extension Specialist ...**



Added to tracking spreadsheet

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

◆ **Codi Holmes...**

Publish on Public Notice (initial 30-day comment): Date of notice \_\_\_\_\_

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 \_\_\_\_\_

**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 # **107730**

INVOICE # \_\_\_\_\_

RECEIVED FROM: CK3 LLC

APPLICATION 6-16613

BY: \_\_\_\_\_

PERMIT \_\_\_\_\_

TRANSFER \_\_\_\_\_

CASH:  CHECK:#  14791 OTHER: (IDENTIFY)

TOTAL REC'D \$ 500.00

**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**

**RECEIVED  
OVER THE COUNTER**

**MISCELLANEOUS**  
0407 COPY & TAPE FEES \$ \_\_\_\_\_  
0410 RESEARCH FEES \$ \_\_\_\_\_  
0408 MISC REVENUE: (IDENTIFY) \$ \_\_\_\_\_  
TC162 DEPOSIT LIAB. (IDENTIFY) \$ \_\_\_\_\_  
0240 EXTENSION OF TIME \$ 500.00

**WATER RIGHTS:**

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

**WELL CONSTRUCTION**

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

OTHER (IDENTIFY) \_\_\_\_\_

**0536 TREASURY 0437 WELL CONST. START FEE**

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

OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

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

RECEIPT: **107730**

DATED: 11/7/13 BY: X Bell

## Completeness Checklist for Permit Extension of Time Application

*Minimum completeness criteria for Extension of Time Applications are set forth in OAR 690-086-0020(3) for NON-Municipal or NON-Quasi-Municipal permits and in OAR 690-086-0070(3) for Municipal or Quasi-Municipal permits.*

1. Pull the permit file. If a copy of the permit is not in the file, pull up an image of the permit in WRIS.
2. Is the permit to be extended Non-Cancelled according to WRIS and the permit file? yes  
 If the permit has been cancelled, the Extension Application cannot be accepted.
3. Is the extension applicant's name and mailing address supplied? yes  
 If yes, is the extension applicant a permit holder of record (*i.e., permit either issued to them or assigned to them*)? \_\_\_\_\_  
 If the extension applicant is **NOT** a permit holder of record, a "Request for Assignment" must be processed before the Extension Application can be accepted.  
 If an Assignment has **not** yet occurred, or if a concurrent "Request for Assignment" was **not** submitted along with the Extension Application, the Extension Application cannot be accepted.
4. Is the appropriate Extension of Time Application used? yes  
 If the wrong application form is used, the Extension Application cannot be accepted.
- If a Municipal or Quasi-Municipal permit, use: "Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits."
  - If a NON-Municipal or NON-Quasi-Municipal permit, use: "Application for Extension of Time for a Water Right Permit (Non-Municipal / Non-Quasi-municipal Water Use)."
5. Are the requested date(s) for extension identified (*Page 1*)? yes  
 ▪ Check the permit to see if it includes a "B-Date" and/or a "C-Date."  
 "B-Date" = date by which construction of the water delivery system for the permit is to be completed.  
 "C-Date" = date by which full beneficial use of water under the permit is to be accomplished.
- NOTE:** For permits with both a "B-Date and a "C-Date," the applicant will likely request an extension of both dates (*i.e., to complete construction of the water delivery/distribution system and to apply water to full beneficial use*). Unless, of course, construction of the water delivery system is complete. In which case, the applicant would likely only request an extension of the "C-Date" (*i.e., to apply water to full beneficial use*).
- For permits with only a "C-Date," the applicant will only be requesting an extension of the date in which to apply water to full beneficial use.
6. Is the Extension Application signed (with an original signature) by permit holder(s) of record or an authorized agent? yes  
 (*If signed by agent, documentation from the permit holder(s) granting authorization to agent to sign on their behalf must be provided or already in the permit file.*)  
 If **not** signed by a permit holder of record or authorized agent, the Extension Application cannot be accepted.
- NOTE:** If the permit covers land that has been subdivided and assigned to different, individual parties... we only need signatures of the permit holder(s) of record for the portion of the permit involved in the Extension of Time Application.

7. Are all questions on the application answered? Yes  
 (NOTE: Supporting documentation such as: copies of the permit, well log(s), annual water use reports, static water level measurement reports, evidence demonstrating construction/work/water use accomplished, etc. may be included.)

**The tables below are informational only. No need to check off.**

■ **For NON-Municipal or NON-Quasi-Municipal Permit Extension Applications:**

▪ Ques. #1 - Information provided on beginning of construction ("A" Date) under the permit.	▪ Ques. #5-C - Well location information provided <u>and</u> whether a permit amendment is necessary.
▪ Ques. #2 - Information provided on compliance with permit conditions.	▪ Ques. #6 - Information provided on number of acres irrigated, if applicable.
▪ Ques. #3 - Description provided of progress made in developing the permit.	▪ Ques. #7 - Description provided of remaining work left to be accomplished to perfect the permit.
▪ Ques. #4 - Monetary investment made in the project to date provided.	▪ Ques. #8 - Description provided of estimated cost to complete the project associated with the permit.
▪ Ques. #5-A - Max amount of water beneficially used to date for a SW permit indicated.	▪ Ques. #9 - Explanation provided of why the permit has not been fully developed/perfected.
▪ Ques. #5-B - Well construction information provided <u>and</u> max amount of water beneficially used to date for a GW permit indicated.	▪ Ques. #10 - Justification provided of why the requested time is necessary to complete project.

■ **For Municipal/Quasi-Municipal Permit Extension Applications:**

▪ Ques. #2 - For Quasi-Municipal permits only, information provided on beginning of construction ("A" Date) under the permit.	▪ Ques. #8 - Estimate provided of current peak water demand of the population served <u>and</u> the methodology used to make the estimate.
▪ Ques. #3 - For Municipal permits issued on or after June 29, 2005, information provided on beginning of construction ("A" Date).	▪ Ques. #9 - Explanation provided of why the permit has not been fully developed/perfected.
▪ Ques. #4 - Description provided of progress made in developing the permit <u>and</u> financial expenditures made in the project to date.	▪ Ques. #10-A - Estimate provided of demand projection for the permit, the methodology used to make the estimate <u>and</u> anticipated date for full beneficial use of the permit.
▪ Ques. #5-A & #5-B - Information provided on compliance (or non-compliance) with permit conditions.	▪ Ques. #10-B - For extension requests greater than 50 years, documentation provided that the demand projection is consistent with the lands and uses proposed to be served by the permit holder.
▪ Ques. #6-A - Max amount of water beneficially used to date for a SW permit indicated.	▪ Ques. #11 - Estimate of costs to complete the project and a summary of future schedule to complete construction / perfect the water right.
▪ Ques. #6-B - Well construction information provided <u>and</u> max amount of water beneficially used to date for a GW permit indicated.	▪ Ques. #12 - Justification provided of why the requested time is necessary to complete project and/or apply water to full beneficial use.
▪ Ques. #6-C - Well location information provided <u>and</u> whether a permit amendment is necessary.	▪ Ques. #14 - A copy of any agreements regarding use of the undeveloped portion of the permit and maintaining the persistence of fish, if applicable.
▪ Ques. #7 - Estimate provided of current population served under the permit <u>and</u> the methodology used to make the estimate.	▪ Attachment A - A tabular inventory of the water supplier's water rights and any other water use authorizations.

8. Has the \$500 fee been paid? Yes  
 (As of August 29, 2012, the Extension of Time fee is \$500.)

If the fee has NOT been paid, the application cannot be accepted.

NOTE: If the fee is the only item missing, contact the applicant to see if they can submit the fee with the next few days. If the applicant commits to submitting the fee within a certain timeframe, hold the Extension Application. If the fee does not arrive within that timeframe, return the Extension Application to the applicant.

9. If after completing this checklist, it is not clear whether the application can be accepted, please route both the money slip and Extension Application to **Joan Smith**. She will either: 1) accept the application; 2) return the application; or 3) prepare a deficiency letter.

Reviewed by: Dorothy/Kody Date: 1/8/13



# Oregon

John A. Kitzhaber, MD, Governor

**Water Resources Department**

North Mall Office Building

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

January 22, 2013

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-16613 (Permit G-16136)**. 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.

If you are interested in having your application 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](http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml)

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 Joan Smith at (503) 986-0898. 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](http://www.wrd.state.or.us).



# Oregon

John A. Kitzhaber, MD, Governor

## Water Resources Department

North Mall Office Building

725 Summer St. NE, Suite A

Salem, OR 97301

Phone 503-986-0900

FAX 503-986-0904

www.wrd.state.or.us

August 29, 2011

Northwest Farm Credit Services, FLCA  
16034 Equine Drive  
Nampa, Idaho 83687

Reference: Application G-16613, Permit G-16136

This acknowledgement of name correction is issued to correctly reflect Northwest Farm Credit Services, FLCA as a receiver under the December 20, 2007 assignment.

The documentation submitted to the Department incorrectly identified Northwest Farm Credit Services, ACA as a receiver. Our records have been changed accordingly.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst  
Water Right Services Division

Enclosure:

cc: Watermaster 10

Data Center, OWRD (Complete Copy of Assignment Request)

File





16034 Equine Drive  
Nampa, ID 83687  
Voice: 208.468.1600 Toll Free: 800.819.3312 Fax: 208.468.1605

August 18, 2011

Water Resources Department  
Attn: Jerry Sauter  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-2430

Re: Assignment of Water Permit: Application #G 16613 Permit #G 16136

Dear Jerry:

Per our telephone conversation on Thursday, August 18, 2011, this letter is to correct our name as it appeared on the "Request for Assignment" form recorded in your office on December 20, 2007. The attached form currently reads the new owners are: Northwest Farm Credit Services, ACA and Henry R. Mautz and Judy Mautz, husband and wife. It should have read: Northwest Farm Credit Services, FLCA and Henry R. Mautz and Judy Mautz, husband and wife.

If you have any questions, or if you need additional information or clarification, please advise.

Sincerely,

A handwritten signature in blue ink that reads "Kristine K. Brown".

Kristine K. Brown  
Credit Officer  
Northwest Farm Credit, FLCA

A handwritten signature in blue ink that reads "Henry R. Mautz".

Henry R. Mautz  
Owner

A handwritten signature in blue ink that reads "Judy Mautz".

Judy Mautz  
Owner

**RECEIVED**

AUG 26 2011

WATER RESOURCES DEPT  
SALEM, OREGON

REQUEST FOR ASSIGNMENT

I, (permit holder, applicant) Triangle XLS

6497 Hwy 44, Star, ID 83669 (208) 286-7343  
(mailing address) (City, State, Zip) (Phone)

CHECK ONE

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

Application # G-16613 , Permit # G\_16136 ;

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

Northwest Farm Credit Services, ACA and Henry R. Mautz and Judy Mautz, husband and wife 208-468-1600  
(name of new owner) (phone #)

16034 Equine Drive Nampa, ID 83687  
(address) (city, state, zip)

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

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

Witness my hand this 12<sup>th</sup> day of December, 2007

Triangle XLS  
applicant/permit holder By: [Signature]  
applicant/permit holder Henry R. Mautz Judy Mautz

O.K. ASSIGN  
A.M.S. 12-20-2007

PLEASE DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.  
Fee receipt # 70995  
For Director by Jerry Sauter, Program Analyst in Water Rights Division [Signature]

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

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

**RECEIVED**

DEC 19 2007  
WATER RESOURCES DEPT  
SALEM, OREGON

**RECEIVED**

AUG 26 2011  
WATER RESOURCES DEPT  
SALEM, OREGON

REQUEST FOR ASSIGNMENT

I, (permit holder, applicant) Triangle XLS

6497 Hwy 44, Star, ID 83669 (208) 286-7343  
(mailing address) (City, State, Zip) (Phone)

CHECK ONE

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

Application # G-16613, Permit # G 16136;

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

Northwest Farm Credit Services, ACA and Henry R. Mautz and Judy Mautz, husband and wife 208-468-1600  
(name of new owner) (phone #)

16034 Equine Drive Nampa, ID 83687  
(address) (city, state, zip)

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

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

Witness my hand this 12<sup>th</sup> day of December, 2007

Triangle XLS  
applicant/permit holder By: [Signature]  
applicant/permit holder Henry R. Mautz Judy Mautz

O.K. ASSIGN  
12.20.2007  
[Signature]

PLEASE DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon. Fee receipt # 70995  
For Director by Jerry Sauter, Program Analyst in Water Rights Division [Signature]

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

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

**RECEIVED**

DEC 19 2007

WATER RESOURCES DEPT  
SALEM, OREGON



# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

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

December 20, 2007

Northwest Farm Credit Services, ACA  
16034 Equine Drive  
Nampa, Idaho 83687

Reference: Application G-16613, Permit G-16136

The assignment from Triangle XLS to Northwest Farm Credit Services, ACA, and Henry R. Mautz and Judy Mautz, has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 90995 covering the recording fee of \$25 is also enclosed. I have also enclosed new assignment forms with the new fees for your future use.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosure: Receipt 90995

cc: Watermaster 10  
Triangle XLS  
Data Center, OWRD (Complete Copy of Assignment Request)  
File

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # **90995**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Farm Credit Services

APPLICATION	<u>6-116613</u>
PERMIT	
TRANSFER	

BY: \_\_\_\_\_

CASH:  CHECK:# 50021135 OTHER: (IDENTIFY) \_\_\_\_\_

TOTAL REC'D \$ 25.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES PCA 46111 \$  
 OTHER: (IDENTIFY) \$

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407 COPY & TAPE FEES \$  
 0410 RESEARCH FEES \$  
 0408 MISC REVENUE: (IDENTIFY) Assignment \$ 25.00  
 TC162 DEPOSIT LIAB. (IDENTIFY) \$  
 0240 EXTENSION OF TIME \$

**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: **90995**

DATED: 12/19/07 BY: [Signature]



**Northwest**<sup>SM</sup>  
FARM CREDIT SERVICES

16034 Equine Drive  
Nampa, ID 83687  
Voice: 208.468.1600 Toll Free: 800.819.3312 Fax: 208.468.1605

December 17, 2007

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

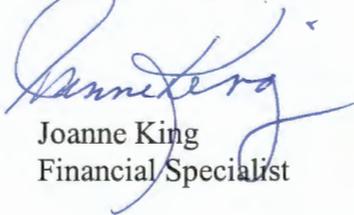
RE: Henry R. Mautz and Judy Mautz

Please file the enclosed Request for Assignment for the above borrower's; I have included a check for \$25.00 to cover the file fees.

Once filed please return to my attention at the address above. If you have any questions or concerns please give me a call.

Sincerely,

Northwest Farm Credit Services-N

  
Joanne King  
Financial Specialist



**RECEIVED**

**DEC 19 2007**

**WATER RESOURCES DEPT  
SALEM, OREGON**

WR&AD

Oregon

725 Summer Street NE, Suite A  
Salem, OR 97301-1266

ADDRESS SERVICE REQUESTED

MAUT457 836692002 1605 07 12/22/05  
FORM 3547

MAUTZ  
PO BOX 2753  
NYSSA OR 97913-0753



G-16613

HENRY MAUTZ  
TRIANGLE XLS  
6497 HWY 44  
STAR ID 83669

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

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 75 ¢

U.S. POSTAL SERVICE  
FORM 3547

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

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 75 ¢

U.S. POSTAL SERVICE  
FORM 3547



UNITED STATES POSTAGE  
\$ 00.6  
000 1621505 DEC 18 2005  
MAILED FROM ZIP CODE 9

# Mailing List for FO Copies

Application #G-16613

---

**Original mailed to applicant with claim of beneficial use form:**

HENRY MAUTZ  
TRIANGLE XLS  
6497 HWY 44  
STAR ID 83669

- Copies sent to:** 1. WRD - File # G-16613  
2. WRD - Ken Stahr

**FO and Map Copies sent to (remember to reduce copy margins):**

3. WRD - Watermaster District #: 9  
4. WRD - Regional Manager: ER

<p><b>Copies Mailed</b></p> <p>By: <u>AS</u> (SUPPORT STAFF)</p> <p>on: <u>12-18-02</u> (DATE)</p>
--

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

5. \_\_\_\_\_  
6. \_\_\_\_\_  
7. \_\_\_\_\_  
8. \_\_\_\_\_  
9. \_\_\_\_\_  
10. \_\_\_\_\_  
11. \_\_\_\_\_

**"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies**

1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_

CASEWORKER : Anita Huffman



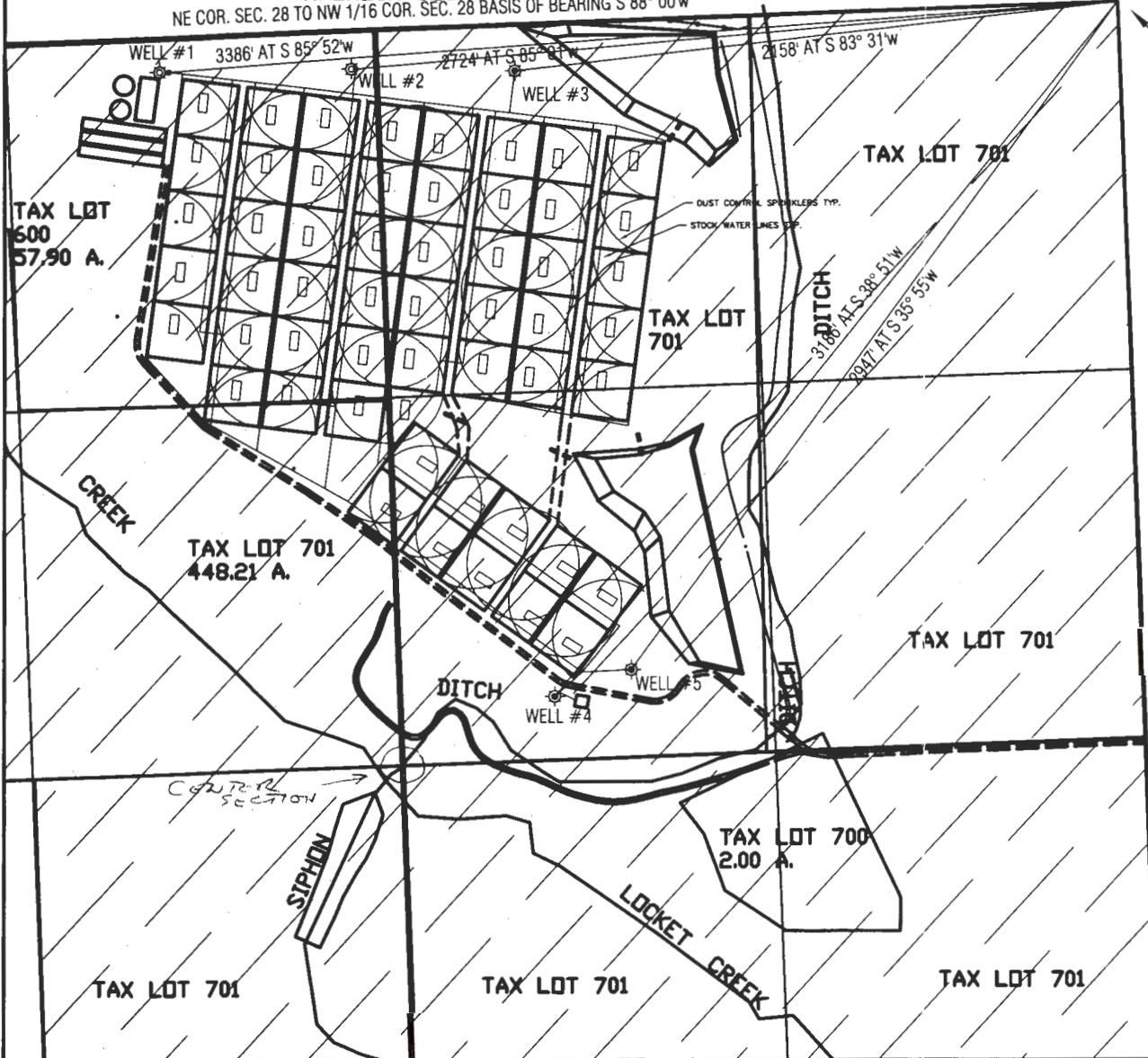
**DISCLAIMER**

I, STEWART R. EDWARDS, HEREBY CERTIFY THAT THIS MAP WAS MADE TO BE A APPLICATION FOR MAP FOR A PERMIT TO APPROPRIATE GROUND WATER. SECTIONAL LINES SHOWN ARE APPROXIMATE AND THIS MAP IS NOT INTENDED FOR ANY OTHER USE AND DOES NOT GUARANTEE LAND OWNERSHIP.

SW1/4 19S 46E W.M.

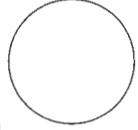
MALHEUR COUNTY

NE COR. SEC. 28 TO NW 1/16 COR. SEC. 28 BASIS OF BEARING S 88° 00' W



NE COR.  
SEC 28

**LEGEND**

- LAND OWNED 
- DUST CONTROL SPRINKLERS 
- WATER TANK 
- BURIED PIPE LINE 
- WELL PUMP 
- WELL 



**RECEIVED**  
 JAN 25 2006  
 WATER RESOURCES DEPT  
 SALEM, OREGON

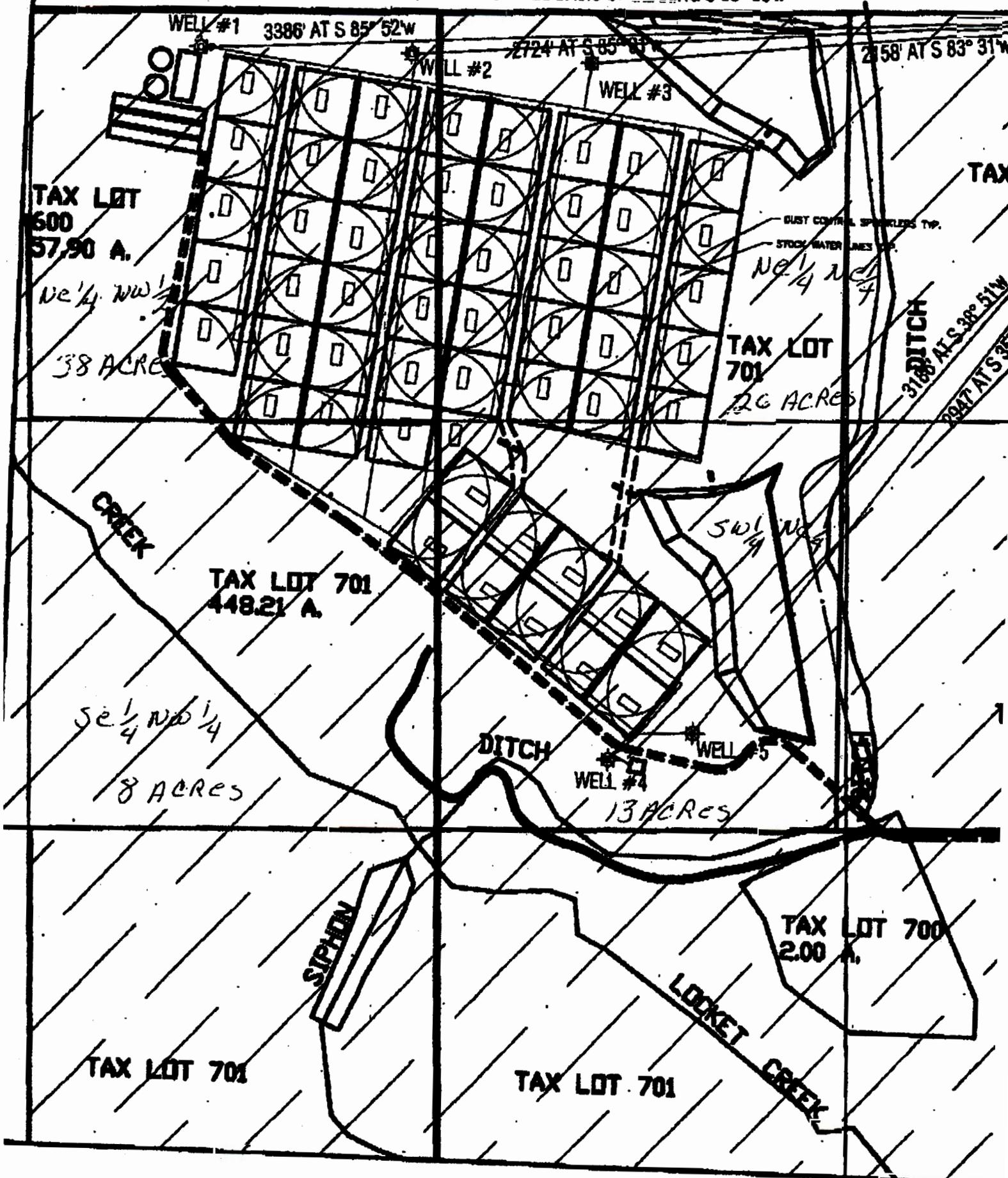
0 400' 800'  
**SCALE: 1" = 400'**

APPLICATION MAP		
FOR : <b>HENRY MAUTZ</b>		
<b>EDWARDS &amp; CUMMINGS, LLC</b>		
CIVIL ENGINEERING & LAND SURVEYING		
156 SE 1ST AVE., SUITES NO. 1 & 2, 889-5411, OREGON 97914		
CHECKED BY: S.E.	DRAWN BY: DC	APPROVED BY: SRE
DATE: 12/27/2005	DRAWING No. 541	REVISED:
SHEET 1 OF 1	JOB No. W0-005004	BK.

appno G-110613

SW 1/4 19S 46E WM.  
MALHEUR COUNTY

NE COR. SEC. 28 TO NW 1/16 COR. SEC. 28 BASIS OF BEARING S 88° 00' W



appnOG-16613

Denny Mautz

## FO Checklist

Application #: OG-16613 Applicant: HENRY MAUTZ TRIANGLE XLS

- Has applicant **name and/or address changed**, or has the file been **assigned**? Y / N  
If new: \_\_\_\_\_
- Were **comments** received? If so, from whom and when? NONE  
Respond to significant comments, issues, or disputes related to the proposed use of water
- Verify names and mailing addresses** of all commenters, affected landowners and those who paid \$10 fee on PFO cc: list.
- Have **affected landowner(s)** been notified? Y / N / NA If not, do not issue FO. Send a letter to affected landowner(s).
- Has ODFW asked for **screening** condition and rate  $\leq 0.5$  CFS? Y / N / NA If yes, include fish screening form.
- Are requested **GW conditions included** in permit? Y / N / NA If not, add condition(s) \_\_\_\_\_
- Do PFO conclusions **require modification** due to typos or errors? Y / N What and why? \_\_\_\_\_

N/A If in North Umpqua settlement reach and you're issuing a permit, did you update the spreadsheet(s)? Y / N / NA

**Fees**

<u>Base Fee</u>	<u>Water Amount (Q)</u>	
\$100 / \$150 \$250 <u>(\$300)</u>	1 <sup>st</sup> CFS/AF  Addl @ <u>100</u>	<u>200</u>  <u>100</u>
<u>300</u> +	<u>300</u>	= <u>600</u> (total exam fee)

EXAM FEE REQUIRED	<u>600</u>	RECORDING FEE REQUIRED	\$175 / <u>\$250</u>
EXAM FEE PAID	<u>600</u>	RECORDING FEE PAID	<u>250</u>
STILL OWED	<u>0</u>	STILL OWED	<u>0</u>

FO type DENIAL       FO w/ Permit # 6-16/36       FO w/o permit       lacks fees  
 lacks easement  
 lacks approved dam plans & specs

Name: Anita Huffman      Date: 11/28/2006      Peer Reviewer: KLK

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

## PFO Checklist

Application #: G-16613 Applicant: HENRY MAUTZ TRIANGLE XLS

Shortcomings preventing PFO? Y /  N Should process continue?  Y / N

IR Date 8/4/06 Public Notice Date 8/8/06 Comments received? Y /  N

Was additional information requested in the IR? Y /  N If so, do we now have enough info to do the PFO? Y / N

Was the application filed after 10/23/99?  Y / N (If not, add A date requirement)

B.O.R. or Doug Co. project Y /  N Contract in file? N contract # \_\_\_\_\_

IR identifies as DEQ 303d? Y /  N NA Comments received? Y / N \_\_\_\_\_

Is second gw review necessary? Y /  N NA Complete? Y / N

Water Availability OK / REDONE /  NA

Have conflicts been addressed? Y / N /  NA NO CONFLICTS

Changes from IR determinations none 7A  
No P.S.)  
No T.J.

Copy to none

Fees

	<u>Base Fee</u>	<u>Water Amount (Q)</u>	<u>1.89 cfs</u>
	\$100 / \$150	1 <sup>st</sup> CFS/AF	<u>200</u>
	\$250 / <input checked="" type="radio"/> \$300	<u>1 Addl @ 100</u> +	<u>100</u>
	<u>300</u> (base) +	<u>300</u> (Q)	= <u>600</u> - (total exam fee)

EXAM FEE REQUIRED	<u>600-</u>	RECORDING FEE REQUIRED	\$175 / <input checked="" type="radio"/> \$250
EXAM FEE PAID	<u>- 600-</u>	RECORDING FEE PAID	<u>0</u>
STILL OWED	<u>0</u>	STILL OWED	<u>250-</u>

Name: Anita Huffman Date: 9/11/2006

Peer Reviewer: Kenny

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# IR CHECKLIST

Application #: G-16613 Applicant: HENRY MAUTZ TRIANGLE XLS

Use(s): COMMERCIAL USES; DOMESTIC; LIVESTOCK Priority Date: March 21, 2006

If municipal or quasi-municipal:  reviewed by Bill Fujii Y / N / (NA)  Construction will be completed within 20 years.

Is the application complete? (Y) / (N) - map very deficient. POA not noted  
Acres per 1/4 1/4 not noted by CURR / Applicant

Prohibited by ORS 538? Y / (N) If so, do not do an IR; return the application & fees to the applicant.

GW Review  surface classification triggered  PSI with stream: \_\_\_\_\_  
 will not  will likely be available ...without injury... and/or within the capacity of the resource  
 will, if properly conditioned, avoid injury to existing ground water rights or to the ground water resource  
 The well is located in GWLA or CGWA or T1N R3E Sec 20, 21, 28, 29. (If checked, include a basin map noting POD.)

WM Dist (NWR - 1 2 16 18 20) (NCR - 3 4 5 21) (ER - 6 8 9 10) (SCR - 11) (17) (SWR - 13 14 15 19)

DIVISION 33 Y / N / (NA)  Above Bonneville (if checked not allowed April 15 - September 30?)  
(If Y, attach basin map w/ pod)  Below Bonneville  
 Statewide

SW Availability (NA)  80% live  50% storage \_\_\_\_\_ WID: \_\_\_\_\_

Use DWF's nonstandard W/A memo if the source is a Drews Reservoir tributary; the Snake River; the Columbia River; the North Umpqua River below Rock Creek; or within the drainages of the Lost River, Chehalem Creek, or Champoeg Creek (including Mission & Case Creeks)

Is there a conflict? Y / (N) / NA \_\_\_\_\_

If conflict, are rights from a different source?  
 If supplemental, check for primary right on same land  
 will this be making up a deficiency in rate?

Allowed under Basin Program Y / N Limitations? Y / N \_\_\_\_\_

303D Y / (N) / NA Authority DEQ anyway per ORS 600-570-0020 (WQ)  
IN GEOGRAPHIC UMATILLA Y / N BOTTLED WATER Y / N  
(cc: DEQ Regional Manager) (cc: CTUIR) (cc: DOA Food Safety Division)

Rate N/A Rate Max Req (commercial use)  
Duty N/A Season Allowed Req  
SPK = 0.89 cfs (400 gpm) Dust control 800 gpm (1.78 cfs)

Land use: (OK) needs approval  county notified  NA 1/2 - for burn

N/A Storage Contracts:  USBOR  Army Corps of Engineers  Douglas County  NA  
contract # \_\_\_\_\_

ND Agent: Has the applicant authorized someone to act as an agent? Y / (N)

Conditions: WQ, TA

Small  $\leq 0.1$  CFS,  $\leq 9.2$  AF, Medium  $> 0.1$  or  $< 1.5$  CFS,  $> 9.2$  or  $< 100$  AF, (Large  $\geq 1.5$  CFS,  $\geq 100$  AF)  
Use "Medium" when the source is Siltcoos Lake or stored water with a contract.  
Use "Large" when permit has 7I, temp control (including NU) or HC above a SWW, Tenmile Lake, or when the applicant is a government entity  
Use "Large with totalizing flow meter" for IR permits in South Salem Hills or IR over 10 Ac. in Stage Gulch CGWA

Application #: G-16613 Applicant: HENRY MAUTZ TRIANGLE XLS

Is the stream **withdrawn**? Y / N (NA) season allowed \_\_\_\_\_

**Basin Maps** have been checked Y (N) **River Mile** \_\_\_\_\_

**SWW ABOVE** WITHIN (NA) Name \_\_\_\_\_ (If above or within, notify Parks.)

Is the source a **high priority for streamflow restoration**? Y / N (NA)

**Letter format** (Good) Limited Bad Bad w/ HC Opportunity

If in **North Umpqua settlement reach**, did you update the spreadsheet(s)? Y / N / (NA)

CWRE, representative, etc. to notify? Y / N \_\_\_\_\_

**Addn'l info req'd?** Y (N)  
(If Y, send certified)

**Attachments** included? Y (N) / NA \_\_\_\_\_

**E-mailed Tim**, including note if negative? Y (N)

**Fees** 1.89 cfs = 2.0

<u>Base Fee</u>	<u>Water Amount (Q)</u>
\$100 / \$150	1 <sup>st</sup> CFS/AF <u>200</u>
\$250 <u>(300)</u>	<u>(Addl CFS/AF @ 100 + 100)</u>
<u>300</u> +	<u>300</u> = <u>600</u>
(base)	(Q) (total exam fee)

<u>NENE 26.0 AC</u>	
<u>NENW - 38.0 AC</u>	
<u>SWNE 13.0 AC</u>	<u>85.0 AC</u>
<u>SENW 8.0 AC</u>	<u>Dust Control</u>
	<u>COM.</u>

EXAM FEE REQUIRED	<u>600</u>
EXAM FEE PAID	<u>600</u>
STILL OWED	<u>0</u>

DO USE EXEMPT

Name: Anita Huffman Date: 7/26/2006 Peer Reviewer: [Signature]

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

**Analysis for Application: G16613****Location: 19S-46E-28-NWNE**

Uses: CM P|LV P

**Basins**

BASIN_NUM	BASIN_NAME
10	Malheur

Records Found: 1

**WaterMaster Districts**

WATERDIST	REGION	WMASTER	ADDRESS	CITY	ZIP	PHONE	EXT	FAX
9	E	Ron Jacobs	Malheur Co Courthouse #4, 251 "B" Street West	Vale	97918-1397	541-473-5130		541-473-5522

Records Found: 1

**WAB Records Found: 0****County**

COUNTY	FIPS
Malheur	41045

Records Found: 1

**Groundwater Restricted Records Found: 0****Divison 33 Area Records Found: 0****Rule 4D Records Found: 0****303D Streams Records Found: 0****303D Lakes Records Found: 0****Location: 19S-46E-28-SWNE**

Uses: CM P|LV P

**Basins**

BASIN_NUM	BASIN_NAME
10	Malheur

Records Found: 1

**WaterMaster Districts**

WATERDIST	REGION	WMASTER	ADDRESS	CITY	ZIP	PHONE	EXT	FAX
9	E	Ron Jacobs	Malheur Co Courthouse #4, 251 "B" Street West	Vale	97918-1397	541-473-5130		541-473-5522

Records Found: 1

**WAB Records Found: 0****County**

COUNTY	FIPS
Malheur	41045

Records Found: 1

**Groundwater Restricted Records Found: 0****Divison 33 Area Records Found: 0****Rule 4D Records Found: 0****303D Streams Records Found: 0****303D Lakes Records Found: 0****Location: 19S-46E-28-NENW**

Uses: CM P|LV P

**Basins**

BASIN_NUM	BASIN_NAME
10	Malheur

Records Found: 1

**WaterMaster Districts**

WATERDIST	REGION	WMASTER	ADDRESS	CITY	ZIP	PHONE	EXT	FAX
9	E	Ron Jacobs	Malheur Co Courthouse #4, 251 "B" Street West	Vale	97918-1397	541-473-5130		541-473-5522

Records Found: 1

**WAB** Records Found: 0

**County**

COUNTY	FIPS
Malheur	41045

Records Found: 1

**Groundwater Restricted** Records Found: 0

**Divison 33 Area** Records Found: 0

**Rule 4D** Records Found: 0

**303D Streams** Records Found: 0

**303D Lakes** Records Found: 0

**Location: 19S-46E-28-SENW**

Uses: CM P|LV P

**Basins**

BASIN_NUM	BASIN_NAME
10	Malheur

Records Found: 1

**WaterMaster Districts**

WATERDIST	REGION	WMASTER	ADDRESS	CITY	ZIP	PHONE	EXT	FAX
9	E	Ron Jacobs	Malheur Co Courthouse #4, 251 "B" Street West	Vale	97918-1397	541-473-5130		541-473-5522

Records Found: 1

**WAB** Records Found: 0

**County**

COUNTY	FIPS
Malheur	41045

Records Found: 1

**Groundwater Restricted** Records Found: 0

**Divison 33 Area** Records Found: 0

**Rule 4D** Records Found: 0

**303D Streams** Records Found: 0

**303D Lakes** Records Found: 0

**Location: 19S-46E-28-NWSE**

Uses: DO P

**Basins**

BASIN_NUM	BASIN_NAME
10	Malheur

Records Found: 1

**WaterMaster Districts**

WATERDIST	REGION	WMASTER	ADDRESS	CITY	ZIP	PHONE	EXT	FAX
9	E	Ron Jacobs	Malheur Co Courthouse #4, 251 "B" Street West	Vale	97918-1397	541-473-5130		541-473-5522

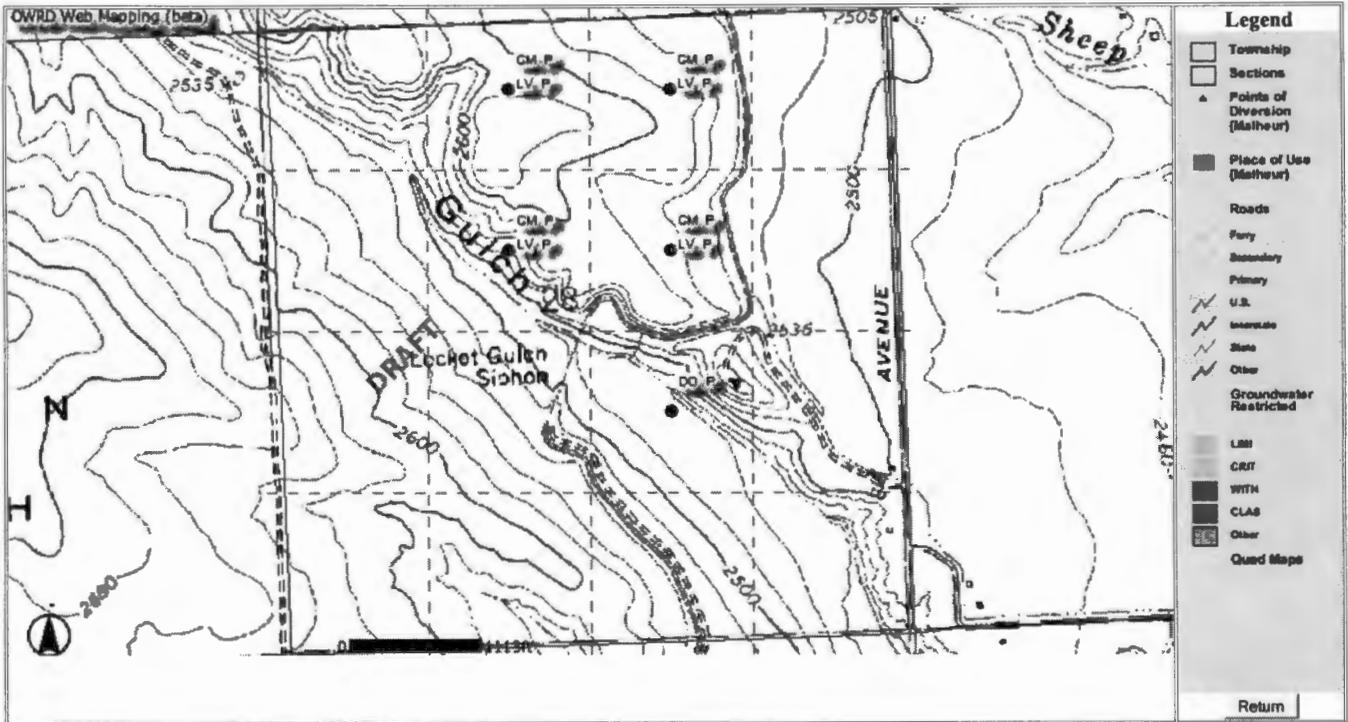
Records Found: 1

**WAB** Records Found: 0

**County**

COUNTY	FIPS
Malheur	41045

# G16613



690-510-0010

#### Classifications

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

690-510-0020

#### Water Quality

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

# Platcard Report

## Township 19S Range 46E Section 28

					NE				NW				SW				SE						
App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Govt Lot	DLC	
① G16613 03/21/2006	-					CM	CM		CM			CM											
	03/21/2006																		DO				
	03/21/2006					LV	LV		LV			LV											
① S11709 -	S8171 24707		CN see transfers		32.0 IR CN			37.0 IR CN		7.0 IR CN	9.0 IR CN	<del>10.0 IR CN</del>	11.0 IR CN				23.0 IR CN	22.0 IR CN	20.0 IR CN	22.0 IR CN			
① S11709 -	S8171 75691				32.6 IR			35.9 IR		8.9 IR	8.4 IR	12.9 IR	12.4 IR				21.4 IR	20.0 IR	20.9 IR	21.6 IR			

NCR

Page: 1

[Return to Platcard Query Screen](#)

Run Time: 1 seconds

**Water Right Conditions  
Tracking Slip**

*Groundwater/Hydrology Section*

FILE ## G-16613  
ROUTED TO: Water Rights  
TOWNSHIP/  
RANGE-SECTION: 19S/46E-28

CONDITIONS ATTACHED? []yes []no

REMARKS OR FURTHER INSTRUCTIONS:

---

---

---

Reviewer: Michael Zwart





**C. GROUND WATER/SURFACE WATER CONSIDERATIONS, OAR 690-09-040**

C1. **690-09-040 (1):** Evaluation of aquifer confinement:

Well	Aquifer or Proposed Aquifer	Confined	Unconfined
All	Glenns Ferry Formation (primarily thin sand layers)	<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"/>

**Basis for aquifer confinement evaluation:** The Upland gravels are thin and possibly unsaturated here. The Glenns Ferry is usually semiconfined to confined.

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

Well	SW #	Surface Water Name	GW Elev ft msl	SW Elev ft msl	Distance (ft)	Hydraulically Connected?			Potential for Subst. Interfer. Assumed?	
						YES	NO	ASSUMED	YES	NO
All	1	North Canal	2330±	2535	150-1900	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
All	2	Lockett Gulch	2330±	2480±	500-2500	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
All	3	S. Sheep Creek	2330±	2550±	500-2600	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
All	4	Sheep Cr. Below S. Sheep	2330±	2270	10500+	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>	<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"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Basis for aquifer hydraulic connection evaluation:** The aquifer developed in the Glenns Ferry Formation is in poor hydraulic connection with nearby surface water sources at higher elevations due to the depth at which ground water occurs and the low permeability of the overlying clays and silts. Although canal leakage is documented in the area, the head relationship indicates a poor hydraulic connection locally. This aquifer is likely in better hydraulic connection with downstream reaches of Sheep Creek, where the head relationship indicates potential discharge to the creek. Interference will likely be diffuse and indirect as impacts are propagated through overlying Quaternary alluvium.

**Water Availability Basin the well(s) are located within:** No WAB in this area.

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

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

C3b. **690-09-040 (4):** Evaluation of stream impacts by total appropriation for all wells determined or assumed to be hydraulically connected and less than 1 mile from a surface water source. Complete only if Q is distributed among wells. Otherwise same evaluation and limitations apply as in C3a above.

SW #	Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
	<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"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

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

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



**D. WELL CONSTRUCTION, OAR 690-200**

D1. Well #: \_\_\_\_\_ Logid: \_\_\_\_\_

D2. **THE WELL does not meet current well construction standards based upon:**

- a.  review of the well log;
- b.  field inspection by \_\_\_\_\_;
- c.  report of CWRE \_\_\_\_\_;
- d.  other: (specify) \_\_\_\_\_

D3. **THE WELL construction deficiency:**

- a.  constitutes a health threat under Division 200 rules;
- b.  commingles water from more than one ground water reservoir;
- c.  permits the loss of artesian head;
- d.  permits the de-watering of one or more ground water reservoirs;
- e.  other: (specify) \_\_\_\_\_

D4. **THE WELL construction deficiency is described as follows:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

D5. **THE WELL** a.  was, or  was not constructed according to the standards in effect at the time of original construction or most recent modification.

b.  I don't know if it met standards at the time of construction.

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

**THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL**

D7.  Well construction deficiency has been corrected by the following actions: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

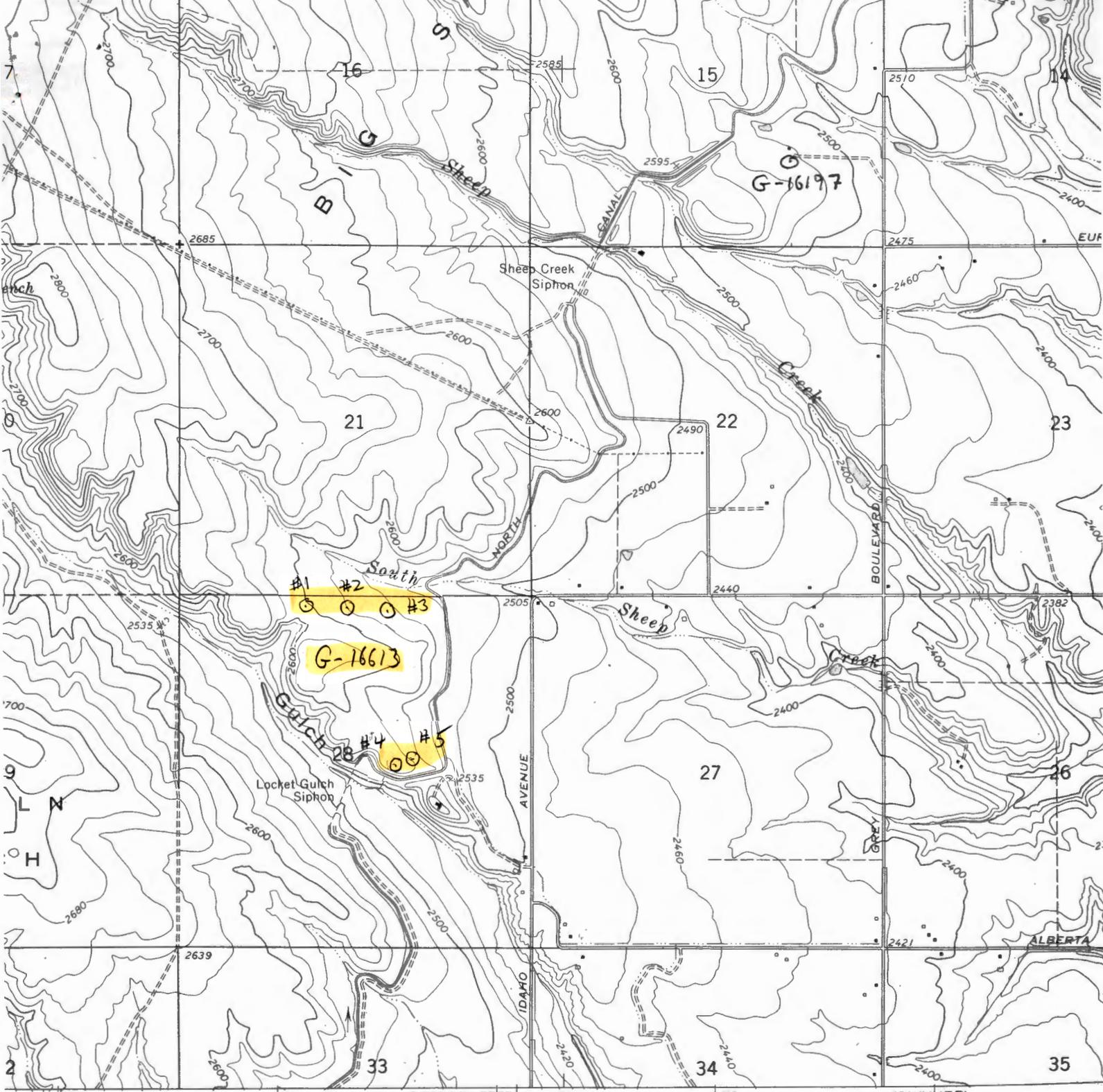
\_\_\_\_\_, 200\_\_\_\_.  
(Enforcement Section Signature)

D8.  **Route to Water Rights Section (attach well reconstruction logs to this page).**

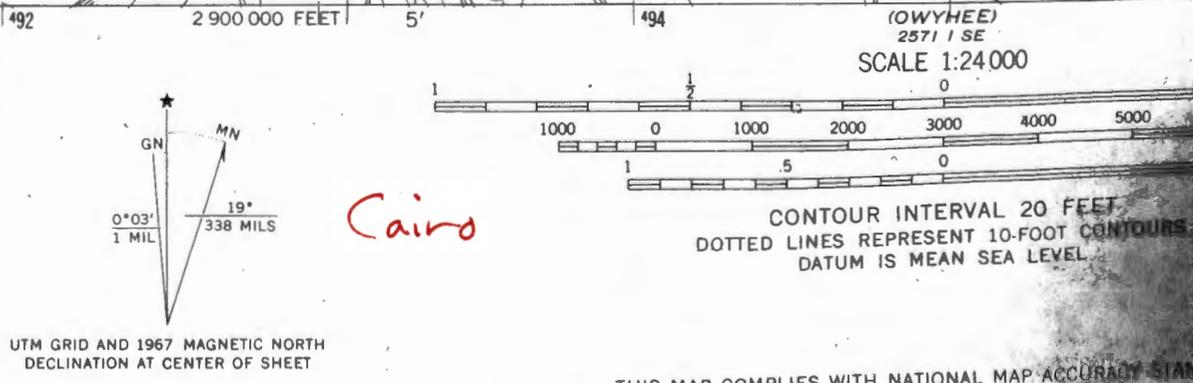
\_\_\_\_\_

\_\_\_\_\_





ublished by the Geological Survey  
 C&GS  
 metric methods from aerial  
 -67. Field checked 1967  
 27 North American datum  
 Oregon coordinate system,  
 inverse Mercator grid ticks,  
 icate selected fence lines



UTM GRID AND 1967 MAGNETIC NORTH  
 DECLINATION AT CENTER OF SHEET

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS  
 FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR  
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE

# Water Rights Information Query Results

**Owner/Contact Information**

HENRY MAUTZ  
 TRIANGLE XLS  
 6497 HWY 44  
 STAR ID 83669



[View All Associated Scanned Documents](#)

**Application(s)**

Application	Received	
G 16613	03/21/2006	<a href="#">Map</a>

**Permit(s)**

n/a

**Certificate(s)**

n/a

**Claim(s)**

n/a

**Decree(s)**

n/a

**Order(s)**

n/a

**Transfer(s) Misc. Info**

n/a

Authority	File Location
	Salem

**Document Process**

Action	Date	Result	Staff Person
<b>Application G 16613</b>			
Application Filed	03/23/2006		
Caseworker Assigned	03/23/2006		ANITA HUFFMAN
Groundwater Review Completed	05/04/2006		MIKE ZWART

**Point(s) of Diversion**

Location (T-R-S-QQ)	DLC/Lot	Source	Tributary to	Max Rate	Rate	Max Acre Feet	Acre Feet	Legal Descript
19.0S-46.0E-28-NENW		WELL 1	LOCKET G	1.893	0.378 (est)			SOUTH 85 DEGR 52 MINUTES WE: 3386 FEET FROM CORNER, SECTIC 28

**Uses from this Point of Diversion**

Use	P/S	Priority Date	Start Date	End Date	Acres	Rate/Acre	Duty	Max Rate	Rate	Max Acre Feet	Acre Feet	Status
CM	P	03/21/2006	1/1	12/31				1.893	0.126 (est)			NC
DO	P	03/21/2006	1/1	12/31				1.893	0.126 (est)			NC
LV	P	03/21/2006	1/1	12/31				1.893	0.126 (est)			NC

19.0S-46.0E-28-NENW		WELL 2	LOCKET G	1.893	0.378 (est)					SOUTH 85 DEGR 1 MINUTE WEST, 2724 FEET FROM CORNER, SECTIC 28
---------------------	--	--------	----------	-------	-------------	--	--	--	--	---

**Uses from this Point of Diversion**

Use	P/S	Priority Date	Start Date	End Date	Acres	Rate/Acre	Duty	Max Rate	Rate	Max Acre Feet	Acre Feet	Status
CM	P	03/21/2006	1/1	12/31				1.893	0.126 (est)			NC
DO	P	03/21/2006	1/1	12/31				1.893	0.126 (est)			NC
LV	P	03/21/2006	1/1	12/31				1.893	0.126 (est)			NC

19.0S-46.0E-28-NWNE		WELL 3	LOCKET G	1.893	0.378 (est)					SOUTH 83 DEGR 31 MINUTES WE: 2158 FEET FROM CORNER, SECTIC 28
---------------------	--	--------	----------	-------	-------------	--	--	--	--	---

**Uses from this Point of Diversion**

Use	P/S	Priority Date	Start Date	End Date	Acres	Rate/Acre	Duty	Max Rate	Rate	Max Acre Feet	Acre Feet	Status
CM	P	03/21/2006	1/1	12/31				1.893	0.126 (est)			NC
DO	P	03/21/2006	1/1	12/31				1.893	0.126 (est)			NC
LV	P	03/21/2006	1/1	12/31				1.893	0.126 (est)			NC

19.0S-46.0E-28-SWNE		WELL 4	LOCKET G	1.893	0.378 (est)					SOUTH 38 DEGR 51 MINUTES WE: 3186 FEET FROM CORNER, SECTIC 28
---------------------	--	--------	----------	-------	-------------	--	--	--	--	---

**Uses from this Point of Diversion**

Use	P/S	Priority Date	Start Date	End Date	Acres	Rate/Acre	Duty	Max Rate	Rate	Max Acre Feet	Acre Feet	Status
CM	P	03/21/2006	1/1	12/31				1.893	0.126 (est)			NC
DO	P	03/21/2006	1/1	12/31				1.893	0.126 (est)			NC
LV	P	03/21/2006	1/1	12/31				1.893	0.126 (est)			NC

19.0S-46.0E-28-SWNE		WELL 5	LOCKET G	1.893	0.378 (est)					SOUTH 35 DEGR 55 MINUTES WE: 2947 FEET FROM CORNER, SECTIC 28
---------------------	--	--------	----------	-------	-------------	--	--	--	--	---

**Uses from this Point of Diversion**

Use	P/S	Priority Date	Start Date	End Date	Acres	Rate/Acre	Duty	Max Rate	Rate	Max Acre Feet	Acre Feet	Status
CM	P	03/21/2006	1/1	12/31				1.893	0.126 (est)			NC
DO	P	03/21/2006	1/1	12/31				1.893	0.126 (est)			NC
LV	P	03/21/2006	1/1	12/31				1.893	0.126 (est)			NC

**Place of Use**

Use	P/S	Priority Date	Location (T-R-S-QQ)	DLC/Lot	Acres	Status	Remarks
CM	P	03/21/2006	19.0S-46.0E-28-NWNE			NC	
LV	P	03/21/2006	19.0S-46.0E-28-NWNE			NC	
LV	P	03/21/2006	19.0S-46.0E-28-SWNE			NC	
CM	P	03/21/2006	19.0S-46.0E-28-SWNE			NC	
CM	P	03/21/2006	19.0S-46.0E-28-NENW			NC	
LV	P	03/21/2006	19.0S-46.0E-28-NENW			NC	
LV	P	03/21/2006	19.0S-46.0E-28-SENW			NC	
CM	P	03/21/2006	19.0S-46.0E-28-SENW			NC	
DO	P	03/21/2006	19.0S-46.0E-28-NWSE			NC	

**Water Right Genealogy**

***No genealogy records available for this water right, try the family link below instead. If aware of the correct genealogy, please forward this information to WRIS Genealogy***

[View Water Rights in same Family](#)

[Definition of codes and abbreviations](#)

[Report Errors with Water Right Data](#)

[Return to the Water Right Information search screen](#)

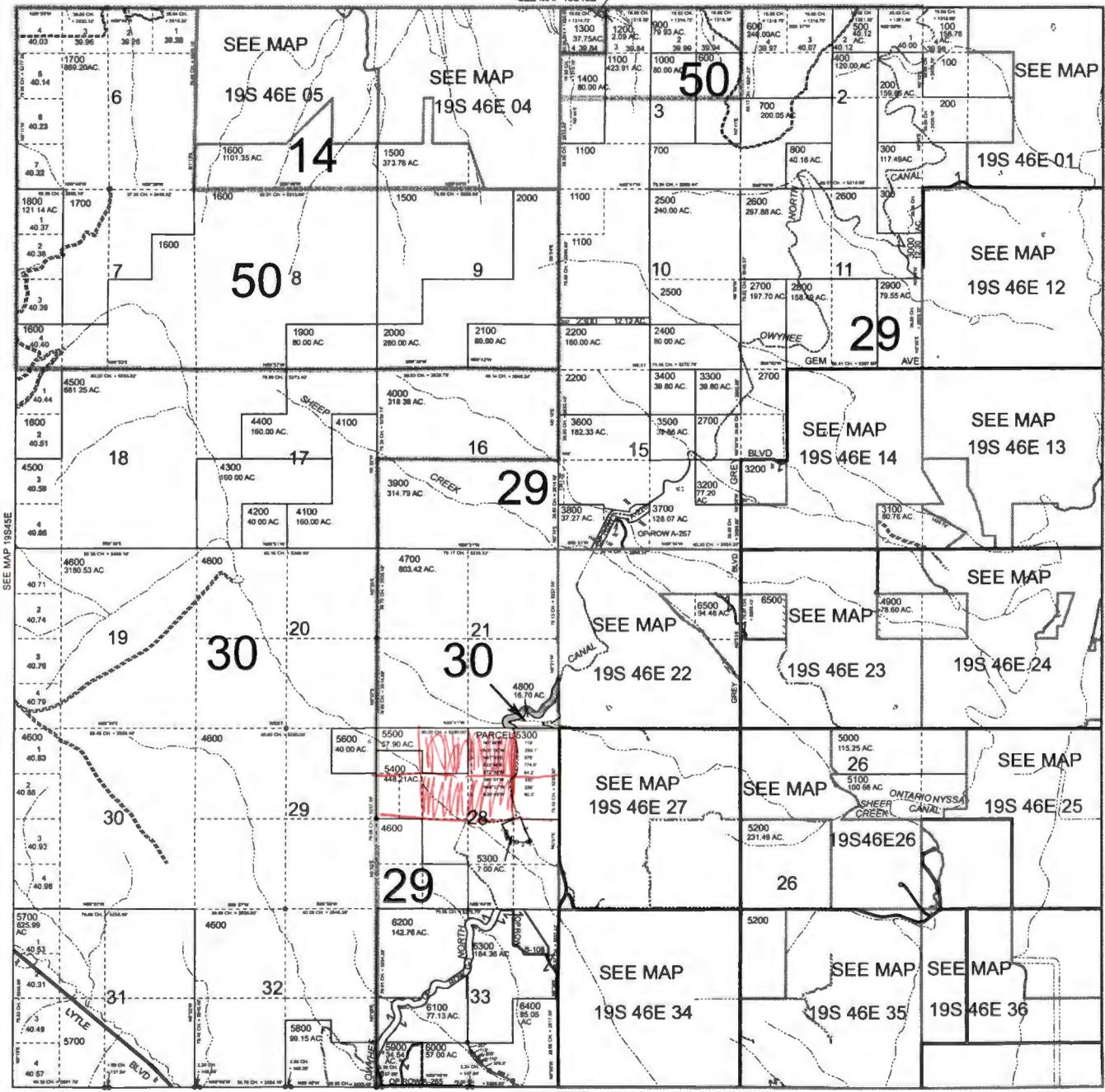
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



T.19S. R.46E. W.M. MALHEUR COUNTY 1" = 2000'

19S 46E & INDEX

SEE MAP 18S46E 14



SEE MAP 20S46E

Revised MA 3/28/2006

19S 46E & INDEX

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-16613

**Final Order**

*Application History*

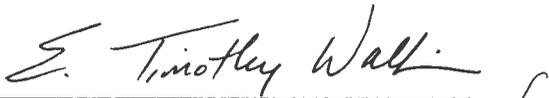
On MARCH 21, 2006, HENRY MAUTZ AND TRIANGLE XLS submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on September 19, 2006. The protest period closed November 3, 2006, and no protest was filed.

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

**Order**

Application G-16613 therefore is approved as proposed by the Proposed Final Order, and Permit G-16136 is issued as limited by the conditions proposed by the Proposed Final Order.

**DATED December 14, 2006**



Phillip C. Ward, Director *Law*  
Water Resources Department

*Appeal Rights*

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

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law. Where no changes have been made to a Proposed Final Order on a water right application and no protests have been filed during the protest period, the final order is not subject to judicial review.

*This document was prepared by Anita Huffman. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 503-986-0815.*

*If you have previously filed a protest and want to know its status, please contact Mike Reynolds at 503-986-0820.*

*If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0801.*

*Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266, Fax: 503-986-0901.*

STATE OF OREGON

COUNTY OF MALHEUR

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

TRIANGLE XLS  
6497 HWY 44  
STAR, ID 83669

208-286-7343

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

APPLICATION FILE NUMBER: G-16613

SOURCE OF WATER: WELL 1, WELL 2, WELL 3, WELL 4 AND WELL 5, ALL IN  
LOCKET GULCH BASIN

PURPOSE OR USE: INDUSTRIAL USE (COMMERCIAL USE INCLUDING DUST CONTROL ON  
85.0 ACRES IN A STOCKYARD); LIVESTOCK WATERING

MAXIMUM RATE: NOT TO EXCEED 1.89 CUBIC FEET PER SECOND (CFS), BEING 1.78  
CFS FOR INDUSTRIAL USE AND 0.89 CFS FOR LIVESTOCK WATERING

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MARCH 21, 2006

WELL LOCATIONS: WELL #1: NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , SECTION 28, T19S, R46E, W.M.;  
SOUTH 85 DEGREES 52 MINUTES WEST, 3386 FEET FROM NE  
CORNER, SECTION 28

WELL #2: NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , SECTION 28, T19S, R46E, W.M.;  
SOUTH 85 DEGREES 1 MINUTE WEST, 2724 FEET FROM NE  
CORNER, SECTION 28

WELL #3: NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , SECTION 28, T19S, R46E, W.M.;  
SOUTH 83 DEGREES 31 MINUTES WEST, 2158 FEET FROM NE  
CORNER, SECTION 28

WELL #4: SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , SECTION 28, T19S, R46E, W.M.;  
SOUTH 38 DEGREES 51 MINUTES WEST, 3186 FEET FROM NE  
CORNER, SECTION 28

WELL #5: SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , SECTION 28, T19S, R46E, W.M.;  
SOUTH 35 DEGREES 55 MINUTES WEST, 2947 FEET FROM NE  
CORNER, SECTION 28

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  26.0 ACRES INDUSTRIAL AND LIVESTOCK  
 SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  13.0 ACRES INDUSTRIAL AND LIVESTOCK  
 NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  38.0 ACRES INDUSTRIAL AND LIVESTOCK  
 SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  8.0 ACRES INDUSTRIAL AND LIVESTOCK

SECTION 28

TOWNSHIP 19 SOUTH, RANGE 46 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device on each well, as approved by the Director. The permittee shall maintain the meters or measuring devices 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 meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the watermaster shall request access upon reasonable notice.

The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.

**STANDARD CONDITIONS**

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.

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

The 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.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit 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.

Completion of construction and complete application of the water to the use shall be made on or before October 1, 2011. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued December 14, 2006



Phillip C. Ward, Director *for*  
Water Resources Department

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-16613

Prior to the issuance of a permit, the Department must receive permit recording fees in the amount of \$250.00. Please include your application number on your check made out to the Oregon Water Resources Department. If this fee is not paid prior to November 3, 2006, issuance of a permit may be delayed.

**Proposed Final Order**

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

*Application History*

On MARCH 21, 2006, HENRY MAUTZ, on behalf of TRIANGLE XLS, submitted an application to the Department for the following water use permit:

- Amount of Water: 1.89 CUBIC FEET PER SECOND (CFS)
- Use of Water: COMMERCIAL USES (INCLUDING DUST CONTROL ON 85.0 ACRES); DOMESTIC; LIVESTOCK WATERING
- Source of Water: WELL 1, WELL 2, WELL 3, WELL 4 AND WELL 5, ALL IN LOCKET GULCH BASIN
- Area of Proposed Use: MALHEUR County within SECTION 28, TOWNSHIP 19 SOUTH, RANGE 46 EAST, W.M.

On August 4, 2006, the Department mailed the applicant notice of its Initial Review, determining that "The use of 1.89 CUBIC FEET PER SECOND (CFS) being 1.78 CFS for INDUSTRIAL USE (COMMERCIAL USE INCLUDING DUST CONTROL ON 85.0 ACRES IN A STOCKYARD) and 0.89 CFS for LIVESTOCK WATERING from WELL 1, WELL 2, WELL 3, WELL 4, AND WELL 5, ALL IN LOCKET GULCH BASIN is allowable during the full period requested, being year round" The applicant did not notify the Department to stop processing the application within 14 days of that date.

On August 8, 2006, 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:

- recommendations by other state agencies
- 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 Malheur Basin Program allows INDUSTRIAL USES (INCLUDING DUST CONTROL), DOMESTIC USE, and LIVESTOCK WATERING.

Domestic use of up to 15,000 gallons per day from a well is exempt from permitting requirements, and use of the water is all that is necessary to establish a water right by law (ORS 537.545). Therefore, the Department will not consider the use of water for DOMESTIC USE under application G-16613.

WELL 1, WELL 2, WELL 3, WELL 4 AND WELL 5, ALL IN LOCKET GULCH BASIN are not within or above a State Scenic Waterway.

The Groundwater Section finds, per ORS 390.835(9), 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.

Groundwater Findings Under OAR 690-09

The Department determined, consistent with OAR 690-09-0040(4), that the proposed ground water use will not have the potential for substantial interference with the nearby surface water sources.

In making this determination, the Department considered whether:

- (a) There is a hydraulic connection from the proposed well(s) to any surface water sources.
- (b) The point of appropriation is a horizontal distance less than one-fourth mile from the surface water source;

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

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

An assessment of groundwater availability has been completed by the Department's Groundwater/Hydrology section. A copy of this assessment is in the file. The proposed use of groundwater will, if properly conditioned, avoid injury to existing rights and the resource.

The Department finds that the amount of water requested, 1.89 CFS, is an acceptable amount.

The proposed wells are not within a designated critical ground water area.

#### *Conclusions of Law*

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

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

Water is available for the proposed use.

The proposed use will not injure other water rights.

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

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

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

For these reasons, the required presumption has been established.

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

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

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

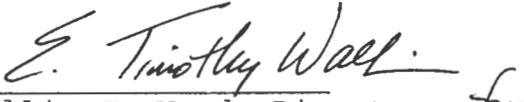
The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in injury to existing water rights; and the proposed use would ensure the preservation of the public welfare, safety and health as described in ORS 537.525.

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

Recommendation

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

DATED September 19, 2006



Phillip C. Ward, Director *for*  
Water Resources Department

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

Protests

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for ground water), you can protest this proposed final order. Protests must be received in the Water Resources Department no later than **November 3, 2006**. Protests must be in writing, and must include the following:

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in 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 protest fee of \$250 required by ORS 536.050 and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting a contested case hearing. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the proposed final order.
- *If you do not protest this Proposed Final Order and if no substantive changes are made in the final order, you will not*

*have an opportunity for judicial review, protest or appeal of the final order when it is issued.*

#### Requests for Standing

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

Requests for standing must be received in the Water Resources Department no later than **November 3, 2006**. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the proposed final order as issued;
- A detailed statement of how the requester would be harmed if the proposed final order is modified; and
- A standing fee of \$50.00. If a hearing is scheduled, an additional fee of \$200.00 must be submitted along with a request for intervention.

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

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

*This document was prepared by Anita Huffman. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 503-986-0815.*

*If you have questions about how to file a protest or a request for standing, please refer to the respective sections in this Proposed Final Order entitled "Protests" and "Requests for Standing". If you have previously filed a protest and want to know its status, please contact Mike Reynolds at 503-986-0820.*

*If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0801. Address all other correspondence to:*

*Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266, Fax: 503-986-0901.*

DRAFT

This is not a permit.  
STATE OF OREGON

DRAFT

COUNTY OF MALHEUR

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

TRIANGLE XLS  
6497 HWY 44  
STAR, ID 83669

208-286-7343

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

APPLICATION FILE NUMBER: G-16613

SOURCE OF WATER: WELL 1, WELL 2, WELL 3, WELL 4 AND WELL 5, ALL IN  
LOCKET GULCH BASIN

PURPOSE OR USE: INDUSTRIAL USE (COMMERCIAL USE INCLUDING DUST CONTROL ON  
85.0 ACRES IN A STOCKYARD); LIVESTOCK WATERING

MAXIMUM RATE: NOT TO EXCEED 1.89 CUBIC FEET PER SECOND (CFS), BEING 1.78  
CFS FOR INDUSTRIAL USE AND 0.89 CFS FOR LIVESTOCK WATERING

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MARCH 21, 2006

WELL LOCATIONS: WELL #1: NE ¼ NW ¼, SECTION 28, T19S, R46E, W.M.;  
SOUTH 85 DEGREES 52 MINUTES WEST, 3386 FEET FROM NE  
CORNER, SECTION 28

WELL #2: NE ¼ NW ¼, SECTION 28, T19S, R46E, W.M.;  
SOUTH 85 DEGREES 1 MINUTE WEST, 2724 FEET FROM NE  
CORNER, SECTION 28

WELL #3: NW ¼ NE ¼, SECTION 28, T19S, R46E, W.M.;  
SOUTH 83 DEGREES 31 MINUTES WEST, 2158 FEET FROM NE  
CORNER, SECTION 28

WELL #4: SW ¼ NE ¼, SECTION 28, T19S, R46E, W.M.;  
SOUTH 38 DEGREES 51 MINUTES WEST, 3186 FEET FROM NE  
CORNER, SECTION 28

WELL #5: SW ¼ NE ¼, SECTION 28, T19S, R46E, W.M.;  
SOUTH 35 DEGREES 55 MINUTES WEST, 2947 FEET FROM NE  
CORNER, SECTION 28

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW ¼ NE ¼ 26.0 ACRES INDUSTRIAL AND LIVESTOCK  
 SW ¼ NE ¼ 13.0 ACRES INDUSTRIAL AND LIVESTOCK  
 NE ¼ NW ¼ 38.0 ACRES INDUSTRIAL AND LIVESTOCK  
 SE ¼ NW ¼ 8.0 ACRES INDUSTRIAL AND LIVESTOCK

SECTION 28

TOWNSHIP 19 SOUTH, RANGE 46 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device on each well, as approved by the Director. The permittee shall maintain the meters or measuring devices 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 meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the watermaster shall request access upon reasonable notice.

The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.

**STANDARD CONDITIONS**

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.

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

The 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.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit 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.

Completion of construction and complete application of the water to the use shall be made on or before October 1, 2011. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

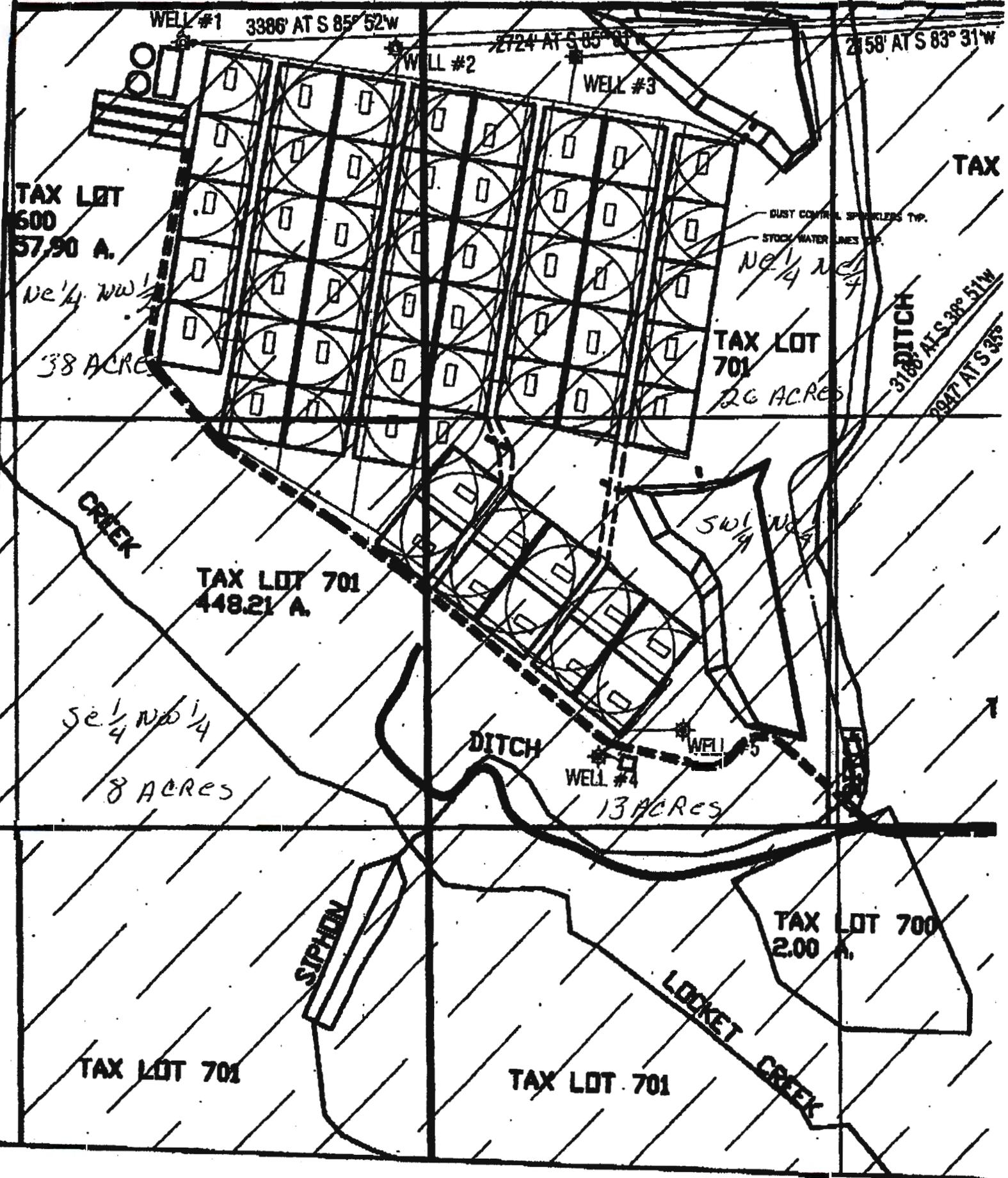
Issued \_\_\_\_\_, 2006

**DRAFT - THIS IS NOT A PERMIT**

---

Phillip C. Ward, Director  
Water Resources Department

SW 1/4 19S 46E WM.  
MALHEUR COUNTY  
NE COR. SEC. 28 TO NW 1/16 COR. SEC. 28 BASIS OF BEARING S 88° 00' W

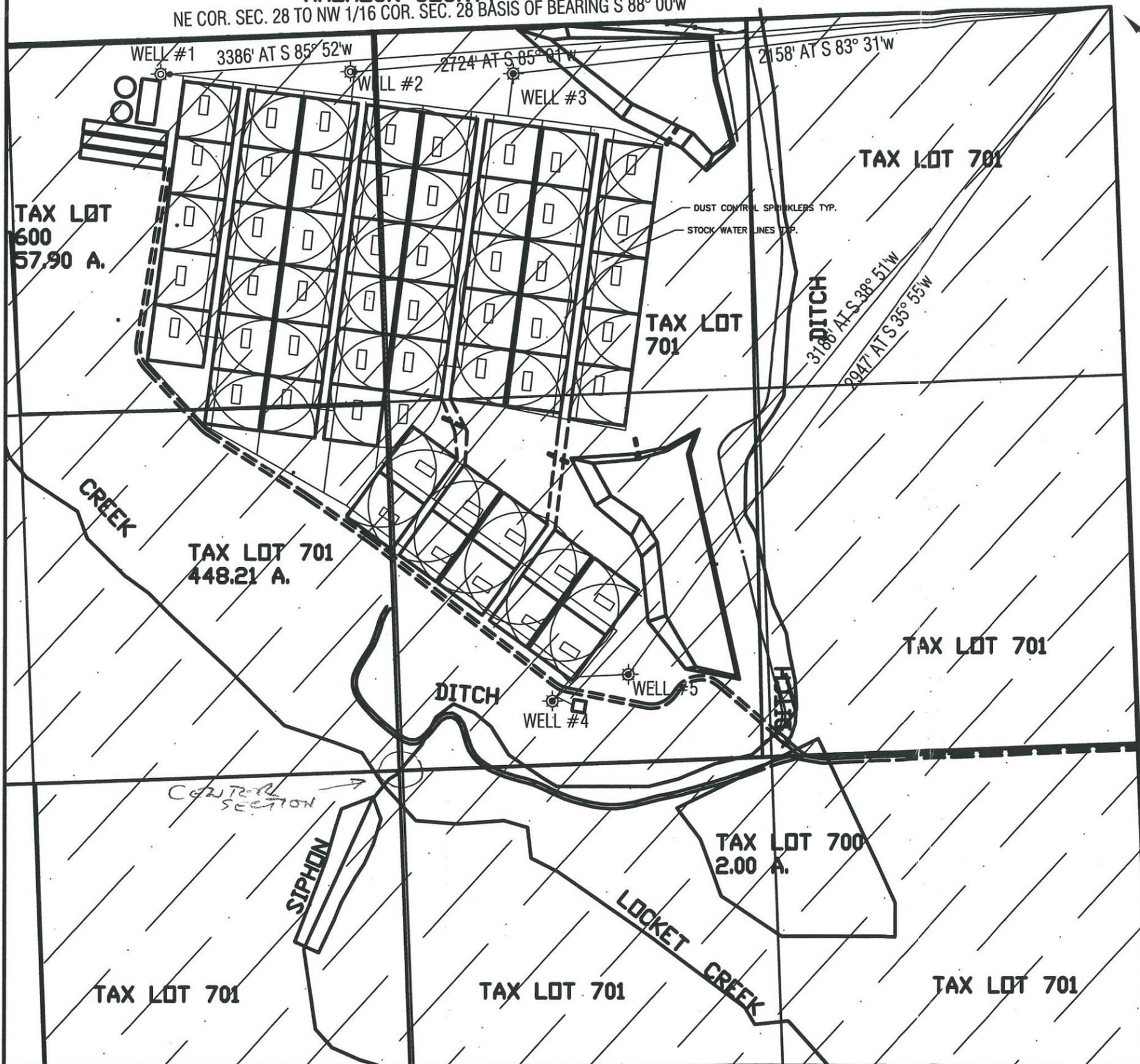


appnOG-16613

Henry Mautz

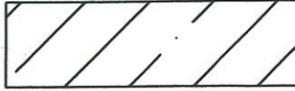
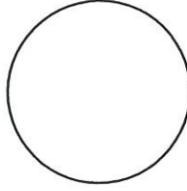
SW1/4 19S 46E W.M.  
MALHEUR COUNTY  
NE COR. SEC. 28 TO NW 1/16 COR. SEC. 28 BASIS OF BEARING S 88° 00'W

**DISCLAIMER**  
I, STEWART R. EDWARDS, HEREBY CERTIFY THAT THIS MAP WAS MADE TO BE A APPLICATION FOR MAP FOR A PERMIT TO APPROPRIATE GROUND WATER. SECTIONAL LINES SHOWN ARE APPROXIMATE AND THIS MAP IS NOT INTENDED FOR ANY OTHER USE AND DOES NOT GUARANTEE LAND OWNERSHIP.



NE COR.  
SEC 28

**LEGEND**

- LAND OWNED 
- DUST CONTROL SPRINKLERS 
- WATER TANK 
- BURIED PIPE LINE 
- WELL PUMP 



**RECEIVED**  
JAN 25 2006  
WATER RESOURCES DEPT  
SALEM, OREGON

0 400' 800'

**SCALE: 1" = 400'**

APPLICATION MAP FOR: <b>HENRY MAUTZ</b>		
<b>EDWARDS &amp; CUMMINGS, LLC</b> CIVIL ENGINEERING & LAND SURVEYING 156 SE 1ST AVE., SUITES NO. 1 & 2, 889-5411, ONTARIO, OREGON 97914		
CHECKED BY: S.E.	DRAWN BY: DC <i>DARRYL</i>	APPROVED BY: SRE
DATE: 12/27/2005	DRAWING No. <i>208940-1074</i>	REVISED:
SHEET 1 OF 1	JOB No. W0-005004	BK.

appno G-116613

# Mailing List for PFO Copies

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Application #G-16613

PFO Date September 19, 2006

**Original mailed to:**

Applicant: HENRY MAUTZ TRIANGLE XLS, 6497 HWY 44, STAR, ID 83669

Copies sent to:

1. WRD - File # G-16613
2. Water Availability: Ken Stahr

PFO and Map Copies sent to:

3. WRD - Watermaster # 9
4. Regional Manager: ER

Copies Mailed By: <u>OLS</u> (SUPPORT STAFF) on: _____ (DATE)
---

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

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

Affected Landowners (include "Notice of Proposed Final Order--Affected Landowner"):

- 1.

CASEWORKER : huffmaam



# 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

August 4, 2006

HENRY MAUTZ  
TRIANGLE XLS  
6497 HWY 44  
STAR, ID 83669

Reference: File G-16613

Dear Mr. Mautz:

**THIS IS NOT A PERMIT AND IS  
SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The proposed use is not prohibited by law or rule except where otherwise noted below.
2. The use of water from WELL 1, WELL 2, WELL 3, WELL 4 AND WELL 5, ALL IN LOCKET GULCH BASIN for INDUSTRIAL USE (COMMERCIAL USE INCLUDING DUST CONTROL ON 85.0 ACRES IN A STOCK YARD); DOMESTIC; AND LIVESTOCK WATERING is allowable under the Malheur Basin Program.
3. If properly conditioned, the proposed use of ground water will avoid injury to existing ground water rights and the resource.

The Department has determined, based upon OAR 690-09, that the proposed ground water use will not have the potential for substantial interference with any surface water source.

4. Domestic use of up to 15,000 gallons per day from a well is exempt from permitting requirements, and use of the water is all that is necessary to establish a water right by law (ORS 537.545). The Department will therefore **not consider** domestic use to be a part of your application unless you notify us in writing that you are interested in receiving a permit for domestic use. Any permit issued, including permits for exempt uses, will be

subject to metering requirements, rate limitations, and any other conditions contained in the permit.

5. OAR 690-510-0020 requires that the use of water for industrial (commercial use) shall be issued only on condition that any effluents or return flows from such uses shall not interfere with other beneficial uses of water.

### **Summary of Initial Determinations**

**The use of 1.89 CUBIC FEET PER SECOND (CFS) being 1.78 CFS for INDUSTRIAL USE (COMMERCIAL USE INCLUDING DUST CONTROL ON 85.0 ACRES IN A STOCKYARD) and 0.89 CFS for LIVESTOCK WATERING, from WELL 1, WELL 2, WELL 3, WELL 4 AND WELL 5, ALL IN LOCKET GULCH BASIN for INDUSTRIAL USE and LIVESTOCK WATERING is allowable during the full period requested, being year round.**

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

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

#### **To Proceed With Your Application:**

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

#### **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 **Friday, August 18, 2006**. For your convenience you may use the enclosed "STOP PROCESSING" form.

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

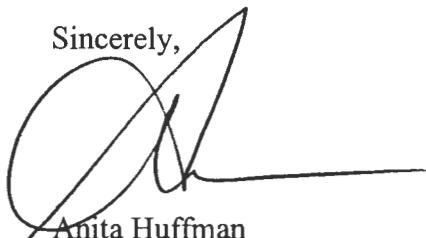
1. Measurement, recording and reporting conditions:
  - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete 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. The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.

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

If you have any questions:

Feel free to call me at 503-986-0815 if you have any questions regarding the contents of this letter or your application. Please have your application number available if you call. General questions about water rights and water use permits should be directed to our customer service staff at 503-986-0801. When corresponding by mail, please use this address: Anita Huffman, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,

A handwritten signature in black ink, appearing to be 'Anita Huffman', with a long horizontal line extending to the right.

Anita Huffman  
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

G-16613  
WAB 10-  
POU 10-  
GW

# 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-16613

Applicant: HENRY MAUTZ TRIANGLE XLS

County: MALHEUR

Watermaster: 9

Priority Date: MARCH 21, 2006

Source: WELL 1, WELL 2, WELL 3, WELL 4 AND WELL 5, ALL IN LOCKET GULCH BASIN

Use: INDUSTRIAL USE (COMMERCIAL USE INCLUDING DUST CONTROL ON 85.0 ACRES IN A STOCK YARD); DOMESTIC; LIVESTOCK WATERING

Quantity: 1.89 CUBIC FEET PER SECOND

Basin Name & Number: Malheur, #10

Stream Index Reference: Volume 2A SNAKE R MISC

Point of Diversion or Well Location(s):

WELL #1: NENW, SECTION 28, T19S, R46E, W.M.;SOUTH 85 DEGREES 52 MINUTES WEST, 3386 FEET FROM NE CORNER, SECTION 28

WELL #2: NENW, SECTION 28, T19S, R46E, W.M.;SOUTH 85 DEGREES 1 MINUTE WEST, 2724 FEET FROM NE CORNER, SECTION 28

WELL #3: NWNE, SECTION 28, T19S, R46E, W.M.;SOUTH 83 DEGREES 31 MINUTES WEST, 2158 FEET FROM NE CORNER, SECTION 28

WELL #4: SWNE, SECTION 28, T19S, R46E, W.M.;SOUTH 38 DEGREES 51 MINUTES WEST, 3186 FEET FROM NE CORNER, SECTION 28

WELL #5: SWNE, SECTION 28, T19S, R46E, W.M.;SOUTH 35 DEGREES 55 MINUTES WEST, 2947 FEET FROM NE CORNER, SECTION 28

Place of Use:

NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  26.0 ACRES DUST CONTROL AND LIVESTOCK  
SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  13.0 ACRES DUST CONTROL AND LIVESTOCK  
NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  38.0 ACRES DUST CONTROL AND LIVESTOCK  
SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  8.0 ACRES DUST CONTROL AND LIVESTOCK

SECTION 28

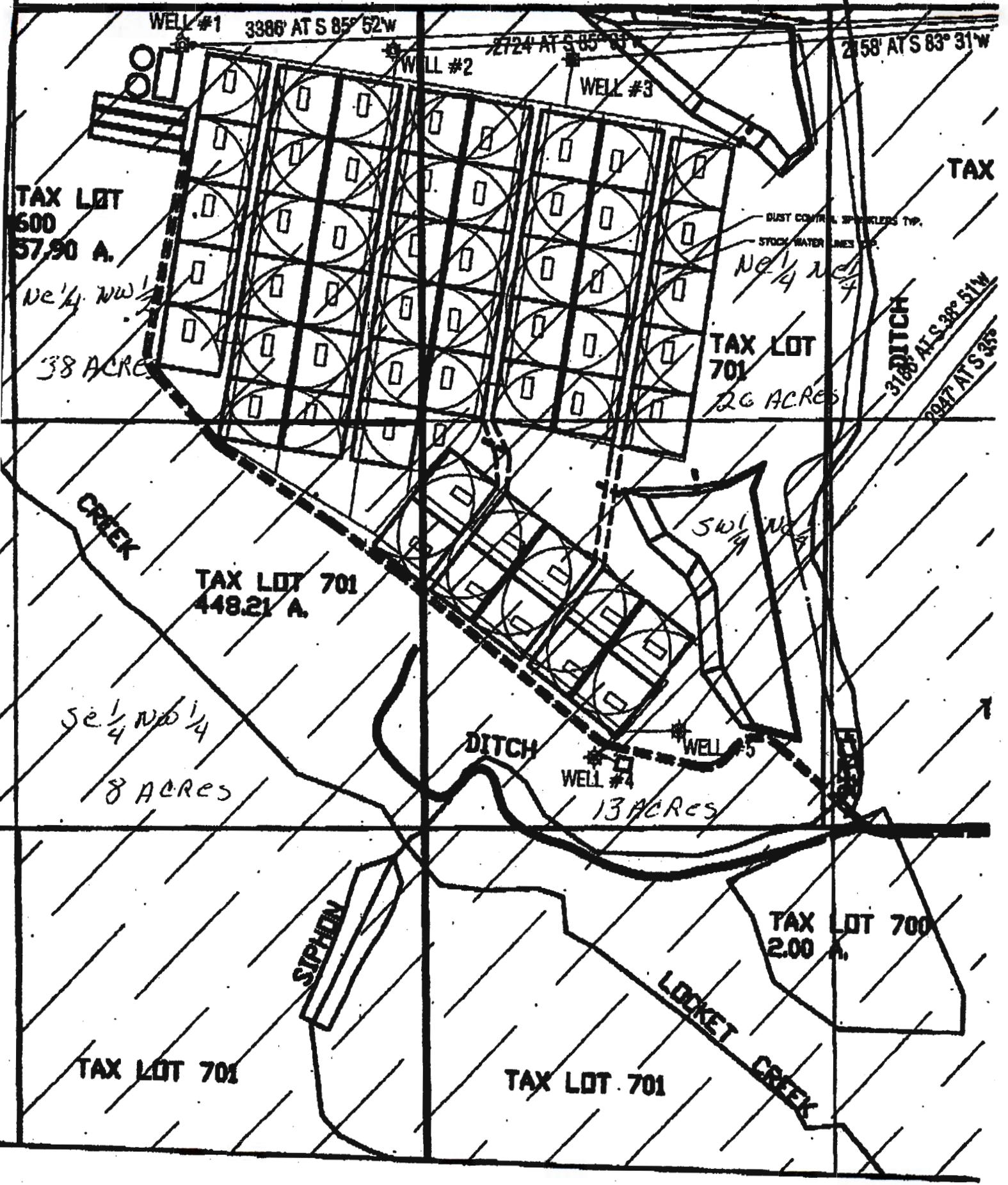
TOWNSHIP 19 SOUTH, RANGE 46 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, August 18, 2006

PUBLIC NOTICE DATE: Tuesday, August 8, 2006

30 DAY COMMENT DEADLINE DATE: Thursday, September 7, 2006

SW 1/4 175 402 W.H.  
MALHEUR COUNTY  
NE COR. SEC. 28 TO NW 1/16 COR. SEC. 28 BASIS OF BEARING S 88° 00' W



TAX LOT  
600  
57.90 A.

Ne 1/4 NW 1/4  
38 ACRES

TAX LOT 701  
448.21 A.

Se 1/4 NW 1/4  
8 ACRES

TAX LOT  
701  
26 ACRES

TAX LOT 701

TAX LOT 701

TAX LOT 700  
2.00 A.

13 ACRES

TAX

DUST CONTROL SPARKLEERS TYP.  
STOCK WATER LINES TYP.

DITCH  
3188' AT S 38° 51' W  
2947' AT S 33°



# Mailing List for IR Copies

Application #G-16613

IR Date: August 4, 2006

## Original mailed to:

Applicant: ~~HENRY MAUTZ TRIANGLE XLS~~, 6497 HWY 44, STAR, ID 83669

## Copies sent to:

- 1. WRD - File # G-16613
- 2. WRD - Water Availability: Ken Stahr

## IR, Map, and Fact Sheet Copies sent to:

- 3. WRD - Watermaster # 9
- 4. WRD - Regional Manager: ER
- 5. DEQ-Eastern Region *Nichols*
- 6. ODA-Salem

Copies Mailed By: <u>TCB</u> (SUPPORT STAFF) on: <u>8/4/06</u> (DATE)
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## Copies sent to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_
- 8. \_\_\_\_\_
- 9. \_\_\_\_\_

Caseworker: Anita Huffman

COPYSHT.IR

**REMINDER:** Copy all IR's for uses in the geographic Umatilla Basin to Confederated Tribes of the Umatilla Indian Reservation, PO Box 638, 73239 Confederated Way, Pendleton, OR 97801.

**REMINDER:** Copy all IR's for uses in the Klamath Basin to DEQ and ODFW contacts, regardless of whether they are subject to Division 33. (If they are not subject to Division 33, do not include Division 33 forms.)

HENRY  
MALTZ



Oregon Water Resources Department

FORM Q  
FOR COMMERCIAL AND INDUSTRIAL WATER USES

1. Describe the goods and services you plan to provide:  
Fattening & Growing cattle approximately  
25000 head per year

2. How will the water be used?  
livestock water, domestic water (Office & other buildings)  
Dust control on computerised system, see map  
for water application shown as circles on map

3. What is the maximum amount of water that will be used on any given day:  
1225  cfs  gpm

4. Are there periods of the day, week, month, or year that the water will not be used?  
(e.g. no use December-March)  
 No  Yes If so, when? cattle will drink less water during late  
fall + late spring. Usually no dust control is needed

5. Is there a particular time or period of day, week, month, or year when the use of water is  
absolutely essential for the project to continue? (e.g. vegetable processing, Oct. 15-Nov. 15)  
 No  Yes If so, when? year round

6. Are there periods of the day week, month, or year where the amount of water used will be  
less than at peak times?  
 No  Yes If so, when? cattle will drink more water

in the summer months and dust control will be during  
the summer (June & July) are the worst.

Last revised: April 9, 1996

Dust in an Eastern Oregon feedlot  
is a major source of Pneumonia

**FAX**            **JUDY MAUTZ**  
                  **6497 HWY. 44**  
                  **STAR, IDAHO 83669**

**PHONE: (208) 286-7343**  
**FAX: (208) 286-7343**

**DATE:** 3-15-06  
**NUMBER OF PAGES:** \_\_\_\_\_

**TO:**  
HERB

**FROM:**  
HENRY MAUTZ

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

*Return Form A*

10/13/05 15:45 FAX Z084141794  
10-10-05; 3:43PM; AMERITITLE

AMERITITLE

DOUBLE R PROP 005  
541 881 8498

Legal Description  
File No. ONM03462

Land in Malheur County, Oregon, as follows:

In Twp. 19 S., R. 46 E., W.M.:

Sec. 28: NE1/4 NW1/4 and N1/2 NW1/4 NW1/4;

ALSO, E1/2, NE1/4SW1/4, SE1/4NW1/4, E1/2 SW1/4 NW1/4, W1/2 SW1/4 NW1/4 and S1/2 NW1/4 NW1/4,

EXCEPTING THEREFROM a parcel of land described as follows:

Beginning at a point S. 66 degrees 58' E., 1214.6 feet from the center quarter corner of said Sec. 28;

Thence N. 5 degrees 38' W., 119.0 feet;

Thence N. 31 degrees 00' W., 259.1 feet;

Thence N. 67 degrees 55' E., 575.0 feet;

Thence S. 22 degrees 06' E., 774.6 feet;

Thence S. 72 degrees 39' W., 64.2 feet;

Thence S. 89 degrees 51' W., 330.1 feet;

Thence N. 64 degrees 07' W., 256.0 feet;

Thence N. 39 degrees 48' W., 90.5 feet to the Point of Beginning.

SUBJECT to the North Canal right of way on the Easterly side of the above described parcel of land.

*Eps/10*

3-11-05

**FAX** *HENRY*  
~~JERRY~~ MAUTZ  
6497 HWY. 44  
STAR, IDAHO 83669

PHONE: (208) 286-7343  
FAX: (208) 286-7343

DATE: 3/10/06  
NUMBER OF PAGES: \_\_\_\_\_

TO: HERB  
\_\_\_\_\_  
\_\_\_\_\_

FROM: HENRY MAUTZ  
\_\_\_\_\_  
\_\_\_\_\_

SIGNED BEZOW COUNTY PLANNING BY PLANNING @ COUNTY PLANNING DEPT.

**For Local Government Use Only**

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

**A. Allowed Use**

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): MCC Title 6. Go to section B "Approval" below

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued. <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

**Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

**B. Approval**

Please provide printed name and written signature.

Name: Bill Lawrence Date: 3/6/06

Title: Asst. Planning Dir. Phone: 541-473-5185

Signature: Bill Lawrence

**C. Additional Comments**

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

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**Note:** If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water



### Oregon Water Resources Department Land Use Information Form

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. WRD will use this and other information to evaluate the water use application. THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water right transfer, allocation of conserved water, or exchange and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm use zone.

#### To Be Completed By Applicant

This section must be completed by the individual or group that is filing an application with the Water Resources Department. Attach a copy of the map from the application to this form.

**A. Applicant**

Name: Henry MAUTZ  
Address: 6997 HWY 99  
City: STAR State: ID Zip: 83669 Day Phone: 208 286 7343

**B. Land and Location**

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)	Proposed Land Use
<u>701</u>		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>Feed lot</u>
		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

List counties and cities where water is proposed to be diverted, conveyed, or used. Nyssa, Malheur

**C. Description of Proposed Use**

Indicate the type of application to be filed with the Water Resources Department.  
 Water Use Permit  Water Right Transfer  Allocation of Conserved Water  Exchange

Indicate the intended use of water and describe the key characteristics of the project.  
 Commercial  Industrial  Instream  Irrigation  
 Municipal  Quasi-municipal  Domestic (indicate number of households) \_\_\_\_\_  
 Other \_\_\_\_\_

Briefly describe: Livestock water dust control

Indicate the source of the water to be used.  
 Reservoir/Pond  Ground Water  Surface Water \_\_\_\_\_

Indicate the estimated quantity of water the use will require: 1225  CFS  GPM  Acre-Feet

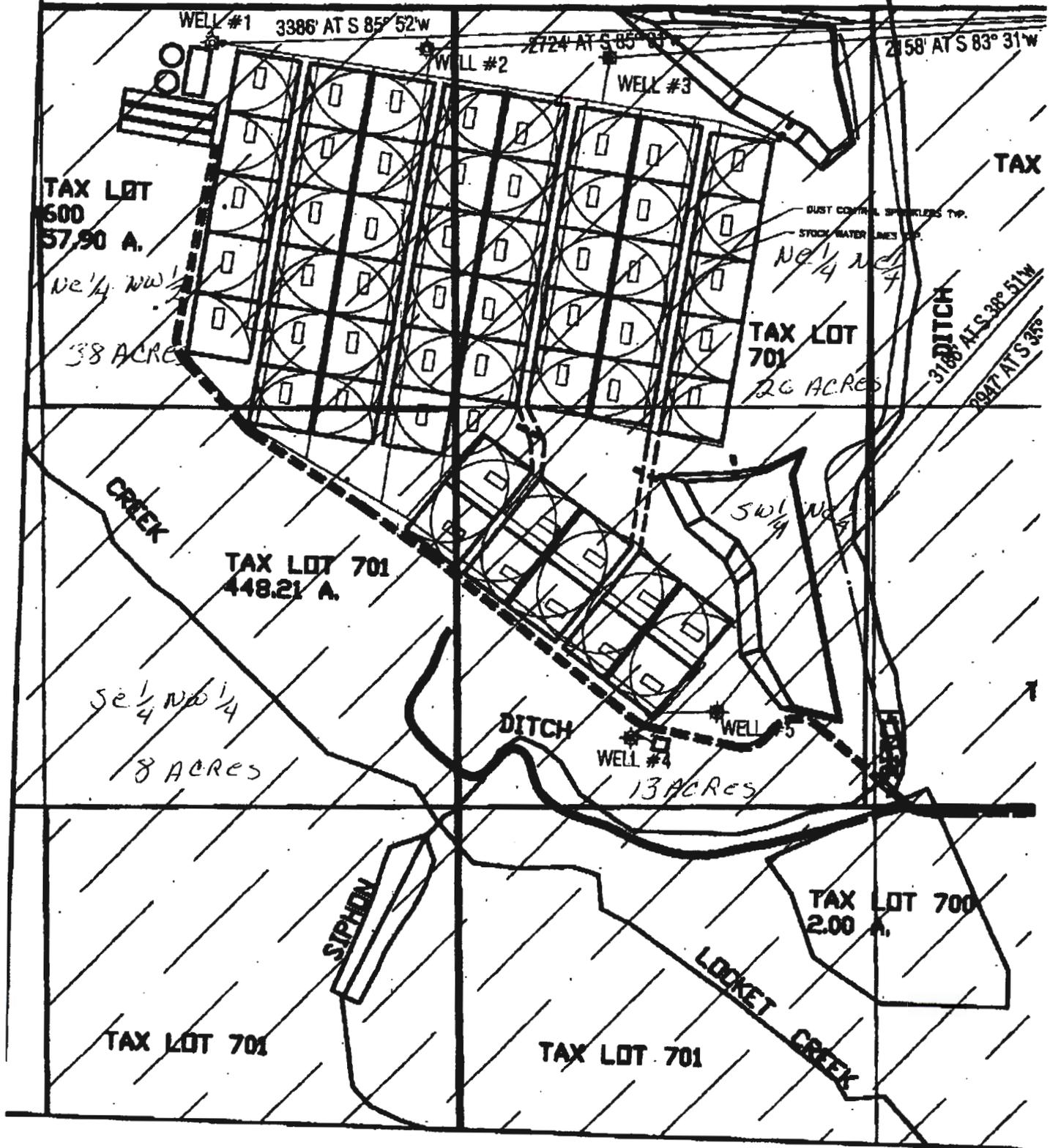
Last revised 04/06/04

#### Receipt for Request for Land Use Information

State of Oregon  
Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
(503) 986-0900

2011.10.12

SW1/4 19S 46E V.M.  
MALHEUR COUNTY  
NE COR. SEC. 28 TO NW 1/16 COR. SEC. 28 BASIS OF BEARING S 88° 00'W



*Henry Mantz*

**FAX** *HENRY*  
**JUDY MAUTZ**  
**6497 HWY. 44**  
**STAR, IDAHO 83669**

**PHONE: (208) 286-7343**  
**FAX: (208) 286-7343**

**DATE:** *3/18/16*  
**NUMBER OF PAGES:** \_\_\_\_\_

**TO:**  
*HERB*

**FROM:**  
*HENRY MAUTZ*

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**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 # **79632**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Henry R. Mauritz

APPLICATION 5-16613

BY: \_\_\_\_\_

PERMIT \_\_\_\_\_

TRANSFER \_\_\_\_\_

CASH:  CHECK:# 3225 OTHER: (IDENTIFY)

TOTAL REC'D \$ 600.00

**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 PCA-46111

0407 COPY & TAPE FEES \$  
0410 RESEARCH FEES \$  
0408 MISC REVENUE: (IDENTIFY) \$  
TC-162 DEPOSIT LIAB. (IDENTIFY) \$  
0240 EXTENSION OF TIME \$

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE \$	0202	RECORD FEE \$
0203 GROUND WATER	EXAM FEE \$ <u>600.00</u>	0204	RECORD FEE \$
0205 TRANSFER	EXAM FEE \$		

WELL CONSTRUCTION

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

OTHER (IDENTIFY) \_\_\_\_\_

**0536 TREASURY 0437 WELL CONST. START FEE**

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

OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **79632**

DATED 1-25-06 BY: [Signature]

# Standard Application "Completeness" Checklist

Minimum Requirements (OAR 690-310-040)

Application: <u>G-16613</u>	County: <u>MALHEUR</u>
Priority Date: <u>3-21-2006</u>	Township: <u>19 S</u>
Use(s): <u>@ FEED LOT</u>	Range: <u>46 E</u>
<u>STORK WATER DOMESTIC</u>	Section: <u>28</u>
<u>\$ COMM./DUST CONTROL</u>	POA ¼¼: <u>SEE MAP</u>
Rate: <u>1.8939 CFS</u>	POU ¼¼: <u>SEE MAP</u>

Applicant/Organization Name, Mailing Address and Telephone Number. If applicant is other than a private landowner, Organizations section must be completed.

Source listed

Property ownership indicated? If applicant does not own all the land, is the affected landowner's name and mailing address listed? (Including: Lands, not owned by applicant, upon which the source is located .....or..... any Lands, not owned by applicant, which are crossed by the diversion works.) **NOTE: An easement or agreement DOES NOT need to be submitted at this time, however a statement declaring the existence of written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work is required at this time. Easement or agreement will be required before a permit will be issued.**

If a groundwater application...is the groundwater development section completed, including copies of well logs? OK

Proposed Use of the water.... Is each proposed use identified?

Has the appropriate "Supplemental Form" for each proposed use been completed, if applicable?

- Form I (Irrigation)
- Form M (Municipal or Quasi-Municipal)
- Form Q (Commercial or Industrial)
- Form R (Mining)
- Spring Description Sheet (if source is a Spring)

Form Q (Commercial or Industrial)

RECEIVED  
MAR 15, 2006

Amount of water from each source listed in GPM, CFS or AF?

Acreage being proposed, if applicable.

Season being requested by applicant.

Water management section has been completed? If system has not been designed, the applicant may estimate this information.

Resource protection system completed on Surface Water application?

Are the dates of construction indicated? Proposed dates for the Beginning of construction, completion of construction, and complete application of water to the proposed use(s) If system already completed, applicant should indicate existing. Applicant may indicate in other than dates, these timelines.

Is the application signed in ink by the applicant? If the application is in the name of an organization or corporation, the authorized agent with title or authority, must sign the application. If more than one applicant named, both/all must sign or application is incomplete.

Legal description included? A copy of the deed, land sales contract or title insurance policy can provide this information. We cannot accept a copy of the tax bill. RECEIVED MAR 8, 2006. -

A completed Land-Use Form or receipt signed by the appropriate planning department officials enclosed? Does the use on land-use form match the proposed use on the application? Date should be within 6 months. Pg 1 of 2 MAR 10, 2006 ONTRAK 10

Does the map meet map requirements of OAR 690-310-050?

CIVIL ENGINEERING / SURVEYING  
EDWARDS & CUMMINGS  
"DARRELL"

Town, Range, Sec, 1/4 1/4 and Tax Lot #

Scale of the Map, not less than 4" = 1 mile

Reference corner on map

North Directional Symbol (not fatal if omitted)

1/4 1/4's clearly identified

Location of each diversion point, well or dam WELLS.

POU clearly identified location of place of use where water is to be used. ie: domestic, industrial stock, irr, etc.

Location Coordinates for each POD by reference to a recognized public land survey corner BY SURVEY INSTRUMENT

Number of acres per 1/4 1/4, if Irrigation

RECEIVED BY FAX 3-21-2006 TOTAL 85 ACRES

Other

fees enclosed? YES

Total Paid \$ 600

Base Fee\$ \_\_\_\_\_

plus\$ \_\_\_\_\_

plus\$ \_\_\_\_\_

Total Amount of Water Requested: 1.8939

CFS Total Exam Fee \$ \_\_\_\_\_

Total Exam Fee \$ 600

Recording Fee \$ ~~XXXXXX~~

Completeness Check by: JZM

Date: 1-25-2006

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **119757**

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

INVOICE # \_\_\_\_\_

RECEIVED FROM: CK 3, LLC

APPLICATION	G-11dd3
PERMIT	
TRANSFER	

BY: \_\_\_\_\_

CASH:  CHECK: #  17995 OTHER: (IDENTIFY)

**TOTAL REC'D \$ 175.00**

**1083 TREASURY 4170 WRD MISC CASH ACCT**

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

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407 COPY & TAPE FEES \$ **46111**  
 0410 RESEARCH FEES \$  
 0408 MISC REVENUE: (IDENTIFY) \_\_\_\_\_ \$  
 TC162 DEPOSIT LIAB. (IDENTIFY) \_\_\_\_\_ \$  
 0240 EXTENSION OF TIME \_\_\_\_\_ \$

**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	\$

0200 OTHER (IDENTIFY) COBU **\$175.00**

**0536 TREASURY 0437 WELL CONST. START FEE**

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

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

RECEIPT: **119757**

DATED: 5/9/16 BY: Carlos O. Turner

CK3, LLC

17995

Oregon Water Resources Department

5/3/2016

Claim of Beneficial Use : Application# G-16613/Permi

175.00

RECEIVED BY OWRD

MAY 09

SALEM, OR

US Bank

Application# G-16613/Permit# G-16136 Henry a

175.00

**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 # **84879**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Titlone Exchange  
BY: Company, LLC

APPLICATION	616613
PERMIT	
TRANSFER	

CASH:  CHECK:#  1385 OTHER: (IDENTIFY)

**TOTAL REC'D \$ 250.00**

**1083 TREASURY 4170 WRD MISC CASH ACCT**

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

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

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

**WATER RIGHTS:**

0201	SURFACE WATER	\$	0202	RECORD FEE	\$
0203	GROUND WATER	\$	0204		\$ 250.00
0205	TRANSFER	\$			

**WELL CONSTRUCTION**

0218	WELL DRILL CONSTRUCTOR	\$	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 (FW/WRD)	\$
0231	HYDRO LICENSE FEE (FW/WRD)	\$
_____	HYDRO APPLICATION	\$

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **84879** DATED: 10/19/06 BY: [Signature]

NEW APPLICATIONS (GROUND WATER, RESERVOIR, & SURFACE) ROUTE SLIP G-16613

RECEIPTING  1-26-06  
POST CARD SENT  1-26-2006 JLM  
DATA CENTER

GROUND WATER YES  NO   
ENFORCEMENT YES  NO

WATER RIGHTS SUPPORT  JLS

Alyssa Mucken	503-986-0853	<input type="checkbox"/>
Anita Huffman	503-986-0815	<input checked="" type="checkbox"/>
Cory Engel	503-986-0813	<input type="checkbox"/>
Jeana Eastman	503-986-0859	<input type="checkbox"/>
Kerry Kavanagh	503-986-0816	<input type="checkbox"/>

A "Standard Reservoir" storing 9.2 acre-feet or more of Water & has a dam height of 10.0 feet or greater needs to have a copy of the application & supplemental forms routed to "JOHN FALK"



GW  
Files

**ATTN: WATER RIGHTS  
SUPPORT...>>>> Mark contents of Application File;  
Update Powerbuilder with caseworker, etc.;**  
Route to filing cabinet.



S & R  
Files

OK