

ASSIGNED

FILE#: G 13676

HYNES FARMS
5820 80TH AVE NE
SALEM, OR 97305

Application No. G13676

Permit No. G13186

Certificate No. _____

Stream Index, Page No. 2

See G-13675

Well 2 = MARK 3465
Well 1 = MARK 3448

FEES PAID

Date	Amount	Receipt No.
4-26-97	200.-	111486
5-1-97	248. ⁰⁰	11920
2-19-19	100. ⁰⁰	129157
9-23-19	\$100.00	130901
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

Date filed _____

Priority _____

Action suspended until COI / PD

Return to applicant _____

Date of approval 7/28/97

CONSTRUCTION

Date for beginning 7/28/97

Date for completion _____

Extended to _____

Date for application of water 10/1/01

Extended to _____

PROSECUTION OF WORK

Form "A" filed _____

Form "B" filed _____

Form "C" filed _____

FINAL PROOF

Blank mailed _____

Proof received _____

Date certificate issued _____

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
2/26/2019	Sinn Farms, Inc. c/o Tom Sinn	9510 Saratoga Dr. NE. Silverton, OR. 97381		
9/27/2019	Hynes Farm c/o Joseph Hynes	5820 80th Ave NE., Salem, OR. 97305		

REMARKS

No Pump test as of 9/18/08

G-13186

Mr. Kent Hynes called
and is currently signing
the letter and will mail
within 1 week from today
Please hold off 1 week.

10-24-96 Gary A.

BJORK Mary F * WRD

From: CRAFTON Eliot * WRD
Sent: Thursday, February 12, 2026 9:25 AM
To: IVERSON Justin T * WRD
Cc: BJORK Mary F * WRD
Subject: RE: Permit G-13186 compliance letter

Thanks, Justin. Yes, WRs will communicate with Doann regarding the partial cancellation question. I will keep you posted so that you are able to respond in the future about the water level reporting questions.

Thanks,
Eliot

Eliot Crafton

Water Rights Section Manager
Oregon Water Resources Department
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 971-493-8610 (work cell)
eliot.crafton@water.oregon.gov

From: IVERSON Justin T * WRD <Justin.T.IVERSON@water.oregon.gov>
Sent: Wednesday, February 11, 2026 7:12 AM
To: CRAFTON Eliot * WRD <Eliot.CRAFTON@water.oregon.gov>
Cc: BJORK Mary F * WRD <Mary.F.BJORK@water.oregon.gov>
Subject: FW: Permit G-13186 compliance letter

Hi Eliot,
Please see attached. And would it be appropriate for me to pass this on to you and Mary to work out with Doann at this point?
If so, please let me know the outcome so we can address the permit condition w/ requirement accordingly.
Thanks for your continued input on this one,

Justin Iverson, RG

GROUNDWATER SECTION MANAGER
Oregon Water Resources Department
Cell: 503-302-9728
Justin.T.Iverson@water.oregon.gov
Pronouns: He/Him

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

From: Doann Hamilton <phgdmh@gmail.com>
Sent: Wednesday, February 11, 2026 6:28 AM
To: IVERSON Justin T * WRD <Justin.T.IVERSON@water.oregon.gov>; BJORK Mary F * WRD <Mary.F.BJORK@water.oregon.gov>; Darwin Sinn <darwin@sinnfarms.com>; DAY Edward Matt * WRD <Edward.Matt.DAY@water.oregon.gov>
Subject: Fwd: Permit G-13186 compliance letter

I forgot to attach the IR

Doann

----- Forwarded message -----

From: **Doann Hamilton** <phgdmh@gmail.com>

Date: Wed, Feb 11, 2026 at 6:26 AM

Subject: Re: Permit G-13186 compliance letter

To: IVERSON Justin T * WRD <Justin.T.IVERSON@water.oregon.gov>

Cc: BJORK Mary F * WRD <Mary.F.BJORK@water.oregon.gov>, Darwin Sinn <darwin@sinnfarms.com>,
DAY Edward Matt * WRD <Edward.Matt.DAY@water.oregon.gov>

Hi Justin

I do not understand when you say a part cancelation of a permit is not allowed
I will attach the Initial review for Application G-18845 issued August 14, 2020

Requesting the applicant submit a part cancelation before the application could proceed

"Please complete and return the enclosed form for cancelling a portion of Permit G-13176.Please note that the Department will process the cancellation only if a permit is approved for this application. Please submit this information no later than Thursday, September 17, 2020"

I will forward you a PDF of that email train of the forms being received and being process

Please advise
Doann

On Tue, Feb 10, 2026 at 4:57 PM IVERSON Justin T * WRD <Justin.T.IVERSON@water.oregon.gov> wrote:

Hi Doann,

In looking at Permit: G 13186 * it appears that while there's been an assignment of portions of the POU to Sinn Farms and Hynes Farm, the two PODs are still associated with the full POU as split between the two parties. The file also does not have a record of a partial cancelation, nor is it my understanding that the Department is able to partially cancel a permit (only certificates can be partially canceled, as I understand it). And while a COBU was submitted in 2003, we're awaiting a pump test submittal before we're able to process the COBU to get this right to a certificate.

So, with respect to static water level measurement, the two co-owners of the permit are required to submit a SWL for both wells.

And with respect to next steps with Sinn Farm's ownership stake, my understanding is that maybe Sinn Farms can submit another assignment that removes them entirely from the permit (assuming that's the desire/goal). If that's something you'd like to pursue I'd recommend first talking with Mary Bjork, copied here, to ensure I've

communicated the correct thing, and if so, to discuss any details of what that assignment should include to achieve the goal you're shooting for.

Regards,

Justin Iverson, RG

GROUNDWATER SECTION MANAGER

Oregon Water Resources Department

Cell: 503-302-9728

Justin.T.Iverson@water.oregon.gov

Pronouns: He/Him

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

From: Doann Hamilton <phgdmh@gmail.com>
Sent: Friday, February 6, 2026 10:58 AM
To: IVERSON Justin T * WRD <Justin.T.IVERSON@water.oregon.gov>
Cc: Darwin Sinn <darwin@sinnfarms.com>; DAY Edward Matt * WRD <Edward.Matt.DAY@water.oregon.gov>
Subject: Re: Permit G-13186 compliance letter

Hi Justin

Thank you for the update

Doann

On Fri, Feb 6, 2026 at 10:57 AM IVERSON Justin T * WRD <Justin.T.IVERSON@water.oregon.gov> wrote:

Hi Doann,

Confirming I received your email and am researching the partial cancelation you indicate below. I'll plan to have an answer or update to you next week.

Regards,

Justin Iverson, RG

GROUNDWATER SECTION MANAGER

Oregon Water Resources Department

Cell: 503-302-9728

Justin.T.Iverson@water.oregon.gov

Pronouns: He/Him

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

From: Doann Hamilton <phgdmh@gmail.com>

Sent: Tuesday, February 3, 2026 6:58 AM

To: DAY Edward Matt * WRD <Edward.Matt.DAY@water.oregon.gov>

Cc: Darwin Sinn <darwin@sinnfarms.com>; IVERSON Justin T * WRD <Justin.T.IVERSON@water.oregon.gov>

Subject: Re: Permit G-13186 compliance letter

Hi Justin and Matt

Checking back with you

March is coming

and my client needs to know

if he has to schedule a water level reading

on a water right he has cancelled his portion

- and therefore should be removing his responsibility

Thank you

Doann

On Thu, Jan 22, 2026 at 11:08 AM Doann Hamilton <phgdmh@gmail.com> wrote:

Hi Justin and Matt

Yes I understand my client received a letter dated 11-4-25 from Matt Day

Not sure about the November 17 you are referring to

- do not have any information on that

I replied to Matt Day on November 22nd

Maybe I needed to cc Justin Iverson

So I will restate the issue here for

our client

Sinn Farm

Application G-13676, Permit G-13186

They did a part assignment to 29.54 acres of this water right to Sinn Farms

Then they did a part cancellation of the 29.54 acres

So I do believe their obligation to the water right does not affect Sinn Farms

I am checking back to see if the part cancellation

removes our client from this enforcement?

Thank you

Doann

On Thu, Jan 22, 2026 at 10:53 AM DAY Edward Matt * WRD <Edward.Matt.DAY@water.oregon.gov> wrote:

Doann,

Justin Iverson, the OWRD Groundwater Section Manager, responded to you on 11/17/2025.

“Good morning, Doann.

Failure to use water within the conditions of a water right, including all static water level (SWL) measurement and reporting requirements, may lead to enforcement. There are several levels of enforcement, which could culminate in cancelation of a permit, but that would not be the first step the department takes.

We have sent out Notices of Violation (NOV) to water right holders that did not collect a SWL from at least one of their authorized POAs in 2025. The NOV identifies that compliance must be met within the next SWL measurement window identified within the permit, in 2026. This initial NOV is therefore essentially a warning letter that continued non-compliance will result in additional enforcement actions.

Regarding the situation you raise below regarding a water right with multiple POAs where one or more does not have access to collect a SWL, I'd reiterate that every water right holder should be in compliance with all terms

of their right, including access to collect a water level measurement, and would encourage them to work diligently to establish access. We plan for our annual reminder letters to identify if a water right holder has not been fully compliant with their SWL conditions in the past and encourage them to report for all POAs in 2026. The department's goal is to reach 100% compliance with SWL conditions in the coming years, and that may include sending NOVs in future years for the situation you described below."

If you have additional inquiry please feel free to reach out to Justin for clarification.

Thank you

From: Doann Hamilton <phgdmh@gmail.com>

Sent: Thursday, January 22, 2026 10:26 AM

To: DAY Edward Matt * WRD <Edward.Matt.DAY@water.oregon.gov>; Darwin Sinn <darwin@sinnfarms.com>

Subject: Re: Permit G-13186 compliance letter

You don't often get email from phgdmh@gmail.com. [Learn why this is important](#)

Hi Matt

Reaching back out to you

Was our explanation sufficient to resolve this compliance letter
and remove our client Sinn Farm from the issue?

Thank you

Doann

On Sat, Nov 22, 2025 at 7:34 AM Doann Hamilton <phgdmh@gmail.com> wrote:

Hi Matt

our client

Sinn Farm

Application G-13676, Permit G-13186

They did a part assignment to 29.54 acres of this water right to Sinn Farms

Then they did a part cancellation of the 29.54 acres

So I do believe their obligation to the water right affect Sinn Farms

Please confirm

Thank you

Doann

--

CwM-H2O LLC.

311 B Ave. Suite P.

Lake Oswego, OR 97219

(503) 349-6946

email: dhamilton@CwMH2O.com

--

Doann Hamilton

(503) 349-6946

email: phgdmh@gmail.com

Will McGill Surveying LLC

[McGill Water Rights | CWRE in Oregon](#)



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Doann Hamilton

(503) 349-6946

email: phgdmh@gmail.com

Will McGill Surveying LLC

[McGill Water Rights | CWRE in Oregon](#)



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Doann Hamilton

(503) 349-6946

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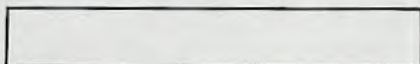
Doann Hamilton

(503) 349-6946

email: phgdmh@gmail.com

Will McGill Surveying LLC

[McGill Water Rights | CWRE in Oregon](#)



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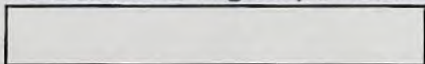
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Will McGill Surveying LLC

[McGill Water Rights | CWRE in Oregon](#)



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Doann Hamilton

(503) 349-6946

email: phgdmh@gmail.com

Will McGill Surveying LLC

McGill Water Rights | CWRE in Oregon





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

September 27, 2019

Sinn Farms Inc.
c/o Tom Sinn
9510 Saratoga Dr NE
Silverton, OR 97381

Reference: Application G-13676, Permit G-13186

The partial assignment from Hynes Farm c/o Joseph Hynes to Sinn Farms Inc. c/o Tom Sinn has been recorded in the records of the Water Resources Department.

The Departments records will now show Hynes Farm c/o Joseph Hynes, and Sinn Farms Inc. c/o Tom Sinn as the permit holders of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 130901 covering the recording fee is also enclosed.

Regarding the previous February 21, 2019 assignment from Hynes Farm c/o Joseph Hynes to Sinn Farms Inc. c/o Tom Sinn, the Department confirmation letter was in error in regards to reflecting the assignment as a full assignment to Sinn Farms c/o Tom Sinn only. The Department confirmation letter should have reflected the assignment as a partial assignment to both Sinn Farms c/o Tom Sinn, and Hynes Farm c/o Joseph Hynes. Both assignments are partial assignments indicating different portions of land to be assigned as requested on the submitted maps.

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.

Sincerely,

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

Enclosure: Original Request, Receipt #130901 and February 21, 2019 Assignment

cc: Hynes Farm c/o Joseph Hynes – 5820 80th Ave NE, Salem, OR 97305
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, Hynes Farm c/o Joseph Hynes
 (Name of Current Holder of Record)
5820 80th Ave NE, Salem, OR 97305
 (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-13676; Permit # G-13186; Transfer # NA;
 Limited License # NA; Groundwater Statement # NA;

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

Sinn Farms Inc. c/o Tom Sinn
 (Name of New Owner)
9510 Saratoga Dr NE, Silverton, OR 97381 (503) 991-6015
 (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 _____.

JH 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 16 day of September, 2019.
 (Day) (Month) (Year)

Signature of Current Holder of Record [Signature]

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

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.
 Fee receipt # 130901
 For Director by Mary F. Bjork, Program Analyst in Water Rights Division. [Signature]

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

RECEIVED

SEP 23 2019^{WR}

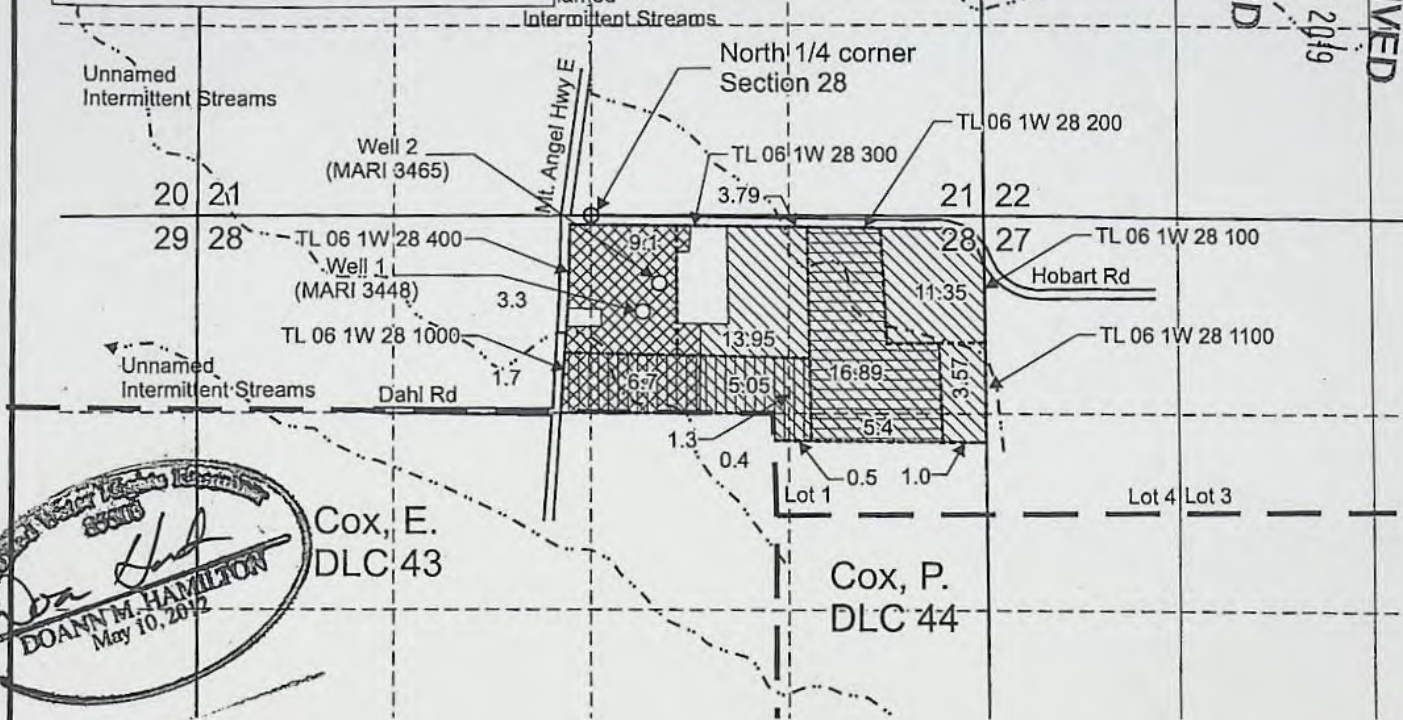
OWRD

part. assist. - approve
 HSB 9-25-19

T.6S. R.1W. Section 28, W.M.

RECEIVED
SEP 23 2019

----- Tax lot boundary
 - - - - - Donation Land Claim boundary



Well 1 (MARI 3448) is located 660 feet south and 350 feet east from the N 1/4 corner, Section 28.

Well 2 (MARI 3465) is located 462 feet south and 462 feet east from the N 1/4 corner, Section 28.

Area (33.66 Acres) of primary irrigation under Application G-13676, Permit G-13186 using Well 1, not affected by this assignment.

Area (7.25 Acres) of primary irrigation under Application G-13676, Permit G-13186 using Well 1, to be assigned to Sinn Farms LLC.

Area (12.4 Acres) of supplemental irrigation under Application G-13676, Permit G-13186 using Well 2, not affected by this assignment.

Area (8.4 Acres) of supplemental irrigation under Application G-13676, Permit G-13186 using Well 2, to be assigned to Sinn Farms LLC.

Area (22.29 Acres) of primary irrigation under Application G-13676, Permit G-13186 using Well 1, previously assigned to Sinn Farms LLC.

Scale: 1" = 1,320'



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



Assignment Map Application G-13676, Permit G-13186

Sinn Farms Inc., c/o Tom Sinn
T.6S. R.1W. Section 28, W.M.

Pacific Hydro-Geology Inc.

07/2019

Data



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

February 21, 2019

Sinn Farms, LLC c/o Tom Sinn
9510 Saratoga Dr. NE
Silverton, Oregon 97381

Reference: Application G-13676, Permit G-13186

The assignment from Hynes Farm – c/o Joseph Hynes to Sinn Farms, LLC c/o Tom Sinn has been recorded in the records of the Water Resources Department.

The Departments records will now show Sinn Farms, LLC c/o Tom Sinn as the permit holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 129157 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.

Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Receipt 129157

cc: Watermaster 16

Hynes Farm – c/o Joseph Hynes, 5820 80th. Ave NE, Salem, Oregon 97305
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, Hynes Farm c/o Joseph Hynes
 (Name of Current Holder of Record)
5820 80th Ave NE, Salem, OR 97305
 (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-13676; Permit # G-13186; Transfer # NA;
 Limited License # NA; Groundwater Statement # NA

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

Sinn Farms LLC c/o Tom Sinn
 (Name of New Owner)
9510 Saratoga Dr NE, Silverton, OR 97381 (503) 991-6015
 (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 y.

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 17 day of Jan, 2019.
 (Day) (Month) (Year)

Signature of Current Holder of Record [Signature]

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

DO NOT WRITE IN THIS BOX

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 # 129157
 For Director by Jerry Sauter, Program Analyst in Water Rights Division
 Last update: September 18, 2017

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

Request for Assignment

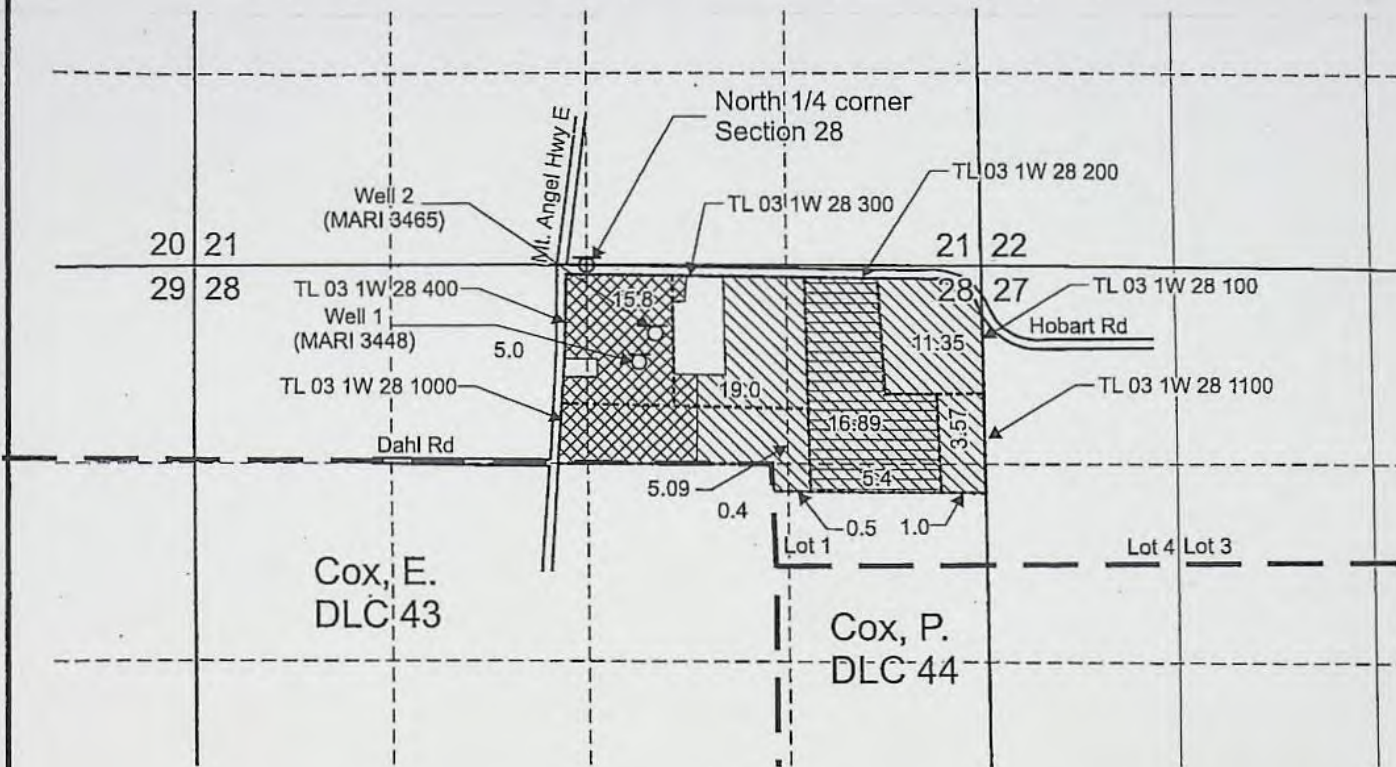
RECEIVED

FEB 19 2019

OWRD


ASSIGNED 2/19/2019


T.3S. R.1W. Section 28, W.M.




Well 1 (MARI 3448) is located 660 feet south and 350 feet east from the N 1/4 corner, Section 28.

Well 2 (MARI 3465) is located 462 feet south and 462 feet east from the N 1/4 corner, Section 28.

 Area (40.3 Acres) of primary irrigation under Application G-13676, Permit G-13186 using Well 1, not affected by this assignment.

 Area (20.8 Acres) of supplemental irrigation under Application G-13676, Permit G-13186 using Well 2, not affected by this assignment.

 Area (22.9 Acres) of primary irrigation under Application G-13676, Permit G-13186 using Well 1 to be assigned to Sinn Farms LLC.

----- Tax lot boundary

— . — Donation Land Claim boundary

..... Water main line

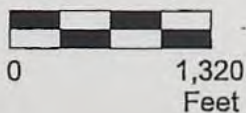
RECEIVED

FEB 19 2019

OWRD



Scale: 1" = 1,320'



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

Assignment Map
Application G-13676, Permit G-13186

Sinn Farms Inc. C/o Tom Sinn
T.3S. R.1W. Section 28, W.M.

Pacific Hydro-Geology Inc.

01/2019

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **130901**

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

INVOICE # _____

RECEIVED FROM: Sinn Farms Inc.
BY: _____

APPLICATION	6-13676
PERMIT	
TRANSFER	

CASH: CHECK: # 1837 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	\$	0202 RECORD FEE
0203 GROUND WATER		\$	0204
0205 TRANSFER		\$	
WELL CONSTRUCTION			
0218 WELL DRILL CONSTRUCTOR	EXAM FEE	\$	0219 LICENSE FEE
LANDOWNER'S PERMIT		\$	0220
0250 OTHER (IDENTIFY) <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		\$

**RECEIVED
OVER THE COUNTER**

RECEIPT: **130901**

DATED: 9-23-19 BY: Bill



RECEIVED

SEP 23 2019

OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Hynes Farm C/O Joseph Hynes
5820 80th Ave NE. Salem, OR 97305

Transaction Type: Assignment

Fees Received: \$ 100.⁰⁰

Cash Check: Check No. 1837

Name(s) on Check: Sinn Farms INC

Address on Check: 9510 Saratoga Dr NE
Silverton, OR 97381

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,
OWRD Customer Service Staff

Submission received by: Cory Middleton
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.



RECEIVED

SEP 23 2019

OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Hynes Farm C/O Joseph Hynes
5820 80th Ave NE. Salem, OR 97305

Transaction Type: Assignment

Fees Received: \$ 100.⁰⁰

Cash Check: Check No. 1837

Name(s) on Check: Sinn Farms INC

Address on Check: 9510 Saratoga Dr NE
Silverton, OR 97381

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: Cory Middleton
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
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Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301
(503) 986-0900
www.wrd.state.or.us

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, Hynes Farm c/o Joseph Hynes
(Name of Current Holder of Record)
5820 80th Ave NE, Salem, OR 97305
(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-13676; Permit # G-13186; Transfer # NA;
Limited License # NA; Groundwater Statement # NA;

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

Sinn Farms Inc. c/o Tom Sinn
(Name of New Owner)
9510 Saratoga Dr NE, Silverton, OR 97381 (503) 991-6015
(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 _____.

JH 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 16 day of September, 2019.
(Day) (Month) (Year)

Signature of Current Holder of Record [Signature]

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

DO NOT WRITE IN THIS BOX

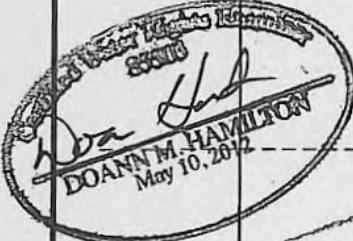
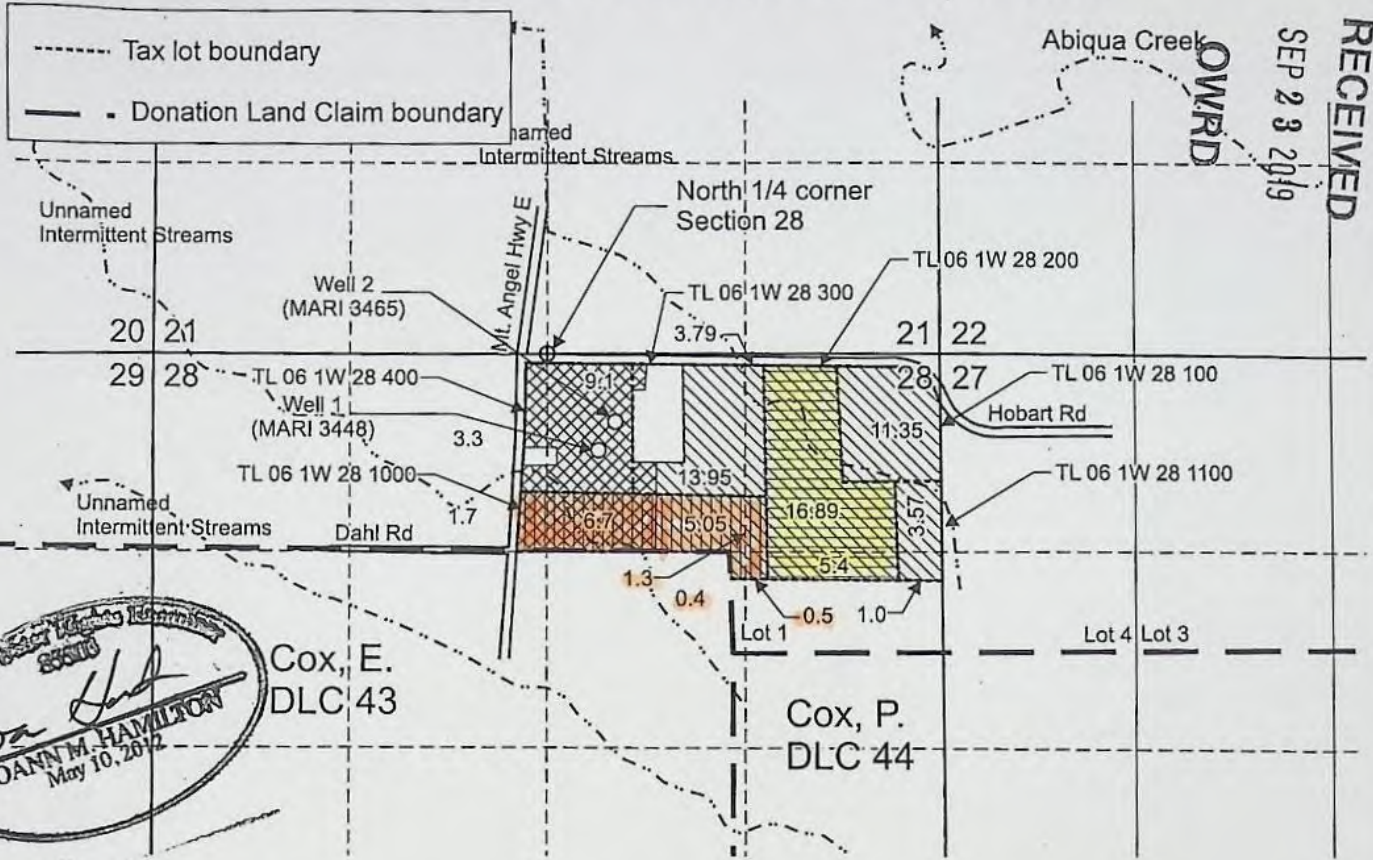


The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$100.

RECEIVED
SEP 23 2019^{WR}
OWRD




T.6S. R.1W. Section 28, W.M.

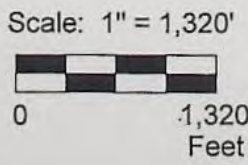
RECEIVED
SEP 23 2019



Well 1 (MARI 3448) is located 660 feet south and 350 feet east from the N 1/4 corner, Section 28.

Well 2 (MARI 3465) is located 462 feet south and 462 feet east from the N 1/4 corner, Section 28.

-  Area (33.66 Acres) of primary irrigation under Application G-13676, Permit G-13186 using Well 1, not affected by this assignment.
-  Area (7.25 Acres) of primary irrigation under Application G-13676, Permit G-13186 using Well 1, to be assigned to Sinn Farms LLC.
-  Area (12.4 Acres) of supplemental irrigation under Application G-13676, Permit G-13186 using Well 2, not affected by this assignment.
-  Area (8.4 Acres) of supplemental irrigation under Application G-13676, Permit G-13186 using Well 2, to be assigned to Sinn Farms LLC.
-  Area (22.29 Acres) of primary irrigation under Application G-13676, Permit G-13186 using Well 1, previously assigned to Sinn Farms LLC.



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



Assignment Map Application G-13676, Permit G-13186

Pacific Hydro-Geology Inc.

Sinn Farms Inc., c/o Tom Sinn
T.6S. R.1W. Section 28, W.M.

07/2019

SinnFarmAssignMap.cdr



Oregon

Kate Brown, Governor

WORK COPY

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

February 21, 2019

Sinn Farms, LLC c/o Tom Sinn
9510 Saratoga Dr. NE
Silverton, Oregon 97381

Reference: Application G-13676, Permit G-13186

The assignment from Hynes Farm – c/o Joseph Hynes to Sinn Farms, LLC c/o Tom Sinn has been recorded in the records of the Water Resources Department.

The Departments records will now show Sinn Farms, LLC c/o Tom Sinn as the permit holder of record. *→ J Hynes!*

Our records have been changed accordingly and the original request is enclosed. Receipt number 129157 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.

Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Receipt 129157

cc: Watermaster 16

Hynes Farm – c/o Joseph Hynes, 5820 80th. Ave NE, Salem, Oregon 97305
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

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(Name of Current Holder of Record)
5820 80th Ave NE, Salem, OR 97305
(Mailing Address) (City) (State) (Zip) (Phone #)

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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 17 day of Jan, 2014.
(Day) (Month) (Year)

Signature of Current Holder of Record [Signature]

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DO NOT WRITE IN THIS BOX

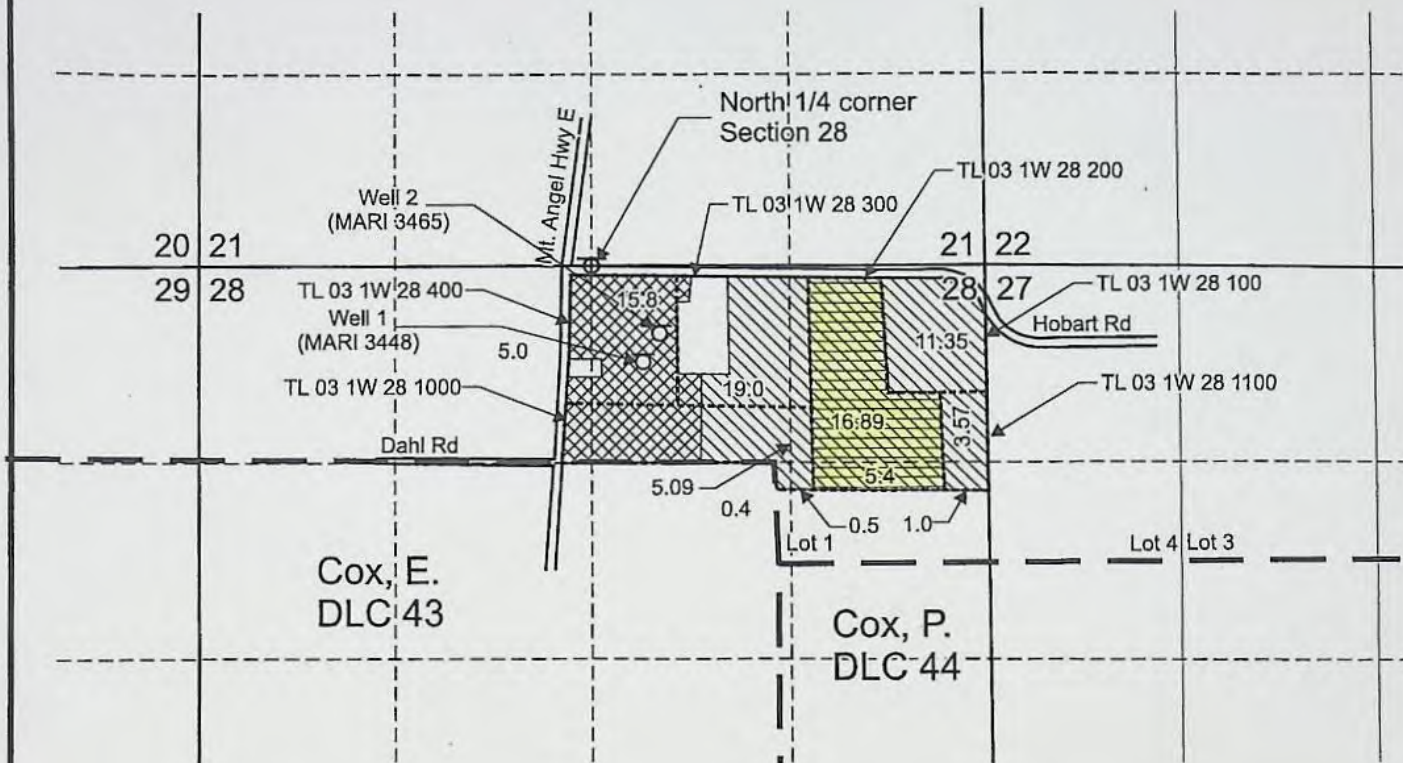
This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.
Fee receipt # 129157
For Director by Jerry Sauter, Program Analyst in Water Rights Division
Last updated: September 18, 2017

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

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FEB 19 2019
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
A.S. 1/24/14
JKS
2/10/2019


T.3S. R.1W. Section 28, W.M.




Well 1 (MARI 3448) is located 660 feet south and 350 feet east from the N 1/4 corner, Section 28.

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 Area (40.3 Acres) of primary irrigation under Application G-13676, Permit G-13186 using Well 1, not affected by this assignment.

 Area (20.8 Acres) of supplemental irrigation under Application G-13676, Permit G-13186 using Well 2, not affected by this assignment.

 Area (22.9 Acres) of primary irrigation under Application G-13676, Permit G-13186 using Well 1 to be assigned to Sinn Farms LLC.

- Tax lot boundary
- • — Donation Land Claim boundary
- Water main line

RECEIVED

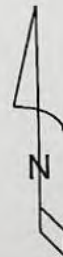
FEB 19 2019

OWRD

Scale: 1" = 1,320'



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



Assignment Map
Application G-13676, Permit G-13186

Sinn Farms Inc. C/o Tom Sinn
T.3S. R.1W. Section 28, W.M.

Pacific Hydro-Geology Inc.

01/2019

OREGON SECRETARY OF STATE
► Corporation Division

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referral list business registry/renewal forms/fees notary public

uniform commercial code uniform commercial code search documents & data services

Business Name Search

[New Search](#) [Printer Friendly](#)

Business Entity Data

09-27-2019
12:19

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
804240-97	ABN	ACT		10-04-2011	10-04-2021	
Entity Name HYNES FARM						
Foreign Name						
Affidavit? N						

[New Search](#) [Printer Friendly](#)

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS			
Addr 1	5820 80TH AVE				
Addr 2					
CSZ	SALEM	OR	97305	Country	UNITED STATES OF AMERICA

The Authorized Representative address is the mailing address for this business.

Type	REP	AUTHORIZED REPRESENTATIVE	Start Date	10-04-2011	Resign Date
Name	JOSEPH	THOMAS	HYNES		
Addr 1	5820 80TH AVE				
Addr 2					
CSZ	SALEM	OR	97305	Country	UNITED STATES OF AMERICA



Type	REG	REGISTRANT			
Name	JOSEPH	THOMAS	HYNES		
Addr 1	5820 80TH AVE				
Addr 2					
CSZ	SALEM	OR	97305	Country	UNITED STATES OF AMERICA

[New Search](#) [Printer Friendly](#) **Name History**

Business Entity Name	Name	Name	Start Date	End Date
	Type	Status		
HYNES FARM	EN	CUR	10-04-2011	

Please read before ordering Copies.

[New Search](#) [Printer Friendly](#) **Summary History**

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	RENEWAL PAYMENT	09-19-2019		SYS		
	RENEWAL PAYMENT	09-01-2017		SYS		
	REACTIVATION	03-01-2016		FI		
	FAILURE TO RENEW	10-05-2013		SYS		
	APPLICATION FOR REGISTRATION	10-04-2011		FI	Representative	

[New Search](#) [Printer Friendly](#) **Counties**

Counties Filed

Marion

Counties Not Filed (but not necessarily available)

Baker, Benton, Clackamas, Clatsop, Columbia, Coos, Crook, Curry, Deschutes, Douglas, Gilliam, Grant, Harney, Hood River, Jackson, Jefferson, Josephine, Klamath, Lake, Lane, Lincoln, Linn, Malheur, Morrow, Multnomah, Polk, Sherman, Tillamook, Umatilla, Union, Wallowa, Wasco, Washington, Wheeler, Yamhill

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For comments or suggestions regarding the operation of this site, please contact : corporation.division@state.or.us

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**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **129157**

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

INVOICE # _____

RECEIVED FROM: Sinn farms Inc.
BY: _____

APPLICATION	G-13676
PERMIT	
TRANSFER	

CASH: CHECK:# 1581 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 4611

0407 COPY & TAPE FEES \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) Assignment \$ 100.00

TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____

0210 MONITORING WELLS \$ _____ CARD # _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD) \$ _____

0231 HYDRO LICENSE FEE (FWWRD) \$ _____

HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

**RECEIVED
OVER THE COUNTER**

RECEIPT: **129157** DATED: 2/19/2019 BY: Y. Miller



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

February 21, 2019

Sinn Farms, LLC c/o Tom Sinn
9510 Saratoga Dr. NE
Silverton, Oregon 97381

Reference: Application G-13676, Permit G-13186

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Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Receipt 129157

cc: Watermaster 16

Hynes Farm – c/o Joseph Hynes, 5820 80th. Ave NE, Salem, Oregon 97305

Data Center, OWRD (cover letter & request)

File





Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301
 (503) 986-0900
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Request for Assignment

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Application # G-13676 ; Permit # G-13186 ; Transfer # NA ;
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 (Day) (Month) (Year)

Signature of Current Holder of Record [Signature]

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 Fee receipt # 129157
 For Director by Jerry Sauter, Program Analyst in Water Rights Division
 Last updated: September 18, 2017

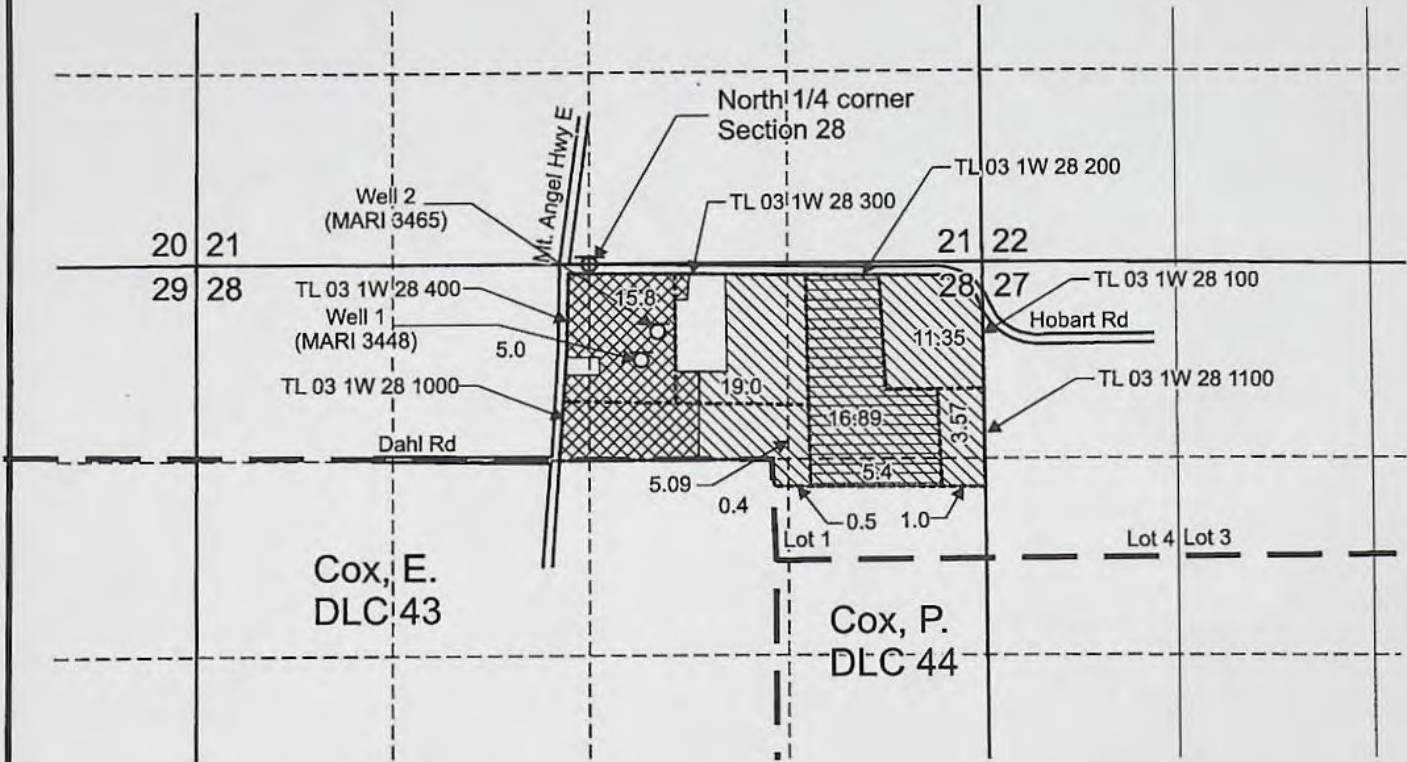
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Request for Assignment

RECEIVED
 FEB 19 2017
 OWRD


AS-164
 JLS
 2/10/2017


T.3S. R.1W. Section 28, W.M.




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— . — Donation Land Claim boundary

..... Water main line

Scale: 1" = 1,320'



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FEB 19 2019

OWRD



Assignment Map
Application G-13676, Permit G-13186

Sinn Farms Inc. C/o Tom Sinn
T.3S. R.1W. Section 28, W.M.

Pacific Hydro-Geology Inc.

01/2019



Oregon

Kate Brown, Governor

Water Resources Department

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File





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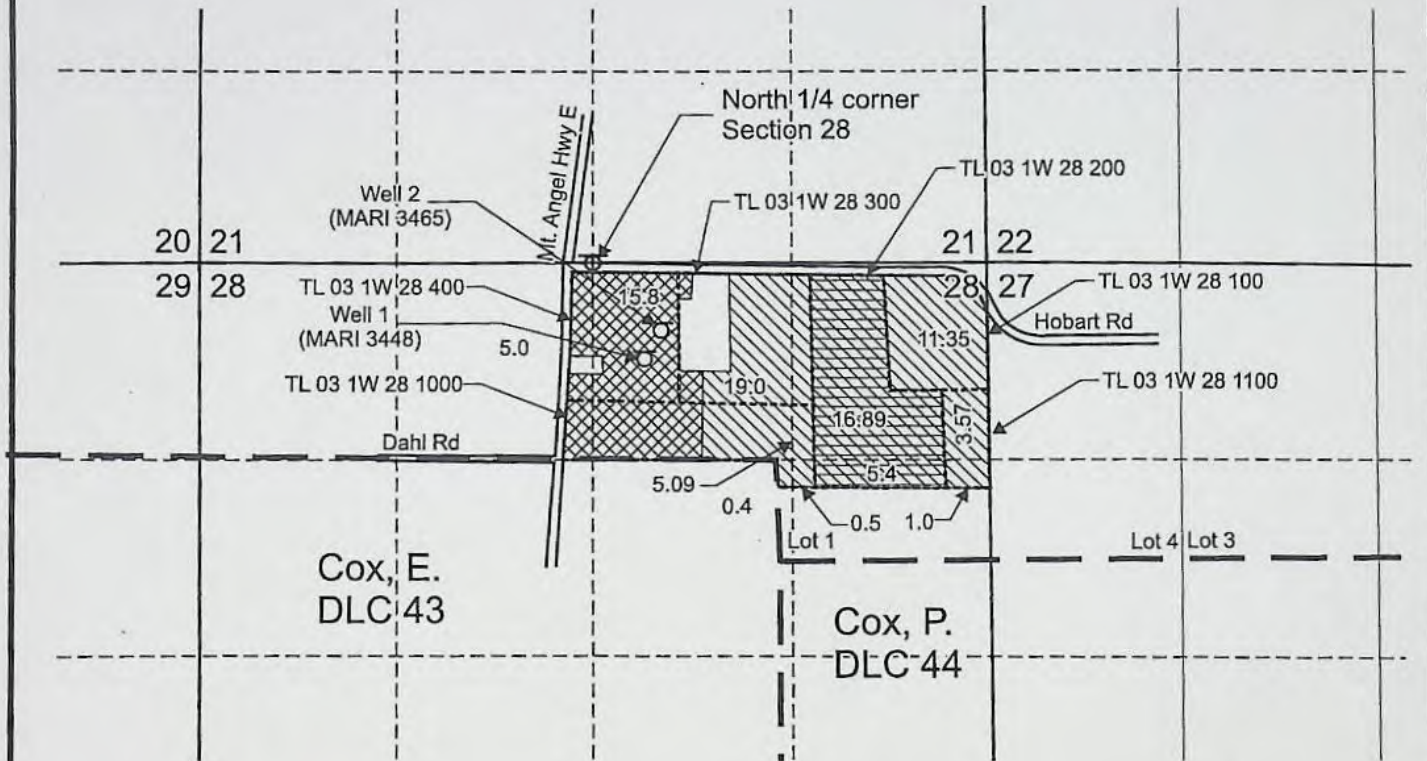
RECEIVED

FEB 19 2014

OWRD


AS:164 JF 2/10/2014


T.3S. R.1W. Section 28, W.M.




Well 1 (MARI 3448) is located 660 feet south and 350 feet east from the N 1/4 corner, Section 28.

Well 2 (MARI 3465) is located 462 feet south and 462 feet east from the N 1/4 corner, Section 28.

 Area (40.3 Acres) of primary irrigation under Application G-13676, Permit G-13186 using Well 1, not affected by this assignment.

 Area (20.8 Acres) of supplemental irrigation under Application G-13676, Permit G-13186 using Well 2, not affected by this assignment.

 Area (22.9 Acres) of primary irrigation under Application G-13676, Permit G-13186 using Well 1 to be assigned to Sinn Farms LLC.

----- Tax lot boundary

— . — Donation Land Claim boundary

..... Water main line

RECEIVED

FEB 19 2019

OWRD

Scale: 1" = 1,320'



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



Assignment Map
Application G-13676, Permit G-13186

Sinn Farms Inc. C/o Tom Sinn
T.3S. R.1W. Section 28, W.M.

Pacific Hydro-Geology Inc.

01/2019

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HYNES FARMS
5820 80TH AVE NE
SALEM, OREGON 97305

(503) 362-8125

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

APPLICATION FILE NUMBER: G-13676

SOURCE OF WATER: TWO WELLS IN PUDDING RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 63.2 ACRES FROM WELL #1 AND SUPPLEMENTAL IRRIGATION OF 20.8 ACRES FROM WELL #2

MAXIMUM RATE: 1.05 CFS, BEING 0.79 CFS FROM WELL #1 AND 0.26 CFS FROM WELL #2

PERIOD OF USE: MARCH 1 THROUGH APRIL 30 FROM WELL #1 AND MARCH 1 THROUGH OCTOBER 31 FOR WELL #2

DATE OF PRIORITY: APRIL 26, 1994

POINT OF DIVERSION LOCATION: NW 1/4 NE 1/4, SECTION 28, T6S, R1W, W.M.; WELL #1 - 660 FEET SOUTH & 350 FEET EAST, WELL #2 - 462 FEET SOUTH & 462 FEET EAST, BOTH FROM N 1/4 CORNER, SECTION 28

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE 1/4 NE 1/4	36.9 ACRES	
NW 1/4 NE 1/4	19.0 ACRES	15.8 ACRES
SW 1/4 NE 1/4	0.4 ACRES	
SE 1/4 NE 1/4	6.9 ACRES	
NE 1/4 NW 1/4		5.0 ACRES

SECTION 28

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

Measurement, recording and reporting conditions:

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

Application G-13676 Water Resources Department

PERMIT G-13186

- 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.

Limited Water Level Decline/Interference Condition

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 3 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.

STANDARD CONDITIONS

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

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

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

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

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

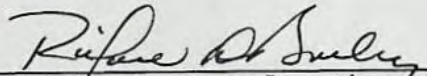
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

Actual construction of the well shall begin within one year from permit issuance. Complete application of water to the use shall be made on or before October 1, 2001.

Issued July 28, 1997

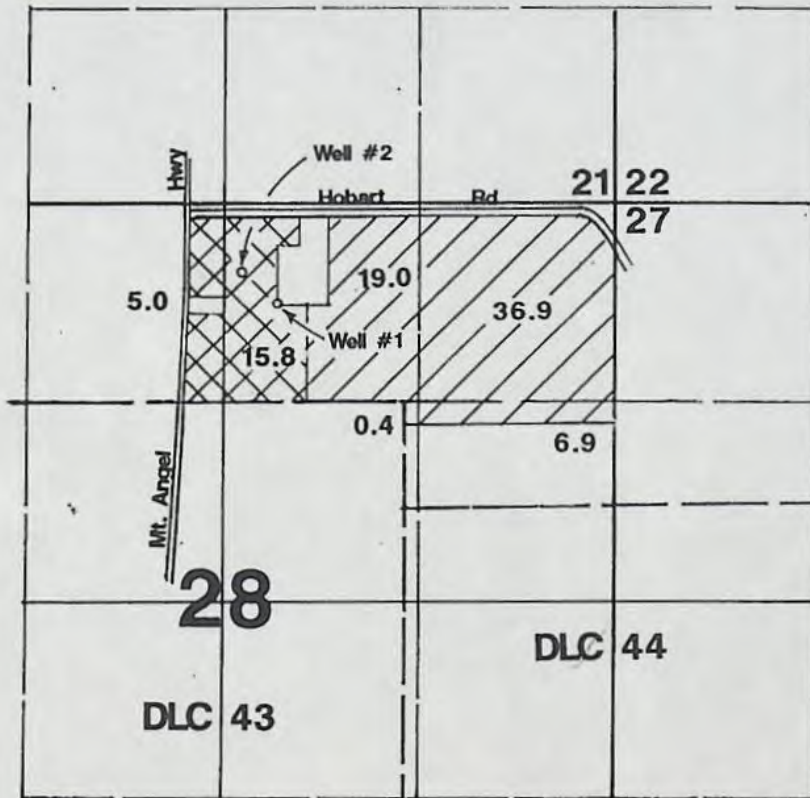

Martha O. Pagel, Director
Water Resources Department

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

RECEIVED

APR 26 1994

WATER RESOURCES DEPT.
MOUNTAIN VIEW, OR



1" = 1320'



Primary-Well #1



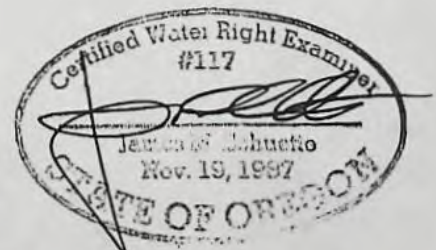
Supplemental-Well #2

Well #1 located 660'S & 350'E from N¹/₄ corner Section 28.
Well #2 located 462'S & 462'E from N¹/₄ corner Section 28.

Application Map

Hynes Farms

Application #: G-13676 Permit #: G13186



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

CLARK Gerald E * WRD

From: CLARK Gerald E * WRD
Sent: Friday, December 21, 2018 4:34 PM
To: 'Greg Kupillas'
Subject: Application G-13676, Permit G-13186 (Hynes Farms)
Attachments: 13676-memo-20181218.pdf

Greg,

I have attached a memo that I have prepared to describe the season of use under this permit.

Happy Holidays!

Gerry Clark

Program Analyst, Certificate Section
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0811

MEMORANDUM

TO: FILE G-13676 *GC*
FROM: GERRY CLARK, CERTIFICATE SECTION
SUBJECT: SCRIVENER'S ERROR IN THE WELL DESIGNATION FOR THE
SEASON OF USE UNDER THE PERMIT
DATE: DECEMBER 12, 2018

A review of the file indicates that MARI 3448, with a completed depth of 523 feet, was intended to be the source of water for irrigation under the permit. The season of use for this well was intended to be the March 1 through October 31 (the full irrigation season), as the well was determined to not have the potential for substantial interference of nearby surface water.

The shallow well, the well under GR Certificate 3403, was intended to be the source for the supplemental irrigation. This well was determined to have the potential for substantial interference of nearby surface water and therefore a limited season of March 1 through April 30.

The intention of the permit was to allow the deep well to be used during the period of March 1 through October 31. With this in mind, the permit should be interpreted as allowing MARI 3448 to be used for irrigation during the period of March 1 through October 31.

This memo has been prepared following a discussion with Dwight French, Administrator of the Water Right Services Division.

The permit contains a scrivener's error in the well names (numbers) associated with the "Season of Use". The permit should read:

Period of use: March 1 through October 31 from Well #1 and March 1 through April 30 for Well #2.

MEMO -Proof to Satisfaction (March 17, 2014)

Application # <u>G-13676</u>	Permit # <u>G-13186</u>	Transfer #
WRD Reviewer <u>C. Holmes</u>	Date <u>10/4/18</u>	
WRD Peer Reviewer	Date	

GR-3729 2 WELLS ; 1.05 cfs
 #1 #2
 3/1 - 4/60 63.2 AC 20.8 AC 3/1 - 10/61
 0.79 cfs 0.26 cfs
 1 RP SUPP RP

Research

- Organize file in chronological order
- Pull CBU Report & Map(s), Application Map, relevant Permit, Certificate, or Transfer Order, most recent Assignments, Extension Orders, SWL Measurements, Fish Screen Certification Documents, Water Use Reports & Pump Tests
- Search for Water Right Location using Interactive Mapper. Identify Tax Lots & check for Area of Interest (AOI)
- Water Organization identified using AOI? No Yes
 If "Yes" cc: _____ & Add to Mailing List
- Print Tax Lot Map from ormap.net for the original Place of Use, and confirm Current Ownership & Address with County Assessor
 If there is a new owner, Add to Mailing List, including the owner(s) name & tax lot number
- Print Platcard & check for Place of Use Conflict? No Yes
 If "Yes", provide copy of certificate & relevant map
- Print BLM Cadastral Survey
- Does Claim Map identify correct DLC, Gov't Lots, QQ's? No Yes
 If "No", either _____ WRD amend map OR _____ prepare Order of Certification

Reviewing Claim

Have conditions on relevant permit, certificate, or transfer order been complied with? Yes, No, OR N/A

COBU 4/2/2003 J. Schuette, CWRE
 TWO WELLS - Well 1 & Well 2

- n/a Fish Conditions
- YES Meter/measuring device - SHALL (dedicated electrical)
- n/a Water Use Reporting - MAY
- NO Pump Test (post December 19, 1988) - SHALL (request)
- n/a Other Conditions _____
- No SWL - 7yr. MAY NO
 C-Date Oct. 1 2001 - Per claim (yes)
Signed July 28, 1997

Run Capacity Calculator and Print Findings (for pump, sprinklers, pipes, ditches, as appropriate)

NOTES:

SWL - MARI 3448
Well log (1978) 6/15/13 - } GW Record match CWRE MAP
MARI 3465
#2 Well log (1949) -

Determination

___ I've determined that the permit/transfer was fully developed as authorized and that a **FINAL** Certificate should be issued.

___ I've determined that the permit/transfer was not fully developed as authorized and that a **PROPOSED** Certificate should be issued. A proposed Certificate should be issued for the following reason(s):

___ I've determined that beneficial use was NOT made within the terms and conditions and that a **Proposed Order of Certification** (denial) should be issued. A proposed Order of Certification should be issued for the following reason(s):

Processing

___ Stamp PROPOSED or Assign CERT# _____ or ORDER OF CERTIFICATION (circle one)

___ Draft Certificates or Proposed Order of Certifications are available in the Application directory.

___ Prepare Mailing List. Include Applicant(s); Receiving Landowner(s); Current Owner(s); Water Organizations; CWRE. Indicate records to be marked.

___ Record marking:	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____

NOTES:

SAUTER Jerry K

From: MCCORD Mike L
Sent: Wednesday, March 05, 2014 3:51 PM
To: SAUTER Jerry K
Subject: G-13676

Jerry, this seems pretty clear to me however it is clear it was not that way to others along the way. The applicant states that he wants to "move" the GR-3729 to supplemental. In doing so I imagine that he wanted that well to be the supplemental well. Based on the GR map that well should be Well 1. If you look at the other Buchheit well (MARI 3460) and the formation logged on MARI 3448 it appears that Well 1 (the GR well) is the well that is constructed in to the sand and gravel and should be the well that triggered the PSI. MARI 3448 (which is a commingling well but never an issue with this application) is the well constructed, at least in part, into the basalt and likely not the well that triggered Div. 9 so it received the full irrigation season. Well 1 appears to be the well that triggered Division 9 so it should be the one with the short season on it. As a practical matter a moot point due to the underlying GR. The primary acres not layered with the GR should be irrigated from Well 2 ((MARI 3448) and they should have access to the POA for the entire irrigation season.

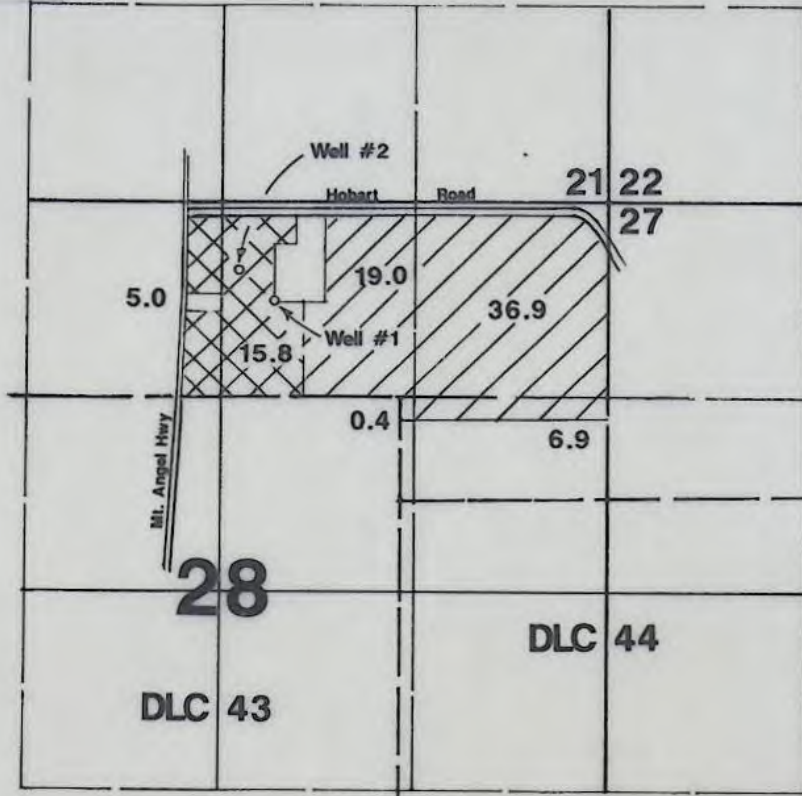
I am not even sure why we evaluated the GR well in the first place. The reality of what took place here is that he is irrigating 84 acres from Well 2 (MARI 3448) and that 20.8 of those acres already have a GR covering them. There was no new use proposed from the GR well. I am not sure what the protocol was at the time but I do not think we should put a supplemental right on top of a GR. This water right really is a primary right for 84 acres from Well 2 (MARI 3448) but since we have gone down the supplemental road on those 20.8 acres I think changing the well numbers will resolve the issue.

Please let me know if you want to discuss further.

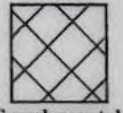
Mike McCord
District 16 Watermaster
503 986-0889



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



1" = 1320



Supplemental Well #2



Primary Well #1

Area Irrigated

Well #1 is located 660'S & 350'E from the N1/4 corner of Section 28.
 Well #2 is located 462'S & 462'E from the N1/4 corner of Section 28.

Final Proof Survey

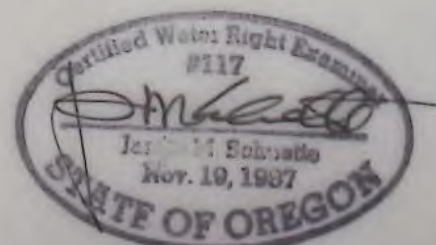
In Name Of

Hynes Farms

Application #: G-13676 Permit #: G-13186

Surveyed on January 18, 2003 by JM Schuette

This Map Was Prepared For The Purpose Of Identifying The Location Of A Water Right Only And Is Not Intended To Provide Legal Dimensions Or Location Of Property Ownership Lines.



3448
MARI...E.

(1) OWNER:

Name Hynes Farms
 Address 5820 80th NE
Salem, Oregon 97305

AMENDED WELL LOG

(10) LOCATION OF WELL:

County Marion Driller's well number _____
NW 1/4 NE 1/4 Section 28 T. 6S R. 1W W.M. _____
 Bearing and distance from section or subdivision corner _____

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
 If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Driven
 Cable Jetted
 Dug Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
 Irrigation Test Well Other

(5) CASING INSTALLED:

Threaded Welded
10 " Diam. from plus 1 ft. to 323 ft. Gage 259
 " Diam. from _____ ft. to _____ ft. Gage _____
 " Diam. from _____ ft. to _____ ft. Gage _____

(6) PERFORATIONS:

Perforated? Yes No.

Type of perforator used _____
 Size of perforations _____ in. by _____ in.
 _____ perforations from _____ ft. to _____ ft.
 _____ perforations from _____ ft. to _____ ft.
 _____ perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? Yes No

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

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? Yes No If yes, by whom? Stetler
 Yield: 850 gal./min. with 31 ft. drawdown after 4 hrs.

Baller test _____ gal./min. with _____ ft. drawdown after _____ hrs.
 Artesian flow _____ g.p.m.
 Temperature of water _____ Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Well seal—Material used Cement Grout
 Well sealed from land surface to 20 ft.
 Diameter of well bore to bottom of seal 15 in.
 Diameter of well bore below seal 10 in.
 Number of sacks of cement used in well seal 31 sacks
 How was cement grout placed? Gravity

Was a drive shoe used? Yes No _____ Size: location _____ ft.
 Did any strata contain unusable water? Yes No
 Type of water? _____ depth of strata _____
 Method of sealing strata off _____
 Was well gravel packed? Yes No size of gravel: _____
 Gravel placed from _____ ft. to _____ ft.

(11) WATER LEVEL: Completed well.

Depth at which water was first found 87 ft.
 Static level 37 ft. below land surface. Date 7/19/78
 Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 8"
 Depth drilled 523 ft. Depth of completed well 523 ft.

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

MATERIAL	From	To	SWL
Topsoil Brown	0	1	
Clay Brown	1	24	
Clay Grey	24	35	
Cobbles Course Grey	35	53	
Clay Brown	53	59	
Sand Black	59	66	
Conglomerate Course Grey	66	85	WB
Conglomerate Medium Grey	85	128	
Clay Grey Medium	128	314	
Basalt Medium Brown	314	324	
Claystone Hard Grey	324	347	
Basalt Porous Black	347	377	WB
Basalt Hard & Seamy Grey	377	496	WB
Basalt Fractured Green & Grey	496	523	WB

Work started 7/10 1978 Completed 7/19 1978
 Date well drilling machine moved off of well 7/19 1978

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] Charles E. Stetler Date 10/31, 1978
 (Drilling Machine Operator)

Drilling Machine Operator's License No. 84

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 West Coast Drilling Co., Inc.
 (Person, firm or corporation) (Type or print)

Address 220 Academy St., Mt. Angel, Oregon 97362

[Signed] Charles E. Stetler
 (Water Well Contractor)

Contractor's License No. 519 Date 8/31, 1978

NOTICE TO WATER WELL CONTRACTOR

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

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

RECEIVED

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

SEP 7 1978

(Do not write above this line)

State Well No. 65/1W-28ab

State Permit No. _____

SEE WELL LOG # 3448

(1) OWNER:

Name Hynes Farms
Address 5820 80th N.E. Salem Ore.

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Driven
Cable Jetted
Dug Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

(5) CASING INSTALLED:

Threaded Welded
10" Diam. from Pl. 1 ft. to 323 ft. Gage # 250
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

(6) PERFORATIONS:

Perforated? Yes No.

Type of perforator used _____

Size of perforations in. by in.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? Yes No

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

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? Yes No If yes, by whom? Stetler
Yield: 850 gal./min. with 165 ft. drawdown after 4 hrs.

" " " " " " " "

Baller test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m.

Temperature of water Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Well seal—Material used Cement Grout
Well sealed from land surface to 20 ft.
Diameter of well bore to bottom of seal 15 in.
Diameter of well bore below seal 10" in.
Number of sacks of cement used in well seal 31 sacks
How was cement grout placed? Gravity

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

Did any strata contain unusable water? Yes No

Type of water? _____ depth of strata _____

Method of sealing strata off _____

Was well gravel packed? Yes No Size of gravel: _____

Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Marion Driller's well number _____
N.W. 1/4 N.E. 1/4 Section 8 T. 6S R. 1W W.M. _____
Bearing and distance from section or subdivision corner _____

(11) WATER LEVEL: Completed well.

Depth at which water was first found 87F7 ft.
Static level 37 ft. below land surface. Date 7-19-78
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 8"

Depth drilled 523 ft. Depth of completed well 523 ft.

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

MATERIAL	From	To	SWL
Topsoil Brn.	0	1	
Clay Brn.	1	24	
Clay Grey	24	35	
Cobbles course Grey	35	53	
Clay Brn.	53	59	
Sand Blk.	59	66	
Conglomerate Course Grey	66	85	WB
Shaly Med. Grey	85	128	
Clay Grey MED	128	314	
Basalt Med Brn.	314	324	
Claystone Hrd Grey	324	347	
Basalt Blk. Por.	347	377	WB
Basalt Hrd & Seamey Grey	377	496	WB
Basalt Grm & Grey Fract.	496	523	WB

Work started 7-10-78 19 Completed 7-19-78 19

Date well drilling machine moved off of well 7-20-78 19

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] Charles E. Stetler Date 8-21-78, 19____
(Drilling Machine Operator)

Drilling Machine Operator's License No. 84

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 West Coast Drilling Co. Inc.
(Person, firm or corporation) (Type or print)

Address 220 Academy St. Mt. Angel Ore.

[Signed] Charles E. Stetler
(Water Well Contractor)

Contractor's License No. 519 Date 8-31-78, 19____

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

STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

WATER WELL REPORT

JUN 18 1975

STATE OF OREGON

STATE ENGINEER

(Do not write above this line)

SALEM, OREGON

State Well No. 65/1W-28 ba

State Permit No.

8460 MARTIN

(1) OWNER:

Name Paul Buchheit Address Rte. 2, Box 223, Silverton, Ore. 97381

(10) LOCATION OF WELL:

County Marion Driller's well number N.W. 1/4 N.E. 1/4 Section 28 T. 6 S. R. 1 W. W.M.

Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 65 ft. Static level 30 ft. below land surface. Date 4/3/75 Artesian pressure XX lbs. per square inch. Date

(12) WELL LOG:

Depth drilled 85 ft. Diameter of well below casing -0- ft. Depth of completed well 84 1/2 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 Top soil-brn, Clay-brn, Clay-blue, Conglom.-grey-med.hd., Sandy-clay-dark grey-Conglom.-grey-(W.B.)

Work started 4/2/75 19 Completed 4/3/75 19 Date well drilling machine moved off of well 4/3/75 19

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] C. E. Stadel Date 6-12, 1975 (Drilling Machine Operator)

Drilling Machine Operator's License No. 84

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 R. Stadel & Sons Inc. (Person, firm or corporation) (Type or print)

Address Rte. 3, Box 169, Silverton, Oregon 97381

[Signed] Paul R. Stadel (Water Well Contractor)

Contractor's License No. 296 Date 1975

(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 [X] Driven [] Cable [] Jetted [] Bored []

(4) PROPOSED USE (check):

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

(5) CASING INSTALLED:

6" Diam. from 6"± ft. to 8 1/2" ft. Gage .250 Threaded [] Welded [X]

(6) PERFORATIONS:

Perforated? [] Yes [X] No

Type of perforator used

Size of perforations in. by in. perforations from ft. to ft.

(7) SCREENS:

Well screen installed? [] Yes [X] No

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

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? [] Yes [X] No If yes, by whom? gal./min. with ft. drawdown after hrs.

(9) CONSTRUCTION:

Well seal-Material used Bentonite & Puddled clay Well sealed from land surface to 18 ft. Diameter of well bore to bottom of seal 10 in. Diameter of well bore below seal 6 in. Number of sacks of cement used in well seal XX sacks

**STATE OF OREGON INTEROFFICE MEMO
WATER RESOURCES DEPARTMENT**

DATE : January 3, 1996

TO: G-13676

FROM: Sarah M. Gates *smb*

SUBJECT: Objection

Objection relative to the substantial interference with surface water is still valid based on the additional information provided by the applicant. Depth from land surface to water was provided by the applicant along with total well depth. The well develops water from the water table and is in direct hydraulic connection with the surface water source approximately 400 feet away.

G 13676

DATE: December 15, 1995

TO: Fred Lissner
Groundwater/Hydrology Section

FROM: Laura K. Snedaker, ext. 331
Water Rights Section - PFO

SUBJECT: Additional Well Information (G-13676)

I have located additional information concerning the well, in application G-13676, that was identified in the initial groundwater review as not having a well log. I want to find out if this information would change the determination that the well poses significant interference with surface water.

Please review the additional information and route back to me within 10 days. If you will not be able to meet this deadline, please let me know.

This groundwater file also does not contain a 1033 review sheet.

Thankyou.

**Water Right Conditions
Tracking Slip**

Groundwater/Hydrology Section

FILE ## 613676

ROUTED TO: Laura Snedaker

TOWNSHIP/

RANGE-SECTION: _____

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Gates

TO: Water Rights Section
 FROM: Groundwater/Hydrology Section
 SUBJECT: Application G-13676

8/5, 1994

GROUNDWATER/SURFACE WATER CONSIDER

1. PER THE Willamette Basin rules, one or more of th
 ___ feet/mile of a surface water source (___
 hydraulically connected to the surface water.

Well w/out a well log

2. BASED UPON OAR 690-09 currently in effect, I have
 a. will, or have the potential for substantial
 b. will not surface water source, namely
 c. ___ will if properly conditioned, adequately protect
 i. ___ The permit should contain condition
 ii. ___ The permit should contain special cond.
 iii. ___ The permit should be conditioned as inc
 d. ___ will, with well reconstruction, adequately prot

*Well
 log #
 Mari
 3448
 depth =
 5'23*

GROUNDWATER AVAILABILITY CONSIDERATIC

3. BASED UPON available data, I have determined that
 a. will, or likely be available in the amounts
 b. ___ will not and/or within the capacity of the
 c. will if properly conditioned, avoid injury to exis
 i. The permit should contain condition
 ii. ___ The permit should contain special cond
 iii. ___ The permit should be conditioned as inc

4. a. ___ THE PERMIT should allow groundwater production from no deeper than ___ ft. below
 land surface;
 b. ___ The permit should allow groundwater production from no shallower than ___ ft. below
 land surface;
 c. ___ The permit should allow groundwater production only from the _____
 groundwater reservoir between approximately ___ ft. and ___ ft. below land surface;
 d. ___ Well reconstruction is necessary to accomplish one or more of the above conditions.
 e. ___ One or more POA's commingle 2 or more sources of water. The applicant must select one
 source of water per POA and specify the proportion of water to be produced from each
 source.

G-13676

REMARKS: *If second well is constructed in a similar way as
 MARI 3448, then well will be O.K. Need to have more
 information provided on second well if it is already
 existing.
 If second well has not been drilled yet, then
 construct well so that it develops water the same
 as MARI 3448.*

(Well Construction Considerations on Reverse Side)

**Water Right Conditions
 Tracking Slip**

Groundwater/Hydrology Section

FILE ## G-13676

ROUTED TO: Water Rights

TOWNSHIP/
 RANGE-SECTION: 6S/1W-28

CONDITIONS ATTACHED? yes [] no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Gates

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. ___ review of the well log;
 - b. ___ field inspection by _____;
 - c. ___ report of CWRE _____;
 - d. ___ other: (specify) _____
6. THE WELL construction deficiency:
- a. ___ constitutes a health threat under Division 200 rules;
 - b. ___ commingles water from more than one groundwater reservoir;
 - c. ___ permits the loss of artesian head;
 - d. ___ permits the de-watering of one or more groundwater reservoirs;
 - e. ___ other: (specify) _____
7. THE WELL construction deficiency is described as follows: _____
8. THE WELL a. ___ was, or constructed according to the standards in effect at the time of
b. ___ was not original construction or most recent modification.
c. ___ I don't know if it met standards at the time of construction.

RECOMMENDATION:

- A. ___ I recommend including the following condition in the permit:
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. ___ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. ___ REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

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

(Signature)

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

_____, 199__.
(Signature)

Sarah

REVIEW CHECKLIST

FOR G-13676

- Xerox appropriate parts of the stream index.
- Estimate number of wells within one mile radius and identify types.
- Verify that the well log is in application file. If not, provide one.
- List of state observation wells within five mile radius.
- List groundwater permits within five mile radius with extraordinary conditions.
- Pull 7 1/2 minute quad and attach to file.

Marion #2

		do	ld	rr	im	un		Total
65	1W	28	NWNE	27	3	8		38
		27		18	2	6	2	29
		22		13		3	1	17
		21		16	7	4		27
				74	12	21	3	111

Ob Wells

652

GW Cond

12434

12850

12243

12690

TWO WELLS

STATE OF OREGON
 WATER RESOURCES DEPARTMENT
 INTEROFFICE MEMO

date : 8/5/4

TO: File G- 13676
 From: Sarah C Meyer Gates
 Subject: Surface/Ground Water Considerations

Applicant Hynes Farms
5820 80th Ave NE
Salem, OR 97305
362-8125

The applicant seeks 1.05 cfs from two wells for irrigation

T 6S R 1W S 28 ^{660'S/350'E from } N 1/4 COR. Sec 28} bd ^{462'S | 462'E} County Marion

FACTS	WELL #1	WELL #2
Near-by stream	<u>trib. to Pudding River</u>	<u>"</u>
Distance from stream	<u>500'</u>	<u>400'</u>
elevation difference	<u>10'</u>	<u>10'</u>
Depth of well	<u>523</u>	
Casing to	<u>323</u>	
Lined to	<u>-</u>	
Sealed to	<u>20</u>	
Perforated/screened	<u>/</u>	
Well tests	<u>P/850/31/4</u>	
Water found first	<u>87 → Cased off w/day</u>	
Water-bearing zones	<u>347-523</u> <u>Basalt</u>	
Static water level	<u>37</u>	
date	<u>7/19/78</u>	
Information sources	<u>obs well → 652 no record</u>	<u>Silverton Quad</u>
Conceptual model		

Confined/Unconfined? Confined
 Direct hydraulic conn.? YES NO
 Substantial Interference? YES NO

w/in 1 mile
 Do = 74
 id = 12
 ir = 21
 im = 3
 un = 1
 TOT = 111

↑ O.K. Condition 4E

↑ LOG?

Looked in our logs -
 no log found
 ∴ Worse Case scenario
Hydraulic Connection

TO: Water Rights Section 8/5, 1994
 FROM: Groundwater/Hydrology Section Sates
 SUBJECT: Application G- 13676
Reviewer's Name

GROUNDWATER/SURFACE WATER CONSIDERATIONS

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

*Well
 LOG #
 MARI
 3448
 depth =
 523*

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
 a. will, or _____ likely be available in the amounts requested without injury to prior rights
 b. _____ will not _____ and/or within the capacity of the resource; or
 c. will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
 i. The permit should contain condition #(s) 46; March
 ii. _____ The permit should contain special condition(s) as indicated in "Remarks" below;
 iii. _____ The permit should be conditioned as indicated in item 4 below; or
4. a. _____ THE PERMIT should allow groundwater production from no deeper than _____ ft. below land surface;
 b. _____ The permit should allow groundwater production from no shallower than _____ ft. below land surface;
 c. _____ The permit should allow groundwater production only from the _____ groundwater reservoir between approximately _____ ft. and _____ ft. below land surface;
 d. _____ Well reconstruction is necessary to accomplish one or more of the above conditions.
 e. _____ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: If second well is constructed in a similar way as MARI 3448, then well will be O.K. Need to have more information provided on second well if it is already existing.
If second well has not been drilled yet, then construct well so that it develops water the same as MARI 3448.

(Well Construction Considerations on Reverse Side)

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. ___ review of the well log;
 - b. ___ field inspection by _____;
 - c. ___ report of CWRE _____;
 - d. ___ other: (specify) _____
6. THE WELL construction deficiency:
- a. ___ constitutes a health threat under Division 200 rules;
 - b. ___ commingles water from more than one groundwater reservoir;
 - c. ___ permits the loss of artesian head;
 - d. ___ permits the de-watering of one or more groundwater reservoirs;
 - e. ___ other: (specify) _____
7. THE WELL construction deficiency is described as follows: _____
8. THE WELL a. ___ was, or constructed according to the standards in effect at the time of
b. ___ was not original construction or most recent modification.
c. ___ I don't know if it met standards at the time of construction.

RECOMMENDATION:

- A. ___ I recommend including the following condition in the permit:
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. ___ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. ___ REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

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

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

_____, 199__.
(Signature)

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

RECEIVED WATER WELL REPORT

6-13674
MARI....

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

NOV 3 1978 STATE OF OREGON
(Please type or print)

State Well No. 6511w28ab

State Permit No. RECEIVED

AMENDED WELL LOG

1) OWNER:

Name Hynes Farms
Address 5820 80th NE
Salem, Oregon 97305

2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

3) TYPE OF WELL:

Gravity Driven
Pneumatically Jetted
Auger Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

CASING INSTALLED:

10" Diam. from plus 1 ft. to 323 ft. Gage 250
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

PERFORATIONS:

Perforated? Yes No.

Type of perforator used

Size of perforations in. by in.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

7) SCREENS:

Well screen installed? Yes No

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

3) WELL TESTS:

Drawdown is amount water level is lowered below static level

As a pump test made? Yes No If yes, by whom? Stetler
Yield: 850 gal./min. with 31 ft. drawdown after 4 hrs.
" " " " " " " "
" " " " " " " "
Packer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered _____ ft.

5) CONSTRUCTION:

Well seal—Material used Cement Grout
Well sealed from land surface to 20 ft.
Diameter of well bore to bottom of seal 15 in.
Diameter of well bore below seal 10 in.
Number of sacks of cement used in well seal 31 sacks
How was cement grout placed? Gravity

As a drive shoe used? Yes No Plugs _____ Size: location _____ ft.
Did any strata contain unusable water? Yes No
Type of water? _____ depth of strata _____
Method of sealing strata off _____
Was well gravel packed? Yes No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Marion Driller's well number _____
NW 1/4 NE 1/4 Section 28 T. 6S R. 1W W.M.
Bearing and distance from section or subdivision corner _____

(11) WATER LEVEL: Completed well.

Depth at which water was first found 87 ft.
Static level 37 ft. below land surface. Date 7/19/78
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 8"
Depth drilled 523 ft. Depth of completed well 523 ft.

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

MATERIAL	From	To	SWL
Topsoil Brown	0	1	
Clay Brown	1	24	
Clay Grey	24	35	
Cobbles Course Grey	35	53	
Clay Brown	53	59	
Sand Black	59	66	
Conglomerate Course Grey	66	85	WB
Conglomerate Medium Grey	85	128	
Clay Grey Medium	128	314	
Basalt Medium Brown	314	324	
Claystone Hard Grey	324	347	
Basalt Porous Black	347	377	WB
Basalt Hard & Seamy Grey	377	496	WB
Basalt Fractured Green & Gry	496	523	WB

Work started 7/10 1978 Completed 7/19 1978
Date well drilling machine moved off of well 7/19 1978

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] Charles E. Stetler Date 10/31, 1978
(Drilling Machine Operator)

Drilling Machine Operator's License No. 84

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 West Coast Drilling Co., Inc.
(Person, firm or corporation) (Type or print)

Address 220 Academy St., Mt. Angel, Oregon 97362

[Signed] Charles E. Stetler
(Water Well Contractor)

Contractor's License No. 519 Date 8/31, 1978

65
1W



P.P. = Pumping Plant

**Water Right Conditions
Tracking Slip**

Groundwater/Hydrology Section

FILE ## 613676

ROUTED TO: Laura Snedaker

TOWNSHIP/

RANGE-SECTION: _____

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Fates

STATE OF OREGON INTEROFFICE MEMO WATER RESOURCES DEPARTMENT

DATE : January 3, 1996

TO: G-13676

FROM: Sarah M. Gates *smg*

SUBJECT: Objection

Objection relative to the substantial interference with surface water is still valid based on the additional information provided by the applicant. Depth from land surface to water was provided by the applicant along with total well depth. The well develops water from the water table and is in direct hydraulic connection with the surface water source approximately 400 feet away.

DATE: December 15, 1995
TO: Fred Lissner
Groundwater/Hydrology Section
FROM: Laura K. Snedaker, ext. 331
Water Rights Section - PFO
SUBJECT: Additional Well Information (G-13676)

*And where is
this info!!!*

I have located additional information concerning the well, in application G-13676, that was identified in the initial groundwater review as not having a well log. I want to find out if this information would change the determination that the well poses significant interference with surface water.

Please review the additional information and route back to me within 10 days. If you will not be able to meet this deadline, please let me know.

This groundwater file also does not contain a 1033 review sheet.

Thankyou.

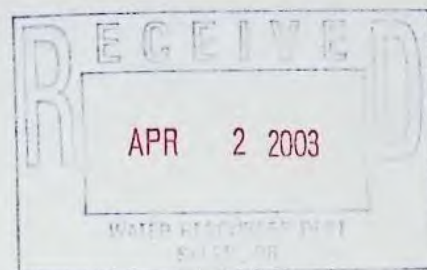
*File G13676
still needs
a 1033 review!*

Site Report and Claim of Beneficial Use

Application #: G-13676

Permit #: G-13186

Hynes Farms
5820 80th Ave NE
Salem, Oregon 97305
Tele#: 1-503-362-8125



Source:

Water for the Primary Irrigation of 63.2 acres from Well #1 and for the Supplemental Irrigation of 20.8 acres from Well #2 covered under this Permit, is obtained from two wells located within the Pudding River Basin. The wells are described further as follows:

- ▶ **Well #1:** (10" dia. X 523' deep) is located 660'S & 350'E from the N 1/4 corner of Section 28. The well pump is a 40-HP Peerless line shaft turbine (400 G.P.M.). Well discharge piping is provided with a pressure gage. The well has an access port available to measure static and pumping water levels.
- ▶ **Well #2:** (8" dia. X 114' deep) is located 462'S & 462'E from the N 1/4 corner of Section 28. The well pump is a 40-HP submersible turbine (400 G.P.M.). Well discharge piping is provided with a pressure gage. The well has an access port available to measure static and pumping water levels.

At the time of my site visit, the well pump was removed for repair. Although this well has been used within the past several years, the permittee stated that the yield of this well has diminished and is currently used on an emergency basis only.

- ▶ **Water Meter:** Since each well is served from a separate electrical service, the Permittee has elected to convert the power consumption to gallons pumped as the method for computing the amount of water use during an irrigation season.
- ▶ Ties for well were obtained from aerial photos and field measurements

Pipe:

Irrigation water is transported through approximately 2,000' of 5" above ground main line. Water is then applied through the use of two wheel lines or hand lines. Wheel line #1 uses 49 sprinkler heads; wheel line #2 uses 43 sprinkler heads. The owner stated that the sprinkler heads each use a 5 GPM nozzle while operating at a system pressure of 40 PSI. Based on

92 heads x 5.0 G.P.M./head = 460.0 G.P.M. / 1.02 CFS

Lift:

Topography of the area being irrigated slopes gently from SE to NW, ranging in elevation from 205 USGS to 191 USGS. The well is at approximate elevation 195.0 USGS. Static water level in the well is approximately 37'; water pumping level is approximately 140' (obtained from the water well report). The theoretical pumping capacity is computed to be as follows:

$$\text{Pump Q} = \frac{550 (40\text{-HP}) (0.70 \text{ efficiency})}{(62.4) (140' + 92.4')} = 1.06 \text{ CFS} / 476 \text{ G.P.M.}$$

This theoretical capacity corresponds closely to the actual amount of water used during irrigation.

Time Limits:

The original permit had the following time of completion requirements: Actual construction work shall begin on or before February 15, 1997 and completed on or before October 1, 1998. Complete application of the water shall be made on or before October 1, 1999.

Time Limit Conditions Have Been Met.

Uses:

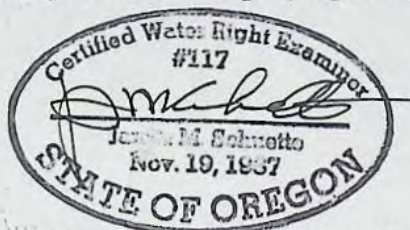
Water was used to irrigate onions, corn, spring wheat and spring oats.

Well Pump Test:

The Owner has not yet completed the required pump test by plans to do so at the start of the 2003 irrigation season. A copy of the pump test report will be submitted to Water Resources when completed.

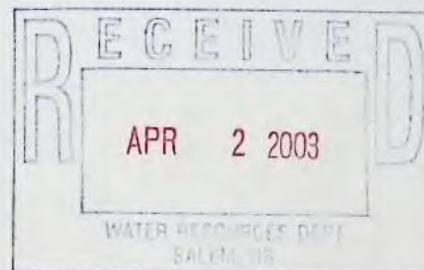


The final proof survey and inspection of use were found to be completed under the terms and conditions of Permit G-13186. This final proof survey and inspection were completed by me on January 18, 2003 and the facts contained in this report and accompanying final proof map are correct to the best of my knowledge.



I, Kent Hynes of Hynes Farms. Inc., agree to the findings of the Certified Water Rights Examiner and do submit this site report and map as our Claim of Beneficial Use of the water as provided under the terms and conditions of Permit G-13186.

Kent Hynes





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

December 1, 2008

HYNES FARMS
5820 80TH AVE NE
SALEM OR 97305

Subject: Water Right Permit Number G- 13186

Dear Permit holder,

Oregon Administrative Rule 690-217-0020(1) requires that ground water permit holders with a priority date after December 20, 1988, submit the results of a pump test before the Water Resources Department can issue a water right certificate. A copy of your permit is enclosed. The purpose of this letter is to remind you of the pump test requirement.

Pump tests are intended to provide aquifer and well information for ground water resource characterization and to help solve well problems. There is no penalty for not submitting a pump test.

If there is a reason why a pump test cannot be performed on a well, the owner may request from the Director an exemption from the pump test requirement. Requests shall be in writing and include the reason why a pump test cannot be performed. Exemptions, or conditioned exemptions, shall be granted if the reasons are found to be valid and eliminating the problem would place an unreasonable burden on the well owner. Exemptions shall be granted for public water supply wells if pump testing will cause interruption of service to customers.

Pump tests shall not be required of wells with diameters greater than 36 inches and depths less than 30 feet. Pump tests shall not be required of collector-type wells or infiltration galleries. If your well meets one of these two requirements please let us know.

If you are interested in conducting the pump test yourself, you should first review the requirements at http://arcweb.sos.state.or.us/rules/OARS_600/OAR_690/690_217.html or ask that a copy of the rules be sent to you.

A copy of the pump test form has been included. If you have questions, if you are not the owner of a ground water permit or if you have moved, please call the Department at 503-986-0900.

Sincerely,

Diana Durbin
Water Rights Certificate Staff

C: Permit File



690-217-0050

Qualifications for Conducting Pump Tests

Only pump tests conducted by the well owner, a full-time employee of the well owner who routinely works with and is familiar with wells and pumps, or a qualified individual authorized by the well owner shall be accepted by the Director. Individuals in the following groups will be considered qualified and authorized provided they have significant experience conducting pump tests:

- (1) Oregon licensed water well constructors.
- (2) Oregon registered professional geologists or certified engineering geologists.
- (3) Certified water rights examiners.
- (4) Oregon registered professional engineers.
- (5) Individuals whose primary occupation involves, wholly or in significant part, pump installation, service or testing.

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HYNES FARMS
5820 80TH AVE NE
SALEM, OREGON 97305

(503) 362-8125

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

APPLICATION FILE NUMBER: G-13676

SOURCE OF WATER: TWO WELLS IN PUDDING RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 63.2 ACRES FROM WELL #1 AND SUPPLEMENTAL IRRIGATION OF 20.8 ACRES FROM WELL #2

MAXIMUM RATE: 1.05 CFS, BEING 0.79 CFS FROM WELL #1 AND 0.26 CFS FROM WELL #2

PERIOD OF USE: MARCH 1 THROUGH APRIL 30 FROM WELL #1 AND MARCH 1 THROUGH OCTOBER 31 FOR WELL #2

DATE OF PRIORITY: APRIL 26, 1994

POINT OF DIVERSION LOCATION: NW 1/4 NE 1/4, SECTION 28, T6S, R1W, W.M.; WELL #1 - 660 FEET SOUTH & 350 FEET EAST, WELL #2 - 462 FEET SOUTH & 462 FEET EAST, BOTH FROM N 1/4 CORNER, SECTION 28

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE 1/4 NE 1/4	36.9 ACRES	
NW 1/4 NE 1/4	19.0 ACRES	15.8 ACRES
SW 1/4 NE 1/4	0.4 ACRES	
SE 1/4 NE 1/4	6.9 ACRES	
NE 1/4 NW 1/4		5.0 ACRES
SECTION 28		
TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.		

Measurement, recording and reporting conditions:

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

Application G-13676 Water Resources Department

PERMIT G-13186

- 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.

Limited Water Level Decline/Interference Condition

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

- (C) 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 3 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.

STANDARD CONDITIONS

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

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

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

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

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

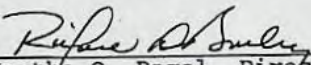
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

Actual construction of the well shall begin within one year from permit issuance. Complete application of water to the use shall be made on or before October 1, 2001.

Issued July 28, 1997


Martha O. Pagel, Director
Water Resources Department

Application G-13676 Water Resources Department
Basin 02 Volume 13 PUDDING RIVER AND WELLS
GH MGMT.CODE

PERMIT G-13186
District 16

Oregon Water Resources Department
PUMP TEST FORM COVER SHEET

Well Owner:

Name: _____
 Address: _____
 County: _____
 City: _____ State: _____ Zip: _____
 Original owner (from well log): _____

Well Location:

Township: _____ (N/S) Range: _____ (E/W)
 Section: _____ 1/4 : _____ 1/16 : _____ 1/64 : _____
 Well depth: _____ Date drilled: _____
 Owners well no. (if any): _____
 POD ID: _____

Water Right Information:

Application: _____ Permit: _____ Certificate: _____
 Is this well listed on more than one water right? Yes If yes, list additional water rights below:
 Application: _____ Permit: _____ Certificate: _____
 Application: _____ Permit: _____ Certificate: _____

Pump Test:

Test Conducted by: _____ Well Owner? Yes
 Company: _____
 Address: _____ Date of Test: _____
 City: _____ State: _____ Zip: _____
 Daytime phone: _____

Method of discharge measurement (see our brochure for acceptable methods): _____
 Method of water-level measurement (pick one or enter other method used): _____
 Length of air line (if used): _____

Pump type (pick one or enter other method used): _____
 Was the pump test conducted during normal use of the well? Yes Note: _____

Are you aware of any wells, other than domestic or stock wells, pumping within 1000 feet of the tested well during the test or within 24 hours prior to the test? Yes Note: _____
 If yes, give approximate distances to each and approximate pumping rate of each. If possible, indicate if they were turned on or off during the test: _____

Is there a lake, stream or other surface water body within 1/4 mile of the tested well? Yes If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head. Approx. distance: _____ ft Approx. elevation difference: _____ ft

Well elevation is _____ surface water body.

Description of measuring point (e.g. top port of 1 inch port pipe, west side) _____

Measuring point distance _____ land surface _____ feet.

Static water level measurements: (A minimum of three measurements are required in the hour before pumping begins at no less than 20 minutes apart):

Time	Depth to water below meas. point	Depth to water below land surface
_____	_____	_____
_____	_____	_____
_____	_____	_____

Discharge measurements: (A discharge measurement is required at the start of pumping and at least once an hour during the test; additional measurements should be noted on the Pump Test Data Sheet):

Time	Discharge Rate	Discharge Units (e.g. gpm, cfs, etc)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Time pump turned on: Date _____ Time _____
 Time pump turned off: Date _____ Time _____
 Total pumping time: _____ hours _____ minutes

Note: Well must be idle for at least 16 hours prior to the test.

Additional forms can be obtained from our web site at: <http://www.wrd.state.or.us>

OWRD 2/9/2000

Required Signature: _____

Application G-13676

COPY CHECK-OFF SHEET FOR PROPOSED FINAL ORDERS

✓ CC: FILE # G-13676

✓ WATERMASTER # 16

✓ REGIONAL MANAGER: NORTHWEST

✓ ODF&W - Marion County:

✓ CWRE (if agent): JAMES M SCHUETTE #117

✓ DEQ

OTHER STATE AGENCY IF NECESSARY:

DIVISION 33 LIST: COLUMBIA RIVER INTERTRIBAL FISH COMMISSION; U.S. FISH & WILDLIFE;
(CHECK ONLY IF APPLICABLE) NORTHWEST POWER PLANNING COUNCIL & NATIONAL MARINE FISHERIES

POWER BUILDER UPDATER; FRONT COUNTER

OTHER ADDRESSES OF PEOPLE WHO PAID THE \$10 FEE:

PEOPLE WITH OBJECTIONS, COMMENTS OR REQUESTED COPY W/O \$10 (SEND THE \$10 LETTER):

CASEWORKER : GH

1-11e

Oregon

April 16, 1997

HYNES FARMS
5820 80TH AVE NE
SALEM, OREGON 97305

WATER
RESOURCES
DEPARTMENT

REFERENCE: Application G-13676

Dear Applicant:

Thank you for your recent payment of permit recording fees. Your receipt, #11920 for \$248 is enclosed.

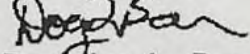
Your application file has been reviewed. You did not answer the application question relating to ownership of the lands involved in your proposed use of water. Before we can process your application further, you need to provide us with that information. In addition you need to advise us regarding the existence of an easement for your use of any property you do not own.

Please complete the enclosed Ownership/Easement Questionnaire and return it to my attention.

As stated in the Final Order of January 15, 1997 notice must be provided to all affected landowners before a permit can be issued. Please refer to order for additional instructions and details regarding the notice.

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

Sincerely,



Douglas L. Baer
Senior Water Rights Technician

enclosure

CC: Watermaster #19



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

RECEIVED

MAY - 1 1997

WATER RESOURCES DEPT.
SALEM, OREGON

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-13676

Final Order

Application History

On April 26, 1994, HYNES FARMS submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on September 10, 1996. The protest period closed October 25, 1996, and no protest was filed.

- The proposed use would not impair or be detrimental to the public interest, but the Department's continuing evaluation reveals that the Proposed Final Order requires modification to correctly describe the quantity of water allowed from each well. In addition, notice to affected landowners must be provided before a permit can be issued. ORS 537.130 (3) requires notice to all landowners affected by the works of the project. **The applicant must provide a current list of affected landowners** (any one owning property upon or across which water would be diverted, conveyed, or applied) and their mailing addresses. Alternatively, ORS 537.130 (4) allows for the publication of notice if there are more than 25 landowners involved. OAR 690-310-020 (2) allows the applicant to publish this notice themselves. If you choose this option, please contact the Department for more details regarding publication requirements.

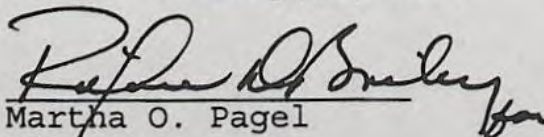
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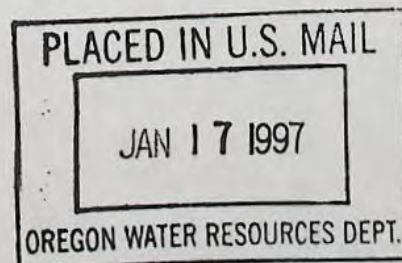
Order

Upon payment of permit recording fees and completion of notice to all affected landowners, Application G-13676 shall be approved as modified above, and as limited by the conditions in the attached draft permit.

Permit recording fees are required in the amount of \$248.00. Notice to affected landowners shall be given and fees shall be paid no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees and provide notice as described above within 60 days from the date of this Final Order will result in the proposed rejection of Application G-13469.

DATED January 15, 1997


Martha O. Pagel
Director



Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-13676

Final Order

Application History

On April 26, 1994, HYNES FARMS submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on September 10, 1996. The protest period closed October 25, 1996, and no protest was filed.

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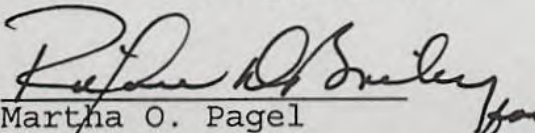
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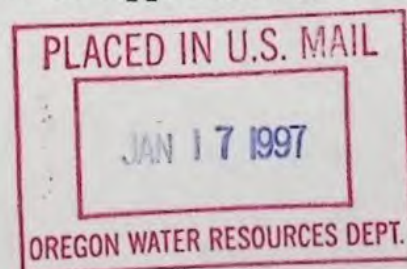
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DATED January 15, 1997


Martha O. Pagel
Director



Hearing and Appeal Rights

Under the provisions of ORS 537.170 and ORS 537.622, the applicant may request a contested case hearing by submitting the information required for a protest under ORS 537.153(6) or ORS 537.621(7) to the Department within 14 days after the date of mailing of this order as shown below. If a contested case hearing is requested, the Department must schedule one. In the contested case hearing, however, only those issues based on the above modifications to the proposed final order may be addressed.

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



STATE OF OREGON

COUNTY OF Marion

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

HYNES FARMS
5820 80TH AVE NE
SALEM, OREGON 97305

(503) 362-8125

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

APPLICATION FILE NUMBER: G-13676

SOURCE OF WATER: TWO WELLS IN PUDDING RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 63.2 ACRES FROM WELL #1 AND SUPPLEMENTAL IRRIGATION OF 20.8 ACRES FROM WELL #2

MAXIMUM RATE: 1.05 CFS, BEING 0.79 CFS FROM WELL #1 AND 0.26 CFS FROM WELL #2

PERIOD OF USE: MARCH 1 THROUGH APRIL 30 FROM WELL #1 AND MARCH 1 THROUGH OCTOBER 31 FOR WELL #2

DATE OF PRIORITY: APRIL 26, 1994

POINT OF DIVERSION LOCATION: NW 1/4 NE 1/4, SECTION 28, T6S, R1W, W.M.; WELL #1 - 660 FEET SOUTH & 350 FEET EAST, WELL #2 - 462 FEET SOUTH & 462 FEET EAST, BOTH FROM N 1/4 CORNER, SECTION 28

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE 1/4 NE 1/4	36.9 ACRES	
NW 1/4 NE 1/4	19.0 ACRES	15.8 ACRES
SW 1/4 NE 1/4	0.4 ACRES	
SE 1/4 NE 1/4	6.9 ACRES	
NE 1/4 NW 1/4		5.0 ACRES
SECTION 28		

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

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as

approved by the Director. The permittee shall maintain the meter or measuring device in good working order.

- 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.

Limited Water Level Decline/Interference Condition

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 3 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
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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.

STANDARD CONDITIONS

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

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

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

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

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

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

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

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

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

{DATE}

DRAFT

Martha O. Pagel, Director
Water Resources Department

FO CHECKLIST

FILE # G-13676

REVIEW DATE: 12, 11, 96

WEEK # 59

PFO TO FO CONVERSION

INITIALS: DB

In preparing the FO, you should check the following:

1. Y / N Were comments or protests received? If so, from whom and when?
2. On the PFO CC list, verify names and addresses of ALL commentors (regardless of comment date), affected landowners, and those who paid the \$10 fee.
3. Y / N Have affected landowners been notified? Unknown Unknown
4. Y / N Is the file lacking a signed oath of accuracy for the application?
5. Y / N Has ODFW asked for self certification of screening condition? If so, write "ODFW CERT" in the permit blank on the front of the file.
6. / N Is water use prohibited for one or more months of the normal use period?
7. / N If # 6 = "Y", is short season letter on file? Note: If short season letter is lacking, see Item #10 below. Give applicant 60 days to submit required information.

8. \$248 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 63.2 AC + 20.8 AC 84.0

200 Exam
100 Rec 15th 10
148 2x74
448

9. / N Is further processing possible? If not state reason: _____
10. NO time Notify applicant of additional information or fees required prior to permit issuance. (SEND CERTIFIED LETTER & use standard wording from M:\T\FO\TOOLS if possible)

11. Assign permit numbers to files with oath, fees, and no protests or other issues

Route to: (circle one)

DENIAL FO w/o PERMIT Fees - Notice to Landowner

FO & PERMIT

Respond to COMMENTS

Modify FO as needed to:

Initials DB

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

Once FO document is completed:

15. Save WordPerfect document in M:\T\FO\WEEK 65 & delete duplicates
16. Print final draft of document and submit to team leader for review
17. / N Team leader review completed

STATE ENGINEER
Salem, Oregon

3465
MARION

Well Record

STATE WELL NO. 6/1W-28B
COUNTY Marion
APPLICATION NO. GR-3729

OWNER: Edward M. Buchheit

MAILING ADDRESS: Route 2, Box 68

LOCATION OF WELL: Owner's No. _____

CITY AND STATE: Silverton, Oregon

NW 1/4 NE 1/4 Sec. 28 T. 6 S. R. 1 W., W.M.

Bearing and distance from section or subdivision

corner 7 ch. S. & 7 ch. E. from N¹ Cor. Sec. 28

	X	

Section 28

Altitude at well _____

TYPE OF WELL: Drilled Date Constructed 6/5/49

Depth drilled 114 ft. Depth cased 100 ft.

CASING RECORD:

8 inch casing set to 100 feet

FINISH:

AQUIFERS:

WATER LEVEL:

20 feet below surface

PUMPING EQUIPMENT: Type Lane Bowler turbine H.P. 15

Capacity 200 G.P.M.

WELL TESTS:

Drawdown 50 ft. after _____ hours 230 G.P.M.

Drawdown _____ ft. after _____ hours _____ G.P.M.

USE OF WATER Irrigation Temp. _____ °F. _____, 19

SOURCE OF INFORMATION Well Registration Statement

DRILLER or DIGGER James Ballweber

ADDITIONAL DATA:

Log _____ Water Level Measurements _____ Chemical Analysis _____ Aquifer Test _____

REMARKS:

COMPLETED

COMPLETENESS DETERMINATION CHECKLIST

Application #	Review Date	Reviewer
C - 13676	11/24/95	DB

A checkmark (✓) indicates that the item is incomplete or defective.

- 1. Examination fees (and recording fees, if for PFO/FO). *\$248⁰⁰ due*
- 2. Name and address of the applicant, and title if applicable.
- 3. Source of water.
- 4. Use of water.
- 5. Amount of water.
- 6. Description of delivery system.
- 7. A statement of whether the applicant has written authorization or easements permitting access to lands owned by others.
- 8. Name(s) and address(es) of the owners of any lands involved, but not owned by the applicant.
- 9. Proposed dates of beginning and completion of construction, and complete application of water.
- 10. If for municipal use, the present population to be served and expected future water requirements.
- 11. If for mining use, the type of mines and methods of supplying & utilizing the water.
- 12. If for a reservoir:
 - a. The height of the dam.
 - b. The storage capacity.
 - c. The area submerged.
 - d. The maximum depth.
 - e. The construction method (earthfill, concrete, flashboard, etc.).
 - f. A description of the outlet conduit.
 - g. A description of the spillway.
- 13. If for groundwater, the horizontal distance from the well to the nearest surface water source (if within one mile), and the difference in land surface elevation between them.
- 14. If the application was made under HB 2107:
 - a. Name and address of each adjacent property owner and verification that each owner has been mailed a copy of the completed notice.
 - b. A description of the proposed water used and related project, the condition it will address, and the benefits that are expected to result from the project.
 - c. The number of reservoirs per application is appropriate as per OAR 690-11-049 (3)(b)
- 15. An oath that the application information is true and correct.
- 16. The signature of the applicant(s).
- 17. A satisfactory map of the proposed POD & POU.
- 18. A Land Use Information Form or receipt.
- 19. A legal description of the property where water will be used.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write *"Return Receipt Requested"* on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. Addressee's Address
2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

RYNES FARMS
5820 80TH AVENUE
SALEM OR 97305

4a. Article Number

P56487

4b. Service Type

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

7. Date of Delivery

9/12

5. Received By: (Print Name)

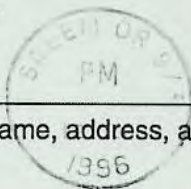
8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X *Kevin J. Hynes*

Thank you for using Return Receipt Service.

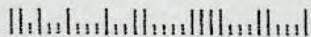
UNITED STATES POSTAL SERVICE



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WATER RESOURCES DEPARTMENT
158 12TH STREET NE
SALEM OR 97310



CERTIFIED MAIL
Return Receipt Requested

WATER
RESOURCES
DEPARTMENT

September 10, 1996

HYNES FARMS
5820 80TH AVENUE NE
SALEM, OREGON 97305

RE: Application File # G-13676

Dear Applicant:

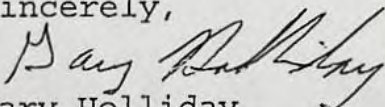
On September 10, 1996, a Proposed Final Order was sent from the Department requesting additional information necessary to complete your application for water use. As of today, this item has not been received:

- ▶ The Department proposes to issue a permit contingent on the receipt of a "Limited Period of Use Acknowledgement Letter." Failure to return the letter may result in the Department withholding issuance of the permit and may result in the eventual rejection of your application.

Please submit this item by **October 25, 1996**. If we do not receive the item requested above by this time, we may reject your application consistent with ORS 537.153. If your application is rejected, any fees submitted in excess of the examination fee will be refunded; however, the examination fee is non-refundable and will not be returned. In addition, the priority date associated with your application will be lost.

Should you have any questions regarding your application or the required materials listed above, or if you need to request an extension of time, please call me personally at 1-800-624-3199, extension 454.

Sincerely,


Gary Holliday
Water Right Specialist



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

WaterWatch

By Regular Mail

November 22, 1994

Oregon Water Resources Department
Water Rights Section
158 12th Street NE
Salem, Oregon 97310

RECEIVED

NOV 23 1994

Re: Objection to Technical Report for:
G13676, Hynes Farms, Irrigation Abiqua Creek Basin
Willamette River Basin

WaterWatch submits the following objections pursuant to OAR 690-11-170:

◆ **The Technical Report is Defective**

The technical report fails to contain many of the elements and evaluations required in OAR 690-11-160(1).

◆ **The Use As Proposed is Not in the Public Interest**

The proposed use fails to pass the public interest and policy considerations in ORS 537.170, 537.525, 537.620, and the policies of the Groundwater Act ORS 537.525(3), (6), (9) and (10). *See also*, OAR 690-11-195(3)(d), (4)(a), (4)(c)(A), (4)(d)(A), (4)(f).

1. **The proposed use is not in the public interest because it will interfere with surface waters in the basin which support public instream uses of water.**

The technical report determined that well # 1 will have the potential for substantial interference. Despite this the Department is proposing withdrawal be allowed from this well. The technical report further concluded that well # 2 would not interfere with streamflows, however the technical report contains proposed conditions allowing regulation of use if it interferes with surface water rights. Thus, it appears that there is potential for interference. However, the proposed conditions are inadequate. They only protect existing surface water rights, they do nothing to prevent interference unless it has already occurred and do not protect resource values that are not protected by water rights. In addition, the condition places the burden on the resource which is unacceptable given the presence of weak fish stocks.

The Abiqua Creek and the Willamette River support a variety of fish life including spring chinook salmon, winter and summer steelhead and cutthroat trout. Low flows during summer months impair fish survival by, among other things, raising water temperatures and decreasing aquatic habitat and fish rearing areas. Low winter flows adversely affect fish habitat by, among other things, exposing spawning gravel and reducing feeding and rearing

areas in the river. Because of the potential for substantial interference, these proposed uses of water might deplete flows needed for numerous public instream uses, thus they are not in the public interest and should be denied.

2. Measurement and reporting.

In general, we support the proposed measurement and reporting conditions. However, these conditions should allow the Director to require measurement and reporting of both **rate and duty** of water use. The proposed conditions restrict use based upon a specific rate. Measurement and reporting of water use is to be a useful informational and regulatory tool for the Department, it should provide the information needed to ensure these water uses are within the terms of the permits.

The technical report proposes to limit the type of use and the months of use to which water can be used by each of this applicant. The Department's enforcement staff is already stretched to the limit. See Water master reports cited above. These proposed uses add yet another enforcement responsibility on top of an already unmanageable load. Under these circumstances, it is difficult if not impossible for the state to ensure that this applicant will, **at all times**, use water in compliance with the permit conditions. Given the critical state of the water resource in this river basin and the Department's inability to control this and other uses, even with measurement and reporting, this use is not in the public interest.

3. The proposed uses violates Oregon's statewide policies.

Oregon's Groundwater Management Policy requires that "(i)nterference between groundwater uses and competing groundwater and surface water uses...be prevented and/or controlled to protect the water resource and existing rights." OAR 690-410-010(1) (emphasis added). The Policy also requires the State to manage groundwater and surface water conjunctively in order to protect the public's interest in the water resource and existing rights. OAR 690-410-01(2)(a). In addition, Oregon's Statewide Water Allocation Policy requires that groundwater use occur within the capacity of the resource and requires the State to protect Oregon's waters from overallocation by new uses of groundwater. OAR 690-410-070(1). The proposed conditions on the applications do not fulfill these mandates.

4. Conservation conditions inadequate

Oregon statutes and rules require the state to "aggressively promote" water conservation and places a high priority on eliminating waste and improving the efficiency of water use. ORS 537.460(2)(a) and OAR 690-410-060(1). The proposed conditions do little to further these policies. This applicant should be required to show, prior to issuance of any permit, that their proposed use is efficient.

5. Water Quality Concerns

WaterWatch is concerned about the possibility of water pollution from the irrigation and use listed under this application. When evaluating applications for new uses, the Department has a duty to ensure that the use will not harm either the quantity or the quality of surface waters. The governing statutory and regulatory schemes make this self evident. See e.g. ORS 537.170(5)(a)&(c).

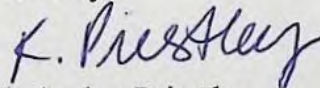
6. A public interest determination is impossible because essential information appears to be missing.

The proposed permit conditions in the technical report require a pump test prior to receiving a certificate. A pump test provides information relating to hydraulic connection and other aquifer properties. This information is critical for the public interest determination and should be obtained prior to a final public interest determination. If, after this information is obtained, and the use is found to be in the public interest, then condition 9 should be added to require periodic pump tests. The condition should not, however, limit the Director's discretion as to when she can require pump tests. We suggest language that would require pump tests annually or as deemed needed by the Director.

7. G13676 is not in the public interest because the proposed condition #14 appears to be a standard condition and is not specifically geared to protect this resource.

The condition requires the permit holder to stop use if the well "displays a total static water-level decline of 25 or more feet." What is the aquifer depth in this situation? As we understand it, this is a standard condition. This condition will not protect the resource if the aquifer depth is, for example, 20 feet. If this is the case, this condition would allow the permittee to pump the aquifer dry before they would be required to stop. The aquifer depth must be determined in order to determine the level of "tolerable" static water level decline. If the aquifer depth is unknown at this time - then there should be a permit condition requiring the permittee to conduct tests to determine the aquifer depth - **prior** to beginning use.

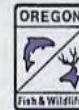
Sincerely,



Kimberley Priestley
Legal/Policy Analyst

Oregon

RECEIVED
DEC - 9 1994
WATER RESOURCES DEPT.
SALEM, OREGON



DEPARTMENT OF
FISH AND
WILDLIFE

SALEM DISTRICT
OFFICE

Dec. 8, 1994

Water Rights Section
Water Resources Department
158 12th Street NE
Salem, OR 97310

Re: Application #G-13676; Report of Technical Review
Hynes Farm
Marion County
2 wells in Abiqua Creek Basin (Pudding River); 1.05 cfs

The WRD Groundwater/Hydrology Section states that the proposed withdrawal from WELL 1 will have the potential to substantially interfere with surface water. The proposed permit has been conditioned accordingly. The report also states that the proposed withdrawal from WELL 2 will **not** have the potential to cause substantial interference with surface water. A discussion with WRD staff revealed that WELL 2, which is located only about 100 yards from WELL 1, is greater than 500 feet deep and has been determined not to have a significant potential to impact surface flow. ODFW does not object to the issuance of this permit as conditioned.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script that reads "Wayne L. Hunt".

Wayne L. Hunt
Ass't District Fish Biologist

c: Burchfield, HCD



4412 Silverton Road NE
Salem, OR 97305
(503) 378-6925
FAX (503) 378-6233

COPY CHECK-OFF SHEET FOR TECHNICAL REVIEWS

CC: FILE # G - 13676

WATERWATCH

ODF&W - County: MARION

WATERMASTER #: 16 DAVE JACKETT

REGIONAL MANAGER: TOM PAUL NW

CWRE: #117 JAMES SCHUETTE

DEO

OREGON ASSOCIATION OF NURSERYMEN INC.

KEN STAHR

OTHER ADDRESSES:

STEVE SCHNEIDER
21881 RIVER ROAD NE
ST PAUL, OR 97137

CASEWORKER (initials/date) MM 8/29/94 ORIGINAL TO APPLICANT 6/28/94

WaterWatch

O F O R E G O N

RECEIVED

MAY 25 1994

WATER RESOURCES DEPARTMENT
SALEM, OREGON

May 24, 1994

Water Resources Department
158 12th St. N. E.
Salem, OR 97310

RE: Application for Permit #G13676, Hynes Farms
Abiqua Cr. Basin, Marion Co., Irrigation

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

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

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

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

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

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

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

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

Sincerely,

Jim Myron

bc:



9-27-94

TECHNICAL REVIEW CHECKLIST

9/26/94

- 1. Application: G-13676
- 2. Review Date: 8/29/94 MM

S indicates information was completed or adequately addressed.
 U indicates information is needed, or incomplete, or inadequately addressed
 N/A indicates Not Applicable

SUMMARY	
<u>S</u>	Land Use
<u>NA/yes/no</u>	Substantial SW interference w/GW (if yes, see results of surface water availability analysis)
<u>S</u>	Conflicts
<u>S</u>	Water Availability (<u>GW Report for 2wll</u>) <small>(Water Availability Sub-basin#)</small> <u>0104112 for well 2</u>
<u>4</u>	The application, map and supporting data are complete and free of defects.
<u>yes/NA</u>	A TMDL letter has been received for this source or tributary. If yes, the period of use has been adjusted.

Free, Oath, Legal, Overseehip? #7, 100 or 100000

- 3. 4 The applicant has certified that the information provided in the application is an accurate representation of the proposed use and is true and correct to the best of their knowledge. An oath is required before a permit is issued regardless of the application's priority date.

5. U Application fees:

Examination fee:	\$ 200	200 cash
Recording fee:	\$ <u>248</u>	100 1 st 10 ⁰ + 74=2
TOTAL REQUIRED	\$ 448	
TOTAL SUBMITTED	\$ 200	
AMOUNT DUE prior to issuance of permit	\$ <u>248</u>	
AMOUNT OVERPAID	\$ <u>0</u>	
refund due applicant	\$ <u>0</u>	

- 6. S Proposed dates of beginning and completion of construction, and complete application of water.

- 7. S A satisfactory map of the proposed place of water use prepared by a certified water right examiner, unless exempt under OAR 690-14-150(3). (A CWRE map is not required for applications filed before November 9, 1987.)

8. U A written copy of the legal description of the property on which the water is to be used.
9. U A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant. *QUEST. #7 UNANSWERED*
10. NA No statement of ownership was required for applications filed before August, 1990.
11. S The proposed use is not restricted or prohibited by statute.
12. S The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.
13. S *Irrigation* use(s) is/are classified uses(s) under the Willamette Basin Program, OAR 690 -502-160.(2) well 2
690-502-120(5) well 1

Land Use Compatibility:

14. As expressed by the Planning Department of MARTELL COUNTY
15. S The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section 136.020).
16. n/a The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.
17. n/a The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For reservoir applications:

18. NA Plans, specifications and supporting information for the dam and impoundment area must be approved by dam safety before a technical review is issued. Plans and specifications are not required for dams less than 10 feet in height and store less than 9.2 acre-feet. (OAR 690, Div 20)

September 29, 1994

WATER
RESOURCES
DEPARTMENT

HYNES FARMS
5820 80TH AVE NE
SALEM, OR 97305

Reference: File G 13676

Hello:

This letter informs you of the current status of your application for a water use permit and accompanies the Satisfactory Report of Technical Review For Water Use Permit(s). We apologize for the delay in transmitting this information and Report to you and for any inconvenience the wait may have caused you.

The enclosed Report of Technical Review is the Department's summary of a specialized analysis of various legal and scientific aspects of your application and proposed water use. We are required by the state of Oregon's administrative rules (in OAR 690-11-160) to conduct this official technical review of each application submitted to the Oregon Water Resources Department for a water use permit. This process was designed to insure that your application receives a fair evaluation and to secure protection of existing water rights and of the public at large.

AS THE RESULT OF OUR TECHNICAL EVALUATION, WE HAVE DETERMINED THAT YOUR APPLICATION SATISFIES THE REQUIREMENTS OF THE TECHNICAL REVIEW.

The Department will now move your application to the next phase of processing. This phase includes a public interest review of your proposed water use. No final action may be taken on your application until the public interest review is completed.

You should also note that the Report of Technical Review describes conditions currently anticipated which may limit the water use proposed in your application.

If you wish to object to any of the analyses contained in the Report, you must submit your objection to the Department in writing within 60 days of the date of mailing of this Report or by the date specified below. Your objection must allege that the technical review is defective and you may also submit evidence which demonstrates that your proposed water use will not impair or be detrimental to the public interest.

Copies of the Report of Technical Review will be distributed to all persons who have filed comments or otherwise expressed an interest in the water use proposed in your application. Interested parties must also submit their objections within the prescribed objection period. Those objections must allege that the technical review is defective and/or that the proposed water use may impair or be detrimental to the public interest.



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

If an objection contains allegations that the technical review is defective, it must be accompanied by facts which support such allegations. If an objection contains allegations that the proposed water use may impair or be detrimental to the public interest, the objection must specify the particular public interest standards which apply as set out in Oregon Revised Statutes (ORS 537.170(5)) and Oregon Administrative Rules (OAR 690-11-195) and state facts showing how such standards would be violated.

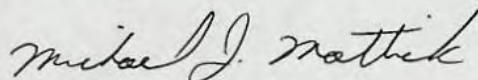
All evidence and objections must be received by our Salem office no later than 5:00 p.m. on or before DECEMBER 12, 1994 or the Department may presume there is no opposition to any of the analyses set out in the technical review report. Evidence and objections must be addressed and delivered to: Oregon Water Resources Department, Water Rights Section, 158 12th Street Northeast, Salem, Oregon 97310.

If objections and evidence are submitted on or before the above time and date, the Director of the Water Resources Department will evaluate each issue raised in the objections and either accept or deny them. Objectors are encouraged to indicate whether they would be interested in resolving their concerns through alternative dispute resolution.

If any of the objections are denied, the objector will be allowed thirty days to submit a protest to the denial. The protest must meet the standards set forth in OAR 690-02-030 through 080.

If you have any questions, please feel free to telephone me or any of the Department's Water Rights Section staff. My telephone number is 378-3739, in Salem, or you may call toll free from within the state to 1-800-624-3199.

Sincerely,



Michael J. Mattick
Water Rights Specialist

Enclosures

Report Date: September 29, 1994

OREGON WATER RESOURCES DEPARTMENT
SATISFACTORY REPORT OF TECHNICAL REVIEW
FOR WATER USE PERMIT(S)

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 158 12th ST N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE: DECEMBER 12, 1994

1. APPLICATION FILE NUMBER -G 13676
2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:

HYNES FARMS
5820 80TH AVE NE 503-362-8125
SALEM, OR 97305

COUNTY OF MARION

Date application received for filing and/or tentative date of priority: 4/26/1994

SOURCE: TWO WELLS IN THE ABIQUA CREEK BASIN

Purpose and/or use: IRRIGATION OF 84.0 ACRES.

Flow: 1.05 CUBIC FOOT PER SECOND

Point of Diversion Location:

WELL # 1 - NW 1/4 NE 1/4, SECTION 28, T 6 S, R 1 W, W.M.;
660 FEET SOUTH & 350 FEET EAST FROM N1/4 CORNER, SECTION 28.
WELL # 2 - NW 1/4 NE 1/4, SECTION 28, T 6 S, R 1 W, W.M.;
462 FEET SOUTH & 462 FEET EAST FROM N1/4 CORNER, SECTION 28.

Place of use:

NE 1/4 NE 1/4	36.9	ACRES
NW 1/4 NE 1/4	19.0	ACRES
NW 1/4 NE 1/4	15.8	ACRES
SW 1/4 NE 1/4	0.4	ACRES
SE 1/4 NE 1/4	6.9	ACRES
NE 1/4 NW 1/4	5.0	ACRES

SECTION 28
TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.

GROUNDWATER AVAILABILITY

This is an application for use of groundwater. The Groundwater/Hydrology Section report indicates that:

Pursuant to OAR 690-09-040, the proposed groundwater withdrawal FROM WELL 1 will have the potential to cause substantial interference with surface water.

Pursuant to OAR 690-09-040, the proposed groundwater withdrawal FROM WELL 2 will NOT have the potential to cause substantial interference with surface water.

In addition, the Groundwater/Hydrology Section has reported the water use can, if properly conditioned, avoid injury to existing rights or to the groundwater resource.

CONFLICTS WITH OTHER WATER RIGHTS:

There are existing rights from this point of diversion (well # 1). See proposed permit conditions.

There are existing water rights appurtenant to the lands described in the application.

SURFACE WATER AVAILABILITY FOR WELL # 1

Water is likely available in excess of needs for all existing rights and scenic waterway needs 80% of the time during each monthly period proposed by the technical review.

Water availability tables are available in the application file and may be reviewed in the office of the Water Resources Department in Salem.

REPORT CONCLUSIONS:

Based on the Department's review of water availability and Oregon Administrative Rules, water in the amount of 1.05 CFS is likely available FROM WELL 1 FOR 2 months, AND FROM WELL 2 FOR 8 MONTHS.

The evaluation of your application takes into consideration water quality concerns that have been identified by the Oregon Department of Environmental Quality (DEQ). The Pudding River basin has been identified as water quality limited by the DEQ. The analysis of water quality in this basin indicates that during the months of May through October of each year, water quality problems exist. Due to water quality problems during low flows, water is not available for appropriation from May 1 through October 31 of each year.

Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

THE PROPOSED WATER USE, AS CONDITIONED, SATISFIES THE REQUIREMENTS OF THIS TECHNICAL REVIEW.

This Report of Technical Review sets out the Director's technical analysis of the application. In addition to this technical analysis, the Director will evaluate this application to determine whether the proposed water use might impair or be detrimental to the public interest under the standards set out in ORS 537.170(5) and OAR 690-11-195. Matters relating to public interest in the proposed water use which are raised in objections will be evaluated following the 60-day objection period.

PROPOSED PERMIT CONDITIONS

Application: G 13676

The following conditions will apply to water use under the permit, and will appear in the permit, if issued.

1. Use of water under this permit is subject to all prior rights.
2. Period of allowed use: SUPPLEMENTAL IRRIGATION FROM WELL 1 FROM MARCH 1 THROUGH APRIL 30 AND PRIMARY IRRIGATION FROM WELL 2 FROM MARCH 1 THROUGH OCTOBER 31.
3. Rate of use: UP TO 1.05 CFS
4. Water use development requirements:
 - A. Begin construction by (one year from issuance of permit).
 - B. Complete construction by October 1, 1996.
 - C. Completely apply the water to beneficial use by October 1, 1997.
5. 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.

6. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.
7. The 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.
8. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
9. The well 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 of water shall be limited when it interferes with any prior surface or ground water rights.
10. 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.
11. In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.
12. This right is limited to any deficiency in the available supply of any prior right existing for the same land.
13. The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.
14. The PERMITTEE shall obtain a static water-level measurement for each well during PERMITTEE of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water-rights examiner, registered professional geologist, certified engineering geologist, professional engineer, licensed well

constructor or pump installer licensed by the Construction Contractors Board. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations. Reports and calculations shall be provided to the Department on forms provided by the Department and shall be certified as to their accuracy by the individual making the measurements. If a well listed on this permit displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the PERMITTEE shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the PERMITTEE'S 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 reference level for water-level declines shall be the second annual measurement taken after water use begins under the terms of this permit. The PERMITTEE shall in no instance allow excessive decline to occur within the aquifer as a result of use under this permit.

RECEIVED

OCT 29 1996

Application G-13676

WATER RESOURCES DEPT.
SALEM, OREGON

LIMITED PERIOD OF USE ACKNOWLEDGEMENT LETTER

Application Number: G-13676

I, the applicant, acknowledge and agree that if a permit is issued, water use will only occur during the allowed period of use.

Kent E Hynes
Signature

10/25/96
Date

Kent E Hynes for Hynes Farms

OCTOBER 29, 1996

HYNES FARMS
5820 80th AVE NE
SALEM, OR 97305

Reference: File Number G-13676

Dear Mr. Kent Hynes,

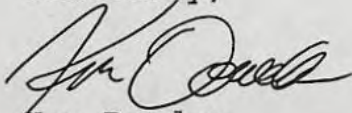
As per your phone request with Gary Holliday, Water Rights Division, the Department may delay processing of the above listed file. The period of time allowed will be one month (30 days) in which to submit items needed to further process your application. I apologize for the delay in responding to your request and thus allowing the additional time.

The Department may allow a "Time Out" and hold up processing of your application for a reasonable period of time. The extension time out period shall not exceed 180 days except upon a finding by the Director that a longer extension is reasonable and necessary. By asking for an extension, you are waiving your rights to expedient processing.

No action will take place on this application until after November 29, 1996, unless other arrangements are made earlier. If you wish to continue or submit items early, please write "**CONTINUE PROCESSING**" in bold on both the envelope and letter. This will alert staff to return file again to active status.

If you have any questions or concerns, please give me a call at (503) 378-8455 extension 269.

Sincerely,



Ken Dowden
Water Rights Examiner
Water Rights/Adjudication Division

cc: file
District 16 Watermaster
Rachel Baer, OWRD, Tracking Center



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

WATER AVAILABILITY TABLE

Basin: Willamette

Water Availability Subbasin: 0104112000000000 (and Nested Subbasins)

Exceedance Level: 80

Time: 15:48

Date: 09/29/1994

Item #	W.A. Subbasin	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	0100000000000000	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
2	0104000000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	YES	YES
3	0104100000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	YES	YES
4	0104110000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	YES	YES
5	0104112000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	YES	YES

I called Kurt Hynes 9/29/94

well # 1 is old well identified on

GR 3403 - 100' deep - no well

log no info on seal etc.

I assume Hyd connection from

GU Report

MM

DETAILED REPORT ON WATER AVAILABILITY

Basin: Willamette

Stream: PUDDING R

> MOLALLA R

Water Availability Subbasin: 0104112000000000

Exceedance Level: 80

Time: 15:48

Date: 09/29/1994

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Water Available 1/1/93	CU + Stor After 1/1/93	Net Minimum Flow	Instream Water Rights	Net Water Available
1	603.00	12.00	591.00	1.79	589.00	10.00	579.00
2	650.00	14.00	636.00	1.76	634.00	10.00	624.00
3	587.00	2.00	585.00	1.60	583.00	10.00	573.00
4	451.00	4.00	447.00	1.53	445.00	10.00	435.00
5	235.00	12.00	223.00	1.18	222.00	10.00	212.00
6	111.00	26.80	84.20	1.52	82.70	10.00	72.70
7	43.60	42.30	1.34	1.93	-0.60	10.00	-10.60
8	24.70	35.00	-10.30	1.63	-11.90	10.00	-21.90
9	22.70	20.80	1.93	1.14	0.79	10.00	-9.21
10	38.90	3.60	35.30	0.58	34.70	10.00	24.70
11	233.00	7.00	226.00	0.84	225.00	10.00	215.00
12	608.00	13.00	595.00	1.75	593.00	10.00	583.00
Stor	384000	9430	373000	934	372000	6590	365000

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-13676

Proposed Final Order

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

Additional Information: The Department proposes to issue the attached permit contingent on the receipt of the attached "Limited Period of Use Acknowledgement Letter." This letter must be signed and returned to the Department within 45 days. Failure to return the letter may result in the Department withholding issuance of the permit and may result in the eventual rejection of your application for Well #1.

Application History

On April 26, 1994, HYNES FARMS submitted an application to the Department for the following water use permit:

- Amount of Water: 1.05 cubic feet per second
- Use of Water: Irrigation of 63.2 acres and Supplemental Irrigation of 20.8 acres
- Source of Water: Two wells in Pudding River Basin
- Area of Proposed Use: Marion County within
SECTION 28
TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.

The Department mailed the applicant notice of its Technical Review September 29, 1994, determining that water is available March 1 through October 31 from Well #2 and March 1 through April 30 from Well #1 for Irrigation use. The 60-day objection period closed December 12, 1994.

Within the 60-day period, objections were received from WaterWatch of Oregon.

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

- comments by or consultation with another state agency
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available
- the rate and duty for the proposed use
- pending senior applications and existing water rights of record

- designations of any critical groundwater areas
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any general basin-wide standard for flow rate and duty of water allowed
- the need for a flow rate and duty higher than the general standard
- any comments received

Findings of Fact

The Willamette Basin Program limits the following use of water from Well #1 for Irrigation use from tributaries to the Pudding River to the period November 1 through April 30, OAR 690-502-120 (5).

Senior water rights exist on Well #1 or on downstream waters, but no rights exist on Well #2.

The two wells are not within or above a State Scenic Waterway.

Water is available for further appropriation (at an 80 percent exceedance probability) from Well #1 for the period November 1 through May 31. Water is available March 1 through October 31 from Well #2.

The Department finds that no more than 1.05 cfs would be necessary for the proposed use. The amount of water requested, 1.05 cfs, being 0.26 cfs from Well #1 and 0.79 cfs from Well #2, is allowed.

Notification has been received from the Department of Environmental Quality (DEQ) that the Pudding River is Water Quality Limited Stream for which Total Maximum Daily Loads have been established. The DEQ requests that no new water rights be issued for the period May 1 through October 31.

The two wells are not within a designated critical ground water area.

The Department determined, based upon OAR 690-09, that the proposed groundwater use from Well #1 will have the potential for substantial interference with the nearest surface water source, namely **unnamed tributary to Pudding River**.

The Department determined, based upon OAR 690-09, that the proposed groundwater use from Well #2 will not have the potential for substantial interference with the nearest surface water source, namely **unnamed tributary to Pudding River**.

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

Conclusions of Law

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

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

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

Water is available for the proposed use.

The proposed use will not injure other water rights.

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

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

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

For these reasons, the required presumption has been established.

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

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

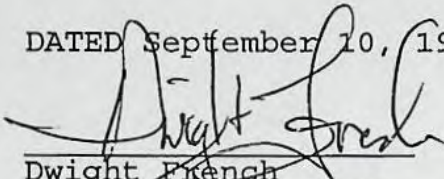
In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

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

Recommendation

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

DATED September 10, 1996



Dwight French
Water Rights Section Manager

Protest Rights

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

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

Your protest must be received in the Water Resources Department no later than October 25, 1996.

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

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

GH

DRAFT

This is not a permit!!!
STATE OF OREGON

DRAFT

COUNTY OF Marion

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

HYNES FARMS
5820 80TH AVE NE
SALEM, OREGON 97305

(503) 362-8125

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

APPLICATION FILE NUMBER: G-13676

SOURCE OF WATER: TWO WELLS IN PUDDING RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 63.2 ACRES FROM WELL #1 AND SUPPLEMENTAL IRRIGATION OF 20.8 ACRES FROM WELL #2

MAXIMUM RATE: 1.05 CFS, BEING 0.26 CFS FROM WELL #1 AND 0.79 CFS FROM WELL #2

PERIOD OF USE: MARCH 1 THROUGH APRIL 30 FROM WELL #1 AND MARCH 1 THROUGH OCTOBER 31 FOR WELL #2

DATE OF PRIORITY: APRIL 26, 1994

POINT OF DIVERSION LOCATION: NW 1/4 NE 1/4, SECTION 28, T6S, R1W, W.M.; WELL 31 - 660 FEET SOUTH & 350 FEET EAST, WELL #2 - 462 FEET SOUTH & 462 FEET EAST, BOTH FROM N1/4 CORNER, SECTION 28

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	PRIMARY	SUPPLEMENTAL
NE 1/4 NE 1/4	36.9 ACRES	
NW 1/4 NE 1/4	19.0 ACRES	15.8 ACRES
SW 1/4 NE 1/4	0.4 ACRES	
SE 1/4 NE 1/4	6.9 ACRES	
NE 1/4 NW 1/4		5.0 ACRES
SECTION 28		
TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.		

Measurement, recording and reporting conditions:

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

Limited Water Level Decline/Interference Condition

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 3 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.

STANDARD CONDITIONS

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

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

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

LIMITED PERIOD OF USE ACKNOWLEDGEMENT LETTER

Application Number: G-13676

I, the applicant, acknowledge and agree that if a permit is issued, water use will only occur during the allowed period of use.

Signature

Date

PFO CHECKLIST

Application #: G 13676 Vol _____ Subbasin _____

Basin: 2

WAB: 016411200

Township 65

Range 1W

Section 28

1/4 1/4

- 1. Completeness checklist verified? (Y) N
- 2. Indicators that the process should not continue (ie - protest, items missing, letter to file indicating hold, other) Y / N
- 3. Groundwater review (A) (B) C D
 - a. Is second groundwater review necessary? Y / N reason _____
 - b. Is the well located in a groundwater limited area? Y / N
- 4. SWW Y / (N) Triage Y / (N) conditions/restrictions Y / N _____
- 5. Basin Program limitations? (Y) N Nov 1 - April 30 for irrig for well #1
March 1 - Oct 31 for well #2
- 6. Withdrawal? Y / (N) season allowed _____
- 7. Basin Maps have been checked. (Y) N The River Mile is _____
- 8. Water Availability (50% < July 17, 1992 OR 80% [50% storage] > July 17, 1992) NA
 - a. Notify Ken Stahr Y / N (Q, Duty, or Season) _____
- 9. Rate/Duty/Season 180 2.5 March 1 - Oct 31
- 10. Use Irrig Period of Allowed Use _____
- 11. Priority Date(s) April 26, 1994 TR / IR mail date _____
- 12. B.O.R. project Y / (N) contract # _____
- 13. TMDL Basin? (Y) N (Tualatin, Yamhill, Pudding) Division 3 (Y) N (Abv Bonn > July 17, 92) 100 (Blw Bonn > April 18, 94 or June 3, 94)
- 14. Conflicts Y / (N)
- 15. Objections? (Y) N WW PFO different from IR/TR Y / N _____
- 16. Conditions (from IR/TR/ or Additional) (Y) N (macro series 4 - 7) 46 (well #2)
- 17. Land use approval (OK'd) needs approval county notified NA
- 18. SIZE Small (<= 0.1 cfs, <= 9.2 AF), Medium (> 0.1 or < 1.5 cfs, > 9.2 or < 100 AF) Large (>= 1.5 cfs, >= 100 AF)?
- 19. Watermaster Dist: (1 2 16 18 - NWR) (3 4 5 - NCR) (6 8 9 10 - ER) (11 12 17 - SCR) (14 15 19 - SWR)
Well #1 has a GR permit, GR-3403
in hydraulic connection
Well #2 is ok

Name:

[Signature]

Date:

save to m:\t\pfo\done\week#\app#.w51

55
2 E
fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses.

(3) Multnomah Channel and drainage waters originating within drainage districts are classified for domestic, livestock, municipal, industrial, irrigation, commercial, agricultural, mining, power, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses.

(4) Except as specified in subsections (1)(a), (b) and (c) of this rule, all stream systems in the Columbia Subbasin and Columbia Slough are classified year-round only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses.

Stat. Auth.: ORS 536.300 & 536.340

Hist.: WRD 4-1992, f. & cert. ef. 3-13-92

Groundwater Classifications and Conditions

690-502-160 (1) Use of groundwater from the basalt aquifer within the Cooper-Bull Mountain Critical Groundwater Area shall be as described in the State Engineer's order designating the Cooper-Bull Mountain Critical Groundwater Area dated May 17, 1974.

(2) Groundwater Classification: The ground-water resources of the Willamette Basin are classified for domestic, livestock, irrigation, municipal, industrial, agricultural, commercial, power, mining, recreation, fish life, wildlife, pollution abatement, wetland enhancement and statutorily exempt groundwater uses with the following exceptions:

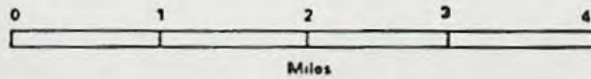
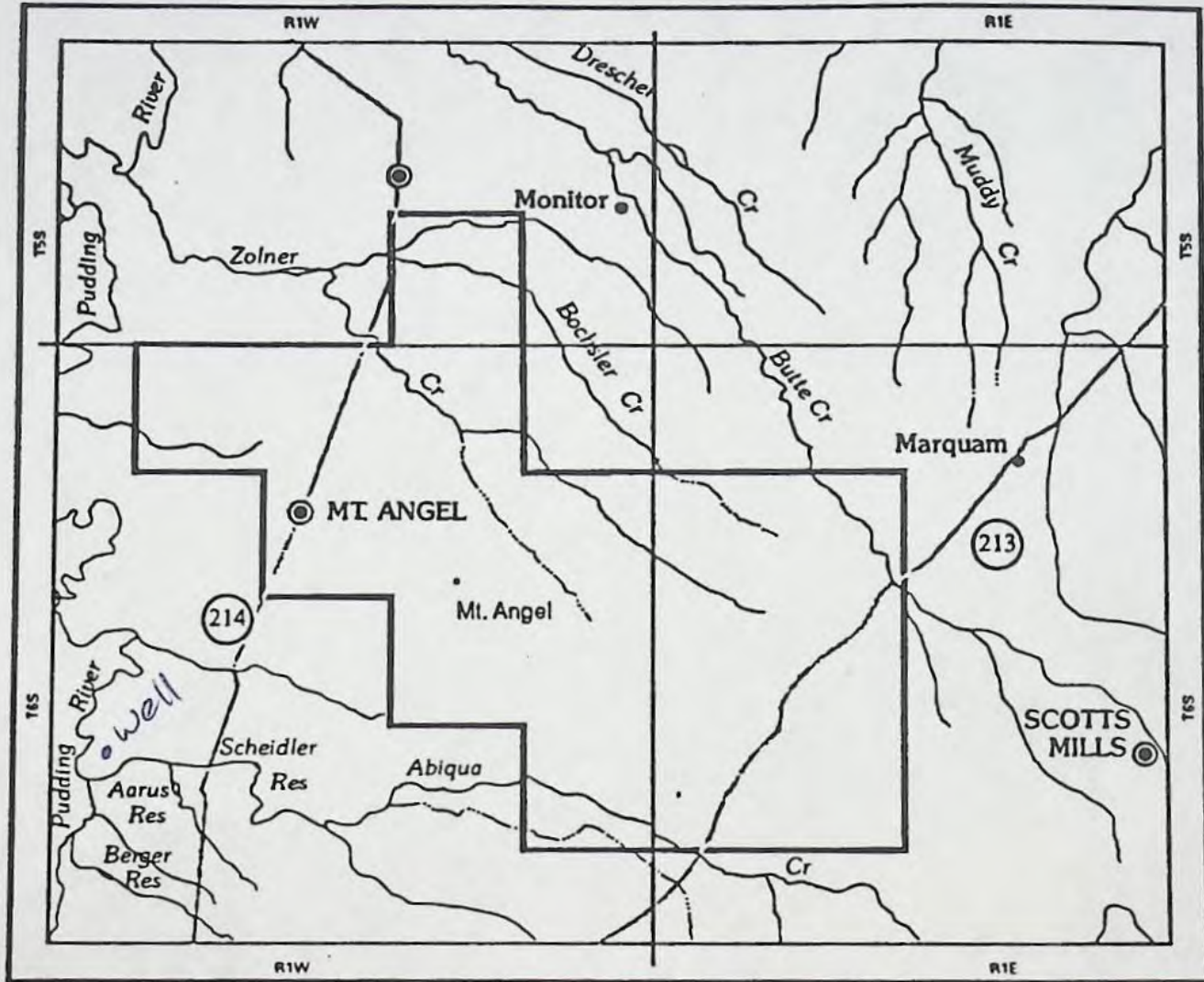
(a) Groundwater from the *shallow* Troutdale aquifer and the specially designated portion of the *deep* Troutdale aquifer in the Sandy-Boring area is classified for exempt uses only. The Sandy-Boring Groundwater Limited Area is as described and shown in Exhibit 1. Groundwater applications pending on 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 690-08. 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, Glad Tidings, Kingston, Mt. Angel, Parrett Mountain, and Stayton-Sublimity areas, and the Troutdale aquifer in the Damascus area is classified for exempt uses only:

(A) The Damascus Groundwater Limited Area is as described and shown in Exhibit 2. The Glad Tidings Groundwater Limited Area is as described and shown in Exhibit 3. The Kingston Groundwater Limited Area is as described and shown in Exhibit 4. The Mt. Angel Groundwater Limited Area is as described and shown in Exhibit 5. The Parrett Mountain Groundwater Limited Area is as described and shown in Exhibit 9. The Stayton-Sublimity Groundwater Limited Area is as described and shown in Exhibit 7;

(B) Groundwater applications pending on October 4, 1991 shall be processed according to the classifications in effect on the date the application was filed. Permits may be issued for a period not to exceed five years and shall contain the Special Permit Conditions specified in section (3) of this rule. Permits may be extended for additional five-year periods if the Director finds that the groundwater resource can probably support the extended use. Applications may be rejected or permit or certificate extensions may be denied if the aquifer displays any of the adverse impacts defined in OAR 690-08. Applications submitted after October 4, 1991 shall be processed according to the requirements of these rules and classifications. Within two years of permit issuance, the applicant shall prepare a plan for the Water

Mt. Angel Groundwater Limited Area



natural flows of the Middle Fork Santiam River or its tributaries below 110 cubic feet per second plus waters released from storage of up to 260 cubic feet per second measured at the aforementioned gage;

(b) The South Santiam River or its tributaries above USGS — Corps of Engineers — State Engineer Gage 14187500 (SW 1/4 NW1/4 Section 28, Township 12 South, Range 1 West) at Waterloo, Oregon, for natural flows of the South Santiam River below 170 cubic feet per second plus waters released from storage of up to 930 cubic feet per second measured at the aforementioned gage;

(c) The North Santiam River or its tributaries above USGS Gage 14181500 (NE 1/4 NE 1/4 Section 34, Township 9 South, Range 4 East) at Niagara, Oregon, for natural flows of the North Santiam River below 500 cubic feet per second plus waters released from storage of up to 640 cubic feet per second measured at the aforementioned gage;

(d) The North Santiam River or its tributaries above USGSGage 14183000 (NW 1/4 Section 18, Township 9 South, Range 2 East) at Mehama, Oregon, for natural flows of the North Santiam River below 580 cubic feet per second plus waters released from storage of up to 640 cubic feet per second measured at the aforementioned gage;

(e) The North Santiam River or its tributaries above USGS Gage 14184100 (Section 7, Township 10 South, Range 2 West) near Jefferson, Oregon, for natural flows of the North Santiam River below 430 cubic feet per second plus waters released from storage of up to 640 cubic feet per second measured at the aforementioned gage;

(f) The Santiam River or its tributaries above USGSGage 14189000 (SE 1/4 Section 11, Township 10 South, Range 3 West) at Jefferson, Oregon, for natural flows of the Santiam River below 330 cubic feet per second plus waters released from storage of up to 1,570 cubic feet per second measured at the aforementioned gage;

(g) The Santiam River or its tributaries above the Santiam River — Willamette River confluence for natural flows of the Santiam River below 320 cubic feet per second plus waters released from storage of up to 1,570 cubic feet per second measured at a point between the said confluence and 1.0 miles above said confluence;

(h) The Calapooia River or its tributaries above USGSGage 14172000 (SE1/4 Section 15, Township 14 South, Range 1 West) at Holley, Oregon, for natural flows of the Calapooia River below 30 cubic feet per second plus waters released from storage or up to 340 cubic feet per second measured at the aforementioned gage;

(i) The Calapooia River or its tributaries above USGS Gage 14173500 (NW 1/4 Section 13, Township 11 South, Range 4 West) at Albany, Oregon, for natural flows of the Calapooia River below 20 cubic feet per second plus waters released from storage of up to 340 cubic feet per second measured at the aforementioned gage.

[ED. NOTE: Table 1 referenced in this rule is not printed in the OAR Compilation. Copies may be obtained from the Water Resources Department.]

Stat. Auth.: ORS 536.220, 536.300, 536.310, 536.340, 536.410, 537.170, 537.356 & 537.358

Hist.: WRD 4-1992, f. & cert. ef. 3-13-92; WRD 12-1992, f. & cert. ef. 9-9-92

Molalla River — Pudding River Subbasin

690-502-120 The Molalla — Pudding Subbasin includes the drainage area of the Molalla and Pudding Rivers upstream from the confluence with the Willamette River near Canby. Surface water classification:

(1) The following streams and tributaries are withdrawn from further appropriation except storage:

(a) The North and South Forks of Silver Creek above their confluence are withdrawn from further appropriation for any purpose except use in state parks by act of the Legislature, ORS 538.120;

(b) Drift Creek, a tributary of the Pudding River near river mile 51, is withdrawn from further appropriation by order of the State Engineer dated August 8, 1951;

(c) The unnamed stream flowing through Section 25, Township 5 South, Range 2 West, Willamette Meridian and Sections 29, 30 and 32, Township 5 South, Range 1 West, Willamette Meridian, tributary to the Pudding River near river mile 31, is withdrawn from further appropriation by order of the State Engineer dated July 25, 1951;

(d) The unnamed stream flowing through Sections 4, 9 and 10, Township 7 South, Range 1 West, Willamette Meridian, a tributary to Brush Creek near Silverton, is withdrawn from further appropriation by order of the State Engineer dated September 22, 1950;

(e) Rock Creek, tributary to the Pudding River near river mile 12, is withdrawn from further appropriation by order of the State Engineer dated August 13, 1951.

(2) The Molalla River and tributaries, except the Pudding 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 May 31, and only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses from June 1 through October 31.

(3) 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) Molalla River and Table Rock Fork above their confluence near river mile 40;

(b) Gawley Creek tributary to Molalla River;

(c) Pine Creek tributary to Molalla River;

(d) Trout Creek tributary to Molalla River;

(e) North Fork Molalla River tributary to Molalla River;

(f) Cedar Creek tributary to the Molalla River near river mile 24;

(g) Dickey Creek tributary to Molalla River;

(h) Milk Creek, and Cedar Creek above their confluence near Union Mills tributary to Molalla River;

(i) Gribble Creek tributary to Molalla River;

(j) Ogle Creek tributary to Molalla River.

(4) The Pudding River main stem is classified for domestic, livestock, irrigation, municipal, industrial, agricultural, commercial, power, mining, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses from October 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 September 30.

(5) Except as specified in this section, the tributaries of the Pudding River 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.

(6) The following streams 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 December 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 November 30:

- (a) Butte Creek tributary to Pudding River;
- (b) Abiqua Creek tributary to Pudding River.

Stat. Auth.: ORS 536.220, 536.300, 536.310, 536.340, 536.410, 537.170, 537.356 & 537.358

Hist.: WRD 4-1992, f. & cert. ef. 3-13-92; WRD 12-1992, f. & cert. ef. 9-9-92

Tualatin River Subbasin

690-502-130 The Tualatin subbasin includes the drainage area of the Tualatin River upstream from the confluence with the Willamette River near West Linn:

(1) Surface water classification:

(a) The following streams and tributaries are withdrawn from further appropriation except for storage, unless otherwise indicated, by order of the State Engineer on the specified dates:

(A) Unnamed stream flowing through Sections 10, 15, and 21, Township 1 South, Range 3 West, Willamette Meridian, tributary to the Tualatin River, by order dated August 13, 1951;

(B) Unnamed stream flowing through Sections 32, 33, 34 and 35, Township 1 North, Range 3 West, Willamette Meridian, tributary to Dairy Creek, by order dated July 25, 1951;

(C) Unnamed stream, known locally as Burriss Creek, flowing through northeast part of Township 2 South, Range 3 West, Willamette Meridian, and Sections 5 and 6, Township 2 South, Range 2 West, Willamette Meridian, tributary to the Tualatin River, by order dated July 25, 1951;

(D) Unnamed stream flowing in the south part of Township 1 South, Range 2 West, Willamette Meridian, tributary to the Tualatin River, by order dated August 4, 1950;

(E) Unnamed stream flowing through Sections 19, 29, 30, 31 and 32, Township 1 South, Range 3 West, Willamette Meridian, tributary to the Tualatin River, by order dated August 8, 1950;

(F) Clear Creek and Iler Creek west of the north-south line between Township 1 North, Ranges 4 and 5 West, being tributaries to Gales Creek for the exclusive use of the City of Forest Grove under permit 12034, by order dated March 2, 1936;

(G) Unnamed branch of Clear Creek within Sections 18, 19, 29 and 30, Township 1 North, Range 4 West, Willamette Meridian, for the exclusive of the City of Forest Grove under permit 13944 by order dated October 19, 1939.

(b) Except as specified in subsections (a) and (c) of this section, the Tualatin River and tributaries are classified for domestic, livestock, municipal, irrigation, industrial, agricultural, commercial, power in conjunction with storage, 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, wetland enhancement and public instream uses from May 1 through October 31;

(c) The following streams and tributaries are classified year-round only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses:

(A) McFee Creek tributary to Tualatin River;

(B) Gales Creek tributary to Tualatin River;

(C) East Fork of Dairy Creek tributary to Dairy Creek;

(D) McKay Creek tributary to Dairy Creek;

(E) Scoggins Creek tributary to Tualatin River.

(2) For the purpose of maintaining a minimum perennial streamflow sufficient to support aquatic life and to minimize pollution and of attaining the highest and best use of waters released from storage, no appropriations of water except for

WATER AVAILABILITY TABLE

Basin: WILLAMETTE Exceedance Level: 80
 Water Availability Subbasin: 0104112000000000 (and Nested Subbasins)
 Time: 13:24 Date: 08/29/1996

Item #	W.A. Subbasin	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	0100000000000000	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
2	0104000000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	YES	YES
3	0104100000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	YES	YES
4	0104110000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	YES	YES
5	0104112000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	YES	YES

STREAM NAMES
 T M D L

Basin: WILLAMETTE
 Water Availability Subbasin: 0104112000000000 (and Nested Subbasins)
 Time: 13:24 Date: 08/29/1996

WAB #	Stream Name	Tributary to
0100000000000000	WILLAMETTE R	COLUMBIA R
0104000000000000	MOLALLA R	WILLAMETTE R
0104100000000000	PUDDING R	MOLALLA R
0104110000000000	PUDDING R	MOLALLA R
0104112000000000	PUDDING R	MOLALLA R

LIMITING WATER AVAILABILITY SUBBASINS

Water Availability Subbasin: 0104112000000000

Basin: WILLAMETTE

Exceedance Level: 80

Time: 13:24

Date: 08/29/1996

Month	Limiting Subbasin	Stream Name	Water Available?	Net Water Available
1	0104112000000000	PUDDING R	YES	579.0
2	0104112000000000	PUDDING R	YES	624.0
3	0104112000000000	PUDDING R	YES	573.0
4	0104112000000000	PUDDING R	YES	435.0
5	0104112000000000	PUDDING R	YES	211.0
6	0104000000000000	MOLALLA R	NO	-166.0
7	0104000000000000	MOLALLA R	NO	-158.0
8	0104000000000000	MOLALLA R	NO	-95.0
9	0104000000000000	MOLALLA R	NO	-77.6
10	0104000000000000	MOLALLA R	NO	-279.0
11	0104000000000000	MOLALLA R	YES	118.0
12	0104112000000000	PUDDING R	YES	583.0
Stor	0104112000000000	PUDDING R	YES	359000.0

DETAILED REPORT ON WATER AVAILABILITY

Basin: WILLAMETTE

Stream: WILLAMETTE R

> COLUMBIA R

Water Availability Subbasin: 0100000000000000

Exceedance Level: 80

Time: 13:24

Date: 08/29/1996

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	28800.00	500.00	28300.00	227.00	28100.00	1500.00	26600.00
2	31100.00	3500.00	27600.00	228.00	27400.00	1500.00	25900.00
3	29300.00	4600.00	24700.00	224.00	24500.00	1500.00	23000.00
4	26100.00	4400.00	21700.00	225.00	21500.00	1500.00	20000.00
5	21200.00	2200.00	19000.00	228.00	18800.00	1500.00	17300.00
6	10900.00	1260.00	9640.00	328.00	9310.00	1500.00	7810.00
7	6300.00	1640.00	4660.00	334.00	4330.00	1500.00	2830.00
8	4940.00	1460.00	3480.00	303.00	3180.00	1500.00	1680.00
9	5030.00	1090.00	3940.00	282.00	3660.00	1500.00	2160.00
10	6030.00	360.00	5670.00	187.00	5480.00	1500.00	3980.00
11	12800.00	400.00	12400.00	210.00	12200.00	1500.00	10700.00
12	25800.00	400.00	25400.00	227.00	25200.00	1500.00	23700.00
Stor	19900000	1960000	18000000	180000	17800000	1080000	16700000

DETAILED REPORT OF ISWRs

Basin: WILLAMETTE

Stream: WILLAMETTE R

> COLUMBIA R

Water Availability Subbasin: 0100000000000000

Time: 13:24

Date: 08/29/1996

-----ISWRs-----						
APP # :	181A	0	0	0	0	RESULTANT
STATUS:	Cert.					
1	1500.0	0.0	0.0	0.0	0.0	1500.0 C
2	1500.0	0.0	0.0	0.0	0.0	1500.0 C
3	1500.0	0.0	0.0	0.0	0.0	1500.0 C
4	1500.0	0.0	0.0	0.0	0.0	1500.0 C
5	1500.0	0.0	0.0	0.0	0.0	1500.0 C
6	1500.0	0.0	0.0	0.0	0.0	1500.0 C
7	1500.0	0.0	0.0	0.0	0.0	1500.0 C
8	1500.0	0.0	0.0	0.0	0.0	1500.0 C
9	1500.0	0.0	0.0	0.0	0.0	1500.0 C
10	1500.0	0.0	0.0	0.0	0.0	1500.0 C
11	1500.0	0.0	0.0	0.0	0.0	1500.0 C
12	1500.0	0.0	0.0	0.0	0.0	1500.0 C

DETAILED REPORT ON WATER AVAILABILITY

Basin: WILLAMETTE
 Stream: MOLALLA R > WILLAMETTE R
 Water Availability Subbasin: 0104000000000000
 Exceedance Level: 80
 Time: 13:24 Date: 08/29/1996

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	1870.00	20.00	1850.00	10.20	1840.00	500.00	1340.00
2	2010.00	20.00	1990.00	10.40	1980.00	500.00	1480.00
3	1830.00	10.00	1820.00	9.36	1810.00	500.00	1310.00
4	1530.00	10.00	1520.00	10.10	1510.00	500.00	1010.00
5	927.00	47.00	880.00	13.20	867.00	500.00	367.00
6	431.00	79.00	352.00	17.90	334.00	500.00	-166.00
7	204.00	136.00	68.00	26.40	42.00	200.00	-158.00
8	139.00	112.00	27.50	22.50	5.00	100.00	-95.00
9	134.00	48.20	85.80	13.40	72.40	150.00	-77.60
10	188.00	11.00	177.00	5.51	171.00	450.00	-279.00
11	637.00	12.00	625.00	7.29	618.00	500.00	118.00
12	1700.00	20.00	1680.00	10.00	1670.00	500.00	1170.00
Stor	1320000	31500	1290000	9350	1280000	293000	1000000

DETAILED REPORT OF ISWRs

Basin: WILLAMETTE
 Stream: MOLALLA R > WILLAMETTE R
 Water Availability Subbasin: 0104000000000000
 Time: 13:24 Date: 08/29/1996

APP #	ISWRs	RESULTANT
69796A	0 0 0 0	
STATUS: Cert.		
1	500.0 0.0 0.0 0.0 0.0 0.0	500.0 C
2	500.0 0.0 0.0 0.0 0.0 0.0	500.0 C
3	500.0 0.0 0.0 0.0 0.0 0.0	500.0 C
4	500.0 0.0 0.0 0.0 0.0 0.0	500.0 C
5	500.0 0.0 0.0 0.0 0.0 0.0	500.0 C
6	500.0 0.0 0.0 0.0 0.0 0.0	500.0 C
7	200.0 0.0 0.0 0.0 0.0 0.0	200.0 C
8	100.0 0.0 0.0 0.0 0.0 0.0	100.0 C
9	150.0 0.0 0.0 0.0 0.0 0.0	150.0 C
10	450.0 0.0 0.0 0.0 0.0 0.0	450.0 C
11	500.0 0.0 0.0 0.0 0.0 0.0	500.0 C
12	500.0 0.0 0.0 0.0 0.0 0.0	500.0 C

DETAILED REPORT ON WATER AVAILABILITY

Basin: WILLAMETTE
 Stream: PUDDING R > MOLALLA R
 Water Availability Subbasin: 0104100000000000
 Exceedance Level: 80
 Time: 13:24 Date: 08/29/1996

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	1120.00	20.00	1100.00	7.47	1090.00	80.00	1010.00
2	1260.00	20.00	1240.00	7.69	1230.00	80.00	1150.00
3	1080.00	0.00	1080.00	6.72	1073.00	80.00	993.00
4	834.00	6.00	828.00	7.42	821.00	80.00	741.00
5	448.00	28.00	420.00	10.50	410.00	80.00	330.00
6	231.00	58.00	173.00	15.30	157.70	60.00	97.70
7	111.00	95.90	15.10	23.60	-8.50	50.00	-58.50
8	71.60	77.70	-6.13	19.80	-25.90	40.00	-65.90
9	67.90	41.90	26.00	10.90	15.10	40.00	-24.90
10	91.50	5.60	85.90	3.15	82.80	60.00	22.80
11	364.00	8.00	356.00	4.72	351.00	80.00	271.00
12	1010.00	16.00	994.00	7.33	987.00	80.00	907.00
Stor	746000	23100	723000	7460	716000	48500	671000

DETAILED REPORT OF ISWRs

Basin: WILLAMETTE
 Stream: PUDDING R > MOLALLA R
 Water Availability Subbasin: 0104100000000000
 Time: 13:24 Date: 08/29/1996

-----ISWRs-----						
APP # :	69998A	73532A	0	0	0	RESULTANT
STATUS:	Cert.	App.				
1	80.0	36.0	0.0	0.0	0.0	80.0 C
2	80.0	36.0	0.0	0.0	0.0	80.0 C
3	80.0	36.0	0.0	0.0	0.0	80.0 C
4	80.0	36.0	0.0	0.0	0.0	80.0 C
5	80.0	36.0	0.0	0.0	0.0	80.0 C
6	60.0	36.0	0.0	0.0	0.0	60.0 C
7	50.0	36.0	0.0	0.0	0.0	50.0 C
8	40.0	36.0	0.0	0.0	0.0	40.0 C
9	40.0	36.0	0.0	0.0	0.0	40.0 C
10	60.0	36.0	0.0	0.0	0.0	60.0 C
11	80.0	36.0	0.0	0.0	0.0	80.0 C
12	80.0	36.0	0.0	0.0	0.0	80.0 C

DETAILED REPORT ON WATER AVAILABILITY

Basin: WILLAMETTE
 Stream: PUDDING R > MOLALLA R
 Water Availability Subbasin: 0104110000000000
 Exceedance Level: 80
 Time: 13:24 Date: 08/29/1996

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	1040.00	30.00	1010.00	6.68	1003.00	36.00	967.00
2	1180.00	40.00	1140.00	6.81	1136.00	36.00	1100.00
3	1010.00	15.00	995.00	6.03	989.00	36.00	953.00
4	787.00	18.00	769.00	6.72	762.00	36.00	726.00
5	425.00	38.00	387.00	8.79	378.00	36.00	342.00
6	224.00	61.00	163.00	12.10	151.00	36.00	115.00
7	109.00	95.30	13.70	18.60	-4.90	36.00	-40.90
8	71.00	79.00	-7.99	15.60	-23.60	36.00	-59.60
9	67.40	46.80	20.60	8.63	12.00	36.00	-24.00
10	91.60	18.00	73.60	2.81	70.80	36.00	34.80
11	363.00	23.00	340.00	4.29	336.00	36.00	300.00
12	957.00	34.00	923.00	6.61	916.00	36.00	880.00
Stor	703000	28800	675000	6210	669000	25900	645000

DETAILED REPORT OF ISWRs

Basin: WILLAMETTE
 Stream: PUDDING R > MOLALLA R
 Water Availability Subbasin: 0104110000000000
 Time: 13:24 Date: 08/29/1996

-----ISWRs-----						
APP # :	151A	73532B	73533A	73534A	0	RESULTANT
STATUS:	Cert.	App.	App.	App.		
1	35.0	36.0	16.0	11.0	0.0	36.0 A
2	35.0	36.0	16.0	11.0	0.0	36.0 A
3	35.0	36.0	16.0	11.0	0.0	36.0 A
4	35.0	36.0	16.0	11.0	0.0	36.0 A
5	35.0	36.0	16.0	11.0	0.0	36.0 A
6	35.0	36.0	16.0	11.0	0.0	36.0 A
7	35.0	36.0	16.0	11.0	0.0	36.0 A
8	35.0	36.0	16.0	11.0	0.0	36.0 A
9	35.0	36.0	16.0	11.0	0.0	36.0 A
10	35.0	36.0	16.0	11.0	0.0	36.0 A
11	35.0	36.0	16.0	11.0	0.0	36.0 A
12	35.0	36.0	16.0	11.0	0.0	36.0 A

DETAILED REPORT ON WATER AVAILABILITY

Basin: WILLAMETTE
 Stream: PUDDING R > MOLALLA R
 Water Availability Subbasin: 0104112000000000
 Exceedance Level: 80
 Time: 13:24

Date: 08/29/1996

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	603.00	12.00	591.00	2.35	589.00	10.00	579.00
2	650.00	14.00	636.00	2.33	634.00	10.00	624.00
3	587.00	2.00	585.00	2.27	583.00	10.00	573.00
4	451.00	4.00	447.00	2.25	445.00	10.00	435.00
5	235.00	12.00	223.00	1.81	221.00	10.00	211.00
6	111.00	26.80	84.20	2.35	81.80	10.00	71.80
7	43.60	42.30	1.34	3.25	-1.90	10.00	-11.90
8	24.70	35.00	-10.30	2.80	-13.10	10.00	-23.10
9	22.70	20.80	1.93	1.81	0.12	10.00	-9.88
10	38.90	3.60	35.30	0.99	34.30	10.00	24.30
11	233.00	7.00	226.00	1.33	225.00	10.00	215.00
12	608.00	13.00	595.00	2.31	593.00	10.00	583.00
Stor	384000	11000	373000	1550	371000	7190	365000

DETAILED REPORT OF ISWRs

Basin: WILLAMETTE
 Stream: PUDDING R > MOLALLA R
 Water Availability Subbasin: 0104112000000000
 Time: 13:24

Date: 08/29/1996

-----ISWRs-----						
APP # :	152A	73535A	73536A	0	0	RESULTANT
STATUS:	Cert.	App.	App.			
1	10.0	6.7	5.0	0.0	0.0	10.0 C
2	10.0	6.7	5.0	0.0	0.0	10.0 C
3	10.0	6.7	5.0	0.0	0.0	10.0 C
4	10.0	6.7	5.0	0.0	0.0	10.0 C
5	10.0	6.7	5.0	0.0	0.0	10.0 C
6	10.0	6.7	5.0	0.0	0.0	10.0 C
7	10.0	6.7	5.0	0.0	0.0	10.0 C
8	10.0	6.7	5.0	0.0	0.0	10.0 C
9	10.0	6.7	5.0	0.0	0.0	10.0 C
10	10.0	6.7	5.0	0.0	0.0	10.0 C
11	10.0	6.7	5.0	0.0	0.0	10.0 C
12	10.0	6.7	5.0	0.0	0.0	10.0 C

TOWNSHIP 65 RANGE 1W W. M. Card 1 SECTION 28

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER	
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																			
		33 ⁸ 37 ⁰					65 ⁰ 37 ¹	15						19 ⁸	G-2246	G-2068	48065 33979	NCR	
2 ⁰															GR-2503	GR-2503	2	NCR	
	15 ⁸		5 ⁰												GR-3729	GR-4403	1	OK	
								9 ⁰							GR-3369	GR-4124	1		
0 ⁹															G-2900	G-2683	34685	NCR	
		0 ³		0 ¹											G-2514	G-2322	31802	NCR	
0 ³															G-8313	G-2139	31892	NCR	
													8		G-6810	G-6314	57085		
		2 ⁴	30 ⁵												G-6877	G-6410	48478	NCR	
															G-6877	G-6410	45178		
						1 ⁵	37	35 ⁵							G-6923	G-6442	51893	NCR	
						28 ⁷		0 ²							G-8385	G-7783	58334 ²	NCR	
								2 ⁴	28 ⁸	10 ⁸	2 ³				G-10827	G-9932	55135		
														Res	R-70046	R-11160			

TOWNSHIP 65 RANGE 1W W. M. Card 2 SECTION 28

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER	
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																			
															REC 70047	50747			
			0 ²	1 ²										30 ²	G-12434				
								0 ⁹							G-13620				
	38 ³	34 ⁸	0 ⁷	6 ⁹	5 ⁰										G-13676				

Registration No. GR. 3729

Certificate No. GR. 3403

Registration Statement

OF CLAIMANT OF RIGHT TO APPROPRIATE GROUND WATER

TO THE STATE ENGINEER OF OREGON:

Additional Info

1. EDWARD M. BUCHHEIT

Route 2 Box 68 Silverton County of Marion
(Mailing address)

of Oregon, do hereby make application for a certificate of registration as evidence of right to appropriate ground water.

1. Source from which water is withdrawn is One Pump Well
(Flowing well, pump well, infiltration trench, or tunnel)

2. Location is: 2 Mi. NW of Silverton
(Approximate distance and direction from nearest city or town)

is more particularly described as follows:

(a) 7 Ch. S. and 7 Ch. E. from the NW 1/4 corner of Section 28
(Give distance and bearing to corner of section or other legal subdivision)

within NW 1/4 NE 1/4 of Sec. 28, Twp. G.S., Rge. 1 W.
(Smallest legal subdivision) (N. or S.) (E. or W.)

(b) within limits of recorded platted property, town or city: _____

Block _____ of _____
(Name of plat or addition)

County of Marion
(Name of city or town, give name)

3. Construction Work was begun on June 5, 1949; was completed on July 10, 1949
(Date) (Date)

the ground water claimed was first used for the purposes set out below on Aug 15, 1949
(Date)

which time the water has been used Intermittantly
(Continuously or intermittently)

Aug 15, 1949 to Present
(Date) (Date)

4. Quantity of water claimed and used is 140 gallons per minute; 6.2 acre per year.

5. Purpose or Purposes for which water is used Irrigation
(Domestic, irrigation, municipal, manufacturing, industrial, etc.)

6. Description of Well: Depth 114 feet. Type Drilled
(Dug or drilled)

or 8 inches. Elevation of ground at well site 76 feet, mean sea level.
(As near as known)

to water table 20 feet.

7. Capacity of Well: 230 g.p.m. with 50 feet drawdown.

_____ g.p.m. with _____ feet drawdown.

Date of test Aug. 10, 1949

If Flowing Well: Measured discharge _____ g.p.m. on _____
(Date)

Shut-in pressure at ground surface _____ lbs. per sq. in. on _____
(Date)

Water is controlled by _____
(Cap, valve, etc.)

I hereby certify that the above statements are true to the best of my knowledge.

Stanley
Registerant

19 50

James
Public

in the office of the State Engineer

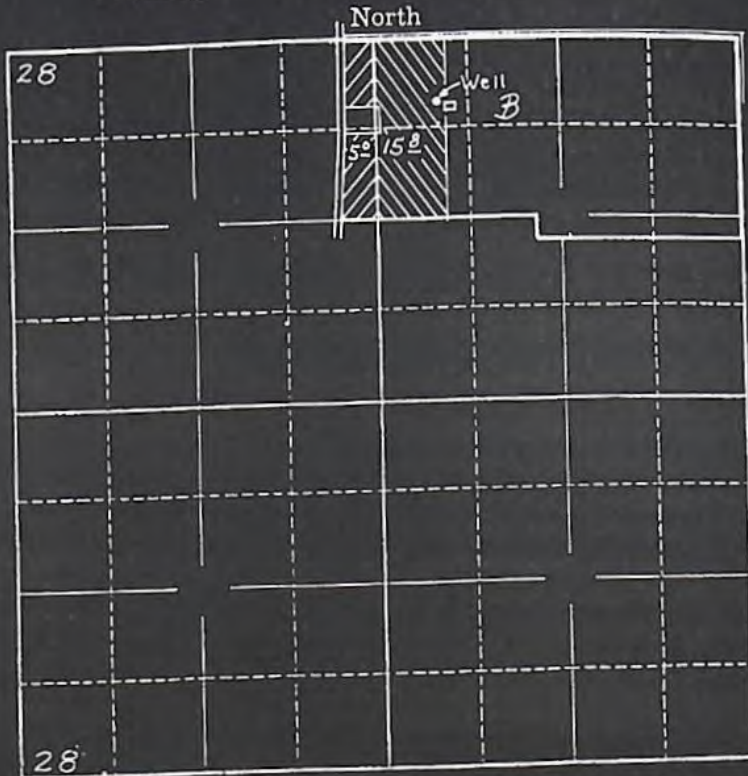
at 9 M. and has been

on page GR 3403

Stanley
Engineer

Deputy

Township 6 S Range 1 W, W.M.



Locate well and acreage of irrigated land on plat.

Scale: $\frac{1}{4}$ " = 1 Mile

STATE OF OREGON

County of Marion

ss.

I, Edward M. Buchheit, being first duly sworn, do hereby certify that I have read the foregoing Registration Statement and that all of the items therein contained are true to my knowledge and belief.

Edward M. Buchheit (Signature of Registrant)

Subscribed and sworn to before me this 1st day of August

My commission expires Sept. 8, 1950

Chris L. Wheeler (Notary Public)

(SEAL)

CERTIFICATE OF REGISTRATION

STATE OF OREGON

County of Marion

ss.

This is to certify that the foregoing Registration Statement was received in the office of the

Engineer on the 1st day of August, 1958, at 3:00 o'clock

Statements on page 01

May 16, 1994

HYNES FARMS
5820 80TH AVE NE
SALEM, 97305

REFERENCE: File(s) G-13675, G-13676

We have received your application(s) for a water use permit along with your supporting data, documentation, and fees. A receipt is enclosed here unless you were previously issued one. Your application has been assigned the above referenced file number. Please refer to this number whenever you contact us about your application.

Even though your application has been received, filed and assigned an application reference number, no authorization has been granted to develop your water use. The filing of an application does not create a water right. Water may not be used without a water right permit.

After an application has been accepted for filing, public notification of the application is made, followed by the mandatory 30-day comment period. Thereafter, applications can be considered for processing as time allows.

At present the Water Resources Department has a backlog of several thousand applications for water use permits which has delayed our application processing time. Applications are processed in the order in which they are received.

The processing of an application does not guarantee that a water right permit will be issued. Each application must undergo a specialized analysis called a technical review and a public interest review. There is no way to determine at this time whether your particular proposed water use will be recommended for a permit.



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

REFERENCE: File(s) - G-13675, G-13676

The Pudding River, Tualatin and Yamhill basins have been identified as water quality limited by the Department of Environmental Quality. The analysis of water quality in this basin indicates that during the months of May through October of each year, water quality problems exist. Due to water quality problems during low flows, water is not available for appropriation from May 1 through October 31 of each year.

When the report on the technical review is completed and sent to you, a 60-day objection period begins during which you, the applicant, or anyone who has expressed an interest in your proposed water use may communicate to us their disagreement with what we have said in our report on your application. After the 60-day objection period, the Department conducts the public interest review and considers any objections which have been made.

After any objections have been considered, there may follow time to allow parties to resolve conflicts over the proposed water use. In addition, a 30-day protest period may be required. Lastly, it may be necessary to schedule a hearing or send the application to the Water Resources Commission for their review. In most cases no objections are received and the application processing can proceed without further conflict resolution, protest, or hearing.

If your application is recommended for approval and a permit is issued, the use allowed by the permit will be subject to the Basin Program Rules of the Water Resources Commission, instream flow requirements, and the demands of prior right holders, and other conditions to conform the water use to particular standards.

Please contact the Water Rights Section of the Water Resources Department if you have any questions. You may write to us at 158 12th ST NE, Salem, Oregon 97310 or you may call 378-3739 in Salem or toll free from within the state 1-800-624-3199.

cc:CWRE

RECEIVED

MAY 16 1994

COMMENT FORM

WATER RESOURCES DEPT.
SALEM, OREGON

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

Application #s G-13672, G-13679, G-13671, G-13669, G-13674, G-13668, G-13670, G-13675

G-13676, G-13673

Send to:

Steve Schneider
21881 River Road NE
St. Paul, OR 97137

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

Return to:

Oregon Water Resources Department
158 12th ST NE
Salem, Oregon 97310

This Comment corresponds to the MAY/ 4/1994 Public Notice.

Application No. 673674

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

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APR 26 1994
WATER RESOURCES DEPT.
SALEM, OREGON

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

Applicant's Name: Hynes Farms
Address: 5820 80th Ave NE
City: Salem State: OR Zip: 97305 Day Phone: 362-8125

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

T6S, R1W, Wm, Sec 28

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

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used. MAZON

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

For Local Government Use Only

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

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

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 136.020. Go to section b) on reverse side.

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

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily

Application No. G13676
 Permit No. _____

Planning Official Initials: JH.

Description of Water Use

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

RECEIVED
 APR 26 1994

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

Applicant Name: Hynes Farms
 Address: SALEM, OR

 Phone: _____

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

- Irrigation (crop type, golf course, nursery or greenhouse): _____
- Livestock (type of livestock, feedlot, slaughterhouse): _____
- Residential (# units, single or multi-family, # lots if partition or subdivision): _____
- Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): _____
- Industrial (i.e., factory, pulp mill, research and development, processing, etc.): _____
- Institutional (i.e., school, library, etc.): _____
- Mining (aggregate, metal, open pit, placer, etc.): _____
- Recreation (park, campsite, pond, etc.): _____
- Fish and Wildlife (pond, hatchery, etc.): _____
- Hydropower (dam, reservoir, power generating or transmitting facilities): _____
- Other (Name and list key characteristics): _____

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input type="checkbox"/> Surface Water Name sources: _____ _____ <input type="checkbox"/> Reservoir or pond <input checked="" type="checkbox"/> Ground Water	<u>1.05</u> Cubic feet per second. <u>470^e</u> Gallons per minute. _____ Acre-Feet

Application No. G. 13676

RECEIVED

APR 26 1994

WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water

Applicant(s) HYNES FARMS
(Please print or type - use dark ink)

Mailing Address: 5820 80th AVE NE
SALEM OR 97305 362-8125
City State Zip Daytime Phone No.

I (We) make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. **THE DEVELOPMENT** (number of wells, tile lines, infiltration galleries, etc.): _____
TWO WELLS

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

Distance from development to stream: _____

Elevation difference between streambed and development: _____

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

(SEE ATTACHED WELL LOGS)

Diameter of well: _____ Depth in feet: _____

Type and size of well casing: _____ No. of feet: _____

Estimated depth to water: _____

Type of access port or measuring device: _____

Wells to be drilled by: _____

Address: _____

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

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: 1.05 cubic feet per second, OR 470.0 gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each: _____

3. INTENDED USE(s) OF WATER: IRRIGATION

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

If for DOMESTIC use, state the number of households to be supplied; _____

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

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

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

Irrigation	<u>84.0</u>
Other (describe)	_____

4. DESCRIPTION OF WATER DELIVERY SYSTEM: Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).

well #1: 40hp lineshaft Turbine
5" x 6" mainline, handlines, hose reel

5. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin STARTED

Proposed date construction work will be completed 10-1-95

Proposed date water use will be completed 10-1-96

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

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

 Applicant CWRE Other (Identify in REMARKS section)

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

Applicant CWRE Other (Identify in REMARKS section)

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

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

REMARKS: Certificate # GR-3403 to be moved to
Supplemental irrigation for 20.8 acres, with this
Application to be primary over this acreage.

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

NOTE: The permit, when issued, is for the beneficial use of water without waste. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

x Kend Myers
Signature of Applicant

 4/25/94
Date

Signature of Co-Applicant, if any

Date

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

_____, 19____.

WITNESS my hand this _____ day of _____, 19____.

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at _____, Oregon, on the _____ day of _____, 19____, at _____ o'clock, ____ M.

APPLICATION NO: G-13676

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **111486**

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

G

RECEIVED FROM: <u>Dyned Forum</u>	APPLICATION <u>13676</u>
BY: _____	PERMIT _____
	TRANSFER _____

CASH: <input type="checkbox"/>	CHECK: # <input checked="" type="checkbox"/> <u>3420</u>	OTHER: (IDENTIFY) <input type="checkbox"/>	TOTAL REC'D <u>\$400.</u>
--------------------------------	--	--	---------------------------

01-00-0 WRD MISC CASH ACCT

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

**RECEIVED
OVER THE COUNTER**

REDUCTION OF EXPENSE

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

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:		
840.001	COPY FEES	\$
850.200	RESEARCH FEEDS	\$
880.109	MISC REVENUE: (IDENTIFY)	\$
520.000	OTHER (P-6) (IDENTIFY)	\$
WATER RIGHTS:		
842.001	SURFACE WATER	\$
842.003	GROUND WATER	\$
842.005	TRANSFER	\$
WELL CONSTRUCTION		
842.022	WELL DRILL CONSTRUCTOR	\$
	LANDOWNER'S PERMIT	\$
_____	OTHER (IDENTIFY)	\$

EXAM FEE	
\$	842.002
\$ <u>200</u>	842.004
\$	842.006
EXAM FEE	
\$	842.023
	842.024

RECORD FEE
\$
\$
\$
LICENSE FEE
\$
\$

06-00-0 WELL CONST START FEE

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

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
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07-00-0 HYDRO ACTIVITY

842.011	POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
842.115	HYDRO LICENSE FEE (FW/WRD)		\$
_____	HYDRO APPLICATION		\$

RECEIPT # **111486**

DATED: 4-26-94 BY: D. Bushnell

11-201-12

Application No. G13676

Permit No. G13186

Name .. HYNES FARMS
Address 5820 80TH AVE NE
SALEM, OR 97305

Assigned

Address

Beginning construction 7/28/98

Completion of construction

Extended to

Complete application of water 10/1/01

Extended to

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **11920**

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

INVOICE # _____

RECEIVED FROM: Kent Hynes Farm
BY: _____

APPLICATION	G 13676
PERMIT	
TRANSFER	

CASH: CHECK: # 24201 OTHER: (IDENTIFY)

TOTAL REC'D \$ 248.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT. \$

PCA AND OBJECT CLASS VOUCHER #

0427 WRD OPERATING ACCT

PCA 66111

0407 MISCELLANEOUS	\$
0410 COPY & TAPE FEES	\$
0408 RESEARCH FEES	\$
TC165 MISC REVENUE: (IDENTIFY)	\$
DEPOSIT LIAB. (IDENTIFY)	\$

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202 RECORD FEE
0203 GROUND WATER	\$	\$
0205 TRANSFER	\$	\$ <u>248.00</u>
	\$	\$

WELL CONSTRUCTION

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

OTHER (IDENTIFY)

0437 WELL CONST. START FEE

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

OTHER (IDENTIFY)

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS	\$
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0467 HYDRO ACTIVITY

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

RECEIPT # **11920**

DATED: 5-1-97 BY: Melissa Smith