

Partial Assignment

Name G-17068
By RUPP RANCHES
Address RANDY RUPP
176 KRANICHWOOD ST
RICHLAND WA 99352

Priority G-16-2008
County UMAT WM# 5

RELATED FILES

DEVELOPMENT

Date

Completion _____

Extended to _____

Final Proof received _____

Proposed Cert. Mailed _____

Application No. G17068
Permit No. G-1667-G-17272
Certificate No. _____

Date

DENIED _____

MISFILED _____

WITHDRAWN _____

CANCELLED _____

Volume Page

FEES PAID

Date	Amount	Receipt No.
<u>6/16/08</u>	<u>18,000.00</u>	<u>92875</u>
<u>4-3-17</u>	<u>575.00</u>	<u>123029</u>
<u>7-29-2021</u>	<u>\$120.00</u>	<u>136006</u>
	Cert. Fee	

FEES REFUNDED

Date	Amount	Receipt No.

ASSIGNMENTS

Date	To Whom	Address
<u>8/5/2021</u>	<u>Northwest Farm Credit Services, FLCA</u>	<u>12 SW Nye Ave.; Pendleton, OR. 97801</u>

REMARKS T-11586AAP0A v.95 p.93-94

MAP LOCATION _____

App 6-17068

TAC 5-20-2013

Gerry Clark

From: Mike Ladd
Sent: Thursday, January 24, 2013 12:13 PM
To: Gibb Evans
Cc: Ivan Gall; Tony Justus; Barry Sanford; Gerry Clark
Subject: FW: Permit requirements
Attachments: G_16671_ikg.pdf; permit_amendment_application.pdf

Nice talking with you and Tom this morning about the Rupp permit. I'm forwarding Ivan's e-mail that he had sent to Randy Rupp that does a good job of calling out the various permit conditions. I also talked to Ivan this morning about the permit conditions and this is what we determined. The permit conditions need to be met no later than the completion date of the permit (5 years from issuance date), unless the permit specifies another specific time line. So, be aware there are some conditions that require sooner action such as, but not limited to, installation of flowmeters prior to water use, February water levels, collection of drilling cuttings etc... I suspect those that should be on the top of the list are: February water levels, and filing a permit amendment to add the new well that was drilled that wasn't originally on the permit. Ivan thought it might be the far easterly well. And no use of water should occur from this well until the permit amendment is approved. You can work directly with staff here in Pendleton on the permit amendment.

As far as proving up the acres and volume our view (Ivan, Mike and Gerry Clark) is if you have system capacity and you prove up on the total rate and volume to could get those quantities. You could prove up on 1000 acres using 2000 af, which would allow you to use 3 af in some cases, where needed, but you could only get a max of 2000 af in any given year. You could also prove up, as you suggested, 666 acres and get the 2000 af, which is not over the 3 af limit. The first example gives more flexibility for some crop rotations in that you wouldn't have to irrigate the entire 1000 acres each year.

Also, Ivan would be willing to get staff to assist in aquifer testing provided it can be done at a time in which his staff is available.

Please let Ivan or I know if you have any questions.

From: Ivan Gall
Sent: Friday, January 04, 2013 4:12 PM
To: randy@costlesscarpet.com
Cc: Tony Justus; Mike Ladd; Barry Sanford
Subject: Permit requirements

Hi Randy-

I have attached a marked-up copy of your groundwater permit, in which I highlighted some of the key tasks that I think still need to be done. A couple things stand out:

1. February water levels need to be collected from each well.
2. I think one of your new wells is not on the permit; you will need to do a permit amendment to add that well to the permit. The Pendleton office can assist you with forms, and I have attached the application form also.
3. GSI (Terry Tolan) submitted a Geologic and Hydrogeologic Data Collection Plan for Rupp Ranches in March 2012. This is really the best document that identifies what other tasks need to be accomplished to meet the permit conditions. I can provide a copy if you need it. The data collected under this plan would then be summarized in a hydrogeologic report.

Let me know if you have any questions. I am happy to work with you or a consultant you hire on this matter to answer questions. We can certainly provide some guidance on how to accomplish some of the tasks, and make sure you meet

the permit requirements. Also, Barry Sanford in our Pendleton office will try and contact you to set up a time to video the wells.

Best wishes for the New Year!

Ivan

Ivan Gall - Manager
Groundwater Section
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1271
503.986.0847 503.986.0902 FAX
ivan.k.gall@wrdd.state.or.us

RAY Linda K * WRD

From: IVERSON Justin T * WRD
Sent: Thursday, November 21, 2024 1:20 PM
To: RAY Linda K * WRD
Cc: CLARK Gerald E * WRD; WOODY Jennifer L * WRD
Subject: Please print and file: Text message re Permit G-17272, File/App G-17068
Attachments: IMG_0380.PNG

Hi Linda,

Could you please print and file this email and place it in the file for App G-17068.

Note to file, attached is a screen shot of a 2024 text message exchange between Jen Woody and Randy Rupp regarding access to monitor the POAs associated with permit G-17272. Cross reference with Terms of the Agreement section C.5. of the Extension FO with Settlement Agreement for permit G-17272.

Thanks,

Justin Iverson, RG

GROUNDWATER SECTION MANAGER

Oregon Water Resources Department

Cell: 503-302-9728

Justin.T.Iverson@water.oregon.gov

Pronouns: He/Him

Please Note: under Oregon law, messages to and from this e-mail address may be made available to the public

We're hiring! See the full list of OWRD recruitments [here](#). Search for "owrd".

From: WOODY Jennifer L * WRD <Jennifer.L.WOODY@water.oregon.gov>
Sent: Thursday, November 21, 2024 11:33 AM
To: IVERSON Justin T * WRD <Justin.T.IVERSON@water.oregon.gov>
Subject: Text message

11:31



RR

Randy

Well 3/ UMAT 57041 2/17/2023
271.95' bls

Well 2/ UMAT 57042 2/17/2023
249.29' bls

Mon, Feb 12 at 11:33 AM

Hi Randy, Jen Woody from OWRD here. I need to do the annual well flow meter readings and water level measurements next week. Do you or your staff have time to meet me there next Wednesday (feb 21) or Thursday (Feb 22)? If there's another time that's better let me know.

Tue, Feb 13 at 10:38 AM

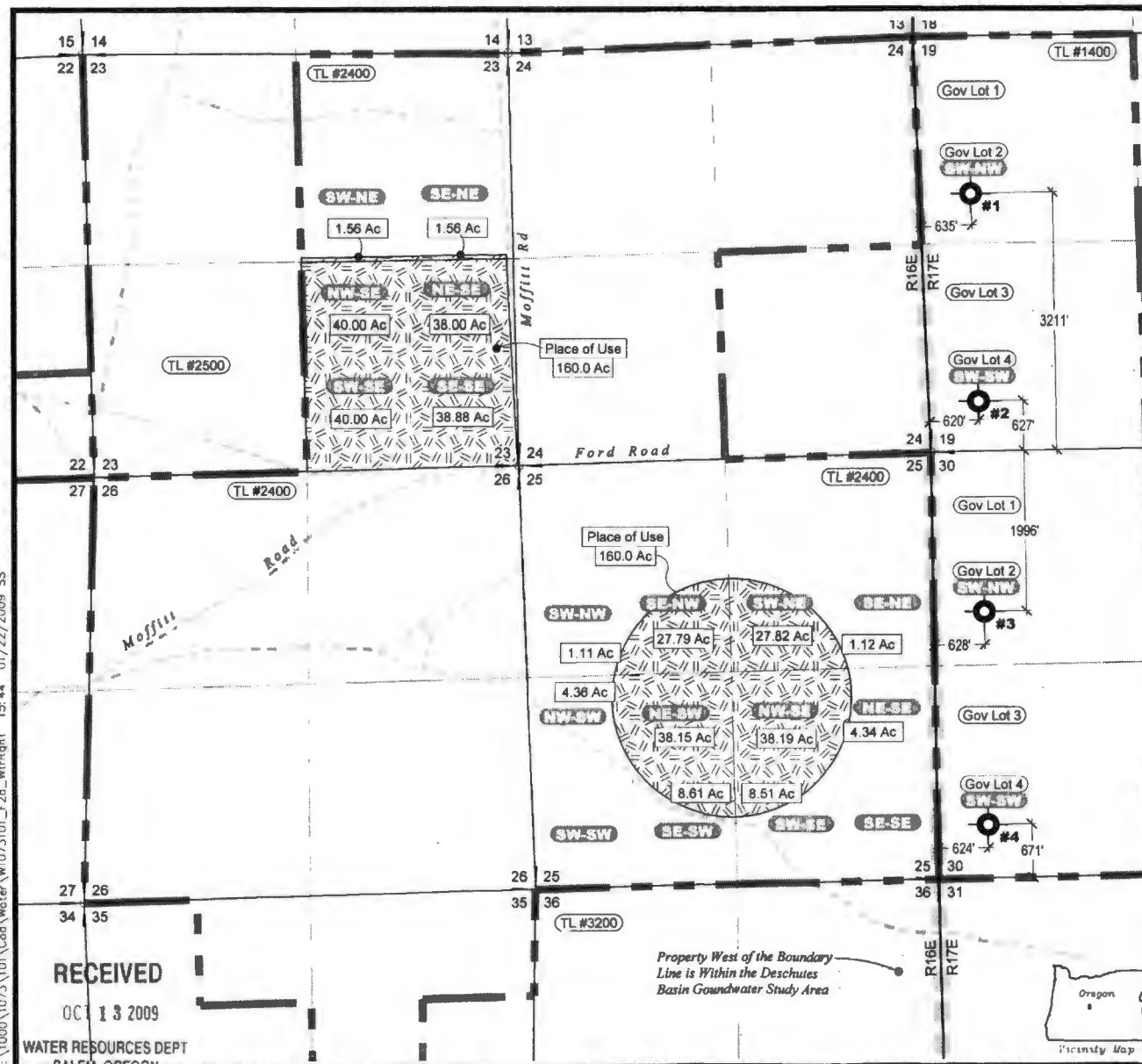
Jen you need to talk to someone that cares because I am required to have a third party monitor the wells yearly if that's the case why are you doing it also I think it should be one or the other not both can you find out which they prefer to do as I don't think I am required to do both and I don't want to do both I talked to you about this before and nothing was done. I don't think you should make plans to come here until this is resolved. Thank you randy



Text Message



APP G-17065



WATER RIGHTS APPLICATION MAP

PLACE OF USE

In Tax Lot 2400, Located in SW¼ - NE¼ & SE¼ - NE¼
SE¼ of Section 23, T.20S., R.16E., W.M.
In Tax Lot 2400, Located in SE¼ - NE¼ & SW¼ - NE¼ & NE¼ - SE¼
SW¼ - SE¼ & NW¼ - SE¼ & NE¼ - SW¼
SE¼ - SW¼ & NW¼ - SW¼ & SE¼ - NW¼
& SW¼ - NW¼ of Section 25
T.20S., R.16E., W.M.
Deschutes County, Oregon

WELL LOCATIONS

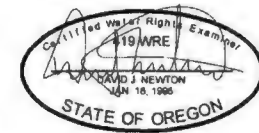
In Tax Lot 1400, Located in SW¼ - NW¼ & SW¼ - SW¼
of Section 19, T.20S., R.17E., W.M.
Located in SW¼ - NW¼ & SW¼ - SW¼
of Section 30, T.20S., R.17E., W.M.
Deschutes County, Oregon

NOTES

1. This map was prepared for the purpose of identifying the location of water rights only and is not intended to provide legal dimensions or locations of property ownership lines.

LEGEND

- Gravel Road
- Tax Lot Boundary Line
- TL #2400 Tax Lot ID Number
- Approximate Location and Identification of Well
- Place of Use
- Boundary of Deschutes Basin Groundwater Study Area
- Denotes Study Area Side of Boundary Line



0' 1,320' 2,640'
SCALE: 1" = 1,320'

Water Rights Application Map (Revised)

Kenneth Burbank & Fred Cramer
Water Rights Permit Application
Deschutes County, Oregon



NEWTON
CONSULTANTS INC.
Earth, Water and Rock Specialists
PH 541 594-8951
FAX 541 594-8952

DESIGNED BY: K. Turner
DRAWN BY: S. Schenck
DATE: OCT 2009
PROJECT NO: 1073-101
FIGURE: 2a

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WATER RESOURCES DEPT
SALEM, OREGON

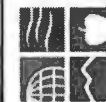
 Initially Proposed Well Locations
(June 2008)
 Revised Proposed Well Locations
(Feb 2009)

- Quaternary surficial deposits
- Neogene sedimentary rocks
- Dalles Group
- Idaho Group
- Paleogene sedimentary rocks
- Late High Cascades Volcanics
- Quaternary volcanic rocks
- Kweil Volcanics
- Early High Cascade Volcanics
- Neogene volcanic rocks
- Harney Basin Volcanic Field
- High Lava Plains Volcanic Province
- Powder River Volcanic Field
- Strawberry Volcanics
- Columbia River Basalt Group
- Lake Owyhee Volcanic Field
- Oregon-Idaho Graben
- McDermitt Volcanic Field
- Northern Nevada volcanics
- John Day-Clarno Group
- Western Cascades Volcanics
- Paleogene volcanic rocks
- Umpqua Group
- Nevadan Intrusives
- Pueblo Mountain Metamorphic Complex
- Mountain Home Metamorphic Complex
- Michail Group
- Wallowa Terrane
- Baker Terrane
- Olds Ferry Terrane
- Grindstone Terrane

Source: SALEM, OREGON
Oregon Department of Geology and
Mineral Industries (DOGAMI)
Oregon Geologic Data Compilation
(OGDC)
(<http://ogdc.geos.pdx.edu>)



Site Geology
Kenneth Burbank & Fred Cramer
Water Rights Permit Application
Deschutes County, Oregon



**NEWTON
CONSULTANTS INC.**
Earth, Water and Rock Specialists
Ph. 541 524-0831
Fax 541 544-0261

DESIGNED BY.
K. Tumer

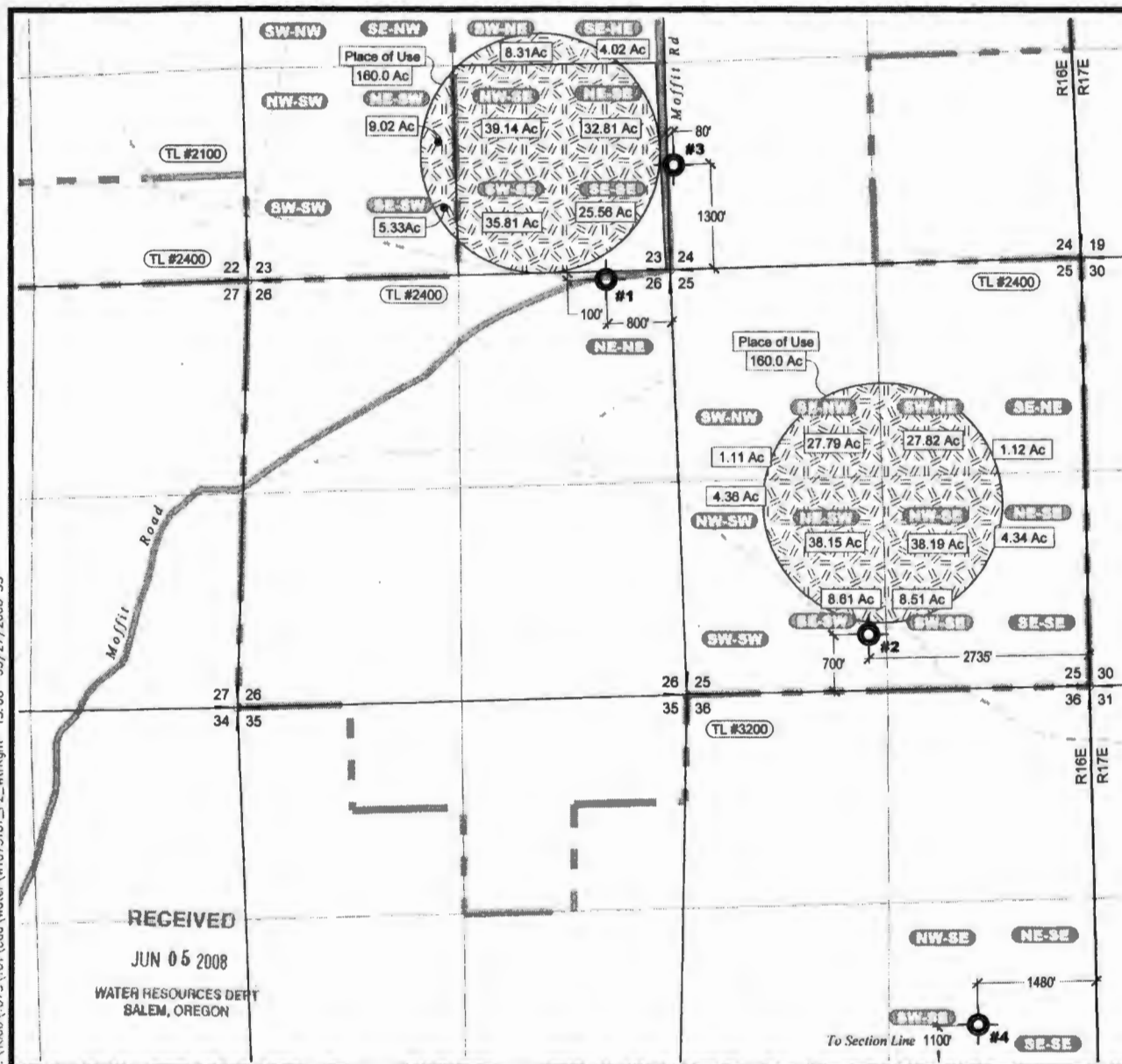
S. Schenck

DATE: OCT 2009

PROJECT NO. 1073-101

FIGURE 3

Aug 67-17065



WATER RIGHTS APPLICATION MAP

PART TAX LOTS 2100 & 2400

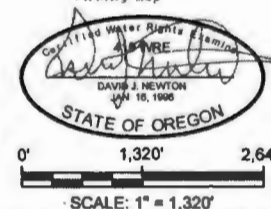
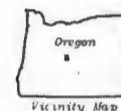
In Tax Lot 2100, Located in
NE $\frac{1}{4}$ - SW $\frac{1}{4}$ & SE $\frac{1}{4}$ - SW $\frac{1}{4}$
of Section 23, T.20S., R.18E., W.M.
In Tax Lot 2400, Located in
SE $\frac{1}{4}$ - NE $\frac{1}{4}$ & SW $\frac{1}{4}$ - NE $\frac{1}{4}$ & NE $\frac{1}{4}$ - SE $\frac{1}{4}$
SE $\frac{1}{4}$ - SE $\frac{1}{4}$ & SW $\frac{1}{4}$ - SE $\frac{1}{4}$ & NW $\frac{1}{4}$ - SE $\frac{1}{4}$
of Section 23, T.20S., R.18E., W.M.
In Tax Lot 2400, Located in
SE $\frac{1}{4}$ - NE $\frac{1}{4}$ & SW $\frac{1}{4}$ - NE $\frac{1}{4}$ & NE $\frac{1}{4}$ - SE $\frac{1}{4}$
SW $\frac{1}{4}$ - SE $\frac{1}{4}$ & NW $\frac{1}{4}$ - SE $\frac{1}{4}$ & NE $\frac{1}{4}$ - SW $\frac{1}{4}$
SE $\frac{1}{4}$ - SW $\frac{1}{4}$ & NW $\frac{1}{4}$ - SW $\frac{1}{4}$ & SE $\frac{1}{4}$ - NW $\frac{1}{4}$
& SW $\frac{1}{4}$ - NW $\frac{1}{4}$ of Section 25
& SW $\frac{1}{4}$ - SW $\frac{1}{4}$ of Section 24
& NE $\frac{1}{4}$ - NE $\frac{1}{4}$ of Section 26, T.20S., R.18E., W.M.
In Tax Lot 3200, Located in
SE $\frac{1}{4}$ - NE $\frac{1}{4}$ of Section 38, T.20S., R.18E., W.M.
Deschutes County, Oregon

NOTES

1. This map was prepared for the purpose of identifying the location of water rights only and is not intended to provide legal dimensions or locations of property ownership lines.

LEGEND

- Gravel Road
- Paved Road
- Tax Lot Boundary Line
- TL #2400 Tax Lot ID Number
- Approximate Location of Well
- Place of Use



Water Rights Application Map
Kenneth Burbank & Fred Cramer
Water Rights Permit Application
Deschutes County, Oregon



NEWTON
CONSULTANTS INC.
Earth, Water and Rock Specialists
Since 1982



September 30, 2009
Project No. 1073-101

Kerry Kavanagh
Oregon Water Resources Department
725 Summer St. NE, Suite. A
Salem, OR 97303

**KENNETH BURBANK/FRED CRAMER GROUNDWATER APPLICATION
G-17065; AMENDMENT TO APPLICATION DATED JUNE 5, 2008**

Dear Ms. Kavanagh,

This letter requests that permit application G-17065 be removed from the administrative hold status. This letter also requests an amendment of permit application G-17065 based on information presented with this letter and our prior discussion with you regarding amendment feasibility and information needs to complete the amendment. The requested amendments apply to locations of proposed wells and a perimeter adjustment in proposed place of water use.

The original permit application was accepted by the Oregon Water Resources Department (OWRD) on June 5, 2008, establishing the date of priority. The application requests appropriation of ground water from up to 4 proposed wells at a maximum rate of 2.67 cfs. The water will be used to irrigate 320 acres of land for growing grass and alfalfa hay.

The Initial Review was completed by the OWRD on October 17, 2008 and concluded that mitigation is required based on locations of the 4 proposed wells within the Deschutes Basin Ground Water Study Area (the Study Area) and requirements of the Deschutes Ground Water Mitigation Rules (OAR 690-505-0500 through 0630). Discussion of this conclusion with the Applicants resulted in their decision to relocate the proposed wells. Although the original proposed well locations were selected according to irrigation water distribution considerations, the Applicants elected to relocate proposed wells to property they own that is outside the Study Area boundary.

This proposal was discussed with Mr. Lite, Hydrogeologist, of the OWRD Southwest Region office in Bend. Mr. Lite confirmed that mitigation under the Mitigation Rules would not apply to the proposed appropriations if they are outside the Study Area. Following this discussion and finding, we evaluated available well logs and geologic information and find no firm reasons that wells at the proposed new sites will withdraw water from a different and separate aquifer system than for wells at the original proposed sites.

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More specifically, the new adjusted well sites are shifted eastward from the original proposed well sites at distances between about 0.6 miles and 1.5 miles. One of the adjusted new sites is changed from a ridge area to the relatively flat basin terrain of the other original and adjusted well sites. A geologic map from the Department of Geology and Mineral Industries (DOGAMI), Oregon Geologic Data Compilation (OGDC) (<http://ogdc.geos.pdx.edu>) was reviewed to assist in our evaluation of geologic information. A map based on this reference is attached as Figure 3. Two of the original proposed well sites were in an area mapped as "Quaternary Surficial Deposits" and two sites were located in an area mapped as "High Lava Plains Volcanics". Available well log data suggests that the "High Lava Plains Volcanics" unit is shallow and was penetrated by wells to ground water at greater depth. Three of the adjusted new sites are in the area mapped as "High Lava Plains Volcanics" and one is located in the "Quaternary Surficial Deposits" map area. Although the adjusted sites add one well in the "High Lava Plains Volcanics" map area (an apparent surficial and near-surface unit), there is no evidence to suggest that wells at the adjusted new sites will withdraw water from a different and separate aquifer system than for wells at the original proposed well sites. Accordingly, the original Water Right Application Map was revised to show the new proposed well sites. Well construction is anticipated to be as presented in the original application.

The proposed place of water use identified in the original application for Section 25 will remain the same. Some adjustment is proposed for the perimeter around the place of water use in Section 23. The place of use will include the entire SE quarter of Section 23. The Water Right Application Map (Figure 2a) is also revised to reflect this perimeter adjustment.

The new proposed well locations require that the pipeline for water supply to irrigated land in Section 23 crosses Moffitt Road. This road passes through rural ranch lands, open space and lands owned by the Bureau of Land Management. The proposed road crossing was discussed with the Deschutes County Road Department. These discussions concluded that Moffitt Road is made of gravel and a permit would need to be obtained from the County. A county staff worker stated that there would not be a problem as long as the work was conducted by a licensed and bonded contractor. This work will be done in accordance with County requirements.

A new Land Use Information Form with the amended well locations was submitted to the Deschutes County Planning Department for review. The revised form and signed receipt are included as Attachment C.

The following items are enclosed to account for the amendments to the permit application:

- Revised Water Right Application Map (Figure 2a) showing new proposed well sites.
- Site Geology (Figure 3) from DOGAMI's Oregon Geologic Data Compilation

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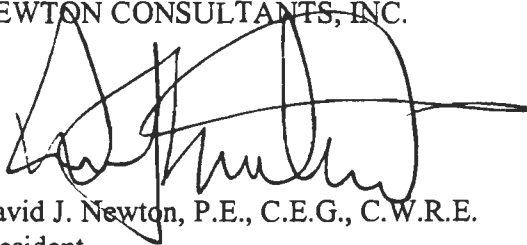
**WATER RESOURCES DEPT
SALEM, OREGON**

- Deschutes County tax lot map (Attachment A) identifying the Applicant's additional property on which wells are proposed.
- Deschutes County Assessors Office documentation showing ownership of the lands on which wells will be located (Attachment B).
- New Land Use Information Form and signed receipt from the Deschutes County Planning Department (Attachment C).
- A check for the fee to amend four well locations.

If you have additional questions regarding the information contained in this letter, please feel free to contact me at (541) 504-9960, ext. 211 or dnewton@newtonconsultants.com. You may also contact Katie Turner at (541) 504-9960, ext. 210 or ktturner@newtonconsultants.com.

Sincerely,

NEWTON CONSULTANTS, INC.



David J. Newton, P.E., C.E.G., C.W.R.E.
President

Enclosures: Figure 2a: Water Rights Application Map (Revised)
Figure 3: Site Geology
Attachment A: Tax Lot Map
Attachment B: Deschutes County Assessor Information Showing
Ownership
Attachment C: Land Use Information Form

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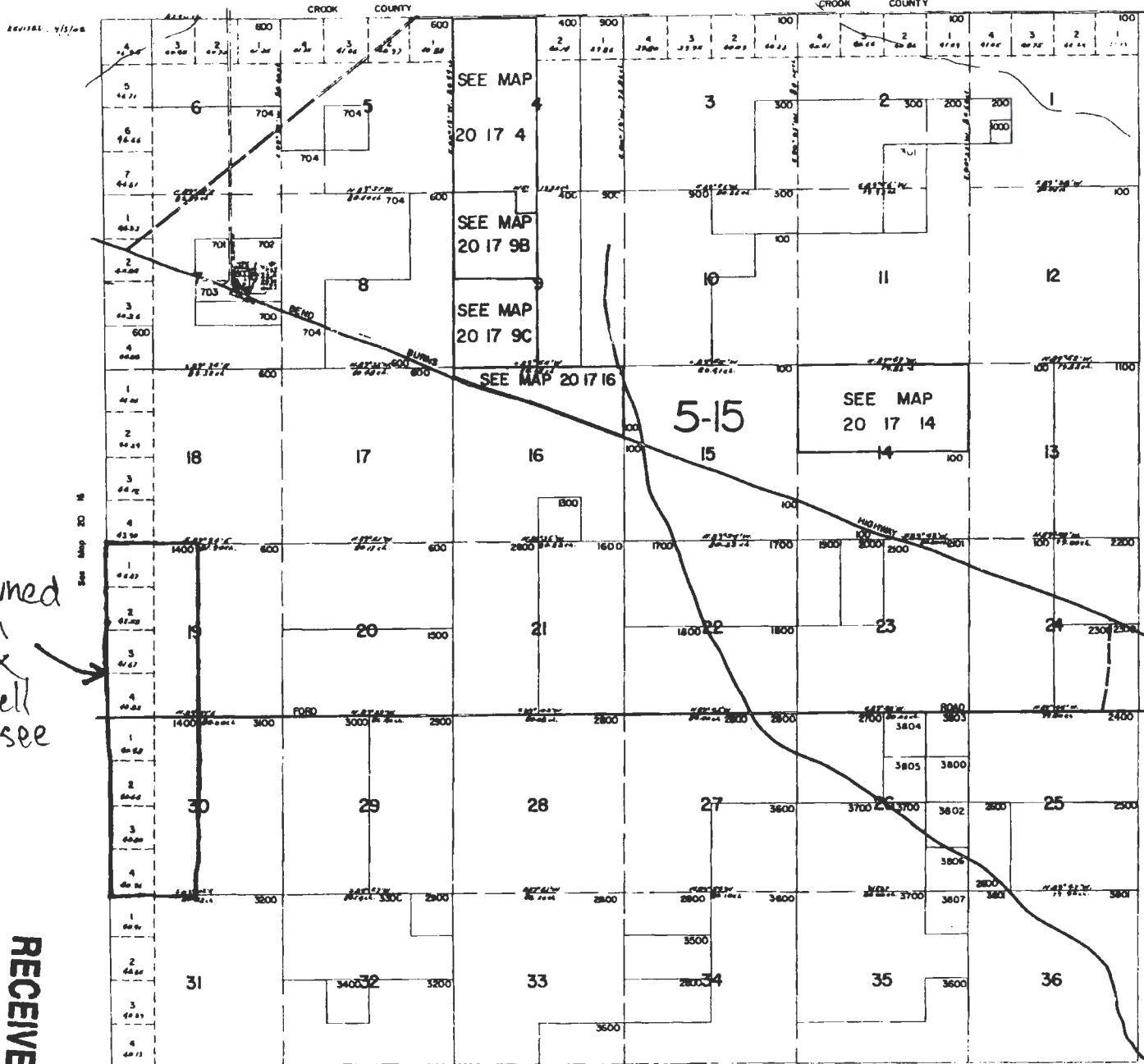
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**WATER RESOURCES DEPT
SALEM, OREGON**

T.20S. R.17E.W.M.
DESCHUTES COUNTY
1" = 2000'

Deed Numbers 5001 thru 531
1200 thru 1230
2801 thru 2816

20 17



Property owned
by Kenneth
Burbank
- For new well
locations, see
Figure 2a

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WATER RESOURCES DEPT
SALEM, OREGON

Attachment A

App G-17065

WATER RESOURCES DEPARTMENT

MEMO

Date: September 23, 2008TO: Application: G-17065FROM: GW: K. Lite
(Reviewer's Name)SUBJECT: Scenic Waterway Interference & General/Local Surface Water
Evaluation for Deschutes Ground Water Study AreaThe source of appropriation is within or above the Deschutes
Scenic Waterway.

Use the Scenic Waterway condition (Condition 7J).

PREPONDERANCE OF EVIDENCE FINDING UNDER ORS 390.835:

Department has found that there is a preponderance of evidence that the proposed use of ground water will measurably reduce the surface water flows necessary to maintain the free-flowing character of the Deschutes Scenic Waterway in quantities necessary for recreation, fish and wildlife.

LOCALIZED IMPACT FINDING

☐ The proposed use of ground water will have a localized impact to surface water in the _____ River/Creek Subbasin.

If the localized impact box above is checked, then the water use under any right issued pursuant to this application is presumed to have a localized impact on surface water within the identified subbasin. Mitigation of the impact, originating from within the Local Zone of Impact identified by the Department, will be required before a permit may be issued for the proposed use.

If the localized impact box above is not checked, then the water use under any right issued pursuant to this application is presumed to have a general (regional) impact on surface water. Mitigation of the impact, originating anywhere within the Deschutes Basin above the Madras gage, will be required before a permit may be issued for the proposed use.

PUBLIC INTEREST REVIEW FOR GROUND WATER APPLICATIONS

TO: Water Rights Section Date 9/22/2008

FROM: Ground Water/Hydrology Section K. Lite
Reviewer's Name

SUBJECT: Application G- 17065 Supersedes review of _____
Date of Review(s)

PUBLIC INTEREST PRESUMPTION: GROUNDWATER

OAR 690-310-130 (1) *The Department shall presume that a proposed groundwater use will ensure the preservation of the public welfare, safety and health as described in ORS 537.525. Department staff review ground water applications under OAR 690-310-140 to determine whether the presumption is established. OAR 690-310-140 allows the proposed use be modified or conditioned to meet the presumption criteria. This review is based upon available information and agency policies in place at the time of evaluation.*

A. GENERAL INFORMATION: Applicant's Name: Burbank and Cramer County: Deschutes

A1. Applicant(s) seek(s) 2.67 cfs from 4 well(s) in the Deschutes Basin,
Dry River subbasin Quad Map: Millican SE

A2. Proposed use: Irrigation Seasonality: March 1 – October 31

A3. Well and aquifer data (attach and number logs for existing wells; mark proposed wells as such under logid):

Well	Logid	Applicant's Well #	Proposed Aquifer*	Proposed Rate(cfs)	Location (T/R-S QQ-Q)	Location, metes and bounds, e.g. 2250' N, 1200' E fr NW cor S 36
1	Proposed	1	Tertiary Lava	1.34	20S/16E-26AAB	100' S, 800' W fr NE cor, S26
2	Proposed	2	Tertiary Lava	1.34	20S/16E-25CDA	700' N, 2735' W fr SE cor, S25
3	Proposed	3	Tertiary Lava	1.34	20S/16E-24CCB	1300' N, 80' E fr SW cor, S25
4	Proposed	4	Tertiary Lava	1.34	20S/16E-36DCA	1100' N, 1480' W fr SE cor, S36
5						

* Alluvium, CRB, Bedrock

Well	Well Elev ft msl	First Water ft bls	SWL ft bls	SWL Date	Well Depth (ft)	Seal Interval (ft)	Casing Intervals (ft)	Liner Intervals (ft)	Perforations Or Screens (ft)	Well Yield (gpm)	Draw Down (ft)	Test Type
1	4390				Est 600	Est 20	Est 20					
2	4410				Est 600	Est 20	Est 20					
3	4390				Est 600	Est 20	Est 20					
4	5000				Est 600	Est 20	Est 20					

Use data from application for proposed wells.

A4. **Comments: WELLS 1-3 WILL LIKELY BE CONSTRUCTED INTO LAVA UNDERLYING BASIN FILL SEDIMENT, WELL 4 WILL LIKELY ENCOUNTER TERTIARY LAVA THROUGHOUT THE BOREHOLE. REGIONAL GROUND-WATER FLOW IS TOWARDS THE NORTHWEST, WITH THE NEAREST LIKELY DOWN-GRADIENT DISCHARGE AREA (GAINING REACH OF THE CROOKED RIVER) ABOUT 40 MILES DISTANCE. WELL IS LOCATED WITHIN THE DESCHUTES GROUND WATER STUDY AREA**

A5. ☒ **Provisions of the Deschutes** Basin rules relative to the development, classification and/or management of ground water hydraulically connected to surface water ☒ are, or ☐ are not, activated by this application.
(Not all basin rules contain such provisions.)
Comments: WELLS WILL BE LOCATED WITHIN THE USGS DESCHUTES GROUND WATER STUDY AREA.

A6. ☐ Well(s) # _____, _____, _____, _____, _____, tap(s) an aquifer limited by an administrative restriction.
Name of administrative area: _____
Comments: _____

B. GROUND WATER AVAILABILITY CONSIDERATIONS, OAR 690-310-130, 400-010, 410-0070

B1. Based upon available data, I have determined that ground water* for the proposed use:

- a. ☐ is over appropriated, ☐ is not over appropriated, or ☒ cannot be determined to be over appropriated during any period of the proposed use. * This finding is limited to the ground water portion of the over-appropriation determination as prescribed in OAR 690-310-130;
- b. ☐ will not or ☐ will likely be available in the amounts requested without injury to prior water rights. * This finding is limited to the ground water portion of the injury determination as prescribed in OAR 690-310-130;
- c. ☐ will not or ☐ will likely to be available within the capacity of the ground water resource; or
- d. ☒ will, if properly conditioned, avoid injury to existing ground water rights or to the ground water resource:
 - i. ☒ The permit should contain condition #(s) 7B, 7N;
 - ii. ☐ The permit should be conditioned as indicated in item 2 below.
 - iii. ☐ The permit should contain special condition(s) as indicated in item 3 below;

- B2.
- a. ☐ Condition to allow ground water production from no deeper than _____ ft. below land surface;
 - b. ☐ Condition to allow ground water production from no shallower than _____ ft. below land surface;
 - c. ☐ Condition to allow ground water production only from the _____ ground water reservoir between approximately _____ ft. and _____ ft. below land surface;
 - d. ☐ Well reconstruction is necessary to accomplish one or more of the above conditions. The problems that are likely to occur with this use and without reconstructing are cited below. Without reconstruction, I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Ground Water Section.

Describe injury –as related to water availability– that is likely to occur without well reconstruction (interference w/ senior water rights, not within the capacity of the resource, etc): _____

- B3. Ground water availability remarks: THERE ARE NO NEARBY STATE OBSERVATION WELLS. THE NEAREST STATE OBSERVATION WELL WITH A LIKELY SIMILAR RESPONSE IS OBS WELL 1324 (DESC 53516), ABOUT 25 MILES TO THE EAST-SOUTHEAST. IT HAS BEEN MONITORED PERIODICALLY SINCE 1993. STATE OBSERVATION WELL 1324 SHOWS A SLIGHTLY UNDULATING, BUT OVERALL DOWNWARD TREND THROUGHOUT THE PERIOD OF RECORD. THIS TREND IS CONSISTENT WITH CLIMATE CYCLES. SINCE 1994, THE WATER LEVEL HAS DROPPED ABOUT 3.25 FEET, LIKELY, MOSTLY AS A RESULT OF DECREASED RECHARGE.

NOTE #1: THERE IS NO INFORMATION AVAILABLE THAT SUGGESTS THE YIELD (1200 GPM) REQUESTED IN THIS APPLICATION CAN BE OBTAINED (LET ALONE SUPPORTED) IN THIS AREA.

NOTE #2: THERE IS LIKELY TO BE SOME INTERFERENCE TO EXISTING WELLS THAT ARE IN CLOSE PROXIMITY TO POA'S #1 AND #3.

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
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐

Basis for aquifer confinement evaluation: _____

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
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐

Basis for aquifer hydraulic connection evaluation: _____

Water Availability Basin the well(s) are located within: _____

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?
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐

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?
			☐			☐		☐		☐
			☐			☐		☐		☐
			☐			☐		☐		☐
			☐			☐		☐		☐

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													
		%	%	%	%	%	%	%	%	%	%	%	%
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.

C4b. **690-09-040 (5) (b) The potential to impair or detrimentally affect the public interest is to be determined by the Water Rights Section.**

C6. SW / GW Remarks and Conditions

Version: 08/15/2003

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.

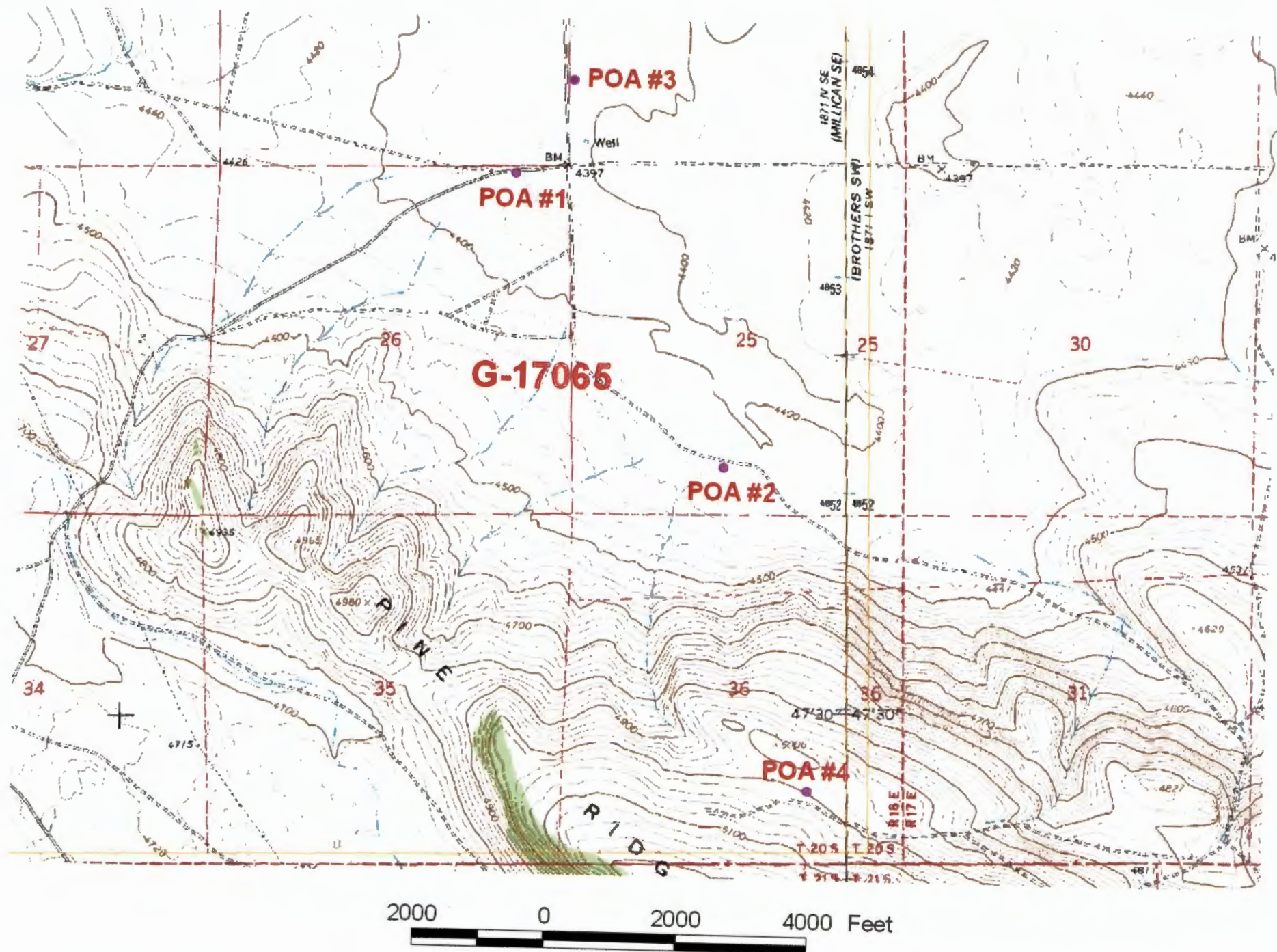
THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

- 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).**
- _____

G-17065: Millican SE and Brothers SW Quadrangles



WATER RESOURCES DEPARTMENT MEMORANDUM

DATE 9/8/2008

APPLICATION_NUMBER	G 17065										
OWNER	BURBANK AND CRAMER										
AMOUNT_REQUESTED	1200 GPM		NUMBER_OF_WELLS		4		BASIN		DESCHUTES		
QUADRANGLE_MAP_1	MILLICAN SE					SUB_BASIN		DRY RIVER			
	BROTHERS SW					COUNTY		DESCHUTES			
WELL_#	1	WELL_LOG_STATUS	NOT YET DRILLED				POA_AMOUNT	600	GPM		
WELL_LOG_NUMBER						DPN_LOG_1					
TWNSHP	20S	RANGE	16E	SECTION		26	QQQ	AAB			
PROPOSED_LEGAL_LOCATION	100 FEET SOUTH AND 800 FEET WEST FROM THE NE CORNER, SECTION 26										
DISTANCE_FROM_STREAM_1	14,750		STREAM_1		DRY RIVER						
DISTANCE_FROM_STREAM_2			STREAM_2								
PROPOSED_WELL_DEPTH	600										
WELL_ELEV	4390	STREAM_ELEV	4310	WELL_ELEV_minus_STREAM_ELEV		80					
WELL_DEPTH						SWL					
SEAL_DEPTH						SWL_DATE					
CASING_DEPTH						FIRST_WATER_DEPTH					
LINER_DEPTH						WELL_TEST_1_TYPE					
PERFORATIONS_SCREEN_1						YIELD_1		GPM			
PERFORATIONS_SCREEN_2						DRAWDOWN_1					
AQUIFER_TYPE	UNCONFINED					DURATION_1		HR			
HYDRAULIC_CONNECTION	NOT AT NEAREST REACH										
DIVISION_9_FINDING	POTENTIAL FOR SUBSTANTIAL INTERFERENCE										
ZONE_OF_IMPACT	MAIN STEM DESCHUTES RIVER										
CONDITIONED_WATER_RIGHTS_IN_AREA	YES										
OTHER_NEARBY_WATER_RIGHTS	G-14880, G-16873										
DENSITY_OF_NEARBY_WELLS	AGRICULTURAL										
COMMENTS	WELL WILL BE CONSTRUCTED INTO BASIN FILL SEDIMENT OR UNDERLYING LAVA, REGIONAL GROUND-WATER FLOW IS TOWARDS THE NORTHWEST, WITH THE NEAREST LIKELY DOWN-GRADIENT DISCHARGE AREA (GAINING REACH OF THE CROOKED RIVER) ABOUT 40 MILES DISTANCE. WELL IS LOCATED WITHIN THE DESCHUTES GROUND WATER STUDY AREA AND SUBJECT TO DIVISION 690-505-0500 TO 0620.										
REFERENCES	USGS WRI REPORT 00-4162; USGS WRI REPORT 02-4015; USGS GEOL MAP I-493; MILLICAN SE, WEST BUTTE, AND BROTHERS SW QUADRANGLE MAPS; APPL. FILE G-17065; WELL REPORTS DESC 6485 AND DESC 6484 (NEARBY WELLS); DIVISION 690-505.										

WATER RESOURCES DEPARTMENT MEMORANDUM

DATE 9/9/2008

APPLICATION_NUMBER	G 17065									
OWNER	BURBANK AND CRAMER									
AMOUNT_REQUESTED	1200 GPM		NUMBER_OF_WELLS		4		BASIN		DESCHUTES	
QUADRANGLE_MAP_1	MILLICAN SE					SUB_BASIN		DRY RIVER		
	BROTHERS SW					COUNTY		DESCHUTES		
WELL_#	2		WELL_LOG_STATUS		NOT YET DRILLED		POA_AMOUNT		600 GPM	
WELL_LOG_NUMBER	DPN_LOG_1									
TWNSHP	20 S		RANGE		16 E		SECTION		25 QQQ CDA	
PROPOSED_LEGAL_LOCATION	700 FEET NORTH AND 2735 FEET WEST FROM THE SE CORNER, SECTION 25									
DISTANCE_FROM_STREAM_1	19,400		STREAM_1		DRY RIVER					
DISTANCE_FROM_STREAM_2			STREAM_2							
PROPOSED_WELL_DEPTH	600									
WELL_ELEV	4410		STREAM_ELEV		4310		WELL_ELEV_minus_STREAM_ELEV		100	
WELL_DEPTH							SWL			
SEAL_DEPTH							SWL_DATE			
CASING_DEPTH							FIRST_WATER_DEPTH			
LINER_DEPTH							WELL_TEST_1_TYPE			
PERFORATIONS_SCREEN_1							YIELD_1		GPM	
PERFORATIONS_SCREEN_2							DRAWDOWN_1			
AQUIFER_TYPE	UNCONFINED						DURATION_1		HR	
HYDRAULIC_CONNECTION	NOT AT NEAREST REACH									
DIVISION_9_FINDING	POTENTIAL FOR SUBSTANTIAL INTERFERENCE									
ZONE_OF_IMPACT	MAIN STEM DESCHUTES RIVER									
CONDITIONED_WATER_RIGHTS_IN_AREA	YES									
OTHER_NEARBY_WATER_RIGHTS	G-14880, G-16873									
DENSITY_OF_NEARBY_WELLS	AGRICULTURAL									
COMMENTS	WELL WILL BE CONSTRUCTED INTO BASIN FILL SEDIMENT OR UNDERLYING LAVA, REGIONAL GROUND-WATER FLOW IS TOWARDS THE NORTHWEST, WITH THE NEAREST LIKELY DOWN-GRADIENT DISCHARGE AREA (GAINING REACH OF THE CROOKED RIVER) ABOUT 40 MILES DISTANCE. WELL IS LOCATED WITHIN THE DESCHUTES GROUND WATER STUDY AREA AND SUBJECT TO DIVISION 690-505-0500 TO 0620.									
REFERENCES	USGS WRI REPORT 00-4162; USGS WRI REPORT 02-4015; USGS GEOL MAP I-493; MILLICAN SE, WEST BUTTE, AND BROTHERS SW QUADRANGLE MAPS; APPL. FILE G-17065; WELL REPORTS DESC 6485 AND DESC 6484 (NEARBY WELLS); DIVISION 690-505.									

WATER RESOURCES DEPARTMENT MEMORANDUM

DATE 9/9/2008

APPLICATION_NUMBER G 17065

OWNER BURBANK AND CRAMER

AMOUNT_REQUESTED 1200 GPM NUMBER_OF_WELLS 4 BASIN DESCHUTES

QUADRANGLE_MAP_1 MILLICAN SE SUB_BASIN DRY RIVER
BROTHERS SW COUNTY DESCHUTES

WELL_# 3 WELL_LOG_STATUS NOT YET DRILLED POA_AMOUNT 600 GPM

WELL_LOG_NUMBER DPN_LOG_1

TWNSHP 20S RANGE 16E SECTION 24 QQQ CCB

PROPOSED_LEGAL_LOCATION 1300 FEET NORTH AND 80 FEET EAST FROM THE SW CORNER, SECTION 24

DISTANCE_FROM_STREAM_1 13,300 STREAM_1 DRY RIVER

DISTANCE_FROM_STREAM_2 STREAM_2

PROPOSED_WELL_DEPTH 600

WELL_ELEV 4390 STREAM_ELEV 4310 WELL_ELEV_minus_STREAM_ELEV 80

WELL_DEPTH SWL

SEAL_DEPTH SWL_DATE

CASING_DEPTH FIRST_WATER_DEPTH

LINER_DEPTH WELL_TEST_1_TYPE

PERFORATIONS_SCREEN_1 YIELD_1 GPM

PERFORATIONS_SCREEN_2 DRAWDOWN_1

AQUIFER_TYPE UNCONFINED DURATION_1 HR

HYDRAULIC_CONNECTION NOT AT NEAREST REACH

DIVISION_9_FINDING POTENTIAL FOR SUBSTANTIAL INTERFERENCE

ZONE_OF_IMPACT MAIN STEM DESCHUTES RIVER

CONDITIONED_WATER_RIGHTS_IN_AREA YES

OTHER_NEARBY_WATER_RIGHTS G-14880, G-16873

DENSITY_OF_NEARBY_WELLS AGRICULTURAL

COMMENTS WELL WILL BE CONSTRUCTED INTO BASIN FILL SEDIMENT OR UNDERLYING LAVA, REGIONAL GROUND-WATER FLOW IS TOWARDS THE NORTHWEST, WITH THE NEAREST LIKELY DOWN-GRADIENT DISCHARGE AREA (GAINING REACH OF THE CROOKED RIVER) ABOUT 40 MILES DISTANCE. WELL IS LOCATED WITHIN THE DESCHUTES GROUND WATER STUDY AREA AND SUBJECT TO DIVISION 690-505-0500 TO 0620.

REFERENCES USGS WRI REPORT 00-4162; USGS WRI REPORT 02-4015; USGS GEOL MAP I-493; MILLICAN SE, WEST BUTTE, AND BROTHERS SW QUADRANGLE MAPS; APPL. FILE G-17065; WELL REPORTS DESC 6485 AND DESC 6484 (NEARBY WELLS); DIVISION 690-505.

WATER RESOURCES DEPARTMENT MEMORANDUM

DATE 9/9/2008

APPLICATION_NUMBER	G 17065									
OWNER	BURBANK AND CRAMER									
AMOUNT_REQUESTED	1200 GPM		NUMBER_OF_WELLS		4		BASIN		DESCHUTES	
QUADRANGLE_MAP_1	MILLICAN SE					SUB_BASIN		DRY RIVER		
	BROTHERS SW					COUNTY		DESCHUTES		
WELL_#	4		WELL_LOG_STATUS		NOT YET DRILLED		POA_AMOUNT		600 GPM	
WELL_LOG_NUMBER	DPN_LOG_1									
TWNSHP	20S		RANGE		16E		SECTION		36	
							QQQ		DCA	
PROPOSED_LEGAL_LOCATION	1100 FEET NORTH AND 1480 FEET WEST FROM THE SE CORNER, SECTION 36									
DISTANCE_FROM_STREAM_1	24,300		STREAM_1		DRY RIVER					
DISTANCE_FROM_STREAM_2			STREAM_2							
PROPOSED_WELL_DEPTH	600									
WELL_ELEV	5000		STREAM_ELEV		4310		WELL_ELEV_minus_STREAM_ELEV		690	
WELL_DEPTH							SWL			
SEAL_DEPTH							SWL_DATE			
CASING_DEPTH							FIRST_WATER_DEPTH			
LINER_DEPTH							WELL_TEST_1_TYPE			
PERFORATIONS_SCREEN_1							YIELD_1		GPM	
PERFORATIONS_SCREEN_2							DRAWDOWN_1			
AQUIFER_TYPE	UNCONFINED						DURATION_1		HR	
HYDRAULIC_CONNECTION	NOT AT NEAREST REACH									
DIVISION_9_FINDING	POTENTIAL FOR SUBSTANTIAL INTERFERENCE									
ZONE_OF_IMPACT	MAIN STEM DESCHUTES RIVER									
CONDITIONED_WATER_RIGHTS_IN_AREA	YES									
OTHER_NEARBY_WATER_RIGHTS	G-14880, G-16873									
DENSITY_OF_NEARBY_WELLS	AGRICULTURAL									
COMMENTS	WELL WILL BE CONSTRUCTED INTO TERTIARY LAVA FORMING PINE RIDGE, REGIONAL GROUND-WATER FLOW IS TOWARDS THE NORTHWEST, WITH THE NEAREST LIKELY DOWN-GRADIENT DISCHARGE AREA (GAINING REACH OF THE CROOKED RIVER) ABOUT 40 MILES DISTANCE. WELL IS LOCATED WITHIN THE DESCHUTES GROUND WATER STUDY AREA AND SUBJECT TO DIVISION 690-505-0500 TO 0620.									
REFERENCES	USGS WRI REPORT 00-4162; USGS WRI REPORT 02-4015; USGS GEOL MAP I-493; MILLICAN SE, WEST BUTTE, AND BROTHERS SW QUADRANGLE MAPS; APPL. FILE G-17065; WELL REPORTS DESC 6485 AND DESC 6484 (NEARBY WELLS); DIVISION 690-505.									



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.

1. APPLICANT INFORMATION

A. Individuals

Applicant: Kenneth H. Burbank and Fred Cramer (Main Contact)
First Last
 Mailing address: 2101 Main Street
Baker City, Oregon 97814
City State Zip
 Phone: 541-523-3654
Home Work Other
 *Fax: 541-523-3970 *E-Mail address: FrCram@aol.com

B. Organizations

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

Name of organization: N/A
 Name and title of person applying: Kenneth H. Burbank and Fred Cramer (Main Contact)
 Mailing address of organization: _____

City State Zip
 Phone: _____
Day Evening
 *Fax: _____ *E-Mail address: _____

* Optional information

For Department Use		
App. No. _____	Permit No. _____	Date _____

Last updated: 2/13/2008

Ground Water/1

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SALEM, OREGON

WR

2. PROPERTY OWNERSHIP

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

☒ Yes (Please check appropriate box below then skip to section 3 ("Ground water Development"))

☐ There are no encumbrances

☐ This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))

☐ 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.

N/A

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): _____ Up to 4 wells

Name of nearest surface water body: Dry River (Intermittent)

Distance from well(s) to nearest stream or lake: 1) Dry River 2.75 miles North of Well #1

2) Dry River < 3.75 miles North of Well #2 3) Dry River 2.5 miles North of Well #3 4) Dry River < 4.75 miles North of Well #4

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) N/A

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 section 4 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: Abbas Well Drilling

Address: P.O. Box 2130, Terrebonne, Oregon

541 548-2787

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Completion date: To Be Determined

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 (feet)	Seal depth	Est. depth to water	Est. depth to water-bearing stratum	Type of access port or measuring device	Total well depth
1*	14-16"	12", steel	20'	20-40'	18-20'	300-500'	250-500'	1" Capped pipe	400-600'
2	14-16"	12", steel	20'	20-40'	18-20'	300-500'	250-500'	1" Capped pipe	400-600'
3	14-16"	12", steel	20'	20-40'	18-20'	300-500'	250-500'	1" Capped pipe	400-600'
4	14-16"	12", steel	20'	20-40'	18-20'	300-500'	250-500'	1" Capped pipe	400-600'
See	notes on	Attachment 1							

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:

N/A

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: _____
- 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**

Ground Water/3

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WATER RESOURCES DEPT
SALEM, OREGON

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	Volcanic & Sedimentary	Irrigation	1,200	312,795,648*	up to 600
2	Volcanic & Sedimentary	Irrigation	1,200	312,795,648	up to 600
3	Volcanic & Sedimentary	Irrigation	1,200	312,795,648	up to 600
4	Volcanic & Sedimentary	Irrigation	1,200	312,795,648	up to 600

*Based on 3 ac-ft/ac.

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 1,200 gpm (2.67cfs) total

(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: March 01 - October 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: 320 acres total

(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): Approx. 125 hp each well @ 600 gpm/well; turbine

☐ 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 8" PVC Length approx. 11,580 feet depending on final well locations

☐ Other (describe) _____

Ground Water/4

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C. Application/Distribution Method

What equipment will you use to apply water to your place of use? Wheel lines and
pivot systems; specific make, model and lengths to be determined.

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.

Sprinkler irrigation with pressurized lines was chosen because of appropriateness for
growing hay crops with greater efficiency than flood irrigation.

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: January 2009

Proposed date construction will be completed: April 2009

Proposed date beneficial water use will begin: April 2009

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 nearest intermittent stream was listed on page 4 because there are no perennial
surface water bodies indicated on topographic maps near or surrounding the proposed
project site within a 5 mile radius.

Ground Water/5

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**WATER RESOURCES DEPT
SALEM, OREGON**

8. MAP REQUIREMENTS

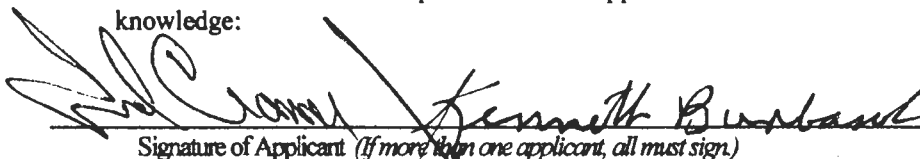
The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place 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:

 May 19, 2008
Signature of Applicant (If more than one applicant, all must sign.) 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 or call (503) 986-0900.

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**WATER RESOURCES DEPT
SALEM, OREGON**

WATER WELL REPORT
STATE OF OREGON

RECEIVED DESC
6485

AUG 2 1985

WATER RESOURCES DEPT
SALEM, OREGON

State Well No. 205/16-24/66

State Permit No.

(1) OWNER:

Name MC Moffit Ranch
Address P.O. Box 10
City Brothers State OR

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Air ☒ Driven ☐ Domestic ☒ Industrial ☐ Municipal ☐
Rotary Mud ☐ Dug ☐ Irrigation ☐ Test Well ☐ Other ☐
Cable ☐ Bored ☐ Thermal: Withdrawal ☐ Reinjection ☐

(4) PROPOSED USE (check):

(5) CASING INSTALLED: Steel ☒ Plastic ☐
Threaded ☐ Welded ☒
8" Diam. from 1 ft. to 19 ft. Gauge .250
" Diam. from ft. to ft. Gauge

LINER INSTALLED:

" Diam. from 0 ft. to 540 ft. Gauge .188

(6) PERFORATIONS:

Perforated? ☒ Yes ☐ No

Type of perforator used Torch
Size of perforations 1/4 in. by 6 in.
96 perforations from 500 ft. to 540 ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name
Type Model No.
Diam. Slot Size Set from ft. to ft.
Diam. Slot Size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No. If yes, by whom? Driller
16 gal/min. with 0 ft. drawdown after 4 hrs.

Air test 15 gal/min. with drill stem at 520 ft. 2 hrs.

Bailer test N/A gal/min. with ft. drawdown after hrs.

Artesian flow N/A g.p.m.

Temperature of water 59 Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Special standards: Yes ☐ No ☒

Well seal—Material used Portland cement
Well sealed from land surface to 19 ft.
Diameter of well bore to bottom of seal 12 in.
Diameter of well bore below seal 8 in.
Number of sacks of cement used in well seal 10 sacks
How was cement grout placed? Pressure grouted

Was pump installed? Yes Type sub HP 3 Depth 530 ft.

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

Did any strata contain unusable water? ☐ Yes ☒ No

Type of Water? depth of strata

Method of sealing strata off

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

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Deschutes Driller's well number
NW 1/4 NW 1/4 Section 24 T. 20S R. 16E W.M.
Tax Lot # Lot Blk Subdivision
Address at well location: Brothers OR

(11) WATER LEVEL: Completed well.

Depth at which water was first found 500 ft.
Static level 500 ft. below land surface. Date 5/28
Artesian pressure N/A lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 8

Depth drilled 540 ft. Depth of completed well 540 ft.

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

MATERIAL	From	To	SWL
Top soil	0	8	
Lava (Brown)	8	35	
Lava (Grey)	35	146	
Lava (Brown)	146	193	
Tuff (Red)	193	294	
Clay (Green)	294	364	
Tuff (White)	364	407	
Clay (Red)	407	498	
Lava (Broken -- Water)	498	540	500'

Work started 5/23 19 85 Completed 5/28 19 85
Date well drilling machine moved off of well 5/30 19 85

Drilling Machine Operator's Certification:

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

(Signed) Dale L. Brockett Date 7/31/1985
(Drilling Machine Operator)

Drilling Machine Operator's License No. 1371

Water Well Contractor's Certification:

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

Name Brockett's drilling
(Person, firm or corporation) (Type or print)

Address 2763 Todd Rd

(Signed) Dale L. Brockett
(Water Well Contractor)

Contractor's License No. 1371 Date 7/31 1985

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

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

SP-12658-880



June 3, 2008
Project No. 1073-101

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

RE: APPLICATION FOR A PERMIT TO USE GROUNDWATER; KENNETH H. BURBANK AND FRED CRAMER, DESCHUTES COUNTY, OREGON.

Dear Water Rights Specialist,

Attached to this letter is an application for a permit to use groundwater submitted by Kenneth H. Burbank and Fred Cramer. Mr. Cramer will be the main contact for the owner, Mr. Burbank, during the application process. Mr. Cramer is applying for a permit to use up to 2.67 cfs (1,200 gpm) from up to 4 wells. In addition to the complete application, The following items are enclosed:

- A check for \$1100 for application fees;
- A permit application map;
- A signed receipt for Land Use Information Form from Deschutes County;
- A completed Form I for irrigation use; and
- A legal description of all property involved with this application.

Please do not hesitate to contact us should you have any questions concerning this application at either (541) 504-9960 ext. 211 or at dnewton@newtonconsultants.com.

Sincerely,

NEWTON CONSULTANTS, INC.

David J. Newton, P.E., C.E.G., C.W.R.E.
Principal- CEO

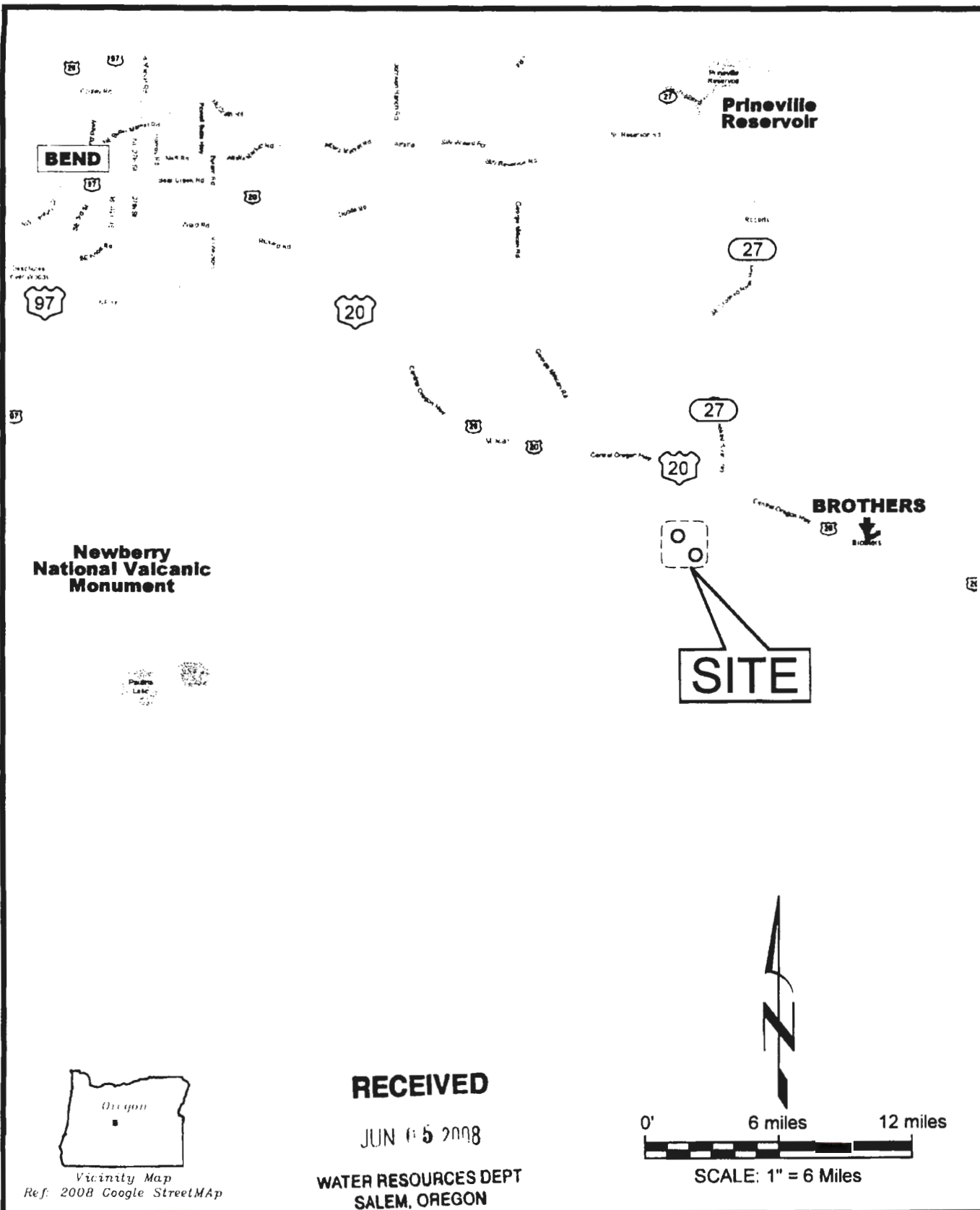
**RECEIVED
OVER THE COUNTER**

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**WATER RESOURCES DEPT
SALEM, OREGON**

C:\1000\1073\101\Cad\Water\W1073101_F1_VicMap 11:04 05/05/2008 SS



NEWTON
CONSULTANTS INC.
Earth, Water and Rock Specialists
Ph: 541 504-9960 Fax: 541 504-9961



Vicinity Map
Kenneth Burbank & Fred Cramer
Water Rights Permit Application
Deschutes County, Oregon

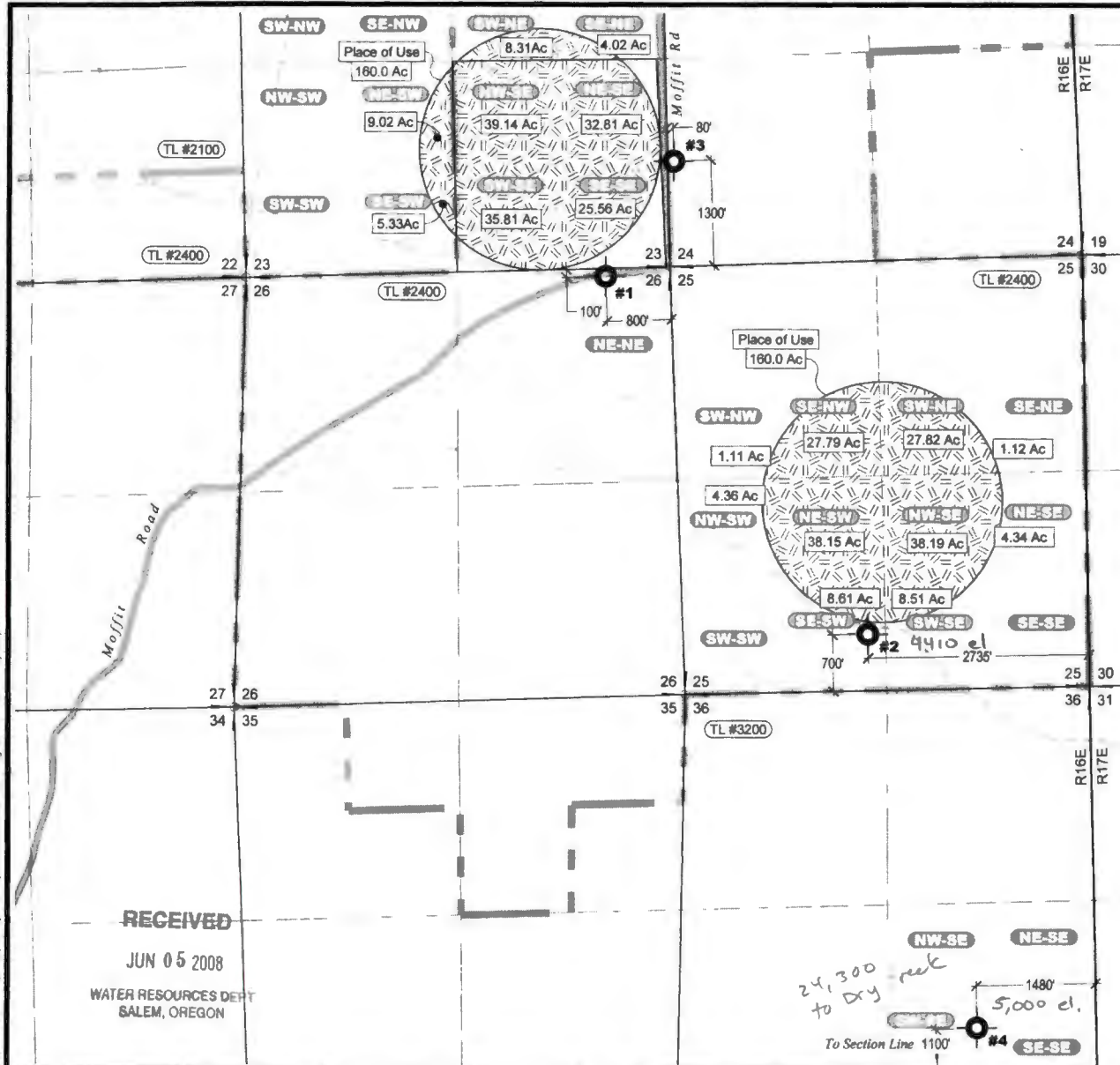
DESIGNED BY:
K. Turner

DRAWN BY:
S. Schenck

DATE:
May 2008

PROJECT NO.
1073-101

FIGURE 1



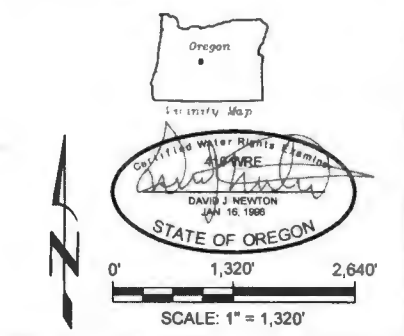
WATER RIGHTS APPLICATION MAP **PART TAX LOTS 2100 & 2400**

In Tax Lot 2100, Located in
 NE $\frac{1}{4}$ - SW $\frac{1}{4}$ & SE $\frac{1}{4}$ - SW $\frac{1}{4}$
 of Section 23, T.20S., R.16E., W.M.
 In Tax Lot 2400, Located in
 SE $\frac{1}{4}$ - NE $\frac{1}{4}$ & SW $\frac{1}{4}$ - NE $\frac{1}{4}$ & NE $\frac{1}{4}$ - SE $\frac{1}{4}$
 SE $\frac{1}{4}$ - SE $\frac{1}{4}$ & SW $\frac{1}{4}$ - SE $\frac{1}{4}$ & NW $\frac{1}{4}$ - SE $\frac{1}{4}$
 of Section 23, T.20S., R.16E., W.M.
 In Tax Lot 2400, Located in
 SE $\frac{1}{4}$ - NE $\frac{1}{4}$ & SW $\frac{1}{4}$ - NE $\frac{1}{4}$ & NE $\frac{1}{4}$ - SE $\frac{1}{4}$
 SW $\frac{1}{4}$ - SE $\frac{1}{4}$ & NW $\frac{1}{4}$ - SE $\frac{1}{4}$ & NE $\frac{1}{4}$ - SW $\frac{1}{4}$
 SE $\frac{1}{4}$ - SW $\frac{1}{4}$ & NW $\frac{1}{4}$ - SW $\frac{1}{4}$ & SE $\frac{1}{4}$ - NW $\frac{1}{4}$
 & SW $\frac{1}{4}$ - NW $\frac{1}{4}$ of Section 25
 & SW $\frac{1}{4}$ - SW $\frac{1}{4}$ of Section 24
 & NE $\frac{1}{4}$ - NE $\frac{1}{4}$ of Section 26, T.20S., R.16E., W.M.
 In Tax Lot 3200, Located in
 SE $\frac{1}{4}$ - NE $\frac{1}{4}$ of Section 36, T.20S., R.16E., W.M.
 Deschutes County, Oregon

NOTES
 1. This map was prepared for the purpose of
 identifying the location of water rights only and
 is not intended to provide legal dimensions or
 locations of property ownership lines.

LEGEND

- Gravel Road
- Paved Road
- Tax Lot Boundary Line
- TL #2400 Tax Lot ID Number
- #1 Approximate Location of Well
- Place of Use



Water Rights Application Map Kenneth Burbank & Fred Cramer Water Rights Permit Application Deschutes County, Oregon	FIGURE 2
	PROJECT NO. 1073-101
DATE May 2008	DRAWN BY S. Schenck
DESIGNED BY K. Turner	NEWTON CONSULTANTS INC. Earth, Water and Rock Specialists P.O. Box 541 924 0900

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 WATER RESOURCES DEPT
 SALEM, OREGON

24,300
 to Dry
 1480'
 5,000 el.
 To Section Line 1100'

Ken Lite

From: Doug Woodcock
Sent: Monday, June 23, 2008 9:00 AM
To: Ken Lite
Subject: FW: OWRD: Water Right Application G 17065 (Ground Water) has been submitted for your District or Region. [GWR]

Importance: High

-----Original Message-----

From: Automated Email System
Sent: Monday, June 16, 2008 10:40 PM
To: Barry Frost; Kathy Boles; Heather Reece; Tim Wallin; Jonnine Skaug
Subject: OWRD: Water Right Application G 17065 (Ground Water) has been submitted for your District or Region. [GWR]

Oregon Water Resources Department - Automated e-mail notice

Ground Water Review request for proposed water right application G 17065

Application Type: Ground Water
Notice Number: 1

Diversion Location:
County: Deschutes
TRSQQ: 20S 16E 26 NENE
Source: A WELL
Tributary To: DRY RIVER

To view the OWRD Web page for G 17065 please click the link below.
http://apps2.wrd.state.or.us/apps/wr/wrinfo/wr_query.aspx?SearchType=App&app_nbr_start=17065&app_char=G

To view the pending reviews for your district or region, click the following link.
http://apps2.wrd.state.or.us/apps/wr/external_review/gwr_review.aspx?directory_id=122863

If you have questions about this review request please contact Jonnine Skaug at 503-986-0807 or jonnine.l.skaug@state.or.us

This message has been generated automatically by an unmonitored email account.
Please do not "reply" to this message. Thank you.

```
[ DEBUG ] @_snp_id = 161117
[ DEBUG ] @_notice_number = 1
[ DEBUG ] @_workflow_item_type = GWR
[ DEBUG ] @_workflow_item_directory_id = 122863
[ DEBUG ] @_workflow_item_caseworker_name = GW REVIEWER, NW REGION; OREGON WATER
RESOURCES DEPARTMENT; ADDED FOR EMAIL NOTIFICATION ONLY
[ DEBUG ] @_email_address_list = douglas.e.woodcock@wrdd.state.or.us
[ DEBUG ] @_workflow_item_remind_date = Jun 16 2008 12:32PM
[ DEBUG ] @_remind_date_increment_in_days = 25
[ DEBUG ] @_calculated_remind_date = Jul 11 2008 12:32PM
```


ATTACHMENT 1

**Kenneth H. Burbank and Fred Cramer
Groundwater Application**

Well Construction Information For Table on Page 3

*Information is based on well logs within 5 miles and may vary.

**Assuming 12" casing required at depth, pumping rate of 600 gpm/well and intake velocity of 0.1 ft/sec or less, perforation intervals are estimated to range from 20 to 40 feet.

***The minimum standard seal depth is based on lack of shallow groundwater and nearby surface water bodies.

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**WATER RESOURCES DEPT
SALEM, OREGON**



Oregon Water Resources Department

FORM I FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

☐ Primary ☐ Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: 320 Acres

Secondary: _____ Acres

List the permit or certificate number of the primary water right: No. _____

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- | | | |
|-----------------------|---|--|
| 1. <u>Grass Hay</u> | ☒ Full season | ☐ Partial season (from: _____ to _____) |
| 2. <u>Alfalfa Hay</u> | ☒ Full season | ☐ Partial season (from: _____ to _____) |
| 3. _____ | ☐ Full season | ☐ Partial season (from: _____ to _____) |
| 4. _____ | ☐ Full season | ☐ Partial season (from: _____ to _____) |

3. Indicate the maximum total number of acre-feet you expect to use in an irrigation season:

960 acre-feet

(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

- | | |
|--|---|
| ☐ Daily during daytime hours | ☐ Daily during nighttime hours |
| ☐ Two or three times weekly during daytime | ☐ Two or three times weekly during nighttime |
| ☐ Weekly, during daytime hours | ☐ Weekly, during nighttime hours |
| ☒ Other, explain: <u>12 hour watering cycles every 3 to 4 days</u> | |

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JUN 05 2008

WATER RESOURCES DEPT
SALEM, OREGON

Last revision: October 31, 1996

**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 # **136006**

INVOICE # _____

RECEIVED FROM: Northwest Farm Credit

BY: Services

CASH: ☐ CHECK: # 59018266 OTHER: (IDENTIFY) ☐

APPLICATION	<u>6-17068</u>
PERMIT	
TRANSFER	

TOTAL REC'D \$ 120.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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

WELL CONSTRUCTION

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

0250 OTHER (IDENTIFY) Assignment **\$120.00**

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **136006**

DATE: 7-29-2021 BY: [Signature]

** For Internal Use Only ***

Control No.:

59018266

Paid To:

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

Comments:

Check to OR Water Resource Dept. - Request for Assignment/mw

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Mail To:

JUL 29 2021

OWRD

Memo:

Request for Assignment - Randall F. Rupp

Date: 07/27/2021

Amount:

\$120.00

\$120.00 -

OR Water Resource Dept.

Control No.: 59018266

Paid To:

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

Comments:

Check to OR Water Resource Dept. - Request for Assignment/mw

Customer No. Account No.

Amount

Mail To:

\$120.00

Date: 07/27/2021

Amount:

\$120.00

Memo: Request for Assignment - Randall F. Rupp

CLARK Gerald E * WRD

From: Dale VanSchoiack <dalevconsulting@gmail.com>
Sent: Tuesday, March 21, 2017 10:28 AM
To: HACKETT Joshua A * WRD
Cc: CLARK Gerald E * WRD
Subject: RE: Dale V. COBU question

Josh,
Thank you.

And Gerry, Thank you again.
Dale

DGV Consulting, PLLC
Dale G. VanSchoiack, PE, CWRE
2141 S. Lyle St. Kennewick, WA 99337
Phone: 509-627-8717 Fax: 509-585-2832
dalevconsulting@gmail.com

From: HACKETT Joshua A * WRD [mailto:Joshua.A.Hackett@oregon.gov]
Sent: Tuesday, March 21, 2017 9:57 AM
To: Dale VanSchoiack <dalevconsulting@gmail.com>
Cc: Randy@costlesscarpet.com; CLARK Gerald E * WRD <Gerald.E.Clark@oregon.gov>
Subject: RE: Dale V. COBU question

Dale,

I have attached a table the shows the status of progress toward completing permit conditions (on permit G-17272) as of November 2016. To my knowledge, the conditions that are identified as "Not Completed" in the table are still incomplete. Please let me know if I can help in any other way.

Cheers,
Josh

Josh Hackett, R.G. | Hydrogeologist
Oregon Water Resources Department
725 Summer St NE Suite A | Salem, OR 97301
p: 503.986.0846 | f: 503.986.0902

Joshua.A.Hackett@oregon.gov | <http://www.oregon.gov/OWRD>

From: CLARK Gerald E * WRD
Sent: Tuesday, March 21, 2017 9:24 AM
To: Dale VanSchoiack
Cc: Randy@costlesscarpet.com; HACKETT Joshua A * WRD
Subject: RE: Dale V. COBU question

Dale,

I am forwarding your message to Josh Hackett in the Groundwater Section. I believe that he will be able to answer some of your questions related to the groundwater conditions.

Gerry

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

Phone: 503-986-0811

From: Dale VanSchoiack [<mailto:dalevconsulting@gmail.com>]
Sent: Tuesday, March 21, 2017 5:59 AM
To: CLARK Gerald E * WRD
Cc: [Randy @ costlesscarpet.com](mailto:Randy@costlesscarpet.com)
Subject: RE: Dale V. COBU question

Good morning Gerry,

In your email last Thursday you indicated most of the OWRD groundwater staff was out of the office. I was wondering if they were back yet and if any of them had any additional information on the Rupp wells as relate to permit G 17272.

I am not having much success in getting any information from those I am told were supposed to have taken care of this issue. Most of the people I have been referred to are no longer with GSI Solutions. I did find references in a document associated with a Limited License Application for an ASRP that GSI Water Solutions (2012) perhaps prepared a report titled Preliminary Stratigraphy of Rupp Wells, 1,2,3, 4 and the Stock Well as presented to Oregon Water Resources Department as well as another document by GSI Solutions (2012) titled Geologic and Hydrogeologic Data Collection Plan for Rupp Ranches Groundwater Irrigation Project, Umatilla County , Oregon prepared for Oregon Water Resources Department March. I have tried to contact the people I was told were involved with this effort, however, most of them are no longer with GSI Solutions and they have not been responsive to me attempting to contact them. There was also a reference to a document by IRZ Consulting, Inc. (2014) JSH Farms – Rupp Well #1 Well Test Report.

If OWRD doesn't have this information, it appears to me the water user may have to apply for an extension to allow someone time to sort this out.

Thanks for checking one more time.
Dale

DGV Consulting, PLLC
Dale G. VanSchoiack, PE, CWRE
2141 S. Lyle St. Kennewick, WA 99337
Phone: 509-627-8717 Fax: 509-585-2832
dalevconsulting@gmail.com

From: Dale VanSchoiack [<mailto:dalevconsulting@gmail.com>]
Sent: Thursday, March 16, 2017 3:45 PM
To: 'CLARK Gerald E * WRD' <Gerald.E.Clark@oregon.gov>
Subject: RE: Dale V. COBU question

Thank you Gerry,
Have a good weekend.

Dale

DGV Consulting, PLLC
Dale G. VanSchoiack, PE, CWRE
2141 S. Lyle St. Kennewick, WA 99337
Phone: 509-627-8717 Fax: 509-585-2832
dalevconsulting@gmail.com

From: CLARK Gerald E * WRD [<mailto:Gerald.E.Clark@oregon.gov>]
Sent: Thursday, March 16, 2017 3:33 PM
To: Dale VanSchoiack <dalevconsulting@gmail.com>
Cc: Randy@costlesscarpet.com
Subject: RE: Dale V. COBU question

Dale,

I checked in with Dwight this morning. He did indicate, that upon request of a CWRE committed to prepare the Claim, the Department could grant an additional 60 days to complete the Claim.

I have reviewed the permit file and do not find any documentation that the conditions of the permit (Pages 3 and 4) which required Drill Cuttings, Water Chemistry, Well Testing, and a Groundwater Resource Characterization Report have been satisfied. As most of our Groundwater staff is out in the field, I have been unable to locate someone who can provide any additional information beyond what the permit file contains.

I will continue to search for information regarding compliance with these conditions.

Gerry

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

Phone: 503-986-0811

From: Dale VanSchoiack [<mailto:dalevconsulting@gmail.com>]
Sent: Tuesday, March 14, 2017 1:13 PM
To: CLARK Gerald E * WRD
Cc: Randy@costlesscarpet.com
Subject: Dale V. COBU question

Hi Gerry,

I am assisting Randy Rupp with a COBU Report for Permit G-17272.
The permit involves 4 wells, Well 1 (L-108650), Well 2 (L-108634), Well 3 (L-108633), & Well 4, (L-108632).
I believe the UMAT designations for Wells 1-4 are UMAT 57044, UMAT 57042, UMAT 57041, & UMAT 57043 respectively.

Conditions of the permit (Pages 3 and 4) require Drill Cuttings, Water Chemistry, Well Testing, and a Groundwater Resource Characterization Report.

When I asked the permit owner about these items I was told that he believe they had been submitted to OWRD. He was not able to provide me copies of documents providing the data.

Please check the files at the department and let me know if the department has the above information as far as meeting the requirements of the permit for the COBU report.

Thank you.

Dale

DGV Consulting, PLLC

Dale G. VanSchoiack, PE, CWRE

2141 S. Lyle St. Kennewick, WA 99337

Phone: 509-627-8717 Fax: 509-585-2832

dalevconsulting@gmail.com

CLARK Gerald E * WRD

From: HACKETT Joshua A * WRD
Sent: Tuesday, March 21, 2017 9:57 AM
To: Dale VanSchoiack
Cc: Randy@costlesscarpet.com; CLARK Gerald E * WRD
Subject: RE: Dale V. COBU question
Attachments: Rupp_permit_condition_progress_201611.docx

Dale,

I have attached a table the shows the status of progress toward completing permit conditions (on permit G-17272) as of November 2016. To my knowledge, the conditions that are identified as "Not Completed" in the table are still incomplete. Please let me know if I can help in any other way.

Cheers,
Josh

Josh Hackett, R.G. | Hydrogeologist
Oregon Water Resources Department
725 Summer St NE Suite A | Salem, OR 97301
p: 503.986.0846 | f: 503.986.0902

Joshua.A.Hackett@oregon.gov | <http://www.oregon.gov/OWRD>

From: CLARK Gerald E * WRD
Sent: Tuesday, March 21, 2017 9:24 AM
To: Dale VanSchoiack
Cc: Randy@costlesscarpet.com; HACKETT Joshua A * WRD
Subject: RE: Dale V. COBU question

Dale,

I am forwarding your message to Josh Hackett in the Groundwater Section. I believe that he will be able to answer some of your questions related to the groundwater conditions.

Gerry

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

Phone: 503-986-0811

From: Dale VanSchoiack [<mailto:dalevconsulting@gmail.com>]
Sent: Tuesday, March 21, 2017 5:59 AM
To: CLARK Gerald E * WRD
Cc: Randy@costlesscarpet.com
Subject: RE: Dale V. COBU question

Good morning Gerry,

In your email last Thursday you indicated most of the OWRD groundwater staff was out of the office. I was wondering if they were back yet and if any of them had any additional information on the Rupp wells as relate to permit G 17272.

I am not having much success in getting any information from those I am told were supposed to have taken care of this issue. Most of the people I have been referred to are no longer with GSI Solutions. I did find references in a document associated with a Limited License Application for an ASRP that GSI Water Solutions (2012) perhaps prepared a report titled Preliminary Stratigraphy of Rupp Wells, 1,2,3, 4 and the Stock Well as presented to Oregon Water Resources Department as well as another document by GSI Solutions (2012) titled Geologic and Hydrogeologic Data Collection Plan for Rupp Ranches Groundwater Irrigation Project, Umatilla County , Oregon prepared for Oregon Water Resources Department March. I have tried to contact the people I was told were involved with this effort, however, most of them are no longer with GSI Solutions and they have not been responsive to me attempting to contact them. There was also a reference to a document by IRZ Consulting, Inc. (2014) JSH Farms – Rupp Well #1 Well Test Report.

If OWRD doesn't have this information, it appears to me the water user may have to apply for an extension to allow someone time to sort this out.

Thanks for checking one more time.
Dale

DGV Consulting, PLLC
Dale G. VanSchoiack, PE, CWRE
2141 S. Lyle St. Kennewick, WA 99337
Phone: 509-627-8717 Fax: 509-585-2832
dalevconsulting@gmail.com

From: Dale VanSchoiack [<mailto:dalevconsulting@gmail.com>]
Sent: Thursday, March 16, 2017 3:45 PM
To: 'CLARK Gerald E * WRD' <Gerald.E.Clark@oregon.gov>
Subject: RE: Dale V. COBU question

Thank you Gerry,
Have a good weekend.
Dale

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From: CLARK Gerald E * WRD [<mailto:Gerald.E.Clark@oregon.gov>]
Sent: Thursday, March 16, 2017 3:33 PM
To: Dale VanSchoiack <dalevconsulting@gmail.com>
Cc: Randy@costlesscarpet.com
Subject: RE: Dale V. COBU question

Dale,

I checked in with Dwight this morning. He did indicate, that upon request of a CWRE committed to prepare the Claim, the Department could grant an additional 60 days to complete the Claim.

I have reviewed the permit file and do not find any documentation that the conditions of the permit (Pages 3 and 4) which required Drill Cuttings, Water Chemistry, Well Testing, and a Groundwater Resource Characterization Report have been satisfied. As most of our Groundwater staff is out in the field, I have been unable to locate someone who can provide any additional information beyond what the permit file contains.

I will continue to search for information regarding compliance with these conditions.

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Salem, Oregon 97301

Phone: 503-986-0811

From: Dale VanSchoiack [<mailto:dalevconsulting@gmail.com>]
Sent: Tuesday, March 14, 2017 1:13 PM
To: CLARK Gerald E * WRD
Cc: Randy@costlesscarpet.com
Subject: Dale V. COBU question

Hi Gerry,

I am assisting Randy Rupp with a COBU Report for Permit G-17272.

The permit involves 4 wells, Well 1 (L-108650), Well 2 (L-108634), Well 3 (L-108633), & Well 4, (L-108632).

I believe the UMAT designations for Wells 1-4 are UMAT 57044, UMAT 57042, UMAT 57041, & UMAT 57043 respectively.

Conditions of the permit (Pages 3 and 4) require Drill Cuttings, Water Chemistry, Well Testing, and a Groundwater Resource Characterization Report.

When I asked the permit owner about these items I was told that he believe they had been submitted to OWRD. He was not able to provide me copies of documents providing the data.

Please check the files at the department and let me know if the department has the above information as far as meeting the requirements of the permit for the COBU report.

Thank you.

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dalevconsulting@gmail.com

Progress toward addressing conditions on permit G-17272 as of November 2016.

Condition	Requirement	Status
Data Collection Plan	Permittee required to submit plans for collection and analysis of various geologic and hydrologic data.	Plan submitted in February 2012
Drill Cuttings	Collect and analyze drill cuttings from each well.	Samples collected and analyzed
Water Chemistry	Samples to be collected from each well. Analyze for general chemistry, water quality, and age dating.	Not completed
Conduct 72 hr pump test	Conduct 72 hr pump test with at least 1 observation well. One test required for each aquifer.	Test completed in deeper aquifer. Still need test for shallow aquifer.
GW Resource Report	Permittee required to submit report that characterizes local gw resource. Needs to address: CRB stratigraphy and structure, aquifer test, gw chemistry, recharge/discharge, gw sustainability, and impacts to Stage Gulch users.	Not completed
Annual swl measurements	Collect and submit static water levels from each well in the month of February.	Water levels are being submitted
Water use	Record and report monthly water use data from each well.	Water use data is being submitted

CLARK Gerald E * WRD

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Cc: Randy@costlesscarpet.com; HACKETT Joshua A * WRD
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Oregon

Kate Brown, Governor

RECEIVED

JUL 29 2021

OWRD

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

July 21, 2021

Northwest Farm Credit Services
12 SW Nye Ave
Pendleton, OR 97801

Reference: Fee Increase

Dear Northwest Farm Credit Services,

The Department has received your Request for Assignment. We are unable to accept the Request at this time as insufficient fees were submitted. As of July 1, 2021, the fee for a Request for Assignment is \$120.

Please return the Request with the required fee so that the Department may process it in a timely manner.

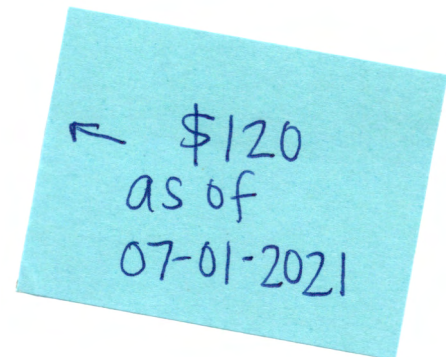
Should you have any questions, please do not hesitate to contact me at the address above or by telephone at 503-986-0817.

Sincerely,

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

Enclosure: Request for Assignment Form and Fee

cc: File





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

August 5, 2021

Northwest Farm Credit Services
12 SW Nye Ave.
Pendleton, OR 97801

Reference: Application G-17068, Permit G-17272

The assignment from Rupp Ranches to Rupp Ranches and Northwest Farm Credit Services, FLCA has been recorded in the records of the Water Resources Department.

The Departments records will now show Rupp Ranches and Northwest Farm Credit Services, FLCA as the permit holders of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 136006 covering the recording fee is also enclosed.

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

Please note that this permit requires complete application of water to the proposed use by October 1, 2026, and 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).

Sincerely,

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

Enclosure: Original Request and Receipt #136006

cc: Rupp Ranches – 176 Kranichwood, Richland, WA 99352
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

RECEIVED

JUL 19 2021

OWRD

RECEIVED

JUL 29 2021

OWRD

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.
If for multiple rights, a separate form and fee for each right will be required.

I, Rupp Ranches
(Name of Current Holder of Record)

176 Kranichwood Richland WA 99352
(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 # _____; Permit # G-17272; Transfer # _____;

Limited License # _____; Groundwater Statement # _____;

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

Northwest Farm Credit Services, FLCA
(Name of New Owner)
12 SW NYE Ave, Pendleton, OR 97801-4103
(Mailing Address) (City) (State) (Zip)

Rupp Ranches
(Name of New Owner)

176 Kranichwood Richland
(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 MC.

☒ 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 14th day of July, 20 21
(Day) (Month) (Year)

Signature of Current Holder of Record [Signature]

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

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.
Fee receipt # 131006
For Director by Mary 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.

Assign - Approve
WRB 8-5-2021



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

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12 SW Nye Ave
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Reference: Fee Increase

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Should you have any questions, please do not hesitate to contact me at the address above or by telephone at 503-986-0817.

Sincerely,

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

Enclosure: Request for Assignment Form and Fee

cc: File



RECEIVED

JUL 19 2021

OWRD



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

Request for Assignment

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

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(Name of Current Holder of Record)

176 Kranichwood Richland WA 99352
(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 # _____; Permit #G-17272 _____; Transfer # _____;

Limited License # _____; Groundwater Statement # _____;

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

Northwest Farm Credit Services, FLCA

(Name of New Owner)

12 SW NYE Ave, Pendleton, OR 97801-4103

(Mailing Address)

(City)

(State)

(Zip)

Rupp Ranches

(Name of New Owner)

176 Kranichwood Richland
(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 MC.

☒ 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 16th day of July, 20 21.
(Day) (Month) (Year)

Signature of Current Holder of Record [Signature]

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.



12 SW Nye Ave
Pendleton, OR 97801-4103

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

NEOPOST

FIRST-CLASS MAIL

07/15/2021

US POSTAGE

\$000.51⁰



ZIP 97801
041M10278021

97301\$1266 C001



Name G-17068
By RUPP RANCHES
Address RANDY RUPP
176 KRANICHWOOD ST
RICHLAND WA 99352

Priority G-16-2008
County UMAT WM# 5

RELATED FILES

DEVELOPMENT

Date
Completion _____
Extended to _____
Final Proof received _____
Proposed Cert. Mailed _____

Application No. G17068
Permit No. G-1667 + G-17272
Certificate No. _____

Date
DENIED _____
MISFILED _____
WITHDRAWN _____
CANCELLED _____

Volume | Page
_____|_____
_____|_____

FEES PAID

Date	Amount	Receipt
6/16/08	18,000.00	9287
4-3-17	57500	1230
	Cert. Fee	

FEES REFUNDED

Date	Amount	Receipt

ASSIGNMENTS

Date	To Whom	Address

REMARKS T-11586AAPUA v.95 p.c

MAP LOCATION _____



Northwest
FARM CREDIT SERVICES

12 SW Nye Ave
Pendleton, OR 97801-4103

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

MONEY SLIP

DATE: 7-19-2021 RECEIPT #: 135883

RECEIVED FROM: Northwest Farm Credit Services

APPLICATION	
PERMIT	
TRANSFER	

CASH ☐ CHECK # 59018263 OTHER (IDENTIFY) ☐ TOTAL REC'D \$ 100.00

1083 TREASURY 4170 MISC CASH ACCT.

0407 COPIES \$
OTHER: (IDENTIFY) \$

0243 Instream Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

1083 TREASURY 4270 WRD OPERATING ACCT.

MISCELLANEOUS

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

WATER RIGHTS

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

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	RECORD FEE
LANDOWNER'S PERMIT	\$	0220	\$
OTHER (IDENTIFY)			

0607 TREASURY 0467 HYDROELECTRIC

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

SPECIAL INSTRUCTIONS:

fee increase

☒ RETURN TO APPLICANT - LETTER ATTACHED



ZIP 97801
041M10278021

NEOPOST
07/15/2021
US POSTAGE
\$000.51
FIRST-CLASS MAIL

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 # **92875**

INVOICE # _____

RECEIVED FROM: Randy & Luz Dary

BY: Rupp

APPLICATION	G/17068
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 12614 ☒ OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 18,000.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY) _____

\$

0243 I/S Lease _____

0244 Muni Water Maint. Fee _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

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0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) _____

\$

TC162 DEPOSIT LIAB. (IDENTIFY) _____

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE
\$

0202

\$

0203 GROUND WATER

\$ 17,700.00

0204

\$ 300.00

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 (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____

\$

RECEIPT: **92875**

DATED: 6/16/08

BY: Lisa P. [Signature]

Proposed Place of Use for Rupp Ranches Groundwater Application

<u>TWP, RNG</u>	<u>Section</u>	<u>Quarter/Quarter</u>	<u>Acres</u>
T5N, R30E	1	NE NE	40.47
T5N, R30E	1	NW NE	40.10
T5N, R30E	1	SW NE	40.10
T5N, R30E	1	SE NE	40.41
T5N, R30E	1	NE NW	40.12
T5N, R30E	1	NW NW	39.70
T5N, R30E	1	SW NW	39.26
T5N, R30E	1	SE NW	39.74
T5N, R30E	1	NE SW	39.76
T5N, R30E	1	NW SW	38.76
T5N, R30E	1	SW SW	38.06
T5N, R30E	1	SE SW	39.63
T5N, R30E	1	NE SE	40.24
T5N, R30E	1	NW SE	40.12
T5N, R30E	1	SW SE	39.97
T5N, R30E	1	SE SE	40.07
T5N, R30E	2	SW SW	1.26
T5N, R30E	2	SE SW	0.02
T5N, R30E	2	SW SE	1.29
T5N, R30E	2	SE SE	1.36
T5N, R30E	10	NE NE	0.01
T5N, R30E	10	SE NE	0.21
T5N, R30E	10	NE SE	0.50
T5N, R30E	10	SW SE	0.03
T5N, R30E	10	SE SE	0.94
T5N, R30E	11	NE NE	39.82
T5N, R30E	11	NW NE	39.01
T5N, R30E	11	SW NE	39.44
T5N, R30E	11	SE NE	39.90
T5N, R30E	11	NE NW	39.43
T5N, R30E	11	NW NW	39.63
T5N, R30E	11	SW NW	39.80
T5N, R30E	11	SE NW	0.11
T5N, R30E	11	NE SW	0.02
T5N, R30E	11	NW SW	39.66
T5N, R30E	11	SW SW	39.04
T5N, R30E	11	SE SW	0.98
T5N, R30E	11	NE SE	39.98
T5N, R30E	11	NW SE	39.86
T5N, R30E	11	SW SE	40.02
T5N, R30E	11	SE SE	40.05

RECEIVED

JUN 16 2008

WATER RESOURCES DEPT
SALEM, OREGON

S-17068

Proposed Place of Use for Rupp Ranches Groundwater Application

T5N, R30E	12	NE NE	38.98
T5N, R30E	12	NW NE	38.98
T5N, R30E	12	SW NE	39.05
T5N, R30E	12	SE NE	39.03
T5N, R30E	12	NE NW	39.15
T5N, R30E	12	NW NW	39.27
T5N, R30E	12	SW NW	39.24
T5N, R30E	12	SE NW	39.12
T5N, R30E	12	NE SW	39.39
T5N, R30E	12	NW SW	39.31
T5N, R30E	12	SW SW	39.28
T5N, R30E	12	SE SW	39.36
T5N, R30E	12	NE SE	39.10
T5N, R30E	12	NW SE	39.33
T5N, R30E	12	SW SE	39.59
T5N, R30E	12	SE SE	39.32
T5N, R30E	13	NE NE	39.07
T5N, R30E	13	NW NE	38.78
T5N, R30E	13	SW NE	38.70
T5N, R30E	13	SE NE	39.18
T5N, R30E	13	NE NW	39.01
T5N, R30E	13	NW NW	39.11
T5N, R30E	13	SW NW	39.20
T5N, R30E	13	SE NW	39.11
T5N, R30E	13	NE SW	39.22
T5N, R30E	13	NW SW	39.42
T5N, R30E	13	SW SW	38.70
T5N, R30E	13	SE SW	38.32
T5N, R30E	14	NE NE	40.01
T5N, R30E	14	NW NE	40.04
T5N, R30E	14	SW NE	40.04
T5N, R30E	14	SE NE	40.01
T5N, R30E	14	NE NW	40.07
T5N, R30E	14	NW NW	0.70
T5N, R30E	14	SW NW	0.87
T5N, R30E	14	SE NW	40.07
T5N, R30E	14	NE SW	40.07
T5N, R30E	14	NW SW	40.10
T5N, R30E	14	SW SW	40.08
T5N, R30E	14	SE SW	39.84
T5N, R30E	14	NE SE	40.01
T5N, R30E	14	NW SE	40.04
T5N, R30E	14	SW SE	39.56
T5N, R30E	14	SE SE	39.28

Proposed Place of Use for Rupp Ranches Groundwater Application

T5N, R30E	15	NE NE	39.16
T5N, R30E	15	NW NE	40.09
T5N, R30E	15	SW NE	40.12
T5N, R30E	15	SE NE	39.22
T5N, R30E	15	NE NW	40.00
T5N, R30E	15	NW NW	39.88
T5N, R30E	15	SW NW	40.16
T5N, R30E	15	SE NW	40.14
T5N, R30E	15	NE SW	1.23
T5N, R30E	15	NW SW	0.24
T5N, R30E	15	SE SW	0.86
T5N, R30E	15	NE SE	40.14
T5N, R30E	15	NW SE	40.24
T5N, R30E	15	SW SE	40.21
T5N, R30E	15	SE SE	40.16
T5N, R30E	16	NE NE	2.10
T5N, R30E	16	SE NE	1.72
T5N, R30E	16	NE SE	0.01
T5N, R30E	22	NE NE	0.04
T5N, R30E	23	NW NW	0.04
T5N, R31E	2	SW NW	0.75
T5N, R31E	2	NW SW	31.35
T5N, R31E	2	SW SW	27.85
T5N, R31E	3	NE NE	21.81
T5N, R31E	3	NW NE	32.13
T5N, R31E	3	SW NE	37.64
T5N, R31E	3	SE NE	28.17
T5N, R31E	3	NE NW	2.66
T5N, R31E	3	NW NW	2.97
T5N, R31E	3	SW NW	0.14
T5N, R31E	3	SE NW	3.06
T5N, R31E	3	NE SW	31.84
T5N, R31E	3	NW SW	31.86
T5N, R31E	3	SW SW	30.15
T5N, R31E	3	SE SW	31.04
T5N, R31E	3	NE SE	34.02
T5N, R31E	3	NW SE	34.20
T5N, R31E	3	SW SE	29.56
T5N, R31E	3	SE SE	30.14

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Proposed Place of Use for Rupp Ranches Groundwater Application

T5N, R31E	4	NW NE	0.28
T5N, R31E	4	SW NE	27.65
T5N, R31E	4	SE NE	0.11
T5N, R31E	4	NE NW	1.26
T5N, R31E	4	NW NW	1.78
T5N, R31E	4	SW NW	1.12
T5N, R31E	4	SE NW	34.11
T5N, R31E	4	NE SW	33.51
T5N, R31E	4	NW SW	1.11
T5N, R31E	4	SE SW	0.11
T5N, R31E	4	NE SE	30.99
T5N, R31E	4	NW SE	25.65
T5N, R31E	4	SE SE	31.05
T5N, R31E	5	NE NW	26.38
T5N, R31E	5	NW NW	15.76
T5N, R31E	5	SW NW	35.37
T5N, R31E	5	SE NW	33.28
T5N, R31E	5	NE SW	35.62
T5N, R31E	5	NW SW	36.78
T5N, R31E	5	SW SW	38.21
T5N, R31E	5	SE SW	37.95
T5N, R31E	5	SW SE	0.00

T5N, R31E	6	NW NE	0.47
T5N, R31E	6	SW NE	2.05
T5N, R31E	6	NE NW	26.83
T5N, R31E	6	NW NW	39.04
T5N, R31E	6	SW NW	38.10
T5N, R31E	6	SE NW	37.86
T5N, R31E	6	NW SW	0.37
T5N, R31E	6	SW SW	1.04
T5N, R31E	6	SE SW	1.69
T5N, R31E	6	SW SE	0.02
T5N, R31E	6	SE SE	1.22
T5N, R31E	7	NE NE	38.69
T5N, R31E	7	NW NE	1.51
T5N, R31E	7	SW NE	39.31
T5N, R31E	7	SE NE	39.29
T5N, R31E	7	NE NW	39.05
T5N, R31E	7	NW NW	2.67
T5N, R31E	7	SW NW	39.35
T5N, R31E	7	SE NW	39.33
T5N, R31E	7	NE SW	39.36
T5N, R31E	7	NW SW	39.38
T5N, R31E	7	SW SW	39.42
T5N, R31E	7	SE SW	39.40

Proposed Place of Use for Rupp Ranches Groundwater Application

T5N, R31E	7	NE SE	39.33
T5N, R31E	7	NW SE	39.35
T5N, R31E	7	SW SE	39.38
T5N, R31E	7	SE SE	39.36
T5N, R31E	8	NE NW	1.03
T5N, R31E	8	NW NW	39.86
T5N, R31E	8	SW NW	39.93
T5N, R31E	8	SE NW	39.14
T5N, R31E	8	NE SW	39.78
T5N, R31E	8	NW SW	40.01
T5N, R31E	8	SW SW	40.09
T5N, R31E	8	SE SW	39.65
T5N, R31E	9	NE NE	30.76
T5N, R31E	9	NW NE	30.90
T5N, R31E	9	SW NE	32.21
T5N, R31E	9	SE NE	30.29
T5N, R31E	9	NE NW	0.03
T5N, R31E	9	SE NW	0.06
T5N, R31E	17	NE NW	39.90
T5N, R31E	17	NW NW	40.47
T5N, R31E	17	SW NW	40.37
T5N, R31E	17	SE NW	39.77
T5N, R31E	17	NE SW	0.66
T5N, R31E	17	NW SW	0.21

T5N, R31E	18	NE NE	39.75
T5N, R31E	18	NW NE	39.78
T5N, R31E	18	SW NE	39.77
T5N, R31E	18	SE NE	39.72
T5N, R31E	18	NE NW	39.81
T5N, R31E	18	NW NW	39.84
T5N, R31E	18	SW NW	39.76
T5N, R31E	18	SE NW	39.78
T5N, R31E	18	NE SE	0.01
T5N, R31E	18	NW SE	0.02

T6N, R30E	25	NE NE	9.43
T6N, R30E	25	SE NE	37.84
T6N, R30E	25	SW SW	2.12
T6N, R30E	25	SE SW	1.98
T6N, R30E	25	NE SE	38.65
T6N, R30E	25	NW SE	2.24
T6N, R30E	25	SW SE	39.66
T6N, R30E	25	SE SE	39.41

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Proposed Place of Use for Rupp Ranches Groundwater Application

T6N, R30E	36	NE NE	39.73
T6N, R30E	36	NW NE	39.74
T6N, R30E	36	SW NE	40.26
T6N, R30E	36	SE NE	39.93
T6N, R30E	36	NE NW	40.12
T6N, R30E	36	NW NW	40.23
T6N, R30E	36	SW NW	39.34
T6N, R30E	36	SE NW	40.09
T6N, R30E	36	NE SW	0.48
T6N, R30E	36	NW SW	0.16
T6N, R30E	36	SW SW	0.13
T6N, R30E	36	SE SW	0.40
T6N, R30E	36	NE SE	1.10
T6N, R30E	36	NW SE	0.80
T6N, R30E	36	SW SE	0.65
T6N, R30E	36	SE SE	0.32

T6N, R31E	13	SE SW	0.18
T6N, R31E	13	SW SE	0.02
T6N, R31E	14	SW SW	0.46
T6N, R31E	14	SE SW	0.18

T6N, R31E	15	NE SW	32.25
T6N, R31E	15	NW SW	45.10
T6N, R31E	15	SW SW	33.66
T6N, R31E	15	SE SW	6.45
T6N, R31E	15	NE SE	5.33
T6N, R31E	15	NW SE	12.21
T6N, R31E	15	SW SE	30.56
T6N, R31E	15	SE SE	24.64
T6N, R31E	16	SW NE	0.98
T6N, R31E	16	SE NE	0.04
T6N, R31E	16	SW NW	0.29
T6N, R31E	16	SE NW	2.10
T6N, R31E	16	NE SW	36.81
T6N, R31E	16	NW SW	26.33
T6N, R31E	16	SW SW	41.60
T6N, R31E	16	SE SW	39.07
T6N, R31E	16	NE SE	41.92
T6N, R31E	16	NW SE	42.87
T6N, R31E	16	SW SE	33.58
T6N, R31E	16	SE SE	24.74

Proposed Place of Use for Rupp Ranches Groundwater Application

T6N, R31E	17	SW NE	0.04
T6N, R31E	17	SE NE	0.07
T6N, R31E	17	SW SW	0.11
T6N, R31E	17	SE SW	8.41
T6N, R31E	17	NE SE	34.51
T6N, R31E	17	NW SE	23.39
T6N, R31E	17	SW SE	37.35
T6N, R31E	17	SE SE	17.17

T6N, R31E	19	NE NE	18.56
T6N, R31E	19	SW NE	9.05
T6N, R31E	19	SE NE	27.13
T6N, R31E	19	NE SE	6.75
T6N, R31E	19	NW SE	6.21
T6N, R31E	19	SW SE	8.44
T6N, R31E	19	SE SE	31.61

T6N, R31E	20	NE NE	18.32
T6N, R31E	20	NW NE	31.74
T6N, R31E	20	SW NE	15.26
T6N, R31E	20	SE NE	30.98
T6N, R31E	20	NE NW	36.63
T6N, R31E	20	NW NW	35.46
T6N, R31E	20	SW NW	31.14
T6N, R31E	20	SE NW	36.74
T6N, R31E	20	NE SW	34.51
T6N, R31E	20	NW SW	35.34
T6N, R31E	20	SW SW	32.99
T6N, R31E	20	SE SW	17.26
T6N, R31E	20	NE SE	27.66
T6N, R31E	20	NW SE	5.85
T6N, R31E	20	SW SE	0.24
T6N, R31E	20	SE SE	10.93

T6N, R31E	21	NE NE	34.72
T6N, R31E	21	NW NE	31.45
T6N, R31E	21	SW NE	22.96
T6N, R31E	21	SE NE	10.71
T6N, R31E	21	NE NW	35.74
T6N, R31E	21	NW NW	39.70
T6N, R31E	21	SW NW	36.22
T6N, R31E	21	SE NW	33.13
T6N, R31E	21	NE SW	20.02
T6N, R31E	21	NW SW	16.43
T6N, R31E	21	SW SW	27.62
T6N, R31E	21	SE SW	14.81
T6N, R31E	21	NE SE	10.81
T6N, R31E	21	NW SE	15.90

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Proposed Place of Use for Rupp Ranches Groundwater Application

T6N, R31E	21	SW SE	5.57
T6N, R31E	21	SE SE	27.45
T6N, R31E	22	NE NE	16.68
T6N, R31E	22	NW NE	27.74
T6N, R31E	22	SW NE	12.74
T6N, R31E	22	SE NE	6.89
T6N, R31E	22	NE NW	22.31
T6N, R31E	22	NW NW	19.33
T6N, R31E	22	SW NW	17.82
T6N, R31E	22	SE NW	32.97
T6N, R31E	22	NE SW	20.17
T6N, R31E	22	NW SW	9.86
T6N, R31E	22	SW SW	13.42
T6N, R31E	22	SE SW	15.46
T6N, R31E	22	NE SE	31.16
T6N, R31E	22	NW SE	20.57
T6N, R31E	22	SW SE	33.65
T6N, R31E	22	SE SE	19.19

T6N, R31E	23	NE NE	32.71
T6N, R31E	23	NW NE	18.64
T6N, R31E	23	SW NE	34.92
T6N, R31E	23	SE NE	24.50
T6N, R31E	23	NE NW	22.03
T6N, R31E	23	NW NW	22.97
T6N, R31E	23	SW NW	26.13
T6N, R31E	23	SE NW	7.60
T6N, R31E	23	NE SW	2.52
T6N, R31E	23	NW SW	24.17
T6N, R31E	23	SW SW	18.82
T6N, R31E	23	SE SW	4.49
T6N, R31E	23	NE SE	35.64
T6N, R31E	23	NW SE	37.91
T6N, R31E	23	SW SE	37.28
T6N, R31E	23	SE SE	37.69

T6N, R31E	24	NW NE	3.84
T6N, R31E	24	SW NE	0.74
T6N, R31E	24	NE NW	33.34
T6N, R31E	24	NW NW	24.34
T6N, R31E	24	SW NW	30.38
T6N, R31E	24	SE NW	24.99
T6N, R31E	24	NE SW	0.69
T6N, R31E	24	NW SW	21.49
T6N, R31E	24	SW SW	26.84

Proposed Place of Use for Rupp Ranches Groundwater Application

T6N, R31E	26	NE NE	0.04
T6N, R31E	26	NW NE	0.07
T6N, R31E	26	NE NW	33.11
T6N, R31E	26	NW NW	14.76
T6N, R31E	26	SW NW	31.56
T6N, R31E	26	SE NW	29.29
T6N, R31E	26	NE SW	29.99
T6N, R31E	26	NW SW	37.83
T6N, R31E	26	SW SW	11.48
T6N, R31E	26	SE SW	34.57
T6N, R31E	26	NW SE	0.01
T6N, R31E	26	SW SE	0.40
T6N, R31E	27	NE NE	21.10
T6N, R31E	27	NW NE	33.94
T6N, R31E	27	SW NE	23.90
T6N, R31E	27	SE NE	15.71
T6N, R31E	27	NE NW	20.13
T6N, R31E	27	NW NW	28.13
T6N, R31E	27	SW NW	23.91
T6N, R31E	27	SE NW	40.16
T6N, R31E	27	NE SW	38.11
T6N, R31E	27	NW SW	37.87
T6N, R31E	27	SW SW	34.04
T6N, R31E	27	SE SW	6.91
T6N, R31E	27	NE SE	24.32
T6N, R31E	27	NW SE	2.98
T6N, R31E	27	SE SE	33.27

T6N, R31E	28	NE NE	12.73
T6N, R31E	28	NW NE	26.95
T6N, R31E	28	SW NE	38.83
T6N, R31E	28	SE NE	11.62
T6N, R31E	28	NE NW	18.29
T6N, R31E	28	NW NW	13.32
T6N, R31E	28	SW NW	27.52
T6N, R31E	28	SE NW	14.67
T6N, R31E	28	NE SW	15.66
T6N, R31E	28	NW SW	36.20
T6N, R31E	28	SW SW	36.30
T6N, R31E	28	NE SE	7.70
T6N, R31E	28	NW SE	22.05
T6N, R31E	28	SE SE	24.91
T6N, R31E	29	NE NE	19.44
T6N, R31E	29	NW NE	24.91
T6N, R31E	29	SW NE	28.54
T6N, R31E	29	SE NE	5.69
T6N, R31E	29	NE NW	5.70

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Proposed Place of Use for Rupp Ranches Groundwater Application

T6N, R31E	29	NW NW	18.58
T6N, R31E	29	SW NW	2.48
T6N, R31E	29	SE NW	28.20
T6N, R31E	29	NE SW	34.67
T6N, R31E	29	NW SW	32.79
T6N, R31E	29	SW SW	36.88
T6N, R31E	29	SE SW	36.66
T6N, R31E	29	NE SE	11.51
T6N, R31E	29	NW SE	15.21
T6N, R31E	29	SW SE	24.93
T6N, R31E	29	SE SE	1.82

T6N, R31E	30	NE NE	35.42
T6N, R31E	30	NW NE	34.16
T6N, R31E	30	SW NE	27.65
T6N, R31E	30	SE NE	18.53
T6N, R31E	30	NE NW	6.02
T6N, R31E	30	NW NW	0.33
T6N, R31E	30	SW NW	0.81
T6N, R31E	30	SE NW	3.67
T6N, R31E	30	NW SW	0.33
T6N, R31E	30	SW SW	14.94
T6N, R31E	30	SE SW	28.40
T6N, R31E	30	NE SE	12.08
T6N, R31E	30	NW SE	5.18
T6N, R31E	30	SW SE	25.01
T6N, R31E	30	SE SE	30.00

T6N, R31E	31	NE NE	29.99
T6N, R31E	31	NW NE	28.88
T6N, R31E	31	SW NE	3.08
T6N, R31E	31	SE NE	22.47
T6N, R31E	31	NE NW	34.05
T6N, R31E	31	NW NW	9.71
T6N, R31E	31	SE NW	2.13
T6N, R31E	31	SW SW	1.06
T6N, R31E	31	SE SW	0.32

T6N, R31E	32	NE NW	28.55
T6N, R31E	32	NW NW	36.61
T6N, R31E	32	SW NW	22.04
T6N, R31E	32	NE SE	1.11
T6N, R31E	32	SE SE	2.02

Proposed Place of Use for Rupp Ranches Groundwater Application

T6N, R31E	33	NW NW	0.59
T6N, R31E	33	NE SW	24.27
T6N, R31E	33	NW SW	31.89
T6N, R31E	33	SW SW	36.07
T6N, R31E	33	SE SW	26.57
T6N, R31E	33	NE SE	0.03
T6N, R31E	33	SE SE	0.45
T6N, R31E	34	NE NE	3.82
T6N, R31E	34	NE SW	27.13
T6N, R31E	34	NW SW	26.90
T6N, R31E	34	SW SW	35.58
T6N, R31E	34	SE SW	31.13
T6N, R31E	34	NE SE	27.20
T6N, R31E	34	NW SE	29.62
T6N, R31E	34	SW SE	36.04
T6N, R31E	34	SE SE	27.90

T6N, R31E	35	NE NW	32.37
T6N, R31E	35	NW NW	30.18
T6N, R31E	35	SW NW	1.29
T6N, R31E	35	SE NW	29.34
		TOTAL ACRES	10766.55

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Mailing List for Extension FO Copies

FO Date: April 23, 2021

Copies Mailed

Application: G-17068
Permit: G-17272

By: TM
On: 4/23/2021

Original mailed to permit holder

Rupp Ranches
176 Kranichwood St.
Richland, WA 99352

Copies sent to:

1. WRD - App. File G-17068/ Permit G-17272
2. Shonee Langford
530 Center St. NE, Ste 730
Salem, OR 97301

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 3, Robert Wood
5. WRD – NCR Regional Manager, Chris Kowitz

If Progress Reports are included:

(DONE BY EXTENSION SPECIALIST)

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

CASEWORKER: JDP

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

Application for Extension of Time

In the Matter of the Application for an Extension of Time	)	FINAL ORDER ON
for Permit G-17272, Water Right Application G-17068, in	)	EXTENSION
the name of Rupp Ranches	)	INCORPORATING
	)	SETTLEMENT
	)	AGREEMENT

Permit Information

Application:	G-17068
Permit:	G-17272
Basin:	7 – Umatilla / Watermaster District 5
Date of Priority:	June 10, 2008
Source of Water:	Well 1, Well 2, Well 3, and Well 4, in Columbia River Basin
Purpose or Use:	Irrigation use on 1,000 Acres
Maximum Rate:	12.5 cubic feet per second (cfs)

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

Appeal Rights

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

Application History

Permit G-17272 (resulting from permit amendment T-11586 on G-16671) was issued by the Department on April 13, 2010. The permit required completion of construction by April 13, 2015 and complete application of water to beneficial use by April 13, 2015. On March 29, 2016, Rupp Ranches submitted an Application for Extension of Time for Permit G-17272. In accordance with OAR 690-315-0050(2), on August 21, 2018, the Department issued a Proposed Final Order proposing to deny the time to complete construction to October 1, 2020, and the time to fully apply water to beneficial use to October 1, 2020. The protest period closed October 5, 2018, in accordance with OAR 690-315-0060(1). Rupp Ranches filed a timely protest.

FINDINGS OF FACT

The findings of fact in the Proposed Final Order dated August 1, 2018, are adopted and incorporated herein.

ADDITIONAL FINDINGS OF FACT

On April 7, 2021, the Department and Rupp Ranches signed a Settlement Agreement, which is incorporated herein and made a part of this order, resolving all issues raised in the protest.

The terms of the Agreement include:

1. The permit holder will comply with all existing permit conditions prior to any use of groundwater from the wells authorized under this permit, including water chemistry samples and analysis, and a groundwater resource characterization report. The groundwater resource characterization report shall be sealed and signed by a Registered Geologist in the State of Oregon as per ORS 672.505 to 672.705.
2. The permit holder will comply with all existing permit conditions prior to any use of groundwater from any well regardless of water levels and change in regulation order.
3. The permit holder will resume water use from a given well only after static water levels for that well, measured in the month of February by a qualified individual as per the conditions of the permit, have recovered to the “Minimum Water Level to Begin Use” as specified below.

Owner Well #	Well LogID	Reference Level Date	Reference Level (feet below land surface)	Minimum Water Level to Begin Use (Reference Level + 25 feet) (feet below land surface)
1	UMAT 57044	02/21/2013	502.40	527.40
2	UMAT 57042	02/21/2013	243.00	268.00
3	UMAT 57041	02/21/2013	239.30	264.30
4	UMAT 57043	03/13/2013	573.20	598.20

Prior to any use from a given well the water level will be confirmed by Department staff. The permit holder will notify the District 5 Watermaster in writing that the water level in a given well meets or exceeds the minimum level to begin use, provide the water level measurement to the Watermaster and request a confirmation measurement. The confirmation measurement will be taken within two weeks of the permit holder's measurement. To arrange the confirmation measurement, Department staff will call and text Randy Rupp on his cell (509-628-7516) at least 48 hours in advance of the date and time they would like access. Mr. Rupp

will arrange for someone to accompany OWRD on site, and the parties may negotiate a mutually agreeable date and time to meet on site that is no more than 72 hours later than the access date and time requested by the Department. If Mr. Rupp does not respond to OWRD's initial call or text requesting access within 24 hours of the request, OWRD will contact John Androlewicz at (208) 914-8013 to make arrangements for accompanied access to the wells.

4. Department staff will have access to wells to monitor GW levels and flowmeter readings as needed. Department staff will call and text Randy Rupp on his cell (509-628-7516) at least 48 hours in advance of the date and time they would like access. Mr. Rupp will arrange for someone to accompany OWRD on site, and the parties may negotiate a mutually agreeable date and time to meet on site that is no more than 72 hours later than the access date and time requested by the Department. If Mr. Rupp does not respond to OWRD's initial call or text requesting access within 24 hours of the request, OWRD will contact John Androlewicz at (208) 914-8013 to make arrangements for accompanied access to the wells.
5. No further extensions of time for Permit G-17272 will be requested.

CONCLUSION OF LAW

With the forgoing additional findings of fact, the Department finds there is 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-17068, Permit G-17272, therefore, is approved subject to the terms contained herein and the Settlement Agreement. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from April 13, 2015, to October 1, 2026.

The permit holder will comply with all existing permit conditions prior to any use of groundwater from the wells authorized under this permit, including water chemistry samples and analysis, and a groundwater resource characterization report. The groundwater resource characterization report shall be sealed and signed by a Registered Geologist in the State of Oregon as per ORS 672.505 to 672.705.

The permit holder will comply with all existing permit conditions prior to any use of groundwater from any well regardless of water levels and change in regulation order.

The permit holder will resume water use from a given well only after static water levels for that well, measured in the month of February by a qualified individual as per the conditions of the permit, have recovered to the "Minimum Water Level to Begin Use" as specified below.

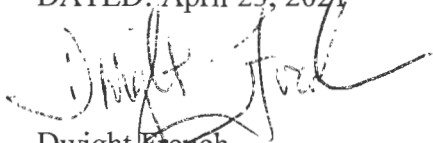
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Prior to any use from a given well the water level will be confirmed by Department staff. The permit holder will notify the District 5 Watermaster in writing that the water level in a given well meets or exceeds the minimum level to begin use, provide the water level measurement to the Watermaster and request a confirmation measurement. The confirmation measurement will be taken within two weeks of the permit holder's measurement. To arrange the confirmation measurement, Department staff will call and text Randy Rupp on his cell (509-628-7516) at least 48 hours in advance of the date and time they would like access. Mr. Rupp will arrange for someone to accompany OWRD on site, and the parties may negotiate a mutually agreeable date and time to meet on site that is no more than 72 hours later than the access date and time requested by the Department. If Mr. Rupp does not respond to OWRD's initial call or text requesting access within 24 hours of the request, OWRD will contact John Androlewicz at (208) 914-8013 to make arrangements for accompanied access to the wells.

Department staff will have access to wells to monitor GW levels and flowmeter readings as needed. Department staff will call and text Randy Rupp on his cell (509-628-7516) at least 48 hours in advance of the date and time they would like access. Mr. Rupp will arrange for someone to accompany OWRD on site, and the parties may negotiate a mutually agreeable date and time to meet on site that is no more than 72 hours later than the access date and time requested by the Department. If Mr. Rupp does not respond to OWRD's initial call or text requesting access within 24 hours of the request, OWRD will contact John Androlewicz at (208) 914-8013 to make arrangements for accompanied access to the wells.

No further extensions of time for Permit G-17272 will be requested.

DATED: April 23, 2021



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

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

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE STATE OF OREGON**

In *the* Matter of the Application for an Extension of)
Time for Permit G-17272, Water Right Application) SETTLEMENT AGREEMENT
G-17068, in the name of Rupp Ranches)
)

The Oregon Water Resources Department (Department) and Rupp Ranches, together referred to herein as “Parties”, do hereby stipulate and agree in this Settlement Agreement as follows:

A. Background

1. Permit G-17272 (resulting from permit amendment T-11586 on G-16671) was issued on April 13, 2010. The permit required completion of construction by April 13, 2015 and complete application of water to beneficial use by April 13, 2015.
2. On March 29, 2016, Rupp Ranches submitted an Application for Extension of Time for Permit G-17272. In accordance with OAR 690-315-0050(2), on August 21, 2018, the Department issued a Proposed Final Order proposing to deny the time to complete construction and fully apply water to beneficial use to October 1, 2020.
3. The protest period closed October 12, 2018, in accordance with OAR 690-315-0060(1). On October 11, 2018, Rupp Ranches filed a timely protest.
4. The Parties have engaged in settlement discussions and have agreed that all issues in the protest are resolved on the terms contained herein.

B. Consent

5. Each Party to this Agreement certifies that it has read the entire Settlement Agreement, including the draft Final Order, and understands and agrees with the contents thereof.
6. Each Party to this Agreement understands and agrees that this Agreement and all documents incorporated by reference set forth the entire agreement of the parties.
7. Each Party to this Agreement understands and agrees that this Agreement and the Final Order issued pursuant to this Agreement constitute the complete and final resolution of the protest.
8. Effective upon the signing of this Agreement by the Parties, Rupp Ranches waives any and all right to petition for judicial review of this Agreement, and waives any and all right to request reconsideration, petition for judicial review, or appeal the Final Order.

C. Terms of the Agreement

1. The permit holder will comply with all existing permit conditions prior to any use of groundwater from the wells authorized under this permit, including water chemistry samples and analysis, and a groundwater resource characterization report. The groundwater resource characterization report shall be sealed and signed by a Registered Geologist in the State of Oregon as per ORS 672.505 to 672.705.
2. The permit holder will comply with all existing permit conditions prior to any use of groundwater from any well regardless of water levels and change in regulation order.
3. The permit holder will resume water use from a given well only after static water levels for that well, measured in the month of February by a qualified individual as per the conditions of the permit, have recovered to the "Minimum Water Level to Begin Use" as specified below.

Owner Well #	Well LogID	Reference Level Date	Reference Level (feet below land surface)	Minimum Water Level to Begin Use (Reference Level + 25 feet) (feet below land surface)
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Prior to any use from a given well the water level will be confirmed by Department staff. The permit holder will notify the District 5 Watermaster in writing that the water level in a given well meets or exceeds the minimum level to begin use, provide the water level measurement to the Watermaster and request a confirmation measurement. The confirmation measurement will be taken within two weeks of the permit holder's measurement. To arrange the confirmation measurement, Department staff will call and text Randy Rupp on his cell (509-628-7516) at least 48 hours in advance of the date and time they would like access. Mr. Rupp will arrange for someone to accompany OWRD on site, and the parties may negotiate a mutually agreeable date and time to meet on site that is no more than 72 hours later than the access date and time requested by the Department. If Mr. Rupp does not respond to OWRD's initial call or text requesting access within 24 hours of the request, OWRD will contact John Androlewicz at (208) 914-8013 to make arrangements for accompanied access to the wells.

4. The Department will approve a 5-year extension of the permit from the date of the final order approving the extension.
5. Department staff will have access to wells to monitor GW levels and flowmeter readings as needed. Department staff will call and text Randy Rupp on his cell (509-628-7516) at least

48 hours in advance of the date and time they would like access. Mr. Rupp will arrange for someone to accompany OWRD on site, and the parties may negotiate a mutually agreeable date and time to meet on site that is no more than 72 hours later than the access date and time requested by the Department. If Mr. Rupp does not respond to OWRD's initial call or text requesting access within 24 hours of the request, OWRD will contact John Androlewicz at (208) 914-8013 to make arrangements for accompanied access to the wells.

6. No further extensions of time for Permit G-17272 will be requested.
7. Once each Party has signed this Agreement, the Department will issue a Final Order on Extension Incorporating Settlement Agreement consistent with the attached draft Final Order on Extension Incorporating Settlement Agreement.
8. Each Party to this Agreement represents, warrants, and agrees that the person who executes this Agreement on its behalf has the full right and authority to enter into this Agreement on behalf of that Party and bind that Party to the terms of this Agreement.
9. Each Party to this Agreement certifies that it has had a reasonable opportunity to review and request changes to the Agreement, and that it has signed this Agreement of its own free will and accord.
10. The Parties agree that nothing in this Agreement or the Final Order on Extension Incorporating Settlement Agreement establishes factual, legal, or policy precedent.
11. This Agreement may be signed in counterparts.



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

April 1, 2021
Date


Rupp Ranches

4-7-21
Date

State of Oregon)
) ss
County of UMATILLA)

I/We (or authorized agent), RUPP RANCHES (RANDY RUPP),
residing at 176 KRANICHWOOD ST, RICHLAND, WA 99352,
being first duly sworn depose and say:

1. I/We are the legal owner(s) of the property described as tax lot number 0100 & 0700, within the $\frac{1}{4}$ $\frac{1}{4}$, Section , Township N/S, Range E/W, of the Willamette Meridian, in ***** SEE ATTACHED LIST ***** County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;

2. A portion of water right permit number G-17272 issued to RUPP RANCHES, with a date of priority of 16 JUNE 2008 for use of 12.5 CFS CFS / AF of water from FOUR WELLS (WELL 1, 2, 3, 4) (sources) for the purpose of IRRIGATION DURING PERIODS OF MARCH 1 - APRIL 14 AND OCTOBER 1 -31 ONLY (uses) is appurtenant to my/our property;

3 The appurtenant water right is/is not located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (if the right is located within a district or reclamation project, name it here: _____);

4. If the water right is issued in the name of an irrigation district, then the affiant must have the concurrence of the district to the diminishment of the portion of the water right. (Signature of district manager on the line below documents concurrence of the district.)

Signature of District Manager	Printed Name	Date
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5. I/We have obtained a MORE AVAILABLE, CERTAIN, AND SUSTAINABLE (e.g., better, more economical) source of water for the primary irrigation of the portion of this water right shown on the attached map and described as follows: The right to the use of 12.5 CFS CFS / AF from GROUNDWATER for the irrigation of 1,000 acres located:

_____ 1/4 _____ 1/4 SEE ATTACHED Acres
 _____ 1/4 _____ 1/4 _____ Acres
 _____ 1/4 _____ 1/4 _____ Acres
 _____ 1/4 _____ 1/4 _____ Acres
 _____ 1/4 _____ 1/4 _____ Acres

Section _____
 Township _____ N/S, Range _____ E/W, WM: _____

Township N/S, Range E/W, WM;

The place of use is located as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 N	30 E	WM	11	SW SE	10.00
5 N	30 E	WM	11	SE SE	10.00
5 N	30 E	WM	12	SW SW	5.00
5 N	30 E	WM	13	NW NW	10.00
5 N	30 E	WM	13	SW NW	10.00
5 N	30 E	WM	13	NW SW	10.00
5 N	30 E	WM	13	SW SW	5.00
5 N	30 E	WM	14	NE NE	40.00
5 N	30 E	WM	14	NW NE	40.00
5 N	30 E	WM	14	SW NE	40.00
5 N	30 E	WM	14	SE NE	40.00
5 N	30 E	WM	14	NE NW	40.00
5 N	30 E	WM	14	NW NW	40.00
5 N	30 E	WM	14	SW NW	40.00
5 N	30 E	WM	14	SE NW	40.00
5 N	30 E	WM	14	NE SW	40.00
5 N	30 E	WM	14	NW SW	40.00
5 N	30 E	WM	14	SW SW	20.00
5 N	30 E	WM	14	SE SW	20.00
5 N	30 E	WM	14	NE SE	40.00
5 N	30 E	WM	14	NW SE	40.00
5 N	30 E	WM	14	SW SE	20.00
5 N	30 E	WM	14	SE SE	20.00
5 N	30 E	WM	15	NE NE	40.00
5 N	30 E	WM	15	NW NE	40.00
5 N	30 E	WM	15	SW NE	40.00
5 N	30 E	WM	15	SE NE	40.00
5 N	30 E	WM	15	NE NW	40.00
5 N	30 E	WM	15	NW NW	10.00
5 N	30 E	WM	15	SW NW	10.00
5 N	30 E	WM	15	SE NW	40.00
5 N	30 E	WM	15	NE SE	40.00
5 N	30 E	WM	15	NW SE	40.00
5 N	30 E	WM	15	SW SE	20.00
5 N	30 E	WM	15	SE SE	20.00
Total					1000.00

Permit Amendment T-11586 Conditions:

The combined quantity of water diverted at the new point of appropriation, together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.

Water shall be acquired from the same aquifer as the original points of appropriation.

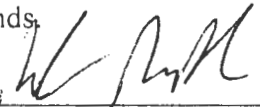
Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the meter in good working order.

**AFFIDAVIT FOR THE PARTIAL DIMINUTION OF A
WATER RIGHT PERMIT
(CONTINUED)**

6. I/we request the water right be diminished from a right for supplemental irrigation of the lands described above in item #5;

7. I/We agree that if this change is approved, it is permanent and the right to the use of water from GROUNDWATER WELLS 1, 2, 3, 4 (source) cannot be changed back to the primary source unless otherwise provided by law. I/We also agree that so long as there is sufficient water available from the new primary source, I am/we are not entitled to use any water from WELLS 1, 2, 3, 4 (source) for primary irrigation of these lands.



Signature of legal owner as listed on deed, or authorized agent

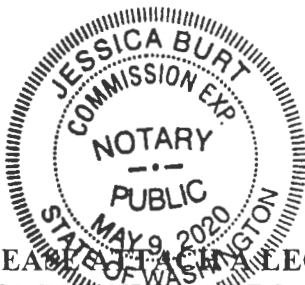
9-27-17

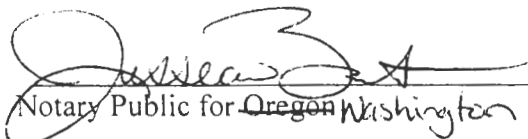
Date

Signature of legal co-owner as listed on deed
(if applicable)

Date

Subscribed and Sworn to Before Me this 27 day of September, 2017.





Notary Public for ~~Oregon~~ Washington

My Commission Expires May 9, 2020

PLEASE ATTACH A LEGIBLE COPY OF : 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE WATER RIGHT AND/OR LANDS TO BE DIMINISHED CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S) AS LISTED ON THE DEED.

STATE OF OREGON
COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RUPP RANCHES
176 KRANICHWOOD ST
RICHLAND, WA 99352

This superseding permit is issued to describe an amendment for an additional point of appropriation proposed under Permit Amendment Application T-11586 and approved by Special Order Vol. 95, Page 93-94, entered February 18, 2015. This permit supersedes Permit G-16671.

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

APPLICATION FILE NUMBER: G-17068

SOURCE OF WATER: WELL 1, WELL 2, WELL 3, AND WELL 4 IN COLUMBIA RIVER BASIN

PURPOSE OR USE: IRRIGATION USE ON 1,000 ACRES

MAXIMUM RATE: 12.5 CUBIC FEET PER SECOND, FURTHER LIMITED TO 2,000 ACRE FEET PER YEAR

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JUNE 16, 2008

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distance
5 N	30 E	WM	15	SW NE	WELL 1: 2455 FEET SOUTH AND 2660 FEET EAST FROM THE NW CORNER OF SECTION 15
5 N	30 E	WM	14	SW NE	WELL 2: 2455 FEET SOUTH AND 2645 FEET EAST FROM THE NW CORNER OF SECTION 14
5 N	30 E	WM	13	SE NW	WELL 3: 2230 FEET SOUTH AND 2440 FEET EAST FROM THE NW CORNER OF SECTION 13
5 N	31 E	WM	7	SW NW	WELL 4: 2013 FEET SOUTH AND 1125 FEET EAST FROM THE NW CORNER OF SECTION 7

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

The place of use is located as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 N	30 E	WM	11	SW SE	10.00
5 N	30 E	WM	11	SE SE	10.00
5 N	30 E	WM	12	SW SW	5.00
5 N	30 E	WM	13	NW NW	10.00
5 N	30 E	WM	13	SW NW	10.00
5 N	30 E	WM	13	NW SW	10.00
5 N	30 E	WM	13	SW SW	5.00
5 N	30 E	WM	14	NE NE	40.00
5 N	30 E	WM	14	NW NE	40.00
5 N	30 E	WM	14	SW NE	40.00
5 N	30 E	WM	14	SE NE	40.00
5 N	30 E	WM	14	NE NW	40.00
5 N	30 E	WM	14	NW NW	40.00
5 N	30 E	WM	14	SW NW	40.00
5 N	30 E	WM	14	SE NW	40.00
5 N	30 E	WM	14	NE SW	40.00
5 N	30 E	WM	14	NW SW	40.00
5 N	30 E	WM	14	SW SW	20.00
5 N	30 E	WM	14	SE SW	20.00
5 N	30 E	WM	14	NE SE	40.00
5 N	30 E	WM	14	NW SE	40.00
5 N	30 E	WM	14	SW SE	20.00
5 N	30 E	WM	14	SE SE	20.00
5 N	30 E	WM	15	NE NE	40.00
5 N	30 E	WM	15	NW NE	40.00
5 N	30 E	WM	15	SW NE	40.00
5 N	30 E	WM	15	SE NE	40.00
5 N	30 E	WM	15	NE NW	40.00
5 N	30 E	WM	15	NW NW	10.00
5 N	30 E	WM	15	SW NW	10.00
5 N	30 E	WM	15	SE NW	40.00
5 N	30 E	WM	15	NE SE	40.00
5 N	30 E	WM	15	NW SE	40.00
5 N	30 E	WM	15	SW SE	20.00
5 N	30 E	WM	15	SE SE	20.00
Total					1000.00

Permit Amendment T-11586 Conditions:

The combined quantity of water diverted at the new point of appropriation, together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.

Water shall be acquired from the same aquifer as the original points of appropriation.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the meter in good working order.

- B. The permittee 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.
- C. The permittee shall allow Department staff access to the meter(s) and the wells; provided however, where any meter or well is located within a private structure, staff shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

The wells shall be regulated if any interference is observed or demonstrated with wells in the Stage Gulch Critical Ground Water Area.

This water right is not eligible for the allocation of conserved water authorized under ORS 537.455 – 537.500.

Groundwater production in each well shall be limited to a single aquifer in the Columbia River Basalt Group. Each well shall be continuously cased and continuously sealed to within 100 feet of the bottom of the open borehole. A larger open interval may be approved by the Department if the permittee can demonstrate to the Department's satisfaction, using packer tests or other suitable methods, that the hydraulic heads of water-bearing zones in the proposed open interval are equivalent or that the open interval is part of a continuous zone of interconnected porous materials.

Each well with a pump shall be equipped with a dedicated 3/4-inch diameter (minimum) water-level measurement tube, separate from other methods of measuring the water level such as airlines or transducers. The annual water-level measurement required in the permit shall be measured through the measuring tube.

Data Collection Plan

For each of the following numbered conditions, data collection shall be supervised by an Oregon registered geologist. Prior to data collection, the geologist shall submit a data collection and analysis plan (or plans) for Department approval for each numbered item below.

1) Drill Cuttings

Drill cuttings shall be collected at the permitted wells and any test holes. Samples shall be collected at ten-foot intervals and at changes in lithology. A reference set of clean cuttings, in plastic sample trays, shall be submitted to the Department for each well. Select drill cuttings shall be analyzed for a comprehensive suite of major, minor, and trace elements that are appropriate for characterizing Columbia River Basalt Group stratigraphy. The data shall be compiled and the basalt stratigraphy at each well location shall be interpreted by an Oregon registered geologist.

2) Water Chemistry

Groundwater samples shall be collected from water-bearing zones developed from each well. Samples shall be analyzed by a state certified laboratory for general chemistry (common ions, including fluoride), standard water-quality parameters (pH, dissolved solids, specific conductance) and for dating of groundwater (radiocarbon, stable isotopes, tritium and CFCs).

3) Well Testing

At least one long-term aquifer test shall be conducted to determine continuity between production wells. The test shall be conducted at a constant rate for a minimum of 72 hours, and water levels shall be monitored at the pumped well and at least one other production well or test hole. Production wells drilled subsequently to the aquifer test will require additional aquifer testing. The data collection plan for each aquifer test shall identify offsite wells, including wells in State Gulch Critical Groundwater Area that have a reasonable potential for hydraulic continuity. This shall be based upon stratigraphic correlation, geologic structure, water-level and water well report data.

4) Groundwater Resource Characterization Report

The permittee shall submit a report that characterizes the groundwater resource contained within the Columbia River Basalt Group developed under this permit. The report at a minimum shall address: 1) basalt stratigraphy and structure, including cross sections; 2) constant rate well testing and aquifer testing results and analyses; 3) groundwater chemistry and groundwater dating results; 4) mechanism and potential for natural recharge and discharge; 5) potential for sustainability of the groundwater resource; 6) water-level comparisons and analysis of potential for interference with senior wells and wells in Stage Gulch Critical Groundwater Area; and 7) potential for additional sustainable groundwater development in the area. Additional reports may be submitted if data are collected after submittal of the characterization report. This body of work shall serve as the technical foundation for review of subsequent applications for local groundwater development.

All hydrologic and geologic data collected shall be provided to OWRD in report and in electronic format specified by the Department.

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of February. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial February static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and

- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

STANDARD CONDITIONS

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.

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 be subject to cancellation, 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 well(s) 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 airline and pressure gauge adequate to determine water level elevation in the well at all times.

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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 to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

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 comply with statewide land-use goals and any local acknowledged land-use plan.

Completion of construction and application of the water shall be made by April 13, 2015. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued February 18, 2015



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

MCCARTY Patricia E * WRD

From: MCCARTY Patricia E * WRD
Sent: Friday, May 31, 2019 11:29 AM
To: Langford, Shonee D.
Cc: MCCARTY Patricia E * WRD; PIERCEALL Jeffrey D * WRD
Subject: Rupp Ranches Permit G-17272 Extension application protest

Hi Shonee,

Dwight has reviewed the protest on this application and is willing to work on a settlement agreement that would extend the permit subject to a condition suspending use under the permit until water levels recover. I think the target water level elevation is to be determined in coordination with our groundwater section. Please let me know if you are interested in discussions on this option. If the permit holder is not interested at this time the protest will be referred for hearing as soon as we are able to do so.

Sincerely,
Patricia McCarty
Protest Program Coordinator
Oregon Water Resources Department
503-986-0820

We could enter into
a settlement agreement
that allows use to
resume if water levels
recover. No use
until then.

Rupp Ranches G-17272 Extension; Umatilla Basin

heavily requested

Extension request: 2015-2020

Currently irrigating 989 acres out of 1,000 allowed under the permit; max AF used was 1,868 AF

Key FOFs

13. According to static water level measurements, as of February 2018, water levels in each well is as follows:

- Well 1 is 344.97 feet AMSL as of February 21, 2018 (decline of 92.03 feet);
- Well 2 is 658.81 feet AMSL as of February 4, 2018 (decline of 133.19 feet);
- Well 3 is 659.86 feet AMSL as of February 21, 2018 (decline of 184.97 feet); and
- Well 4 is 423.65 feet AMSL as of February 21, 2018 (decline of 53.15 feet).

14. OAR 690-008-0001(4)(d) defines "Declined Excessively" means any cumulative lowering of the water levels in a ground water reservoir or a part thereof which: (d) Constitutes a lowering of the annual high water level within a ground water reservoir, or part thereof, greater than 50 feet below the highest known water level."

15. According to the Application, as of March 29, 2016, a maximum rate of 6,300 gallons per minute (gpm) [14.0 cfs] of water has been appropriated; being 1,100 gpm [2.45 cfs] of water from Well 1, 1,800 gpm [4.0 cfs] of water from Well 2, 2,100 gpm [4.68 cfs] of water from Well 3, and 1,300 gpm [2.9 cfs] of water from Well 4, for irrigation of 989.0 acres. This exceeds the amount of water for irrigation use authorized under this permit. The authorized amount of water for irrigation use is 12.5 cfs.

25. On March 30, 2018, the Department's Ground Water Section determined that the resource cannot support additional development under Permit G-1 7292, due to annual water-level declines in the permitted wells that range from 8.85 feet to 26.0 feet.

32. As of March 29, 2016, the remaining work to be completed consists of meeting all permit conditions, which include collecting and analyzing water samples for water chemistry, and submitting a groundwater characterization report; and applying water to full beneficial use.

Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2020, 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-17272 is neither reasonable nor necessary.

Protest points:

- More reasons to approve than deny
- Permittee should be given a chance to cure failure to do samples and characterization report
- Regulation is the remedy for excessive groundwater declines, not a denial of an extension
- Incorrect to conclude that no beneficial use occurred just because some permit conditions not met
- Permittee did not exceed maximum authorized rate (FOF 15 above)

If true, this 15502 would not be our mid. Δ

**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	)	PROPOSED
Permit G-17272, Water Right Application G-17068, in the	)	FINAL ORDER
name of Rupp Ranches	)	TO DENY

Permit Information

Application:	G-17068
Permit:	G-17272
Basin:	7 – Umatilla / Watermaster District 5
Date of Priority:	June 10, 2008
Source of Water:	Well 1, Well 2, Well 3, and Well 4, in Columbia River Basin
Purpose or Use:	Irrigation use on 1,000 Acres
Maximum Rate:	12.5 cubic feet per second (cfs)

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

In Summary, the Department proposes to:

- Deny an extension of time to complete construction of the water system from April 13, 2015, to October 1, 2020.

- Deny an extension of time to apply water to full beneficial use from April 13, 2015, to October 1, 2020.

ACRONYM QUICK REFERENCE

Application – Application for Extension of Time
Department – Oregon Department of Water Resources
FOF – Finding of Fact
PFO – Proposed Final Order
Well 1 – UMAT 57044
Well 2 – UMAT 57042
Well 3 – UMAT 57041
Well 4 – UMAT 57043
cfs – cubic feet per second
gpm – gallons per minute
bls – below land surface
AMSL – above mean sea-level

AUTHORITY

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

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

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

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

FINDINGS OF FACT

1. On April 13, 2010, Permit G-16671 was issued by the Department. The permit authorizes the use of up to 12.5 cfs of water from Well 1, Well 2, and Well 3, in Columbia River Basin for irrigation use on 1,000 acres. The permit specified completion of construction and application of water was to be made on or before April 13, 2015.
2. On February 18, 2015, the Department approved Permit Amendment T-11586 (Special Order Volume 95, Page 93) authorizing an additional point of appropriation. A superseding Permit G-17272 was issued by the Department on February 18, 2015, to reflect the changes.

3. On March 29, 2016, the permit holder submitted an "Application for Extension of Time" (Application) to the Department, requesting both 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-17272 be extended from April 13, 2015, to October 1, 2020. This is the first permit extension requested for G-17272.
4. On April 4, 2017, notification of the Application for Extension of Time for G-17272 was published in the Department's Public Notice. No public comments were received regarding the extension application.
5. On August 2, 2018 and August 3, 2018, the permit holder submitted additional information to supplement their Application for Extension of Time. The additional information included a map intended to illustrate the acres irrigated under the permit.

Review Criteria [OAR 690-315-0040]

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

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

6. On March 29, 2016, the Department received a completed Application and the fee specified in ORS 536.050 from the permit holder.

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

7. Construction of the well began prior to April 13, 2015, as specified in the permit as being the date to apply water to full beneficial use.
8. According to the well log received by the Department on July 16, 2012, construction of UMAT 57041 (Well 3) began October 21, 2011.

Based on Finding of Fact (FOF) 7 and 8, the Department has determined that the prosecution of the construction of the well began prior to April 13, 2015.

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

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

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

In order to make a finding of "good cause" to approve the extension, the Department shall consider whether the applicant has demonstrated "reasonable diligence" in previous performance under the permit. OAR 690-315-0040(2)(a). In determining "reasonable diligence", the Department shall consider, but is not limited to, the following factors: a) The

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

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

The amount of construction completed within the time allowed in the permit.¹

9. Work was accomplished during the original development time frame under Permit G-17272 is as follows:

- completed construction UMAT 57042 (Well 2);
- completed construction UMAT 57043 (Well 4);
- completed construction UMAT 57044 (Well 1); and
- installed a pipe, pivots, and pumps.

10. Since April 13, 2015, the permit holder has installed an additional pivot.

Based on FOF 7, 8, and 9, the Department has determined that work has been accomplished within the time allowed in the permit.

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

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

11. The Department has considered the permit holder's compliance with conditions, and has identified the following concerns: (1) the record does not show that water chemistry samples have been collected, (2) the record does not show that a Groundwater Characterization Report has been submitted, and (3) the record shows that the water user has allowed for excessive water level declines, as defined by Commission rule (OAR 690-08-0001(d)), being greater than 50 feet below the highest known water level within the groundwater reservoir, or part thereof.

12. On August 22, 2018, Department's Ground Water Section determined the highest known level within the affected part of the aquifer targeted by each well is as follows:

- Well 1 is 437.00 feet above mean sea-level (AMSL) as measured on February 18, 2014;
- Well 2 is 792.00 feet AMSL as measured on September 20, 2012;
- Well 3 is 844.83 feet AMSL as measured on September 20, 2002; and
- Well 4 is 476.80 feet AMSL as measured on March 13, 2013.

¹ "Actual Construction" is defined in OAR 690-315-0020(3)(d)(A) and (B) as physical work performed toward completion of the water system which demonstrates the water right permit holder's good faith and intention to complete the project with reasonable diligence. Actual construction does not include planning a diversion system, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land or planting crops.

13. According to static water level measurements, as of February 2018, water levels in each well is as follows:
- Well 1 is 344.97 feet AMSL as of February 21, 2018 (decline of 92.03 feet);
 - Well 2 is 658.81 feet AMSL as of February 4, 2018 (decline of 133.19 feet);
 - Well 3 is 659.86 feet AMSL as of February 21, 2018 (decline of 184.97 feet); and
 - Well 4 is 423.65 feet AMSL as of February 21, 2018 (decline of 53.15 feet).
14. OAR 690-008-0001(4)(d) defines "Declined Excessively" means any cumulative lowering of the water levels in a ground water reservoir or a part thereof which: (d) Constitutes a lowering of the annual high water level within a ground water reservoir, or part thereof, greater than 50 feet below the highest known water level."

Based on FOF 11, 12, 13, and 14, the Department has determined that the permit holder has not demonstrated compliance with following permit conditions as required by Permit G-17272:

1. "Groundwater samples shall be collected from water-bearing zones developed from each well. Samples shall be analyzed by a state certified laboratory for general chemistry (common ions, including fluoride), standard water-quality parameters (pH, dissolved solids, specific conductance) and for dating of groundwater (radiocarbon, stable isotopes, tritium and CFCs)."
2. "The permittee shall submit a report that characterizes the groundwater resource contained within the Columbia River Basalt Group developed under this permit. the report at a minimum shall address: 1) basalt stratigraphy and structure, including cross sections; 2) constant rate well testing and aquifer testing results and analyses; 3) groundwater chemistry and groundwater dating results; 4) mechanism and potential for natural recharge and discharge; 5) potential for sustainability of the groundwater resource; 6) water-level comparisons and analysis of potential for interference with senior wells and wells in Stage Gulch Critical Groundwater Area; and 7) potential for additional sustainable groundwater development in the area."
3. "The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit"

Failure to comply with permit conditions constitutes illegal use of water. In order to legally perfect the use of water under this permit, the permit holder must demonstrate that all conditions of the permit have been satisfied.

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

The amount of beneficial use made of the water during the permit time limits or previous extension conditions.

15. According to the Application, as of March 29, 2016, a maximum rate of 6,300 gallons per minute (gpm) [14.0 cfs] of water has been appropriated; being 1,100 gpm [2.45 cfs] of water from Well 1, 1,800 gpm [4.0 cfs] of water from Well 2, 2,100 gpm [4.68 cfs] of water from Well 3, and 1,300 gpm [2.9 cfs] of water from Well 4, for irrigation of 989.0

acres. This exceeds the amount of water for irrigation use authorized under this permit. The authorized amount of water for irrigation use is 12.5 cfs.

16. According to the Application, the permit holder developed irrigation use on 879.0 acres by the year 2015.

Beneficial use of water has not been demonstrated under this permit as all permit conditions necessary to demonstrate beneficial use have not been satisfied by April 13, 2015.

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

17. An approximate total of \$2,920,928 has been invested. The costs included items associated land leveling, which are not "actual construction" of the water system under this permit and therefore are not counted towards development. After deducting these costs, the approximate total investment for "actual construction" to date is approximately \$2,415,928 which is the total cost for complete development of this project.

Based on FOF 17, the Department has determined that the permit holder has made an investment, which provides evidence of good cause and reasonable diligence towards the complete application of water to a beneficial use.

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

The Application provides evidence that work has been accomplished towards completion of the water system; the permit holder has not demonstrated compliance with permit conditions necessary to demonstrate beneficial use, and; beneficial use of water has not been demonstrated. The Department has determined the applicant has not demonstrated reasonable diligence in previous performance under Permit G-17272.

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

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

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

- (e) *Other economic interests dependent on completion of the project; and*
- (f) *Other factors relevant to the determination of the market and present demands for water and power.*

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

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

18. A review of the amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-17272. The determination of water availability was dependant upon the conditions contained in the permit to collect and analyze data pertaining to groundwater within the Columbia River Basalt Group and the potential for interference with senior water users and wells within the Stage Gulch Limited Groundwater Area.

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

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

19. The points of appropriation for Permit G-17272, located within the Columbia River Basin, are not located within a limited or critical groundwater area.
20. Columbia River is not located within or above any state or federal scenic waterway.
21. The points of appropriation are not in an area listed by the Department of Environmental Quality as a water quality limited stream.

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

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

22. Columbia River 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 located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife.

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

Economic interests dependent on completion of the project.

23. An approximate total of \$2,415,928 has been invested in the project.

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

Other economic interests dependent on completion of the project.

24. No other economic interests dependent on the completion of the project have been identified.

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

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

25. On March 30, 2018, the Department's Ground Water Section determined that the resource cannot support additional development under Permit G-17292, due to annual water-level declines in the permitted wells that range from 8.85 feet to 26.0 feet.
26. On March 30, 2018, the Department's Ground Water Section determined that the reference levels for the permitted wells are as follows:
 - Well 1 (UMAT 57044) is 502.40 feet below land surface (bls)
 - Well 2 (UMAT 57042) is 243.00 feet bls;
 - Well 3 (UMAT 57041) is 239.30 feet bls; and
 - Well 4 (UMAT 57043) is 573.20 feet bls.

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

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

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

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

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

29. Unforeseen events that contributed to the extended the length of time needed to fully develop and perfect Permit G-17272, have not been identified.

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

30. The Application identifies a denial of the extension would result in undue hardship, as approximately \$3,000,000 have been invested in the project. Other potential sources of water which may be available include potential aquifer storage and recovery projects.

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

31. The permit was issued after the permit holder agreed to conditions being placed on the permit that would supply data and analysis which, in part, would provide evidence that the permitted use does not interfere with senior water users or wells within the Stage Gulch Critical Groundwater Area.

Based on Findings of Fact 11, 12, 13, 14, and 31, above, the Department finds that the Applicant has not demonstrated good faith as the water user has not demonstrated compliance with permit conditions intended to protect senior water users from interference caused by this water use, and

has allowed for excessive water-level declines. The Department has determined that, in the absence of the required data collection and analysis as conditioned in the permit, development and use of water under this permit cannot continue.

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.

32. As of March 29, 2016, the remaining work to be completed consists of meeting all permit conditions, which include collecting and analyzing water samples for water chemistry, and submitting a groundwater characterization report; and applying water to full beneficial use.

Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2020, 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-17272 is neither reasonable nor necessary.

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

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

The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has not shown that good cause exists for an extension of time to complete construction and apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

CONCLUSIONS OF LAW

1. The permit holder has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
2. The permit holder has complied with the time allowed for construction work under the permit pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
3. The Application established that there has been construction, financial investment and reasonable diligence toward developing the project. The permit holder has not shown that good cause exists for an extension of time to complete construction and apply water to

full beneficial use pursuant to OAR 690-315-0040(1)(d), because the permit holder has not complied with permit conditions requiring data-collection intended to establish grounds for regulation if the use authorized under this permit demonstrates interference with senior wells and/or well within the Stage Gulch Limited Groundwater Area, and has allowed for excessive declines in the aquifers as a result of use under this permit.

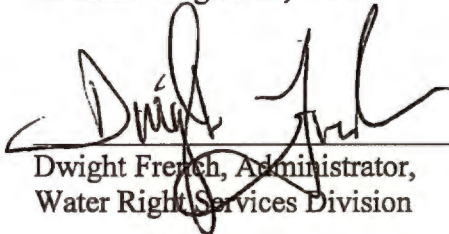
PROPOSED ORDER

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

Deny the time to complete construction of the water system under Permit G-17272 from April 13, 2015, to October 1, 2020.

Deny the time to apply water to beneficial use under Permit G-17272 from April 13, 2015, to October 1, 2020.

DATED: August 28, 2018



Dwight French, Administrator,
Water Right Services Division

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100 and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **October 12, 2018**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and

- Notice Regarding Service Members:** Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>

- Page 11 of 11

BEFORE THE OREGON WATER RESOURCES DEPARTMENT

In the Matter of the Application for Extension of Time for Permit G-17272, Water Right Application G-17068, in the name of Rupp Ranches	PROTEST OF PROPOSED FINAL ORDER TO DENY
--	--

INTRODUCTION

Rupp Ranches (hereafter "Protestant") files this protest pursuant to OAR 690-002-0030, OAR 690-315-0010(5), OAR 690-315-0060 and ORS 537.630.

On March 29, 2016, Protestant applied for an extension of time to develop Permit G-17272. The permit authorizes use of up to 12.5 cubic feet per second of groundwater from four wells for irrigation of 1000 acres. On August 28, 2018, the Oregon Water Resources Department ("OWRD" or "Department") issued a Proposed Final Order ("PFO") proposing to deny the requested extension. For reasons described below, the PFO is in error and deficient.

Protestant hereby requests a contested case hearing.

The elements of a protest, as required by 690-315-0060(2) and 690-002-0030(1), are addressed as follows:

1. Protestant's Name and Address and Telephone Number (OAR 690-315-0060(2)(a); OAR 690-002-0030(1)(c))

Rupp Ranches
c/o Randy Rupp
176 Kranichwood St.
Richland, WA 99352
509-737-0547

2. Description of the Protestant's Interest in the PFO (OAR 690-315-0060(2)(b))

Protestant is the applicant and is adversely affected by the PFO.

3. Detailed Description of How the Action Proposed in the PFO Would Adversely Affect or Aggrieve the Protestant's Interest (OAR 690-315-0060(2)(c))

Protestant intends to make economic use of the real property in question through the use of water for irrigation of crops. Denial of Protestant's application for extension of Permit G-17272 would adversely affect and aggrieve Protestant in the planned economic use of the property.

4. Detailed Description of How the PFO is in Error or Deficient and How to Correct the Alleged Error or Deficiency (OAR 690-315-0060(2)(d)); Statement of Facts

1 – PROTEST OF PROPOSED FINAL ORDER TO DENY APPLICATION FOR
EXTENSION OF PERMIT G-17272

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OCT 11 2018

OWRD

Sufficient to Show that the Protestant is Entitled to the Relief or Action Requested and Statement of Specific Relief or Action Requested (OAR 690-002-0030(1)(a) & (b)).

For reasons described below, the PFO is in error and deficient. OWRD should correct the errors and deficiencies by issuing a final order approving the proposed extension.

A. The Reasons in Favor of an Extension Outweigh the Reasons Against It.

Many reasons weigh in favor of finding good cause for an extension:

- i) Protestant has spent over \$2.4 million to construct the permitted water system, including four wells, pipe, pivots and pumps. (PFO, p. 6).
- ii) As of the completion date, Protestant has applied water to beneficial use for irrigation of approximately 879 acres out of 1000 permitted acres. (PFO, p. 6).
- iii) As of the completion date, Protestant had pumped the maximum permitted rate of 12.5 cfs. Protestant did not, however, exceed the maximum rate, as OWRD alleges in the PFO. (PFO, Finding of Fact 15). See below for further discussion of this issue.
- iv) Prior to the completion date, Protestant applied for and received approval of a permit amendment to add a fourth well.
- v) Protestant timely submitted the required data collection and analysis plan, and received OWRD's approval of the plan.
- vi) Protestant installed the required totalizing flow meters and recorded and reported water use to OWRD.
- vii) Protestant completed the required well pump/aquifer testing.
- viii) Protestant hired a qualified professional to record and report annual static water levels as required by the permit.
- ix) A denial would result in undue hardship given the amount invested to date.

Despite the above considerations, OWRD asserts that the following factors support denial of the extension:

- i) Water chemistry samples were not collected.
- ii) A groundwater resource characterization report was not submitted.
- iii) Excessive water level declines have occurred in the wells.

OWRD is giving too much weight to the three factors immediately above and not enough weight to the longer list of factors in favor of granting an extension. OWRD routinely grants extensions to permit holders who have shown reasonable diligence in developing the permitted water use, but who need additional time to cure compliance with unsatisfied permit conditions. On balance, Protestant has shown good cause for an extension.

B. Protestant Should be Granted an Extension to Cure Compliance with Non-Time-Sensitive Permit Conditions Requiring Water Chemistry Samples and a Groundwater Resource Characterization Report.

Unlike the permit condition requiring a totalizing flow meter, the permit conditions requiring water chemistry samples and a groundwater resource characterization report do not require compliance before water use begins. Nor do they require compliance by a date certain. Because they are not time-sensitive conditions, OWRD should grant an extension to allow Protestant an opportunity to demonstrate compliance. OWRD could also attach appropriate conditions to ensure compliance. For example, OWRD may require Protestant to submit the required information before water use resumes and/or by a date certain. (See October 15, 2002, Memorandum from Dwight French and Dick Bailey to Water Resources Department Staff, Internal Guidance Re: Non-Compliance of Time Sensitive Permit Conditions When Reviewing Claims of Beneficial Use and Extensions of Time; See also Oregon Attorney General Advice Letter Re: Compliance with Permit Conditions, dated February 7, 2002).

C. The Excessive Decline Condition Is Not a Proper Basis for Denial of the Requested Extension.

In response to excessive water level declines, OWRD may regulate use under the permit until water levels recover. Denial of an extension is unnecessary and inappropriate under the circumstances, given the possibility that water levels will recover. Without an extension, the permit will be lost. Instead, OWRD could approve an extension based on work completed and conditions satisfied prior to the completion date, and could condition that approval so that Protestant could not resume water use until water levels recover. The department could also condition future use on establishment of a sustainable annual yield. (See October 15, 2002, Memorandum from Dwight French and Dick Bailey to Water Resources Department Staff, Internal Guidance Re: Non-Compliance of Time Sensitive Permit Conditions When Reviewing Claims of Beneficial Use and Extensions of Time; See also Oregon Attorney General Advice Letter Re: Compliance with Permit Conditions, dated February 7, 2002).

D. Protestant Has Demonstrated Beneficial Use Under the Permit.

OWRD asserts that no beneficial use can occur until all permit conditions are satisfied. (PFO, pp. 5-6). This may be true of some conditions – such as a time-sensitive condition requiring installation of a flow meter before water use begins – but it is not true of all conditions. More specifically, it is not true of non-time-sensitive conditions, such as the conditions of Permit G-17272 that require Protestant to submit water chemistry samples and a groundwater characterization report.

The concept of beneficial use is distinct from the question of compliance with permit conditions. The permit extension rules treat them as independent factors for OWRD to consider. OAR 690-315-0040(3)(b) & (c). Beneficial use means the reasonably efficient use of water, without waste, for an authorized purpose. ORS 537.625(3)(a); OAR 690-300-0010(5). The extension rules direct OWRD to consider “the amount of beneficial use made of the water during the permit or previous extension time limits.” OAR 690-315-0010(3)(b). The rule focuses on the amount of water used for the authorized purpose. Protestant demonstrated beneficial use for an authorized purpose within the meaning of the rule. OWRD should have recognized that and made a positive finding of beneficial use, which in turn should have contributed to a finding of good cause for an extension.

E. Protestant Did Not Exceed the Maximum Authorized Rate.

In PFO Finding 15, OWRD erroneously asserts that Protestant pumped a maximum rate of 6,300 gallons per minute (14.0 cubic feet per second). At no time did Protestant pump 14.0 cfs. After Well #4 was constructed, the pump from Well #2 was removed and placed in Well #4, and was never replaced. Thus, the maximum volumes withdrawn when Wells #1, 2 and 3 were pumping was 11.13 cfs, and when Wells #1, 3 and 4 were pumping was 10.03 cfs.

F. Many of OWRD’s Additional Findings and Conclusions are in Error or Deficient.

In addition to issues raised above, the PFO contains many erroneous findings and conclusions. Protestant generally challenges as erroneous and deficient all findings and conclusions that allege illegal water use and failure to demonstrate the following: beneficial use, reasonable diligence, good faith of the appropriator, good cause for an extension and that the time requested for an extension is reasonable. Protestant also reserves the right to correct any errors or deficiencies in Findings 12, 13, 25 and 26 regarding water level measurements, reference levels and water level declines in the permitted wells.

5. Citation of Legal Authority to Support the Protest, if Known (OAR 690-315-0060(2)(e); OAR 690-002-0030(1)(d))

Legal authority known to the Protestant at this time:

ORS 537.630 relating to permit extensions.

ORS 539.010(5) relating to permit extension considerations.

ORS Chapter 183 pertaining to agency orders.

OAR Chapter 690 Division 315 relating to permit extensions.

OAR Chapter 690 Division 400 relating to state water resources policy.

OAR Chapter 690 Division 410 relating to state water resource management.

OAR Chapter 690 Division 507 relating to the Umatilla Basin Program.

OAR Chapter 690 Division 002 relating to protests and contested case hearings.

OWRD Memorandum from Dwight French and Dick Bailey to Water Resources Department Staff, dated October 15, 2002, Internal Guidance Re: Non-Compliance of Time Sensitive Permit Conditions When Reviewing Claims of Beneficial Use and Extensions of Time. Copy available at:
<https://www.oregon.gov/OWRD/programs/WaterRights/COBU/Pages/Compliance-with-Permit-Conditions.aspx>

Oregon Attorney General Advice Re: Compliance With Permit Conditions, dated February 7, 2002. Copy available at:
<https://www.oregon.gov/OWRD/programs/WaterRights/COBU/Pages/Compliance-with-Permit-Conditions.aspx>

6. Protest Fee (OAR 690-002-0030(1))

Please deduct the protest fee of \$410.00 for the Protestant/Applicant from Schwabe, Williamson & Wyatt's account with the Oregon Water Resources Department.

7. Request for Contested Case Hearing (OAR 690-315-0060(3)(b); OAR 690-002-0010(6))

Protestant hereby requests a contested case hearing.

CONCLUSION

The above described facts and legal arguments demonstrate that the Protestant is entitled to relief. The specific action requested by Protestant is for OWRD to issue a Final Order approving the application for extension of time to develop Permit G-17272.

DATED: October 11, 2018

SCHWABE WILLIAMSON and WYATT

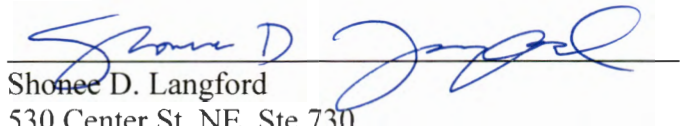

Shonice D. Langford
530 Center St. NE, Ste 730
Salem, OR 97301
Telephone: 503-540-4261
Facsimile: 503-796-2900
E-mail: slangford@schwabe.com

Of Attorneys for Protestant

CERTIFICATE OF SERVICE

I certify that on October 11, 2018, I hand delivered the original PROTEST OF PROPOSED FINAL ORDER TO DENY APPLICATION FOR EXTENSION OF PERMIT G-17272 to the Oregon Water Resources Department at 725 Summer St. NE, Suite A, Salem, Oregon 97301.

SCHWABE WILLIAMSON and WYATT



Shonae D. Langford
530 Center St. NE, Ste 730
Salem, OR 97301
Telephone: 503-540-4261
Facsimile: 503-796-2900
E-mail: slangford@schwabe.com

Of Attorneys for Protestant

PIERCEALL Jeffrey D * WRD

From: IVERSON Justin T * WRD
Sent: Tuesday, August 21, 2018 11:32 AM
To: PIERCEALL Jeffrey D * WRD
Cc: HACKETT Joshua A * WRD
Subject: FW: Rupp Ranches Ext PFO update
Attachments: 17068-DRAFT-PFO-EXT-DENY-2018.docx

Jeffrey,

I have a couple comments for you on those sections that I'll come down to chat with you about.

I'd also like to discuss the pick of the "highest known water level" in number 13 with Josh before we finalize this (with trickle down ramifications for number 14).

Thanks,

Justin Iverson, RG

GROUNDWATER SECTION MANAGER

Desk: 503-986-0933 | Cell: 503-302-9728

From: PIERCEALL Jeffrey D * WRD
Sent: Friday, August 17, 2018 10:23 AM
To: IVERSON Justin T * WRD
Subject: Rupp Ranches Ext PFO update

Justin,

I have made the adjustments we discussed this morning to focus in on the "excessive decline" language in the permit. I chose to use the descriptor of above mean sea-level to identify the water level in the aquifers and their declines, however I left the descriptor for reference level within the wells as below land surface.

I did figure out why Well 4 was not included in my original PFO, and it is due to the well not having been authorized until 2015, so the decline hadn't been triggered as of yet. However, upon the issuance of this PFO (and subsequent FO) which would set a reference level for Well 4, the decline trigger would then have been met. (Confusing??)

Since this updated PFO is referring to "excessive declines" vs. declining SWL, the date Well 4 was added to the permit is no longer a concern, I have added the overall decline info for this well to the PFO.

Please read over this updated version, pay specific attention to FOFs 11-14, 18, and 31 as they are the technical information and the primary reason for this denial.

Thank you,

Jeffrey D. Pierceall

Extension and Adjudication Specialist

Oregon Water Resources Department

503-986-0802

Jeffrey.D.Pierceall@oregon.gov



OREGON
WATER
RESOURCES
DEPARTMENT

PIERCEALL Jeffrey D * WRD

From: IVERSON Justin T * WRD
Sent: Thursday, August 16, 2018 10:15 AM
To: PIERCEALL Jeffrey D * WRD; HACKETT Joshua A * WRD; GALL Ivan K * WRD; WOODCOCK Douglas E * WRD; LADD Michael F * WRD
Cc: FRENCH Dwight W * WRD
Subject: RE: Rupp Ranches Permit G-17272 Extension of Time Denial

Jeffrey,

Based on a conversation with Gerry Clark yesterday about the interpretation of the water level decline conditions, I think we should chat a bit more about line 11:

The Department has considered the permit holder's compliance with conditions, and has identified the following concerns: (1) the record does not show that water chemistry samples have been collected, (2) the record does not show that a Groundwater Characterization Report has been submitted, and (3) the record shows that the water user has not discontinued or reduced use under this permit as a result of declining water levels in the wells.

Specifically, we requested verbally and with a letter that Mr. Rupp reduce his duty in 2016 (if memory serves) and I believe he complied with that request. Can't recall our activity since then but I'd like a little more time to look into the details of this and discuss with you and others before we issue on the 21st.

I'll check-in with you in person tomorrow to discuss next steps.
Thanks,

[Justin Iverson, RG](#)

GROUNDWATER SECTION MANAGER

Desk: 503-986-0933 | Cell: 503-302-9728

From: PIERCEALL Jeffrey D * WRD
Sent: Tuesday, August 7, 2018 11:42 AM
To: HACKETT Joshua A * WRD; IVERSON Justin T * WRD; GALL Ivan K * WRD; WOODCOCK Douglas E * WRD; LADD Michael F * WRD
Cc: FRENCH Dwight W * WRD
Subject: Rupp Ranches Permit G-17272 Extension of Time Denial

All,

Attached is a copy of a DRAFT PFO to deny an extension of time for Permit G-17272 in the name of Rupp Ranches. Dwight thought it would be wise to give you a heads up on this one due to the history of the permit and its initial approval.

Please review the PFO and let me know if you have any comments or concerns. If you have any suggestions or comments, please let me know by August 14. The PFO is currently scheduled for issuance on August 21.

Thank you

[Jeffrey D. Pierceall](#)

[Extension and Adjudication Specialist](#)

[Oregon Water Resources Department](#)

503-986-0802

Jeffrey.D.Pierceall@oregon.gov



 excel
 text

RUPP RANCHES 176 KRANICHWOOD ST RICHLAND, WA 99352

1. 2. 3.

*The water year is named for the calendar year in which it ends. Example: the 2018 water year begins Oct. 1, 2017 and ends Sep. 30, 2018.

- The Water Resources Department makes reasonable efforts to screen the data for quality control; however, the Department cannot accept responsibility for errors, omissions, or accuracy of the information. Notification of any errors is appreciated. Send notifications to water@montana.gov or call (503) 986-0905.
- Water use is reported by point of diversion (POD), rather than by water right.
- If a POD is shared with multiple water rights, it is not feasible to separate out the amount used under the water right being queried from water used by other rights using this same POD.
- Monthly amounts indicate:
 - For diverted rights, the total amount diverted during the month;
 - For storage rights, the amount generally stored in the reservoir/pond during the month, as represented by the volume of water impounded on approximately the same day each month.
- Water use amounts have all been converted to "acre-feet" (AF), regardless of the original measurement unit reported. One AF is the volume of water that will cover an acre of ground one foot deep = 325,850 gallons.
- Zeroes indicate that a report was received stating that no water was used during those months; if a year is not listed, no report of water use was received for that year.



Oregon Water Resources Department Attribute Report

Report Date: Mar 31, 2017

General:

TRSQQ:	WM5.00N30.00E14NWSE WM5.00N30.00E14SENW WM5.00N30.00E14SWNE WM5.00N30.00E14NESW
DLC:	-
Latitude:	45.9151393212
Longitude:	-119.0262423244
Buffer (ft):	1000
Elevation (ft):	1022
Basin Name:	Umatilla
Basin Plan:	-Columbia-Umatilla Plateau
County:	Umatilla
WM District:	5
WM Region:	NORTH CENTRAL
ODFW Region, District:	Northeast Region, Umatilla District
Irrigation District AOI:	-
Irrigation District, Other:	-
Dams (Permit):	-
Water Rights:	Platcard for WM5.00N30.00E14 Platcard for WM5.00N30.00E14 Platcard for WM5.00N30.00E14 Platcard for WM5.00N30.00E14
Well Logs:	Logs for WM5.00N30.00E14 Logs for WM5.00N30.00E14 Logs for WM5.00N30.00E14 Logs for WM5.00N30.00E14

Rules:

Withdrawn Authority:	UMATILLA, OAR 690-507-0070(2)(a) - Including tributaries during June 1 – October 31, except for domestic, livestock, fish, wildlife, water from storage.
Groundwater Retriected:	-
GW Retriected Subunit:	-
GW ODEQ Management Area:	-
GW Umatilla Muni Wells (5mile):	-
Rule 4D:	Rules apply
Division 33 (Area, Watershed, species):	-
Water Quality Limited Pollutant:	-
Is in Deschutes Study Area:	-
Deschutes Zone Impact:	-
Deschutes Zone Overlay:	-
Scenic Water Way:	-

Hydrography:

OWRD Streamcode:	-
Waterbody Name:	-
HUC 10:	1707010312
HUC Watershed:	Cold Springs Canyon
WAB Wshed Order:	2
WAB Analysis:	<u>COLD SPRINGS CAN > COLD SPRINGS RES - AT MOUTH</u>
Streamflow:	OWRD Opportunities: Poor ODFW Needs: Poor Combined Priority: Not a priority
Gaging Station Data:	-

Sources:

General

Oregon Public Land Survey Quarter-quarters. Bureau of Land Management, Oregon Water Resources Department.. n.d. 1:24,000.

Donated Land Claims. Oregon Water Resources Department. January 1, 1995. 1:100,000.

Elevation. ESRI World Elevation. February 2000. 1:121,000.

OWRD Administrative Basins. Oregon Water Resources Department. January 1, 1995.

Oregon Counties. Bureau of Land Management (BLM), Oregon State Office.. January 1, 2008.

OWRD Watermaster Districts. Oregon Water Resources Department. March 31, 2014.

OWRD Regions. Oregon Water Resources Department. January 1, 1995.

ODFW Districts and Regions. Oregon Department of Fish and Wildlife. August 28, 2012.

Water Organizations Oregon Water Resources Department. April 1, 2013. 1:24,000.

Large Dams Inventory. Oregon Water Resources Department. August 12, 2014. 1:24,000.

Rules

Withdrawn Authority Areas. Oregon Water Resources Commission. January 1, 2007.

OWRD Groundwater Restricted Areas. Oregon Water Resources Department. October 5, 2016.

OWRD Groundwater Restricted Areas - Subunits. Oregon Water Resources Department. April 1, 2009.

ODEQ Groundwater Management Areas (GWMAs). Oregon Department of Environmental Quality. April 21, 2008.

Groundwater Umatilla Municipal Wells 5-mile buffer. Oregon Water Resources Department. June 28, 2012.

National Marine Fisheries Service (NMFS) 4(d) Rule. National Marine Fisheries Service. January 1, 2007.

OAR Chapter 690, Division 33 - HUC 10 . Oregon Department of Fish & Wildlife. January 1, 2003.

Oregon Water Quality Assessment 2010. This data set was assembled by the Oregon Department of Environmental Quality, Water Quality Division, Standards and Assessments Section. GIS data prepared by the Watershed Management Section,

Drinking Water Program.. August 16, 2013.

Deschutes USGS Groundwater Study Area. Water Resources Commission, U.S. Geological Survey (USGS) Water Resources Division (Portland, OR), Oregon Water Resources Department.. January 1, 2001. 1:100,000.

Deschutes Zones of Impact. Oregon Water Resources Department.. October 25, 2007.

Deschutes Zones Overlay. Oregon Water Resources Department. October 25, 2007.

Oregon State Scenic Waterway areas. Oregon Water Resources Department, Oregon Parks and Recreation Department.. January 1, 2007.

Hydrography

Routed OWRD Streamcodes (conflated to the NHD). Oregon Water Resources Dept.. August 11, 2014.

. Unknown. n.d.

Watershed Boundary Dataset (WBD), 10-digit (watershed). Pacific Northwest Hydrography Framework, U.S. Geological Survey (USGS), National Resources Conservation Service (NRCS).. June 11, 2014. 1:24,000.

Water Availability Basins. Oregon Water Resources Department.. n.d. 1:100,000.

Priority Watersheds for Streamflow Restoration. Oregon Water Resources Dept. and the Oregon Dept. of Fish & Wildlife.. January 15, 2004.

Stream Gage Stations. Oregon Water Resources Department and US Geological Survey. n.d.

[close](#)

[Print Report](#)



Oregon Water Resources Department Attribute Report

Report Date: Mar 31, 2017

General:

TRSQQ:	WM5.00N30.00E15NESW WM5.00N30.00E15NWSE WM5.00N30.00E15SWNE WM5.00N30.00E15SENW
DLC:	-
Latitude:	45.9151691783
Longitude:	-119.0469704357
Buffer (ft):	1000
Elevation (ft):	967
Basin Name:	Umatilla
Basin Plan:	-Columbia-Umatilla Plateau
County:	Umatilla
WM District:	5
WM Region:	NORTH CENTRAL
ODFW Region, District:	Northeast Region, Umatilla District
Irrigation District AOI:	-
Irrigation District, Other:	-
Dams (Permit):	-
Water Rights:	<u>Platcard for WM5.00N30.00E15</u> <u>Platcard for WM5.00N30.00E15</u> <u>Platcard for WM5.00N30.00E15</u> <u>Platcard for WM5.00N30.00E15</u>
Well Logs:	<u>Logs for WM5.00N30.00E15</u> <u>Logs for WM5.00N30.00E15</u> <u>Logs for WM5.00N30.00E15</u> <u>Logs for WM5.00N30.00E15</u>

Rules:

Withdrawn Authority:	-
Groundwater Retricted:	-
GW Retricted Subunit:	-
GW ODEQ Management Area:	-
GW Umatilla Muni Wells (5mile):	-
Rule 4D:	Rules apply
Division 33 (Area, Watershed, species):	UPPER COLUMBIA, <i>Lower Lake Wallula</i>, Pacific Lamprey, Steelhead, Redband Trout
Water Quality Limited Pollutant:	-
Is in Deschutes Study Area:	-
Deschutes Zone Impact:	-
Deschutes Zone Overlay:	-
Scenic Water Way:	-

Hydrography:

OWRD Streamcode:	-
Waterbody Name:	-
HUC 10:	1707010102
HUC Watershed:	Lower Lake Wallula
WAB Wshed Order:	-
WAB Analysis:	-
Streamflow:	-
Gaging Station Data:	-

Sources:

General

Oregon Public Land Survey Quarter-quarters. Bureau of Land Management, Oregon Water Resources Department.. n.d. 1:24,000.

Donated Land Claims. Oregon Water Resources Department. January 1, 1995. 1:100,000.

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ODFW Districts and Regions. Oregon Department of Fish and Wildlife. August 28, 2012.

Water Organizations Oregon Water Resources Department. April 1, 2013. 1:24,000.

Large Dams Inventory. Oregon Water Resources Department. August 12, 2014. 1:24,000.

Rules

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Department of Environmental Quality, Water Quality Division, Standards and Assessments Section. GIS data prepared by the Watershed Management Section, Drinking Water Program.. August 16, 2013.

Deschutes USGS Groundwater Study Area. Water Resources Commission, U.S. Geological Survey (USGS) Water Resources Division (Portland, OR), Oregon Water Resources Department.. January 1, 2001. 1:100,000.

Deschutes Zones of Impact. Oregon Water Resources Department.. October 25, 2007.

Deschutes Zones Overlay. Oregon Water Resources Department. October 25, 2007.

Oregon State Scenic Waterway areas. Oregon Water Resources Department, Oregon Parks and Recreation Department.. January 1, 2007.

Hydrography

Routed OWRD Streamcodes (conflated to the NHD). Oregon Water Resources Dept.. August 11, 2014.

. Unknown. n.d.

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Priority Watersheds for Streamflow Restoration. Oregon Water Resources Dept. and the Oregon Dept. of Fish & Wildlife.. January 15, 2004.

Stream Gage Stations. Oregon Water Resources Department and US Geological Survey. n.d.

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[Print Report](#)



Oregon Water Resources Department Attribute Report

Report Date: Mar 31, 2017

General:

TRSQQ:	WM5.00N30.00E13NWSE WM5.00N30.00E13SENW WM5.00N30.00E13NESW WM5.00N30.00E13NWNE WM5.00N30.00E13SWNE WM5.00N30.00E13NENW
DLC:	-
Latitude:	45.9157364618
Longitude:	-119.0062437740
Buffer (ft):	1000
Elevation (ft):	1068
Basin Name:	Umatilla
Basin Plan:	-Columbia-Umatilla Plateau
County:	Umatilla
WM District:	5
WM Region:	NORTH CENTRAL
ODFW Region, District:	Northeast Region, Umatilla District
Irrigation District AOI:	-
Irrigation District, Other:	-
Dams (Permit):	-
Water Rights:	Platcard for WM5.00N30.00E13 Platcard for WM5.00N30.00E13 Platcard for WM5.00N30.00E13 Platcard for WM5.00N30.00E13 Platcard for WM5.00N30.00E13 Platcard for WM5.00N30.00E13
Well Logs:	Logs for WM5.00N30.00E13 Logs for WM5.00N30.00E13 Logs for WM5.00N30.00E13

Logs for WM5.00N30.00E13
Logs for WM5.00N30.00E13
Logs for WM5.00N30.00E13

Rules:

Withdrawn Authority:	UMATILLA, OAR 690-507-0070(2)(a) - Including tributaries during June 1 – October 31, except for domestic, livestock, fish, wildlife, water from storage.
Groundwater Retriected:	-
GW Retriected Subunit:	-
GW ODEQ Management Area:	-
GW Umatilla Muni Wells (5mile):	-
Rule 4D:	Rules apply
Division 33 (Area, Watershed, species):	-
Water Quality Limited Pollutant:	-
Is in Deschutes Study Area:	-
Deschutes Zone Impact:	-
Deschutes Zone Overlay:	-
Scenic Water Way:	-

Hydrography:

OWRD Streamcode:	-
Waterbody Name:	-
HUC 10:	1707010312
HUC Watershed:	Cold Springs Canyon
WAB Wshed Order:	2
WAB Analysis:	<u>COLD SPRINGS CAN > COLD SPRINGS RES - AT MOUTH</u>
Streamflow:	OWRD Opportunities: Poor ODFW Needs: Poor Combined Priority: Not a priority

Gaging Station Data:	-
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Priority Watersheds for Streamflow Restoration. Oregon Water Resources Dept. and the Oregon Dept. of Fish & Wildlife.. January 15, 2004.

Stream Gage Stations. Oregon Water Resources Department and US Geological Survey.
n.d.

[close](#)

[Print Report](#)

T & R	Section	Q-Q	Authorized Acres	Developed	Unauthorized POU development
5N30E	11	SWSE	10	0	
	11	SESE	10	0	
	12	SWSW	5	0	
	12	SESW	0	7.8	7.8
	12	SWSE	0	5.5	5.5
	13	NENE	0	32	32
	13	NWNE	0	35.1	35.1
	13	SWNE	0	17.7	17.7
	13	SENE	0	33.7	33.7
	13	NENW	0	38.4	38.4
	13	NWNW	10	23.2	13.2
	13	SWNW	10	33.9	23.9
	13	SENW	0	22	22
	13	NESW	0	33.9	33.9
	13	NWSW	10	35.9	25.9
	13	SWSW	5	28.3	23.3
	13	SESW	0	29	29
	13	NWSE	0	0.3	0.3
	13	SWSE	0	0.1	0.1
	14	NENE	40	25.6	
	14	NWNE	40	20.3	
	14	SWNE	40	31.5	
	14	SENE	40	37.8	
	14	NENW	40	22.3	
	14	NWNW	40	21.8	
	14	SWNW	40	36.8	
	14	SENW	40	29.7	
	14	NESW	40	30.5	
	14	NWSW	40	36.1	
	14	SWSW	20	31.1	
	14	SESW	20	29.8	
	14	NESE	40	35.2	
	14	NWSE	40	33.6	
	14	SWSE	20	31.7	
	14	SESE	20	30.3	
	15	NENE	40	21.7	
	15	NWNE	40	5.4	
	15	SWNE	40	15.2	
	15	SENE	40	36.8	
	15	NENW	40	21	
	15	NWNW	10	1.3	
	15	SWNW	10	5.8	
	15	SENW	40	39.6	
	15	NESW	0	2.6	2.6
	15	NESE	40	35.8	
	15	NWSE	40	32.4	
	15	SWSE	20	31.6	11.6
	15	SESE	20	30.5	10.5
5N31E	18	NENW	0	33.8	33.8
	18	NWNW	0	27.2	27.2
	18	SWNW	0	27.9	27.9
	18	SENW	0	34.2	34.2
	18	NWNE	0	26.1	26.1
	18	SWNE	0	25.9	25.9
Total			1000	1315.7	541.6

Application: G-17068

Permit: G-17292

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

Applicant/Permit

Holder(s) Rupp Ranches ✓

☒ WRIG...Money Received on: 3-29-17

☐ Extension Specialist ...

☐ Added to tracking spreadsheet

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

☒ Stacy Phillips...

☒ ~~N/A~~ Recent Assignment (Check WRIS for Update)

☒ Publish on Public Notice (initial 30-day comment): Date of
notice 4-4-17

☒ 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 Jeffrey

NOTES:

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 123029

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

INVOICE # _____

RECEIVED FROM: RUPP RANCHES ACCOUNT
BY: RANDY RUPP & LUZ RUPPAPPLICATION G-17068
PERMIT _____
TRANSFER _____CASH: ☐ CHECK:# 9231 OTHER: (IDENTIFY) ☐TOTAL REC'D \$ 575.00**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES

\$

OTHER: (IDENTIFY) _____

\$

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

4270 WRD OPERATING ACCT**MISCELLANEOUS** 46111

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) _____

\$

TC162 DEPOSIT LIAB. (IDENTIFY) _____

\$

0240 EXTENSION OF TIME

\$ 575.00**WATER RIGHTS:****EXAM FEE**

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

WELL CONSTRUCTION**EXAM FEE**

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY) _____

RECORD FEE

\$

\$

LICENSE FEE

\$

\$

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:

123029

DATED:

3-23-17

BY:

N. Cook



Oregon
Kate Brown, Governor

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

April 3, 2017

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-17068 (Permit G-17272)**. Your application will be reviewed in the future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

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

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

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

October 11, 2018

Shonee D. Langford
T: 503-540-4261
slangford@schwabe.com

BY HAND DELIVERY

Patricia E. McCarty
Protest Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem OR 97301-1271

RE: Protest / Rupp Ranches

Dear Patricia:

Enclosed for filing on behalf of Rupp Ranches is a Protest Final Order proposing to deny extension of Permit G-17272.

Please charge the applicant's protest fee of \$410.00 to Schwabe, Williamson & Wyatt's account with the department.

Best regards,



Shonee D. Langford

SDL:kc
Enclosure

cc: (all via email: w/encl.)
Carl St. Hilaire
Randall F. Rupp

PDX\119604\163010\SDL\24060472.1

RECEIVED

OCT 11 2018

OWRD

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	)	PROPOSED
Permit G-17272, Water Right Application G-17068, in the	)	FINAL ORDER
name of Rupp Ranches	)	TO DENY

Permit Information

Application:	G-17068
Permit:	G-17272
Basin:	7 – Umatilla / Watermaster District 5
Date of Priority:	June 10, 2008
Source of Water:	Well 1, Well 2, Well 3, and Well 4, in Columbia River Basin
Purpose or Use:	Irrigation use on 1,000 Acres
Maximum Rate:	12.5 cubic feet per second (cfs)

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

In Summary, the Department proposes to:

- Deny an extension of time to complete construction of the water system from April 13, 2015, to October 1, 2020.

- Deny an extension of time to apply water to full beneficial use from April 13, 2015, to October 1, 2020.

ACRONYM QUICK REFERENCE

Application – Application for Extension of Time
Department – Oregon Department of Water Resources
FOF – Finding of Fact
PFO – Proposed Final Order
Well 1 – UMAT 57044
Well 2 – UMAT 57042
Well 3 – UMAT 57041
Well 4 – UMAT 57043
cfs – cubic feet per second
gpm – gallons per minute
bls – below land surface

AUTHORITY

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

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

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

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

FINDINGS OF FACT

1. On April 13, 2010, Permit G-16671 was issued by the Department. The permit authorizes the use of up to 12.5 cfs of water from Well 1, Well 2, and Well 3, in Columbia River Basin for irrigation use on 1,000 acres. The permit specified completion of construction and application of water was to be made on or before April 13, 2015.
2. On February 18, 2015, the Department approved Permit Amendment T-11586 (Special Order Volume 95, Page 93) authorizing an additional point of appropriation. A superseding Permit G-17272 was issued by the Department on February 18, 2015, to reflect the changes.

3. On March 29, 2016, the permit holder submitted an “Application for Extension of Time” (Application) to the Department, requesting both 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-17272 be extended from April 13, 2015, to October 1, 2020. This is the first permit extension requested for G-17272.
4. On April 4, 2017, notification of the Application for Extension of Time for G-17272 was published in the Department’s Public Notice. No public comments were received regarding the extension application.
5. On February August 2, 2018 and August, 3, 2018, the permit holder submitted additional information to supplement their Application for Extension of Time. The additional information included a map intended to illustrate the acres irrigated under the permit.

Review Criteria [OAR 690-315-0040]

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

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

6. On March 29, 2016, the Department received a completed Application and the fee specified in ORS 536.050 from the permit holder.

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

7. Construction of the well began prior to April 13, 2015, as specified in the permit as being the date to apply water to full beneficial use.
8. According to the well log received by the Department on July 16, 2012, construction of UMAT 57041 (Well 3) began October 21, 2011.

Based on Finding of Fact (FOF) 7 and 8, the Department has determined that the prosecution of the construction of the well began prior to April 13, 2015.

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

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

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

In order to make a finding of “good cause” to approve the extension, the Department shall consider whether the applicant has demonstrated “reasonable diligence” in previous performance under the permit. OAR 690-315-0040(2)(a). In determining “reasonable diligence”, the Department shall consider, but is not limited to, the following factors: a) The amount of construction completed within the time allowed in the permit or previous extension; b)

The amount of beneficial use made of the water during the permit or previous extension time limits; c) Water right holder conformance with the permit or previous extension conditions; and d) Financial investments made toward developing the beneficial use of water.

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

The amount of construction completed within the time allowed in the permit.¹

9. Work was accomplished during the original development time frame under Permit G-17272 is as follows:

- competed construction UMAT 57042 (Well 2);
- competed construction UMAT 57043 (Well 4);
- competed construction UMAT 57044 (Well 1); and
- installed a pipe, pivots, and pumps.

10. Since April 13, 2015, the permit holder has installed an additional pivot.

Based on FOF 7, 8, and 9, the Department has determined that work has been accomplished within the time allowed in the permit.

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

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

11. The Department has considered the permit holder's compliance with conditions, and has identified the following concerns: (1) the record does not show that water chemistry samples have been collected, (2) the record does not show that a Groundwater Characterization Report has been submitted, and (3) the record shows that the water user has not discontinued or reduced use under this permit as a result of declining water levels in the wells.

12. Annual water-level measurements reveal a decline of water-level for;

- Well 1 of 72.57 feet between February 2013 and February 2017;
- Well 2 of 55.29 feet between February 2014 and February 2017; and
- Well 3 of 56.16 feet between February 2014 and February 2017.

13. The Application and the Department's record show a continued increase in development of irrigated acres under this permit between 2014 and 2016.

Based on FOF 11, 12, and 13, the Department has determined that the permit holder has not demonstrated compliance with following permit conditions as required by Permit G-17272:

¹ "Actual Construction" is defined in OAR 690-315-0020(3)(d)(A) and (B) as physical work performed toward completion of the water system which demonstrates the water right permit holder's good faith and intention to complete the project with reasonable diligence. Actual construction does not include planning a diversion system, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land or planting crops.

1. "Groundwater samples shall be collected from water-bearing zones developed from each well. Samples shall be analyzed by a state certified laboratory for general chemistry (common ions, including fluoride), standard water-quality parameters (pH, dissolved solids, specific conductance) and for dating of groundwater (radiocarbon, stable isotopes, tritium and CFCs)."
2. "The permittee shall submit a report that characterizes the groundwater resource contained within the Columbia River Basalt Group developed under this permit. the report at a minimum shall address: 1) basalt stratigraphy and structure, including cross sections; 2) constant rate well testing and aquifer testing results and analyses; 3) groundwater chemistry and groundwater dating results; 4) mechanism and potential for natural recharge and discharge; 5) potential for sustainability of the groundwater resource; 6) water-level comparisons and analysis of potential for interference with senior wells and wells in Stage Gulch Critical Groundwater Area; and 7) potential for additional sustainable groundwater development in the area."
3. "The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following occur:
 - A. Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or
 - B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or
 - C. Annual water-level measurements reveal a water-level decline of 25 or more feet; or
 - D. Hydraulic interference leads to a decline of 25 or more feet in any well with senior priority."

Failure to comply with permit conditions constitutes illegal use of water. In order to legally perfect the use of water under this permit, the permit holder must demonstrate that all conditions of the permit have been satisfied.

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

The amount of beneficial use made of the water during the permit time limits or previous extension conditions.

14. According to the Application, as of March 29, 2016, a maximum rate of 6,300 gallons per minute (gpm) [14.0 cfs] of water has been appropriated; being 1,100 gpm [2.45 cfs] of water from Well 1, 1,800 gpm [4.0 cfs] of water from Well 2, 2,100 gpm [4.68 cfs] of water from Well 3, and 1,300 gpm [2.9 cfs] of water from Well 4, for irrigation of 989.0 acres. This exceeds the amount of water for irrigation use authorized under this permit. The authorized amount of water for irrigation use is 12.5 cfs.
15. According to the Application, the permit holder developed irrigation use on 879.0 acres by the year 2015.

Beneficial use of water has not been demonstrated under this permit as all permit conditions necessary to demonstrated beneficial use have not been satisfied by April 13, 2015.

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

16. An approximate total of \$2,920,928 has been invested. The costs included items associated land leveling, which are not “actual construction” of the water system under this permit and therefore are not counted towards development. After deducting these costs, the approximate total investment for “actual construction” to date is approximately \$2,415,928 which is the total cost for complete development of this project.

Based on FOF 16, the Department has determined that the permit holder has made an investment, which provides evidence of good cause and reasonable diligence towards the complete application of water to a beneficial use.

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

The Application provides evidence that work has been accomplished towards completion of the water system; the permit holder has not demonstrated compliance with permit conditions necessary to demonstrate beneficial use, and; beneficial use of water has not been demonstrated. The Department has determined the applicant has not demonstrated reasonable diligence in previous performance under Permit G-17272.

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

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

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

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

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

17. A review of the amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-17272. The determination of water availability was dependant upon the conditions contained in the permit to collect and analyze data pertaining to groundwater within the Columbia River Basalt Group and the potential for interference with senior water users and wells within the Stage Gulch Limited Groundwater Area.

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

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

18. The points of appropriation for Permit G-17272, located within the Columbia River Basin, are not located within a limited or critical groundwater area.
19. Columbia River is not located within or above any state or federal scenic waterway.
20. The points of appropriation are not in an area listed by the Department of Environmental Quality as a water quality limited stream.

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

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

21. Columbia River 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 located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife.

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

Economic interests dependent on completion of the project.

22. An approximate total of \$2,415,928 has been invested in the project.

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

Other economic interests dependent on completion of the project.

23. No other economic interests dependent on the completion of the project have been identified.

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

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

24. On March 30, 2018, the Department's Ground Water Section determined that the resource cannot support additional development under Permit G-17292, due to annual water-level declines in the permitted wells that range from 8.85 feet to 26.0 feet.
25. On March 30, 2018, the Department's Ground Water Section determined that the reference levels for the permitted wells are as follows:
 - Well 1 (UMAT 57044) is 502.40 feet below land surface (bls)
 - Well 2 (UMAT 57042) is 243.00 feet bls;
 - Well 3 (UMAT 57041) is 239.30 feet bls; and
 - Well 4 (UMAT 57043) is 573.20 feet bls.

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

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

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

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

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

28. Unforeseen events that contributed to the extended the length of time needed to fully develop and perfect Permit G-17272, have not been identified.

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

29. The Application identifies a denial of the extension would result in undue hardship, as approximately \$3,000,000 have been invested in the project. Other potential sources of water which may be available include potential aquifer storage and recovery projects.

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

30. The permit was issued after the permit holder agreed to conditions being placed on the permit that would supply data and analysis which, in part, would provide evidence that the permitted use does not interfere with senior water users or wells within the Stage Gulch Critical Groundwater Area.

Based on Findings of Fact 11, 12, 13, and 30, above, the Department finds that the Applicant has not demonstrated good faith as the water user has not demonstrated compliance with permit

conditions intended to protect senior water users from interference caused by this water use, and has continued to develop additional acres after the wells display significant water-level declines. The Department has determined that, in the absence of the required data collection and analysis as conditioned in the permit, development and use of water under this permit cannot continue.

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.

31. As of March 29, 2016, the remaining work to be completed consists of meeting all permit conditions, which include collecting and analyzing water samples for water chemistry, and submitting a groundwater characterization report; and applying water to full beneficial use.

Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2020, 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-17272 is neither reasonable nor necessary.

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

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

The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has not shown that good cause exists for an extension of time to complete construction and apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

CONCLUSIONS OF LAW

1. The permit holder has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
2. The permit holder has complied with the time allowed for construction work under the permit pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
3. The Application established that there has been construction, financial investment and reasonable diligence toward developing the project. The permit holder has not shown that

good cause exists for an extension of time to complete construction and apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d), because the permit holder has not complied with the condition requiring a reduction in water use when the resource displays water-level declines.

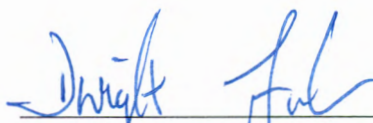
PROPOSED ORDER

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

Deny the time to complete construction of the water system under Permit G-17272 from April 13, 2015, to October 1, 2020.

Deny the time to apply water to beneficial use under Permit G-17272 from April 13, 2015, to October 1, 2020.

DATED: August 21, 2018


Dwight French, Administrator,
Water Right Services Division

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100 and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **October 5, 2018**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The applicant or non-applicant protest fee required under ORS 536.050.

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

Notice Regarding Service Members: Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>

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

Mailing List for Extension PFO Copies

PFO Date: August 21, 2018

Copies Mailed

Application: G-17068

By: _____

Permit: G-17272

On: _____

Original mailed to Applicant:

Rupp Ranches
176 Kranichwood St.
Richland, WA 99352

Copies sent to:

1. WRD - App. File G-17068/ Permit G-17272

Fee paid as specified under ORS 536.050 to receive copy:

2. None

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

3. WRD - Watermaster District 5, Greg Silbernagel
4. WRD – NCR Regional Manager, Mike Ladd

CASEWORKER: JDP

Extension PFO Checklist for Other than Muni or Quasi-Municipal

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

Application: G-17068 Permit: G-17272 Permit Amendment? No ☐ Yes ☒ T-11586 ☐ pending ☐ approved
 Permit Holder's Name: Rupp Ranches
 Permit Holder's Mailing Address: 176 Kranichwood Richland WA 99352
 email randy@costlesscarpet.com
 Phone Number: 509-628-7516 & 509-628-1620
 Agent/CWRE _____

Drainage Basin: 7 County: Umat Watermaster District: _____ Watermaster: _____

Date Permit was issued: Feb 18, 2015 (Priority Date: June 10, 2008 Date of PN: March 29, 2017)
 Source: Well 1, Well 2, Well 3 and Well 4 in Columbia River Basin
 Use: IRR on 1000 acres

"Q": 12.5 cfs, further limited to 2,000 AF/year
 Orig "A" Date: NA Orig "B" Date: 4-13-2015 Orig "C" Date: 4-13-2015

Extension request received: 3-29-17 Last Authorized Date: 4-13-2015 Last Authorized "C" Date: 4-13-2015
 Request Number (1, 2, 3...): _____ Proposed "B" Date: Oct 1 2020 Proposed C Date: Oct 1 2020

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
		Begin construction: ☒
☒		tot. flow meter ☒ Data Collection Plan Cond
☒		AWUR ☒ SWL Feb
☒		Well Cost cond ☒ WELL ID
		3/4" meas. tube

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

Yes No

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

• Permit holder has beneficially used 989 cfs/gpm/af of the total permitted quantity of water on 989 acres

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

• Amount Invested to date: \$ 2,415,928 Estimated Remaining Cost: \$ 0

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

GW REVIEW: Y N fp

MITIGATION REVIEW: Y N

Application _____ - _____ Permit _____ - _____ Township _____ Range _____ Section _____

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

Identify the closest surface water or localized water basin. _____

Ground Water Permits: Is the POA located...

Surface Water Permits: Is the POD located...

Yes No

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

Needs"

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

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

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

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

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

☐ 5-year Progress Report Checkpoints (Years: _____)

☐ Other: _____

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

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

NOTES:

Extension "PFO" Dates

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

Reviewer's Name: _____ Date: _____

PIERCEALL Jeffrey D * WRD

From: PIERCEALL Jeffrey D * WRD
Sent: Thursday, August 02, 2018 1:50 PM
To: GREW Scott A * WRD; Randy@costlesscarpet.com
Cc: 'Paul.Wattenburger@irz.com'
Subject: RE: Map for OWRD

Randy,

Scott has forwarded me your email with the attached map. I have had an opportunity to review the map, unfortunately, it does not supply the information requested in the letter to you dated April 18, 2018. The letter requested a map be provided which illustrated the acres irrigated to date under the permit.

- The map that was attached to your email illustrated irrigated areas that are not authorized under Permit G-17272, which therefor are not irrigated under this permit.

- The number of acres that are indicated on the map as being irrigated total 1,313.1 acres. The Application for Extension of time that was submitted on March 29, 2017, indicate that a total of 989 acres have been irrigate, and the permit only authorizes the 1,000 acres of irrigation.

Please submit an updated map which illustrates only the acres irrigated under this permit, and only those that were developed as of the date the Application for Extension of Time was submitted.

Jeffrey D. Pierceall
Extension and Adjudication Specialist
Oregon Water Resources Department
503-986-0802
Jeffrey.D.Pierceall@oregon.gov

-----Original Message-----

From: GREW Scott A * WRD
Sent: Thursday, August 02, 2018 1:35 PM
To: Randy@costlesscarpet.com
Cc: PIERCEALL Jeffrey D * WRD; GREW Scott A * WRD
Subject: FW: Map for OWRD

Mr. Rupp,

I am forwarding your map to Jeffrey Pierceall who is working on the extension request. I have copied him on this e-mail.

Scott Grew
Water Right Application Caseworker
Oregon Water Resources Department

-----Original Message-----

From: Randy Rupp [mailto:]
Sent: Thursday, August 02, 2018 11:11 AM
To: GREW Scott A * WRD

Subject: FW: Map for OWRD

Scott hear is the map of the irrigated ground and the cost to complete would be 0 all the work has already been done. Any questions please give me a call thank you randy 509 737 0547 work or 509 628 7516 cell

-----Original Message-----

From: Randy Rupp <Randy@costlesscarpet.com>

Sent: Thursday, August 02, 2018 11:07 AM

To: 'mailto:Scott.A.Grew@oregon.gov' <<mailto:Scott.A.Grew@oregon.gov>>

Subject: FW: Map for OWRD

Scott hear is the map of the irrigated ground and the cost to complete would be 0 all the work has already been done. Any questions please give me a call thank you randy 509 737 0547 work or 509 628 7516 cell

-----Original Message-----

From: Paul Wattenburger <Paul.Wattenburger@irz.com>

Sent: Tuesday, July 31, 2018 4:33 PM

To: 'Randy Rupp (randy@costlesscarpet.com)' <randy@costlesscarpet.com>

Subject: Map for OWRD

Randy:

Attached is the map you asked for. Let me know if this meets your and OWRD's needs.

Paul

PIERCEALL Jeffrey D * WRD

From: Randy Rupp <Randy@costlesscarpet.com>
Sent: Thursday, August 02, 2018 3:31 PM
To: PIERCEALL Jeffrey D * WRD
Subject: FW: Map
Attachments: Rupp Map Asbuilt 021417.pdf

Jeff this map may help explain it better 203 was just completed a couple of years ago and the last two circles to the east were put up to grow organic crops and we only had enough water to irrigate about 600 acers from the wells. So we had circles not being used at all.

-----Original Message-----

From: Paul Wattenburger <Paul.Wattenburger@irz.com>
Sent: Tuesday, February 14, 2017 1:51 PM
To: 'Randy Rupp (randy@costlesscarpet.com)' <randy@costlesscarpet.com>
Subject: Map

Randy:

Attached is the map as a PDF file. Let me know if you have questions.

Paul

Rupp Ranches

Township	Range	Meridian	Section	QQ	Acres
5N	30E	W.M.	12	SE SW	7.8
5N	30E	W.M.	12	SW SE	5.5
5N	30E	W.M.	13	NW NE	34.1
5N	30E	W.M.	13	SW NE	16.6
5N	30E	W.M.	13	NE NW	38.4
5N	30E	W.M.	13	NW NW	13.0
5N	30E	W.M.	13	SW NW	33.0
5N	30E	W.M.	13	SE NW	22.0
5N	30E	W.M.	13	NE SW	33.9
5N	30E	W.M.	13	NW SW	35.9
5N	30E	W.M.	13	SW SW	28.3
5N	30E	W.M.	13	SE SW	29.0
5N	30E	W.M.	14	NW NE	20.2
5N	30E	W.M.	14	SW NE	25.1
5N	30E	W.M.	14	SE NE	6.6
5N	30E	W.M.	14	NE NW	22.3
5N	30E	W.M.	14	NW NW	21.8
5N	30E	W.M.	14	SW NW	36.8
5N	30E	W.M.	14	SE NW	23.6
5N	30E	W.M.	14	NE SW	29.8
5N	30E	W.M.	14	NW SW	36.1
5N	30E	W.M.	14	SW SW	31.1
5N	30E	W.M.	14	SE SW	29.8
5N	30E	W.M.	14	NE SE	33.9
5N	30E	W.M.	14	NW SE	32.7
5N	30E	W.M.	14	SW SE	31.7
5N	30E	W.M.	14	SE SE	30.3
5N	30E	W.M.	15	NE NE	21.7
5N	30E	W.M.	15	NW NE	5.4
5N	30E	W.M.	15	SW NE	15.2
5N	30E	W.M.	15	SE NE	36.8
5N	30E	W.M.	15	NE NW	21.0
5N	30E	W.M.	15	NW NW	1.3
5N	30E	W.M.	15	SW NW	5.8
5N	30E	W.M.	15	SE NW	39.6
5N	30E	W.M.	15	NE SW	2.6
5N	30E	W.M.	15	NE SE	35.8
5N	30E	W.M.	15	NW SE	32.4
5N	30E	W.M.	15	SW SE	31.6
5N	30E	W.M.	15	SE SE	30.5
TOTAL					989.0

STATE OF OREGON

COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RUPP RANCHES
176 KRANICHWOOD ST
RICHLAND, WA 99352

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

APPLICATION FILE NUMBER: G-17068

SOURCE OF WATER: WELL 1, WELL 2, AND WELL 3 IN COLUMBIA RIVER BASIN

PURPOSE OR USE: IRRIGATION USE ON 1,000 ACRES

MAXIMUM RATE: 12.5 CUBIC FEET PER SECOND, FURTHER LIMITED TO 2,000 ACRE FEET PER YEAR

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JUNE 16, 2008

WELL LOCATIONS:

WELL 1: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 15, T5N, R30E, W.M.; 2455 FEET SOUTH AND 2660 FEET EAST FROM NW CORNER, SECTION 15

WELL 2: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 14, T5N, R30E, W.M.; 2455 FEET SOUTH AND 2645 FEET EAST FROM NW CORNER, SECTION 14

WELL 3: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 13, T5N, R30E, W.M.; 2230 FEET SOUTH AND 2440 FEET EAST FROM NW CORNER, SECTION 13

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 10.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 10.0 ACRES
SECTION 11

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 5.0 ACRES
SECTION 12

NW ¼ NW ¼ 10.0 ACRES
 SW ¼ NW ¼ 10.0 ACRES
 NW ¼ SW ¼ 10.0 ACRES
 SW ¼ SW ¼ 5.0 ACRES
 SECTION 13

NE ¼ NE ¼ 40.0 ACRES
 NW ¼ NE ¼ 40.0 ACRES
 SW ¼ NE ¼ 40.0 ACRES
 SE ¼ NE ¼ 40.0 ACRES
 NE ¼ NW ¼ 40.0 ACRES
 NW ¼ NW ¼ 40.0 ACRES
 SW ¼ NW ¼ 40.0 ACRES
 SE ¼ NW ¼ 40.0 ACRES
 NE ¼ SW ¼ 40.0 ACRES
 NW ¼ SW ¼ 40.0 ACRES
 SW ¼ SW ¼ 20.0 ACRES
 SE ¼ SW ¼ 20.0 ACRES
 NE ¼ SE ¼ 40.0 ACRES
 NW ¼ SE ¼ 40.0 ACRES
 SW ¼ SE ¼ 20.0 ACRES
 SE ¼ SE ¼ 20.0 ACRES
 SECTION 14

NE ¼ NE ¼ 40.0 ACRES
 NW ¼ NE ¼ 40.0 ACRES
 SW ¼ NE ¼ 40.0 ACRES
 SE ¼ NE ¼ 40.0 ACRES
 NE ¼ NW ¼ 40.0 ACRES
 NW ¼ NW ¼ 10.0 ACRES
 SW ¼ NW ¼ 10.0 ACRES
 SE ¼ NW ¼ 40.0 ACRES
 NE ¼ SE ¼ 40.0 ACRES
 NW ¼ SE ¼ 40.0 ACRES
 SW ¼ SE ¼ 20.0 ACRES
 SE ¼ SE ¼ 20.0 ACRES

SECTION 15

TOWNSHIP 5 NORTH, RANGE 30 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the meter in good working order.
- B. The permittee 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.

- C. The permittee shall allow Department staff access to the meter(s) and the wells; provided however, where any meter or well is located within a private structure, staff shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

The wells shall be regulated if any interference is observed or demonstrated with wells in the Stage Gulch Critical Ground Water Area.

This water right is not eligible for the allocation of conserved water authorized under ORS 537.455 - 537.500.

Groundwater production in each well shall be limited to a single aquifer in the Columbia River Basalt Group. Each well shall be continuously cased and continuously sealed to within 100 feet of the bottom of the open borehole. A larger open interval may be approved by the Department if the permittee can demonstrate to the Department's satisfaction, using packer tests or other suitable methods, that the hydraulic heads of water-bearing zones in the proposed open interval are equivalent or that the open interval is part of a continuous zone of interconnected porous materials.

Each well with a pump shall be equipped with a dedicated 3/4-inch diameter (minimum) water-level measurement tube, separate from other methods of measuring the water level such as airlines or transducers. The annual water-level measurement required in the permit shall be measured through the measuring tube.

Data Collection Plan

For each of the following numbered conditions, data collection shall be supervised by an Oregon registered geologist. Prior to data collection, the geologist shall submit a data collection and analysis plan (or plans) for Department approval for each numbered item below.

1) Drill Cuttings

Drill cuttings shall be collected at the permitted wells and any test holes. Samples shall be collected at ten-foot intervals and at changes in lithology. A reference set of clean cuttings, in plastic sample trays, shall be submitted to the Department for each well. Select drill cuttings shall be analyzed for a comprehensive suite of major, minor, and trace elements that are appropriate for characterizing Columbia River Basalt Group stratigraphy. The data

shall be compiled and the basalt stratigraphy at each well location shall be interpreted by an Oregon registered geologist.

2) Water Chemistry

Groundwater samples shall be collected from water-bearing zones developed from each well. Samples shall be analyzed by a state certified laboratory for general chemistry (common ions, including fluoride), standard water-quality parameters (pH, dissolved solids, specific conductance) and for dating of groundwater (radiocarbon, stable isotopes, tritium and CFCs).

3) Well Testing

At least one long-term aquifer test shall be conducted to determine continuity between production wells. The test shall be conducted at a constant rate for a minimum of 72 hours, and water levels shall be monitored at the pumped well and at least one other production well or test hole. Production wells drilled subsequently to the aquifer test will require additional aquifer testing. The data collection plan for each aquifer test shall identify offsite wells, including wells in State Gulch Critical Groundwater Area, that have a reasonable potential for hydraulic continuity. This shall be based upon stratigraphic correlation, geologic structure, water-level and water well report data.

4) Groundwater Resource Characterization Report

The permittee shall submit a report that characterizes the groundwater resource contained within the Columbia River Basalt Group developed under this permit. The report at a minimum shall address: 1) basalt stratigraphy and structure, including cross sections; 2) constant rate well testing and aquifer testing results and analyses; 3) groundwater chemistry and groundwater dating results; 4) mechanism and potential for natural recharge and discharge; 5) potential for sustainability of the groundwater resource; 6) water-level comparisons and analysis of potential for interference with senior wells and wells in Stage Gulch Critical Groundwater Area; and 7) potential for additional sustainable groundwater development in the area. Additional reports may be submitted if data are collected after submittal of the characterization report. This body of work shall serve as the technical foundation for review of subsequent applications for local groundwater development.

All hydrologic and geologic data collected shall be provided to OWRD in report and in electronic format specified by the Department.

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of February. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial February static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

STANDARD CONDITIONS

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.

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 be subject to cancellation, 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 well(s) 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.

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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.

STATE OF OREGON
COUNTY OF UMATILLA
PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RUPP RANCHES
176 KRANICHWOOD ST
RICHLAND, WA 99352

This superseding permit is issued to describe an amendment for an additional point of appropriation proposed under Permit Amendment Application T-11586 and approved by Special Order Vol. 95, Page 93-94, entered February 18, 2015. This permit supersedes Permit G-16671.

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

APPLICATION FILE NUMBER: G-17068

SOURCE OF WATER: WELL 1, WELL 2, WELL 3, AND WELL 4 IN COLUMBIA RIVER BASIN

PURPOSE OR USE: IRRIGATION USE ON 1,000 ACRES

MAXIMUM RATE: 12.5 CUBIC FEET PER SECOND, FURTHER LIMITED TO 2,000 ACRE FEET PER YEAR

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JUNE 16, 2008

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distance
5 N	30 E	WM	15	SW NE	WELL 1: 2455 FEET SOUTH AND 2660 FEET EAST FROM THE NW CORNER OF SECTION 15
5 N	30 E	WM	14	SW NE	WELL 2: 2455 FEET SOUTH AND 2645 FEET EAST FROM THE NW CORNER OF SECTION 14
5 N	30 E	WM	13	SE NW	WELL 3: 2230 FEET SOUTH AND 2440 FEET EAST FROM THE NW CORNER OF SECTION 13
5 N	31 E	WM	7	SW NW	WELL 4: 2013 FEET SOUTH AND 1125 FEET EAST FROM THE NW CORNER OF SECTION 7

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

The place of use is located as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 N	30 E	WM	11	SW SE	10.00
5 N	30 E	WM	11	SE SE	10.00
5 N	30 E	WM	12	SW SW	5.00
5 N	30 E	WM	13	NW NW	10.00
5 N	30 E	WM	13	SW NW	10.00
5 N	30 E	WM	13	NW SW	10.00
5 N	30 E	WM	13	SW SW	5.00
5 N	30 E	WM	14	NE NE	40.00
5 N	30 E	WM	14	NW NE	40.00
5 N	30 E	WM	14	SW NE	40.00
5 N	30 E	WM	14	SE NE	40.00
5 N	30 E	WM	14	NE NW	40.00
5 N	30 E	WM	14	NW NW	40.00
5 N	30 E	WM	14	SW NW	40.00
5 N	30 E	WM	14	SE NW	40.00
5 N	30 E	WM	14	NE SW	40.00
5 N	30 E	WM	14	NW SW	40.00
5 N	30 E	WM	14	SW SW	20.00
5 N	30 E	WM	14	SE SW	20.00
5 N	30 E	WM	14	NE SE	40.00
5 N	30 E	WM	14	NW SE	40.00
5 N	30 E	WM	14	SW SE	20.00
5 N	30 E	WM	14	SE SE	20.00
5 N	30 E	WM	15	NE NE	40.00
5 N	30 E	WM	15	NW NE	40.00
5 N	30 E	WM	15	SW NE	40.00
5 N	30 E	WM	15	SE NE	40.00
5 N	30 E	WM	15	NE NW	40.00
5 N	30 E	WM	15	NW NW	10.00
5 N	30 E	WM	15	SW NW	10.00
5 N	30 E	WM	15	SE NW	40.00
5 N	30 E	WM	15	NE SE	40.00
5 N	30 E	WM	15	NW SE	40.00
5 N	30 E	WM	15	SW SE	20.00
5 N	30 E	WM	15	SE SE	20.00
Total					1000.00

Permit Amendment T-11586 Conditions:

The combined quantity of water diverted at the new point of appropriation, together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.

Water shall be acquired from the same aquifer as the original points of appropriation.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the meter in good working order.

- B. The permittee 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.
- C. The permittee shall allow Department staff access to the meter(s) and the wells; provided however, where any meter or well is located within a private structure, staff shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

The wells shall be regulated if any interference is observed or demonstrated with wells in the Stage Gulch Critical Ground Water Area.

This water right is not eligible for the allocation of conserved water authorized under ORS 537.455 – 537.500.

Groundwater production in each well shall be limited to a single aquifer in the Columbia River Basalt Group. Each well shall be continuously cased and continuously sealed to within 100 feet of the bottom of the open borehole. A larger open interval may be approved by the Department if the permittee can demonstrate to the Department's satisfaction, using packer tests or other suitable methods, that the hydraulic heads of water-bearing zones in the proposed open interval are equivalent or that the open interval is part of a continuous zone of interconnected porous materials.

Each well with a pump shall be equipped with a dedicated 3/4-inch diameter (minimum) water-level measurement tube, separate from other methods of measuring the water level such as airlines or transducers. The annual water-level measurement required in the permit shall be measured through the measuring tube.

Data Collection Plan

For each of the following numbered conditions, data collection shall be supervised by an Oregon registered geologist. Prior to data collection, the geologist shall submit a data collection and analysis plan (or plans) for Department approval for each numbered item below.

1) Drill Cuttings

Drill cuttings shall be collected at the permitted wells and any test holes. Samples shall be collected at ten-foot intervals and at changes in lithology. A reference set of clean cuttings, in plastic sample trays, shall be submitted to the Department for each well. Select drill cuttings shall be analyzed for a comprehensive suite of major, minor, and trace elements that are appropriate for characterizing Columbia River Basalt Group stratigraphy. The data shall be compiled and the basalt stratigraphy at each well location shall be interpreted by an Oregon registered geologist.

2) Water Chemistry

Groundwater samples shall be collected from water-bearing zones developed from each well. Samples shall be analyzed by a state certified laboratory for general chemistry (common ions, including fluoride), standard water-quality parameters (pH, dissolved solids, specific conductance) and for dating of groundwater (radiocarbon, stable isotopes, tritium and CFCs).

3) Well Testing

At least one long-term aquifer test shall be conducted to determine continuity between production wells. The test shall be conducted at a constant rate for a minimum of 72 hours, and water levels shall be monitored at the pumped well and at least one other production well or test hole. Production wells drilled subsequently to the aquifer test will require additional aquifer testing. The data collection plan for each aquifer test shall identify offsite wells, including wells in State Gulch Critical Groundwater Area that have a reasonable potential for hydraulic continuity. This shall be based upon stratigraphic correlation, geologic structure, water-level and water well report data.

4) Groundwater Resource Characterization Report

The permittee shall submit a report that characterizes the groundwater resource contained within the Columbia River Basalt Group developed under this permit. The report at a minimum shall address: 1) basalt stratigraphy and structure, including cross sections; 2) constant rate well testing and aquifer testing results and analyses; 3) groundwater chemistry and groundwater dating results; 4) mechanism and potential for natural recharge and discharge; 5) potential for sustainability of the groundwater resource; 6) water-level comparisons and analysis of potential for interference with senior wells and wells in Stage Gulch Critical Groundwater Area; and 7) potential for additional sustainable groundwater development in the area. Additional reports may be submitted if data are collected after submittal of the characterization report. This body of work shall serve as the technical foundation for review of subsequent applications for local groundwater development.

All hydrologic and geologic data collected shall be provided to OWRD in report and in electronic format specified by the Department.

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of February. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial February static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and

- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

STANDARD CONDITIONS

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.

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 be subject to cancellation, 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 well(s) 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 airline and pressure gauge adequate to determine water level elevation in the well at all times.

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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 to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

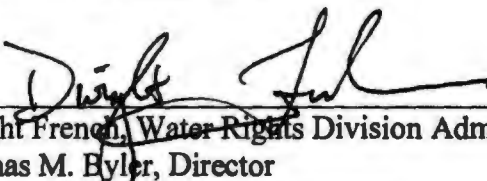
This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

Completion of construction and application of the water shall be made by April 13, 2015. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued February 18, 2015


Dwight French, Water Rights Division Administrator for
Thomas M. B Tyler, Director
Oregon Water Resources Department

**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-17272, Water Right Application G-17068, in the)
name of Rupp Ranches)

**PROPOSED
FINAL ORDER
TO DENY**

Permit Information

Application:	G-17068
Permit:	G-17272
Basin:	7 – Umatilla / Watermaster District 5
Date of Priority:	June 10, 2008
Source of Water:	Well 1, Well 2, Well 3, and Well 4, in Columbia River Basin
Purpose or Use:	Irrigation use on 1,000 Acres
Maximum Rate:	12.5 cubic feet per second (cfs)

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(3), and Oregon Administrative Rule Chapter 690, Division 315.

In Summary, the Department proposes to:

- Deny an extension of time to complete construction of the water system from April 13, 2015, to October 1, 2020.
- Deny an extension of time to apply water to full beneficial use from April 13, 2015, to October 1, 2020.

ACRONYM QUICK REFERENCE

Application – Application for Extension of Time
 Department – Oregon Department of Water Resources
 FOF – Finding of Fact
 PFO – Proposed Final Order
 Well 1 – UMAT 57044
 Well 2 – UMAT 57042
 Well 3 – UMAT 57041
 Well 4 – UMAT 57043
 cfs – cubic feet per second
 gpm – gallons per minute
 bls – below land surface

AUTHORITY

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

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

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

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

FINDINGS OF FACT

1. On April 13, 2010, Permit G-16671 was issued by the Department. The permit authorizes the use of up to 12.5 cfs of water from Well 1, Well 2, and Well 3, in Columbia River Basin for irrigation use on 1,000 acres. The permit specified completion of construction and application of water was to be made on or before April 13, 2015.
2. On February 18, 2015, the Department approved Permit Amendment T-11586 (Special Order Volume 95, Page 93) authorizing an additional point of appropriation. A superseding Permit G-17272 was issued by the Department on February 18, 2015, to reflect the changes.

3. On March 29, 2016, the permit holder submitted an "Application for Extension of Time" (Application) to the Department, requesting both 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-17272 be extended from April 13, 2015, to October 1, 2020. This is the first permit extension requested for G-17272.
4. On April 4, 2017, notification of the Application for Extension of Time for G-17272 was published in the Department's Public Notice. No public comments were received regarding the extension application.
5. On ~~February~~ August 2, 2018 and August 3, 2018, the permit holder submitted additional information to supplement their Application for Extension of Time. The additional information included a map intended to illustrate the acres irrigated under the permit.

Review Criteria [OAR 690-315-0040]

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

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

6. On March 29, 2016, the Department received a completed Application and the fee specified in ORS 536.050 from the permit holder.

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

7. Construction of the well began prior to April 13, 2015, as specified in the permit as being the date to apply water to full beneficial use.
8. According to the well log received by the Department on July 16, 2012, construction of UMAT 57041 (Well 3) began October 21, 2011.

Based on Finding of Fact (FOF) 7 and 8, the Department has determined that the prosecution of the construction of the well began prior to April 13, 2015.

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

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

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

In order to make a finding of "good cause" to approve the extension, the Department shall consider whether the applicant has demonstrated "reasonable diligence" in previous performance under the permit. OAR 690-315-0040(2)(a). In determining "reasonable diligence", the Department shall consider, but is not limited to, the following factors: a) The amount of construction completed within the time allowed in the permit or previous extension; b)

The amount of beneficial use made of the water during the permit or previous extension time limits; c) Water right holder conformance with the permit or previous extension conditions; and d) Financial investments made toward developing the beneficial use of water.

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

The amount of construction completed within the time allowed in the permit.¹

9. Work was accomplished during the original development time frame under Permit G-17272 is as follows:

- competed construction UMAT 57042 (Well 2);
- competed construction UMAT 57043 (Well 4);
- competed construction UMAT 57044 (Well 1); and
- installed a pipe, pivots, and pumps.

10. Since April 13, 2015, the permit holder has installed an additional pivot.

Based on FOF 7, 8, and 9, the Department has determined that work has been accomplished within the time allowed in the permit.

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

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

11. The Department has considered the permit holder's compliance with conditions, and has identified the following concerns: (1) the record does not show that water chemistry samples have been collected, (2) the record does not show that a Groundwater Characterization Report has been submitted, and (3) the record shows that the water user has not discontinued or reduced use under this permit as a result of declining water levels in the wells

Comment [JAH1]: Water use was reduced to ~1400 AF in 2016 as requested by CWRD.

12. Annual water-level measurements reveal a decline of water-level for;
- Well 1 of 72.57 feet between February 2013 and February 2017;
 - Well 2 of 55.29 feet between February 2014 and February 2017; and
 - Well 3 of 56.16 feet between February 2014 and February 2017; and
 - Well 4 of 130.61 feet between February 2013 and February 2017-

Comment [JAH2]: Why not include 2018 water levels?

Comment [JAH3]: Why not start with reference level year (2013)?

Comment [JAH4]: 2018?

Comment [JAH5]: Why not start with reference level year (2013)?

Comment [JAH6]: 2018?

13. The Application and the Department's record show a continued increase in development of irrigated acres under this permit between 2014 and 2016.

Based on FOF 11, 12, and 13, the Department has determined that the permit holder has not demonstrated compliance with following permit conditions as required by Permit G-17272:

¹ "Actual Construction" is defined in OAR 690-315-0020(3)(d)(A) and (B) as physical work performed toward completion of the water system which demonstrates the water right permit holder's good faith and intention to complete the project with reasonable diligence. Actual construction does not include planning a diversion system, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land or planting crops.

1. "Groundwater samples shall be collected from water-bearing zones developed from each well. Samples shall be analyzed by a state certified laboratory for general chemistry (common ions, including fluoride), standard water-quality parameters (pH, dissolved solids, specific conductance) and for dating of groundwater (radiocarbon, stable isotopes, tritium and CFCs)."
2. "The permittee shall submit a report that characterizes the groundwater resource contained within the Columbia River Basalt Group developed under this permit. the report at a minimum shall address: 1) basalt stratigraphy and structure, including cross sections; 2) constant rate well testing and aquifer testing results and analyses; 3) groundwater chemistry and groundwater dating results; 4) mechanism and potential for natural recharge and discharge; 5) potential for sustainability of the groundwater resource; 6) water-level comparisons and analysis of potential for interference with senior wells and wells in Stage Gulch Critical Groundwater Area; and 7) potential for additional sustainable groundwater development in the area."
3. "The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following occur:
 - A. Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or
 - B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or
 - C. Annual water-level measurements reveal a water-level decline of 25 or more feet; or
 - D. Hydraulic interference leads to a decline of 25 or more feet in any well with senior priority."

Failure to comply with permit conditions constitutes illegal use of water. In order to legally perfect the use of water under this permit, the permit holder must demonstrate that all conditions of the permit have been satisfied.

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

The amount of beneficial use made of the water during the permit time limits or previous extension conditions.

14. According to the Application, as of March 29, 2016, a maximum rate of 6,300 gallons per minute (gpm) [14.0 cfs] of water has been appropriated; being 1,100 gpm [2.45 cfs] of water from Well 1, 1,800 gpm [4.0 cfs] of water from Well 2, 2,100 gpm [4.68 cfs] of water from Well 3, and 1,300 gpm [2.9 cfs] of water from Well 4, for irrigation of 989.0 acres. This exceeds the amount of water for irrigation use authorized under this permit. The authorized amount of water for irrigation use is 12.5 cfs.
15. According to the Application, the permit holder developed irrigation use on 879.0 acres by the year 2015.

Beneficial use of water has not been demonstrated under this permit as all permit conditions necessary to demonstrated beneficial use have not been satisfied by April 13, 2015.

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

16. An approximate total of \$2,920,928 has been invested. The costs included items associated with land leveling, which are not "actual construction" of the water system under this permit and therefore are not counted towards development. After deducting these costs, the approximate total investment for "actual construction" to date is approximately \$2,415,928 which is the total cost for complete development of this project.

Based on FOF 16, the Department has determined that the permit holder had made an investment, which provides evidence of good cause and reasonable diligence towards the complete application of water to a beneficial use.

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

The Application provides evidence that work has been accomplished towards completion of the water system; the permit holder has not demonstrated compliance with permit conditions necessary to demonstrate beneficial use, and; beneficial use of water has not been demonstrated. The Department has determined the applicant has not demonstrated reasonable diligence in previous performance under Permit G-17272.

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

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

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

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

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

17. A review of the amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-17272. The determination of water availability was dependant upon the conditions contained in the permit to collect and analyze data pertaining to groundwater within the Columbia River Basalt Group and the potential for interference with senior water users and wells within the Stage Gulch Limited Groundwater Area.

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

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

18. The points of appropriation for Permit G-17272, located within the Columbia River Basin, are not located within a limited or critical groundwater area.
19. Columbia River is not located within or above any state or federal scenic waterway.
20. The points of appropriation are not in an area listed by the Department of Environmental Quality as a water quality limited stream.

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

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

21. Columbia River 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 located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife.

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

Economic interests dependent on completion of the project.

22. An approximate total of \$2,415,928 has been invested in the project.

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

Other economic interests dependent on completion of the project.

23. No other economic interests dependent on the completion of the project have been identified.

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

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

24. On March 30, 2018, the Department's Ground Water Section determined that the resource cannot support additional development under Permit G-17292, due to annual water-level declines in the permitted wells that range from 8.85 feet to 26.0 feet.
25. On March 30, 2018, the Department's Ground Water Section determined that the reference levels for the permitted wells are as follows:
 - Well 1 (UMAT 57044) is 502.40 feet below land surface (bls)
 - Well 2 (UMAT 57042) is 243.00 feet bls;
 - Well 3 (UMAT 57041) is 239.30 feet bls; and
 - Well 4 (UMAT 57043) is 573.20 feet bls.

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

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

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

27. Delay in the development of this project was caused by any other governmental requirements.

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

28. Unforeseen events that contributed to the extended the length of time needed to fully develop and perfect Permit G-17272, have not been identified.

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

29. The Application identifies a denial of the extension would result in undue hardship, as approximately \$3,000,000 have been invested in the project. Other potential sources of water which may be available include potential aquifer storage and recovery projects.

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

30. The permit was issued after the permit holder agreed to conditions being placed on the permit that would supply data and analysis which, in part, would provide evidence that the permitted use does not interfere with senior water users or wells within the Stage Gulch Critical Groundwater Area.

Based on Findings of Fact 11, 12, 13, and 30, above, the Department finds that the Applicant has not demonstrated good faith as the water user has not demonstrated compliance with permit

conditions intended to protect senior water users from interference caused by this water use, and has continued to develop additional acres after the wells display significant water-level declines. The Department has determined that, in the absence of the required data collection and analysis as conditioned in the permit, development and use of water under this permit cannot continue.

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.

31. As of March 29, 2016, the remaining work to be completed consists of meeting all permit conditions, which include collecting and analyzing water samples for water chemistry, and submitting a groundwater characterization report; and applying water to full beneficial use.

Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2020, 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-17272 is neither reasonable nor necessary.

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

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

The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has not shown that good cause exists for an extension of time to complete construction and apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

CONCLUSIONS OF LAW

1. The permit holder has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
2. The permit holder has complied with the time allowed for construction work under the permit pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
3. The Application established that there has been construction, financial investment and reasonable diligence toward developing the project. The permit holder has not shown that

good cause exists for an extension of time to complete construction and apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d), because the permit holder has not complied with the condition requiring a reduction in water use when the resource displays water-level declines.

PROPOSED ORDER

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

Deny the time to complete construction of the water system under Permit G-17272 from April 13, 2015, to October 1, 2020.

Deny the time to apply water to beneficial use under Permit G-17272 from April 13, 2015, to October 1, 2020.

DATED: August 21, 2018

Dwight French, Administrator,
Water Right Services Division

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100 and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **October 5, 2018**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The applicant or non-applicant protest fee required under ORS 536.050.

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

Notice Regarding Service Members: Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act, 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>

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

DRAFT



Mailing List for Extension PFO Copies

PFO Date: August 21, 2018

Copies Mailed

Application: G-17068

By: _____

Permit: G-17272

On: _____

Original mailed to Applicant:

Rupp Ranches
176 Kranichwood St.
Richland, WA 99352

Copies sent to:

1. WRD - App. File G-17068/ Permit G-17272

Fee paid as specified under ORS 536.050 to receive copy:

2. None

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

3. WRD - Watermaster District 5, Greg Silbernagel
4. WRD - NCR Regional Manager, Mike Ladd

CASEWORKER: JDP

RECEIVED

OCT 11 2018

OWRD



Oregon

Kate Brown, 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.Oregon.gov/OWRD

April 18, 2018

Rupp Ranches
Randy Rupp
176 Kranichwood St.
Richland, WA 99352

REFERENCE: Application G-17068; Permit G-17272

Dear Randy:

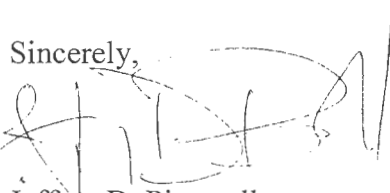
On March 29, 2017, the Department received your application for an Extension of Time for Permit G-17272. In reviewing the application, it has been determined that additional information will be necessary to make a determination on the Extension of Time Application. The Department has determined that the following information must be provided in order to make a finding on your Extension of Time Application:

1. Page 9 of 12, item 9c; provide a copy of the application map identifying the acres irrigated to date under this permit; and
2. Page 9 of 12, item 10 and 11; provide the estimated remaining cost to complete the project.

Please provide the requested information to the Department by March 17, 2018.

If you have any questions or concerns regarding this matter, please feel free to contact me by telephone at 503-986-0802.

Sincerely,



Jeffrey D. Pierceall
Extensions and Adjudication Specialist

cc: file

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



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

Criteria for a Permit Extension of Time

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

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

1) Construction has begun:

A. For Groundwater Permits

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

B. For Surface Water or Reservoir Permits

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

The Department will also confirm that:

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

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

RECEIVED BY OWRD

MAR 29 2017

SALEM, OR

Instructions are in Attachment A.

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

UMAT 57043

WELL LABEL # L 108632

START CARD # 1015601

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

(1) LAND OWNER Owner Well I.D. _____
First Name Randy Last Name Rupp
Company Rupp Ranches
Address 12811 Kranchwood St
City Kennecworth State WA Zip 99352

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

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

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

(5) BORE HOLE CONSTRUCTION Special Standard: ☐ Yes (attach copy)
Depth of Completed Well 990 ft.

BORE HOLE				SEAL			
Dia	From	To	Material	From	To	Amount	Scks/lbs
20	0	810	concent grout	0	700	24 yds	
16	810	990	open hole				

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

Backfill placed from _____ ft. to _____ ft. Material _____

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

Explosives used: ☐ Yes Type _____ Amount _____

(6) CASING/LINER

Casing	Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
✓		16	2	700	575				✓	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____

Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____

Screens Type _____ Material _____

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

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

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
3000			2

Temperature 72 °F Lab analysis ☐ Yes ☐ No

Water quality concerns? ☐ Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County Wentworth Twp 5.00 or S Range 31.00 or W W.M.
Sec 7 NW 1/4 of the SW 1/4 Tax Lot 100

Tax Map Number _____ Lot _____

Lat _____ " or _____ DMS or DD

Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) _____

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Predeepening				
Completed Well	4-20-12			572

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES Depth water was first found 166

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
12-21-11	166	189	50			166
12-25-11	635	655	1000			166
4-18-12	930	975	3000			572

(11) WELL LOG

Ground Elevation _____

Material	From	To
Sand	0	22
Broken brown basalt	22	77
Hard black basalt	77	102
Soft brown basalt	102	138
Hard black basalt	138	161
Soft porous rock	161	189
Hard black fractured basalt	189	200
Very hard black basalt	200	244
Soft brown + black with green	244	360
Hard black	360	368
Soft black porous basalt	368	412
Hard black basalt	412	436
Soft brown basalt	436	471
Hard black basalt	471	490
Soft brown basalt	490	527
Hard black basalt	527	635

Date Started 12-18-11 Completed 4-19-12

(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 are to the best of my knowledge and belief.

License Number 1 Date JUL 16 2012

Signed _____

(bonded) Water Well Constructor Certification SALEM, OR

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 1906 Date 4-22-12

Signed Daniel Smith

Contact Info. (optional) _____

UMAT 57043

STATE OF OREGON WATER SUPPLY WELL REPORT

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

WELL LABEL # L 108632

START CARD # 1015601

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

(1) LAND OWNER Owner Well I.D. _____
First Name Randy Last Name Rupp
Company Rupp Ranches
Address 1761 Kranchwood St
City Kennebec State WA Zip 99352

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

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

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

(5) BORE HOLE CONSTRUCTION Special Standard: ☐ Yes (attach copy)
Depth of Completed Well 990 ft.

BORE HOLE			SEAL			Amount	Scks/lbs
Dia	From	To	Material	From	To		
20	0	810	concrete/grout	0	700	24 yards	
16	810	990					

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

☐ Other _____

Backfill placed from _____ ft. to _____ ft. Material _____

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

Explosives used: ☐ Yes Type _____ Amount _____

(6) CASING/LINER

Casing	Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
✓		16	2	700	575				✓	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____

Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____
Screens Type _____ Material _____

Perf	Scrn	Casing	Linr	Screen Dia	From	To	Screen/slot width	Slot length	# of slots	Tele/pipe size
------	------	--------	------	------------	------	----	-------------------	-------------	------------	----------------

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

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
---------------	----------	-----------------------	---------------

Temperature _____ °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below)

From	To	Description	Amount	Units
------	----	-------------	--------	-------

(9) LOCATION OF WELL (legal description)

County Wenatchee Twp 5.00 or S Range 31.00 or W W.M.

Sec 7 NW 1/4 of the SW 1/4 Tax Lot _____

Tax Map Number _____ Lot _____

Lat _____ " or _____ DMS or DD
Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) _____

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Predeepening				
Completed Well	4-20-12			572

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES Depth water was first found _____

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
12-21-11	166	189	50			166
12-25-11	635	655	1000			166
4-18-12	930	975	3000			572

(11) WELL LOG

Ground Elevation _____

Material	From	To
Sand	0	22
Broken brown basalt	22	77
Hard black basalt	77	102
Soft brown basalt	102	138
Hard black basalt	138	161
Soft porous rock	161	189
Hard brown fractured basalt	189	200
Very hard black basalt	200	244
Soft brown + black with green	244	360
Hard black	360	368
Soft black porous basalt	368	412
Hard black basalt	412	436
Soft brown basalt	436	471
Hard black basalt	471	480
Soft brown basalt	480	527
Hard black basalt	527	635

Date Started 12-11-11 Completed 4-19-12

(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 are true to the best of my knowledge and belief.

License Number 1 Date JUL 16 2012

Signed _____

(bonded) Water Well Constructor Certification

SALEM, OR

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 1906 Date 4-22-12

Signed Daniel Smith

Contact Info. (optional) _____

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

WELL LABEL # L 109632

START CARD # 1015601

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

(1) LAND OWNER Owner Well I.D. _____
First Name _____ Last Name _____
Company _____
Address _____
City _____ State _____ Zip _____

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

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

(4) PROPOSED USE ☐ Domestic ☐ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other _____

(5) BORE HOLE CONSTRUCTION Special Standard: ☐ Yes (attach copy)
Depth of Completed Well _____ ft.

BORE HOLE			SEAL			Amount	Scks/lbs
Dia	From	To	Material	From	To		

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☐ Other _____

Backfill placed from _____ ft. to _____ ft. Material _____

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

Explosives used: ☐ Yes Type _____ Amount _____

(6) CASING/LINER

Casing	Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____

Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____
Screens Type _____ Material _____

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

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

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)

Temperature _____ °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County _____ Twp _____ N or S Range _____ E or W W.M.
Sec _____ 1/4 of the _____ 1/4 Tax Lot _____
Tax Map Number _____ Lot _____

Lat _____ ° _____ ' _____ " or _____ DMS or DD
Long _____ ° _____ ' _____ " or _____ DMS or DD

Street Address of Well (or nearest address) _____

(10) STATIC WATER LEVEL

	Date	SWL(psi)	+	SWL (ft)
Existing Well/Predeepening				
Completed Well				

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES Depth water was first found _____

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)

(11) WELL LOG

Ground Elevation _____

Material	From	To
Soft porous broken brown	635	655
Medium hard black basalt	655	744
Soft black	744	772
Soft porous red basalt	772	776
Soft black	776	791
Hard black w. th quartz	791	820
Greenish brown chert	820	839
Blue porous basalt	839	845
Soft structural black	845	877
Medium hard grey basalt	877	930
Soft grey with green	930	975
Hard black basalt	975	990

Date Started _____ Completed _____

(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 to the best of my knowledge and belief.

License Number _____ Date JUL 16 2012

Signed _____

(bonded) Water Well Constructor Certification

SALEM, OR

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 _____ Date _____

Signed _____

Contact Info. (optional) _____

OWRD Water Level Report

Logid	UMAT 57043	State Obs Nbr		Well Tag: On Log		Tag On Well		TRS	5.00N / 31.00E - 7CC					
Site Name				Hm Phone			Max Csg Diam			Tax Map		Tax Lot		
Owner	RANDY RUPP - RUPP RANCHES			Wrk Phone			Max Depth	990		Quad24	JUNIPER CANYON			
Contact				Cell Phone			Repeat Visits OK		Call Prior to Visit		Lat / Long	WGS1984	45.9234357	-118.990997
Address	176 KRANICHWOOD ST			FAX			Stop By House		OK if not home		XySource	APPL MAP & DOQ	Accuracy	250
City / St / Zip	RICHLAND	WA	99352	Owner Comments										
Well Address				Well Location Comments										
Directions to Well														
General Well Comments														

Date	Time	MP	Hght	WL BLS	WL Elev	Method	Status	Measured By	Source Org	SourceOwrd	WComments
04/20/2012				572.00	478.00	R	S	Driller	DRILLER	WELL LOG	
02/12/2013				579.00	471.00	DC	S	Barry Sanford	OWRD	WELL INSPECTION	
03/13/2013		2		573.20	476.80	T	S	Paul Wattenburger	CWRE	PERMIT COND PRGRM	No pumping of this well as of the date of this measurement
02/19/2016		1.88		610.21	439.79	T	S	Robert McMillan	CWRE	PERMIT COND PRGRM	333.92 AF PUMPED DURING 2015
02/24/2017	10:28:00	1.95		620.91	429.09	T	S	Josh Hackett	OWRD	GWATER	

Method Codes: A = Airline, T = Etape, V = Calibrated Etape, G = Uncalibrated Gage, H = Calibrated Gage, N = Not Measured, O = Observed, RA = Recorder Analog, RS = Recorder Shaft Encoder, RT = Recorder Transducer, R = Reported, S = Steel Tape, U = Unknown
Status Codes: D = Dry, A = Falling, F = Flowing, P = Pumping, R = Rising, S = Static, U = Unknown

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

UMAT 57041

UMAT 57041

Well #3

WELL LABEL # L 108433

START CARD # 1015181

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

(1) LAND OWNER Owner Well I.D.
First Name Randy Last Name Rupp
Company Rupp Ranches
Address 176 Rupp Ranch Road
City Richland State WA Zip 99352

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

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

(4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other

(5) BORE HOLE CONSTRUCTION Special Standard: ☐ Yes (attach copy)
Depth of Completed Well 552 ft.

BORE HOLE				SEAL			
Dia	From	To	Material	From	To	Amount	Scks/lbs
20	0	540	casent	0	494	21yds	
16	540	552	open hole				

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

Backfill placed from _____ ft. to _____ ft. Material _____

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

Explosives used: ☐ Yes Type _____ Amount _____

(6) CASING/LINER

Casing	Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
✓		16	+	2	494	375	✓		✓	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____

Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____

Screens Type _____ Material _____

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

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

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min 4000 Drawdown _____ Drill stem/Pump depth _____ Duration (hr) 2

Temperature 72 °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County Umatilla Twp 5 S or S Range 30 E W.W.M.
Sec 13 SE 1/4 of the NW 1/4 Tax Lot 100
Tax Map Number _____ Lot _____

Lat _____ " or _____ DMS or DD
Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) Juniper Rd Homestead

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Predeepening				
Completed Well	12-6-11			179

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES Depth water was first found 174

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
10-27-11	6	285	35			178
10-31-11	285	465	100			178
11-1-11	465	522	4000			179

(11) WELL LOG

Ground Elevation _____

Material	From	To
Sand	0	5
Silty sand	5	22
Silty Brown sand reddish clay	22	38
Brown silt with gravel	38	102
Brown brown base lt	102	191
Medium hard black base lt	191	202
Soft brown brown	202	206
Fractured black	206	214
Hard black base lt	214	247
Soft brown + black base lt	247	270
Hard black base lt	270	332
Soft black with green clay	332	341
Hard black base lt	341	350
Soft brown base lt	350	361
Hard black base lt	361	391
Soft brown + black base lt	391	392

Date Started 10-21-11 Completed 12-6-11

(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 were in accordance with standards to the best of my knowledge and belief.

License Number _____ Date JUL 16 2012

Signed _____

(bonded) Water Well Constructor Certification SALEM, OR

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 1906 Date 12-10-11

Signed Don

Contact Info. (optional) _____

STATE OF OREGON
WATER SUPPLY WELL REPORT

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

UMAT 57041

WELL LABEL # L 108633

START CARD # 1015181

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

(1) LAND OWNER Owner Well I.D.
First Name Randy Last Name Rupp
Company Rupp Ranches
Address 176 Rianichwood St
City Richland State WA Zip 99352

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

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

(4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other

(5) BORE HOLE CONSTRUCTION Special Standard: ☐ Yes (attach copy)
Depth of Completed Well 552 ft.

BORE HOLE				SEAL			
Dia	From	To	Material	From	To	Amount	Scks/lbs
20	0	540	Cement	0	494	21yds	
16	540	552					

How was seal placed: Method ☐ A ☒ B ☐ C ☐ D ☐ E
☐ Other
Backfill placed from _____ ft. to _____ ft. Material _____
Filter pack from _____ ft. to _____ ft. Material _____ Size _____
Explosives used: ☐ Yes Type _____ Amount _____

(6) CASING/LINER

Csng	Lnr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
✓		16	+	2	494	.375	✓		✓	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____
Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS
Perforations Method _____
Screens Type _____ Material _____

Perf	Scrn	Csng	Lnr	Screen Dia	From	To	Screen/ slot width	Slot length	# of slots	Tele/ pipe size

(8) WELL TESTS: Minimum testing time is 1 hour
☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)

Temperature _____ °F Lab analysis ☐ Yes By _____
Water quality concerns? ☐ Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)
County Umatilla Twp 5 or S Range 30 or W W.M.
Sec 13 5E 1/4 of the NW 1/4 Tax Lot _____
Tax Map Number _____ Lot _____
Lat _____ " or _____ DMS or DD
Long _____ " or _____ DMS or DD
Street Address of Well (or nearest address) Juniper Rd Hamilton

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Predeepening				
Completed Well				

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes
WATER BEARING ZONES Depth water was first found _____

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
10-27-11	0	285				178
10-31-11	285	465				178
11-1-11	465	522				179

(11) WELL LOG Ground Elevation _____

Material	From	To
Sand	0	5
Silty sand	5	22
Silty Brown sand reddish disk	22	38
Brown silt with gravel	38	102
Brown brown basalt	102	191
Medium hard black basalt	191	202
Soft brown brown	202	206
Finest black	206	214
Hard black basalt	214	247
Soft brown + black basalt	247	270
Hard black basalt	270	332
Soft black with green clay	332	341
Hard black basalt	341	350
Soft brown basalt	350	361
Hard black basalt	361	391
Soft brown + black basalt	391	392

Date Started 10-21-11 Completed 12-6-11
(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 were in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number _____ Date JUL 16 2012
Signed _____

(bonded) Water Well Constructor Certification **SALEM, OR**
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 1906 Date 12-10-11
Signed Dean
Contact Info. (optional)

STATE OF OREGON
WATER SUPPLY WELL REPORT

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

UMAT 57041

WELL LABEL # L 108633

START CARD # 1015181

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

1) LAND OWNER

Owner Well I.D.

First Name Randy Last Name Rupp
Company Rupp Ranches
Address 176 Kraichwald St.
City Richland State WA Zip 99352

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

(3) DRILL METHOD

☐ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud
☐ Reverse Rotary ☐ Other

(4) PROPOSED USE

☐ Domestic ☐ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other

(5) BORE HOLE CONSTRUCTION Special Standard: ☐ Yes (attach copy)

Depth of Completed Well _____ ft.

BORE HOLE				SEAL				
Dia	From	To	Material	From	To	Amount	Scks/lbs	

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E

☐ Other

Backfill placed from _____ ft. to _____ ft. Material _____

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

Explosives used: ☐ Yes Type _____ Amount _____

(6) CASING/LINER

Csg/Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____

Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____

Screens Type _____ Material _____

Perf	Scrn	Csg/Linr	Screen Dia	From	To	Screen/slot width	Slot length	# of slots	Tele/pipe size

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

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min _____ Drawdown _____ Drill stem/Pump depth _____ Duration (hr) _____

Temperature _____ °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County Lincoln Twp 5 S Range 30 E or W W.M.

Sec 13 SE 1/4 of the DW 1/4 Tax Lot _____

Tax Map Number _____ Lot _____

Lat _____ " or _____ DMS or DD

Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) Juniper Rd Hermiston

(10) STATIC WATER LEVEL

	Date	SWL(psi)	+	SWL (ft)
Existing Well/Predeepening				
Completed Well				

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES

Depth water was first found _____

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)

(11) WELL LOG

Ground Elevation _____

Material	From	To
Soft Poreous black with green clay	372	418
Soft brown & black basalt	418	440
Very hard black basalt	440	449
Soft black with green clay	449	453
Hard black basalt	453	469
Soft black with green clay	469	491
Hard black basalt	491	501
Soft black basalt	501	510
Poreous brown basalt	510	532
Gravelly grey basalt	532	552

Date Started _____ Completed _____

(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 in accordance with the above are true to the best of my knowledge and belief.

License Number _____ Date JUL 16 2012

Signed _____

(bonded) Water Well Constructor Certification

SALEM, OR

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 _____ Date _____

Signed _____

Contact Info. (optional) _____

OWRD Water Level Report

Logid	UMAT 57041	State Obs Nbr		Well Tag: On Log		Tag On Well		TRS	5.00N / 30.00E - 13		
Site Name				Hm Phone			Max Csg Diam			Tax Map	Tax Lot
Owner	RANDY RUPP - RUPP RANCHES			Wrk Phone			Max Depth	552		Quad24	JUNIPER
Contact				Cell Phone			Repeat Visits OK	Call Prior to Visit	Lat / Long WGS1984		
Address	176 KRANICHWOOD ST			FAX			Stop By House	OK if not home	45.9158164 -119.007852		
City / St / Zip	RICHLAND	WA	99352	Owner Comments							
Well Address				Well Location Comments							
Directions to Well											
General Well Comments											

Date	Time	MP Hght	WL BLS	WL Elev	Method Code	Status Code	Measured By	Source Org	SourceOwr	WlComments
12/06/2011			179.00	876.00	R	S	Driller	DRILLER	WELL LOG	
09/20/2012			210.17	844.83	I	S	Barry Sanford	OWRD	WELL INSPECTION	
02/21/2013		1.7	239.30	815.70	I	S	PAUL	CWRE	PERMIT COND PRGRM	LAST KNOWN PUMPING MID OCT 2012
02/18/2014		1.67	317.53	737.47	I	S	Robert McMillan	CWRE	PERMIT COND PRGRM	548.9 AF PUMPED IN 2013
02/20/2015		1.67	356.00	699.00	I	S	Robert McMillan	CWRE	PERMIT COND PRGRM	480.65 AF PUMPED IN 2014
02/19/2016		1.67	365.58	689.42	I	S	Robert McMillan	CWRE	PERMIT COND PRGRM	829.03 AF PUMPED IN 2015
02/24/2017	10:11:00	2.25	373.69	681.31	T	S	Josh Hackett	OWRD	GWATER	

Method Codes: A = Airline, T = Etape, V = Calibrated Etape, G = Uncalibrated Gage, H = Calibrated Gage, N = Not Measured, O = Observed, RA = Recorder Analog, RS = Recorder Shaft Encoder, RT = Recorder Transducer, R = Reported, S = Steel Tape, U = Unknown
 Status Codes: D = Dry, A = Falling, F = Flowing, P = Pumping, R = Rising, S = Static, U = Unknown

STATE OF OREGON
WATER SUPPLY WELL REPORT
 (as required by ORS 537.765 & OAR 690-205-0210)

UMAT 57042

WELL LABEL # L 108634

START CARD # 1015305

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

(1) LAND OWNER Owner Well I.D. _____
 First Name Randy Last Name Rupp
 Company Rupp Ranches
 Address 176 K Ranchwood St.
 City Richland State WA Zip 99352

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

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

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

(5) BORE HOLE CONSTRUCTION Special Standard: ☐ Yes (attach copy)
 Depth of Completed Well 635 ft.

BORE HOLE				SEAL				Scks/lbs
Dia	From	To	Material	From	To	Amount		
20	0	135	concrete	0	540	27 yds		
20	580	635	open hole					

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

Backfill placed from _____ ft. to _____ ft. Material _____
 Filter pack from _____ ft. to _____ ft. Material _____ Size _____
 Explosives used: ☐ Yes Type _____ Amount _____

(6) CASING/LINER

Casing	Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
✓		16	+	2	580	.375	✓		✓	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____
 Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____
 Screens Type _____ Material _____

Perf	Scrn	Casing	Linr	Screen Dia	From	To	Screen/slot width	Slot length	# of slots	Tele/pipe size
------	------	--------	------	------------	------	----	-------------------	-------------	------------	----------------

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

☐ Pump	☐ Bailer	☒ Air	☐ Flowing Artesian
Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
2000			2

Temperature 72 °F Lab analysis ☐ Yes ☐ No
 Water quality concerns? ☐ Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County umatilla Twp 5 N Range 30 E W.W.M.
 Sec 14 SW 1/4 of the NE 1/4 Tax Lot 100
 Tax Map Number _____ Lot _____

Lat _____ " or _____ DMS or DD
 Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) Juniper Rd Acornister OR

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Predeepening				
Completed Well	11-20-11			187

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES Depth water was first found 190

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
10-5-11	0	275	40			190
10-10-11	275	360	150			190
10-20-11	360	445	50			187

(11) WELL LOG

Ground Elevation _____

Material	From	To
Sand	0	7
Brown clay	7	133
Broken brown basalt	133	165
Small gravel	165	177
Fractured black basalt	177	193
Medium hard black basalt	193	248
Soft green clay + black basalt	248	277
Hard black basalt	277	299
Hard gray basalt	299	330
Porous black basalt	330	361
Soft gray basalt	361	373
Soft black basalt	373	392
Medium hard black basalt	392	437
Very hard black basalt	437	441
Green clay	441	448
Soft fractured black basalt	441	448

Date Started 10-3-11 Completed 11-20-11

(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 JUL 16 2012

Signed _____

(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 1906 Date 11-25-11

Signed Dan Smith

Contact Info. (optional)

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

UMAT 57042

WELL LABEL # L 108634

START CARD # 1015305

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

1) LAND OWNER Owner Well I.D. _____
First Name Randy Last Name Rupp
Company Rupp Ranches
Address 176 Ranchwood St.
City Richland State WA Zip 99352

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

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

4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other _____

5) BORE HOLE CONSTRUCTION Special Standard: ☐ Yes (attach copy)
Depth of Completed Well _____ ft.

BORE HOLE			SEAL			Amount	Scks/lbs
Dia	From	To	Material	From	To		
20	0	135	concret	0	580	27 yds	

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

☐ Other _____

Backfill placed from _____ ft. to _____ ft. Material _____

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

Explosives used: ☐ Yes Type _____ Amount _____

6) CASING/LINER

Casing	Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
✓		16	+	2	580	.375	✓		✓	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____

Temporary casing ☐ Yes Diameter _____ From _____ To _____

7) PERFORATIONS/SCREENS

Perforations Method _____
Screens Type _____ Material _____

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

8) WELL TESTS: Minimum testing time is 1 hour

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)

Temperature _____ °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below)

From	To	Description	Amount	Units

9) LOCATION OF WELL (legal description)

County umatilla Twp 5 N or S Range 30 E W.W.M.

Sec 14 SW 1/4 of the NE 1/4 Tax Lot _____

Tax Map Number _____ Lot _____

Lat _____ " or _____ DMS or DD

Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) Juniper Rd Hermiston OR

10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Predeepening				
Completed Well				

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES Depth water was first found _____

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
10-5-11	0	275				190
10-10-11	275	360				180
10-20-11	360	441				149

11) WELL LOG

Ground Elevation _____

Material	From	To
Sand	0	7
Brown clay	7	133
Broken brown basalt	133	165
Small gravel	165	172
Fractured black basalt	172	193
Medium hard black basalt	193	248
Soft green clay + black basalt	248	277
Hard black basalt	277	299
Hard gray basalt	299	330
Porous black basalt	330	361
Soft gray basalt	361	366
Soft black basalt	366	373
Medium hard black basalt	373	392
Very hard black basalt	392	437
Green Clay	437	441
Soft fractured black basalt	441	448

Date Started 10-3-11 Completed 11-20-11

(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 11-16-2012

Signed _____

(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 1906 Date 11-25-11

Signed Don Smith

Contact Info. (optional) _____

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

UMAT 57042

WELL LABEL # L 108634
START CARD # 1015305

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

(1) LAND OWNER Owner Well I.D. _____
First Name Randy Last Name Rupp
Company Rupp Ranches
Address 176 Birchwood St.
City Richland State WA Zip 99352

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

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

(4) PROPOSED USE ☐ Domestic ☐ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other _____

(5) BORE HOLE CONSTRUCTION Special Standard: ☐ Yes (attach copy)
Depth of Completed Well _____ ft.

BORE HOLE				SEAL				Amount	Scks/lbs
Dia	From	To	Material	From	To	Material	Amount		

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☐ Other _____
Backfill placed from _____ ft. to _____ ft. Material _____
Filter pack from _____ ft. to _____ ft. Material _____ Size _____
Explosives used: ☐ Yes Type _____ Amount _____

(6) CASING/LINER									
Csg/Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____
Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS
Perforations Method _____
Screens Type _____ Material _____

Perf	Scrn	Csg/Linr	Screen Dia	From	To	Screen/slot width	Slot length	# of slots	Tele/pipe size

(8) WELL TESTS: Minimum testing time is 1 hour
☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian
Yield gal/min _____ Drawdown _____ Drill stem/Pump depth _____ Duration (hr) _____
Temperature _____ °F Lab analysis ☐ Yes By _____
Water quality concerns? ☐ Yes (describe below)
From _____ To _____ Description _____ Amount _____ Units _____

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)
County Lincoln Twp 5 N or S Range 30 E or W W.M.
Sec 14 SW 1/4 of the NE 1/4 Tax Lot _____
Tax Map Number _____ Lot _____
Lat _____ " or _____ DMS or DD
Long _____ " or _____ DMS or DD
Street Address of Well (or nearest address) _____

(10) STATIC WATER LEVEL		Date	SWL (psi)	+	SWL (ft)
Existing Well/Predeepening					
Completed Well					

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes
WATER BEARING ZONES Depth water was first found _____

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)

(11) WELL LOG			Ground Elevation	
Material	From	To		
Hard black basalt	444	471		
Porous black & green clay	471	524		
Medium hard black basalt	524	531		
Soft black basalt with some green	531	561		
Hard black basalt	561	582		
Soft porous black basalt	582	595		
Porous light brown basalt	595	615		
Fractured black basalt	615	617		
Hard grey basalt	617	635		

Date Started _____ Completed _____

(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 JUL 16 2012

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 _____ Date _____

Signed _____
Contact Info. (optional) _____

OWRD Water Level Report

Logid	UMAT 57042	State Obs Nbr		Well Tag: On Log		Tag On Well		TRS	5.00N / 30.00E - 14DB		
Site Name				Hm Phone			Max Csg Diam	16	Tax Map		
Owner	RANDY RUPP - RUPP RANCHES			Wrk Phone			Max Depth	635	Quad24	JUNIPER	
Contact				Cell Phone			Repeat Visits OK		Lat / Long	WGS1984	45.913959 -119.025258
Address	176 KRANICHWOOD ST			FAX			Stop By House		XySource	APPL MAP & DOQ	Accuracy 250
City / St / Zip	RICHLAND	WA	99352	Owner Comments							
Well Address				Well Location Comments							
Directions to Well											
General Well Comments											

Date	Time	MP Hght	WL BLS	WL Elev	Method Code	Status Code	Measured By	Source Org	SourceOwr	WlComments
11/20/2011			189.00	841.00	R	S	Driller	DRILLER	WELL LOG	
09/20/2012			238.00	792.00	U	S	Barry Sanford	OWRD	WELL INSPECTION	
02/21/2013		2	243.00	787.00	T	S	PAUL	CWRE	PERMIT COND PRGRM	LAST KNOWN PUMPING MID OCT 2012
02/18/2014		2	294.50	735.50	T	S	Robert McMillan	CWRE	PERMIT COND PRGRM	883.5 AF PUMPED IN 2013
02/20/2015		2	343.33	686.67	T	S	Robert McMillan	CWRE	PERMIT COND PRGRM	883.6 AF PUMPED IN 2014
10/19/2015	16:22:00	25	389.95	640.05	V	S	Ivan Gail	OWRD	GWATER	
10/19/2015	17:11:00	35	389.90	640.10	V	S	Jen Woody	OWRD	GWATER	installed wooden shelter and solinst id
01/27/2016	16:02:00	35	353.15	676.85	V	S	Jen Woody	OWRD	GWATER	very oily difficult to get repeatable measurement
02/20/2016	12:00:00	35	346.57	683.43	TD	S	Jen Woody	OWRD	GWATER	reported incorrectly by consultant as 246.57 record corrected by J.W
04/13/2016	15:16:00	35	333.62	696.38	V	S	Jen Woody	OWRD	GWATER	very oily difficult to get repeatable measurement
07/14/2016	06:45:00	35	377.00	653.00	V	S	Jen Woody	OWRD	GWATER	J Kemper
10/25/2016	16:20:00	35	388.79	641.21	V	S	Jen Woody	OWRD	GWATER	J Kemper. Unknown thickness of oil on water surface
01/30/2017	15:00:00	35	356.14	673.86	V	S	Jen Woody	OWRD	GWATER	Unknown thickness of oil on water surface
02/24/2017	09:57:00	35	349.79	680.21	T	S	Josh Hackett	OWRD	GWATER	Unknown thickness of oil on water surface

Method Codes: A = Airline, T = Etape, V = Calibrated Etape, G = Uncalibrated Gage, H = Calibrated Gage, N - Not Measured, O = Observed, RA = Recorder Analog, RS = Recorder Shaft Encoder, RT = Recorder Transducer, R = Reported, S = Steel Tape, U = Unknown
Status Codes: D = Dry, A = Falling, F = Flowing, P = Pumping, R = Rising, S = Static, U = Unknown

UMAT 57044

Well 1

STATE OF OREGON
WATER SUPPLY WELL REPORT
 (as required by ORS 537.765 & OAR 690-205-0210)

UMAT 57044

WELL LABEL # L 109650

START CARD #

10/6763

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

(1) LAND OWNER Owner Well I.D. _____
 First Name Randy Last Name Rupp
 Company Rupp Ranches
 Address 176 Granichland St
 City Richland State Wt Zip 97352

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

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

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

(5) BORE HOLE CONSTRUCTION Special Standard: ☐ Yes (attach copy)
 Depth of Completed Well 820 ft.

BORE HOLE				SEAL				Scks/lbs
Dia	From	To	Material	From	To	Amount		
24	0	110	Bentall	0	110			7040
20	110	885	Concrete	0	734			24yds
15	885	820						

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

Backfill placed from _____ ft. to _____ ft. Material _____

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

Explosives used: ☐ Yes Type _____ Amount _____

(6) CASING/LINER

Casing	Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
✓		20	-	1	110	.375	✓		✓	
✓		16	+	2	734	.375	✓		✓	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____

Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____

Screens Type _____ Material _____

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

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

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
2000			2

Temperature 80 °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County Umatilla Twp 5 N or S Range 30 E or W W.M.

Sec 15 SW 1/4 of the NE 1/4 Tax Lot 100

Tax Map Number _____ Lot _____

Lat _____ " or _____ DMS or DD

Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) Juniper Rd

Horniston Oregon

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Predeepening				
Completed Well	6-29-12			517

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES Depth water was first found 121

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
6-7-12	133	147	20			121
6-11-12	582	597	400			121
1-15-12	890	805	2000			360
2-29-13	740	405	4000			517

(11) WELL LOG

Ground Elevation _____

Material	From	To
Sand	0	5
Silty sand	5	60
Silty sand with gravel	60	62
Silty sand	62	707
Broken brown basalt	107	110
Broken brown + black basalt	110	133
Soft reddish brown basalt	133	147
Broken brown	147	214
Medium hard black basalt	214	226
Soft broken brown	226	320
Hard black basalt	320	326
Reddish brown soft	326	345
Hard black basalt	345	361
Soft black with green	361	370
Med hard brown + black	370	385
Hard black	385	436

Date Started 5-25-12 Completed 6-29-12

(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. The data and information reported above are true to the best of my knowledge and belief.

License Number JUL 16 2012 Date _____

Signed _____

(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 1906 Date 7-9-12

Signed Dan Smith

Contact Info. (optional)

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

UMAT 57044

WELL LABEL # L 109650

START CARD # 206577

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

(1) LAND OWNER

Owner Well I.D. _____

First Name Randy Last Name Rupp
Company Rupp Ranches
Address 176 Kranichwood St
City Richland State WA Zip 99352

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Conversion
☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud
☐ Reverse Rotary ☐ Other _____

(4) PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other _____

(5) BORE HOLE CONSTRUCTION Special Standard: ☐ Yes (attach copy)

Depth of Completed Well 820 ft.

BORE HOLE				SEAL			
Dia	From	To	Material	From	To	Amount	Scks/lbs
24	0	110	Benford	0	110		7040
20	110	820	Concrete	0	734		24yds
15	805	820					

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

☐ Other _____

Backfill placed from _____ ft. to _____ ft. Material _____

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

Explosives used: ☐ Yes Type _____ Amount _____

(6) CASING/LINER

Casing/Liner	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
✓	20	-	1	110	.375	✓		✓	
✓	16	+	2	734	.375	✓		✓	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____

Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____

Screens Type _____ Material _____

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

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

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)

Temperature _____ °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County Lincoln Twp 5 N or S Range 30 E or W W.M.

Sec 15 SW 1/4 of the NE 1/4 Tax Lot 100

Tax Map Number _____ Lot _____

Lat _____ " or _____ DMS or DD

Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) Juniper Rd

Herniston Oregon

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Predeepening				
Completed Well	6-29-12			517

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES

Depth water was first found _____

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
6-7-12	133	147				121
6-11-12	582	597				121
1-15-12	390	605				360
6-29-12	790	405				517

(11) WELL LOG

Ground Elevation _____

Material	From	To
Gravel	0	5
Silty sand	5	60
Silty sand with gravel	60	62
Silty sand	62	707
Broken brown basalt	107	110
Broken brown + black basalt	110	133
Soft reddish brown basalt	133	147
Broken brown	147	214
Medium hard black basalt	214	226
Soft broken brown	226	320
Hard black basalt	320	326
Reddish brown soft	326	345
Hard black basalt	345	361
Soft black with green	361	370
Red hard brown + black	370	385
Hard black	385	436

Date Started 5-25-12 Completed 6-29-12

(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. All data reported above are true to the best of my knowledge and belief.

License Number JUL 162012 Date _____

Signed _____

(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 1906 Date 7-9-12

Signed Dan Smith

Contact Info. (optional) _____

OWRD Water Level Report

Logid	UMAT 57044	State Obs Nbr		Well Tag: On Log		Tag On Well		TRS	5.00N / 30.00E - 15AC		
Site Name				Hm Phone			Max Csg Diam			Tax Map	Tax Lot
Owner	RANDY RUPP - RUPP RANCHES			Wrk Phone			Max Depth	820		Quad24	JUNIPER
Contact				Cell Phone			Repeat Visits OK	Call Prior to Visit	Lat / Long WGS1984 45.9151538 -119.045097		
Address	176 KRANICHWOOD ST			FAX			Stop By House	OK if not home	XySource	APPL MAP & DOQ	Accuracy 250
City / St / Zip	RICHLAND	WA	99352	Owner Comments							
Well Address				Well Location Comments							
Directions to Well											
General Well Comments											

Date	Time	MP Hght	WL BLS	WL Elev	Method Code	Status Code	Measured By	Source Org	SourceOwrd	WComments
06/29/2012			517.00	418.00	R	S	Driller	DRILLER	WELL LOG	
02/13/2013			509.00	426.00	DC	S	Barry Sanford	OWRD	WELL INSPECTION	
02/21/2013		2	502.40	432.60	T	S	Robert McMillan	CWRE	PERMIT COND PRGRM	NO PREV PUMPING OF THIS WELL NO PUMPING OF THIS WELL AS
02/18/2014		2	498.00	437.00	T	S	Robert McMillan	CWRE	PERMIT COND PRGRM	
02/20/2015		1	578.96	356.04	T	S	Robert McMillan	CWRE	PERMIT COND PRGRM	548.3 AF PUMPED IN 2014
02/19/2016		2	606.63	328.37	T	S	Robert McMillan	CWRE	PERMIT COND PRGRM	656.09 AF PUMPED IN 2015
02/24/2017	09:40:00	2.75	574.97	360.03	T	S	Josh Hackett	OWRD	GWATER	
03/24/2017	12:07:00	2.75	552.82	382.18	T	S	Erik Thomasser	OWRD	PENDLETON	Prior to pouring 3 gal of H2O down meas tube
03/24/2017	12:16:00	2.75	552.84	382.16	T	S	Erik Thomasser	OWRD	PENDLETON	After pouring 3 gal of H2O down meas tube

Methcid Codes: A = Airline, T = Etape, V = Calibrated Etape, G = Uncalibrated Gage, H = Calibrated Gage, N - Not Measured, O = Observed, RA = Recorder Analog, RS = Recorder Shaft Encoder, RT = Recorder Transducer, R = Reported, S = Steel Tape, U = Unknown
Status Codes: D = Dry, A = Falling, F = Flowing, P = Pumping, R = Rising, S = Static, U = Unknown

Water Use Report Based on Water Right

 excel
 text

Permit: G 17272 *

RUPP RANCHES 176 KRANICHWOOD ST RICHLAND, WA 99352

Records per page: 10

Acre-feet (AF) of Water Used

Water Year*	Report ID	Facility	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Total Water Used	Irrigated Acres
2016	64245	WELL 1 (L-108650) UMAT 57044	102.40	8.50	0.00	0.00	0.00	0.00	0.00	0.00	87.00	110.60	148.80	42.90	500.20	751.20
2016	64246	WELL 2 (L-108634) UMAT 57042	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	✓
2016	64247	WELL 3 (L-108633) UMAT 57041	87.00	26.10	0.00	0.00	0.00	0.00	0.00	0.00	200.40	167.00	236.70	104.10	821.30	751.20
2016	66458	WELL 4 (UMAT 57043/L-108632) UMAT 57043	76.60	11.00	0.00	0.00	0.00	0.00	0.00	0.00	34.00	84.30	98.90	15.60	320.40	751.20
2015	64245	WELL 1 (L-108650)	123.90	0.00	0.00	0.00	0.00	0.00	2.80	55.70	135.50	141.10	120.10	90.10	669.20	591.20
2015	64246	WELL 2 (L-108634)	<u>125.16</u>	6.30	0.00	0.00	0.00	<u>50.90</u>	<u>35.90</u>	0.00	0.00	0.00	0.00	0.00	218.26	
2015	64247	WELL 3 (L-108633)	15.05	3.70	0.00	0.00	0.00	0.00	80.08	133.08	166.54	113.74	88.24	133.52	733.95	591.20
2015	66458	WELL 4 (UMAT 57043/L-108632)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	94.80	72.59	78.93	246.32	591.20
2014	64245	WELL 1 (L-108650)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	95.70	130.50	74.20	86.20	91.70	478.30	591.20
2014	64246	WELL 2 (L-108634)	111.20	7.80	0.00	0.00	0.00	2.80	86.90	75.20	122.80	168.50	170.20	125.90	871.30	591.20

12

*The water year is named for the calendar year in which it ends. Example: the 2014 water year begins Oct. 1, 2013 and ends Sep. 30, 2014.

- Water use is reported by point of diversion (POD), rather than by water right.
- If a POD is shared with multiple water rights, it is not feasible to separate out the amount used under the water right being queried from water used by other rights using this same POD.
- Monthly amounts indicate:
 - For diverted rights, the total amount diverted during the month;
 - For storage rights, the amount generally stored in the reservoir/pond during the month, as represented by the volume of water impounded on approximately the same day each month.
- Water Use amounts have all been converted to "acre-feet" (AF), regardless of the original measurement unit reported. One AF is the volume of water that will cover an acre of ground one foot deep = 325,850 gallons.
- Zeroes indicate that a report was received, stating that no water was used during those months; if a year is not listed, no report of water use was received for that year.

STATE OF OREGON
COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RUPP RANCHES
176 KRANICHWOOD ST
RICHLAND, WA 99352

This superseding permit is issued to describe an amendment for an additional point of appropriation proposed under Permit Amendment Application T-11586 and approved by Special Order Vol. 95, Page 93-94, entered February 18, 2015. This permit supersedes Permit G-16671.

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

APPLICATION FILE NUMBER: G-17068

SOURCE OF WATER: WELL 1, WELL 2, WELL 3, AND WELL 4 IN COLUMBIA RIVER BASIN

PURPOSE OR USE: IRRIGATION USE ON 1,000 ACRES

MAXIMUM RATE: 12.5 CUBIC FEET PER SECOND, FURTHER LIMITED TO 2,000 ACRE FEET PER YEAR

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JUNE 16, 2008

WELL LOCATIONS:

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Twp	Rng	Mer	Sec	Q-Q	Measured Distance
5 N	30 E	WM	15	SW NE	WELL 1: 2455 FEET SOUTH AND 2660 FEET EAST FROM THE NW CORNER OF SECTION 15
5 N	30 E	WM	14	SW NE	WELL 2: 2455 FEET SOUTH AND 2645 FEET EAST FROM THE NW CORNER OF SECTION 14
5 N	30 E	WM	13	SE NW	WELL 3: 2230 FEET SOUTH AND 2440 FEET EAST FROM THE NW CORNER OF SECTION 13
5 N	31 E	WM	7	SW NW	WELL 4: 2013 FEET SOUTH AND 1125 FEET EAST FROM THE NW CORNER OF SECTION 7

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

The place of use is located as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 N	30 E	WM	11	SW SE	10.00
5 N	30 E	WM	11	SE SE	10.00
5 N	30 E	WM	12	SW SW	5.00
5 N	30 E	WM	13	NW NW	10.00
5 N	30 E	WM	13	SW NW	10.00
5 N	30 E	WM	13	NW SW	10.00
5 N	30 E	WM	13	SW SW	5.00
5 N	30 E	WM	14	NE NE	40.00
5 N	30 E	WM	14	NW NE	40.00
5 N	30 E	WM	14	SW NE	40.00
5 N	30 E	WM	14	SE NE	40.00
5 N	30 E	WM	14	NE NW	40.00
5 N	30 E	WM	14	NW NW	40.00
5 N	30 E	WM	14	SW NW	40.00
5 N	30 E	WM	14	SE NW	40.00
5 N	30 E	WM	14	NE SW	40.00
5 N	30 E	WM	14	NW SW	40.00
5 N	30 E	WM	14	SW SW	20.00
5 N	30 E	WM	14	SE SW	20.00
5 N	30 E	WM	14	NE SE	40.00
5 N	30 E	WM	14	NW SE	40.00
5 N	30 E	WM	14	SW SE	20.00
5 N	30 E	WM	14	SE SE	20.00
5 N	30 E	WM	15	NE NE	40.00
5 N	30 E	WM	15	NW NE	40.00
5 N	30 E	WM	15	SW NE	40.00
5 N	30 E	WM	15	SE NE	40.00
5 N	30 E	WM	15	NE NW	40.00
5 N	30 E	WM	15	NW NW	10.00
5 N	30 E	WM	15	SW NW	10.00
5 N	30 E	WM	15	SE NW	40.00
5 N	30 E	WM	15	NE SE	40.00
5 N	30 E	WM	15	NW SE	40.00
5 N	30 E	WM	15	SW SE	20.00
5 N	30 E	WM	15	SE SE	20.00
Total					1000.00

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MAR 29 2017

SALEM, OR

Permit Amendment T-11586 Conditions:

The combined quantity of water diverted at the new point of appropriation, together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.

Water shall be acquired from the same aquifer as the original points of appropriation.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the meter in good working order.

- B. The permittee 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.
- C. The permittee shall allow Department staff access to the meter(s) and the wells; provided however, where any meter or well is located within a private structure, staff shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

The wells shall be regulated if any interference is observed or demonstrated with wells in the Stage Gulch Critical Ground Water Area.

This water right is not eligible for the allocation of conserved water authorized under ORS 537.455 – 537.500.

Groundwater production in each well shall be limited to a single aquifer in the Columbia River Basalt Group. Each well shall be continuously cased and continuously sealed to within 100 feet of the bottom of the open borehole. A larger open interval may be approved by the Department if the permittee can demonstrate to the Department's satisfaction, using packer tests or other suitable methods, that the hydraulic heads of water-bearing zones in the proposed open interval are equivalent or that the open interval is part of a continuous zone of interconnected porous materials.

Each well with a pump shall be equipped with a dedicated 3/4-inch diameter (minimum) water-level measurement tube, separate from other methods of measuring the water level such as airlines or transducers. The annual water-level measurement required in the permit shall be measured through the measuring tube.

Data Collection Plan

For each of the following numbered conditions, data collection shall be supervised by an Oregon registered geologist. Prior to data collection, the geologist shall submit a data collection and analysis plan (or plans) for Department approval for each numbered item below.

1) Drill Cuttings

Drill cuttings shall be collected at the permitted wells and any test holes. Samples shall be collected at ten-foot intervals and at changes in lithology. A reference set of clean cuttings, in plastic sample trays, shall be submitted to the Department for each well. Select drill cuttings shall be analyzed for a comprehensive suite of major, minor, and trace elements that are appropriate for characterizing Columbia River Basalt Group stratigraphy. The data shall be compiled and the basalt stratigraphy at each well location shall be interpreted by an Oregon registered geologist.

2) Water Chemistry

Groundwater samples shall be collected from water-bearing zones developed from each well. Samples shall be analyzed by a state certified laboratory for general chemistry (common ions, including fluoride), standard water-quality parameters (pH, dissolved solids, specific conductance) and for dating of groundwater (radiocarbon, stable isotopes, tritium and CFCs).

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SALEM, OR

3) Well Testing

At least one long-term aquifer test shall be conducted to determine continuity between production wells. The test shall be conducted at a constant rate for a minimum of 72 hours, and water levels shall be monitored at the pumped well and at least one other production well or test hole. Production wells drilled subsequently to the aquifer test will require additional aquifer testing. The data collection plan for each aquifer test shall identify offsite wells, including wells in State Gulch Critical Groundwater Area that have a reasonable potential for hydraulic continuity. This shall be based upon stratigraphic correlation, geologic structure, water-level and water well report data.

4) Groundwater Resource Characterization Report

The permittee shall submit a report that characterizes the groundwater resource contained within the Columbia River Basalt Group developed under this permit. The report at a minimum shall address: 1) basalt stratigraphy and structure, including cross sections; 2) constant rate well testing and aquifer testing results and analyses; 3) groundwater chemistry and groundwater dating results; 4) mechanism and potential for natural recharge and discharge; 5) potential for sustainability of the groundwater resource; 6) water-level comparisons and analysis of potential for interference with senior wells and wells in Stage Gulch Critical Groundwater Area; and 7) potential for additional sustainable groundwater development in the area. Additional reports may be submitted if data are collected after submittal of the characterization report. This body of work shall serve as the technical foundation for review of subsequent applications for local groundwater development.

All hydrologic and geologic data collected shall be provided to OWRD in report and in electronic format specified by the Department.

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of February. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial February static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and

MAR 29 2017

- C. Specify the method of measurement; and **SALEM, OR**
 D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

STANDARD CONDITIONS

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.

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 be subject to cancellation, 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 well(s) 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 airline and pressure gauge adequate to determine water level elevation in the well at all times.

• Div. 9 — NO
 • Div. 400 — NO
 • Div 410 —
 may be
 • 250 —
 • 300 —
 • Wm att: [unclear] —

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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 to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

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 comply with statewide land-use goals and any local acknowledged land-use plan.

Completion of construction and application of the water shall be made by April 13, 2015. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued February 18, 2015


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

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

I, Randy Rupp DBA Rupp Ranches

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

176 Kranichwood St
ADDRESS

Richland
CITY

WA
STATE

99352
ZIP

509 628 7516 (Cell) 509 628 1620 (Home)
PHONE

randy@costlesscarpet.com
E-MAIL ADDRESS

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the permit holder of:

Application Number G-17068

Permit Number G-17272

[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 **Month:4 Day: 13 Year: 2015**, be extended to October 1, **2020**, [OAR 690-315-0020(3)(i)]

☐ 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 **Month:4 Day: 13 Year: 2015**, be extended to October 1, **2020**.
[OAR 690-315-0020(3)(i)]

I am the permit holder, or have written authorization from the permit holder (attached to this Application for Extension of Time), 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.

Signature

Date

3/24/17

Printed Name

Title

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 \$575.
- Signature page (Second 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 Supporting documents and/ or evidence**

\$575 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.oregon.gov/owrd/PUBS/docs/forms/fillable_muni_quasi_ext_app_form_2014.doc
- Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate APPLICATION FOR EXTENSION OF TIME must be submitted for each permit. OAR 690-315-0020(2).
- An instruction sheet, INSTRUCTIONS FOR COMPLETING AN APPLICATION FOR EXTENSION OF TIME FOR A WATER RIGHT PERMIT (Attachment A), provides details that will help you answer each item on the application. Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at: http://arcweb.sos.state.or.us/pages/rules/oars_600/oar_690/690_315.html
- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 690-315-0020(3)(n).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights Services Division.
- An Application for an Extension of Time will be reviewed for completeness. 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://apps.wrd.state.or.us/apps/wr/wrinfo/> (using 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.).

Questions to complete this application for an Extension of Time

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

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

For Groundwater Permits

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

X Yes ☐ No

Date construction began Month: 9 Day: 15 Year: 2011

Details of construction and attach documentation: _____

For Surface/Reservoir Permit

Has construction of the water system begun? ☐ Yes ☐ No

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

Details of construction and attach documentation: _____

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

CHART-A

Permit Conditions in this Permit		Have Completed or Met?	Date satisfied/ or will be satisfied
Checkbox	Ground water Check those included on this permit		
☒	Installation of a meter/totalizing flow meter	X Yes ☐ No	
☒	Submittal of annual water usage report	X Yes ☐ No	
☒	Submittal of initial static water level measurement	X Yes ☐ No	
☒	Submittal of annual static water level measurements in the month required	X Yes ☐ No	
☐	Submittal of Seven consecutive static water level measurements in the month required	☐ Yes ☐ No	
☒	Special well construction standards	X Yes ☐ No	
☐	Submittal of a monitoring plan	☐ Yes ☐ No	
☐	Other (Specify):	☐ Yes ☐ No	
☐	Other (Specify):	☐ Yes ☐ No	
☐	Other (Specify):	☐ Yes ☐ No	
Surface Water or Reservoir			
☐	Installation of a meter/ totalizing flow meter/ in-line meter	☐ Yes ☐ No	
☐	Installation a staff gauge	☐ Yes ☐ No	
☐	Installation of a fish screen	☐ Yes ☐ No	
☐	Installation of a fish by-pass device	☐ Yes ☐ No	
☐	Installation of a fish passage	☐ Yes ☐ No	
☐	Installation of an outlet gate/pipe/ conduit	☐ Yes ☐ No	
☐	Submittal of a letter from ODFW that fish screen, fish by-pass device, and or fish passage is not required	☐ Yes ☐ No	
☐	Submit as-built plans and specification	☐ Yes ☐ No	
☐	Submittal of a letter from an engineer prior to storage	☐ Yes ☐ No	
☐	Other (Specify):	☐ Yes ☐ No	
☐	Other (Specify):	☐ Yes ☐ No	
☐	Other (Specify):	☐ Yes ☐ No	

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

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

3. Provide evidence of physical work made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-B); and if applicable, within the time period of the most recent extension granted (CHART-C). CHART-B (below) must be completed for all Application for Extension of Time requests. Use *chronological order*. (this does NOT include planning, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land, or planting crops)

CHART-B

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued — eg. well drilled.</i>	COST*
DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER <i>List work/actions done during the permitted time period.</i>	COST*
	Date the permit was signed - find date above signature on last page of permit.	
4-3-2010	Power brought in approximately 2 miles	255,000.00
	Pipe & Pivots & Pumps	1,486,578.00
	Electrician, excavation land leveling	505,000.00
	Drilling and Fuel	674,350.00
	Date the permit specified complete application of water to the use shall be made- all permits contain this date.	
DATE	WORK ACCOMPLISHED AFTER the date the permit specified complete application of water <i>COMPETE ONLY IF THIS IS YOUR 1st APPLICATION FOR AN EXTENSION OF TIME: List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
	1 Full circle and a quarter circle of land leveling was done in 2016	
Total Cost for Chart-B		2,415,928

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

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

CHART-C

DATE	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
	"Extended From" date for complete application of water used in the 1 st (or the most recent) Application for Extension of Time.	
	"Extended To" date for complete application of water resulting from the 1 st (or the most recent) Application for Extension of Time.	
DATE	WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
Total Cost of Chart-C		

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

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5. Cost of project to date: _____

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

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

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

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

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

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

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

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

Acre-feet stored to date = _____ AF

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

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

CHART-D

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment?	Maximum instantaneous rate used to date from this well - - under <u>this permit</u> only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	If yes, provide the Permit, Certificate, or Transfer No.
1	1	Yes ☒ No ☐	UMAT 57044	L108650	Yes ☒ No ☐	1100	Yes ☐ No ☒	-
2	2	Yes ☒ No ☐	UMAT 57042	L108633	Yes ☒ No ☐	1800	Yes ☐ No ☒	-
3	3	Yes ☒ No ☐	UMAT 57042	L108634	Yes ☒ No ☐	2100	Yes ☐ No ☒	-
4	4	Yes ☒ No ☐	UMAT 57043	L108632	Yes ☒ No ☐	1300	Yes ☐ No ☒	-
		Yes ☐ No ☐			Yes ☐ No ☐		Yes ☐ No ☐	-
		Yes ☐ No ☐			Yes ☐ No ☐		Yes ☐ No ☐	-
		Yes ☐ No ☐			Yes ☐ No ☐		Yes ☐ No ☐	-
Total instantaneous rate from all wells utilized under this permit								

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

If yes, identify Transfer No. T-11586

Has the Permit Amendment been approved? Yes ☒ No ☐

If yes, on what date was the Permit Amendment approved? 2/18/2015

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

9. For Irrigation and Nursery Use Permits Extensions

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

a) Total acres irrigated to date: _____

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

Year	Acres	Year	Acres	Year	Acres
2012	590				
2013	690				
2014	816				
2015	879				
2016	989				

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

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

(POD/POA) #1 Acres 290

(POD/POA) #3 Acres 526

(POD/POA) #2 Acres 0

(POD/POA) #4 Acres 173

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

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

CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
12-31-18	Finish land leveling 11 acres	
Year:	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
Total Cost		

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

11. Estimated remaining cost to complete the project: _____

(The total cost from CHART-E)

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

12. Provide a summary of your plan to complete construction, meeting all permit conditions and apply the water to beneficial use: *(List all tasks or steps needed to complete the project, the date when each task will be completed, and the cost associated with each task; attach additional pages if necessary.)* We have approximately 11 acres to finish land leveling to be complete.

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

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

Need to finish land leveling and have water chemistry testing done.

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

14a. Will a denial of the extension result in undue hardship? *(Describe the hardship and the effects.)* Very much so, have spend over 3 million dollars developing this project and still not finish.

14b. Are there any other reasonable alternatives that exist for meeting your water use needs? *(Explain in detail)* There's the possibility of Port of Umatilla and the possibility of re-charge that we are working on but have not completed at this time.

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

15. Was the delay in the timely completion of this water development project and/or timely application of water to full beneficial use caused by any additional government requirements, other than the conditions contained within the permit, which significantly delayed the completion and perfection of this right? (Explain in detail, including how much time did this delay the project; list dates.) NO

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

16. Describe any unforeseen events which contributed to the delay of completion of this project that you had no control over. (Explain in detail what the unforeseen events were and how much time was spent addressing the unforeseen events.) Land leveling took longer and was more expensive than we thought.

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

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

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

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

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

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

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

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

Attach permit, and documentation to the application

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Permit Extension Ground Water Review

Date: April 4, 2017

To: Justin Iverson, Ground Water Section Manager

From: Jeffrey Pierceall, Permit Extension Review

Subject: Ground Water Review for File G- 17068 / Permit G- 17292

(Date permit issued: April 13, 2010)

Reviewed By:

J. Hackett

Date Reviewed:

3/30/2018

The above referenced permit is currently being reviewed for an Extension of Time. Before I can determine whether or not an Extension of Time should be granted, a Ground Water review for this file is necessary. Special designations affecting this permit are as follows:

NOTE: Original Division 9 review completed by: Mike Zwart

For Ground Water / Hydrology Staff Use:

(Availability/ Well Costruction/ Decline)

Please review as per checked boxes:

- X Permit G-17929 is located near **Stage Gulch Critical** area.
- X Permit G-17929 contains the following condition(s):

- See Attached Permit

The permit authorizes an appropriation rate of: **12.5**
The Permit holder has developed: **14.0**
The portion of the Permit left to be developed: **Overdeveloped**

Based on information currently available, can the resource support the complete development of the authorized rate? Yes ☐ No ☒ (circle one)

If no, please explain:

Water levels in the permitted wells are declining at rates ranging from 8.85 to 2.6 feet per year. Groundwater source is over appropriated (see attached hydrograph).

Should any additional conditions be added to the extension of time to mitigate the effects of the additional development on the demands on the resource? Yes ☐ No ☒ (circle one)

If yes, explain:

I recommend denying this permit extension.

As constructed, do the wells meet the condition(s) above? Yes No (circle one)

If no, please explain:

The permitted wells meet well construction standards, however, a non-permitted well nearby has had drilling tools stuck in it since 2011. As a result, construction of the well could not be completed and the well has been commingling multiple aquifers for the past 7 years.

Recommended Action:

Force the permittee to complete the well.

Decline Trigger Reference Level:

(Please provide reference level for each well)

UMAT 57041 239.30

UMAT 57042 243.00

UMAT 57043 573.20

UMAT 57044 502.40

} all are feet
below land surface

STATE OF OREGON
COUNTY OF UMATILLA
PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RUPP RANCHES
176 KRANICHWOOD ST
RICHLAND, WA 99352

This superseding permit is issued to describe an amendment for an additional point of appropriation proposed under Permit Amendment Application T-11586 and approved by Special Order Vol. 95, Page 93-94, entered February 18, 2015. This permit supersedes Permit G-16671.

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

APPLICATION FILE NUMBER: G-17068

SOURCE OF WATER: WELL 1, WELL 2, WELL 3, AND WELL 4 IN COLUMBIA RIVER BASIN

PURPOSE OR USE: IRRIGATION USE ON 1,000 ACRES

MAXIMUM RATE: 12.5 CUBIC FEET PER SECOND, FURTHER LIMITED TO 2,000 ACRE FEET PER YEAR

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JUNE 16, 2008

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distance
5 N	30 E	WM	15	SW NE	WELL 1: 2455 FEET SOUTH AND 2660 FEET EAST FROM THE NW CORNER OF SECTION 15
5 N	30 E	WM	14	SW NE	WELL 2: 2455 FEET SOUTH AND 2645 FEET EAST FROM THE NW CORNER OF SECTION 14
5 N	30 E	WM	13	SE NW	WELL 3: 2230 FEET SOUTH AND 2440 FEET EAST FROM THE NW CORNER OF SECTION 13
5 N	31 E	WM	7	SW NW	WELL 4: 2013 FEET SOUTH AND 1125 FEET EAST FROM THE NW CORNER OF SECTION 7

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

The place of use is located as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 N	30 E	WM	11	SW SE	10.00
5 N	30 E	WM	11	SE SE	10.00
5 N	30 E	WM	12	SW SW	5.00
5 N	30 E	WM	13	NW NW	10.00
5 N	30 E	WM	13	SW NW	10.00
5 N	30 E	WM	13	NW SW	10.00
5 N	30 E	WM	13	SW SW	5.00
5 N	30 E	WM	14	NE NE	40.00
5 N	30 E	WM	14	NW NE	40.00
5 N	30 E	WM	14	SW NE	40.00
5 N	30 E	WM	14	SE NE	40.00
5 N	30 E	WM	14	NE NW	40.00
5 N	30 E	WM	14	NW NW	40.00
5 N	30 E	WM	14	SW NW	40.00
5 N	30 E	WM	14	SE NW	40.00
5 N	30 E	WM	14	NE SW	40.00
5 N	30 E	WM	14	NW SW	40.00
5 N	30 E	WM	14	SW SW	20.00
5 N	30 E	WM	14	SE SW	20.00
5 N	30 E	WM	14	NE SE	40.00
5 N	30 E	WM	14	NW SE	40.00
5 N	30 E	WM	14	SW SE	20.00
5 N	30 E	WM	14	SE SE	20.00
5 N	30 E	WM	15	NE NE	40.00
5 N	30 E	WM	15	NW NE	40.00
5 N	30 E	WM	15	SW NE	40.00
5 N	30 E	WM	15	SE NE	40.00
5 N	30 E	WM	15	NE NW	40.00
5 N	30 E	WM	15	NW NW	10.00
5 N	30 E	WM	15	SW NW	10.00
5 N	30 E	WM	15	SE NW	40.00
5 N	30 E	WM	15	NE SE	40.00
5 N	30 E	WM	15	NW SE	40.00
5 N	30 E	WM	15	SW SE	20.00
5 N	30 E	WM	15	SE SE	20.00
Total					1000.00

Permit Amendment T-11586 Conditions:

The combined quantity of water diverted at the new point of appropriation, together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.

Water shall be acquired from the same aquifer as the original points of appropriation.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the meter in good working order.

- B. The permittee 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.
- C. The permittee shall allow Department staff access to the meter(s) and the wells; provided however, where any meter or well is located within a private structure, staff shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

The wells shall be regulated if any interference is observed or demonstrated with wells in the Stage Gulch Critical Ground Water Area.

This water right is not eligible for the allocation of conserved water authorized under ORS 537.455 – 537.500.

Groundwater production in each well shall be limited to a single aquifer in the Columbia River Basalt Group. Each well shall be continuously cased and continuously sealed to within 100 feet of the bottom of the open borehole. A larger open interval may be approved by the Department if the permittee can demonstrate to the Department's satisfaction, using packer tests or other suitable methods, that the hydraulic heads of water-bearing zones in the proposed open interval are equivalent or that the open interval is part of a continuous zone of interconnected porous materials.

Each well with a pump shall be equipped with a dedicated 3/4-inch diameter (minimum) water-level measurement tube, separate from other methods of measuring the water level such as airlines or transducers. The annual water-level measurement required in the permit shall be measured through the measuring tube.

Data Collection Plan

For each of the following numbered conditions, data collection shall be supervised by an Oregon registered geologist. Prior to data collection, the geologist shall submit a data collection and analysis plan (or plans) for Department approval for each numbered item below.

1) Drill Cuttings

Drill cuttings shall be collected at the permitted wells and any test holes. Samples shall be collected at ten-foot intervals and at changes in lithology. A reference set of clean cuttings, in plastic sample trays, shall be submitted to the Department for each well. Select drill cuttings shall be analyzed for a comprehensive suite of major, minor, and trace elements that are appropriate for characterizing Columbia River Basalt Group stratigraphy. The data shall be compiled and the basalt stratigraphy at each well location shall be interpreted by an Oregon registered geologist.

2) Water Chemistry

Groundwater samples shall be collected from water-bearing zones developed from each well. Samples shall be analyzed by a state certified laboratory for general chemistry (common ions, including fluoride), standard water-quality parameters (pH, dissolved solids, specific conductance) and for dating of groundwater (radiocarbon, stable isotopes, tritium and CFCs).

3) Well Testing

At least one long-term aquifer test shall be conducted to determine continuity between production wells. The test shall be conducted at a constant rate for a minimum of 72 hours, and water levels shall be monitored at the pumped well and at least one other production well or test hole. Production wells drilled subsequently to the aquifer test will require additional aquifer testing. The data collection plan for each aquifer test shall identify offsite wells, including wells in State Gulch Critical Groundwater Area that have a reasonable potential for hydraulic continuity. This shall be based upon stratigraphic correlation, geologic structure, water-level and water well report data.

4) Groundwater Resource Characterization Report

The permittee shall submit a report that characterizes the groundwater resource contained within the Columbia River Basalt Group developed under this permit. The report at a minimum shall address: 1) basalt stratigraphy and structure, including cross sections; 2) constant rate well testing and aquifer testing results and analyses; 3) groundwater chemistry and groundwater dating results; 4) mechanism and potential for natural recharge and discharge; 5) potential for sustainability of the groundwater resource; 6) water-level comparisons and analysis of potential for interference with senior wells and wells in Stage Gulch Critical Groundwater Area; and 7) potential for additional sustainable groundwater development in the area. Additional reports may be submitted if data are collected after submittal of the characterization report. This body of work shall serve as the technical foundation for review of subsequent applications for local groundwater development.

All hydrologic and geologic data collected shall be provided to OWRD in report and in electronic format specified by the Department.

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of February. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial February static water-level measurement once well construction is complete and *annual measurements thereafter. Annual measurements are required* whether or not the well is used. *The first annual measurement will establish a reference level* against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and

- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

STANDARD CONDITIONS

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.

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 be subject to cancellation, 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 well(s) 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 airline and pressure gauge adequate to determine water level elevation in the well at all times.

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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 to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

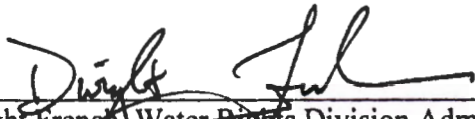
This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

Completion of construction and application of the water shall be made by April 13, 2015. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued February 18, 2015



Dwight French, Water Rights Division Administrator for
Thomas M. Hyler, Director
Oregon Water Resources Department

6-17068

CLARK Gerald E * WRD

From: Dale VanSchoiack <dalevconsulting@gmail.com>
Sent: Friday, March 24, 2017 1:55 PM
To: CLARK Gerald E * WRD
Subject: RE: Dale V. COBU question

Hi Gerry,

Thought I would provide you an update on the COBU Report for Randy Rupp's water permit. After a fairly extensive search, I have been unable to locate documents that in my opinion would satisfy all the permit conditions. I have informed Randy Rupp that I do not believe he has met with all the permit conditions and therefore I do not believe he is not ready to have a Claim of Beneficial Report prepared and submitted to OWRD. I suggested he apply for an extension. At this time, I am no longer involved with this effort.

Thanks,
Dale

DGV Consulting, PLLC
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Phone: 509-627-8717 Fax: 509-585-2832
dalevconsulting@gmail.com

From: CLARK Gerald E * WRD [mailto:Gerald.E.Clark@oregon.gov]
Sent: Tuesday, March 21, 2017 9:24 AM
To: Dale VanSchoiack <dalevconsulting@gmail.com>
Cc: Randy@costlesscarpet.com; HACKETT Joshua A * WRD <Joshua.A.Hackett@oregon.gov>
Subject: RE: Dale V. COBU question

Dale,

I am forwarding your message to Josh Hackett in the Groundwater Section. I believe that he will be able to answer some of your questions related to the groundwater conditions.

Gerry

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

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If OWRD doesn't have this information, it appears to me the water user may have to apply for an extension to allow someone time to sort this out.

Thanks for checking one more time.

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dalevconsulting@gmail.com

From: Dale VanSchoiack [<mailto:dalevconsulting@gmail.com>]

Sent: Thursday, March 16, 2017 3:45 PM

To: 'CLARK Gerald E * WRD' <Gerald.E.Clark@oregon.gov>

Subject: RE: Dale V. COBU question

Thank you Gerry,

Have a good weekend.

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Sent: Thursday, March 16, 2017 3:33 PM

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Cc: Randy@costlesscarpet.com

Subject: RE: Dale V. COBU question

Dale,

I checked in with Dwight this morning. He did indicate, that upon request of a CWRE committed to prepare the Claim, the Department could grant an additional 60 days to complete the Claim.

I have reviewed the permit file and do not find any documentation that the conditions of the permit (Pages 3 and 4) which required Drill Cuttings, Water Chemistry, Well Testing, and a Groundwater Resource Characterization Report have been satisfied. As most of our Groundwater staff is out in the field, I have been unable to locate someone who can provide any additional information beyond what the permit file contains.

I will continue to search for information regarding compliance with these conditions.

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I believe the UMAT designations for Wells 1-4 are UMAT 57044, UMAT 57042, UMAT 57041, & UMAT 57043 respectively.

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Please check the files at the department and let me know if the department has the above information as far as meeting the requirements of the permit for the COBU report.

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CLARK Gerald E * WRD

From: CLARK Gerald E * WRD
Sent: Friday, March 24, 2017 2:11 PM
To: 'Dale VanSchoiack'
Subject: RE: Dale V. COBU question

Dale,

Thank you for the update.

Have a great weekend.

Gerry

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CLARK Gerald E * WRD

From: CLARK Gerald E * WRD
Sent: Friday, March 17, 2017 11:12 AM
To: HACKETT Joshua A * WRD
Subject: Rupp Ranches Application G-17068, Permit G-17272 (previously Permit G-16671 modified by T-11586)

Josh,

I have a CWRE asking about this permit and whether the permit holder has complied with the permit conditions on pages 3 and 4 which required Drill Cuttings, Water Chemistry, Well Testing, and a Groundwater Resource Characterization Report. The application file does not contain any information concerning the submittal of the required data.

On February 7, 2017, the permit holder was provided notice of the Department's intent to cancel the permit unless either a Claim of Beneficial Use or a request for a permit extension of time was filed. The notice provides for 60 days for the permit holder to act or the Department can proceed with the cancellation process.

Please let me know what you find so that I can share the information with the CWRE who is assisting Mr. Rupp.

Thank you

Gerry

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725 Summer Street NE, Suite A
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Phone: 503-986-0811

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Oregon

Kate Brown, 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

*NOTE: For water rights information and useful forms, please see our web site at
www.oregon.gov/OWRD*

February 7, 2017

Certified mail number 7016 0340 0000 9902 2148
Return receipt requested

RUPP RANCHES
176 KRANICHWOOD ST
RICHLAND, WA 99352

Reference: Application G-17068, Permit G-17272

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by April 13, 2015.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of April 13, 2015. The fee for submitting a claim of beneficial use is \$175.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

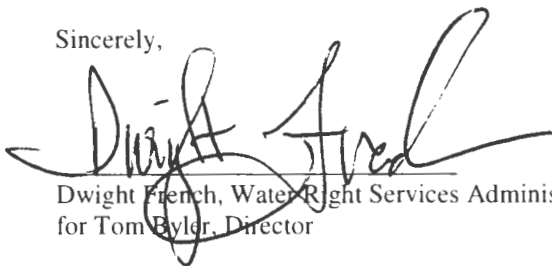
If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$575.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (April 7, 2017) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$450.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.

Should you have any questions, please contact Dwight French at 503-986-0819.

Sincerely,



Dwight French, Water Right Services Administrator
for Tom Byler, Director

Enclosures (1)

cc: File G-17068

OWRD Watermaster District 5



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

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www.wrd.state.or.us

December 22, 2015

Mr. Randy Rupp

176 Kranichwood ST

Richland, WA 99352

Re: Application File G-17068, permit G-17272 (replacing permit G-16671) via T-11586

Dear Mr. Rupp,

This letter is a follow-up to our September 29, 2015 meeting in Pendleton. I apologize for the delay in getting back to you. My staff reviewed your groundwater level and use data, and permit conditions, and have been working with your consultant on a proposed aquifer storage and recovery (ASR) project to potentially provide a future source of water for the site. There were two main topics we discussed at our meeting. First, the original well drilled on the site requires repair or abandonment to prevent aquifer commingling and meet well construction standards. Second, the use of groundwater under Permit G-17272 has resulted in groundwater level declines that exceed those allowed by your permit conditions, requiring a reduction in groundwater use to stabilize groundwater levels.

The meeting was helpful in that you provided a clearer history of the original well construction challenges and of the lost drilling tools remaining in the borehole, which create additional challenges when cleaning out the well to repair or abandon it. Our well inspection staff and Salem Groundwater Section staff will be available to help with information and questions about construction and abandonment standards. Once you select a contractor for the work, we'll work with them on proposals they may have to complete the work. At the time of our meeting we discussed a six month window in which to repair or abandon the well. As such, please work diligently to have the well repaired or abandoned before July 1, 2016.

Groundwater permit G-17272 authorizes up to 2,000 acre feet per year from the basalt aquifers providing water to the four production wells. As you recall, there are two wells completed in a shallow basalt aquifer, and two wells completed in a deeper basalt aquifer. Groundwater levels measured in both aquifers indicate declines in excess of 25 feet. The amount of groundwater level decline exceeds the conditions in your permit, which requires the user to discontinue use, or reduce the volume of withdrawal, from the aquifers. Your groundwater use data indicates the wells have pumped a total of approximately 1,800 to 2,000 acre feet each year. I would like you to reduce the total groundwater volume pumped during the 2016 irrigation season to no more than 1,400 acre feet from all wells, in order to begin stabilization of groundwater levels in the two aquifers. Watermaster staff will likely visit the wells during the 2016 irrigation season to periodically record totalizing flow meter values, and my staff will be out quarterly to download the transducer we installed in Well #2. After my staff have

evaluated the latest groundwater level and use data from your site, we can estimate the volume of groundwater that can be used in 2017. At this time we estimate the long-term sustainable yield of the aquifers is less than 500 acre-feet per year. This limitation, in turn, may make them ideal candidates for an ASR project.

Please contact me if you have any questions regarding these two matters at 503.986.0847 or by email at ivan.k.gall@wrdd.state.or.us.

Sincerely,

A handwritten signature in black ink that reads "Ivan Gall". The signature is fluid and cursive, with the first name "Ivan" and last name "Gall" clearly distinguishable.

Ivan Gall – Manager, Groundwater Section

Cc: Mike Ladd – Northcentral Region Manager
Greg Silbernagel – District 5 Watermaster
Justin Iverson – Groundwater Section
Jen Woody – Groundwater Section
Kris Byrd – Well Construction Section

PERMIT STATUS REVIEW BY Corey Courchane DATE 11-23-16 FILE # G-17068

1. Per Dwight French, **do not** send "C" DATE NOTICE PACKET if : update appropriate db

no Extension pending _____

no Assignment is pending _____

no Cancellation has been requested _____

no Dept. has already sent a certified 60-Day Compliance letter (date _____, # _____)

Was **60 days notice** allowed? Y N If No, How Much Time ? _____

Was mail deliverable as addressed? Y N date _____

If mail returned, online/www check ? Y N date _____ successful ? Y N

Re-send Cert. Letter ? Y N date _____

Send cancellation order Y N

no Claim of beneficial use and final proof map (COBU) have been received by Department

Date information received _____

2. IF NONE OF THE ABOVE APPLY

yes Send **certified** "C" date notice packet to permit holder.

"C" DATE April 13, 2015 BASIN NUMBER 7 WM # 5

CWRE or AGENT Ir2 Consulting LLC 2800 NW 29th Ave Portland OR 97210

3. AOI Yes _____ NO ✓ If Yes, name of AOI _____

S:\groups\wr\PERMIT C jdc-date-checklist.doc

*Send letter
w/ Dwight's
signature line
and contact
info
11-23-16
cc*



Oregon

G-17068

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
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Fax (503) 986-0904
www.wrd.state.or.us

February 19, 2015

RUPP RANCHES
RANDY RUPP
176 KRANICHWOOD ST
RICHLAND, WA 99352

REFERENCE: Permit Amendment Application T-11586

Enclosed is a copy of the order approving your Permit Amendment application.

Also enclosed is a superseding permit that incorporates the amendments approved by the final order contained herein. Please read this document and abide by the requirements.

If you have any questions related to the approval of this permit amendment, you may contact your caseworker by telephone at (503) 986-0892 or by e-mail at Joan.M.Smith@wrds.state.or.us

Sincerely,

for Codi Holmes
Water Rights Services Support
Transfer and Conservation Section

cc: Tony G. Justus, Watermaster Dist. # 5 (via email)
Irz Consulting, Agent

Enclosure

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Permit Amendment	)	FINAL ORDER APPROVING
T-11586, Umatilla County	)	AN ADDITIONAL POINT OF
	)	APPROPRIATION

Authority

ORS 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

Applicant

RUPP RANCHES
176 KRANICHWOOD ST
RICHLAND, WA 99352

Findings of Fact

1. On April 25, 2013, Rupp Ranches filed an application for an additional point of appropriation under Permit G-16671. The Department assigned the application number T-11586.
2. Notice of the application for the permit amendment was published in the Department's weekly notice on May 7, 2013, and in the Hermiston Herald newspaper on December 27, 2014 and January 3, 2015, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
3. Transfer Application T-11586 proposes an additional point of appropriation as described in the table below, with approximate distances from the existing points of appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Authorized Well
5 N	31 E	WM	7	SW NW	WELL #4- 2013 FEET SOUTH AND 1125 FEET EAST FROM THE NW CORNER OF SECTION 7	WELL #1- 2.9 Miles WELL #2- 2.0 Miles WELL #3- 1.3 Miles

Permit Amendment Review Criteria

4. The change would not result in injury to other water rights.
5. The change does not enlarge the permit.
6. The change does not alter any other terms of the permit.

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 137-004-080 and OAR 690-01-005 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.

Conclusions of Law

The additional point of appropriation proposed by Permit Amendment Application T-11586 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The additional point of appropriation proposed by Permit Amendment Application T-11586 is approved.
2. Permit G-17272 in the name of RUPP RANCHES, is issued to replace Permit G-16671, and incorporates the amendments approved by this order. Permit G-16671, in the name of RUPP RANCHES, is no longer of any force or effect.
3. The combined quantity of water diverted at the new point of appropriation, together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
4. Measurement, recording and reporting conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation at each new point of appropriation.
 - b. The water user shall maintain the meter or measuring device in good working order.
 - c. The water user 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.
5. Water shall be acquired from the same aquifer as the original points of appropriation.
6. All other terms and conditions of Permit G-16671 remain the same.

Dated at Salem, Oregon this 18 day of February 2015.



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

Mailing Date: FEB 20 2015

STATE OF OREGON
COUNTY OF UMATILLA
PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RUPP RANCHES
176 KRANICHWOOD ST
RICHLAND, WA 99352

This superseding permit is issued to describe an amendment for an additional point of appropriation proposed under Permit Amendment Application T-11586 and approved by Special Order Vol. 95, Page 93-94, entered February 18, 2015. This permit supersedes Permit G-16671.

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

APPLICATION FILE NUMBER: G-17068

SOURCE OF WATER: WELL 1, WELL 2, WELL 3, AND WELL 4 IN COLUMBIA RIVER BASIN

PURPOSE OR USE: IRRIGATION USE ON 1,000 ACRES

MAXIMUM RATE: 12.5 CUBIC FEET PER SECOND, FURTHER LIMITED TO 2,000 ACRE FEET PER YEAR

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JUNE 16, 2008

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distance
5 N	30 E	WM	15	SW NE	WELL 1: 2455 FEET SOUTH AND 2660 FEET EAST FROM THE NW CORNER OF SECTION 15
5 N	30 E	WM	14	SW NE	WELL 2: 2455 FEET SOUTH AND 2645 FEET EAST FROM THE NW CORNER OF SECTION 14
5 N	30 E	WM	13	SE NW	WELL 3: 2230 FEET SOUTH AND 2440 FEET EAST FROM THE NW CORNER OF SECTION 13
5 N	31 E	WM	7	SW NW	WELL 4: 2013 FEET SOUTH AND 1125 FEET EAST FROM THE NW CORNER OF SECTION 7

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

The place of use is located as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 N	30 E	WM	11	SW SE	10.00
5 N	30 E	WM	11	SE SE	10.00
5 N	30 E	WM	12	SW SW	5.00
5 N	30 E	WM	13	NW NW	10.00
5 N	30 E	WM	13	SW NW	10.00
5 N	30 E	WM	13	NW SW	10.00
5 N	30 E	WM	13	SW SW	5.00
5 N	30 E	WM	14	NE NE	40.00
5 N	30 E	WM	14	NW NE	40.00
5 N	30 E	WM	14	SW NE	40.00
5 N	30 E	WM	14	SE NE	40.00
5 N	30 E	WM	14	NE NW	40.00
5 N	30 E	WM	14	NW NW	40.00
5 N	30 E	WM	14	SW NW	40.00
5 N	30 E	WM	14	SE NW	40.00
5 N	30 E	WM	14	NE SW	40.00
5 N	30 E	WM	14	NW SW	40.00
5 N	30 E	WM	14	SW SW	20.00
5 N	30 E	WM	14	SE SW	20.00
5 N	30 E	WM	14	NE SE	40.00
5 N	30 E	WM	14	NW SE	40.00
5 N	30 E	WM	14	SW SE	20.00
5 N	30 E	WM	14	SE SE	20.00
5 N	30 E	WM	15	NE NE	40.00
5 N	30 E	WM	15	NW NE	40.00
5 N	30 E	WM	15	SW NE	40.00
5 N	30 E	WM	15	SE NE	40.00
5 N	30 E	WM	15	NE NW	40.00
5 N	30 E	WM	15	NW NW	10.00
5 N	30 E	WM	15	SW NW	10.00
5 N	30 E	WM	15	SE NW	40.00
5 N	30 E	WM	15	NE SE	40.00
5 N	30 E	WM	15	NW SE	40.00
5 N	30 E	WM	15	SW SE	20.00
5 N	30 E	WM	15	SE SE	20.00
Total					1000.00

Permit Amendment T-11586 Conditions:

The combined quantity of water diverted at the new point of appropriation, together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.

Water shall be acquired from the same aquifer as the original points of appropriation.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the meter in good working order.

- B. The permittee 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.
- C. The permittee shall allow Department staff access to the meter(s) and the wells; provided however, where any meter or well is located within a private structure, staff shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

The wells shall be regulated if any interference is observed or demonstrated with wells in the Stage Gulch Critical Ground Water Area.

This water right is not eligible for the allocation of conserved water authorized under ORS 537.455 – 537.500.

Groundwater production in each well shall be limited to a single aquifer in the Columbia River Basalt Group. Each well shall be continuously cased and continuously sealed to within 100 feet of the bottom of the open borehole. A larger open interval may be approved by the Department if the permittee can demonstrate to the Department's satisfaction, using packer tests or other suitable methods, that the hydraulic heads of water-bearing zones in the proposed open interval are equivalent or that the open interval is part of a continuous zone of interconnected porous materials.

Each well with a pump shall be equipped with a dedicated 3/4-inch diameter (minimum) water-level measurement tube, separate from other methods of measuring the water level such as airlines or transducers. The annual water-level measurement required in the permit shall be measured through the measuring tube.

Data Collection Plan

For each of the following numbered conditions, data collection shall be supervised by an Oregon registered geologist. Prior to data collection, the geologist shall submit a data collection and analysis plan (or plans) for Department approval for each numbered item below.

1) Drill Cuttings

Drill cuttings shall be collected at the permitted wells and any test holes. Samples shall be collected at ten-foot intervals and at changes in lithology. A reference set of clean cuttings, in plastic sample trays, shall be submitted to the Department for each well. Select drill cuttings shall be analyzed for a comprehensive suite of major, minor, and trace elements that are appropriate for characterizing Columbia River Basalt Group stratigraphy. The data shall be compiled and the basalt stratigraphy at each well location shall be interpreted by an Oregon registered geologist.

2) Water Chemistry

Groundwater samples shall be collected from water-bearing zones developed from each well. Samples shall be analyzed by a state certified laboratory for general chemistry (common ions, including fluoride), standard water-quality parameters (pH, dissolved solids, specific conductance) and for dating of groundwater (radiocarbon, stable isotopes, tritium and CFCs).

3) Well Testing

At least one long-term aquifer test shall be conducted to determine continuity between production wells. The test shall be conducted at a constant rate for a minimum of 72 hours, and water levels shall be monitored at the pumped well and at least one other production well or test hole. Production wells drilled subsequently to the aquifer test will require additional aquifer testing. The data collection plan for each aquifer test shall identify offsite wells, including wells in State Gulch Critical Groundwater Area that have a reasonable potential for hydraulic continuity. This shall be based upon stratigraphic correlation, geologic structure, water-level and water well report data.

4) Groundwater Resource Characterization Report

The permittee shall submit a report that characterizes the groundwater resource contained within the Columbia River Basalt Group developed under this permit. The report at a minimum shall address: 1) basalt stratigraphy and structure, including cross sections; 2) constant rate well testing and aquifer testing results and analyses; 3) groundwater chemistry and groundwater dating results; 4) mechanism and potential for natural recharge and discharge; 5) potential for sustainability of the groundwater resource; 6) water-level comparisons and analysis of potential for interference with senior wells and wells in Stage Gulch Critical Groundwater Area; and 7) potential for additional sustainable groundwater development in the area. Additional reports may be submitted if data are collected after submittal of the characterization report. This body of work shall serve as the technical foundation for review of subsequent applications for local groundwater development.

All hydrologic and geologic data collected shall be provided to OWRD in report and in electronic format specified by the Department.

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of February. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial February static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and

- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

STANDARD CONDITIONS

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.

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 be subject to cancellation, 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 well(s) 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 airline and pressure gauge adequate to determine water level elevation in the well at all times.

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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 to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

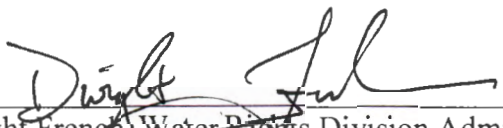
This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

Completion of construction and application of the water shall be made by April 13, 2015. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued February 18, 2015


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

**Geologic and Hydrogeologic
Data Collection Plan
for
Rupp Ranches
Groundwater Irrigation Project
Umatilla County, Oregon**

Prepared for:

Oregon Water Resources Department

Prepared by:



Water Solutions, Inc.

GSI Water Solutions Inc.

March 2012

**Geologic and Hydrogeologic Data Collection Plan
for
Rupp Ranches Groundwater Irrigation Project
Umatilla County, Oregon**

Prepared by

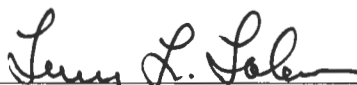
Terry L. Tolan, RG.
GSI Water Solutions, Inc.

March 2012

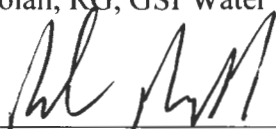


Expires 12/31/2012

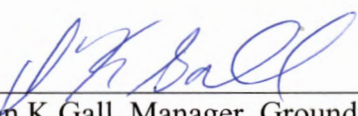
Approvals:



Terry L. Tolan, RG, GSI Water Solutions, Project Manager 3/15/2012
Date



Randy Rupp, Owner, Rupp Ranches 3/15/2012
Date



Ivan K. Gall, Manager, Groundwater/Hydrology Division, OWRD 3/16/2012
Date

Preface

This document presents the Data Collection Plan (DCP) as required by Oregon Water Resources Department Groundwater Permit G-16671 issued to Rupp Ranches. Under Permit G-16671, Rupp Ranches plans to construct three (3) irrigation wells into the Columbia River Basalt Group (CRBG) aquifer system at the project site (Site). The DCP describes the specific types of geologic and hydrogeologic data that will be collected and analyzed from the constructed irrigation wells, collection methods and procedures, and types of analyses that will be performed on collected samples. The four primary tasks of the DCP include:

1. Collection, logging, and analysis of drill-cuttings.
2. Collection and analysis of groundwater.
3. Aquifer pump-test data collection.
4. Groundwater Resource Characterization Report.

Detailed discussions for each of the primary DCP tasks is presented in the following sections.

Section 1.

Task 1. Collection, Logging, and Documentation of Drill-Cuttings

1.1 Introduction

The work described in this section of the DCP involves collection of data necessary to identify and characterize the geologic units penetrated by the three irrigation wells. The primary focus of this work will be on the identification and physical characterization of the CRBG units penetrated and determining which specific CRBG unit(s) hosts water-bearing zones (aquifers). This information and data collected under Task 1 will be analyzed and correlated as part of the work performed under Task 4 (Groundwater Resource Characterization Report).

1.2 Drill-Cuttings Sample Collection

Drill-cuttings shall be collected from all wells constructed at the Site. Representative drill-cuttings shall be collected at ten (10)-foot intervals and at changes in lithology for the entire depth of the well.

Each drill-cutting sample shall be placed in a sturdy sample bag and each bag clearly labeled with well name and sample depth or depth interval in water-proof, indelible black ink. Individual drill-cutting samples should not be less than one (1) quart nor exceed two (2) quarts in volume. Bagged samples must be stored and protected from damage or loss at the well site until delivered to the Geologist for logging and analysis.

1.3 Drill-Cuttings Geologic Logging

Many of the diagnostic textures and features that allow identification of CRBG units and intraflow structures from drill-cuttings only can be easily seen when the drill-cuttings are clean and dry. The following sections describe various methods and equipment for CRBG drill-cuttings logging.

Selected samples will be washed and dried to facilitate logging. Washing and drying CRBG drill-cutting samples simply consist of washing them thoroughly in water to remove any mud or powdered rock adhering to individual chips (cuttings) and then allowing the sample to dry.

1.3.1 Special Handling of Samples Containing Cuttings from Sediment Interbeds

Samples consisting of, or appearing to consist of, sedimentary drill-cuttings will not be cleaned in the same manner as samples consisting entirely of CRBG chips because the normal washing process could wash away most, if not all, of the sample leaving none of the sediment for examination and logging. Therefore, samples containing sediment should be placed directly onto a labeled paper plate to dry in their as-sampled and unwashed condition. If the sample appears to contain some CRBG chips, these chips can be removed from the sample and washed.

1.3.2 Logging of CRBG Dried Cuttings

Cleaned and dried drill-cuttings should be logged following the format on the attached standardized Columbia River basalt drill-cuttings logging form (Appendix A). The following provides an explanation of the information to be recorded under the various column headings:

- **Well ID:** List the assigned well name and unique OWRD well identification number if known.
- **Location:** Give Township (T), Range (R), and Section. If GPS coordinates are available for the well these should be written at the top of the form.
- **Date Drilled:** Either the time period in which the well was drilled (e.g., 2/10/2006 to 4/12/2006) or its completion date (e.g., 4/12/2006).
- **Driller:** The name of the drilling contractor.
- **Date:** When the drill-cuttings samples were logged.
- **Logged by:** Name of geologist(s) doing the geologic logging.
- **Unit ID:** Name of stratigraphic unit. This space may be left blank and filled in later after unit identification is confirmed or a preliminary unit identification can be made.
- **Chem. Sample:** Check this box if a split of this sample has been selected for geochemical analysis.
- **Depth:** In virtually all cases samples are identified by the depth (below ground surface) from which they came and this serves as the sample's "identification number". This number may be either a discrete depth (e.g., 305 feet) or a depth range (e.g., 300 – 310 feet) depending on how the samples were collected.
- **Sediment:** Indicate presence of sediment (e.g., from sedimentary interbed, suprabasalt sediments, or pre-CRBG sediments) and its relative abundance within the sample.
- **Glass:** Indicate the presence and relative abundance of glass within the sample (Sp – sparse, Med – medium, A – abundant). Glass is mostly found in flow tops

and flow bottoms. Glass (or hyaloclastite) typically has a black, vitreous to glossy appearance.

- **Groundmass (Fine-Gr, Med-Gr, Crs-Gr):** The next three columns allow the relative coarseness of the groundmass to be characterized. There are no sharp boundaries between these categories and often samples may be transitional between the following categories: (1) **Fine-Gr (Fine-Grained):** individual crystals within the groundmass too small to be seen without optical aids (e.g., hand lens). Surfaces have a glossy to dull matted appearance; (2) **Med.-Gr (Medium-Grained):** individual crystals within the groundmass are visible to the naked eye. Individual crystals can range from 0.05 to 1 mm and typically have a matted to “sugary” texture, and (3) **Crs.-Gr (Coarse-Grained):** individual crystals within the groundmass are easily visible to the naked eye. Individual crystals can range from 1 to 3 mm in size.
- **Vesiculation (Scoria, Ab. Vesicles, and Few Vesicles):** If the drill-cuttings are vesicular, the type and degree of vesiculation can be indicated by selecting one, or more, of the following columns: (1) **Scoria:** Individual chips within the sample consist entirely of vesicular basalt that displays a very frothy texture and evidence that the drill-cuttings may have come from clasts (e.g., flow top breccia). Vesicles are often small (<2 mm) to medium (5 – 10 mm) in size; (2) **Ab. Vesicles:** “Abundant Vesicles” - Individual chips within the sample consist entirely of vesicular basalt that displays a very frothy texture and represent normal (or “simple”) flow tops. Vesicles can range from small (<2 mm) to large (10 to 30 mm) in size; and (3) **Few Vesicles:** Individual chips within the sample contain one or more vesicles surrounded by dense (non-vesicular) groundmass. Vesicles can range from small (<2 mm) to large (10 to 30> mm) in size.
- **Dense:** Individual chips within the sample consist of non-vesicular groundmass. Samples obtained from the transition zone between the vesicular flow top and dense interior of a flow will contain a mix of chips displaying both vesicular (Few Vesicles) and dense textures.
- **Dikty:** “Diktytaxitic Texture” - Individual chips within the sample may contain irregular, angular cavities (ranging from <1 mm to 4> mm in size) that are not vesicles. Typically this texture is only found in portions of CRBG flows that have holocrystalline (groundmass entirely composed of crystals) textures.
- **Microphyric:** Small (<3 mm) crystals (termed “microphenocrysts”) that conspicuously stand out from the groundmass. In the case of most CRBG flows, plagioclase feldspar is the most likely mineral to be found as a microphenocryst. Olivine (and much more rarely augite) may be found as microphenocrysts in certain CRBG flows. The relative abundance of microphenocrysts in drill-cuttings can be described as follows: (1) **Abundantly Microphyric (AM):** On a 10 mm diameter chip face, 8 or more microphenocrysts can be counted. All chips contain numerous microphenocrysts; (2) **Microphyric (M):** On a 10 mm diameter chip face, 2 to 8 microphenocrysts can be counted. All chips contain some microphenocrysts; (3) **Sparsely Microphyric (SM):** On a 10 mm diameter chip face, you may observe 1 to 2 microphenocrysts on some chips. Some chips may

not contain any microphenocrysts; and **(4) Rarely Microphyric:** On a 10 mm diameter chip face, you may infrequently observe a microphenocryst, but most chips have no microphenocrysts.

- **Phyric:** Refers to the presence/absence of phenocrysts or glomerocrysts (or glomerophenocrysts) in the sample. Individual crystals (phenocrysts) and clusters of two or more large, attached crystals (glomerocrysts), that is larger than 3 mm and stand out from the surrounding groundmass. The relative abundance of phenocrysts and glomerocrysts in drill-cuttings can be described as follows: **(1) Abundantly Phyric (AP):** Pieces of phenocrysts/glomerocrysts can be easily found on larger chips (1 in every 8 to 10 chips) and/or abundant plagioclase crystal shards/fragments in the fine-fraction of the drill-cuttings; **(2) Phyric (P):** Pieces of phenocrysts/glomerocrysts can be found on larger chips (1 in every 10 to 20 chips) and/or numerous plagioclase crystal shards/fragments in the fine-fraction of the drill-cuttings; **(3) Sparsely Phyric (SP):** – Pieces of phenocrysts/glomerocrysts can be found with some effort on larger chips (1 in every 20 to 300 chips) and/or occasional plagioclase crystal shards/fragments in the fine-fraction of the drill-cuttings.; and **(4) Rarely Phyric (RP):** – A piece of a phenocryst/glomerocryst is very difficult to find on larger chips (1 in every 300 to 1,000 chips) and a rare plagioclase crystal shard/fragment may be found in the fine-fraction of the drill-cuttings.
- **Weathered:** The degree of weathering (or alteration) observed within the sample. Degree of weathering can be slight (basalt chips display minor hydration rinds or slight alteration) to extreme (basalt has been totally converted to laterite or clay).
- **Oxidized:** The degree of red to reddish orange coloration exhibited by the basalt drill-cuttings. Oxidation is most commonly observed within the flow tops and upper portions of CRBG flows. Degree of oxidation may range from absent to extreme.
- **Sec. Minerals:** “Secondary Minerals” – minerals (including clay) that were precipitated or developed within vesicles, vugs, cooling joints, and/or tectonic joints. Indicate in this column the presence and relative abundance of secondary minerals observed within the drill-cuttings. If the secondary mineral(s) can be identified, note them (e.g., calcite, pyrite) in the “comments” column along with any distinctive or unique aspects (e.g., euhedral crystals in vesicles, coating on cooling joints, etc.).
- **Slicks:** “Slickensides” – Use this column to indicate if drill-cuttings sample displays evidence of tectonic deformation (i.e., fault breccia, fault gouge, polished surfaces, or striations).
- **Comments:** Use this column to briefly describe/note other significant observations, such as: (1) the type of interflow structure represented by the sample, (2) if the sample is plagioclase phyric, containing phenocrysts or glomerocrysts, (3) general color, size, and habit (shape) of phenocrysts/glomerocrysts, and (4) appearance, composition (mix of up-hole cuttings, “foreign” materials (i.e., cement, LCM, steel), and size of drill-cuttings

that comprise the sample. The following abbreviations can be used to denote type of intraflow structure or feature:

- FT = normal or simple flow top
- FTB = flow top breccia
- DIC = dense interior – colonnade or columnar jointed
- DIE = dense interior – entablature jointed
- FB = normal flow bottom
- PC = pillow complex
- IB = interbed. A brief description of the sediments observed in the sample should be included. Things to note include type of sediment (e.g., epiclastic, volcanoclastic, volcanic), grain-size, degree of induration (including type of cementing agent), mineralogy, and fossils.

Two (2) sets of samples trays shall be prepared. After each sample is logged, a representative split sample will be placed in each appropriately labeled 10 compartment tray. The outside of the tray lid and at least one side of the tray will be labeled (black permanent ink) with the name and identification number of the well, depth interval, and tray number (e.g., Tray 2 of 10). The end of the tray will be labeled with the well identification number and depth interval. The inside of the tray lid will be labeled with the well identification number and each compartment labeled with the appropriate depth interval. The remainder of the sample will be placed in a clean, labeled, plastic zip-lock style bag (1 quart-size bag). The plastic bag will be labeled as follows:

- Well name and identification number. If identification number is not available, include well location (Township/Range/Section).
- Sample depth.
- Any significant information (e.g., sample selected for geochemistry).

This bagged sample will be placed in a storage box. The sample storage boxes will also be labeled (on all sides and top of the box) with well name/identification number, depth interval (represented by the bagged samples in the box), and total number of boxes (e.g., Box 1 of 3).

1.4 Preparation of CRBG Drill-Cuttings for Geochemical Analysis

To confirm the identification of CRBG units made from the visual logging of drill-cuttings, selected samples will be sent to the Washington State University GeoAnalytical Laboratory for geochemical analysis. However, CRBG drill-cuttings can, and often do, consist of a mix of chips originating from up-hole units and materials (e.g., cement, loss of circulation material (LCM), steel, etc.). Therefore it is important that the individual chips that comprise the sample selected for geochemical analysis all come from the same interval (flow) and are as fresh as possible. Systematically logging the drill-cuttings samples provides the best indication of which lithologies belong to which units. Use this

understanding of the lithologies penetrated by the well to prevent the unintentional mixing of chips from different flows. Samples for geochemical analysis will be selected from drill-cutting samples that are composed of the largest, unaltered chips from the dense interior portion of the flow. Individual chips that have the following will be selected for analysis:

- Cooling joint surfaces since they are often altered and/or contain secondary mineralization.
- Obvious metal marks (steel) or rust stains since they often indicate contamination picked up from the steel drill-string.
- Milled chips since they may have picked up steel contamination from the drill bit and/or the drilling fluid.

The selected chips will be further cleaned and dried to remove any potential surface contamination. The chips will be ultrasonically cleaned in clean water. Once the ultrasonically cleaned samples are dry they will be carefully re-examined to confirm that all of the basalt chips represent the freshest material and all have the same lithologic character. Finally the cleaned basalt chips will be transferred to a labeled, clean, zip-lock style, plastic bag that will be sent to the WSU GeoAnalytical Laboratory.

1.5 Laboratory Analysis of CRBG Drill-Cutting Samples

For this project the GeoAnalytical Laboratory located at Washington State University in Pullman, Washington, shall be used. This laboratory uses X-ray fluorescence (XRF) method to analyze for 28 major, minor, and trace and rare earth elements. It is important to tell the laboratory that it needs to prepare the CRBG drill-cutting samples for XRF analysis using a mild steel mill to prevent chromium (Cr) contamination. This is very important since Cr is often an important element used to help discriminate between different CRBG units. The GeoAnalytical Laboratory at Washington State University has a long history of producing quality analyses of CRBG samples. Laboratory methods and procedures for this laboratory are described in Johnson and others (1999) which is included with this DCP as Appendix B.

1.6 Well Video Log

To assist in confirming the location (depth), thickness, and characteristics of CRBG interflow structures penetrated by the three irrigation wells at the Site, each completed irrigation well shall be inspected using downhole video equipment to document the baseline well condition. Each well video log shall include a 360-degree inspection of the entire length of the well casing and open borehole portion of the well.

Section 2

Task 2. Collection and Analysis of Groundwater

2.1 Introduction

The work described in this section of the DCP involves collection and analysis (and quality control procedures) of representative groundwater samples for general water chemistry, selected standard water-quality parameters, and age-dating. The groundwater data acquired as part of this study will include major and minor ion concentrations, oxygen-18 and deuterium content of water, carbon-13 content and carbon-14 activity of dissolved inorganic carbon, tritium activity, and atmospheric tracers including chlorofluorocarbons (CFC's), sulfur hexafluoride (SF₆), and dissolved gases from selected well(s). For planning purposes it is assumed that all three irrigation wells will be open to the same CRBG unit aquifer. The validity of this assumption will be tested by the logging and geochemical analyses of drill-cuttings collected from the three irrigation wells under Task 1. If this assumption is verified, groundwater sampling will be performed on only one of the three irrigation wells. This irrigation well will be the well selected for the 72-hour constant-rate pumping test described in Section 3 (Task 3). The consultant shall meet with the test-pump contractor prior to the installation of the test-pump to make sure that suitable sampling fittings are installed. Groundwater sampling from this selected well would be scheduled to be performed late in the 72-hour constant-rate pumping test to assure adequate purging and representativeness of the groundwater samples.

If results from Task 1 indicate that one, or more, of the three irrigation wells are open to different CRBG unit aquifers, then each of these wells will be sampled in accordance with the methods and procedures described in this section.

Data collected under Task 2 will be analyzed as part of the work performed under Task 4 (Groundwater Resource Characterization Report).

2.2 Sampling Procedures

Collection of groundwater samples and associated field quality control samples will follow accepted procedures. The consultant will ensure all field sampling personnel will be appropriately trained and thoroughly familiar with these procedures.

2.2.1 Water Quality Measurements and Sampling

The well(s) to be sampled will be purged prior to sampling. It is assumed that an appropriate test-pump will be installed for the step-rate and 72-hour constant-rate pumping tests. Samples will be obtained from a tap as close to the wellhead as possible.

Temperature, specific conductance, pH, oxidation-reduction potential (ORP) and dissolved oxygen will be recorded at intervals, in the hour prior to sampling during the constant-rate test, through the use of a metered, closed-atmosphere flow cell. During this interval, water from the sampling tap will be routed by a clean “Y” fitting directly to the flow cell using a short section of tubing. Well(s) will be purged for a minimum of 10 minutes and until all field parameters have stabilized. Table 1 presents the criteria for purge stabilization.

Table 1. Stabilization Criteria for Well Purging

Parameter	Stabilization Criteria (maximum change for three successive readings)
Temperature	<0.1°C
pH	<0.1
Specific Conductance	<5 %
ORP	<50 mV
Dissolved oxygen	<0.2 mg/L

Once stabilized parameter values have been recorded, water will be re-directed to the second outlet of the “Y” fitting for sample collection. Water samples designated for laboratory analysis will be collected directly into the appropriate containers using sampling procedures appropriate for the analyte(s) being sought. Samples requiring filtration will be collected using a clean, dedicated, in-line 0.45 micron capsule filter, attached to the appropriate “Y” outlet using clean tubing and fittings. The first 200 ml of filtrate will be discarded prior to collecting samples. As appropriate, preservatives will be added to the sample bottle immediately after collection, or alternatively, samples will be collected in pre-preserved bottles. The number and types of containers to be filled for each analysis, as well as holding times and any special sample handling or preservation requirements are listed in Table 2.

Clean latex (powder-free), or similar, gloves will be worn by sampling personnel during sampling and replaced between wells. The sampler will record the location of the sampling point relative to any treatment units or other in-line hydraulic components such as surge/pressure tanks or cisterns. Upon collection, samples will be labeled and immediately placed on ice in a cooler or otherwise stored as specified in Table 2 until delivery to the laboratory.

Table 2. Sample Containers, Preservation and Holding Times				
Parameter	Quantity	Container	Sample Handling and Preservation	Holding Time
Geochemical				
Bicarbonate	1	1L HDPE	Store at < 4C	7 d

Table 2. Sample Containers, Preservation and Holding Times

Parameter	Quantity	Container	Sample Handling and Preservation	Holding Time
Calcium	1	1L HDPE	Store at < 4C	6 mo
Carbonate	1	1L HDPE	Store at < 4C	7 d
Chloride	1	1L HDPE	Store at < 4C	28 d
Hardness (as CaCO ₃)	1	1L HDPE	Store at < 4C	6 mo
Magnesium	1	1L HDPE	Store at < 4C	6 mo
Nitrate as N	1	1L HDPE	Store at < 4C	48 h
Nitrite as N	1	1L HDPE	Store at < 4C	48 h
Total Nitrate-Nitrite	1	1L HDPE	Store at < 4C	28 d
Potassium	1	1L HDPE	Store at < 4C	6 mo
Silica	1	1L HDPE	Store at < 4C	6 mo
Sodium	1	1L HDPE	Store at < 4C	6 mo
Sulfate	1	1L HDPE	Store at < 4C	28 d
Fluoride	1	1L HDPE	Store at < 4C	28 d
Total Alkalinity	1	1L HDPE	Store at < 4C	7 d
Total Dissolved Solid	1	1L HDPE	Store at < 4C	7 d
Total Organic Carbon	2	44 mL VOA	HCL / Store at 4C	28 d
Total Suspended Solids (TSS)	1	1 L HDPE	Store at < 4C	7 d
Metals				
Aluminum	1	250 mL HDPE	HNO ₃ - pH <2	6 mo
Antimony	1	250 mL HDPE	HNO ₃ - pH <2	6 mo
Arsenic	1	250 mL HDPE	HNO ₃ - pH <2	6 mo
Barium	1	250 mL HDPE	HNO ₃ - pH <2	6 mo
Beryllium	1	250 mL HDPE	HNO ₃ - pH <2	6 mo
Cadmium	1	250 mL HDPE	HNO ₃ - pH <2	6 mo
Chromium	1	250 mL HDPE	HNO ₃ - pH <2	6 mo
Copper	1	250 mL HDPE	HNO ₃ - pH <2	6 mo
Iron (Total)	1	250 mL HDPE	HNO ₃ - pH <2	6 mo
Iron (Dissolved)	1	250 mL HDPE	Filter - HNO ₃ - pH <2	6 mo
Lead	1	250 mL HDPE	HNO ₃ - pH <2	6 mo
Manganese (Total)	1	250 mL HDPE	HNO ₃ - pH <2	6 mo
Manganese (Dissolved)	1	250 mL HDPE	Filter HNO ₃ - pH <2	6 mo
Mercury	1	250 mL HDPE	HNO ₃ - pH <2	6 mo
Nickel	1	250 mL HDPE	HNO ₃ - pH <2	6 mo
Selenium	1	250 mL HDPE	HNO ₃ - pH <2	6 mo
Silver	1	250 mL HDPE	HNO ₃ - pH <2	6 mo

Table 2. Sample Containers, Preservation and Holding Times

Parameter	Quantity	Container	Sample Handling and Preservation	Holding Time
Thallium	1	250 mL HDPE	HNO ₃ - pH <2	6 mo
Zinc Isotopes	1	250 mL HDPE	HNO ₃ - pH <2	6 mo
Oxygen-18	1	500 mL HDPE bottle	Seal with tape	NA
Deuterium				
Tritium	1	1-Liter HDPE bottle	Seal with tape	NA
Carbon-14	1	1-Liter wide-mouth HDPE bottle	NaOH to pH>7.5 Seal with tape	NA
Atmospheric Tracers				
CFC-11	5	125 mL (4 oz.) Boston round clear glass bottle, aluminum lined cone-seal cap	No headspace Seal with tape Store upside down	6 months
CFC-12				
CFC-113				
SF ₆	1	1-Liter amber glass bottle, plastic safety coated	No headspace Seal with tape	3 months
CFC-13	2	125 mL (4 oz.) Boston round clear glass bottle, aluminum lined cone-seal cap	See instructions for collecting headspace gas	2 months
SF ₅ CF ₃				
Dissolved Gases				
Argon	3	150 mL serum bottle with rubber stopper (preweighed, supplied by USGS)	No headspace Store at 4° C	6 months
Nitrogen				
Helium	2	150-mL septum bottle (preweighed, supplied by	No headspace Store at 4° C	6 months

Table 2. Sample Containers, Preservation and Holding Times				
Parameter	Quantity	Container	Sample Handling and Preservation	Holding Time
		USGS)		

2.2.2 Water Sample Identification, Labeling and Documentation

Sample identification will be based on the alphanumeric code identifiers assigned to the well(s). For each sample, the following information will be recorded in a field notebook:

- Sample number
- Sample location
- Sampling date and time
- Sampler's name
- Well purging information (flow rate, duration, total volume purged)
- Field parameter readings during purging
- Final (stabilized) field parameter readings
- Analytes sampled for and number of bottles collected for each analysis
- Any other relevant information (field conditions, details of how sample was collected).

Sample bottles will be labeled using self-adhesive labels, which will be completed in indelible ink and include:

- Sample identification number
- Analysis requested
- Preservatives added
- Sample date and time
- Sampler's name

Following completion of sampling, the consultant will review the field logs recorded by the samplers for completeness, accuracy, and clarity. The consultant will retain a copy of completed and verified forms.

2.2.3 Sample Shipping

A Chain-of-Custody form will be completed by field samplers and included with every shipment of samples to the laboratories. The form will be reviewed by field personnel to check that sample identification numbers exactly match those on the sample bottles and field logs. Following review of the forms, field sampling personnel will ship samples to the appropriate laboratories for analysis, in accordance with the following requirements:

- Samples will be shipped so that they arrive at the laboratory within the holding time for the requested analyses.
- Sample coolers will be shipped overnight Monday through Thursday. Samples will not be shipped on Friday.
- If needed, sufficient blue ice should be added to coolers to ensure samples are maintained at or below 4 degrees centigrade during transport.
- Bubble wrap will be used to package the samples.
- Coolers will be sealed with tape.

The laboratory shipping addresses is as follows:

Inorganics: **Anatek Labs, Inc.**
1282 Alturas Drive
Moscow, ID 83843
(208) 883-2839
Attn. John W. Coddington, Ph.D. [john@anateklabs.com]
Laboratory Manager

Stable Isotopes: Professor Carey Gazis
Department of Geology
Central Washington University
400 E. University Way
Ellensburg, WA 98926
(509) 963-2701

CFCs, Dissolved Gases: CFC Laboratory
U.S. Geological Survey
432 National Center
12201 Sunrise Valley Drive
Reston, VA 20192
Tel: (703) 648-5847

Tritium: The Tritium Laboratory
University of Miami
Rosenstiel School of Marine and Atmospheric Science
4600 Rickenbacker Causeway
Miami, FL 33149-1098, USA

Tel: (305) 421-4100

Carbon-14: Beta Analytic Inc.
4985 SW 74th Court
Miami, FL 33155
Tel: (305) 667-516

2.2.4 Laboratory Quality Control

The standard laboratory quality control procedures established by each laboratory used for this project are adequate to estimate laboratory precision and accuracy.

Section 3

Task 3. Aquifer Pump-Testing and Monitoring

3.1 Introduction

This section of the DCP describes the purpose and scope of the aquifer pump-tests. For planning purposes it is assumed that all three irrigation wells constructed at the Site will be open to the same CRBG unit aquifer. This assumption will be checked by logging and analysis of systematically collected CRBG drill-cuttings from each of the three irrigation wells performed under Task 1. If this assumption is verified, one of the irrigation wells will be selected and a test pump will be installed. The other two irrigation wells will be used as observation wells during the pump-tests program. Both a step-rate and 72 hour constant-rate pumping tests will be conducted. Data and information collected during the pump-tests (including monitoring wells) will be analyzed and evaluated in Task 4 (see next section). If the results from Task 1 establish that one, or more, of the three irrigation wells at the Site are open to different CRBG unit aquifers, each of these different CRBG unit aquifers will be subject to an aquifer pump-test. Data collected during the pumping tests will be analyzed and evaluated in Task 4.

3.2 Pumping and Observation Well Selection

Figure 1 shows the approximate location of the three irrigation wells to be constructed on the Site. Assuming that all three irrigation wells are open to the same CRBG unit aquifer, a test pump will be installed in Rupp Well No. 1 and Rupp Well Nos. 2 and 3 will be instrumented as observation wells. Rupp Well No. 2 is located approximately 1 mile east and Rupp Well No. 3 is located approximately 2 miles east of the Rupp Well No. 1. Water levels within both Rupp Well Nos. 2 and 3 will be electronically recorded both prior to, during, and after both step-rate and constant-rate pumping tests on Rupp Well No. 1 to determine the radius and magnitude of influence that pumping has on the CRBG unit aquifer. This data will be used in Task 4 to evaluate the potential impact of pumping of the three irrigation wells on off-site water supply wells that have a reasonable potential for hydraulic continuity.

3.3 Aquifer Testing

3.3.1 Instrumentation

Installation of a test pump into Rupp Well No. 1 (pumping well) will also include:

- The installation of a calibrated mechanical or digital flow meter (which will display the discharge being test pumped from the well in gallons per minute with an accuracy of +/- one percent (1%)).

- The installation of 2 access tubes (minimum diameter of 1 inch, slotted or perforated at the bottom) in which a calibrated, real-time pressure transducer can be installed.

3.3.2 Step- Rate Pumping Test

A step-rate pumping test will be performed after all three irrigation wells have been constructed and developed at the Site. The objectives of the step-rate pumping test will be to evaluate baseline well performance and efficiency and to select the constant-rate test flow rate. The step-rate test will consist of operating the test pump at four different rates, with a minimum of 60 minutes of pumping at each rate. Each step will be conducted for the same duration (e.g., at least 1 hour each or until water level begins to stabilize). An evaluation of the pump size, total dynamic head, and pump curve will be completed to estimate the maximum anticipated discharge rate of the pump, which will be used to determine the pumping rate of each step during the test. All discharge water will be directed away from the test and observation wells and disposed via land application within the Site boundaries.

The following pumping schedule will be used during the test (note this is subject to some variation depending on actual well performance and equipment limitations):

Step	Rate	Minimum Duration
Step 1	20% of maximum pumping capacity	60 minutes
Step 2	40% of maximum pumping capacity	60 minutes
Step 3	60% of maximum pumping capacity	60 minutes
Step 4	80% of maximum pumping capacity	60 minutes

Following the last 60 minutes of pumping during Step 4, we will increase the pumping rate to 100% capacity to evaluate drawdown under the maximum pumping conditions. Drawdown information from the step-rate test will be utilized to determine a sustainable pumping rate for the constant-rate pumping test. This will be accomplished by plotting drawdown from each step interval semi-logarithmically (drawdown vs. time) and extrapolating drawdown at each pumping rate to determine a sustainable long term pumping rate that will not exceed the maximum pumping level at the end of the constant-rate pumping test. Water level data will be electronically collected in the pumping test well (Rupp Well No. 1) and observation wells (Rupp Well Nos. 2 and 3) during pumping and recovery phases of the step-rate test.

3.3.3 Constant Rate-Test

A 72-hour constant-rate aquifer test will be conducted after water levels have recovered following the step-rate test. The objective of the test is to estimate aquifer hydraulic characteristics (transmissivity and storativity), assess boundary conditions, and determine radius and magnitude of potential influence due to pumping on the CRBG unit aquifer. The target pumping rate will be selected on the basis of the results from the step-rate test.

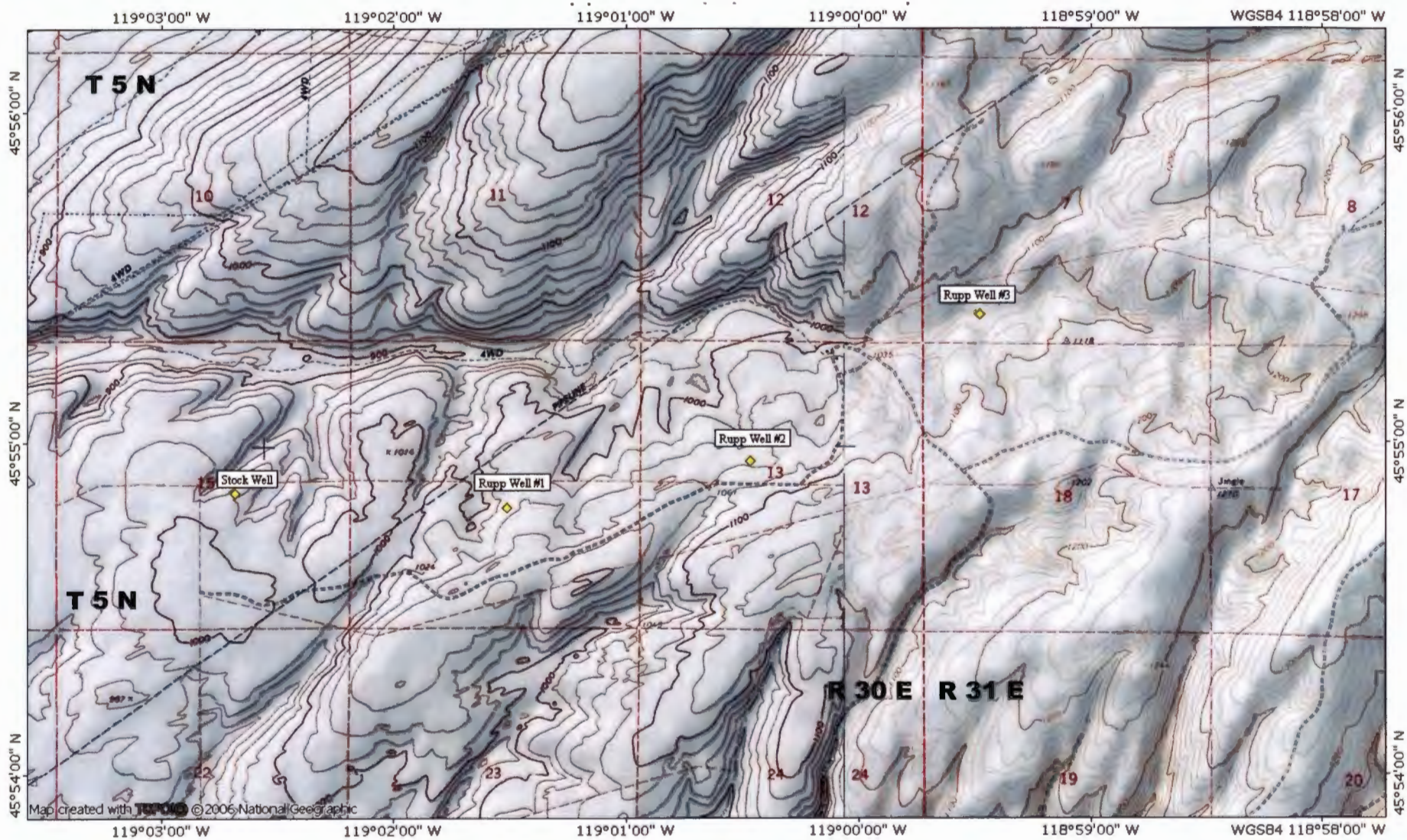


Figure 1. Map showing the locations of the Rupp Stock Well and proposed irrigation wells (Nos. 1, 2, and 3).

All discharge water will be directed away from the test and observation wells and disposed via land application within the Site boundaries.

All water levels will be recorded relative to a common measuring point. Water level measurements in the pumping test well (Rupp Well No. 1) and both observation wells (Rupp Well Nos. 2 and 3) will be made with a pressure transducer and data logger and supplemented with regular manual water level measurements using an electronic water level indicator to verify transducer accuracy and in case of transducer failure. Manual water level measurements will be made and recorded to an accuracy of 1 millimeter (0.01 foot). The recommended time intervals for automated water level measurements are:

0 to 10 minutes	– every 0.1 minute (6 seconds)
10 to 100 minutes	– every 1 minute
100 to 1000 minutes	– every 10 minutes
1,000 minutes to cessation of pumping	– every 60 minutes

After the first 10 minutes, instantaneous flow and volume measurements will be made on the same schedule as the manual water level measurements. Following shut-down of the pump, water level readings during recovery will continue to be made in the pumped well (Rupp Well No. 1) at intervals matching those required for the drawdown phase of the test (both automated and manual) until water levels have recovered to 95% of the pre-test water level.

During the constant-rate pumping test the discharge rate will be kept constant and should not fluctuate more than 5%. If continuous pumping cannot be maintained or discharge rate fluctuates significantly, the test will be stopped and restarted after recovery of the water level in the well to 6 inches of the pre-test static water level or within 95% percent of its pre-test water level, which ever is least.

Water level readings obtained after pumping stops (aquifer recovery period) will continue to be made in the pumping test well and both observation wells at intervals matching those required for the drawdown phase of the test (both automated and manual) until water levels have recovered to 95% of the pre-test water level. Transducers and data loggers will remain in the pumping test well and both observation wells after the aquifer testing is completed. During this period, water level and temperature will be recorded on an hourly basis.

Section 4

Task 4. Hydrogeologic Characterization Report

4.1 Introduction

Item 4 in Permit G-16671 (page 4) requires that a characterization report be prepared and submitted to OWRD. This section of the DCP provides a description of the content of the Hydrogeologic Characterization Report (HCR) that will be prepared and submitted to OWRD after the completion of all the work described in Tasks 1, 2 and 3.

4.2 HCR

After all work and laboratory analyses to be performed under Tasks 1, 2, and 3 have been completed, a draft HCR will be prepared. As specified under Item 4 (Page 4, Permit G-16671), the draft HCR will address:

- 1) Site CRBG subsurface stratigraphy and structural geology (including cross-sections).
- 2) Site CRBG Hydrogeology including identification of which CRBG units host significant aquifers (water-bearing zone).
- 3) Analysis of the step-rate and constant-rate pumping tests to determine aquifer hydraulic properties and the radius and magnitude of influence that pumping has on the CRBG unit aquifer. This includes evaluating potential impact of pumping of the three irrigation wells on off-site water supply wells that have a reasonable potential for hydraulic continuity.
- 4) Analysis of groundwater chemistry and age-dating results.
- 5) Analysis of mechanism and potential for natural recharge and discharge to the utilized CRBG aquifer.
- 6) Potential for groundwater sustainability and the potential for additional sustainable groundwater development in this area.

A draft of the HCR will be provided to Rupp Ranches and OWRD for review and comment. After any comments/edits on the draft HCR are addressed, a finalized HCR will be prepared. The finalized HCR (and all supporting data) will be provided to OWRD in a “hard copy” (paper) format and an electronic format as specified by OWRD.

APPENDIX A

CRBG DRILL-CUTTINGS LOGGING FORM

APPENDIX B

XRF Analysis of Rocks and Minerals for Major and Trace Elements on a Single Low Dilution Li-tetraborate Fused Bead

D. M. Johnson, P. R. Hooper, and R. M. Conrey,
GeoAnalytical Laboratory,
Washington State University, Pullman, WA 99164

Abstract

The precision and accuracy of a low (2:1) Li-tetraborate fused bead technique by X-ray fluorescence analysis for 27 major and trace elements is demonstrated by comparison to accepted values of standard samples and to values acquired by other techniques in other laboratories. The increased efficiency of using a single bead for major and trace elements is achieved without loss of precision or accuracy and the beads may be stored for tens of years without degradation.

Introduction

Of the many advantages in applying X-ray fluorescence (XRF) to the analysis of rocks and minerals, one of the most obvious is the versatility of the instrumentation. Methods can be developed to satisfy a wide variety of needs. In the GeoAnalytical Laboratory of Washington State University, the method developed over a period of more than 30 years (e.g. Hooper, 1964) was originally designed to distinguish the subtle chemical differences between flows of the Columbia River Basalt Group. To trace these flows over the Columbia Plateau required larger than normal numbers of analyses for the maximum number of elements and the highest possible analytical precision, while retaining the best available absolute accuracy. The approach finally adopted includes three separate components which differ from the more commonly employed methods based primarily on the work of Norrish and Hutton (1969). First, a single low dilution (2:1 diLi-tetraborate : sample) fusion is used for both major and trace elements, providing maximum efficiency without loss of accuracy. Second, a constant voltage on a Rh target is used for all elements to achieve maximum long term stability and precision, despite this causing less than perfect conditions for a few trace elements. Third, the oxidation state of iron and the volatile content of the rock are ignored. The original major element concentrations are then normalized to 100%, volatile-free, with all the iron expressed as FeO.

Each of these three factors is independent of the others. Adoption of one does not require the adoption of any other. The advantages and disadvantages of each factor are discussed and all three are implicated in the ultimate accuracy of the analyses discussed below.

Single bead low-dilution fusion technique

Sample Preparation

Fresh chips of the sample are hand picked and a standard volume of chips (approximately 28 g) is ground in a swing mill with tungsten carbide surfaces for 2 minutes. Three and a half grams (3.5 g) of the sample powder is weighed into a plastic mixing jar with 7.0 g of spec pure dilithium tetraborate ($\text{Li}_2\text{B}_4\text{O}_7$) and, assisted by an enclosed plastic ball, mixed for ten minutes. The mixed powders are emptied into graphite crucibles with internal measurements of 34.9 mm diameter by 31.8 mm deep. Twenty four (24) filled crucibles are placed on a silica tray and loaded into a muffle furnace only large enough to contain the tray. Fusion takes 5 minutes from the time the preheated furnace returns to its normal 1000°C after loading. The silica plate and graphite crucibles are then removed from the oven and allowed to cool. Each bead is reground in the swingmill for 35 seconds, the glass powder then replaced in the graphite crucibles and refused for 5 minutes.

Following the second fusion, the cooled beads are labeled with an engraver, their lower flat surface is ground on 600 silicon carbide grit, finished briefly on a glass plate (600 grit with alcohol) to remove any metal from the grinding wheel, washed in an ultrasonic cleaner, rinsed in alcohol and wiped dry. The glass beads are then ready to be loaded into the XRF spectrometer. Preparation of a single bead takes, on average, 45 minutes.

A number of practical points in this process need emphasis. Hand picking of fresh chips after the use of steel hammers, hydraulic press, and steel jaw crusher should prevent significant iron, chromium or nickel contamination, which resides mainly in the finer dust. It has long been recognized that tungsten carbide mills cause contamination with tungsten and cobalt and these elements are not analyzed. Niobium contamination has also been reported from tungsten carbide mills (Joron et al., 1980; Hickson and Juras, 1986) and tests using pure vein quartz suggest that different mills cause variable degrees of Nb contamination, which is typically of the same order of magnitude (2%) as the precision of the method (one standard deviation < 1.0 ppm, Tables 1 and 4). Tantalum contamination is apparent (Table 1). Alumina ceramic mills can be substituted for tungsten carbide but are brittle and therefore costly and only achieve the fine and even-grained powder required over a much longer period. Fine and even grinding is surprisingly important. Coarse powders result in separation of mineral phases during fusion (even double fusion) and can be a cause of high totals.

Table 1. Test of contamination of pure quartz caused by grinding bowls of alumina (Al), tungsten carbide (WC), and steel (Fe). Steel bowls cause significant contamination of Fe, Ni, Cr, and Cu. Alumina bowls cause aluminum contamination, and tungsten carbide bowls cause contamination of Nb and Ta.

	XRF QTZAL	XRF QTZWC	XRF QTZFE		ICP/MS ACID BLANK	ICP/MS QTZ Al	ICP/MS QTZ WC	ICP/MS QTZ Fe
Date	5-Feb-91 N=2	5-Feb-91 N=2	5-Feb-91 N=2		23-Sep-91 N=2	23-Sep-91 N=2	23-Sep-91 N=2	23-Sep-91 N=2
Unnormalized Results (Weight %):								
SiO ₂	101.09	98.25	99.00					
Al ₂ O ₃	0.80	0.18	0.14	(ppm):				
TiO ₂	0.009	0.017	0.011	La	0.15	0.13	0.00	0.21
FeO*	0.00	0.01	0.78	Ce	0.00	0.00	0.20	0.05
MnO	0.004	0.005	0.008	Pr	0.00	0.00	0.03	0.01
CaO	0.00	0.02	0.00	Nd	0.01	0.01	0.11	0.02
MgO	0.00	0.00	0.00	Sm	0.01	0.00	0.02	0.01
K ₂ O	0.00	0.01	0.00	Eu	0.00	0.00	0.01	0.00
Na ₂ O	0.00	0.00	0.00	Gd	0.01	0.00	0.02	0.00
P ₂ O ₅	0.006	0.009	0.007	Tb	0.01	0.00	0.00	0.00
Total	101.90	98.48	99.94	Dy	0.00	0.00	0.02	0.00
Normalized Results (Weight %):				Ho	0.00	0.00	0.00	0.00
SiO ₂	99.19	99.76	99.06	Er	0.00	0.00	0.01	0.00
Al ₂ O ₃	0.79	0.18	0.14	Tm	0.00	0.00	0.00	0.00
TiO ₂	0.009	0.017	0.011	Yb	0.00	0.00	0.01	0.00
FeO*	0.00	0.01	0.78	Lu	0.00	0.00	0.00	0.00
MnO	0.004	0.005	0.008	Ba	0.38	0.25	3.16	0.40
CaO	0.00	0.02	0.00	Th	0.02	0.02	0.07	0.03
MgO	0.00	0.00	0.00	Nb	0.02	0.04	1.38	0.02
K ₂ O	0.00	0.01	0.00	Y	0.01	0.00	0.11	0.02
Na ₂ O	0.00	0.00	0.00	Hf	0.02	0.01	0.05	0.01
P ₂ O ₅	0.005	0.009	0.007	Ta	0.00	0.03	1.62	0.00
Trace Elements (ppm):				U	0.00	0.00	0.01	0.00
Ni	12	9	22	Pb	0.09	0.02	0.03	0.15
Cr	0	0	436	Rb	0.38	0.19	0.28	0.18
Sc	1	1	1	Cs	0.00	0.00	0.01	0.01
V	14	5	12					
Ba	0	2	2					
Rb	4	4	3					
Sr	3	3	2					
Zr	9	10	9					
Y	1	1	2					
Nb	0.0	0.4	0.0					
Ga	0	0	1					
Cu	9	5	16					
Zn	5	1	3					
Pb	3	1	3					
La	0	0	0					
Ce	9	13	6					
Th	0	0	1					

Analytical Procedure

The concentrations of 27 elements in the unknown samples are measured by comparing the X-ray intensity for each element with the intensity for two beads each of nine USGS standard samples (PCC-1, BCR-1, BIR-1, DNC-1, W-2, AGV-1, GSP-1, G-2, and STM-1, using the values recommended by Govindaraju, 1994) and two beads of pure vein quartz used as blanks for all elements except Si. The 20 standard beads are run and used for recalibration approximately once every three weeks or after the analysis of about 300 unknowns. The intensities for all elements are corrected automatically for line interference and absorption effects due to all the other elements using the fundamental parameter method. Operating conditions (Table 2) are unremarkable and the values used for the standards are listed in Table 5.

Table 2. Operating conditions for the Rigaku 3370 XRF Spectrometer. A rhodium (Rh) target is run at 50kV/50mA with full vacuum and a 25mm mask for all elements.

Element	Line	Slit	Crystal	Counter	PHA Window	Peak (2 θ)	Count (secs)	Bgd 1 (2 θ)	Count (secs)	Bgd 2 (2 θ)	Count (secs)	Corrected For
Si	K α	C	PET	FPC	100-300	109.040	40	104.140	5	114.630	5	-
Al	K α	C	PET	FPC	110-310	144.730	40	136.500	20	-	-	-
Ti	K α	F	LiF200	FPC	110-290	86.205	40	85.000	20	-	-	-
Fe	K α	F	LiF200	FPC	50-280	57.525	40	54.760	5	61.000	5	-
Mn	K α	F	LiF200	FPC	130-270	63.000	40	61.000	20	63.800	20	-
Ca	K α	F	LiF200	FPC	110-290	113.160	40	106.000	5	109.200	5	-
Mg	K α	F	RX35	FPC	120-320	19.760	40	22.000	20	-	-	-
K	K α	C	LiF200	FPC	110-290	136.730	40	-	-	138.300	20	-
Na	K α	C	RX35	FPC	120-300	24.060	40	25.700	20	-	-	-
P	K α	C	GE	FPC	125-290	141.000	40	143.000	20	-	-	-
Ni	K α	F	LiF200	FPC	142-270	48.650	160	46.720	80	49.570	80	Ba,Y,Rb
Cr	K α	F	LiF200	FPC	135-277	69.390	160	68.400	40	70.790	40	V,La
Sc	K α	C	LiF200	FPC	140-280	97.790	160	95.740	80	97.080	80	Ca
V	K α	F	LiF200	Sc	100-300	76.880	160	76.070	80	78.180	80	Ti
Ba	L α	F	LiF200	FPC	120-270	87.240	320	84.650	160	88.060	160	Ti,Zr,Rb
Rb	K α	F	LiF220	Sc	100-300	37.920	80	36.880	40	38.720	40	-
Sr	K α	F	LiF220	Sc	100-300	35.785	80	35.260	40	36.880	40	-
Zr	K α	F	LiF220	Sc	100-300	32.030	80	29.870	40	33.030	40	Sr,Th,Nb
Y	K α	F	LiF220	Sc	100-300	33.825	160	33.030	80	35.260	80	Rb,Th
Nb	K α	F	LiF220	Sc	100-300	30.370	160	29.870	80	33.030	80	Y
Ga	K α	F	LiF220	Sc	100-300	56.130	80	55.805	40	56.880	40	-
Cu	K α	F	LiF200	FPC	140-270	45.005	80	40.960	40	46.720	40	Ba,Sr
Zn	K α	F	LiF220	Sc	100-300	60.520	80	60.000	40	61.100	40	-
Pb	L β	F	LiF200	Sc	100-300	28.240	160	27.610	80	28.680	80	-
La	L α	F	LiF200	FPC	120-280	82.970	160	82.300	80	84.000	80	-
Ce	L β	F	LiF200	FPC	130-270	71.660	160	70.790	80	72.700	80	-
Th	L α	F	LiF220	Sc	100-300	39.215	160	38.720	80	40.000	80	-

Precision

Two standard beads (BCR-P and GSP-1) are used as internal standards. Kept in the same position in the automatic loader, they are run between every 28 unknown samples and so provide a continuing check on instrumental performance. They also provide a measure of instrumental precision within a single run (Table 3) and between runs over much longer periods (Table 4).

Table 3. Determination of instrumental precision. Seven repeat analyses of the two reference beads (BCR-P and GSP-1) during a single XRF run over a three week period.

Run 1097 Aug, Sep 97							
	BCR-P N=7			GSP-1 N=7			
	ave	stdev	coeff var	ave	stdev	coeff var	
SiO ₂ (%)	55.16	0.03	0.0	68.27	0.04	0.1	
Al ₂ O ₃	13.62	0.02	0.1	15.33	0.02	0.2	
TiO ₂	2.286	0.009	0.4	0.666	0.004	0.6	
FeO*	12.73	0.02	0.2	3.86	0.00	0.1	
MnO	0.184	0.001	0.4	0.038	0.001	2.1	
CaO	6.99	0.02	0.2	2.02	0.01	0.3	
MgO	3.52	0.05	1.4	1.06	0.06	5.9	
K ₂ O	1.74	0.00	0.2	5.58	0.01	0.1	
Na ₂ O	3.38	0.05	1.3	2.88	0.02	0.5	
P ₂ O ₅	0.378	0.001	0.3	0.289	0.002	0.7	
Ni (ppm)	0	0	0	17	1	0	
Cr	28	1	5	15	1	7	
Sc	26	2	7	7	2	34	
V	401	7	2	54	5	10	
Ba	745	11	1	1296	9	1	
Rb	46	0	1	253	1	0	
Sr	326	0	0	233	0	0	
Zr	176	1	1	527	2	0	
Y	36	0	1	30	0	2	
Nb	13.2	0.6	5	27.5	0.5	2	
Ga	23	1	3	22	1	4	
Cu	12	2	18	32	1	3	
Zn	124	2	1	106	2	2	
Pb	10	2	19	52	1	2	
La	19	8	41	183	7	4	
Ce	51	11	21	403	7	2	
Th	8	1	20	106	2	2	

The other critical aspect of analytical precision is the ability to reproduce the same concentration values in many separate beads prepared from the same rock or mineral sample. The important factors here are the homogeneity of the original sample and the ability to make a homogeneous bead. Clearly, coarse grained rock samples need to be homogenized adequately before mixing with the tetraborate flux. Assuming that the sample powder is perfectly homogenous, then the analysis of multiple beads prepared from that powder should provide a realistic measure of the overall precision of the technique (Table 4). A quick visual illustration of the variation in elemental concentrations between two beads made from the same powder is provided in the vertical discrepancies between each of the two beads made from the ten standard samples used to create the calibration curves (Fig. 1).

Table 4. (a) Instrumental precision measured over an 8 month period on a single bead of GSP-1.
 (b) Precision measured on ten separate beads made from the same basalt powder analyzed during a single XRF run.

	(a) GSP-1		(b) UMAT-1		
Date	Jan-Aug 1997		Oct 1990		
	Average	StDev	Average	StDev	Range
	N=98		N=10 different beads		
Unnormalized Results (Weight %):					
SiO ₂	68.45	0.18	53.57	0.10	0.31
Al ₂ O ₃	15.35	0.11	13.48	0.03	0.12
TiO ₂	0.667	0.004	2.787	0.007	0.019
FeO	3.86	0.01	12.54	0.10	0.38
MnO	0.038	0.001	0.208	0.001	0.003
CaO	2.02	0.01	6.39	0.02	0.06
MgO	1.10	0.10	2.87	0.02	0.06
K ₂ O	5.56	0.09	2.60	0.01	0.02
Na ₂ O	2.91	0.05	3.25	0.02	0.08
P ₂ O ₅	0.287	0.003	0.885	0.002	0.008
Total	100.24	0.36	98.58	0.19	0.60
Normalized Results (Weight %):					
SiO ₂	68.29	0.09	54.35	0.06	0.21
Al ₂ O ₃	15.31	0.07	13.67	0.04	0.11
TiO ₂	0.666	0.004	2.827	0.007	0.024
FeO*	3.85	0.01	12.72	0.09	0.31
MnO	0.037	0.001	0.211	0.001	0.004
CaO	2.01	0.01	6.48	0.03	0.09
MgO	1.09	0.10	2.91	0.02	0.06
K ₂ O	5.55	0.07	2.64	0.01	0.03
Na ₂ O	2.90	0.05	3.29	0.02	0.06
P ₂ O ₅	0.286	0.002	0.897	0.003	0.009
Trace Elements (ppm):					
Ni	16	1	0	0	0
Cr	16	2	1	1	3
Sc	4	2	28	3	11
V	54	5	194	4	13
Ba	1294	9	3081	16	51
Rb	253	1	45	1	2
Sr	233	1	275	1	5
Zr	527	1	424	1	3
Y	30	1	47	1	3
Nb	27.4	0.5	26.2	0.8	2.2
Ga	23	1	21	2	6
Cu	31	2	2	2	8
Zn	103	2	123	2	4
Pb	53	2	10	1	3
La	184	10	35	11	40
Ce	399	10	74	5	17
Th	106	2	6	2	5

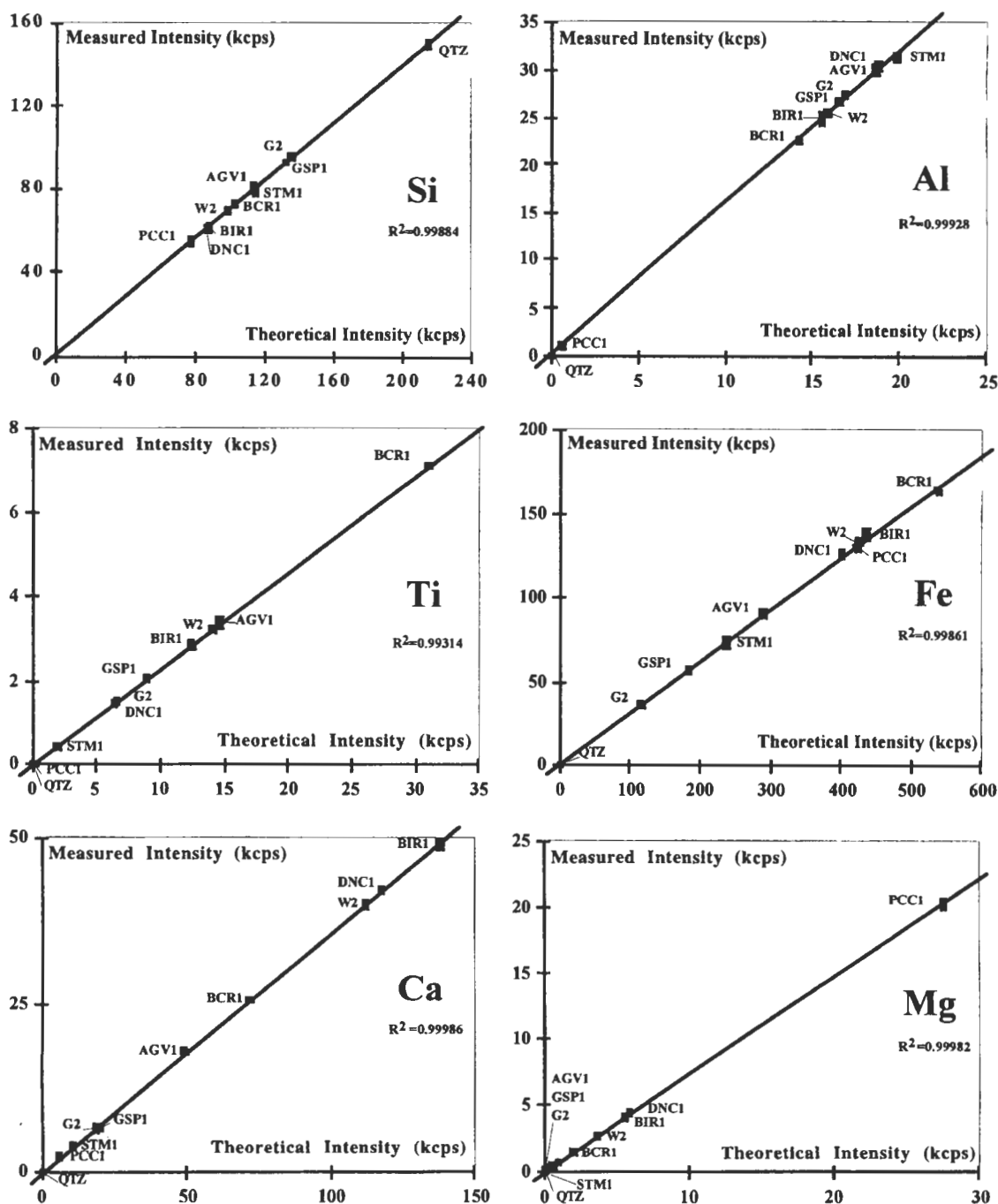


Figure 1. Calibration plots for the 27 major and trace elements. Note: "theoretical intensity" is computed from wt. % of element using a fundamental parameters program for matrix corrections, and is equivalent to given concentration.

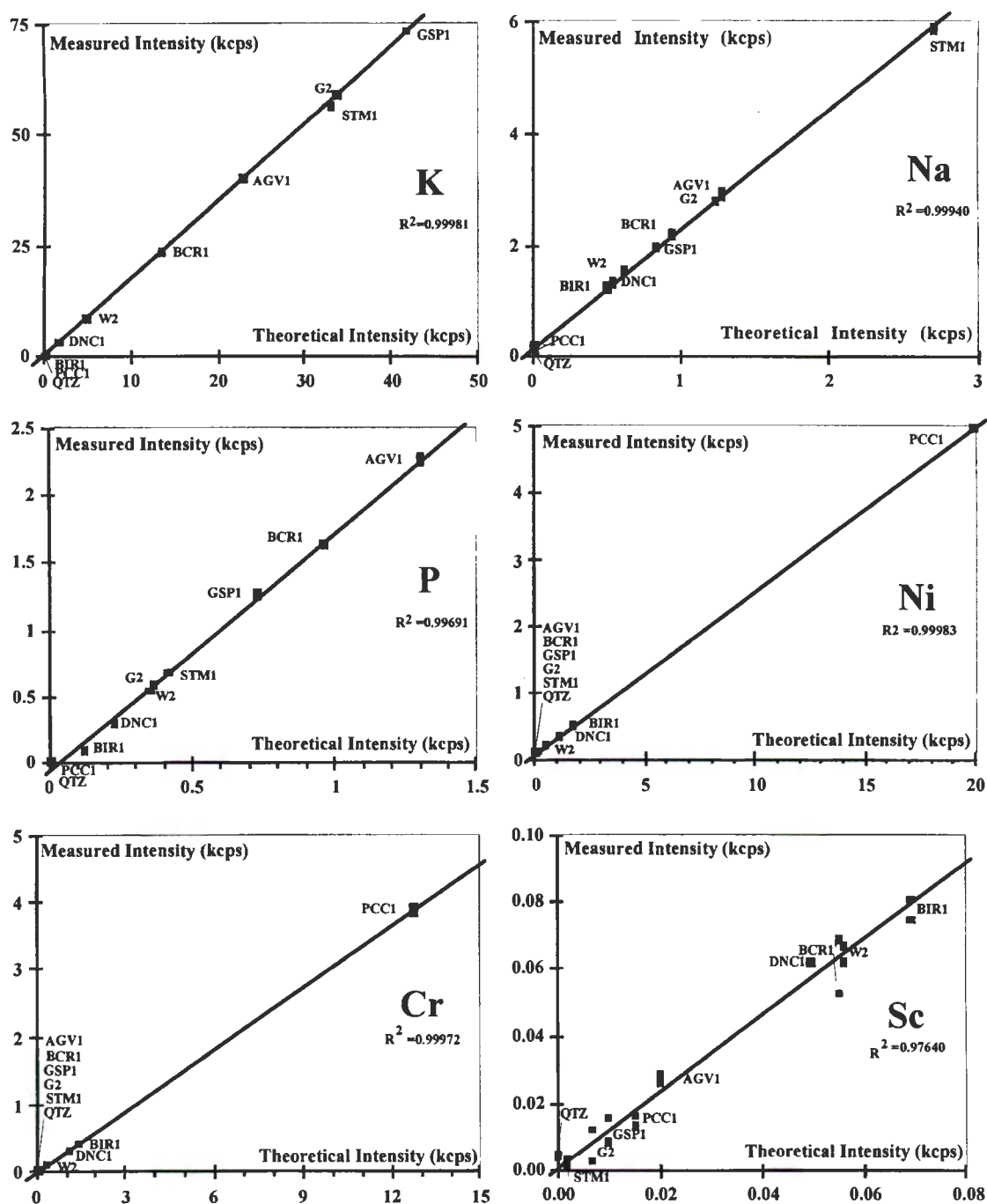


Figure 1, continued. Calibration plots for the 27 major and trace elements. Note: "theoretical intensity" is computed from wt. % of element using a fundamental parameters program for matrix corrections, and is equivalent to given concentration.

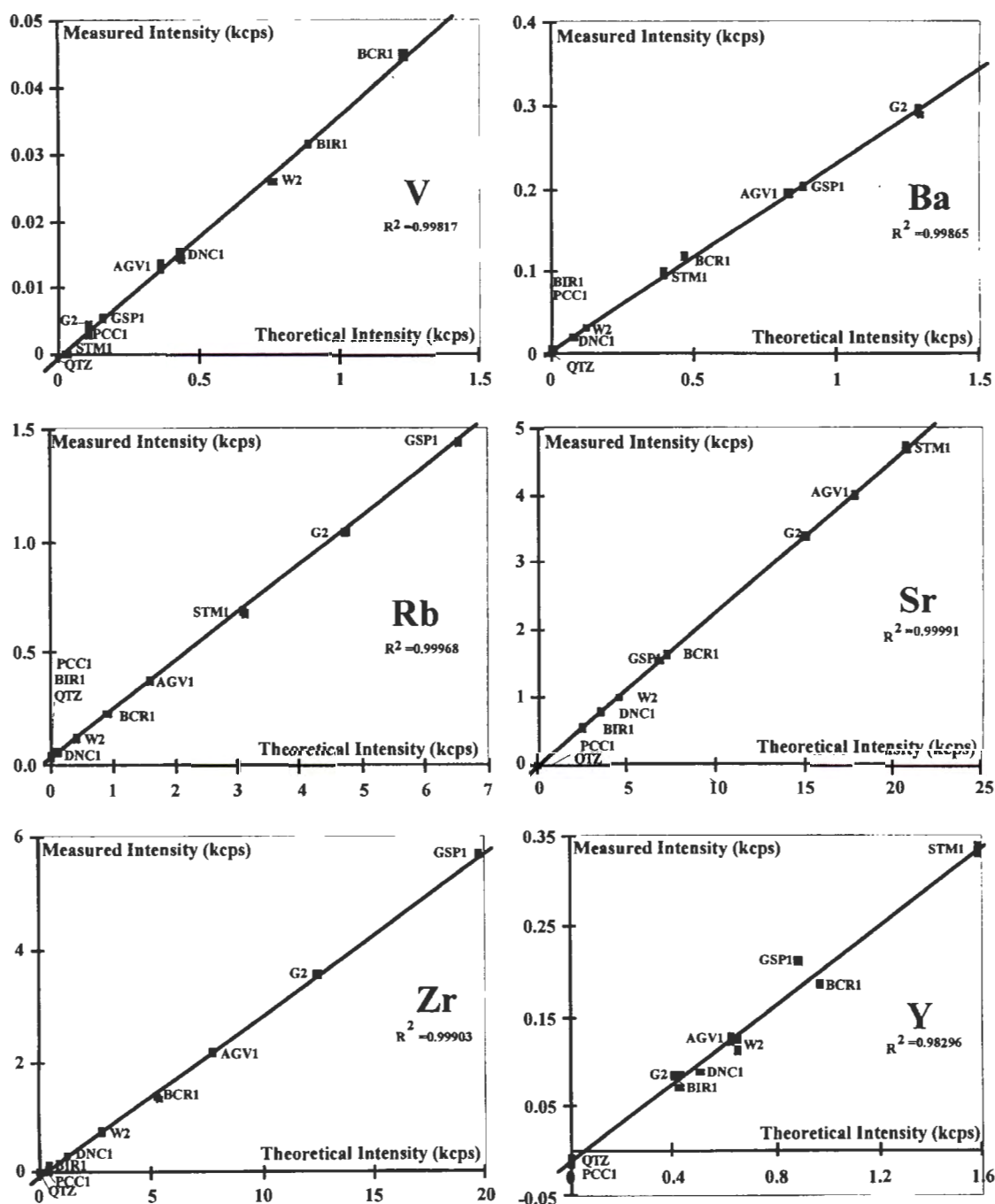
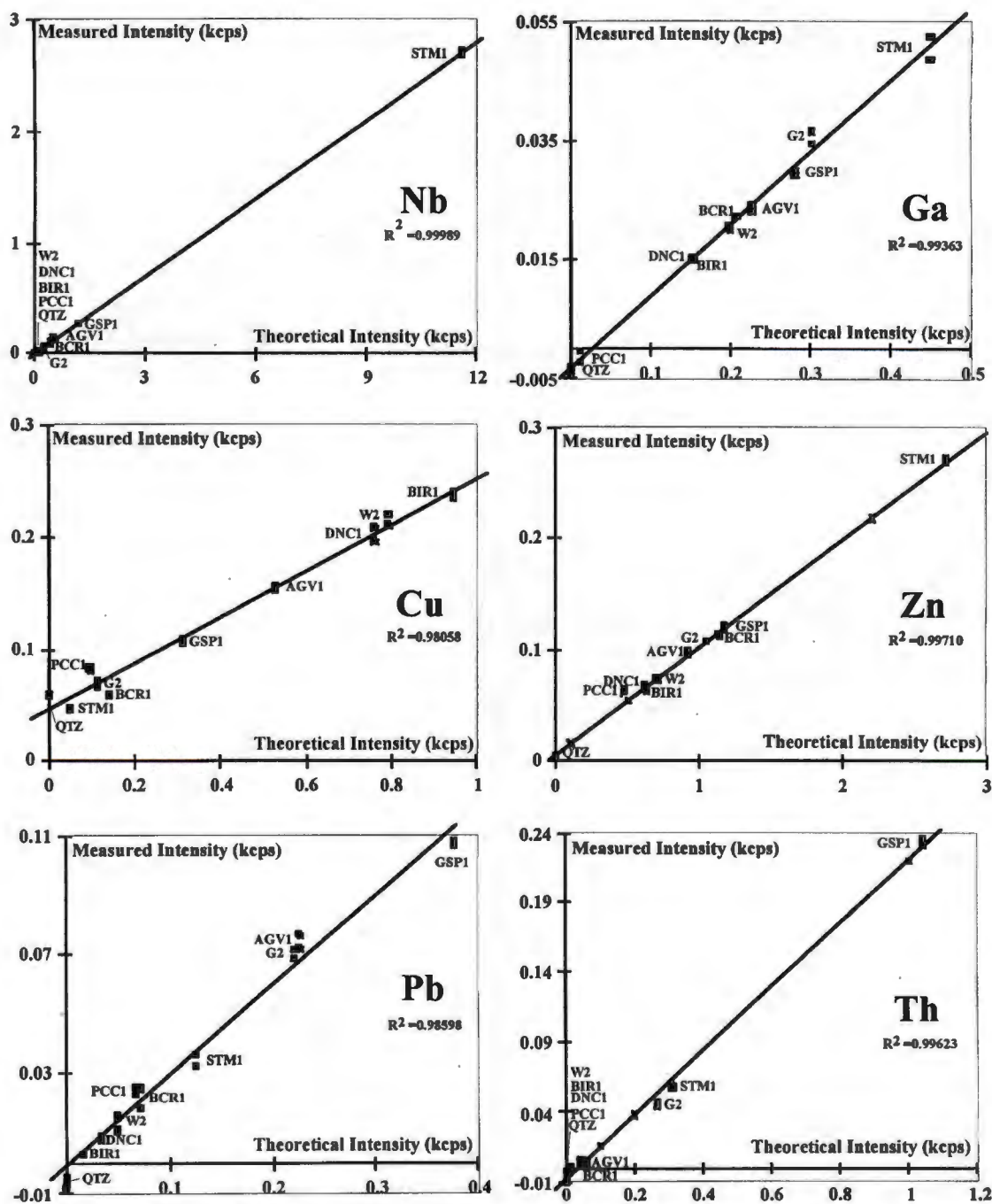


Figure 1, continued. Calibration plots for the 27 major and trace elements. Note: "theoretical intensity" is computed from wt. % of element using a fundamental parameters program for matrix corrections, and is equivalent to given concentration.



In a laboratory dedicated to the analyses of up to one hundred samples a week, every week of the year, one of the most acute concerns is the possibility of mixing samples. This can occur at any stage, but in the preparation procedure used here the most obvious step in which samples may get mixed is the placing of the 20 samples in unmarkable carbon crucibles in the furnace for fusion. As a precaution against mixing at this stage the plate on which the samples are loaded is notched and sample numbers recorded on a paper template. In addition, a second bead is made from one, randomly chosen, sample from each tray and reported as a "repeat" analysis. Such repeat beads also provide the user with an immediate measure of the precision of the analyses and whether small variations in the composition of two samples are analytically significant or not.

Accuracy

Unlike precision, a definitive measure of the accuracy of geologic samples is not possible. We can best estimate accuracy by comparing our results to the "given" values of standard (reference) samples, compiled from numerous analyses by different workers in different laboratories using a variety of techniques. Reliance on oxide totals approximating to 100% as a measure of accuracy is of limited value. While the use of totals as a test of accuracy was the only such check available to the classical wet chemical analyst, it should only be used in instrumental analysis as a rough guide to locate gross errors, as in the weighing of sample and flux. This is particularly true if, as in the methods outlined here, the volatile content and oxidation state of iron are ignored. The modern instrumental analyst has better methods of estimating accuracy.

In the WSU GeoAnalytical Laboratory we estimate the accuracy of our analyses in two ways: First, by the scatter of the standard samples around the calibration curve for each element (Fig. 1); and second, by comparing our values to those of the same samples analyzed by other workers in different laboratories and using different techniques.

(1) Accuracy estimated by use of standard samples

By treating the ten calibration standards as unknowns and comparing the values so obtained to the "given" values (that is, other peoples' best estimates) we gain an immediate visual impression of accuracy (Fig. 1). In essence this is the amount of scatter of any one sample from the calculated calibration curve drawn through all 20 analyzed standard beads (Fig. 1). These results are quantified in Table 5, where the observed WSU XRF values are compared to the best or "given" values compiled by Govindaraju (1994), normalized to 100% on a volatile-free basis.

Table 5. Estimates of accuracy. WSU values on two separate beads of 9 USGS reference materials and Brazilian quartz versus recommended values (Gov. '94).

	BCR-1 Basalt			AGV-1 Andesite			GSP-1 Granodiorite			G-2 Granite			PCC-1 Peridotite		
	XRF WSU1	XRF WSU2	Gov. '94	XRF WSU1	XRF WSU2	Gov. '94	XRF WSU1	XRF WSU2	Gov. '94	XRF WSU1	XRF WSU2	Gov. '94	XRF WSU1	XRF WSU2	Gov. '94
SiO ₂ (%)	55.54	55.63	55.22	80.66	60.58	60.43	68.36	68.31	68.25	69.98	69.87	69.95	44.15	44.77	44.41
Al ₂ O ₃	13.76	13.80	13.92	17.58	17.57	17.61	15.33	15.37	15.33	15.60	15.57	15.57	0.71	0.77	0.72
TiO ₂	2.29	2.27	2.286	1.07	1.10	1.078	0.67	0.67	0.660	0.48	0.48	0.486	0.00	0.01	0.01
FeO*	12.16	12.02	12.32	6.18	6.19	6.28	3.93	3.86	3.92	2.42	2.40	2.42	7.84	7.81	7.91
MnO	0.19	0.18	0.184	0.10	0.10	0.092	0.04	0.04	0.041	0.03	0.03	0.030	0.12	0.12	0.128
CaO	7.12	7.09	7.09	5.05	5.03	5.07	2.01	2.01	2.10	1.95	1.93	1.98	0.58	0.60	0.55
MgO	3.49	3.53	3.55	1.47	1.60	1.57	0.95	1.03	0.97	0.74	0.92	0.76	46.58	45.87	46.24
K ₂ O	1.75	1.75	1.72	3.00	2.97	3.00	5.59	5.59	5.59	4.53	4.52	4.53	0.00	0.01	0.01
Na ₂ O	3.34	3.36	3.34	4.39	4.37	4.38	2.84	2.82	2.84	4.13	4.14	4.13	0.00	0.01	0.03
P ₂ O ₅	0.37	0.37	0.367	0.50	0.50	0.503	0.28	0.28	0.284	0.14	0.14	0.142	0.01	0.02	0.002
Total	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Ni(ppm)	0	0	13	13	13	16	12	16	9	6	18	5	2378	2358	2380
Cr	27	27	16	10	12	10	9	15	13	6	23	9	2748	2700	2730
Sc	29	32	33	10	17	12	4	8	6	3	4	4	6	8	8
V	405	415	407	123	123	121	58	55	53	47	40	36	27	34	31
Ba	727	726	681	1229	1217	1226	1282	1308	1310	1867	1861	1862	0	0	1
Rb	45	45	47	67	66	67	255	254	254	169	170	170	1	1	0
Sr	328	324	330	661	655	662	235	234	234	478	476	478	1	3	0
Zr	176	175	190	223	222	227	530	527	530	309	314	309	6	7	10
Y	36	34	38	20	21	20	29	30	26	13	13	11	1	1	0
Nb	13	12	14.0	15	15	15.0	27	27	27.9	13	12	12.0	0	1	1.0
Ga	21	25	22	22	18	20	23	21	23	23	24	23	0	1	1
Cu	16	9	19	54	54	60	30	34	33	8	10	11	22	23	10
Zn	128	125	130	91	88	88	101	104	104	84	87	86	50	48	42
Pb	12	13	14	37	38	36	54	51	55	32	31	30	7	12	10
La	32	2	25	42	37	38	182	181	184	92	97	89	2	8	0
Ce	62	45	54	73	55	67	394	397	399	147	143	160	0	14	0
Th	5	9	6	3	7	7	106	106	106	22	24	25	1	0	0

Table 5, continued. Estimates of accuracy. WSU values on two separate beads of 9 USGS reference materials and Brazilian quartz versus recommended values (Gov. '94).

	BIR-1 Basalt			DNC-1 Diabase			W-2 Diabase			STM-1 Syenite			QTZ Brazilian quartz		
	XRF	XRF	Gov. 94	XRF	XRF	Gov. 94	XRF	XRF	Gov. 94	XRF	XRF	Gov. 94	XRF	XRF	Gov. 94
	WSU1	WSU2		WSU1	WSU2		WSU1	WSU2		WSU1	WSU2		WSU1	WSU2	
SiO ₂ (%)	47.79	48.12	48.19	47.70	47.64	47.80	52.95	52.97	53.07	60.78	60.82	61.07	99.95	99.89	100.00
Al ₂ O ₃	15.39	15.63	15.48	18.63	18.80	18.60	15.47	15.52	15.53	18.83	18.84	18.83	0.00	0.02	0.00
TiO ₂	0.96	0.97	0.968	0.48	0.49	0.488	1.08	1.07	1.073	0.13	0.13	0.138	0.00	0.00	0.000
FeO*	10.74	10.15	10.22	9.20	8.96	9.08	9.92	9.85	9.78	4.91	4.98	4.81	0.03	0.06	0.00
MnO	0.18	0.17	0.173	0.15	0.15	0.151	0.17	0.17	0.165	0.23	0.23	0.225	0.00	0.00	0.000
CaO	13.40	13.32	13.36	11.42	11.43	11.45	11.03	10.96	11.00	1.18	1.15	1.12	0.00	0.01	0.00
MgO	9.75	9.74	9.77	10.22	10.28	10.21	6.42	6.46	6.45	0.22	0.05	0.10	0.00	0.00	0.00
K ₂ O	0.02	0.03	0.03	0.23	0.23	0.23	0.62	0.63	0.63	4.35	4.37	4.38	0.00	0.00	0.00
Na ₂ O	1.73	1.84	1.77	1.89	1.95	1.90	2.21	2.24	2.17	9.21	9.27	9.15	0.00	0.00	0.00
P ₂ O ₅	0.03	0.03	0.046	0.08	0.08	0.085	0.13	0.13	0.133	0.16	0.17	0.162	0.01	0.02	0.000
Total	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Ni(ppm)	161	153	166	243	248	247	57	58	70	14	5	3	9	10	0
Cr	373	368	382	262	269	285	93	90	93	14	5	4	8	2	0
Sc	49	36	44	34	34	31	35	34	35	4	2	1	0	1	0
V	309	313	313	139	141	148	264	254	262	2	0	9	7	1	0
Ba	21	22	7	96	97	114	193	199	182	543	579	560	0	0	0
Rb	1	0	0	4	3	5	20	17	20	116	113	118	2	3	0
Sr	108	108	108	141	141	145	193	193	194	698	707	700	0	1	0
Zr	24	24	16	41	43	41	92	92	94	1133	1144	1210	4	4	0
Y	15	15	16	17	17	18	20	22	24	44	46	46	0	0	0
Nb	1	1	0.6	3	2	3.0	8	8	7.9	268	270	268.0	1	1	0.0
Ga	19	17	16	15	14	15	19	21	20	35	34	36	0	0	0
Cu	126	123	126	98	96	96	100	106	103	0	0	5	7	8	0
Zn	70	67	71	65	64	66	72	76	77	233	238	235	0	1	0
Pb	6	1	3	10	7	6	11	11	9	16	17	18	0	0	0
La	0	0	1	14	1	4	8	7	11	148	144	150	2	5	0
Ce	7	0	2	25	19	11	0	40	24	261	269	259	0	15	0
Th	0	3	0	3	0	0	5	4	2	31	30	31	0	0	0

For most major elements (Fig. 1) the variation between the two standard sample beads is of the same order as their variation from the given value, with the inference that imprecision resulting from the preparation of the beads (as recorded in the overall precision, Table 4) is equal to or greater than inaccuracies caused by inadequate matrix and interference corrections. With the exception of Na, the total discrepancies from the "given" values are less than might reasonably be expected between two random samples collected in the field from the same rock unit - lava flow, igneous intrusion, etc. Hence, this degree of inaccuracy may be regarded as insignificant for most purposes of geologic correlations or petrogenetic modeling.

Among the trace elements the precision, and therefore the accuracy, of Ni, Cr, Sc, V, and Ba is significantly less than for Rb, Sr, Zr, Nb, Y, Ga, Cu, and Zn. This correlates in part with the lower count rates (cts/sec/ppm) for Sc, V, and Ba using a Rh target (Table 6). Ni, Cr, Sc, V, and Ba are regarded as only semiquantitative below the 30 ppm level. Rb, Sr, Zr, Nb, Y, Pb, and Th have satisfactory precision and accuracy down to 1 to 3 ppm. La and Ce concentrations are qualitative only.

Table 6. Intensity for trace elements using Rh target (cts/sec/ppm).

	Ni	Cr	Sc	V	Ba	Rb	Sr	Zr	Y	Nb	Ga	Cu	Zn	Pb	La	Ce	Th
BCR-1	7.81	2.90	1.85	0.11	0.17	4.87	4.95	7.12	4.88	6.76	1.02	3.14	0.88	1.57	0.21	0.15	0.76
GSP-1	14.39	2.36	2.06	0.11	0.16	5.69	6.62	10.73	8.18	9.86	1.29	3.25	1.16	1.96	0.17	0.20	2.22

Precision and accuracy of Sc, V, Ba, and Nb in particular, could be improved by changing the X-ray tube target and operating conditions, but only at a loss of some long term reproducibility for all elements. The WSU GeoAnalytical Laboratory has an ICP/MS facility which measures Sc, Ba, Pb, Nb and La and Ce with the other rare earth elements much more accurately than XRF, so attempts to perfect the XRF system for these elements have not been pursued.

(2) Accuracy estimated from inter-laboratory comparisons

Major and Minor Elements

For each element a comparison of analyses of the same powders by another laboratory has been attempted using, where possible, the most appropriate technique.

For major and minor elements other XRF laboratories have been used. Comparisons are available from Los Alamos, the USGS (Denver), Rhodes University (South Africa), and from XRAL (Canada). In addition, comparisons of Fe and Na data by INAA are available from Washington State University, Oregon State University, and the University of Oregon. Na data have also been compared to ICP data from London.

Of these various comparative data sets, that of 158 samples from the Cascade Range supplied by Dr. Dave Sherrod, USGS, (Sherrod, 1986) and run in Los Alamos have the widest concentration range and are illustrated in Fig. 2. In general, the correlations are tight and within the limits set by the precision measurements. Slight biases between the WSU values and other XRF laboratories have been noted previously (Hooper et al., 1993) and are not yet fully understood. The WSU data sets appear to have consistently lower Fe (0.3% FeO) and higher Si

(0.45% SiO₂) than other XRF laboratories. We suspect this reflects differences in the Fe measurements which are then reflected in SiO₂ by the normalization procedure used. However, no such bias is apparent between the WSU XRF data and WSU INAA data for Fe from WSU (185 Cascade Range samples, Fig. 3a (Conrey, 1991)), nor between WSU XRF and INAA data from Oregon State University (Hill, 1992), Fig. 3b. In all cases the biases are well within the natural variation between two samples from the most homogeneous flow from the Columbia Plateau and are therefore unlikely to prove significant in petrologic studies. The Na data, while less precise than that for other major elements, nevertheless compares well with the Los Alamos XRF data (Fig. 2) and with INAA (WSU) and ICP (London) data (Fig. 4).

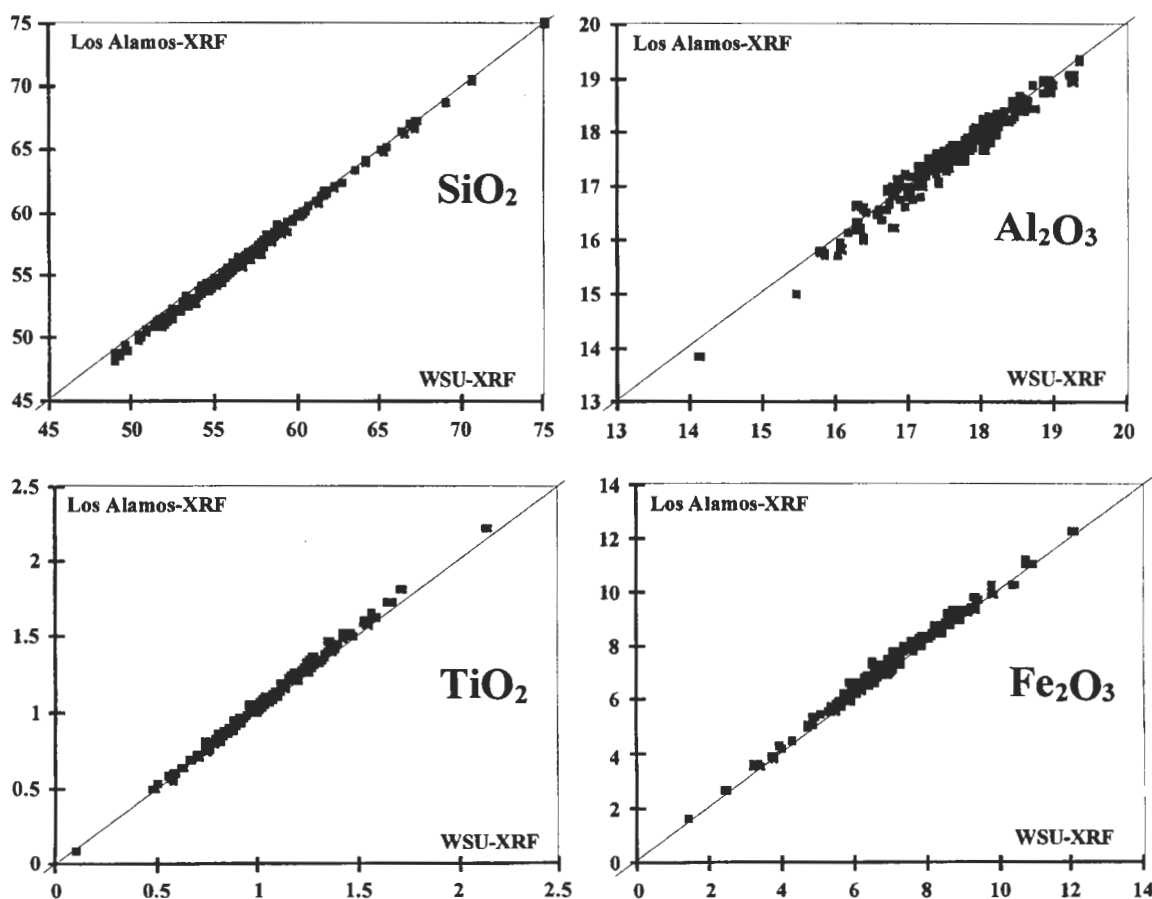


Figure 2. WSU XRF major and minor element data plotted against Los Alamos XRF data (Sherrod, 1986). Line indicates perfect correlation.

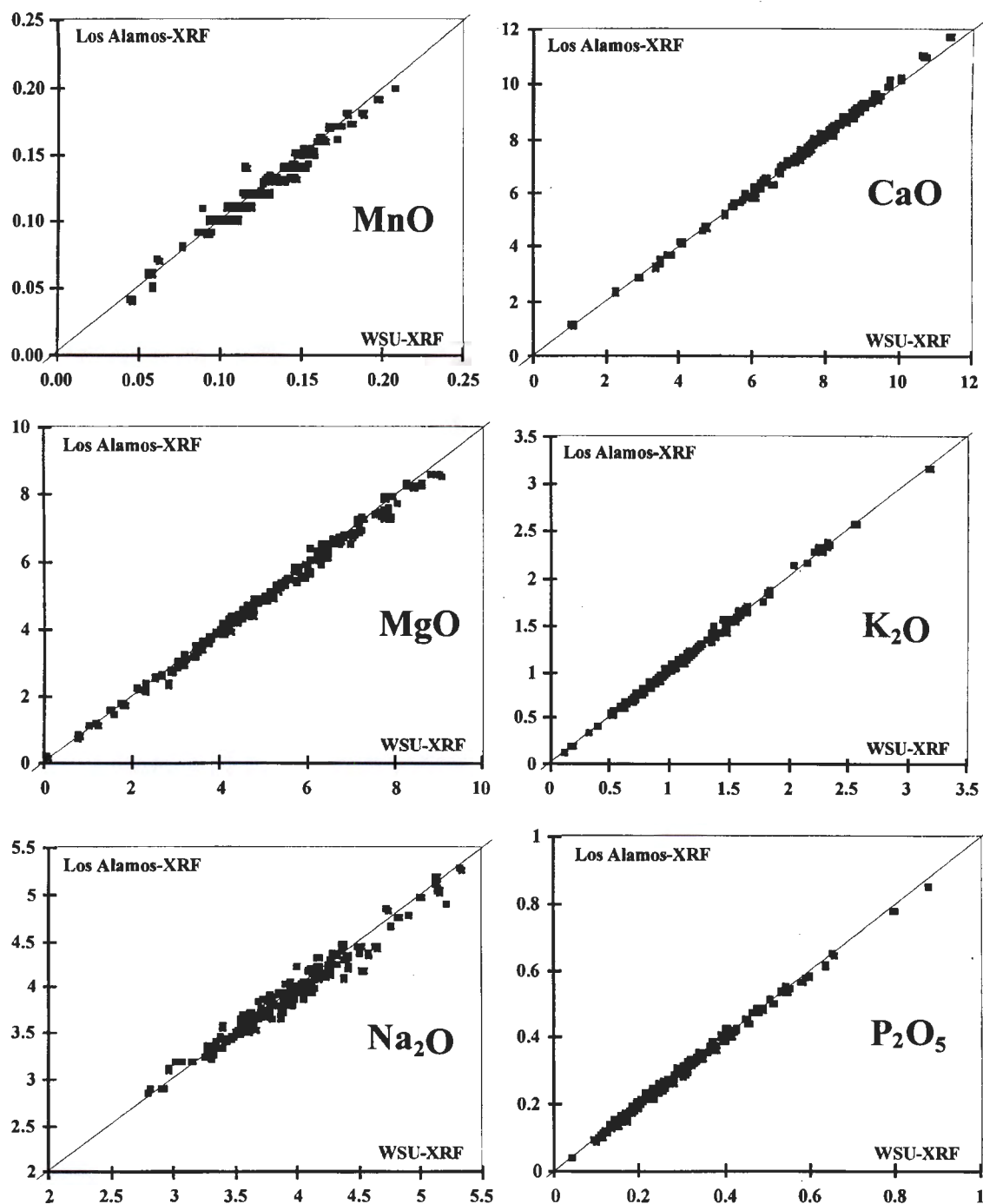


Figure 2, continued. WSU XRF major and minor element data plotted against Los Alamos XRF data (Sherrod, 1986). Line indicates perfect correlation.

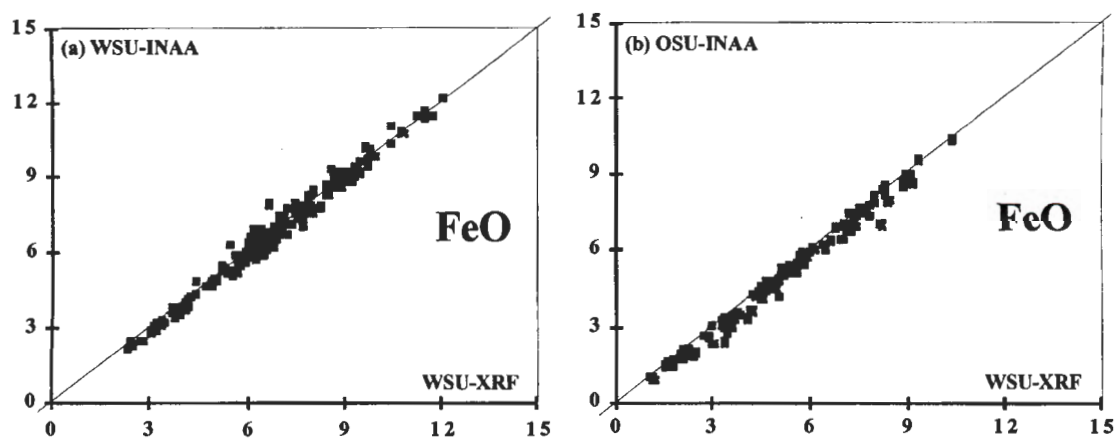


Figure 3. (a) WSU-XRF data plotted against WSU-INAA data for total iron in 185 Cascade Range volcanic samples (Conrey, 1991). (b) WSU-XRF data plotted against OSU-INAA data for total iron in 135 Cascade Range volcanic samples (Hill, 1992). Line as for Fig. 2.

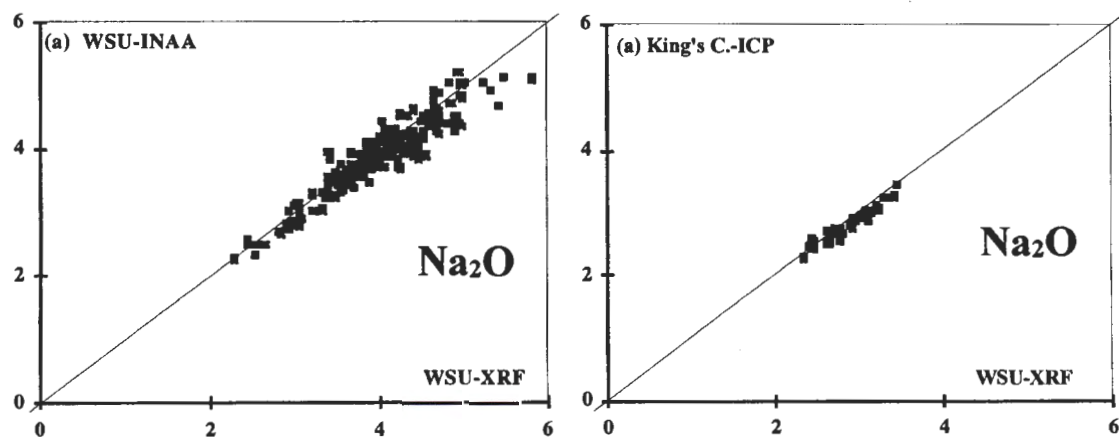


Figure 4. (a) WSU-XRF data plotted against WSU-INAA data for 185 Cascade Range volcanic samples (Conrey, 1991). (b) WSU-XRF data plotted against King's College (London) -ICP data for 29 Columbia River basalt samples (P. R. Hooper, 1984, unpublished data). Line as for Fig. 2.

Trace Elements

Ni has been compared to XRF data from Rhodes University, South Africa (J. S. Marsh, 1993, unpublished data), XRAL, and six samples from the USGS-Menlo Park (Gardner, 1994). There is a fair scatter and the WSU data is consistently 10 to 15 ppm lower than the Rhodes values but similar or slightly higher than the USGS (Fig. 5) and XRAL values. The Rhodes data may not have been corrected for enhancement by Fe.

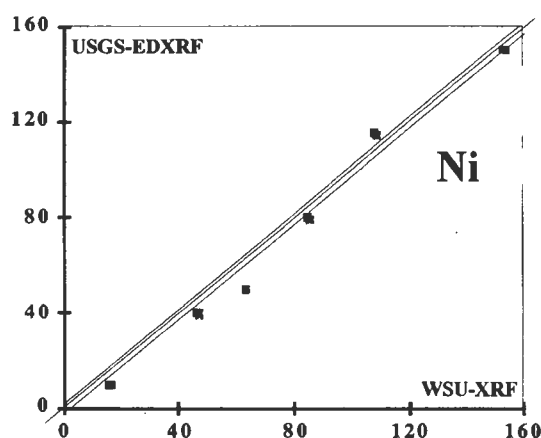


Figure 5. XRF-WSU data for Ni compared to USGS-EDXRF (Gardner, 1994) (center line signifies perfect correlation, outer lines record the one standard deviation precision limits (Table 4)).

Cr XRF values from WSU have been compared to XRF values from the USGS, XRAL, and Rhodes University, and to INAA data from WSU and from Oregon State University (OSU) (Fig. 6). The correlation is fairly tight but the WSU values appear lower, the discrepancy increasing at higher concentrations (>100 ppm).

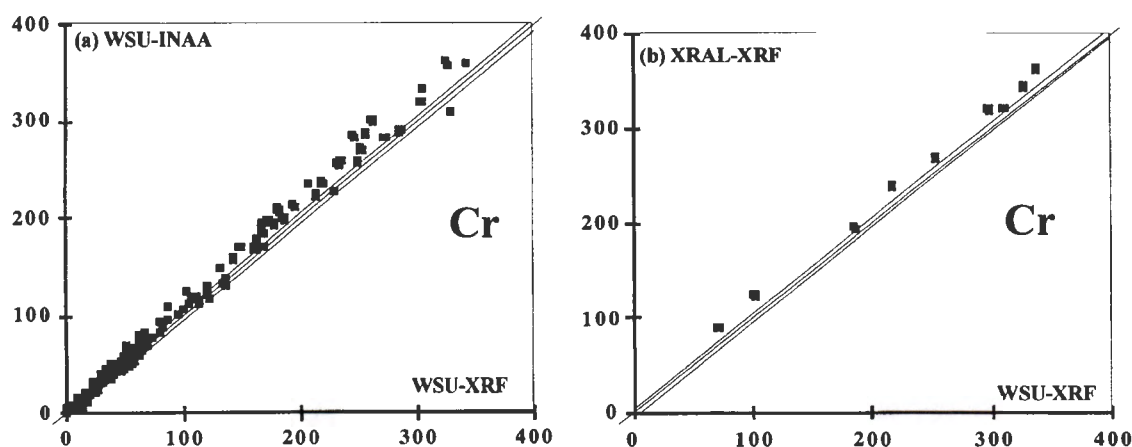


Figure 6. XRF-WSU Cr data plotted against (a) INAA-WSU (Conrey, 1991) and (b) XRF-XRAL (Madin, 1994). Lines as for Fig. 5.

Sc values have been compared to INAA values (WSU and OSU), ICP (London), and ICP/MS (WSU). INAA should provide excellent Sc values and these comparisons are shown in Fig. 7. ICP and ICP/MS comparisons are less tight, indicating these techniques are somewhat less suitable for Sc analysis. The main problem with the WSU XRF data for Sc is the poor precision, a result of the low count rate caused by the combination of the Rh target and 50 kV/50 mA settings used.

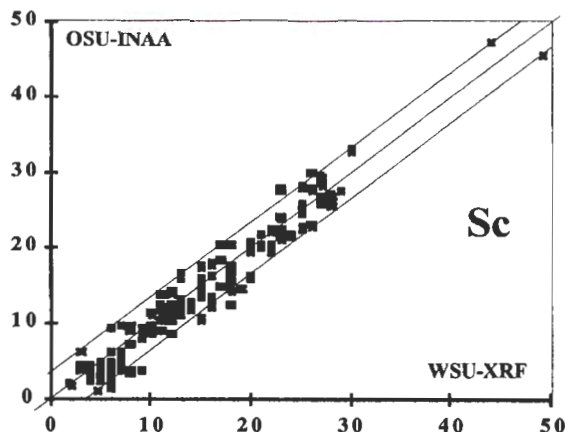


Figure 7. XRF-WSU Sc data plotted against INAA-OSU (Hill, 1992). Lines as for Fig. 5.

Duplicate analyses for V are available by XRF from Rhodes University, by ICP (London, Texas Tech. U.) (Fig. 8). Precision is again relatively poor because of the set operating conditions, but no obvious bias is apparent.

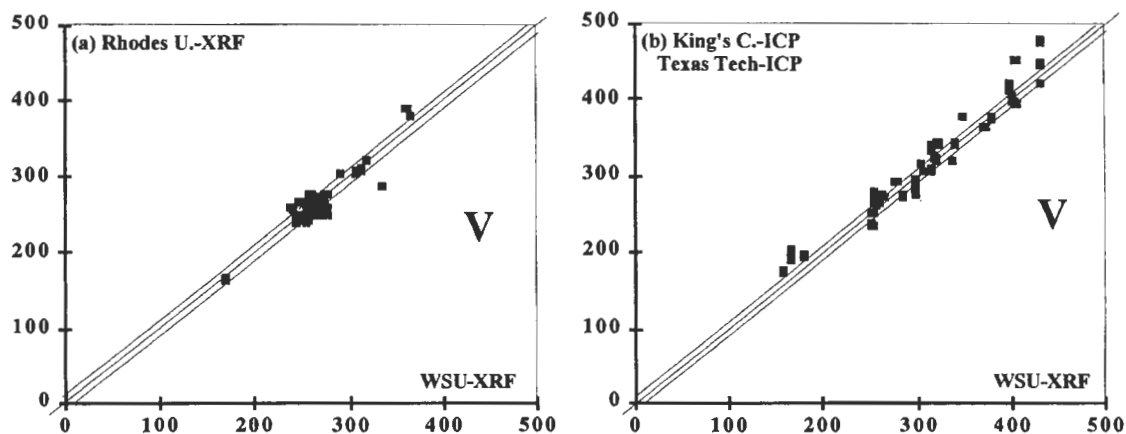


Figure 8. XRF-WSU vanadium data plotted against (a) Rhodes University XRF (J. S. Marsh, 1993, unpublished data) and (b) ICP-King's College, London (P. R. Hooper, 1984, unpublished data) and ICP-Texas Tech University (C. and M. Barnes, 1989, unpublished data). Lines as for Fig. 5.

Ba values are compared with ICP/MS (WSU) (Fig. 9a) and ICP (King's College and Texas Tech. U.) values (Fig. 9b). There is no discernible bias over a large range in concentration, but again with a fair scatter due to relatively poor precision.

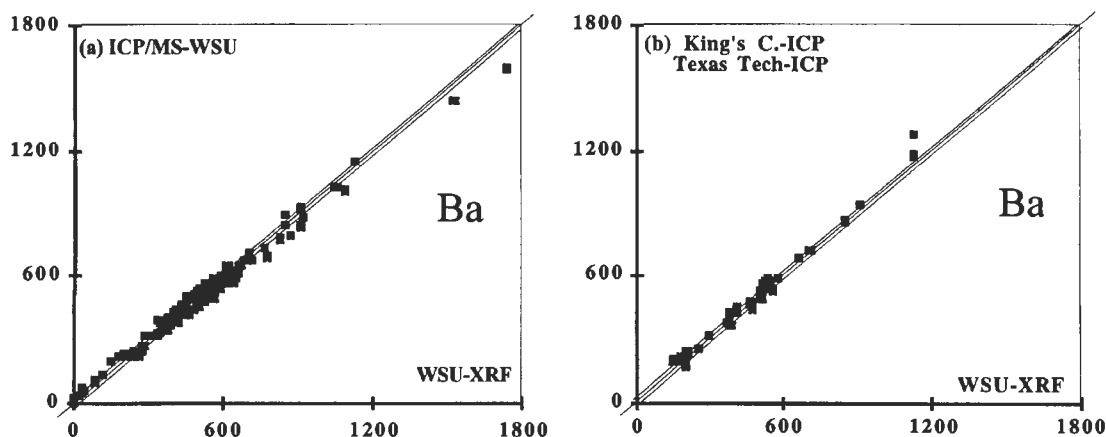


Figure 9. XRF-WSU Ba data plotted against (a) ICP/MS-WSU (C. Nye, J. E. Wright, 1997, unpublished data) (b) ICP King's College, London, (P. R. Hooper, 1984, unpublished data) and Texas Tech University (C. and M. Barnes, 1989, unpublished data). Lines as for Fig. 5.

Rb and Sr values indicate both high precision and accuracy for these two elements. This is well illustrated by a large data set for samples from Greenland for which Dr. John Duke (University of Alberta, Edmonton) obtained duplicate analyses by isotope dilution (Fig. 10a and b) (Duke, 1993). Correlation with ICP/MS values is almost as tight. The exceptionally close correlations demonstrated in these plots is particularly significant because it implies that the reproducibility of the sample preparation technique must be at least that good. And this, of course, is applicable to all other elements, so long as the original powder was homogeneous.

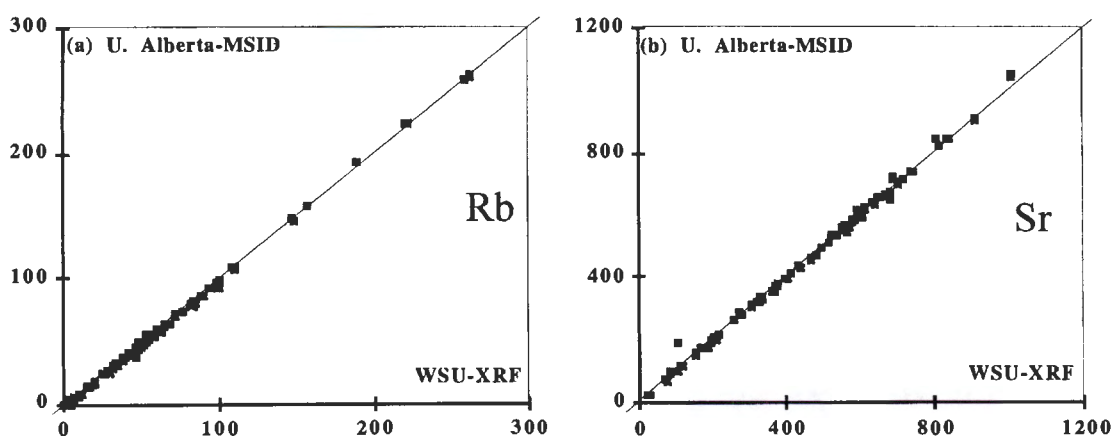


Figure 10. XRF-WSU Rb and Sr data plotted against isotope dilution data (Duke, 1993). Line as for Fig. 2.

Duplicate Zr values are available by XRF (Rhodes University and U. S. G. S., Menlo Park; Fig. 11a) and by ICP (London; Fig. 11b). No bias is apparent but while very adequate, the scatter on these plots is slightly greater than expected, given a precision which is theoretically as high as that for Rb and Sr. The answer may lie in the dispersed nature of the principal Zr bearing phase, zircon; the powders may not be entirely homogeneous with respect to this phase and element.

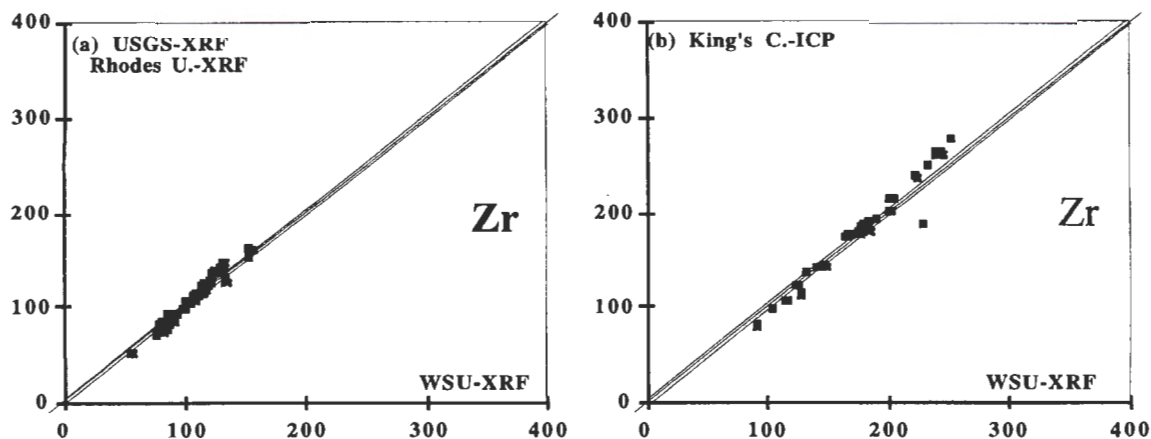


Figure 11. XRF-WSU Zr data plotted against (a) USGS-XRF (Gardner, 1994), Rhodes University-XRF (J. S. Marsh, 1993, unpublished data). (b) ICP-King's College, London (P. R. Hooper, 1984, unpublished data). Lines as for Fig. 5.

Duplicate analyses for Y are available by XRF (U. S. G. S., Menlo Park, Rhodes University, and XRAL), by ICP (London) and by ICP/MS (WSU). The ICP/MS data correlates well with the WSU XRF data (Fig. 12) although the two separate runs differ in that in one case the XRF is slightly higher and in the other the XRF data is slightly lower than the ICP/MS data. It is virtually impossible for this type of variation to be due to the XRF in which the conditions are rigidly constant, so these differences are believed to reflect small differences between the two ICP/MS runs.

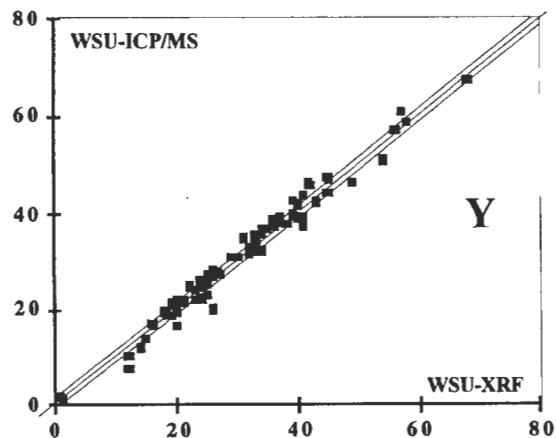


Figure 12. XRF-WSU Y data plotted against ICP/MS-WSU data (J. E. Wright, C. Nye, 1997, unpublished data). Lines as for Fig. 5.

Nb values have been compared with XRF data (U.S.G.S., Menlo Park, XRAL, Rhodes University), ICP data (London), and ICP/MS data (WSU). The results are scattered, suggesting many laboratories have problems in obtaining good Nb values. The tightest correlations of the XRF data are with the ICP/MS values (Fig. 13), but there is a slight bias which increases with concentration suggesting the XRF values are high. As for Y, this bias differs significantly between the two runs suggesting that at least a part of this problem lies with the ICP/MS values.

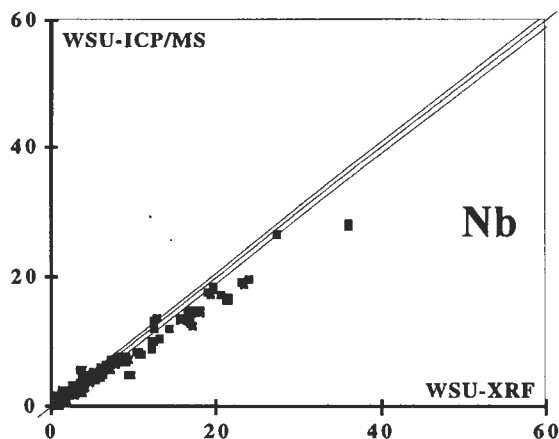


Figure 13. XRF-WSU Nb data plotted against ICP/MS-WSU (J. E. Wright, 1997, unpublished data). Lines as for Fig. 5.

No comparative data is available for Ga and duplicate Cu analyses are only available from one XRF run (Rhodes University) which demonstrates adequate correlation (Fig. 14a). Duplicate values on Zn by XRF (U.S.G.S., Menlo Park and Rhodes University) and by ICP (London) are again somewhat scattered but the relatively good correlation with the ICP data (Fig. 14b), while implying a small bias between the two data sets, suggests the WSU XRF data are adequate. Clearly, more duplicate analyses are required for Ga, Cu, and Zn to provide a better estimate of the accuracy of the WSU XRF values.

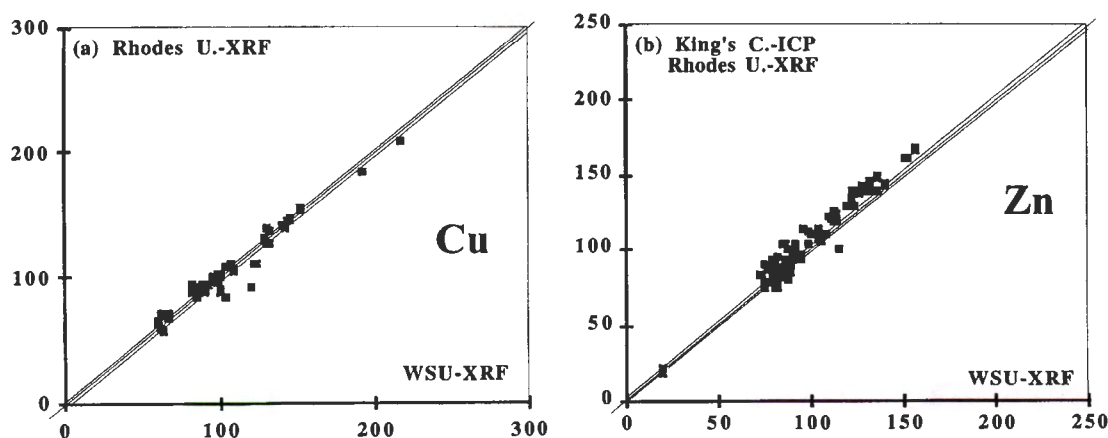


Figure 14. (a) XRF-WSU Cu data plotted against Rhodes University-XRF (J. S. Marsh, 1993, unpublished data). (b) XRF-WSU Zn data plotted against ICP-King's College, London (P. R. Hooper, 1984, unpublished data), and XRF-Rhodes University (J. S. Marsh, 1993, unpublished data). Lines as for Fig. 5.

XRF values for La and Ce are only quoted by the WSU GeoAnalytical Laboratory because of special requests. They demonstrate poor precision and are regarded as qualitative only (Fig. 15a and b).

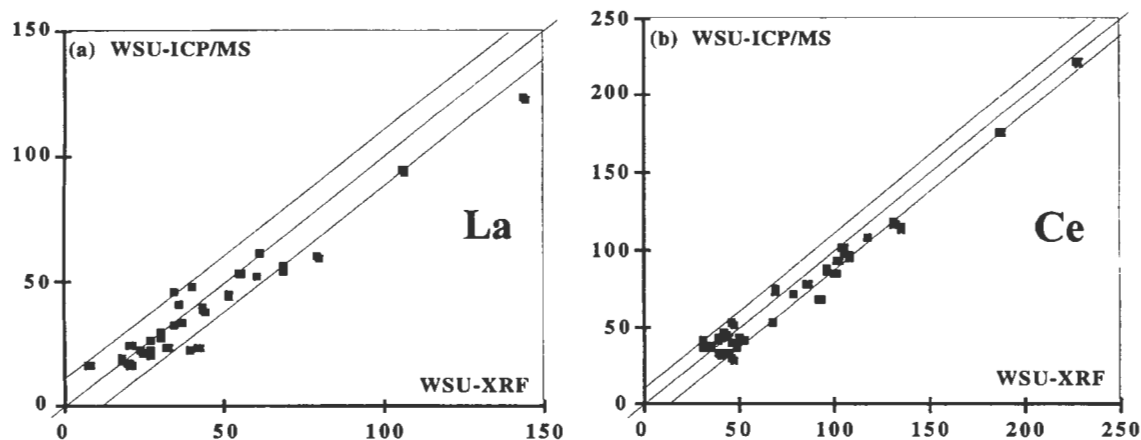


Figure 15. (a) XRF-WSU La data plotted against ICP/MS-WSU (J. E. Wright, 1997, unpublished data). (b) XRF-WSU Ce data plotted against ICP/MS-WSU (J. E. Wright, 1997, unpublished data). Lines as for Fig. 5.

Recent XRF runs have been expanded to include Pb and Th. Adequate comparisons are only available from the ICP/MS (WSU). The Pb and Th values (Fig. 16a and b) show adequate correlation and suggest the limiting factor in the accuracy of the values for both elements is the precision of the XRF data.

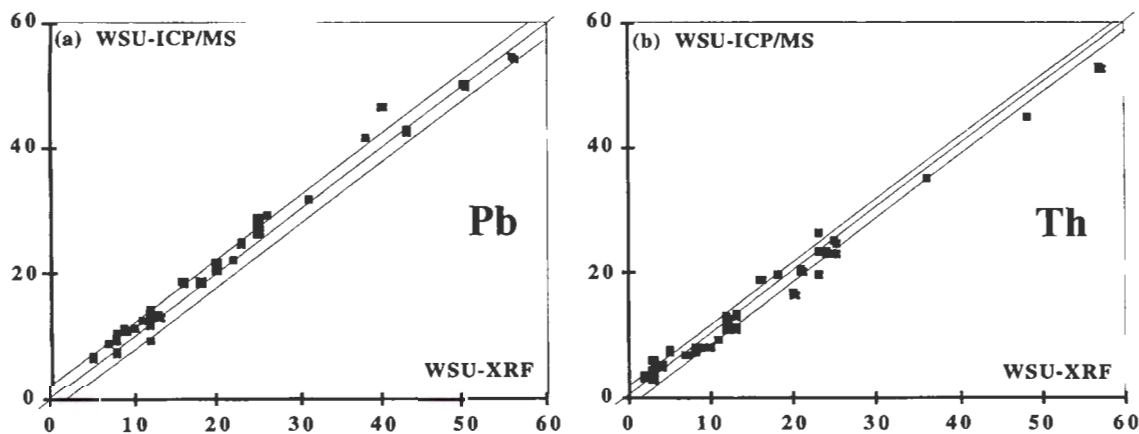


Figure 16. (a) XRF-WSU Pb data plotted against ICP/MS-WSU (J. E. Wright, 1997, unpublished data). (b) XRF-WSU Th data plotted against ICP/MS-WSU (J. E. Wright, 1997, unpublished data). Lines as for Fig. 5.

Summarizing, it is apparent that for the 17 trace elements analyzed on the WSU XRF system, the accuracy imposed is that of the precision, the limits of which are noted earlier (Tables 3 and 4). Small biases may be present in some cases (e. g. Cr, Nb) but few are significant and none appear critical. The precision limits are, however, important. These comparative plots serve to remind us of the high reproducibility of XRF analyses in general but also that the XRF technique loses precision at low concentrations (below 10 ppm and, for some elements, below 30 ppm). At these lower concentrations other techniques, isotope dilution and ICP/MS in particular, are preferable.

Stable Operating Conditions

The GeoAnalytical Laboratory uses only a Rhodium target which is run at 50 kV and 50 mA with full vacuum and a 25 mm mask for all elements and all samples. The advantages for retaining the same conditions for all elements, in addition to efficiency, is the greater stability and consequent ability to reproduce the same intensities for the same sample over long periods of time. This can be demonstrated for this laboratory over a 10 year period (Table 4). In addition, the 2:1 tetraborate beads can be stored for a demonstrable 30 years without significant deterioration and can be re-run if and when the basic equipment, standards, or running conditions are modified. This level of precision has been critical to the tracing of the subtle differences between the many flows sampled from the Columbia Plateau over that period.

The disadvantages of using such constant operating conditions are loss of precision and accuracy for some elements, notably Sc, V, Nb and Ba, for which these conditions are not ideal.

Oxidation State and Volatile Content - LOI

The WSU GeoAnalytical Laboratory normally ignores the oxidation state of iron in whole rock samples, quoting all the iron as FeO and normalizing to 100% without measuring the volatile content. LOI and oxidation state are measured only for particular purposes or on special request.

In general, we regard the volatile content and oxidation state of igneous rocks as a distraction for most petrogenetic work. Both are products of post eruptive processes (alteration) in large part and serve to distort the composition immediately prior to eruption which is our principal concern. When data on the volatile content and oxidation state are lacking, it follows that original totals can be used only as a rough check for major errors in weighing, smaller variations in the totals will reflect variable oxidation states and volatile contents. The use of normalized values has caused some concern amongst our colleagues, especially those introduced to geochemistry through wet chemical analysis in which the total, including volatile content, was the obvious check on the accuracy of the analysis. As discussed above, there are now much better ways of measuring precision and estimating accuracy. Incorporation of oxidation states and volatile content so distort analyses of Columbia River basalt, to use but one example, that their use on the Columbia Plateau significantly reduces our ability to correlate flows. Had this approach been adopted our present knowledge of Columbia River basalt flow stratigraphy would be much less precise.

Two other factors are involved. The analysis of volatiles and the oxidation state of iron tends to be labor-intensive, creating an unjustified cost except in particular circumstances. Both, of course, are independent of the X-ray analysis and can be added or discarded any time, so long

as the totals are not relied upon as a measure of accuracy for the whole analysis. Finally, this laboratory would argue that in analytical comparisons inclusion of the oxidation state of iron and the volatile content distorts the results and makes the comparisons of little value (Govindaraju, 1994). To determine genuine bias and analytical differences between laboratories it is essential to calculate the iron in a single oxidation state, eliminate the volatile (LOI) content, and normalize to 100. This is because the methods of measuring the LOI are so variable that differences in these values between laboratories distort the abundances of all other elements (again, see Govindaraju, 1994).

Conclusions

We argue that the single low-dilution fusion technique is superior to the more traditional high dilution fusion and pressed powder technique in its much greater efficiency which is achieved without measurable loss of either precision or accuracy.

There are advantages and disadvantages in using stable operating conditions, in which neither the target nor the voltage are changed between elements. The adoption of such a procedure is likely to depend on the specific aims of any one research program. Finally, the measurement of the oxidation state of iron and the volatile content should not be used to distort otherwise excellent XRF analyses.

Acknowledgments

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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

November 23, 2011

LYLE OLIN AMOS #1719
TRIPLE A DRILLING
PO BOX 278
BURBANK WA 99323-0278

FINAL ORDER

Dear Mr. Amos:

On May 10, 2011, you requested a Special Standard to remove your drilling machine from Randy Rupp's property located at Township 5N, Range 30 West, Section 15, Tax Lot 100 (Start Card 199469). The reason you stated in your request was that you needed to repair your drilling machine.

On May 11, 2011, your request was approved. To date, you have not returned to Rupp Well #1. You have until December 23, 2011, to bring Rupp Well #1 into compliance with Oregon's Minimum Well Construction Standards.

If you have any questions concerning please do not hesitate to contact me at (503) 986-0852.

Sincerely,

Ms. JUNO PANDIAN, Manager
Well Construction and Compliance Section

CERTIFIED – Return Receipt Requested

cc: Randy Rupp, Landowner
Mike Ladd, NC Region Manager
File G-17068

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.



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

July 22, 2010

Martha O. Pagel
530 Center St, NE, Suite 400
Salem, OR 97301

RE: Rupp Ranches (Application File G-17068)

Dear Ms. Pagel,

Thank you for your letter of July 7, 2010 requesting a refund for Rupp Ranches. Although your letter was addressed to Director Ward, the two of us have discussed this situation and he has asked me to respond to you directly.

Your letter indicated that Mr. Rupp personally visited the Pendleton office of the Water Resources Department and was specifically told that he would be able to get a refund of fees if the number of acres finally approved was less than the number of acres initially requested and that his decision to file for 10,000 acres was significantly influenced by this information.

Mike Ladd, North Central Region Manager and Acting Field Service Division Administrator, interviewed his Pendleton office staff who provide counter help, including Molly Reid who worked in Pendleton until June of 2007. These interviews confirmed that Mr. Rupp met with our staff in Pendleton on three occasions in April and May of 2007. The staff members who met with Mr. Rupp, Molly Reid and Paul Hendricks, stated that they were not aware that the Department had the authority to refund application fees other than upon withdrawing the application shortly after the Initial Review is mailed. This understanding was consistent with all other Pendleton office staff interviewed.

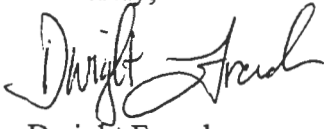
The Department's Initial Review, dated October 31, 2008, specifically spells out the refund procedure. If Mr. Rupp had questions regarding his ability to receive a refund he could have asked the Department for clarification at that time.

Based on our investigation, I am confident that the Department did not inform Mr. Rupp that he could obtain a refund of fees paid other than the procedure laid out in the Initial Review.

The Department will not be issuing a refund to Mr. Rupp.

If you have any questions or concerns please contact me at 503-986-0819.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dwight French".

Dwight French

Administrator

Water Right & Adjudication Division

C: Phillip C. Ward, Director
Mike Ladd, Acting Field Services Division Administrator
Randy Rupp, 176 Kranichwood St, Richland, WA 99352

MARTHA O. PAGEL

Admitted in Oregon and Washington

Direct Line: Salem 503-540-4260; Portland 503-796-2872

E-Mail: mpagel@schwabe.com

RECEIVED

JUL 08 2010

WATER RESOURCES DEPT
SALEM, OREGON

July 7, 2010

Mr. Phil Ward
Director
Oregon Water Resources Department
725 Summer St NE Ste A
Salem, OR 97301-1271

Re: Rupp Ranches (Application G-17068): Request for Refund of Application Fees
Our File No.: 120499-168223

Dear Director Ward:

I am writing on behalf of our client, Randy Rupp, Rupp Ranches, to request a partial refund of application fees pursuant to ORS 536.050(4)(a). As further described below, Division Administrator Dwight French has previously indicated no refund will be offered. At this point, we ask that you and Mr. French review that preliminary determination in light of the additional background and analysis provided below.

Background

Rupp Ranches filed the application on June 16, 2008, under the fee schedule in effect at the time. The application requested use of 135 cfs of ground water, from 19 wells, for irrigation of 10,767 acres. The application fee was \$18,000. Before filing the application, Mr. Rupp made a personal visit to the Oregon Water Resources Department (OWRD) region office in Pendleton to inquire about the application process. He discussed his interest in seeking a water right for the more than 10,000 acres of land he had recently acquired. He was advised by OWRD staff of potential difficulties in gaining approval for an application of that size, but he was also specifically told by staff that he would be able to get a refund of fees if the number of acres finally approved was less than the number of acres initially requested. His decision to file for the full 10,000 acres was significantly influenced by this information from OWRD staff.

On October 31, 2008, OWRD issued an Initial Review indicating the application was likely to be denied and offering the opportunity for Rupp Ranches to withdraw the application and receive a refund of all but a small portion of the application fees. At that point, however,

Mr. Rupp elected to pursue further discussions with OWRD and to obtain additional technical information with the hope of receiving approval for some portion of the water right application.

After further technical analysis and discussions between Mr. Rupp's representatives and department staff, a Proposed Final Order was issued on January 26, 2010, recommending approval of 12.5 cfs from three wells for irrigation of up to 1,000 acres. The proposed final order was based on an amended application submitted on behalf of the applicant and reflecting the discussions with department staff. No protests were filed and the permit was issued April 3, 2010.

In the letter amending the application on behalf of Rupp Ranches, I asked that the department provide a partial refund of application fees. In follow-up e-mail correspondence, Mr. French indicated the department did not intend to offer a refund because of the amount of staff time involved in processing the application, and because of the need for on-going monitoring of permit conditions. A copy of the e-mail correspondence is enclosed for your convenience.

Analysis

Mr. Rupp filed an admittedly ambitious application seeking approval for irrigation of more than 10,000 acres. This was Mr. Rupp's first experience with water rights and before filing the application he visited the region office in Pendleton to find out more about the process. Mr. Rupp's optimistic approach to the application was taken for two key reasons: First, because he was told by OWRD staff that he could get a refund if the amount of acres of irrigation approved under the application was subsequently reduced, and second, because the application fees at the time made it financially feasible to submit the very large application.

Although the application fees would have been much higher today, the amount of \$18,000 paid with the application is still a sizable amount of money. While negotiating the terms for possible approval of an application for only 1000 acres – as opposed to the 10,000 acres originally requested – Mr. Rupp continued to expect that he would receive a refund of the application fee at the end of the process. Mr. Rupp learned only much later that he was apparently misinformed by OWRD staff at the time of his initial inquiry about the application process.

Given this background, we believe the requested refund is appropriate. Although there is no statute or rule providing for the type of refund that Mr. Rupp was told he would get, we understand it is consistent with a general and longstanding practice of the department to provide refunds when applications are substantially reduced by amendment.

In this case, Mr. French has indicated that he believes the full fee was justified in light of the amount of time spent by agency staff in reviewing the application and then working with the applicant and his representatives to reach agreement on terms for a proposed final order and eventual permit. We do appreciate the staff time and effort that was involved, but we ask you to take a second-look as to the calculation of cost for that time. For example, using an estimated average of \$50 per hour – representing a fairly high level of professional staff time -- the fee of \$18,000 would pay for 360 hours. Considering that much of the staff time involved would be



paid at significantly less than \$50 per hour, the amount of staff time attributed to the fee would be even higher.

We also recognize that the permit issued to Rupp Ranches includes detailed conditions for on-going monitoring of the resource. Mr. French's e-mail indicates that the department's decision not to refund any portion of the application fee may also be tied to the time commitment involved with monitoring these permit conditions. I ask that you also take a second-look at this rationale regarding the refund. It is our understanding that the purpose of the application fee is to offset the costs of processing the application, not to pay for potential department actions after issuance of a permit. Additionally, it is our understanding that the detailed monitoring and reports to be submitted by Rupp Ranches were intended to assist the department in compiling baseline data for the area and in evaluating impacts with respect to potential future uses. The monitoring and technical reports required are not tied to continued use of water under the permit, except to the extent that failure to comply with any permit condition could affect the permit holder's ability to obtain a final certificate. (In other words, use of water by Rupp Ranches is not tied to the information obtained as a result of the monitoring.) Under the permit conditions, the burden is on Rupp Ranches to obtain these technical reports from qualified professionals and provide the information to the department. Other permit conditions that do relate to potential regulation or curtailment of water use by Rupp Ranches are typical on almost all new ground water permits issued by OWRD in recent years. Given these considerations, it does not seem appropriate to withhold application fees that might otherwise be refunded in order to offset potential future compliance monitoring after permit issuance.

Conclusion

Pursuant to ORS 536.050(4)(a), the Director may refund all or part of a fee paid to the department in the interest of fairness. In this case, given the apparent misinformation that was given to Mr. Rupp by department staff prior to filing the application, the influence that information had on Mr. Rupp's decision to proceed, and the amount of the fee involved, we believe a refund is necessary to provide fairness to Mr. Rupp, and to maintain credibility and confidence in the department's interaction with its customers.

Sincerely,



Martha O. Pagel

MOP:kdo

Enclosure

cc: Dwight French
Randy Rupp



Pagel, Martha

From: Dwight French [frenchdw@wrд.state.or.us]
Sent: Thursday, June 10, 2010 10:57 AM
To: Pagel, Martha
Cc: Tim Wallin; Doug Woodcock
Subject: Rupp Application/Permit (Application #G-17068)

Martha,

Thank you for your patience in waiting for a response to your question about a partial refund for this file.

We have discussed internally. In light of the time our agency spent reviewing the application and then working with you and your client to have a permit issued we will not be providing a partial refund. In addition, it is worth noting that we have made a large commitment to monitor, consistent with the permit conditions, this permit as it is developed and used.

The application fee is based on the application as it is originally filed with the Department.

Dwight

From: Pagel, Martha [mailto:MPagel@SCHWABE.com]
Sent: Wednesday, June 02, 2010 8:17 PM
To: Dwight French; Tim Wallin
Subject: Rupp Application/Permit (Application #G-17068)

Dwight and Tim:

Randy Rupp called me today to inquire about whether he was going to receive a refund for a portion of the \$18,000 application fee he paid when he filed his original application. To refresh your memory -- the application originally requested 135.0 cfs for irrigation of 10,000 acres. As a result of negotiations with the department, the application was amended to request 12.5 cfs for 2,000 acre-feet of water on up to 1,000 acres. The Final Order and Permit were issued April 13, and I had frankly forgotten about the refund request.

The request was included in my letter of September 9, 2009, which amended the application to the lower amounts. In checking back through my files, I don't find any specific response on the refund question. Can you please check into this and get back to me.

Thank you,
Martha

MARTHA O. PAGEL | Attorney at Law
SCHWABE, WILLIAMSON & WYATT
530 Center St. NE, Ste. 400, Salem, OR 97301
Direct: 503-540-4260 | Fax: 503-796-2900 | Cell: 503-507-7293 | Email: mpagel@schwabe.com
<<mailto:youremail@schwabe.com>>
Assistant: Karen Donohue | Direct: 503-540-4262 | kdonohue@schwabe.com
Legal advisors for the future of your business®
www.schwabe.com

To comply with IRS regulations, we are required to inform you that this message, if it contains advice relating to federal taxes, cannot be used for the purpose of avoiding

7/7/2010

penalties that may be imposed under federal tax law. Any tax advice that is expressed in this message is limited to the tax issues addressed in this message. If advice is required that satisfies applicable IRS regulations, for a tax opinion appropriate for avoidance of federal tax law penalties, please contact a Schwabe attorney to arrange a suitable engagement for that purpose.

NOTICE: This communication (including any attachments) may contain privileged or confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this communication and/or shred the materials and any attachments and are hereby notified that any disclosure, copying or distribution of this communication, or the taking of any action based on it, is strictly prohibited. Thank you.

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-17068

Final Order

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.

Application History

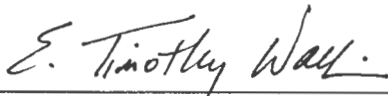
On June 16, 2008, Rupp Ranches submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on January 26, 2010. The protest period closed March 12, 2010, and no protest was filed.

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

Order

Application G-17068 therefore is approved as proposed by the Proposed Final Order, and Permit G-16671 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED April 13, 2010



for Phillip C. Ward, Director
Water Resources Department

This document was prepared by Jeana Eastman. 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 503-986-0859.

If you have previously filed a protest and want to know its status, please contact Patricia McCarty 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 UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RUPP RANCHES
176 KRANICHWOOD ST
RICHLAND, WA 99352

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

APPLICATION FILE NUMBER: G-17068

SOURCE OF WATER: WELL 1, WELL 2, AND WELL 3 IN COLUMBIA RIVER BASIN

PURPOSE OR USE: IRRIGATION USE ON 1,000 ACRES

MAXIMUM RATE: 12.5 CUBIC FEET PER SECOND, FURTHER LIMITED TO 2,000 ACRE
FEET PER YEAR

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JUNE 16, 2008

WELL LOCATIONS:

WELL 1: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 15, T5N, R30E, W.M.; 2455 FEET SOUTH AND
2660 FEET EAST FROM NW CORNER, SECTION 15

WELL 2: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 14, T5N, R30E, W.M.; 2455 FEET SOUTH AND
2645 FEET EAST FROM NW CORNER, SECTION 14

WELL 3: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 13, T5N, R30E, W.M.; 2230 FEET SOUTH AND
2440 FEET EAST FROM NW CORNER, SECTION 13

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 10.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 10.0 ACRES
SECTION 11

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 5.0 ACRES
SECTION 12

NW ¼ NW ¼ 10.0 ACRES
 SW ¼ NW ¼ 10.0 ACRES
 NW ¼ SW ¼ 10.0 ACRES
 SW ¼ SW ¼ 5.0 ACRES

SECTION 13

NE ¼ NE ¼ 40.0 ACRES
 NW ¼ NE ¼ 40.0 ACRES
 SW ¼ NE ¼ 40.0 ACRES
 SE ¼ NE ¼ 40.0 ACRES
 NE ¼ NW ¼ 40.0 ACRES
 NW ¼ NW ¼ 40.0 ACRES
 SW ¼ NW ¼ 40.0 ACRES
 SE ¼ NW ¼ 40.0 ACRES
 NE ¼ SW ¼ 40.0 ACRES
 NW ¼ SW ¼ 40.0 ACRES
 SW ¼ SW ¼ 20.0 ACRES
 SE ¼ SW ¼ 20.0 ACRES
 NE ¼ SE ¼ 40.0 ACRES
 NW ¼ SE ¼ 40.0 ACRES
 SW ¼ SE ¼ 20.0 ACRES
 SE ¼ SE ¼ 20.0 ACRES

SECTION 14

NE ¼ NE ¼ 40.0 ACRES
 NW ¼ NE ¼ 40.0 ACRES
 SW ¼ NE ¼ 40.0 ACRES
 SE ¼ NE ¼ 40.0 ACRES
 NE ¼ NW ¼ 40.0 ACRES
 NW ¼ NW ¼ 10.0 ACRES
 SW ¼ NW ¼ 10.0 ACRES
 SE ¼ NW ¼ 40.0 ACRES
 NE ¼ SE ¼ 40.0 ACRES
 NW ¼ SE ¼ 40.0 ACRES
 SW ¼ SE ¼ 20.0 ACRES
 SE ¼ SE ¼ 20.0 ACRES

SECTION 15

TOWNSHIP 5 NORTH, RANGE 30 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the meter in good working order.
- B. The permittee 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.

- C. The permittee shall allow Department staff access to the meter(s) and the wells; provided however, where any meter or well is located within a private structure, staff shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

The wells shall be regulated if any interference is observed or demonstrated with wells in the Stage Gulch Critical Ground Water Area.

This water right is not eligible for the allocation of conserved water authorized under ORS 537.455 - 537.500.

Groundwater production in each well shall be limited to a single aquifer in the Columbia River Basalt Group. Each well shall be continuously cased and continuously sealed to within 100 feet of the bottom of the open borehole. A larger open interval may be approved by the Department if the permittee can demonstrate to the Department's satisfaction, using packer tests or other suitable methods, that the hydraulic heads of water-bearing zones in the proposed open interval are equivalent or that the open interval is part of a continuous zone of interconnected porous materials.

Each well with a pump shall be equipped with a dedicated 3/4-inch diameter (minimum) water-level measurement tube, separate from other methods of measuring the water level such as airlines or transducers. The annual water-level measurement required in the permit shall be measured through the measuring tube.

Data Collection Plan

For each of the following numbered conditions, data collection shall be supervised by an Oregon registered geologist. Prior to data collection, the geologist shall submit a data collection and analysis plan (or plans) for Department approval for each numbered item below.

1) Drill Cuttings

Drill cuttings shall be collected at the permitted wells and any test holes. Samples shall be collected at ten-foot intervals and at changes in lithology. A reference set of clean cuttings, in plastic sample trays, shall be submitted to the Department for each well. Select drill cuttings shall be analyzed for a comprehensive suite of major, minor, and trace elements that are appropriate for characterizing Columbia River Basalt Group stratigraphy. The data

shall be compiled and the basalt stratigraphy at each well location shall be interpreted by an Oregon registered geologist.

2) Water Chemistry

Groundwater samples shall be collected from water-bearing zones developed from each well. Samples shall be analyzed by a state certified laboratory for general chemistry (common ions, including fluoride), standard water-quality parameters (pH, dissolved solids, specific conductance) and for dating of groundwater (radiocarbon, stable isotopes, tritium and CFCs).

3) Well Testing

At least one long-term aquifer test shall be conducted to determine continuity between production wells. The test shall be conducted at a constant rate for a minimum of 72 hours, and water levels shall be monitored at the pumped well and at least one other production well or test hole. Production wells drilled subsequently to the aquifer test will require additional aquifer testing. The data collection plan for each aquifer test shall identify offsite wells, including wells in State Gulch Critical Groundwater Area, that have a reasonable potential for hydraulic continuity. This shall be based upon stratigraphic correlation, geologic structure, water-level and water well report data.

4) Groundwater Resource Characterization Report

The permittee shall submit a report that characterizes the groundwater resource contained within the Columbia River Basalt Group developed under this permit. The report at a minimum shall address: 1) basalt stratigraphy and structure, including cross sections; 2) constant rate well testing and aquifer testing results and analyses; 3) groundwater chemistry and groundwater dating results; 4) mechanism and potential for natural recharge and discharge; 5) potential for sustainability of the groundwater resource; 6) water-level comparisons and analysis of potential for interference with senior wells and wells in Stage Gulch Critical Groundwater Area; and 7) potential for additional sustainable groundwater development in the area. Additional reports may be submitted if data are collected after submittal of the characterization report. This body of work shall serve as the technical foundation for review of subsequent applications for local groundwater development.

All hydrologic and geologic data collected shall be provided to OWRD in report and in electronic format specified by the Department.

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of February. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial February static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

STANDARD CONDITIONS

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.

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 be subject to cancellation, 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 well(s) 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.

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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 to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

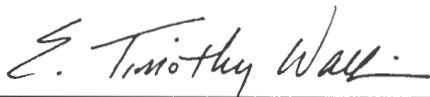
This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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.

Completion of construction and application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued April 13, 2010



for Phillip C. Ward, Director
Water Resources Department

Mailing List for FO Copies

Application #G-17068

Original mailed to applicant with claim of beneficial use form:

RUPP RANCHES
176 KRANICHWOOD ST
RICHLAND WA 99352

Copies sent to:

1. WRD - File # G-17068
2. WRD - Ken Stahr

Copies Mailed By: _____ (SUPPORT STAFF) on: _____ (DATE)
--

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

3. WRD - Watermaster District #: 5
4. WRD - Regional Manager (not to SCR): NC

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

1. GSI Water Solutions, Molly Reid, 1020 N Center Parkway, Ste F, Kennewick WA 99336
2. Pagel, Martha
Schwabe, Williamson & Wyatt, 530 Center St. NE, STE 400, Salem OR 97301

CASEWORKER : Jeana Eastman

Proposed Place of Use for Rupp Ranches Groundwater Application

TWP, RNG	Section	Quarter/Quarter	Acres
T5N, R30E	11	SWSE	10.00
T5N, R30E	11	SESE	10.00
T5N, R30E	12	SWSW	5.00
T5N, R30E	13	NWNW	10.00
T5N, R30E	13	SWNW	10.00
T5N, R30E	13	NWSW	10.00
T5N, R30E	13	SWSW	5.00
T5N, R30E	14	NENE	40.00
T5N, R30E	14	NWNE	40.00
T5N, R30E	14	SWNE	40.00
T5N, R30E	14	SENE	40.00
T5N, R30E	14	NENW	40.00
T5N, R30E	14	NWNW	40.00
T5N, R30E	14	SWNW	40.00
T5N, R30E	14	SENW	40.00
T5N, R30E	14	NESW	40.00
T5N, R30E	14	NWSW	40.00
T5N, R30E	14	SWSW	20.00
T5N, R30E	14	SESW	20.00
T5N, R30E	14	NESE	40.00
T5N, R30E	14	NWSE	40.00
T5N, R30E	14	SWSE	20.00
T5N, R30E	14	SESE	20.00
T5N, R30E	15	NENE	40.00
T5N, R30E	15	NWNE	40.00
T5N, R30E	15	SWNE	40.00
T5N, R30E	15	SENE	40.00
T5N, R30E	15	NENW	40.00
T5N, R30E	15	NWNW	10.00
T5N, R30E	15	SWNW	10.00
T5N, R30E	15	SENW	40.00
T5N, R30E	15	NESE	40.00
T5N, R30E	15	NWSE	40.00
T5N, R30E	15	SWSE	20.00
T5N, R30E	15	SESE	20.00
		TOTAL ACRES	1000.00

Application G-17068
Amended Location of Use
September 9, 2009

RECEIVED

SEP 10 2009

WATER RESOURCES DEPT
SALEM, OREGON

Mailing List for PFO Copies

Application #G-17068

PFO Date January 26, 2010

Original mailed to applicant:

~~1~~ RUPP RANCHES, 176 KRANICHWOOD ST, RICHLAND, WA 99352

Copies sent to:

- ~~1~~ WRD - File # G-17068
- ~~2~~ Water Availability: Ken Stahr
- ~~3~~ Regional Well Inspector: NC

Copies Mailed
By: <u>JRB</u>
(SUPPORT STAFF)
on: <u>1/22/10</u>
(DATE)

PFO and Map Copies sent to:

- ~~4~~ WRD - Watermaster # 5
- ~~5~~ Regional Manager: NC

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

- ~~1~~ GSI Water Solutions, Molly Reid, 1020 N Center Parkway, Ste F, Kennewick WA 99336
- ~~2~~ Pagel, Martha
Schwabe, Williamson & Wyatt, 530 Center St. NE, STE 400, Salem OR 97301

"\$20 LETTER" sent to Interested Persons who have not protested or paid for copies

CASEWORKER : jme

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-17068

Proposed Final Order

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

Application History

On June 16, 2008, Rupp Ranches submitted an application to the Department for the following water use permit:

- Amount of Water: 135.0 cubic feet per second (CFS)
- Use of Water: irrigation use on 10,766.57 acres
- Source of Water: Well 1, Well 2, Well 3, Well 4, Well 5, Well 6, Well 7, Well 8, Well 9, Well 10, Well 11, Well 12, Well 13, Well 14, Well 15, Well 16, Well 17, Well 18, and Well 19 in Columbia River Basin
- Area of Proposed Use: Umatilla County within SECTIONS 1, 2, 10, 11, 12, 13, 14, 15, 16, 22, AND 23, TOWNSHIP 5 NORTH, RANGE 30 EAST, W.M.; SECTIONS 2, 3, 4, 5, 6, 7, 8, 9, 17, AND 18, TOWNSHIP 5 NORTH, RANGE 31 EAST, W.M.; SECTIONS 25, AND 36, TOWNSHIP 6 NORTH, RANGE 30 EAST, W.M.; SECTIONS 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, AND 35, TOWNSHIP 6 NORTH, RANGE 31 EAST, W.M.

On October 31, 2008, the Department mailed the applicant notice of its Initial Review, determining that *"the use of 135.0 CFS of water from Well 1, Well 2, Well 3, Well 4, Well 5, Well 6, Well 7, Well 8, Well 9, Well 10, Well 11, Well 12, Well 13, Well 14, Well 15, Well 16, Well 17, Well 18, and Well 19 in Columbia River Basin for irrigation use on 10,766.57 acres is not allowable, and it appears unlikely that you will be issued a permit."* The applicant did not notify the Department to stop processing the application within 14 days of that date.

On November 4, 2008, 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.

On September 10, 2009, the applicant amended the rate to 12.5 CFS, at 2,000 acre feet per year, from Well 1, Well 2, and Well 3 for the irrigation of 1,000 acres.

On December 30, 2009, the Department's Ground Water Section re-reviewed the application based on the amendments.

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 ground water 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 Umatilla Basin Program allows irrigation use.

Well 1, Well 2, and Well 3 in Columbia River Basin are not within or above a State Scenic Waterway.

Ground Water Findings Under OAR 690-009

The Department determined, consistent with OAR 690-009-0040(4), that the proposed ground water use will not have the potential for substantial interference with surface water.

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 ground water availability has been completed by the Department's Ground Water/Hydrology section. A copy of this assessment is in the file. Based on the Department's review completed December 30, 2009, the proposed water use will, if properly conditioned, avoid injury to existing rights and the resource.

The Department finds that the amount of water requested, 12.5 CFS, is an acceptable amount.

The proposed ground water use is 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 Umatilla Basin Program, 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 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 January 26, 2010

E. Timothy Wall

for Phillip C. Ward, Director
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 **March 12, 2010**. 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;
- If you are the applicant, the protest fee of \$300 required by ORS 536.050; and
- If you are not the applicant, the protest fee of \$600 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 **March 12, 2010**. 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 \$150. If a hearing is scheduled, an additional fee of \$350 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.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear or fail to appear at a scheduled hearing, the Director may issue a Final Order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a prima facie case upon default.

This document was prepared by Jeana Eastman. 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 503-986-0859.

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 Patricia McCarty 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 UMATILLA

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

RUPP RANCHES
176 KRANICHWOOD ST
RICHLAND, WA 99352

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

APPLICATION FILE NUMBER: G-17068

SOURCE OF WATER: WELL 1, WELL 2, AND WELL 3 IN COLUMBIA RIVER BASIN

PURPOSE OR USE: IRRIGATION USE ON 1,000 ACRES

MAXIMUM RATE: 12.5 CUBIC FEET PER SECOND, FURTHER LIMITED TO 2,000 ACRE
FEET PER YEAR

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JUNE 16, 2008

WELL LOCATIONS:

WELL 1: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 15, T5N, R30E, W.M.; 2455 FEET SOUTH AND
2660 FEET EAST FROM NW CORNER, SECTION 15

WELL 2: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 14, T5N, R30E, W.M.; 2455 FEET SOUTH AND
2645 FEET EAST FROM NW CORNER, SECTION 14

WELL 3: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 13, T5N, R30E, W.M.; 2230 FEET SOUTH AND
2440 FEET EAST FROM NW CORNER, SECTION 13

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 10.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 10.0 ACRES
SECTION 11

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 5.0 ACRES
SECTION 12

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 10.0 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 10.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 10.0 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 5.0 ACRES
SECTION 13

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 20.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 20.0 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 ACRES
SECTION 14

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 10.0 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 10.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 ACRES
SECTION 15

TOWNSHIP 5 NORTH, RANGE 30 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the meter in good working order.

- B. The permittee 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.
- C. The permittee shall allow Department staff access to the meter(s) and the wells; provided however, where any meter or well is located within a private structure, staff shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

The wells shall be regulated if any interference is observed or demonstrated with wells in the Stage Gulch Critical Ground Water Area.

This water right is not eligible for the allocation of conserved water authorized under ORS 537.455 - 537.500.

Groundwater production in each well shall be limited to a single aquifer in the Columbia River Basalt Group. Each well shall be continuously cased and continuously sealed to within 100 feet of the bottom of the open borehole. A larger open interval may be approved by the Department if the permittee can demonstrate to the Department's satisfaction, using packer tests or other suitable methods, that the hydraulic heads of water-bearing zones in the proposed open interval are equivalent or that the open interval is part of a continuous zone of interconnected porous materials.

Each well with a pump shall be equipped with a dedicated 3/4-inch diameter (minimum) water-level measurement tube, separate from other methods of measuring the water level such as airlines or transducers. The annual water-level measurement required in the permit shall be measured through the measuring tube.

Data Collection Plan

For each of the following numbered conditions, data collection shall be supervised by an Oregon registered geologist. Prior to data collection, the geologist shall submit a data collection and analysis plan (or plans) for Department approval for each numbered item below.

1) Drill Cuttings

Drill cuttings shall be collected at the permitted wells and any test holes. Samples shall be collected at ten-foot intervals and at changes in lithology. A reference set of clean cuttings, in

plastic sample trays, shall be submitted to the Department for each well. Select drill cuttings shall be analyzed for a comprehensive suite of major, minor, and trace elements that are appropriate for characterizing Columbia River Basalt Group stratigraphy. The data shall be compiled and the basalt stratigraphy at each well location shall be interpreted by an Oregon registered geologist.

2) Water Chemistry

Groundwater samples shall be collected from water-bearing zones developed from each well. Samples shall be analysed by a state certified laboratory for general chemistry (common ions, including fluoride), standard water-quality parameters (pH, dissolved solids, specific conductance) and for dating of groundwater (radiocarbon, stable isotopes, tritium and CFCs).

3) Well Testing

At least one long-term aquifer test shall be conducted to determine continuity between production wells. The test shall be conducted at a constant rate for a minimum of 72 hours, and water levels shall be monitored at the pumped well and at least one other production well or test hole. Production wells drilled subsequently to the aquifer test will require additional aquifer testing. The data collection plan for each aquifer test shall identify offsite wells, including wells in State Gulch Critical Groundwater Area, that have a reasonable potential for hydraulic continuity. This shall be based upon stratigraphic correlation, geologic structure, water-level and water well report data.

4) Groundwater Resource Characterization Report

The permittee shall submit a report that characterizes the groundwater resource contained within the Columbia River Basalt Group developed under this permit. The report at a minimum shall address: 1) basalt stratigraphy and structure, including cross sections; 2) constant rate well testing and aquifer testing results and analyses; 3) groundwater chemistry and groundwater dating results; 4) mechanism and potential for natural recharge and discharge; 5) potential for sustainability of the groundwater resource; 6) water-level comparisons and analysis of potential for interference with senior wells and wells in Stage Gulch Critical Groundwater Area; and 7) potential for additional sustainable groundwater development in the area. Additional reports may be submitted if data are collected after submittal of the characterization report. This body of work shall serve as the technical foundation for review of subsequent applications for local groundwater development.

All hydrologic and geologic data collected shall be provided to OWRD in report and in electronic format specified by the Department.

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of February. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial February static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

STANDARD CONDITIONS

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.

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 be subject to cancellation, 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 well(s) 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.

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of

mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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 to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

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.

Completion of construction and application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued

DRAFT - THIS IS NOT A PERMIT

for Phillip C. Ward, Director
Water Resources Department



Oregon Water Resources Department Land Use Information Form

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, exchange, permit amendment, or ground water registration modification, 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.

Applicant: Rupp Ranches - Randy Rupp
First Last

Mailing Address: 176 Kranichwood St.

RECEIVED

JAN 11 2010

Richland
City

WA
State

99352
Zip

Daytime Phone: _____

**WATER RESOURCES DEPT
SALEM, OREGON**

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. 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.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>5N</u>	<u>30E</u>	<u>13</u>		<u>100</u>		☒ Diverted	☒ Conveyed	☒ Used	<u>Irrigation</u>
<u>5N</u>	<u>30E</u>	<u>14</u>	<u>NE¼ NW¼</u>	<u>700</u>	<u>EFU</u>	☒ Diverted	☒ Conveyed	☒ Used	<u>Irrigation</u>
<u>5N</u>	<u>30E</u>	<u>15</u>	<u>NE¼ SE¼</u>	<u>700</u>		☒ Diverted	☒ Conveyed	☒ Used	<u>Irrigation</u>
						☐ Diverted	☐ Conveyed	☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Umatilla County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water
 ☐ Water Right Transfer
 ☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License
 ☐ Allocation of Conserved Water
 ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: 2000 ☐ cubic feet per second ☐ gallons per minute ☒ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

Irrigation of potatoes, corn, alfalfa, wheat, peas

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department. **See bottom of next page.** →

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): VLDC 152-056 (A)
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

RECEIVED

JAN 11 2010

WATER RESOURCES DEPT

SALEM, OREGON

Name: Richard H. Jennings Title: Planner

Signature: [Signature] Phone: 541-278-6249 Date: 1-6-10

Government Entity: Umatilla County Planning Dept.

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

SN 30 Sec 14 W2 NW 700

36
3

2009 5510765

RECEIVED

JUN 01 2009

UMATILLA COUNTY
RECORDS

STATE OF OREGON

BARGAIN AND SALE DEED



2009-5510765 1 of 3

GRANTOR:

State of Oregon, acting by and through its
Department of State Lands
775 Summer St. NE, Ste 100
Salem, OR 97301-1279

GRANTEE:

Randy Rupp
176 Kranichwood Street
Richland, WA 99352

**FUTURE TAX STATEMENTS
SHOULD BE MAILED TO:**

Grantee's Name/Address
Randy Rupp aka Randall Rupp
176 Kranichwood Street
Richland, WA 99352

**AFTER RECORDING
RETURN TO:**

Grantee's Name/Address
Randy Rupp aka Randall Rupp
176 Kranichwood Street
Richland, WA 99352

The STATE OF OREGON, acting by and through its Department of State Lands (GRANTOR),
conveys to Randy Rupp* (GRANTEE), the following described real property together with all
improvements thereon, if any:

*aka Randall Rupp

BEING a tract of land located in, Section 14, Township 5 North, Range 30 East of the
Willamette Meridian, Umatilla County, Oregon and being more particularly described as
follows:

**The West Half of the Northwest Quarter of Section 14, Township 5 North, Range 30
East of the Willamette Meridian, Umatilla County, Oregon, containing 80 acres more
or less.**

The true and actual consideration for this conveyance is \$ 40,000 .

Excepting and reserving to itself, its successors, and assigns:

Mineral Rights

"Excepting and reserving to itself, its successors, and assigns all minerals as defined
in ORS 273.775 (1), including soil, clay, stone, sand and gravel, and all geothermal
resources, as defined in ORS 273.775 (2), together with the right to make such use
of the surface as may be reasonably necessary for prospecting for, exploring for,
mining, extracting, reinjecting, storing, drilling for, and removing, such minerals,
materials, and geothermal resources.

In the event use of the premises by a surface rights owner would be damaged by one
or more of the activities described above, then such owner, shall be entitled to
compensation from state's lessee to the extent of the diminution in value of the real
property, based on the actual use by the surface rights owner at the time the state's
lessee conducts any of the above activities."

RECEIVED

JAN 11 2010

WATER RESOURCES DEPT
SALEM, OREGON

AmeriTitle 62097



2009-5510765 2 of 3

Subject to and excepting: any and all existing easements, existence of roads, railroads, irrigation ditches and canals, telegraph and power transmission facilities.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

THIS PROPERTY MUST BE USED IN A MANNER, AND FOR SUCH PURPOSES, THAT ASSURES FAIR AND NONDISCRIMINATORY TREATMENT OF ALL PERSONS WITHOUT RESPECT TO RACE, CREED, COLOR, RELIGION, HANDICAP, DISABILITY, AGE, GENDER, OR NATIONAL ORIGIN.

RECEIVED

JAN 11 2010

WATER RESOURCES DEPT
SALEM, OREGON

WITNESS the seal of the Department of State Lands affixed this 4th day of May, 2009.

2009-5510765 3 of 3



STATE OF OREGON, acting by and through its Department of State Lands,

Louise Solliday
Louise Solliday, Director

STATE OF OREGON)
) ss
County of Marion)

The foregoing instrument was acknowledged before me this 4th day of May, 2009.

Jennifer J. Vickers
Signature

My commission expires June 5, 2009.

State of Oregon)

County of Umatilla)

This instrument was received
and recorded on

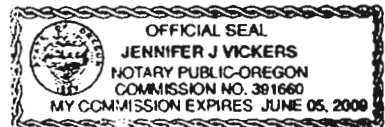
06-01-09 at 3:36

In the record of instrument
code type DE-845

Instrument Number 2009-5510765
Fee 35.00

Office of County Records

John Thompson
Records Officer



RECEIVED

JAN 11 2010

WATER RESOURCES DEPT
SALEM, OREGON

SCHEDULE A

AmeriTitle
112 SE Court St
PO Box 1475
Pendleton, OR 97801

File No.: PD0062097JC
Policy No.: 73306-78054458

Amount of Insurance: \$40,000.00
Premium: \$260.00
Date of Policy: JUNE 1, 2009 AT 3:30 P.M.

1. Name of Insured:

RANDY RUPP aka RANDALL RUPP

2. The estate or interest in the Land that is insured by this policy is:

A FEE

3. Title is vested in:

RANDY RUPP aka RANDALL RUPP

4. The Land referred to in the Policy is described as follows:

West half of the Northwest Quarter of Section 14, Township 5 North, Range 30, East of the Willamette Meridian, Umatilla County, Oregon.

RECEIVED

JAN 11 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

File No.: PD0062097JC
Policy No.: 73306-78054458

SCHEDULE B

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses that arise by reason of:

GENERAL EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easements, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. Unpatented mining claims whether or not shown by the public records.

SPECIAL EXCEPTIONS:

7. Any additional taxes which may become a lien if said property loses its Tax Exempt Status.
8. Notwithstanding Paragraph 4 of the insured clauses of the policy or policies to be issued, the policy of policies will not insure against loss arising by reason of any lack of a right of access to and from the land.
9. This Report reflects only those documents recorded in the Records of Umatilla County and does not include any Federal or State Records not of record in Umatilla County.

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

END OF EXCEPTIONS

RECEIVED

JAN 11 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

UMATILLA COUNTY ASSESSOR
Real Property Assessment Report
 FOR ASSESSMENT YEAR 2010

1/6/2010 12:48:23 PM

Account # 135563
Map # 5N3000-00-00700
Code - Tax # 0802-135563
Owner RUPP RANDY
Agent
In Care Of
Mailing Address

Tax Status ASSESSABLE
Acct Status ACTIVE
Subtype NORMAL
Deed Reference # BOOK 2009 PAGE 5510765
Sales Date/Price 05-04-2009 / \$40,000.00
Legal Description UNKNOWN
Appraiser EVANS, KEN

176 KRANICHWOOD ST
 RICHLAND, WA 99352

	MA	SA	NH	Unit
Prop Class 550	03	44	000	104946-1
RMV Class 550				

Situs Address(s)	Situs City

Value Summary					
Code Area		AV	RMV	RMV Exception	CPR
0802	Impr.	0	0	Impr.	0
	Land	1,200	24,000	Land	0
Code Area Total		1,200	24,000		0
Grand Total		1,200	24,000		0

Land Breakdown										
Code Area	ID#	RFD	Plan Zone	Value Source	TD%	LS	Size	Land Class	IRR Class	IRR Size
0802	1	R	EFU-40	Farm Use Zoned	0	A	80.00	7-5		
Code Area Total							80.00			0
Grand Total							80.00			0.00

Improvement Breakdown							
Code Area	ID#	YR Built	Stat Class	Description	TD%	Total Sq. Ft.	MS ACCT #
Code Area Total						0	
Grand Total						0	

Exemptions/Special Assessments/Potential Liability		
Code Area	Type	Description

PAccountNumbers

RECEIVED
 JAN 11 2010
 WATER RESOURCES DEPT
 SALEM, OREGON

Statement of Tax Account
UMATILLA COUNTY TAX COLLECTOR

1/6/2010 12:46:55 PM

RUPP RANDY
176 KRANICHWOOD ST
RICHLAND, WA 99352

Tax Account #	135563	Lender	
Account Status	ACTIVE	Loan #	
Roll Type	REAL PROPERTY	Property ID	0802 5N3000-00-00700
Situs Address	No situs address for this account	Interest To	01/15/2010

Tax Summary

Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2009	ADVALOREM	0.00	0.00	0.00	0.00	16.49	11/15/2009
Total		0.00	0.00	0.00	0.00		

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JAN 11 2010

**WATER RESOURCES DEPT
SALEM, OREGON**



Oregon Water Resources Department Land Use Information Form

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, exchange, permit amendment, or ground water registration modification, 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.

Applicant: Rupp Ranches - Randy Rupp
First Last

Mailing Address: 176 Kranichwood St.

Richland
City

WA
State

99352
Zip

Daytime Phone: _____

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. 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.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
SN	30E	13		100		☒ Diverted	☒ Conveyed	☒ Used	Irrigation
SN	30E	14	NE¼ NW¼	700	EFU	☒ Diverted	☒ Conveyed	☒ Used	Irrigation
SN	30E	15	NE¼ SE¼	700		☒ Diverted	☒ Conveyed	☒ Used	Irrigation
						☐ Diverted	☐ Conveyed	☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Umatilla County

RECEIVED

JAN 07 2010

WATER RESOURCES DEPT
SALEM, OREGON

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- | | | |
|--|--|---|
| ☒ Permit to Use or Store Water | ☐ Water Right Transfer | ☐ Permit Amendment or Ground Water Registration Modification |
| ☐ Limited Water Use License | ☐ Allocation of Conserved Water | ☐ Exchange of Water |

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: 2000 ☐ cubic feet per second ☐ gallons per minute ☒ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

Irrigation of potatoes, corn, alfalfa, wheat, peas

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department. See bottom of next page. →

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): VLDC 152-056 (A)

☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Richard H. Jennings Title: Planner
 Signature: [Signature] Phone: 541-278-6249 Date: 1-6-10
 Government Entity: Umatilla County Planning Dept.

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

SN 30 Sec 14 W2NW 700

2009 5510765

RECEIVED

JUN 01 2009

UMATILLA COUNTY
RECORDS

STATE OF OREGON

BARGAIN AND SALE DEED



2009-5510765 1 of 3

GRANTOR:

State of Oregon, acting by and through its
Department of State Lands
775 Summer St. NE, Ste 100
Salem, OR 97301-1279

GRANTEE:

Randy Rupp
176 Kranichwood Street
Richland, WA 99352

**FUTURE TAX STATEMENTS
SHOULD BE MAILED TO:**

Grantee's Name/Address
Randy Rupp aka Randall Rupp
176 Kranichwood Street
Richland, WA 99352

**AFTER RECORDING
RETURN TO:**

Grantee's Name/Address
Randy Rupp aka Randall Rupp
176 Kranichwood Street
Richland, WA 99352

The STATE OF OREGON, acting by and through its Department of State Lands (GRANTOR),
conveys to Randy Rupp* (GRANTEE), the following described real property together with all
improvements thereon, if any:

*aka Randall Rupp
BEING a tract of land located in, Section 14, Township 5 North, Range 30 East of the
Willamette Meridian, Umatilla County, Oregon and being more particularly described as
follows:

**The West Half of the Northwest Quarter of Section 14, Township 5 North, Range 30
East of the Willamette Meridian, Umatilla County, Oregon, containing 80 acres more
or less.**

The true and actual consideration for this conveyance is \$ 40,000 .

Excepting and reserving to itself, its successors, and assigns:

Mineral Rights

"Excepting and reserving to itself, its successors, and assigns all minerals as defined
in ORS 273.775 (1), including soil, clay, stone, sand and gravel, and all geothermal
resources, as defined in ORS 273.775 (2), together with the right to make such use
of the surface as may be reasonably necessary for prospecting for, exploring for,
mining, extracting, reinjecting, storing, drilling for, and removing, such minerals,
materials, and geothermal resources.

In the event use of the premises by a surface rights owner would be damaged by one
or more of the activities described above, then such owner, shall be entitled to
compensation from state's lessee to the extent of the diminution in value of the real
property, based on the actual use by the surface rights owner at the time the state's
lessee conducts any of the above activities."

RECEIVED

JAN 07 2010

WATER RESOURCES DEPT
SALEM, OREGON

36
3

AmenTitle 62097



2009-5518765 2 of 3

Subject to and excepting: any and all existing easements, existence of roads, railroads, irrigation ditches and canals, telegraph and power transmission facilities.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

THIS PROPERTY MUST BE USED IN A MANNER, AND FOR SUCH PURPOSES, THAT ASSURES FAIR AND NONDISCRIMINATORY TREATMENT OF ALL PERSONS WITHOUT RESPECT TO RACE, CREED, COLOR, RELIGION, HANDICAP, DISABILITY, AGE, GENDER, OR NATIONAL ORIGIN.

WITNESS the seal of the Department of State Lands affixed this 4th day of May, 2009.



2009-5510765 3 of 3

STATE OF OREGON, acting by and through its Department of State Lands,

Louise Solliday
Louise Solliday, Director

STATE OF OREGON)
County of Marion) ss

The foregoing instrument was acknowledged before me this 4th day of May, 2009.

Jennifer J. Vickers
Signature

My commission expires June 5, 2009.

State of Oregon)
County of Umatilla)

This instrument was received
and recorded on

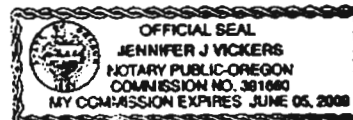
06-01-09 at 3:38

In the record of instrument
code type 05-043

Instrument Number 2009-5510765
Fee 25.00

Office of County Records

John H. Hargis
Records Officer



RECEIVED

JAN 07 2010

WATER RESOURCES DEPT
SALEM, OREGON

SCHEDULE A

AmeriTitle
112 SE Court St
PO Box 1475
Pendleton, OR 97801

File No.: PD0062097JC
Policy No.: 73306-78054458

Amount of Insurance: \$40,000.00
Premium: \$260.00
Date of Policy: JUNE 1, 2009 AT 3:30 P.M.

1. Name of Insured:

RANDY RUPP aka RANDALL RUPP

2. The estate or interest in the Land that is insured by this policy is:

A FEE

3. Title is vested in:

RANDY RUPP aka RANDALL RUPP

4. The Land referred to in the Policy is described as follows:

West half of the Northwest Quarter of Section 14, Township 5 North, Range 30, East of the Willamette Meridian, Umatilla County, Oregon.

American Land Title Association
ALTA Owner's Policy (6-17-2006)

Oregon Title Insurance Rating Organization (OTIRO)
OTIRO No. PO-04

File No.: PD0062097JC
Policy No.: 73306-78054458

SCHEDULE B

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses that arise by reason of:

GENERAL EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easements, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. Unpatented mining claims whether or not shown by the public records.

SPECIAL EXCEPTIONS:

7. Any additional taxes which may become a lien if said property loses its Tax Exempt Status.
8. Notwithstanding Paragraph 4 of the insured clauses of the policy or policies to be issued, the policy of policies will not insure against loss arising by reason of any lack of a right of access to and from the land.
9. This Report reflects only those documents recorded in the Records of Umatilla County and does not include any Federal or State Records not of record in Umatilla County.

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

END OF EXCEPTIONS

RECEIVED
JAN 07 2010
WATER RESOURCES DEPT
SALEM, OREGON

UMATILLA COUNTY ASSESSOR
Real Property Assessment Report
 FOR ASSESSMENT YEAR 2010

1/6/2010 12:48:23 PM

Account # 135563
Map # 5N3000-00-00700
Code - Tax # 0802-135563
Owner RUPP RANDY
Agent
In Care Of
Mailing Address

Tax Status ASSESSABLE
Acct Status ACTIVE
Subtype NORMAL
Deed Reference # BOOK 2009 PAGE 5510765
Sales Date/Price 05-04-2009 / \$40,000.00
Legal Description UNKNOWN
Appraiser EVANS, KEN

176 KRANICHWOOD ST
 RICHLAND, WA 99352

	MA	SA	NH	Unit
Prop Class 550	03	44	000	104946-1
RMV Class 550				

Situs Address(s)	Situs City
-------------------------	-------------------

Value Summary				
Code Area	AV	RMV	RMV Exception	CPR
0802 Impr.	0	0	Impr.	0
Land	1,200	24,000	Land	0
Code Area Total	<u>1,200</u>	<u>24,000</u>		<u>0</u>
Grand Total	1,200	24,000		0

Land Breakdown										
Code Area	ID#	RFD	Plan Zone	Value Source	TD%	LS	Size	Land Class	IRR Class	IRR Size
0802	1	R	EFU-40	Farm Use Zoned	0	A	80.00	7-5		
Code Area Total							<u>80.00</u>			<u>0</u>
Grand Total							<u>80.00</u>			<u>0.00</u>

Improvement Breakdown						
Code Area	ID#	YR Built	Stat Class	Description	TD%	Total Sq. Ft. MS ACCT #
Code Area Total						<u>0</u>
Grand Total						<u>0</u>

Exemptions/Special Assessments/Potential Liability	
Code Area Type	Description

Statement of Tax Account
UMATILLA COUNTY TAX COLLECTOR

1/6/2010 12:46:55 PM

RUPP RANDY
176 KRANICHWOOD ST
RICHLAND, WA 99352

Tax Account #	135563	Lender	
Account Status	ACTIVE	Loan #	
Roll Type	REAL PROPERTY	Property ID	0802 5N3000-00-00700
Situs Address	No situs address for this account	Interest To	01/15/2010

Tax Summary

Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2009	ADVALOREM	0.00	0.00	0.00	0.00	16.49	11/15/2009
Total		0.00	0.00	0.00	0.00		

RECEIVED
JAN 07 2010
WATER RESOURCES DEPT
SALEM, OREGON



Water Solutions, Inc.

1020 North Center Parkway, Suite F, Kennewick, Washington 99336
Ph: 509.735.7135 Fax: 509.735.7067

January 7, 2010

Jeana Eastman
Oregon Water Resources Department
725 Summer Street SE, Suite A
Salem, OR 97301

RE: G-17068 (Rupp Ranches)

Dear Jeana:

Enclosed please find the requested updated Land Use Form signed by Umatilla County, and the deed records showing ownership and legal description of property in 5N 30E Section 14 NWNW and SWNW. Please do not hesitate to contact me if there is anything else you may need for this file.

Sincerely,

A handwritten signature in blue ink that reads "Molly Reid".

Molly Reid
Water Resources Analyst

RECEIVED

JAN 11 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

Enclosures (2)

Jeana Eastman

From: Molly Reid [MReid@gsiwatersolutions.com]
Sent: Thursday, January 07, 2010 2:01 PM
To: Jeana Eastman
Cc: Pagel, Martha; randy@costlesscarpet.com
Subject: G-17068 Land Use Form and Supporting Documents
Attachments: G17068 Rupp Revised Ap Land Use Form and Deed Documents.pdf

Jeana: Attached is the Land Use Form for G-17068 (Rupp Ranches) signed by Umatilla County Planning, and a copy of the deed materials for the two quarter-quarters that were missing from the original packet. Hard copies will be in the mail this afternoon. Please let me know if there is anything else that is needed. Thank you.

Molly Reid
Water Resource Analyst

GSI Water Solutions, Inc.
1020 N. Center Parkway, Suite F
Kennewick, WA 99336
(509) 735-7135
(509) 735-7067 (Fax)
(541) 310-8800 (Cell)

RECEIVED
JAN 07 2010

Jeana Eastman

From: Pagel, Martha [MPagel@SCHWABE.com]
Sent: Wednesday, January 06, 2010 11:39 AM
To: Jeana Eastman
Subject: RE: G-17068, Rupp Ranches - please confirm amendment to 12.5 cfs

Hi Jeana:

Thank you for catching this. You are correct -- my letter of September 9 should have included a request to also reduce the rate to 12.5 cfs. This will confirm that the applicant requests to amend the application as described in your e-mail, to provide for a reduced rate of 12.5 cfs, for 1000 acres, with a maximum duty of 2,000 acre-feet during the irrigation season.

Thank you,
Martha

Martha O. Pagel
SCHWABE, WILLIAMSON & WYATT
Direct: 503-540-4260 | Fax: 503-796-2900 | Cell: 503-507-7293 | Email: mpagel@schwabe.com

From: Jeana Eastman [mailto:eastmajm@wrdd.state.or.us]
Sent: Tuesday, January 05, 2010 1:46 PM
To: Pagel, Martha
Subject: G-17068, Rupp Ranches - please confirm amendment to 12.5 cfs

Hi Martha -

While reviewing this file I noticed some correspondence from the Department to the applicant/you indicates the rate must be reduced to 12.5 cfs. However, your 9/9/09 letter to the Department does not specify a rate, rather it only amends the acreage to 1,000 and the annual duty to 2,000 acre feet. I assume this was a topic of discussion, however I don't want to make any assumptions; in addition, it is important for the record in the file to be clear.

Will you please confirm the applicant is requesting to reduce the rate to 12.5 cfs, at an annual duty of 2,000 acre feet, for 1,000 acres March 1 through October 31 of each year?

Thanks,

Jeana Eastman
Water Rights Caseworker
voice 503.986.0859

Oregon Water Resources Dept

1/6/2010

725 Summer St NE, Suite A
Salem, OR 97301-1266
front desk 503.986.0900
fax 503.986.0901
<http://oregon.gov/OWRD>

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Jeana Eastman

From: Pagel, Martha [MPagel@SCHWABE.com]
Sent: Tuesday, December 29, 2009 12:46 PM
To: Jeana Eastman
Subject: RE: G-17068, Rupp Ranches - additional info requested in IR not yet received

Hi Jeana:

Thank you for the update, and for the reminder regarding additional information we need to provide. I am working with Molly and will try to get the land use information and revised map/legal description to you next week.

Martha

Martha O. Pagel
SCHWABE, WILLIAMSON & WYATT
Direct: 503-540-4260 | Fax: 503-796-2900 | Cell: 503-507-7293 | Email: mpagel@schwabe.com

From: Jeana Eastman [mailto:eastmajm@wrdd.state.or.us]
Sent: Monday, December 28, 2009 2:04 PM
To: Pagel, Martha
Subject: G-17068, Rupp Ranches - additional info requested in IR not yet received

Hi Martha -

I'm reviewing the Rupp application in preparation of a Proposed Final Order and discovered two items that were requested in the Initial Review but have not yet been received. I exchanged emails with Molly Reid sometime after the IR regarding these two items and it appears they were overlooked (which is understandable with the focus being on ground water availability).

I apologize for not catching this sooner; however I will strive to meet the timeline I projected for PFO issuance, assuming these items can be readily provided.

The items are:

- documentation that demonstrates the proposed use complies with the local acknowledged comprehensive land-use plan, or that the applicant is actively pursuing approval from the Umatilla County Planning Department. If the applicant demonstrates that they are pursuing approval, the Department can continue to process the application and issue a Proposed Final Order and a Final Order even when land-use approval has not been obtained. However, before a permit will be issued, the Department must receive documentation from the relevant planning jurisdiction that either 1) the proposed use is allowed outright or 2) that an approved land-use decision has been obtained, and that either no administrative appeals were received, or all such appeals have concluded.

- the legal description for NWNW, SWNW, Section 14, 5N, 30E, W.M. (Note: you may notice the IR requested the legal description of quite a few other locations, but after the 9/10/09 amendment to 1000 acres, only two quarter-quarters were not covered by the deeds submitted with the application materials.)

Please let me know if you have any questions.

Have a nice day, and a Happy New Year,

Jeana Eastman
Water Rights Caseworker
voice 503.986.0859

Oregon Water Resources Dept
725 Summer St NE, Suite A
Salem, OR 97301-1266
front desk 503.986.0900
fax 503.986.0901
<http://oregon.gov/OWRD>

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To comply with IRS regulations, we are required to inform you that this message, if it contains advice relating to federal taxes, cannot be used for the purpose of avoiding penalties that may be imposed under federal tax law. Any tax advice that is expressed in this message is limited to the tax issues addressed in this message. If advice is required that satisfies applicable IRS regulations, for a tax opinion appropriate for avoidance of federal tax law penalties, please contact a Schwabe attorney to arrange a suitable engagement for that purpose.

NOTICE: This communication (including any attachments) may contain privileged or confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this communication and/or shred the materials and any attachments and are hereby notified that any disclosure, copying or distribution of this communication, or the taking of any action based on it, is strictly prohibited. Thank you.

- ✓ - poa totals 1000 ac (map & table)
- ✓ - poa table matches poa on map
- ✓ - poa's match loc on map per coord's
- ✓ - "being pursued" or approval of land use not yet received - 4/10 - t.i. all there but t.i.s are wrong - OK ✓
- ✓ - legal of nwnw, swnw, sec 14 5n 30e not yet received - see highlighted, attach - ea - 4/10 OK ✓
- ✓ - 4/10/09 amended poa was previously proposed/covered by orig. request
- ✓ - note: 4/21/09 duf said no refund decision made until permit

Jena, 9-18-09
2
We won't make a
decision on refund
until a permit is
issued. Dwight



4,187,000

SEE MAP 26 5 26B4

26 5 23C

FO CHECKLIST

Application g-17068

- ☐ Name and/or address has **changed or been assigned** ☐ Yes ☒ No
- ☐ Respond to **significant comments, issues, or disputes** related to the proposed use of water. ☒ N/A
- ☐ **Affected landowner(s)** have been notified ☒ N/A ☐ Yes ☐ No, send a letter to landowners before FO issuance.
- ☐ **Verify names/addresses** of affected landowners, and those who commented and/or paid \$10 fee. ☒ N/A
- ☐ Include fish screen form if ODFW requested **screening condition and rate** ≤ 0.5 CFS ☒ N/A ☐ Yes ☐ No
- ☐ PFO conclusions **require modification** due to typos, errors or omission of conditions ☐ Yes ☒ No
If so: _____
- ☐ Within North Umpqua settlement reach and issuing permit, **spreadsheet has been updated** ☒ N/A ☐ Yes
- ☐ **SWW** If GW and interference, copy form for Stahr. ☒ N/A

<u>Fees</u>	<u>Base Fee</u>	<u>Water Amount (Q)</u>
	\$300 / \$500	1 st CFS/AF <u>200</u>
	\$700 / \$1000	<u>13465</u> Addl @ <u>100</u> <u>13,400</u>
		_____ Addl @ _____
		<u>18</u> Add'l ☒ POD/POA ☐ use <u>2700</u> <u>3,600</u>

orig.
13500

$$\frac{500}{\text{(base)}} + \frac{17,200}{\text{(Q)}} = \frac{17,700}{\text{(total exam fee)}}$$

EXAM FEE REQUIRED	<u>17,700</u>	RECORDING FEE REQUIRED	\$250 / \$300 / \$400
EXAM FEE PAID	<u>- 17,700</u>	RECORDING FEE PAID	<u>- 300</u>
STILL OWED	<u>0</u>	STILL OWED	<u>0</u>

- ☐ FO w/ draft permit; still needed: ☐ FO w/ permit # g-14671 ☐ FO to deny refund \$ _____
- ☐ fees
- ☐ easement
- ☐ st water contract
- ☐ approved dam plans & specs
- ☐ land use approval
- ☐ well construction approval

Name: Jeana Eastman Date: 3/18/10 Peer Reviewer: Wendy michels

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

App g-17068

- ☒ Application was filed **prior to 10/23/99** ☒ No ☐ Yes (If Yes, add A date requirement)
- ☒ IR requested additional information ☐ No ☒ Yes
- ☒ Storage contract ☒ NA ☐ BOR ☐ Doug Co ☐ Corp of Eng ☐ needed ☐ obtained _____
- ☒ Have conflicts been addressed? ☒ NA ☐ No ☐ Yes _____
- IR Date 10/21/08 Public Notice Date _____ Comments received? ☐ No ☐ Yes _____

☒ SWW ☒ NA ☐ above ☐ within _____ If GW and interference, copy form for Stahr.

☒ DIV 9 ☐ NA ☐ will likely be available... ☐ will **not** likely be available... ☒ will, if properly conditioned...

well _____ has PSI with _____

GW conditions 7b, 7n, 7p, *special large fm, *special cond. - see 12/30/09 memo

☒ Conditions _____

☐ Small ≤ 0.1 CFS, ≤ 9.2 AF ☐ Medium > 0.1 CFS but < 0.5 CFS, > 9.2 AF but < 100 AF

**Special*
☒ Large ≥ 0.5 CFS, ≥ 100 AF
fm - see jmc 12/28/09 memo to file

☒ SW availability ☒ NA ☐ 80% ☐ 50% _____

☒ Allowed Use/Rate/Season ir-1,000 ac, 12.5 cts @ 2,000 af/yr, 7/1-10/31 Rate 1/80 Duty 3.0 ** per tom paul letter (just limit annual volume)*

☒ DIV 33 ☒ NA ☐ No ☐ above Bonneville, and ☐ not allowed 4/15 - 9/30 ☐ below Bonneville ☐ statewide

☒ Prior to permit, applicant must submit ☐ NA ☐ fees ☐ storage contract ☐ easement ☐ plans/specs ☐ evidence of well repair

☒ Changes from IR determinations 9/10/09 amend 3 wells, 12.5 cts @ 2,000 af/yr for 1,000 ac

☒ Copy to ☐ NWR ☐ ER ☒ WM # 5 ☐ CWRE ☐ _____
☒ NCR ☐ SWR ☒ agent m. pagel ☐ affected landowner(s)

Fees	Base Fee	Water Amount (Q)	
	\$300 / \$500	1 st CFS/AF	<u>200</u>
	\$700 / \$1000		
		<u>134</u> Addl @ <u>cts</u>	<u>13,400</u>
		<u>18</u> add'l pps	<u>3,600</u>
	<u>500</u> (base)		<u>17,200</u>
		(Q)	<u>17,700</u> (total exam fee)

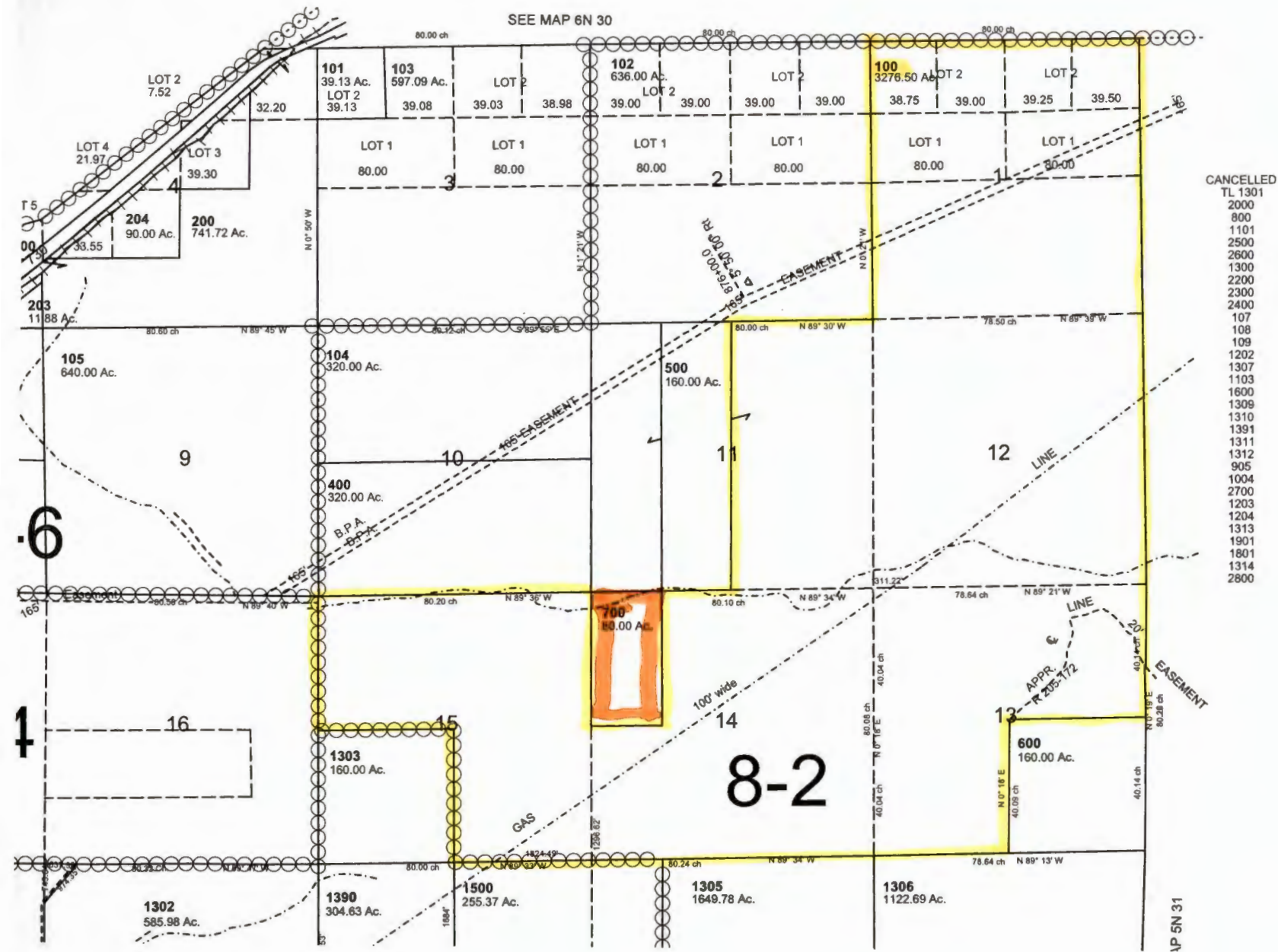
EXAM FEE REQUIRED	<u>17,700</u>	RECORDING FEE REQUIRED	<u>\$250 / \$300 / \$400</u>
EXAM FEE PAID	<u>- 17,700</u>	RECORDING FEE PAID	<u>- 300</u>
STILL OWED	<u>0</u>	STILL OWED	<u>0</u>

Name: Jeana Eastman

Date: 4/4/10

Peer Reviewer: jed

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December 30, 2009

To: File G-17068
From: Douglas Woodcock
Subject: Conditions language

G-17068 has been amended from the original proposal of 19 wells to 3 wells for irrigation of up to 1,000 acres, not to exceed 2000 ac-ft annually, and a reduction of rate from 135 CFS to 12.5 CFS. If the following conditions are added, the findings in the Initial Review of “will not likely be available in the amounts requested without injury to prior rights” and “will not likely be available within the capacity of the groundwater resource” are overcome.

Condition with: 7B - Interference, 7N - Annual WL (February), 7P - Well tag + large water-use monitoring and reporting

Groundwater production in each well shall be limited to a single aquifer in the Columbia River Basalt Group lavas. Each well shall be continuously cased and continuously sealed to within 100 feet of the bottom of the open borehole. A larger open interval may be approved by the Department if the permittee can demonstrate to the Department’s satisfaction, using packer tests or other suitable methods, that the hydraulic heads of water-bearing zones in the proposed open interval are equivalent or that the open interval is part of a continuous zone of interconnected porous materials.

Each well with a pump shall be equipped with a dedicated 3/4-inch diameter (minimum) water-level measurement tube, separate from other methods of measuring the water level such as airlines or transducers. The annual water level measurement required in the permit shall be measured through the measuring tube.

Data Collection Plan

For each of the following numbered conditions, data collection shall be supervised by an Oregon registered geologist. Prior to data collection, the geologist shall submit a data collection and analysis plan (or plans) for Department approval for each numbered item below.

1) Drill Cuttings

Drill cuttings shall be collected at the permitted wells and any test holes. Samples shall be collected at ten-foot intervals and at changes in lithology. A reference set of clean cuttings, in plastic sample trays, shall be submitted to the Department for each well. Select drill cuttings shall be analyzed for a comprehensive suite of major, minor, and trace elements that are appropriate for characterizing Columbia River Basalt Group

stratigraphy. The data shall be compiled and the basalt stratigraphy at each well location shall be interpreted by an Oregon registered geologist.

2) Water Chemistry

Groundwater samples shall be collected from water-bearing zones developed from each well. Samples shall be analysed by a state certified laboratory for general chemistry (common ions, including fluoride), standard water quality parameters (pH, dissolved solids, specific conductance) and for dating of groundwater (radiocarbon, stable isotopes, tritium and CFCs).

3) Well Testing

At least one long-term aquifer test shall be conducted to determine continuity between production wells. The test shall be conducted at a constant rate for a minimum of 72 hours and water levels shall be monitored at the pumped well and at least one other production well or test hole. Production wells drilled subsequently to the aquifer test will require additional aquifer testing. The data collection plan for each aquifer test shall identify offsite wells, including wells in State Gulch Critical Groundwater Area, that have a reasonable potential for hydraulic continuity. This shall be based upon stratigraphic correlation, geologic structure, water-level and water well report data.

4) Groundwater Resource Characterization Report

The permittee shall submit a report that characterizes the groundwater resource contained within the Columbia River Basalt Group lavas developed under this permit. The report at a minimum shall address: 1) basalt stratigraphy and structure, including cross sections; 2) constant rate well testing and aquifer testing results and analyses; 3) groundwater chemistry and groundwater age-dating results; 4) mechanism and potential for natural recharge and discharge; 5) potential for sustainability of the groundwater resource; 6) water-level comparisons and analysis of potential for interference with senior wells and wells in Stage Gulch Critical Groundwater Area; and 7) potential for additional sustainable groundwater development in the area. Additional reports may be submitted if data are collected after the submittal of the characterization report. This body of work shall serve as the technical foundation for review of subsequent applications for local groundwater development.

All hydrologic and geologic data collected shall be provided to OWRD in report and in electronic format specified by the Department.

Miscellaneous

The wells shall be regulated off if any interference is observed or demonstrated with wells in the Stage Gulch Critical Ground Water Area.

This water right is not be eligible for the allocation of conserved water as authorized under ORS 537.455 – 537.500.

INTEROFFICE MEMORANDUM

Water Rights Section

TO: File G-17068, Rupp Ranches

FROM: Jeana Eastman

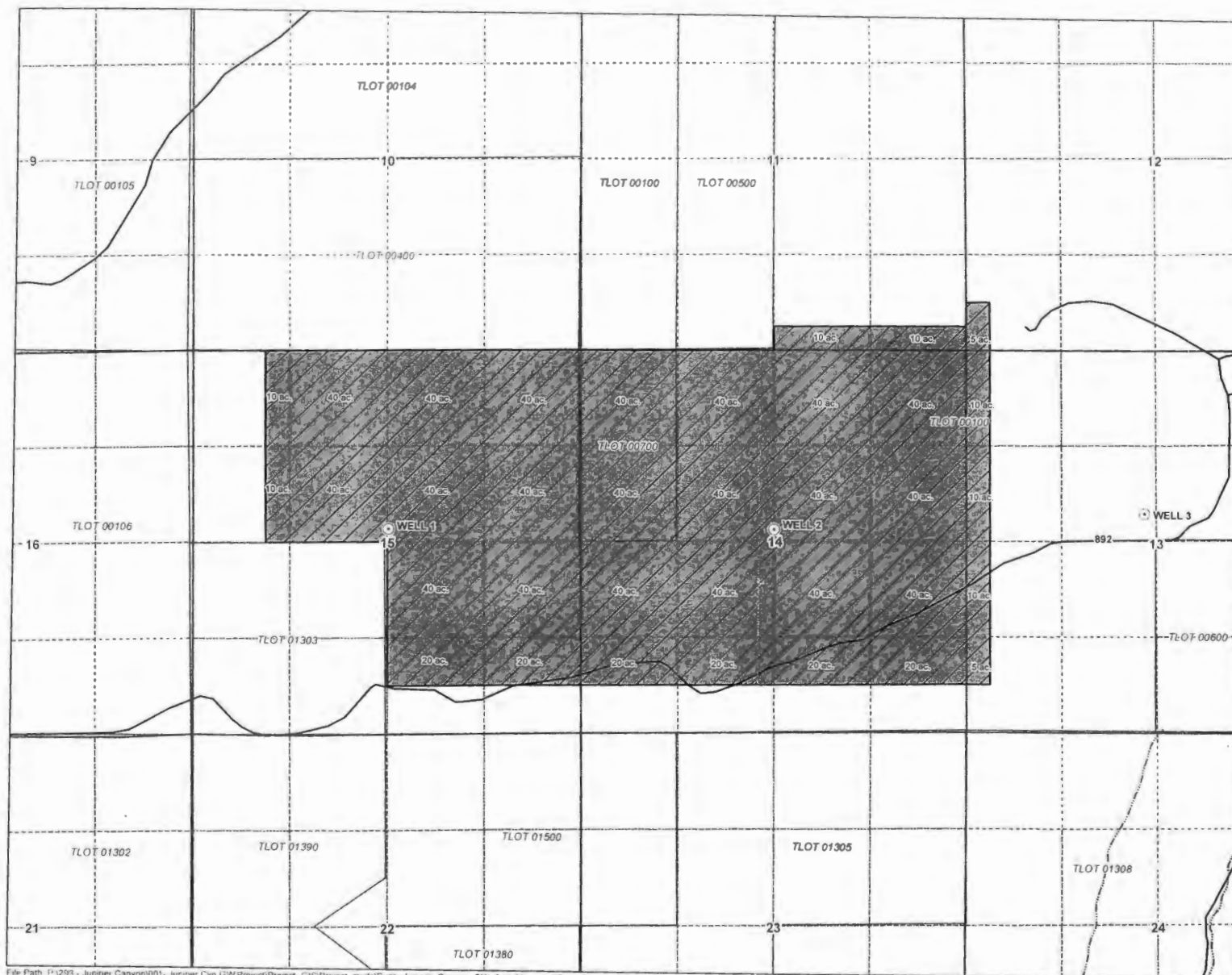
DATE: December 28, 2009

RE: measuring, recording, and reporting conditions per Doug Woodcock

Today Doug Woodcock, Ground Water Section Manager, and I discussed the appropriate measuring, recording, and reporting conditions for G-17068. Doug instructed me to use the following conditions, which are consistent with the requirements in Doug's 12/24/09 memo:

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the meter in good working order.
- B. The permittee 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.
- C. The permittee shall allow Department staff access to the meter(s) and the wells; provided however, where any meter or well is located within a private structure, staff shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.



File Path: P:\293 - Juniper Canyon\001 - Juniper Cyn GWP\Project\Project_GIS\Project_mxd\Rupp_Juniper_Canyon_GW_App_Map.mxd, Date: September 9, 2009 10:36:04 AM

Groundwater Permit Application Map In the Name of: Randy Rupp

Umatilla County, Oregon

Township 5 North, Range 30 East (W.M.)

LEGEND

- Proposed Place of Use (POU)
- Proposed Points of Appropriation (POAs)
- Umatilla County Parcels
- Roads
- Watercourses

RECEIVED

SEP 10 2009

WATER RESOURCES DEPT
SALEM, OREGON

POA LOCATION DESCRIPTIONS

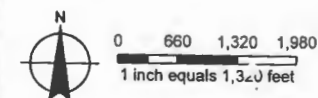
Well 1
2455 feet South and 2660 feet East from the NW corner of Section 15, Township 5 North, Range 30 East (W.M.)

Well 2
2455 feet South and 2645 feet East from the NW corner of Section 14, Township 5 North, Range 30 East (W.M.)

Well 3
2230 feet South and 2440 feet East from the NW corner of Section 13, Township 5 North, Range 30 East (W.M.)

DISCLAIMER

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.



MAP NOTES:

Projection: Oregon State Plane North Zone
Datum: North American Datum of 1983
Date: September 9, 2009
Data Sources: Umatilla County GIS, Oregon
Geospatial Data Clearinghouse, ESRI



my copy

IR CHECKLIST

App g-17068

- ☒ MU or QM ☒ NA ☐ will complete construction within 20 years
☐ Fujii reviewed recommendations _____
- ☒ Land use ☐ approved ☐ not approved ☐ being pursued ☒ county notified ☐ NA
- ☒ Storage contract ☒ NA ☐ BOR ☐ Doug Co ☐ Corp of Eng ☐ needed ☐ obtained _____
- ☒ Authorized agent specified ☒ NA ☐ needed ☐ Yes _____
- ☒ Requested Use/Rate/Season 10,766.57 ac
ir-10,766.57 ac, 135 cfs, 3/1-10/31
- Allowed Use/Rate/Season 10,766.57 / 80 = 134.57 3/1-10/31 Limit 1/80 Duty 3.0
- ☒ DIV 9 ☐ NA ☐ will likely be available... ☒ will not likely be available... ☐ will, if properly conditioned...
- ☐ classify as surface water well _____ has PSI with _____
- (include basin map if true) well _____ is within ☐ IN 3E 20, 21, 28, 29 ☐ GWLA ☐ CGWA _____
- GW conditions 7m, could send water single borehole aquifer
- ☒ Conditions _____
- ☐ Small ≤ 0.1 CFS, ≤ 9.2 AF ☐ Medium > 0.1 CFS but < 0.5 CFS, > 9.2 AF but < 100 AF ☒ Large ≥ 0.5 CFS, ≥ 100 AF
- use at least Medium for: Siltcoos Lake, stored water contract, and Sandy Basin ground water
use Large for: Tenmile Lake, NU or other temp control, gov. entities, and HC exceptions; Large-7g, Large-7i for 7g/7i
use Large-TFM if GW in: South Salem Hills, or 10+ acres in Stage Gulch CGWA
- ☒ ORS 538 prohibits use ☒ No ☐ Yes (stop processing and return app and fees)
- ☒ Use is ☒ allowed ☐ not allowed ☐ limited ☒ OAR ☐ Compact _____
- ☒ Stream is withdrawn ☒ NA ☐ No ☐ Yes, allows use/season _____
- ☒ SW availability ☒ NA ☐ 80% ☐ 50% _____ WID: _____
- ☐ Use DWF's 6/21/05 non-standard W/A memo if the source is: trib to Drews Res, Snake R, Columbia R, North Umpqua R below Rock Cr, or within drainages of Lost R, Chehalem Cr, or Champoege Cr (including Mission Cr and Case Cr)
- ☒ DIV 33 ☒ NA ☐ No ☐ above Bonneville, ☐ and not allowed 4/15 - 9/30
☐ below Bonneville
☐ statewide
- ☒ SWW ☒ NA ☐ above ☐ within _____ (If GW and interference, copy form for Stahr.)
- ☒ Use is within a high priority area for streamflow restoration ☒ NA ☐ No ☐ Yes
- ☒ Basin Maps have been checked ☒ NA ☐ Yes limits _____
- ☒ POU conflict ☐ NA ☒ No ☐ No, different sources ☐ No, make up a deficiency in rate ☐ No, existing not at max. rate
☐ Yes _____
- ☒ Use is supplemental, checked for primary rights ☒ NA ☐ Yes limits _____
- ☒ Prior to permit, applicant must submit ☒ NA ☐ storage contract ☐ easement ☐ plans/specs ☐ evidence of well repair

✓ POD is within North Umpqua settlement reach and the spreadsheet was updated ☒ NA ☐ Yes

✓ Forms ☐ NA ☐ DIV 33 ☐ basin map ☐ HC except ☐ spring description other _____

✓ Copy to ☐ NWR ☒ WM # 5 ☐ ODFW ☒ CRIFC
☒ NCR ☐ agent ☐ DEQ ☒ US Fish & Wildlife
☐ ER ☐ CWRE ☐ DOA ☒ NW Planning Council
☐ SWR ☐ State Parks ☒ CTUIR

☐ DOA Food Safety Division
(bottled water)

☐ city _____
(w/in 5-mile muni wells)

unmet co. can't house

gsi - molly raid

✓ Fees <u>135</u> CFS	Base	<u>500</u>
<u> </u> AF	Up to 1 CFS	<u>200</u>
	<u>134</u> Add'l CFS @ _____	<u>13,400</u>
	Up to 20 AF	_____
	_____ Add'l AF @ _____	_____
	<u>18</u> Add'l ☒ POD/POA ☐ use +	<u>3,400</u>
	Exam Fee Required =	<u>17,700</u>
	Exam Fee Paid	<u>17,700</u>
	Still Owed	_____

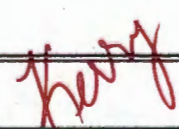
✓ App and map meet min. requirements ☒ Yes ☐ No _____
(If not, send IR certified)

✓ Letter format ☐ good ☐ limited ☒ bad ☐ bad w/ rate reduction opportunity ☐ bad w/ HC opportunity

✓ Scanned images exist for application form and map

Name: Jeana Eastman

Date: 10/23/08

Peer Reviewer: Kerry 

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.



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

CERTIFIED MAIL
Return Receipt Requested

RUPP RANCHES
ATTN: RANDY RUPP
176 KRANICHWOOD ST
RICHLAND, WA 99352

October 31, 2008

Reference: File G-17068

Dear Mr. Rupp:

**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 application proposed the use of 135.0 cubic feet per second (CFS) of water from Well 1, Well 2, Well 3, Well 4, Well 5, Well 6, Well 7, Well 8, Well 9, Well 10, Well 11, Well 12, Well 13, Well 14, Well 15, Well 16, Well 17, Well 18, and Well 19 in Columbia River Basin for irrigation use on 10766.57 acres March 1 through October 31 of each year.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. The use of water from Well 1, Well 2, Well 3, Well 4, Well 5, Well 6, Well 7, Well 8, Well 9, Well 10, Well 11, Well 12, Well 13, Well 14, Well 15, Well 16, Well 17, Well 18, and Well 19 in Columbia River Basin for irrigation use is allowable under the Umatilla Basin Program.

*Is Umatilla County
only other landowner
due to roads? Do any
roads cross pon?*

4. Ground water will not likely be available in the amounts requested without injury to prior rights and/or within the capacity of the resource.

The Department has determined, based upon OAR 690-009, that the proposed ground water use will not have the potential for substantial interference with any surface water source.

5. Please refer to the **Additional Information Required** section below for specific information regarding deficiencies with the application.

Summary of Allowable Water Use

Because not all items above are favorable, the use of 135.0 CFS of water from Well 1, Well 2, Well 3, Well 4, Well 5, Well 6, Well 7, Well 8, Well 9, Well 10, Well 11, Well 12, Well 13, Well 14, Well 15, Well 16, Well 17, Well 18, and Well 19 in Columbia River Basin for irrigation use on 10766.57 acres is not allowable, and it appears unlikely that you will be issued a permit. At this time, you must decide whether to proceed or to withdraw your application as described below.

Additional Information Required:

Although it is unlikely that a permit will be issued, if the Department's findings change, additional information will be required prior to issuance of any Proposed Final Order that may recommend approval.

The Department received a receipt signed and dated by a local government official acknowledging the land use information request was received by the Umatilla County Planning Department, which meets the minimum application requirements. However, to proceed, the Department must receive documentation that demonstrates the proposed use complies with the local acknowledged comprehensive land-use plan, or that you are actively pursuing approval from the Umatilla County Planning Department. If you demonstrate ^{that} you are pursuing it, the Department can continue to process the application and issue a Proposed Final Order and a Final Order even when land use approval has not been obtained. However, before a permit will be issued the Department must receive documentation from the relevant planning jurisdiction that either 1) the proposed use is allowed outright or 2) that an approved land-use decision has been obtained, and that either no administrative appeals were received, or all such appeals have concluded.

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.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$150 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, November 14, 2008**. For your convenience you may use the enclosed "STOP PROCESSING" form.

To Proceed With Your Application:

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

Although Unlikely, 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 totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. 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. Ground water production shall only be from the basalt ground water reservoir.
3. The wells shall be cased and sealed in such a manner to develop a single basalt aquifer.
4. The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are

required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

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 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 503-986-0859 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: Jeana Eastman, 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 read 'Jeana Eastman'.

Jeana Eastman
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

G-17068
WAB 7-
POU 7-
GW

APPLICATION FACT SHEET

Application File Number: G-17068

Applicant: RUPP RANCHES

County: Umatilla

Watermaster: 5

Priority Date: June 16, 2008

Source: WELL 1, WELL 2, WELL 3, WELL 4, WELL 5, WELL 6, WELL 7, WELL 8, WELL 9, WELL 10, WELL 11, WELL 12, WELL 13, WELL 14, WELL 15, WELL 16, WELL 17, WELL 18, AND WELL 19 IN COLUMBIA RIVER BASIN

Use: IRRIGATION USE ON 10766.57 ACRES

Quantity: 135.0 CUBIC FEET PER SECOND

Basin Name & Number: Umatilla, #7

Stream Index Reference: Volume 3A COLUMBIA R & MISC

Point of Diversion or Well Location(s):

WELL 1: SWNE, SECTION 15, T5N, R30E, W.M.; 2455 FEET SOUTH AND 2660 FEET EAST FROM NW CORNER, SECTION 15

WELL 2: SWNE, SECTION 14, T5N, R30E, W.M.; 2455 FEET SOUTH AND 2645 FEET EAST FROM NW CORNER, SECTION 14

WELL 3: SENW, SECTION 13, T5N, R30E, W.M.; 2230 FEET SOUTH AND 2440 FEET EAST FROM NW CORNER, SECTION 13

WELL 4: SENW, SECTION 18, T5N, R31E, W.M.; 2335 FEET SOUTH AND 2635 FEET EAST FROM NW CORNER, SECTION 18

WELL 5: SENW, SECTION 17, T5N, R31E, W.M.; 2200 FEET SOUTH AND 2285 FEET EAST FROM NW CORNER, SECTION 17

WELL 6: SENW, SECTION 7, T5N, R31E, W.M.; 2530 FEET SOUTH AND 2610 FEET EAST FROM NW CORNER, SECTION 7

✓ ✓ ✓ ✓ ✓
WELL 7: NESW, SECTION 8, T5N, R31E, W.M.;2085 FEET NORTH AND 2320 FEET EAST FROM SW CORNER, SECTION 8

✓ ✓ ✓ ✓ ✓
WELL 8: SENW, SECTION 12, T5N, R30E, W.M.;2520 FEET SOUTH AND 2460 FEET EAST FROM NW CORNER, SECTION 12

✓ ✓ ✓ ✓ ✓
WELL 9: SWNE, SECTION 11, T5N, R30E, W.M.;2600 FEET SOUTH AND 2720 FEET EAST FROM NW CORNER, SECTION 11

✓ ✓ ✓ ✓ ✓
WELL 10: SESW, SECTION 1, T5N, R30E, W.M.;695 FEET NORTH AND 2160 FEET EAST FROM SW CORNER, SECTION 1

✓ ✓ ✓ ✓ ✓
WELL 11: SESE, SECTION 4, T5N, R31E, W.M.;165 FEET NORTH AND 1195 FEET WEST FROM SE CORNER, SECTION 4

✓ ✓ ✓ ✓ ✓
WELL 12: NWNW, SECTION 10, T5N, R31E, W.M.;445 FEET SOUTH AND 960 FEET EAST FROM NW CORNER, SECTION 10

✓ ✓ ✓ ✓ ✓
WELL 13: SESE, SECTION 3, T5N, R31E, W.M.;175 FEET NORTH AND 1150 FEET WEST FROM SE CORNER, SECTION 3

✓ ✓ ✓ ✓ ✓
WELL 14: NENW, SECTION 23, T6N, R31E, W.M.;565 FEET SOUTH AND 2070 FEET EAST FROM NW CORNER, SECTION 23

✓ ✓ ✓ ✓ ✓
WELL 15: NENE, SECTION 27, T6N, R31E, W.M.;110 FEET SOUTH AND 120 FEET WEST FROM NE CORNER, SECTION 27

✓ ✓ ✓ ✓ ✓
WELL 16: NESW, SECTION 15, T6N, R31E, W.M.;2355 FEET NORTH AND 1800 FEET EAST FROM SW CORNER, SECTION 15

✓ ✓ ✓ ✓ ✓
WELL 17: NWSE, SECTION 16, T6N, R31E, W.M.;2090 FEET NORTH AND 2565 FEET WEST FROM SE CORNER, SECTION 16

✓ ✓ ✓ ✓ ✓
WELL 18: NENE, SECTION 29, T6N, R31E, W.M.;145 FEET SOUTH AND 310 FEET WEST FROM NE CORNER, SECTION 29

✓ ✓ ✓ ✓ ✓
WELL 19: NENE, SECTION 28, T6N, R31E, W.M.;125 FEET SOUTH AND 1085 FEET WEST FROM NE CORNER, SECTION 28

Place of Use:

Legal Descriptions

All

all
legal

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.47 ACRES ✓
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.1 ACRES ✓
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.1 ACRES ✓
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.41 ACRES ✓
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.12 ACRES ✓
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 39.7 ACRES ✓
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 39.26 ACRES ✓
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 39.74 ACRES ✓
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 39.76 ACRES ✓
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 38.76 ACRES ✓
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 38.06 ACRES ✓
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 39.63 ACRES ✓
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.24 ACRES ✓
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.12 ACRES ✓
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 39.97 ACRES ✓
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.07 ACRES ✓

SECTION 1

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 1.26 ACRES ✓
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.02 ACRE ✓
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.29 ACRES ✓
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.36 ACRES ✓

SECTION 2

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.01 ACRE ✓
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.21 ACRE ✓
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.5 ACRE ✓
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.03 ACRE ✓
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.94 ACRE ✓

SECTION 10

✓ NE $\frac{1}{4}$ NE $\frac{1}{4}$ 39.82 ACRES ✓
✓ NW $\frac{1}{4}$ NE $\frac{1}{4}$ 39.01 ACRES ✓
✓ SW $\frac{1}{4}$ NE $\frac{1}{4}$ 39.44 ACRES ✓
✓ SE $\frac{1}{4}$ NE $\frac{1}{4}$ 39.9 ACRES ✓
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.43 ACRE ✓
✓ NW $\frac{1}{4}$ NW $\frac{1}{4}$ 39.63 ACRES ✓
✓ SW $\frac{1}{4}$ NW $\frac{1}{4}$ 39.8 ACRES ✓
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.11 ACRE ✓
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.02 ACRE ✓
✓ NW $\frac{1}{4}$ SW $\frac{1}{4}$ 39.66 ACRES ✓
✓ SW $\frac{1}{4}$ SW $\frac{1}{4}$ 39.04 ACRES ✓
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.98 ACRE ✓
✓ NE $\frac{1}{4}$ SE $\frac{1}{4}$ 39.98 ACRES ✓
✓ NW $\frac{1}{4}$ SE $\frac{1}{4}$ 39.86 ACRES ✓
✓ SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.02 ACRES ✓
✓ SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.05 ACRES ✓

SECTION 11

missing legal, & requested it
in it

missing legal, & didn't
include this in it requesting
add'l info

W $\frac{1}{2}$ W $\frac{1}{2}$
E $\frac{1}{2}$

T5N R30E, NM.

All ✓
all ✓

NE ¼ NE ¼ 38.98 ACRES ✓
NW ¼ NE ¼ 38.98 ACRES ✓
SW ¼ NE ¼ 39.05 ACRES ✓
SE ¼ NE ¼ 39.03 ACRES ✓
NE ¼ NW ¼ 39.15 ACRES ✓
NW ¼ NW ¼ 39.27 ACRES ✓
SW ¼ NW ¼ 39.24 ACRES ✓
SE ¼ NW ¼ 39.12 ACRES ✓
NE ¼ SW ¼ 39.39 ACRES ✓
NW ¼ SW ¼ 39.31 ACRES ✓
SW ¼ SW ¼ 39.28 ACRES ✓
SE ¼ SW ¼ 39.36 ACRES ✓
NE ¼ SE ¼ 39.1 ACRES ✓
NW ¼ SE ¼ 39.33 ACRES ✓
SW ¼ SE ¼ 39.59 ACRES ✓
SE ¼ SE ¼ 39.32 ACRES ✓

SECTION 12

N ½
SW ¼ ✓

✓ NE ¼ NE ¼ 39.07 ACRES ✓
✓ NW ¼ NE ¼ 38.78 ACRES ✓
✓ SW ¼ NE ¼ 38.7 ACRES ✓
✓ SE ¼ NE ¼ 39.18 ACRES ✓
✓ NE ¼ NW ¼ 39.01 ACRES ✓
✓ NW ¼ NW ¼ 39.11 ACRES ✓
✓ SW ¼ NW ¼ 39.2 ACRES ✓
✓ SE ¼ NW ¼ 39.11 ACRES ✓
✓ NE ¼ SW ¼ 39.22 ACRES ✓
✓ NW ¼ SW ¼ 39.42 ACRES ✓
✓ SW ¼ SW ¼ 38.7 ACRES ✓
✓ SE ¼ SW ¼ 38.32 ACRES ✓

SECTION 13

NE ¼
E ½ NW ¼
S ½
? ?

✓ NE ¼ NE ¼ 40.01 ACRES ✓
✓ NW ¼ NE ¼ 40.04 ACRES ✓
✓ SW ¼ NE ¼ 40.04 ACRES ✓
✓ SE ¼ NE ¼ 40.01 ACRES ✓
✓ NE ¼ NW ¼ 40.07 ACRES ✓
NW ¼ NW ¼ 0.7 ACRE ✓
SW ¼ NW ¼ 0.87 ACRE ✓
✓ SE ¼ NW ¼ 40.07 ACRES ✓
✓ NE ¼ SW ¼ 40.07 ACRES ✓
✓ NW ¼ SW ¼ 40.1 ACRES ✓
✓ SW ¼ SW ¼ 40.08 ACRES ✓
✓ SE ¼ SW ¼ 39.84 ACRES ✓
✓ NE ¼ SE ¼ 40.01 ACRES ✓
✓ NW ¼ SE ¼ 40.04 ACRES ✓
✓ SW ¼ SE ¼ 39.56 ACRES ✓
✓ SE ¼ SE ¼ 39.28 ACRES ✓

SECTION 14

→ not included
in legal desc.

T 5N R 30E, W.M.

N 1/2
SE 1/4

✓ NE 1/4 NE 1/4 39.16 ACRES ✓
✓ NW 1/4 NE 1/4 40.09 ACRES ✓
✓ SW 1/4 NE 1/4 40.12 ACRES ✓
✓ SE 1/4 NE 1/4 39.22 ACRES ✓
✓ NE 1/4 NW 1/4 40.0 ACRES ✓
✓ NW 1/4 NW 1/4 39.88 ACRES ✓
✓ SW 1/4 NW 1/4 40.16 ACRES ✓
✓ SE 1/4 NW 1/4 40.14 ACRES ✓
NE 1/4 SW 1/4 1.23 ACRES ✓
NW 1/4 SW 1/4 0.24 ACRES ✓
SE 1/4 SW 1/4 0.86 ACRES ✓
✓ NE 1/4 SE 1/4 40.14 ACRES ✓
✓ NW 1/4 SE 1/4 40.24 ACRES ✓
✓ SW 1/4 SE 1/4 40.21 ACRES ✓
✓ SE 1/4 SE 1/4 40.16 ACRES ✓

SECTION 15

? NE 1/4 NE 1/4 2.1 ACRES ✓
SE 1/4 NE 1/4 1.72 ACRES ✓
NE 1/4 SE 1/4 0.01 ACRES ✓

SECTION 16

? NE 1/4 NE 1/4 0.04 ACRES ✓
SECTION 22

? NW 1/4 NW 1/4 0.04 ACRES ✓

SECTION 23

TOWNSHIP 5 NORTH, RANGE 30 EAST, W.M.

(NWNW) Lot 1
SW 1/4 NW 1/4
W 1/2 SW 1/4
Lot 1
Lot 2
SW 1/4 NW 1/4
S 1/2 NE 1/4
S 1/2

✓ SW 1/4 NW 1/4 0.75 ACRES ✓
✓ NW 1/4 SW 1/4 31.35 ACRES ✓
✓ SW 1/4 SW 1/4 27.85 ACRES ✓
SECTION 2

✓ Lot 1 NE 1/4 NE 1/4 21.81 ACRES ✓
✓ Lot 2 NW 1/4 NE 1/4 32.13 ACRES ✓
✓ SW 1/4 NE 1/4 37.64 ACRES ✓
✓ SE 1/4 NE 1/4 28.17 ACRES ✓
NE 1/4 NW 1/4 2.66 ACRES ✓
NW 1/4 NW 1/4 2.97 ACRES ✓
SW 1/4 NW 1/4 0.14 ACRES ✓
SE 1/4 NW 1/4 3.06 ACRES ✓

? legal

✓ NE 1/4 SW 1/4 31.84 ACRES ✓
✓ NW 1/4 SW 1/4 31.86 ACRES ✓
✓ SW 1/4 SW 1/4 30.15 ACRES ✓
✓ SE 1/4 SW 1/4 31.04 ACRES ✓
✓ NE 1/4 SE 1/4 34.02 ACRES ✓
✓ NW 1/4 SE 1/4 34.2 ACRES ✓
✓ SW 1/4 SE 1/4 29.56 ACRES ✓
✓ SE 1/4 SE 1/4 30.14 ACRES ✓

SECTION 3

T5N R31E, W.M.

1/2 SE 1/4
SW 1/4 NE 1/4
SE NW
NE SW
W 1/2 SE 1/4

- NW 1/4 NE 1/4 0.28 ACRE ✓
- ✓ SW 1/4 NE 1/4 27.65 ACRES ✓
- SE 1/4 NE 1/4 0.11 ACRE ✓
- NE 1/4 NW 1/4 1.26 ACRES ✓
- NW 1/4 NW 1/4 1.78 ACRES ✓
- SW 1/4 NW 1/4 1.12 ACRES ✓
- ✓ SE 1/4 NW 1/4 34.11 ACRES ✓
- ✓ NE 1/4 SW 1/4 33.51 ACRES ✓
- NW 1/4 SW 1/4 1.11 ACRES ✓
- ✓ SE SW 1/4 SW 1/4 0.11 ACRE ✓
- ✓ NE 1/4 SE 1/4 30.99 ACRES ✓
- ✓ NW 1/4 SE 1/4 25.65 ACRES ✓
- ✓ SE 1/4 SE 1/4 31.05 ACRES ✓

SECTION 4

Lots 3 & 4
S 1/2 NW 1/4
SW 1/4

- ✓ Lot 3 NE 1/4 NW 1/4 26.38 ACRES ✓
- ✓ Lot 4 NW 1/4 NW 1/4 15.76 ACRES ✓
- ✓ SW 1/4 NW 1/4 35.37 ACRES ✓
- ✓ SE 1/4 NW 1/4 33.28 ACRES ✓
- ✓ NE 1/4 SW 1/4 35.62 ACRES ✓
- ✓ NW 1/4 SW 1/4 36.78 ACRES ✓
- ✓ SW 1/4 SW 1/4 38.21 ACRES ✓
- ✓ SE 1/4 SW 1/4 37.95 ACRES ✓

SECTION 5

Lots 3, 4 & 5
SE NW

- Lot 2 NW 1/4 NE 1/4 0.47 ACRE ✓
- SW 1/4 NE 1/4 2.05 ACRES ✓
- ✓ Lot 3 NE 1/4 NW 1/4 26.83 ACRES ✓
- ✓ Lot 4 NW 1/4 NW 1/4 39.04 ACRES ✓
- ✓ Lot 5 SW 1/4 NW 1/4 38.1 ACRES ✓
- ✓ SE 1/4 NW 1/4 37.86 ACRES ✓
- Lot 6 NW 1/4 SW 1/4 0.37 ACRE ✓
- Lot 7 SW 1/4 SW 1/4 1.04 ACRES ✓
- SE 1/4 SW 1/4 1.69 ACRES ✓
- SW 1/4 SE 1/4 0.02 ACRE ✓
- SE 1/4 SE 1/4 1.22 ACRES ✓

SECTION 6

missing legal, and do they include in or for add'l info needed

missing legal, & requested it in ir

T5N R31E, W.M.

Legal desc?

nene
S 1/2 ne
E 1/2 nw
lots 2, 3, 4
E 1/2 sw
SE 1/4

✓ NE 1/4 NE 1/4 38.69 ACRES ✓
NW 1/4 NE 1/4 1.51 ACRES ✓
✓ SW 1/4 NE 1/4 39.31 ACRES ✓
✓ SE 1/4 NE 1/4 39.29 ACRES ✓
✓ NE 1/4 NW 1/4 39.05 ACRES ✓
NW 1/4 NW 1/4 2.67 ACRES ✓
✓ 1/2 SW 1/4 NW 1/4 39.35 ACRES ✓
✓ SE 1/4 NW 1/4 39.33 ACRES ✓
✓ NE 1/4 SW 1/4 39.36 ACRES ✓
✓ 1/2 NW 1/4 SW 1/4 39.38 ACRES ✓
✓ 1/4 SW 1/4 SW 1/4 39.42 ACRES ✓
✓ SE 1/4 SW 1/4 39.4 ACRES ✓
✓ NE 1/4 SE 1/4 39.33 ACRES ✓
✓ NW 1/4 SE 1/4 39.35 ACRES ✓
✓ SW 1/4 SE 1/4 39.38 ACRES ✓
✓ SE 1/4 SE 1/4 39.36 ACRES ✓

SECTION 7

NE 1/4 NW 1/4 1.03 ACRES ✓
✓ NW 1/4 NW 1/4 39.86 ACRES ✓
✓ SW 1/4 NW 1/4 39.93 ACRES ✓
✓ SE 1/4 NW 1/4 39.14 ACRES ✓
✓ NE 1/4 SW 1/4 39.78 ACRES ✓
✓ NW 1/4 SW 1/4 40.01 ACRES ✓
✓ SW 1/4 SW 1/4 40.09 ACRES ✓
✓ SE 1/4 SW 1/4 39.65 ACRES ✓

SECTION 8

✓ NE 1/4 NE 1/4 30.76 ACRES ✓
✓ NW 1/4 NE 1/4 30.9 ACRES ✓
✓ SW 1/4 NE 1/4 32.21 ACRES ✓
✓ SE 1/4 NE 1/4 30.29 ACRES ✓
NE 1/4 NW 1/4 0.03 ACRE ✓
✓ SE 1/4 NW 1/4 0.06 ACRE ✓

SECTION 9

✓ NE 1/4 NW 1/4 39.9 ACRES ✓
✓ NW 1/4 NW 1/4 40.47 ACRES ✓
✓ SW 1/4 NW 1/4 40.37 ACRES ✓
✓ SE 1/4 NW 1/4 39.77 ACRES ✓
NE 1/4 SW 1/4 0.66 ACRE ✓
NW 1/4 SW 1/4 0.21 ACRE ✓

SECTION 17

ir said missing all of sec 7
but only these
are actually missing

ir said missing all of sec 8
but only these are actually missing

missing legal, & didn't include
this in ir requesting add'l info

W 1/2 NW
SE NW
SW 1/4

E 1/2 NE
W 1/2 NE
SE NW ✓

NW 1/4

T5N R31E, N.M.

NE 1/4
E 1/2 NW 1/4
lots 1 & 2

✓ NE 1/4 NE 1/4 39.75 ACRES ✓
✓ NW 1/4 NE 1/4 39.78 ACRES ✓
✓ SW 1/4 NE 1/4 39.77 ACRES ✓
✓ SE 1/4 NE 1/4 39.72 ACRES ✓
✓ NE 1/4 NW 1/4 39.81 ACRES ✓
✓ NW 1/4 NW 1/4 39.84 ACRES ✓
✓ SW 1/4 NW 1/4 39.76 ACRES ✓
✓ SE 1/4 NW 1/4 39.78 ACRES ✓
NE 1/4 SE 1/4 0.01 ACRE ✓
NW 1/4 SE 1/4 0.02 ACRE ✓

missing legal,
& requested
it in ir

SECTION 18

TOWNSHIP 5 NORTH, RANGE 31 EAST, W.M.

✓ Lot 1 NE 1/4 NE 1/4 9.43 ACRES ✓
✓ Lot 4 SE 1/4 NE 1/4 37.84 ACRES ✓
✓ Lot 7 SW 1/4 SW 1/4 2.12 ACRES ✓
SE 1/4 SW 1/4 1.98 ACRES ✓
✓ Lot 5 NE 1/4 SE 1/4 38.65 ACRES ✓
NW 1/4 SE 1/4 2.24 ACRES ✓
✓ SW 1/4 SE 1/4 39.66 ACRES ✓
✓ Lot 8 SE 1/4 SE 1/4 39.41 ACRES ✓

missing legal, & didn't
request it in ir

SECTION 25

✓ NE 1/4 NE 1/4 39.73 ACRES ✓
✓ NW 1/4 NE 1/4 39.74 ACRES ✓
✓ SW 1/4 NE 1/4 40.26 ACRES ✓
✓ SE 1/4 NE 1/4 39.93 ACRES ✓
✓ NE 1/4 NW 1/4 40.12 ACRES ✓
✓ NW 1/4 NW 1/4 40.23 ACRES ✓
✓ SW 1/4 NW 1/4 39.34 ACRES ✓
✓ SE 1/4 NW 1/4 40.09 ACRES ✓
✓ NE 1/4 SW 1/4 0.48 ACRE ✓
✓ NW 1/4 SW 1/4 0.16 ACRE ✓
✓ SW 1/4 SW 1/4 0.13 ACRE ✓
✓ SE 1/4 SW 1/4 0.4 ACRE ✓
✓ NE 1/4 SE 1/4 1.1 ACRES ✓
✓ NW 1/4 SE 1/4 0.8 ACRE ✓
✓ SW 1/4 SE 1/4 0.65 ACRE ✓
✓ SE 1/4 SE 1/4 0.32 ACRE ✓

SECTION 36

TOWNSHIP 6 NORTH, RANGE 30 EAST, W.M.

legal desc?

SE 1/4 SW 1/4 0.18 ACRE ✓
SW 1/4 SE 1/4 0.02 ACRE ✓

SECTION 13

SW 1/4 SW 1/4 0.46 ACRE ✓
SE 1/4 SW 1/4 0.18 ACRE ✓

SECTION 14

T6N R31E, W.M.

Lots 1, 2, 3, 4
S 1/2 S 1/2

- ✓ Lot 3 NE 1/4 SW 1/4 32.25 ACRES ✓
- ✓ Lot 4 NW 1/4 SW 1/4 45.1 ACRES ✓
- ✓ SW 1/4 SW 1/4 33.66 ACRES ✓
- ✓ SE 1/4 SW 1/4 6.45 ACRES ✓
- ✓ Lot 1 NE 1/4 SE 1/4 5.33 ACRES ✓
- ✓ Lot 2 NW 1/4 SE 1/4 12.21 ACRES ✓
- ✓ SW 1/4 SE 1/4 30.56 ACRES ✓
- ✓ SE 1/4 SE 1/4 24.64 ACRES ✓

SECTION 15

Lots 1, 2, 3, 4, 5,
6, 7 & 8

- ✓ Lot 2 SW 1/4 NE 1/4 0.98 ACRE ✓
- ✓ Lot 1 SE 1/4 NE 1/4 0.04 ACRE ✓
- ✓ Lot 4 SW 1/4 NW 1/4 0.29 ACRE ✓
- ✓ Lot 3 SE 1/4 NW 1/4 2.1 ACRES ✓
- ✓ Lot 3 NE 1/4 SW 1/4 36.81 ACRES ✓
- ✓ Lot 4 NW 1/4 SW 1/4 26.33 ACRES ✓
- ✓ Lot 5 SW 1/4 SW 1/4 41.6 ACRES ✓
- ✓ Lot 6 SE 1/4 SW 1/4 39.07 ACRES ✓
- ✓ Lot 1 NE 1/4 SE 1/4 41.92 ACRES ✓
- ✓ Lot 2 NW 1/4 SE 1/4 42.87 ACRES ✓
- ✓ Lot 7 SW 1/4 SE 1/4 33.58 ACRES ✓
- ✓ Lot 8 SE 1/4 SE 1/4 24.74 ACRES ✓

SECTION 16

Lots 1, 2, 5, 6
7 & 8

- ✓ Lot 2 SW 1/4 NE 1/4 0.04 ACRE ✓
- ✓ Lot 1 SE 1/4 NE 1/4 0.07 ACRE ✓
- ✓ Lot 5 SW 1/4 SW 1/4 0.11 ACRE ✓
- ✓ Lot 6 SE 1/4 SW 1/4 8.41 ACRES ✓
- ✓ Lot 1 NE 1/4 SE 1/4 34.51 ACRES ✓
- ✓ Lot 2 NW 1/4 SE 1/4 23.39 ACRES ✓
- ✓ Lot 7 SW 1/4 SE 1/4 37.35 ACRES ✓
- ✓ Lot 8 SE 1/4 SE 1/4 17.17 ACRES ✓

SECTION 17

E 1/2 NE 1/4
SE 1/4

- ✓ NE 1/4 NE 1/4 18.56 ACRES ✓
- ✓ SW 1/4 NE 1/4 9.05 ACRES ✓
- ✓ SE 1/4 NE 1/4 27.13 ACRES ✓
- ✓ NE 1/4 SE 1/4 6.75 ACRES ✓
- ✓ NW 1/4 SE 1/4 6.21 ACRES ✓
- ✓ SW 1/4 SE 1/4 8.44 ACRES ✓
- ✓ SE 1/4 SE 1/4 31.61 ACRES ✓

SECTION 19

Portion of Lots 1, 2, 4, 5
of SW NE & E 1/2 SW 1/4
lying SE of Spring 730

T6N R31E, W.M.

All ✓

✓

NE ¼ NE ¼ 18.32 ACRES ✓
NW ¼ NE ¼ 31.74 ACRES ✓
SW ¼ NE ¼ 15.26 ACRES ✓
SE ¼ NE ¼ 30.98 ACRES ✓
NE ¼ NW ¼ 36.63 ACRES ✓
NW ¼ NW ¼ 35.46 ACRES ✓
SW ¼ NW ¼ 31.14 ACRES ✓
SE ¼ NW ¼ 36.74 ACRES ✓
NE ¼ SW ¼ 34.51 ACRES ✓
NW ¼ SW ¼ 35.34 ACRES ✓
SW ¼ SW ¼ 32.99 ACRES ✓
SE ¼ SW ¼ 17.26 ACRES ✓
NE ¼ SE ¼ 27.66 ACRES ✓
NW ¼ SE ¼ 5.85 ACRES ✓
SW ¼ SE ¼ 0.24 ACRE ✓
SE ¼ SE ¼ 10.93 ACRES ✓

SECTION 20

All ✓

✓

NE ¼ NE ¼ 34.72 ACRES ✓
NW ¼ NE ¼ 31.45 ACRES ✓
SW ¼ NE ¼ 22.96 ACRES ✓
SE ¼ NE ¼ 10.71 ACRES ✓
NE ¼ NW ¼ 35.74 ACRES ✓
NW ¼ NW ¼ 39.7 ACRES ✓
SW ¼ NW ¼ 36.22 ACRES ✓
SE ¼ NW ¼ 33.13 ACRES ✓
NE ¼ SW ¼ 20.02 ACRES ✓
NW ¼ SW ¼ 16.43 ACRES ✓
SW ¼ SW ¼ 27.62 ACRES ✓
SE ¼ SW ¼ 14.81 ACRES ✓
NE ¼ SE ¼ 10.81 ACRES ✓
NW ¼ SE ¼ 15.9 ACRES ✓
SW ¼ SE ¼ 5.57 ACRES ✓
SE ¼ SE ¼ 27.45 ACRES ✓

SECTION 21

T6NR31E, W.M.

ALL ✓

NE ¼ NE ¼ 16.68 ACRES ✓
 NW ¼ NE ¼ 27.74 ACRES ✓
 SW ¼ NE ¼ 12.74 ACRES ✓
 SE ¼ NE ¼ 6.89 ACRES ✓
 NE ¼ NW ¼ 22.31 ACRES ✓
 NW ¼ NW ¼ 19.33 ACRES ✓
 SW ¼ NW ¼ 17.82 ACRES ✓
 SE ¼ NW ¼ 32.97 ACRES ✓
 NE ¼ SW ¼ 20.17 ACRES ✓
 NW ¼ SW ¼ 9.86 ACRES ✓
 SW ¼ SW ¼ 13.42 ACRES ✓
 SE ¼ SW ¼ 15.46 ACRES ✓
 NE ¼ SE ¼ 31.16 ACRES ✓
 NW ¼ SE ¼ 20.57 ACRES ✓
 SW ¼ SE ¼ 33.65 ACRES ✓
 SE ¼ SE ¼ 19.19 ACRES ✓

SECTION 22

ALL ✓

NE ¼ NE ¼ 32.71 ACRES ✓
 NW ¼ NE ¼ 18.64 ACRES ✓
 SW ¼ NE ¼ 34.92 ACRES ✓
 SE ¼ NE ¼ 24.5 ACRES ✓
 NE ¼ NW ¼ 22.03 ACRES ✓
 NW ¼ NW ¼ 22.97 ACRES ✓
 SW ¼ NW ¼ 26.13 ACRES ✓
 SE ¼ NW ¼ 7.6 ACRES ✓
 NE ¼ SW ¼ 2.52 ACRES ✓
 NW ¼ SW ¼ 24.17 ACRES ✓
 SW ¼ SW ¼ 18.82 ACRES ✓
 SE ¼ SW ¼ 4.49 ACRES ✓
 NE ¼ SE ¼ 35.64 ACRES ✓
 NW ¼ SE ¼ 37.91 ACRES ✓
 SW ¼ SE ¼ 37.28 ACRES ✓
 SE ¼ SE ¼ 37.69 ACRES ✓

SECTION 23

Lots 3, 4, 5, 6, 12 & 13

Lot 2 NW ¼ NE ¼ 3.84 ACRES ✓
 Lot 7 SW ¼ NE ¼ 0.74 ACRE ✓
 Lot 3 NE ¼ NW ¼ 33.34 ACRES ✓
 Lot 4 NW ¼ NW ¼ 24.34 ACRES ✓
 Lot 5 SW ¼ NW ¼ 30.38 ACRES ✓
 Lot 6 SE ¼ NW ¼ 24.99 ACRES ✓
 Lot 11 NE ¼ SW ¼ 0.69 ACRE ✓
 Lot 12 NW ¼ SW ¼ 21.49 ACRES ✓
 Lot 13 SW ¼ SW ¼ 26.84 ACRES ✓

SECTION 24

?
?

missing legal,
I requested
it in or

T 6 N R 31 E, W. M.

W 1/2

Exhibit A
only describes
West Half

NE 1/4	NE 1/4	0.04	ACRE	✓
NW 1/4	NE 1/4	0.07	ACRE	✓
NE 1/4	NW 1/4	33.11	ACRES	✓
NW 1/4	NW 1/4	14.76	ACRES	✓
SW 1/4	NW 1/4	31.56	ACRES	✓
SE 1/4	NW 1/4	29.29	ACRES	✓
NE 1/4	SW 1/4	29.99	ACRES	✓
NW 1/4	SW 1/4	37.83	ACRES	✓
SW 1/4	SW 1/4	11.48	ACRES	✓
SE 1/4	SW 1/4	34.57	ACRES	✓
NW 1/4	SE 1/4	0.01	ACRE	✓
SW 1/4	SE 1/4	0.4	ACRE	✓

SECTION 26

NE 1/4	NE 1/4	21.1	ACRES	✓
NW 1/4	NE 1/4	33.94	ACRES	✓
SW 1/4	NE 1/4	23.9	ACRES	✓
SE 1/4	NE 1/4	15.71	ACRES	✓
NE 1/4	NW 1/4	20.13	ACRES	✓
NW 1/4	NW 1/4	28.13	ACRES	✓
SW 1/4	NW 1/4	23.91	ACRES	✓
SE 1/4	NW 1/4	40.16	ACRES	✓
NE 1/4	SW 1/4	38.11	ACRES	✓
NW 1/4	SW 1/4	37.87	ACRES	✓
SW 1/4	SW 1/4	34.04	ACRES	✓
SE 1/4	SW 1/4	6.91	ACRES	✓
NE 1/4	SE 1/4	24.32	ACRES	✓
NW 1/4	SE 1/4	2.98	ACRES	✓
SW 1/4	SE 1/4	33.27	ACRES	✓

SECTION 27

Lot 1	NE 1/4	NE 1/4	12.73	ACRES	✓
Lot 2	NW 1/4	NE 1/4	26.95	ACRES	✓
Lot 3	SW 1/4	NE 1/4	38.83	ACRES	✓
Lot 4	SE 1/4	NE 1/4	11.62	ACRES	✓
Lot 5	NE 1/4	NW 1/4	18.29	ACRES	✓
Lot 6	NW 1/4	NW 1/4	13.32	ACRES	✓
Lot 7	SW 1/4	NW 1/4	27.52	ACRES	✓
Lot 8	SE 1/4	NW 1/4	14.67	ACRES	✓
Lot 9	NE 1/4	SW 1/4	15.66	ACRES	✓
Lot 10	NW 1/4	SW 1/4	36.2	ACRES	✓
Lot 11	SW 1/4	SW 1/4	36.3	ACRES	✓
Lot 12	NE 1/4	SE 1/4	7.7	ACRES	✓
Lot 13	NW 1/4	SE 1/4	22.05	ACRES	✓
Lot 14	SE 1/4	SE 1/4	24.91	ACRES	✓

SECTION 28

E 1/2 E 1/2
W 1/2 NE 1/4
NW 1/4
N 1/2 SW 1/4
SW SW

Lot 1, 2, 3, 4,
5, 6, 7, 8,
9, 10, 11, 12,
13 & 16

day

T6NR31E, W.M.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15

✓ Lot 1 NE ¼ NE ¼ 19.44 ACRES ✓
 ✓ Lot 2 NW ¼ NE ¼ 24.91 ACRES ✓
 ✓ Lot 3 SW ¼ NE ¼ 28.54 ACRES ✓
 ✓ Lot 4 SE ¼ NE ¼ 5.69 ACRES ✓
 ✓ Lot 5 NE ¼ NW ¼ 5.7 ACRES ✓
 ✓ Lot 6 NW ¼ NW ¼ 18.58 ACRES ✓
 ✓ Lot 7 SW ¼ NW ¼ 2.48 ACRES ✓
 ✓ Lot 8 SE ¼ NW ¼ 28.2 ACRES ✓
 ✓ Lot 9 NE ¼ SW ¼ 34.67 ACRES ✓
 ✓ Lot 10 NW ¼ SW ¼ 32.79 ACRES ✓
 ✓ Lot 11 SW ¼ SW ¼ 36.88 ACRES ✓
 ✓ Lot 12 SE ¼ SW ¼ 36.66 ACRES ✓
 ✓ Lot 13 NE ¼ SE ¼ 11.51 ACRES ✓
 ✓ Lot 14 NW ¼ SE ¼ 15.21 ACRES ✓
 ✓ Lot 15 SW ¼ SE ¼ 24.93 ACRES ✓
 ✓ Lot 16 SE ¼ SE ¼ 1.82 ACRES ✓

SECTION 29

✓ NE ¼ NE ¼ 35.42 ACRES ✓
 ✓ NW ¼ NE ¼ 34.16 ACRES ✓
 ✓ SW ¼ NE ¼ 27.65 ACRES ✓
 ✓ SE ¼ NE ¼ 18.53 ACRES ✓
 ✓ NE ¼ NW ¼ 6.02 ACRES ✓
 ✓ Lot 1 NW ¼ NW ¼ 0.33 ACRE ✓
 ✓ Lot 2 SW ¼ NW ¼ 0.81 ACRE ✓
 ✓ SE ¼ NW ¼ 3.67 ACRES ✓
 ✓ Lot 3 NW ¼ SW ¼ 0.33 ACRE ✓
 ✓ Lot 4 SW ¼ SW ¼ 14.94 ACRES ✓
 ✓ SE ¼ SW ¼ 28.4 ACRES ✓
 ✓ NE ¼ SE ¼ 12.08 ACRES ✓
 ✓ NW ¼ SE ¼ 5.18 ACRES ✓
 ✓ SW ¼ SE ¼ 25.01 ACRES ✓
 ✓ SE ¼ SE ¼ 30.0 ACRES ✓

SECTION 30

✓ NE ¼ NE ¼ 29.99 ACRES ✓
 ✓ NW ¼ NE ¼ 28.88 ACRES ✓
 ✓ SW ¼ NE ¼ 3.08 ACRES ✓
 ✓ SE ¼ NE ¼ 22.47 ACRES ✓
 ✓ NE ¼ NW ¼ 34.05 ACRES ✓
 ✓ Lot 1 NW ¼ NW ¼ 9.71 ACRES ✓
 ✓ SE ¼ NW ¼ 2.13 ACRES ✓
 ✓ Lot 2 SW ¼ SW ¼ 1.06 ACRES ✓
 ✓ SE ¼ SW ¼ 0.32 ACRE ✓

SECTION 31

All of NWNW (Lot 1)
 SE of Hwy 730

1/2
 1/2 of 1/2
 lots 2, 3, 4

NE ¼
 NE NW
 Lot 1

T6N R31E, W.M.

Lots 3, 4, 5 & 8

✓ Lot 3 NE ¼ NW ¼ 28.55 ACRES ✓
 ✓ Lot 4 NW ¼ NW ¼ 36.61 ACRES ✓
 ✓ Lot 5 SW ¼ NW ¼ 22.04 ACRES ✓
 ✓ Lot 11 NE ¼ SE ¼ 1.11 ACRES ✓
 ✓ Lot 12 SE ¼ SE ¼ 2.02 ACRES ✓
 SECTION 32

?

Lot 3, 4, 5, 6,
 11, 12, 13, 14,
 15 & 16

✓ Lot 4 NW ¼ NW ¼ 0.59 ACRE ✓
 ✓ Lot 11 NE ¼ SW ¼ 24.27 ACRES ✓
 ✓ Lot 12 NW ¼ SW ¼ 31.89 ACRES ✓
 ✓ Lot 13 SW ¼ SW ¼ 36.07 ACRES ✓
 ✓ Lot 14 SE ¼ SW ¼ 26.57 ACRES ✓
 ✓ Lot 9 NE ¼ SE ¼ 0.03 ACRE ✓
 ✓ Lot 10 SE ¼ SE ¼ 0.45 ACRE ✓
 SECTION 33

?

NE NE
 S ½ NE ¼
 SE NW
 S ½

✓ NE ¼ NE ¼ 3.82 ACRES ✓
 ✓ NE ¼ SW ¼ 27.13 ACRES ✓
 ✓ NW ¼ SW ¼ 26.9 ACRES ✓
 ✓ SW ¼ SW ¼ 35.58 ACRES ✓
 ✓ SE ¼ SW ¼ 31.13 ACRES ✓
 ✓ NE ¼ SE ¼ 27.2 ACRES ✓
 ✓ NW ¼ SE ¼ 29.62 ACRES ✓
 ✓ SW ¼ SE ¼ 36.04 ACRES ✓
 ✓ SE ¼ SE ¼ 27.9 ACRES ✓
 SECTION 34

N ½ NW ¼
 SE NW
 SW NE
 SW ¼
 SW ¼
 N ½ SE ¼
 N ½ SE ¼

✓ NE ¼ NW ¼ 32.37 ACRES ✓
 ✓ NW ¼ NW ¼ 30.18 ACRES ✓
 ✓ SW ¼ NW ¼ 1.29 ACRES ✓
 ✓ SE ¼ NW ¼ 29.34 ACRES ✓
 SECTION 35

TOWNSHIP 6 NORTH, RANGE 31 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, November 14, 2008

PUBLIC NOTICE DATE: Tuesday, November 4, 2008

30 DAY COMMENT DEADLINE DATE: Thursday, December 4, 2008

12

Mailing List for IR Copies

Application #G-17068

IR Date: October 31, 2008

Original mailed to applicant:

RUPP RANCHES, 176 KRANICHWOOD ST, RICHLAND, WA 99352

Copies sent to:

1. WRD - File # G-17068
2. WRD - Water Availability: Ken Stahr

Copies Mailed
By: _____
(SUPPORT STAFF)
on: _____
(DATE)

IR, Map, and Fact Sheet Copies sent to:

3. WRD - Regional Manager (not SCR): NC
4. WRD - Watermaster # 5

5. WRD - NC Well Inspector

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

1. GSI Water Solutions, Molly Reid, 1020 N Center Parkway, Ste F, Kennewick WA 99336
2. Umatilla County Courthouse, JR Cook, 216 SE 4th St, Pendleton OR 97801

Caseworker: Jeana Eastman

\\COPYSHT.IR

This map was prepared
for assessment purposes

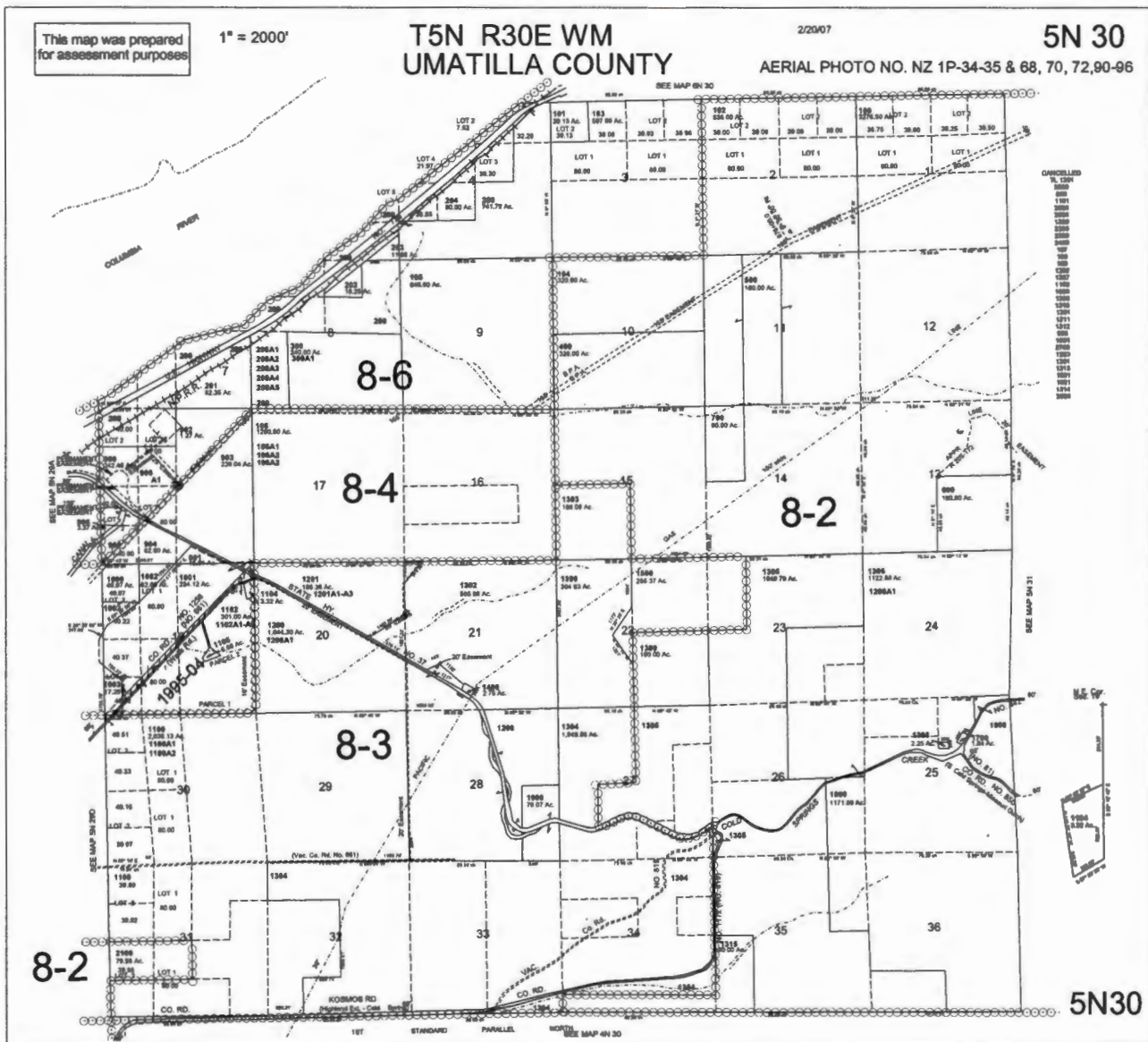
1" = 2000'

T5N R30E WM
UMATILLA COUNTY

2/20/07

5N 30

AERIAL PHOTO NO. NZ 1P-34-35 & 68, 70, 72, 90-96



This map was prepared for Assessment and Taxation purposes only and has NOT been prepared for legal, engineering or surveying purposes.

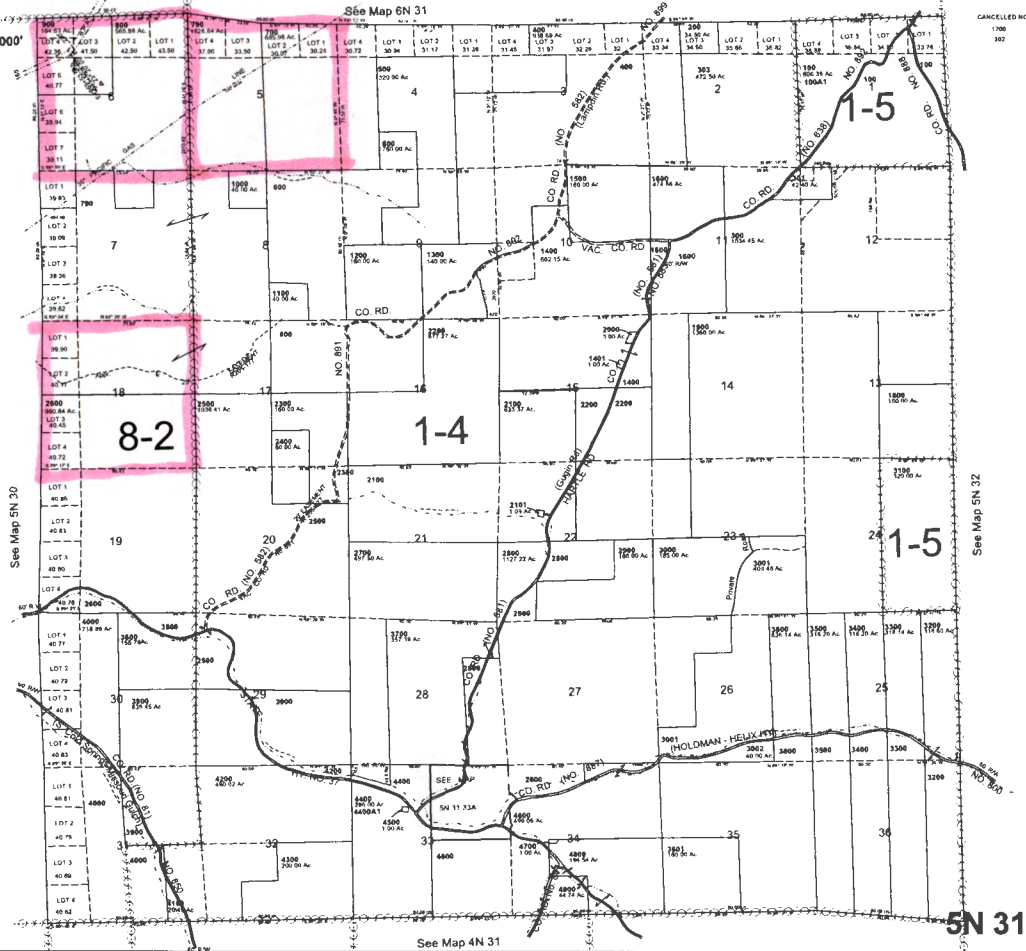
NW1/4 SW1/4 T5NR28E WM
UMATILLA COUNTY

3/24/05

AERIAL PHOTO NO. NZ 1P 73-78

5N 31
& INDEX

SCALE: 1" = 2000'



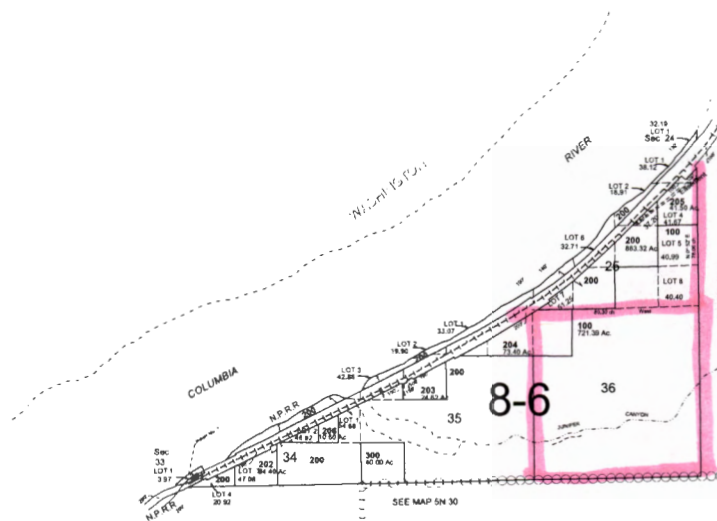
This map was prepared
for assessment purposes

T6N R30E WM
UMATILLA COUNTY

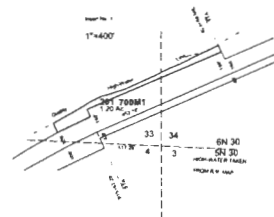
6N 30

AERIAL PHOTO NO. NZ 1P-10

SCALE 1"=2000'



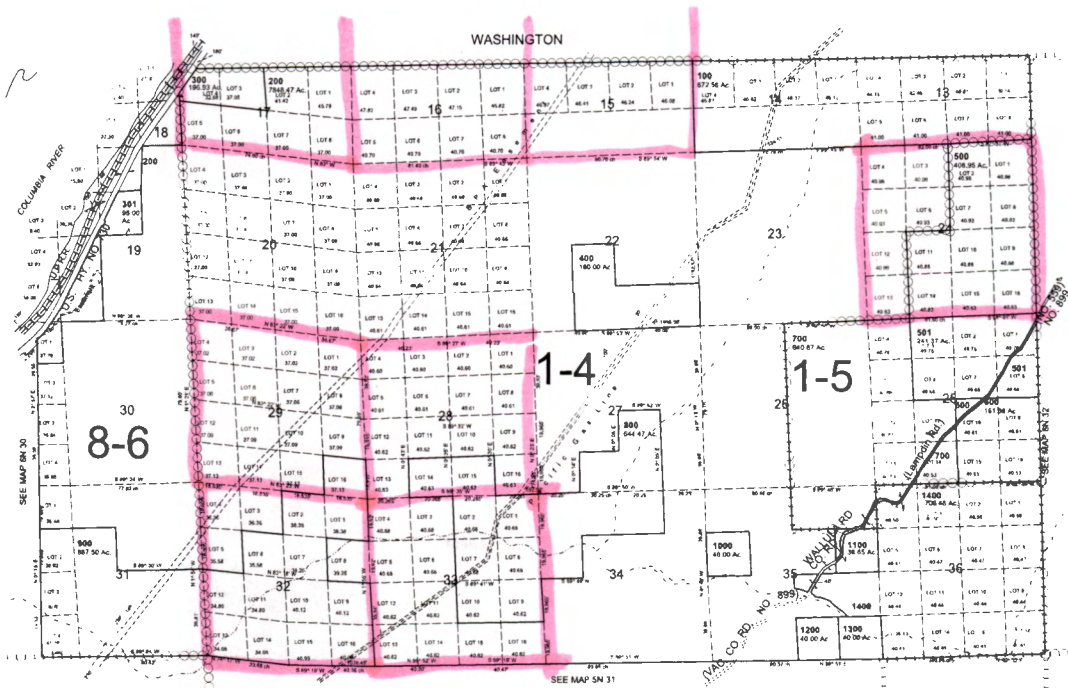
CANCELLED
T1 200
T1 500
T1 800



6N 30

AERIAL PHOTO NO. NZ 1P-4, 5-8 & 16-19

SCALE 1"=2000'



6N 31

Point of Diversion Characteristics

Right: App.G 17068 *
Name: RUPP RANCHES

TRSQQ: 05.00N-30.00E-01-SESW Digital Map of TRSQQ
County Umatilla
Basin Umatilla
WM District 5
WM Region NC
Withdrawn Area
WAB JUNIPER CAN > COLUMBIA R - AT MOUTH (30710109)
Priority WAB
Rule 4D Rules apply
Groundwater Restricted Area
Scenic Water Way
Division 33 UPPER COLUMBIA
Water Quality Limited

TRSQQ: 05.00N-30.00E-11-SWNE Digital Map of TRSQQ
County Umatilla
Basin Umatilla
WM District 5
WM Region NC
Withdrawn Area
WAB
Priority WAB
Rule 4D Rules apply
Groundwater Restricted Area
Scenic Water Way
Division 33 UPPER COLUMBIA
Water Quality Limited

TRSQQ: 05.00N-30.00E-12-SENW Digital Map of TRSQQ
County Umatilla
Basin Umatilla
WM District 5
WM Region NC
Withdrawn Area
WAB
Priority WAB
Rule 4D Rules apply
Groundwater Restricted Area
Scenic Water Way
Division 33 UPPER COLUMBIA
Water Quality Limited

TRSQQ: 05.00N-30.00E-13-SENW Digital Map of TRSQQ
County Umatilla
Basin Umatilla
WM District 5
WM Region NC
Withdrawn Area UMATILLA
WAB COLD SPRINGS CAN > COLD SPRINGS RES - AT MOUTH (30710342)
Priority WAB
Rule 4D Rules apply
Groundwater Restricted Area
Scenic Water Way
Division 33 UPPER COLUMBIA
Water Quality Limited

TRSQQ: 05.00N-30.00E-14-SWNE Digital Map of TRSQQ
County Umatilla
Basin Umatilla
WM District 5
WM Region NC
Withdrawn Area UMATILLA
WAB COLD SPRINGS CAN > COLD SPRINGS RES - AT MOUTH (30710342)
Priority WAB
Rule 4D Rules apply
Groundwater Restricted Area
Scenic Water Way
Division 33 UPPER COLUMBIA
Water Quality Limited

TRSQQ: 05.00N-30.00E-15-SWNE Digital Map of TRSQQ
County Umatilla
Basin Umatilla
WM District 5
WM Region NC
Withdrawn Area
WAB
Priority WAB
Rule 4D Rules apply

Groundwater Restricted Area.
Scenic Water Way
Division 33 UPPER COLUMBIA
Water Quality Limited.

TRSQQ: 05.00N-31.00E-03-SESE [Digital Map of TRSQQ](#)

County Umatilla
Basin Umatilla
WM District 5
WM Region NC
Withdrawn Area UMATILLA
WAB COLD SPRINGS CAN > COLD SPRINGS RES. - AT MOUTH (30710342)
Priority WAB
Rule 4D Rules apply
Groundwater Restricted Area
Scenic Water Way
Division 33
Water Quality Limited

TRSQQ: 05.00N-31.00E-04-SESE [Digital Map of TRSQQ](#)

County Umatilla
Basin Umatilla
WM District 5
WM Region NC
Withdrawn Area UMATILLA
WAB COLD SPRINGS CAN > COLD SPRINGS RES. - AT MOUTH (30710342)
Priority WAB
Rule 4D Rules apply
Groundwater Restricted Area
Scenic Water Way
Division 33
Water Quality Limited

TRSQQ: 05.00N-31.00E-07-SENW [Digital Map of TRSQQ](#)

County Umatilla
Basin Umatilla
WM District 5
WM Region NC
Withdrawn Area UMATILLA
WAB COLD SPRINGS CAN > COLD SPRINGS RES. - AT MOUTH (30710342)
Priority WAB
Rule 4D Rules apply
Groundwater Restricted Area
Scenic Water Way
Division 33 UPPER COLUMBIA
Water Quality Limited

TRSQQ: 05.00N-31.00E-08-NESW [Digital Map of TRSQQ](#)

County Umatilla
Basin Umatilla
WM District 5
WM Region NC
Withdrawn Area UMATILLA
WAB COLD SPRINGS CAN > COLD SPRINGS RES. - AT MOUTH (30710342)
Priority WAB
Rule 4D Rules apply
Groundwater Restricted Area.
Scenic Water Way
Division 33 UPPER COLUMBIA
Water Quality Limited.

TRSQQ: 05.00N-31.00E-10-NWNW [Digital Map of TRSQQ](#)

County Umatilla
Basin Umatilla
WM District 5
WM Region NC
Withdrawn Area UMATILLA
WAB COLD SPRINGS CAN > COLD SPRINGS RES. - AT MOUTH (30710342)
Priority WAB
Rule 4D Rules apply
Groundwater Restricted Area.
Scenic Water Way
Division 33
Water Quality Limited

TRSQQ: 05.00N-31.00E-17-SENW [Digital Map of TRSQQ](#)

County Umatilla
Basin Umatilla
WM District 5
WM Region NC
Withdrawn Area UMATILLA
WAB COLD SPRINGS CAN > COLD SPRINGS RES. - AT MOUTH (30710342)
Priority WAB
Rule 4D Rules apply
Groundwater Restricted Area
Scenic Water Way
Division 33.

TRSQQ: 05.00N-31.00E-18-SENW Digital Map of TRSQQ

County Umatilla
Basin Umatilla
WM District 5
WM Region NC
Withdrawn Area UMATILLA
WAB COLD SPRINGS CAN > COLD SPRINGS RES - AT MOUTH (30710342)
Priority WAB
Rule 4D Rules apply
Groundwater Restricted Area
Scenic Water Way
Division 33
Water Quality Limited

TRSQQ: 06.00N-31.00E-15-NESW Digital Map of TRSQQ

County
Basin
WM District
WM Region
Withdrawn Area
WAB
Priority WAB
Rule 4D
Groundwater Restricted Area
Scenic Water Way
Division 33
Water Quality Limited

TRSQQ: 06.00N-31.00E-16-NWSE Digital Map of TRSQQ

County
Basin
WM District
WM Region
Withdrawn Area
WAB
Priority WAB
Rule 4D
Groundwater Restricted Area
Scenic Water Way
Division 33
Water Quality Limited

TRSQQ: 06.00N-31.00E-23-NENW Digital Map of TRSQQ

County Umatilla
Basin Umatilla
WM District 5
WM Region NC
Withdrawn Area
WAB JUNIPER CAN > COLUMBIA R - AT MOUTH (30710109)
Priority WAB
Rule 4D Rules apply
Groundwater Restricted Area
Scenic Water Way
Division 33
Water Quality Limited

TRSQQ: 06.00N-31.00E-27-NENE Digital Map of TRSQQ

County Umatilla
Basin Umatilla
WM District 5
WM Region NC
Withdrawn Area
WAB JUNIPER CAN > COLUMBIA R - AT MOUTH (30710109)
Priority WAB
Rule 4D Rules apply
Groundwater Restricted Area
Scenic Water Way
Division 33
Water Quality Limited

TRSQQ: 06.00N-31.00E-28-NENE Digital Map of TRSQQ

County Umatilla
Basin Umatilla
WM District 5
WM Region NC
Withdrawn Area
WAB JUNIPER CAN > COLUMBIA R - AT MOUTH (30710109)
Priority WAB
Rule 4D Rules apply
Groundwater Restricted Area
Scenic Water Way
Division 33
Water Quality Limited

TRSQQ: 06.00N-31.00E-29-NENE Digital Map of TRSQQ

County Umatilla

Basin Umatilla

WM District 5

WM Region NC

Withdrawn Area:

WAB JUNIPER CAN > COLUMBIA R - AT MOUTH (30710109)

Priority WAB:

Rule 4D Rules apply

Groundwater Restricted Area:

Scenic Water Way:

Division 33

Water Quality Limited:

WATER RESOURCES DEPARTMENT

DIVISION 507

UMATILLA BASIN PROGRAM

690-507-0070 Columbia-Umatilla Plateau Subbasin

(3) Ground Water: Appropriation and use of ground water in the Columbia-Umatilla Plateau subbasin shall comply with the following provisions:

(a) Ground water resources of the basalt aquifer and shallow gravel aquifer within the Ordance Critical Ground Water Area are closed to further appropriation by Order of the Director dated April 2, 1976;

(b) Ground water resources of the basalt aquifer within the Butter Creek Critical Ground Water Area are closed to further appropriation by Order of the Director dated August 18, 1986;

(c) Ground water resources of the basalt aquifer in the Stage Gulch Ground Water Study Area are closed to further appropriation by Proclamation of the Director dated January 31, 1985.

(d) Classification: Permits to use ground water may be issued only for the following classified uses:

(A) The ground water resources of the basalt aquifer in the Ella Butte Ground Water Study Area described in the Proclamation of January 31, 1985, are classified for statutorily exempt uses (see definition) only. This classification terminates the critical ground water area determination proceeding initiated January 31, 1985, and the Proclamation of the same date issued for the Ella Butte study area;

(B) The ground water resources of the Columbia-Umatilla Plateau outside the Ordance and Butter Creek Critical Ground Water Areas and the Ella Butte and Stage Gulch Ground Water Study Areas are classified for statutorily exempt ground water uses (see definition), **irrigation**, municipal, industrial, power development, low temperature geothermal, mining, fish life, wildlife, recreation, pollution abatement, and artificial ground water recharge;

(C) Groundwater from the basalt reservoir in a five-mile radius around any municipal well of the cities of Heppner, Helix, Ione, Lexington, and Pendleton is classified for municipal, group domestic and statutorily exempt ground water uses

(see definition) only. Other uses may be permitted if it is documented that a barrier to ground water movement separates a proposed well from municipal wells and there will be no interference with municipal wells. Applications for other uses of ground water within a five-mile radius of a municipal well shall automatically be referred to the Commission for review and consideration of public interest unless the affected city affirms that it is in favor of the proposed appropriation. This classification applies only when the affected city(ies) have a full-time conservation program in effect;

(D) Subject to the more strict controls imposed by the existing State Gulch Proclamation or issuance of a critical area order for the Stage Gulch Ground Water Study Area, ground water from the basalt reservoir in a five-mile radius around any municipal well of the cities of Echo, Hermiston, Pendleton, Stanfield, and Umatilla is classified for municipal, group domestic and statutorily exempt ground water uses (see definition) only. Other uses may be permitted if it is documented that a barrier to ground water movement separates a proposed well from municipal wells and there will be no interference with municipal wells. Applications for other uses of ground water within a five-mile radius of a municipal well shall automatically be referred to the Commission for review and consideration of public interest unless the affected city affirms that is in favor of the proposed appropriation. This classification applies only when the affected city(ies) have a full-time conservation program in effect.

(e) Permits issued to appropriate ground waters that may be hydraulically connected with surface water shall be specially conditioned. The condition shall specify that when exercise of the permit unduly interferes with surface water, the permit will be regulated in favor of the surface water source.

Place of Use Conflict Report

The following rights have acreage in the same quarter-quarter as App:G 17068 *

[illegible]

F1	05 00N-30 00E-16-		
F1	05 00N-30,00E-16-		
F1	05 00N-30 00E-22-		
F1	05 00N-30,00E-23-		
IS	05 00N-30 00E-13-NENW		31 3000
IS	05 00N-30 00E-13-NWNW		31 3000
IS	05 00N-30 00E-13-SENW		31 2000
IS	05 00N-30 00E-13-SW'NW		31 2000
IS	05 00N-30 00E-13-NESW		31 3000
IS	05 00N-30 00E-13-NWSW		31 3000
IS	05 00N-30 00E-13-SESW		31 2000
IS	05 00N-30 00E-13-SW'SW		31 2000
IS	05 00N-30 00E-14-NENE		31 3000
IS	05 00N-30 00E-14-NWNE		31 3000
IS	05 00N-30,00E-14-SENE		31 2000
IS	05 00N-30 00E-14-SWNE		31 2000
IS	05 00N-30,00E-14-NENW		32 3000
IS	05 00N-30 00E-14-SENW		32 2000
IS	05 00N-30,00E-14-NESE		31 3000
IS	05 00N-30 00E-14-NWSF		31 3000
IS	05 00N-30 00E-14-SESE		31 2000
IS	05 00N-30 00E-14-SWSE		31 2000
IS	05 00N-30,00E-14-NESW		31 3000
IS	05 00N-30 00E-14-NWSW		31 3000
IS	05 00N-30 00E-14-SESW		31 2000
IS	05 00N-30 00E-14-SWSW		31 2000
IS	05 00N-30 00E-15-NENE		31 3000
IS	05 00N-30 00E-15-NWNE		31 3000
IS	05 00N-30 00E-15-SENE		31 2000
IS	05 00N-30 00E-15-SWNE		31 2000
IS	05 00N-30 00E-15-NENW		40 0000
IS	05 00N-30,00E-15-NWNW		40 0000
IS	05 00N-30 00E-15-SENW		40 0000
IS	05 00N-30 00E-15-SW'NW		40 0000
IS	05 00N-30 00E-15-NESE		31 3000
IS	05 00N-30,00E-15-NWSE		31 3000
IS	05 00N-30 00E-15-SESE		31 2000
IS	05 00N-30,00E-15-SWSE		31 2000
IS	05 00N-30 00E-15-NESW		6 3000
IS	05 00N-30 00E-15-NWSW		8 4000
IS	05 00N-30 00E-15-SESW		7 6000
IS	05 00N-30 00E-16-NENE		7 8000
IS	05 00N-30 00E-16-SENE		5 2000
IS	05 00N-30 00E-16-NESE		2 0000
IS	05 00N-30 00E-22-NENE		40 0000
IS	05 00N-30 00E-23-NWNW		40 0000

PUBLIC INTEREST REVIEW FOR GROUND WATER APPLICATIONS

TO: Water Rights Section

Date September 26, 2008

FROM: Ground Water/Hydrology Section **Mike Zwart**

Reviewer's Name _____

SUBJECT: Application G- 17068

Supersedes review of

Date of Review(s)

PUBLIC INTEREST PRESUMPTION: GROUNDWATER

OAR 690-310-130 (1) *The Department shall presume that a proposed groundwater use will ensure the preservation of the public welfare, safety and health as described in ORS 537.525. Department staff review ground water applications under OAR 690-310-140 to determine whether the presumption is established. OAR 690-310-140 allows the proposed use be modified or conditioned to meet the presumption criteria. This review is based upon available information and agency policies in place at the time of evaluation.*

A. GENERAL INFORMATION: Applicant's Name: Rupp Ranches/Randy Rupp **County:** Umatilla

A1. Applicant(s) seek(s) 135 cfs from 19 well(s) in the Columbia River Basin,
Juniper Canyon, Cold Springs Reservoir subbasin Quad Map: Juniper, Juniper Canyon

A2. Proposed use: Irrigation, 10767 acres **Seasonality:** March 1 – October 31

A3. Well and aquifer data (attach and number logs for existing wells; mark proposed wells as such under logid):

Well	Logid	Applicant's Well #	Proposed Aquifer*	Proposed Rate(cfs)	Location (T/R-S QQ-Q)	Location, metes and bounds, e.g. 2250' N, 1200' E fr NW cor S 36
1	Proposed	1	CRB	135	5N/30E-15	2455' S, 2660' E fr NW cor S 15
2	"	2	CRB	135	5N/30E-14	2455' S, 2645' E fr NW cor S 14
3	"	3	CRB	135	5N/30E-13	2230' S, 2440' E fr NW cor S 13
4	"	4	CRB	135	5N/31E-18	2335' S, 2635' E fr NW cor S 18
5	"	5	CRB	135	5N/31E-17	2200' S, 2285' E fr NW cor S 17
6	"	6	CRB	135	5N/31E-7	2530' S, 2610' E fr NW cor S 7
7	"	7	CRB	135	5N/31E-8	2085' N, 2320' E fr SW cor S 8
8	"	8	CRB	135	5N/30E-12	2520' S, 2460' E fr NW cor S 12
9	"	9	CRB	135	5N/30E-11	2600' S, 2720' E fr NW cor S 11
10	"	10	CRB	135	5N/30E-1	695' N, 2160' E fr SW cor S 1
11	"	11	CRB	135	5N/31E-4	165' N, 1195' W fr SE cor S 4
12	"	12	CRB	135	5N/31E-10	445' S, 960' E fr NW cor S 10
13	"	13	CRB	135	5N/31E-3	175' N, 1150' W fr SE cor S 3
14	"	14	CRB	135	6N/31E-23	565' S, 2070' E fr NW cor S 23
15	"	15	CRB	135	6N/31E-27	110' S, 120' W fr NE cor S 27
16	"	16	CRB	135	6N/31E-15	2355' N, 1800' E fr SW cor S 15
17	"	17	CRB	135	6N/31E-16	2090' N, 2565' W fr SE cor S 16
18	"	18	CRB	135	6N/31E-29	145' S, 310' W fr NE cor S 29
19	"	19	CRB	135	6N/31E-28	125' S, 1085' W fr NE cor S 28

* Alluvium, CRB, Bedrock

Comments:

Well	Well Elev ft msl	First Water ft bls	SWL ft bls	SWL Date	Well Depth (ft)	Seal Interval (ft)	Casing Intervals (ft)	Liner Intervals (ft)	Perforations Or Screens (ft)	Well Yield (gpm)	Draw Down (ft)	Test Type
1	980				2000	0-400						
2	1020				2000	0-400						
3	1060				2000	0-400						
4	1195				2000	0-400						
5	1240				2000	0-400						
6	1110				2000	0-400						
7	1240				2000	0-400						
8	1080				2000	0-400						
9	1150				2000	0-400						
10	1185				2000	0-400						
11	1420				2000	0-400						
12	1445				2000	0-400						
13	1410				2000	0-400						
14	1660				2000	0-400						
15	1530				2000	0-400						
16	1620				2000	0-400						
17	1470				2000	0-400						
18	1520				2000	0-400						
19	1520				2000	0-400						

Use data from application for proposed wells.

A4. **Comments:** All information from the application. The proposed well construction would allow up to 1600 feet of open borehole in each well. This large of an open interval would allow commingling of multiple basalt aquifers within the well bores. There is no current information as to the local heads and water quality of ground water likely to be developed by the proposed deep wells, but it not likely that all aquifers developed will have reasonably similar heads. Therefore, up-hole or down-hole flow will likely result if the proposed wells are constructed in this manner.

A5. ☒ **Provisions of the Umatilla** Basin rules relative to the development, classification and/or management of ground water hydraulically connected to surface water ☐ are, or ☒ are not, activated by this application. (Not all basin rules contain such provisions.)

Comments:

A6. ☐ **Well(s) #** _____, _____, _____, _____, _____, tap(s) an aquifer limited by an administrative restriction.

Name of administrative area: _____

Comments: _____

B. GROUND WATER AVAILABILITY CONSIDERATIONS, OAR 690-310-130, 400-010, 410-0070

B1. Based upon available data, I have determined that ground water* for the proposed use:

- a. ☐ is over appropriated, ☐ is not over appropriated, or ☒ cannot be determined to be over appropriated during any period of the proposed use. * This finding is limited to the ground water portion of the over-appropriation determination as prescribed in OAR 690-310-130;
- b. ☒ will not or ☐ will likely be available in the amounts requested without injury to prior water rights. * This finding is limited to the ground water portion of the injury determination as prescribed in OAR 690-310-130;
- c. ☒ will not or ☐ will likely be available within the capacity of the ground water resource; or
- d. ☒ will, if properly conditioned, avoid injury to existing ground water rights or to the ground water resource:
- ☒ The permit should contain condition #(s) 7N;
 - ☒ The permit should be conditioned as indicated in item 2 below.
 - ☒ The permit should contain special condition(s) as indicated in item 3 below;

These findings apply until a report satisfying the recommendation at B3 is provided.

- B2. a. ☐ Condition to allow ground water production from no deeper than _____ ft. below land surface;
- b. ☐ Condition to allow ground water production from no shallower than _____ ft. below land surface;
- c. ☒ Condition to allow ground water production only from the basalt ground water reservoir;
- d. ☐ Well reconstruction is necessary to accomplish one or more of the above conditions. The problems that are likely to occur with this use and without reconstructing are cited below. Without reconstruction, I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Ground Water Section.

Describe injury –as related to water availability– that is likely to occur without well reconstruction (interference w/ senior water rights, not within the capacity of the resource, etc): _____

- B3. Ground water availability remarks: Ground water in basalt aquifers in the Umatilla Basin is subject to water-level declines in areas where development of the resource is concentrated. Although such concentrated development does not yet exist in this part of the basin, there are several wells located nearby. A few of them are completed to depths below the proposed casing and seal depth of the wells here. These wells will likely be subject to injury resulting from excessively declining water-levels and substantial or undue interference resulting from the proposed use. I recommend that the applicant provide a report including additional information or demonstration that bears on the above findings that ground water will not likely be available. If a report is forthcoming that is persuasive regarding a conclusion that ground water is available for the proposal or recommends modifications to the application that would result in the same conclusion, then the permit, if issued, should include the conditions recommended at B1d above.

SPECIAL CONDITION: The wells shall be cased and sealed in such a manner to develop a single basalt aquifer.

- 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 < 1/4 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?
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐

- 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?
		☐			☐		☐		☐
		☐			☐		☐		☐
		☐			☐		☐		☐
		☐			☐		☐		☐

Comments: This section does not apply.

- 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													
	%	%	%	%	%	%	%	%	%	%	%	%	%
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.

Basis for impact evaluation: This section applies, however, the number of wells involved and potential to impact two WABs and the Columbia River will greatly complicate the calculation of potential interference. Calculations were not attempted at this time.

C4b. 690-09-040 (5) (b) The potential to impair or detrimentally affect the public interest is to be determined by the Water Rights Section.

- C5. ☐ If properly conditioned, the surface water source(s) can be adequately protected from interference, and/or ground water use under this permit can be regulated if it is found to substantially interfere with surface water:
- ☐ The permit should contain condition #(s) _____;
 - ☐ The permit should contain special condition(s) as indicated in "Remarks" below;

C6. SW / GW Remarks and Conditions:

References Used: Local well logs; nearby recent reviews; GW Reports 30 & 35; Lower Umatilla Basin Report, 1995, Chapter 2, Hydrogeology, by Wozniak.

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 PERSONNELD7. ☐ 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).**

JUNIPER CAN> COLUMBIA R- AT MOUTH UMATILLA BASIN

Water Availability as of 9/18/2008

Watershed ID #: 30710109

Exceedance Level: 80% ▼

Date: 9/18/2008

Time: 11:39 PM

Water Availability Calculation

Consumptive Uses and Storages

Instream Requirements

Reservations

Water Rights

Watershed Characteristics

Water Availability Calculation

Monthly Streamflows in Cubic Feet per Second

Storage at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Use and Storage	Expected Stream Flow	Reserved Stream Flow	Instream Requirement	Net Water Available
Jan	0.59	0.00	0.59	0.00	0.00	0.59
Feb	2.53	0.00	2.53	0.00	0.00	2.53
Mar	4.94	0.01	4.93	0.00	0.00	4.93
Apr	1.21	0.07	1.14	0.00	0.00	1.14
May	0.17	0.11	0.06	0.00	0.00	0.06
Jun	0.07	0.14	-0.07	0.00	0.00	-0.07
Jul	0.04	0.20	-0.16	0.00	0.00	-0.16
Aug	0.01	0.16	-0.15	0.00	0.00	-0.15
Sep	0.00	0.10	-0.10	0.00	0.00	-0.10
Oct	0.00	0.00	0.00	0.00	0.00	0.00
Nov	0.00	0.00	0.00	0.00	0.00	0.00
Dec	0.16	0.00	0.16	0.00	0.00	0.16
Storage Acre-Feet at 50%	2,390.00	48.00	2,370.00	0.00	0.00	2,370.00

COLD SPRINGS CAN> COLD SPRINGS RES- AT MOUTH UMATILLA BASIN

Water Availability as of 9/18/2008

Watershed ID #: 30710342

Exceedance Level: 80% ▼

Date: 9/18/2008

Time: 11:49 PM

Water Availability Calculation

Consumptive Uses and Storages

Instream Requirements

Reservations

Water Rights

Watershed Characteristics

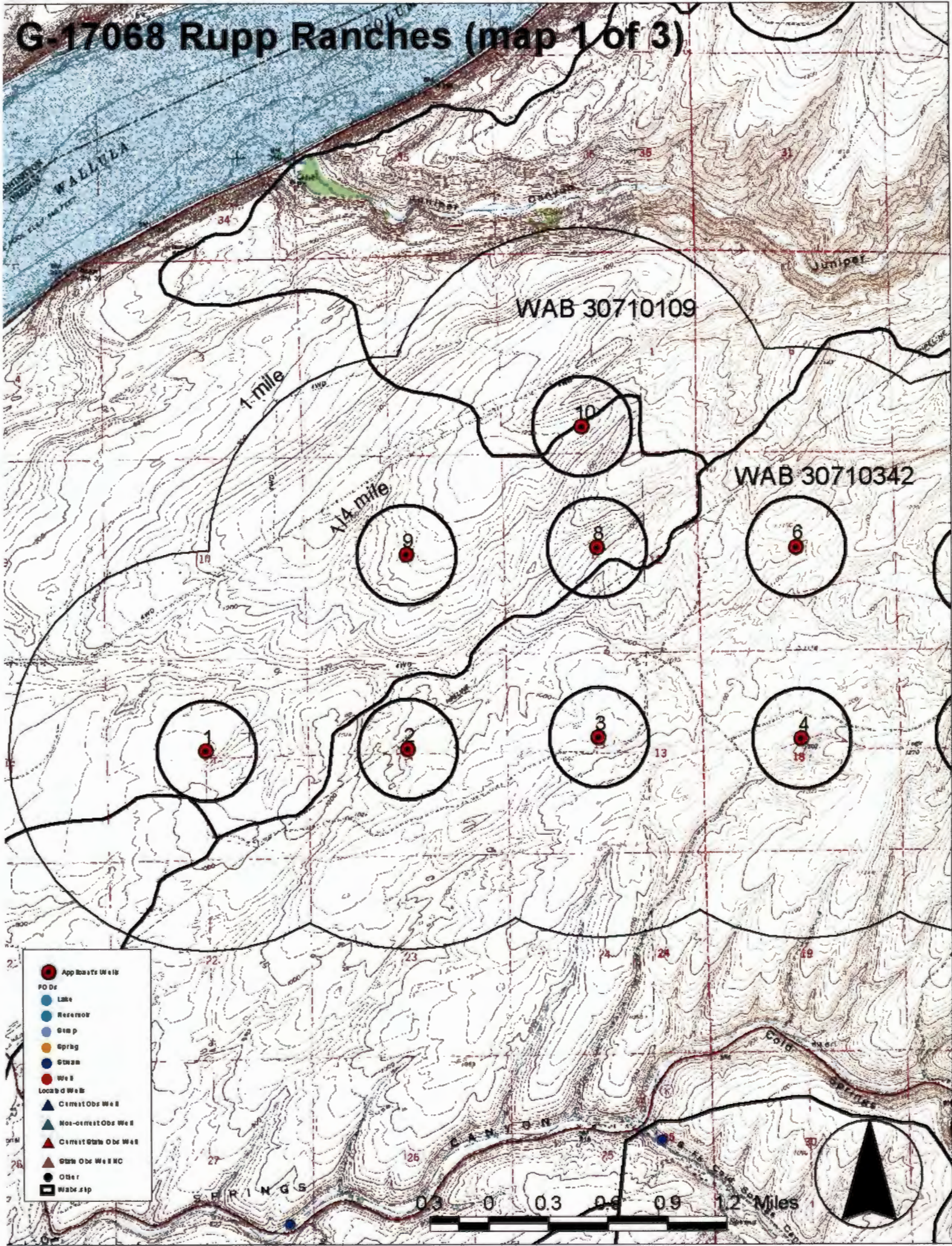
Water Availability Calculation

Monthly Streamflows in Cubic Feet per Second

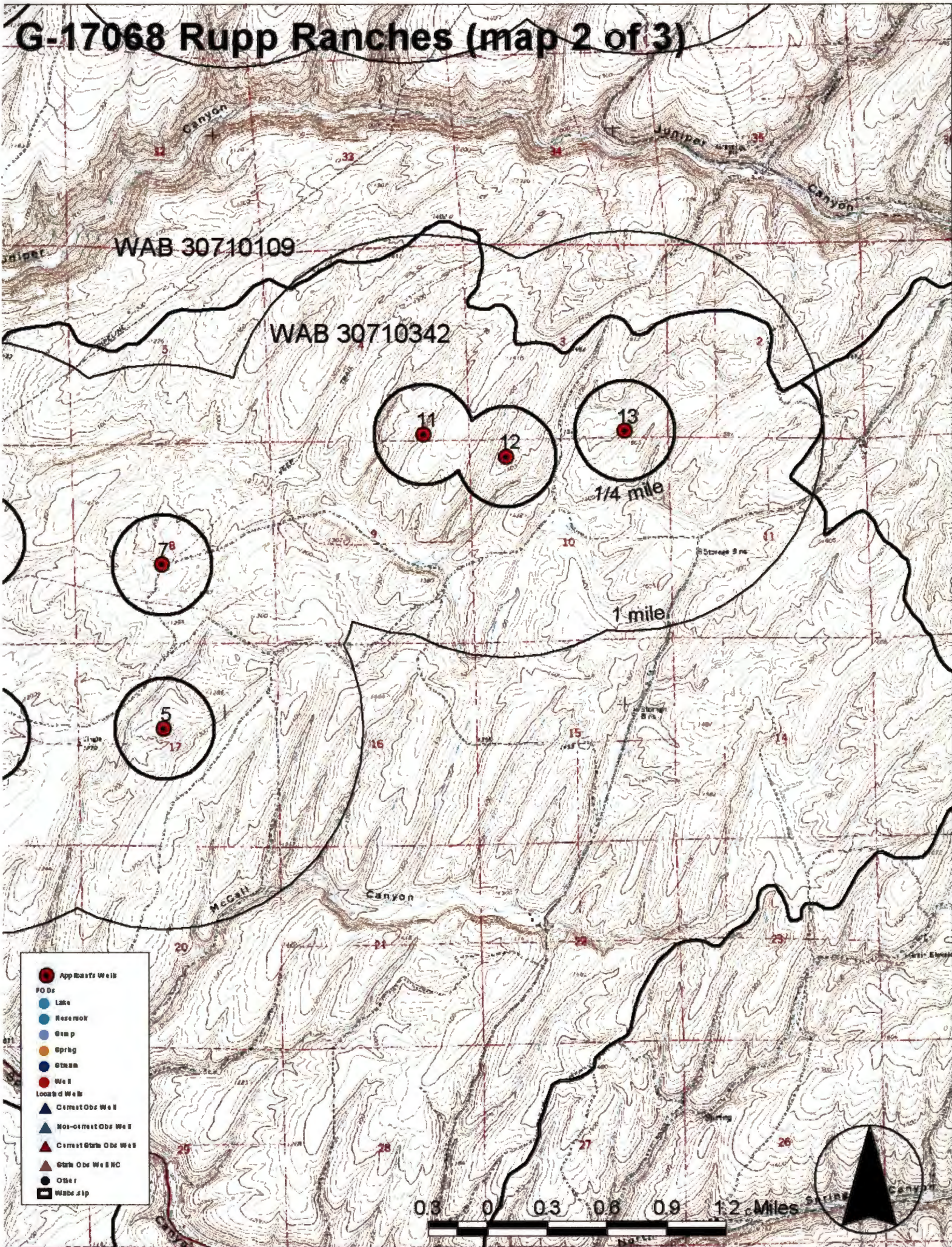
Storage at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Use and Storage	Expected Stream Flow	Reserved Stream Flow	Instream Requirement	Net Water Available
Jan	0.55	0.02	0.54	0.00	0.00	0.54
Feb	2.49	0.05	2.44	0.00	0.00	2.44
Mar	6.25	0.14	6.11	0.00	0.00	6.11
Apr	1.69	0.17	1.52	0.00	0.00	1.52
May	0.24	0.23	0.01	0.00	0.00	0.01
Jun	0.09	0.30	-0.21	0.00	0.00	-0.21
Jul	0.05	0.41	-0.36	0.00	0.00	-0.36
Aug	0.02	0.33	-0.31	0.00	0.00	-0.31
Sep	0.00	0.20	-0.20	0.00	0.00	-0.20
Oct	0.00	0.00	0.00	0.00	0.00	0.00
Nov	0.00	0.00	0.00	0.00	0.00	0.00
Dec	0.13	0.00	0.13	0.00	0.00	0.13
Storage Acre-Feet at 50%	3,230.00	112.00	3,190.00	0.00	0.00	3,190.00

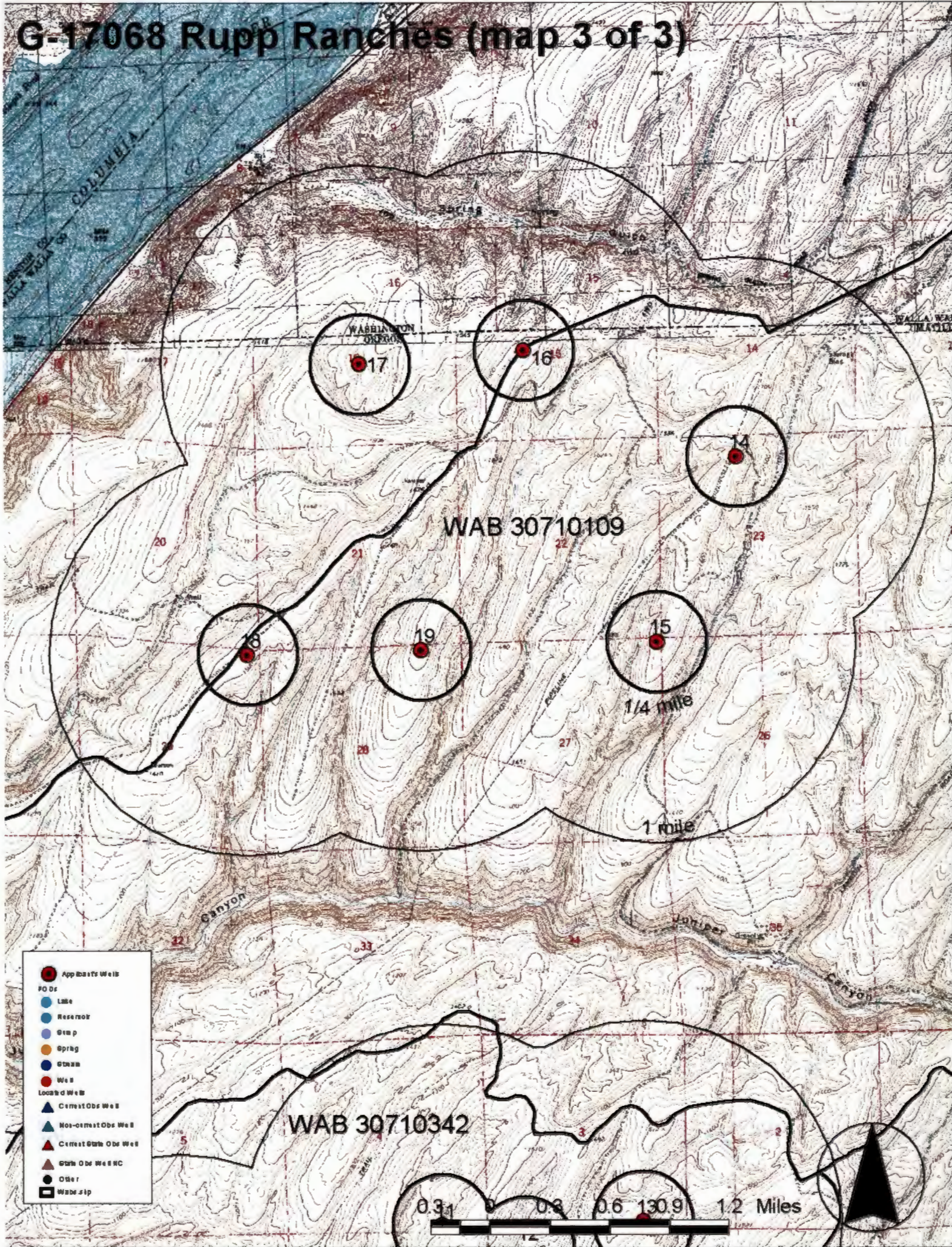
G-17068 Rupp Ranches (map 1 of 3)



G-17068 Rupp Ranches (map 2 of 3)



G-17068 Rupp Ranches (map 3 of 3)



MEMO

Sept 26, 2008

TO: Application G- 17068

FROM: GW: Mike Zwart
(Reviewer's Name)

SUBJECT: Scenic Waterway Interference Evaluation

☐ YES
☒ NO

The source of appropriation is within or above a Scenic Waterway

 YES
✓ NO Use the Scenic Waterway condition (Condition 7J)

Per ORS 390.835, the Ground Water Section is **able** to calculate ground water interference with surface water that contributes to a Scenic Waterway. The calculated interference is distributed below.

Per ORS 390.835, the Ground Water Section is **unable** to calculate ground water interference with surface water that contributes to a scenic waterway; **therefore, the Department is unable to find that there is a preponderance of evidence that the proposed use will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway.**

Calculate the percentage of consumptive use by month and fill in the table below. If interference cannot be calculated, per criteria in 390.835, do not fill in the table but check the "unable" option above, thus informing Water Rights that the Department is unable to make a Preponderance of Evidence finding.

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

[illegible]

G-17068

NEW APPLICATIONS (GROUND WATER, RESERVOIR, & SURFACE) ROUTE SLIP

RECEIPTING ☒ 6/16/08

POST CARD SENT ☐

DATA CENTER ☐

GEOLOGY REVIEW YES ☒ NO ☐

ENFORCEMENT YES ☐ NO ☐

WATER RIGHTS SUPPORT ☒ *W*

Caseworker:

Brook Geffen	503-986-0808	☐
Jeana Eastman	503-986-0859	☒
Joel Plahn	503-986-0815	☐
Kerry Kavanagh	503-986-0816	☐

**GW
Files**

**ATTN: WATER RIGHTS
SUPPORT....>>>>> Mark contents of file with
application number;
Update the WRIS Database with caseworkers name.
Route file to Caseworker.**

**S & R
Files**

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## G - 17068

ROUTED TO: Water Rights

TOWNSHIP/

RANGE-SECTION: 5N/30 + 31E

6N/31E Multiple sects.

CONDITIONS ATTACHED? ☐ yes ☒ no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Mike Zwart

WATER WELL REPORT
STATE OF OREGON

UMAT
3859

RECEIVED

Well No. 5n/31E-15

FEB 29 1984

State Permit No.

PLEASE TYPE or PRINT IN INK

WATER RESOURCES DEPT.

SALEM, OREGON

(1) OWNER:

Name Doc Bay Singer
Address Star Rt 545
City Penikese OR State _____

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Air ☒ Driven ☐
Mud ☐ Dig ☐
☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☒ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☐
Thermal: ☐ Withdrawal ☐ Rejection ☐

(5) CASING INSTALLED:

Steel ☒ Plastic ☐
Threaded ☐ Welded ☒
6" Diam. from 112 ft. to 54 ft. Gauge 0.250
" Diam. from _____ ft. to _____ ft. Gauge _____

LINER INSTALLED:

" Diam. from _____ ft. to _____ ft. Gauge _____

(6) PERFORATIONS:

Perforated? ☐ Yes ☒ No
Type of perforator used _____
Size of perforations _____ in. by _____ in.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No
Manufacturer's Name _____
Type _____ Model No. _____
Diam. _____ Slot Size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot Size _____ Set from _____ ft. to _____ ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level
a pump test made? ☐ Yes ☒ No If yes, by whom?
_____ gal./min. with _____ ft. drawdown after _____ hrs.
Air test 10 gal./min. with drill stem at 400 ft. _____ hrs.
Bailer test _____ gal./min. with _____ ft. drawdown after _____ hrs.
_____ g.p.m.
Temperature of water 63° Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Special standards: Yes ☐ No ☒
Well seal—Material used cement
Well sealed from land surface to _____ ft.
Diameter of well bore to bottom of seal _____ in.
Diameter of well bore below seal _____ in.
Number of sacks of cement used in well seal _____ sacks
How was cement grout placed? pumped
Was pump installed? no Type _____ HP _____ Depth _____ ft.
Was a drive shoe used? ☐ Yes ☒ No Plugs _____ Size: location _____ ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of Water? _____ depth of strata _____
Method of sealing strata off _____
Was well gravel packed? ☐ Yes ☒ No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Umatilla Driller's well number _____
1/4 Section 15 T. 5N R. 31 E. W.M.
Tax Lot # _____ Lot _____ Blk _____ Subdivision _____
Address at well location: _____

(11) WATER LEVEL: Completed well.

Depth at which water was first found 376 ft.
Static level 275 ft. below land surface. Date _____
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 6
Depth drilled 402 ft. Depth of completed well 402 ft.
Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Soil	0	15	
Clay	15	35	
Besit BRN SOFT	35	42	
Besit BRN HARD	42	45	
" BIK	45	57	
" BRN	57	77	
" BIK & BRN	77	102	
" BIK	102	137	
" BRN	137	135	
" BIK	155	240	
" BIK W/S/S	240	245	
" BRN	245	252	
BIK	252	362	
BIK W/S/S	362	374	
BIK	374	382	
BIK W/S/S	382	397	
BIK	397	402	275

Work started 2-1- 1984 Completed 2-5- 1984
Date well drilling machine moved off of well 2-4- 1984

(unbonded) Water Well Constructor Certification (if applicable):

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] _____ Date _____ 1984

Bonded Water Well Constructor Certification:

Bond _____ Issued by: _____
(number) _____ Surety Company Name _____
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name C.W.S. & SONS Well Drillers
(Person, firm or corporation) _____ (Type or print)
Address Rt 3 Box 143-21 Mt. St. OR
[Signed] Clarence W. Summers
Water Well Constructor
Date 2-27- 1984

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

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

SP-45292-690

RECEIVED

MAY 23 2001

STATE OF OREGON

WATER SUPPLY WELL REPORT

(as required by ORS 537.765)

WATER RESOURCES DEPT.

SALEM, OREGON

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

UMAT

54201

WELL I.D. #1

46656

START CARD #

130153

(1) LAND OWNER

Name HERDMAN LARRY

Well Number

Address HARTLE ROAD

City PENDLETON

State OREGON

Zip 97130

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Alteration (repairing, etc.) ☐ Abandonment

(3) DRILL METHOD:

☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger

☐ Other

(4) PROPOSED USE:

☒ Domestic ☐ Community ☐ Industrial ☐ Irrigation

☐ Thermal ☐ Injection ☐ Livestock ☐ Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval: ☐ Yes ☒ No Depth of Completed Well 404 ft

Explosives used: ☐ Yes ☒ No Type _____ Amount _____

FOHLE

SEAL

Diameter	From	To	Material	From	To	Socks or pounds
12"	0	57	FOOT CEMENT	57	0	30 SACKS
6"	57	404				

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

☐ Other

Backfill placed from _____ ft to _____ ft Material _____

Gravel placed from _____ ft to _____ ft Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 8"	+2	57	250	M		M	
Liner:							

Drive Shoe used: ☐ Inside ☐ Outside ☒ None

Final location of shoe(s) 57

(7) PERFORATIONS/SCREENS:

☐ Perforations

Method

☐ Screens

Type

Material

From	To	Slot Size	Number	Diameter	Tele/pipe size	Casing	Liner
		N/A					

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

☐ Pump

☐ Bailers

☐ Air

☐ Artesian

Yield gal/min

Drawdown

Drill stem at

Flowing Time

20 gpm

404

1 hr

15 gpm

304

10 gpm

254

Temperature of water 62° Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom _____

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

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata _____

(9) LOCATION OF WELL by legal description:

County Umatilla Latitude _____ Longitude _____

Township 5 Sec S Range 31 E W. WM

Section 15 1/4 1/4 1/4

Tax Lot 140 Lot _____ Block _____ Subdivision _____

Street Address of Well (or nearest address) 300 +/- Feet

WEST OF HARTLE ROAD

(10) STATIC WATER LEVEL:

192 ft. below land surface.

Date _____

Artesian pressure _____ lb. per square inch

Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found _____

From	To	Estimated Flow Rate	SWL
255	270	5	192
319	324	10	192
390	398	20	192

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL
SOIL	0	23'	
BROWN BROWN	23'	40'	
BLACK BASALT	40'	70'	
BROWN BASALT	70'	95'	
BLACK BASALT	95'	100'	
BROWN W/YELLOW CLAYSTONE	100'	110'	
BLACK BASALT	110'	150'	
BROWN BASALT	150'	175'	
BLACK BASALT	175'	230'	
BROWN W/YELLOW CLAYSTONE	230'	245'	
BLACK BASALT	245'	294'	
BROWN W/YELLOW CLAYSTONE	294'	299'	
BLACK BASALT	299'	390'	
BLACK SILTCLAY	390'	398'	
BLACK BASALT	398'	404'	

Date started 04-26-01 Completed 04-30-01

(unbonded) Water Well Constructor Certification:

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

Signed [Signature] WWC Number 1731 Date 05-01-01

(bonded) Water Well Constructor Certification:

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

Signed [Signature] WWC Number 244 Date 05-01-01

WATER WELL REPORT
STATE OF OREGON

State Well No. 5730-26L(2)
State Permit No. _____

(1) OWNER:

Name KOSMOS & GEORGE ARAS
Address STAR ROUTE
PENDLETON OREGON

(2) LOCATION OF WELL:

County Umatilla Owner's number, if any—
1/4 1/4 Section 24 T. 5 R. 130 W.M.
Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):

Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
or abandonment, describe material and procedure in Item 11.

(4) PROPOSED USE (check):

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

(5) TYPE OF WELL:

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

(6) CASING INSTALLED:

Threaded ☐ Welded ☐
6" Diam. from 00 ft. to 26 ft. Gage 280
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

(7) PERFORATIONS:

Perforated? ☐ Yes ☐ No

Type of perforator used

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

(8) SCREENS:

Well screen installed ☐ Yes ☐ No

Manufacturer's Name

Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(9) CONSTRUCTION:

Well gravel packed? ☐ Yes ☒ No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.
Was a surface seal provided? ☒ Yes ☐ No To what depth? 35 ft.
Material used in seal—Cement
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? _____ Depth of strata _____
Method of sealing strata off _____

(10) WATER LEVELS:

Static level 18 ft. below land surface Date _____
Artesian pressure _____ lbs. per square inch Date _____

Log Accepted by: P. Chikoy
[Signed] _____ Date _____, 19____
(Owner)

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level

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

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

" " " " " "

" " " " " "

Ball test 25 gal./min. with 40 ft. drawdown after 7 hrs.

Artesian flow _____ g.p.m. Date _____

Temperature of water _____ Was a chemical analysis made? ☐ Yes ☐ No

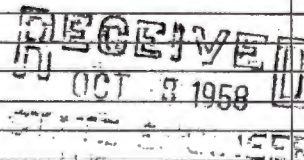
(12) WELL LOG:

Diameter of well 6 inches.

Depth drilled 193 ft. Depth of completed well 193 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Sand & silt	0	18
Sand & gravel	18	26
Borehole	26	193



Work started 7/20 19____ Completed 8/26 1958

(13) PUMP:

Manufacturer's Name Universal Mfg Co
Type: Jet H.P. 1/2

Well Driller's Statement:

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

NAME W. R. Iler & Co
(Person, firm, or corporation) (Type or print)

Address P.O. Box 24 Hermiston

Driller's well number _____

[Signed] W. R. Iler
(Well Driller)

License No. 136 Date 10-6, 1958

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

FEB 04 2005

WELL I.D. # L 71143
START CARD # 172487

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

(1) LAND OWNER Whitman College Well Number _____
Name Whitman College
Address 345 Boyer Memorial Bldg
City Walla Walla State WA Zip 99362

(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 985 ft.
Explosives used: ☐ Yes ☒ No Type _____ Amount _____

BORE HOLE				SEAL			
Diameter	From	To	Material	From	To	Sacks or Pounds	
12"	0	18	Bentonite	0	18	20 sacks	
10"	18	198	Cement	78	98	3 sacks	
7 1/2"	198	985					

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

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

(6) CASING/LINER				Steel	Plastic	Welded	Threaded
Diameter	From	To	Gauge				
Casing: 8"	12	198	1.250	☒	☐	☒	☐
Liner:				☐	☐	☐	☐

Drive Shoe used ☒ Inside ☐ Outside ☐ None
Final location of shoe(s) Tube @ 198'

(7) PERFORATIONS/SCREENS									
☐ Perforations ☐ Screens Method _____ Type _____ Material _____									
From	To	Slot Size	Number	Diameter	Tele/pipe size	Casing	Liner		
								☐	☐
								☐	☐
								☐	☐

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

Yield gal/min	Drawdown	Drill stem at	Time
6		600'	
10		620'	
10		645'	

Temperature of water 63° Depth Artesian Flow Found _____
Was a water analysis done? ☐ Yes By whom _____
Did any strata contain water not suitable for intended use? ☐ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____
Depth of strata: _____

(9) LOCATION OF WELL (legal description)
County Umatilla
Tax Lot 1000 Lot _____
Township 6N N or S Range 31E E or W WM
Section 14 NE 1/4 SE 1/4
Lat _____ or _____ (degrees or decimal)
Long _____ or _____ (degrees or decimal)
Street Address of Well (or nearest address) 6 miles South Walla Walla Det, Braden Rd

(10) STATIC WATER LEVEL
_____ ft. below land surface. Date _____
578 ft. below land surface. Date 1-26-05
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES
Depth at which water was first found 170'

From	To	Estimated Flow Rate	SWL
170'	190'	5	135
595	615	10	578

(12) WELL LOG				Ground Elevation
Material	From	To	SWL	
Soil	0	57		
Broken blk Basalt	57	80		
Black Basalt	80	120		
Broken Brown Bst.	120	160		
Black Basalt	160	170		
Brown Bst./tan clay	170	190	135	
Black Basalt	190	240		
Brown Bst./tan clay	240	270		
Black Basalt	270	364		
Brown Bst./tan clay	364	375		
Black Basalt	375	485		
Brown Basalt	485	530		
Black Basalt	530	595		
Brown/Black Basalt	595	615	578	
Black Basalt	615	735		

Date Started 1-13-05 Completed 1-26-05

(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 1735 Date 1-26-05
Signed [Signature]

(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 544 Date 1-26-05
Signed Larry Burd

WELL I.D. # 1 71143
START CARD # 172487

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

(1) **LAND OWNER** Well Number _____
 Name _____
 Address _____
 City _____ State _____ Zip _____

(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 _____ ft.
Explosives used: ☐ Yes ☐ No Type _____ Amount _____

BORE HOLE			SEAL			Sacks or Pounds
Diameter	From	To	Material	From	To	

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☐ Other _____

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

(6) CASING/LINER				Steel	Plastic	Welded	Threaded
	Diameter	From	To	Gauge			
Casing:					☐	☐	☐
					☐	☐	☐
					☐	☐	☐
					☐	☐	☐
					☐	☐	☐
Liner:					☐	☐	☐
					☐	☐	☐
					☐	☐	☐
					☐	☐	☐
					☐	☐	☐

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

(7) PERFORATIONS/SCREENS

☐ Perforations	Method	_____
☐ Screens	Type	_____
	Material	_____

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

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

Yield gal/min	Drawdown	Drill stem at	Time

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

(9) LOCATION OF WELL (legal description)
 County _____
 Tax Lot _____ Lot _____
 Township _____ N or S Range _____ E or W WM
 Section _____ 1/4 1/4

Lat ° ' " or (degrees or decimal)
Long ° ' " or (degrees or decimal)

Street Address of Well (or nearest address) _____

(10) STATIC WATER LEVEL
 _____ ft. below land surface. Date _____
 _____ ft. below land surface. Date _____
 Artesian pressure _____ lb. per square inch Date _____

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

From	To	Estimated Flow Rate	SWL

(12) WELL LOG Ground Elevation _____

Material	From	To	SWL
Black / Brown / tan clay	735	755	
Black Basalt	755	810	
Black / Blue clay	810	930	
Brown / tan clay	930	955	
Black Basalt	955	980	
Brown / tan clay	980	990	
Black / Brown Basalt	990	980	
(Salt / Brown Basalt)	980	985	
CAVING			

Date Started _____ Completed _____

(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 _____

(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 _____ Date _____

Signed _____

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

WELL I.D. # L 71143START CARD # 172502

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

(1) LAND OWNER Well Number _____
Name WHITMAN COLLEGE
Address 345 BOYER MEMORIAL BLDG.
City WALLA WALLA State WA Zip _____

(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 807 ft.
Explosives used: ☐ Yes ☐ No Type _____ Amount _____

BORE HOLE			SEAL			Sacks or Pounds
Diameter	From	To	Material	From	To	
<u>7 1/2"</u>	<u>985'</u>	<u>198'</u>	<u>GRAVEL</u>	<u>985'</u>	<u>822'</u>	<u>5 SACKS</u>
			<u>BENTONITE</u>	<u>822'</u>	<u>812'</u>	
			<u>GRAVEL</u>	<u>812'</u>	<u>807'</u>	

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☐ Other _____

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

(6) CASING/LINER

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:					☐	☐	☐	☐
Liner:					☐	☐	☐	☐

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

(7) PERFORATIONS/SCREENS

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

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

Yield gal/min	Drawdown	Drill stem at	Time
	<u>NA</u>		

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

(9) LOCATION OF WELL (legal description)

County UMATILLA
Tax Lot 1000 Lot _____
Township 6N R or S Range 31E R or W WM
Section 14 NE 1/4 SE 1/4

Lat _____° _____' _____" or _____ (degrees or decimal)
Long _____° _____' _____" or _____ (degrees or decimal)

Street Address of Well (or nearest address) 6 MILES SOUTH
OF WALLA WALLA JCT. BRADEN ROAD

(10) STATIC WATER LEVEL

568 ft. below land surface. Date 3/28/05
_____ ft. below land surface. Date _____
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES

Depth at which water was first found _____
From _____ To _____ Estimated Flow Rate _____ SWL _____

(12) WELL LOG

Ground Elevation _____

Material	From	To	SWL
<u>WATER WAS ESCAPING</u>			
<u>OUT BOTTOM OF</u>			
<u>WELL. BACK FILLED</u>			
<u>UNTIL WATER QUIET</u>			
<u>CASCADING THEN PUT</u>			
<u>IN 5 SACKS OF</u>			
<u>BENTONITE THEN COVERED</u>			
<u>BENTONITE WITH GRAVEL</u>			

RECEIVED

MAR 30 2005

WATER RESOURCES DEPT
SALEM, OREGONDate Started 3-22-05 Completed 3-25-05

(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 1731 Date 03/28/05

Signed _____

(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 544 Date 03/28/05Signed Tony Burd

Standard Application Completeness Checklist

Minimum Requirements (OAR 690-310-0040)(ORS 537.400)

This is the checklist used by WRD staff

19 TOTAL WELLS

Application G 17068 Township SEE MAP(S)
Priority Date 6-16-2008 Range " "
Use(s) PRIM IRRIG 10,767 ACRES Section " "
Rate 135 CFS POU Loc 19 WELLS LISTED ON MAP(S)
County UMAT POU Loc SEE MAP(S)
W.M. DIST # 5 Caseworker JEANA E

☒ Applicant/Organization Name, Mailing Address and Telephone Number.

☒ Source of water. If stored water, is the stored water component filed out, including a non-expired agreement for stored water must be included. (ORS 537.400) *NOTE: A surface water application cannot be filed at the same time as a Reservoir or Alt Reservoir if it will be for the use of the stored water under the PROPOSED Reservoir application (E2).*

☒ The proposed source is or is not (circle one) withdrawn from further appropriation, or Division 538. If it is, return application and fees.

☒ Property ownership indicated.

STATES YES

☐ If applicant does not own all the land, the affected landowner's name and mailing address must be listed.

☐ If applicant does not own all the land, a statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.

☒ Groundwater development section (Page 3 and 4, Section B) or a well log report.

☒ Proposed use of water. If supplemental, list primary water right acreage if applicable.

☒ Enclosed Supplemental Form for each proposed use.

☒ Form I (Irrigation)

☐ Form M (Municipal or Quasi-Municipal)

☐ Form R (Mining)

☐ Form Q (Commercial or Industrial)

☐ Spring Description Sheet

☒ Amount of water from each source in gallons per minute (GPM), cubic feet per second (CFS), or acre feet (AF)

☒ Period of use

☒ Water management section (Please estimate if the water system has not been designed).

- ☒ Resource Protection Section (Page 6, Section 5).
- ☒ Project schedule (If system is already completed, indicate "existing").
- ☐ For reservoir applications ~~storing more than 9.2 acre feet, and a dam height of more than 10 feet, preliminary plans and specifications for dam and impoundment are required.~~
- ☐ ~~If the above is statement is checked, the map must be prepared by a CWRE.~~
- ☒ All applicants (or the authorized agent with title or authority if for an organization or corporation), must sign the application in ink. *Signature must be an original "wet" signature.*
- ☒ You must include a Legal description of the property involved that includes a metes and bounds, or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or you may submit a lot book report prepared by a title company. The Department will not accept a copy of the tax bill.
- ☒ A completed Land-Use Form or receipt signed and dated by the appropriate planning department officials. *Date of signature must be within the past 12 months. Signature must be an original "wet" signature.* TEAR - OFF SHEET
- ☒ The map must meet all the minimum requirements of OAR 690-310-0050.

- | | |
|---|--|
| ☒ Township, Range, Section | ☒ Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU) |
| ☒ Place of use, 1/4, 1/4's and tax lot clearly identified | ☒ Even map scale not less than 4" = 1 mile (example: 1" = 100 ft, 1" = 200 ft, etc.) |
| ☒ Location of each diversion point well or dam by reference to a recognized public land survey corner | ☒ North Directional Symbol |
| ☒ Number of acres per 1/4, 1/4, if irrigation, nursery, or agriculture | ☐ Other <u>SUBMITTED BY</u>
<u>GSI KENNEDICK</u>
<u>W.A.</u> |
| ☒ Reference corner on map | |
| ☒ Each point of diversion coordinate <u>LISTED</u> | |

☒ Fees: Amount of water requested 135 CFS TOTAL from 19 wells

Base Fee \$ <u>500</u>	Additional Use @ <u> </u> = <u> </u>
1st CFS/AF <u>200</u>	Total Exam Fees \$ <u>17,700.</u>
<u>134</u> Addtn'l CFS/ AF @ <u>100</u> = <u>13,400</u>	Total Paid \$ <u>18,000</u>
<u>10</u> Addtn' POD @ <u>200</u> = <u>3600</u>	Amount Due \$ <u>All FEES PAID</u>

Reviewed by: HLM Date: 6-16-2008

MARTHA O. PAGEL

Admitted in Oregon and Washington

Direct Line: Salem 503-540-4260; Portland 503-796-2872

E-Mail: mpagel@schwabe.com

RECEIVED

SEP 10 2009

**WATER RESOURCES DEPT
SALEM, OREGON**

September 9, 2009

Dwight French
Administrator, Water Rights & Adjudication
Division
Oregon Water Resources Department
725 Summer St NE Ste A
Salem, OR 97301-1271

Re: Amendment of Application for Rupp Ranches (G-17068)
Our File No.: 120499/168223

Dear Dwight:

I am writing on behalf of our client, Randy Rupp, of Rupp Ranches, in follow-up to recent correspondence regarding the above-referenced application. By this letter, we wish to amend the application as further described below.

Background

On June 16, 2008, Rupp Ranches filed the application requesting a new water right for the use of ground water to irrigate up to 10,000 acres in Umatilla County. On October 31, 2008, the Oregon Water Resources Department (OWRD) issued an Initial Review indicating it was unlikely a permit could be issued based on the department's analysis of ground water availability. In response to the Initial Review, Rupp Ranches offered substantial additional technical information developed by GSI Water Solutions, Inc. We also met several times with OWRD staff and exchanged correspondence regarding the ground water resource and potential permit conditions to address OWRD concerns. Most recently, we received a letter dated August 20, 2009, from Deputy Director Tom Paul, which summarizes OWRD's response to information we have provided, and outlines conditions under which the department would proceed toward potential issuance of a permit for irrigation of up to 1,000 acres with an annual duty limitation of 2,000 acre-feet.

Although we believe the record includes sufficient information to support issuance of a permit for a greater annual volume of water, Rupp Ranches is willing to accept the terms and

conditions described in Mr. Paul's letter. Accordingly, this letter amends the application as follows:

Request to Amend Application G-17068

1. The Applicant hereby amends the application to request ground water use from up to three wells for irrigation of up to 1,000 acres as identified on the enclosed table and revised application map.
2. The Applicant understands that any permit issued as a result of this amended application will be limited to an annual duty of 2,000 acre-feet, and will be subject to additional conditions as described in the letter of August 20, 2009, from Tom Paul.

Because of the dramatic reduction in requested irrigation, we believe Mr. Rupp should receive a refund of a substantial portion of the application fee of \$18,000 submitted with the original application and hereby request the same. The refund check should be made payable to Mr. Rupp, but may be mailed to me at our Salem office address.

On behalf of Randy Rupp, GSI consultants Terry Tolan and Molly Reid, and myself, I wish to thank OWRD staff for their efforts in working with us on the application.

Sincerely,



Martha O. Pagel

MOP:kdo

Enclosures

cc: (all w/encls.)
Randy Rupp
Molly Reid
Jerry Rodgers
Doug Woodcock

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SEP 10 2009

WATER RESOURCES DEPT
SALEM, OREGON



Proposed Place of Use for Rupp Ranches Groundwater Application

TWP, RNG	Section	Quarter/Quarter	Acres
T5N, R30E	11	SWSE	10.00
T5N, R30E	11	SESE	10.00
T5N, R30E	12	SWSW	5.00
T5N, R30E	13	NWNW	10.00
T5N, R30E	13	SWNW	10.00
T5N, R30E	13	NWSW	10.00
T5N, R30E	13	SWSW	5.00
T5N, R30E	14	NENE	40.00
T5N, R30E	14	NWNE	40.00
T5N, R30E	14	SWNE	40.00
T5N, R30E	14	SENE	40.00
T5N, R30E	14	NENW	40.00
T5N, R30E	14	NWNW	40.00
T5N, R30E	14	SWNW	40.00
T5N, R30E	14	SENW	40.00
T5N, R30E	14	NESW	40.00
T5N, R30E	14	NWSW	40.00
T5N, R30E	14	SWSW	20.00
T5N, R30E	14	SESW	20.00
T5N, R30E	14	NESE	40.00
T5N, R30E	14	NWSE	40.00
T5N, R30E	14	SWSE	20.00
T5N, R30E	14	SESE	20.00
T5N, R30E	15	NENE	40.00
T5N, R30E	15	NWNE	40.00
T5N, R30E	15	SWNE	40.00
T5N, R30E	15	SENE	40.00
T5N, R30E	15	NENW	40.00
T5N, R30E	15	NWNW	10.00
T5N, R30E	15	SWNW	10.00
T5N, R30E	15	SENW	40.00
T5N, R30E	15	NESE	40.00
T5N, R30E	15	NWSE	40.00
T5N, R30E	15	SWSE	20.00
T5N, R30E	15	SESE	20.00
		TOTAL ACRES	1000.00

Application G-17068
Amended Location of Use
September 9, 2009

RECEIVED

SEP 10 2009

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

August 20, 2009

Martha O. Pagel
Schwabe, Williamson & Wyatt
Equitable Center
530 Center St., NE Suite 400
Salem, Oregon 97301

Re: Rupp Ranches, Application G-17068

Dear Martha,

We have discussed your proposal and understand that some crops require more water than the two acre-feet per acre we previously discussed. However, as you know, we have considerable evidence of water level declines in the basalts in the Umatilla Basin. These declines are both inside and outside of areas where ground water withdrawal and use is being actively managed. The Department is concerned that if more than 2000 acre-feet are withdrawn on an annual basis, that the withdrawal will be greater than the capacity of the ground water resource and will lead to water level declines.

Our experience with irrigated crops in the Columbia Basin tells us that generally the same crop is not planted year after year on the same ground. Irrigators are allowed to reduce the rate and duty of irrigation in one portion of a water right in favor of applying more water in another portion of the permitted lands. This is a common practice when growing potatoes, as potatoes are traditionally rotated each year with other crops.

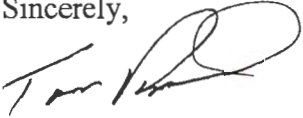
The Department is prepared, based on existing science, to include a finding that use would be within the capacity of the resource if it were limited to two thousand acre-feet to be spread over the 1000 acres. (That is, as stated above, the use could be concentrated up to three acre-feet per acre as long as the duty over the entire right did not exceed two thousand acre-feet total.) However, as we discussed, use from the proposed well will be regulated off if interference with wells in the Stage Gulch Critical Ground Water Area is observed or if permit conditions are triggered.



Martha O. Pagel
August 20, 2009
Page 2

If this is acceptable, the next step will be for your client to amend Application G-17068 for irrigation up to 1000 acres at a duty of three acre-feet per acre not to exceed a total annual duty of 2000 acre-feet. If a permit is issued, it will contain resource protection measures that include water level decline conditions, well construction measures, water chemistry testing, water level and water use reporting, and aquifer testing conditions. In addition, it will contain the conditions we discussed in our July 13, 2009 meeting: the use will be regulated off if any interference is observed with wells in the Stage Gulch critical area, and the water right shall not be eligible for the allocation of conserved water as authorized under ORS 537.455 - 537.500.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Paul", with a stylized flourish at the end.

Thomas J. Paul
Deputy Director

c Dwight French
 Doug Woodcock



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

June 23, 2009

Martha O. Pagel
Schwabe, Williamson & Wyatt
Equitable Center
530 Center St., NE Suite 400
Salem, Oregon 97301

Re: Rupp Ranches, Application G-17608²⁶⁷

Dear Martha:

Thank you for your letter of May 20, 2009, regarding the above referenced application. As you pointed out in your letter, in previous discussions the Department was willing to consider a reduced request of 400 acres at 5 cfs with the full duty of 1200 acre feet. In those discussions you raised the concern that Mr. Rupp requires 1000 acres to pave the way for a contract and financial backing for his project. The Department proposed allowing the 1200 acre feet to be consolidated or distributed over 1000 acres. The Department maintains its offer with the allowance to 12.5 cfs. The Department would find, pending no adverse information arising before the re-review, that if properly conditioned, water is available, both within the capacity of the resource and without injury to existing rights. The proposal of incremental development for G-17608 or future applications is not acceptable at this time. Discussion follows:

As you are aware, Oregon Water Resources Department has a long history of presence and water management in the Umatilla Basin. The aquifers in this basin are easily overdeveloped. This is largely due to the geologic framework that isolates the aquifers at depth from a source of recharge; that is, there is no mechanism for recharge to offset the discharge from wells, resulting in ground water declines and senior users struggling to maintain their water supply. This has resulted in the adoption of several critical ground water areas, restricting legally entitled water to senior users only.

The original application (G-17608) proposed 135 cfs from 19 wells to irrigate 10,767 acres from deep wells in the Grande Ronde Basalt. I have attached several ground water hydrographs from Stage Gulch Critical Ground Water Area for your review. Most of these show about a hundred feet of storage loss and continue in a downward trend, despite significant cutbacks in allocation. These hydrographs are representative of ground water trends in the deep basalt a few miles south of the proposed development. Mr. Rupp's original proposal represents more water demand than is allocated in the entire Stage Gulch Critical Ground Water Area. Given the observations above, and the sparse data available, the Department is obligated to ensure the ground water resources can sustain the proposed development.

The GSI Water Solutions report of March 17, 2009, and letter of May 15, 2009 were helpful in describing the geologic framework, the lack of available data for the aquifers in the Grande Ronde Basalt, and the potential for interference with other users including those in Stage Gulch Critical Area. The report made an argument for the potential for high-yielding aquifers at depth; however, the matter of low potential for aquifer recharge, the fundamental problem with development in Columbia River Basalt Group aquifers, remains unaddressed. The Department must also consider that the very boundaries that "may" separate the proposed deep wells from the deep Stage Gulch wells will also limit the extent of the aquifer proposed to be developed and further limit supply.

We are willing to work with you and Mr. Rupp in seeing the development of the 1000 acres in the Umatilla Basin, limited to 1200 acre feet at your proposed rate of 12.5 cfs. The proposal for incremental development permits is not acceptable at this time. Future applications for ground water development will be considered based upon the request and the data available at the time of review. Conditions on permits issued will likely include: well construction requirements; water level and water use monitoring and reporting; geologic analysis and ground water chemistry; development of a test well with demonstration of water supply, both through single well testing and aquifer testing as subsequent wells are constructed; and approval standards for test and monitoring requirements.

The Department is willing at this time to continue to issue ground water permits where those proposals, within reason, can be demonstrated to be sustainable. As data are collected and analyzed from these developments, and sustainable supply is demonstrated, additional permits may be issued. The Department continues to be vigilant in our review of new uses in geologic settings where development has demonstrated a limited supply.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Woodcock', with a stylized flourish at the end.

Douglas Woodcock

cc: Tom Paul
Tim Wallin
File G-17608



Hydrograph for State Well UMAT 2075

Well Location	4.00N28.00E11CCD
Oregon Water Resources Department Well Log ID	UMAT 2075
Oregon Water Resources Department State Observation Well Number	----
Well depth, in feet below land surface	962
Land surface elevation, in feet above mean sea level	450
Primary use of well	PUBLIC SUPPLY

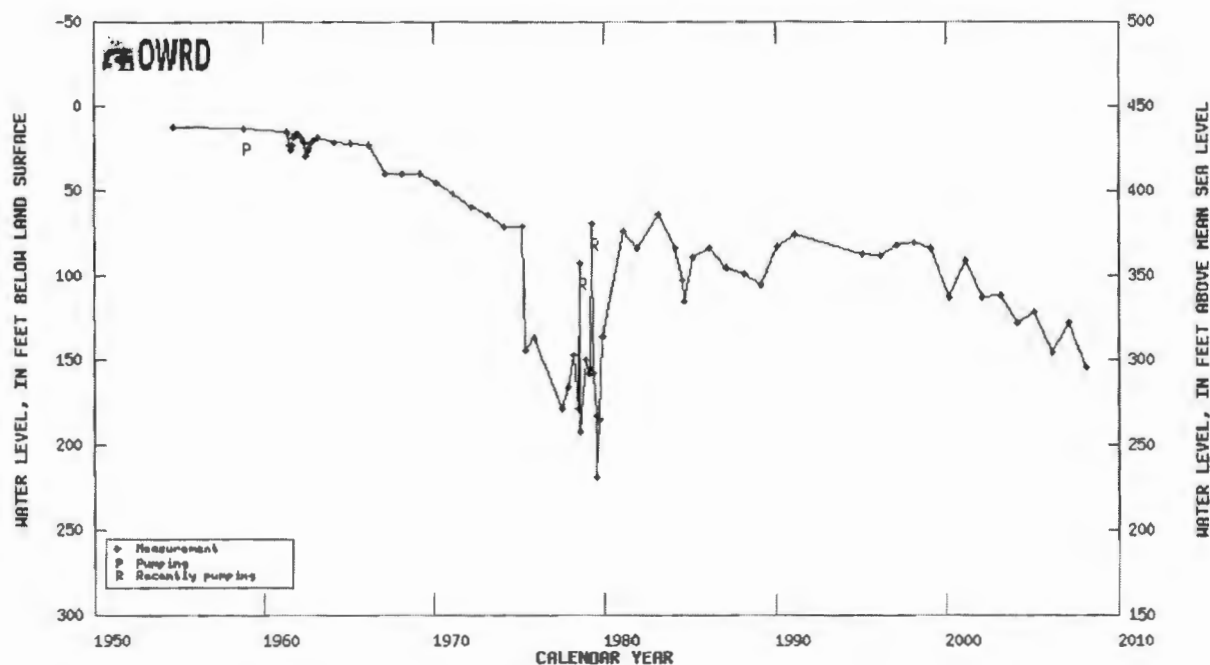


Table showing water-level data for State Well UMAT 2075



The graph displays two data series over time from 1970 to 2010. The left y-axis measures water level in feet below land surface (0 to -500), and the right y-axis measures water level in feet above mean sea level (180 to 780). The x-axis represents the calendar year. The water level (diamond markers) shows a significant rise from approximately 310 feet below land surface in 1973 to a peak of about 50 feet below land surface in 1959, followed by a steady decline to approximately 400 feet below land surface by 2008. The pumping data (P markers) shows zero pumping until 1959, after which it fluctuates between 10 and 60 units until 1985, then drops to zero.

Calendar Year	Water Level (Feet Below Land Surface)	Pumping (Units)
1973	310	0
1974	250	0
1975	180	0
1976	110	0
1977	50	0
1978	110	0
1979	80	0
1980	110	0
1981	140	0
1982	170	0
1983	200	0
1984	230	0
1985	260	0
1986	290	10
1987	320	20
1988	350	30
1989	380	40
1990	410	50
1991	440	60
1992	470	50
1993	500	40
1994	530	30
1995	560	20
1996	590	10
1997	620	0
1998	650	0
1999	680	0
2000	710	0
2001	740	0
2002	770	0
2003	800	0
2004	830	0
2005	860	0
2006	890	0
2007	920	0
2008	950	0

Table showing water-level data for State Well UMAT 2816



Hydrograph for State Well UMAT 2878

Well Location	4,00N29,00E19BCC
Oregon Water Resources Department Well Log ID	UMAT 2878
Oregon Water Resources Department State Observation Well Number	----
Well depth, in feet below land surface	1210
Land surface elevation, in feet above mean sea level	655
Primary use of well	IRRIGATION

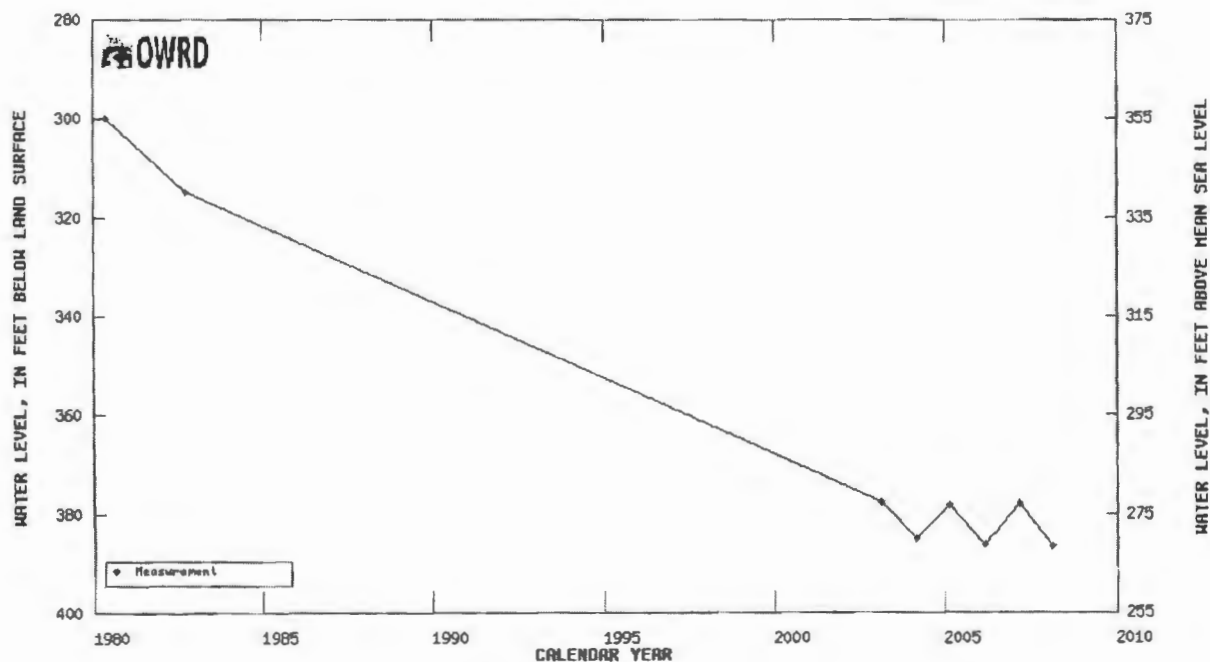


Table showing water-level data for State Well UMAT 2878



Hydrograph for State Well UMAT 2935

Well Location	4.88N29.00E29D08
Oregon Water Resources Department Well Log ID	UMAT 2935
Oregon Water Resources Department State Observation Well Number	-----
Well depth, in feet below land surface	950
Land surface elevation, in feet above mean sea level	855
Primary use of well	IRRIGATION

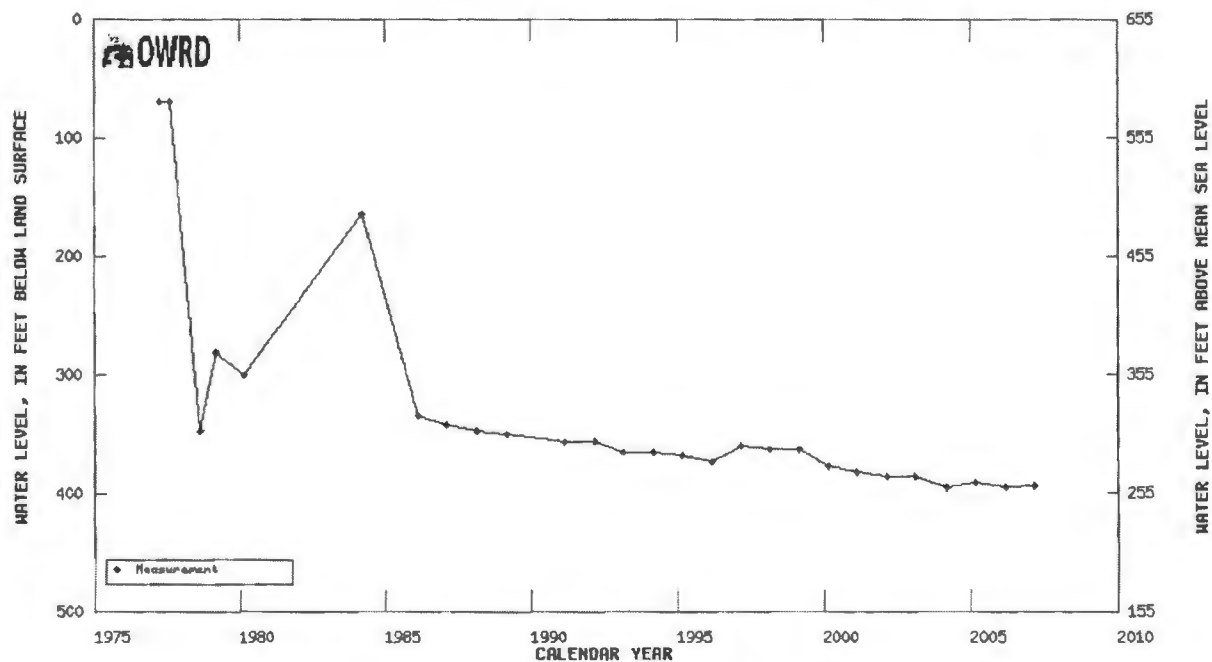


Table showing water-level data for State Well UMAT 2935



Hydrograph for State Well UMAT 2061

Well Location	4.00N28.00E110AD
Oregon Water Resources Department Well Log ID	UMAT 2061
Oregon Water Resources Department State Observation Well Number	----
Well depth, in feet below land surface	1041
Land surface elevation, in feet above mean sea level	445
Primary use of well	PUBLIC SUPPLY

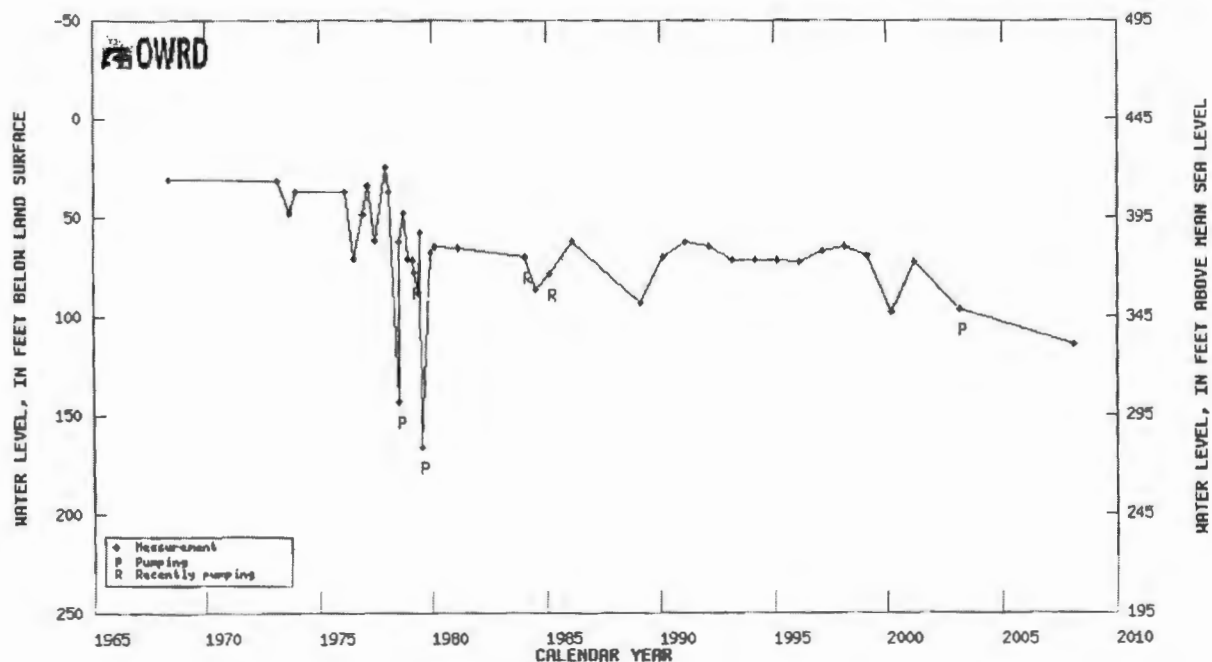


Table showing water-level data for State Well UMAT 2061



Hydrograph for State Well UMAT 2999

Well Location

4,00N30,00E28A0A

Oregon Water Resources Department Well Log ID

UMAT 2999

Oregon Water Resources Department State Observation Well Number

Well depth, in feet below land surface

950

Land surface elevation, in feet above mean sea level

985

Primary use of well

IRRIGATION

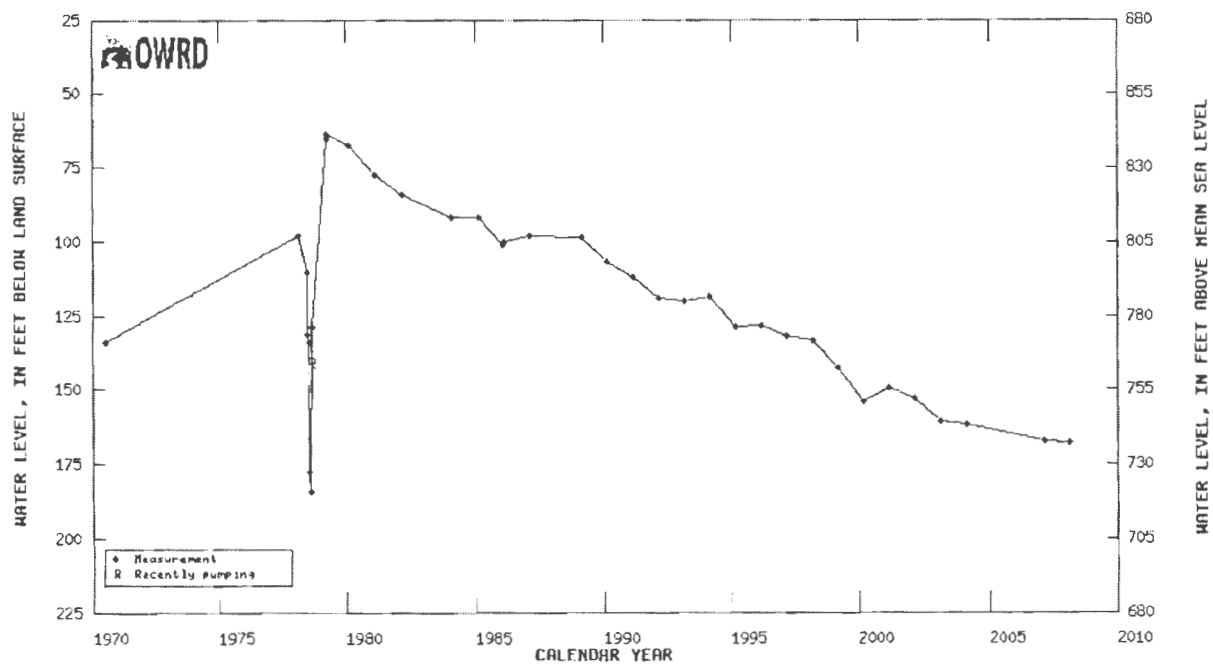


Table showing water-level data for State Well UMAT 2999.



Hydrograph for State Well UMAT 3010

Well Location	4.00N30.00E350CA
Oregon Water Resources Department Well Log ID	UMAT 3010
Oregon Water Resources Department State Observation Well Number	---
Well depth, in feet below land surface	850
Land surface elevation, in feet above mean sea level	953
Primary use of well	IRRIGATION

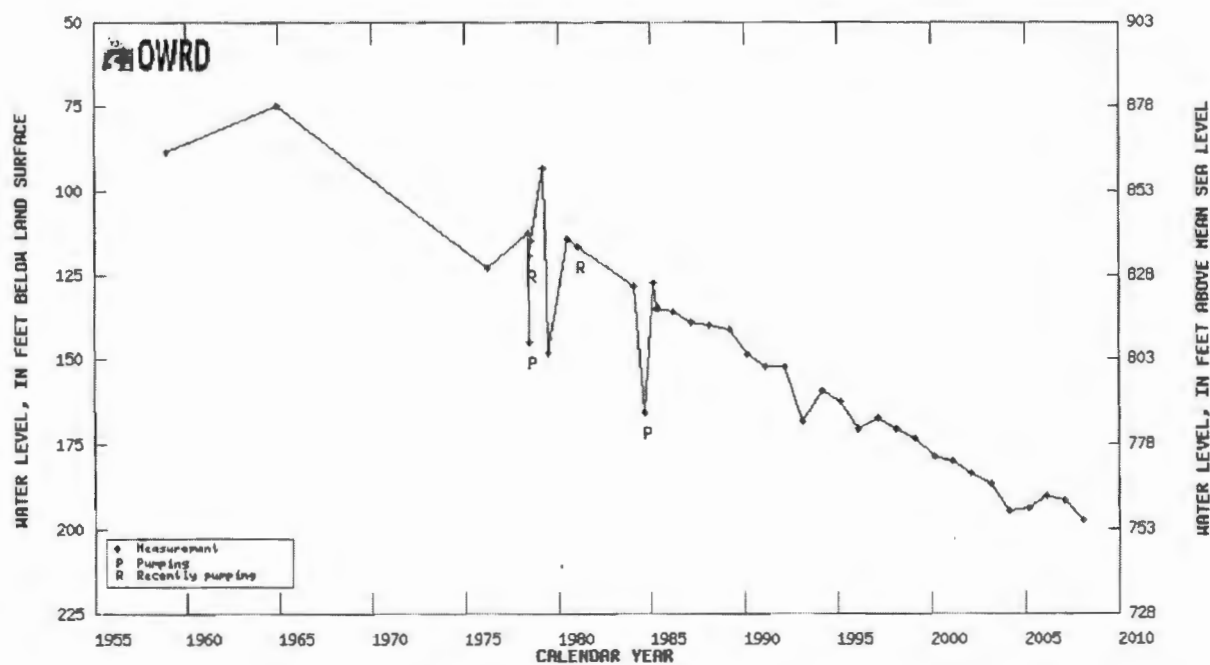


Table showing water-level data for State Well UMAT 3010

MARTHA O. PAGEL

Admitted in Oregon and Washington

Direct Line: Salem 503-540-4260; Portland 503-796-2872

E-Mail: mpagel@schwabe.com

May 20, 2009

Doug Woodcock
Oregon Water Resources Department
725 Summer St NE Ste A
Salem, OR 97301-1271

Re: Rupp Ranches Application G-17068
Our File No.: 120499/168223

RECEIVED

MAY 21 2009

**WATER RESOURCES DEPT
SALEM, OREGON**

Dear Doug:

I am writing in follow-up to our meeting/phone conference on April 22, 2009, regarding the above-referenced ground water application filed on behalf of our client, Rupp Ranches. Terry Tolan, Molly Reid and I appreciated the opportunity to talk with you, Jerry Rodgers and Mike Zwart regarding the technical analysis undertaken for Mr. Rupp by Terry Tolan, and GSI Water Solutions, Inc. (GSI).

During our meeting, we discussed two key issues/concerns raised by the Oregon Water Resources Department (ORWD) staff: First, you asked that Mr. Tolan specifically address the question of hydraulic connection and the potential for substantial interference in relation to the Stage Gulch Critical Ground Water Area. Second, you expressed an interest in limiting any initial ground water diversion to a maximum volume of 1200 acre-feet. We address both questions in further detail below.

Hydraulic Connection/Potential for Substantial Interference

The enclosed letter from Mr. Tolan is intended as a supplement to the original GSI report submitted on March 23, 2009. The letter summarizes information Mr. Tolan described over the phone during our follow-up meeting on April 22 in response to ORWD questions about potential impacts on the Stage Gulch Critical Ground Water Area. The letter describes Mr. Tolan's assessment of available information and his determination that the evidence suggests a ground water barrier (or barriers) between the test well site and the critical ground water area. The barrier(s), in turn, would serve to separate the test well from the Stage Gulch area. Based on this information, Mr. Tolan believes it is reasonable to proceed with the incremental development plan that we have previously discussed in connection with the Rupp Ranches application.

Incremental Development – Revised Proposal

During our meeting with OWRD staff in early February, we discussed a proposal for reducing the requested irrigation under Application G-17068 to a total of 1000 acres, with conditions for incremental development under the permit tied to careful monitoring and reporting. The plan is further described in my letter of March 23, 2009 and was offered by the Applicant in response to the department's initial proposal to allow development on a total of 400 acres, with a maximum duty of 3 acre-feet per acre (resulting in a total of 1200 acre-feet per year).

At our follow-up meeting in April, you indicated that OWRD was still open to the option of a conditional approval for a reduced number of acres; however, you expressed concern at exceeding 1200 acre feet of water during the first phase of irrigation use. In response, we reviewed the need for Rupp Ranches to secure approval for at least 1000 acres of land in order to pave the way for a contract and financial backing to support the project.

To address OWRD concerns and meet Mr. Rupp's practical/financial needs, we discussed the option of authorizing irrigation on a total of up to 1000 acres, but with a maximum duty of 1200 acre-feet during the first increment of development under the permit. This plan would provide a cap on the maximum pumping volume that would be allowed until OWRD was able to assess the actual impacts of pumping. This approach would respond to OWRD concerns but would allow Rupp Ranches the flexibility to manage water on up to a total of 1000 acres. As described in my prior letter, both the initial well construction and pumping test, as well as subsequent water use for irrigation, would be subject to monitoring and reporting conditions that would allow the department to assess potential impacts based on actual data collection before authorizing the next step of incremental development.

To summarize, based on our meetings and follow-up discussions with OWRD staff, we now propose the following:

1. Rupp Ranches will amend application G-17068 to request a total pumping rate of 12.5 cfs for irrigation of 1000 acres and will file a new application for irrigation of the remaining roughly 9000 acres currently included on G-17068. Following a completeness examination and initial review, the new application would be placed by Mr. Rupp on "administrative hold" pending further action on Application G-17068.

2. Based on the additional technical information provided in the original and supplemental GSI Reports, and assuming all other application approval requirements were satisfied, OWRD would issue a proposed final order (PFO) recommending approval of Application G-17068; however, the PFO and accompanying draft permit would include conditions requiring development of a test well (or wells) and demonstration of compliance with specified performance standards under a pumping test prior to use of water for irrigation under the permit. If the pumping test does not meet the specified requirements, irrigation use would not be allowed and the permit would be subject to cancellation. Assuming the pumping test requirements were satisfied, Rupp Ranches would be authorized to proceed with irrigation of up

to 1000 acres, but with a duty limitation of 1200 acre feet during the first phase of incremental development. Under this plan, Rupp Ranches would have the option of using up to 3 acre feet per acre on 400 acres of irrigation, or of using a lower volume on more acres of land, up to 1000 acres. The permit would include conditions for monitoring and reporting of water use during the first phase to allow OWRD to assess impacts. Assuming successful completion of Phase 1, the permit conditions would allow for increased water use up to the standard duty of 3 acre-feet per acre, with continued monitoring and reporting on the total of 1000 acres. This information, in turn, would be used to inform further processing of the second application for the remaining proposed irrigation.

3. If actual data derived from monitoring and reporting on Phases 1 and 2 of the first application confirm an adequate ground water supply and no substantial interference with other water rights, the second application would be approved with similar conditions for incremental water development subject to monitoring and reporting conditions.

We believe this plan provides a common sense approach for meeting OWRD needs to gather additional data to support the preliminary conclusions described in the GSI technical analysis, while allowing reasonable certainty to Rupp Ranches to justify the substantial financial investment associated with the proposed new irrigation project. During these hard economic times, we commend the department for considering an alternative that could provide a significant development opportunity in the region.

Sincerely,



Martha O. Pagel

MOP:kdo

Enclosures

cc: (all w/encls.)

Mike Zwart

Jerry Rodgers

Tim Wallin ✓

Randy Rupp

Terry Tolan



RECEIVED

MAY 21 2009

WATER RESOURCES DEPT
SALEM, OREGON



May 15, 2009

Mr. Doug Woodcock
Groundwater/hydrology Manager
Technical Services Division
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

RE: Potential for interference with the Stage Gulch Critical Groundwater Area from the proposed Rupp test well - Addendum to March 17, 2009 letter, Review of the available information on the hydrogeology of the Columbia River Basalt Group beneath the Juniper Canyon area in the Umatilla Basin, Oregon.

Dear Doug,

This letter is an addendum to the March 17, 2009 letter and provides a preliminary assessment of the potential for hydraulic connection (and potential for interference) between the Columbia River Basalt Group (CRBG) aquifers beneath the proposed test well site and the Stage Gulch Critical Groundwater Area (Figure 1A). This preliminary assessment is based on geologic and hydrogeologic information and data cited in the March 17, 2009 letter and subsurface CRBG stratigraphic control derived from the logging and analysis of drill-cuttings from water supply wells in this area. The geologic logs and geochemical data from some of the deepest of these stratigraphic control wells are publicly available from the U.S. Geological Survey website "Columbia River Basalt Stratigraphy in Oregon" http://or.water.usgs.gov/projs_dir/crbg/. Publicly available geologic logs for "deep" CRBG wells include:

- UMAT 5735 (section 11, T4N, R28E) City of Hermiston Well No. 2.
- UMAT 54846 (section 17, T4N, R30E) Hutterian No. 1.
- UMAT 54913 (section 17, T4N, R30E) Hutterian No. 2.

As previously discussed in the March 17, 2009 letter, the proposed test well (Figure 1A) would be cased and sealed into the top of the Grande Ronde Basalt and would explore for

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groundwater (well's open interval) in the Sentinel Bluffs and Winter Water Members of the Grande Ronde Basalt. The Sentinel Bluffs and Winter Water Members that are the target for the proposed test well are present, and continuous, beneath most of the Umatilla Basin area. Therefore the potential for interference could exist assuming that there are other water supply wells completed (open to) in the upper Grande Ronde Basalt units and that there are no groundwater barriers between the proposed test well and existing Grande Ronde wells.

A preliminary determination of the potential number of water supply wells open to the upper Grande Ronde Basalt in the vicinity of the proposed test well was made. This determination was made by first estimating the depth to the top of Grande Ronde Basalt in the area (townships) surrounding the proposed test well location (Figure 1A). Depths to the top of Grande Ronde Basalt depicted on Figure 1A represent an average depth for that township and were based on either publicly available geologic logs (e.g., UMAT 5735, UMAT 54846, UMAT 54913) or unpublished data. The depth to the top of Grande Ronde Basalt is greatest in the northern portion of the Umatilla Basin and is shallower to the south-southeast (Figure 1A). This pattern reflects both structural and CRBG stratigraphic elements. To estimate the number of water supply wells potentially open to the Grande Ronde Basalt, a search for each township was made using the OWRD GRID website. The OWRD GRID inventory of water supply wells for each township was sorted by completed depth and any listed well which had a completed depth greater than the estimated depth to the top of Grande Ronde Basalt was counted as a "Grande Ronde well". Results of this search are shown for each township on Figure 1A. Very few (0 to 2) Grande Ronde wells are present in each of the immediately adjacent townships to the northeast, east, southeast, and west of the proposed test well site. The townships to the south (T4N, R30E) and southwest (T4N, R29E) of the proposed test well site have a total of 29 Grande Ronde wells that mostly lie within the boundaries of the Stage Gulch Critical Groundwater Area (Figure 1A).

The other aspect that was evaluated was the potential for barriers to groundwater movement. Typically such groundwater barriers are related to faults, or major folds, that transect the CRBG section. Zwart (1990) defined the locations for four groundwater barriers within the Stage Gulch Critical Groundwater Area based on pumping test/observation well data (see Figure 1A). Few faults have been previously mapped in area of concern (e.g., Madin and Geitgey, 2007), although numerous aerial and topographic lineations have been defined and noted as potential faults (e.g., Kienle, 1980; Swanson and others, 1981). None of the four groundwater barriers delineated by Zwart (1990) and are associated with any previously mapped folds, faults, or lineations. Wells UMAT 54846 and UMAT 54913 also have penetrated faults that had not been previously mapped (Madin and Geitgey, 2007), but do coincide with a photo lineation. Several major lineations (e.g., Cold Springs Canyon, South Fork Cold Springs Canyon) lie between the proposed test well site and the Stage Gulch Critical Groundwater Area (see Figure 1A). It is likely possible that one, or more, of these lineations may represent the trace of a fault that could be a groundwater barrier.

In summary, there is circumstantial evidence and information that suggests that there could be groundwater barrier(s) between the proposed test well site and the Stage Gulch Critical Groundwater Area. Groundwater barriers were previously defined within the Stage Gulch Critical Groundwater Area (Zwart, 1990) are likely related to faults that have not been previously mapped. There are several significant lineations between the proposed test well site and the Stage Gulch Critical Groundwater Area that likely represent fault traces. If these lineations do represent the trace of faults, there is a significant likelihood that these faults could be groundwater barriers that separate the proposed test well site from the Stage Gulch Critical Groundwater Area.

Thank you for your consideration on this important matter. If you have any questions or comments please contact me at our Kennewick office at (509) 735-7135 or on my cell phone at (509) 591-2930.

Sincerely,
GSI Water Solutions, Inc.



Terry Tolan, RG
Senior Hydrogeologist



Enclosures: Figure 1A

Cc: Randy Rupp
Martha Pagel

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SALEM, OREGON

Figure 1A

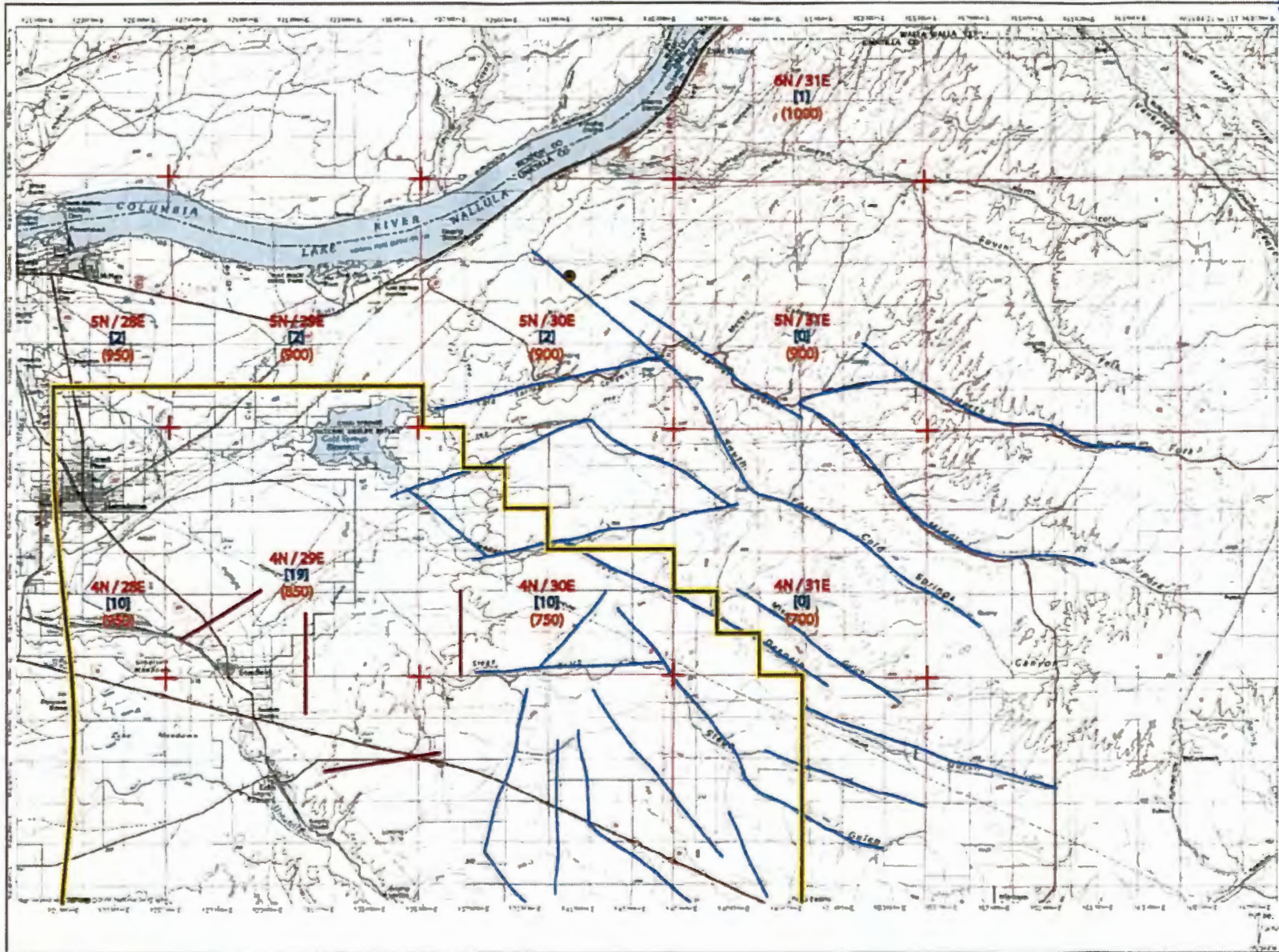
Map showing proposed test well and the Stage Gulch Critical Groundwater Area.

LEGEND

- 6N/31E** Township and Range
- [1]** Number of water supply wells that penetrate into (open to) Grande Ronde Basalt in this township
- (1000)** Estimate depth (feet below ground surface) to the top of the Grande Ronde Basalt
- Proposed test well
- Lineation
- Groundwater barrier from Zwert (1990)
- Stage Gulch Critical Groundwater Area



0 1.0 2.0
miles





January 8, 2009

Doug Woodcock
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

RE: Rupp Groundwater Application G-17068

Dear Doug:

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**WATER RESOURCES DEPT
SALEM, OREGON**

On behalf of the applicant, Mr. Rupp, this letter is in response to the Oregon Water Resources Department's (OWRD) concerns of groundwater availability as presented in the groundwater section's Initial Review of Application G-17068.

As we previously discussed during our December 16, 2008 phone call, there is no hydrogeologic information available on the "deep basalt" aquifer system (lower Wanapum and upper Grande Ronde Basalts, approximately 900-2,000 feet below ground surface (bgs)) for the site and immediately surrounding areas (Figure 1.) This is due to the fact that in this area (Figure 1) only three (3) water supply wells have been drilled to the 800-900 feet bgs range and only a single well to approximately 1,008 ft bgs (Table 1.) As shown on Table 1, all four of these "deep" water supply wells had low yields and suggest that the upper 900 feet of the basalt aquifer system in this area does not appear to host water-bearing zones capable of supporting the proposed irrigation project. We believe that the deeper basalt aquifer system (900 to 2,000 feet bgs) could potentially host water-bearing zones that may provide yields required for this proposed project. In the immediate vicinity of the proposed project site no water supply wells have been drilled to these depths. To begin to test this hypothesis would require that at least one exploratory well be drilled. As you may know however, the drilling costs for this type of well will be very high. To help address OWRD's concerns, and provide an economically viable option for Mr. Rupp, we suggest the following:

OWRD would approve the application with strict conditions for constructing the test well and incrementally developing the water. The first exploratory well would be constructed at the location indicated on Figure 1 for the purpose of determining if any high-yield water-bearing zones exist in the very deep basalt aquifer system (below 900 feet bgs) at this site. This exploratory well would be cased and sealed to prevent any potential interference with the shallower, low-yield, water-bearing zones within the basalt aquifer system. The final configuration of the open-hole portion of the exploratory well would be dependent on what was found with regards to potentially useable water-bearing zones (yield and water quality.) This exploratory well would be completed as a water supply well open to a single aquifer within the basalt aquifer system.

The applicant has invested a substantial amount of money in this property and in the preparation and filing of Application G-17068, which is intended to supply water for Mr. Rupp's planned irrigation project. He has done so with a reasonable expectation that groundwater will be available at the deep basalt level and stands ready to proceed with the project. At the same time, we understand the concerns you have voiced pertaining to the availability of groundwater in the amount requested in Application G-17068. Our client has expressed interest in your suggestion of using an "incremental approach" for groundwater development as a possible solution, but seeks reasonable assurance that he will be able to proceed with groundwater development if our hypothesis proves to be correct. Assuming sufficient groundwater is found, Mr. Rupp would construct one or more additional deep basalt wells as needed to develop the initial increment of development under the permit. Hydrogeologic and hydrologic data and information would be collected from the wells during construction/testings and use. This data collected over the course of the year would be evaluated to determine if the water-bearing zones in the deep basalt aquifer system can sustain additional groundwater production. If it is determined that additional groundwater production can be sustained from these water-bearing zones, Mr. Rupp would be authorized to proceed with the next increment of development. This process would continue until the deep basalt aquifer's sustainable annual yield is reached or the originally requested (Application G-17068) groundwater amount is reached. If the data collected during the initial test period or any subsequent phase of development indicated the pumping rate is not sustainable, the permit would be limited to the amount already developed and no further development would be allowed.

The applicant is also willing to discuss with OWRD the option of a groundwater monitoring program to be part of the permit conditions to ensure that the proposed groundwater pumping does not negatively impact existing water users and/or water levels in the deep basalt aquifer system.

On behalf of the applicant, we respectfully request that the Department consider this additional information and our proposal prior to issuance of a Proposed Final Order on the application. We look forward to hearing from you soon as to when you can meet with our client to move this application forward.

Sincerely,



Terry Tolan, RG

Cc: Randy Rupp
Martha Pagel, Schwabe, Williamson & Wyatt
Jeana Eastman, OWRD
Mike Zwart, OWRD

Enclosures: Figure 1
Table 1

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Table 1. Summary of "deep basalt" water supply wells in the immediate vicinity of the proposed Juniper Canyon farm. See Figure 1 for well locations.

Well No.	Location Sec/T/R	Date Drilled	Total Depth	Well Diameter	Use	UNIT (thickness Penetrated)		Cased Interval	SWL*	Yields (gpm)	Specific Capacity**	Temperature (F°)
						Sediment	CRBG					
UMAT-55318/55362	14/6N/31E	2005	807 ft bgs	7.5 inch	D	57 ft	750 ft	0 to 198 ft bgs	578 ft	10	NA	63
UMAT-4062	28/6N/32E	1958	884 ft bgs	8 inch	D	57 ft	827 ft	0 to 160 ft bgs	545 ft	4.5	0.01	68
UMAT-3854	28/5N/30E	1964	851 ft bgs	NR	D/I	NR	NA	NR	155 ft	70	3.5	NR
UMAT-3856	31/5N/30E	1965	1008 ft bgs	6 inch	T	88 ft	920 ft	0 to 103 ft bgs	300 ft	200	1	NR

NR - Not Reported; NA - Not Available; D - Domestic; I - Irrigation; T - Test well

* SWL = Static water level in well in feet below ground surface

** Specific Capacity - gpm per foot of drawdown; values correspond to well yields

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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

November 13, 2008

RUPP RANCHES
ATTN: RANDY RUPP
176 KRANICHWOOD ST
RICHLAND, WA 99352

Reference: File G-17068

Dear Mr. Rupp:

On November 10, 2008, the Water Resources Department received your letter requesting an 180 day administrative hold on processing the above referenced application.

The Department will not take any action on this application until **May 11, 2009**, unless you request we proceed sooner. If you need to request additional time, you will need to show justification for why additional time is reasonable and necessary, that substantial progress is being made towards being ready to proceed with application processing, and a general time line, which identifies when you anticipate being ready to continue with the application process.

If you have any questions, please feel free to call me at 503-986-0859.

Sincerely,

Jeana Eastman
Water Rights Caseworker

cc: GSI Water Solutions, Molly Reid, 1020 N Center Parkway, Ste F, Kennewick WA 99336
Tony Justus, WM #5
File

Jeana Eastman

From: Jeana Eastman
Sent: Wednesday, November 12, 2008 11:25 AM
To: 'Molly Reid'
Subject: RE: Rupp Ranches Application G-17068

Hi Molly -

The administrative hold has been approved; a letter is being mailed tomorrow.

The legal description requirement comes from rule, as a minimum application requirement. When the application is reviewed for acceptance, staff does not check to see if the deed(s) submitted include all lands where water is diverted, conveyed, and used. However, when the caseworker gets the file and prepares it for Initial Review, we do compare the deed(s) with the map(s) and check to see that all lands are included. When I did this check, I noted some lands were not described by the deeds and therefore requested the legal description of them in the Initial Review.

After receiving your voicemail indicating your belief that all lands were described in the deeds, I went through all the information again and discovered the list of lands missing legal descriptions in the Initial Review had some errors. Comparing the deeds and map, I determined the following lands are not included in the deed description:

All proposed lands in Section 2, 5N, 30E, W.M.
 All proposed lands in Section 10, 5N, 30E, W.M.
 NENW, SENW, NESW, SESW, Section 11, 5N, 30E, W.M.
 NWNW, SWNW, Section 14, 5N, 30E, W.M.
 NESW, NWSW, SESW, Section 15, 5N, 30E, W.M.
 All proposed lands in Section 16, 5N, 30E, W.M.
 All proposed lands in Section 22, 5N, 30E, W.M.
 All proposed lands in Section 23, 5N, 30E, W.M.
 NWNW, SWNW, SENW, Section 3, 5N, 31E, W.M.
 NWNE, SENE, NENW, NWNW, SWNW, NWSW, SESW, Section 4, 5N, 31E, W.M.
 NWNE, SWNE, NWSW, SWSW, SESW, SWSE, SESE, Section 6, 5N, 31E, W.M.
 NWNE, NWNW, Section 7, 5N, 31E, W.M.
 NENW, Section 8, 5N, 31E, W.M.
 NENW, Section 9, 5N, 31E, W.M.
 NESW, NWSW, Section 17, 5N, 31E, W.M.
 NESE, NWSE, Section 18, 5N, 31E, W.M.
 SWSW, SESW, NWSE, Section 25, 6N, 30E, W.M.
 All proposed lands in Section 13, 6N, 31E, W.M.
 All proposed lands in Section 14, 6N, 31E, W.M.
 NWNE, SWNE, NESW, Section 24, 6N, 31E, W.M.
 NENE, NWNE, NWSE, SWSE, Section 26, 6N, 31E, W.M.
 SESW, NWSE, SWSE, Section 27, 6N, 31E, W.M.
 SESE, Section 29, 6N, 31E, W.M.
 SENW, SWSW, SESW, Section 31, 6N, 31E, W.M.

*Superseded -
 see 12/28/09
 email from Jeana Eastman
 to m.pagal re:
 deficiencies*

11/12/2008

NESE, SESE, Section 32, 6N, 31E, W.M.
NESE, Section 33, 6N, 31E, W.M.
SWNW, Section 35, 6N, 31E, W.M.

Since the administrative hold has been approved, the applicant has some time to submit the legal descriptions and the land use information as described in the Initial Review.

If you have any other questions about these requirements, please ask.

Thanks,

Jeana Eastman
Water Rights Caseworker
voice 503.986.0859

Oregon Water Resources Dept
725 Summer St NE, Suite A
Salem, OR 97301-1266
front desk 503.986.0900
fax 503.986.0901
<http://oregon.gov/OWRD>

Messages to and from this e-mail address may be available to the public under Oregon law.

From: Molly Reid [mailto:MReid@GSIWaterSolutions.com]
Sent: Monday, November 10, 2008 1:17 PM
To: Jeana Eastman
Subject: Rupp Ranches Application G-17068

Jeana: We have faxed a letter requesting to put this application on administrative hold, and also sent a hard copy via regular mail today. On page 3 of the initial review you note there appears to be some legal descriptions missing for some of the lands involved. Can you be more specific? I note that they are included on all of the maps and in an attachment of acres to be irrigated, as well as listed in place of use attached to the initial review. Thank you.

Molly Reid
Water Resource Analyst

GSI Water Solutions, Inc.
1020 N. Center Parkway, Suite F
Kennewick, WA 99336

(509) 735-7135, Ext. 202
(509) 735-7067 FAX
(541) 310-8800 (cell)

11/12/2008



Fax Transmittal

To:	<i>Jeanne Eastman</i>	From:	<i>Mullykeid</i>
Fax:	<i>503-986-0901</i>	Pages:	<i>2</i>
Phone:		Date:	<i>11-10-08</i>
Re:		CC:	

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ For Your Use

Date	Description
	<i>Admin. hold request for G-17068</i>

Comments:

*Administrative hold request for Rupp Ranches
G-17068*

November 10, 2008

Jeana Eastman, Caseworker
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

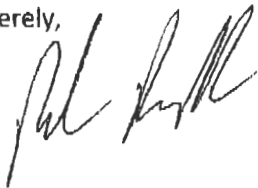
RE: Application G-17068
Rupp Ranches

Dear Ms. Eastman:

I am formally requesting that my groundwater application, G-17068, be placed on administrative hold.

Thank you for your attention in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy Rupp", written over a horizontal line.

Randy Rupp
176 Kranichwood Street
Richland, WA 99352

November 10, 2008

Jeana Eastman, Caseworker
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

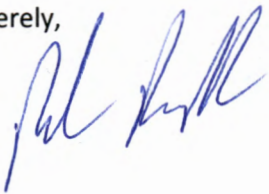
RE: Application G-17068
Rupp Ranches

Dear Ms. Eastman:

I am formally requesting that my groundwater application, G-17068, be placed on administrative hold.

Thank you for your attention in this matter.

Sincerely,



Randy Rupp
176 Kranichwood Street
Richland, WA 99352

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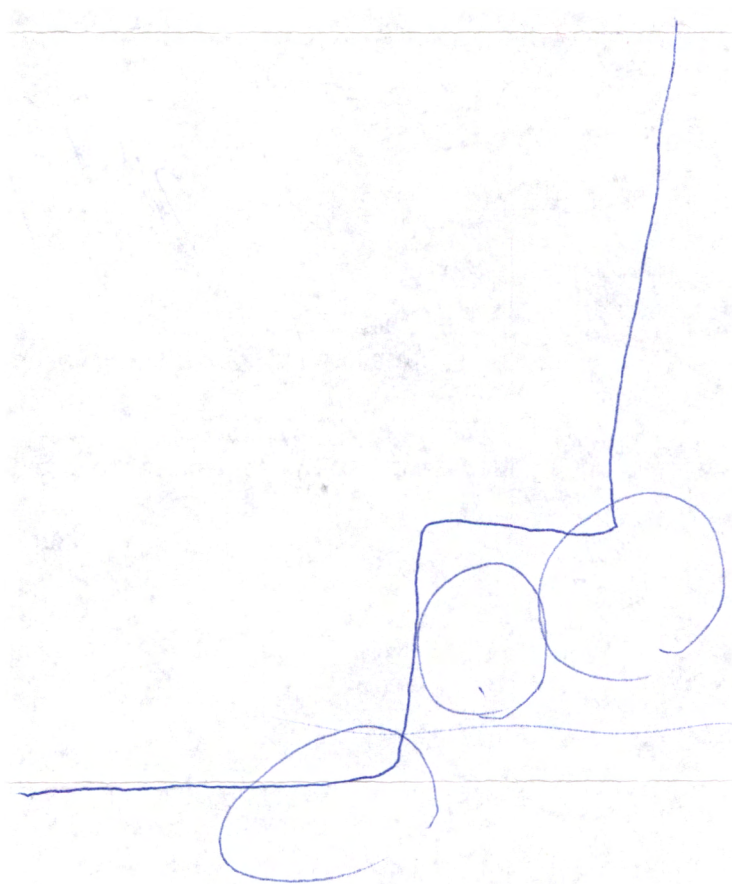
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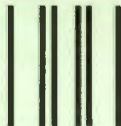
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WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE SUITE A
SALEM OR 97301-1266

0007



SENDER: COMPLETE THIS SECTION

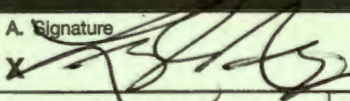
- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

G-17068
RUPP RANCHES
RANDY RUPP
176 KRANICHWOOD ST
RICHLAND, WA 99352

COMPLETE THIS SECTION ON DELIVERY

A. Signature


☐ Agent
☒ Addressee

B. Received by (Printed Name)

Luz Rupp

C. Date of Delivery

11/03/02

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7006 2150 00004124 5447



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

CERTIFIED MAIL Return Receipt Requested

RUPP RANCHES
ATTN: RANDY RUPP
176 KRANICHWOOD ST
RICHLAND, WA 99352

October 31, 2008

Reference: File G-17068

Dear Mr. Rupp:

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 application proposed the use of 135.0 cubic feet per second (CFS) of water from Well 1, Well 2, Well 3, Well 4, Well 5, Well 6, Well 7, Well 8, Well 9, Well 10, Well 11, Well 12, Well 13, Well 14, Well 15, Well 16, Well 17, Well 18, and Well 19 in Columbia River Basin for irrigation use on 10766.57 acres March 1 through October 31 of each year.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. The use of water from Well 1, Well 2, Well 3, Well 4, Well 5, Well 6, Well 7, Well 8, Well 9, Well 10, Well 11, Well 12, Well 13, Well 14, Well 15, Well 16, Well 17, Well 18, and Well 19 in Columbia River Basin for irrigation use is allowable under the Umatilla Basin Program.
4. Ground water will not likely be available in the amounts requested without injury to prior rights and/or within the capacity of the resource. However, the Ground Water Section has

requested that you provide a report with additional information or demonstration that bears on their finding of ground water availability.

The Department has determined, based upon OAR 690-009, that the proposed ground water use will not have the potential for substantial interference with any surface water source.

5. Your application requested a completion date of 2014. The Department requires completion of construction and complete application of the water to the use within 5 years from issuance of the permit under ORS 537.230. Any permit, if issued, will allow no more than 5 years to complete construction and make beneficial use of the water.
6. Please refer to the **Additional Information Required** section below for specific information regarding deficiencies with the application.

Summary of Allowable Water Use

Because not all items above are favorable, the use of 135.0 CFS of water from Well 1, Well 2, Well 3, Well 4, Well 5, Well 6, Well 7, Well 8, Well 9, Well 10, Well 11, Well 12, Well 13, Well 14, Well 15, Well 16, Well 17, Well 18, and Well 19 in Columbia River Basin for irrigation use on 10766.57 acres is not allowable, and it appears unlikely that you will be issued a permit. At this time, you must decide whether to proceed or to withdraw your application as described below.

Additional Information Required:

Although it is unlikely that a permit will be issued, if the Department's findings change, additional information will be required prior to issuance of any Proposed Final Order that may recommend approval.

The Department received a receipt signed and dated by a local government official acknowledging the land-use information request was received by the Umatilla County Planning Department, which meets the minimum application requirements. However, to proceed, the Department must receive documentation that demonstrates the proposed use complies with the local acknowledged comprehensive land-use plan, or that you are actively pursuing approval from the Umatilla County Planning Department. If you demonstrate that you are pursuing it, the Department can continue to process the application and issue a Proposed Final Order and a Final Order even when land-use approval has not been obtained. However, before a permit will be issued, the Department must receive documentation from the relevant planning jurisdiction that either 1) the proposed use is allowed outright or 2) that an approved land-use decision has been obtained, and that either no administrative appeals were received, or all such appeals have concluded.

In addition, it appears the legal description is missing for some of the lands involved. They are:

- All proposed lands in Section 2, 5N, 30E, W.M.
- All proposed lands in Section 10, 5N, 30E, W.M.
- NWNW, SWNW, Section 14, 5N, 30E, W.M.
- NESW, NWSW, SESW, Section 15, 5N, 30E, W.M.
- All proposed lands in Section 16, 5N, 30E, W.M.
- All proposed lands in Section 22, 5N, 30E, W.M.
- All proposed lands in Section 23, 5N, 30E, W.M.
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- NWNE, SWNE, SESW, SWSE, SESE, Section 6, 5N, 31E, W.M.
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- All proposed lands in Section 8, 5N, 31E, W.M.
- All proposed lands in Section 17, 5N, 31E, W.M.
- NESE, NWSE, Section 18, 5N, 31E, W.M.
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- All proposed lands in Section 13, 6N, 31E, W.M.
- All proposed lands in Section 14, 6N, 31E, W.M.
- NWNE, SWNE, NESW, Section 24, 6N, 31E, W.M.
- NENE, NWNE, NWSE, SWSE, Section 26, 6N, 31E, W.M.
- SESW, NWSE, SWSE, Section 27, 6N, 31E, W.M.
- SESE, Section 29, 6N, 31E, W.M.
- SENW, SWSW, SESW, Section 31, 6N, 31E, W.M.
- NESE, SESE, Section 32, 6N, 31E, W.M.
- NESE, Section 33, 6N, 31E, W.M.
- SWNW, Section 35, 6N, 31E, W.M.

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.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$150 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, November 14, 2008**. For your convenience you may use the enclosed "STOP PROCESSING" form.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the

opportunity to comment. After the comment period the Department will complete a public interest review and issue a Proposed Final Order.

Although Unlikely, 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 totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. 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. Ground water production shall be only from the basalt ground water reservoir.
3. The wells shall be cased and sealed in such a manner to develop a single basalt aquifer.
4. The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be

made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

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 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 503-986-0859 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: Jeana Eastman, 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 read 'Jeana Eastman', with a stylized flourish at the end.

Jeana Eastman
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

G-17068
WAB 7-
POU 7-
GW

APPLICATION FACT SHEET

Application File Number: G-17068

Applicant: RUPP RANCHES

County: Umatilla

Watermaster: 5

Priority Date: June 16, 2008

Source: WELL 1, WELL 2, WELL 3, WELL 4, WELL 5, WELL 6, WELL 7, WELL 8, WELL 9, WELL 10, WELL 11, WELL 12, WELL 13, WELL 14, WELL 15, WELL 16, WELL 17, WELL 18, AND WELL 19 IN COLUMBIA RIVER BASIN

Use: IRRIGATION USE ON 10766.57 ACRES

Quantity: 135.0 CUBIC FEET PER SECOND

Basin Name & Number: Umatilla, #7

Stream Index Reference: Volume 3A COLUMBIA R & MISC

Point of Diversion or Well Location(s):

WELL 1: SWNE, SECTION 15, T5N, R30E, W.M.;2455 FEET SOUTH AND 2660 FEET EAST FROM NW CORNER, SECTION 15

WELL 2: SWNE, SECTION 14, T5N, R30E, W.M.;2455 FEET SOUTH AND 2645 FEET EAST FROM NW CORNER, SECTION 14

WELL 3: SENW, SECTION 13, T5N, R30E, W.M.;2230 FEET SOUTH AND 2440 FEET EAST FROM NW CORNER, SECTION 13

WELL 4: SENW, SECTION 18, T5N, R31E, W.M.;2335 FEET SOUTH AND 2635 FEET EAST FROM NW CORNER, SECTION 18

WELL 5: SENW, SECTION 17, T5N, R31E, W.M.;2200 FEET SOUTH AND 2285 FEET EAST FROM NW CORNER, SECTION 17

WELL 6: SENW, SECTION 7, T5N, R31E, W.M.;2530 FEET SOUTH AND 2610 FEET EAST FROM NW CORNER, SECTION 7

WELL 7: NESW, SECTION 8, T5N, R31E, W.M.;2085 FEET NORTH AND 2320 FEET EAST FROM SW CORNER, SECTION 8

WELL 8: SENW, SECTION 12, T5N, R30E, W.M.;2520 FEET SOUTH AND 2460 FEET EAST FROM NW CORNER, SECTION 12

WELL 9: SWNE, SECTION 11, T5N, R30E, W.M.;2600 FEET SOUTH AND 2720 FEET EAST FROM NW CORNER, SECTION 11

WELL 10: SESW, SECTION 1, T5N, R30E, W.M.;695 FEET NORTH AND 2160 FEET EAST FROM SW CORNER, SECTION 1

WELL 11: SESE, SECTION 4, T5N, R31E, W.M.;165 FEET NORTH AND 1195 FEET WEST FROM SE CORNER, SECTION 4

WELL 12: NWNW, SECTION 10, T5N, R31E, W.M.;445 FEET SOUTH AND 960 FEET EAST FROM NW CORNER, SECTION 10

WELL 13: SESE, SECTION 3, T5N, R31E, W.M.;175 FEET NORTH AND 1150 FEET WEST FROM SE CORNER, SECTION 3

WELL 14: NENW, SECTION 23, T6N, R31E, W.M.;565 FEET SOUTH AND 2070 FEET EAST FROM NW CORNER, SECTION 23

WELL 15: NENE, SECTION 27, T6N, R31E, W.M.;110 FEET SOUTH AND 120 FEET WEST FROM NE CORNER, SECTION 27

WELL 16: NESW, SECTION 15, T6N, R31E, W.M.;2355 FEET NORTH AND 1800 FEET EAST FROM SW CORNER, SECTION 15

WELL 17: NWSE, SECTION 16, T6N, R31E, W.M.;2090 FEET NORTH AND 2565 FEET WEST FROM SE CORNER, SECTION 16

WELL 18: NENE, SECTION 29, T6N, R31E, W.M.;145 FEET SOUTH AND 310 FEET WEST FROM NE CORNER, SECTION 29

WELL 19: NENE, SECTION 28, T6N, R31E, W.M.;125 FEET SOUTH AND 1085 FEET WEST FROM NE CORNER, SECTION 28

Place of Use:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.47 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.1 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.1 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.41 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.12 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 39.7 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 39.26 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 39.74 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 39.76 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 38.76 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 38.06 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 39.63 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.24 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.12 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 39.97 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.07 ACRES

SECTION 1

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 1.26 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.02 ACRE
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.29 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.36 ACRES

SECTION 2

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.01 ACRE
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.21 ACRE
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.5 ACRE
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.03 ACRE
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.94 ACRE

SECTION 10

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 39.82 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 39.01 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 39.44 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 39.9 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.43 ACRE
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 39.63 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 39.8 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.11 ACRE
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.02 ACRE
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 39.66 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 39.04 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.98 ACRE
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 39.98 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 39.86 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.02 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.05 ACRES

SECTION 11

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 38.98 ACRES
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ 38.98 ACRES
 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 39.05 ACRES
 SE $\frac{1}{4}$ NE $\frac{1}{4}$ 39.03 ACRES
 NE $\frac{1}{4}$ NW $\frac{1}{4}$ 39.15 ACRES
 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 39.27 ACRES
 SW $\frac{1}{4}$ NW $\frac{1}{4}$ 39.24 ACRES
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ 39.12 ACRES
 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 39.39 ACRES
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 39.31 ACRES
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 39.28 ACRES
 SE $\frac{1}{4}$ SW $\frac{1}{4}$ 39.36 ACRES
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 39.1 ACRES
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 39.33 ACRES
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ 39.59 ACRES
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 39.32 ACRES

SECTION 12

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 39.07 ACRES
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ 38.78 ACRES
 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 38.7 ACRES
 SE $\frac{1}{4}$ NE $\frac{1}{4}$ 39.18 ACRES
 NE $\frac{1}{4}$ NW $\frac{1}{4}$ 39.01 ACRES
 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 39.11 ACRES
 SW $\frac{1}{4}$ NW $\frac{1}{4}$ 39.2 ACRES
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ 39.11 ACRES
 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 39.22 ACRES
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 39.42 ACRES
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 38.7 ACRES
 SE $\frac{1}{4}$ SW $\frac{1}{4}$ 38.32 ACRES

SECTION 13

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.01 ACRES
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.04 ACRES
 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.04 ACRES
 SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.01 ACRES
 NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.07 ACRES
 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 0.7 ACRE
 SW $\frac{1}{4}$ NW $\frac{1}{4}$ 0.87 ACRE
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.07 ACRES
 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.07 ACRES
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.1 ACRES
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.08 ACRES
 SE $\frac{1}{4}$ SW $\frac{1}{4}$ 39.84 ACRES
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.01 ACRES
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.04 ACRES
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ 39.56 ACRES
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 39.28 ACRES

SECTION 14

NE ¼ NE ¼ 39.16 ACRES
NW ¼ NE ¼ 40.09 ACRES
SW ¼ NE ¼ 40.12 ACRES
SE ¼ NE ¼ 39.22 ACRES
NE ¼ NW ¼ 40.0 ACRES
NW ¼ NW ¼ 39.88 ACRES
SW ¼ NW ¼ 40.16 ACRES
SE ¼ NW ¼ 40.14 ACRES
NE ¼ SW ¼ 1.23 ACRES
NW ¼ SW ¼ 0.24 ACRE
SE ¼ SW ¼ 0.86 ACRE
NE ¼ SE ¼ 40.14 ACRES
NW ¼ SE ¼ 40.24 ACRES
SW ¼ SE ¼ 40.21 ACRES
SE ¼ SE ¼ 40.16 ACRES
SECTION 15

NE ¼ NE ¼ 2.1 ACRES
SE ¼ NE ¼ 1.72 ACRES
NE ¼ SE ¼ 0.01 ACRE
SECTION 16

NE ¼ NE ¼ 0.04 ACRE
SECTION 22

NW ¼ NW ¼ 0.04 ACRE
SECTION 23

TOWNSHIP 5 NORTH, RANGE 30 EAST, W.M.

SW ¼ NW ¼ 0.75 ACRE
NW ¼ SW ¼ 31.35 ACRES
SW ¼ SW ¼ 27.85 ACRES
SECTION 2

NE ¼ NE ¼ 21.81 ACRES
NW ¼ NE ¼ 32.13 ACRES
SW ¼ NE ¼ 37.64 ACRES
SE ¼ NE ¼ 28.17 ACRES
NE ¼ NW ¼ 2.66 ACRES
NW ¼ NW ¼ 2.97 ACRES
SW ¼ NW ¼ 0.14 ACRE
SE ¼ NW ¼ 3.06 ACRES
NE ¼ SW ¼ 31.84 ACRES
NW ¼ SW ¼ 31.86 ACRES
SW ¼ SW ¼ 30.15 ACRES
SE ¼ SW ¼ 31.04 ACRES
NE ¼ SE ¼ 34.02 ACRES
NW ¼ SE ¼ 34.2 ACRES
SW ¼ SE ¼ 29.56 ACRES
SE ¼ SE ¼ 30.14 ACRES
SECTION 3

NW ¼ NE ¼ 0.28 ACRE
SW ¼ NE ¼ 27.65 ACRES
SE ¼ NE ¼ 0.11 ACRE
NE ¼ NW ¼ 1.26 ACRES
NW ¼ NW ¼ 1.78 ACRES
SW ¼ NW ¼ 1.12 ACRES
SE ¼ NW ¼ 34.11 ACRES
NE ¼ SW ¼ 33.51 ACRES
NW ¼ SW ¼ 1.11 ACRES
SE ¼ SW ¼ 0.11 ACRE
NE ¼ SE ¼ 30.99 ACRES
NW ¼ SE ¼ 25.65 ACRES
SE ¼ SE ¼ 31.05 ACRES

SECTION 4

NE ¼ NW ¼ 26.38 ACRES
NW ¼ NW ¼ 15.76 ACRES
SW ¼ NW ¼ 35.37 ACRES
SE ¼ NW ¼ 33.28 ACRES
NE ¼ SW ¼ 35.62 ACRES
NW ¼ SW ¼ 36.78 ACRES
SW ¼ SW ¼ 38.21 ACRES
SE ¼ SW ¼ 37.95 ACRES

SECTION 5

NW ¼ NE ¼ 0.47 ACRE
SW ¼ NE ¼ 2.05 ACRES
NE ¼ NW ¼ 26.83 ACRES
NW ¼ NW ¼ 39.04 ACRES
SW ¼ NW ¼ 38.1 ACRES
SE ¼ NW ¼ 37.86 ACRES
NW ¼ SW ¼ 0.37 ACRE
SW ¼ SW ¼ 1.04 ACRES
SE ¼ SW ¼ 1.69 ACRES
SW ¼ SE ¼ 0.02 ACRE
SE ¼ SE ¼ 1.22 ACRES

SECTION 6

NE ¼ NE ¼ 38.69 ACRES
NW ¼ NE ¼ 1.51 ACRES
SW ¼ NE ¼ 39.31 ACRES
SE ¼ NE ¼ 39.29 ACRES
NE ¼ NW ¼ 39.05 ACRES
NW ¼ NW ¼ 2.67 ACRES
SW ¼ NW ¼ 39.35 ACRES
SE ¼ NW ¼ 39.33 ACRES
NE ¼ SW ¼ 39.36 ACRES
NW ¼ SW ¼ 39.38 ACRES
SW ¼ SW ¼ 39.42 ACRES
SE ¼ SW ¼ 39.4 ACRES
NE ¼ SE ¼ 39.33 ACRES
NW ¼ SE ¼ 39.35 ACRES
SW ¼ SE ¼ 39.38 ACRES
SE ¼ SE ¼ 39.36 ACRES

SECTION 7

NE ¼ NW ¼ 1.03 ACRES
NW ¼ NW ¼ 39.86 ACRES
SW ¼ NW ¼ 39.93 ACRES
SE ¼ NW ¼ 39.14 ACRES
NE ¼ SW ¼ 39.78 ACRES
NW ¼ SW ¼ 40.01 ACRES
SW ¼ SW ¼ 40.09 ACRES
SE ¼ SW ¼ 39.65 ACRES

SECTION 8

NE ¼ NE ¼ 30.76 ACRES
NW ¼ NE ¼ 30.9 ACRES
SW ¼ NE ¼ 32.21 ACRES
SE ¼ NE ¼ 30.29 ACRES
NE ¼ NW ¼ 0.03 ACRE
SE ¼ NW ¼ 0.06 ACRE

SECTION 9

NE ¼ NW ¼ 39.9 ACRES
NW ¼ NW ¼ 40.47 ACRES
SW ¼ NW ¼ 40.37 ACRES
SE ¼ NW ¼ 39.77 ACRES
NE ¼ SW ¼ 0.66 ACRE
NW ¼ SW ¼ 0.21 ACRE

SECTION 17

NE ¼ NE ¼ 39.75 ACRES
NW ¼ NE ¼ 39.78 ACRES
SW ¼ NE ¼ 39.77 ACRES
SE ¼ NE ¼ 39.72 ACRES
NE ¼ NW ¼ 39.81 ACRES
NW ¼ NW ¼ 39.84 ACRES
SW ¼ NW ¼ 39.76 ACRES
SE ¼ NW ¼ 39.78 ACRES
NE ¼ SE ¼ 0.01 ACRE
NW ¼ SE ¼ 0.02 ACRE

SECTION 18

TOWNSHIP 5 NORTH, RANGE 31 EAST, W.M.

NE ¼ NE ¼ 9.43 ACRES
SE ¼ NE ¼ 37.84 ACRES
SW ¼ SW ¼ 2.12 ACRES
SE ¼ SW ¼ 1.98 ACRES
NE ¼ SE ¼ 38.65 ACRES
NW ¼ SE ¼ 2.24 ACRES
SW ¼ SE ¼ 39.66 ACRES
SE ¼ SE ¼ 39.41 ACRES

SECTION 25

NE ¼ NE ¼ 39.73 ACRES
NW ¼ NE ¼ 39.74 ACRES
SW ¼ NE ¼ 40.26 ACRES
SE ¼ NE ¼ 39.93 ACRES
NE ¼ NW ¼ 40.12 ACRES
NW ¼ NW ¼ 40.23 ACRES
SW ¼ NW ¼ 39.34 ACRES
SE ¼ NW ¼ 40.09 ACRES
NE ¼ SW ¼ 0.48 ACRE
NW ¼ SW ¼ 0.16 ACRE
SW ¼ SW ¼ 0.13 ACRE
SE ¼ SW ¼ 0.4 ACRE
NE ¼ SE ¼ 1.1 ACRES
NW ¼ SE ¼ 0.8 ACRE
SW ¼ SE ¼ 0.65 ACRE
SE ¼ SE ¼ 0.32 ACRE

SECTION 36

TOWNSHIP 6 NORTH, RANGE 30 EAST, W.M.

SE ¼ SW ¼ 0.18 ACRE
SW ¼ SE ¼ 0.02 ACRE

SECTION 13

SW ¼ SW ¼ 0.46 ACRE
SE ¼ SW ¼ 0.18 ACRE

SECTION 14

NE ¼ SW ¼ 32.25 ACRES
NW ¼ SW ¼ 45.1 ACRES
SW ¼ SW ¼ 33.66 ACRES
SE ¼ SW ¼ 6.45 ACRES
NE ¼ SE ¼ 5.33 ACRES
NW ¼ SE ¼ 12.21 ACRES
SW ¼ SE ¼ 30.56 ACRES
SE ¼ SE ¼ 24.64 ACRES

SECTION 15

SW ¼ NE ¼ 0.98 ACRE
SE ¼ NE ¼ 0.04 ACRE
SW ¼ NW ¼ 0.29 ACRE
SE ¼ NW ¼ 2.1 ACRES
NE ¼ SW ¼ 36.81 ACRES
NW ¼ SW ¼ 26.33 ACRES
SW ¼ SW ¼ 41.6 ACRES
SE ¼ SW ¼ 39.07 ACRES
NE ¼ SE ¼ 41.92 ACRES
NW ¼ SE ¼ 42.87 ACRES
SW ¼ SE ¼ 33.58 ACRES
SE ¼ SE ¼ 24.74 ACRES

SECTION 16

SW ¼ NE ¼ 0.04 ACRE
SE ¼ NE ¼ 0.07 ACRE
SW ¼ SW ¼ 0.11 ACRE
SE ¼ SW ¼ 8.41 ACRES
NE ¼ SE ¼ 34.51 ACRES
NW ¼ SE ¼ 23.39 ACRES
SW ¼ SE ¼ 37.35 ACRES
SE ¼ SE ¼ 17.17 ACRES

SECTION 17

NE ¼ NE ¼ 18.56 ACRES
SW ¼ NE ¼ 9.05 ACRES
SE ¼ NE ¼ 27.13 ACRES
NE ¼ SE ¼ 6.75 ACRES
NW ¼ SE ¼ 6.21 ACRES
SW ¼ SE ¼ 8.44 ACRES
SE ¼ SE ¼ 31.61 ACRES

SECTION 19

NE ¼ NE ¼ 18.32 ACRES
 NW ¼ NE ¼ 31.74 ACRES
 SW ¼ NE ¼ 15.26 ACRES
 SE ¼ NE ¼ 30.98 ACRES
 NE ¼ NW ¼ 36.63 ACRES
 NW ¼ NW ¼ 35.46 ACRES
 SW ¼ NW ¼ 31.14 ACRES
 SE ¼ NW ¼ 36.74 ACRES
 NE ¼ SW ¼ 34.51 ACRES
 NW ¼ SW ¼ 35.34 ACRES
 SW ¼ SW ¼ 32.99 ACRES
 SE ¼ SW ¼ 17.26 ACRES
 NE ¼ SE ¼ 27.66 ACRES
 NW ¼ SE ¼ 5.85 ACRES
 SW ¼ SE ¼ 0.24 ACRE
 SE ¼ SE ¼ 10.93 ACRES

SECTION 20

NE ¼ NE ¼ 34.72 ACRES
 NW ¼ NE ¼ 31.45 ACRES
 SW ¼ NE ¼ 22.96 ACRES
 SE ¼ NE ¼ 10.71 ACRES
 NE ¼ NW ¼ 35.74 ACRES
 NW ¼ NW ¼ 39.7 ACRES
 SW ¼ NW ¼ 36.22 ACRES
 SE ¼ NW ¼ 33.13 ACRES
 NE ¼ SW ¼ 20.02 ACRES
 NW ¼ SW ¼ 16.43 ACRES
 SW ¼ SW ¼ 27.62 ACRES
 SE ¼ SW ¼ 14.81 ACRES
 NE ¼ SE ¼ 10.81 ACRES
 NW ¼ SE ¼ 15.9 ACRES
 SW ¼ SE ¼ 5.57 ACRES
 SE ¼ SE ¼ 27.45 ACRES

SECTION 21

NE ¼ NE ¼ 16.68 ACRES
 NW ¼ NE ¼ 27.74 ACRES
 SW ¼ NE ¼ 12.74 ACRES
 SE ¼ NE ¼ 6.89 ACRES
 NE ¼ NW ¼ 22.31 ACRES
 NW ¼ NW ¼ 19.33 ACRES
 SW ¼ NW ¼ 17.82 ACRES
 SE ¼ NW ¼ 32.97 ACRES
 NE ¼ SW ¼ 20.17 ACRES
 NW ¼ SW ¼ 9.86 ACRES
 SW ¼ SW ¼ 13.42 ACRES
 SE ¼ SW ¼ 15.46 ACRES
 NE ¼ SE ¼ 31.16 ACRES
 NW ¼ SE ¼ 20.57 ACRES
 SW ¼ SE ¼ 33.65 ACRES
 SE ¼ SE ¼ 19.19 ACRES

SECTION 22

NE ¼ NE ¼ 32.71 ACRES
NW ¼ NE ¼ 18.64 ACRES
SW ¼ NE ¼ 34.92 ACRES
SE ¼ NE ¼ 24.5 ACRES
NE ¼ NW ¼ 22.03 ACRES
NW ¼ NW ¼ 22.97 ACRES
SW ¼ NW ¼ 26.13 ACRES
SE ¼ NW ¼ 7.6 ACRES
NE ¼ SW ¼ 2.52 ACRES
NW ¼ SW ¼ 24.17 ACRES
SW ¼ SW ¼ 18.82 ACRES
SE ¼ SW ¼ 4.49 ACRES
NE ¼ SE ¼ 35.64 ACRES
NW ¼ SE ¼ 37.91 ACRES
SW ¼ SE ¼ 37.28 ACRES
SE ¼ SE ¼ 37.69 ACRES

SECTION 23

NW ¼ NE ¼ 3.84 ACRES
SW ¼ NE ¼ 0.74 ACRE
NE ¼ NW ¼ 33.34 ACRES
NW ¼ NW ¼ 24.34 ACRES
SW ¼ NW ¼ 30.38 ACRES
SE ¼ NW ¼ 24.99 ACRES
NE ¼ SW ¼ 0.69 ACRE
NW ¼ SW ¼ 21.49 ACRES
SW ¼ SW ¼ 26.84 ACRES

SECTION 24

NE ¼ NE ¼ 0.04 ACRE
NW ¼ NE ¼ 0.07 ACRE
NE ¼ NW ¼ 33.11 ACRES
NW ¼ NW ¼ 14.76 ACRES
SW ¼ NW ¼ 31.56 ACRES
SE ¼ NW ¼ 29.29 ACRES
NE ¼ SW ¼ 29.99 ACRES
NW ¼ SW ¼ 37.83 ACRES
SW ¼ SW ¼ 11.48 ACRES
SE ¼ SW ¼ 34.57 ACRES
NW ¼ SE ¼ 0.01 ACRE
SW ¼ SE ¼ 0.4 ACRE

SECTION 26

NE ¼ NE ¼ 21.1 ACRES
NW ¼ NE ¼ 33.94 ACRES
SW ¼ NE ¼ 23.9 ACRES
SE ¼ NE ¼ 15.71 ACRES
NE ¼ NW ¼ 20.13 ACRES
NW ¼ NW ¼ 28.13 ACRES
SW ¼ NW ¼ 23.91 ACRES
SE ¼ NW ¼ 40.16 ACRES
NE ¼ SW ¼ 38.11 ACRES
NW ¼ SW ¼ 37.87 ACRES
SW ¼ SW ¼ 34.04 ACRES
SE ¼ SW ¼ 6.91 ACRES
NE ¼ SE ¼ 24.32 ACRES
NW ¼ SE ¼ 2.98 ACRES
SW ¼ SE ¼ 33.27 ACRES

SECTION 27

NE ¼ NE ¼ 12.73 ACRES
NW ¼ NE ¼ 26.95 ACRES
SW ¼ NE ¼ 38.83 ACRES
SE ¼ NE ¼ 11.62 ACRES
NE ¼ NW ¼ 18.29 ACRES
NW ¼ NW ¼ 13.32 ACRES
SW ¼ NW ¼ 27.52 ACRES
SE ¼ NW ¼ 14.67 ACRES
NE ¼ SW ¼ 15.66 ACRES
NW ¼ SW ¼ 36.2 ACRES
SW ¼ SW ¼ 36.3 ACRES
NE ¼ SE ¼ 7.7 ACRES
NW ¼ SE ¼ 22.05 ACRES
SE ¼ SE ¼ 24.91 ACRES

SECTION 28

NE ¼ NE ¼ 19.44 ACRES
NW ¼ NE ¼ 24.91 ACRES
SW ¼ NE ¼ 28.54 ACRES
SE ¼ NE ¼ 5.69 ACRES
NE ¼ NW ¼ 5.7 ACRES
NW ¼ NW ¼ 18.58 ACRES
SW ¼ NW ¼ 2.48 ACRES
SE ¼ NW ¼ 28.2 ACRES
NE ¼ SW ¼ 34.67 ACRES
NW ¼ SW ¼ 32.79 ACRES
SW ¼ SW ¼ 36.88 ACRES
SE ¼ SW ¼ 36.66 ACRES
NE ¼ SE ¼ 11.51 ACRES
NW ¼ SE ¼ 15.21 ACRES
SW ¼ SE ¼ 24.93 ACRES
SE ¼ SE ¼ 1.82 ACRES

SECTION 29

NE ¼ NE ¼ 35.42 ACRES
NW ¼ NE ¼ 34.16 ACRES
SW ¼ NE ¼ 27.65 ACRES
SE ¼ NE ¼ 18.53 ACRES
NE ¼ NW ¼ 6.02 ACRES
NW ¼ NW ¼ 0.33 ACRE
SW ¼ NW ¼ 0.81 ACRE
SE ¼ NW ¼ 3.67 ACRES
NW ¼ SW ¼ 0.33 ACRE
SW ¼ SW ¼ 14.94 ACRES
SE ¼ SW ¼ 28.4 ACRES
NE ¼ SE ¼ 12.08 ACRES
NW ¼ SE ¼ 5.18 ACRES
SW ¼ SE ¼ 25.01 ACRES
SE ¼ SE ¼ 30.0 ACRES
SECTION 30

NE ¼ NE ¼ 29.99 ACRES
NW ¼ NE ¼ 28.88 ACRES
SW ¼ NE ¼ 3.08 ACRES
SE ¼ NE ¼ 22.47 ACRES
NE ¼ NW ¼ 34.05 ACRES
NW ¼ NW ¼ 9.71 ACRES
SE ¼ NW ¼ 2.13 ACRES
SW ¼ SW ¼ 1.06 ACRES
SE ¼ SW ¼ 0.32 ACRE
SECTION 31

NE ¼ NW ¼ 28.55 ACRES
NW ¼ NW ¼ 36.61 ACRES
SW ¼ NW ¼ 22.04 ACRES
NE ¼ SE ¼ 1.11 ACRES
SE ¼ SE ¼ 2.02 ACRES
SECTION 32

NW ¼ NW ¼ 0.59 ACRE
NE ¼ SW ¼ 24.27 ACRES
NW ¼ SW ¼ 31.89 ACRES
SW ¼ SW ¼ 36.07 ACRES
SE ¼ SW ¼ 26.57 ACRES
NE ¼ SE ¼ 0.03 ACRE
SE ¼ SE ¼ 0.45 ACRE
SECTION 33

NE ¼ NE ¼ 3.82 ACRES
NE ¼ SW ¼ 27.13 ACRES
NW ¼ SW ¼ 26.9 ACRES
SW ¼ SW ¼ 35.58 ACRES
SE ¼ SW ¼ 31.13 ACRES
NE ¼ SE ¼ 27.2 ACRES
NW ¼ SE ¼ 29.62 ACRES
SW ¼ SE ¼ 36.04 ACRES
SE ¼ SE ¼ 27.9 ACRES
SECTION 34

NE ¼ NW ¼ 32.37 ACRES
NW ¼ NW ¼ 30.18 ACRES
SW ¼ NW ¼ 1.29 ACRES
SE ¼ NW ¼ 29.34 ACRES
SECTION 35

TOWNSHIP 6 NORTH, RANGE 31 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, November 14, 2008

PUBLIC NOTICE DATE: Tuesday, November 4, 2008

30 DAY COMMENT DEADLINE DATE: Thursday, December 4, 2008

Proposed Place of Use for Rupp Ranches Groundwater Application

<u>TWP, RNG</u>	<u>Section</u>	<u>Quarter/Quarter</u>	<u>Acres</u>
T5N, R30E	1	NE NE	40.47
T5N, R30E	1	NW NE	40.10
T5N, R30E	1	SW NE	40.10
T5N, R30E	1	SE NE	40.41
T5N, R30E	1	NE NW	40.12
T5N, R30E	1	NW NW	39.70
T5N, R30E	1	SW NW	39.26
T5N, R30E	1	SE NW	39.74
T5N, R30E	1	NE SW	39.76
T5N, R30E	1	NW SW	38.76
T5N, R30E	1	SW SW	38.06
T5N, R30E	1	SE SW	39.63
T5N, R30E	1	NE SE	40.24
T5N, R30E	1	NW SE	40.12
T5N, R30E	1	SW SE	39.97
T5N, R30E	1	SE SE	40.07
T5N, R30E	2	SW SW	1.26
T5N, R30E	2	SE SW	0.02
T5N, R30E	2	SW SE	1.29
T5N, R30E	2	SE SE	1.36
T5N, R30E	10	NE NE	0.01
T5N, R30E	10	SE NE	0.21
T5N, R30E	10	NE SE	0.50
T5N, R30E	10	SW SE	0.03
T5N, R30E	10	SE SE	0.94
T5N, R30E	11	NE NE	39.82
T5N, R30E	11	NW NE	39.01
T5N, R30E	11	SW NE	39.44
T5N, R30E	11	SE NE	39.90
T5N, R30E	11	NE NW	0.43
T5N, R30E	11	NW NW	39.63
T5N, R30E	11	SW NW	39.80
T5N, R30E	11	SE NW	0.11
T5N, R30E	11	NE SW	0.02
T5N, R30E	11	NW SW	39.66
T5N, R30E	11	SW SW	39.04
T5N, R30E	11	SE SW	0.98
T5N, R30E	11	NE SE	39.98
T5N, R30E	11	NW SE	39.86
T5N, R30E	11	SW SE	40.02
T5N, R30E	11	SE SE	40.05

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Proposed Place of Use for Rupp Ranches Groundwater Application

T5N, R30E	12	NE NE	38.98
T5N, R30E	12	NW NE	38.98
T5N, R30E	12	SW NE	39.05
T5N, R30E	12	SE NE	39.03
T5N, R30E	12	NE NW	39.15
T5N, R30E	12	NW NW	39.27
T5N, R30E	12	SW NW	39.24
T5N, R30E	12	SE NW	39.12
T5N, R30E	12	NE SW	39.39
T5N, R30E	12	NW SW	39.31
T5N, R30E	12	SW SW	39.28
T5N, R30E	12	SE SW	39.36
T5N, R30E	12	NE SE	39.10
T5N, R30E	12	NW SE	39.33
T5N, R30E	12	SW SE	39.59
T5N, R30E	12	SE SE	39.32
T5N, R30E	13	NE NE	39.07
T5N, R30E	13	NW NE	38.78
T5N, R30E	13	SW NE	38.70
T5N, R30E	13	SE NE	39.18
T5N, R30E	13	NE NW	39.01
T5N, R30E	13	NW NW	39.11
T5N, R30E	13	SW NW	39.20
T5N, R30E	13	SE NW	39.11
T5N, R30E	13	NE SW	39.22
T5N, R30E	13	NW SW	39.42
T5N, R30E	13	SW SW	38.70
T5N, R30E	13	SE SW	38.32
T5N, R30E	14	NE NE	40.01
T5N, R30E	14	NW NE	40.04
T5N, R30E	14	SW NE	40.04
T5N, R30E	14	SE NE	40.01
T5N, R30E	14	NE NW	40.07
T5N, R30E	14	NW NW	0.70
T5N, R30E	14	SW NW	0.87
T5N, R30E	14	SE NW	40.07
T5N, R30E	14	NE SW	40.07
T5N, R30E	14	NW SW	40.10
T5N, R30E	14	SW SW	40.08
T5N, R30E	14	SE SW	39.84
T5N, R30E	14	NE SE	40.01
T5N, R30E	14	NW SE	40.04
T5N, R30E	14	SW SE	39.56
T5N, R30E	14	SE SE	39.28

Proposed Place of Use for Rupp Ranches Groundwater Application

T5N, R30E	15	NE NE	39.16
T5N, R30E	15	NW NE	40.09
T5N, R30E	15	SW NE	40.12
T5N, R30E	15	SE NE	39.22
T5N, R30E	15	NE NW	40.00
T5N, R30E	15	NW NW	39.88
T5N, R30E	15	SW NW	40.16
T5N, R30E	15	SE NW	40.14
T5N, R30E	15	NE SW	1.23
T5N, R30E	15	NW SW	0.24
T5N, R30E	15	SE SW	0.86
T5N, R30E	15	NE SE	40.14
T5N, R30E	15	NW SE	40.24
T5N, R30E	15	SW SE	40.21
T5N, R30E	15	SE SE	40.16
T5N, R30E	16	NE NE	2.10
T5N, R30E	16	SE NE	1.72
T5N, R30E	16	NE SE	0.01
T5N, R30E	22	NE NE	0.04
T5N, R30E	23	NW NW	0.04
T5N, R31E	2	SW NW	0.75
T5N, R31E	2	NW SW	31.35
T5N, R31E	2	SW SW	27.85
T5N, R31E	3	NE NE	21.81
T5N, R31E	3	NW NE	32.13
T5N, R31E	3	SW NE	37.64
T5N, R31E	3	SE NE	28.17
T5N, R31E	3	NE NW	2.66
T5N, R31E	3	NW NW	2.97
T5N, R31E	3	SW NW	0.14
T5N, R31E	3	SE NW	3.06
T5N, R31E	3	NE SW	31.84
T5N, R31E	3	NW SW	31.86
T5N, R31E	3	SW SW	30.15
T5N, R31E	3	SE SW	31.04
T5N, R31E	3	NE SE	34.02
T5N, R31E	3	NW SE	34.20
T5N, R31E	3	SW SE	29.56
T5N, R31E	3	SE SE	30.14

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Proposed Place of Use for Rupp Ranches Groundwater Application

T5N, R31E	4	NW NE	0.28
T5N, R31E	4	SW NE	27.65
T5N, R31E	4	SE NE	0.11
T5N, R31E	4	NE NW	1.26
T5N, R31E	4	NW NW	1.78
T5N, R31E	4	SW NW	1.12
T5N, R31E	4	SE NW	34.11
T5N, R31E	4	NE SW	33.51
T5N, R31E	4	NW SW	1.11
T5N, R31E	4	SE SW	0.11
T5N, R31E	4	NE SE	30.99
T5N, R31E	4	NW SE	25.65
T5N, R31E	4	SE SE	31.05
T5N, R31E	5	NE NW	26.38
T5N, R31E	5	NW NW	15.76
T5N, R31E	5	SW NW	35.37
T5N, R31E	5	SE NW	33.28
T5N, R31E	5	NE SW	35.62
T5N, R31E	5	NW SW	36.78
T5N, R31E	5	SW SW	38.21
T5N, R31E	5	SE SW	37.95
T5N, R31E	5	SW SE	0.00

T5N, R31E	6	NW NE	0.47
T5N, R31E	6	SW NE	2.05
T5N, R31E	6	NE NW	26.83
T5N, R31E	6	NW NW	39.04
T5N, R31E	6	SW NW	38.10
T5N, R31E	6	SE NW	37.86
T5N, R31E	6	NW SW	0.37
T5N, R31E	6	SW SW	1.04
T5N, R31E	6	SE SW	1.69
T5N, R31E	6	SW SE	0.02
T5N, R31E	6	SE SE	1.22
T5N, R31E	7	NE NE	38.69
T5N, R31E	7	NW NE	1.51
T5N, R31E	7	SW NE	39.31
T5N, R31E	7	SE NE	39.29
T5N, R31E	7	NE NW	39.05
T5N, R31E	7	NW NW	2.67
T5N, R31E	7	SW NW	39.35
T5N, R31E	7	SE NW	39.33
T5N, R31E	7	NE SW	39.36
T5N, R31E	7	NW SW	39.38
T5N, R31E	7	SW SW	39.42
T5N, R31E	7	SE SW	39.40

Proposed Place of Use for Rupp Ranches Groundwater Application

T5N, R31E	7	NE SE	39.33
T5N, R31E	7	NW SE	39.35
T5N, R31E	7	SW SE	39.38
T5N, R31E	7	SE SE	39.36
T5N, R31E	8	NE NW	1.03
T5N, R31E	8	NW NW	39.86
T5N, R31E	8	SW NW	39.93
T5N, R31E	8	SE NW	39.14
T5N, R31E	8	NE SW	39.78
T5N, R31E	8	NW SW	40.01
T5N, R31E	8	SW SW	40.09
T5N, R31E	8	SE SW	39.65
T5N, R31E	9	NE NE	30.76
T5N, R31E	9	NW NE	30.90
T5N, R31E	9	SW NE	32.21
T5N, R31E	9	SE NE	30.29
T5N, R31E	9	NE NW	0.03
T5N, R31E	9	SE NW	0.06
T5N, R31E	17	NE NW	39.90
T5N, R31E	17	NW NW	40.47
T5N, R31E	17	SW NW	40.37
T5N, R31E	17	SE NW	39.77
T5N, R31E	17	NE SW	0.66
T5N, R31E	17	NW SW	0.21

T5N, R31E	18	NE NE	39.75
T5N, R31E	18	NW NE	39.78
T5N, R31E	18	SW NE	39.77
T5N, R31E	18	SE NE	39.72
T5N, R31E	18	NE NW	39.81
T5N, R31E	18	NW NW	39.84
T5N, R31E	18	SW NW	39.76
T5N, R31E	18	SE NW	39.78
T5N, R31E	18	NE SE	0.01
T5N, R31E	18	NW SE	0.02

T6N, R30E	25	NE NE	9.43
T6N, R30E	25	SE NE	37.84
T6N, R30E	25	SW SW	2.12
T6N, R30E	25	SE SW	1.98
T6N, R30E	25	NE SE	38.65
T6N, R30E	25	NW SE	2.24
T6N, R30E	25	SW SE	39.66
T6N, R30E	25	SE SE	39.41

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Proposed Place of Use for Rupp Ranches Groundwater Application

T6N, R30E	36	NE NE	39.73
T6N, R30E	36	NW NE	39.74
T6N, R30E	36	SW NE	40.26
T6N, R30E	36	SE NE	39.93
T6N, R30E	36	NE NW	40.12
T6N, R30E	36	NW NW	40.23
T6N, R30E	36	SW NW	39.34
T6N, R30E	36	SE NW	40.09
T6N, R30E	36	NE SW	0.48
T6N, R30E	36	NW SW	0.16
T6N, R30E	36	SW SW	0.13
T6N, R30E	36	SE SW	0.40
T6N, R30E	36	NE SE	1.10
T6N, R30E	36	NW SE	0.80
T6N, R30E	36	SW SE	0.65
T6N, R30E	36	SE SE	0.32

T6N, R31E	13	SE SW	0.18
T6N, R31E	13	SW SE	0.02
T6N, R31E	14	SW SW	0.46
T6N, R31E	14	SE SW	0.18

T6N, R31E	15	NE SW	32.25
T6N, R31E	15	NW SW	45.10
T6N, R31E	15	SW SW	33.66
T6N, R31E	15	SE SW	6.45
T6N, R31E	15	NE SE	5.33
T6N, R31E	15	NW SE	12.21
T6N, R31E	15	SW SE	30.56
T6N, R31E	15	SE SE	24.64
T6N, R31E	16	SW NE	0.98
T6N, R31E	16	SE NE	0.04
T6N, R31E	16	SW NW	0.29
T6N, R31E	16	SE NW	2.10
T6N, R31E	16	NE SW	36.81
T6N, R31E	16	NW SW	26.33
T6N, R31E	16	SW SW	41.60
T6N, R31E	16	SE SW	39.07
T6N, R31E	16	NE SE	41.92
T6N, R31E	16	NW SE	42.87
T6N, R31E	16	SW SE	33.58
T6N, R31E	16	SE SE	24.74

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T6N, R31E	17	SW NE	0.04
T6N, R31E	17	SE NE	0.07
T6N, R31E	17	SW SW	0.11
T6N, R31E	17	SE SW	8.41
T6N, R31E	17	NE SE	34.51
T6N, R31E	17	NW SE	23.39
T6N, R31E	17	SW SE	37.35
T6N, R31E	17	SE SE	17.17

T6N, R31E	19	NE NE	18.56
T6N, R31E	19	SW NE	9.05
T6N, R31E	19	SE NE	27.13
T6N, R31E	19	NE SE	6.75
T6N, R31E	19	NW SE	6.21
T6N, R31E	19	SW SE	8.44
T6N, R31E	19	SE SE	31.61

T6N, R31E	20	NE NE	18.32
T6N, R31E	20	NW NE	31.74
T6N, R31E	20	SW NE	15.26
T6N, R31E	20	SE NE	30.98
T6N, R31E	20	NE NW	36.63
T6N, R31E	20	NW NW	35.46
T6N, R31E	20	SW NW	31.14
T6N, R31E	20	SE NW	36.74
T6N, R31E	20	NE SW	34.51
T6N, R31E	20	NW SW	35.34
T6N, R31E	20	SW SW	32.99
T6N, R31E	20	SE SW	17.26
T6N, R31E	20	NE SE	27.66
T6N, R31E	20	NW SE	5.85
T6N, R31E	20	SW SE	0.24
T6N, R31E	20	SE SE	10.93

T6N, R31E	21	NE NE	34.72
T6N, R31E	21	NW NE	31.45
T6N, R31E	21	SW NE	22.96
T6N, R31E	21	SE NE	10.71
T6N, R31E	21	NE NW	35.74
T6N, R31E	21	NW NW	39.70
T6N, R31E	21	SW NW	36.22
T6N, R31E	21	SE NW	33.13
T6N, R31E	21	NE SW	20.02
T6N, R31E	21	NW SW	16.43
T6N, R31E	21	SW SW	27.62
T6N, R31E	21	SE SW	14.81
T6N, R31E	21	NE SE	10.81
T6N, R31E	21	NW SE	15.90

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T6N, R31E	21	SW SE	5.57
T6N, R31E	21	SE SE	27.45
T6N, R31E	22	NE NE	16.68
T6N, R31E	22	NW NE	27.74
T6N, R31E	22	SW NE	12.74
T6N, R31E	22	SE NE	6.89
T6N, R31E	22	NE NW	22.31
T6N, R31E	22	NW NW	19.33
T6N, R31E	22	SW NW	17.82
T6N, R31E	22	SE NW	32.97
T6N, R31E	22	NE SW	20.17
T6N, R31E	22	NW SW	9.86
T6N, R31E	22	SW SW	13.42
T6N, R31E	22	SE SW	15.46
T6N, R31E	22	NE SE	31.16
T6N, R31E	22	NW SE	20.57
T6N, R31E	22	SW SE	33.65
T6N, R31E	22	SE SE	19.19

T6N, R31E	23	NE NE	32.71
T6N, R31E	23	NW NE	18.64
T6N, R31E	23	SW NE	34.92
T6N, R31E	23	SE NE	24.50
T6N, R31E	23	NE NW	22.03
T6N, R31E	23	NW NW	22.97
T6N, R31E	23	SW NW	26.13
T6N, R31E	23	SE NW	7.60
T6N, R31E	23	NE SW	2.52
T6N, R31E	23	NW SW	24.17
T6N, R31E	23	SW SW	18.82
T6N, R31E	23	SE SW	4.49
T6N, R31E	23	NE SE	35.64
T6N, R31E	23	NW SE	37.91
T6N, R31E	23	SW SE	37.28
T6N, R31E	23	SE SE	37.69

T6N, R31E	24	NW NE	3.84
T6N, R31E	24	SW NE	0.74
T6N, R31E	24	NE NW	33.34
T6N, R31E	24	NW NW	24.34
T6N, R31E	24	SW NW	30.38
T6N, R31E	24	SE NW	24.99
T6N, R31E	24	NE SW	0.69
T6N, R31E	24	NW SW	21.49
T6N, R31E	24	SW SW	26.84

Proposed Place of Use for Rupp Ranches Groundwater Application

T6N, R31E	26	NE NE	0.04
T6N, R31E	26	NW NE	0.07
T6N, R31E	26	NE NW	33.11
T6N, R31E	26	NW NW	14.76
T6N, R31E	26	SW NW	31.56
T6N, R31E	26	SE NW	29.29
T6N, R31E	26	NE SW	29.99
T6N, R31E	26	NW SW	37.83
T6N, R31E	26	SW SW	11.48
T6N, R31E	26	SE SW	34.57
T6N, R31E	26	NW SE	0.01
T6N, R31E	26	SW SE	0.40
T6N, R31E	27	NE NE	21.10
T6N, R31E	27	NW NE	33.94
T6N, R31E	27	SW NE	23.90
T6N, R31E	27	SE NE	15.71
T6N, R31E	27	NE NW	20.13
T6N, R31E	27	NW NW	28.13
T6N, R31E	27	SW NW	23.91
T6N, R31E	27	SE NW	40.16
T6N, R31E	27	NE SW	38.11
T6N, R31E	27	NW SW	37.87
T6N, R31E	27	SW SW	34.04
T6N, R31E	27	SE SW	6.91
T6N, R31E	27	NE SE	24.32
T6N, R31E	27	NW SE	2.98
T6N, R31E	27	SE SE	33.27

T6N, R31E	28	NE NE	12.73
T6N, R31E	28	NW NE	26.95
T6N, R31E	28	SW NE	38.83
T6N, R31E	28	SE NE	11.62
T6N, R31E	28	NE NW	18.29
T6N, R31E	28	NW NW	13.32
T6N, R31E	28	SW NW	27.52
T6N, R31E	28	SE NW	14.67
T6N, R31E	28	NE SW	15.66
T6N, R31E	28	NW SW	36.20
T6N, R31E	28	SW SW	36.30
T6N, R31E	28	NE SE	7.70
T6N, R31E	28	NW SE	22.05
T6N, R31E	28	SE SE	24.91
T6N, R31E	29	NE NE	19.44
T6N, R31E	29	NW NE	24.91
T6N, R31E	29	SW NE	28.54
T6N, R31E	29	SE NE	5.69
T6N, R31E	29	NE NW	5.70

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Proposed Place of Use for Rupp Ranches Groundwater Application

T6N, R31E	29	NW NW	18.58
T6N, R31E	29	SW NW	2.48
T6N, R31E	29	SE NW	28.20
T6N, R31E	29	NE SW	34.67
T6N, R31E	29	NW SW	32.79
T6N, R31E	29	SW SW	36.88
T6N, R31E	29	SE SW	36.66
T6N, R31E	29	NE SE	11.51
T6N, R31E	29	NW SE	15.21
T6N, R31E	29	SW SE	24.93
T6N, R31E	29	SE SE	1.82

T6N, R31E	30	NE NE	35.42
T6N, R31E	30	NW NE	34.16
T6N, R31E	30	SW NE	27.65
T6N, R31E	30	SE NE	18.53
T6N, R31E	30	NE NW	6.02
T6N, R31E	30	NW NW	0.33
T6N, R31E	30	SW NW	0.81
T6N, R31E	30	SE NW	3.67
T6N, R31E	30	NW SW	0.33
T6N, R31E	30	SW SW	14.94
T6N, R31E	30	SE SW	28.40
T6N, R31E	30	NE SE	12.08
T6N, R31E	30	NW SE	5.18
T6N, R31E	30	SW SE	25.01
T6N, R31E	30	SE SE	30.00

T6N, R31E	31	NE NE	29.99
T6N, R31E	31	NW NE	28.88
T6N, R31E	31	SW NE	3.08
T6N, R31E	31	SE NE	22.47
T6N, R31E	31	NE NW	34.05
T6N, R31E	31	NW NW	9.71
T6N, R31E	31	SE NW	2.13
T6N, R31E	31	SW SW	1.06
T6N, R31E	31	SE SW	0.32

T6N, R31E	32	NE NW	28.55
T6N, R31E	32	NW NW	36.61
T6N, R31E	32	SW NW	22.04
T6N, R31E	32	NE SE	1.11
T6N, R31E	32	SE SE	2.02

Proposed Place of Use for Rupp Ranches Groundwater Application

T6N, R31E	33	NW NW	0.59
T6N, R31E	33	NE SW	24.27
T6N, R31E	33	NW SW	31.89
T6N, R31E	33	SW SW	36.07
T6N, R31E	33	SE SW	26.57
T6N, R31E	33	NE SE	0.03
T6N, R31E	33	SE SE	0.45
T6N, R31E	34	NE NE	3.82
T6N, R31E	34	NE SW	27.13
T6N, R31E	34	NW SW	26.90
T6N, R31E	34	SW SW	35.58
T6N, R31E	34	SE SW	31.13
T6N, R31E	34	NE SE	27.20
T6N, R31E	34	NW SE	29.62
T6N, R31E	34	SW SE	36.04
T6N, R31E	34	SE SE	27.90

T6N, R31E	35	NE NW	32.37
T6N, R31E	35	NW NW	30.18
T6N, R31E	35	SW NW	1.29
T6N, R31E	35	SE NW	29.34
		TOTAL ACRES	10766.55

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WATER RESOURCES DEPT
SALEM, OREGON

3-17068

Mailing List for IR Copies

Application #G-17068

IR Date: October 31, 2008

Original mailed to applicant:

RUPP RANCHES, 176 KRANICHWOOD ST, RICHLAND, WA 99352

Copies sent to:

• WRD - File # G-17068

WRD - Water Availability: Ken Stahr

Copies Mailed

By: TCB
(SUPPORT STAFF)

on: 10/2/08
(DATE)

IR, Map, and Fact Sheet Copies sent to:

• WRD - Regional Manager (not SCR): NC

• WRD - Watermaster # 5

map only to wmr

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

• GSI Water Solutions, Molly Reid, 1020 N Center Parkway, Ste F, Kennewick WA 99336

• Umatilla County Courthouse, JR Cook, 216 SE 4th St, Pendleton OR 97801

Caseworker: Jeana Eastman

\\COPYSH.T.\\IR

J-17068

Jeana Eastman

From: JR Cook [jrcook@umatillacounty.net]
Sent: Wednesday, August 13, 2008 5:27 PM
To: Jeana Eastman
Subject: Re: Rupp Ranches

Thanks a bunch for the quick response Jeana. The initial review letter would be very helpful if the Board of Commissioners wishes to make formal comments.

My address is at the Umatilla County Courthouse:

216 S.E. 4th Street
Pendleton, OR 97801

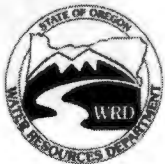
Thanks again and have a good evening
J.R.

Jeana Eastman wrote:

> JR -
>
> I have yet to receive this file from our Ground Water Section as it is awaiting their review. Once I receive it, I will be able to estimate when it will be on the Department's public notice.
>
> I can either make note of your request and contact you when I know the date of public notice, or you could give me your address and I can send you a copy of the Initial Review when it's issued. (The Initial Review is a letter with the Department's preliminary determinations which is issued four days before the public notice/comment period.) Either option will inform you of the public notice date, and allow the county to submit comments if they have concerns about the proposal.
>
> Please let me know what works best for you.
>
> Thanks,
>
>
> Jeana Eastman
> Water Rights Caseworker
> voice 503.986.0859
>
>
> Oregon Water Resources Dept
> 725 Summer St NE, Suite A
> Salem, OR 97301-1266
> front desk 503.986.0900
> fax 503.986.0901
> <http://oregon.gov/OWRD>
>
> Messages to and from this e-mail address may be available to the public under Oregon law.
> -----
> -----
> -----Original Message-----
> From: JR Cook [mailto:jrcook@umatillacounty.net]
> Sent: Wednesday, August 13, 2008 4:47 PM
> To: Jeana Eastman
> Subject: Rupp Ranches

>
> Jeana-
>
> Could you please give me an estimated notice date for the Rupp Ranches
> (G 17068) water right application.
>
> Thank you
> J.R. Cook
>
>

--
JR Cook
Assistant Planning Director,
Water and Land Use
(541)278-6251



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.

1. APPLICANT INFORMATION

A. Individuals

Applicant: Randy Rupp - President
First Last

Mailing address: 176 Kranichwood Street
Richland WA 99352
City State Zip

Phone: (509) 628-1620 (509) 737-0547
Home Work Other

*Fax: (509) 737-0978 *E-Mail address: _____

B. Organizations

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

Name of organization: Rupp Ranches

Name and title of person applying: Randy Rupp - President

Mailing address of organization: 176 Kranichwood Street
Richland, WA 99352
City State Zip

Phone: same as above
Day Evening

*Fax: _____ *E-Mail address: _____

* Optional information

For Department Use

App. No. G-170608 Permit No. _____ Date _____

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Last updated: 2/13/2008

JUN 16 2008 Ground Water/1

WATER RESOURCES DEPT
SALEM, OREGON

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WR

2. PROPERTY OWNERSHIP

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

☒ Yes (Please check appropriate box below then skip to section 3 ("Ground water Development"))

☐ There are no encumbrances

☒ This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))

☐ 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.

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): 19

Name of nearest surface water body: Columbia River

Distance from well(s) to nearest stream or lake: 1) Approximately 1.5 miles

2) _____ 3) _____ 4) _____

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) _____

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 section 4 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: Steven Schneider

Address: St. Paul, Oregon

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**WATER RESOURCES DEPT
SALEM, OREGON**

Ground Water/2

G-17068

Completion date: within approximately 5 years of issuance of permit

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
1-19	16	16" steel	To be determined	n/a	400' minimum	To be determined	To be determined	to be determined	2000'

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:

n/a

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: _____
- 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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Ground Water/3

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**WATER RESOURCES DEPT
SALEM, OREGON**

G-17068

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)
1-19	basalt	irrigation	3100 gpm per well	10.5 billion gallons approximately	not drilled yet

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 135 cfs
(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: March 1-October 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: 10,767 acres
(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): To be determined
- ☐ 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 to be determined Length to be determined
- ☐ Other (describe) _____

Ground Water/4

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SALEM, OREGON

G-17068

C. Application/Distribution Method

What equipment will you use to apply water to your place of use? Pipe from wells to center pivots
and hand and wheel lines.

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.

Low pressure sprinklers, drip irrigation, use at night, all dependent on the type of crop

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: as soon as permit is issued

Proposed date construction will be completed: 10/1/2014

Proposed date beneficial water use will begin: March 2010

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.

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Ground Water/5

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WATER RESOURCES DEPT
SALEM, OREGON

3-17068

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:

6-12-08

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

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 or call (503) 986-0900.

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WATER RESOURCES DEPT
SALEM, OREGON

G-17068



Oregon Water Resources Department

FORM I FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

☒ **Primary** ☐ **Supplemental**

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: 10766 Acres

Secondary: 0 Acres

List the permit or certificate number of the primary water right:

No. n/a

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

1. potatoes, wheat, grapes ☒ Full season ☐ Partial season (from: 3/1 to 10/31)

2. alfalfa, corn ☒ Full season ☐ Partial season (from: 3/1 to 10/31)

3. _____ ☐ Full season ☐ Partial season (from: _____ to _____)

4. _____ ☐ Full season ☐ Partial season (from: _____ to _____)

3. Indicate the maximum total number of acre-feet you expect to use in an irrigation season:

32,298 acre-feet

(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

☐ Daily during daytime hours

☐ Daily during nighttime hours

☐ Two or three times weekly during daytime

☒ Two or three times weekly during nighttime

☐ Weekly, during daytime hours

☐ Weekly, during nighttime hours

☐ Other, explain: _____

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Last revision: October 31, 1996

JUN 16 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

G-17068

Mailing Address: 176 Kranichwood Street
City: Richland State: WA Zip: 99352 Day Phone: (509) 628-1620

This application is related to a Measure 37 claim. ☐ Yes ☒ No

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. 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.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
6N	31E			200, 400	EFU	☒ Diverted ☒ Conveyed ☒ Used	Irrigation
6N	30E			205, 100	EFU	☒ Diverted ☒ Conveyed ☒ Used	Irrigation
5N	31E			900, 790, 400, 500	EFU	☒ Diverted ☒ Conveyed ☒ Used	Irrigation
5N	30E			100	EFU	☒ Diverted ☒ Conveyed ☒ Used	Irrigation

List all counties and cities where water is proposed to be diverted, conveyed, or used. Umatilla County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water ☐ Water-Right Transfer ☐ Exchange of Water
☐ Allocation of Conserved Water ☐ Limited Water Use License
☐ Permit Amendment or Ground Water Registration Modification

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: 135 approximately ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-municipal ☐ Instream ☐ Other _____

Briefly describe: Irrigation of multiple crops: potatoes, wheat, grapes, alfalfa, corn. Conservation methods will be used.

Note to applicant: *If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.*

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

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**WATER RESOURCES DEPT
SALEM, OREGON**

G-17068

regulated by your comprehensive plan. Cite applicable ordinance section(s): _____.

- ☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)

If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Umatilla County to provide written comments via
Receipt below.

Name: _____ Title: _____
Signature: _____ Phone: _____ Date: _____
Government Entity: _____

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: J.R. Cook

City or County: Umatilla County Staff contact: J.R. Cook

Signature: [Signature] Phone: 541.278.6251 Date: 6-10-08

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Last updated 12/22/06 WR

JUN 16 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

G-17068

2007 5210109

Send tax statements &
after recording return to:
GRANTEE'S NAME AND ADDRESS:

RANDY F. RUPP
176 KRANICHWOOD STREET
RICHLAND, WA 99352

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JUN 15 2007

UMATILLA COUNTY
RECORDS



2007-5210109

1 of 6

WARRANTY DEED -- STATUTORY FORM

(INDIVIDUAL or CORPORATION)

CORLEY AND LELAND PARTNERS, a limited partnership Grantor,

conveys and warrants to:

Rupp Ranches, an Oregon general partnership, consisting of Randy and Luz Rupp,
together as one partner, Tyler Rupp, a partner, Angela Rupp, a partner, RLT
Ranches, LLC, an Oregon limited liability company, partner and RLA Ranches,
LLC, an Oregon limited liability company, partner, Grantee,

the following described real property free of encumbrances except as
specifically set forth herein:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

Encumbrances: none--see attached Exhibit 'B' for permitted exceptions
The true consideration for this conveyance is \$1,273,333.33. However, if the
actual consideration consists of or includes other property or other value
given or promised, such other property or value is the whole/ ~~part~~ of the
consideration.

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

If grantor is a corporation, this has been signed by authority of the Board of
Directors.

Dated this 12 day of JUNE, 2007.

GRANTOR(S):

Joan P. Corley, General Partner
CORLEY AND LELAND PARTNERS

BY JOAN P. CORLEY, GENERAL PARTNER

*trustee of the 1992

STATE OF CALIF. County of Santa Clara) ss.

separate property trust

This instrument was acknowledged before me on JUNE 12, 2007,
by CORLEY AND LELAND PARTNERS BY JOAN P. CORLEY, GENERAL PARTNER

as trustee of the 1992 separate property trust

Notary Public for California

My commission expires: April 25, 2010

GRANTOR'S NAME AND ADDRESS:
CORLEY AND LELAND PARTNERS

12694 La Costa Dr
Los Altos Hills, CA 94022



YI AN
COMM. # 1660603
NOTARY PUBLIC - CALIFORNIA
SANTA CLARA COUNTY
My Commission Expires
April 25, 2010

State of Oregon)

County of Umatilla)

This instrument was received
and recorded on

06-15-07 at 12:30

In the record of instrument
code type DE-WD

Instrument Number 2007-5210109
Fee 51.00

Office of County Records

Joan P. Corley
Records Officer

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JUN 16 2008

WATER RESOURCES DEPT
SALEM, OREGON

PIONEER TITLE CO. 81054-11
126 SE Court, Pend. OR, 97801

617068

19



2007-5210109 2 of 6

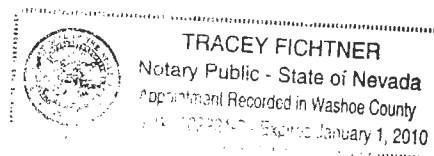
Signature page and Notary Acknowledgment for the Warranty Deed – Statutory Form
dated June 13th, 2007 between Corley and Leland Partners, as Grantor and Rupp
Ranches, etal, as Grantee.

John D. Leland, III General Partner
John D. Leland, III, General Partner

State of Nevada
County of Washoe

This instrument was acknowledged before me on June 13, 2007, by John D.
Leland, III as General Partner of Corley and Leland Partners, a Limited Partnership.

Tracey Fichtner
Notary Public for Washoe County My Commission Expires: January 1, 2010



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WATER RESOURCES DEPT
SALEM, OREGON

G-17068

Exhibit A


2007-5210109 3 of 6

Description

Township 5 North, Range 31, E.W.M.

- Section 2: Lot 4.
Southwest Quarter of the Northwest Quarter.
West Half of the Southwest Quarter.
- Section 3: Lots 1, 2 and 3.
South Half of the Northeast Quarter.
South Half.
- Section 4: East Half of the Southeast Quarter.
Southwest Quarter of the Northeast Quarter.
Southeast Quarter of the Northwest Quarter.
Northeast Quarter of the Southwest Quarter.
West Half of the Southeast Quarter.
- Section 9: East Half of the Northeast Quarter.
West Half of the Northeast Quarter.
Southeast Quarter of the Northwest Quarter.
- Section 10: North Half of the Northwest Quarter.
Southwest Quarter of the Northwest Quarter.
- Section 10: All that portion of the Northwest Quarter of the Southwest Quarter
lying Northerly of the County Road.

Township 6 North, Range 31, E.W.M.

- Section 15: Lots 1, 2, 3 and 4.
South Half of the South Half.
- Section 16: Lots 1, 2, 3, 4, 5, 6, 7 and 8.
- Section 17: Lots 1, 2, 5, 6, 7 and 8.
- Section 19: East Half of the Northeast Quarter.
Southeast Quarter.
- Section 19: All that portion of Lots 1, 2, 4 and 5, and of the Southwest
Quarter of the Northeast Quarter and of the East Half of the
Southwest Quarter lying Southeasterly of the Southeasterly
right-of-way line of U.S. Highway No. 730.
- Section 20: ALL.
- Section 21: ALL.
- Section 22: ALL.
- Section 23: ALL.

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**WATER RESOURCES DEPT
SALEM, OREGON**

6-17068



2007-5210109

4 of 6

Exhibit A - continued

Section 24: Lots 3, 4, 5, 6, 12 and 13.

Section 26: West Half.

Section 27: East Half of the East Half.
West Half of the Northeast Quarter.
Northwest Quarter.
North Half of the Southwest Quarter.
Southwest Quarter of of the Southwest Quarter.

Section 28: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 16.

Section 29: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15.

Section 30: East Half.
East Half of the West Half.
Lots 2, 3 and 4.

Section 30: All that portion of the Northwest Quarter of the Northwest Quarter
(also known as Lot 1) lying Southeasterly of the Southeasterly
right-of-way line of U.S. Highway No. 730.

Section 31: Northeast Quarter.
Northeast Quarter of the Northwest Quarter.
Lot 1.

Township 6 North, Range 31, E.W.M.

Section 32: Lots 3, 4, 5 and 8.

Section 33: Lots 3, 4, 5, 6, 11, 12, 13, 14, 15 and 16.

Section 34: Northeast Quarter of the Northeast Quarter.
South Half of the Northeast Quarter.
Southeast Quarter of the Northwest Quarter.
South Half.

Section 35: North Half of the Northwest Quarter.
Southeast Quarter of the Northwest Quarter.
Southwest Quarter of the Northeast Quarter.
Southwest Quarter.

Section 35: North Half of the Southeast Quarter.

Excepting therefrom that portion lying Northerly of a road running
through said North Half of the Southeast Quarter in a
Northwesterly to Southeasterly direction.

All being East of the Willamette Meridian, Umatilla County, Oregon.

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WATER RESOURCES DEPT
SALEM, OREGON

6 17068

Exhibit B

2007-5210109 5 of 6

Permitted Exceptions

1. As disclosed by the tax rolls the premises herein described have been zoned or classified for special use. At any time that said land is disqualified for such use said property will be subject to additional taxes and interest.
2. Rights of the public in and to any portion of the described lands lying within the boundaries of roads and highways.
3. Easement, including the terms and provisions thereof
Grantee : Pacific Telephone & Telegraph Company
Recorded : February 10, 1932 in Book 141, Page 583, Deed Records.
4. Easement, including the terms and provisions thereof
Grantee : Pacific Telephone & Telegraph Company
Recorded : February 10, 1932 in Book 141, Page 585, Deed Records.
5. Easement, including the terms and provisions thereof
Grantee : Pacific Telephone & Telegraph Company
Recorded : March 27, 1950 in Book 192, Page 104, Deed Records.
6. Easement, including the terms and provisions thereof
Grantee : Pacific Gas Transmission Company
Recorded : January 6, 1960 in Book 257, Page 67, Deed Records.
Amended : February 11, 1961 in Book 262, Page 188, Deed Records.
Amended : November 28, 1961 in Book 265, Page 583, Deed Records.
Amended : January 15, 1979 in Microfilm R-44, Page 1313, Office of Umatilla County Records.
7. Easement, including the terms and provisions thereof
Grantee : United States of America, BPA
Recorded : September 9, 1966 in Book 286, Page 111, Deed Records.
8. Easement, including the terms and provisions thereof
Grantee : United States of America, BPA
Recorded : June 2, 1967 in Book 289, Page 349, Deed Records.
9. Easement, including the terms and provisions thereof
Grantee : Pacific Power & Light Company
Recorded : February 3, 1969 in Book 298, Page 282, Deed Records.
10. Easement, including the terms and provisions thereof
Grantee : Pacific Power & Light Company
Recorded : October 2, 1980 in Microfilm R-71, Page 1409, Office of Umatilla County Records.
11. Terms and provisions contained under Easement for farm type access road, granted by
Grantor : United States of America, Dept. of the Army
Recorded : August 23, 1982 in Microfilm R-94, Page 956, Office of Umatilla County Records.

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WATER RESOURCES DEPT
SALEM, OREGON

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Exhibit B - continued



2007-5210109 6 of 6

12. Reservations for coal, oil, gas, geothermal steam and associated geothermal resources and other minerals and easements, reserved in deed
Grantor : United States of America
Recorded : September 20, 1984 in Microfilm R-117, Page 1128, Office of Umatilla County Records.
13. Easement, including the terms and provisions thereof
Grantee : U.S. West Communications, Inc.
Recorded : August 19, 1991 in Microfilm R-209, Page 909, Office of Umatilla County Records.
14. Easement Appurtenant and Road Agreement, including the terms and provisions thereof, between
Servient Estate Owners : Robert T. Mautz, etal
Dominant Estate Owners : Glenn Thorne, etal
Recorded : February 18, 1999 in Instrument No. 1999-3450709, Office of Umatilla County Records.
15. The property described herein consists of portions that are contiguous. Access to such parcels may be through these adjoining tracts. Rights of access to the property are limited to those County Roads which abut or pass through the property described herein and no representation is made that all parcels and/or parts thereof have rights of access.

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WATER RESOURCES DEPT
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2007 5290604



2007-5290604 1 of 6

After recording return to grantee herein.
Until a change is requested send all tax
statements to grantee herein.

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GRANTEE'S NAME AND ADDRESS:

RANDY F. RUPP

176 KRANICHWOOD STREET

RICHLAND, WA 99352

DEC 12 2007

UMATILLA COUNTY
RECORDS

WARRANTY DEED -- STATUTORY FORM

(INDIVIDUAL or CORPORATION)

NWA DEVELOPMENT I, INC Grantor,

conveys and warrants to:

RANDY F. RUPP, Grantee,

the following described real property free of encumbrances except as
specifically set forth herein:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

Encumbrances: see attached Exhibit 'B' for permitted exceptions

The true consideration for this conveyance is \$2,187,700.00 *** However, if the
actual consideration consists of or includes other property or other value
given or promised, such other property or value is the whole/part of the
consideration *** this transfer is for and in consideration of an IRC 1031
Exchange on behalf of the Grantee

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE
SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER SECTIONS 2, 3 AND 5 TO
22 OF CHAPTER 424, OREGON LAWS 2007 (MEASURE 49 (2007)). THIS INSTRUMENT DOES
NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF
APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS
INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH
THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF
LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN
ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO
DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED
IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS,
IF ANY, UNDER SECTIONS 2, 3 AND 5 TO 22 OF CHAPTER 424, OREGON LAWS 2007
(MEASURE 49 (2007)).

If grantor is a corporation, this has been signed by authority of the Board of
Directors.

Dated this 11th day of December, 2007.

GRANTOR(S):

Scot T. Hansen
NWA DEVELOPMENT I, INC
BY SCOT T. HANSEN, PRESIDENT

WASHINGTON
STATE OF ~~OREGON~~ County of Benton) ss.

This instrument was acknowledged before me on DECEMBER 11th, 2007,
by NWA DEVELOPMENT I, INC BY SCOT T. HANSEN, PRESIDENT

Kristen E. Lauman
Notary Public for Oregon
Washington

My commission expires: 6-1-2009

GRANTOR'S NAME AND ADDRESS:
NWA DEVELOPMENT I, INC
1020 N CENTER PARKWAY, SUITE A
KENNEWICK, WA 99336



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WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon

G-17068

PIONEER TITLE CO. 82514-2
126 SE Court, Pend. OR, 97801

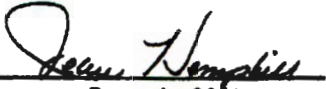
This instrument was received
and recorded on

12-12-07 at 3:00

in the record of instrument
code type DE-WD

Instrument Number 2007-5290604
Fee 51.00

Office of County Records


Records Officer



2007-5290604 2 of 6

Exhibit "A"

Descriptions

Tract I

Township 5 North, Range 30, E.W.M.

- Section 1: ALL.
- Section 11: West Half of the West Half.
East Half.
- Section 12: ALL.
- Section 13: North Half.
Southwest Quarter.
- Section 14: Northeast Quarter.
East Half of the Northwest Quarter.
South Half.
- Section 15: North Half.
Southeast Quarter.

Township 6 North, Range 30, E.W.M.

- Section 25: Lots 5 and 8.
Southwest Quarter of the Southeast Quarter.
- Section 25: All that portion of Lots 1 and 4, lying Southeasterly of the Southeasterly right-of-way line of U.S. Highway No. 730.
- Section 34: All that portion of Lot 1 lying Southeasterly of the Southeasterly right-of-way line of U.S. Highway No. 730.

Excepting therefrom the Easterly 660 feet.
- Section 35: All that portion of Lot 1 and that portion of the Northeast Quarter of the Northeast Quarter and of the Southeast Quarter of the Northwest Quarter lying Southeasterly of the Southeasterly right-of-way line of U.S. Highway No. 730.
- Section 35: Southwest Quarter of the Southwest Quarter.
- Section 36: All that portion of the Northwest Quarter of the Northwest Quarter lying Southeasterly of the Southeasterly right-of-way line of U.S. Highway No. 730.
- Section 36: North Half of the Northeast Quarter.
Northeast Quarter of the Northwest Quarter.
South Half of the North Half.
South Half.

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WATER RESOURCES DEPT
SALEM, OREGON

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Exhibit "A" (continued)

Tract I (continued)

Township 5 North, Range 31, E.W.M.

- Section 5: Lots 3 and 4.
South Half of the Northwest Quarter.
Southwest Quarter.
- Section 6: Lots 3, 4 and 5.
1 Southeast Quarter of the Northwest Quarter.
- Section 7: Northeast Quarter of the Northeast Quarter.
South Half of the Northeast Quarter.
East Half of the Northwest Quarter.
Lots 2, 3 and 4.
East Half of the Southwest Quarter.
Southeast Quarter.
- Section 8: West Half of the Northwest Quarter.
Southeast Quarter of the Northwest Quarter.
Southwest Quarter.
- Section 17: Northwest Quarter.
- Section 18: Northeast Quarter.
East Half of the Northwest Quarter.
Lots 1 and 2.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract II

An Easement for ingress and egress, together with the terms and provisions thereof, established by Easement Appurtenant and Road Agreement, between Robert T. Mautz, etal, Servient Estate Owners and Glenn Thorne, etal, Dominant Estate Owners, recorded February 18, 1999 in Instrument No. 1999-3450709, Office of Umatilla County Records.

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**WATER RESOURCES DEPT
SALEM, OREGON**

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2007-5290604 4 of 6

Exhibit "B"

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Permitted Exceptions

**WATER RESOURCES DEPT
SALEM, OREGON**

1. As disclosed by the tax rolls the premises herein described have been zoned or classified for special use. At any time that said land is disqualified for such use said property will be subject to additional taxes and interest.
2. Rights of the public in and to any portion of the described lands lying within the boundaries of roads and highways.
3. Reservations for coal and iron rights, including the terms and provisions thereof, contained in deed from
Grantor : Northern Pacific Railway Company
Recorded : August 22, 1941 in Book 161, Page 461, Deed Records

Conveyance of Grantors Interest
Grantee : Meridian Minerals Company
Recorded : September 6, 1988 in Microfilm R-170, Page 695, Office of Umatilla County Records.
4. Easement, including the terms and provisions thereof
Grantee : Pacific Telephone & Telegraph Company
Recorded : February 10, 1932 in Book 141, Page 585, Deed Records.
5. Easement, including the terms and provisions thereof
Grantee : Pacific Telephone & Telegraph Company
Recorded : March 27, 1950 in Book 192, Page 104, Deed Records.
6. Easement, including the terms and provisions thereof
Grantee : Pacific Gas Transmission Company
Recorded : January 6, 1960 in Book 257, Page 67, Deed Records.
Amended : February 11, 1961 in Book 262, Page 188, Deed Records.
Amended : November 28, 1961 in Book 265, Page 583, Deed Records.
Amended : January 15, 1979 in Microfilm R-44, Page 1313, Office of Umatilla County Records.
7. Easement, including the terms and provisions thereof
Grantee : United States of America, BPA
Recorded : September 9, 1966 in Book 286, Page 111, Deed Records.
8. Easement, including the terms and provisions thereof
Grantee : Pacific Power & Light Company
Recorded : February 3, 1969 in Book 298, Page 282, Deed Records.
9. Terms and provisions contained under Easement for farm type access road, granted by
Grantor : United States of America, Dept. of the Army
Recorded : August 23, 1982 in Microfilm R-94, Page 956, Office of Umatilla County Records.

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WATER RESOURCES DEPT
SALEM, OREGON

Exhibit "B" (continued)

10. Easement for Access Road, including the terms and provisions thereof
Grantee : United States of America, Bureau of Land Management
Recorded : April 26, 1991 in Microfilm R-205, Page 177, Office of Umatilla County Records.
11. Easement Appurtenant and Road Agreement, including the terms and provisions thereof, between
Servient Estate Owners : Robert T. Mautz, etal
Dominant Estate Owners : Glenn Thorne, etal
Recorded : February 18, 1999 in Instrument No. 1999-3450709, Office of Umatilla County Records.
12. Lack of Access: We are unable to ascertain from the records if the premises herein described has a physical means of ingress and egress to and from a legally dedicated road or highway, and for this reason such rights cannot be insured.

Affects SW-1/4 of SW-1/4 of Sec. 35 in 6N-30 and W-1/2 of W-1/2 of Sec. 11 in 5N-30.
13. The insured property described herein consists of multiple tracts that are contiguous. Access to such tracts are through one or more adjoining tracts included within the insured property. No representation is made that each tract and/or the individual parts thereof have direct access to a public road or right-of-way.
14. Trust Deed, Security Agreement, Assignment of Rents and Fixture Filing, including the terms and provisions thereof, given to secure a note for \$990,000.00, with interest thereon,
Grantor : NWA Development I, Inc., a Washington corporation
Trustee : Pioneer Title Company
Beneficiary : Hartford Accident and Indemnity Company, a Connecticut corp
Dated : August 3, 2007
Recorded : August 8, 2007 in Instrument No> 2007-5230750, Office of Umatilla County Records.
15. Mortgage, including the terms and provisions thereof, given to secure a note for \$1,200,000.00, with interest thereon
Mortgagor : NWA DEVELOPMENT I, INC., a Washington corporation
Mortgagee : BANK REALE
Dated : June 7, 2007
Recorded : June 15, 2007 in Instrument No. 2007-5210105, Office of Umatilla County Records.

Assignment of Rents

Assignee : BANK REALE

Recorded : June 15, 2007 in Instrument No. 2007-5210106, Office of Umatilla County Records.

The above listed Mortgage has been subordinated to the Lien of the Trust Deed shown at Exc. No. 14 hereinabove, by Subordination Agreement
Recorded : August 8, 2007 in Instrument No. 2007-5230751, Office of Umatilla County Records.

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Exhibit "B" (continued)

16. Deed of Deed, including the terms and provisions thereof, given to secure performance of each agreement of grantor herein contained, and payment of the sum of all amounts loaned or advanced, with interest in accordance with the terms of a Loan Agreement and Promissory Note dated June 8, 2007
- Grantor : NWA Development I, Inc., a Washington corporation
Trustee : Hansen Neiffer P.S.
Beneficiary : Randy F. Rupp
Dated : June 8, 2007
Recorded : June 15, 2007 in Instrument No. 2007-5210114, Office of Umatilla County Records.

The above listed Mortgage has been subordinated to the Lien of the Trust Deed shown at Exc No. 14 hereinabove, by Subordination Agreement
Recorded : August 8, 2007 in Instrument No. 2007-5230752, Office of Umatilla County Records.

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**WATER RESOURCES DEPT
SALEM, OREGON**

G-17068



June 13, 2008

ATTN: Water Right Application Submittal
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

RE: Application for Permit to Use Ground Water

Application Caseworker:

On behalf of the applicant, Randy Rupp, please find enclosed an Application for a Permit to Use Groundwater and a check totaling \$18,000.00 to cover the necessary filing and recording fees for the application. The application is for irrigation at the applicant's property located in Umatilla County, Oregon.

Please send copies of all correspondence relating to this application to both the applicant and to my attention. If you have any questions regarding the enclosed application or the information contained therein, please call me at (509) 735-7135, extension 202. Thank you for your assistance and I look forward to hearing from you soon.

Sincerely,

A handwritten signature in blue ink that reads "Molly Reid".

Molly Reid
GSI Water Solutions, Inc.

Enclosures: Application for a Permit to Use Ground Water
Check totaling \$18,000 to cover the necessary filing and recording fees

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OVER THE COUNTER** **WATER RESOURCES DEPT
SALEM, OREGON**

G-77068

Proposed Place of Use for Rupp Ranches Groundwater Application

TWP, RNG	Section	Quarter/Quarter	Acres
T5N, R30E	1	NE NE	40.47
T5N, R30E	1	NW NE	40.10
T5N, R30E	1	SW NE	40.10
T5N, R30E	1	SE NE	40.41
T5N, R30E	1	NE NW	40.12
T5N, R30E	1	NW NW	39.70
T5N, R30E	1	SW NW	39.26
T5N, R30E	1	SE NW	39.74
T5N, R30E	1	NE SW	39.76
T5N, R30E	1	NW SW	38.76
T5N, R30E	1	SW SW	38.06
T5N, R30E	1	SE SW	39.63
T5N, R30E	1	NE SE	40.24
T5N, R30E	1	NW SE	40.12
T5N, R30E	1	SW SE	39.97
T5N, R30E	1	SE SE	40.07
T5N, R30E	2	SW SW	1.26
T5N, R30E	2	SE SW	0.02
T5N, R30E	2	SW SE	1.29
T5N, R30E	2	SE SE	1.36
T5N, R30E	10	NE NE	0.01
T5N, R30E	10	SE NE	0.21
T5N, R30E	10	NE SE	0.50
T5N, R30E	10	SW SE	0.03
T5N, R30E	10	SE SE	0.94
T5N, R30E	11	NE NE	39.82
T5N, R30E	11	NW NE	39.01
T5N, R30E	11	SW NE	39.44
T5N, R30E	11	SE NE	39.90
T5N, R30E	11	NE NW	0.43
T5N, R30E	11	NW NW	39.63
T5N, R30E	11	SW NW	39.80
T5N, R30E	11	SE NW	0.11
T5N, R30E	11	NE SW	0.02
T5N, R30E	11	NW SW	39.66
T5N, R30E	11	SW SW	39.04
T5N, R30E	11	SE SW	0.98
T5N, R30E	11	NE SE	39.98
T5N, R30E	11	NW SE	39.86
T5N, R30E	11	SW SE	40.02
T5N, R30E	11	SE SE	40.05

Original

use all materials for "map"

there are extra copies of the four maps - you can use those to mail to watermaster & ~~envt~~ planning dept.

→ gsi does not need maps thx

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WATER RESOURCES DEPT
SALEM, OREGON

G-17068

Proposed Place of Use for Rupp Ranches Groundwater Application

T5N, R30E	12	NE NE	38.98
T5N, R30E	12	NW NE	38.98
T5N, R30E	12	SW NE	39.05
T5N, R30E	12	SE NE	39.03
T5N, R30E	12	NE NW	39.15
T5N, R30E	12	NW NW	39.27
T5N, R30E	12	SW NW	39.24
T5N, R30E	12	SE NW	39.12
T5N, R30E	12	NE SW	39.39
T5N, R30E	12	NW SW	39.31
T5N, R30E	12	SW SW	39.28
T5N, R30E	12	SE SW	39.36
T5N, R30E	12	NE SE	39.10
T5N, R30E	12	NW SE	39.33
T5N, R30E	12	SW SE	39.59
T5N, R30E	12	SE SE	39.32
T5N, R30E	13	NE NE	39.07
T5N, R30E	13	NW NE	38.78
T5N, R30E	13	SW NE	38.70
T5N, R30E	13	SE NE	39.18
T5N, R30E	13	NE NW	39.01
T5N, R30E	13	NW NW	39.11
T5N, R30E	13	SW NW	39.20
T5N, R30E	13	SE NW	39.11
T5N, R30E	13	NE SW	39.22
T5N, R30E	13	NW SW	39.42
T5N, R30E	13	SW SW	38.70
T5N, R30E	13	SE SW	38.32
T5N, R30E	14	NE NE	40.01
T5N, R30E	14	NW NE	40.04
T5N, R30E	14	SW NE	40.04
T5N, R30E	14	SE NE	40.01
T5N, R30E	14	NE NW	40.07
T5N, R30E	14	NW NW	0.70
T5N, R30E	14	SW NW	0.87
T5N, R30E	14	SE NW	40.07
T5N, R30E	14	NE SW	40.07
T5N, R30E	14	NW SW	40.10
T5N, R30E	14	SW SW	40.08
T5N, R30E	14	SE SW	39.84
T5N, R30E	14	NE SE	40.01
T5N, R30E	14	NW SE	40.04
T5N, R30E	14	SW SE	39.56
T5N, R30E	14	SE SE	39.28

Proposed Place of Use for Rupp Ranches Groundwater Application

T5N, R30E	15	NE NE	39.16
T5N, R30E	15	NW NE	40.09
T5N, R30E	15	SW NE	40.12
T5N, R30E	15	SE NE	39.22
T5N, R30E	15	NE NW	40.00
T5N, R30E	15	NW NW	39.88
T5N, R30E	15	SW NW	40.16
T5N, R30E	15	SE NW	40.14
T5N, R30E	15	NE SW	1.23
T5N, R30E	15	NW SW	0.24
T5N, R30E	15	SE SW	0.86
T5N, R30E	15	NE SE	40.14
T5N, R30E	15	NW SE	40.24
T5N, R30E	15	SW SE	40.21
T5N, R30E	15	SE SE	40.16
T5N, R30E	16	NE NE	2.10
T5N, R30E	16	SE NE	1.72
T5N, R30E	16	NE SE	0.01
T5N, R30E	22	NE NE	0.04
T5N, R30E	23	NW NW	0.04
T5N, R31E	2	SW NW	0.75
T5N, R31E	2	NW SW	31.35
T5N, R31E	2	SW SW	27.85
T5N, R31E	3	NE NE	21.81
T5N, R31E	3	NW NE	32.13
T5N, R31E	3	SW NE	37.64
T5N, R31E	3	SE NE	28.17
T5N, R31E	3	NE NW	2.66
T5N, R31E	3	NW NW	2.97
T5N, R31E	3	SW NW	0.14
T5N, R31E	3	SE NW	3.06
T5N, R31E	3	NE SW	31.84
T5N, R31E	3	NW SW	31.86
T5N, R31E	3	SW SW	30.15
T5N, R31E	3	SE SW	31.04
T5N, R31E	3	NE SE	34.02
T5N, R31E	3	NW SE	34.20
T5N, R31E	3	SW SE	29.56
T5N, R31E	3	SE SE	30.14

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**WATER RESOURCES DEPT
SALEM, OREGON**

3-17068

Proposed Place of Use for Rupp Ranches Groundwater Application

T5N, R31E	4	NW NE	0.28
T5N, R31E	4	SW NE	27.65
T5N, R31E	4	SE NE	0.11
T5N, R31E	4	NE NW	1.26
T5N, R31E	4	NW NW	1.78
T5N, R31E	4	SW NW	1.12
T5N, R31E	4	SE NW	34.11
T5N, R31E	4	NE SW	33.51
T5N, R31E	4	NW SW	1.11
T5N, R31E	4	SE SW	0.11
T5N, R31E	4	NE SE	30.99
T5N, R31E	4	NW SE	25.65
T5N, R31E	4	SE SE	31.05
T5N, R31E	5	NE NW	26.38
T5N, R31E	5	NW NW	15.76
T5N, R31E	5	SW NW	35.37
T5N, R31E	5	SE NW	33.28
T5N, R31E	5	NE SW	35.62
T5N, R31E	5	NW SW	36.78
T5N, R31E	5	SW SW	38.21
T5N, R31E	5	SE SW	37.95
T5N, R31E	5	SW SE	0.00

T5N, R31E	6	NW NE	0.47
T5N, R31E	6	SW NE	2.05
T5N, R31E	6	NE NW	26.83
T5N, R31E	6	NW NW	39.04
T5N, R31E	6	SW NW	38.10
T5N, R31E	6	SE NW	37.86
T5N, R31E	6	NW SW	0.37
T5N, R31E	6	SW SW	1.04
T5N, R31E	6	SE SW	1.69
T5N, R31E	6	SW SE	0.02
T5N, R31E	6	SE SE	1.22
T5N, R31E	7	NE NE	38.69
T5N, R31E	7	NW NE	1.51
T5N, R31E	7	SW NE	39.31
T5N, R31E	7	SE NE	39.29
T5N, R31E	7	NE NW	39.05
T5N, R31E	7	NW NW	2.67
T5N, R31E	7	SW NW	39.35
T5N, R31E	7	SE NW	39.33
T5N, R31E	7	NE SW	39.36
T5N, R31E	7	NW SW	39.38
T5N, R31E	7	SW SW	39.42
T5N, R31E	7	SE SW	39.40

Proposed Place of Use for Rupp Ranches Groundwater Application

T5N, R31E	7	NE SE	39.33
T5N, R31E	7	NW SE	39.35
T5N, R31E	7	SW SE	39.38
T5N, R31E	7	SE SE	39.36
T5N, R31E	8	NE NW	1.03
T5N, R31E	8	NW NW	39.86
T5N, R31E	8	SW NW	39.93
T5N, R31E	8	SE NW	39.14
T5N, R31E	8	NE SW	39.78
T5N, R31E	8	NW SW	40.01
T5N, R31E	8	SW SW	40.09
T5N, R31E	8	SE SW	39.65
T5N, R31E	9	NE NE	30.76
T5N, R31E	9	NW NE	30.90
T5N, R31E	9	SW NE	32.21
T5N, R31E	9	SE NE	30.29
T5N, R31E	9	NE NW	0.03
T5N, R31E	9	SE NW	0.06
T5N, R31E	17	NE NW	39.90
T5N, R31E	17	NW NW	40.47
T5N, R31E	17	SW NW	40.37
T5N, R31E	17	SE NW	39.77
T5N, R31E	17	NE SW	0.66
T5N, R31E	17	NW SW	0.21

T5N, R31E	18	NE NE	39.75
T5N, R31E	18	NW NE	39.78
T5N, R31E	18	SW NE	39.77
T5N, R31E	18	SE NE	39.72
T5N, R31E	18	NE NW	39.81
T5N, R31E	18	NW NW	39.84
T5N, R31E	18	SW NW	39.76
T5N, R31E	18	SE NW	39.78
T5N, R31E	18	NE SE	0.01
T5N, R31E	18	NW SE	0.02

T6N, R30E	25	NE NE	9.43
T6N, R30E	25	SE NE	37.84
T6N, R30E	25	SW SW	2.12
T6N, R30E	25	SE SW	1.98
T6N, R30E	25	NE SE	38.65
T6N, R30E	25	NW SE	2.24
T6N, R30E	25	SW SE	39.66
T6N, R30E	25	SE SE	39.41

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Proposed Place of Use for Rupp Ranches Groundwater Application

T6N, R30E	36	NE NE	39.73
T6N, R30E	36	NW NE	39.74
T6N, R30E	36	SW NE	40.26
T6N, R30E	36	SE NE	39.93
T6N, R30E	36	NE NW	40.12
T6N, R30E	36	NW NW	40.23
T6N, R30E	36	SW NW	39.34
T6N, R30E	36	SE NW	40.09
T6N, R30E	36	NE SW	0.48
T6N, R30E	36	NW SW	0.16
T6N, R30E	36	SW SW	0.13
T6N, R30E	36	SE SW	0.40
T6N, R30E	36	NE SE	1.10
T6N, R30E	36	NW SE	0.80
T6N, R30E	36	SW SE	0.65
T6N, R30E	36	SE SE	0.32

T6N, R31E	13	SE SW	0.18
T6N, R31E	13	SW SE	0.02
T6N, R31E	14	SW SW	0.46
T6N, R31E	14	SE SW	0.18

T6N, R31E	15	NE SW	32.25
T6N, R31E	15	NW SW	45.10
T6N, R31E	15	SW SW	33.66
T6N, R31E	15	SE SW	6.45
T6N, R31E	15	NE SE	5.33
T6N, R31E	15	NW SE	12.21
T6N, R31E	15	SW SE	30.56
T6N, R31E	15	SE SE	24.64
T6N, R31E	16	SW NE	0.98
T6N, R31E	16	SE NE	0.04
T6N, R31E	16	SW NW	0.29
T6N, R31E	16	SE NW	2.10
T6N, R31E	16	NE SW	36.81
T6N, R31E	16	NW SW	26.33
T6N, R31E	16	SW SW	41.60
T6N, R31E	16	SE SW	39.07
T6N, R31E	16	NE SE	41.92
T6N, R31E	16	NW SE	42.87
T6N, R31E	16	SW SE	33.58
T6N, R31E	16	SE SE	24.74

Proposed Place of Use for Rupp Ranches Groundwater Application

T6N, R31E	17	SW NE	0.04
T6N, R31E	17	SE NE	0.07
T6N, R31E	17	SW SW	0.11
T6N, R31E	17	SE SW	8.41
T6N, R31E	17	NE SE	34.51
T6N, R31E	17	NW SE	23.39
T6N, R31E	17	SW SE	37.35
T6N, R31E	17	SE SE	17.17

T6N, R31E	19	NE NE	18.56
T6N, R31E	19	SW NE	9.05
T6N, R31E	19	SE NE	27.13
T6N, R31E	19	NE SE	6.75
T6N, R31E	19	NW SE	6.21
T6N, R31E	19	SW SE	8.44
T6N, R31E	19	SE SE	31.61

T6N, R31E	20	NE NE	18.32
T6N, R31E	20	NW NE	31.74
T6N, R31E	20	SW NE	15.26
T6N, R31E	20	SE NE	30.98
T6N, R31E	20	NE NW	36.63
T6N, R31E	20	NW NW	35.46
T6N, R31E	20	SW NW	31.14
T6N, R31E	20	SE NW	36.74
T6N, R31E	20	NE SW	34.51
T6N, R31E	20	NW SW	35.34
T6N, R31E	20	SW SW	32.99
T6N, R31E	20	SE SW	17.26
T6N, R31E	20	NE SE	27.66
T6N, R31E	20	NW SE	5.85
T6N, R31E	20	SW SE	0.24
T6N, R31E	20	SE SE	10.93

T6N, R31E	21	NE NE	34.72
T6N, R31E	21	NW NE	31.45
T6N, R31E	21	SW NE	22.96
T6N, R31E	21	SE NE	10.71
T6N, R31E	21	NE NW	35.74
T6N, R31E	21	NW NW	39.70
T6N, R31E	21	SW NW	36.22
T6N, R31E	21	SE NW	33.13
T6N, R31E	21	NE SW	20.02
T6N, R31E	21	NW SW	16.43
T6N, R31E	21	SW SW	27.62
T6N, R31E	21	SE SW	14.81
T6N, R31E	21	NE SE	10.81
T6N, R31E	21	NW SE	15.90

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T6N, R31E	21	SW SE	5.57
T6N, R31E	21	SE SE	27.45
T6N, R31E	22	NE NE	16.68
T6N, R31E	22	NW NE	27.74
T6N, R31E	22	SW NE	12.74
T6N, R31E	22	SE NE	6.89
T6N, R31E	22	NE NW	22.31
T6N, R31E	22	NW NW	19.33
T6N, R31E	22	SW NW	17.82
T6N, R31E	22	SE NW	32.97
T6N, R31E	22	NE SW	20.17
T6N, R31E	22	NW SW	9.86
T6N, R31E	22	SW SW	13.42
T6N, R31E	22	SE SW	15.46
T6N, R31E	22	NE SE	31.16
T6N, R31E	22	NW SE	20.57
T6N, R31E	22	SW SE	33.65
T6N, R31E	22	SE SE	19.19

T6N, R31E	23	NE NE	32.71
T6N, R31E	23	NW NE	18.64
T6N, R31E	23	SW NE	34.92
T6N, R31E	23	SE NE	24.50
T6N, R31E	23	NE NW	22.03
T6N, R31E	23	NW NW	22.97
T6N, R31E	23	SW NW	26.13
T6N, R31E	23	SE NW	7.60
T6N, R31E	23	NE SW	2.52
T6N, R31E	23	NW SW	24.17
T6N, R31E	23	SW SW	18.82
T6N, R31E	23	SE SW	4.49
T6N, R31E	23	NE SE	35.64
T6N, R31E	23	NW SE	37.91
T6N, R31E	23	SW SE	37.28
T6N, R31E	23	SE SE	37.69

T6N, R31E	24	NW NE	3.84
T6N, R31E	24	SW NE	0.74
T6N, R31E	24	NE NW	33.34
T6N, R31E	24	NW NW	24.34
T6N, R31E	24	SW NW	30.38
T6N, R31E	24	SE NW	24.99
T6N, R31E	24	NE SW	0.69
T6N, R31E	24	NW SW	21.49
T6N, R31E	24	SW SW	26.84

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T6N, R31E	26	NE NE	0.04
T6N, R31E	26	NW NE	0.07
T6N, R31E	26	NE NW	33.11
T6N, R31E	26	NW NW	14.76
T6N, R31E	26	SW NW	31.56
T6N, R31E	26	SE NW	29.29
T6N, R31E	26	NE SW	29.99
T6N, R31E	26	NW SW	37.83
T6N, R31E	26	SW SW	11.48
T6N, R31E	26	SE SW	34.57
T6N, R31E	26	NW SE	0.01
T6N, R31E	26	SW SE	0.40

T6N, R31E	27	NE NE	21.10
T6N, R31E	27	NW NE	33.94
T6N, R31E	27	SW NE	23.90
T6N, R31E	27	SE NE	15.71
T6N, R31E	27	NE NW	20.13
T6N, R31E	27	NW NW	28.13
T6N, R31E	27	SW NW	23.91
T6N, R31E	27	SE NW	40.16
T6N, R31E	27	NE SW	38.11
T6N, R31E	27	NW SW	37.87
T6N, R31E	27	SW SW	34.04
T6N, R31E	27	SE SW	6.91
T6N, R31E	27	NE SE	24.32
T6N, R31E	27	NW SE	2.98
T6N, R31E	27	SE SE	33.27

T6N, R31E	28	NE NE	12.73
T6N, R31E	28	NW NE	26.95
T6N, R31E	28	SW NE	38.83
T6N, R31E	28	SE NE	11.62
T6N, R31E	28	NE NW	18.29
T6N, R31E	28	NW NW	13.32
T6N, R31E	28	SW NW	27.52
T6N, R31E	28	SE NW	14.67
T6N, R31E	28	NE SW	15.66
T6N, R31E	28	NW SW	36.20
T6N, R31E	28	SW SW	36.30
T6N, R31E	28	NE SE	7.70
T6N, R31E	28	NW SE	22.05
T6N, R31E	28	SE SE	24.91

T6N, R31E	29	NE NE	19.44
T6N, R31E	29	NW NE	24.91
T6N, R31E	29	SW NE	28.54
T6N, R31E	29	SE NE	5.69
T6N, R31E	29	NE NW	5.70

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Proposed Place of Use for Rupp Ranches Groundwater Application

T6N, R31E	29	NW NW	18.58
T6N, R31E	29	SW NW	2.48
T6N, R31E	29	SE NW	28.20
T6N, R31E	29	NE SW	34.67
T6N, R31E	29	NW SW	32.79
T6N, R31E	29	SW SW	36.88
T6N, R31E	29	SE SW	36.66
T6N, R31E	29	NE SE	11.51
T6N, R31E	29	NW SE	15.21
T6N, R31E	29	SW SE	24.93
T6N, R31E	29	SE SE	1.82

T6N, R31E	30	NE NE	35.42
T6N, R31E	30	NW NE	34.16
T6N, R31E	30	SW NE	27.65
T6N, R31E	30	SE NE	18.53
T6N, R31E	30	NE NW	6.02
T6N, R31E	30	NW NW	0.33
T6N, R31E	30	SW NW	0.81
T6N, R31E	30	SE NW	3.67
T6N, R31E	30	NW SW	0.33
T6N, R31E	30	SW SW	14.94
T6N, R31E	30	SE SW	28.40
T6N, R31E	30	NE SE	12.08
T6N, R31E	30	NW SE	5.18
T6N, R31E	30	SW SE	25.01
T6N, R31E	30	SE SE	30.00

T6N, R31E	31	NE NE	29.99
T6N, R31E	31	NW NE	28.88
T6N, R31E	31	SW NE	3.08
T6N, R31E	31	SE NE	22.47
T6N, R31E	31	NE NW	34.05
T6N, R31E	31	NW NW	9.71
T6N, R31E	31	SE NW	2.13
T6N, R31E	31	SW SW	1.06
T6N, R31E	31	SE SW	0.32

T6N, R31E	32	NE NW	28.55
T6N, R31E	32	NW NW	36.61
T6N, R31E	32	SW NW	22.04
T6N, R31E	32	NE SE	1.11
T6N, R31E	32	SE SE	2.02

Proposed Place of Use for Rupp Ranches Groundwater Application

T6N, R31E	33	NW NW	0.59
T6N, R31E	33	NE SW	24.27
T6N, R31E	33	NW SW	31.89
T6N, R31E	33	SW SW	36.07
T6N, R31E	33	SE SW	26.57
T6N, R31E	33	NE SE	0.03
T6N, R31E	33	SE SE	0.45
T6N, R31E	34	NE NE	3.82
T6N, R31E	34	NE SW	27.13
T6N, R31E	34	NW SW	26.90
T6N, R31E	34	SW SW	35.58
T6N, R31E	34	SE SW	31.13
T6N, R31E	34	NE SE	27.20
T6N, R31E	34	NW SE	29.62
T6N, R31E	34	SW SE	36.04
T6N, R31E	34	SE SE	27.90
T6N, R31E	35	NE NW	32.37
T6N, R31E	35	NW NW	30.18
T6N, R31E	35	SW NW	1.29
T6N, R31E	35	SE NW	29.34
		TOTAL ACRES	10766.55

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TWP, RNG	Section	Quarter/Quarter	Acres
T5N, R30E	1	NE NE	40.47
T5N, R30E	1	NW NE	40.10
T5N, R30E	1	SW NE	40.10
T5N, R30E	1	SE NE	40.41
T5N, R30E	1	NE NW	40.12
T5N, R30E	1	NW NW	39.70
T5N, R30E	1	SW NW	39.26
T5N, R30E	1	SE NW	39.74
T5N, R30E	1	NE SW	39.76
T5N, R30E	1	NW SW	38.76
T5N, R30E	1	SW SW	38.06
T5N, R30E	1	SE SW	39.63
T5N, R30E	1	NE SE	40.24
T5N, R30E	1	NW SE	40.12
T5N, R30E	1	SW SE	39.97
T5N, R30E	1	SE SE	40.07
T5N, R30E	2	SW SW	1.26
T5N, R30E	2	SE SW	0.02
T5N, R30E	2	SW SE	1.29
T5N, R30E	2	SE SE	1.36
T5N, R30E	10	NE NE	0.01
T5N, R30E	10	SE NE	0.21
T5N, R30E	10	NE SE	0.50
T5N, R30E	10	SW SE	0.03
T5N, R30E	10	SE SE	0.94
T5N, R30E	11	NE NE	39.82
T5N, R30E	11	NW NE	39.01
T5N, R30E	11	SW NE	39.44
T5N, R30E	11	SE NE	39.90
T5N, R30E	11	NE NW	0.43
T5N, R30E	11	NW NW	39.63
T5N, R30E	11	SW NW	39.80
T5N, R30E	11	SE NW	0.11
T5N, R30E	11	NE SW	0.02
T5N, R30E	11	NW SW	39.66
T5N, R30E	11	SW SW	39.04
T5N, R30E	11	SE SW	0.98
T5N, R30E	11	NE SE	39.98
T5N, R30E	11	NW SE	39.86
T5N, R30E	11	SW SE	40.02
T5N, R30E	11	SE SE	40.05

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T5N, R30E	12	NE NE	38.98
T5N, R30E	12	NW NE	38.98
T5N, R30E	12	SW NE	39.05
T5N, R30E	12	SE NE	39.03
T5N, R30E	12	NE NW	39.15
T5N, R30E	12	NW NW	39.27
T5N, R30E	12	SW NW	39.24
T5N, R30E	12	SE NW	39.12
T5N, R30E	12	NE SW	39.39
T5N, R30E	12	NW SW	39.31
T5N, R30E	12	SW SW	39.28
T5N, R30E	12	SE SW	39.36
T5N, R30E	12	NE SE	39.10
T5N, R30E	12	NW SE	39.33
T5N, R30E	12	SW SE	39.59
T5N, R30E	12	SE SE	39.32
T5N, R30E	13	NE NE	39.07
T5N, R30E	13	NW NE	38.78
T5N, R30E	13	SW NE	38.70
T5N, R30E	13	SE NE	39.18
T5N, R30E	13	NE NW	39.01
T5N, R30E	13	NW NW	39.11
T5N, R30E	13	SW NW	39.20
T5N, R30E	13	SE NW	39.11
T5N, R30E	13	NE SW	39.22
T5N, R30E	13	NW SW	39.42
T5N, R30E	13	SW SW	38.70
T5N, R30E	13	SE SW	38.32
T5N, R30E	14	NE NE	40.01
T5N, R30E	14	NW NE	40.04
T5N, R30E	14	SW NE	40.04
T5N, R30E	14	SE NE	40.01
T5N, R30E	14	NE NW	40.07
T5N, R30E	14	NW NW	0.70
T5N, R30E	14	SW NW	0.87
T5N, R30E	14	SE NW	40.07
T5N, R30E	14	NE SW	40.07
T5N, R30E	14	NW SW	40.10
T5N, R30E	14	SW SW	40.08
T5N, R30E	14	SE SW	39.84
T5N, R30E	14	NE SE	40.01
T5N, R30E	14	NW SE	40.04
T5N, R30E	14	SW SE	39.56
T5N, R30E	14	SE SE	39.28

Proposed Place of Use for Rupp Ranches Groundwater Application

T5N, R30E	15	NE NE	39.16
T5N, R30E	15	NW NE	40.09
T5N, R30E	15	SW NE	40.12
T5N, R30E	15	SE NE	39.22
T5N, R30E	15	NE NW	40.00
T5N, R30E	15	NW NW	39.88
T5N, R30E	15	SW NW	40.16
T5N, R30E	15	SE NW	40.14
T5N, R30E	15	NE SW	1.23
T5N, R30E	15	NW SW	0.24
T5N, R30E	15	SE SW	0.86
T5N, R30E	15	NE SE	40.14
T5N, R30E	15	NW SE	40.24
T5N, R30E	15	SW SE	40.21
T5N, R30E	15	SE SE	40.16
T5N, R30E	16	NE NE	2.10
T5N, R30E	16	SE NE	1.72
T5N, R30E	16	NE SE	0.01
T5N, R30E	22	NE NE	0.04
T5N, R30E	23	NW NW	0.04
T5N, R31E	2	SW NW	0.75
T5N, R31E	2	NW SW	31.35
T5N, R31E	2	SW SW	27.85
T5N, R31E	3	NE NE	21.81
T5N, R31E	3	NW NE	32.13
T5N, R31E	3	SW NE	37.64
T5N, R31E	3	SE NE	28.17
T5N, R31E	3	NE NW	2.66
T5N, R31E	3	NW NW	2.97
T5N, R31E	3	SW NW	0.14
T5N, R31E	3	SE NW	3.06
T5N, R31E	3	NE SW	31.84
T5N, R31E	3	NW SW	31.86
T5N, R31E	3	SW SW	30.15
T5N, R31E	3	SE SW	31.04
T5N, R31E	3	NE SE	34.02
T5N, R31E	3	NW SE	34.20
T5N, R31E	3	SW SE	29.56
T5N, R31E	3	SE SE	30.14

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T5N, R31E	4	NW NE	0.28
T5N, R31E	4	SW NE	27.65
T5N, R31E	4	SE NE	0.11
T5N, R31E	4	NE NW	1.26
T5N, R31E	4	NW NW	1.78
T5N, R31E	4	SW NW	1.12
T5N, R31E	4	SE NW	34.11
T5N, R31E	4	NE SW	33.51
T5N, R31E	4	NW SW	1.11
T5N, R31E	4	SE SW	0.11
T5N, R31E	4	NE SE	30.99
T5N, R31E	4	NW SE	25.65
T5N, R31E	4	SE SE	31.05
T5N, R31E	5	NE NW	26.38
T5N, R31E	5	NW NW	15.76
T5N, R31E	5	SW NW	35.37
T5N, R31E	5	SE NW	33.28
T5N, R31E	5	NE SW	35.62
T5N, R31E	5	NW SW	36.78
T5N, R31E	5	SW SW	38.21
T5N, R31E	5	SE SW	37.95
T5N, R31E	5	SW SE	0.00

T5N, R31E	6	NW NE	0.47
T5N, R31E	6	SW NE	2.05
T5N, R31E	6	NE NW	26.83
T5N, R31E	6	NW NW	39.04
T5N, R31E	6	SW NW	38.10
T5N, R31E	6	SE NW	37.86
T5N, R31E	6	NW SW	0.37
T5N, R31E	6	SW SW	1.04
T5N, R31E	6	SE SW	1.69
T5N, R31E	6	SW SE	0.02
T5N, R31E	6	SE SE	1.22
T5N, R31E	7	NE NE	38.69
T5N, R31E	7	NW NE	1.51
T5N, R31E	7	SW NE	39.31
T5N, R31E	7	SE NE	39.29
T5N, R31E	7	NE NW	39.05
T5N, R31E	7	NW NW	2.67
T5N, R31E	7	SW NW	39.35
T5N, R31E	7	SE NW	39.33
T5N, R31E	7	NE SW	39.36
T5N, R31E	7	NW SW	39.38
T5N, R31E	7	SW SW	39.42
T5N, R31E	7	SE SW	39.40

Proposed Place of Use for Rupp Ranches Groundwater Application

T5N, R31E	7	NE SE	39.33
T5N, R31E	7	NW SE	39.35
T5N, R31E	7	SW SE	39.38
T5N, R31E	7	SE SE	39.36
T5N, R31E	8	NE NW	1.03
T5N, R31E	8	NW NW	39.86
T5N, R31E	8	SW NW	39.93
T5N, R31E	8	SE NW	39.14
T5N, R31E	8	NE SW	39.78
T5N, R31E	8	NW SW	40.01
T5N, R31E	8	SW SW	40.09
T5N, R31E	8	SE SW	39.65
T5N, R31E	9	NE NE	30.76
T5N, R31E	9	NW NE	30.90
T5N, R31E	9	SW NE	32.21
T5N, R31E	9	SE NE	30.29
T5N, R31E	9	NE NW	0.03
T5N, R31E	9	SE NW	0.06
T5N, R31E	17	NE NW	39.90
T5N, R31E	17	NW NW	40.47
T5N, R31E	17	SW NW	40.37
T5N, R31E	17	SE NW	39.77
T5N, R31E	17	NE SW	0.66
T5N, R31E	17	NW SW	0.21

T5N, R31E	18	NE NE	39.75
T5N, R31E	18	NW NE	39.78
T5N, R31E	18	SW NE	39.77
T5N, R31E	18	SE NE	39.72
T5N, R31E	18	NE NW	39.81
T5N, R31E	18	NW NW	39.84
T5N, R31E	18	SW NW	39.76
T5N, R31E	18	SE NW	39.78
T5N, R31E	18	NE SE	0.01
T5N, R31E	18	NW SE	0.02

T6N, R30E	25	NE NE	9.43
T6N, R30E	25	SE NE	37.84
T6N, R30E	25	SW SW	2.12
T6N, R30E	25	SE SW	1.98
T6N, R30E	25	NE SE	38.65
T6N, R30E	25	NW SE	2.24
T6N, R30E	25	SW SE	39.66
T6N, R30E	25	SE SE	39.41

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T6N, R30E	36	NE NE	39.73
T6N, R30E	36	NW NE	39.74
T6N, R30E	36	SW NE	40.26
T6N, R30E	36	SE NE	39.93
T6N, R30E	36	NE NW	40.12
T6N, R30E	36	NW NW	40.23
T6N, R30E	36	SW NW	39.34
T6N, R30E	36	SE NW	40.09
T6N, R30E	36	NE SW	0.48
T6N, R30E	36	NW SW	0.16
T6N, R30E	36	SW SW	0.13
T6N, R30E	36	SE SW	0.40
T6N, R30E	36	NE SE	1.10
T6N, R30E	36	NW SE	0.80
T6N, R30E	36	SW SE	0.65
T6N, R30E	36	SE SE	0.32

T6N, R31E	13	SE SW	0.18
T6N, R31E	13	SW SE	0.02
T6N, R31E	14	SW SW	0.46
T6N, R31E	14	SE SW	0.18

T6N, R31E	15	NE SW	32.25
T6N, R31E	15	NW SW	45.10
T6N, R31E	15	SW SW	33.66
T6N, R31E	15	SE SW	6.45
T6N, R31E	15	NE SE	5.33
T6N, R31E	15	NW SE	12.21
T6N, R31E	15	SW SE	30.56
T6N, R31E	15	SE SE	24.64
T6N, R31E	16	SW NE	0.98
T6N, R31E	16	SE NE	0.04
T6N, R31E	16	SW NW	0.29
T6N, R31E	16	SE NW	2.10
T6N, R31E	16	NE SW	36.81
T6N, R31E	16	NW SW	26.33
T6N, R31E	16	SW SW	41.60
T6N, R31E	16	SE SW	39.07
T6N, R31E	16	NE SE	41.92
T6N, R31E	16	NW SE	42.87
T6N, R31E	16	SW SE	33.58
T6N, R31E	16	SE SE	24.74

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T6N, R31E	17	SW NE	0.04
T6N, R31E	17	SE NE	0.07
T6N, R31E	17	SW SW	0.11
T6N, R31E	17	SE SW	8.41
T6N, R31E	17	NE SE	34.51
T6N, R31E	17	NW SE	23.39
T6N, R31E	17	SW SE	37.35
T6N, R31E	17	SE SE	17.17

T6N, R31E	19	NE NE	18.56
T6N, R31E	19	SW NE	9.05
T6N, R31E	19	SE NE	27.13
T6N, R31E	19	NE SE	6.75
T6N, R31E	19	NW SE	6.21
T6N, R31E	19	SW SE	8.44
T6N, R31E	19	SE SE	31.61

T6N, R31E	20	NE NE	18.32
T6N, R31E	20	NW NE	31.74
T6N, R31E	20	SW NE	15.26
T6N, R31E	20	SE NE	30.98
T6N, R31E	20	NE NW	36.63
T6N, R31E	20	NW NW	35.46
T6N, R31E	20	SW NW	31.14
T6N, R31E	20	SE NW	36.74
T6N, R31E	20	NE SW	34.51
T6N, R31E	20	NW SW	35.34
T6N, R31E	20	SW SW	32.99
T6N, R31E	20	SE SW	17.26
T6N, R31E	20	NE SE	27.66
T6N, R31E	20	NW SE	5.85
T6N, R31E	20	SW SE	0.24
T6N, R31E	20	SE SE	10.93

T6N, R31E	21	NE NE	34.72
T6N, R31E	21	NW NE	31.45
T6N, R31E	21	SW NE	22.96
T6N, R31E	21	SE NE	10.71
T6N, R31E	21	NE NW	35.74
T6N, R31E	21	NW NW	39.70
T6N, R31E	21	SW NW	36.22
T6N, R31E	21	SE NW	33.13
T6N, R31E	21	NE SW	20.02
T6N, R31E	21	NW SW	16.43
T6N, R31E	21	SW SW	27.62
T6N, R31E	21	SE SW	14.81
T6N, R31E	21	NE SE	10.81
T6N, R31E	21	NW SE	15.90

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T6N, R31E	21	SW SE	5.57
T6N, R31E	21	SE SE	27.45
T6N, R31E	22	NE NE	16.68
T6N, R31E	22	NW NE	27.74
T6N, R31E	22	SW NE	12.74
T6N, R31E	22	SE NE	6.89
T6N, R31E	22	NE NW	22.31
T6N, R31E	22	NW NW	19.33
T6N, R31E	22	SW NW	17.82
T6N, R31E	22	SE NW	32.97
T6N, R31E	22	NE SW	20.17
T6N, R31E	22	NW SW	9.86
T6N, R31E	22	SW SW	13.42
T6N, R31E	22	SE SW	15.46
T6N, R31E	22	NE SE	31.16
T6N, R31E	22	NW SE	20.57
T6N, R31E	22	SW SE	33.65
T6N, R31E	22	SE SE	19.19

T6N, R31E	23	NE NE	32.71
T6N, R31E	23	NW NE	18.64
T6N, R31E	23	SW NE	34.92
T6N, R31E	23	SE NE	24.50
T6N, R31E	23	NE NW	22.03
T6N, R31E	23	NW NW	22.97
T6N, R31E	23	SW NW	26.13
T6N, R31E	23	SE NW	7.60
T6N, R31E	23	NE SW	2.52
T6N, R31E	23	NW SW	24.17
T6N, R31E	23	SW SW	18.82
T6N, R31E	23	SE SW	4.49
T6N, R31E	23	NE SE	35.64
T6N, R31E	23	NW SE	37.91
T6N, R31E	23	SW SE	37.28
T6N, R31E	23	SE SE	37.69

T6N, R31E	24	NW NE	3.84
T6N, R31E	24	SW NE	0.74
T6N, R31E	24	NE NW	33.34
T6N, R31E	24	NW NW	24.34
T6N, R31E	24	SW NW	30.38
T6N, R31E	24	SE NW	24.99
T6N, R31E	24	NE SW	0.69
T6N, R31E	24	NW SW	21.49
T6N, R31E	24	SW SW	26.84

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T6N, R31E	26	NE NE	0.04
T6N, R31E	26	NW NE	0.07
T6N, R31E	26	NE NW	33.11
T6N, R31E	26	NW NW	14.76
T6N, R31E	26	SW NW	31.56
T6N, R31E	26	SE NW	29.29
T6N, R31E	26	NE SW	29.99
T6N, R31E	26	NW SW	37.83
T6N, R31E	26	SW SW	11.48
T6N, R31E	26	SE SW	34.57
T6N, R31E	26	NW SE	0.01
T6N, R31E	26	SW SE	0.40
T6N, R31E	27	NE NE	21.10
T6N, R31E	27	NW NE	33.94
T6N, R31E	27	SW NE	23.90
T6N, R31E	27	SE NE	15.71
T6N, R31E	27	NE NW	20.13
T6N, R31E	27	NW NW	28.13
T6N, R31E	27	SW NW	23.91
T6N, R31E	27	SE NW	40.16
T6N, R31E	27	NE SW	38.11
T6N, R31E	27	NW SW	37.87
T6N, R31E	27	SW SW	34.04
T6N, R31E	27	SE SW	6.91
T6N, R31E	27	NE SE	24.32
T6N, R31E	27	NW SE	2.98
T6N, R31E	27	SE SE	33.27

T6N, R31E	28	NE NE	12.73
T6N, R31E	28	NW NE	26.95
T6N, R31E	28	SW NE	38.83
T6N, R31E	28	SE NE	11.62
T6N, R31E	28	NE NW	18.29
T6N, R31E	28	NW NW	13.32
T6N, R31E	28	SW NW	27.52
T6N, R31E	28	SE NW	14.67
T6N, R31E	28	NE SW	15.66
T6N, R31E	28	NW SW	36.20
T6N, R31E	28	SW SW	36.30
T6N, R31E	28	NE SE	7.70
T6N, R31E	28	NW SE	22.05
T6N, R31E	28	SE SE	24.91
T6N, R31E	29	NE NE	19.44
T6N, R31E	29	NW NE	24.91
T6N, R31E	29	SW NE	28.54
T6N, R31E	29	SE NE	5.69
T6N, R31E	29	NE NW	5.70

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T6N, R31E	29	NW NW	18.58
T6N, R31E	29	SW NW	2.48
T6N, R31E	29	SE NW	28.20
T6N, R31E	29	NE SW	34.67
T6N, R31E	29	NW SW	32.79
T6N, R31E	29	SW SW	36.88
T6N, R31E	29	SE SW	36.66
T6N, R31E	29	NE SE	11.51
T6N, R31E	29	NW SE	15.21
T6N, R31E	29	SW SE	24.93
T6N, R31E	29	SE SE	1.82

T6N, R31E	30	NE NE	35.42
T6N, R31E	30	NW NE	34.16
T6N, R31E	30	SW NE	27.65
T6N, R31E	30	SE NE	18.53
T6N, R31E	30	NE NW	6.02
T6N, R31E	30	NW NW	0.33
T6N, R31E	30	SW NW	0.81
T6N, R31E	30	SE NW	3.67
T6N, R31E	30	NW SW	0.33
T6N, R31E	30	SW SW	14.94
T6N, R31E	30	SE SW	28.40
T6N, R31E	30	NE SE	12.08
T6N, R31E	30	NW SE	5.18
T6N, R31E	30	SW SE	25.01
T6N, R31E	30	SE SE	30.00

T6N, R31E	31	NE NE	29.99
T6N, R31E	31	NW NE	28.88
T6N, R31E	31	SW NE	3.08
T6N, R31E	31	SE NE	22.47
T6N, R31E	31	NE NW	34.05
T6N, R31E	31	NW NW	9.71
T6N, R31E	31	SE NW	2.13
T6N, R31E	31	SW SW	1.06
T6N, R31E	31	SE SW	0.32

T6N, R31E	32	NE NW	28.55
T6N, R31E	32	NW NW	36.61
T6N, R31E	32	SW NW	22.04
T6N, R31E	32	NE SE	1.11
T6N, R31E	32	SE SE	2.02

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T6N, R31E	33	NW NW	0.59
T6N, R31E	33	NE SW	24.27
T6N, R31E	33	NW SW	31.89
T6N, R31E	33	SW SW	36.07
T6N, R31E	33	SE SW	26.57
T6N, R31E	33	NE SE	0.03
T6N, R31E	33	SE SE	0.45
T6N, R31E	34	NE NE	3.82
T6N, R31E	34	NE SW	27.13
T6N, R31E	34	NW SW	26.90
T6N, R31E	34	SW SW	35.58
T6N, R31E	34	SE SW	31.13
T6N, R31E	34	NE SE	27.20
T6N, R31E	34	NW SE	29.62
T6N, R31E	34	SW SE	36.04
T6N, R31E	34	SE SE	27.90

T6N, R31E	35	NE NW	32.37
T6N, R31E	35	NW NW	30.18
T6N, R31E	35	SW NW	1.29
T6N, R31E	35	SE NW	29.34
		TOTAL ACRES	10766.55

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<u>TWP. RNG</u>	<u>Section</u>	<u>Quarter/Quarter</u>	<u>Acres</u>
T5N, R30E	1	NE NE	40.47
T5N, R30E	1	NW NE	40.10
T5N, R30E	1	SW NE	40.10
T5N, R30E	1	SE NE	40.41
T5N, R30E	1	NE NW	40.12
T5N, R30E	1	NW NW	39.70
T5N, R30E	1	SW NW	39.26
T5N, R30E	1	SE NW	39.74
T5N, R30E	1	NE SW	39.76
T5N, R30E	1	NW SW	38.76
T5N, R30E	1	SW SW	38.06
T5N, R30E	1	SE SW	39.63
T5N, R30E	1	NE SE	40.24
T5N, R30E	1	NW SE	40.12
T5N, R30E	1	SW SE	39.97
T5N, R30E	1	SE SE	40.07
T5N, R30E	2	SW SW	1.26
T5N, R30E	2	SE SW	0.02
T5N, R30E	2	SW SE	1.29
T5N, R30E	2	SE SE	1.36
T5N, R30E	10	NE NE	0.01
T5N, R30E	10	SE NE	0.21
T5N, R30E	10	NE SE	0.50
T5N, R30E	10	SW SE	0.03
T5N, R30E	10	SE SE	0.94
T5N, R30E	11	NE NE	39.82
T5N, R30E	11	NW NE	39.01
T5N, R30E	11	SW NE	39.44
T5N, R30E	11	SE NE	39.90
T5N, R30E	11	NE NW	0.43
T5N, R30E	11	NW NW	39.63
T5N, R30E	11	SW NW	39.80
T5N, R30E	11	SE NW	0.11
T5N, R30E	11	NE SW	0.02
T5N, R30E	11	NW SW	39.66
T5N, R30E	11	SW SW	39.04
T5N, R30E	11	SE SW	0.98
T5N, R30E	11	NE SE	39.98
T5N, R30E	11	NW SE	39.86
T5N, R30E	11	SW SE	40.02
T5N, R30E	11	SE SE	40.05

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T5N, R30E	12	NE NE	38.98
T5N, R30E	12	NW NE	38.98
T5N, R30E	12	SW NE	39.05
T5N, R30E	12	SE NE	39.03
T5N, R30E	12	NE NW	39.15
T5N, R30E	12	NW NW	39.27
T5N, R30E	12	SW NW	39.24
T5N, R30E	12	SE NW	39.12
T5N, R30E	12	NE SW	39.39
T5N, R30E	12	NW SW	39.31
T5N, R30E	12	SW SW	39.28
T5N, R30E	12	SE SW	39.36
T5N, R30E	12	NE SE	39.10
T5N, R30E	12	NW SE	39.33
T5N, R30E	12	SW SE	39.59
T5N, R30E	12	SE SE	39.32
T5N, R30E	13	NE NE	39.07
T5N, R30E	13	NW NE	38.78
T5N, R30E	13	SW NE	38.70
T5N, R30E	13	SE NE	39.18
T5N, R30E	13	NE NW	39.01
T5N, R30E	13	NW NW	39.11
T5N, R30E	13	SW NW	39.20
T5N, R30E	13	SE NW	39.11
T5N, R30E	13	NE SW	39.22
T5N, R30E	13	NW SW	39.42
T5N, R30E	13	SW SW	38.70
T5N, R30E	13	SE SW	38.32
T5N, R30E	14	NE NE	40.01
T5N, R30E	14	NW NE	40.04
T5N, R30E	14	SW NE	40.04
T5N, R30E	14	SE NE	40.01
T5N, R30E	14	NE NW	40.07
T5N, R30E	14	NW NW	0.70
T5N, R30E	14	SW NW	0.87
T5N, R30E	14	SE NW	40.07
T5N, R30E	14	NE SW	40.07
T5N, R30E	14	NW SW	40.10
T5N, R30E	14	SW SW	40.08
T5N, R30E	14	SE SW	39.84
T5N, R30E	14	NE SE	40.01
T5N, R30E	14	NW SE	40.04
T5N, R30E	14	SW SE	39.56
T5N, R30E	14	SE SE	39.28

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T5N, R30E	15	NE NE	39.16
T5N, R30E	15	NW NE	40.09
T5N, R30E	15	SW NE	40.12
T5N, R30E	15	SE NE	39.22
T5N, R30E	15	NE NW	40.00
T5N, R30E	15	NW NW	39.88
T5N, R30E	15	SW NW	40.16
T5N, R30E	15	SE NW	40.14
T5N, R30E	15	NE SW	1.23
T5N, R30E	15	NW SW	0.24
T5N, R30E	15	SE SW	0.86
T5N, R30E	15	NE SE	40.14
T5N, R30E	15	NW SE	40.24
T5N, R30E	15	SW SE	40.21
T5N, R30E	15	SE SE	40.16
T5N, R30E	16	NE NE	2.10
T5N, R30E	16	SE NE	1.72
T5N, R30E	16	NE SE	0.01
T5N, R30E	22	NE NE	0.04
T5N, R30E	23	NW NW	0.04
T5N, R31E	2	SW NW	0.75
T5N, R31E	2	NW SW	31.35
T5N, R31E	2	SW SW	27.85
T5N, R31E	3	NE NE	21.81
T5N, R31E	3	NW NE	32.13
T5N, R31E	3	SW NE	37.64
T5N, R31E	3	SE NE	28.17
T5N, R31E	3	NE NW	2.66
T5N, R31E	3	NW NW	2.97
T5N, R31E	3	SW NW	0.14
T5N, R31E	3	SE NW	3.06
T5N, R31E	3	NE SW	31.84
T5N, R31E	3	NW SW	31.86
T5N, R31E	3	SW SW	30.15
T5N, R31E	3	SE SW	31.04
T5N, R31E	3	NE SE	34.02
T5N, R31E	3	NW SE	34.20
T5N, R31E	3	SW SE	29.56
T5N, R31E	3	SE SE	30.14

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Proposed Place of Use for Rupp Ranches Groundwater Application

T5N, R31E	4	NW NE	0.28
T5N, R31E	4	SW NE	27.65
T5N, R31E	4	SE NE	0.11
T5N, R31E	4	NE NW	1.26
T5N, R31E	4	NW NW	1.78
T5N, R31E	4	SW NW	1.12
T5N, R31E	4	SE NW	34.11
T5N, R31E	4	NE SW	33.51
T5N, R31E	4	NW SW	1.11
T5N, R31E	4	SE SW	0.11
T5N, R31E	4	NE SE	30.99
T5N, R31E	4	NW SE	25.65
T5N, R31E	4	SE SE	31.05
T5N, R31E	5	NE NW	26.38
T5N, R31E	5	NW NW	15.76
T5N, R31E	5	SW NW	35.37
T5N, R31E	5	SE NW	33.28
T5N, R31E	5	NE SW	35.62
T5N, R31E	5	NW SW	36.78
T5N, R31E	5	SW SW	38.21
T5N, R31E	5	SE SW	37.95
T5N, R31E	5	SW SE	0.00

T5N, R31E	6	NW NE	0.47
T5N, R31E	6	SW NE	2.05
T5N, R31E	6	NE NW	26.83
T5N, R31E	6	NW NW	39.04
T5N, R31E	6	SW NW	38.10
T5N, R31E	6	SE NW	37.86
T5N, R31E	6	NW SW	0.37
T5N, R31E	6	SW SW	1.04
T5N, R31E	6	SE SW	1.69
T5N, R31E	6	SW SE	0.02
T5N, R31E	6	SE SE	1.22
T5N, R31E	7	NE NE	38.69
T5N, R31E	7	NW NE	1.51
T5N, R31E	7	SW NE	39.31
T5N, R31E	7	SE NE	39.29
T5N, R31E	7	NE NW	39.05
T5N, R31E	7	NW NW	2.67
T5N, R31E	7	SW NW	39.35
T5N, R31E	7	SE NW	39.33
T5N, R31E	7	NE SW	39.36
T5N, R31E	7	NW SW	39.38
T5N, R31E	7	SW SW	39.42
T5N, R31E	7	SE SW	39.40

Proposed Place of Use for Rupp Ranches Groundwater Application

T5N, R31E	7	NE SE	39.33
T5N, R31E	7	NW SE	39.35
T5N, R31E	7	SW SE	39.38
T5N, R31E	7	SE SE	39.36
T5N, R31E	8	NE NW	1.03
T5N, R31E	8	NW NW	39.86
T5N, R31E	8	SW NW	39.93
T5N, R31E	8	SE NW	39.14
T5N, R31E	8	NE SW	39.78
T5N, R31E	8	NW SW	40.01
T5N, R31E	8	SW SW	40.09
T5N, R31E	8	SE SW	39.65
T5N, R31E	9	NE NE	30.76
T5N, R31E	9	NW NE	30.90
T5N, R31E	9	SW NE	32.21
T5N, R31E	9	SE NE	30.29
T5N, R31E	9	NE NW	0.03
T5N, R31E	9	SE NW	0.06
T5N, R31E	17	NE NW	39.90
T5N, R31E	17	NW NW	40.47
T5N, R31E	17	SW NW	40.37
T5N, R31E	17	SE NW	39.77
T5N, R31E	17	NE SW	0.66
T5N, R31E	17	NW SW	0.21

T5N, R31E	18	NE NE	39.75
T5N, R31E	18	NW NE	39.78
T5N, R31E	18	SW NE	39.77
T5N, R31E	18	SE NE	39.72
T5N, R31E	18	NE NW	39.81
T5N, R31E	18	NW NW	39.84
T5N, R31E	18	SW NW	39.76
T5N, R31E	18	SE NW	39.78
T5N, R31E	18	NE SE	0.01
T5N, R31E	18	NW SE	0.02

T6N, R30E	25	NE NE	9.43
T6N, R30E	25	SE NE	37.84
T6N, R30E	25	SW SW	2.12
T6N, R30E	25	SE SW	1.98
T6N, R30E	25	NE SE	38.65
T6N, R30E	25	NW SE	2.24
T6N, R30E	25	SW SE	39.66
T6N, R30E	25	SE SE	39.41

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Proposed Place of Use for Rupp Ranches Groundwater Application

T6N, R30E	36	NE NE	39.73
T6N, R30E	36	NW NE	39.74
T6N, R30E	36	SW NE	40.26
T6N, R30E	36	SE NE	39.93
T6N, R30E	36	NE NW	40.12
T6N, R30E	36	NW NW	40.23
T6N, R30E	36	SW NW	39.34
T6N, R30E	36	SE NW	40.09
T6N, R30E	36	NE SW	0.48
T6N, R30E	36	NW SW	0.16
T6N, R30E	36	SW SW	0.13
T6N, R30E	36	SE SW	0.40
T6N, R30E	36	NE SE	1.10
T6N, R30E	36	NW SE	0.80
T6N, R30E	36	SW SE	0.65
T6N, R30E	36	SE SE	0.32

T6N, R31E	13	SE SW	0.18
T6N, R31E	13	SW SE	0.02
T6N, R31E	14	SW SW	0.46
T6N, R31E	14	SE SW	0.18

T6N, R31E	15	NE SW	32.25
T6N, R31E	15	NW SW	45.10
T6N, R31E	15	SW SW	33.66
T6N, R31E	15	SE SW	6.45
T6N, R31E	15	NE SE	5.33
T6N, R31E	15	NW SE	12.21
T6N, R31E	15	SW SE	30.56
T6N, R31E	15	SE SE	24.64
T6N, R31E	16	SW NE	0.98
T6N, R31E	16	SE NE	0.04
T6N, R31E	16	SW NW	0.29
T6N, R31E	16	SE NW	2.10
T6N, R31E	16	NE SW	36.81
T6N, R31E	16	NW SW	26.33
T6N, R31E	16	SW SW	41.60
T6N, R31E	16	SE SW	39.07
T6N, R31E	16	NE SE	41.92
T6N, R31E	16	NW SE	42.87
T6N, R31E	16	SW SE	33.58
T6N, R31E	16	SE SE	24.74

Proposed Place of Use for Rupp Ranches Groundwater Application

T6N, R31E	17	SW NE	0.04
T6N, R31E	17	SE NE	0.07
T6N, R31E	17	SW SW	0.11
T6N, R31E	17	SE SW	8.41
T6N, R31E	17	NE SE	34.51
T6N, R31E	17	NW SE	23.39
T6N, R31E	17	SW SE	37.35
T6N, R31E	17	SE SE	17.17

T6N, R31E	19	NE NE	18.56
T6N, R31E	19	SW NE	9.05
T6N, R31E	19	SE NE	27.13
T6N, R31E	19	NE SE	6.75
T6N, R31E	19	NW SE	6.21
T6N, R31E	19	SW SE	8.44
T6N, R31E	19	SE SE	31.61

T6N, R31E	20	NE NE	18.32
T6N, R31E	20	NW NE	31.74
T6N, R31E	20	SW NE	15.26
T6N, R31E	20	SE NE	30.98
T6N, R31E	20	NE NW	36.63
T6N, R31E	20	NW NW	35.46
T6N, R31E	20	SW NW	31.14
T6N, R31E	20	SE NW	36.74
T6N, R31E	20	NE SW	34.51
T6N, R31E	20	NW SW	35.34
T6N, R31E	20	SW SW	32.99
T6N, R31E	20	SE SW	17.26
T6N, R31E	20	NE SE	27.66
T6N, R31E	20	NW SE	5.85
T6N, R31E	20	SW SE	0.24
T6N, R31E	20	SE SE	10.93

T6N, R31E	21	NE NE	34.72
T6N, R31E	21	NW NE	31.45
T6N, R31E	21	SW NE	22.96
T6N, R31E	21	SE NE	10.71
T6N, R31E	21	NE NW	35.74
T6N, R31E	21	NW NW	39.70
T6N, R31E	21	SW NW	36.22
T6N, R31E	21	SE NW	33.13
T6N, R31E	21	NE SW	20.02
T6N, R31E	21	NW SW	16.43
T6N, R31E	21	SW SW	27.62
T6N, R31E	21	SE SW	14.81
T6N, R31E	21	NE SE	10.81
T6N, R31E	21	NW SE	15.90

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Proposed Place of Use for Rupp Ranches Groundwater Application

T6N, R31E	21	SW SE	5.57
T6N, R31E	21	SE SE	27.45
T6N, R31E	22	NE NE	16.68
T6N, R31E	22	NW NE	27.74
T6N, R31E	22	SW NE	12.74
T6N, R31E	22	SE NE	6.89
T6N, R31E	22	NE NW	22.31
T6N, R31E	22	NW NW	19.33
T6N, R31E	22	SW NW	17.82
T6N, R31E	22	SE NW	32.97
T6N, R31E	22	NE SW	20.17
T6N, R31E	22	NW SW	9.86
T6N, R31E	22	SW SW	13.42
T6N, R31E	22	SE SW	15.46
T6N, R31E	22	NE SE	31.16
T6N, R31E	22	NW SE	20.57
T6N, R31E	22	SW SE	33.65
T6N, R31E	22	SE SE	19.19

T6N, R31E	23	NE NE	32.71
T6N, R31E	23	NW NE	18.64
T6N, R31E	23	SW NE	34.92
T6N, R31E	23	SE NE	24.50
T6N, R31E	23	NE NW	22.03
T6N, R31E	23	NW NW	22.97
T6N, R31E	23	SW NW	26.13
T6N, R31E	23	SE NW	7.60
T6N, R31E	23	NE SW	2.52
T6N, R31E	23	NW SW	24.17
T6N, R31E	23	SW SW	18.82
T6N, R31E	23	SE SW	4.49
T6N, R31E	23	NE SE	35.64
T6N, R31E	23	NW SE	37.91
T6N, R31E	23	SW SE	37.28
T6N, R31E	23	SE SE	37.69

T6N, R31E	24	NW NE	3.84
T6N, R31E	24	SW NE	0.74
T6N, R31E	24	NE NW	33.34
T6N, R31E	24	NW NW	24.34
T6N, R31E	24	SW NW	30.38
T6N, R31E	24	SE NW	24.99
T6N, R31E	24	NE SW	0.69
T6N, R31E	24	NW SW	21.49
T6N, R31E	24	SW SW	26.84

Proposed Place of Use for Rupp Ranches Groundwater Application

T6N, R31E	26	NE NE	0.04
T6N, R31E	26	NW NE	0.07
T6N, R31E	26	NE NW	33.11
T6N, R31E	26	NW NW	14.76
T6N, R31E	26	SW NW	31.56
T6N, R31E	26	SE NW	29.29
T6N, R31E	26	NE SW	29.99
T6N, R31E	26	NW SW	37.83
T6N, R31E	26	SW SW	11.48
T6N, R31E	26	SE SW	34.57
T6N, R31E	26	NW SE	0.01
T6N, R31E	26	SW SE	0.40
T6N, R31E	27	NE NE	21.10
T6N, R31E	27	NW NE	33.94
T6N, R31E	27	SW NE	23.90
T6N, R31E	27	SE NE	15.71
T6N, R31E	27	NE NW	20.13
T6N, R31E	27	NW NW	28.13
T6N, R31E	27	SW NW	23.91
T6N, R31E	27	SE NW	40.16
T6N, R31E	27	NE SW	38.11
T6N, R31E	27	NW SW	37.87
T6N, R31E	27	SW SW	34.04
T6N, R31E	27	SE SW	6.91
T6N, R31E	27	NE SE	24.32
T6N, R31E	27	NW SE	2.98
T6N, R31E	27	SE SE	33.27

T6N, R31E	28	NE NE	12.73
T6N, R31E	28	NW NE	26.95
T6N, R31E	28	SW NE	38.83
T6N, R31E	28	SE NE	11.62
T6N, R31E	28	NE NW	18.29
T6N, R31E	28	NW NW	13.32
T6N, R31E	28	SW NW	27.52
T6N, R31E	28	SE NW	14.67
T6N, R31E	28	NE SW	15.66
T6N, R31E	28	NW SW	36.20
T6N, R31E	28	SW SW	36.30
T6N, R31E	28	NE SE	7.70
T6N, R31E	28	NW SE	22.05
T6N, R31E	28	SE SE	24.91
T6N, R31E	29	NE NE	19.44
T6N, R31E	29	NW NE	24.91
T6N, R31E	29	SW NE	28.54
T6N, R31E	29	SE NE	5.69
T6N, R31E	29	NE NW	5.70

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Proposed Place of Use for Rupp Ranches Groundwater Application

T6N, R31E	29	NW NW	18.58
T6N, R31E	29	SW NW	2.48
T6N, R31E	29	SE NW	28.20
T6N, R31E	29	NE SW	34.67
T6N, R31E	29	NW SW	32.79
T6N, R31E	29	SW SW	36.88
T6N, R31E	29	SE SW	36.66
T6N, R31E	29	NE SE	11.51
T6N, R31E	29	NW SE	15.21
T6N, R31E	29	SW SE	24.93
T6N, R31E	29	SE SE	1.82

T6N, R31E	30	NE NE	35.42
T6N, R31E	30	NW NE	34.16
T6N, R31E	30	SW NE	27.65
T6N, R31E	30	SE NE	18.53
T6N, R31E	30	NE NW	6.02
T6N, R31E	30	NW NW	0.33
T6N, R31E	30	SW NW	0.81
T6N, R31E	30	SE NW	3.67
T6N, R31E	30	NW SW	0.33
T6N, R31E	30	SW SW	14.94
T6N, R31E	30	SE SW	28.40
T6N, R31E	30	NE SE	12.08
T6N, R31E	30	NW SE	5.18
T6N, R31E	30	SW SE	25.01
T6N, R31E	30	SE SE	30.00

T6N, R31E	31	NE NE	29.99
T6N, R31E	31	NW NE	28.88
T6N, R31E	31	SW NE	3.08
T6N, R31E	31	SE NE	22.47
T6N, R31E	31	NE NW	34.05
T6N, R31E	31	NW NW	9.71
T6N, R31E	31	SE NW	2.13
T6N, R31E	31	SW SW	1.06
T6N, R31E	31	SE SW	0.32

T6N, R31E	32	NE NW	28.55
T6N, R31E	32	NW NW	36.61
T6N, R31E	32	SW NW	22.04
T6N, R31E	32	NE SE	1.11
T6N, R31E	32	SE SE	2.02

Proposed Place of Use for Rupp Ranches Groundwater Application

T6N, R31E	33	NW NW	0.59
T6N, R31E	33	NE SW	24.27
T6N, R31E	33	NW SW	31.89
T6N, R31E	33	SW SW	36.07
T6N, R31E	33	SE SW	26.57
T6N, R31E	33	NE SE	0.03
T6N, R31E	33	SE SE	0.45
T6N, R31E	34	NE NE	3.82
T6N, R31E	34	NE SW	27.13
T6N, R31E	34	NW SW	26.90
T6N, R31E	34	SW SW	35.58
T6N, R31E	34	SE SW	31.13
T6N, R31E	34	NE SE	27.20
T6N, R31E	34	NW SE	29.62
T6N, R31E	34	SW SE	36.04
T6N, R31E	34	SE SE	27.90

T6N, R31E	35	NE NW	32.37
T6N, R31E	35	NW NW	30.18
T6N, R31E	35	SW NW	1.29
T6N, R31E	35	SE NW	29.34
		TOTAL ACRES	10766.55

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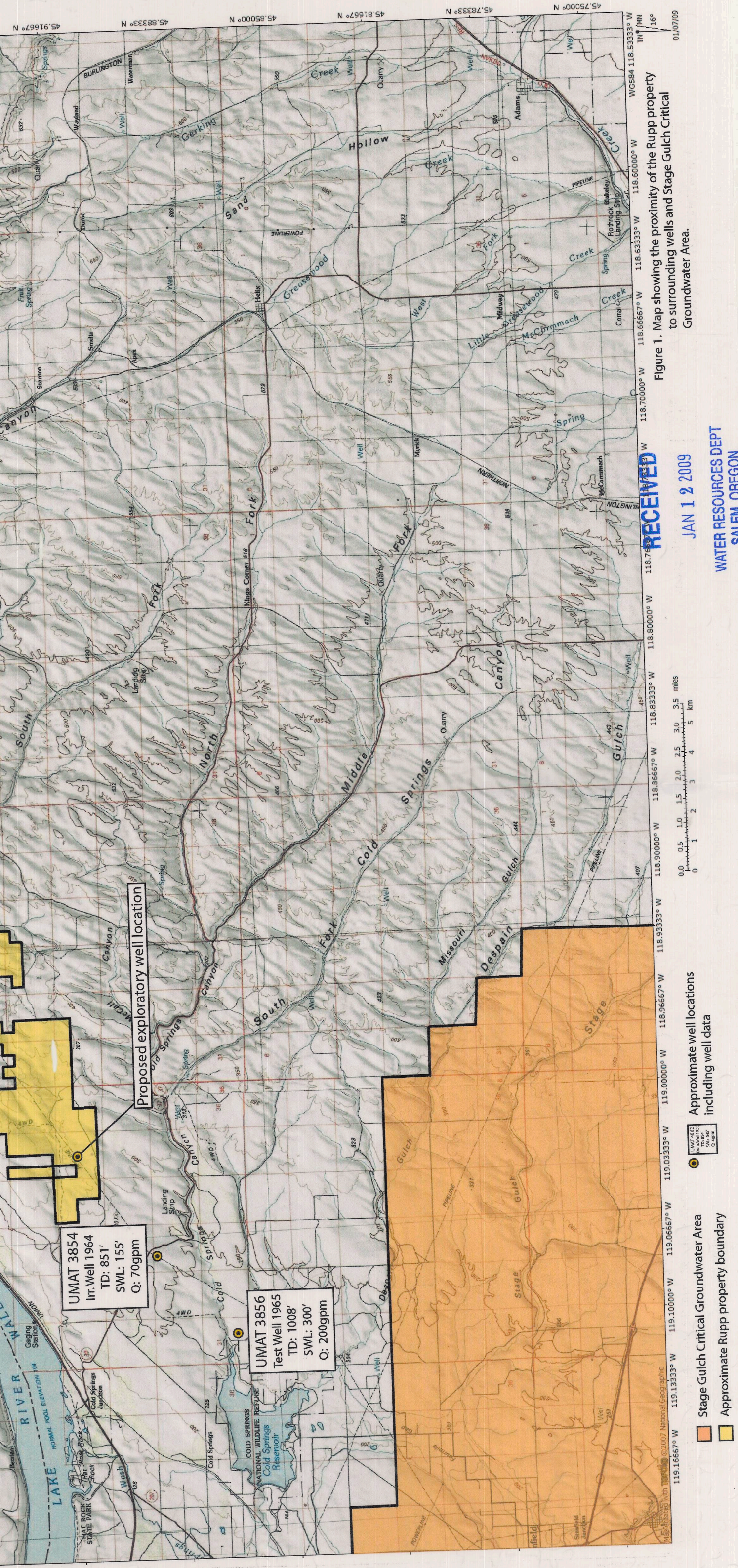
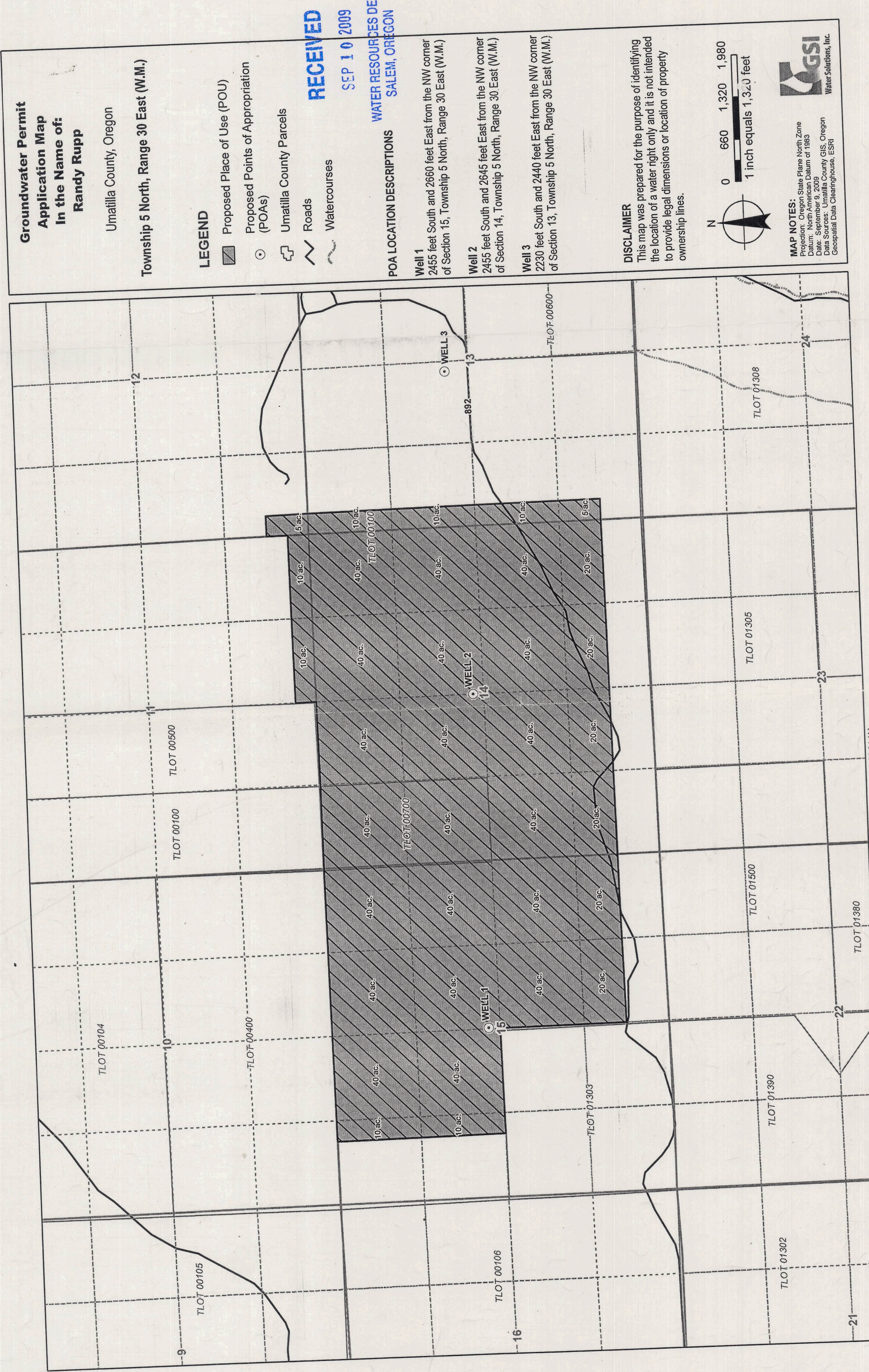
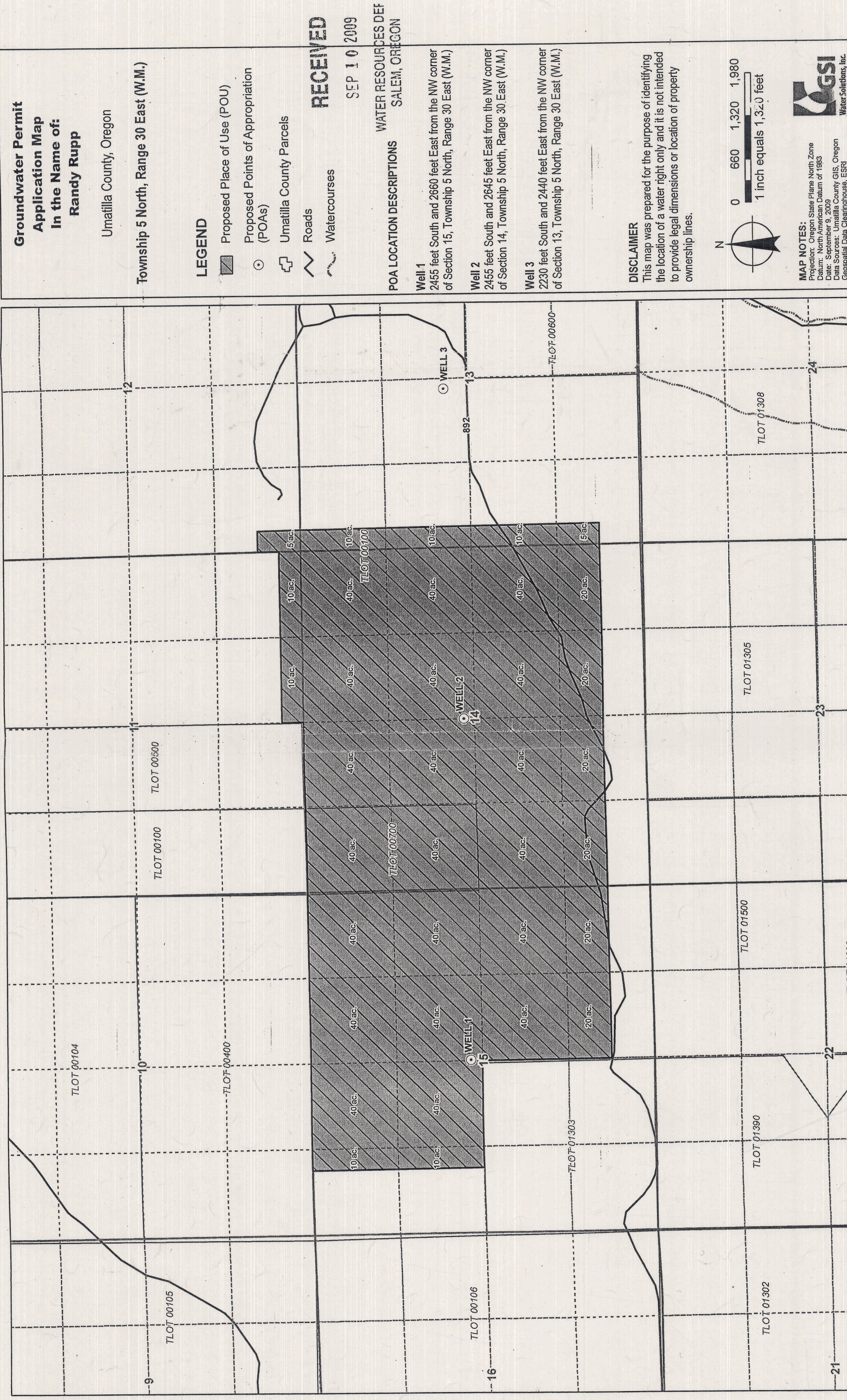
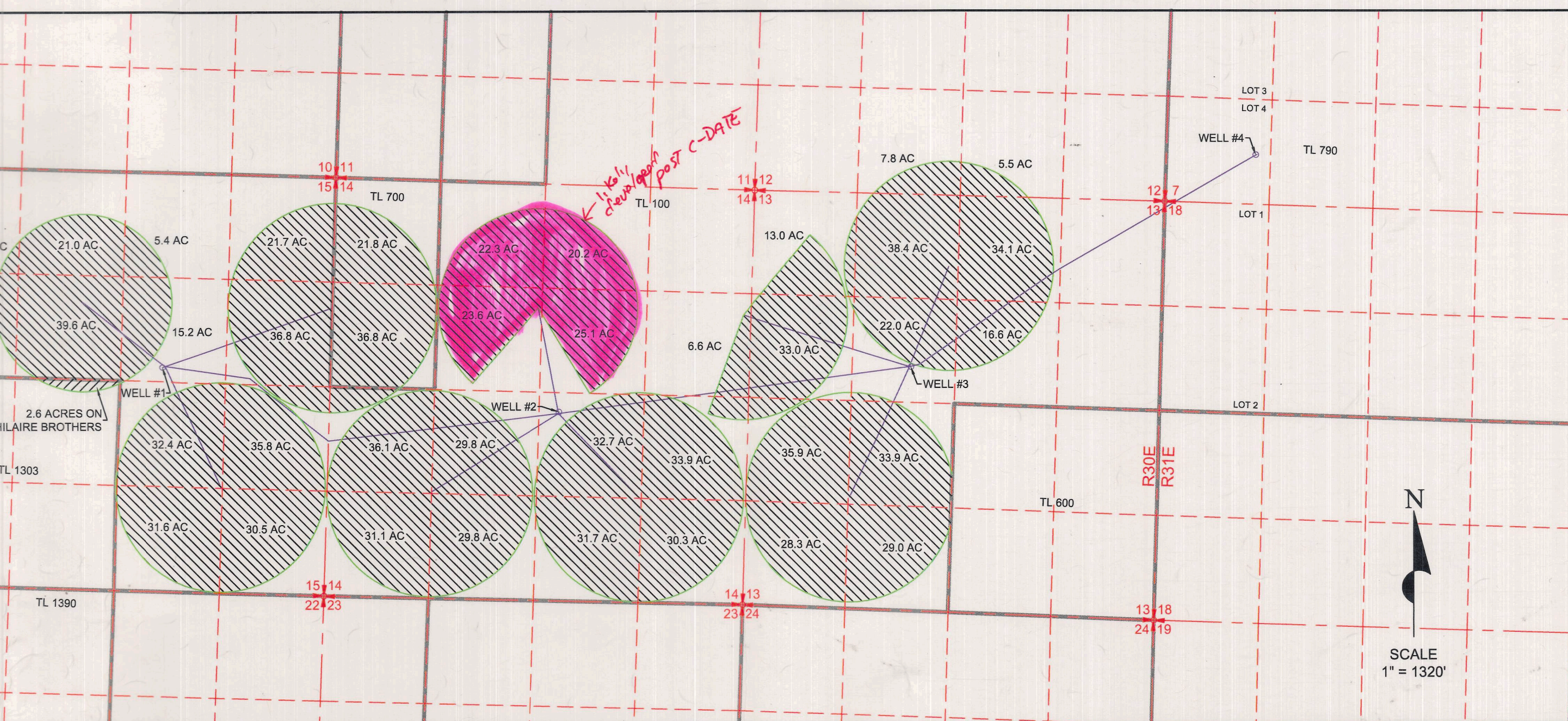


Figure 1. Map showing the proximity of the Rupp property to surrounding wells and Stage Gulch Critical Groundwater Area.



Township 5 N, Range 30 E, W.M. Sections 12, 13, 14, & 15
Umatilla County

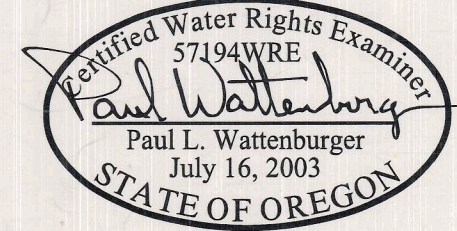


SECTIONS
Q-Q SECTS
BURIED PIPELINES
TAX LOTS
986.4 ACRES
2.6 ACRES ON ST. HILAIRE
BROTHERS HERMISTON FARM
WELLS

WELL #1 LOCATED 2460' SOUTH & 2120' WEST FROM
THE NE CORNER OF SECTION 15 T5N R30E WM.
WELL #2 LOCATED 2380' NORTH & 2400' WEST FROM
THE SE CORNER OF SECTION 14 T5N R30E WM.
WELL #3 LOCATED 2180' SOUTH & 2040' EAST FROM
THE NW CORNER OF SECTION 13 T5N R30E WM.
WELL #4 LOCATED 630' NORTH & 1130' EAST FROM
THE SW CORNER OF SECTION 7 T5N R31E WM.
POD LOCATED 2920' NORTH & 150' EAST FROM
THE SW CORNER OF SECTION 8 T5N R30E WM.

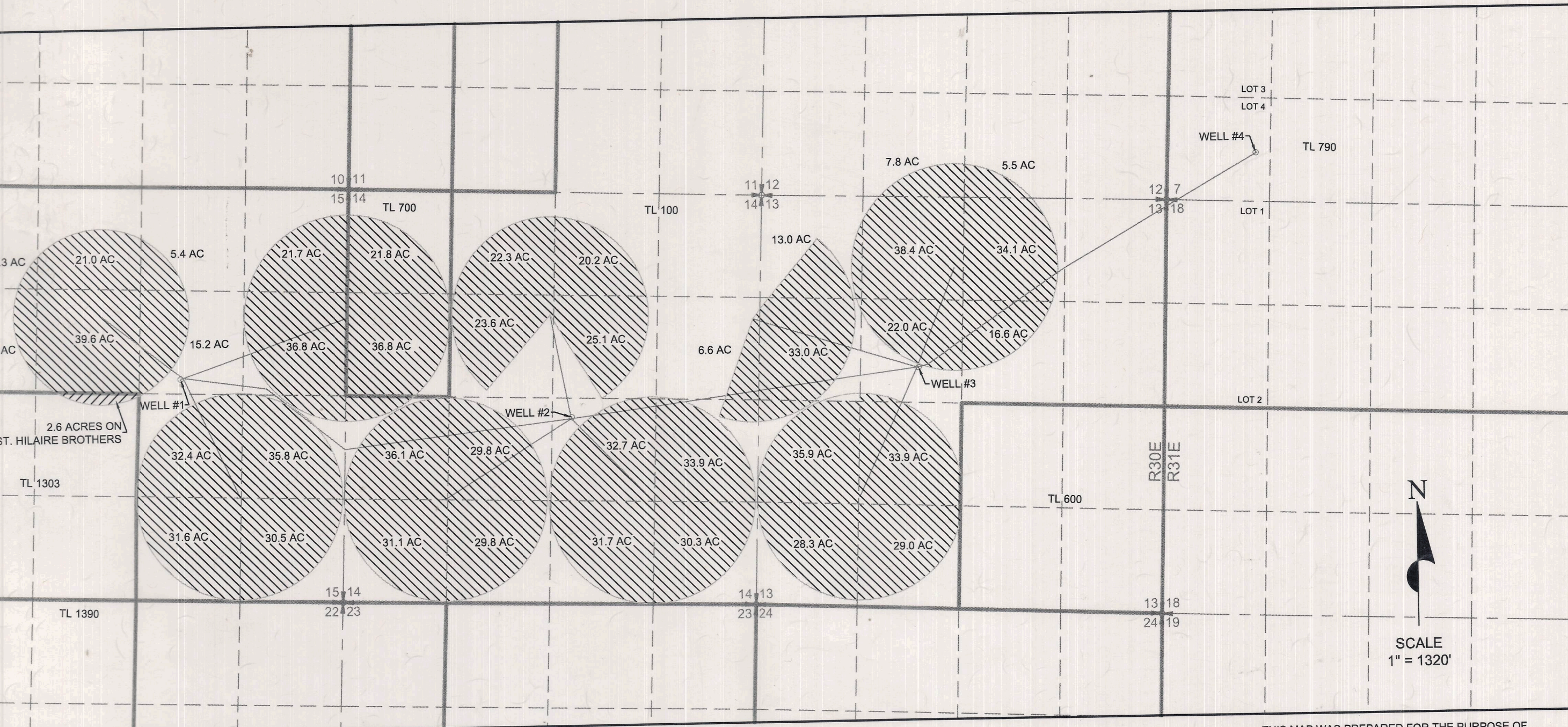
WATER RIGHT MAP
Application G-17068
Permit G-17272
in the name of
RUPP RANCES
August 3, 2018

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



EXPIRES: 6/30/20

Township 5 N, Range 30 E, W.M. Sections 12, 13, 14, & 15
Umatilla County

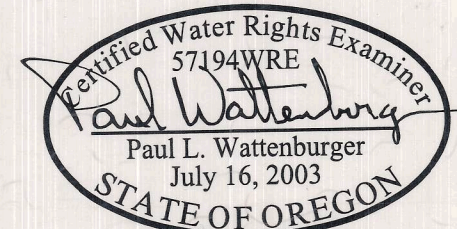


SECTIONS
Q-Q SECTS
BURIED PIPELINES
TAX LOTS
986.4 ACRES
2.6 ACRES ON ST. HILAIRE
BROTHERS HERMISTON FARM
WELLS

WELL #1 LOCATED 2460' SOUTH & 2120' WEST FROM
THE NE CORNER OF SECTION 15 T5N R30E WM.
WELL #2 LOCATED 2380' NORTH & 2400' WEST FROM
THE SE CORNER OF SECTION 14 T5N R30E WM.
WELL #3 LOCATED 2180' SOUTH & 2040' EAST FROM
THE NW CORNER OF SECTION 13 T5N R30E WM.
WELL #4 LOCATED 630' NORTH & 1130' EAST FROM
THE SW CORNER OF SECTION 7 T5N R31E WM.
POD LOCATED 2920' NORTH & 150' EAST FROM
THE SW CORNER OF SECTION 8 T5N R30E WM.

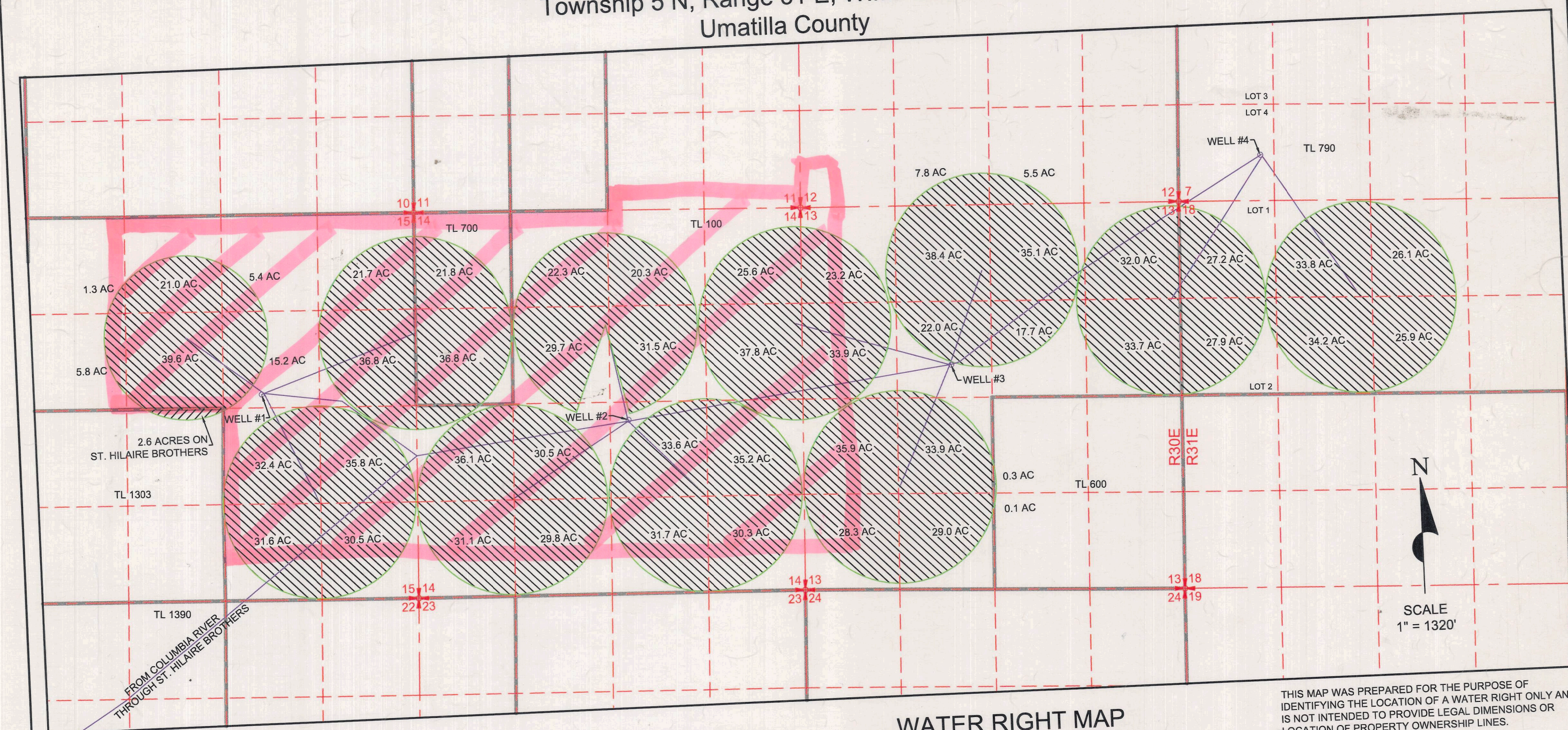
WATER RIGHT MAP
Application G-17068
Permit G-17272
in the name of
RUPP RANCES
August 3, 2018

THIS MAP WAS PREPARED FOR THE PURPOSE OF
IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND
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LOCATION OF PROPERTY OWNERSHIP LINES.



EXPIRES: 6/30/20

Township 5 N, Range 30 E, W.M. Sections 12, 13, 14, & 15
Township 5 N, Range 31 E, W.M. Section 18
Umatilla County

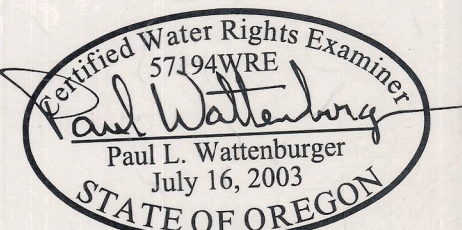


LEGEND
SECTIONS
Q-Q SECTS
BURIED PIPELINES
TAX LOTS
1313.1 ACRES
2.6 ACRES ON ST. HILAIRE
BROTHERS HERMISTON FARM
WELLS

WELL #1 LOCATED 2460' SOUTH & 2120' WEST FROM
THE NE CORNER OF SECTION 15 T5N R30E WM.
WELL #2 LOCATED 2380' NORTH & 2400' WEST FROM
THE SE CORNER OF SECTION 14 T5N R30E WM.
WELL #3 LOCATED 2180' SOUTH & 2040' EAST FROM
THE NW CORNER OF SECTION 13 T5N R30E WM.
WELL #4 LOCATED 630' NORTH & 1130' EAST FROM
THE SW CORNER OF SECTION 7 T5N R31E WM.
POD LOCATED 2920' NORTH & 150' EAST FROM
THE SW CORNER OF SECTION 8 T5N R30E WM.

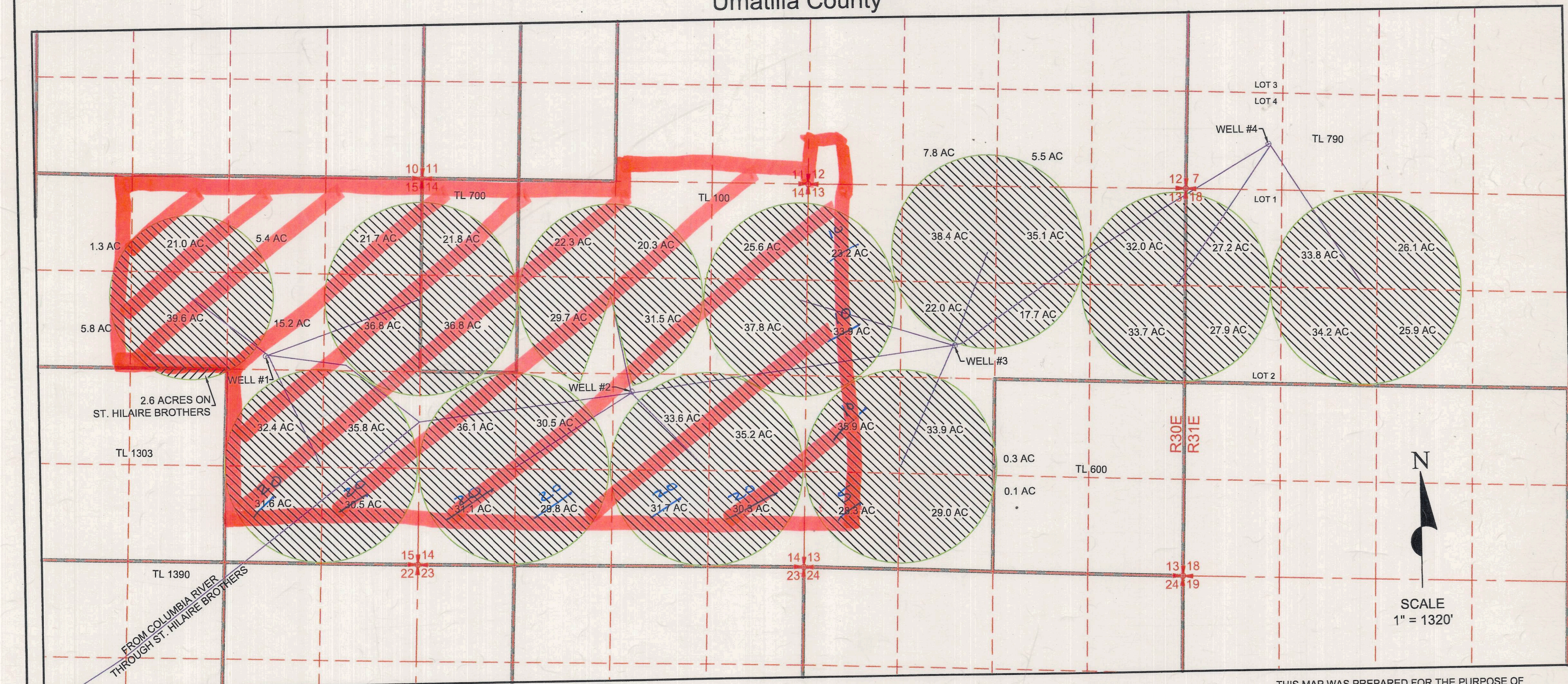
WATER RIGHT MAP
Application G-17068
Permit G-17272
in the name of
RUPP RANCES
July 31, 2018

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



EXPIRES: 6/30/20

Township 5 N, Range 30 E, W.M. Sections 12, 13, 14, & 15
Township 5 N, Range 31 E, W.M. Section 18
Umatilla County

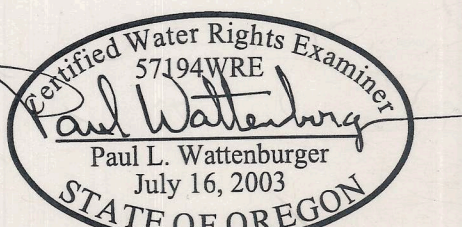


LEGEND
SECTIONS
Q-Q SECTS
BURIED PIPELINES
TAX LOTS
1313.1 ACRES
2.6 ACRES ON ST. HILAIRE
BROTHERS HERMISTON FARM
WELLS

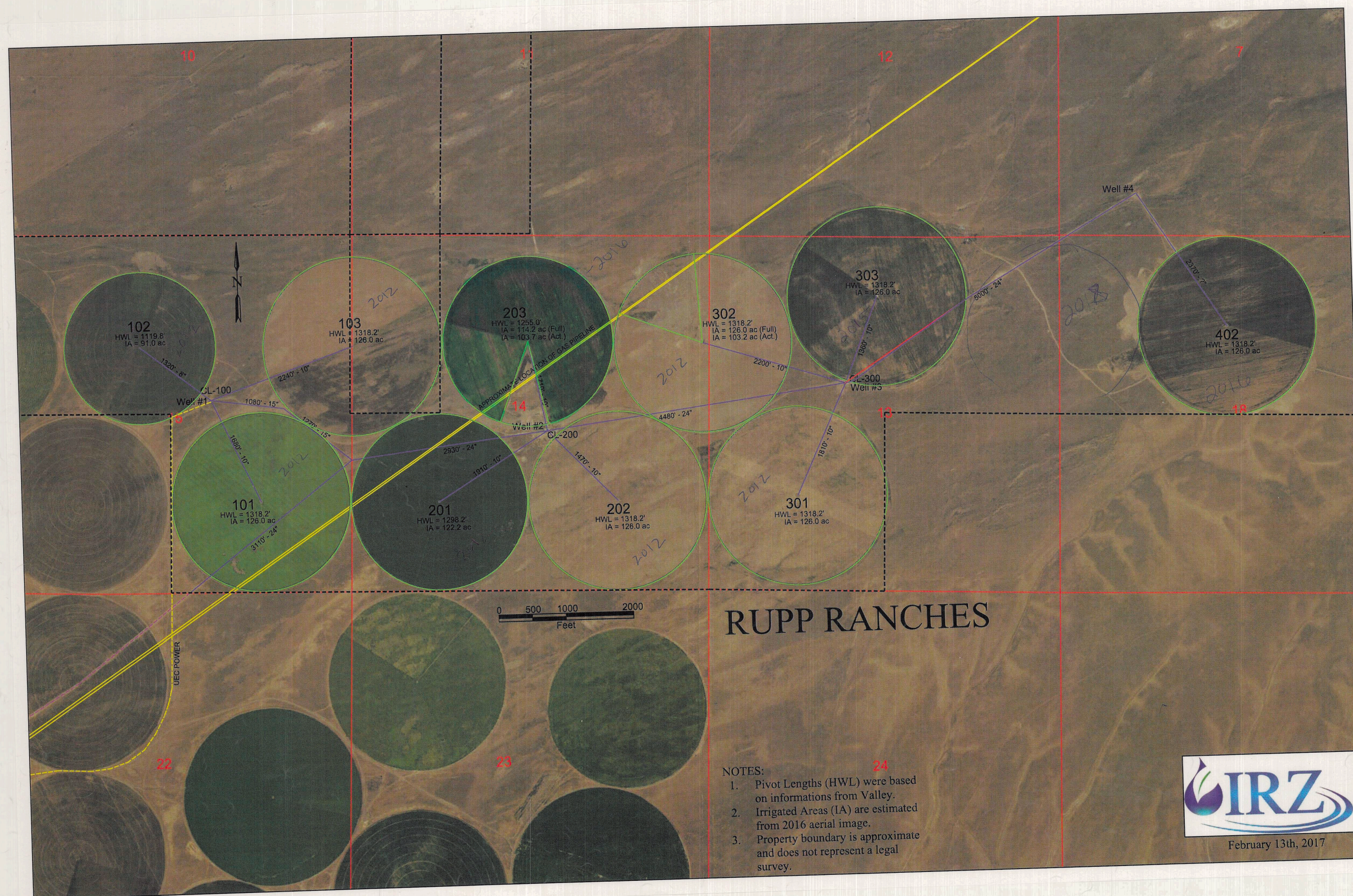
WELL #1 LOCATED 2460' SOUTH & 2120' WEST FROM
THE NE CORNER OF SECTION 15 T5N R30E WM.
WELL #2 LOCATED 2380' NORTH & 2400' WEST FROM
THE SE CORNER OF SECTION 14 T5N R30E WM.
WELL #3 LOCATED 2180' SOUTH & 2040' EAST FROM
THE NW CORNER OF SECTION 13 T5N R30E WM.
WELL #4 LOCATED 630' NORTH & 1130' EAST FROM
THE SW CORNER OF SECTION 7 T5N R31E WM.
POD LOCATED 2920' NORTH & 150' EAST FROM
THE SW CORNER OF SECTION 8 T5N R30E WM.

WATER RIGHT MAP
Application G-17068
Permit G-17272
in the name of
RUPP RANCES
July 31, 2018

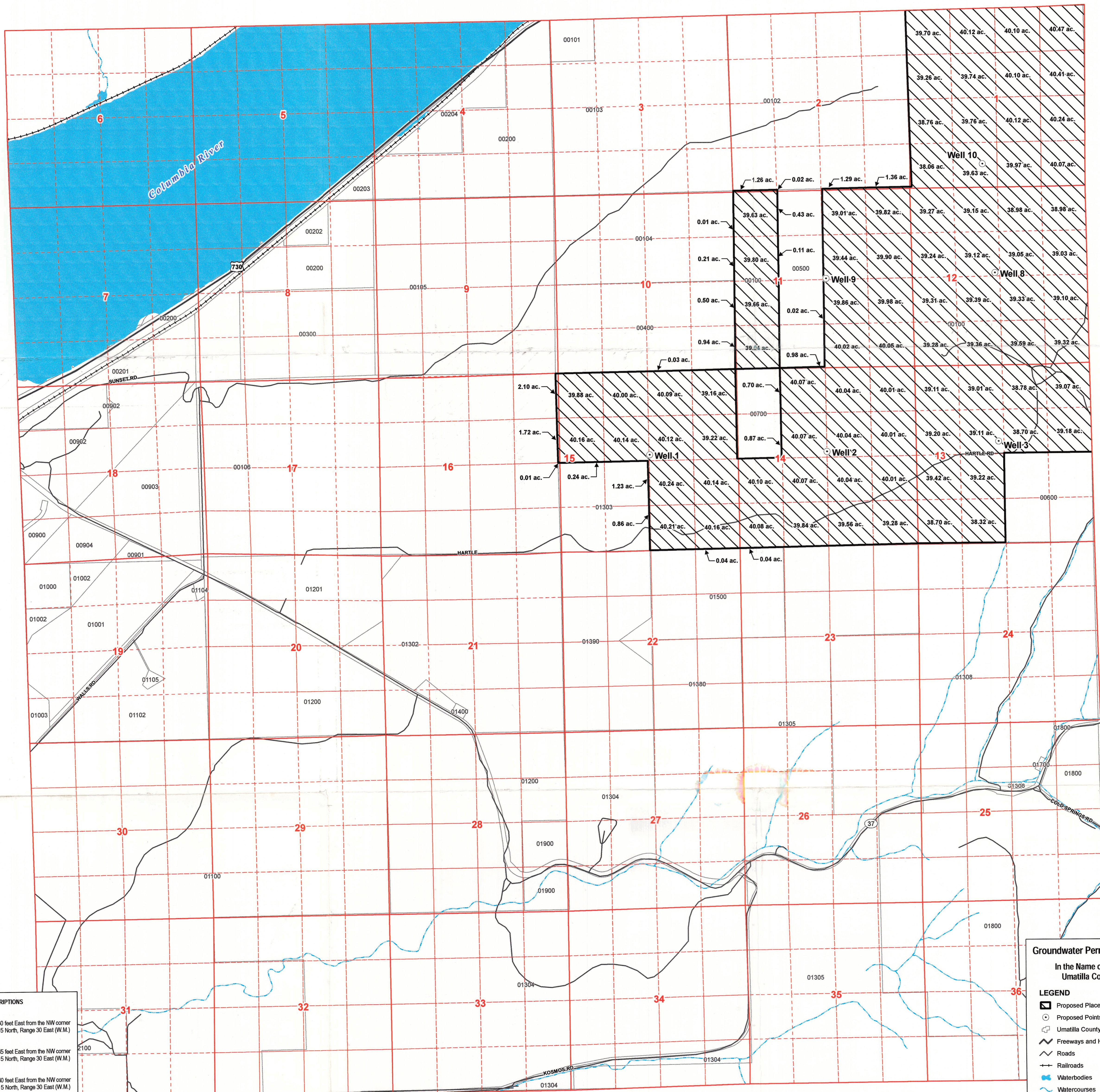
THIS MAP WAS PREPARED FOR THE PURPOSE OF
IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND
IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR
LOCATION OF PROPERTY OWNERSHIP LINES.



EXPIRES: 6/30/20



TOWNSHIP 5 NORTH, RANGE 30 EAST (W.M.)



POA LOCATION DESCRIPTIONS

Well 1
2455 feet South and 2660 feet East from the NW corner of Section 15, Township 5 North, Range 30 East (W.M.)

Well 2
2455 feet South and 2645 feet East from the NW corner of Section 14, Township 5 North, Range 30 East (W.M.)

Well 3
2230 feet South and 2440 feet East from the NW corner of Section 13, Township 5 North, Range 30 East (W.M.)

Well 8
2520 feet South and 2460 feet East from the NW corner of Section 12, Township 5 North, Range 30 East (W.M.)

Well 9
2600 feet South and 2720 feet East from the NW corner of Section 11, Township 5 North, Range 30 East (W.M.)

1 of 4
App No G-17068

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SALEM, OREGON

Groundwater Permit Application Map
In the Name of: Randy Rupp
Umatilla County, Oregon

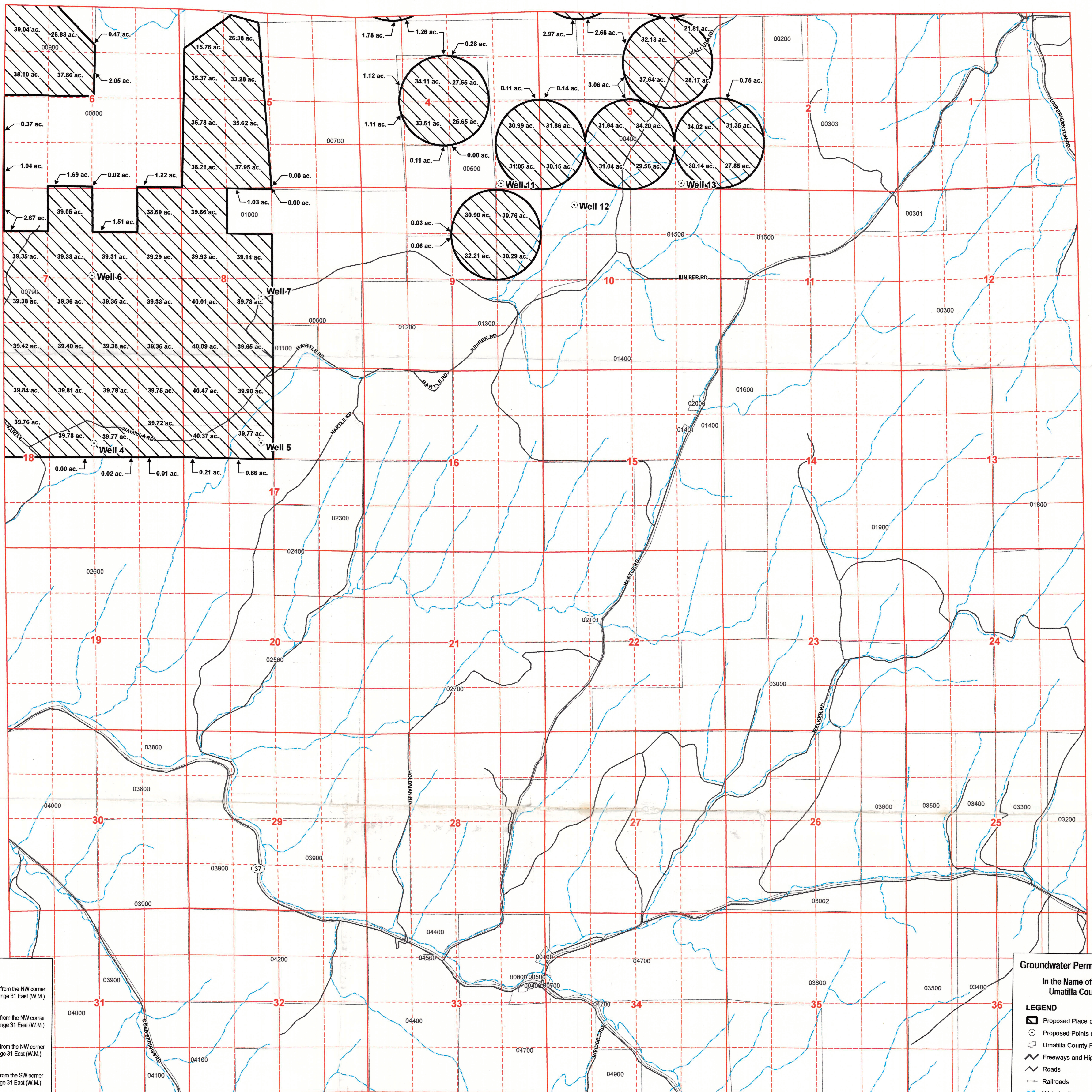
LEGEND

- Proposed Place of Use (POU)
- Proposed Points of Appropriation (POAs)
- Umatilla County Parcels
- Freeways and Highways
- Roads
- Railroads
- Waterbodies
- Watercourses

MAP NOTES:
Projection: Oregon State Plane North Zone

0 660 1,320
1 inch equals 1,320 feet

TOWNSHIP 5 NORTH, RANGE 31 EAST (W.M.)



DA LOCATION DESCRIPTIONS

Well 4
35 feet South and 2635 feet East from the NW corner
Section 18, Township 5 North, Range 31 East (W.M.)

Well 5
00 feet South and 2285 feet East from the NW corner
Section 17, Township 5 North, Range 31 East (W.M.)

Well 6
30 feet South and 2610 feet East from the NW corner
Section 7, Township 5 North, Range 31 East (W.M.)

Well 7
85 feet North and 2320 feet East from the SW corner
Section 8, Township 5 North, Range 31 East (W.M.)

Well 11
5 feet North and 1195 feet West from the SE corner
Section 4, Township 5 North, Range 31 East (W.M.)

Well 12
35 feet South and 960 feet East from the NW corner
Section 10, Township 5 North, Range 31 East (W.M.)

Well 13
5 feet North and 1195 feet West from the SE corner
Section 4, Township 5 North, Range 31 East (W.M.)

2 of 4

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Groundwater Permit Application Map
In the Name of: Randy Rupp
Umatilla County, Oregon

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Scale
0 660 1,320
1 inch equals 1,320 feet

North Arrow
N

Well 14
565 feet South and 2070 feet East from the NW corner
of Section 23, Township 6 North, Range 31 East (W.M.)

3 of 4

TOWNSHIP 6 NORTH, RANGE 31 EAST (W.M.)

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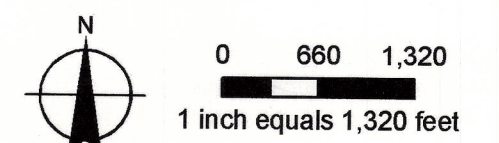
WATER RESOURCES DEPT
SALEM, OREGON

Groundwater Permit Application Map

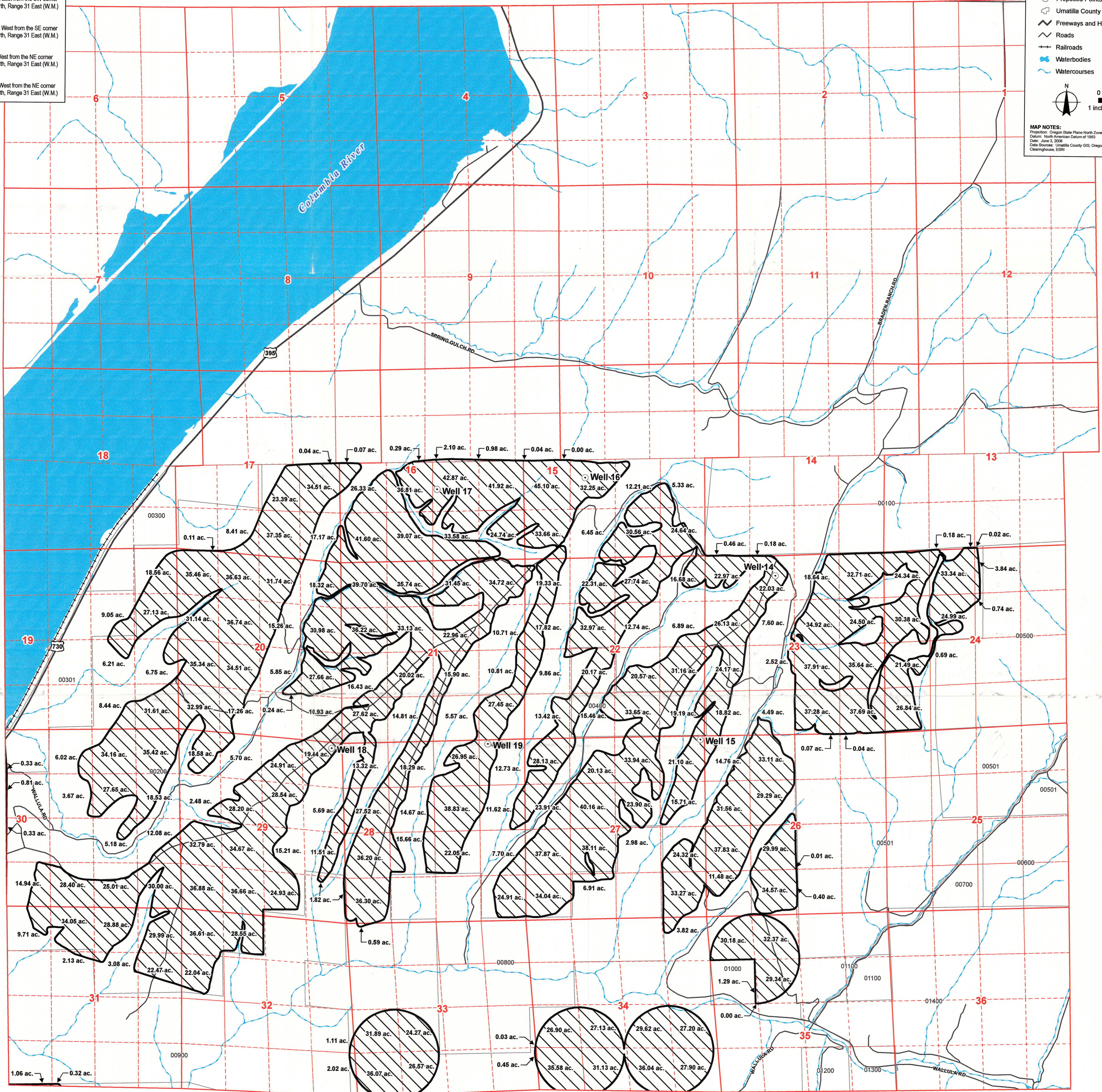
In the Name of: Randy Rupp
Umatilla County, Oregon

LEGEND

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MAP NOTES:
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Datum: North American Datum of 1983
Date: June 3, 2008
Data Sources: Umatilla County GIS, Oregon Geospatial Data Clearinghouse, ESRI



WATER RESOURCES DEPT
SALEM, OREGON

TOWNSHIP 6 NORTH, RANGE 30 EAST (W.M.)

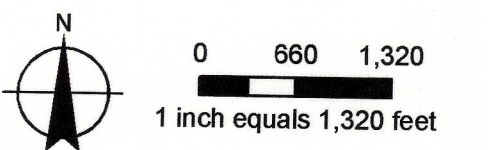
4 of 4

Groundwater Permit Application Map

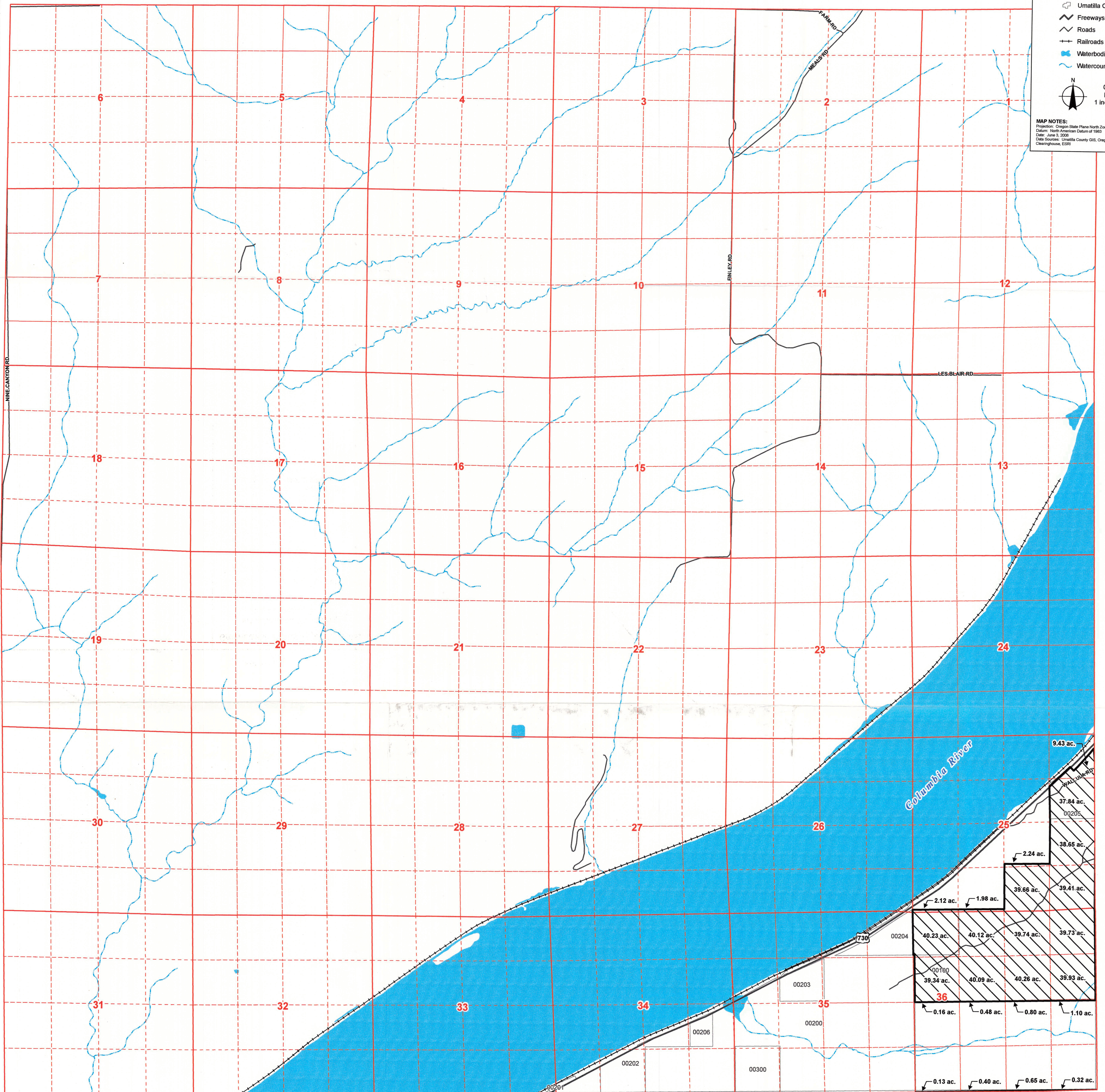
In the Name of: Randy Rupp
Umatilla County, Oregon

LEGEND

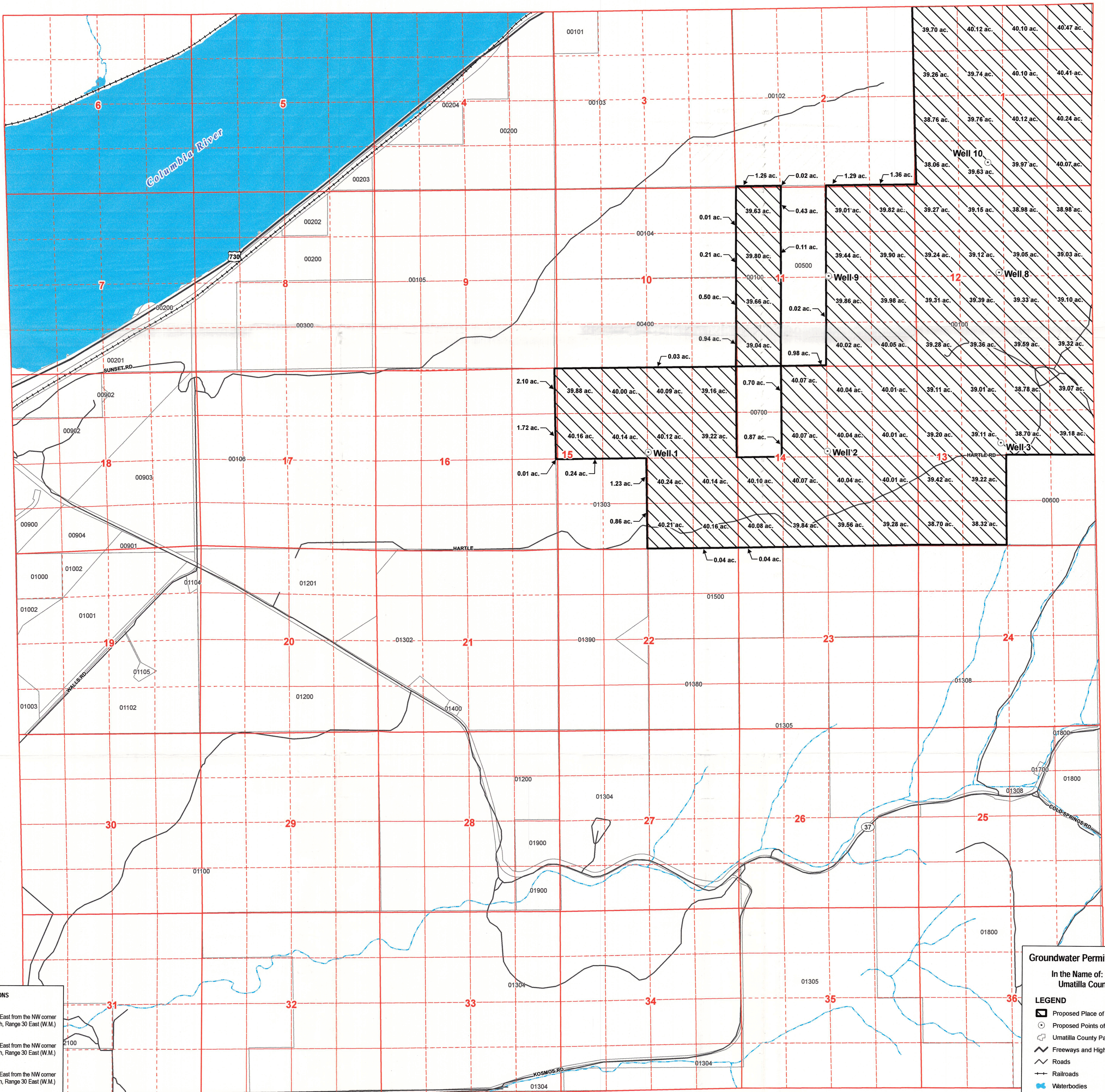
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TOWNSHIP 5 NORTH, RANGE 30 EAST (W.M.)



POA LOCATION DESCRIPTIONS

- Well 1**
2455 feet South and 2660 feet East from the NW corner of Section 15, Township 5 North, Range 30 East (W.M.)
- Well 2**
2455 feet South and 2645 feet East from the NW corner of Section 14, Township 5 North, Range 30 East (W.M.)
- Well 3**
2230 feet South and 2440 feet East from the NW corner of Section 13, Township 5 North, Range 30 East (W.M.)
- Well 8**
2520 feet South and 2460 feet East from the NW corner of Section 12, Township 5 North, Range 30 East (W.M.)
- Well 9**
2600 feet South and 2720 feet East from the NW corner of Section 11, Township 5 North, Range 30 East (W.M.)
- Well 10**
695 feet North and 2160 feet East from the SW corner of Section 1, Township 5 North, Range 30 East (W.M.)

1 of 4
App No G-17068

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SALEM, OREGON

Groundwater Permit Application Map

In the Name of: Randy Rupp
Umatilla County, Oregon

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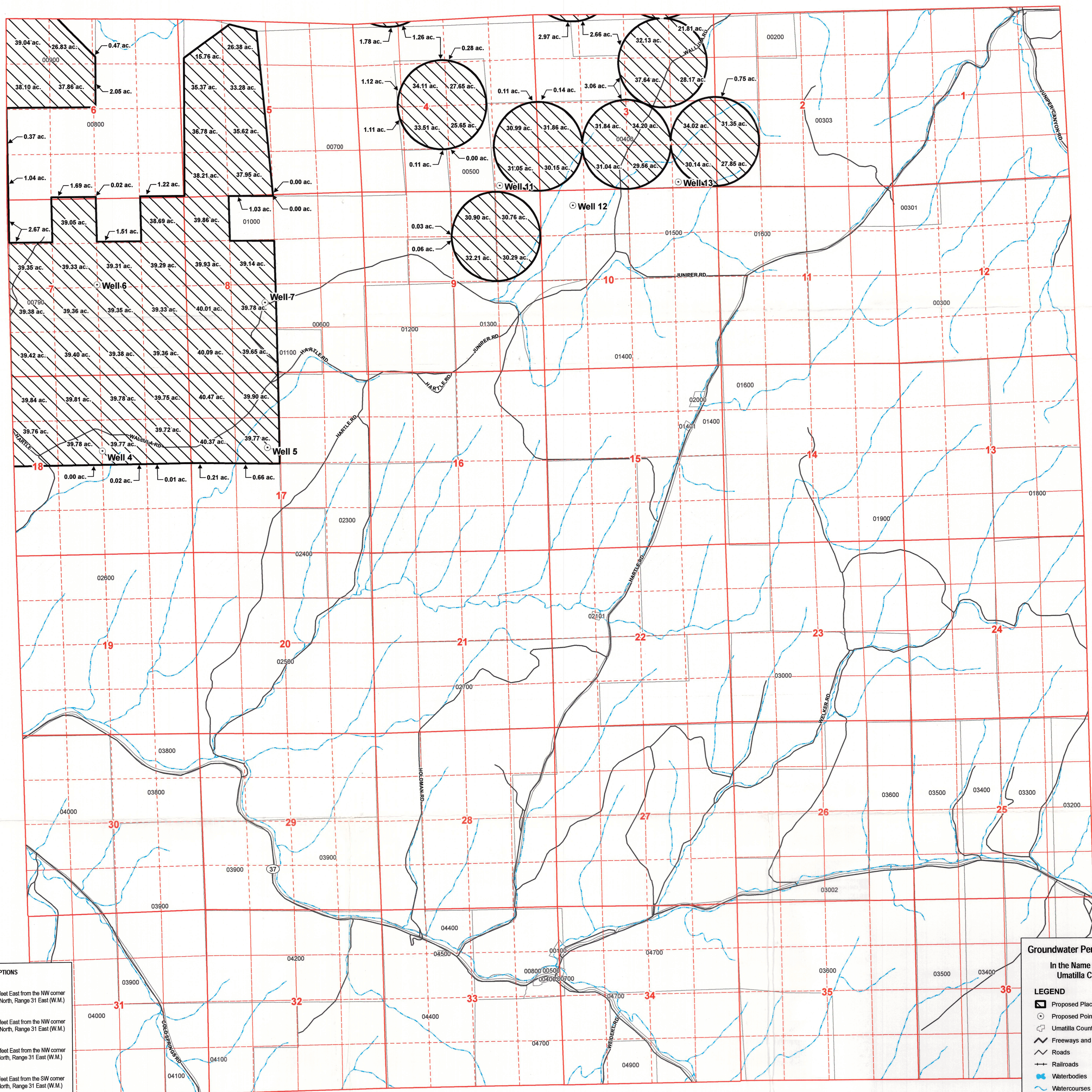


0 660 1,320
1 inch equals 1,320 feet

MAP NOTES:
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Date: June 3, 2008
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Clearinghouse, ESRI



TOWNSHIP 5 NORTH, RANGE 31 EAST (W.M.)



POA LOCATION DESCRIPTIONS

Well 4
2335 feet South and 2635 feet East from the NW corner of Section 18, Township 5 North, Range 31 East (W.M.)

Well 5
2200 feet South and 2285 feet East from the NW corner of Section 17, Township 5 North, Range 31 East (W.M.)

Well 6
2530 feet South and 2610 feet East from the NW corner of Section 7, Township 5 North, Range 31 East (W.M.)

Well 7
2085 feet North and 2320 feet East from the SW corner of Section 8, Township 5 North, Range 31 East (W.M.)

Well 11
165 feet North and 1195 feet West from the SE corner of Section 4, Township 5 North, Range 31 East (W.M.)

Well 12
445 feet South and 960 feet East from the NW corner of Section 10, Township 5 North, Range 31 East (W.M.)

2 of 4
App No G-17068

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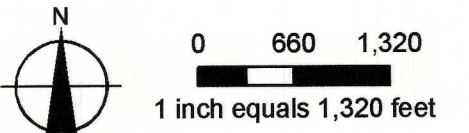
MAP NOTES:
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In the Name of: Randy Rupp
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TOWNSHIP 6 NORTH, RANGE 31 EAST (W.M.)

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WATER RESOURCES DEPT
SALEM, OREGON

POA LOCATION DESCRIPTIONS

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565 feet South and 2070 feet East from the NW corner
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Well 15
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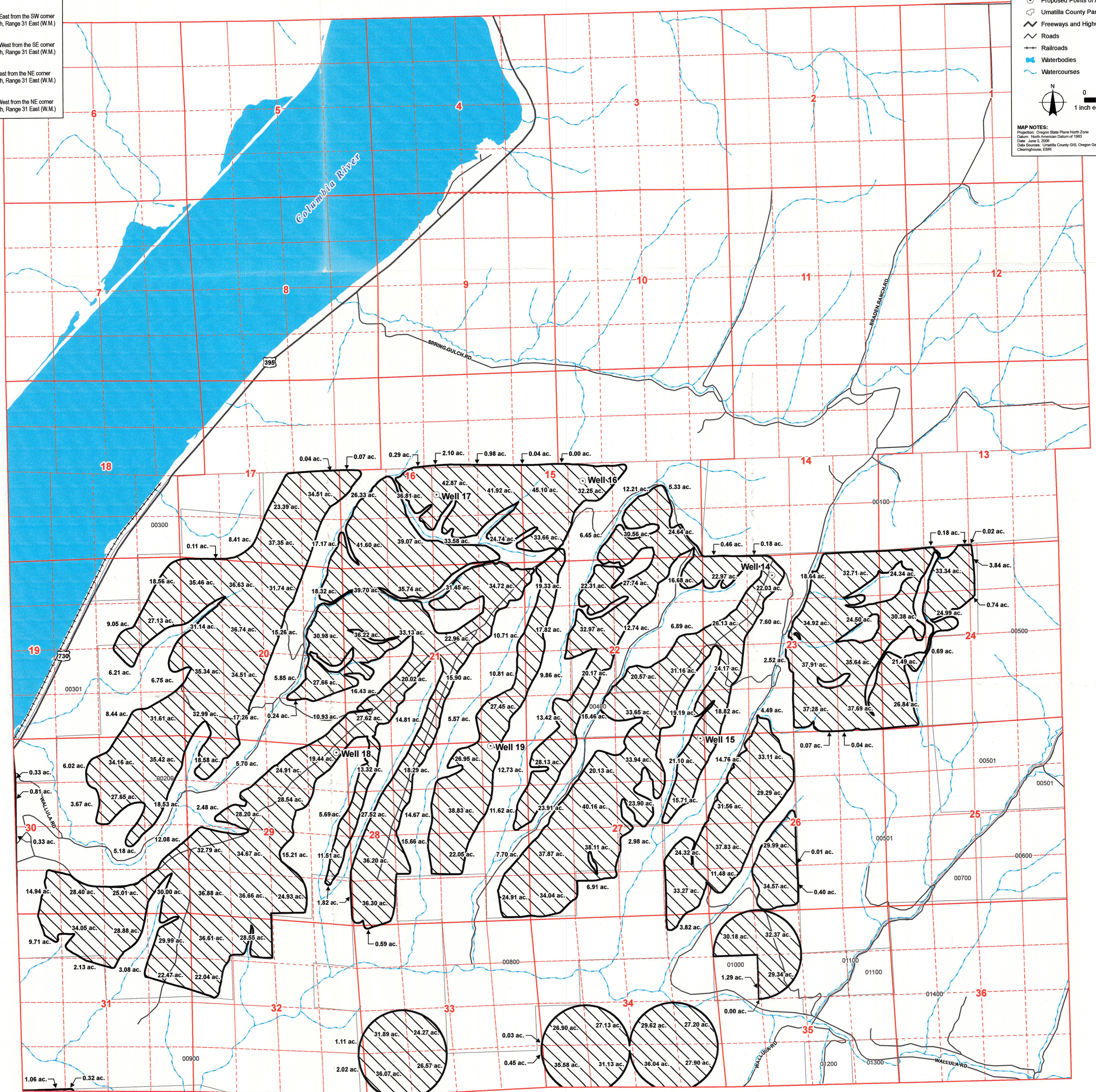
Well 16
2355 feet North and 1800 feet East from the SW corner
of Section 15, Township 6 North, Range 31 East (W.M.)

Well 17
2090 feet North and 2565 feet West from the SE corner
of Section 16, Township 6 North, Range 31 East (W.M.)

Well 18
145 feet South and 310 feet West from the NE corner
of Section 29, Township 6 North, Range 31 East (W.M.)

Well 19
125 feet South and 1085 feet West from the NE corner
of Section 28, Township 6 North, Range 31 East (W.M.)

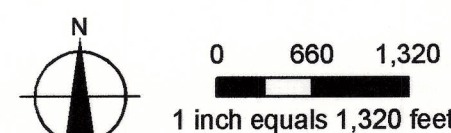
3 of 4
6-17068



In the Name of: Randy Rupp
Umatilla County, Oregon

LEGEND

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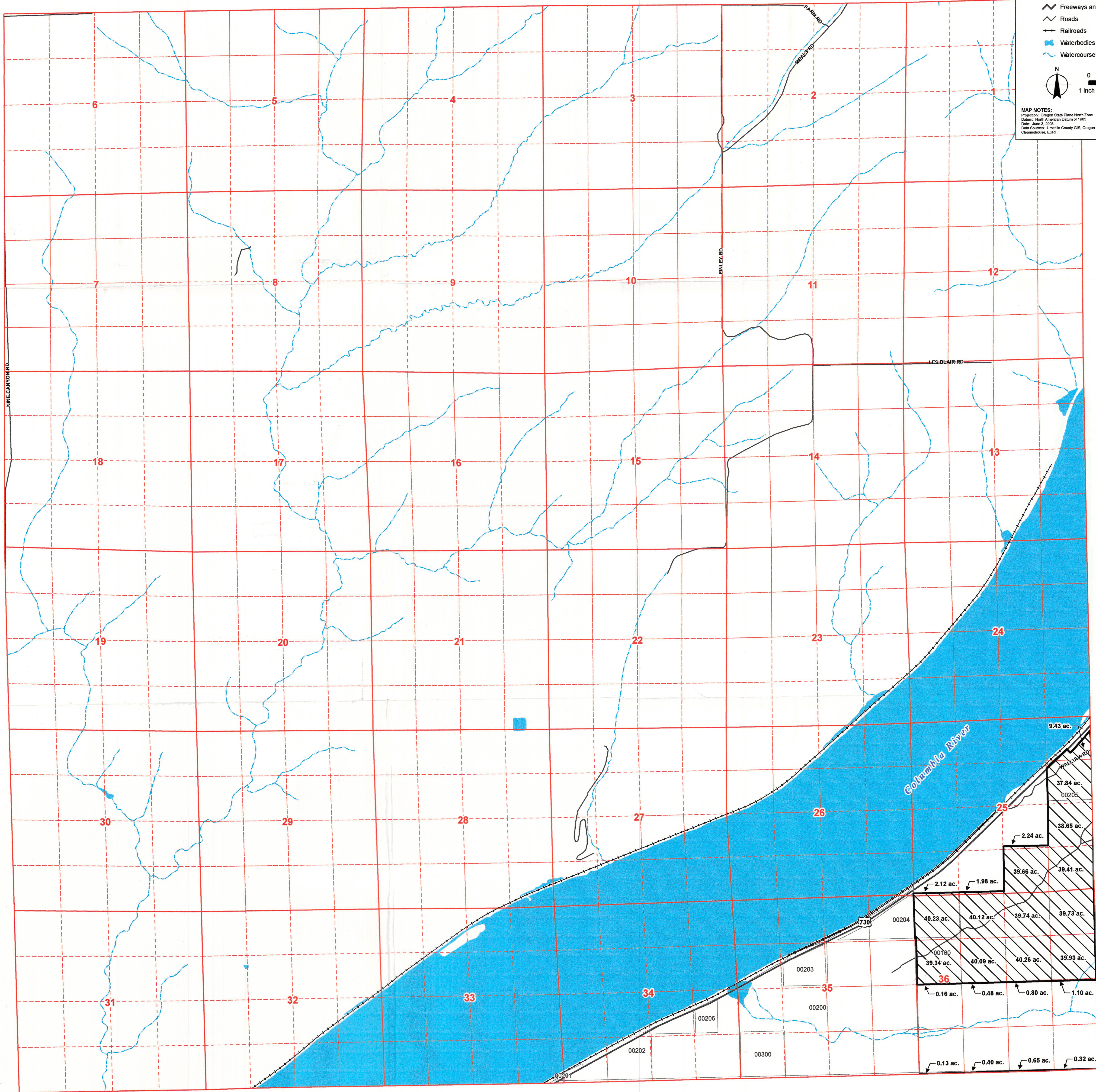
TOWNSHIP 6 NORTH, RANGE 30 EAST (W.M.)

4 of 4
App No G-17068

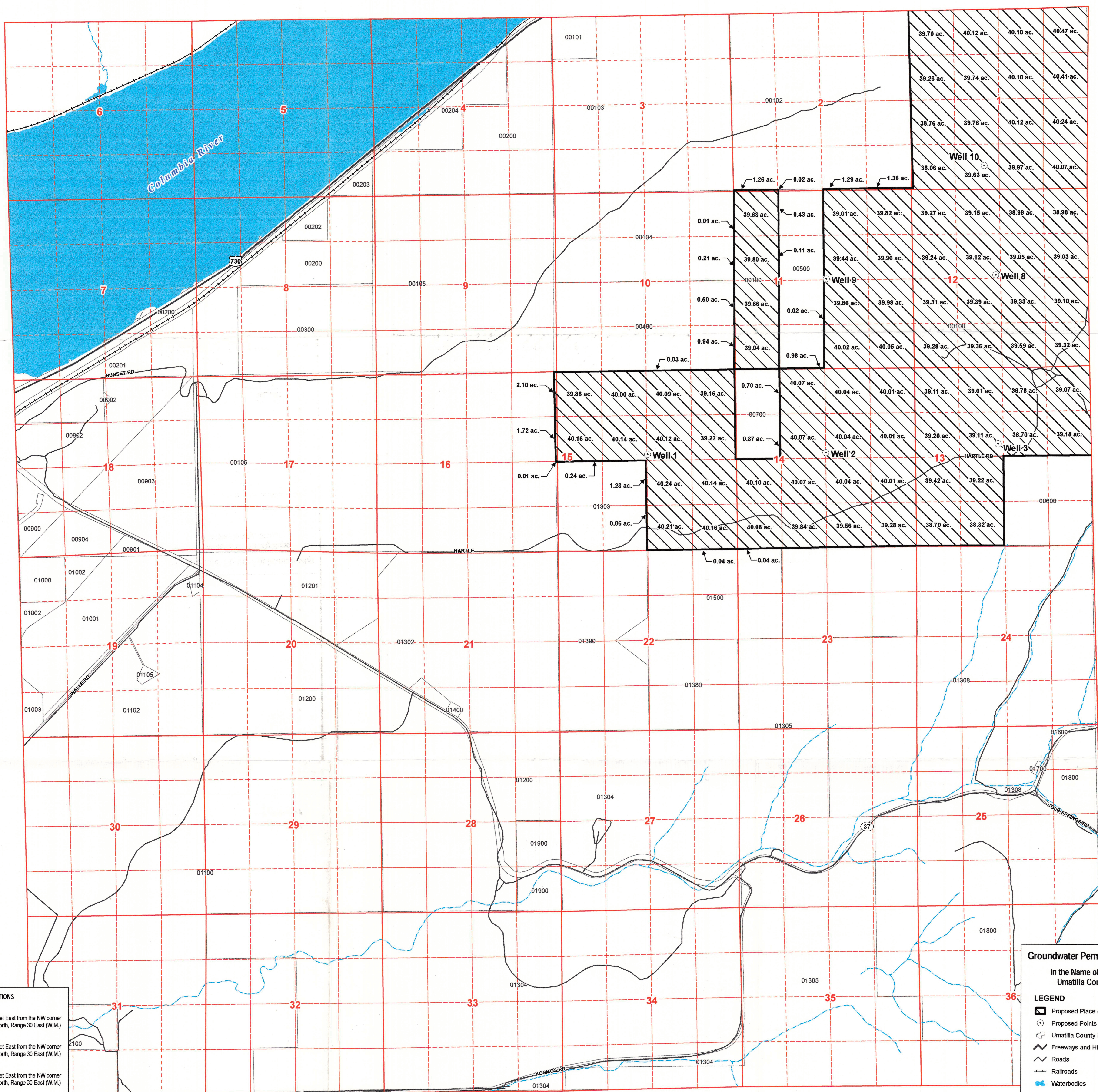
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SALEM, OREGON



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Groundwater Permit Application Map

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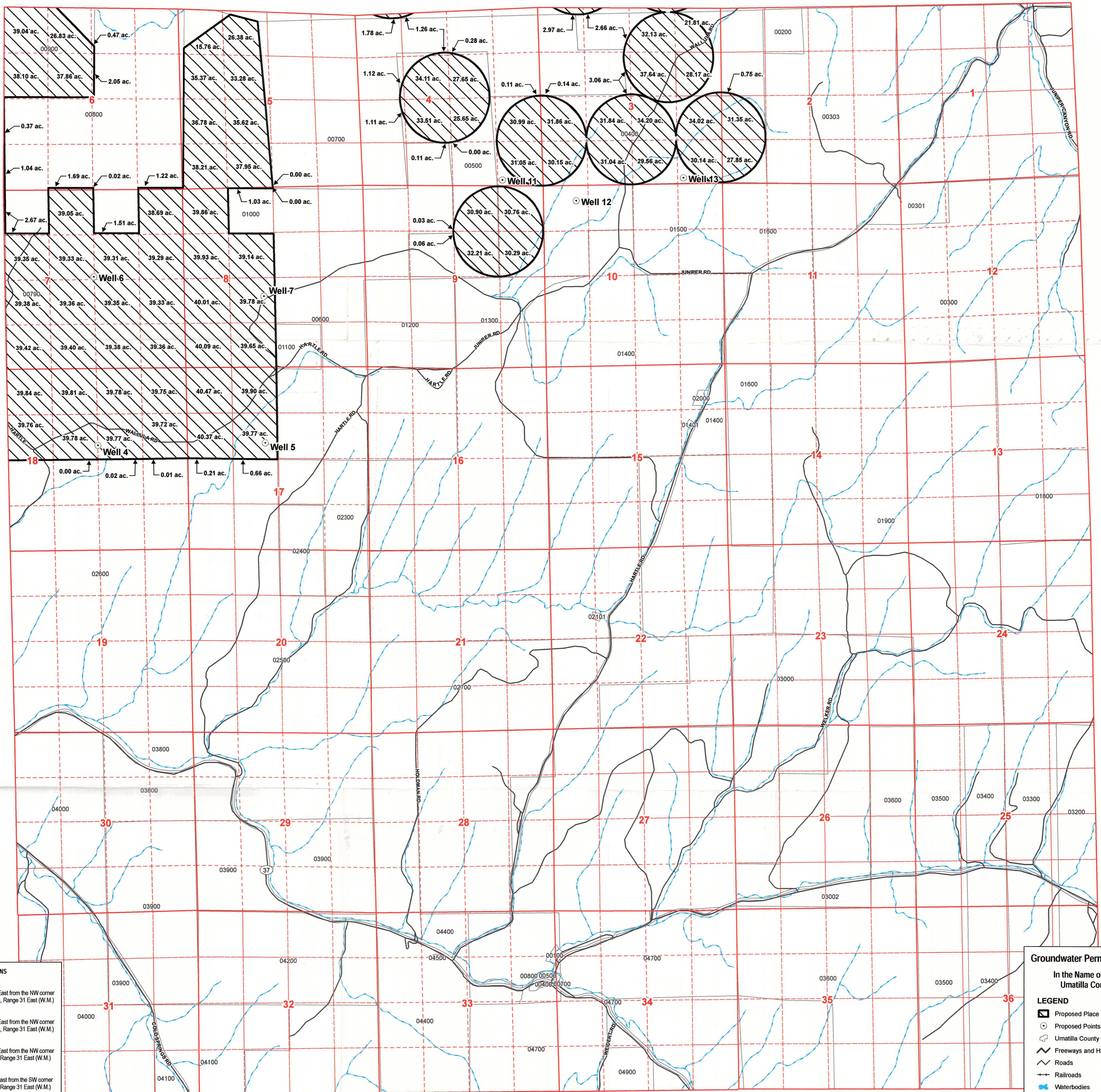
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TOWNSHIP 5 NORTH, RANGE 31 EAST (W.M.)



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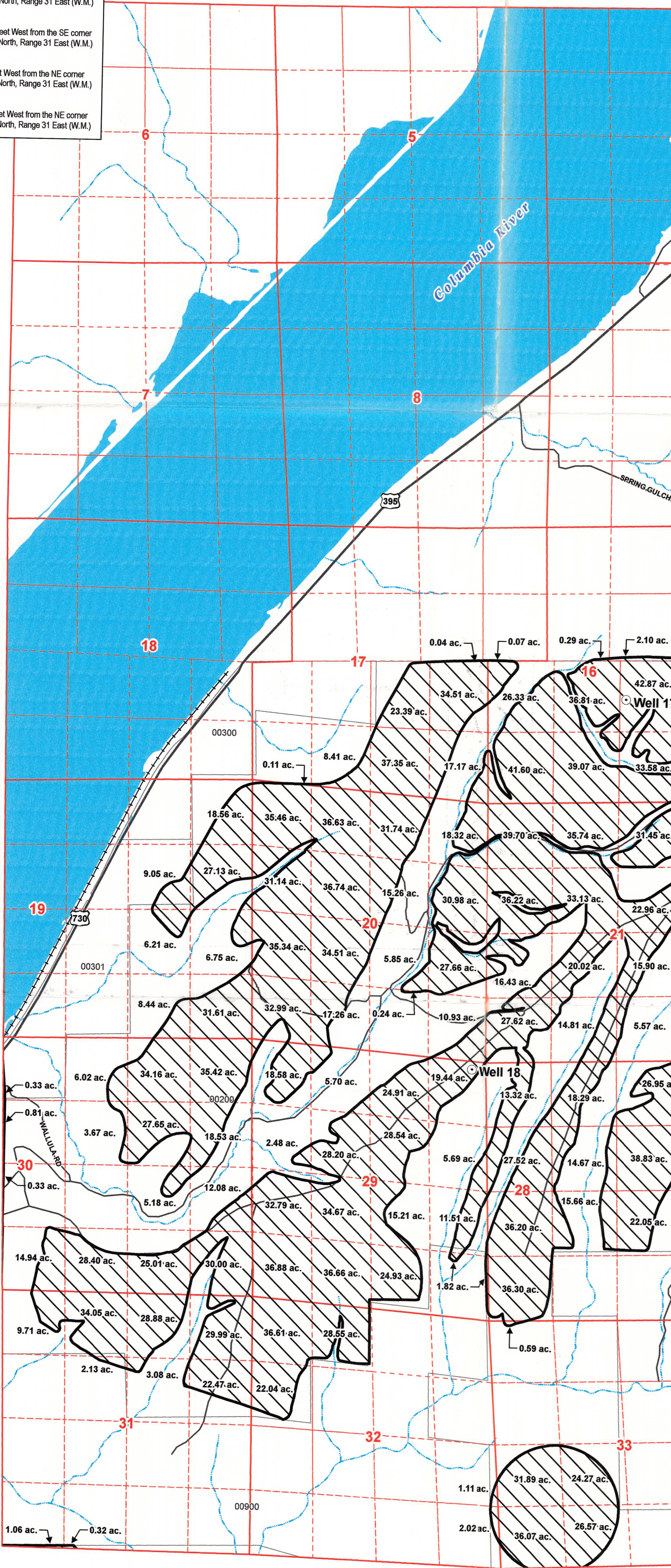
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GS
Water Solutions, Inc.

