

PARTIAL ASSIGNED

Name G-15938
 CLAY & RHONDA JOHNSON
 By 3395 S PACIFIC HWY
 INDEPENDENCE OR 97351
 Address

Application No. G-15938
 Permit No. G-15505 G-18297
 Certificate No.

FEES PAID		
Date	Amount	Receipt No.
3/4/03	575.00	58577
2-24-2020	\$ 100.00	131999
8/21/25	\$ 1,172. ⁰⁰	145878
		Cert. Fee

Stream Index, Page No.

Date filed
 Priority
 Action suspended until 2025

Return to applicant
 Date of approval

ASSIGNMENTS

Date	Address	Volume	Page
11/1/2017	Clay and Rhonda Johnson <u>PO Box 3381</u> Donald and Sharon Roberts <u>Surviver OR</u> <u>3395 S. Pacific Hwy W. Independence, OR 97351</u>		
2/28/2020	Jack Hempicine, LLC Attn: Seth Crawford 7744 NW Mint Ave., Albany, OR. 97321		
	Bob Holding Co., LLC Attn: Michael Stroud <u>6004 SE Riverside Dr. #2 Vancouver, WA 98664</u>		7/25/2019

ASSIGNED
 Sol-Sisters Inc. Attn: Deanna Hart
 PO Box 609 Independence, OR 97361

CONSTRUCTION

Date for beginning
 Date for completion
 Extended to
 Date for application of water 10-1-08
 Extended to 10-1-2025

REMARKS

SEE FILE R-85485 ALT

PROSECUTION OF WORK

Form "A" filed
 Form "B" filed
 Form "C" filed

FINAL PROOF

Blank mailed
 Proof received
 Date certificate issued

SCANNED

NEW APPLICATION ROUTE SLIP

RECEIPTING

POST CARD SENT

DATA CENTER

Hand Review

GROUND WATER

YES NO
*5/27/03
DWM*

ANITA HUFFMAN EXT. 229

CORY ENGEL EXT. 324

Pre-App
JERRY GAINEY EXT. 458

KERRY LEFEVER EXT. 276

RUSS KLASSEN EXT. 266

A "Standard Reservoir" storing 9.2 acre-feet or more of water and has a dam height of 10.0 feet or greater needs to have a copy of the application & supplemental forms routed to "JOHN FALK."

DWM

ATT: WATER RIGHTS
SUPPORT...>>>>

Mark contents of Application File; Update Powerbuilder with caseworker, etc.;
Route to filing cabinet.



Application: G-15938

Permit: G-18297

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) Jack Hempicue LLC: AHA: SETH CRAWFORD
7744 NW Mint Ave
Albany OR 97321

Proposed Completion Date: 10-1-2030

WRIG...Money Received on: 8-21-25

Extension Specialist ...

Added to tracking spreadsheet

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

Tonya Miller...

Recent Assignment (Check WRIS for Update)

Publish on Public Notice (initial 30-day comment): Date of notice 8-26-2025

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 returned 8-26-25

NOTES:

**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 # **145878**

INVOICE # _____

RECEIVED FROM: Jack Hempicine LLC
BY: _____

APPLICATION	G-15938
PERMIT	
TRANSFER	

CASH: CHECK:# 3620 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 1,170.⁰⁰

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 \$ _____

WATER RIGHTS:	EXAM FEE		RECORD FEE
0201 SURFACE WATER	\$ _____	0202	\$ _____
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ _____		
WELL CONSTRUCTION	EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$ _____	0219	\$ _____
LANDOWNER'S PERMIT		0220	\$ _____
_____ 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: **145878**

DATED: 8-21-25 BY: [Signature]



Oregon

Tina Kotek, 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

August 26, 2025

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-15938 (Permit G-18297)**. 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) 979-3213. 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.



August 19, 2025

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

RE: Application for Extension of Time for Permit G-18297 (Application G-15938) in the name of Jack Hempicine, LLC.

Dear Jeffrey:

GSI Water Solutions, Inc. is submitting the enclosed Application for Extension of Time for Permit G-18297 on behalf of Jack Hempicine, LLC. Permit G-18297 authorizes the use of up to 0.89 cfs of groundwater from Wells 1, 2, 3, and 5 in North Fork Ash Creek Basin for irrigation of 92.5 acres.

The application and a check in the amount of \$1,170.00 for the required extension of time fee are enclosed.

If you have any questions regarding the enclosed information, please email me at mclarke@gsiws.com.

Sincerely,

A handwritten signature in black ink that reads "Mikaela Clarke". The signature is written in a cursive, flowing style.

Mikaela Clarke
Water Resources Analyst

Enclosures: Application for Extension of Time
Extension of Time Fee in the amount of \$1,170.00

Received
AUG 21 2025
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**Application for
Extension of Time
for a Water Right Permit
(NON-Municipal/ NON-Quasi-Municipal)**



Criteria for a Permit Extension of Time

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

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

1) Construction has begun:

A. For Groundwater Permits

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

B. For Surface Water or Reservoir Permits

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

The Department will also confirm that:

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

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

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

I, Jack Hempicine LLC.; Attn: Seth Crawford

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

7744 NW Mint Ave

ADDRESS

Albany

CITY

OR

STATE

97321

ZIP

541-760-5419

PHONE

seth@jackhempicine.com

E-MAIL ADDRESS

the permit holder of: Application Number G-15938

Permit Number G-18297 (See Attachment A)

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

do hereby request that the date by which the water development will be completed and water put to full beneficial use, which time now expires on Month: 10 Day: 1 Year: 2025, be extended to October 1, 2030, [OAR 690-315-0020(3)(i)]

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

Signature

Seth Crawford

Printed Name

Date

8-15-25

Title

owner

The agent below is authorized to represent the applicant in all matters relating to THIS application.

Permit Holder Initials

Kim Grigsby, GSI Water Solutions, Inc.

Mikaela Clarke, GSI Water Solutions, Inc.

Authorized Agent (Print Agent Name)

kgrigsby@gsiws.com

mclarke@gsiws.com

Agent contact

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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 \$780
- Signature page (Second page of this Application for Extension of Time).
- Letter granting an agent authority to act on behalf of the permit holder (*if applicable*)
- All supporting documentation and/or evidence referenced in the Application for Extension of Time. (ODFW Fish screen approval or waiver, contract for stored water, etc)

MAIL COMPLETED APPLICATION

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

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

GENERAL TIPS:

- Permit holders of **municipal or quasi-municipal water use permits DO NOT use this form**. The correct form is APPLICATION FOR EXTENSION OF TIME FOR MUNICIPAL AND QUASI-MUNICIPAL WATER USE PERMITS.
- Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate APPLICATION FOR EXTENSION OF TIME must be submitted for each permit. OAR 690-315-0020(2).
- Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at the State of Oregon, Secretary of State Website. To be granted an extension of time, the Department must make four specific findings; 1) the application is complete, 2) construction of the water system began within the time specified in the permit and applicable statute, 3) there is good cause, and 4) the project can be completed within the time being requested. If the Department cannot make all four findings, the extension of time cannot be approved.
- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 690-315-0020(3)(n).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights Services Division.
- An Application for an Extension of Time will be reviewed for completeness. A response is required for each item contained in the application. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

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Reference Materials Needed to Complete this Application:

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

Questions to complete this application for an Extension of Time

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

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

For Groundwater Permits

Has construction of the point of appropriation (well) authorized under this permit begun? Yes
 No

Date construction began Month: July Day: 1 Year: 1980

Details of construction and attach documentation: Construction of Well

Construction of the original Well 2 (POLK 3227) began on 07/01/1980 and was completed on 7/9/1980.

Well 1 (POLK 52023) construction was completed on 8/12/2004. Well 3 (POLK 375) construction was completed on 10/26/1991. Well 5 (POLK 54245) construction was completed on 3/1/2019.

(See well logs in Attachment B)

For Surface/Reservoir Permit N/A

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 included in the permit, or specified in a final order approving a permit amendment or prior extension of time. In the 1st column check the box for each condition (row) identified as relevant. In the 3rd column check “Yes” if you have completed or met the permit condition. Check “No” if the condition is not yet satisfied. In the 4th column, give the date when the condition was satisfied or will be satisfied. Attach any pertinent documentation. Note: a pump test condition does not need to be addressed here however; you must submit the results of the test to the Department for approval prior to certification.

CHART-A

Permit Conditions in this Permit		Have Completed or Met?	Date satisfied/ or will be satisfied
Checkbox	Ground water Check those included on this permit		
<input checked="" type="checkbox"/>	Installation of a meter/totalizing flow meter	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Well 1 meter installed in 2015, Well 5 meter installed September 2020 ¹
<input checked="" type="checkbox"/>	Submittal of annual water usage report	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Water years 2021 & 2022
<input checked="" type="checkbox"/>	Submittal of static water level measurements in the month required	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	March 2016, March 2021, March 2025
<input type="checkbox"/>	Special well construction standards	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a monitoring plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Well ID tag assigned and installed:	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	Other (Specify): Extension of Time Checkpoint Condition	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Extension Progress Reports were submitted in 2019 and 2024
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Surface Water or Reservoir N/A			
<input type="checkbox"/>	Installation of a meter/ totalizing flow meter	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of annual water use report	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish screen	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish by-pass device	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish passage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of an outlet gate/pipe/ conduit	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from ODFW that fish screen, fish by-pass device, and or fish passage is not required	<input type="checkbox"/> Yes <input type="checkbox"/> No	Received AUG 21 2025
<input type="checkbox"/>	Submit as-built plans and specification	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from an engineer prior to storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	OWRD
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	

¹The Permittee acquired the property in 2019 and the permit was assigned to them in February 2020. Meters were already installed on Wells 2 and 3, but the date of meter installation is unknown for those wells.

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

N/A

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

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

CHART-B

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
10/26/1991	Well 3 (POLK 375) drilled.	\$9,300 (est.)
Unknown	Well 3 pump installed.	\$700 (est.)
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*
10/16/2003	Date the permit was signed - find date above signature on last page of permit.	
8/12/2004	Well 1 (POLK 52023) drilled.	\$15,000 (est.)
Btw 2004 & 2008	Laid mainline pipe	\$1,500
10/1/2008	Date the permit specified complete application of water to the use shall be made- all permits contain this date.	
DATE	WORK ACCOMPLISHED AFTER the date the permit specified complete application of water and prior to any previous extension order <i>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*
Total Cost for Chart-B		\$26,500

* 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*
10/1/2008	"Extended From" date for complete application of water used in the most recent Final Order on Extension of Time.	
Btw 2008 & 2015	Well 1 (POLK 52023) pump and electrical installed.	\$3,386.5
Btw 2008 & 2015	Installed sprinklers/drip tape	\$2,000
2015	Well 1 (POLK 52023) meter installed.	\$315 (est.)
February – March 2019	Well 5 (POLK 54245) drilled.	\$14,868.25
March 2019	Well 5 pump installed.	\$1,275.00
February 2020	Permit was assigned to Jack Hempicine, LLC.	--
Sept 2020	Well 5 meter installed.	\$335
Sept 2020	Installed unfiltered storage tank (system bulge), RO system, chemical injector system, clean storage tank (system bulge), and fertilizer system.	\$152,400
Sept 2020	PVC mainline and drip system installed on 70.3 acres.	\$84,600
10/1/2025	"Extended To" date for complete application of water resulting from the most recent Final Order on Extension of Time.	
DATE	WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
Total Cost of Chart-C		\$259,179.80

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 AUG 21 2025
 OWRD

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

5. Cost of project to date: **\$285,679.80**
 (The total combined cost from CHART-B and CHART-C) [OAR 690-315-0020(f)]

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

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

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): N/A

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,

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

Maximum volume stored annually to date = _____ AF

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

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

CHART-D

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment?	Maximum instantaneous rate used to date from this well -- under this permit only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	If yes, provide the Permit, Certificate, or Transfer No.
Well 1	Well 1	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	POLK 52023	L-65554	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	20 gpm	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Permit G-18602
Well 2	Well 2	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	POLK 3227		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	40 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-
Well 3	Well 3	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	POLK 375		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	36 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-
Well 5	Well 5	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	POLK 54245	L-132109	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	18 gpm	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Permit G-18602
Total instantaneous rate from all wells utilized under this permit						114 gpm (0.25 cfs)		

8. Has a Permit Amendment Application been filed? Yes No
If yes, identify Transfer No. T-12811

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[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: 70.3

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

Year	Acres	Year	Acres	Year	Acres
2003 - 2019	15.5				
2021 - 2025	70.3				

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

See map in Attachment C.

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

(POD/POA)# Wells 1, 2, 3, & 5 Acres 70.3 (POD/POA) # Acres

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

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

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

CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
2025-2030	Evaluate opportunities to increase supply from existing wells (e.g., evaluate wells for rehab), and determine whether to pursue permit amendment to add additional well(s) to the permit or increase supply from existing wells.	\$15,000 (est.)
2025-2030	Take and submit consecutive annual static water level measurements for each well to meet permit condition.	\$10,000 (est.)
2025-2030	Install irrigation system to irrigate the remaining authorized place of use.	\$100,000 (est.)
Year: 2027-2030	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
Total Cost		\$125,000 (est.)

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

11. Estimated remaining cost to complete the project: \$125,000

(The total cost from CHART-E)

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[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.)* Unanticipated slowing in the market reduced funding available to complete full development of Permit G-18297 by the current development deadline of October 1, 2025. The Permittee also needs additional time to evaluate opportunities to increase supply from the existing wells or drill an additional well. As a result, the Permittee needs more time to obtain the additional financial resources needed, evaluate whether well rehabilitation is needed or if an additional well(s) should be drilled (which would require a permit amendment to include additional point(s) of appropriation), install an irrigation system on the remaining authorized place of use in the permit, and develop the required claim of beneficial use and certificate request. The Permittee will work diligently to complete development of the permit by October 1, 2030. Estimated timeframes and costs are in Chart E above.

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

13. Justify the time requested to complete the project and/or apply the water to full beneficial use. (Include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.) The Permittee needs additional time to develop the full authorized rate of 0.89 cfs (399 gpm) and irrigate the remaining portion of the authorized place of use. In order to develop additional rate. The Permittee will need to either rehab the existing wells to increase supply, or develop and obtain OWRD approval of a permit amendment application to add an additional well(s), and develop the approved well(s). Given the time needed to evaluate existing wells, and OWRD's processing time for permit amendments, the Permittee's intended five-year schedule for completing development is both justified and reasonable.

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

14a. Will a denial of the extension result in undue hardship? *(Describe the hardship and the effects.)* The Permittee's business is reliant on the ability to use water for irrigation on the place of use authorized by Permit G-18297. As described in Question 14b, there is no alternative water source for this property, and denial of the extension would mean that a portion of the property could not be used. If an extension of time is not granted for Permit G-18297, it will result in a loss of revenue for the Permittee.

14b. Are there any other reasonable alternatives that exist for meeting your water use needs? *(Explain in detail, consider other potential sources of water, and describe their feasibility)* Given the recent rule changes in place for new groundwater permit applications, and the restrictive basin program classifications, the Permittee expects to be unable to obtain a new water right for irrigation use. Further, the property is not located within an irrigation district. Accordingly, there are no reasonable alternatives to meet the Permittee's water needs.

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[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.)*

N/A

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

16. Describe any unforeseen events which contributed to the delay of completion of this project that you had no control over. *(Explain in detail what the unforeseen events were (i.e. health issues, natural disaster) and how much time was spent addressing the unforeseen events. Delays caused by business decisions are not considered unforeseen events)*

The Permittee's business and ability to complete develop the permit within the development period was impacted by an unanticipated market downturn.

[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.)*

The Permittee acquired the property associated with Permit G-18297 in 2019, and worked diligently to develop the permit within the required timeline. Work included drilling an additional well (Well 5), installing drip irrigation and other water system components, along with completing a necessary permit assignment and a permit amendment. The timeline for development of this permit coincided with the development timelines for the Permittee's other irrigation and nursery projects under Permit G-18529. The time and expenses associated with completing multiple irrigation projects at the same time, including efforts to meet all of the required permit conditions, contributed to the delay in completion of development.

[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.

N/A

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

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

Yes, the use of water under this permit is necessary for irrigation of crops that the Permittee relies on for an income. The Permittee has made significant investments to date to develop this permit, and along with future investments needed, water use under the extended permit will provide income, business security, and increase property values.

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[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?)* Members of the local agricultural community would be affected if the Permittee was not able to purchase equipment and invest in the community through maintaining their business. Additionally, the Permittee's business is significantly interconnected with other businesses, and loss of operations could affect their businesses as well.

Attach permit, and documentation to the application

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STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JACK HEMPICINE, LLC.
ATTN: SETH CRAWFORD
7744 NW MINT AVE.
ALBANY, OR 97321

SOL-SISTERS, INC.
ATTN: DEANNA HART
3986 SOMERSET DR NE
ALBANY, OR 97322

CLAY AND RHONDA JOHNSON
PO BOX 3381
SUNRIVER, OR 97707

DONALD AND SHARON ROBERTS
PO BOX 3381
SUNRIVER, OR 97707

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This superseding permit is issued to describe an amendment for additional points of appropriation proposed under Permit Amendment Application T-12811 and approved by Special Order Vol. 116, Page 123, entered FEB 13 2020, and to describe an extension of time for complete application of water approved September 18, 2015 and assignments to new permittees approved November 6, 2017 and July 23, 2019. This permit supersedes Permit G-15505.

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

APPLICATION FILE NUMBER: G-15938

SOURCE OF WATER: WELL 1, WELL 2, WELL 3 and WELL 5 IN NORTH FORK ASH CREEK BASIN

PURPOSE OR USE: IRRIGATION USE ON 92.5 ACRES AND MAINTENANCE OF A POND FOR MULTIPURPOSE USE, PERMIT R-14012

MAXIMUM RATE: 0.89 CUBIC FOOT PER SECOND

PERIOD OF USE: JUNE 1 THROUGH OCTOBER 31

Application G-15938/T-12811.tls Water Resources Department

PERMIT G-18297

DATE OF PRIORITY: MARCH 4, 2003

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
8 S	4 W	WM	7	SW SW	WELL 5 – (POLK 54245) 835 FEET NORTH AND 1160 FEET EAST FROM THE SW CORNER OF SECTION 7
8 S	4 W	WM	7	SW SW	WELL 3 – (POLK 375) 540 FEET NORTH AND 1090 FEET EAST FROM THE SW CORNER OF SECTION 7
8 S	4 W	WM	18	NW NW	WELL 1 (L-65554) – 300 FEET SOUTH AND 937 FEET EAST FROM THE NW CORNER OF SECTION 18
8 S	4 W	WM	18	NW NW	ORIGINAL WELL 2 (POLK 3227)- 1025 FEET SOUTH AND 910 FEET EAST FROM THE NW CORNER OF SECTION 18

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 2.5 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	Authorized Points of Appropriation
8 S	4 W	WM	7	SW SW	25.44	WELLS 1, 2, 3, AND 5
8 S	4 W	WM	7	SE SW	5.45	WELLS 1, 2, 3, AND 5
8 S	4 W	WM	18	NE NW	3.25	WELLS 1, 2, 3, AND 5
8 S	4 W	WM	18	NE NW	3.25	WELL 2
8 S	4 W	WM	18	NW NW	1.04	WELLS 1, 2, 3, AND 5
8 S	4 W	WM	18	NW NW	25.42	WELL 2
8 S	4 W	WM	18	SW NW	23.70	WELL 2
8 S	4 W	WM	18	SE NW	4.95	WELL 2
TOTAL					92.50	

POND MAINTENANCE					
Twp	Rng	Mer	Sec	Q-Q	Authorized Point of Appropriation
8 S	4 W	WM	7	SW SW	WELL 2
8 S	4 W	WM	18	NW NW	WELL 2
8 S	4 W	WM	18	SW NW	WELL 2

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Permit Amendment T-12811 Conditions

The combined quantity of water diverted at the new additional points of appropriation (Well 1, Well 3, and Well 5), together with that diverted at the old point of appropriation (Well 2), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 2).

Water use measurement 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 (new and existing).
- b) The water user shall maintain the meters or measuring devices in good working order.
- c) The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Water shall be acquired from the same aquifer as the original point of appropriation (Well 2).

Extension of Time Conditions

Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2019 and 2024.

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

Existing Permit Conditions

Measurement, recording and reporting conditions:

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

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Seven Consecutive Annual Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement is stopped, the Director may restart it at any time.

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 and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- A) Identify each well with its associated measurement; and
- B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C) Specify the method used to obtain each well measurement; and
- D) Certify the accuracy of all measurements and calculations submitted to the

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

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

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until 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 senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. 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.

If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Proposed Final Order and Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

STANDARD CONDITIONS

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

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

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

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

require water level or pump test results every ten years thereafter.

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

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

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

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

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

Complete application of the water to the use was to be made on or before October 1, 2008. By extension of time final order dated September 18, 2015, the completion of the application of water was extended to on or before October 1, 2025. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

FEB 13 2020

Issued _____



Lisa J. Jaramillo, Transfer and Conservation Section Manager for
THOMAS M. BYLER, DIRECTOR
Oregon Water Resources Department

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REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.



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

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

WATER WELL REPORT Polk

STATE OF OREGON (Please type or print)

(Do not write above this line)

3227

State Well No. 85/5W-12

State Permit No.

(1) OWNER:

Name Willamette Pollen Address 3395 Pacific Hwy Monmouth

(2) TYPE OF WORK (check):

New Well [X] Deepening [] Reconditioning [] Abandon []

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary [] Driven [] Jetted [] Bored []

(4) PROPOSED USE (check):

Domestic [] Industrial [] Municipal [] Irrigation [X] Test Well [] Other []

(5) CASING INSTALLED:

10" Diam. from 71 ft. to 76 ft. Gage 1250

(6) PERFORATIONS:

Type of perforator used torch Perforated? [X] Yes [] No Size of perforations 1/4 in. by 6 in. 40 perforations from 55 ft. to 75 ft.

(7) SCREENS:

Well screen installed? [] Yes [X] No Manufacturer's Name Type 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 [X] No If yes, by whom? Yield: gal./min. with ft. drawdown after hrs. bailer test 40 gal./min. with 52 ft. drawdown after 1 hrs. Artesian flow g.p.m. Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used a cement grout Well sealed from land surface to 25 ft. Diameter of well bore to bottom of seal 14 in. Diameter of well bore below seal 10 in. Number of sacks of cement used in well seal 18 sacks How was cement grout placed? pumped Was a drive shoe used? [X] Yes [] No Plugs Size: location ft. Did any strata contain unusable water? [] Yes [X] No Type of water? depth of strata Method of sealing strata off Was well gravel packed? [] Yes [X] No Size of gravel: Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Polk Driller's well number 1/4 1/4 Section 12 T. 8 S R. 5 W W.M. Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 60 ft. Static level 18 ft. below land surface. Date July 9, 80 Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing Depth drilled ft. Depth of completed well 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.

Table with columns: MATERIAL, From, To, SWL. Rows include: brown clay, brown clay & gravels, blue-green layers of clay, blue-gray clay with layers of pea gravels and gray sand.

Work started July 1 1980 Completed July 9 1980 Date well drilling machine moved off of well July 9 1980

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] Thomas R. [Signature] Date July 9, 1980 (Drilling Machine Operator) Drilling Machine Operator's License No. 924

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 EOLA WELL DRILLING (Person or Organization) N.W. (Type or print) Address SALEM, OR 97304 [Signed] Harold H. Bennett (Water Well Contractor) Contractor's License No. 619 Date 7-14-1980

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

3395

NOV - 1 1991

85/4W-18bk

(START CARD) # **29823**

(1) OWNER:

Name Williamette Polham (Miles Inc./Hollister Street)
 Address P.O. box 447
 City Monmouth State Oregon Zip 97361

Well Number: 3395 **(9) LOCATION OF WELL by legal description:**

County Polk Latitude _____ Longitude _____
 Township 8 North Range 4 East of W.M.
 Section 18 NW 1/4 NW 1/4
 Tax Lot _____ Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) 3395 S. Pacific Hwy Independence, Ore 97351

(2) TYPE OF WORK:

New Well Deepen Recondition Abandon

(3) DRILL METHOD

Rotary Air Rotary Mud Cable
 Other _____

(4) PROPOSED USE:

Domestic Community Industrial Irrigation
 Thermal Injection Other _____

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes No Depth of Completed Well 95 ft.
 Explosives used Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
12"	0	18	bestonite	0	18	10
8"	18	95				

How was seal placed: Method A B C D E

Other pooured dry

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

(6) CASING/LINER:

Casing/Liner	Diameter	From	To	Gauge	Steel		Plastic		Welded	Threaded
					Steel	Plastic	Welded	Threaded		
Casing:	8"	+1	92'	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of sheets) _____

(7) PERFORATIONS/SCREENS:

Perforations Method miller knife
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
63	78	25"	60	1/4"	8"	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
36 gpm	60'		2 hr

Temperature of water 52° 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: _____

(10) STATIC WATER LEVEL:

30 ft. below land surface. Date 10/26/91
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 57'

From	To	Estimated Flow Rate	SWI
57'	90	36 gpm	30

(12) WELL LOG:

Ground elevation _____

Material	From	To	SWI
Top soil	0	1.5	—
brown clay	1.5	18.5	—
gray clay w/ medium gravel	18.5	31	—
sandy blue clay	31	34	—
cement gravel in gray clay	34	45	—
gray clay	45	57	—
blue gray clay w/ fine gravel + fine sand	57	90	30
sandy blue gray clay	90	95	30

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Date started 10/8/91 Completed 10/26/91

(unbonded) Water Well Constructor Certification:

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

Signed Dickerson Well Drilling, Inc. WWC Number _____ Date _____

(bonded) Water Well Constructor Certification:

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

Signed Williamette Polham WWC Number 1511 Date 10/26/91

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

(WELL I.D.)# L 05554

(START CARD) # 166050

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

(1) OWNER: Well Number 1
 Name Don & Sharon Roberts - Clay & Rhonda Johnson
 Address 3395 Pacific Hwy
 City Independence, State OR Zip 97351

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

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

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

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes No Depth of Completed Well 260 ft.
 Explosives used Yes No Type _____ Amount _____

HOLE			SEAL				
Diameter	From	To	Material	From	To	Sacks or pounds	
10"	0	18	Bentonite	0	18	9 bags	
6"	18	260					

How was seal placed: Method A B C D E
 Other Filled to top with dry bentonite
 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: 6"	+1	61	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 61'

(7) PERFORATIONS/SCREENS:

Perforations Method down hole perforator
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
22	30	.250	120	1" long	6"	<input checked="" type="checkbox"/>	<input type="checkbox"/>
40	50	.250	120	1" long	6"	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Yield gal/min	Drawdown	Drill stem at	Time
20		60'	1 hr.

Pump Bailer Air Artesian

Temperature of water 53° 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 Polk Latitude _____ Longitude _____
 Township 8 S Range 4 W WM.
 Section 18 NE 1/4 SW 1/4
 Tax Lot 202 Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) Same

(10) STATIC WATER LEVEL:
12' ft. below land surface. Date 8/12/2004
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
 Depth at which water was first found 22'

From	To	Estimated Flow Rate	SWL
22	33	3 GPM	12
40	50	7 GPM	12
63	71	10 GPM	

(12) WELL LOG:
 Ground Elevation _____

Material	From	To	SWL
Brown clay - gray blue clay sandy	0	3	
Gravels - sandy gray blue clay - small	3	22	12
Gravels - sandy blue clay small	22	33	
Gray blue clay black sand	33	52	
Gray blue clay sandy	52	63	
Sand blue black pea gravel	63	71	
Gray brown clay firm	71	260	

Ron Robinson Well Drilling
 4520 Salem Dallas Hwy NW
 Salem, OR 97304
 503.371.1844

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WATER RESOURCES DEPT
 SALEM, OREGON

Date started 8/9/2004 Completed 8/12/2004

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

WWC Number _____
 Signed _____ Date _____

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

WWC Number 1585
 Signed _____ Date 8/13/2004

ORIGINAL & FIRST COPY-WATER RESOURCES DEPARTMENT SECOND COPY-CONSTRUCTOR THIRD COPY-CUSTOMER

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STATE OF OREGON
WATER SUPPLY WELL REPORT
 (as required by ORS 537.765 & OAR 690-205-0210)

POLK 54245

WELL I.D. LABEL# L 132109
 START CARD # 1042061
 ORIGINAL LOG #

(1) LAND OWNER Owner Well I.D. NW
 First Name _____ Last Name _____
 Company Jack Hempicine L.L.C.
 Address 7744 N.W. Mint Ave.
 City Albany State Or Zip 97321

(2) TYPE OF WORK New Well Deepening Conversion
 Alteration (complete 2a & 10) Abandonment (complete 5a)

(2a) PRE-ALTERATION
 Dia + From To Gauge Stl Plstc Wld Thrd
 Casing:
 Material From To Amt sacks/lbs
 Seal: _____

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

(4) PROPOSED USE Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other _____

(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy)
 Depth of Completed Well 81 ft.

BORE HOLE			SEAL			Amt	sacks/ lbs
Dia	From	To	Material	From	To		
10	0	62	Bentonite Chips	0	29	34	S
8	62	78			Calculated	12.08	
5.5	78	86	Cement	29	50	9	S
					Calculated	7	

How was seal placed: Method A B C D E
 Other cement tremied
 Backfill placed from 81 ft. to 86 ft. Material cement
 Filter pack from 50 ft. to 62 ft. Material 3/8 Size pea gravel
 Explosives used: Yes Type _____ Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE
 Proposed Amount Pounds Actual Amount Pounds

(6) CASING/LINER
 Casing Liner Dia + From To Gauge Stl Plstc Wld Thrd

 Shoe Inside Outside Other Location of shoe(s) 80
 Temp casing Yes Dia 10 From + 1 To 42

(7) PERFORATIONS/SCREENS
 Perforations Method _____
 Screens Type milled Material steel

Perf/Screen	Casing/Screen	Dia	From	To	Scr/slot width	Slot length	# of slots	Tele/pipe size
Perf	Casing	6	57	77	.09	3	458	

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

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
18		80	4

 Temperature 52 °F Lab analysis Yes By _____
 Water quality concerns? Yes (describe below) TDS amount 310 ppm

From	To	Description	Amount	Units
84	86	Salinity	650	ppm

(9) LOCATION OF WELL (legal description)
 County POLK Twp 8 S N/S Range 4 W E/W WM
 Sec 7 SW 1/4 of the SW 1/4 Tax Lot 502
 Tax Map Number _____ Lot _____
 Lat _____ " or _____ DMS or DD
 Long _____ " or _____ DMS or DD
 Street address of well Nearest address
3393 S. Pacific Hwy. W Rickreall, Or 97351

(10) STATIC WATER LEVEL

Existing Well / Pre-Alteration Completed Well	Date	SWL(psi)	+ SWL(ft)
	03-01-2019		6

 Flowing Artesian? Dry Hole?

WATER BEARING ZONES Depth water was first found 31

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)
03-01-2019	53	81	18		6
	84	86	5		

(11) WELL LOG Ground Elevation _____

Material	From	To
clay, brown	0	15
clay, grey, w/gravel	15	25
clay, brown, w/gravel	25	31
gravel, brown, black, caving	31	37
clay, grey, sandy	37	53
clay, grey, sandy w/ fine pea gravel	84	86

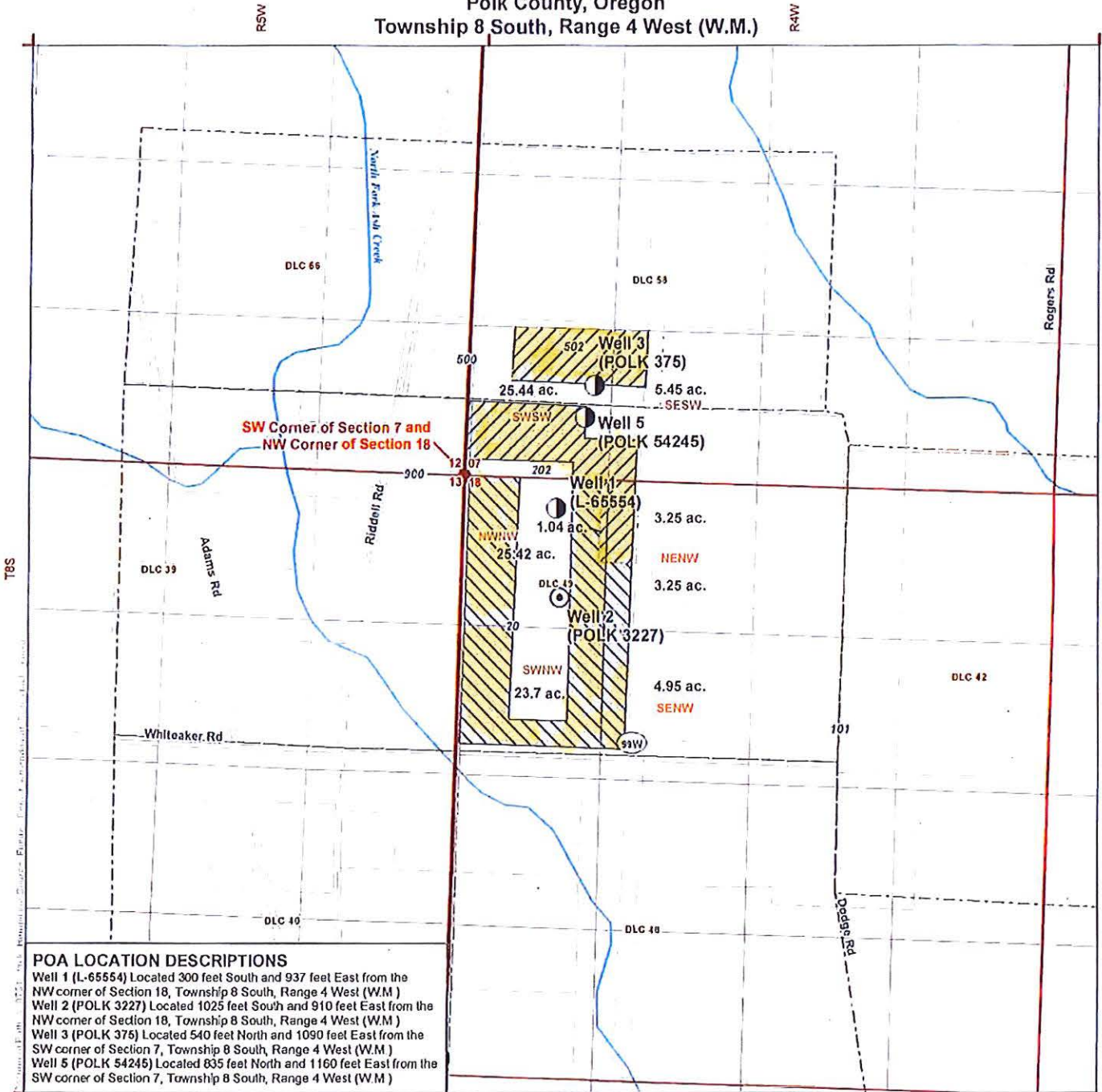
 RECEIVED
 Dickerson Well Drilling, Inc.
 (503) 623-2664
 Received MAR 11 2019
 AUG 21 2025
 OWRD
 Date Started 02-22-2019 Completed 03-01-2019

(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 1574 Date 03-07-2019
 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.
 License Number 1571 Date 03-07-2019
 Signed [Signature]
 Contact Info (optional) _____

Application for a Permit Amendment (G-15505) A Permit in the Name of Bob Holding Co, LLC

Polk County, Oregon
Township 8 South, Range 4 West (W.M.)



POA LOCATION DESCRIPTIONS
 Well 1 (L-65554) Located 300 feet South and 937 feet East from the NW corner of Section 18, Township 8 South, Range 4 West (W.M.)
 Well 2 (POLK 3227) Located 1025 feet South and 910 feet East from the NW corner of Section 18, Township 8 South, Range 4 West (W.M.)
 Well 3 (POLK 375) Located 540 feet North and 1090 feet East from the SW corner of Section 7, Township 8 South, Range 4 West (W.M.)
 Well 5 (POLK 54245) Located 835 feet North and 1160 feet East from the SW corner of Section 7, Township 8 South, Range 4 West (W.M.)

LEGEND

- Proposed Point of Appropriation (POA)
- ⊙ Authorized Point of Appropriation (POA)
- Place of Use (POU)
- ▨ No Change
- ▩ Affected by Permit Amendment (addition of wells 1, 3, 5)
- All Other Features
- - - Tax Lot
- - - Donation Land Claim (DLC)
- ~ Watercourse

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

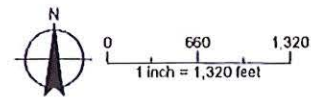
Date: September 4, 2019
 Data Sources: USGS, BLM, OWRD, ESRI

Revised
 Received by OWRD

SEP 06 2019

Salem, OR

Received
 AUG 21 2025
 OWRD



Route Slip.....Extension of Time Progress Report

1. Extension Specialist: Progress Report Review

Date Report was Due: October 1, 2024 (= "Deadline Date" for the corresponding ECP work flow record in WRIS)

Date Report Received: November 21, 2024

Report Complete: YES

NO – Send letter requesting missing information.

letter mailed on: January 25, 2025

2. Support Staff: Publish on the Department's Public Notice

315 320 OAR Division under which Progress Report was required

Publish on Public Notice Date: 12.10.2024

Update workflow in WRIS

(Fill in Extension Checkpoint 'Completed Date' in appropriate "ECP" work flow record and

add record for Checkpoint Public Notice ("EPR" or "EP2")

Return file to Jeffrey Pierceall

3. Extension Specialist: Prepare Progress Report Confirmation Letter

See [progress report procedures.doc](#)

(date / mail out after 30 day comment period)

Date Confirmation Letter Needed: January 25, 2025

Update Progress Report Worksheet.xls

Send to permit holder + anyone who made comments after 30 day public notice

CC: Watermaster _____

File _____

PUBLIC NOTICE INFORMATION

Permit Holder's Name: Jack Hempicine, LLC Attn: Seth Crawford

Application: G-15938

Permit: G-18297

County: Polk

Source: Well 1, Well 2, Well 3, and Well 5 in North Fork Ash Creek Basin

Use: irrigation une on 92.5 acres and maintenance of a pond for multiple purpose use



Received
NOV 21 2024
OWRD

November 19, 2024

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

Re: Progress Report for Permit G-18297, Jack Hempicine, LLC

Jeffrey,

GSI Water Solutions, Inc. (GSI), is submitting the enclosed Extension of Time Progress Report Form for Permit G-18297 on behalf of Jack Hempicine, LLC.

If you have any questions or need additional information, please contact me at 541-753-0933 or zpikeurlacher@gsiws.com.

Sincerely,

A handwritten signature in blue ink that reads "Zach Pike-Urlacher".

Zach Pike-Urlacher
Water Resources Consultant

CC: Seth Crawford, Jack Hempicine, LLC

Enclosure: Extension of Time Progress Report Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1266
 (503) 986-0900
 www.oregon.gov/owrd

**Extension of Time
 Progress Reporting Form
 For Checkpoints**

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: **Jack Hempicine, LLC**
 Application **G-15938**
 Permit **G-18297**

Progress Report Form for 2024

Report Due no later than October 1, 2024

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

As authorized in OAR 690-315-0050(6)(a), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit G-18297. FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.

DATES	LIST ALL WORK ACCOMPLISHED AND FINANCIAL INVESTMENTS For the period of time between <u>May 18, 2018</u> and <u>October 1, 2023</u>	FINANCIAL INVESTMENT
Mar 2019	Well 5 drilled and pump installed (POLK 54245).	\$16,100
Feb 2020	Permit was assigned to Jack Hempicine, LLC.	-
Sept 2020	Well 5 meter installed.	\$335
Sept 2020	Installed unfiltered storage tank (system bulge), RO system, chemical injector system, clean storage tank (system bulge), and fertilizer system.	\$152,400
Sept 2020	PVC mainline and drip system installed on 70.3 acres.	\$84,600
Mar 2021	Irrigated 70.3 acres of place of use with Well 5.	-

- Describe actions taken to comply with terms/conditions of the permit and/or previous extension.

The permit was assigned to Jack Hempicine, LLC in February 2020, and this progress report includes documentation of work that the permittee has been made aware of by the previous permittee. Static water level measurements were taken in 2013 and 2016. Following construction of Well 5 in March 2019, an initial water level measurement was recorded. Another static water level measurement was taken in March 2021 in compliance with the permit conditions. Meters are installed on Wells 1, 2, 3, and 5. The Well 5 flow meter was installed in September 2020 prior to the beginning of water use from that well. An unfiltered storage tank (system bulge), RO system, chemical injector system, clean storage tank (system bulge), and fertilizer system were also installed in September 2020. PVC mainline and a drip system were also installed on 70.3 acres at this time. The permit holder began irrigating using Well 5 during the 2021 irrigation season.

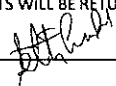
- Total number of acres irrigated to date= 70.3 acres (if applicable)
- Provide the maximum rate of water diverted for beneficial use under this permit, if any, made to date.

Maximum rate used to date = 0.12 cfs (cubic feet per second)
 Maximum rate used to date = 54.0 gpm (gallons per minute)


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

Maximum Acre Feet used per year to date = _____ AF

INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITE

Signature  Date 11/18/2024

Printed Name/Title Seth Crawford

Diligence Shown <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<i>For OWRD use only</i> Date Public Noticed: <u>12-10-24</u>
Reviewed by: <u></u>	Date: <u>12-27-24</u>

G-15938



Oregon

Kate Brown, Governor

July 20, 2022

Jack Hempicine, LLC
7744 NW Mint Ave
Albany, OR 97321

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

REFERENCE: Application G-15938 / Permit G-18297

Dear Permit Holder:

The Water Right Services Division received your written progress report for Permit G-18297. Your progress report was published on the Department's weekly Public Notice, dated July 21, 2022. The Department did not receive any public comment on the progress

report. Based on your Progress Report, the Department determined that diligence toward the project and compliance with the terms and conditions of the permit and conditions have been demonstrated.

Your next written progress report for Permit G-18297 is due no later than **October 1, 2024**. The report must be received by the Department no sooner than 30 days prior to the due date.

For your convenience, I have enclosed your next *Progress Report Form*. Please calendar this October 1, 2024 due date, as no further reminders will be sent.

As per your most recent extension, the date by which water must be applied to full beneficial use within the terms and conditions of your permit is October 1, 2025. ***Failure to submit a written progress report will most likely result in any future extensions being denied.***

If you have any questions, please feel free to contact me by telephone at (503) 986-0802.

Sincerely,

Jeffrey D. Pierceall
Extensions
Water Right Services Division

Enclosure

cc: Application G-15938
Watermaster District 16 – Joel Plahn





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

**Extension of Time
 Progress Report Form**
 For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Jack Hempicine, LLC

Application G-15938
 Permit G-18297

Report Due no later than October 1, 2024

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

Progress Report Form for 2024

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit 18297. FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, October 1, 2019 and October 1, 2024	FINANCIAL INVESTMENT

2. Compliance with terms and conditions of the permit and/or previous extension.

3. Total number of acres irrigated to date= _____ (if applicable)

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

Maximum rate used to date = _____ cfs (cubic feet per second)

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

Acre-feet stored to date = _____ AF

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

INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITEM. USE N/A FOR ITEM 3 IF THE USE IS NOT IRRIGATION.

Signature _____ Date _____

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: _____

Reviewed by: _____

Date: _____

Route Slip.....Extension of Time Progress Report

1. Extension Specialist: Progress Report Review

Date Report was Due: October 1, 2019 (= "Deadline Date" for the corresponding ECP work flow record in WRIS)

Date Report Received: November 23, 2020

Report Complete: YES

NO – Send letter requesting missing information.

letter mailed on: January 14, 2021

2. Support Staff: Publish on the Department's Public Notice

315 320 OAR Division under which Progress Report was required

Publish on Public Notice Date: 11/23/2021

Update workflow in WRIS

(Fill in Extension Checkpoint 'Completed Date' in appropriate "ECP" work flow record and

add record for Checkpoint Public Notice ("EPR" or "EP2")

Return file to Jeffrey Pierceall

3. Extension Specialist: Prepare Progress Report Confirmation Letter

See [progress report procedures.doc](#)

(date / mail out after 30 day comment period)

Date Confirmation Letter Needed: January 14, 2021

Update Progress Report Worksheet.xls

Send to permit holder + anyone who made comments after 30 day public notice
CC: Watermaster _____

File _____

PUBLIC NOTICE INFORMATION

Permit Holder's Name: Jack Hempicine, LLC Attn:

Application: G-15938

Permit: G-18297

County: Polk

Source: Well 1, Well 2, Well 3, and Well 5 in North Fork Ash Creek Basin

Use: irrigation use on 92.5 acres and maintenance of a pond for multipurpose use, Permit R-14012



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

RECEIVED

NOV 23 2020

OWRD

**Extension of Time
 Progress Report Form**
 For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Jack Hempicine, LLC

Application G-15938

Permit G-18297

Report Due no later than October 1, 2019

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

Progress Report Form for 2019

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit G-18297. FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between June 3, 2015 and October 1, 2019	FINANCIAL INVESTMENT
Feb-Mar 2019	Drilling of Well 5 (POLK 54245)	\$14,868.25
Mar 2019	Installation of Well 5 pump	\$1,275.00
Feb 2020	Permit was assigned to Jack Hempicine, LLC	

2. **Compliance with terms and conditions of the permit and/or previous extension.**

The permit was assigned to Jack Hempicine, LLC in February 2020, and this progress report includes documentation of work that the permittee has been made aware of by the previous permittee. Static water level measurements were taken in 2013 and 2016. Following construction of Well 5 in March 2019, an initial water level measurement was recorded. Seven static water level measurements will be taken and submitted annually starting in March 2021 in compliance with the permit conditions. Meters are installed on Wells 1, 2, and 3. A totalizing flow meter will be installed on Well 5 prior to beginning water use from that well.

3. **Total number of acres irrigated to date=** 15.5 acres *(if applicable)*

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

Maximum rate used to date = 0.07 cfs (cubic feet per second)

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

INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH I

Signature _____ Date _____

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: 11-23-21

Reviewed by: [Signature]

Date: _____



RECEIVED
NOV 23 2020
OWRD

November 20, 2020

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

Re: Progress Report for Permit G-18297, Jack Hempicine, LLC

Dear Mr. Pierceall:

GSI Water Solutions, Inc. (GSI), is submitting the enclosed Extension of Time Progress Report Form for Permit G-18297 on behalf of Jack Hempicine, LLC. Permit G-18297 was assigned to Jack Hempicine, LLC earlier this year. We understand that a progress report was due in 2019, but has not yet been filed. Accordingly, the enclosed progress report is being submitted to meet that requirement, and to document the work accomplished toward development of the permit.

If you have any questions or need additional information, please contact me at 541-257-9004 or KGrigsby@gsiws.com.

Sincerely,

A handwritten signature in black ink that reads "Kimberly Grigsby". The signature is written in a cursive, flowing style.

Kimberly Grigsby
Principal Water Resources Consultant

CC: Seth Crawford, Jack Hempicine, LLC

Enclosure: Extension of Time Progress Report Form



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

Request for Assignment

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

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

I, Bob Holdings Co, LLC
 (Name of Current Holder of Record)
10904 SE Riverside Dr #2 Vancouver Wa 98664 503-849-3404
 (Mailing Address) (City) (State) (Zip) (Phone #)

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

Application # _____ ; Permit # _____ ; Transfer # _____ ;

Limited License # _____ ; Groundwater Statement # _____ ;

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

Jack Hempicine LLC
 (Name of New Owner)
7744 NW Mint Avenue Albany OR 97321 541-760-5419
 (Mailing Address) (City) (State) (Zip) (Phone #)

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

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

Witness my hand this 4 day of March, 2019.
 (Day) (Month) (Year)

Signature of Current Holder of Record [Signature] MANAGER BOB HOLDINGS CO LLC

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

DO NOT WRITE IN THIS BOX



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

RECEIVED

Last updated: September 18, 2017

Request for Assignment

RECEIVED

WR

MAR 13 2019

MAR 21 2019

OWRD

OWRD



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

March 14, 2019

Jack Hempicine LLC
7744 NW Mint Avenue
Albany, OR 97321

Reference:

The Department is returning your request and check. The requested assignment could not be made as the pertinent water right is not identified on the form. The Department is not able to determine which water right is involved.

Sincerely,

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

Enclosure: Request and check

cc: Bob Holding Co. LLC – 10904 SE Riverside Dr #2, Vancouver, WA 98664

RECEIVED

MAR 21 2019

OWRD





Oregon

Kate Brown, Governor

615938

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

February 12, 2020

JACK HEMPICINE LLC
ATTN SETH CRAWFORD
7744 NW MINT AVE
ALBANY, OR 97321

REFERENCE: Permit Amendment Application T-12811

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, Tamera Smith, by telephone at (503) 986-0864 or by e-mail at Tamera.L.Smith@oregon.gov.

Sincerely,

Julie C. Baustian
Water Rights Services Support
Transfers and Conservation Section

cc: Joel M. Plahn, Watermaster Dist. # 16 (via email)
Sol-Sisters Inc.
Donald & Sharon Roberts
Clay & Rhonda Johnson
Polk County Planning

Enclosure

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

In the Matter of Permit Amendment) FINAL ORDER
T-12811, Polk County) APPROVING ADDITIONAL
) POINTS OF APPROPRIATION

Authority

Oregon Revised Statute (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

JACK HEMPICINE, LLC
ATTN: SETH CRAWFORD
7744 NW MINT AVE.
ALBANY, OR 97321

Findings of Fact

1. On December 29, 2017, BOB HOLDING CO. LLC filed an application for additional points of appropriation under Permit G-15505. The Department assigned the application number T-12811.
2. On November 6, 2017, the Department approved a partial assignment of the permit to Bob Holding Co. LLC, Sol-Sisters Inc., Clay and Rhonda Johnson, and Donald and Sharon Roberts.
3. On September 18, 2015, the Department approved an extension of time for complete application of water to October 1, 2025.
4. Notice of the application for the permit amendment was published in the Department's weekly notice on January 9, 2018, and in the Albany Democrat-Herald newspaper on December 28, 2019, and January 4, 2020, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
5. On June 25, 2019, the Department sent deficiencies for permit amendment application T-12811 to Bob Holding, LLC and Sol-Sisters, Inc., requesting notarized affidavits of consent from each permit holder.
6. On July 23, 2019, the Department approved an assignment of the permit to Jack Hempicine LLC., Sol-Sisters Inc., Clay and Rhonda Johnson, and Donald and Sharon Roberts.

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 and OAR 690-01-0005 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.

7. On July 30, 2019, the Department sent deficiencies for permit amendment application T-12811 to Jack Hempicine LLC, Sol-Sisters Inc., Clay and Rhonda Johnson and Donald and Sharon Roberts requesting notarized affidavits of consent from each permit holder.
8. On August 21, 2019, the applicant's agent contacted the Department in writing, requesting an additional 90 days to provide the requested consents. The Department responded the same day, extending the deficiencies deadline another 30 days, to September 30, 2019.
9. On September 6, 2019, the applicant's agent provided revised tables and map.
10. On September 25, 2019, the applicant's agent sent copies of Affidavits of Consent by Permit Holders signed by Sol-Sisters, Inc., Clay and Rhonda Johnson and Donald and Sharon Roberts.
11. Permit Amendment Application T-12811 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized point of appropriation in feet (ft.)
8 S	4 W	WM	7	SW SW	WELL 3 – (POLK 375) 540 FEET NORTH AND 1090 FEET EAST FROM THE SW CORNER OF SECTION 7	1601.2 ft.
8 S	4 W	WM	7	SW SW	WELL 5 – (POLK 54245) 835 FEET NORTH AND 1160 FEET EAST FROM THE SW CORNER OF SECTION 7	1873.3 ft.
8 S	4 W	WM	18	NW NW	WELL 1 – (L-65554) 300 FEET SOUTH AND 937 FEET EAST FROM THE NW CORNER OF SECTION 18	754.2 ft.

Permit Amendment Review Criteria

12. The change would not result in injury to other water rights.
13. The change does not enlarge the permit.
14. The change does not alter any other terms of the permit.

Conclusions of Law

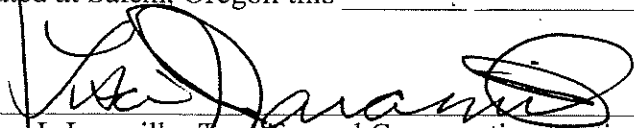
The additional points of appropriation proposed by Permit Amendment Application T-12811 are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The additional points of appropriation proposed by Permit Amendment Application T-12811 are approved.

2. Permit G-18297, in the name of Jack Hempicine LLC, Sol-Sisters, Inc., Clay and Rhonda Johnson, and Donald and Sharon Roberts, is issued to replace Permit G-15505, and incorporates the amendments approved by this order, the extension of time and the assignments. Permit G-15505, in the name of Clay and Rhonda Johnson and Donald and Sharon Roberts, is no longer of any force or effect.
3. The combined quantity of water diverted at the new additional points of appropriation (Well 1, Well 3 and Well 5), together with that diverted at the old point of appropriation (Well 2), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 2).
4. Water shall be acquired from the same aquifer as the original point of appropriation (Well 2).
5. Water use measurement 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 (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
6. All other terms and conditions of Permit G-18297 remain the same.

Dated at Salem, Oregon this FEB 13 2020



Lisa J. Jaramillo, Transfer and Conservation Section Manager for
THOMAS M. BYLER, DIRECTOR
Oregon Water Resources Department

Mailing Date: FEB 13 2020



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

February 28, 2020

Sol-Sisters, Inc.
Attn: Deanna Hart
3986 Somerset Dr. NE
Albany, OR 97322

Reference: Application G-15938, Permit G-18297

The assignment from Sol-Sisters, Inc., Attn: Deanna Hart to Jack Hempicine, LLC, Attn: Seth Crawford has been recorded in the records of the Water Resources Department.

The Departments records will now show Jack Hempicine, LLC, Attn: Seth Crawford, Clay and Rhonda Johnson, and Donald and Sharon Roberts as the permit holders of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 131999 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.

Our records have been changed accordingly and a copy of the original request is enclosed.

Sincerely,

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

Enclosure: Original Request and Receipt #131999

cc: Jack Hempicine, LLC, Attn: Seth Crawford, 7744 NW Mint Ave., Albany, OR 97321
Clay and Rhonda Johnson – PO Box 3381, Sunriver, OR 97707
Donald and Sharon Roberts – PO Box 3381, Sunriver, OR 97707
Data Center, OWRD (cover letter & request)
File





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

Request for Assignment

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

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

I, Sol-Sisters, Inc. (Deanna Hart)
 (Name of Current Holder of Record)
3986 Somerset Dr. NE Albany, Or. 97322 503-881-0554
 (Mailing Address) (City) (State) (Zip) (Phone #)

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

Application # G-15938 ; Permit # G-18297 ; Transfer # T-12811 ;

Limited License # _____ ; Groundwater Statement # _____ ;

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

Jack Hempicine, LLC (Seth Crawford)
 (Name of New Owner)
7744 NW Mint Ave. Albany, Or. 97321 ?
 (Mailing Address) (City) (State) (Zip) (Phone #)

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

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

Witness my hand this 21 day of 02, 20 20.
 (Day) (Month) (Year)

Signature of Current Holder of Record Deanna R. Hart

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 # 131999
 For Director by Mary F. Bjork, Program Analyst in Water Rights Division.
Mary F. Bjork

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

RECEIVED

FEB 24 2020

OWRD

WR

ASSIGN - APPROVE
 WRN
 2-27-2020

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JACK HEMPICINE, LLC.
ATTN: SETH CRAWFORD
7744 NW MINT AVE.
ALBANY, OR 97321

SOL-SISTERS, INC.
ATTN: DEANNA HART
3986 SOMERSET DR NE
ALBANY, OR 97322

CLAY AND RHONDA JOHNSON
PO BOX 3381
SUNRIVER, OR 97707

DONALD AND SHARON ROBERTS
PO BOX 3381
SUNRIVER, OR 97707

This superseding permit is issued to describe an amendment for additional points of appropriation proposed under Permit Amendment Application T-12811 and approved by Special Order Vol. 116, Page 23, entered FEB 13 2020, and to describe an extension of time for complete application of water approved September 18, 2015 and assignments to new permittees approved November 6, 2017 and July 23, 2019. This permit supersedes Permit G-15505.

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

APPLICATION FILE NUMBER: G-15938

SOURCE OF WATER: WELL 1, WELL 2, WELL 3 and WELL 5 IN NORTH FORK ASH CREEK BASIN

PURPOSE OR USE: IRRIGATION USE ON 92.5 ACRES AND MAINTENANCE OF A POND FOR MULTIPURPOSE USE, PERMIT R-14012

MAXIMUM RATE: 0.89 CUBIC FOOT PER SECOND

PERIOD OF USE: JUNE 1 THROUGH OCTOBER 31

Application G-15938/T-12811.tls Water Resources Department

PERMIT G-18297

DATE OF PRIORITY: MARCH 4, 2003

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
8 S	4 W	WM	7	SW SW	WELL 5 – (POLK 54245) 835 FEET NORTH AND 1160 FEET EAST FROM THE SW CORNER OF SECTION 7
8 S	4 W	WM	7	SW SW	WELL 3 – (POLK 375) 540 FEET NORTH AND 1090 FEET EAST FROM THE SW CORNER OF SECTION 7
8 S	4 W	WM	18	NW NW	WELL 1 (L-65554) – 300 FEET SOUTH AND 937 FEET EAST FROM THE NW CORNER OF SECTION 18
8 S	4 W	WM	18	NW NW	ORIGINAL WELL 2 (POLK 3227)- 1025 FEET SOUTH AND 910 FEET EAST FROM THE NW CORNER OF SECTION 18

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 2.5 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	Authorized Points of Appropriation
8 S	4 W	WM	7	SW SW	25.44	WELLS 1, 2, 3, AND 5
8 S	4 W	WM	7	SE SW	5.45	WELLS 1, 2, 3, AND 5
8 S	4 W	WM	18	NE NW	3.25	WELLS 1, 2, 3, AND 5
8 S	4 W	WM	18	NE NW	3.25	WELL 2
8 S	4 W	WM	18	NW NW	1.04	WELLS 1, 2, 3, AND 5
8 S	4 W	WM	18	NW NW	25.42	WELL 2
8 S	4 W	WM	18	SW NW	23.70	WELL 2
8 S	4 W	WM	18	SE NW	4.95	WELL 2
TOTAL					92.50	

POND MAINTENANCE					
Twp	Rng	Mer	Sec	Q-Q	Authorized Point of Appropriation
8 S	4 W	WM	7	SW SW	WELL 2
8 S	4 W	WM	18	NW NW	WELL 2
8 S	4 W	WM	18	SW NW	WELL 2

Permit Amendment T-12811 Conditions

The combined quantity of water diverted at the new additional points of appropriation (Well 1, Well 3, and Well 5), together with that diverted at the old point of appropriation (Well 2), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 2).

Water use measurement 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 (new and existing).
- b) The water user shall maintain the meters or measuring devices in good working order.
- c) The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Water shall be acquired from the same aquifer as the original point of appropriation (Well 2).

Extension of Time Conditions

Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2019 and 2024.

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

Existing Permit Conditions

Measurement, recording and reporting conditions:

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

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Seven Consecutive Annual Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement is stopped, the Director may restart it at any time.

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 and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- A) Identify each well with its associated measurement; and
- B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C) Specify the method used to obtain each well measurement; and
- D) Certify the accuracy of all measurements and calculations submitted to the

Department.

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

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

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until 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 senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. 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.

If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Proposed Final Order and Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

STANDARD CONDITIONS

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

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

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

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

require water level or pump test results every ten years thereafter.

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

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

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

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

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

Complete application of the water to the use was to be made on or before October 1, 2008. By extension of time final order dated September 18, 2015, the completion of the application of water was extended to on or before October 1, 2025. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

FEB 13 2020

Issued _____



Lisa J. Jararillo, Transfer and Conservation Section Manager for
THOMAS M. BYLER, DIRECTOR
Oregon Water Resources Department

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.



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

**Extension of Time
 Progress Report Form**
 For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Jack Hempicine, LLC

Application G-15938
 Permit G-18297

Report Due no later than October 1, 2019

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

Progress Report Form for 2019

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit G-18297. FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between June 3, 2015 and October 1, 2019	FINANCIAL INVESTMENT

2. Compliance with terms and conditions of the permit and/or previous extension.

3. Total number of acres irrigated to date= _____ (if applicable)

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

Maximum rate used to date = _____ cfs (cubic feet per second)

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

INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH I

Signature _____ Date _____

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: _____

Reviewed by: _____

Date: _____

**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 # **131999**

INVOICE # _____

RECEIVED FROM: Deanna Hart
BY: Douglas Hart

APPLICATION	<u>6-15938</u>
PERMIT	
TRANSFER	

CASH: CHECK:# 1226 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 100.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	\$
_____	OTHER: (IDENTIFY) _____	\$
0243	I/S Lease _____	
0244	Muni Water Mgmt. Plan _____	
0245	Cons. Water _____	

4270 WRD OPERATING ACCT

MISCELLANEOUS			
0407	COPY & TAPE FEES	\$	
0410	RESEARCH FEES	\$	
0408	MISC REVENUE: (IDENTIFY) _____	\$	
TC162	DEPOSIT LIAB. (IDENTIFY) _____	\$	
0240	EXTENSION OF TIME	\$	
WATER RIGHTS:			
0201	SURFACE WATER	EXAM FEE	RECORD FEE
0203	GROUND WATER	\$	0202 \$
0205	TRANSFER	\$	0204 \$
WELL CONSTRUCTION			
0218	WELL DRILL CONSTRUCTOR	EXAM FEE	LICENSE FEE
	LANDOWNER'S PERMIT	\$	0219 \$
			0220 \$
<u>0250</u>	OTHER (IDENTIFY) <u>Assignment</u>		<u>\$100.00</u>

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FWWRD)	\$
0231	HYDRO LICENSE FEE (FWWRD)	\$
_____	HYDRO APPLICATION	\$

TREASURY OTHER / RDX

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

RECEIPT: **131999**

DATED: 2-24-2020 BY: [Signature]

Application for
Permit Amendment
Consent by Permit Holder



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

State of Oregon)
)ss
County of Polk)

RECEIVED
SEP 25 2019
OWRD

We, Donald and Sharon Roberts in our capacity as permit holders,

mailing address P.O. Box 3386 Sunriver, OR 97132 97707

telephone number 503 329 1357 duly sworn depose and say that We

consent to the proposed change(s) to Permit Number G-15505

described in a Permit Amendment Application (T-12811) submitted by Bob Holding Co. LLC
(Agent Sol-Sisters Inc.), and assigned to Jack Hempicine, LLC,

on the property in tax lot number(s) 502 and 202 (in Section 7) and 204 (in Section 18), Sections
7 and 18, Township 8 S, Range 4 West W.M., located at 3395 S Pacific Highway, Independence.
(site address)

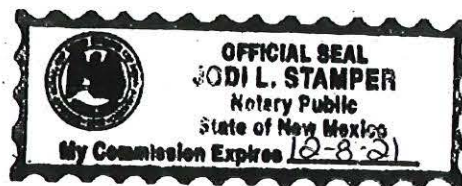
Donald D. Roberts
Signature of Affiant

Date 9/17/2019

Sharon K. Roberts
Signature of Affiant

Date 9-17-2019

Subscribed and Sworn to before me this 17th day of September, 2019.



Jodi L. Stamper
Notary Public for New Mexico

My commission expires 12-08-2021

Application for Permit Amendment Consent by Permit Holder



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

State of Oregon)
)ss
County of Polk)

RECEIVED
SEP 25 2019
OWRD

We, Clay and Rhonda Johnson in our capacity as permit holders,

mailing address PO Box 3381 Sunriver Oregon, 97707,

telephone number 503-804-3574 _____, duly sworn depose and say that We

consent to the proposed change(s) to Permit Number G-15505

described in a Permit Amendment Application (T-12811) submitted by Bob Holding Co. LLC
(Agent Sol-Sisters Inc.), and assigned to Jack Hempicine, LLC,

on the property in tax lot number(s) 502 and 202 (in Section 7) and 204 (in Section 18), Sections
7 and 18, Township 8 S, Range 4 West W.M., located at 3395 S Pacific Highway, Independence.
(site address)

[Signature]
Signature of Affiant

Date 9/16/2019

[Signature]
Signature of Affiant

Date 9-16-19
(RS)

Subscribed and Sworn to before me this 16th day of September, 2019.



[Signature]
Notary Public for Oregon

My commission expires 11/22/19.

7. On July 30, 2019, the Department sent deficiencies for permit amendment application T-12811 to Jack Hempicine LLC, Sol-Sisters Inc., Clay and Rhonda Johnson and Donald and Sharon Roberts requesting notarized affidavits of consent from each permit holder.
8. On August 21, 2019, the applicant's agent contacted the Department in writing, requesting an additional 90 days to provide the requested consents. The Department responded the same day, extending the deficiencies deadline another 30 days, to September 30, 2019.
9. On September 6, 2019, the applicant's agent provided revised tables and map.
10. On September 25, 2019, the applicant's agent sent copies of Affidavits of Consent by Permit Holders signed by Sol-Sisters, Inc., Clay and Rhonda Johnson and Donald and Sharon Roberts.
11. Permit Amendment Application T-12811 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized point of appropriation in feet (ft.)
8 S	4 W	WM	7	SW SW	WELL 3 – (POLK 375) 540 FEET NORTH AND 1090 FEET EAST FROM THE SW CORNER OF SECTION 7	1601.2 ft.
8 S	4 W	WM	7	SW SW	WELL 5 – (POLK 54245) 835 FEET NORTH AND 1160 FEET EAST FROM THE SW CORNER OF SECTION 7	1873.3 ft.
8 S	4 W	WM	18	NW NW	WELL 1 – (L-65554) 300 FEET SOUTH AND 937 FEET EAST FROM THE NW CORNER OF SECTION 18	754.2 ft.

Permit Amendment Review Criteria

12. The change would not result in injury to other water rights.
13. The change does not enlarge the permit.
14. The change does not alter any other terms of the permit.

Conclusions of Law

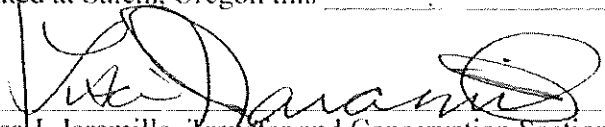
The additional points of appropriation proposed by Permit Amendment Application T-12811 are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The additional points of appropriation proposed by Permit Amendment Application T-12811 are approved.

2. Permit G-18297, in the name of Jack Hempicine LLC, Sol-Sisters, Inc., Clay and Rhonda Johnson, and Donald and Sharon Roberts, is issued to replace Permit G-15505, and incorporates the amendments approved by this order, the extension of time and the assignments. Permit G-15505, in the name of Clay and Rhonda Johnson and Donald and Sharon Roberts, is no longer of any force or effect.
3. The combined quantity of water diverted at the new additional points of appropriation (Well 1, Well 3 and Well 5), together with that diverted at the old point of appropriation (Well 2), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 2).
4. Water shall be acquired from the same aquifer as the original point of appropriation (Well 2).
5. Water use measurement 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 (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
6. All other terms and conditions of Permit G-18297 remain the same.

Dated at Salem, Oregon this FEB 13 2020



Lisa J. Jaramillo, Transfer and Conservation Section Manager for
THOMAS M. BYER, DIRECTOR
Oregon Water Resources Department

Mailing Date: FEB 13 2020

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JACK HEMPICINE, LLC.
ATTN: SETH CRAWFORD
7744 NW MINT AVE.
ALBANY, OR 97321

SOL-SISTERS, INC.
ATTN: DEANNA HART
3986 SOMERSET DR NE
ALBANY, OR 97322

CLAY AND RHONDA JOHNSON
PO BOX 3381
SUNRIVER, OR 97707

DONALD AND SHARON ROBERTS
PO BOX 3381
SUNRIVER, OR 97707

This superseding permit is issued to describe an amendment for additional points of appropriation proposed under Permit Amendment Application T-12811 and approved by Special Order Vol. 116, Page 23, entered FEB 13 2020, and to describe an extension of time for complete application of water approved September 18, 2015 and assignments to new permittees approved November 6, 2017 and July 23, 2019. This permit supersedes Permit G-15505.

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

APPLICATION FILE NUMBER: G-15938

SOURCE OF WATER: WELL 1, WELL 2, WELL 3 and WELL 5 IN NORTH FORK ASH CREEK BASIN

PURPOSE OR USE: IRRIGATION USE ON 92.5 ACRES AND MAINTENANCE OF A POND FOR MULTIPURPOSE USE, PERMIT R-14012

MAXIMUM RATE: 0.89 CUBIC FOOT PER SECOND

PERIOD OF USE: JUNE 1 THROUGH OCTOBER 31

Application G-15938/T-12811.tls Water Resources Department

PERMIT G-18297

DATE OF PRIORITY: MARCH 4, 2003

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
8 S	4 W	WM	7	SW SW	WELL 5 – (POLK 54245) 835 FEET NORTH AND 1160 FEET EAST FROM THE SW CORNER OF SECTION 7
8 S	4 W	WM	7	SW SW	WELL 3 – (POLK 375) 540 FEET NORTH AND 1090 FEET EAST FROM THE SW CORNER OF SECTION 7
8 S	4 W	WM	18	NW NW	WELL 1 (L-65554) – 300 FEET SOUTH AND 937 FEET EAST FROM THE NW CORNER OF SECTION 18
8 S	4 W	WM	18	NW NW	ORIGINAL WELL 2 (POLK 3227)- 1025 FEET SOUTH AND 910 FEET EAST FROM THE NW CORNER OF SECTION 18

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 2.5 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	Authorized Points of Appropriation
8 S	4 W	WM	7	SW SW	25.44	WELLS 1, 2, 3, AND 5
8 S	4 W	WM	7	SE SW	5.45	WELLS 1, 2, 3, AND 5
8 S	4 W	WM	18	NE NW	3.25	WELLS 1, 2, 3, AND 5
8 S	4 W	WM	18	NE NW	3.25	WELL 2
8 S	4 W	WM	18	NW NW	1.04	WELLS 1, 2, 3, AND 5
8 S	4 W	WM	18	NW NW	25.42	WELL 2
8 S	4 W	WM	18	SW NW	23.70	WELL 2
8 S	4 W	WM	18	SE NW	4.95	WELL 2
TOTAL					92.50	

POND MAINTENANCE					
Twp	Rng	Mer	Sec	Q-Q	Authorized Point of Appropriation
8 S	4 W	WM	7	SW SW	WELL 2
8 S	4 W	WM	18	NW NW	WELL 2
8 S	4 W	WM	18	SW NW	WELL 2

Permit Amendment T-12811 Conditions

The combined quantity of water diverted at the new additional points of appropriation (Well 1, Well 3, and Well 5), together with that diverted at the old point of appropriation (Well 2), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 2).

Water use measurement 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 (new and existing).
- b) The water user shall maintain the meters or measuring devices in good working order.
- c) The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Water shall be acquired from the same aquifer as the original point of appropriation (Well 2).

Extension of Time Conditions

Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2019 and 2024.

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

Existing Permit Conditions

Measurement, recording and reporting conditions:

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

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Seven Consecutive Annual Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement is stopped, the Director may restart it at any time.

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 and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- A) Identify each well with its associated measurement; and
- B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C) Specify the method used to obtain each well measurement; and
- D) Certify the accuracy of all measurements and calculations submitted to the

Department.

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

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

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until 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 senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. 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.

If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Proposed Final Order and Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

STANDARD CONDITIONS

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

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

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

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

require water level or pump test results every ten years thereafter.

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

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

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

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

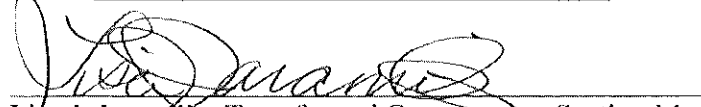
The Director finds that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Complete application of the water to the use was to be made on or before October 1, 2008. By extension of time final order dated September 18, 2015, the completion of the application of water was extended to on or before October 1, 2025. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

FEB 13 2020

Issued _____



Lisa J. Jaramillo, Transfer and Conservation Section Manager for
THOMAS M. BYLER, DIRECTOR
Oregon Water Resources Department

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

BJORK Mary F * WRD

From: BJORK Mary F * WRD
Sent: Thursday, February 20, 2020 10:10 AM
To: deanna@hartsnursery.com
Cc: BJORK Mary F * WRD
Subject: Assignment Form and Information (App G-15938, Permit G-18297 (T-12811))
Attachments: Assignment Form.pdf

Hi Deanna,

Thanks for taking my call. As we discussed, submitting the attached assignment form and \$100 fee, will allow for removing Sol-Sisters Inc. as a permit holder of record. Please see below for information on filling out the form.

- List Sol-Sisters Inc. at the top of the form as the name of the current holder of record.
- Next, you will find three options for checking. As we discussed, checking the first option will allow for removing Sol-Sisters Inc. by assigning **all interest in and to the entire permit**.
- Then, you will fill out the Application # as G-15938, and the Permit # as G-18297.
- Next, there is space to fill out the name of the new owner, who Sol-Sisters Inc. sold the land to.
- And finally, an area for you to date and sign as the current holder of record.

As I mentioned, there is a \$100 fee for the assignment. Once you have submitted the form and fee to the Department, you will receive a confirmation letter stating that Sol-Sisters Inc. is no longer a permit holder of record, along with your original request and receipt for payment.

Best Regards,

Mary F. Bjork

Water Rights Program Analyst

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



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

BJORK Mary F * WRD

From: BJORK Mary F * WRD
Sent: Wednesday, February 19, 2020 2:10 PM
To: deanna@harts.nursery.com
Cc: PLAHN Joel M * WRD; SMITH Tamera L * WRD; BJORK Mary F * WRD
Subject: Assignment Form and Information (App G-15938, Permit G-18297 (T-12811))
Attachments: Assignment Form.pdf

Hi Deanna,

Thanks for taking my call. As we discussed, submitting the attached assignment form and \$100 fee, will allow for removing Sol-Sisters Inc. as a permit holder of record. Please see below for information on filling out the form.

- List Sol-Sisters Inc. at the top of the form as the name of the current holder of record.
- Next, you will find three options for checking. As we discussed, checking the first option will allow for removing Sol-Sisters Inc. by assigning **all interest in and to the entire permit**.
- Then, you will fill out the Application # as G-15938, and the Permit # as G-18297.
- Next, there is space to fill out the name of the new owner, who Sol-Sisters Inc. sold the land to.
- And finally, an area for you to date and sign as the current holder of record.

As I mentioned, there is a \$100 fee for the assignment. Once you have submitted the form and fee to the Department, you will receive a confirmation letter stating that Sol-Sisters Inc. is no longer a permit holder of record, along with your original request and receipt for payment.

Best Regards,

Mary F. Bjork

Water Rights Program Analyst

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



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



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

July 23, 2019

Jack Hempicine, LLC
Attn: Seth Crawford
7744 NW Mint Ave.
Albany, OR 97321

Reference: Application G-15938, Permit G-15505, Transfer T-12811

Regarding Application G-15938, Permit G-15505, Transfer T-12811, the previous partial assignment from Bob Holding Co., LLC to Jack Hempicine, LLC is being rescinded. Additional review determined that Bob Holding Co., LLC no longer has interest as a permit/transfer holder of record.

The partial assignment from Bob Holding Co., LLC to Jack Hempicine, LLC has been recorded in the records of the Water Resources Department.

The Departments records will now show Jack Hempicine, LLC, Sol-Sisters, Inc., Clay and Rhonda Johnson, and Donald and Sharon Roberts as the permit/transfer holders of record.

Our records have been changed accordingly and a copy of the original request is enclosed.

Sincerely,

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

Enclosure: Original Request Copy and Map

cc: Watermaster #16

Bob Holding Co., LLC – 6904 SE Riverside Dr. #2, Vancouver, WA 98664

Clay and Rhonda Johnson – 3395 S. Pacific Hwy, Independence, OR 97351

Donald and Sharon Roberts – 3395 S. Pacific Hwy, Independence, OR 97351

Sol-Sisters, Inc. – PO Box 609, Independence, OR 97351

Kimberly Grigsby – 1600 SW Western Blvd., Suite 240, Corvallis, OR 97333

Data Center, OWRD (cover letter, request & map)

File





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

Request for Assignment

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

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

I, Bob Holding Co. LLC, Attn: Michael Stroud

(Name of Current Holder of Record)

6904 SE Riverside Dr. #2 Vancouver, WA 98664 503-849-3404
 (Mailing Address) (City) (State) (Zip) (Phone #)

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

Application # G-15938 ; Permit # G-15505 ; Permit Amendment # T-12811;

Limited License # _____ ; Groundwater Statement # _____ ;

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

Jack Hempicine LLC, Attn: Seth Crawford

(Name of New Owner)

7744 NW Mint Ave. Albany, OR 97321 541-760-5419
 (Mailing Address) (City) (State) (Zip) (Phone #)

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

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

Witness my hand this 11th day of MAY, 2019.
 (Day) (Month) (Year)

Signature of Current Holder of Record [Signature] MANAGER BOB HOLDING CO LLC

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 # 129902
 For Director by Mary F. Bjork, Program Analyst in Water Rights Division. [Signature]

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

Part Assign Approve
HBB 7-23-19

RECEIVED

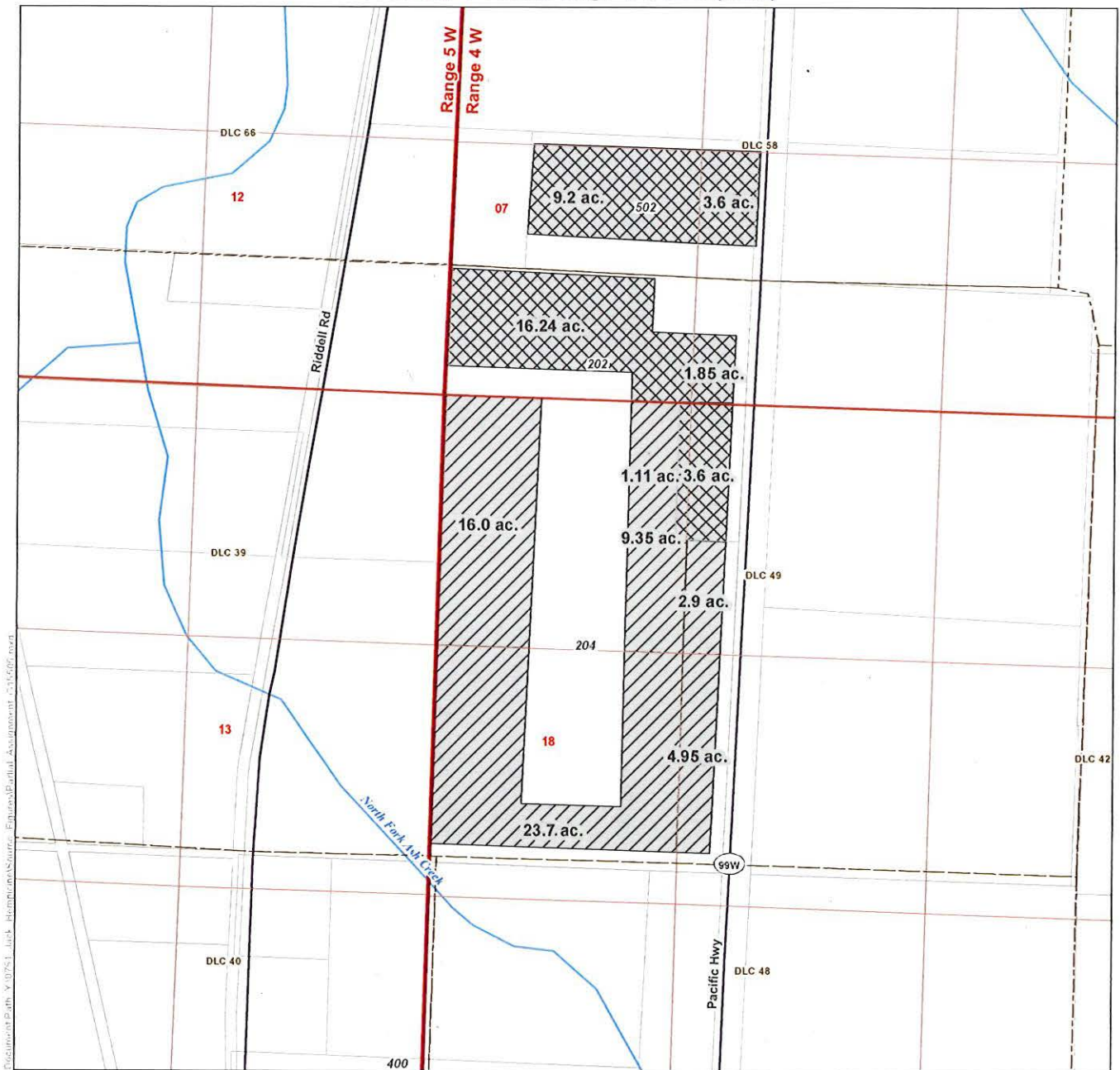
JUN 03 2019
WR

OWRD

Request for a Partial Assignment of a Water Right

Permit G-15505, Transfer T-12811

Township 8 South, Range 4, 5 West (W.M.)



LEGEND

- | | |
|---|---------------------------|
| Place of Use (POU), 92.5 acres | All Other Features |
| Portion of POU to be Assigned, 35.6 acres | Tax Lot |
| Donation Land Claim (DLC) | Major Road |
| | Watercourse |
| | Waterbody |

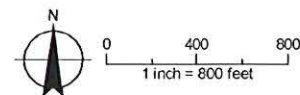
DISCLAIMER

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

POA = Point of Appropriation
Date: April 17, 2019
Data Sources: BLM, OWRD, USGS, ESRI, PoK Co.

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JUN 03 2019
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Rescinded 7-23-19



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

June 6, 2019

Jack Hempicine, LLC
Attn: Seth Crawford
7744 NW Mint Ave.
Albany, OR 97321

Reference: Application G-18574

Reference: Application G-15938, Permit G-15505, Transfer T-12811

Regarding Application G-18574, the assignment from Bob Holding Co., LLC to Jack Hempicine, LLC has been recorded in the records of the Water Resources Department.

The Departments records will now show Jack Hempicine, LLC as the application holder of record.

Regarding Application G-15938, Permit G-15505, Transfer T-12811, the partial assignment from Bob Holding Co., LLC to Jack Hempicine, LLC has been recorded in the records of the Water Resources Department.

The Departments records will now show Bob Holding Co., LLC, Jack Hempicine, LLC, Clay and Rhonda Johnson, Donald and Sharon Roberts, and Sol-Sisters, Inc. as the permit/transfer holders of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 129902 covering the recording fee is also enclosed.

Sincerely,

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

Enclosure: Original Request and Receipt #129902

cc: Watermaster #16

Bob Holding Co., LLC – 6904 SE Riverside Dr. #2, Vancouver, WA 98664

Clay and Rhonda Johnson – 3395 S. Pacific Hwy, Independence, OR 97351

Donald and Sharon Roberts – 3395 S. Pacific Hwy, Independence, OR 97351

Sol-Sisters, Inc. – PO Box 609, Independence, OR 97351

Kimberly Grigsby – 1600 SW Western Blvd., Suite 240, Corvallis, OR 97333

Data Center, OWRD (cover letter, request & map)

File





Water Solutions, Inc.

May 31, 2019

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

Re: Request for Assignment- Application G-18574 and Permit G-15505

Mary
Dear Ms. Bjork,

Bob Holding Co., LLC is the current holder of record for Application G-18574, which requests the use of up to 0.21 cfs of water from a three wells for nursery use on 49.23 acres, and Permit G-15505, which allows 0.89 cfs of water from a well for irrigation of 92.5 acres and pond maintenance.

Bob Holding Co., LLC is assigning Application G-18574 and part of Permit G-15505 to Jack Hempicine, LLC consistent with the recent sale of the associated land to Jack Hempicine, LLC. A map of the current Permit G-15505 place of use and portions of the permit to be assigned is included (see Attachment B).

Please also find enclosed a check for the assignment fees in the amount of \$200.

Please contact me if you have any questions. My number is 541-257-9001.

Sincerely,

A handwritten signature in blue ink that reads "Kimberly Grigsby".

Kimberly Grigsby
Principal Water Resources Consultant

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JUN 03 2019

OWRD

Enclosures: Request for Assignment Form and attachments;
Check for assignment fee

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CLAY AND RHONDA JOHNSON
DONALD AND SHARON ROBERTS
3395 S PACIFIC HWY
INDEPENDENCE, OR 97351

(503) 590-0545

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

APPLICATION FILE NUMBER: G-15938

SOURCE OF WATER: WELL 2 IN NORTH FORK ASH CREEK BASIN

PURPOSE OR USE: IRRIGATION USE ON 92.5 ACRES AND MAINTENANCE OF A POND FOR MULTIPURPOSE USE, PERMIT R-14012

MAXIMUM RATE: 0.89 CUBIC FOOT PER SECOND

PERIOD OF USE: JUNE 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 4, 2003

WELL LOCATION: NW ¼ NW ¼, SECTION 18, T8S, R4W, W.M.; 1025 FEET SOUTH & 910 FEET EAST FROM NW CORNER, SECTION 18

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW ¼ SW ¼ 25.44 ACRES IRRIGATION
SW ¼ SW ¼ POND MAINTENANCE
SE ¼ SW ¼ 5.45 ACRES IRRIGATION
SECTION 7
NE ¼ NW ¼ 6.5 ACRES IRRIGATION
NW ¼ NW ¼ 26.46 ACRES IRRIGATION
NW ¼ NW ¼ POND MAINTENANCE
SW ¼ NW ¼ 23.7 ACRES IRRIGATION
SW ¼ NW ¼ POND MAINTENANCE
SE ¼ NW ¼ 4.95 ACRES IRRIGATION
SECTION 18

TOWNSHIP 8 SOUTH, RANGE 4 WEST, W.M.

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JUN 03 2019

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Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Seven Consecutive Annual Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

RECEIVED

Application G-15938

Water Resources Department

PERMIT G-15505

JUN 03 2019

OWRD

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 and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

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

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

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until 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 senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. 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.

If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Proposed Final Order and Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

STANDARD CONDITIONS

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

RECEIVED

JUN 03 2019

OWBD

schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

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

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

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

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

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

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

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

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

Complete application of the water to the use shall be made on or before October 1, 2008. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.


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JUN 03 2019

OWRD

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

Issued October 16, 2003


 Paul R. Cleary, Director
 Water Resources Department

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

RECEIVED
 JUN 03 2019
 OWRD

Application G-15938 Water Resources Department
 Basin 2 Volume 10 HAYDEN SLOUGH & MISC
 Gaineyjw

PERMIT G-15505
 16

BJORK Mary F * WRD

From: Langford, Shonee D. <SLangford@SCHWABE.com>
Sent: Monday, July 22, 2019 11:08 AM
To: BJORK Mary F * WRD
Cc: Thane, Lindsay M.
Subject: FW: Holding/Hempicine Assignment [IWOV-PDX.FID4169890]
Attachments: DRAFT-15938-assign partial-approve-7-16-2019.doc

Hi Mary,

I'm responding for Lindsay (I've copied her on this email). We have reviewed the attached draft letter and your email below.

The letter looks good as you have drafted it. To clarify, we are only interested in removing Bob Holding Co., LLC from the permit. We do not want to remove Sol-Sister, Inc. or any other entity from the permit. Your letter is satisfactory because it accomplishes the removal of Bob Holding Co., LLC.

Thank you for working with us to re-issue the assignment confirmation letter. **ask that you please copy Lindsay when the final letter goes out. An electronic copy would be fine.**

Kind regards,

Shonee

Shonee D. Langford
530 Center St. NE, Suite 730
Salem, OR 97301
Direct: 503-540-4261

Begin forwarded message:

From: BJORK Mary F * WRD <Mary.F.Bjork@oregon.gov>
Date: July 16, 2019 at 8:17:10 AM HST
To: "lthane@schwabe.com" <lthane@schwabe.com>
Cc: BJORK Mary F * WRD <Mary.F.Bjork@oregon.gov>
Subject: Holding/Hempicine Assignment

Hi Lindsay,

This is a follow up to a phone message that I just left you. In processing a new draft assignment for Application G-15938, I found that I don't have what I need to remove Sol-Sisters, Inc. as a permit/transfer holder of record.

It is my understanding that you want to see the holders of record as Jack Hempicine, LLC, Clay and Rhonda Johnson, and Donald and Sharon Roberts. But the assignment request received June 3, 2019, did not reflect Sol-Sisters, Inc., by the way of being listed with an accompanying signature, nor was proof of ownership provided by a copy of the deed to the land or a copy of a land sales contract.

My apologies for not mentioning that previously, I knew that Sol-Sisters, Inc., wasn't listed and didn't sign the request, but I thought I remembered that proof was provided. Proof would allow me to remove Sol-Sisters, Inc.

I am attaching a new draft assignment for Application G-15938 that reflects the removal of Bob Holding Co., LLC, adds Jack Hempicine, LLC, and retains Sol-Sisters, Inc., and Clay and Rhonda Johnson, and Donald and Sharon Roberts.

Please let me know how you would like me to proceed, or if you have any questions.

Mary

Mary F Bjork | Water Rights Program Analyst

Oregon Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Ph: 503.986.0804/503.986.0817 | Fax: 503.986.0901
Email: mary.f.bjork@oregon.gov | Web: <http://www.oregon.gov/owrd>

NOTICE: This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

July 16, 2019

Jack Hempicine, LLC
Attn: Seth Crawford
7744 NW Mint Ave.
Albany, OR 97321

Reference: Application G-15938, Permit G-15505, Transfer T-12811

Regarding Application G-15938, Permit G-15505, Transfer T-12811, the previous partial assignment from Bob Holding Co., LLC to Jack Hempicine, LLC is being rescinded. Additional review determined that Bob Holding Co., LLC no longer has interest as a permit/transfer holder of record.

The partial assignment from Bob Holding Co., LLC to Jack Hempicine, LLC has been recorded in the records of the Water Resources Department.

The Departments records will now show Jack Hempicine, LLC, Sol-Sisters, Inc., Clay and Rhonda Johnson, and Donald and Sharon Roberts as the permit/transfer holders of record.

Our records have been changed accordingly and a copy of the original request is enclosed.

Sincerely,

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

Enclosure: Original Request Copy

cc: Watermaster #16

Bob Holding Co., LLC – 6904 SE Riverside Dr. #2, Vancouver, WA 98664
Clay and Rhonda Johnson – 3395 S. Pacific Hwy, Independence, OR 97351
Donald and Sharon Roberts – 3395 S. Pacific Hwy, Independence, OR 97351
Sol-Sisters, Inc. – PO Box 609, Independence, OR 97351
Kimberly Grigsby – 1600 SW Western Blvd., Suite 240, Corvallis, OR 97333
Data Center, OWRD (cover letter, request & map)
File

BJORK Mary F * WRD

From: BJORK Mary F * WRD
Sent: Tuesday, July 16, 2019 11:17 AM
To: lthane@schwabe.com
Cc: BJORK Mary F * WRD
Subject: Holding/Hempicine Assignment
Attachments: DRAFT-15938-assign partial-approve-7-16-2019.doc

Hi Lindsay,

This is a follow up to a phone message that I just left you. In processing a new draft assignment for Application G-15938, I found that I don't have what I need to remove Sol-Sisters, Inc. as a permit/transfer holder of record.

It is my understanding that you want to see the holders of record as Jack Hempicine, LLC, Clay and Rhonda Johnson, and Donald and Sharon Roberts. But the assignment request received June 3, 2019, did not reflect Sol-Sisters, Inc., by the way of being listed with an accompanying signature, nor was proof of ownership provided by a copy of the deed to the land or a copy of a land sales contract.

My apologies for not mentioning that previously, I knew that Sol-Sisters, Inc., wasn't listed and didn't sign the request, but I thought I remembered that proof was provided. Proof would allow me to remove Sol-Sisters, Inc.

I am attaching a new draft assignment for Application G-15938 that reflects the removal of Bob Holding Co., LLC, adds Jack Hempicine, LLC, and retains Sol-Sisters, Inc., and Clay and Rhonda Johnson, and Donald and Sharon Roberts.

Please let me know how you would like me to proceed, or if you have any questions.

Mary

Mary F Bjork | Water Rights Program Analyst

Oregon Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Ph: 503.986.0804/503.986.0817 | Fax: 503.986.0901
Email: mary.f.bjork@oregon.gov | Web: <http://www.oregon.gov/owrd>



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

POLK County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2019

NOT OFFICIAL VALUE

July 11, 2019 9:06:43 am

Account # XXXXXXXXXX
 Map # 084180000204
 Code - Tax # 1306-576677
 1307-576678

Tax Status ASSESSABLE
 Acct Status ACTIVE
 Subtype NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name LAFAYETTE FARMS LLC

Deed Reference # 2016-463
 Sales Date/Price 01-15-2016 / \$585,000.00
 Appraiser HEATER, RANDY

Agent
 In Care Of
 Mailing Address 10175 ORRS CORNER RD
 RICKREALL, OR 97371

Prop Class 550 MA SA NH Unit
 RMV Class 500 04 26 000 72067-1

Situs Address(s) Situs City

Code Area		RMV	MAV	Value Summary AV	RMV Exception	CPR %
1306	Land	2,350			Land	0
	Impr.	0			Impr.	0
Code Area Total		2,350	870	317		0
1307	Land	434,060			Land	0
	Impr.	0			Impr.	0
Code Area Total		434,060	174,910	58,584		0
Grand Total		436,410	175,780	58,901		0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			LUC	Trended RMV	
						TD%	LS	Size			
1306	0	<input checked="" type="checkbox"/>		EFU	Farm Use Zoned	100	A	0.23	B3	006*	1,450
1306	0	<input checked="" type="checkbox"/>		EFU	Farm Use Zoned	100	A	0.20	B4	006*	900
Code Area Total								0.43			2,350
1307	0	<input checked="" type="checkbox"/>		EFU	Farm Use Zoned	100	A	0.08	B2	006*	610
1307	0	<input checked="" type="checkbox"/>		EFU	Farm Use Zoned	100	A	30.35	B3	006*	191,210
1307	0	<input checked="" type="checkbox"/>		EFU	Farm Use Zoned	100	A	53.83	B4	006*	242,240
Code Area Total								84.26			434,060
Grand Total								84.69			436,410

Code Area	Yr ID#	Stat Built	Class	Description	Improvement Breakdown			Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%					
Grand Total										
									0	0

Code Area Type Exemptions/Special Assessments/Potential Liability

NOTATION(S):

- 100 YEAR FLOOD PLAIN
- FARM POT'L ADD'L TAX LIABILITY

POLK County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2019

NOT OFFICIAL VALUE

July 11, 2019 9:04:45 am

Account # XXXXXXXXXX
 Map # 084070000502
 Code - Tax # 1304-209872
 1311-221214

Tax Status ASSESSABLE
 Acct Status ACTIVE
 Subtype NORMAL

Legal Descr See Record

Mailing Name JACK HEMPICINE LLC

Deed Reference # 2019-2315
 Sales Date/Price 03-06-2019 / \$2,425,000.00
 Appraiser HEATER, RANDY

Agent
 In Care Of
 Mailing Address 7747 NW MINT AVE
 ALBANY, OR 97321

Prop Class 559 MA SA NH Unit
 RMV Class 509 04 26 000 9289-2

Situs Address(s)	Situs City
ID# 1 3393 S PACIFIC HWY WEST HWY	INDEPENDENCE

Code Area		RMV	MAV	Value Summary AV	RMV Exception	CPR %
1304	Land	154,490			Land	0
	Impr.	571,650			Impr.	0
Code Area Total		726,140	561,730	532,137		0
1311	Land	26,600			Land	0
	Impr.	0			Impr.	0
Code Area Total		26,600	8,070	3,615		0
Grand Total		752,740	569,800	535,752		0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			LUC	Trended RMV	
						TD%	LS	Size			
1304	1	<input checked="" type="checkbox"/>		EFU	Farm Site	100	A	1.00	B2	006*	7,600
1304	0	<input checked="" type="checkbox"/>		EFU	Farm Use Zoned	100	A	14.80	B2	006*	112,480
1304	0	<input checked="" type="checkbox"/>		EFU	Farm Use Zoned	100	A	0.70	B3	006*	4,410
1304					OSD - AVERAGE - SA	100					30,000
Code Area Total								16.50			154,490
1311	0	<input checked="" type="checkbox"/>		EFU	Farm Use Zoned	100	A	3.50	B2	006*	26,600
Code Area Total								3.50			26,600
Grand Total								20.00			181,090

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			MS Acct #	Trended RMV
					TD%	Total Sq. Ft.	Ex%		
1304	7		301	GP SHED	100	100		520	
1304	12		350	COMMERCIAL GREENHOUS	100	2,880		2,770	
1304	13		350	COMMERCIAL GREENHOUS	100	1,500		1,590	
1304	14		350	COMMERCIAL GREENHOUS	100	1,500		1,590	
1304	15		350	COMMERCIAL GREENHOUS	100	1,530		1,620	
1304	1		350	COMMERCIAL GREENHOUS	100	1,440		3,010	
1304	2		301	GP SHED	100	288		1,300	
1304	4		303	MACHINE SHED	100	768		1,920	
1304	8		304	HAY COVER	100	1,700		2,660	
1304	3		300	GP BUILDING	100	768		3,630	
1304	5		301	GP SHED	100	306		4,400	
1304	17	2006	303	MACHINE SHED	100	600		9,440	
1304	6		300	GP BUILDING	100	840		6,050	
1304	9		300	GP BUILDING	100	960		7,220	
1304	11		300	GP BUILDING	100	768		8,540	
1304	10		300	GP BUILDING	100	1,248		12,170	
1304	18	2006	300	GP BUILDING	100	864		25,550	
1304	16		350	COMMERCIAL GREENHOUS	100	2,880		27,430	
1304	19	2003	153	Two story	100	4,012		450,240	
Grand Total						24,952		571,650	

Account # [REDACTED]

Code		Exemptions/Special Assessments/Potential Liability
Area	Type	
NOTATION(S):		
■ FARM POT'L ADD'L TAX LIABILITY		
■ CHANGES TO VALUATION JUDGMENT 308.242(2) ADDED 2003		

MS Account(s): 1304-P-464633

Appr Maint: 2020 - OTHER NEW CONSTRUCTION (GARAGE/OUTBUILDINGS)

POLK County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2019

NOT OFFICIAL VALUE

July 11, 2019 9:05:43 am

Account # XXXXXXXXXX
 Map # 084180000202
 Code - Tax # 1306-414485
 1307-414498

Tax Status ASSESSABLE
 Acct Status ACTIVE
 Subtype NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name JACK HEMPICINE LLC

Deed Reference # 2019-2315
 Sales Date/Price 03-06-2019 / \$2,425,000.00
 Appraiser HEATER, RANDY

Agent
 In Care Of
 Mailing Address 7747 NW MINT AVE
 ALBANY, OR 97321

Prop Class 559 MA SA NH Unit
 RMV Class 509 04 26 000 9289-2

Situs Address(s)	Situs City
ID# 1 3395 S PACIFIC HWY W	INDEPENDENCE

Code Area	RMV	MAV	Value Summary AV	RMV Exception	CPR %
1306 Land	180,980			Land	0
Impr.	862,680			Impr.	0
Code Area Total	1,043,660	397,750	362,478		0
1307 Land	41,540			Land	0
Impr.	142,720			Impr.	0
Code Area Total	184,260	182,520	179,399		0
Grand Total	1,227,920	580,270	541,877		0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			LUC	Trended RMV	
						TD%	LS	Size			
1306	1	<input checked="" type="checkbox"/>		EFU	Farm Use Zoned	100	A	5.82	B2	006*	44,230
1306	0	<input checked="" type="checkbox"/>		EFU	Farm Use Zoned	100	A	15.85	B3	006*	99,860
1306	0	<input checked="" type="checkbox"/>		EFU	Farm Use Zoned	100	A	1.53	B4	006*	6,890
1306					OSD - AVERAGE - SA	100					30,000
Code Area Total								23.20			180,980
1307	0	<input checked="" type="checkbox"/>		EFU	Farm Use Zoned	100	A	2.73	B2	006*	20,750
1307	0	<input checked="" type="checkbox"/>		EFU	Farm Use Zoned	100	A	3.30	B3	006*	20,790
Code Area Total								6.03			41,540
Grand Total								29.23			222,520

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown		Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%				
1306	2		301	GP SHED	100		120		1,230
1306	5	2016	350	COMMERCIAL GREENHOUS	100		3,000		44,730
1306	6	2016	350	COMMERCIAL GREENHOUS	100		3,000		44,730
1306	7	2016	350	COMMERCIAL GREENHOUS	100		3,000		44,730
1306	8	2016	350	COMMERCIAL GREENHOUS	100		3,000		44,730
1306	4	2016	300	GP BUILDING	100		7,980		682,530
Code Area Total							20,100		862,680
1307	1		520	Office -general	100		3,420		142,720
Code Area Total							3,420		142,720
Grand Total							23,520		1,005,400

Code Area	Type	Exemptions/Special Assessments/Potential Liability

NOTATION(S):

- FARM POT'L ADD'L TAX LIABILITY
- 100 YEAR FLOOD PLAIN
- CHANGES TO VALUATION JUDGMENT 308.242(2) ADDED 2003
- HARDSHIP M S LOCATED ON THIS ACCOUNT ADDED 2012

Account # [REDACTED]

MS Account(s): 1306-P-575004

PP Account(s): 1306-574072

Appr Maint: 2020 - OTHER NEW CONSTRUCTION (GARAGE/OUTBUILDINGS)

Comments: Hardship MS located on this account - code 1306. JS 4-2012

THIS MAP IS FOR ASSESSMENT AND TAXATION PURPOSES ONLY

See Map 8.4.7

SEC. 18 T.8S. R.4W. W.M.

8.4.18

Polk County

1" = 400'

202
29.23 AC

13-6

200
68.07 AC

13-12

S.E. CORNER
DAVID J. WHITEAKER
DLC NO. 38

N.E. CORNER
MELVIN D. STURGES
DLC NO. 49

W. CORNER
LEONARD WILLIAMS
DLC NO. 42

S.W. CORNER
HENRY HANVINS
DLC NO. 56

100
139.61 AC

13-11

13-12

7 8
18 17

Canceled No.
203

204
64.69 AC

See Map 8.5.12

201
51.74 AC

13-8

101
DV183-960

N.E. CORNER
MELVIN D. STURGES
DLC NO. 49

300
5.97 AC

301
37.89 AC

501
30.67 AC

800
45.81 AC

N.E. CORNER
AARON BURBANK
DLC NO. 48

900
19.69 AC

901
32.51 AC

W. S.W. CORNER
LEONARD WILLIAMS
DLC NO. 42

S.W. CORNER
LEONARD WILLIAMS
DLC NO. 42

400
49.17 AC

13-7

600
72.56 AC

700
58.30 AC

S.W. CORNER
JAMES CHAMBERLAIN
DLC

500
50.02 AC

502
2.84 AC

13 18
24 19

18 17
19 20

See Map 8.4.19

See Map 8.5.24A

2/15/2019

8.4.18

THIS MAP IS FOR ASSESSMENT AND TAXATION PURPOSES ONLY

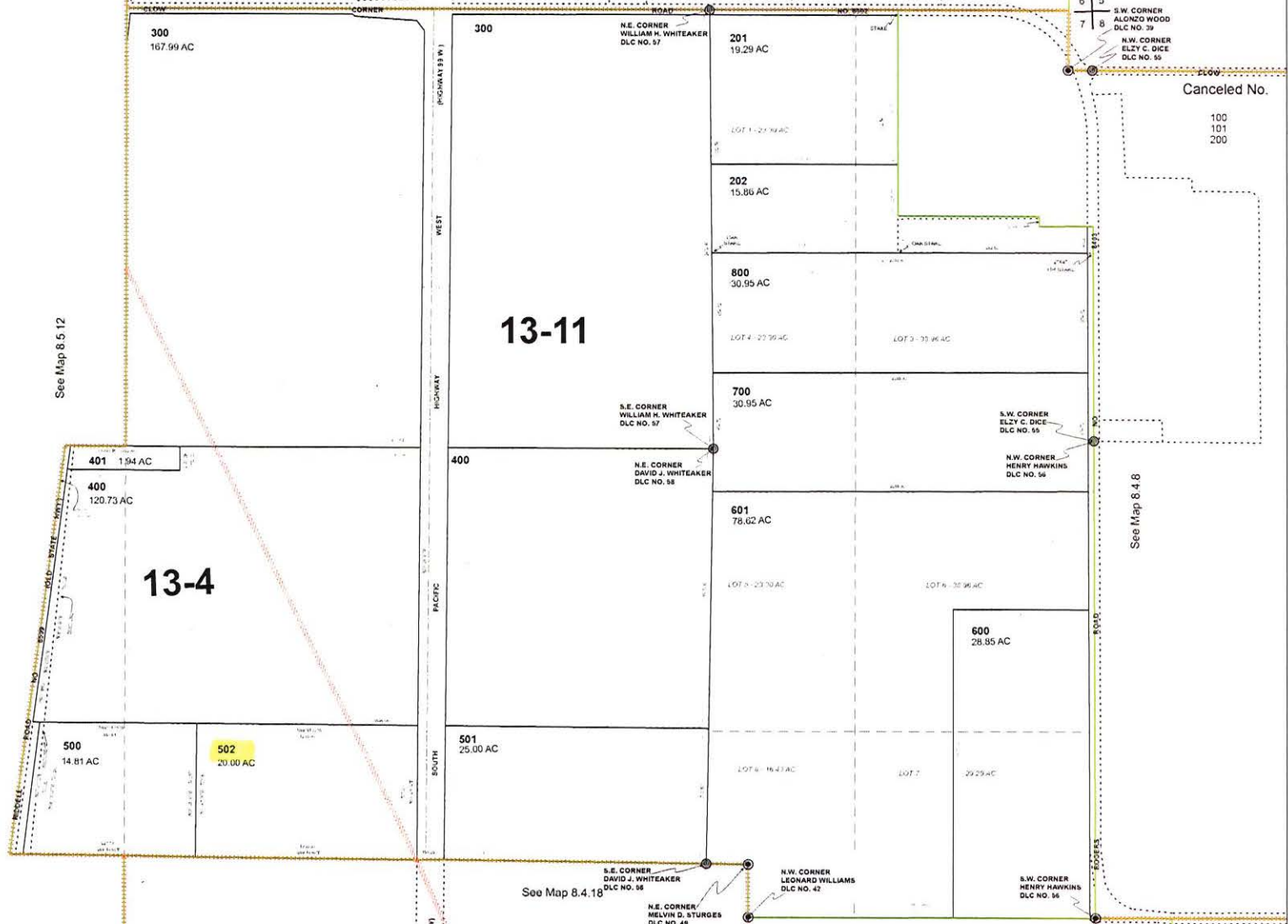
SEC. 7 T.8S. R.4W. W.M.

Polk County

1" = 400'

See Map 8.4.6

8.4.7



See Map 8.5.12

See Map 8.4.8

See Map 8.4.18

Request by proof was w/ sis. only, **Work Copy**
 I did not supply Deed or other proof of ownership

Request for a Partial Assignment of a Water Right

Permit G-15505, Transfer T-12811

Township 8 South, Range 4, 5 West (W.M.)



LEGEND

- Place of Use (POU), 92.5 acres
- Portion of POU to be Assigned, 35.6 acres
- Donation Land Claim (DLC)
- from Request
- All Other Features
- Tax Lot
- Major Road
- Watercourse
- Bob H
- Waterbody
- Jack Hemp

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.

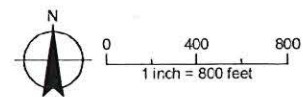
MAP NOTES

POA = Point of Appropriation
 Date: April 17, 2019
 Data Sources: BLM, OWRD, USGS, ESRI, Polk Co

RECEIVED

JUN 03 2019

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.wrd.state.or.us

November 6, 2017

Sol-Sisters Inc.
Attn: Deanna Hart
P.O. Box 609
Independence, Oregon 97361

Reference: Application G-15938, Permit G-15505

The partial assignment by proof from Clay and Rhonda Johnson, and Donald and Sharon Roberts to Bob Holding Co., LLC and Sol-Sisters Inc. has been recorded in the records of the Water Resources Department.

The Departments records will now show Clay and Rhonda Johnson, and Donald and Sharon Roberts, and Bob Holding Co., LLC and Sol-Sisters Inc. as the permit holders of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 125050 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, 2025, 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,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Receipt 125050

cc: Watermaster 16

Clay and Rhonda Johnson – 33935 S. Pacific Hwy W., Independence, Oregon 97351
Donald and Sharon Roberts – 33935 S. Pacific Hwy W., Independence, Oregon 97351
Bob Holding Co., LLC – Attn: Michael Stroud 6904 SE Riverside Dr. #2, Vancouver WA 98664
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 By Proof of Ownership (If Water Right Holder is Not Available)

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, Bob Holding Co. LLC Attn: Michael Stroud 503-849-3404 Address: 6904 SE Riverside DR #2, Vancouver WA 98664
 (Name of Party Requesting Assignment)

Sol-Sisters Inc. Attn: Deanna Hart 503-881-0554 PO Box 609 Independence OR 97361
 (Mailing Address) (City) (State) (Zip) (Phone #)

- hereby request assignment of an entire application/permit/transfer/limited license/groundwater statement; hereby request assignment of 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.)

Application # G-15938 ; Permit # G-15505 ; Transfer # _____ ;
 Limited License # _____ ; Groundwater Statement # _____ ;

Clay & Rhonda Johnson & Donald & Sharon Roberts
 (Name of Current Holder of Record)

3395 S Pacific HWY Independence OR 97351
 (Mailing Address) (City) (State) (Zip) (Phone #)

Note: Write the initials (first letters) of your first and last names at the spots indicated below _____.

- 1) ^{DSH} DSH I certify that I am the current owner of the property described in this application, permit, transfer order, limited license, or groundwater statement. I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.
- 2) ^{DSH} DSH I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
- 3) ^{DSH} DSH I have not been able to contact the owner(s) of record for the above referenced transaction. I have attached proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.) *We have no knowledge of where the permit holder is or how to contact them.
- 4) ^{DSH} DSH I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this _____ day of _____, 20____.
 (Day) (Month) (Year)

Signature of Party Requesting Assignment Deanna Hart Michael Stroud

10/27/17
10/27/17

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

PROOF
 11/1/2017
 DS

DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on _____ of receipt at Salem, Oregon.
 Fee receipt # 125050
 For Director by Jerry Sauter, Program Analyst in Water Rights Division. Jerry Sauter

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

□ - Assign

App# G-15938 Permit # G-15505

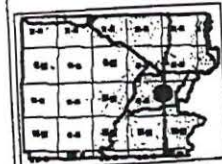
**Polk County Map
Community Development**

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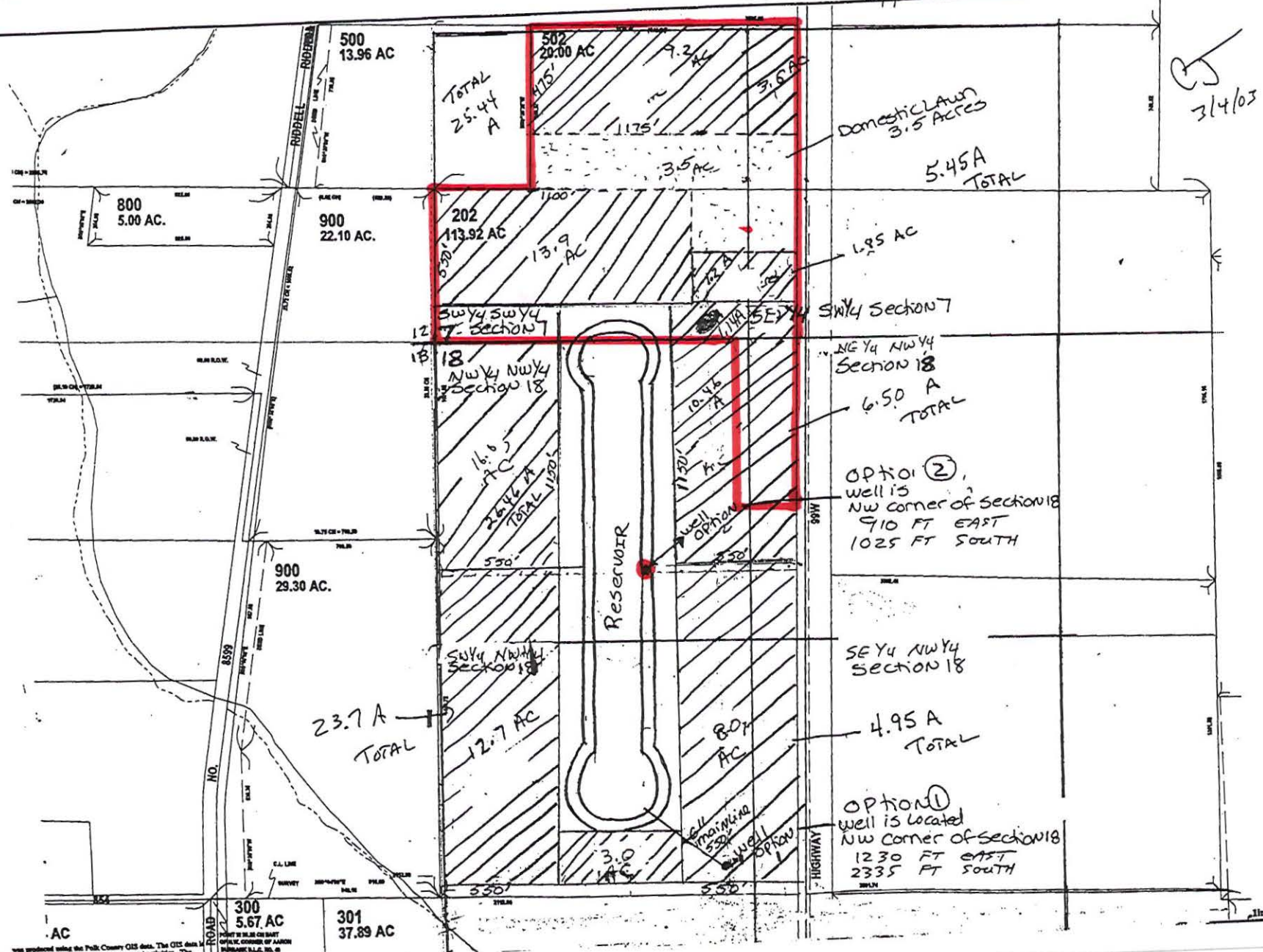
Sw 1/4 Section of Section 7
T.8.S. R.4.W.
Polk County,
Oregon

Nw 1/4 Section
of Section 18
T.8.S. R.4.W.
Polk County
Oregon

Clay & Rhonda
Johnson



2/18/2003
POLK COUNTY



was produced using the Polk County GIS data. The GIS data is provided by the county to support its governmental activities. The user assumes all responsibility for any errors, omissions or misinterpretation.

Return to: Pacific Power
P.O. Box 248
Albany, OR 97321

RECORDED IN POLK COUNTY Valerie Unger, County Clerk	2016-013554 12/05/2016 01:56:20 PM
REC-EAS Cnt=1 Stn=0 C. PARIS \$20.00 \$11.00 \$20.00 \$5.00 \$10.00	\$66.00

CG#: 11246 WO#: 6151086

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, *Bob Holding Co. LLC, a Washington Limited Liability Company* ("Grantor"), hereby grants to PacificCorp, an Oregon corporation, its successors and assigns ("Grantee"), a perpetual easement for a right of way 10 feet in width and 570 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of Grantee's underground electric distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: wires, fibers, cables and other conductors and conduits therefore; and pads, transformers, switches, cabinets, vaults on, across, or under the surface of the real property of Grantor in Polk County, State of Oregon, as more particularly described as follows and/or shown on Exhibit(s) A attached hereto and by this reference made a part hereof:

A portion of:

LEGAL DESCRIPTION: Real property in the County of Polk, State of Oregon, described as follows:

ALL OF THAT CERTAIN PROPERTY CONVEYED TO DONALD D. AND SHARON K. ROBERTS, AND CLAY L. AND RHONDA K. JOHNSON, PER INSTRUMENT NO. 2002-018083, POLK COUNTY DEED RECORDS, LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 8 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, POLK COUNTY, OREGON;

TOGETHER WITH THE FOLLOWING DESCRIBED PORTION OF THAT CERTAIN PROPERTY ALSO CONVEYED TO DONALD D. AND SHARON K. ROBERTS, AND CLAY L. AND RHONDA K. JOHNSON, PER INSTRUMENT NO. 2002-018082, POLK COUNTY DEED RECORDS, LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 7, AND THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 8 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, POLK COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

NOTE: FIRST AMERICAN TITLE
IS RECORDING THIS DOCUMENT AS AN
ACCOMMODATION TO CLIENT ONLY AND
WILL NOT ASSUME ANY RESPONSIBILITY
AS TO ITS' VALIDITY.

PATCO ADD

BEGINNING AT A 5/8" IRON ROD ON THE WEST RIGHT-OF-WAY LINE FOR STATE HIGHWAY 99W, SAID ROD BEING THE NORTHEAST CORNER OF SAID ROBERTS/JOHNSON PROPERTY, AND LIES ON THE NORTH LINE OF THE MELVIN STURGIS DONATION LAND CLAIM NO. 49, SAID TOWNSHIP AND RANGE, NORTH 89°17'12" WEST 1800.20 FEET FROM AN ALUMINUM CAPPED MONUMENT AT THE NORTHEAST CORNER THEREOF, SAID IRON ROD ALSO LIES ON THE SOUTH LINE OF THE DAVID WHITEAKER DONATION LAND CLAIM NO. 58, SAID TOWNSHIP AND RANGE; THENCE LEAVING SAID RIGHT-OF-WAY LINE, ALONG THE NORTH LINE OF SAID STURGIS CLAIM, NORTH 89°17'12" WEST 1594.11 FEET TO A 5/8" IRON ROD AT THE ROBERTS/JOHNSON NORTHWEST CORNER; THENCE ALONG THE ROBERTS/JOHNSON WEST LINE SOUTH 00°12'31" WEST 632.07 FEET; THENCE LEAVING SAID WEST LINE, SOUTH 89°03'21" EAST 1222.10 FEET; THENCE SOUTH 00°48'29" WEST 715.06 FEET; THENCE SOUTH 89°18'36" EAST 368.19 FEET TO SAID WEST RIGHT-OF-WAY LINE; THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 00°41'24" EAST 1351.88 FEET TO THE POINT OF BEGINNING;

Assessor's Map No.: 08418-00-00202

Parcel No.: 202

Together with the right of ingress and egress for Grantee, its contractors, or agents, to the right of way from adjacent lands of Grantor for all activities in connection with the purposes for which this easement has been granted; and together with the present and (without payment therefore) the future right to keep the right of way clear of all brush, trees, timber, structures, buildings and other hazards which might endanger Grantee's facilities or impede Grantee's activities.

At no time shall Grantor place or store any flammable materials or light any fires, on or within the boundaries of the right of way. Subject to the foregoing limitations, the surface of the right of way may be used for other purposes not inconsistent, as determined by the Grantee, with the purposes for which this easement has been granted.

To the fullest extent permitted by law, each of the parties hereto waives any right it may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this easement. Each party further waives any right to consolidate, or to request the consolidation of, any action in which a jury trial has been waived with any other action in which a jury trial cannot be or has not been waived.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns and shall run with the land.

Dated this 7th day of OCTOBER, 2016.

MICHAEL STROUD Manager BOB HOLDING LLC
Name, Title of Grantor GRANTOR.

Name, Title of Grantor GRANTOR

REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon)
County of Polk) SS.

This instrument was acknowledged before me on this 7 day of October, 2014,
by [Signature], as MANAGER,
Name of representative Title of representative

of Bob Holding Co. LLC, a Washington Limited Liability Company
Name of entity being represented

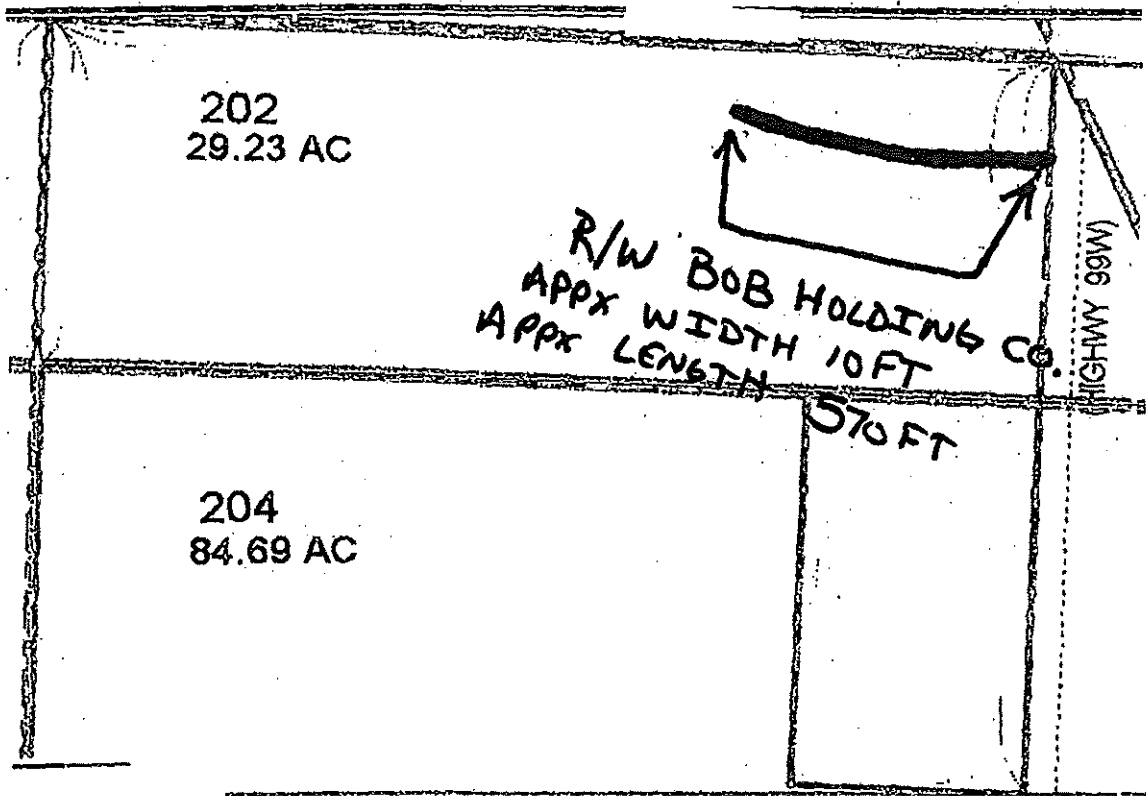


[Signature]
Notary Public
My commission expires: 4/24/2020

PROPERTY DESCRIPTION

Section: 7, Township: 8S, Range: 4W, Willamette Meridian,
Polk County, State of Oregon.

Map / Tax Lot or Parcel No.: 08418-00-00202



CC#: 11246 WO#: 6151086
Landowner Name: Bob Holding Co. LLC
Drawn by: J. Albers

This drawing should be used only as a representation of the location of the easement area. The exact location of all structures, lines and appurtenances is subject to change within the boundaries of the described easement area.

EXHIBIT A



FIRST AMERICAN TITLE 2586321



After recording return to:
Bob Holding Co. LLC
6904 SE Riverside Dr. #2
Vancouver, WA 98664

Until a change is requested all tax
statements shall be sent to the
following address:
Bob Holding Co. LLC
6904 SE Riverside Dr. #2
Vancouver, WA 98664

File No.: 7121-2586321 (KJA)
Date: April 28, 2016

THIS SPACE RESERVED FOR RECORDER'S USE	
RECORDED IN POLK COUNTY Valerie Unger, County Clerk	2016-004670 05/04/2016 11:34:47 AM
REC-WD Cnt=1 Str=11 K. WILLIAMS \$15.00 \$11.00 \$10.00 \$5.00 \$20.00	\$61.00

STATUTORY WARRANTY DEED

Donald D. Roberts and Sharon K. Roberts, as tenants by the entirety, as to an undivided 50% interest Clay L. Johnson and Rhonda K. Johnson, as tenants by the entirety, as to an undivided 50% interest, all as tenants in common, Grantor, conveys and warrants to Bob Holding Co. LLC, a Washington limited liability company, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$1,600,000.00**. (Here comply with requirements of ORS 93.030)

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Polk, State of Oregon, described as follows:

ALL OF THAT CERTAIN PROPERTY CONVEYED TO DONALD D. AND SHARON K. ROBERTS, AND CLAY L. AND RHONDA K. JOHNSON, PER INSTRUMENT NO. 2002-018083, POLK COUNTY DEED RECORDS, LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 8 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, POLK COUNTY, OREGON;

TOGETHER WITH THE FOLLOWING DESCRIBED PORTION OF THAT CERTAIN PROPERTY ALSO CONVEYED TO DONALD D. AND SHARON K. ROBERTS, AND CLAY L. AND RHONDA K. JOHNSON, PER INSTRUMENT NO. 2002-018082, POLK COUNTY DEED RECORDS, LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 7, AND THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 8 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, POLK COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD ON THE WEST RIGHT-OF-WAY LINE FOR STATE HIGHWAY 99W, SAID ROD BEING THE NORTHEAST CORNER OF SAID ROBERTS/JOHNSON PROPERTY, AND LIES ON THE NORTH LINE OF THE MELVIN STURGIS DONATION LAND CLAIM NO. 49, SAID TOWNSHIP AND RANGE, NORTH 89°17'12" WEST 1800.20 FEET FROM AN ALUMINUM CAPPED MONUMENT AT THE NORTHEAST CORNER THEREOF, SAID IRON ROD ALSO LIES ON THE SOUTH LINE OF THE DAVID WHITEAKER DONATION LAND CLAIM NO. 58, SAID TOWNSHIP AND RANGE; THENCE LEAVING SAID RIGHT-OF-WAY LINE, ALONG THE NORTH LINE OF SAID STURGIS CLAIM, NORTH 89°17'12" WEST 1594.11 FEET TO A 5/8" IRON ROD AT THE ROBERTS/JOHNSON NORTHWEST CORNER; THENCE ALONG THE ROBERTS/JOHNSON WEST LINE SOUTH 00°12'31" WEST 632.07 FEET; THENCE LEAVING SAID WEST LINE, SOUTH 89°03'21" EAST 1222.10 FEET; THENCE SOUTH 00°48'29" WEST 715.06 FEET; THENCE SOUTH 89°18'36" EAST 368.19 FEET TO SAID WEST RIGHT-OF-WAY LINE; THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 00°41'24" EAST 1351.88 FEET TO THE POINT OF BEGINNING;

FIRST AMERICAN TITLE 2546341



After recording return to:
Lafayette Farms LLC
10175 Orrs Corner Road
Rickreall, OR 97371

Until a change is requested all tax
statements shall be sent to the
following address:
Lafayette Farms LLC
10175 Orrs Corner Road
Rickreall, OR 97371

File No.: 7121-2546341 (KJA)
Date: October 22, 2015

THIS SPACE RESERVED FOR RECORDER'S USE

RECORDED IN POLK COUNTY
Valerie Unger, County Clerk

2016-000463

01/15/2016 02:26:23 PM

REC-WD Cnt=1 Stn=6 A. CAPTAIN
\$25.00 \$11.00 \$10.00 \$5.00 \$20.00

\$71.00

STATUTORY WARRANTY DEED

Donald D. Roberts and Sharon K. Roberts, as tenants by the entirety, as to an undivided 50% interest Clay L. Johnson and Rhonda K. Johnson, as tenants by the entirety, as to an undivided 50% interest, all as tenants in common, Grantor, conveys and warrants to Lafayette Farms LLC, an Oregon limited liability company, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Polk, State of Oregon, described as follows:

All of that certain property conveyed to Donald D. and Sharon K. Roberts, and Clay L. and Rhonda K. Johnson, per Instrument No. 2002-018082, Polk County Deed Records, lying within the Southwest 1/4 of Section 7, and the Northwest 1/4 of Section 18, Township 8 South, Range 4 West, Willamette Meridian, Polk County, Oregon;

SAVE AND EXCEPT the following described portion thereof:

Beginning at a 5/8" iron rod on the west right-of-way line for State Highway 99W, said rod being the northeast corner of said Roberts/Johnson property, and lies on the north line of the Melvin Sturgis Donation Land Claim No. 49, said Township and Range, North 89°17'12" West 1800.20 feet from an Aluminum capped monument at the northeast corner thereof, said iron rod also lies on the south line of the David Whiteaker Donation Land Claim No. 58, said Township and Range; thence leaving said right-of-way line, along the north line of said Sturgis Claim, North 89°17'12" West 1594.11 feet to a 5/8" iron rod at the Roberts/Johnson northwest corner; thence along the Roberts/Johnson west line South 00°12'31" West 632.07 feet; thence leaving said west line, South 89°03'21" East 1222.10 feet; thence South 00°48'29" West 715.06 feet; thence South 89°18'36" East 368.19 feet to said west right-of-way line; thence along said right-of-way line North 00°41'24" East 1351.88 feet to the point of beginning.

APN: 414485

Statutory Warranty Deed
- continued

File No.: 7121-2546341 (KJA)

The legal description contained herein was approved by Polk County in LLA 14-09.

Subject to:

Easement Reservation- Exhibit "A"

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$585,000.00**. (Here comply with requirements of ORS 93.030)

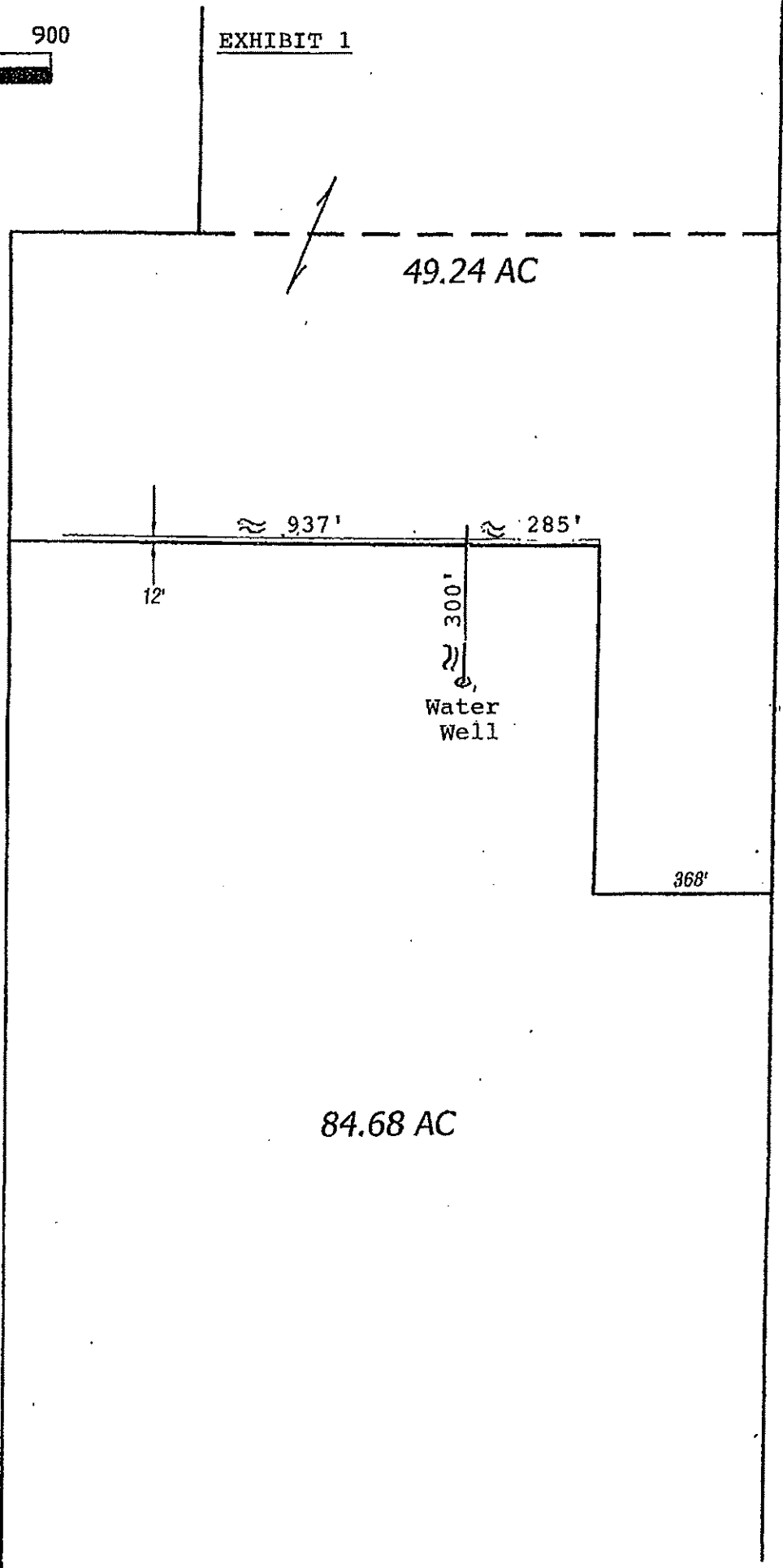
EXHIBIT "A"

Roberts/Lafayette Easement Reservation

RESERVING unto Grantors, their heirs, successors and assigns, a permanent, non-exclusive easement over and upon the above-described property, for the use, maintenance, repair and replacement of an existing water well and buried water line, with all of the usual appurtenances thereto, including the right to draw water from said well and transmit it through said buried water line for the exclusive use and benefit of Grantors' real property described as Resultant Property 1 in that Deed to Effect Property Line Adjustment recorded March 2, 2015, as Document No. 2015-001861 in Polk County, Oregon, and to trim and remove bushes, undergrowth and other obstructions interfering with any of the foregoing purposes, together with the right of ingress and egress over and upon said real property by Grantors herein and their, agents or independent contractors to operate machinery, place materials, tools and equipment thereon and otherwise utilize said real property for any of the foregoing purposes; said easement being described as the area within a twenty (20) foot radius of the existing well and five (5) feet on either side of the buried water line, the locations of which are generally shown on Exhibit 1 attached hereto and by reference made a part hereof. Grantors shall be responsible to repair all damage caused to Grantees' property, herein described, and shall defend, indemnify and hold Grantees harmless from any claims, liabilities, demands, damages or actions arising from or relating to Grantors' exercise of the rights and privileges herein reserved. The parties acknowledge that the description of the well and water line on Exhibit 1 is approximate, only, and that the actual location of the existing well and buried pipeline have not been determined by survey. In construing this easement, and in the event of any conflict between the description as shown on Exhibit 1 and the actual location of said well and buried pipeline, the actual location of said existing well and pipeline shall control.



EXHIBIT 1



49.24 AC

≈ 937'

≈ 285'

12'

300'

Water Well

368'

84.68 AC

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CLAY AND RHONDA JOHNSON
DONALD AND SHARON ROBERTS
3395 S PACIFIC HWY
INDEPENDENCE, OR 97351

(503) 590-0545

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

APPLICATION FILE NUMBER: G-15938

SOURCE OF WATER: WELL 2 IN NORTH FORK ASH CREEK BASIN

PURPOSE OR USE: IRRIGATION USE ON 92.5 ACRES AND MAINTENANCE OF A POND FOR MULTIPURPOSE USE, PERMIT R-14012

MAXIMUM RATE: 0.89 CUBIC FOOT PER SECOND

PERIOD OF USE: JUNE 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 4, 2003

WELL LOCATION: NW ¼ NW ¼, SECTION 18, T8S, R4W, W.M.; 1025 FEET SOUTH & 910 FEET EAST FROM NW CORNER, SECTION 18

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW ¼ SW ¼ 25.44 ACRES IRRIGATION
SW ¼ SW ¼ POND MAINTENANCE
SE ¼ SW ¼ 5.45 ACRES IRRIGATION
SECTION 7
NE ¼ NW ¼ 6.5 ACRES IRRIGATION
NW ¼ NW ¼ 26.46 ACRES IRRIGATION
NW ¼ NW ¼ POND MAINTENANCE
SW ¼ NW ¼ 23.7 ACRES IRRIGATION
SW ¼ NW ¼ POND MAINTENANCE
SE ¼ NW ¼ 4.95 ACRES IRRIGATION
SECTION 18

TOWNSHIP 8 SOUTH, RANGE 4 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Seven Consecutive Annual Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

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 and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

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

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

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until 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 senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. 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.

If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Proposed Final Order and Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

STANDARD CONDITIONS

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the

schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

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

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

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

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

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

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


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

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

Complete application of the water to the use shall be made on or before October 1, 2008. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued October 16, 2003


Paul R. Cleary, Director
Water Resources Department

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

IMPORTANT
This Map for Assessment
and Taxation Purposes

See Map 8.4.7

SEC.18 T8S R4W WM
POLK COUNTY

8.4.18

Scale 1" = 400'

ONLY

202
79.23 AC
13-6

200
68.07 AC
13-12

100
139.81 AC
13-11

13-12

Canceled No.
203

See Map 8.5.12

204
84.89 AC

201
51.74 AC

13-8

300
5.87 AC

301
37.89 AC

501
30.87 AC

800
800N1
45.81 AC

900
19.89 AC

901
32.51 AC

13-7

400
49.17 AC

500
60.52 AC

502
2.84 AC

600
72.56 AC

700
58.30 AC

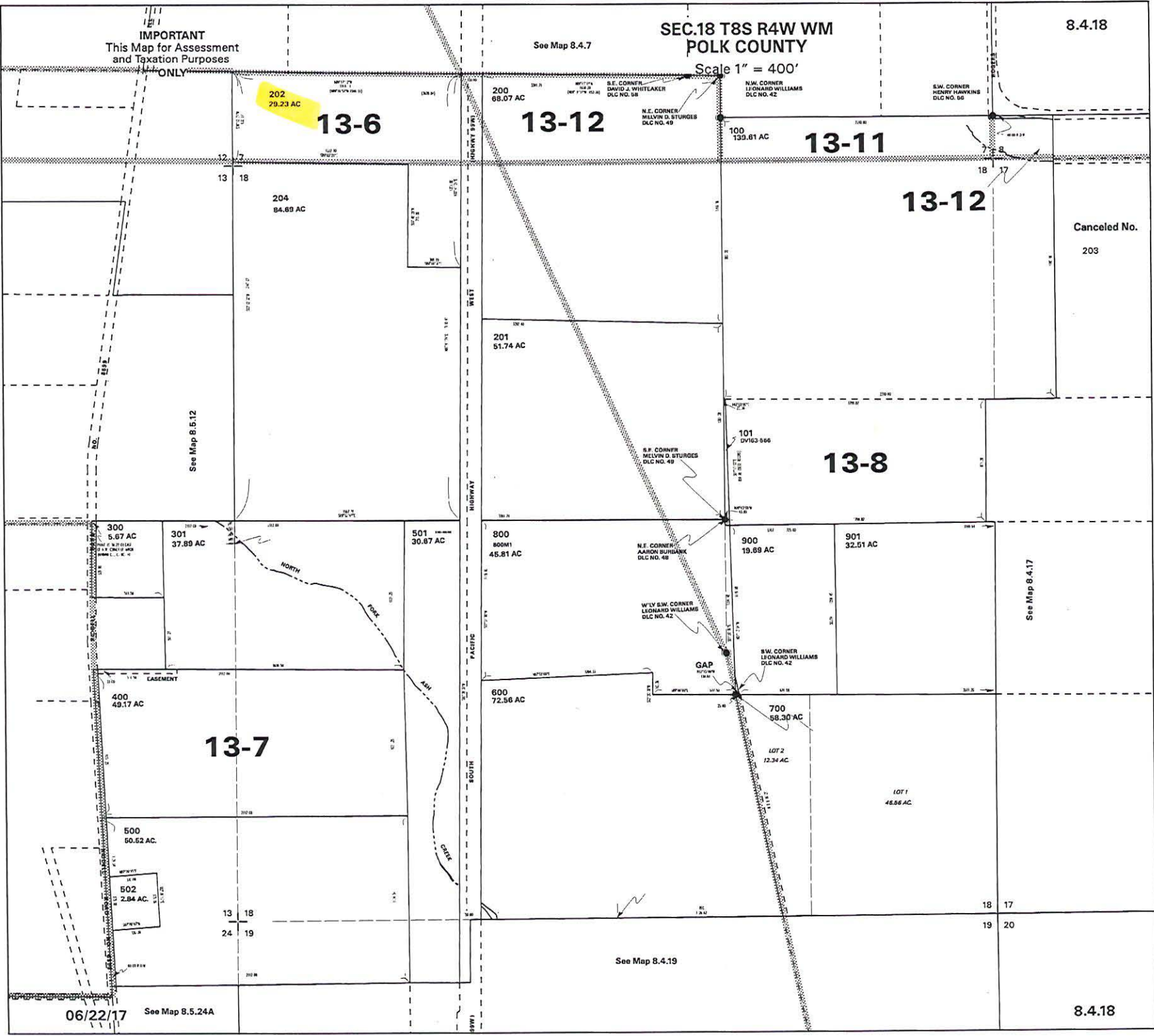
LOT 2
12.34 AC

LOT 1
45.56 AC

See Map 8.4.19

06/22/17 See Map 8.5.24A

8.4.18



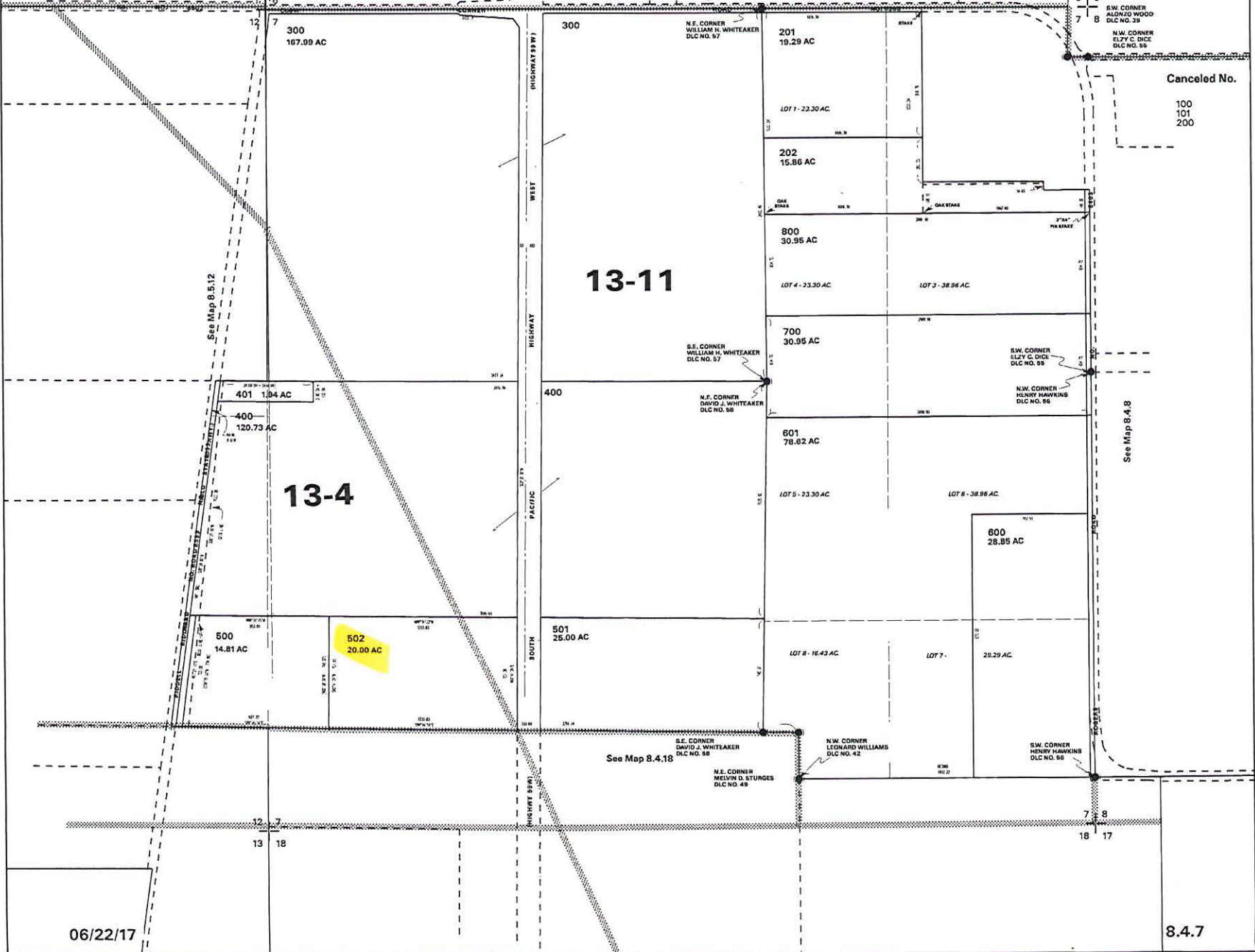
IMPORTANT
This Map for Assessment
and Taxation Purposes
ONLY

SEC.7 T8S R4W WM
POLK COUNTY

Scale 1" = 400'

See Map 8.4.6

8.4.7



See Map 8.5.12

13-11

13-4

Canceled No.

100
101
200

See Map 8.4.8

See Map 8.4.18

06/22/17

8.4.7

**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 # **125050**

INVOICE # _____

RECEIVED FROM: Sol-Sisters, Inc.

APPLICATION 6-15938

BY: _____

PERMIT _____

TRANSFER _____

CASH: CHECK.# 1734 OTHER: (IDENTIFY)

TOTAL REC'D \$ 100.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

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

4270 WRD OPERATING ACCT

MISCELLANEOUS 46111
0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) Assignment \$ 100.00
TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ _____

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

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

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/BDX

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

**RECEIVED
OVER THE COUNTER**

RECEIPT: **125050**

DATED: 10/31/17 BY: [Signature]

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-15938

Final Order

Application History

On March 4, 2003, Clay and Rhonda Johnson and Donald and Sharon Roberts submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on August 12, 2003. The protest period closed September 26, 2003, and no protest was filed.

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

Order

Application G-15938 therefore is approved as proposed by the Proposed Final Order, and Permit G-15505 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED October 16, 2003


Paul R. Cleary, Director

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of this order must be filed within the 60 day time period specified by ORS 183.484(2).

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law. Where no changes have been made to a Proposed Final Order on a water right application and no protests have been filed during the protest period, the final order is not subject to judicial review.

This document was prepared by Jerry Gainey. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me at (503) 986-0812.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun at 503-986-0824.

If you have other questions about the Department or any of its programs please contact our Water Rights Information 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 97301-1271; Fax: 503-986-0901.

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CLAY AND RHONDA JOHNSON
DONALD AND SHARON ROBERTS
3395 S PACIFIC HWY
INDEPENDENCE, OR 97351

(503) 590-0545

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

APPLICATION FILE NUMBER: G-15938

SOURCE OF WATER: WELL 2 IN NORTH FORK ASH CREEK BASIN

PURPOSE OR USE: IRRIGATION USE ON 92.5 ACRES AND MAINTENANCE OF A POND FOR MULTIPURPOSE USE, PERMIT R-14012

MAXIMUM RATE: 0.89 CUBIC FOOT PER SECOND

PERIOD OF USE: JUNE 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 4, 2003

WELL LOCATION: NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 18, T8S, R4W, W.M.; 1025 FEET SOUTH & 910 FEET EAST FROM NW CORNER, SECTION 18

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 25.44 ACRES IRRIGATION
SW $\frac{1}{4}$ SW $\frac{1}{4}$ POND MAINTENANCE
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 5.45 ACRES IRRIGATION
SECTION 7
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.5 ACRES IRRIGATION
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 26.46 ACRES IRRIGATION
NW $\frac{1}{4}$ NW $\frac{1}{4}$ POND MAINTENANCE
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 23.7 ACRES IRRIGATION
SW $\frac{1}{4}$ NW $\frac{1}{4}$ POND MAINTENANCE
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 4.95 ACRES IRRIGATION

SECTION 18

TOWNSHIP 8 SOUTH, RANGE 4 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes PlaceInitial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has BegunSeven Consecutive Annual Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

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 and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

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

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

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until 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 senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. 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.

If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Proposed Final Order and Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

STANDARD CONDITIONS

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the

schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

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

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

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

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

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

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

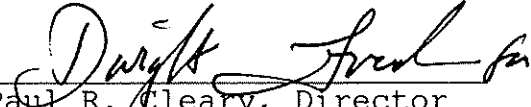
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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

Complete application of the water to the use shall be made on or before October 1, 2008. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued October 16, 2003


Paul R. Cleary, Director
Water Resources Department

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

PLAHN Joel M

From: PLAHN Joel M <joel.m.plahn@state.or.us>
Sent: Friday, May 22, 2015 9:59 AM
To: premierbot@aol.com
Cc: PLAHN Joel M (joel.m.plahn@state.or.us)
Subject: Oregon Water Resources Department
Attachments: R_14012(1).pdf; G_15505(3).pdf; fillable_non_muni_ext_app_form.doc

Hello,

Thank you for taking the time to speak with me this morning regarding water rights covering your property. I have attached a copy of the permits that are associated to your land along with an application for an extension of time. The completion date for Permit G-15505 was 10/1/2008 and the completion date for Permit R-14012 was 10/1/2007. As of today's date the Department has not received a Claim of Beneficial Use for either permit. Below are links to the Departments web site where you can view copies of the water rights and associated maps. I recommend reviewing the water right documents so that you understand any metering and measuring requirements. Please feel free to contact me with any questions or concerns.

Permit G-15505

http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=135668

Permit R-14012

http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=135096

Thanks, Joel Plahn

District 16 Watermaster
503-986-0889 Office
503-508-2394 Cell
725 Summer St NE, Suite A
Salem, OR 97301

Oregon Water Resources Department

Water Right Services Division

Water Rights Application
Number G-15938

FINAL ORDER

Extension of Time for Permit Number G-15505
Permit Holder: Clay and Rhonda Johnson; Donald and Sharon Roberts

Permit Information

Application:	G-15938
Permit:	G-15505
Basin:	2 – Middle Willamette / Watermaster District 16
Date of Priority:	March 4, 2003
Source of Water:	Well 2 in North Fork Ash Creek Basin
Purpose of Use:	Irrigation use on 92.5 Acres and Maintenance of a pond for multipurpose use, Permit R-1401
Maximum Rate:	0.89 cubic foot per second (cfs)

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

Appeal Rights

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

Application History

Permit G-15505 was issued by the Department on October 16, 2003. The permit called for complete application of water to beneficial use by October 1, 2008. On June 3, 2015, Rhonda Johnson submitted to the Department an Application for Extension of Time for Permit G-15505. In accordance with OAR 690-315-0050(2), on July 21, 2015, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2025. The protest period closed September 4, 2015, in accordance with OAR 690-315-0060(1). No protest was filed.

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated July 21, 2015.

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

CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2019 and 2024**. *A form is enclosed with this Final Order.*

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

CONCLUSION OF LAW

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

ORDER

The extension of time for Application G-15938, Permit G-15505, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2008 to October 1, 2025.

DATED: September 18, 2015



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) 986-0825.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-



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

**Extension of Time
 Progress Report Form
 For Checkpoints**

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Clay and Rhonda Johnson; Donald and Sharon Roberts
 Permit G-15505

Application G-15938

Progress Report for 2019

Report Due no later than October 1, 2019

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit G-15505.

FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between June 3, 2015 and October 1, 2019	FINANCIAL INVESTMENT

2. Describe actions to achieve compliance with conditions of the permit and/or previous extension.

3. Total number of acres irrigated to date: _____ (NA if not applicable)

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

Maximum rate used to date = _____ cfs (cubic feet per second)

or

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

or

Acre Feet stored to date = _____ AF

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

INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITEM.

Signature _____ Date _____

Printed Name/Title _____

Diligence Shown <input type="checkbox"/> Yes <input type="checkbox"/> No	Date Public Noticed: _____ <i>For OWRD use only</i>
Reviewed by: _____	Date: _____

Mailing List for Extension FO Copies

FO Date: September 18, 2015

Copies Mailed

Application: G-15938

By: BJD

Permit: G-15505

On: 9/18/15

Original mailed to permit holder

Clay and Rhonda Johnson
Donald and Sharon Roberts
33935 S Pacific Hwy W
Independence, OR 97351

Copies sent to:

1. WRD - App. File G-15938/ Permit G-15505

Fee paid as specified under ORS 536.050 to receive copy:

2. None

Receiving notification via e-mail - FO available in WRIS for review

(DONE BY EXTENSION SPECIALIST)

3. WRD - Watermaster District 16, Joel Plahn

If Progress Reports are included:

(DONE BY EXTENSION SPECIALIST)

Add record to Progress Report tracking sheet.xls Done: by MSB Date 9-16-15

CASEWORKER: CAC

Oregon Water Resources Department
Water Right Services Division

PROPOSED FINAL ORDER

In the Matter of the Application for an Extension of Time for Permit G-15505, Water Right Application G-15938, in the name of Clay and Rhonda Johnson; Donald and Sharon Roberts

Permit Information

Application:	G-15938
Permit:	G-15505
Basin:	2 – Middle Willamette / Watermaster District 16
Date of Priority:	March 4, 2003
Source of Water:	Well 2 in North Fork Ash Creek Basin
Purpose of Use:	Irrigation use on 92.5 Acres and Maintenance of a pond for multipurpose use, Permit R-1401
Maximum Rate:	0.89 cubic foot per second (cfs)

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

In Summary, the Department proposes to:

- Grant an extension of time to apply water to full beneficial use from October 1, 2008 to October 1, 2025¹.
- Make the extension subject to certain conditions set forth below.

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

¹Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources

PFO – Proposed Final Order

cfs – cubic feet per second

gpm – gallons per minute

AUTHORITY

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

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

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

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

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

FINDINGS OF FACT

Background

1. Permit G-15505 was issued by the Department on October 16, 2003. The permit authorizes the use of up to 0.89 cfs of water from Well 2 in North Fork Ash Creek Basin, for irrigation use on 92.5 acres and maintenance of a pond for multipurpose use, under Permit R-1401. The permit specified complete application of water was to be made on or before October 1, 2008.

2. The permit holder, Rhonda Johnson, submitted an "Application for Extension of Time" to the Department on June 3, 2015, requesting the time to apply water to full beneficial use under the terms and conditions of Permit G-15505 be extended from October 1, 2008 to October 1, 2025. This is the first permit extension requested for Permit G-15505.
3. Notification of the Application for Extension of Time for Permit G-15505 was published in the Department's Public Notice dated June 16, 2015. No public comments were received regarding the extension application.

Review Criteria [OAR 690-315-0040]

The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0040. This determination shall consider the applicable requirements of ORS 537.230², 537.248³, 537.630⁴ and/or 539.010(5)⁵.

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

4. On June 3, 2015, the Department received a completed Application for Extension of Time and the fee specified in ORS 536.050 from the permit holder.

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

5. Senate Bill 300 (1999 legislation) eliminated the requirement that holders of new surface water and ground water permits start construction on water projects within one year after the Department issues the permit. Senate Bill 300 applies to any application for a permit filed after October 23, 1999, including this application.

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

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

6. As of June 3, 2015, the permit holder states the remaining work to be completed consists of installing a meter; meeting all permit conditions; and applying water to full beneficial use, by appropriating 0.89 cfs authorized under the permit to the remaining 91.5 acres.
7. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2025, to accomplish the application of water to beneficial use under the terms and conditions of Permit G-15505 is both

²ORS 537.230 applies to surface water permits only.

³ORS 537.248 applies to reservoir permits only.

⁴ORS 537.630 applies to ground water permits only.

⁵ORS 539.010(5) applies to surface water and ground water permits.

reasonable and necessary.

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

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

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

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

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

8. According to the permit holder, work was accomplished within the time allowed in the permit or previous extension as follows:
 - a. Construction of the well was completed prior to October 1, 2008. Well 2 (Polk 52023) began construction August 9, 2004 and was completed August 12, 2004.
 - b. Work was completed during the original development time frame under Permit G-15505. The permit holder installed mainline pipe.
 - c. Since October 1, 2008 the permit holder has installed electrical, a pump, and sprinklers/drip tape.

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

9. According to the water user an unknown amount of water has been appropriated from the well for irrigation of 1.0 acre.
10. Beneficial use of water has not yet been demonstrated under this permit because not all permit conditions were satisfied by October 1, 2008.

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

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 a meter or other suitable measuring device has been installed, (2) the required March static water level measurements have not been received by the Department.

Beneficial use of water under this permit, therefore, has not yet been demonstrated. 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.

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

12. As of June 3, 2015, the permit holder states they have invested approximately \$12,693, which is approximately 92 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$1,000 investment is needed for the completion of this project.

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

13. The Department has found good faith of the appropriator under Permit G-15505.

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

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

14. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0040(4)(a-c)].

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-15505; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined when an application for a new water right is submitted. The point of appropriation for Permit G-15505, located within the Willamette River Basin, is not located within a limited or critical ground water area. Willamette River is not located within or above any state or federal scenic waterway, however, it is located within an area ranked "low" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. The point of appropriation is not in an area listed by the Department of Environmental Quality as a water quality limited stream.

Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].

15. None have been identified.

Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0040(4)(f)].

16. None have been identified.
17. OAR 690-315-0050(6) requires the Department to place a checkpoint condition on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. A "Checkpoint Condition" is specified under Item 1 of the "Conditions" section of this PFO to meet this condition.

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

18. Use and income from the permitted water development will likely result in reasonable returns upon the investment made to date.

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

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

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

20. According to the permit holder, unforeseen events extended the length of time needed to fully develop and perfect Permit G-15505, in that the permit holders were faced with the state of Oregon changing requirements on a state highway project, which resulted in Permit R-14012 being undeveloped. Permit G-15505 was contingent upon the construction of Permit R-14012. The permit holder lost the ability to construct their reservoir authorized under Permit R-14012 in a timely manner, and the budget for the project was increased by at least \$100,000, which restricted their ability to complete development of the project in a timely manner.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630(1).
2. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
3. The applicant complied with begin actual construction timeline requirements pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
4. Full application of water to beneficial use can be accomplished by October 1, 2025, as required by OAR 690-315-0040(1)(c).
5. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant

and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

6. As required by OAR 690-315-0050(6) and as described in Finding 17 above, the Department has established, as specified in the "Conditions" section of this PFO (Item 1), progress checkpoints in order to ensure future diligence is exercised in the development and perfection of Permit G-15505.

Continued on the following page

PROPOSED ORDER

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

Extend the time to apply water to beneficial use under Permit G-15505 from October 1, 2008 to October 1, 2025.

Subject to the following conditions:

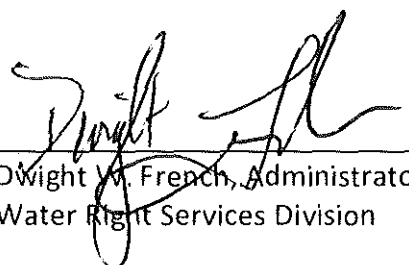
CONDITIONS

1. **Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2019 and 2024. A form will be enclosed with your Final Order.**

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

DATED: July 21, 2015


Dwight V. French, Administrator,
Water Right Services Division

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **September 4, 2015**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The applicant or non-applicant protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
 - a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a protest has been submitted, and:
 - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

NOTICE TO ACTIVE DUTY SERVICEMEMBERS: Active Duty servicemembers have a right to stay these proceedings under federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 800-452-7500 or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.of.mil>

Mailing List for Extension PFO Copies

PFO Date: July 21, 2015

Copies Mailed

Application: G-15938

By: KF

Permit: G-15505

On: 7/21/15

Original mailed to Applicant:

Clay and Rhonda Johnson
Donald and Sharon Roberts
33935 S Pacific Hwy W
Independence, OR 97351

Copies sent to:

1. WRD - App. File G-15938/ Permit G-15505

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 16, Joel Plahn

CASEWORKER: CAC

Application # G-15938 Permit # G-15505

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

◆ **WRIG...**

Money Received on: 6-3-15

◆ **Extension Specialist ...**

Added to tracking spreadsheet

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

◆ **Codi Holmes...**

Publish on Public Notice (initial 30-day comment): Date of notice 6/16/15

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 Corey

**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 # 116069 INVOICE # _____

RECEIVED FROM: Lavender Lake Farms APPLICATION 15938
BY: _____ PERMIT _____
TRANSFER _____

CASH: CHECK:# 2398 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		RECORD FEE
0201	SURFACE WATER	\$ _____	0202	\$ _____
0203	GROUND WATER	\$ _____	0204	\$ _____
0205	TRANSFER	\$ _____		
WELL CONSTRUCTION		EXAM FEE		LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	\$ _____	0219	\$ _____
	LANDOWNER'S PERMIT		0220	\$ _____

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 _____ \$ _____

**RECEIVED
OVER THE COUNTER**

RECEIPT: 116069 DATED: 6-3-15 BY: [Signature]

Extension PFO Checklist for Other than Muni or Quasi-Municipal

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

Application: G-15938 Permit: G-15505 Permit Amendment? No Yes T- pending approved

Permit Holder's Name: Clay and Rhonda Johnson Donald and Sharon Roberts 33935 S Pacific Hwy W

Permit Holder's Mailing Address: Independence, OR 97351
email rhonda@lavenderlakefarms.com

Phone Number: (503) 804-3574

POD Location: Township _____ Range _____ Section _____ 1/4 _____

Drainage Basin: 2 County: Polk Watermaster District: 16 Watermaster: J. Plahn NWR
Middle Willamette

Date Permit was issued: October 16, 2003 Priority Date: March 4, 2003 Date of PN: 6-16-15

Source: Well 2 in North Fork Ash Creek Basin

Use: IR use on 92.5 acres and maintenance of a pond for multipurpose use, permit R-14012

"Q": 0.89 cfs

Orig "A" Date: None

Orig "B" Date: 10/1/None

Orig "C" Date: 10/1/2008

Extension request rec'd: 6-3-15

Last Authorized "B" Date: 10/1/

Last Authorized "C" Date: 10/1/

Request Number (1, 2, 3...): 1 Proposed "B" Date: 10/1/

Proposed C Date: 10/1/2025

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>meter</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>March SWL</u>
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

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

- 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
 - Financial investments were made toward developing the beneficial water use.
 - Amount Invested to date: \$ 12,642.50 Estimated Remaining Cost: \$ 1,000.00
 - Beneficial use made of the water during the permit or previous extension time limits
 - Permit holder has beneficially used unk. cfs gpm af of the total permitted quantity of water on 1 acres

GW REVIEW: Y cc
 MITIGATION REVIEW: Y

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

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

Identify the closest surface water or localized water basin. Willamette River

Ground Water Permits: Is the POA located...

Surface Water Permits: Is the POD located...

- | Yes | No | | Source: |
|-------------------------------------|-------------------------------------|---|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | above a state scenic waterway? Name | OWRD "Areas Above State Scenic Waterways" Map |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | within a stream segment designated as a federal wild and scenic river? | www.rivers.gov/wildriverslist.html |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | within a sensitive, threatened or endangered species area | "gisdata/dev/projects/salmon/div33map.aml" |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | within a critical or limited Ground Water Area? Name of area | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | within a Withdrawn Area? Name of area | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? | Date added to list |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | within an area ranking <input checked="" type="checkbox"/> low / <input type="checkbox"/> moderate / <input type="checkbox"/> high / <input type="checkbox"/> highest for stream flow restoration needs | OWRD "Streamflow Restoration Needs" Maps (by region) |

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

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

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

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

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

5-year Progress Report Checkpoints (Years: 2019, 2024)

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: _____

Reviewer's Name: Carey Date: 6-3-15

Completeness Checklist for Permit Extension of Time Application

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

1. Pull the permit file. If a copy of the permit is not in the file, pull up an image of the permit in WRIS.
2. Is the permit to be extended Non-Cancelled according to WRIS and the permit file? _____
If the permit has been cancelled, the Extension Application cannot be accepted.
3. Is the extension applicant's name and mailing address supplied? yes _____
If yes, is the extension applicant a permit holder of record (i.e., permit either issued to them or assigned to them)? _____

If the extension applicant is **NOT** a permit holder of record, a "Request for Assignment" must be processed before the Extension Application can be accepted.

If an Assignment has **not** yet occurred, or if a concurrent "Request for Assignment" was **not** submitted along with the Extension Application, the Extension Application cannot be accepted.

*NOTE: The applicant can submit both the assignment and extension of time requests at the same time, if they present a complete application for assignment, with proof of ownership if the previous owner was not available to sign the form, and the statutory fee of \$85 for the assignment, and the necessary items for the application for Extension of Time.

4. Is the appropriate Extension of Time Application used? yes _____
If the wrong application form is used, the Extension Application cannot be accepted.
- If a Municipal or Quasi-Municipal permit, use: "Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits."
 - If a NON-Municipal or NON-Quasi-Municipal permit, use: "Application for Extension of Time for a Water Right Permit (Non-Municipal / Non-Quasi-municipal Water Use)."

5. Are the requested date(s) for extension identified (Page 1)? yes _____
- Check the permit to see if it includes a "B-Date" and/or a "C-Date."
- "B-Date" = date by which construction of the water delivery system for the permit is to be completed.
"C-Date" = date by which full beneficial use of water under the permit is to be accomplished.

NOTE: For permits with both a "B-Date" and a "C-Date," the applicant will likely request an extension of both dates (i.e., to complete construction of the water delivery/distribution system and to apply water to full beneficial use). Unless, of course, construction of the water delivery system is complete. In which case, the applicant would likely only request an extension of the "C-Date" (i.e., to apply water to full beneficial use).

For permits with only a "C-Date," the applicant will only be requesting an extension of the date in which to apply water to full beneficial use.

6. Is the Extension Application signed (with an original signature) by permit holder(s) of record or an authorized agent? yes - owner _____
(If signed by agent, documentation from the permit holder(s) granting authorization to agent to sign on their behalf must be provided or already in the permit file.)

If **not** signed by a permit holder of record or authorized agent, the Extension Application cannot be accepted.

NOTE: If the permit covers land that has been subdivided and assigned to different, individual parties... we only need signatures of the permit holder(s) of record for the portion of the permit involved in the Extension of Time Application.

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

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

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

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

■ For Municipal/Quasi-Municipal Permit Extension Applications:

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

8. Has the \$575 fee been paid? yes
 (As of July 1, 2013, the Extension of Time fee is \$575.)

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

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

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

Reviewed by: Carey Date: 6-3-15



Oregon
Kate Brown, Governor

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

June 10, 2015

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-15938 (Permit G-15505)**. 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 Corey Courchane at (503) 986-0825. 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.



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

RECEIVED

JUN 03 2015

WATER RESOURCES DEPT
 SALEM, OREGON

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

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

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

the holder of: Application Number G-15938 Permit Number G-15505 [OAR 690-315-0020(3)(b)]

**A separate application must be submitted for each permit as per OAR 690-315-0020(2). **

33935 Pacific Hwy W
 MAILING ADDRESS

Independence OR 97351
 CITY, STATE, ZIP

503-804-3574
 PHONE

Rhonda@LaunderlakeFarms.com
 E-MAIL ADDRESS

X **do hereby request that** the time to apply water to full beneficial use under the terms and conditions of the permit, which now expires on Month 10 Day 1 Year 2008, be extended through October 1, Year 2025

Please Note. If the permit does specify a date when **construction** must be **completed**, you should request to extend both the time to apply water to full beneficial use **and** to complete construction. These dates are typically found on the permit above the signature of the Director.

and

do hereby request that the time to complete construction of the water system; which now expires on Month ____ Day ____ Year ____, be extended through October 1, Year ____

Sign after completing the entire application, questions 1-11.

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

Rhonda Johnson _____ 6-3-15 _____
 Signature Date

Printed Name/Title Rhonda Johnson owner _____

MAIL COMPLETED and SIGNED APPLICATION with the \$575 STATUTORY FEE TO:

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

Submit the following items with your Application for Extension of Time:

- **The signed and completed Application for Extension of Time.**
- **\$575 check to OWRD or Oregon Water Resources Department**
- **All supporting documentation and/or evidence referenced in the application.**

Reference materials needed to complete this Application:

- **Water right permit.** A copy of the water right permit can be downloaded from the Department's Website at <http://www.wrd.state.or.us> (using the link to the Water Rights Information System (WRIS)). A copy of the permit may be requested from the Water Rights Division at 503-986-0801 (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.).

Helpful information for completing this Application:

- Permit holders of **municipal or quasi-municipal water use permits DO NOT use this form.** The form *Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits* is at the following link: <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#other>
- Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the permit terms & conditions.
- The attached *Instructions for Completing an Application for Extension of Time for a Water Right Permit* will help you answer each question on the application. If, after reading the instructions, you need assistance, please call the Extensions Specialist at 503-986-0900.
- Permit extensions are evaluated under OAR Chapter 690, Division 315, which may be viewed at: <http://www.wrd.state.or.us/OWRD/LAW/index.shtml>. Please note that OWRD may require additional information, if necessary, to evaluate the application per OAR 315-0020(3)(n).
- OWRD will review applications received for completeness and will return incomplete or deficient applications per OAR 690-315-0040(1)(a) to the applicant.

Questions to Complete this Application for Extension of Time

Please see the instruction sheet to help you answers these questions.

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

1. Did the “actual construction” of the water system/well drilling begin within the time specified in the permit? Yes No N/A, if not specified in this permit

Date “actual construction” began is: 8-9-2004

Describe details of construction: well constructed

RECEIVED

JUN 03 2015

WATER RESOURCES DEPT
SALEM, OREGON

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

- 2-A. Please Describe how you have complied with each standard and special condition in the original permit [and, if applicable, conditions contained in any order approving a permit amendment and/or order approving a prior extension of time].

TIP: The instruction sheet explains which typical conditions must be addressed here.

Condition Number: Hand-number each condition on a copy of your permit (and, if applicable, any permit amendment and/or prior extension). Include a copy of your hand-numbered permit.

CHART-A

Condition Number	Date Satisfied	Describe How Permit Condition Has Been Satisfied

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

CHART-B

Condition Number	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied
	<u>2015</u>	<u>Install meter</u>
	<u>2016</u>	<u>static water level measurement</u>

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

3-A. Provide evidence of physical progress made toward completion of the water system and progress toward making beneficial use of water within the original permitted time period.

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

CHART-C

DATE	LIST & DESCRIBE WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED	COST*
DATE	LIST & DESCRIBE WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED and PRIOR TO DATE FOR COMPLETE APPLICATION OF WATER	COST*
10-16-03	Date the permit was signed - find date above signature on last page of permit.	
8-9-04	well constructed	5,885.00
	Date the permit specified "Actual Construction Work" shall begin ("A-Date") -not all permits contain this date.	
	Layed mainline pipe	1500.00
10-1-08	Date the permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date.	
DATE	LIST & DESCRIBE WORK ACCOMPLISHED AFTER DATE FOR COMPLETE APPLICATION OF WATER UP TO NOW Complete if this is your first request for extension of time.	COST*
	Electrical installed at well	500.00
	installed pump	2886.50
	installed sprinklers/drip tape	2000.00
*Total Cost for Chart-C		\$ 12,692.50

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

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

TIP: Report the rate used to date in the same units of measurement as specified in the permit. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.

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

Maximum measured rate used to date = _____ cfs (cubic feet per second)

or

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

or

Acre-feet stored to date = _____ AF

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

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

CHART-E

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					If yes, provide the Permit, Certificate, or Transfer No.
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment? (See 5-C below)	Maximum measured rate used from this well - - under this permit only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	
2		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Pack 50334		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	unknown	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
Total measured rate from all wells utilized under this permit						unknown		

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

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

Well # _____: Actual location: _____

Well # _____: Actual location: _____

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

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

Surface Water Permits: I have applied water to _____ acres for irrigation to date.

Ground Water Permits: I have applied water to 1 acres for irrigation to date.

Please specify which wells are being utilized for this irrigation.

Well # _____ Acres _____ Well # _____ Acres _____

Well # _____ Acres _____ Well # _____ Acres _____

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

7. Provide a summary of future plans and a schedule to complete construction of the water system, and/or apply water to full beneficial use under the permit terms and conditions.

CHART-F

APPROXIMATE DATE RANGE (projected)	LIST & DESCRIBE WORK TO BE ACCOMPLISHED TO COMPLETE WATER DEVELOPMENT (projected)	ESTIMATED COST (projected)
2015	install meter	1,000.00
Year:	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
8.	Estimated remaining total cost to complete the water development: [OAR 690-315-0020(3)(g)]	1,000.00

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

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

9-A) Is the project of a size and scope that was originally planned to be phased in over a time frame longer than the one allowed in the permit? If yes, describe.

Due to undeveloped Reservoir permit this well was contingent on the construction of the Reservoir

RECEIVED

JUN 03 2015

9-B) Did the financial resources needed to develop the project preclude completion of the project within authorized time frames? If yes, describe.

NO

9-C) Did good faith attempts to comply with other agency permit conditions and/or acquire permits from other agencies, or otherwise comply with government regulations, delay completion of the project? If yes, describe.

NA

9-D) Have other unforeseen events delayed full development of the water system and use of water within the authorized time frames? If yes, describe.

_____ construction of the reservoir

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

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

_____ Family Farm need time to construct
Budget expenses

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

Thank you for submitting a complete and accurate application. Remember to sign the front page. If you have questions or need assistance, please ask to speak with the Department's Extension Specialist by calling 503-986-0900 during business hours.

RECEIVED

Mailing List for FO Copies

Application # G-15938

Mailing List Print Date: October 3, 2003

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

Applicant: CLAY AND RHONDA JOHNSON AND DONALD AND SHARON ROBERTS, 3395 S PACIFIC HWY, INDEPENDENCE OR 97351

For FO w/Permit - Copies sent to:

1. WRD - File # G-15938
2. WRD - Ken Stahr

Copies Mailed
By: <u> </u> (SUPPORT STAFF)
on: <u>10/14</u>

For FO w/ Permit - FO and Map Copies sent to (Remember to reduce copy margins):

3. WRD - Data Center
4. WRD - Watermaster District #: 16
5. WRD - Regional Manager: NWR

For FO w/Draft Permit, w/Permit, or for Denial - Copies to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

1. _____

For FO w/Draft Permit or w/Permit - "\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

1. _____

CASEWORKER: Gaineyjw

Mailing List for FO Copies

Application # G-15938

Mailing List Print Date: October 3, 2003

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

Applicant: CLAY AND RHONDA JOHNSON, 3395 S PACIFIC HWY, INDEPENDENCE OR 97351
DONALD AND SHARON ROBERTS

For FO w/Permit - Copies sent to:

1. WRD - File # G-15938
2. WRD - Ken Stahr

Copies Mailed
By: _____ (SUPPORT STAFF)
on: _____

For FO w/ Permit - FO and Map Copies sent to (Remember to reduce copy margins):

3. WRD - Data Center
4. WRD - Watermaster District #: 16
5. WRD - Regional Manager: NWR

For FO w/Draft Permit, w/Permit, or for Denial - Copies to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

1. _____

For FO w/Draft Permit or w/Permit - "\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

1. _____

CASEWORKER: Gaineyjw

FO CHECKLIST

FILE # G-15938
PFO WEEK # 420
FO WEEK # 389

PFO TO FO CONVERSION

REVIEW DATE: 10/3/03
INITIALS: JWG
WM District 16
Region Mgr NWR
ODFW Bio [Signature]

Has applicant name and address changed, or has the file been reassigned?
If new: _____

In preparing to create the FO, you should check the following:

- Were comments received? If so, from whom and when? _____
Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)
- On the PFO CC list, verify names and mailing addresses of ALL commentors (regardless of comment date, affected landowners, and those who paid the \$10 fee.

- Have affected land owners been notified? If not, refer to #9.
- Has ODFW asked for self certification of screening condition? If yes, include fish screening form
- Correct PFO errors (such as POD or POU location (verify from map.)
- Include or exclude permit conditions
- Verify Payment of recording fees (circle the appropriate option)

(1) Issue FO w/permit if fees are paid — Prepare refund request for excess fees, including standing fees if no protest is filed and no modifications are being made to the PFO.

(2) Issue FO w/o permit if fees are lacking.	Exam Fee Paid	<u>250</u>
	Q fee	<u>150</u>
	Subtotal	<u>400</u>
1 st CFS/AF	<u>150</u>	
Addnl.	<u>—</u>	
TOTAL Q	<u>150</u>	
	Recording Fee	250.00 <u>175</u>
	Total	<u>575</u>
	Amount Paid	<u>575</u>
	Amount due/refund	<u>0</u>

Is further processing possible? If not state reason: _____

FO Type: (circle types) DENIAL FO w/o PERMIT (REASON: Lacks Fees Lacks Easement
Lacks Approved Dam Plans and Specifications)

FO & PERMIT (Permit # G-15505)

Once FO document is completed:

- Save WordPerfect document in M:\GROUPS\WR\FOWEEK 389
- Print final draft of document and submit for peer review
- Complete routing list

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

PFO CHECKLIST

APPLICATION # G-15938

SAVE IN PFO WORK WEEK: _____

10. IR Date 6/24/03 Public Notice Date 6/24/03 Comment Rec'd yes - applicant

20. Filed after 10/23/99? Y / N (if N A date should be included)

Changes from IR determinations: Option 2 for well

Agencies and Additional People to Notify: _____

30. Shortcomings preventing PFO, FO, or permit? Y / N Should process continue Y / N

40. Is second groundwater review complete? Y / N necessary? Y / N

50. IR identifies as on DEQ 303d List? Y / N / NA Comments received? Y / N

Initials: DWG Date: 8/5/03

Revised 3/7/02

FEES:	EXAM:	<u>250</u>
	Q	<u>150</u>
	SUBTOTAL	<u>400</u>
	RECORD	<u>175</u>
	TOTAL	<u>575</u>
	PD	<u>575</u>
	OWE/REFUND	<u>0</u>

IR CHECKLIST

Application #: G 15938

County Polk

Basin: 2-Willamette

WAB: 2-183

Township 8S

Range 4W

Section 7/18

1/4 1/4 See Map

- 10. Groundwater Review A B C D River/Stream Name NORTH Fork Ash Creek
 a. Groundwater Availability A B C
 b. Is the well located in a GWLA or CGWA or T1N R3E? (If applicable, include map with POD) Y / N
- 25. Use IR-92.5A/Pond Maint Priority Date(s) 3/4/03 (If muni or quasi-muni use send to Doug Parrow)
- 30. Allowed under Basin Program / N Limitations? / N DAR 690-502 #1 - PSI - NBad #2 - NO PSI - Good
- 40. Withdrawn? Y / N season allowed _____
- 45. Basin Maps have been checked. Y N River Mile _____
- 50. SWW Y / N (if Y notify state parks)
- 60. Surface water Availability (80% live flow / 50% storage) NA Ava. 1 YR - BUT DAR 690-502-010013 - NO AT times Req
- 70. Divis 33 Y / N / NA Above Bonn Y / N Not allowed April 15 - September 30 Y / N
Below Bonn Y / N If Y add PISPC
Statewide Y / N
- 80. Rate 1/80
Duty 2 1/2 Rate: Max 1.16 CFS FOR IR / STORAGE MAINT 0.01 CFS per AF
50 AF * 0.01 = 0.5 CFS Req 400 GPM = 0.9 CFS
Season: Normal 3/1 - 10/31 Req 6/1 - 10/31
- 90. B.O.R. or Doug Co. project Y / N contract # _____
- 100. Small (≤ 0.1 cfs, ≤ 9.2 AF), Medium > 0.1 or < 1.5 cfs, > 9.2 or < 100 AF, Contract Stored Water) or Large (≥ 1.5 cfs, ≥ 100 AF) condition 7I and municipal require the Large conditions 7C / 7F (March measure)
- 110. Land use approval OK'd needs approval county notified NA
- 120. Watermaster Dist: (1 2 16 18 20 - NWR) (3 4 5 21 - NCR) (6 8 9 10 - ER) (11 12 17 - SCR) (13 14 15 19 - SWR)
- 125. Conflict? Yes No Per review on screen of Platcard Report.
- 130. per interactive mapping DOA 1010 Y / N (NO COPY TO PAUL MEASLES) 303D Y / N NA CTUIR Y / N
- 140. within Oregon Streamflow Restoration Area? Y / N / NA
- 150. Letter format == Good == Limited == Bad == Bad w/ IRshort == Bad w/ HC Opportunity
- 155. Attach basin map indicating point of diversion?
- 160. CWRE, representative, etc. to notify? Y / N Low Impact.

20% x 0.9 CFS
0.18 - med.

Well option #1 - PSI
1 - " #2 - NO PSI

Name: Jerry Gandy Date: 6/11/03

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

Analysis for Application: G15938

Location: 8S-4W-7-SESW

Uses: IR 5.45 P

Basins

BASIN_NUM	BASIN_NAME
2	Willamette

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	ACRES	SQ_MILES	WMASTER	ADDRESS	CITY	ZIP	PHONE	EX
16	NW	2559727	3999	Bill Ferber	158 12th St. NE	Salem	97301-4172	503-378-8455	375

Records Found: 1

WAB

BASIN	WID	LINK1	LINK2
2	30200702	Water Availability: 50% 80%	Flood Frequency Analysis
2	183	Water Availability: 50% 80%	Flood Frequency Analysis

Records Found: 2

County

COUNTY	FIPS
Polk	41053

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 8S-4W-7-SWSW

Uses: IR 25.7 P|PM P

Basins

BASIN_NUM	BASIN_NAME
2	Willamette

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	ACRES	SQ_MILES	WMASTER	ADDRESS	CITY	ZIP	PHONE	EX
16	NW	2559727	3999	Bill Ferber	158 12th St. NE	Salem	97301-4172	503-378-8455	378

Records Found: 1

WAB

BASIN	WID	LINK1	LINK2
2	30200702	Water Availability: 50% 80%	Flood Frequency Analysis
2	183	Water Availability: 50% 80%	Flood Frequency Analysis

Records Found: 2

County

COUNTY	FIPS
Polk	41053

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 8S-4W-18-NENW

Uses: IR 6.5 P

Basins

BASIN_NUM	BASIN_NAME
2	Willamette

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	ACRES	SQ_MILES	WMASTER	ADDRESS	CITY	ZIP	PHONE	EX
16	NW	2559727	3999	Bill Ferber	158 12th St. NE	Salem	97301-4172	503-378-8455	375

Records Found: 1

WAB

BASIN	WID	LINK1	LINK2
2	30200702	Water Availability: 50% 80%	Flood Frequency Analysis
2	183	Water Availability: 50% 80%	Flood Frequency Analysis

Records Found: 2

County

COUNTY	FIPS
Polk	41053

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 8S-4W-18-NWNW

Uses: IR 26.46 P|PM P

Basins

BASIN_NUM	BASIN_NAME
2	Willamette

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	ACRES	SQ_MILES	WMASTER	ADDRESS	CITY	ZIP	PHONE	EX
16	NW	2559727	3999	Bill Ferber	158 12th St. NE	Salem	97301-4172	503-378-8455	375

Records Found: 1

WAB

BASIN	WID	LINK1	LINK2
2	183	Water Availability: 50% 80%	Flood Frequency Analysis

Records Found: 1

County

COUNTY	FIPS
Polk	41053

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 8S-4W-18-SEW

Uses: IR 4.95 P

Basins

BASIN_NUM	BASIN_NAME
2	Willamette

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	ACRES	SQ_MILES	WMASTER	ADDRESS	CITY	ZIP	PHONE	EX
16	NW	2559727	3999	Bill Ferber	158 12th St. NE	Salem	97301-4172	503-378-8455	375

Records Found: 1

WAB

BASIN	WID	LINK1	LINK2
2	183	Water Availability: 50% 80%	Flood Frequency Analysis

Records Found: 1

County

COUNTY	FIPS
Polk	41053

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 8S-4W-18-SWNW

Uses: IR 36.4 P|PM P

Basins

BASIN_NUM	BASIN_NAME
2	Willamette

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	ACRES	SQ_MILES	WMASTER	ADDRESS	CITY	ZIP	PHONE	EX
16	NW	2559727	3999	Bill Ferber	158 12th St. NE	Salem	97301-4172	503-378-8455	375

Records Found: 1

WAB

BASIN	WID	LINK1	LINK2
2	183	Water Availability: 50% 80%	Flood Frequency Analysis

Records Found: 1

County

COUNTY	FIPS
Polk	41053

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

WATER AVAILABILITY TABLE

Water Availability as of 6/11/2003 for

WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000

Watershed ID #: 183 Basin: WILLAMETTE Exceedance Level: 80
 Time: 15:24 Date: 06/11/2003

Select an Item Number for More Details

Item #	Watershed ID #	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	181	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
2	182	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
3	183	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES

STREAM NAMES

Water Availability as of 6/11/2003 for

WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000

Watershed ID #: 183 Basin: WILLAMETTE Exceedance Level: 80
 Time: 15:24 Date: 06/11/2003

Item	Watershed ID	Stream Name
1	181	WILLAMETTE R > COLUMBIA R - AT MOUTH
2	182	WILLAMETTE R > COLUMBIA R - AB MOLALLA R
3	183	WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000

LIMITING WATERSHEDS

WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000

Watershed ID #: 183 Basin: WILLAMETTE Exceedance Level: 80
 Time: 15:24 Date: 06/11/2003

Mnth	Limiting Watershed	Stream Name	Water Avail?	Net Water Available
1	183	WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE	1 YES	15100.0
2	183	WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE	1 YES	11700.0
3	183	WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE	1 YES	11400.0
4	183	WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE	1 YES	10100.0
5	183	WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE	1 YES	10300.0
6	183	WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE	1 YES	5570.0
7	182	WILLAMETTE R > COLUMBIA R - AB MOLALLA R	YES	2000.0
8	182	WILLAMETTE R > COLUMBIA R - AB MOLALLA R	YES	1000.0
9	182	WILLAMETTE R > COLUMBIA R - AB MOLALLA R	YES	1310.0
10	183	WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE	1 YES	2880.0
11	183	WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE	1 YES	7520.0
12	183	WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE	1 YES	14800.0
Stor	183	WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE	1 YES	*****

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

WILLAMETTE R > COLUMBIA R - AT MOUTH

Watershed ID #: 181 Basin: WILLAMETTE Exceedance Level: 80
 Time: 15:24 Date: 06/11/2003

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	27500.00	1960.00	342.00	25200.00	0.00	1500.00	23700.00
2	30000.00	7250.00	338.00	22400.00	0.00	1500.00	20900.00
3	28500.00	6880.00	328.00	21300.00	0.00	1500.00	19800.00
4	25400.00	6590.00	315.00	18500.00	0.00	1500.00	17000.00
5	20700.00	3940.00	274.00	16500.00	0.00	1500.00	15000.00
6	11000.00	1690.00	476.00	8830.00	0.00	1500.00	7330.00
7	6280.00	1660.00	451.00	4170.00	0.00	1500.00	2670.00
8	4890.00	1460.00	420.00	3010.00	0.00	1500.00	1510.00
9	4930.00	1090.00	410.00	3430.00	0.00	1500.00	1930.00
10	5990.00	355.00	226.00	5410.00	0.00	1500.00	3910.00
11	12700.00	502.00	278.00	11900.00	0.00	1500.00	10400.00
12	24800.00	640.00	340.00	23800.00	0.00	1500.00	22300.00
Stor	19700000	2030000	253000	17400000	0	1090000	16400000

DETAILED REPORT OF INSTREAM REQUIREMENTS

WILLAMETTE R > COLUMBIA R - AT MOUTH

Watershed ID #: 181 Basin: WILLAMETTE Exceedance Level: 80
 Time: 15:24 Date: 06/11/2003

-----ISWRs-----								
APP #	181A	0	0	0	0	0	0	MAXIMUM
Status	Cert.							
1	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
2	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
3	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
4	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
5	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
6	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
7	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
8	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
9	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
10	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
11	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
12	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

WILLAMETTE R > COLUMBIA R - AB MOLALLA R

Watershed ID #: 182 Basin: WILLAMETTE Exceedance Level: 80
 Time: 15:24 Date: 06/11/2003

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	21400.00	1720.00	246.00	19400.00	0.00	1500.00	17900.00
2	23200.00	6910.00	243.00	16000.00	0.00	1500.00	14500.00
3	22400.00	6700.00	239.00	15500.00	0.00	1500.00	14000.00
4	19900.00	6360.00	234.00	13300.00	0.00	1500.00	11800.00
5	16600.00	3700.00	222.00	12700.00	0.00	1500.00	11200.00
6	8740.00	1260.00	405.00	7080.00	0.00	1500.00	5580.00
7	4980.00	1110.00	372.00	3500.00	0.00	1500.00	2000.00
8	3830.00	979.00	346.00	2500.00	0.00	1500.00	1000.00
9	3890.00	729.00	351.00	2810.00	0.00	1500.00	1310.00
10	4850.00	251.00	194.00	4400.00	0.00	1500.00	2900.00
11	10200.00	349.00	224.00	9630.00	0.00	1500.00	8130.00
12	19300.00	395.00	245.00	18700.00	0.00	1500.00	17200.00
Stor	15200000	1820000	200000	13200000	0	1090000	12100000

DETAILED REPORT OF INSTREAM REQUIREMENTS
 WILLAMETTE R > COLUMBIA R - AB MOLALLA R

Watershed ID #: 182 Basin: WILLAMETTE Exceedance Level: 80
 Time: 15:24 Date: 06/11/2003

-----ISWRs-----									
APP #	182A	0	0	0	0	0	0	0	MAXIMUM
Status	Cert.								
1	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
2	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
3	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
4	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
5	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
6	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
7	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
8	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
9	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
10	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
11	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00
12	1500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1500.00

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION
 WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000

Watershed ID #: 183 Basin: WILLAMETTE Exceedance Level: 80
 Time: 15:24 Date: 06/11/2003

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	18400.00	1880.00	77.60	16400.00	0.00	1300.00	15100.00
2	20100.00	7070.00	75.50	13000.00	0.00	1300.00	11700.00
3	19600.00	6860.00	73.50	12700.00	0.00	1300.00	11400.00
4	18000.00	6520.00	70.30	11400.00	0.00	1300.00	10100.00
5	15500.00	3810.00	63.60	11600.00	0.00	1300.00	10300.00
6	8310.00	1330.00	110.00	6870.00	0.00	1300.00	5570.00
7	4710.00	1100.00	102.00	3510.00	0.00	1300.00	2210.00
8	3620.00	1010.00	82.40	2530.00	0.00	1300.00	1230.00
9	3680.00	834.00	87.60	2760.00	0.00	1300.00	1460.00
10	4650.00	413.00	58.70	4180.00	0.00	1300.00	2880.00
11	9400.00	513.00	65.70	8820.00	0.00	1300.00	7520.00
12	16700.00	553.00	77.50	16100.00	0.00	1300.00	14800.00
Stor	13500000	1900000	57000	11500000	0	942000	10600000

DETAILED REPORT OF INSTREAM REQUIREMENTS

WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000

Watershed ID #: 183

Basin: WILLAMETTE

Exceedance Level: 80

Time: 15:24

Date: 06/11/2003

-----ISWRs-----								
APP #	183A	0	0	0	0	0	0	MAXIMUM
Status	Cert.							
1	1300.00	0.00	0.00	0.00	0.00	0.00	0.00	1300.00
2	1300.00	0.00	0.00	0.00	0.00	0.00	0.00	1300.00
3	1300.00	0.00	0.00	0.00	0.00	0.00	0.00	1300.00
4	1300.00	0.00	0.00	0.00	0.00	0.00	0.00	1300.00
5	1300.00	0.00	0.00	0.00	0.00	0.00	0.00	1300.00
6	1300.00	0.00	0.00	0.00	0.00	0.00	0.00	1300.00
7	1300.00	0.00	0.00	0.00	0.00	0.00	0.00	1300.00
8	1300.00	0.00	0.00	0.00	0.00	0.00	0.00	1300.00
9	1300.00	0.00	0.00	0.00	0.00	0.00	0.00	1300.00
10	1300.00	0.00	0.00	0.00	0.00	0.00	0.00	1300.00
11	1300.00	0.00	0.00	0.00	0.00	0.00	0.00	1300.00
12	1300.00	0.00	0.00	0.00	0.00	0.00	0.00	1300.00

690-502-0160 - Groundwater Classifications and Conditions

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

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

(a) Groundwater from the shallow Troutdale aquifer and the specially designated portion of the deep Troutdale aquifer in the Sandy-Boring area is classified for exempt uses only. The Sandy-Boring Groundwater Limited Area is as described and shown in Exhibit 1. Groundwater applications pending on October 4, 1991 shall be processed according to the classifications in effect on the date the application was filed and shall contain the Special Permit Conditions specified in section (4) of this rule. Applications may be rejected if the aquifer displays any of the adverse impacts defined in OAR 690-008. Applications submitted after October 4, 1991 shall be processed according to the requirements of these rules and classifications;

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

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

(B) Groundwater applications pending on October 4, 1991 shall be processed according to the classifications in effect on the date the application was filed. Permits may be issued for a period not to exceed five years and shall contain the Special Permit Conditions specified in section (3) of this rule. Permits may be extended for additional five-year periods if the Director finds that the groundwater resource can probably support the extended use. Applications may be rejected or permit or certificate extensions may be denied if the aquifer displays any of the adverse impacts defined in OAR 690-008. Applications submitted after October 4, 1991 shall be processed according to the requirements of these rules and classifications. Within two years of permit issuance, the applicant shall prepare a plan for the Water Resources Commission which shall indicate the steps for obtaining an alternate long-term water supply.

(c)(A) Except as provided in paragraph (B) of this subsection, groundwater from the basalt aquifers in the Sherwood-Dammasch-Wilsonville Groundwater Limited Area as described and shown in Exhibit 6 is classified for exempt uses only;

(B) Groundwater applications G-12155 (City of Sherwood) and G-13353 (Manke Lumber Co.) shall be processed according to the classifications in effect on the date the application was filed. Permits shall contain the Special Permit Conditions specified in section (3) of this rule;

(d) Groundwater in the basalt aquifers in the Chehalem Mountain, Eola Hills and South Salem Hills Groundwater Limited Areas is classified for exempt uses, irrigation and rural residential fire protection systems only. Permits may be issued, for a period not to exceed five years, for fire protection and for drip or equally efficient irrigation provided the Director finds the proposed use and amount do not pose a threat to the groundwater resource or existing permit holders. The amount of water used for irrigation shall be further limited to one acre-foot per acre per year. Permits may be extended for additional five-year periods if the Director finds that the groundwater resource can probably support the extended use. Applications may be rejected or permit or certificate extensions may be denied if the aquifer displays any of the adverse impacts defined in OAR 690-008:

(A) The Chehalem Mountain Groundwater Limited Area is as described and shown in Exhibit 8. The Eola Hills Groundwater Limited Area is as described and shown in Exhibit 10. The South Salem Hills Groundwater Limited Area is as described and shown in Exhibit 11;

(B) Groundwater applications pending on October 4, 1991 shall be processed according to the classifications in effect on the date the application was filed. Permits may be issued for a period not to exceed five years and shall contain the Special Permit Conditions specified in section (3) of this rule. Permits may be extended for additional five-year periods if the Director finds that the groundwater resource can probably support the extended use. Applications submitted after October 4, 1991 shall be processed according to the requirements of these rules and classifications. Within two years of permit issuance, the applicant shall prepare a plan for the Water Resources Commission which shall indicate the steps for obtaining an alternate long-term water supply;

(e) Groundwater -- Surface water hydraulic connection: These rules are in addition to the requirements of OAR 690-009. Groundwater in unconfined alluvium within 1/4 mile of the banks of a stream or surface water source is presumed to be in hydraulic connection with the surface water source, unless the applicant or appropriator provides satisfactory information or demonstration to the contrary. This hydraulically connected groundwater shall be classified the same as the surface source. This section shall not apply to those groundwater uses exempted by ORS 537.545. Notwithstanding such classification, permits may be issued for the use of water from a well in an unconfined aquifer that is hydraulically connected to groundwater, within a quarter mile of a stream, provided that surface water impacts are mitigated through storage releases.

(3) Special Columbia River Basalt Group Aquifer Permit Conditions: New permits issued to appropriate groundwater from Columbia River Basalt Group aquifers shall be specially conditioned. The conditions shall specify:

(a) A static water level measurement be made and submitted before any use of water may commence at the well;

(b) The permittee/appropriator install a meter or other suitable measuring device approved by the Director and submit an annual report of water used to the Department;

(c) Limits on acceptable amounts of depletion and interference with other users;

(d) Use of water from the well be controlled or shut off if limits specified in the permit to protect the resource from depletion, and prior appropriators from interference, are exceeded;

(e) The Department shall determine, from measurements submitted by the permittee/appropriator, or other data on file in the department, the initial and subsequent water levels from which the previously cited declines are referenced;

(f) Following the issuance of a permit, the permittee/appropriator shall measure the water levels in the permitted well each year between March 1 and March 31 (spring high-water level) and submit the data to the Department within 90 days of measurement. Water level measurements shall be made by a certified water rights examiner, licensed water well driller, licensed pump installer, registered geologist, licensed land surveyor, registered professional engineer or the permittee/appropriator;

(g) Any other conditions derived from OAR 690-008 as deemed necessary to protect the groundwater resource.

(4) Special Permit Conditions: New permits issued to appropriate groundwater from aquifers within the Sandy-Boring Groundwater Limited Area and the Troutdale aquifer in the Damascus Groundwater Limited Area shall be specially conditioned. The conditions shall specify:

(a) A static water level measurement be made and submitted before any use of water may commence at the well;

(b) Limits on acceptable amounts of depletion and interference with other users;

(c) Use of water from the well be controlled or shut off if limits specified in the permit to protect the resource from depletion, and prior appropriators from interference, are exceeded;

(d) The Department shall determine, from measurements submitted by the permittee/appropriator, or other data on file in the department, the initial and subsequent water levels from which the previously cited declines are referenced;

(e) Following the issuance of a permit, the permittee/appropriator shall measure the water levels in the permitted well each year between March 1 and March 31 (spring high-water level) and submit the data to the Department within 90 days of measurement. Water level measurements shall be made by a certified water rights examiner, licensed water well driller, licensed pump installer, registered geologist, licensed land surveyor, registered professional engineer or the permittee/appropriator;

(f) Any other conditions as specified in OAR 690-008 as deemed necessary to protect the groundwater resource.

[ED. NOTE: The Exhibit(s) referenced in this rule is not printed in the OAR Compilation. Copies are available from the agency.]

Stat. Auth.: ORS 536 & ORS 537

Stats. Implemented:

Hist.: Upper Willamette River Basin Program: WRB 8, f. 4-21-59?; WRB 19, f. 6-5-62; WRB 27, f. 5-11-64; WRB 30, f. 7-3-64; WRD 9-1980, f. & cert. ef. 11-26-80; WRD 2-1981, f. & cert. ef. 4-30-81; WRD 5-1985, f. & cert. ef. 6-14-85; Middle Willamette River Basin Program: WRB 29, f. 7-1-64; WRB 32, f. 7-27-65; WRB 11-1985, f. & cert. ef. 9-5-85; Lower Willamette River Basin Program: WRB 35, f. 6-10-66; WRB 40, f. 9-6-68; WRB 42, f. 5-1-70; 47, f. 4-30-71; WRB 63, f. 6-5-75; WRD 2, f. 11-5-76; WRD 7-1980, f. & cert. ef. 8-12-20; WRD 1-1980, f. & cert. ef. 12-19-80; WRD 11-1985, f. & cert. ef. 9-5-85, WRD 3-1986(Temp), f. & cert. ef. 3-11-86) WRD 4-1992, f. & cert. ef. 3-13-92, Renumbered from 690-080-0021 - 0023; WRD 12-1993, f. & cert. ef. 9-9-92; WRD 3-1994, f. & cert. ef. 3-10-94; WRD 13-1994, f. & cert. ef. 11-7-94

The official copy of an Oregon Administrative Rule is contained in the Administrative Order filed at the Archives Division, 800 Summer St. NE, Salem, Oregon 97310. Any discrepancies with the published version are satisfied in favor of the Administrative Order. The Oregon Administrative Rules and the Oregon Bulletin are copyrighted by the Oregon Secretary of State. Terms and Conditions of Use

690-502-0100 - Coast Range Subbasin

The Coast Range Subbasin includes the drainage basins of the Marys and Luckiamute Rivers, Rickreall Creek and Yamhill River. Surface water classification:

(1) Marys River Drainage:

(a) The Marys River main stem is classified for domestic, livestock, irrigation, agricultural, commercial, municipal, industrial, power, mining, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses year-round;

(b) The tributaries of the Marys River are classified for domestic, livestock, irrigation, municipal, agricultural, commercial, industrial, power, mining, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses from November 1 through May 31 and only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses only from June 1 through October 31;

(2) Luckiamute River Drainage:

(a) The Luckiamute River main stem is classified for domestic, livestock, irrigation, municipal, agricultural, commercial, industrial, power, mining, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses from October 1 through July 31, and for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses only from August 1 through September 30;

(b) Except as specified in subsection (2)(c) of this rule, the tributaries of the Luckiamute River are classified for domestic, livestock, irrigation, municipal, agricultural, commercial, industrial, power, mining, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses from November 1 through April 30, and only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses from May 1 through October 31;

(c) The following streams and tributaries are classified year-round for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses only:

(A) Maxfield Creek tributary to Luckiamute River;

(B) Ritner Creek tributary to Luckiamute River;

(C) Pedee Creek tributary to Luckiamute River.

(3) Rickreall Creek Drainage: Rickreall Creek and tributaries are classified for domestic, livestock, irrigation, municipal, industrial, agricultural, commercial, power, mining, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses from November 1 through April 30, and only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses from May 1 through October 31;

(4) Yamhill River Drainage:

(a) Except as specified in subsection (4)(b) of this rule, the Yamhill River and tributaries are classified for domestic, livestock, irrigation, municipal, industrial, agricultural, commercial, power, mining, recreation, fish life, wildlife, pollution abatement, wetland enhancement and public instream uses from November 1 through April 30, and only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses from May 1 through October 31;

(b) The following streams and tributaries are classified for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses only:

(A) Agency Creek tributary to South Yamhill River;

(B) Gold Creek tributary to South Yamhill River;

(C) Rowell Creek tributary to South Yamhill River;

(D) Rock Creek tributary to South Yamhill River near Grande Ronde;

(E) Pierce Creek tributary to South Yamhill River;

(F) Deer Creek tributary to South Yamhill River;

(G) E. Fork Willamina Creek tributary to Willamina Creek;

(H) Gooseneck Creek tributary to Mill Creek;

(I) Haskins Creek tributary to North Yamhill River;

(J) Panther Creek tributary to North Yamhill River;

(K) Cedar Creek tributary to North Yamhill River;

(L) Fairchild Creek tributary to North Yamhill River;

(M) Turner Creek tributary to North Yamhill River.

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-15938

Proposed Final Order

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

Application History

On March 4, 2003, Clay and Rhonda Johnson submitted an application to the Department for the following water use permit:

- Amount of Water: 0.89 cubic foot per second
- Use of Water: Irrigation use on 92.5 acres and maintenance of a pond for multipurpose use
- Source of Water: Well 1 in North Fork Ash Creek Basin; Well 2 in North Fork Ash Creek Basin
- Area of Proposed Use: Polk County within Section 7 and Section 18, Township 8 South, Range 4 West, W.M.

On June 20, 2003, the Department mailed the applicant notice of its Initial Review, determining that "the use of 0.89 cubic foot per second from a well in North Fork Ash Creek Basin for irrigation of 92.5 acres and maintenance of a pond for multipurpose use is not available, and it appears unlikely that you will be issued a permit. The use of 0.89 cubic foot per second from Option 2 Well in North Fork Ash Creek Basin for irrigation of 92.5 acres and maintenance of a pond for multipurpose use may be allowed from June 1 through October 31 of each year." The applicant did not notify the Department to stop processing the application within 14 days of that date.

On June 24, 2003, 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.

Within 30 days of the Department's public notice, written comments were received from the applicant.

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

- comments by or consultation with another state agency

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

Findings of Fact

On June 27, 2003, the applicant notified the Department that the Option 2 well as depicted on the application map will be used for water under this application, G-15938.

The Willamette Basin Program allows the use of water for irrigation use and maintenance of a pond for multipurpose use.

Well 2 in North Fork Ash Creek Basin is not within or above a State Scenic Waterway.

The Groundwater Section finds, per OAR 390.835(9), there is not a preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

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

An assessment of groundwater availability has been completed by the Department's Groundwater/Hydrology section. A copy of this assessment is in the file. The proposed use of groundwater will, if properly conditioned, avoid injury to existing rights and the resource.

The Department finds that the amount of water requested, 0.89 CFS, is an acceptable amount.

The proposed well 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 Willamette Basin Plan, or a preference for this use is granted under the provisions of ORS 536.310(12).

Water is available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with other rules of the Water Resources Commission not otherwise described above.

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

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

For these reasons, the required presumption has been established.

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

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

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

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

When issuing permits, ORS 537.628(1) authorizes the Department to include limitations and conditions which have been determined necessary to protect the public welfare, safety, and health. The attached draft permit is conditioned accordingly.

Recommendation

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

DATED August 12, 2003



Dwight French
Water Rights Section Manager

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

Protest Rights and Standing

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

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and

- If you are not the applicant, the protest fee required by ORS 536.050 (\$200 before October 1, 2003; \$250 on or after October 1, 2003) 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 537.621(6), persons other than the applicant who support a proposed final order may request standing for purposes of participating in any contested case proceeding on the proposed final order or for judicial review of a final order. A request for standing shall be in writing, include a statement that the requester supports the proposed final order, and a statement of how the requester would be harmed if the proposed final order is modified. The fee required at the time of submitting this request is \$50.00. If a hearing is scheduled, an additional fee of \$150.00 must be submitted along with a request for intervention. Forms to request standing are available from the Department.

Your protest or request for standing must be received in the Water Resources Department no later than **September 26, 2003**.

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

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

This document was prepared by Jerry Gainey. 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 1-503-378-8455 extension 458.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her extension number is 239.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201.

Address all other correspondence to:

Water Rights Section, Oregon Water Resources Department, 158 12th ST NE SALEM, OR 97301
Fax: (503)378-6203

Gaineyjw- WEEK 420

DRAFT

This is not a permit.
STATE OF OREGON

DRAFT

COUNTY OF POLK

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

CLAY AND RHONDA JOHNSON
3395 S PACIFIC HWY
INDEPENDENCE, OR 97351

(503)590-0545

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

APPLICATION FILE NUMBER: G-15938

SOURCE OF WATER: WELL 2 IN NORTH FORK ASH CREEK BASIN

PURPOSE OR USE: IRRIGATION USE ON 92.5 ACRES AND MAINTENANCE OF A POND FOR MULTIPURPOSE USE, PERMIT R-14012

MAXIMUM RATE: 0.89 CUBIC FOOT PER SECOND

PERIOD OF USE: JUNE 1 THROUGH OCTOBER 31

DATE OF PRIORITY: March 04, 2003

WELL LOCATION: NW ¼ NW ¼, SECTION 18, T8S, R4W, W.M.; 1025 FEET SOUTH & 910 FEET EAST FROM NW CORNER, SECTION 18

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW ¼ SW ¼	25.44 ACRES	IRRIGATION
SW ¼ SW ¼		POND MAINTENANCE
SE ¼ SW ¼	5.45 ACRES	IRRIGATION
	SECTION 7	
NE ¼ NW ¼	6.5 ACRES	IRRIGATION
NW ¼ NW ¼	26.46 ACRES	IRRIGATION
NW ¼ NW ¼		POND MAINTENANCE
SW ¼ NW ¼	23.7 ACRES	IRRIGATION

against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

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 and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

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

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

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until 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 senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. 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.

If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Proposed Final Order and Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

STANDARD CONDITIONS

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

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

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

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

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

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

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

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

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

Complete application of the water to the use shall be made on or before October 1, 2008. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued _____, 2003

DRAFT - THIS IS NOT A PERMIT

Paul R. Cleary, Director
Water Resources Department

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

Mailing List for PFO Copies

Application #G-15938

PFO Date August 12, 2003

Original mailed to:

Applicant: CLAY AND RHONDA JOHNSON, 3395 S PACIFIC HWY, INDEPENDENCE, OR 97351

Copies sent to:

1. WRD - File # G-15938
2. Water Availability: Ken Stahr

PFO and Map Copies sent to:

3. WRD - Watermaster # 16
4. Regional Manager: NWR

Copies Mailed
By: <u>RS</u> (SUPPORT STAFF)
on: <u>8/12/03</u> (DATE)

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

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

CASEWORKER : Gaineyjw- WEEK 420

RECEIVED

JUN 27 2003

WATER RESOURCES DEPT.
SALEM, OREGON

June 26, 2003

Jerry Gainey
WRD
158 12th Street NE
Salem OR. 97301

Dear Jerry,
Thanks for helping us out. We will proceed with option 2 on water rights
application G15938. Keep in touch

Sincerely,

A handwritten signature in black ink, appearing to read "Clay Johnson", written in a cursive style.

Clay Johnson

Premierbot@aol.com
Dr Don Rober



State of Oregon
Water Resources Department
158 12th Street NE, Salem, OR 97301-4172
503-378-8455
http://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. Thank you.

1. APPLICANT INFORMATION

A. Individuals

Applicant: Clay & Rhonda Johnson
First Last

Co-applicant: Donald & Sharon Roberts
First Last

Mailing address: 3395 S. Pacific Hwy
Independence Oregon 97351
City State Zip

Phone: 503-590-0545 503-532-0751
Home Work Other

*Fax: 503-838-2425 *E-Mail address: CRCG@LAuenderLAKEFarms.com

B. Organizations

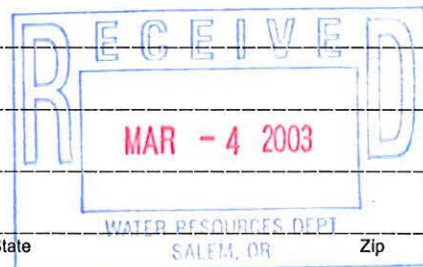
(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: NA

Name and title of person applying: _____

Mailing address of organization: _____

City State Zip



Phone: _____
Day Evening

*Fax: _____ *E-Mail address: _____

*Optional information

For Department Use		
App. No. <u>G-15938</u>	Permit No. _____	Date _____

2. PROPERTY OWNERSHIP

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

- Yes (Skip to section 3 "Ground water Development.")
- No Please check the appropriate box below.
- I have a recorded easement or written authorization permitting access.
 - I do not currently have written authorization or easement permitting access.

List the names and mailing addresses of all affected landowners.*

**If more than 25 landowners are involved, a list is not required. See instructions.*

3. GROUND WATER DEVELOPMENT

A. Number of well(s): 1 B. Name of nearest surface water body: North Fork Ash Creek

C. Distance from well(s) to nearest stream or lake: 1) TBD - Per Location choice
2) _____ 3) _____ 4) _____

D. If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) 5 feet

2) _____ 3) _____ 4) _____

E. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to question F in this section of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by: Dickerson well drilling

Address: _____

Completion date: November 2003

2. 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	8"	5 8"	100'	70'-100'	20'	90'	95'	Casing Cap	110'

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

F. Artesian Flows

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

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

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		Irrigation / Pond maintenance for multiple purpose	400gpm		400gpm

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 400gpm
 (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: June 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: 92.50
 (This number should be consistent with you 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) TBD
- Other means (describe) TBD

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 3" Pipe Length TBD
- Other (describe) _____

C. Application/Distribution Method

What equipment will you use to apply water to your place of use? pump, Mainline, drip, hand lines

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

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

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.

Drip 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 August 2003

Proposed date construction will be completed November 2003

Proposed date beneficial water use will begin March 2004

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.

We are proposing 2 well-sites with the intention of using 1 well - Looking for suggestion as to which site is best suited for our project.

8. MAP REQUIREMENTS

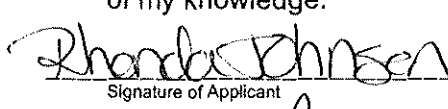

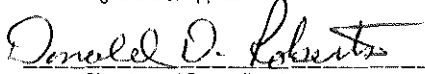

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place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

		3-10-03
<small>Signature of Applicant</small>	<small>Date</small>	
		3-10-03
<small>Signature of Co-applicant</small>	<small>Date</small>	

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.



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: 92.5 Acres

Supplemental: _____ 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>Lavender</u> | <input type="checkbox"/> Full season | <input checked="" type="checkbox"/> Partial season (from: <u>6/1</u> to <u>10/31</u>) |
| 2. <u>Mint</u> | <input type="checkbox"/> Full season | <input checked="" type="checkbox"/> Partial season (from: <u>6/1</u> to <u>10/31</u>) |
| 3. <u>Trees</u> | <input type="checkbox"/> Full season | <input checked="" type="checkbox"/> Partial season (from: <u>6/1</u> to <u>10/31</u>) |
| 4. <u>Geraniums</u> | <input type="checkbox"/> Full season | <input type="checkbox"/> Partial season (from: <u>6/1</u> to <u>10/31</u>) |

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

70 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?

- | | |
|---|---|
| <input type="checkbox"/> Daily during daytime hours | <input type="checkbox"/> Daily during nighttime hours |
| <input type="checkbox"/> Two or three times weekly during daytime | <input type="checkbox"/> Two or three times weekly during nighttime |
| <input checked="" type="checkbox"/> Weekly, during daytime hours | <input type="checkbox"/> Weekly, during nighttime hours |

Other, explain: _____

Standard Application "Completeness" Checklist

Application: G-15938

Priority Date: 3/4/03

Use(s): IRRIGATION

92.50 ACRES

Rate: .891 CFS

County: POLK

Township: 8 S

Range: 4 W

Section: 7 & 18

POD ¼¼: OPTION #1. SW/NW SEC.18; OPTION
#2. NW/NW SEC.18

POU ¼¼: S1/2 SW1/4 OF SEC.7; NW1/4 SEC.18

Minimum Requirements (OAR 60-310-040)

OK Applicant/Organization Name, Mailing Address', and Telephone Numbers. If applicant is other than a private landowner, Organizations section must be completed.

OK Source *and* tributary listed

OK Property ownership indicated? If applicant does not own all the land, is the affected landowners name and mailing address listed? (Including: Lands, not owned by applicant, upon which the source is located ...or... any Lands, not owned by applicant, which are crossed by the diversion works.) NOTE: An easement or agreement DOES NOT need to be submitted at this time, but will be required before a permit will be issued.

OK If a groundwater application...is the groundwater development section completed?

OK Proposed Use of the water.... Is each proposed use identified?

OK Has the appropriate "Supplemental Form" for each proposed use been completed?

OK Form I (Irrigation)

NA Form M (Municipal or Quasi-Municipal)

NA Form R (Mining)

NA Form Q (Commercial or Industrial)

NASpring Description Sheet (if source is a Spring)

OK Amount of water from each source listed in GPM, CFS or AF?

OK Acreage being proposed, if applicable.

OK Season being requested by applicant.

OK The water management section has been completed? If, the water system has not been designed, the applicant may estimate this information.

OK Resource protection system completed on Surface Water application?

OK Are the dates of construction indicated? If, the system already is completed, the applicant should indicate existing.

OK Is the application signed in ink by the applicant? If the application is in the name of an Organization, or corporation, the authorized agent must sign the application.

OK Is a copy of the deed, land sales contract or title insurance policy included? We cannot accept a copy of the tax bill.

OK A completed Land-Use Form or receipt signed by the appropriate planning department officials enclosed? Does the use on land-use form match the proposed use on the application?

OK Does the map meet map requirements of OAR 60-310-050?

- | | |
|--|---|
| OK Town, Range, Sec, 1/4 1/4's and Tax Lot # | OK Scale of the Map |
| OK Reference corner on map | OK North Directional Symbol |
| OK 1/4 1/4's clearly identified | OK POD clearly identified |
| OK POU clearly identified | OK Location Coordinates for each POD |
| OK Location of House, if Domestic | OK Number of acres per 1/4 1/4, if Irrigation |
| OK Location of Bldg, if Com./Indus. | OK Location of Stock Tanks, if Livestock |
| OK Muni / Quasi-Muni Service Boundaries | OK Other |
| OK fees enclosed? | Base Fee <u>\$250.00</u> |
| Total Paid <u>\$575.00</u> | plus <u>\$150.00</u> |
| | plus \$ |
| Total Amount of
Water Requested: .891 CFS | |

Total Exam Fee \$400.00

Total Exam Fee <u>\$400.00</u>	Recording Fee <u>\$175.00 PAID IN FULL</u>
--------------------------------	--

Completeness Check by: HERB AND JERRY GAINES



Date: 3/4/03

ODFW Review – Division 33 Application

Applicant: Clay and Rhonda Johnson

Application: G15938

This application is for the use of water from a well located in the Ash Creek basin, a tributary of the Willamette River. Ash Creek in the area of the proposed well(s) provides seasonal (late fall, winter and spring) rearing habitat for juvenile spring chinook salmon and winter steelhead, fish federally listed as “Threatened” under the ESA. Ash Creek also provides habitat for cutthroat trout.

We do not have the expertise that would allow us to determine the impact this well may have on stream flow in Ash Creek. The Initial Review states “...that the proposed groundwater use will have the potential for substantial interference with the nearest surface water source, namely North Fork Ash Creek”. Flows in Ash Creek can become quite low during the summer months. The reduced flow affects water quality and the amount of habitat available to fish, particularly cutthroat trout. If there is “substantial interference” then this well *may* have an impact on fish in Ash Creek.

ODFW also reviewed this project under Alternate Reservoir Application R-85485. As the proposed reservoir is to be located outside of the channel or floodplain of Ash Creek, we recommended “approval without fishery conditions”. The information provided with the Alternate Reservoir Application did not include the OWRD determination that the water source would have the potential for “substantial interference” with flows in Ash Creek.

Gary Galovich
Fish Biologist
ODFW
07/21/03



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

June 20, 2003

CLAY AND RHONDA JOHNSON
3395 S PACIFIC HWY
INDEPENDENCE, OR 97351

(503)590-0545

Reference: File G-15938

Dear Mr. and Mrs. Johnson:

THIS IS NOT A PERMIT AND IS SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.

This letter is to inform you of the preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The proposed use is not prohibited by law or rule except as otherwise noted below.
2. The use of water from Option 1 Well in North Fork Ash Creek Basin; Option 2 Well in North Fork Ash Creek Basin for irrigation use on 92.5 acres and maintenance of a pond for multipurpose use, application R-85485, **is allowable** under OAR 690-502, the Willamette Basin Program.
3. The Department has determined, based upon OAR 690-09, that the proposed groundwater use from Option 1 Well will have the potential for substantial interference with the nearest surface water source, namely North Fork Ash Creek. Therefore limitations to the surface water source must be applied to this application also.
 - a. Water in the amount of 0.89 cubic foot per second for irrigation use on 92.5 acres and maintenance of a pond for multipurpose use **is not available June 1 through October 31.**

- b. The use of water from a Option 1 Well in North Fork Ash Creek basin for irrigation of 92.5 acres and maintenance of a pond for multipurpose use **is not a classified use** during the period, May 1 through October 31, under OAR 690-502-0100(3).
4. The Department has determined, based upon OAR 690-09, that the proposed groundwater use will from Option 2 Well, if properly conditioned, adequately protect the surface water from interference.

Summary of Initial Determinations

Because item #3 above is unfavorable for Option 1 Well, the use of 0.89 cubic foot per second from a well in North Fork Ash Creek Basin for irrigation of 92.5 acres and maintenance of a pond for multipurpose use is not available, 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.

The use of 0.89 cubic foot per second from Option 2 Well in North Fork Ash Creek Basin for irrigation of 92.5 acres and maintenance of a pond for multipurpose use may be allowed from June 1 through October 31 of each year.

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

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

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

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, July 4, 2003**. For your convenience you may use the enclosed "STOP PROCESSING" form.

To Proceed With Your Application:

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

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

1. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.
2. The priority date for this application is March 04, 2003.
3. To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Seven Consecutive Annual Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

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 and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

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

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

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until 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 senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. 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 is in an area in which an Agricultural Water Quality Management Area Plan is being developed. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders. These plans help make sure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to contact Paul Measeles, (503) 986-4778 at the ODA to learn more about the plan and how it may affect your proposed water use.

4. If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Proposed Final Order and Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at 503-378-8455 extension 201. Feel free to call me at 503-378-8455 extension 458 if you have any questions regarding the contents of this letter. Please have your application number available if you call. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301-4172, Fax: 503-378-6203.

Sincerely,

Jerry W. Gainey

Jerry W. Gainey

Water Right Processing Technician

enclosures: Flow Chart of Water Right Process
 Stop Processing Form

G-15938
wab 2-183
pou 2-183
gw a

APPLICATION FACT SHEET

Mail to: *Applicant, Watermaster, District Biologist (ODFW)*
If necessary, also mail to : Regional Water quality manager (DEQ), and DOA

Application File Number: G-15938

Applicant: CLAY AND RHONDA JOHNSON

County: Polk

Watermaster: 16

Priority Date: March 04, 2003

Source: OPTION 1 WELL AND OPTION 2 WELL IN NORTH FORK ASH CR BASIN

Use: IRRIGATION USE ON 92.5 ACRES; MAINTENANCE OF A POND FOR

MULTIPURPOSE USE

Quantity: 0.89 CUBIC FOOT PER SECOND

Basin Name & Number: Willamette, #2

Stream Index Reference: Volume 10 HAYDEN SLOUGH & MISC

Well Location:

OPTION 1 WELL: SWNW, SECTION 18, T8S, R4W, W.M.; 2335 FEET SOUTH &
1230 FEET EAST FROM NW CORNER, SECTION 18

OPTION 2 WELL: NWNW, SECTION 18, T8S, R4W, W.M.; 1025 FEET SOUTH &
910 FEET EAST FROM NW CORNER, SECTION 18

Place of Use: SWSW 25.44 ACRES IRRIGATION AND POND MAINTENANCE, SESW 5.45
ACRES IRRIGATION, SECTION 7; NENW 6.5 ACRES IRRIGATION, NWNW 26.46
ACRES IRRIGATION AND POND MAINTENANCE, SWNW 23.7 ACRES IRRIGATION
AND POND MAINTENANCE, SENW 4.95 ACRES IRRIGATION, SECTION 18,
TOWNSHIP 8 SOUTH, RANGE 4 WEST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, July 4, 2003

PUBLIC NOTICE DATE: Tuesday, June 24, 2003

30 DAY COMMENT DEADLINE DATE: Thursday, July 24, 2003

Mailing List for IR Copies

Application #G-15938

IR Date : June 20, 2003

Original mailed to:

Applicant: CLAY JOHNSON , 3395 S PACIFIC HWY, INDEPENDENCE, OR 97351

Copies sent to:

1. WRD - File # G-15938
2. WRD - Water Availability: Ken Stahr

IR, Map, and Fact Sheet Copies sent to:

3. WRD -Regional Manager: NWR

Copies Mailed By: <u>TCB</u> (SUPPORT STAFF) on: <u>6/20/03</u> (DATE)
--

Note to Support: staple Division 33 Review Forms to front of copy packet for the following:
1) Watermaster 2) ODFW 3) DEQ (if indicated below)

Mail Copies of IR, Map, Fact Sheet to the following:

4. WRD - Watermaster # 16 + **Watermaster Form**
5. ODFW District Biologist: Gary Galovich + **ODFW Form 2 (L. Col./Statewide)**
6. DEQ: John Blanchard + **DEQ Form**

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

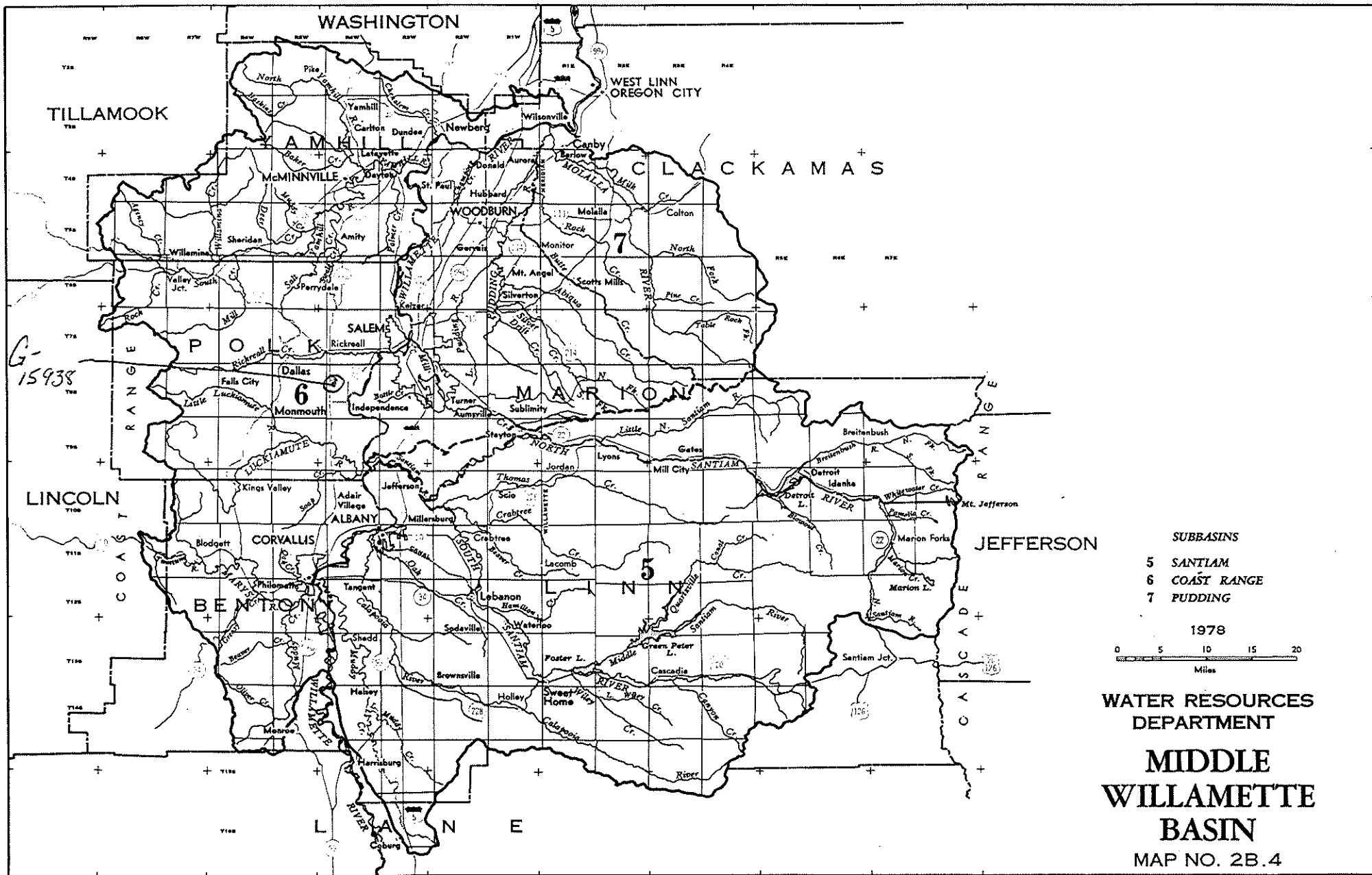
7. _____

COPYSHIR

ID# JWG

REMINDER: Copy all IR's for uses in the geographic Umatilla Basin to Confederated Tribes of the Umatilla Indian Reservation, PO Box 638, 73239 Confederated Way, Pendleton, OR 97801.

REMINDER: Copy all IR's for uses in the Klamath Basin to DEQ and ODFW contacts, regardless of whether they are subject to Division 33. (If they are not subject to Division 33, do not include Division 33 forms.)



G-15938

- SUBBASINS
- 5 SANTIAM
 - 6 COAST RANGE
 - 7 PUDDING

1978

0 5 10 15 20
Miles

WATER RESOURCES
DEPARTMENT

**MIDDLE
WILLAMETTE
BASIN**

MAP NO. 2B.4

This map has been prepared by WRD to assist you in the review of this application. The dot in the center of the bullseye is a close approximation of the proposed diversion.

**Water Right Conditions
Tracking Slip**

Groundwater/Hydrology Section

FILE # G-15938

ROUTED TO: WR'S

TOWNSHIP/

RANGE-SECTION: 8S/4W-18

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Donna Miller

TO: Water Rights Section May 27, 200 3
 FROM: Ground Water/Hydrology Section Don Miller
 SUBJECT: Application G- 15938 Reviewer's Name
 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: Clay + Phonda Johnson, Donald + Sharon Roberts

A1. Applicant(s) seek(s) 0.891 cfs from 1 well(s) in the Willamette R Basin,
Ash Creek subbasin Quad Map: Rickreall

A2. Proposed use: Irrigation, etc Seasonality: 6/ - 10/31

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

Well	Logid	Proposed Aquifer*	Proposed Rate(cfs)	Location (T/R-S QQ-Q)	Location, metes and bounds, example: 2250' N, 1200' E fr NW cor S 36
1	to be built	Older Alluvium	0.891	8S/4W-18 SW NW	1230'E + 2335'S fr NW cor S18
2	↓	↓		8S/4W-18 NW NW	910'E + 1023'S fr NW cor S18
3					
4					
5					

* Alluvium, CRB, Bedrock

Well	Well Elev ft msl	First Water ft bls	SWL ft bls	SWL Date	Well Depth (ft)	Seal Interval	Casing Intervals	Liner Intervals	Perforations Or Screens	Well Yield	Draw Down	Test Type
1	190	95	90	-	110	20	6-100	-	70-100			
2	197	95	90	-	110	↓	↓	-	↓			

Use data from application for proposed wells.

A4. Comments: Applicants will build only one well but seek's authorization for 2 sites

I estimate SWL's at about 10' bgl

The applicant is not likely to get the requested rate from one or even two wells based on neighboring well results.

→ Based on SW considerations, I think that they should develop site # 2

A5. Provisions of the Willamette 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: Well #1 (only) is 1/4 mile from surface water in an unconfined aquifer

A6. Well(s) # _____, _____, _____, _____, _____, tap(s) an aquifer limited by an administrative restriction.

Name of administrative area: _____

Comments: _____

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
1	Older Alluvium	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	" "	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Basis for aquifer confinement evaluation: well logs revealing shallow WBZ's and SWZ's.

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 1/4 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.

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
1	1	Middle Fk Ash CK	185	180	900	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	1	↓	185	185	1700	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Basis for aquifer hydraulic connection evaluation: Professional Judgment, logs OWRD GW Rpt # 28

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. If Q is not distributed by well, use full rate for each well. If modeled, include description and model parameters in Comments (C3b). Any checked box indicates the well is assumed to have the potential to cause substantial interference with surface water.

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?
1	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	—	—	<input type="checkbox"/>	—	<input type="checkbox"/>	< 1%	<input checked="" type="checkbox"/>
2	1	<input type="checkbox"/>	<input type="checkbox"/>	—	—	<input type="checkbox"/>	—	<input type="checkbox"/>	< 1%	<input checked="" type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

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

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

Comments: Stream Depletion Model using T = 1500 gpd/ft
S = 0.2

C4a. 690-09-040 (5): Estimated impacts on surface water sources as percent or qualitative fraction* of proposed pumping rate. Limit evaluation to one year of pumping.

Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	1	VL				L						I	H
2	1	VL										L	I

*VL = Very Low (<5%), L = Low (5-25%), I = Intermediate (25-75%), H = High (>75%).

Basis for impact evaluation: Stream Depletion Model

C4b. 690-09-040 (5): Evaluation of paragraphs under subsection 5. A determination of Low denotes no connection or a very indirect connection between surface water and ground water; High denotes hydraulic connection that would likely reduce surface water availability in the first year of pumping. Do not equate "Low" and "High" between C4a and C4b.

- (a) The potential to reduce surface water availability in North Fork Ash Creek is Low or High
- The potential to reduce surface water availability in _____ is Low or High
- The potential to reduce surface water availability in _____ is Low or High
- The potential to reduce surface water availability in _____ is Low or High

Basis: Professional Judgment
GW Rpt #28, logs, USGS PP 1424-A + -B

(b) The potential to impair or detrimentally affect the public interest is to be determined by the Water Rights Section.

C4b. 690-09-040 (5):. Evaluation of paragraphs under subsection 5 continued.

(c) The percentage of appropriation in the first year of use that will be at the expense of surface water 20+%

Basis: _____

(d) The timing of interference will be immediate (within one year), or delayed;

Basis: Both apply since there will be lingering effects

(e) The potential for cumulative adverse impacts: A graphical distribution of POAs and summary of permitted rights
 are or are not available at this time of review.

Impacted stream	Impacted basin or sub-basin	Existing Ground Water Rights (cfs)

Comments: _____

- 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:
- i. The permit should contain condition #(s) _____;
 - ii. The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. The permit should be conditioned as indicated in item 6 below;

C6. If the well is not reconstructed, it will interfere with surface water. Well reconstruction, as follows, will adequately protect surface water from interference. If the ground water use under this permit is found to have the potential for substantial interference with surface water, I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Ground Water Section.:

The well should be reconstructed as follows: _____

C7. SW / GW Remarks _____

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.

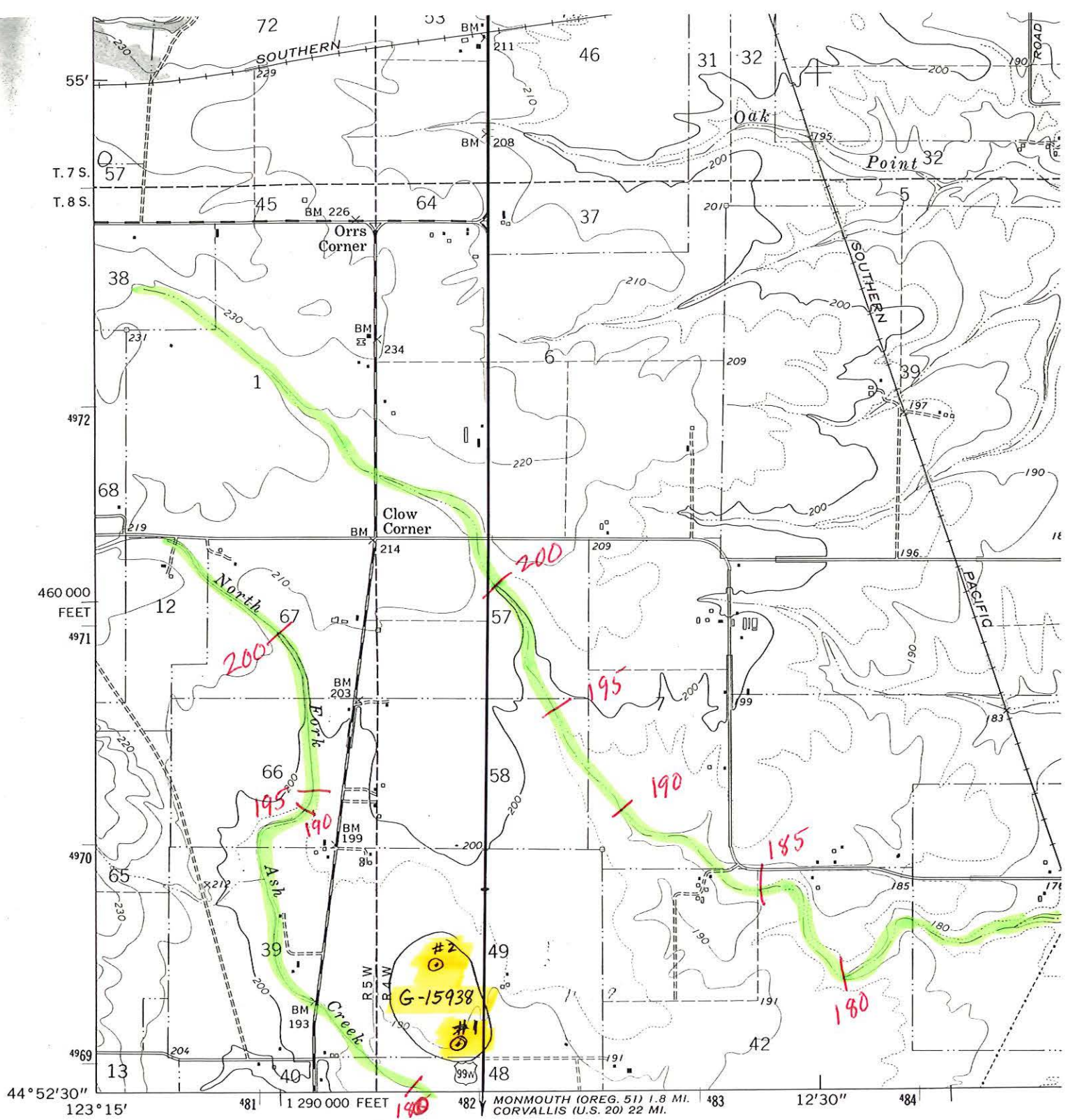
D6. **Route to the Enforcement Section.** I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Enforcement Section and the Ground Water Section.

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).**



Mapped, edited, and published by the Geological Survey

Control by USGS, NOS/NOAA, and State of Oregon

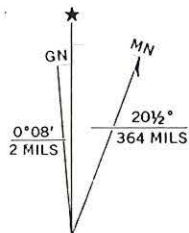
Topography by photogrammetric methods from aerial photographs taken 1967. Field checked 1969

Polyconic projection. 1927 North American datum
 10,000-foot grid based on Oregon coordinate system, north zone
 1000-meter Universal Transverse Mercator grid ticks, zone 10, shown in blue

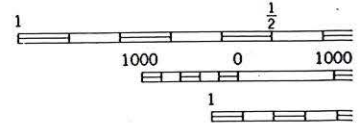
Fine red dashed lines indicate selected fence lines

Revisions shown in purple compiled from aerial photographs taken 1976. This information is unchecked

(AIRLIE NORTH)
 1273 N 5E



UTM GRID AND 1976 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET



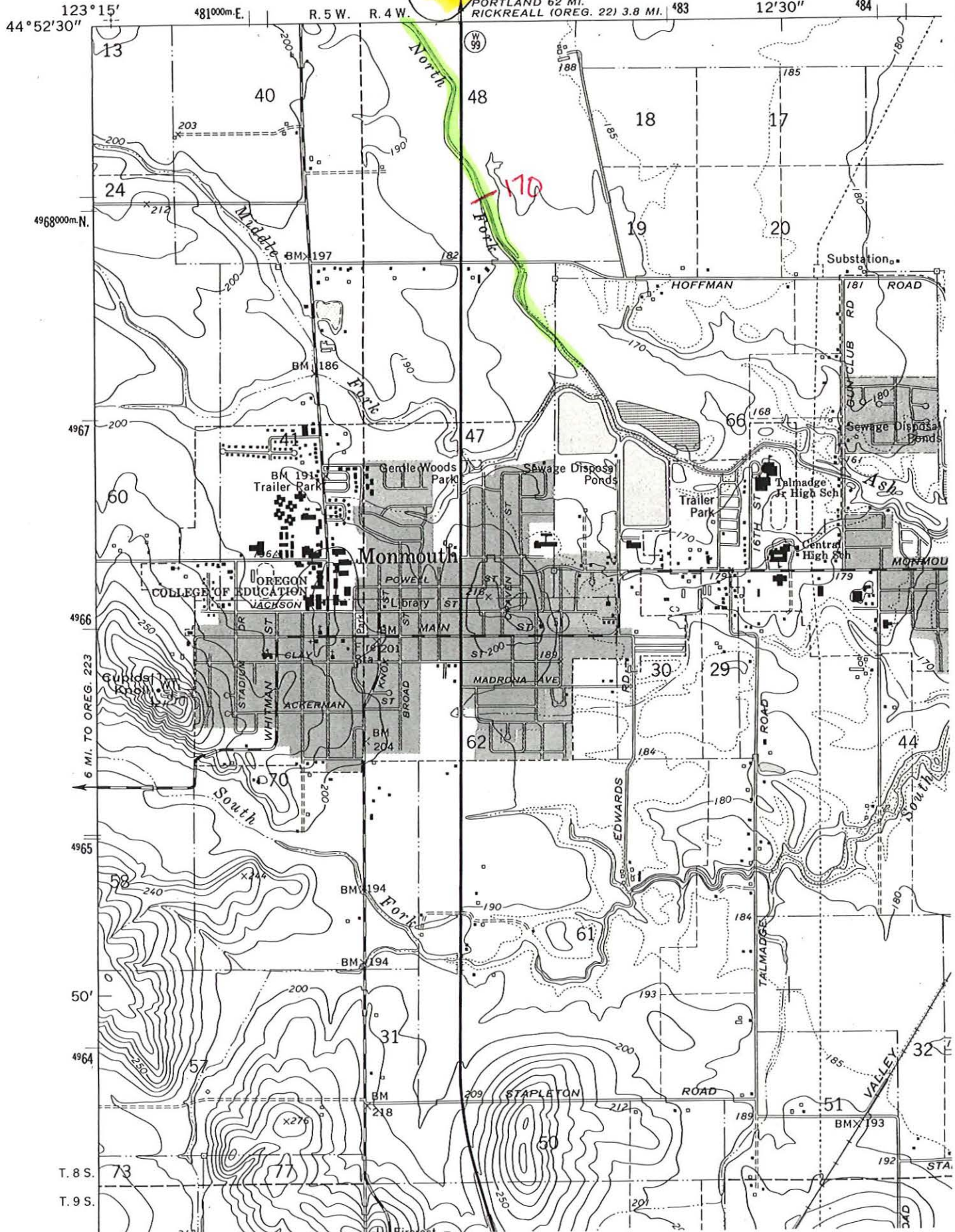
DOTTEI NATION

THIS MAP COMF
 FOR SALE BY U. S. GEOLOGICAL
 A FOLDER DESCRIBING T

133 N. NE (DALLAS)

UNITED STATES DEPARTMENT OF THE INTERIOR GEOLOGICAL SURVEY

#2
G-15938
#1



WELL LOGS WITHIN 1 MILE OF APPLICATION G 15938

ABANDON: 15
 RECONDITIONED: 5
 REPAIRED: 2
 CONVERSION: 0
 DEEPENINGS: 6
 NEW CONSTRUCT: 114

COMMUNITY USE: 1
 DOMESTIC USE: 119
 INDUSTRIAL USE: 2
 INJECTION USE: 0
 IRRIGATION USE: 12
 THERMAL USE: 0
 LIVESTOCK USE: 0

PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 15938

\$RECNO	APPLICATION	PERMIT	CLAIM	LOC-QQ	USE_CODE
1	G 13298	G 11942		0 8.00S 5.00W 1SWSW	IR
2	G 13534	G 12273		0 8.00S 4.00W 7NESE	IR
3	G 13534	G 12273		0 8.00S 4.00W 7SESE	IR
4				8.00S 4.00W18SWNW	
5	G 10255	G 9392		0 8.00S 4.00W18NWSE	IR
5	G 12561	G 11423		0 8.00S 4.00W18NWSE	IR
5	G 12561	G 11423		0 8.00S 4.00W18NWSE	IR
5	G 583	G 480		0 8.00S 4.00W18NWSE	IR
6	0	0 GR	3548	8.00S 4.00W21SWNW	IR
7	G 1213	G 963		0 8.00S 4.00W21NWSW	IM

CONDITIONED WELLS WITHIN 5 MILES OF APPLICATION G 15938

\$RECNO	APPLICATION	PERMIT	LOC-QQ	CONDITION-CODE
1	G 12736	G 12134	8.00S 4.00W21NWSE	4FG
1	G 12736	G 12134	8.00S 4.00W21NWSE	4FR
2	GR 3183	GR 3141	8.00S 4.00W28NESW	
2	GR 3184	GR 3142	8.00S 4.00W28NESW	
2	GR 3185	GR 3143	8.00S 4.00W28NESW	

APPLICATION G 15938 FALLS WITHIN THESE QUAD(S)

RICKREALL

The following OWRD Groundwater Management Areas are within the map extent:

\$RECNO	NAME1	NAME2	SUB-AREA	STATUS
1	EOLA HILLS			LIMI
2	SOUTH SALEM HILLS			LIMI

16

RECEIVED

85/4W-1866

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

NOV - 4 1991

(START CARD) # 29823

POIR
375

(1) OWNER:

Name Wallaumette Polban (Miles Inc./Haber-Shier)
Address P.O. Box 447
City Monmouth State Oregon Zip 97361

Well Number: WATER WELL (8) LOCATION OF WELL by legal description:

County Polk Latitude _____ Longitude _____
Township 8 North Range 4 East, WM.
Section 18 NW 1/4 NW 1/4
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 3395 S. Pacific Hwy Independence, Ore 97351

(2) TYPE OF WORK:

New Well Deepen Recondition Abandon

(3) DRILL METHOD

Rotary Air Rotary Mud Cable
 Other _____

(4) PROPOSED USE:

Domestic Community Industrial Irrigation
 Thermal Injection Other _____

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes No Depth of Completed Well 95 ft.
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
<u>12"</u>	<u>0</u>	<u>18</u>	<u>benotrite</u>	<u>0</u>	<u>18</u>	<u>10</u>
<u>8"</u>	<u>18</u>	<u>95</u>				

How was seal placed: Method A B C D E

Other ponned clay

Backfill placed from _____ ft. to _____ ft. Material _____

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

(6) CASING/LINER:

Casing:	Diameter	From	To	Gauge	Steel		Plastic		Welded		Threaded	
					✓							
	<u>8"</u>	<u>+1</u>	<u>92'</u>	<u>.250</u>								
Liner:												

Final location of sheets: _____

(7) PERFORATIONS/SCREENS:

Perforations Method milk knife
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Telo/pipe size	Casing	Liner
<u>63</u>	<u>78</u>	<u>25"</u>	<u>60</u>	<u>1/4"</u>	<u>8"</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
<u>36 gpm</u>	<u>60'</u>		<u>2 hr</u>

Temperature of water 52° 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: _____

(10) STATIC WATER LEVEL:

30 ft. below land surface. Date 10/26/91
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

From	To	Estimated Flow Rate	SWL
<u>57'</u>	<u>90</u>	<u>36 gpm</u>	<u>30'</u>

(12) WELL LOG:

Material	From	To	SWL
<u>Topsoil</u>	<u>0</u>	<u>1.5</u>	---
<u>brown clay</u>	<u>1.5</u>	<u>18.5</u>	---
<u>Gray clay w/ medium gravel</u>	<u>18.5</u>	<u>31</u>	---
<u>Sandy blue clay</u>	<u>31</u>	<u>34</u>	---
<u>Cement gravel in gray clay</u>	<u>34</u>	<u>45</u>	---
<u>Gray clay</u>	<u>45</u>	<u>57</u>	---
<u>blue gray clay w/ fine gravel</u>	<u>57</u>	<u>90</u>	<u>30</u>
<u>+ fine sand</u>			
<u>sandy blue gray clay</u>	<u>90</u>	<u>95</u>	<u>30</u>

Date started 10/18/91 Completed 10/26/91

(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 well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed Dickerson Well Drilling, Inc. WWC Number _____ Date _____

(bonded) Water Well Constructor Certification:

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

Signed William A. Blair WWC Number 1511 Date 10/26/91

STATE OF OREGON
Water Supply Well Report

(as required by ORS 537.765)

REVISED POLK 51601
 POLK 51601
 Amended *

Received Date:

Well ID Tag # *62073*

Start Card # 153116

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

(1) Owner Well Number: _____
 Name: **PREMIER BOTANICALS**
 Street: **PO BOX 1116**
 City: **ALBANY** State: **OR** Zip Code: **97321**

(2) Type of Work
 New Alter (Recondition) Alter (Repair)
 Deepening Abandonment

(3) Drill Method
 Rotary Air Rotary Mud Cable Auger
 Other: _____

(4) Proposed Use
 Domestic Community Industrial Irrigation Injection
 Livestock Thermal Other: _____

(5) Bore Hole Construction
 Special Standards: Depth of completed well: 100.00 ft.
 Explosives Used: Amount: _____ Type: _____

Diameter	Hole		Mtrl	Seal		Sacks/lbs
	From	To		From	To	
10.00	0.00	20.00	CE	0.00	20.00	7
6.00	20.00	100.00				

How was seal placed? C Other: _____
 Back fill placed from: _____ Material: _____
 Filter pack from: _____ Size: _____

(6) Casing / Liner

Csng/ Liner	Diameter	From	To	Gauge	Mtrl	Weld	Thrd	Shoe at used	Shoe
C	6.00	2.00	-100.00	.250	S	X		104	In

(7) Perforation / Screens

Perforations:

Mtrl	From	To	Width	Height	#Slots	Dia.	tpSize	Csng/ Lnr	Method
S	-70.00	-97.00	1.00		300	0.13		C	HOLTE

Screens:

Mtrl	From	To	S Size	#Slots	Dia.	tpSize	Type	Gauge

(8) Well Tests (Minimum testing time is one hour)

Type	Yield	Units	Drawdown	Stem at	Duration
A	15.00	G	74.00	100.00	1.00

Temperature of Water: 52 F
 Was water analysis done? Depth of artesian flow: _____
 by whom? _____
 Did any strata contain water unsuitable for use? Too Little Salty
 Muddy Odor Colored other: _____
 Depth of strata: _____

(9) Location of Hole by legal description
 County: **POLK** Latitude: _____ Longitude: _____
 Township: **8.00 S** Range: **4.00 W**
 Section: **18 NWNW** Lot: _____ Block: _____
 Tax Lot: **502 302** Subdivision: _____
 Street Address of Well (or nearest address):
5395 S. HWY 99 S, INDEPENDENCE
 MAP, with location identified, must be attached.

(10) Static Water Level
 Feet below land surface: **23.0** Date: **10 / 28 / 2002**
 Artesian Pressure: _____ Date: _____

(11) Water Bearing Zones

Depth at which water was first found: 65.00 ft.

From	To	est Flow	swl
65.00	97.00	15.00	23

(12) Well Log Ground Elevation: _____

Material	From	To	swl
TOPSOIL	0.00	1.00	
BROWN CLAY	1.00	15.00	
GRAY CLAY	15.00	20.00	
BLUE SANDY CLAY	20.00	45.00	
BLUE CLAY WITH GRAVEL	45.00	50.00	
BLUE CLAY	50.00	53.00	
GRAVEL WITH GRAY CLAY	53.00	65.00	23
GRAY CLAY	65.00	68.00	23
GRAVEL WITH GRAY CLAY	68.00	100.00	23

RECEIVED

DEC 19 2002

WATER RESOURCES DEPT.
 SALEM, OREGON

RECEIVED

APR 03 2003

WATER RESOURCES DEPT.
 SALEM, OREGON

Date Started: 10 / 28 / 2002 Date Completed: 10 / 28 / 2002

(unbonded) Water Well Constructor Certification:
 I certify that the work I perform on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to the best knowledge and belief.
 Signed by: **DOUGLAS TUCKER** WWC #: 1776

(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 well construction standards. This report is true to the best of my knowledge and belief.
 Signed by: **CASEY JONES JR** WWC #: 1541
CASEY JONES WELL DRILLING Phone: 541-747-2806

ORIGINAL
File Original and
Duplicate with the
STATE ENGINEER,
SALEM, OREGON

WATER WELL REPORT

State Well No. 6/4W-70

RECEIVED

STATE OF OREGON (6583)

State Permit No. G-480

(1) OWNER:

Name CLYDE W. DODGE
Address RT. 1, BOX 25, ENGINEER
INDEPENDENCE, OREGON

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No If yes, by whom? STETTLER
Yield: 140 gal./min. with 6 ft. drawdown after 2 hrs.

(2) LOCATION OF WELL:

County POLK Owner's number, if any—
NW 1/4 SE 1/4 Section 18 T. 8 S R. 4 W W.M.
Bearing and distance from section or subdivision corner
208 FT. N AND 115 FT. W
FROM THE SW CORNER OF
WILLIAMS DLC #42

Ballor test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m. Date

Temperature of water 50 Was a chemical analysis made? Yes No

(12) WELL LOG:

Diameter of well 10 inches.
Depth drilled 60 ft. Depth of completed well 60 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
<u>LOAM</u>	<u>SURFACE</u>	<u>3 FT</u>
<u>YELLOW CLAY</u>	<u>3 FT</u>	<u>21 FT</u>
<u>GRAVEL</u>	<u>21 FT</u>	<u>37 FT</u>
<u>BLUE SHALE</u>	<u>37 FT</u>	<u>60 FT</u>

(3) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
If 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
10" Diam. from SURFACE ft. to 33 ft. Gage 1/4"

(7) PERFORATIONS:

Perforated? Yes No
Type of perforator used ACETYLENE
SIZE of perforations 1/4 in. by 16 in.
3 1/2 perforations from 33 ft. to 23 ft.
POP 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 _____
Type _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(9) CONSTRUCTION:

Is well gravel packed? Yes No Size of gravel: NO. 2
Gravel placed from SURFACE ft. to 33 ft.
Was a surface seal provided? Yes No To what depth? _____ ft.
Material used in seal—
Did any strata contain unusable water? Yes No
Type of water? _____ Depth of strata _____
Method of sealing strata off _____

(10) WATER LEVELS:

Static level 21 ft. below land surface Date 3/25/57
Artesian pressure _____ lbs. per square inch Date _____

Log Accepted by: Clyde Dodge
[Signed] _____ Date APRIL 11, 1957
(Owner)

Work started MARCH 22, 1957 Completed APRIL 2, 1957

(13) PUMP: NOT YET PURCHASED

Manufacturer's Name _____
Type: _____ H.P. _____

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 ART CLINTON
(Person, firm, or corporation) (Type or print)
Address INDEPENDENCE
Driller's well number Rt. 1, Box 2
[Signed] Art Clinton
(Well Driller)
License No. 14 Date April 11

STATE ENGINEER
Salem, Oregon

OBSERVATION WELL

Polk
3229
Well Record

STATE WELL NO. 8/5W-13H(1)
COUNTY Polk
APPLICATION NO. GR-635

OWNER: ~~Milo & Ida B. Jensen~~
STEVE GRASSER

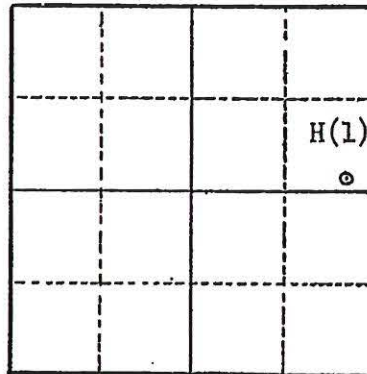
MAILING ADDRESS: Rt. -1 Box 343-A

LOCATION OF WELL: Owner's No. 1

CITY AND STATE: Independence, Oregon

SE 1/4 NE 1/4 Sec. 13 T. 8 S., R. 5 W., W.M.

Bearing and distance from section or subdivision corner 450' W. & 200' N. from E 1/4 cor. of sec. 13



Altitude at well 192'

TYPE OF WELL: Drilled Date Constructed July 1951

Depth drilled 98' Depth cased

Section 13

CASING RECORD:
8 inch

FINISH:

AQUIFERS:

WATER LEVEL:

5 feet

PUMPING EQUIPMENT: Type Jacuzzi H.P. 1 1/2
Capacity 40 G.P.M.

WELL TESTS:

Drawdown 82 ft. after hours 40 G.P.M.

Drawdown ft. after hours G.P.M.

USE OF WATER Irrigation (5 acres) Temp. °F. 19

SOURCE OF INFORMATION GR- 600

DRILLER or DIGGER Marion West, Salem

ADDITIONAL DATA:

Log NA Water Level Measurements Chemical Analysis Aquifer Test

REMARKS:



Oregon Water Resources Department Land Use Information Form

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

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: Clay + Rhonda Johnson & Donald + Sharon Roberts

Address: 3395 S. Pacific Hwy

City: Independence State: OR Zip: 97351 Day Phone: 503-838-2620

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

8-4-18

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
<u>202</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used

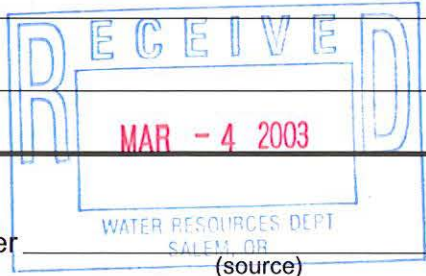
List counties and cities where water is proposed to be diverted, conveyed, or used. Polk County & Independence Oregon

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): Irrigation / Multi Purpose

Briefly describe: Irrigation of farm crops



D. Source

Indicate the source for the proposed water use:

Reservoir/Pond Ground Water Surface Water

E. Quantity

Indicate the estimated quantity of water the use will require:

50 CFS GPM Acre-Feet

app # G-15938

For Local Government Use Only

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

A. Allowed Use

Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); PCZO 136.030(A)(10) Go to section B "Approval" below
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

B. Approval

Please provide printed name and written signature.

Name: Jim Allen Date: 3-4-03
 Title: Planning Director Phone: 503 623 9237
 Signature: Jim Allen

C. Additional Comments

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet.

A portion of the property is located in the floodplain. Any development in the floodplain is subject to PCZO 178 (buildings, mining, dredging, filling, grading, paving, excavating, or drilling, etc.). The proposed project is diagrammed as out of floodplain.

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

158 12TH ST. N.E.
SALEM, OR 97301-4172
378-8455 / 378-8130 (FAX)

RECEIPT # **58577**

INVOICE # _____

RECEIVED FROM: Clay Johnson

APPLICATION	<u>See</u>
PERMIT	<u>below</u>
TRANSFER	

BY: _____

CASH: CHECK # 5488 OTHER: (IDENTIFY)

TOTAL REC'D \$ 675.00

0401 TREASURY 0417 WRD MISC CASH ACCT

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

0427 WRD OPERATING ACCT

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

*R 85485 100.00
G 15938 400.00 Exam
175.00 Rec*

WATER RIGHTS:		EXAM FEE	RECORD FEE
0201	SURFACE WATER	\$ <u>100.00</u>	0202 \$
0203	GROUND WATER	\$ <u>400.00</u>	0204 \$ <u>175.00</u>
0205	TRANSFER	\$	
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	\$	0219 \$
	LANDOWNER'S PERMIT		0220 \$
	OTHER (IDENTIFY)		

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FWWRD)	\$
0231	HYDRO LICENSE FEE (FWWRD)	\$
	HYDRO APPLICATION	\$

**RECEIVED
OVER THE COUNTER**

TREASURY OTHER / RDX

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

RECEIPT: **58577** DATED: 3/4/03 BY: K. J. Hall

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

WATERMASTER DIVISION 33 APPLICATION WORK SHEET

#16

Recommendations for Water Right Applications that may affect the Habitat of Sensitive, Threatened or Endangered Fish Species, OAR 690-33-310 through 340.

Date: June 20, 2003 30 day Deadline Date: July 21, 2003 Application #G-15938

Applicant's Name: CLAY AND RHONDA JOHNSON
SOURCE OF WATER: GROUNDWATER SURFACE WATER STORAGE

DESCRIPTION OF THE SOURCE: OPTION 1 WELL
(A spring, well, sump, exempt pond, unnamed stream, etc.)

1) If from surface water, does the water at the proposed diversion location flow above ground in a defined channel into another water body?

YES NO SOMETIMES N/A
If sometimes, describe the time period, Between: _____ and _____.

2) Does the source ever go dry in the area of the proposed diversion?

YES NO, not to my knowledge

3) To your knowledge, has the requested source of water been regulated because of insufficient flow to satisfy existing water rights including instream water rights?

YES NO
If YES, please explain: _____

4) Do you agree with the water availability recommended period of use?

YES NO I DON'T KNOW, why is Option 2 well W/A limited to June 1 - Oct 31?
If NO, why do you disagree with the recommended period of use and what period do you recommend? _____

5) Did you meet with staff from another agency to discuss this application?

YES NO
Who: _____ Agency: _____ Date: _____

6) Is mitigation an option? *(always an option)*

YES NO
If YES, please explain: Option Well 1 may be able to be constructed not to impact North Fork Fish Creek.

Comments: _____

Name: Bill Fisher Date: 10.29.2003 Title: WA #16

WRD Contact: Caseworker: J. Jimmy, Water Rights Division
503-378-8455 ext: 458 / Fax: 503-378-6203 / e-mail: _____@wrd.or.state.us

MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND AG
(Developed 6/27/97 - revised 2/13/03)

- fish** The permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screen is to be in place and functional prior to diversion of any water.
- odfw** The permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screens and by-pass devices are to be in place, functional and approved by an ODFW representative prior to diversion of any water.
- B54b** The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The permittee may submit evidence that the Oregon Department of Fish and Wildlife (ODFW) has determined screens and/or fishways are not necessary. The required screens and fishways are to be in place, functional, and approved by ODFW before diversion of any water.
- b54c** The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish. The applicant is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, Portland, Oregon, before beginning construction of any in-channel obstruction.
- b54m** The permittee may be required in the future to install, maintain, and operate fish screening devices to prevent fish from entering the proposed diversion.
- b52** Water may be diverted only when Department of Environmental Quality sediment standards are being met.
- b5** The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.
- b51a** The period of use has been limited to _____ through _____.
- b57** Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645.
- b58** Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed. A written waiver may be obtained from the local Watermaster if in his judgement the installation of the weir(s) will provide no public benefit.
- no id yet** (futile call) The use of water allowed herein may be made only at times when waters from the (SPRING OR WHATEVER) would not otherwise flow into a tributary of the (WHATEVER) River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.
- 4a** This use of water shall be limited when it reduces the flow of water in (NAME OF STREAM).(name of stream).
- pispc** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area.
- The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.
- The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The permittee may submit evidence that the Oregon Department of Fish and Wildlife (ODFW) has determined screens and/or fishways are not necessary. The required screens and fishways are to be in place, functional, and approved by ODFW before diversion of any water.
- no id yet** The stream and its adjacent riparian area shall be fenced to exclude livestock.
- blv** Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.

RECORDED IN POLK COUNTY
LINDA DAWSON, COUNTY CLERK

2002-018082



\$36.00

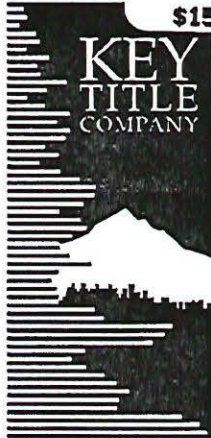
00062987200200180820030037

11/29/2002 01:45:36 PM

REC-WD Cnt=1 Stn=1 V. UNGER
\$15.00 \$10.00 \$11.00

After Recording Return To:

Donald D. Roberts
Sharon K. Roberts
P.O. Box 1116
Albany OR 97321



Title Order No. 16-25767
Escrow No. 18-18918

Send Tax Statements To:

Donald D. Roberts
Sharon K. Roberts
P.O. Box 1116
Albany OR 97321

Tax Account No. 209872; 221214;
414485; 414498

WARRANTY DEED

(ORS 93.850)

Key Title 16-25767

Hollister-Stier Laboratories LLC, a Limited Liability Company, Grantor, conveys and warrants to Donald D. Roberts and Sharon K. Roberts, as tenants by the entirety, as to an undivided 50% interest Clay L. Johnson and Rhonda K. Johnson, as tenants by the entirety, as to an undivided 50% interest, all as tenants in common, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

See Exhibit 'A' attached hereto and by reference made a part hereof.

THIS INSTRUMENT WILL 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.

The true consideration for this conveyance is \$200,000.00

Dated this 27 day of November, 2002.

Hollister-Stier Laboratories LLC

By: Anthony D. Bonanzino
Anthony D. Bonanzino, President
P.O. Box 3145
Spokane WA 99220-3145
Phone: (509) 489-5656

State of WA, County of SPOKANE)ss.

This instrument was acknowledged before me on November 27, 2002 by Anthony D. Bonanzino, as President, of Hollister-Stier Laboratories, LLC.

Catherine A Funk
Notary Public

My commission expires: 8/13/05

EXHIBIT 'A'Legal Description:

All of that property described in Book 115, Page 166, Deed Records for Polk County, Oregon, lying West of State Highway 99W, more particularly described as follows: Beginning at a stone on the Range line between Section 18, Township 8 South, Range 4 West and Section 13, Township 8 South, Range 5 West, and on the South line of the Melvin D. Sturgis Donation Land Claim No. 49, in Township 8 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; and running thence North 0° 12' 32" East along said Range line 3147.07 feet to an iron rod on the North line of said Sturgis Donation Land Claim; thence South 89° 16' 57" East along the North line of said Sturgis Donation Land Claim 1594.11 feet to an iron rod on the Westerly right of way line of State Highway 99W; thence South 0° 41' 24" West along said right of way line 3130.61 feet to an iron rod on the South line of said Sturgis Donation Land Claim; thence North 89° 52' 47" West 1567.76 feet to the place of beginning.

Subject to:

The assessment and tax rolls disclose that the premises herein described have been specifically assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for previous years in which the farm use assessment was in effect for the land and in addition thereof a penalty may be levied if notice of disqualification is not timely given.

The rights of the public in and to that portion of the premises herein described lying within the limits of public roads, streets and highways.

An Easement created by instrument, including the terms and provisions thereof,

For: roadway
Recorded: January 15, 1944
Reel: 115 Page: 147 and recorded May 3, 1951, Book 144, page 275

in Polk County, Oregon.

Affects: the North 20 feet of Parcel 1

Limited access provisions contained in Deed to the State of Oregon, by and through its State Highway Commission, which provides that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property,

Recorded: November 7, 1953
Book: 152 Page: 275

in Polk County, Oregon.

Affects: Parcels 1 and 2

Limited access provisions contained in Deed to the State of Oregon, by and through its State Highway Commission, which provides that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property,

Recorded: August 25, 1953
Book: 151 Page: 488, modified by instrument recorded October 14, 1975, Book 78, Page 455

in Polk County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,

In favor of: Pacific Power and Light Company, a corporation
For: Utilities
Dated: November 29, 1973
Recorded: June 16, 1974
Book: 53 Page: 461

in Polk County, Oregon.

Affects: Parcel 2

2/3

An Easement created by instrument, including the terms and provisions thereof,
In favor of: Pacific Power & Light Company, a corporation
For: utilities
Dated: September 28, 1977
Recorded: October 20, 1977
Book: 112 Page: 2835
in Polk County, Oregon.
Affects: Parcel 2

An Easement created by instrument, including the terms and provisions thereof,
In favor of: PacifiCorp
For: electrical transmission & distribution
Dated: January 16, 1996
Recorded: February 22, 1996
Book: 313 Page: 1076
in Polk County, Oregon.
Affects: Parcels 1 and 2

Encroachment of fence, power poles and overhead lines onto said premises on the as disclosed
by survey by Baker & Associates dated October 12, 1998 Job No. 980541, which
enchroachments are disclosed of record b instrument,

Recorded: June 28, 1999
Book: 381 Page: 1376

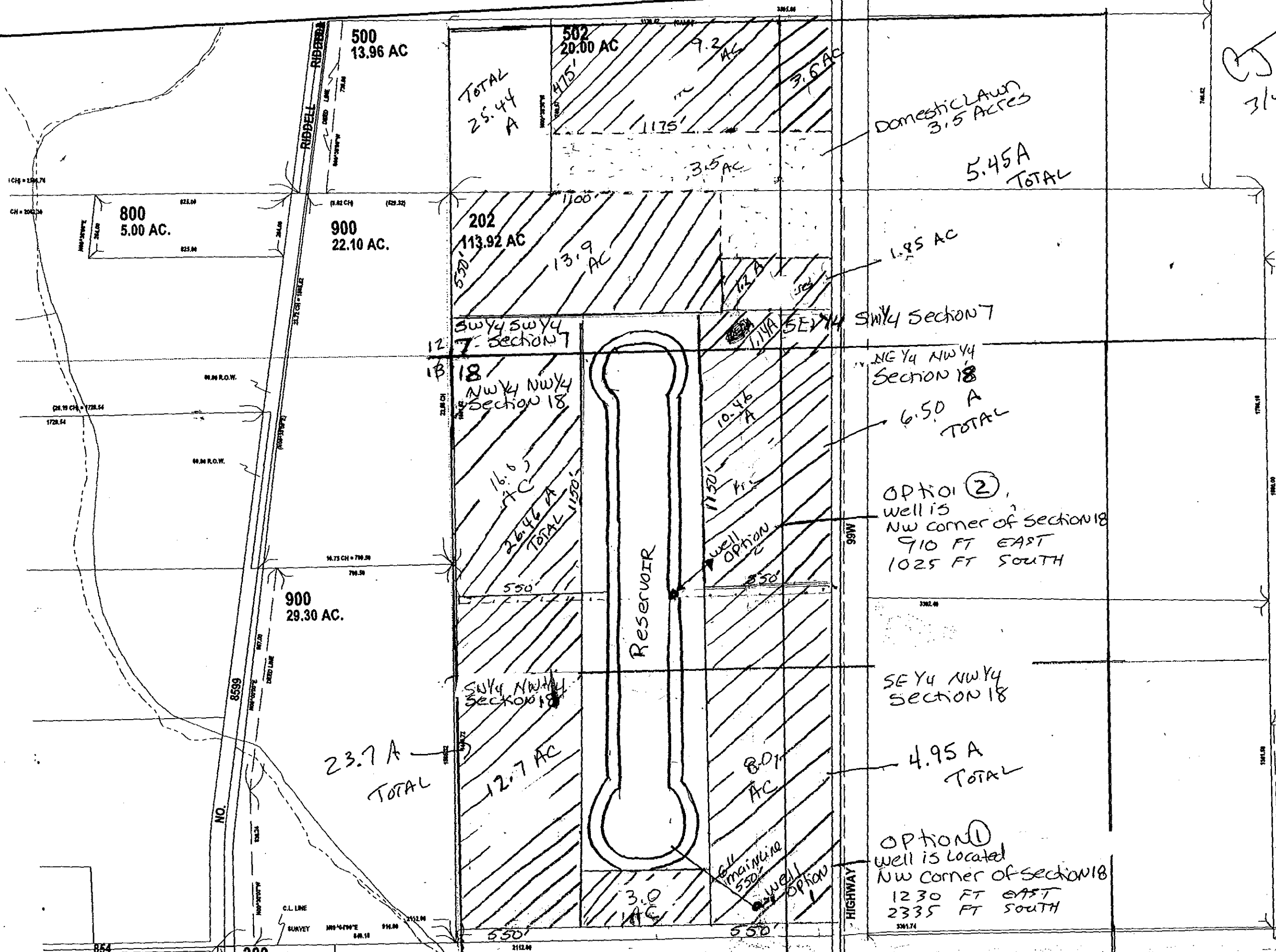
Polk County Records

Any adverse claims or boundary disputes which may arise as a result of the use of a vague and
ambiguous description in the instruments which make up the chain of title upon which the rights
of the vestee herein are based. The description set forth in this title report/policy is taken from
said instruments, and no better description appears of record.

Affects: Parcel 2

- LandMarks
- 1
- 2
- Roads
- OTHER
- CO-GRAVL
- STATEHWY
- CO-PAVED
- Section
- 1
- 5
- Taxlot
- Taxlot
- Taxlot Arrows
- Taxlot Boundary
- TaxMap
- TaxMap Line
- 22
- 24
- 26
- 32
- 33
- 34
- 8
- TaxMap Sub Line
- TaxMapAr
- Water

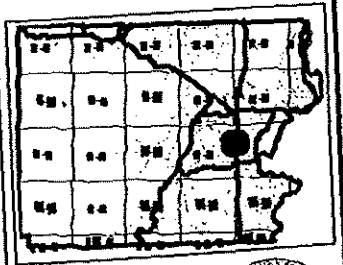
CS
3/4/03



SW 1/4 Section of Section 7
T.8.S. R.4.W.
Polk County,
Oregon

NW 1/4 Section of Section 18
T.8.S R.4.W.
Polk County
Oregon

Clays Rhonda
Johnson



This map was produced using the Polk County GIS data. The GIS data is the property of Polk County, Oregon. The

