

FILE#: G 15260

CHARLES BERG

BERG, DIAN  
19320 NE WOODLAND LP RD  
YAMHILL, OR 97148

**ASSIGNED**

Application No. G- 15260  
Permit No. G- 15031  
Certificate No. \_\_\_\_\_

Stream Index, Page No. \_\_\_\_\_

Date filed \_\_\_\_\_  
Priority 12-12-2000  
Action suspended until 0-2-0

Return to applicant \_\_\_\_\_  
Date of approval \_\_\_\_\_

**CONSTRUCTION**

Date for beginning \_\_\_\_\_  
Date for completion 3-22-07  
Extended to \_\_\_\_\_

Date for application of water 10-1-06  
Extended to 10-30-2026

**PROSECUTION OF WORK**

Form "A" filed \_\_\_\_\_  
Form "B" filed \_\_\_\_\_  
Form "C" filed \_\_\_\_\_

**FINAL PROOF**

Blank mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Date certificate issued \_\_\_\_\_

**FEES PAID**

Date	Amount	Receipt No.
<del>12-12-00</del>	<u>400.00</u>	<u>42240</u>
<u>3-11-02</u>	<u>175.00</u>	<u>51390</u>
<u>9/11/14</u>	<u>575.00</u>	<u>113416</u>
<u>9/11/14</u>	<u>85.00</u>	<u>113418</u>

**FEES REFUNDED**

Date	Amount	Check No.

**ASSIGNMENTS**

Date	To Whom	Address	Volume	Page
<u>Assigned</u> <u>9/11/14</u>	Dian Berg 19320 NE Woodland Loop Rd Yamhill, OR 97148			
<u>7-23-15</u>	Racine Wine Co. LLC Northwest Farm Credit Services	19320 NE Woodland Loop Rd. Yamhill, OR 97148 PO Box 13309 Salem, OR 97309		

**REMARKS**

Date	Amount	Receipt
<u>7/23/15</u>	<u>585.00</u>	<u>116679</u>

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MEMORANDUM

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TO: ADRIENNE NICHOLS, GROUND WATER SECTION  
FROM: CERTIFICATE SECTION – CONNIE VANCE  
SUBJECT: PUMP TEST FOR PERMIT G-15031 APPLICATION G-15260  
DATE: 6/16/2014

The attached pump test was recently. We have retained the original for the application file.

S:\groups\wr\certs\Resource Center\pump test memo normal.doc

RECEIVED

Oregon Water Resources Department  
PUMP TEST FORM COVER SHEET

JUN 13 2014

Well Owner:  
Name: Chris Berg  
Address: 19330 NE Windland Loop Rd.  
County: Yamhill  
City: Yamhill State: OR 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: Well Log ID YAMH 52307

OWRD

Water Right Information:  
Application: G-15260 Permit: G-15031 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: Cascade Water Systems - Klc Well Owner?  Yes  
Company: CWS  
Address: \_\_\_\_\_ Date of Test: 3/21/14  
City: Ladysmith State: OR Zip: \_\_\_\_\_  
Daytime phone: 503-864-4556

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

Pump type (pick one or enter other method used): Submersible  
Was the pump test conducted during normal use of the well?  Yes Note: No

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: No  
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) \_\_\_\_\_  
Top of well casing  
Measuring point distance above land surface 1.8' 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
<u>9:27</u>	<u>33.0'</u>	<u>31.2'</u>
<u>9:47</u>	<u>33.0'</u>	<u>31.2'</u>
<u>10:07</u>	<u>33.0'</u>	<u>31.2'</u>
<u>10:27</u>		

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)
<u>10:28</u>	<u>13.3</u>	<u>gpm</u>
<u>11:12</u>	<u>13.3</u>	<u>gpm</u>
<u>12:12</u>	<u>13.3</u>	<u>gpm</u>
<u>1:12</u>	<u>13.3</u>	<u>gpm</u>
<u>2:12</u>	<u>13.3</u>	<u>gpm</u>

Time pump turned on: Date 3/21/14 Time 10:27 am  
Time pump turned off: Date 3/21/14 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: Kyle Michael



Oregon Water Resources Department  
**PUMP TEST FORM COVER SHEET**

**Well Owner:**

Name: Chris Berg  
 Address: 19320 NE Warland Loop Rd.  
 County: Yamhill  
 City: Yamhill State: OR Zip: \_\_\_\_\_  
 Original owner (from well log): Same

**Well Location:**

Township: 2 (N/S) Range: 4 (E/W)  
 Section: 36 1/4: \_\_\_\_\_ 1/16: \_\_\_\_\_ 1/64: \_\_\_\_\_  
 Well depth: 72 Date drilled: 7-20-2000  
 Owners well no. (if any): well  
 POD ID: KAMH 52307/L-37659

**Water Right Information:**

Application: 6-15260 Permit: 6-15031 Certificate: NA  
 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: Cascade Water Systems - Kyle Well Owner?  Yes  
 Company: CWS  
 Address: \_\_\_\_\_ Date of Test: 3/21/14  
 City: Lafayette State: OR Zip: \_\_\_\_\_  
 Daytime phone: 503-864-4556

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

Pump type (pick one or enter other method used): Submersible  
 Was the pump test conducted during normal use of the well?  Yes Note: No

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: No  
 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) \_\_\_\_\_  
Top of well casing  
 Measuring point distance above land surface 1.8' 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
<u>9:27</u>	<u>33.0'</u>	<u>31.2'</u>
<u>9:47</u>	<u>33.0'</u>	<u>31.2'</u>
<u>10:07</u>	<u>33.0'</u>	<u>31.2'</u>
<u>10:27</u>		

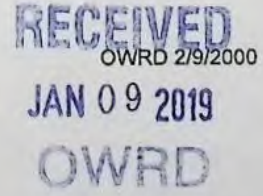
**Discharge measurements:** (A discharge measurement is required at the start of pumping and at least once an hour during the test; additional measurements should be noted on the Pump Test Data Sheet):

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<u>2:12</u>	<u>13.3</u>	<u>gpm</u>

Time pump turned on: Date 3/21/14 Time 10:27 am  
 Time pump turned off: Date 3/21/14 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>

Required Signature: Kyle Mohr







# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301  
Phone (503) 986-0900  
Fax (503) 986-0904  
www.Oregon.gov/OWRD

January 2, 2019

Racine Wine Co.  
19320 NE Woodland Lood Rd.  
Yamhill, OR 97148

REFERENCE: Application G-15260 / Permit G- 15031

Dear Permit Holder:

The Water Rights Section received your written progress report for Permit G-15031. Receipt of the progress report was published on the Department's weekly Public Notice, dated October 30, 2018. The Department did not receive any public comment on the progress report.

Although diligence toward completion of the project and/or compliance with the terms and conditions of the permit and extension is questionable, the Department decided not to apply additional conditions and not to cancel the remaining undeveloped portion of the permit.

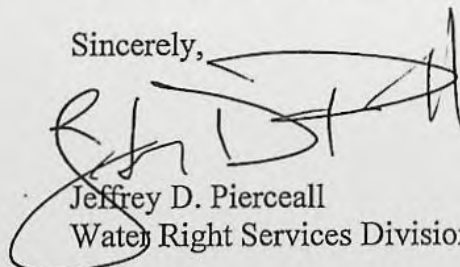
It is in your best interest to make substantial progress on the development of Permit G-15031 by the next written progress report with a due date of **October 1, 2023**. Reports must be received by the Department not sooner than 30 days prior to the due date.

Please be aware that the deadline for completion of construction and full beneficial use of water under Permit G-15031 is October 1, 2026. If diligence continues to be questionable, an additional extension of time for Permit G-15031 will likely not be approved by the Department.

You also have (a) future report(s) that will be due by **October 1, 2023**. For your convenience, I have enclosed your next *Progress Report Form*. Please calendar this **October 1, 2023** due date, as no further reminders will be sent. **Failure to submit a written progress report will most likely result in any future extensions being denied.**

If you have any questions, please feel free to contact me by telephone at (503) 986-0827.

Sincerely,



Jeffrey D. Pierceall  
Water Right Services Division, Extensions

cc: Appl G\_15260  
Watermaster District 16 - Joel Plahn



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

**1. Extension Specialist: Progress Report Review**

Date Report was Due: October 1, 2018 (= "Deadline Date" for the corresponding ECP work flow record in WRIS)

Date Report Received: September 26, 2018

Report Complete:  YES

NO – Send letter requesting missing information.

letter mailed on: November 30, 2018

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

315  320 OAR Division under which Progress Report was required

Publish on Public Notice Date: 11/10/2018

Update workflow in WRIS

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

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

Return file to Jeffrey Pierceall

**3. Extension Specialist: Prepare Progress Report Confirmation Letter.**

*See progress report procedures.doc*

(date / mail out after 30 day comment period)

**Date Confirmation Letter Needed:** November 30, 2018

Update Progress Report Worksheet.xls

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

CC: Watermaster \_\_\_\_\_

File \_\_\_\_\_

**PUBLIC NOTICE INFORMATION**

Permit Holder's Name: Racine Wine Co. Attn:

Application: G-15260

Permit: G-15031

County: Yamhill

Source: a well in Chehalem Creek Basin

Use: irrigation of 16.05 acres



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

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

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Racine Wine Co. LLC      Application G-15260      Permit G-15031

**Progress Report Form for 2018**  
 Report Due no later than October 1, 2018  
 DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit G-15031. **FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.**

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between September 11, 2014 and October 1, 2018	FINANCIAL INVESTMENT
	No additional work. We have decided to dry farm the remaining acres and will contact our CWRE to perform COBU within the next year.	

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

None

RECEIVED  
 SEP 26 2018

3. Total number of acres irrigated to date= 8.0 acres

OWRD

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

Maximum rate used to date (YAMH 52307) = 0.1 cfs (cubic feet per second)

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

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

X Signature [Signature] Date 9/25/18

Printed Name/Title Christian A. Berg owner

*For OWRD use only*

Diligence Shown  Yes  No

Reviewed by: [Signature] Date Public Noticed: 12-6-2018

Date: 12-17-2018



We didn't see a posting that this report has been received so we are submitting it again.  
 Christian Berg

Extension of Time  
 ss Reporting Form  
 For Checkpoints

TMENT

Permit Holder: Racine Wine Co. LLC Application G-15260 Permit G-15031

RECEIVED

OCT 29 2018

OWRD

**Progress Report Form for 2018**  
 Report Due no later than October 1, 2018  
 DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit G-15031. FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.

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	No additional work. We have decided to dry farm the remaining acres and will contact our CWRE to perform COBU within the next year.	

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

None

3. Total number of acres irrigated to date= 8.0 acres

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

Maximum rate used to date (YAMH 52307) = 0.1 cfs (cubic feet per second)

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

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

Signature [Signature] Date 10/25/18

Printed Name/Title CHRISTIAN P BERG OWNER

*For OWRD use only*

Diligence Shown  Yes  No Date Public Noticed: \_\_\_\_\_

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_





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

I, Racine Wine Co., LLC, a Limited Liability Company  
 (Name of Applicant / Permit / Transfer Holder / License Holder / GR Certificate of Registration)

19320 NE Woodland Loop Rd. Yamhill, OR 97148 (503) 730-0296  
 (Mailing Address) (City) (State) (Zip) (Phone #)

- hereby assign all my interest in and to application/permit/transfer/license/GR Certificate of Registration;
- hereby assign all my interest in and to a portion of application/permit/transfer/license/GR Certificate of Registration; (You must include a map showing the portion of the application/permit/transfer/license/GR Certificate of Registration to be assigned.)
- hereby assign a portion of my interest in and to the entire application/permit/transfer/license/GR Certificate of Registration:

Application # G-15260; Permit # G-15031; Transfer # \_\_\_\_\_

License # \_\_\_\_\_; GR Statement # \_\_\_\_\_; GR Certificate of Registration # \_\_\_\_\_

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

Northwest Farm Credit Services, FLCA 650 Hawthorne Ave SE, Suite 210, PO Box 13309 Salem, OR 97309-9831  
 (Name of New Owner) (Mailing Address) (City) (State) (Zip)

Racine Wine Co., LLC, a Limited Liability Company  
 (Name of New Owner)

19320 NE Woodland Loop Rd. Yamhill, OR 97148 (503) 730-0296  
 (Mailing Address) (City) (State) (Zip) (Phone #)

**Note:** If there are other owners of the property described in this Application, Permit, Transfer, License, or GR Certificate of Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit, Transfer, License, or GR Certificate of Registration of this Request for Assignment

Witness my hand this 27 day of April, 2015

Applicant/Permit Holder [Signature]  
 Applicant/Permit Holder \_\_\_\_\_

ASSIGN JB  
7/23/15

**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 # 116679  
 For Director by Jerry Sauter, 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 \$85.

**RECEIVED**  
 JUL 23 2015  
 OWRD



# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301  
Phone (503) 986-0900  
Fax (503) 986-0904  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

July 24, 2015

Northwest Farm Credit Services  
P.O. Box 13309  
Salem, Oregon 97309-9831

Reference: Application G-15260, Permit G-15031

The assignment from Dian Berg to Northwest Farm Credit Services, FLCA and Racine Wine Co., LLC has been recorded in the records of the Water Resources Department.

The Departments records will now show Northwest Farm Credit Services, FLCA and Racine Wine Co., LLC as the permit holders of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 116679 covering the recording fee is also enclosed.

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

Please note that this permit requires complete application of water to the proposed use by October 30, 2026, and within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Sincerely,

Jerry Sauter  
Water Rights Program Analyst  
Water Right Services Division

Enclosure: Receipt 116679

cc: Watermaster 16  
Racine Wine Co. LLC  
Data Center, OWRD (cover letter & request)  
Hydrographics  
File

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172

RECEIPT # **116679**

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

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

RECEIVED FROM: Northwest Farm  
BY: Credit Services

APPLICATION	G-15260
PERMIT	
TRANSFER	

CASH:  CHECK:# 37019529 OTHER: (IDENTIFY) \_\_\_\_\_

TOTAL REC'D \$ 85.00

**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 \$ 85.00

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 (FW/WRD) \$ \_\_\_\_\_

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

HYDRO APPLICATION \$ \_\_\_\_\_

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

**RECEIVED  
OVER THE COUNTER**

RECEIPT: **116679**

DATED: 7/23/15 BY: [Signature]

Control No.: 37019529

Paid To:

OREGON WATER RESOURCES DEPT.  
725 SUMMER ST. NE SUITE A  
SALEM, OR 97301

Comments:

OWRD ASSIGNMENT OF WATER RIGHTS PERMIT  
G15031/REPLACEMENT OF CK#37019400/ENN

Records have been redacted or withheld pursuant to the exemption for financial transfer records specified in ORS 192.345(27).

Mail To:

OREGON WATER RESOURCES DEPT.  
725 SUMMER ST. NE SUITE A  
SALEM, OR 97301

RECEIVED

JUL 23 2015

OWRD

Customer No.	Account No.	Amount
1800113777	[REDACTED]	\$85.00

Date: 07/22/2015      Amount:      \$85.00

Memo: REQUEST FOR ASSIGNMENT - PERMIT#G-15031

DETACH BEFORE DEPOSITING

Records have been redacted or withheld pursuant to the exemption for financial transfer records specified in ORS 192.345(27).

\*\* For Internal Use Only \*\*\*

Control No.: 37019400

Paid To:  
OREGON WATER RESOURCES DEPT.  
725 SUMMER ST. NE, SUITE A  
SALEM, OR 97301

Comments:  
OWRD CHECK FOR REQUEST FOR ASSIGNMENT PERMIT# G-15031/ENN

Mail To:  
OREGON WATER RESOURCES DEPT.  
725 SUMMER ST. NE, SUITE A  
SALEM, OR 97301

Memo:  
REQUEST FOR ASSIGNMENT - PERMIT #G-15031  
Date: 04/29/2015

Amount: \$85.00

1800113777

\$85.00 -

OWRD ASSIGNMENT

7/22/15

Stop-payment placed on the above check number.  
This check with the original request is lost in  
the mail.

Thanks!

Erin Nenta

Northwest Farm Credit Services

RECEIVED

JUL 23 2015

OWRD



**Northwest**  
FARM CREDIT SERVICES

650 Hawthorne Ave SE, Ste 210  
Salem, OR 97309-1309  
Voice: 503.373.3000 Toll Free: 800.426.9994 Fax: 503.373.3005

July 22, 2015

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

RE: Request for Assignment – Racine Wine Co., LLC

Dear Jerry Sauter:

I have enclosed a copy of our original Request for Assignment for Dian Berg's Permit #G-15031 mailed on April 29, 2015. Please accept the copy as the original request is lost in the mail. Please assign water rights to Northwest Farm Credit Services, FLCA and Racine Wine Co., LLC. A check for \$85.00 has also been enclosed. If you could, please process this request as soon as possible.

Please return the recorded document to:

**Northwest Farm Credit Services**  
**Attn: Erin Neria**  
**650 Hawthorne Ave SE, Suite 210**  
**Salem, OR 97301**

I also enclosed a copy of the original check stub, in the event the original request arrives. We have placed a stop-payment on check #37019400, please do not attempt to cash this check sent with the original request.

Please call me at 503-373-3011 if you have any questions.

Sincerely,

Erin Neria  
Financial Specialist

Enclosure

**RECEIVED**  
**JUL 23 2015**  
**OWRD**

This institution is an equal opportunity provider and employer.



650 Hawthorne Ave SE, Ste 210  
PO Box 13309, Salem, OR 97309-13  
Voice: 503.373.3000 Toll Free: 800.426.9994 Fax: 503.373.3005

April 29, 2015

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

RE: Request for Assignment – Racine Wine Co., LLC

To Whom It May Concern:

Enclosed, please find a Request for Assignment for Dian Berg's Permit #G-15031. Please assign water rights to Northwest Farm Credit Services, FLCA and Racine Wine Co., LLC. A check for \$85.00 has also been enclosed. Please return the recorded document to:

Northwest Farm Credit Services  
Attn: Erin Neria  
650 Hawthorne Ave SE, Suite 210  
Salem, OR 97301

Please call me at 503-373-3011 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Erin Neria".

Erin Neria  
Financial Specialist

Enclosure

RECEIVED  
JUL 23 2015  
OWRD

This institution is an equal opportunity provider and employer.

, STATE OF OREGON

COUNTY OF YAMHILL

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CHARLES AND DIAN BERG  
19320 NE WOODLAND LP RD.  
YAMHILL, OREGON 97148

(503) 662-5226

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

APPLICATION FILE NUMBER: G-15260

SOURCE OF WATER: A WELL IN CHEHALEM CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 16.05 ACRES

MAXIMUM RATE: 0.201 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: DECEMBER 12, 2000

WELL LOCATION: SW 1/4 NE 1/4, SECTION 36, TOWNSHIP 2 SOUTH, RANGE 4 WEST, W.M.; 1875 FEET SOUTH AND 2250 FEET WEST FROM NE CORNER OF SECTION 36.

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:

SW 1/4 NE 1/4 16.05 ACRES  
SECTION 36  
TOWNSHIP 2 SOUTH, RANGE 4 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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

Measurements must be made according to the following schedule:

**Before Use of Water Takes Place**

Initial and Annual Measurements

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

**After Use of Water has Begun**

Seven Consecutive Annual Measurements

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

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

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

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

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

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

#### STANDARD CONDITIONS

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

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

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

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

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

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

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


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

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

Complete application of the water to the use shall be made on or before October 1, 2006. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued March 22, 2002

  
 Paul R. Cleary, Director  
 Water Resources Department

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

Northwest Farm Credit Services G-15260  
PO Box 13309  
Salem, OR 97309

Racine Wine Co. LLC G-15260  
19320 NE Woodland Loop Rd  
Yamhill, OR 97148

Racine Wine Co. LLC G-15260  
19320 NE Woodland Loop Rd.  
Yamhill, OR 97148

Northwest Farm Credit Services G-15260  
PO Box 13309  
Salem, OR 97309

Dian Berg G-15260  
19320 NE Woodland LP Rd.  
Yamhill, OR 97148

Dian Berg G-15260  
19320 NE Woodland LP Rd.  
Yamhill, OR 97148

Application # G-15260 Permit # G-15031

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

◆ **WRIG...**

Money Received on: 9-12-14

◆ **Extension Specialist ...**

Added to tracking spreadsheet

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

◆ **Codi Holmes...**

Publish on Public Notice (initial 30-day comment): Date of notice 9-16-14

Update WRIS Database

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

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

Yes or  No: Return file to Extension Specialist after PN Machelle Bamberg

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **113416**

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

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

RECEIVED FROM: Dian B. Berg & Charles P. Berg APPLICATION G-15260  
 BY: \_\_\_\_\_ PERMIT \_\_\_\_\_  
 TRANSFER \_\_\_\_\_

CASH:  CHECK#  1220 OTHER: (IDENTIFY)  \_\_\_\_\_  
 TOTAL REC'D \$ 575.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

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

**4270 WRD OPERATING ACCT**

MISCELLANEOUS 46111

0407 COPY & TAPE FEES \$ \_\_\_\_\_  
 0410 RESEARCH FEES \$ \_\_\_\_\_  
 0408 MISC REVENUE: (IDENTIFY) \$ \_\_\_\_\_  
 TC162 DEPOSIT LIAB. (IDENTIFY) \$ \_\_\_\_\_  
 0240 EXTENSION OF TIME \$ 575.00

WATER RIGHTS:

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

**RECEIVED  
OVER THE COUNTER**

**\_\_\_\_\_ TREASURY OTHER / RDX**

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

RECEIPT: **113416** DATED: 9/11/14 BY: G. J. [unclear]

## Completeness Checklist for Permit Extension of Time Application

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

1. Pull the permit file. If a copy of the permit is not in the file, pull up an image of the permit in WRIS.
2. Is the permit to be extended Non-Cancelled according to WRIS and the permit file? yes  
If the permit has been cancelled, the Extension Application cannot be accepted.
3. Is the extension applicant's name and mailing address supplied? yes  
If yes, is the applicant a permit holder of record (*i.e., permit issued or assigned to them*)? accepted  
If the extension applicant is **NOT** a permit holder of record, a "Request for Assignment" must be accepted and processed before the Extension Application can be processed.  
If an Assignment has **not** yet occurred, and is **not** submitted with the Extension of Time Application, the application cannot be accepted.  
\* **NOTE:** The applicant **may** submit a complete "Request for Assignment," at the same time, which **must** include the statutory fee of \$85 for the assignment, required proof of ownership, or signature of previous permit holder, in addition to all necessary items required for the Extension of Time Application so that **both applications can be accepted**.
4. Is the appropriate Extension of Time Application used? yes  
If the wrong application form is used, the Extension Application cannot be accepted.  
• If a Municipal or Quasi-Municipal permit, use: "Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits."  
• If a NON-Municipal or NON-Quasi-Municipal permit, use: "Application for Extension of Time for a Water Right Permit (Non-Municipal / Non-Quasi-municipal Water Use)."
5. Are the requested date(s) for extension identified (*Page 1*)? yes  
• Check the permit to see if it includes a "B-Date" and/or a "C-Date."  
"B-Date" = date by which construction of the water delivery system for the permit is to be completed.  
"C-Date" = date by which full beneficial use of water under the permit is to be accomplished.  
**NOTE:** For permits with both a "B-Date and a "C-Date," the applicant will likely request an extension of both dates (*i.e., to complete construction of the water delivery/distribution system and to apply water to full beneficial use*). Unless, of course, construction of the water delivery system is complete. In which case, the applicant would likely only request an extension of the "C-Date" (*i.e., to apply water to full beneficial use*).  
For permits with only a "C-Date," the applicant will only be requesting an extension of the date in which to apply water to full beneficial use.
6. Is the Extension Application signed (with an original signature) by permit holder(s) of record or an authorized agent? yes  
(If signed by agent, documentation from the permit holder(s) granting authorization for the agent to sign on their behalf must be provided or be present and current in the permit file.)  
If **not** signed by a permit holder of record or authorized agent, the Extension Application cannot be accepted.  
**NOTE:** If the permit covers land that has been subdivided and assigned to different, individual parties... we only need signatures of the permit holder(s) of record for the portion of the permit involved in the Extension of Time Application.





# Oregon

John A. Kitzhaber, MD, Governor

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

September 12, 2014

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Right Services Division has received your application for an extension of time for **APPLICATION FILE #: G-15260 (Permit G-15031)**. Your application will be reviewed in the future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

If you are interested in having your application reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: [http://www.wrd.state.or.us/OWRD/mgmt\\_reimbursement\\_authority.shtml](http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml)

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

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

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

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

## Water Use Permits

(OAR 690-315-0010 through OAR 690-315-0060)

Application: G- 15260 Permit: G- 15031 Permit Amendment? No  Yes  T-  pending  approved

Permit Holder's Name: Charles and <sup>Dian</sup>~~Diane~~ Berg

Permit Holder's Mailing Address: 19320 NE Woodland LP RD Yamhill, OR 97148 email \_\_\_\_\_

Phone Number: 503-730-0296

POD Location: Township T-R-S-QQ: 2.00S-4.00W-36-SW NE Range \_\_\_\_\_ Section \_\_\_\_\_  
1/4 \_\_\_\_\_

Drainage Basin: 2 County: Willamette Watermaster District: 16 Watermaster: Joel Plahn

**Date Permit was issued:** 3/22/2002      **Priority Date:** 12/12/2000      **Date of PN:** 9/16/2014

**Source:** A well in Chehalem creek basin

**Use:** irrigation of 16.05 acres

**"Q":** 0.201 cfs

**Orig "A" Date:** \_\_\_\_\_      **Orig "B" Date:** 10/1/      **Orig "C" Date:** 10/1/2006

**Extension request rec'd:** 9/11/2014      **Last Authorized "B" Date:** 10/1/      **Last Authorized "C" Date:** 10/1/

**Request Number (1, 2, 3...):** \_\_\_\_\_      **Proposed "B" Date:** 10/1/      **Proposed C Date:** 10/1/2026

**Conditions of Permit:**

Condition Met?	Condition Not Met?	Permit Condition
<input checked="" type="checkbox"/>	<input type="checkbox"/>	meter installed on well YAMH 52307 and a pump test conducted
<input checked="" type="checkbox"/>	<input type="checkbox"/>	initial and seven yrs of water static water levels recorded and submitted
<input type="checkbox"/>	<input checked="" type="checkbox"/>	full allowed acres have not been put to full use
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

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

Yes No

- Work was accomplished within the time allowed in the permit or previous extension
- Water right permit holder conformed with the permit or previous extension conditions
- Financial investments were made toward developing the beneficial water use.

- Amount Invested to date: \$22,091 Estimated Remaining Cost: \$25,000

- Beneficial use made of the water during the permit or previous extension time limits

- Permit holder has beneficially used 13.3  cfs  gpm  af of the total permitted quantity of water on 8 acres

**GW REVIEW:** Y  N MAB

**MITIGATION REVIEW:** Y  N

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

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

Identify the closest surface water or localized water basin. N YAMHILL R > YAMHILL R  
Ground Water Permits: Is the POA located...  
Surface Water Permits: Is the POD located...

Yes No

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

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

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

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

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

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

5-year Progress Report Checkpoints (Years: \_\_\_\_\_)

Other: \_\_\_\_\_

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

**COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987**

"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."

**COBU Requirement - Surface Water - post July 9, 1987**

"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

**COBU Requirement - Ground Water - post July 9, 1987**

"Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

**NOTES:**

the time is need to allow for timber to rach optimum value, then land m ust be cleard, terraced, planted and irrigation installed

**Extension "PFO" Dates**

Mailing / Issuance Date: \_\_\_\_\_ Date: \_\_\_\_\_ Protest Deadline

Reviewer's Name: Machelle Bamberg Date: 9-12-14



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

RECEIVED

SEP 11 2014

WATER RESOURCES DEPT  
 SALEM, OREGON

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

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

I, **Dian Berg**

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

the holder of: Application Number G-15260 Permit Number G-15031 [OAR 690-315-0020(3)(b)]

*\*\*A separate application must be submitted for each permit as per OAR 690-315-0020(2).\*\**

19320 NE Woodland LP Rd.  
 MAILING ADDRESS

Yamhill, OR 97148  
 CITY, STATE, ZIP

503-730-0296  
 PHONE

\_\_\_\_\_  
 E-MAIL ADDRESS

X **do hereby request that** the time to apply water to full beneficial use under the terms and conditions of the permit, which now expires on Month October Day 1 Year 2006, be extended to October 30, Year 2025.

**Please Note.** If the permit does specify a date when **construction** must be **completed**, you should request to extend both the time to apply water to full beneficial use **and** to complete construction. These dates are typically found on the permit above the signature of the Director.

and NA

**do hereby request that** the time to complete construction of the water system, which now expires on Month NA Day NA Year NA, be extended to October 30, Year NA

Sign after completing the entire application, questions 1-11.

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

Dian Berg  
 Signature

9/5/14  
 Date

Printed Name/Title DIAN BERG

MAIL COMPLETED and SIGNED APPLICATION with the \$575 STATUTORY FEE TO:

RECEIVED

SEP 11 2014

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

WATER RESOURCES DEPT  
SALEM, OREGON

Submit the following items with your Application for Extension of Time:

- **The signed and completed Application for Extension of Time.**
- **\$575 check to OWRD or Oregon Water Resources Department**
- **All supporting documentation and/or evidence referenced in the application.**

Reference materials needed to complete this Application:

- **Water right permit.** A copy of the water right permit can be downloaded from the Department's Website at <http://www.wrd.state.or.us> (using the link to the Water Rights Information System (WRIS)). A copy of the permit may be requested from the Water Rights Division at 503-986-0801 (copy fees will apply).
- **Documentation** which demonstrates compliance with permit conditions (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Helpful information for completing this Application:

- Permit holders of **municipal or quasi-municipal water use permits DO NOT use this form.** The form *Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits* is at the following link: <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#other>
- Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the permit terms & conditions.
- The attached *Instructions for Completing an Application for Extension of Time for a Water Right Permit* will help you answer each question on the application. If, after reading the instructions, you need assistance, please call the Extensions Specialist at 503-986-0900.
- Permit extensions are evaluated under OAR Chapter 690, Division 315, which may be viewed at: <http://www.wrd.state.or.us/OWRD/LAW/index.shtml>. Please note that OWRD may require additional information, if necessary, to evaluate the application per OAR 315-0020(3)(n).
- OWRD will review applications received for completeness and will return incomplete or deficient applications per OAR 690-315-0040(1)(a) to the applicant.

## Questions to Complete this Application for Extension of Time

Please see the instruction sheet to help you answers these questions.

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

1. Did the “actual construction” of the water system/well drilling begin within the time specified in the permit?     Yes     No     N/A, if not specified in this permit

Date “actual construction” began is: \_\_\_\_\_

Describe details of construction: \_\_\_\_\_

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

- 2-A. Please describe how you have complied with each standard and special condition in the original permit [and, if applicable, conditions contained in any order approving a permit amendment and/or order approving a prior extension of time].

*TIP: The instruction sheet explains which typical conditions must be addressed here.*

**Condition Number:** Hand-number each condition on a copy of your permit (and, if applicable, any permit amendment and/or prior extension). Include a copy of your hand-numbered permit.

### CHART-A

Condition Number	Date Satisfied	Describe How Permit Condition Has Been Satisfied
1	June 2014	A meter has been installed on Well (YAMH 52307) and a pump test conducted.
2	March 6, 2010	Initial plus seven water level measurements for the Well (YAMH 52307) have been recorded and submitted.

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

### CHART-B

Condition Number	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied
3	2025	The full allowed acres (16.05 acres) have not been completely put to full use due to trees on some of the land and we are waiting for full market value to harvest the timber.

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

- 3-A. Provide evidence of physical progress made toward completion of the water system and progress toward making beneficial use of water within the original permitted time period.

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

RECEIVED

SEP 11 2014

## CHART-C

DATE	LIST & DESCRIBE WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED	COST*
July 20, 2000	Installation of Well (YAMH 52307)	\$3,746
October 2000	Pump installation	\$1,600
October 2000	Installation of electrical	\$5,000
March 2001	Additional irrigation supplies and equipment including chemical injectors	\$7,925
DATE	LIST & DESCRIBE WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED <i>and</i> PRIOR TO DATE FOR COMPLETE APPLICATION OF WATER	COST*
March 22, 2002	Date the permit was signed - find date above signature on last page of permit.	
NA	Date the permit specified "Actual Construction Work" shall begin ("A-Date") -not all permits contain this date.	
10/1/2006	Date the permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date.	
DATE	LIST & DESCRIBE WORK ACCOMPLISHED AFTER DATE FOR COMPLETE APPLICATION OF WATER UP TO NOW Complete if this is your first request for extension of time.	COST*
September 2009	Pump replaced and added pressure tank	\$2,350
March 21, 2014	Pump test	\$600
June 2014	Installation of meter	\$870
<b>*Total Cost for Chart-C</b>		<b>\$22,091</b>

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

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**IF this is** your first Application for an Extension of Time, write NA in Chart D below and proceed to question 4 at the bottom of this page.

**3-B) Provide evidence of physical progress made toward completion of the water system and progress toward making beneficial use of water within the most recent extension period.**

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

**CHART-D**

DATE	LIST AND DESCRIBE WORK ACCOMPLISHED <u>DURING</u> THE LAST EXTENSION PERIOD	COST*
NA	"Extended From" date for complete application of water used in the 1 <sup>st</sup> (or the most recent) Application for Extension of Time.	
NA	NA	NA
NA	"Extended To" date for complete application of water resulting from the 1 <sup>st</sup> (or the most recent) Application for Extension of Time.	
DATE	LIST AND DESCRIBE WORK ACCOMPLISHED <u>AFTER</u> THE LAST EXPIRED EXTENSION PERIOD UP TO NOW	COST*
NA	NA	NA
Total Cost of Chart-D		NA

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

4. **Cost of project to date: \$22,091**  
*(The total combined cost from CHART-C and CHART-D)*

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

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

*TIP: Report the rate used to date in the same units of measurement as specified in the permit. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.*

5-A) For Surface Water Permit Extensions (e.g. S-NA or R-NA):

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

or

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

or

Acre-feet stored to date = NA AF

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**5-B) For Ground Water Permit Extensions (e.g. G-15031):**

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

**CHART-E**

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					If yes, provide the Permit, Certificate, or Transfer No.
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment? (See 5-C below)	Maximum measured rate used from this well -- under this permit only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	
Well	Well	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	YAMH 52307	L-37659	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	13.3 gpm	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-NA -NA
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
Total measured rate from all wells utilized under this permit						13.3 gpm		

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

*If a Permit Amendment Application has been filed: Transfer No. T-NA*

Well #NA: Actual location: NA

Well #NA: Actual location: NA

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

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

Surface Water Permits: I have applied water to NA acres for irrigation to date.

Ground Water Permits: I have applied water to 8 acres for irrigation to date.

Please specify which wells are being utilized for this irrigation.

Well Acres 8

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

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7. Provide a summary of future plans and a schedule to complete construction of the water system, and/or apply water to full beneficial use under the permit terms and conditions.

CHART-F

APPROXIMATE DATE RANGE (projected)	LIST & DESCRIBE WORK TO BE ACCOMPLISHED TO COMPLETE WATER DEVELOPMENT (projected)	ESTIMATED COST (projected)
2025	Clear land and plant vineyard	\$15,000
2025	Install additional irrigation	\$10,000
Year: 2025	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
8.	<b>Estimated remaining total cost to complete the water development:</b> [OAR 690-315-0020(3)(g)]	<b>\$25,000</b>

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

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

9-A) Is the project of a size and scope that was originally planned to be phased in over a time frame longer than the one allowed in the permit? If yes, describe.

NA

9-B) Did the financial resources needed to develop the project preclude completion of the project within authorized time frames? If yes, describe.

The remainder of the property not developed needs to be cleared from the remaining trees. Due to the down turn in the economy, we needed to wait for the additional revenue we could receive from these trees. The trees have probably 8-10 years to mature before they reach their full market value. This portion of the property is also very steep and once the trees are removed we will need to terrace this portion

9-C) Did good faith attempts to comply with other agency permit conditions and/or acquire permits from other agencies, or otherwise comply with government regulations, delay completion of the project? If yes, describe.

NA

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9-D) Have other unforeseen events delayed full development of the water system and use of water within the authorized time frames? If yes, describe.

NA

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

10. **Justify the time requested to complete the project and/or apply the water to full beneficial use.** Your justification should combine information from your answers from Questions 2-B, 7, 8, and 9 of this Application for Extension of Time. Include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.

The amount of time requested will allow time for the timber to reach optimum value. Once the timber is harvest the land must be cleared and terraced, vineyard planted, and irrigation installed.

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

NA

Thank you for submitting a complete and accurate application. Remember to sign the front page. If you have questions or need assistance, please ask to speak with the Department's Extension Specialist by calling 503-986-0900 during business hours.

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, STATE OF OREGON

COUNTY OF YAMHILL

WATER RESOURCES DEPT  
SALEM, OREGON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CHARLES AND DIAN BERG  
19320 NE WOODLAND LP RD.  
YAMHILL, OREGON 97148

(503) 662-5226

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

APPLICATION FILE NUMBER: G-15260

SOURCE OF WATER: A WELL IN CHEHALEM CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 16.05 ACRES

MAXIMUM RATE: 0.201 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: DECEMBER 12, 2000

WELL LOCATION: SW 1/4 NE 1/4, SECTION 36, TOWNSHIP 2 SOUTH, RANGE 4 WEST, W.M.; 1875 FEET SOUTH AND 2250 FEET WEST FROM NE CORNER OF SECTION 36.

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:

SW 1/4 NE 1/4 16.05 ACRES  
SECTION 36  
TOWNSHIP 2 SOUTH, RANGE 4 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

1.

Application G-15260

Water Resources Department

PERMIT G-15031

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- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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

2.

Measurements must be made according to the following schedule:

**Before Use of Water Takes Place**

Initial and Annual Measurements

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

**After Use of Water has Begun**

Seven Consecutive Annual Measurements

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

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

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

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

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

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

#### STANDARD CONDITIONS

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

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

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

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

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

Application G-15260

Water Resources Department

PERMIT G-15031

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

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

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

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

Complete application of the water to the use shall be made on or before October 1, 2006. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

3.

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

Issued March 22, 2002

*Paul R. Cleary*  
Paul R. Cleary, Director  
Water Resources Department

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

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SALEM, OREGON

Application G-15260  
Basin 02  
DIP - WEEK 329

Water Resources Department  
Volume 12 N YAMHILL R MISC

PERMIT G-15031  
District 16

Oregon Water Resources Department  
Water Right Services Division

**PROPOSED FINAL ORDER**

In the Matter of the Application for an Extension of Time for Permit G-15031, Water Right Application G-15260, in the name of Dian Berg

---

Permit Information

Application:	G-15260
Permit:	G-15031
Basin:	2 – Willamette / Watermaster District 16
Date of Priority:	December 12, 2000
Source of Water:	A well in Chehalem Creek Basin
Purpose of Use:	Irrigation use on 16.05 Acres
Maximum Rate:	0.201 cubic feet per second (cfs)

---

***\*\*Please read this Proposed Final Order in its entirety as it may contain additional conditions not included in the original permit. \*\****

*In Summary, the Department proposes to:*

- Grant an extension of time to apply water to full beneficial use from October 1, 2006 to October 30, 2026<sup>1</sup>.
- Make the extension subject to certain conditions set forth below.

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

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<sup>1</sup>Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

## ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources  
PFO – Proposed Final Order  
cfs – cubic feet per second  
gpm – gallons per minute

## **AUTHORITY**

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

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

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

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

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

## **FINDINGS OF FACT**

### *Background*

1. Permit G-15031 was granted by the Department on March 22, 2002. The permit authorizes the use of up to 0.201 cfs of water from a well in Chehalem Creek Basin for irrigation use on 16.05 acres. The permit specified complete application of water was to be made on or before October 1, 2006.

2. The permit holder, Dian Berg submitted an "Application for Extension of Time" to the Department on September 11, 2014, requesting the time to apply water to full beneficial use under the terms and conditions of Permit G-15031 be extended from October 1, 2006 to October 30, 2026. This is the first permit extension requested for Permit G-15031.
3. Notification of the Application for Extension of Time for Permit G-15031 was published in the Department's Public Notice dated September 16, 2016. No public comments were received regarding the extension application.

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

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

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

4. On September 11, 2014, the Department received a completed Application for Extension of Time and the fee specified in ORS 536.050 from the permit holder.

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

5. Senate Bill 300 (1999 legislation) eliminated the requirement that holders of new surface water and ground water permits start construction on water projects within one year after the Department issues the permit. Senate Bill 300 applies to any application for a permit filed after October 23, 1999, including this application.

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

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

6. As of September 11, 2014, the remaining work to be completed consists of harvesting the mature trees, preparing the land for a vineyard, installing additional irrigation and applying water to full beneficial use.
7. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 30, 2026, to accomplish the application of water to beneficial use under the terms and conditions of Permit G-15031 is both reasonable and necessary.

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<sup>2</sup>ORS 537.230 applies to surface water permits only.

<sup>3</sup>ORS 537.248 applies to reservoir permits only.

<sup>4</sup>ORS 537.630 applies to ground water permits only.

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

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

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

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

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

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

8. Work was accomplished within the time allowed in the permit or previous extension as follows:
  - a. Construction of the well was completed prior to October 1, 2006. Construction of the well (YAMH 52307) began July 14, 2000 and was completed July 20, 2000 and installed a pump. In 2001, installation of irrigation equipment and chemical injectors was completed.
  - b. No work was completed during the original development time frame under Permit G-15031, as most work was completed before March 22, 2002.
  - c. From October 1, 2006 the permit holder has replaced the pump, completed a pump test and installed a meter.

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

9. The following beneficial use of water was made during the permit or previous extension time limits:
  - a. Since the issuance of Permit G-15031 on March 22, 2002, a maximum rate of 0.029 cfs of water has been appropriated from the well for irrigation of 8 acres.
  - b. Delay of full beneficial use of water under Permit G-15031 was due, in part, to the permit holder needs the revenue from harvesting the trees on the remaining acreage. The trees have 10 years before they reach full market value. The permit holder needs more time for the construction of the remaining irrigation system and to obtain the full quantity of water allowed under the permit.

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

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

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

11. As of September 11, 2014, the permit holder has invested approximately \$22,091, which is approximately 46 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$25,000 investment is needed for the completion of this project.

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

12. The Department has found good faith of the appropriator under Permit G-15031.

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

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

13. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0040(4)(a-c)].

The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-15031; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined when an application for a new water right is submitted. The point of appropriation for Permit G-15031, is located within the Yamhill River Basin, and is not located within a limited or critical ground water area. Yamhill River is not located within or above any state or federal scenic waterway, however, it is located within an area ranked "moderate" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. The point of appropriation is not in an area listed by the Department of Environmental Quality as a water quality limited stream.

*Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].*

14. None have been identified.

*Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0040(4)(f)].*

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

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

16. Use and income from the permitted water development will likely result in reasonable returns upon the investment made to date.

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

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

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

18. None have been identified.

## **CONCLUSIONS OF LAW**

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630(1).
2. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
3. The applicant complied with begin actual construction timeline requirements pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
4. Full application of water to beneficial use can be accomplished by October 30, 2026, as required by OAR 690-315-0040(1)(c).
5. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

6. As required by OAR 690-315-0050(6) and as described in Finding 15 above, the Department has established, as specified in the "Conditions" section of this PFO (Item 1), progress checkpoints in order to ensure future diligence is exercised in the development and perfection of Permit G-15031.

### PROPOSED ORDER

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

Extend the time to apply water to beneficial use under Permit G-15031 from October 1, 2006 to October 30, 2026.

Subject to the following conditions:

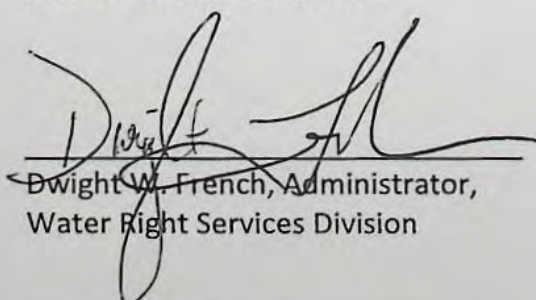
#### CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2018 and 2023. A form will be enclosed with your Final Order.**

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

DATED: November 4, 2014

  
Dwight W. French, Administrator,  
Water Right Services Division

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



Mailing List for Extension PFO Copies

PFO Date: November 4, 2014

Copies Mailed

Application: G-15260

By: BW

Permit: G-15031

On: 11/4/14

Original mailed to Applicant:

Dian Berg  
19320 NE woodland Loop Road  
Yamhill, OR 97148

Copies sent to:

1. WRD - App. File G-15260/ Permit G-15031

Fee paid as specified under ORS 536.050 to receive copy:

2. None

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

3. WRD - Watermaster District 16, Joel Plahn

CASEWORKER: MAB

# Oregon Water Resources Department

## Water Right Services Division

Water Rights Application  
Number G-15260

### FINAL ORDER

Extension of Time for Permit Number G-15031  
Permit Holder: Dian Berg

---

#### Permit Information

Application:	G-15260
Permit:	G-15031
Basin:	2 – Willamette / Watermaster District 16
Date of Priority:	December 12, 2000
Source of Water:	A well in Chehalem Creek Basin
Purpose of Use:	Irrigation use on 16.05 Acres
Maximum Rate:	0.201 cubic feet per second (cfs)

---

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

#### Appeal Rights

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

#### Application History

Permit G-15031 was issued by the Department on March 22, 2002. The permit called for complete application of water to beneficial use by October 1, 2006. On September 11, 2014, Dian Berg submitted to the Department an Application for Extension of Time for Permit G-15031. In accordance with OAR 690-315-0050(2), on November 4, 2014, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 30, 2026. The protest period closed December 19, 2014, in accordance with OAR 690-315-0060(1). No protest was filed.

## FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated November 4, 2014.

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

## CONDITIONS

### 1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2018 and 2023. A form is enclosed with this Final Order.**

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

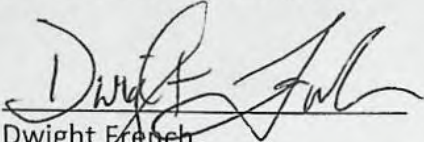
## CONCLUSION OF LAW

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

## ORDER

The extension of time for Application G-15260, Permit G-15031, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2006 to October 30, 2026.

DATED: December 26, 2014



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

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



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

Extension of Time  
 Progress Report Form  
 For Checkpoints

**TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT**

Permit Holder: Dian Berg

Application G-15260

Permit G-15031

**Progress Report for 2018**

Report Due no later than October 1, 2018

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit G-15031.

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

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between September 11, 2014 and October 1, 2018	FINANCIAL INVESTMENT

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

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

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

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

or

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

or

Acre Feet stored to date = \_\_\_\_\_ AF

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

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

Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name/Title \_\_\_\_\_

Diligence Shown <input type="checkbox"/> Yes <input type="checkbox"/> No	Date Public Noticed: _____
	<i>For OWRD use only</i>
Reviewed by:	Date: _____

Mailing List for Extension FO Copies

FO Date: December 26, 2014

Copies Mailed

Application: G-15260

By: BIO

Permit: G-15031

On: 12/26/14

Original mailed to permit holder

Dian Berg  
19320 NE woodland Loop Road  
Yamhill, OR 97148

Copies sent to:

1. WRD - App. File G-15260/ Permit G-15031

Fee paid as specified under ORS 536.050 to receive copy:

2. None

Receiving notification via e-mail - FO available in WRIS for review

(DONE BY EXTENSION SPECIALIST)

3. WRD - Watermaster District 16, Joel Plahn

If Progress Reports are included:

(DONE BY EXTENSION SPECIALIST)

Add record to Progress Report tracking sheet.xls Done: by 12-22-14 Date MAB

CASEWORKER: MAB

RECEIVED



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

Request for Assignment
By Proof of Ownership
(If Water Right Holder is Not Available)
WATER RESOURCES DEPT
SALEM, OREGON
SEP 11 2014

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

I, Dian Berg
(Name of Party Requesting Assignment)

19320 NE Woodland LP Rd. Yamhill OR 97148 503-730-0296
(Mailing Address) (City) (State) (Zip) (Phone #)

- checkbox hereby request assignment of application/permit/transfer/license/GR Certificate of Registration;
checkbox hereby request assignment of a portion of application/permit/transfer/license/GR Certificate of Registration; (You must include a map showing the portion of the application/permit/transfer/license/GR Certificate of Registration to be assigned.)

I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.

Application # G-15260 ; Permit # G-15031 ; Transfer# NA
License # NA GR Statement # NA ; GR Certificate of Registration # NA

Charles and Dian Berg
(Name of Holder of Record)

19320 NE Woodland LP Rd. Yamhill OR 97148 503-730-0296
(Mailing Address) (City) (State) (Zip) (Phone #)

Note: You are required to furnish proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)
1) I certify that I am the current owner of the property described in this application, Permit, transfer, license or GR Certificate of Registration.
2) I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
3) I have not been able to contact the owner(s) of record for the above referenced application or water right.
4) I further certify that the information provided herein is true and correct to the best of my knowledge.
Witness my hand this 3 day of September, 20 14.
Party Requesting Assignment Dian Berg
Party Requesting Assignment

DO NOT WRITE IN THIS BOX

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
- Fee receipt # 113915
- For Director by Jerry Sauter, Program Analyst in Water Rights Division

The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$85.



# Oregon

John A. Kitzhaber, MD, Governor

September 12, 2014

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

Dian Berg  
19320 NE Woodland Loop Rd.  
Yamhill, Oregon 97148

Reference: Application G-15260, Permit G-15031

The assignment by proof from Charles and Dian Berg to Dian Berg has been recorded in the records of the Water Resources Department.

The Departments records will now show Dian Berg as the permit holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 113415 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.

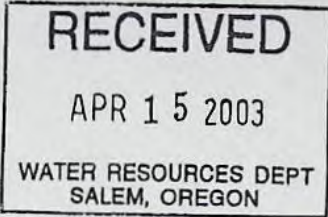
Sincerely,

Jerry Sauter  
Water Rights Program Analyst  
Water Right Services Division

Enclosure: receipt 113415

cc: Watermaster 16  
Data Center, OWRD (cover letter & request)  
Hydrographics  
Dorothy Pederson  
File





**Water Level Report**

Owner Name: Charles and Dian Berg  
Owner Address: 19320 NE Woodland Loop Road  
Yamhill, Oregon 97148

Application: G-15260  
Permit: Not Issued  
Certificate: Not Issued

Well (YAMH 52307) is located in the SW 1/4 NE 1/4, Section 36, T.2S., R.4W., W.M.; 1,875 feet south and 2,250 feet west of the NE corner of Section 36.

Date of measurement: 3/11/2003

Static water level below measuring point: 30.90 feet, or airline pressure \_\_\_\_\_ psi  
Measuring point distance above land surface: 1.8 feet, or airline length \_\_\_\_\_ feet  
Static water level below land surface: 29.10 feet

Method of measurement: E-tape X Airline \_\_\_\_\_ Other \_\_\_\_\_  
Measurement status: Static X Pumping \_\_\_\_\_ Other \_\_\_\_\_

Length of time well idle before measurement: Off all winter.

Remarks: None.

I hereby certify that, to the best of my knowledge, the information on this report is accurate and representative of the water level at the time of measurement.

Person making measurement: Gregory E. Kupillas and/or Malia R. Kupillas  
Signature of measurer: *Gregory E. Kupillas*  
License number: #432WRE and/or #60772WRE, respectively  
Daytime phone number: (503) 632-5016

Please file G-15260

PAGE 4

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

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

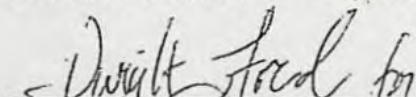
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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

Complete application of the water to the use shall be made on or before October 1, 2006. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued March 22, 2002

  
\_\_\_\_\_  
Paul R. Cleary, Director  
Water Resources Department

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

Application G-15260  
Basin 02  
DIP - WEEK 329

Water Resources Department  
Volume ~~12 N YAMHILL R MISC~~  
17 Chehalem Crk

PERMIT G-15031  
District 16

# Mailing List for Permit Copies

---

Application# G-15260

Mailing List Print Date: March 12, 2002

**Original mailed to(when permit issued, include copy of permit map):**

Applicant: CHARLES AND DIAN BERG  
19320 NE WOODLAND LP RD.  
YAMHILL, OREGON 97148

**For Permit only - Permit Copies sent to (Remember to reduce copy margins):**

1. WRD - File # G-15260
2. WRD - Ken Stahr
3. WRD - Data Center
4. WRD - Watermaster District #: 16 (w/copy of permit map)

Copies Mailed
By: <u>AK</u>
(SUPPORT STAFF)
on: <u>3-27-02</u>
(DATE)

**COPIES TO Other Interested Persons**

Caseworker: DIP - WEEK 329

TO: Water Rights Section January 29, 199<sup>2001</sup>  
FROM: Groundwater/Hydrology Section Donna Miller  
SUBJECT: Application G- 15260 Reviewer's Name

GROUNDWATER/SURFACE WATER CONSIDERATIONS

- 1. PER THE Willanette Basin rules, one or more of the proposed POA's is is not within 1/4 feet/mile of a surface water source ( ) and taps a groundwater source hydraulically connected to the surface water.
  
- 2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use  
a. \_\_\_ will, or have the potential for substantial interference with the nearest  
(b) X 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.

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) X will if properly conditioned, avoid injury to existing rights or to the groundwater resource:  
(i) X The permit should contain condition #(s) 7c;  
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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

097251-9

(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)



**Water Right Conditions  
Tracking Slip**

*Groundwater/Hydrology Section*

FILE # G-15260

ROUTED TO: WR'S

TOWNSHIP/

RANGE-SECTION: 25/4W-36

CONDITIONS ATTACHED?  yes  no

REMARKS OR FURTHER INSTRUCTIONS:

---

---

---

Reviewer: Donna Miller

WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Groundwater/Hydrology Files

Date Jan. 29, 2001

FROM: Dann Miller

SUBJECT: Groundwater Application G- 15260

Phone: 503.662.5226

Name: Charles & Dian Berg

Applicant(s) sock 15/90 gpm (s) from ONE well(s) in the Willamette basin

Proposed use: Irrigation

16.05 AC

Yamhill / N. Yamhill sub basin

Yamhill CK / Stag Hollow CK sub basin

Pertinent 7 1/2-minute quads

Dundee

Well 2 WRD# YAMH 52307 T 2S R 4W S 36 Q ach County Yamhill

Legal Description 6875' S + 2250' W of the NE Corner Sec 36

Well is 1400 ft from Unnamed trib Stag Hollow CK (river/stream) (1)

Well is 1000 ft from Unnamed spring to SSE (2) (river/stream)

Well elevation 540 ft River/stream elevation 300 (1), 420 (2) ft.

Well elevation-river/stream elevation 240 (1), 120 (2)

Well depth 72 / 80 SWL 33 on 7/20/00

Sealed to 30 Depth first water found 3.5

Cased to 37 Perforations/screens 37-72 (gravel 30' to 30')

Lined to - Perforations/screens -

Well tests and types 53 gpm / 1 hr air

Confined or unconfined? unconfined +1- Hydraulically connected? NO / NO

Potential to cause substantial interference? NO / N?

Well - WRD# - T - R - S - Q - County -

Legal Description -

Well is - ft from - (river/stream)

Well is - ft from - (river/stream)

Well elevation - ft. River/stream elevation - ft.

Well elevation-river/stream elevation -

Well depth - SWL - on -

Sealed to - Depth first water found -

Cased to - Perforations/screens -

Lined to - Perforations/screens -

Well tests and types -

Confined or unconfined? - Hydraulically connected? -

Potential to cause substantial interference? -

Conditioned water rights in area: yes

Other nearby water rights of record: yes


Density of nearby wells of record: low

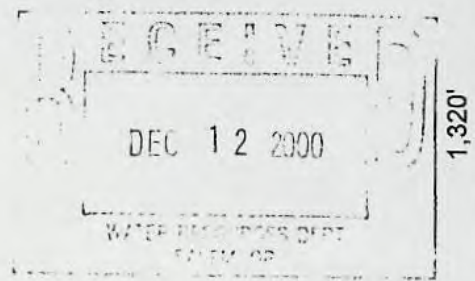
Comments It is unlikely that the proposed use will cause problems with nearby users since there appears to be good distance separation. Still, we need some data to help assure that.

References used: WRD's water right mapping info, OWRD GW Rpt #27

25 30  
36 31

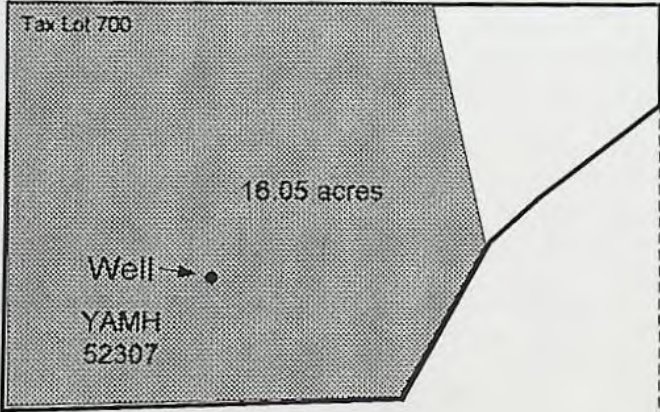
Well is located 1,875 feet south  
and 2,250 feet west of the  
northeast section corner.

 Area to be irrigated.

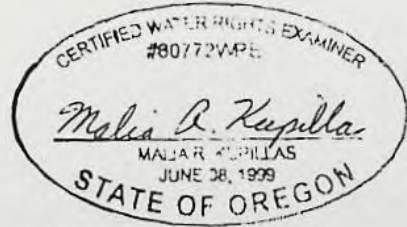


1,340'

Property Boundary

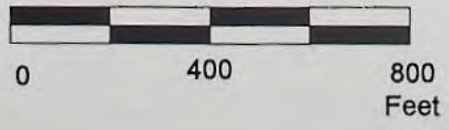


Note: The 1/4 Sections in this Section  
vary slightly in size.



EXPIRATION DATE: 12/31/00

Scale: 1" = 400'



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.



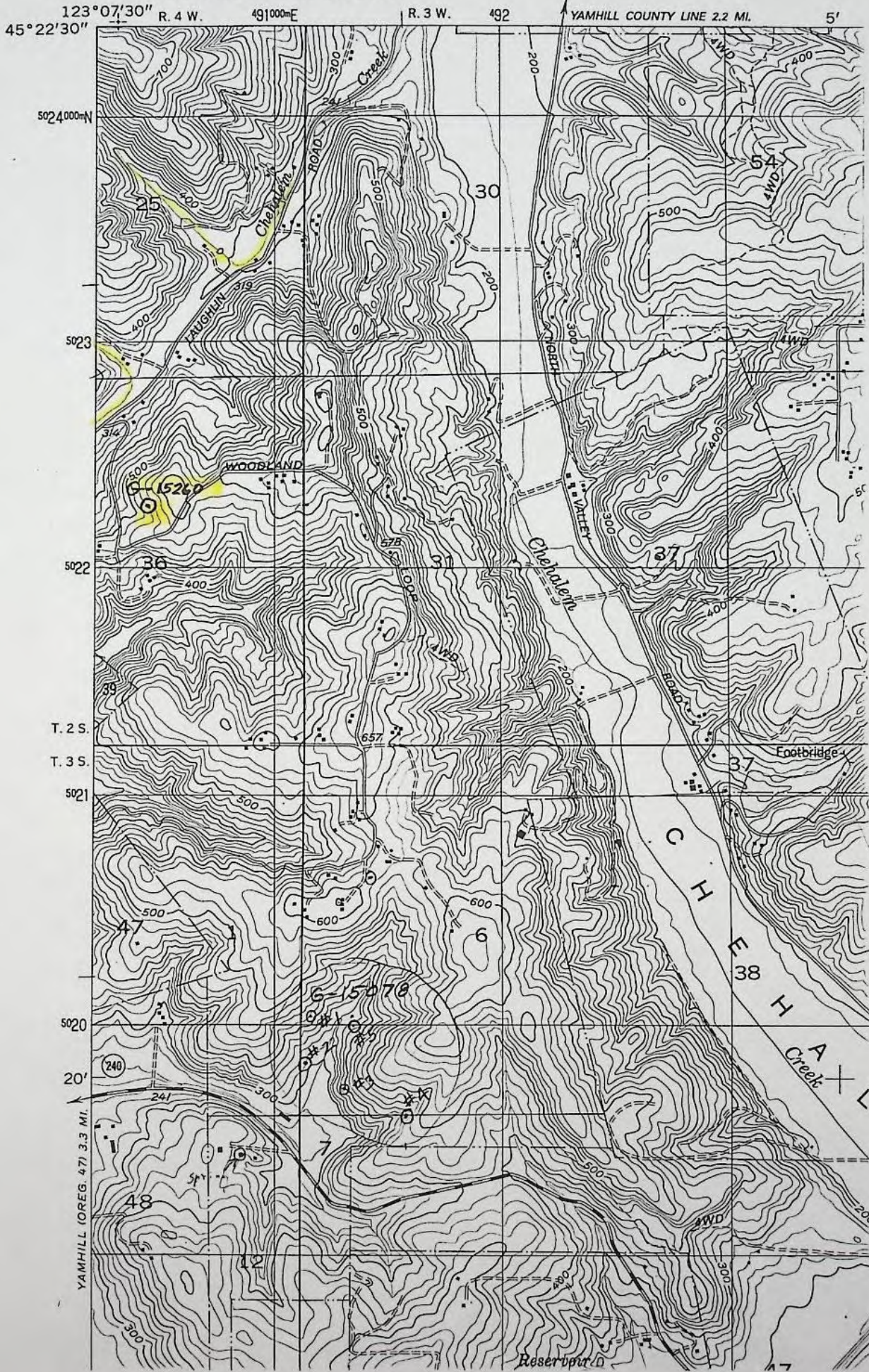
Pacific Hydro-Geology Inc.

Permit Application Map for Groundwater Rights

Charles and Diane Berg  
T.2S. R.4W Sec. 36, TL 700

(GASTON)

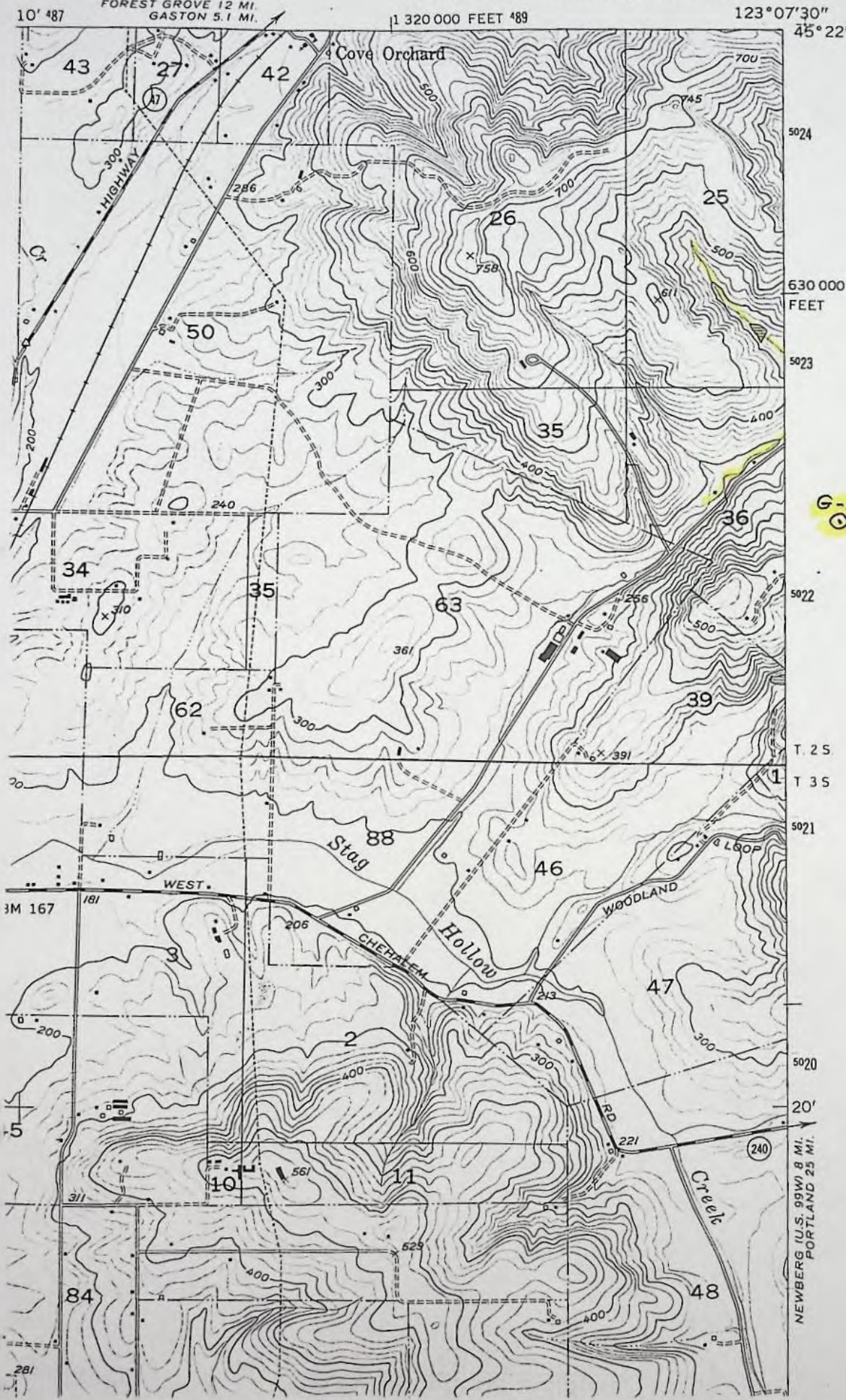
UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY



a 5 72253

CARLTON QUADRANGLE  
OREGON-YAMHILL CO.  
7.5 MINUTE SERIES (TOPOGRAPHIC)

1374 1 NE  
(LAURELWOOD)



10' 487  
1320000 FEET 489  
123°07'30"  
45°22'30"  
5024  
630000 FEET  
5023  
5022  
T. 2 S.  
T. 3 S.  
5021  
5020  
20'  
NEWBERG (U.S. 99W) 8 MI.  
PORTLAND 25 MI.

G-15260  
①

STATE OF OREGON  
WATER SUPPLY WELL REPORT

Arrow 00-026

(as required by ORS 537.765)

(1) OWNER:

Well Number: 2  
Name: Chris Berg  
Address: 19320 NE Woodland Loop Road  
City: Yamhill State: OR Zip: 97148

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

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

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

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval  Yes  No  
Depth of Completed Well 72  
Explosives Used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE			SEAL			sacks or pounds
Diameter	From	To	Material	From	To	
10"	0	80	cement	0	3	4 bags
			bent chps	3	30	11 bags

How was seal placed: Method  A  B  C  D  E  
 Other bent chips poured-probed

Backfill placed from \_\_\_\_\_ to \_\_\_\_\_ Material \_\_\_\_\_  
from \_\_\_\_\_ to \_\_\_\_\_ Material \_\_\_\_\_  
Gravel placed from 30 to 80 Size of gravel 3/8" pea

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
8"	+2	3	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6"	+1	37	sch 40	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

LINER:			
N/A			

Final location of Shoe(s):

(7) PERFORATIONS/SCREENS:

Perforations Method:  
 Screen Type: Mach slot Material: pvc

From	To	Slot Size	No.	Diameter	Tele/pipe size	Casing	Liner
37	47	.010		6"	pipe	<input checked="" type="checkbox"/>	<input type="checkbox"/>
47	52	.020		6"	pipe	<input checked="" type="checkbox"/>	<input type="checkbox"/>
52	62	.020		6"	pipe	<input checked="" type="checkbox"/>	<input type="checkbox"/>
62	72	.010		6"	pipe	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Pump  Bailer  Air  Flowing Artesian

Yield gpm	Drawdown	Drill Stem at	Time
53	N/A	70	1 hr.
53	N/A	55	1 hr.

Temperature of water 56 Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done? \_\_\_\_\_ By whom: \_\_\_\_\_  
Did any strata contain water not suitable for intended use? (explain)

Depth of Strata: \_\_\_\_\_  
ARROW DRILLING (503) 538-4422

YAMH 52307

WELL ID # L 37659  
START CARD # 127496

(9) LOCATION OF WELL by legal description:

County: Yamhill Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_  
Township: 2S Range: 4W  
Section: 36 SW  $\frac{1}{4}$  NE  $\frac{1}{4}$   
Tax Lot: 700 Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_  
Street Address of Well (or nearest address) 19320 NE Woodland Loop Road, Yamhill, Oregon 97148

(10) STATIC WATER LEVEL:

33 Ft. below land surface Date 7/20/00  
Artesian pressure \_\_\_\_\_ lb. per sq. in. Date \_\_\_\_\_

(11) WATER BEARING ZONES:

From	To	Est. Flow Rate	SWL
35	75	53 gpm	33

(12) WELL LOG:

Material	Ground Elevation:		SWL
	From	To	
top soil	0	1	
clay reddish brown	1	12	
clay tan	12	16	
shale sft tan fract	16	25	
shale hrd gray	25	35	
sandstone gray very hrd w/shale fragments (diced)	35	50	
siltstone light grey hrd fract	50	57	
shale chocolote brwn hard very fract	57	75	
sandstone brwn sft	75	80	

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WATER RESOURCES DEPT.  
SALEM, OREGON

Date Started: 7/14/00 Completed: 7/20/00

(unbonded) Water Well Constructor Certification:

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

Signed \_\_\_\_\_ Date \_\_\_\_\_ WWC Number \_\_\_\_\_

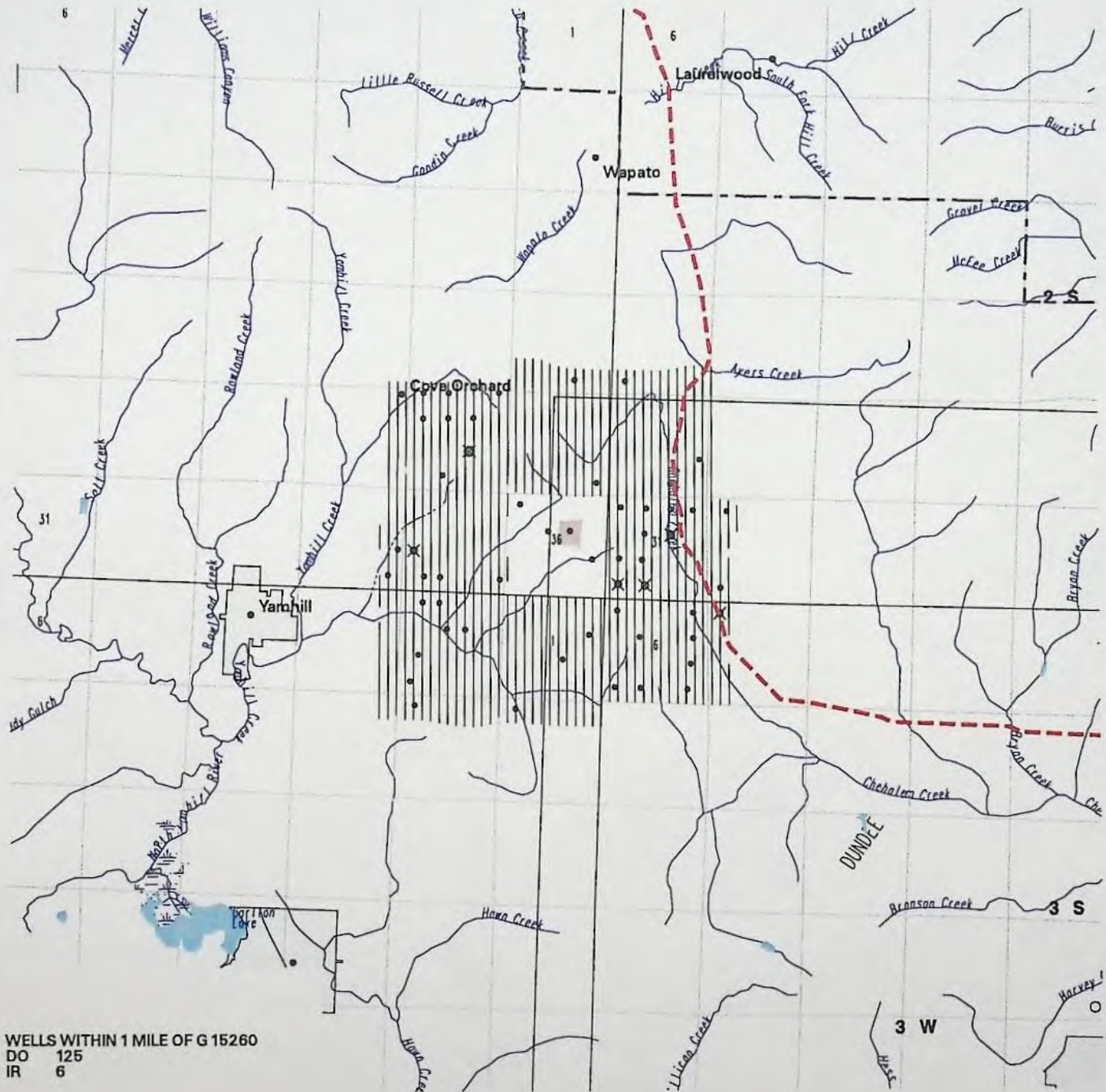
(bonded) Water Well Constructor Certification:

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

Signed John R. Stiles WWC Number 1483  
Date 9/3/00

# Wells in the vicinity of application G 15260

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



WELLS WITHIN 1 MILE OF G 15260  
 DO 125  
 IR 6

PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 15260

\$RECNO	APPLICATION	PERMIT	LOC-QQ	USE	RATE	DIV-UNITS
1	G 13146	G 12706	2.00S 4.00W26NWSE	IR	0.0560	C
1	G 13146	G 12706	2.00S 4.00W26NWSE	IR	0.0940	C
1	G 13146	G 12706	2.00S 4.00W26NWSE	NU	0.0560	C
1	G 13146	G 12706	2.00S 4.00W26NWSE	NU	0.0940	C
2	GR 1549	GR 1567	2.00S 4.00W35NWSW	IR	20.0000	G
3	G 1477	G 1468	2.00S 3.00W31SWNE	IR	0.2500	C
3	G 5972	G 5213	2.00S 3.00W31SWNE	IR	0.2800	C
4	G 8394	G 7785	2.00S 3.00W31SWSW	IR	0.0300	C
5	G 8394	G 7785	2.00S 3.00W31SESW	IR	0.0500	C
6	GR 939	GR 911	3.00S 3.00W 5NWNW	IR	105.0000	G

\*\*\*\*\*

CONDITIONED WELLS WITHIN 5 MILES OF APPLICATION G 15260

\$RECNO	APPLICATION	PERMIT	LOC-QQ	CONDITION-CODE
1	G 13146	G 12706	2.00S 4.00W26NWSE	7DG
1	G 13146	G 12706	2.00S 4.00W26NWSE	7DR
1	G 13146	G 12706	2.00S 4.00W26NWSE	7DG
1	G 13146	G 12706	2.00S 4.00W26NWSE	7DR
1	G 13146	G 12706	2.00S 4.00W26NWSE	7DG
1	G 13146	G 12706	2.00S 4.00W26NWSE	7DR
1	G 13146	G 12706	2.00S 4.00W26NWSE	7DG
1	G 13146	G 12706	2.00S 4.00W26NWSE	7DR
1	G 13146	G 12706	2.00S 4.00W26NWSE	7DG
2	G 12331	G 11457	3.00S 3.00W23SESE	4E

\*\*\*\*\*

APPLICATION G 15260 FALLS WITHIN THESE QUAD(S)

DUNDEE

\*\*\*\*\*

The following OWRD Groundwater Management Areas are within the map extent:


\$RECNO	NAME1	NAME2	SUB-AREA	STATUS
1	CHEHALEM MOUNTAIN			LIMI

\*\*\*\*\*

25 30

36 31

Well is located 1,875 feet south and 2,250 feet west of the northeast section corner.

 Area to be irrigated.



1,320'

1,340'

Property Boundary

Tax Lot 700

16.05 acres

Well → ●  
YAMH  
52307

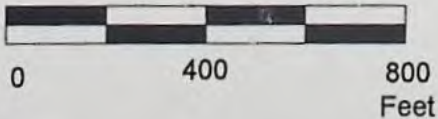
Note: The 1/4 Sections in this Section vary slightly in size.



EXPIRATION DATE: 12/31/00

Application No. *g 15260*  
Permit No.

Scale: 1" = 400'



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.



Pacific Hydro-Geology Inc.

Permit Application Map for Groundwater Rights

Charles and Diane Berg  
T.2S. R.4W Sec. 36, TL 700

Oregon Water Resources Department  
PLACED IN U.S. MAIL Water Rights Division

Water Rights Application  
Number G-15260

**Final Order**

*Appeal Rights*

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

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*Application History*

On DECEMBER 12, 2000, CHARLES and DIAN BERG submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on October 23, 2001. The protest period closed December 7, 2001, and no protest was filed.

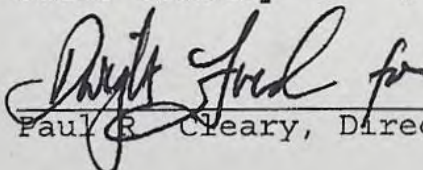
The proposed use would not impair or be detrimental to the public interest.

**Order**

Upon payment of outstanding permit recording fees, Application G-15260 shall be approved as proposed by the Proposed Final Order and as provided on the attached draft permit.

Permit recording fees are required in the amount of \$ 175.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees within 60 days from the date of this Final Order may result in the proposed rejection of Application G-15260.

DATED January 29 , 2002

  
Paul R. Cleary, Director

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WATER RESOURCES DEPT.  
SALEM, OREGON

*This document was prepared by Dorothy Pedersen. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me at 1-503-378-8455 extension 248.*

*If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her extension number is 239.*

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WATER RESOURCES DEPT.  
SALEM, OREGON

STATE OF OREGON

COUNTY OF YAMHILL

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

CHARLES AND DIAN BERG  
19320 NE WOODLAND LP RD.  
YAMHILL, OREGON 97148

(503) 662-5226

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

APPLICATION FILE NUMBER: G-15260

SOURCE OF WATER: A WELL IN CHEHALEM CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 16.05 ACRES

MAXIMUM RATE: 0.201 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: DECEMBER 12, 2000

WELL LOCATION: SW 1/4 NE 1/4, SECTION 36, TOWNSHIP 2 SOUTH, RANGE 4 WEST, W.M.; 1875 FEET SOUTH AND 2250 FEET WEST FROM NE CORNER OF SECTION 36.

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:

SW 1/4 NE 1/4 16.05 ACRES  
SECTION 36  
TOWNSHIP 2 SOUTH, RANGE 4 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

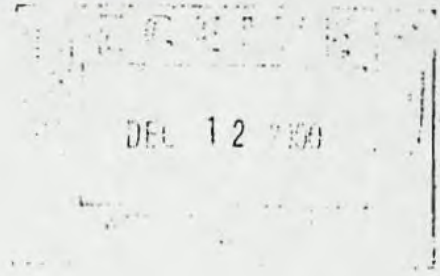
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36 31

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SALEM, OREGON



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and 2,250 feet west of the  
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 Area to be irrigated.

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Tax Lot 700

16.05 acres

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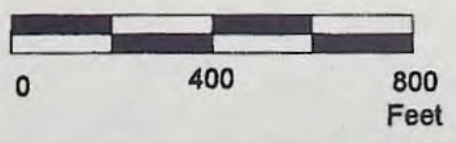
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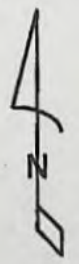
EXPIRATION DATE: 12/31/00

Application No. *g 15060*  
Permit No.

Scale: 1" = 400'



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Permit Application Map for Groundwater Rights

Charles and Diane Berg  
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PLACED IN U.S. MAIL  
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Water Rights Division

Water Rights Application  
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RESOURCES DEPT.

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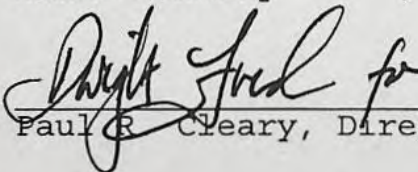
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Paul R. Cleary, Director

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COUNTY OF YAMHILL

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THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NE 1/4 16.05 ACRES  
SECTION 36  
TOWNSHIP 2 SOUTH, RANGE 4 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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

Measurements must be made according to the following schedule:

**Before Use of Water Takes Place**

Initial and Annual Measurements

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

**After Use of Water has Begun**

Seven Consecutive Annual Measurements

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

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

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

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

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

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

#### STANDARD CONDITIONS

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

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

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

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

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

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

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

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

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

Complete application of the water to the use shall be made on or before October 1, 2006. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued \_\_\_\_\_, 2002

DRAFT - THIS IS NOT A PERMIT

\_\_\_\_\_  
Paul R. Cleary, Director  
Water Resources Department

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

# Mailing List for FO Copies

---

Application # G-15260

Mailing List Print Date: January 24, 2002

**Original mailed to(when permit issued, include copy of permit map):**

Applicant: CHARLES AND DIAN BERG  
19320 NE WOODLAND LP RD  
YAMHILL, OREGON 97148

Copies Mailed	
By: <u>1-29-02</u>	
	(SUPPORT STAFF)
on: <u>Jb</u>	
	(DATE)

**For FO w/Draft Permit - Copies sent to:**

1. WRD - File # G-15260
2. WRD - Ken Stahr

**For FO w/ Draft Permit - FO and Map Copies sent to:**

3. WRD - Watermaster District # 16: Bill Ferber

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

For FO w/Draft Permit or w/Permit - "\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

CASEWORKER: DIP - WEEK 322

# FO CHECKLIST

FILE # G-1560  
 PFO WEEK # 326  
 FO WEEK # 322

## PFO TO FO CONVERSION

REVIEW DATE: 1/24/02  
 INITIALS: MP  
 WM District 16 - Bill Ferber  
 Region Mgr MM - Dave Jarrett  
 ODFW Bio —

Applicant Name and Mailing (if assignment or changes to address make sure to list new information)

Address: Charles and Dian Berg  
19320 NE Woodland Loop Rd., Yamhill, OR 97148

**In preparing to create the FO, you should check the following:**

1. Y  N Were comments received? If so, from whom and when? \_\_\_\_\_

Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)

2. NA On the PFO CC list, verify names and mailing addresses of ALL commentors (regardless of comment date, affected landowners, and those who paid the \$10 fee.

3. Y / N /  NA Have affected land owners been notified? If not, refer to #9.

4. Y / N /  NA Has ODFW asked for self certification of screening condition?  
 If so, write "ODFW CERT" in the permit block on the front of the file.

5. Y  N Do the PFO conclusions require modification? Why? \_\_\_\_\_

6. NA Correct PFO errors (such as POD or POU location (verify from map) OK

7. NA Include or exclude permit conditions. OK  
7c

8.  Verify Payment of recording fees (circle the appropriate option)

(1) Issue FO w/permit if fees are paid — Prepare refund request for excess fees, including standing fees if no protest is filed and no modifications are being made to the PFO.

(2) Issue FO w/o permit if fees are lacking.	Exam Fee Paid	<u>250.00</u>
	Q fee	<u>150.00</u>
	<b>Subtotal</b>	<u>400.00</u>
1 <sup>st</sup> CFS/AF <u>\$150.00</u>	Recording Fee	<u>175.00</u>
Addnl. <u>—</u>	<b>Total</b>	<u>575.00</u>
<b>TOTAL Q</b> <u>\$150.00</u>	Amount Paid	<u>400.00</u>
	<b>Amount due/refund</b>	<u>175.00</u>

9.  Y / N Is further processing possible? If not state reason: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

FO Type: (circle types) DENIAL FO w/o PERMIT (REASON: Lacks Fees) Lacks Easement  
Lacks Approved Dam Plans and Specifications

FO & PERMIT (Permit # \_\_\_\_\_ )

**Once FO document is completed:**

10.  Save WordPerfect document in M:\GROUPS\WR\FO\WEEK 322.
11.  Print final draft of document and submit for peer review *Anita*
12. Complete routing list

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

The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-15260

Proposed Final Order

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

*Application History*

On DECEMBER 12, 2000, CHARLES and DIAN BERG submitted an application to the Department for the following water use permit:

- Amount of Water: 0.201 CUBIC FOOT PER SECOND
- Use of Water: IRRIGATION OF 16.05 ACRES
- Source of Water: A WELL IN CHEHALEM CREEK BASIN
- Area of Proposed Use: YAMHILL County within SECTION 36,  
TOWNSHIP 2 SOUTH, RANGE 4 WEST, W.M.

On July 20, 2001, the Department mailed the applicant notice of its Initial Review, determining that "The use of 0.201 CFS from a well within the Yamhill River Basin for Irrigation of 16.05 acres is allowable from March 1 through October 31 of each year." The applicant did not notify the Department to stop processing the application within 14 days of that date.

On August 7, 2001, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.

No written comments were received within 30 days.

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

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

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

*Findings of Fact*

The Willamette Basin Program allows IRRIGATION.

A WELL IN CHEHALEM CREEK BASIN is not within or above a State Scenic Waterway.

The Groundwater Section finds, per OAR 390.835(9), there is not a preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

The Department determined, based upon OAR 690-09, that the proposed groundwater use will not have the potential for substantial interference with the nearest surface water source.

An assessment of groundwater availability has been completed by the Department's Groundwater/Hydrology section. A copy of this assessment is in the file. The proposed use of groundwater will, if properly conditioned, avoid injury to existing rights and the resource. Therefore, groundwater may be appropriated during the full period requested by the applicant, March 1 through October 31.

The Department finds that the amount of water requested, 0.201 CFS, is an acceptable amount.

The proposed well is not within a designated critical ground water area.

*Conclusions of Law*

Under the provisions of ORS 537.153, the Department must presume that a proposed use will not impair or be detrimental to the public interest 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) (i.e. the use of water is human consumption or livestock), if water is available, if the proposed use will not injure other water

rights and if the proposed use complies with rules of the Water Resources Commission.

The proposed use requested in this application is allowed in the Willamette Basin Plan, or a preference for this use is granted under the provisions of ORS 536.310(12).

Water is available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with other rules of the Water Resources Commission not otherwise described above.

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

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

For these reasons, the required presumption has been established.

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

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

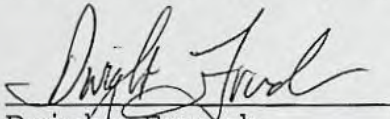
In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

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

Recommendation

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

DATED October 23, 2001

  
Dwight French  
Water Rights Section Manager

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

*Protest Rights and Standing*

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

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and
- If you are not the applicant, the \$200 protest fee required by ORS 536.050 and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting a contested case hearing. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the proposed final order.
- If you do not protest this Proposed Final Order and if no substantive changes are made in the final order, you will not have an opportunity for judicial review, protest or appeal of the final order when it is issued.

## Requests for Standing

Under the provisions of 537.621(6), persons other than the applicant who support a proposed final order may request standing for purposes of participating in any contested case proceeding on the proposed final order or for judicial review of a final order. A request for standing shall be in writing, include a statement that the requester supports the proposed final order, and a statement of how the requester would be harmed if the proposed final order is modified. The fee required at the time of submitting this request is \$50.00. If a hearing is scheduled, an additional fee of \$150.00 must be submitted along with a request for intervention. Forms to request standing are available from the Department.

Your protest or request for standing must be received in the Water Resources Department no later than **December 7, 2001**.

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

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

*This document was prepared by Kerry Lefever. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 1-503-378-8455 extension 276.*

*If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her extension number is 239.*

*If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201.*

*Address all other correspondence to:*

Water Rights Section, Oregon Water Resources Department, 158 12th ST NE SALEM, OR 97310  
Fax: (503)378-2496 .

DRAFT

This is not a permit!!!  
STATE OF OREGON

DRAFT

COUNTY OF YAMHILL

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

CHARLES and DIAN BERG  
19320 NE WOODLAND LP RD  
YAMHILL, OREGON 97148

(503) 662-5226

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

APPLICATION FILE NUMBER: G-15260

SOURCE OF WATER: A WELL IN CHEHALEM CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 16.05 ACRES

MAXIMUM RATE: 0.201 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: DECEMBER 12, 2000

POINT OF DIVERSION LOCATION: SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , SECTION 36, T2S, R4W, W.M.; 1875 FEET SOUTH & 2250 FEET WEST FROM NE CORNER, SECTION 36

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:

SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  16.05 ACRES  
SECTION 36  
TOWNSHIP 2 SOUTH, RANGE 4 WEST, W.M.

Measurement, recording and reporting conditions:

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

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

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

Measurements must be made according to the following schedule:

**Before Use of Water Takes Place**

Initial and Annual Measurements

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

**After Use of Water has Begun**

Seven Consecutive Annual Measurements

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

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the

measurement to:

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

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

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

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

#### STANDARD CONDITIONS

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

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air

line and pressure gauge adequate to determine water level elevation in the well at all times.

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

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

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

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

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

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

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

Complete application of the water to the use shall be made on or before October 1, 2005. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued \_\_\_\_\_, 2001


**DRAFT - THIS IS NOT A PERMIT**

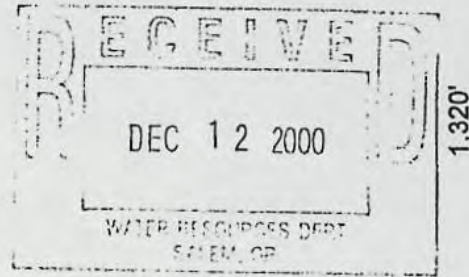
\_\_\_\_\_  
Paul R. Cleary, Director  
Water Resources Department

25 30

36 31

Well is located 1,875 feet south and 2,250 feet west of the northeast section corner.

 Area to be irrigated.



1,340'

Property Boundary

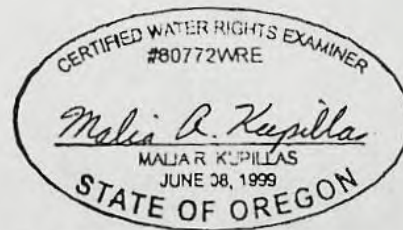
Tax Lot 700

16.05 acres

Well 

YAMH  
52307

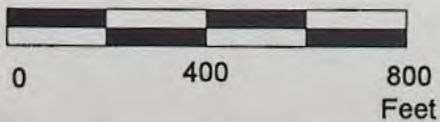
Note: The 1/4 Sections in this Section vary slightly in size.



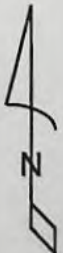
EXPIRATION DATE: 12/31/00

Application No. *g 15260*  
Permit No.

Scale: 1" = 400'



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.



Pacific Hydro-Geology Inc.

Permit Application Map for Groundwater Rights

Charles and Diane Berg  
T.2S. R.4W Sec. 36, TL 700

# Mailing List for PFO Copies

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Application #G-15260

PFO Date October 23, 2001

**Original mailed to:**

Applicant: CHARLES and DIAN BERG  
19320 NE WOODLAND LP RD  
YAMHILL, OREGON 97148

Copies sent to:

1. WRD - File # G-15260

PFO, Map, and Fact Sheet Copies sent to:

2. WRD - Watermaster # District 16

Copies Mailed
By: <u>DS</u>
(SUPPORT STAFF)
on: <u>10/23/01</u>
(DATE)

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

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

RECEIVED

JUL 31 2001

WATER RESOURCES DEPT.  
SALEM, OREGON

Summary of Initial Determinations

The use of 0.201 CFS from a well within the Yamhill River Basin for Irrigation of 16.05 acres is allowable from March 1 through October 31 of each year.

Additional Information Required:

The deed you submitted with your application did not include a metes and bounds legal description of the property where you plan to use the water. Please submit "Exhibit A" from your deed.

Please submit this information no later than Thursday, September 6, 2001. If you are unable to submit the above listed information, you may request a "time out from processing" for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If a time out is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

If we do not receive the items requested above by this date, or a request for time out from processing, 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.

Because of these favorable determinations, the Department can now move your application to the next phase of the water rights application review process. This phase is where public interest factors will be evaluated.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

7/30/01

G-15260

Page 2

*Kerry*  
I have enclosed "Exhibit A"  
as request.  
Thank you  
Dian Burg

File No. 147598

**EXHIBIT "A"**

Legal Description:

All of the Southwest Quarter of the Northeast Quarter of Section 36 in Township 2 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon.

EXCEPTING THEREFROM that part conveyed to Raymond J. Boyd and Penny J. Boyd in Deed recorded May 2, 1991 in Film Volume 254 Page 741, Deed and Mortgage records.

Tax Lot 2436-700

YCTE 3624-10

**RECEIVED**

JUL 31 2001

WATER RESOURCES DEPT.  
SALEM, OREGON

Dian Berg  
19320 NE Woodland Loop Rd.  
Yamhill, OR 97148-8422



Ms. Kerry LeFever  
Water Resources Dept.  
158 12th St. NE  
Salem, OR 97301-4172

97301+4172 97301-4172



# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130

July 20, 2001

CHARLES and DIAN BERG  
19320 NE WOODLAND LP RD  
YAMHILL, OREGON 97148

( 503) 662- 5226

Reference: File G-15260

Dear Applicant:

### **THIS IS NOT A PERMIT AND IS SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the favorable preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

#### Initial Review Determinations:

1. The proposed use is not prohibited by law or rule.
2. The use of 90 gallons per minute (gpm), or 0.201 cubic foot per second (cfs) of water from a well within the Yamhill River Basin for Irrigation of 16.05 ACRES is allowable under OAR 690-502-160(2), the Willamette Basin Program.
3. The Department has determined, based upon OAR 690-09, that the proposed groundwater use **will not have the potential for substantial interference** with the nearest surface water source.
4. Based upon available data, the Department has also determined that the proposed use of groundwater **will, if properly conditioned, avoid injury** to existing rights or to the groundwater resource.

### Summary of Initial Determinations

The use of 0.201 CFS from a well within the Yamhill River Basin for Irrigation of 16.05 acres is allowable from March 1 through October 31 of each year.

#### Additional Information Required:

The deed you submitted with your application did not include a metes and bounds legal description of the property where you plan to use the water. Please submit "Exhibit A" from your deed.

Please submit this information no later than *Thursday, September 6, 2001*. If you are unable to submit the above listed information, you may request a "time out from processing" for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If a time out is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

If we do not receive the items requested above by this date, or a request for time out from processing, 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.

Because of these favorable determinations, the Department can now move your application to the next phase of the water rights application review process. This phase is where public interest factors will be evaluated.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

#### To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

### Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, August 3, 2001**. For your convenience you may use the enclosed "STOP PROCESSING" form.

### If A Permit Is Issued It Will Likely Include The Following Conditions:

1. Measurement, recording and reporting conditions:
  - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
  - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
  - C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.
2. To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

#### **Before Use of Water Takes Place**

##### Initial and Annual Measurements

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

### **After Use of Water has Begun**

#### **Seven Consecutive Annual Measurements**

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

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

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

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

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

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource

or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

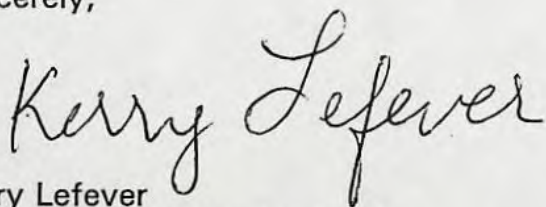
3. The priority date for this application is December 12, 2000.

The water source identified in your application is in an area that has an approved Agricultural Water Quality Management Area Plan. These plans have been developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders. These plans help make sure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to contact Mike Wolf, (503) 986-4711 at the ODA to learn more about the plan and how it may affect your proposed water use.

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at (503) 378-8455 extension 201. Feel free to call me at (503) 378-8455 extension 276 if you have any questions regarding the contents of this letter. Please have your application number available if you call. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301-4172, Fax: (503)378-2496.

Sincerely,



Kerry Lefever  
Senior Water Rights Technician

cc: Regional Manager, Watermaster District 16, Water Availability Section  
enclosures: Flow Chart of Water Right Process  
Stop Processing Form

G-15260  
wab 02-N/A  
pou 02-N/A  
gw B

# APPLICATION FACT SHEET

*Mail to: Applicant, Watermaster, District Biologist (ODFW)*

*If necessary, also mail to : Regional Water quality manager (DEQ), and DOA*

Application File Number: G-15260

Applicant: CHARLES and DIAN BERG

County: YAMHILL

Watermaster: District 16

Priority Date: December 12, 2000

Source: A WELL WITHIN YAMHILL RIVER BASIN

Use: IRRIGATION OF 16.05 ACRES

Quantity: 0.201 CUBIC FOOT PER SECOND

Basin Name & Number: Willamette, #02

Stream Index Reference: Volume 12 N YAMHILL R MISC

Point of Diversion Location:

SWNE, SECTION 36, T2S, R4W, W.M.; 1875 FEET SOUTH & 2250 FEET  
WEST FROM NE CORNER, SECTION 36

Place of Use:

SWNE 16.05 ACRES,  
SECTION 36  
TOWNSHIP 2 SOUTH, RANGE 4 WEST, W.M.

**14 DAY STOP PROCESSING DEADLINE DATE: Friday, August 3, 2001**

**PUBLIC NOTICE DATE: Tuesday, August 7, 2001**

**30 DAY COMMENT DEADLINE DATE: Thursday, September 6, 2001**

U.S. Postal Service

# CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

7000 1670 0000 6423 4167

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Postage	\$	Postmark Here
Certified Fee	2.10 <del>9.96</del>	
Return Receipt Fee (Endorsement Required)	1.50	
Restricted Delivery Fee (Endorsement Required)		
Total F	3.94	

Recipient  
CHARLES & DIAN BERG  
19320 NE WOODLAND LP ROAD  
YAMHILL OR 97148  
City, St. 15260



Oregon

John A. Kitzhaber, M.D., Governor

FILE

**Water Resources Department**

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130

**CERTIFIED MAIL**  
Return Receipt Requested

July 20, 2001

CHARLES and DIAN BERG  
19320 NE WOODLAND LP RD  
YAMHILL, OREGON 97148

( 503) 662- 5226

Reference: File G-15260

Dear Applicant:

Your Initial Review has been processed, and I found that additional information is required to complete your application for water use.

**Additional Information Required:**

The deed you submitted with your application did not include a metes and bounds legal description of the property where you plan to use the water.  
**Please submit "Exhibit A" from your deed.**

Please submit this information no later than **Thursday, September 6, 2001.** If you are unable to submit the above listed information, you may request a "time out from processing" for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If a time out is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

If we do not receive the items requested above by this date, or a request for time out from processing, 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.

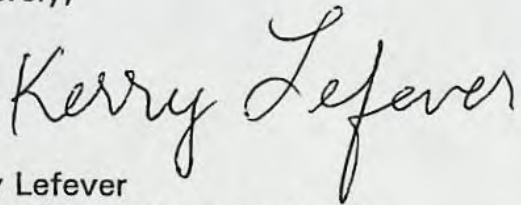


Charles and Dian Berg  
July 20, 2001

G-15260  
Page 2

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 at (503) 378-8455, extension 276.

Sincerely,

A handwritten signature in cursive script that reads "Kerry Lefever". The signature is written in black ink and is positioned above the typed name and title.

Kerry Lefever  
Senior Water Rights Technician

cc: Watermaster Dist #16  
File

enclosure

TAX ACCT. NO. 2436-00700

MAP NO.

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That CHARLES P. BERG and DIAN B. BERG hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto CHARLES P. BERG AND DIAN B. BERG, AS TENANTS BY THE ENTIRETY, AND CHRISTIAN P. BERG AND DONALD E. BERG, AS TENANTS IN COMMON hereinafter called grantees, and unto grantees's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of YAMHILL, State of Oregon, described as follows, to-wit: SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

To Have and to Hold the same unto the said grantees and grantees's heirs, successors and assigns forever. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$1.00.

\*However, the actual consideration consists of or includes other property or value given or promised which is (the whole/part of title) consideration (indicate which). \* (The sentence between the symbols \*, if not applicable should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 25th day of October 19 99 ; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN OBS 30.930.

XCTE C

Handwritten signatures of Charles P. Berg and Dian B. Berg with printed names below.

STATE OF OREGON

County of Yamhill ) ss.

BE IT REMEMBERED, That on this 25th day of October, 19 99, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named CHARLES P. BERG and DIAN B. BERG known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

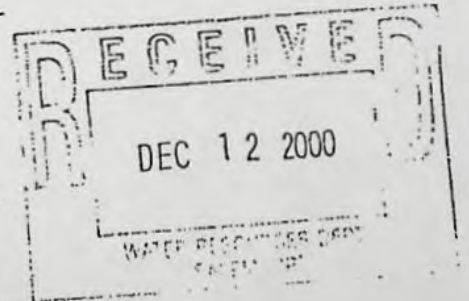
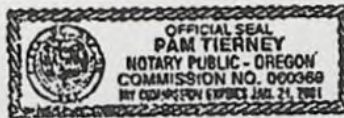
Notary Public signature and seal for Pam Tierney, Commission No. 000369, My Commission expires 1/24/2001.

CHARLES P. BERG

Grantor's Name and Address CHARLES P. BERG

Crafter's Name and Address After recording return to: YAMHILL COUNTY TITLE & ESCROW, INC. 2201 PORTLAND ROAD NEWBERG, OR 97132

Until a change is requested, all tax statements shall be sent to the following address. SAME AS GRANTEE



Recorded in Official Yamhill County Records CHARLES STERN, COUNTY CLERK



40.00 199921470 2:19:42 PM 10/27/1999 DNR DOMR 1 18.00 18.00 20.00 1 TONYR

Application No. 9 1560 Permit No.

# Mailing List for IR Copies

Application #G-15260

IR Date: July 20, 2001

## Original mailed to:

Applicant: CHARLES BERG BERG, DIAN, 19320 NE WOODLAND LP RD, YAMHILL, OREGON 97148

## Copies sent to:

1. WRD - File # G-15260

Copies Mailed
By: <u>DG</u>
(SUPPORT STAFF)
on: <u>7/20/01</u>
(DATE)

## IR, Map, and Fact Sheet Copies sent to:

2. WRD - Watermaster # District 16 - Bill Ferber
3. WRD - Regional Manager: Dave Jarrett, NW Region
4. DOA (N.Salem/Keizer): Mike Wolf

## Copies sent to Other Interested Persons (*CWRE, Agent, Well Driller, etc.*)

5. \_\_\_\_\_

6. \_\_\_\_\_

7. \_\_\_\_\_

8. \_\_\_\_\_

9. \_\_\_\_\_

10. \_\_\_\_\_

PFO CHECKLIST

Priority 12-12-00

Application #: G 15260  
County VAMHILL Basin: Willamette  
Township 25 Range 4W Section 36 1/4 1/4

- ✓1. Shortcomings preventing PFO, FO, or permit? Y (N) Should process continue Y (N)
- ✓2. Groundwater Review A (B) C (D) River/Stream Name \_\_\_\_\_  
 a. Groundwater Availability A (B) C (C) 7C  
 b. Is second groundwater review complete? Y (N) necessary? Y (N)  
 c. Is the well located in a GWLA or CA? Y (N) (If Y or close include map of POD) Area \_\_\_\_\_
- ✓3. Is use from BOR / Doug Co. project? Y (N) Contract in file? N / Contract # \_\_\_\_\_
- ✓4. Is the use allowed by the Basin Program? Y (N) Limited? Y (N)
- ✓5. Water Availability Data OK / REDONE (NA) (80% live flow & 50% storage) \_\_\_\_\_
- ✓6. Is the source withdrawn or limited by statute or Department order? Y (N)
- ✓7. Is the Proposed Use located in or above a SWW? Y (N)
- ✓8. Division 33: Y / N / (NA) Above Bonn (after July 17, 1992) Y / N Limit to April 15 - September 30 Y / N  
 Below Bonn (after April 8, 1994; June 3, 1994) Y / N add PISPC Y / N  
 Statewide - (in shaded areas on T, E, and S Map - after June 3, 1994) Y / N
- ✓9. IR identifies as on DEQ 303d List? Y / N / (NA) Comments received? Y / N
- ✓10. Have conflicts been addressed? Y / N / (NA)

✓11. Rate  $\frac{1}{80}$   
Duty  $\frac{2}{2}$  Season: Normal Mar 1 - Oct 31 Req Mar 1 - Oct 31

✓12. Rate: Max  $16.05 \text{ ac} \times \frac{1}{80} = 0.201 \text{ cfs}$  Req  $0.201 \text{ cfs}$  (90 gpm)

- ✓13. Small ( $\leq 0.1 \text{ cfs}$ ,  $\leq 9.2 \text{ AF}$ ), Medium ( $> 0.1$  or  $< 1.5 \text{ cfs}$ ,  $> 9.2$  or  $< 100 \text{ AF}$ ) or Large ( $\geq 1.5 \text{ cfs}$ ,  $\geq 100 \text{ AF}$ ) condition 7I and municipal require the Large condition
- ✓14. Conditions 7C  
New River Basin or Bonanza? Y / N / (NA) (see M:\groups\wr\pfo\findings & other lang)
- ✓15. IR Date 7/20/01 Public Notice Date 8/7/01 Comment Rec'd NO
- ✓16. Filed after 10/23/99? Y (N) (if Y A date should be removed) Applicant provided info as requested in IR - died
- ✓17. CWRE, representatives or Property owners to notify? Y (N)

Summary: gw b/c cond 7C

Initials: KL Date: 10/11/01

PFO Reviewed by: Jerry Gainer 10/12/01

IR CHECKLIST

Application # 6-15260 Priority Date: 12-12/2000  
Basin: 2-Willamette County: Yamhill Watermaster District: # 16-NW  
Township: 2S Range: 4W Section: 36 1/4 1/4 sw/nc  
WID: # -NA POU WID: # \_\_\_\_\_

1. Complete by Minimum Requirements checklist?  Yes  No  
Items still required: Need Exhibit A from deed - metes & bounds

2. ☆Groundwater/Surface Water Interference: A  B  C  D If "A", indicate River/Stream \_\_\_\_\_  
☆Groundwater Availability: A  B  C  ☆Conditions to be included on IR? List under Item #23 (over) **7C**

★★PLEASE NOTE: If GW / SW Interference (above) = "B", "C" or "D".....Skip Items #5, #14, #18 & #19

3. Basin Maps checked?  Yes  No near unnamed trib to Stag Hol Cr > Yamhill R (4/13)

4. Within or above a Scenic Waterway? Yes  No   
If Yes.....cc: State Parks Dept. Conditions/Restrictions? Yes No \_\_\_\_\_ Scenic Waterway

5. Within Oregon Streamflow Restoration Area? Yes No .....If Yes, include Streamflow Restoration Block

6. Is the well located in a Groundwater Limited Area? Yes  No  Name \_\_\_\_\_ GW Limited Area

7. Is the well located in T. 1N, R. 3E, Sec. 20, 21, 28, 29? Yes  No  If Yes...Notify DEQ immediately!!!  
If Yes...cc: Andy Schaedel, NW Region Water Quality Manager, 2020 SW Fourth Ave, Portland, OR 97201  
Call Andy at Phone #: 503-229-6121 & E-mail Andy at: "SMTPschaedel.andrew.l@deq.state.or.us"

8. Requested Use & Rate: 1 well 90 gpm (0.20 cfs) for IR of 16.05 ac <sup>Wine grapes</sup>

9. Season requested by applicant: March 1 - Oct 31

10. For Irrigation: Rate 1/80 Duty 3 Season Mar 1 - Oct 31

11. For Nursery or Cranberry: Rate \_\_\_\_\_ Duty \_\_\_\_\_ Season \_\_\_\_\_

12. Allowed under Basin Program?  Yes  No DAR 690-502-160(2)  
Limitations? Yes  No

13. Withdrawn? Yes  No  Season Allowed: \_\_\_\_\_  

Max Q: 16.05 ac x 1/80 = 0.201 cfs

14. Water Availability Applies: Yes  No  - 80% or 50% \_\_\_\_\_

15. Conflict? Yes  No

← plat card

✓ 16. BOR project? Yes No If Yes... Contract # and Duty: \_\_\_\_\_

✓ 17. Land use approval: OK'd Needs Approval County Notified N/A

N/A 18. Subject to Division 33: Yes No N/A = Well does not have the potential for substantial interference

★ Upper Columbia Div 33 Rules (Above Bonneville)? Yes No  
If Yes..... NO WATER USE ALLOWED from APRIL 15 thru SEPTEMBER 30 of each year  
❖❖❖(EXCEPT for Domestic Use & other Exempt uses under OAR 690-33-140)❖❖❖

- cc:  ODFW Biologist District # \_\_\_\_\_  NMFS.....Marc Liverman
- Columbia River Intertribal Fish Commission  Dept. Of Agriculture.....Steve Applegate
- US Fish & Wildlife  DEQ → East Region - Dick Nichols, Bend
- NW Power Planning Council → West Region - John Blanchard, Medford
- Northwest Region - Andy Schaedel, Portland

★ Statewide Div 33 Rules ("Sensitive" statewide (Blue on Map) & "Threatened or Endangered" OUTSIDE Columbia Basin)? Yes No  
If Yes...cc:  ODFW Biologist District # \_\_\_\_\_ ★ DIVISION 33 CONDITIONS ★  
 Steve Applegate.....Dept. of Agriculture → Above Bonneville: "B54B"  
 DEQ → East Region - Dick Nichols, Bend → Below Bonneville: "PISPC"  
 → West Region - John Blanchard, Medford ❖❖NOTE: If "Q" is over 1.0 CFS,  
 → Northwest Region - Andy Schaedel, Portland See: OAR 690-33-220(3)

N/A 19. On DEQ 303d (Water Quality Limited) list? Yes No If Yes...cc: appropriate Regional Water Quality Manager  
 East Region-Dick Nichols, Bend  West Region-John Blanchard, Medford  NW Region-Andy Schaedel, Portland

✓ 20. Within Dept. of Agriculture Water Quality Management Area? Yes No If Yes.....cc: Mike Wolf - Dept. of Ag  
ADOPTED: TUALATIN\_\_ BEAR CREEK(ROGUE)\_\_ UMATILLA\_\_ UPPER GRANDE RONDE\_\_ YAMHILL\_\_ LOWER DESCHUTES\_\_  
NORTH COAST\_\_ (includes: Lower Columbia/Clatskanie, Lower Columbia, Necanicum, Nehalem, Wilson/Trask/Nestucca)

DRAFT RULES: LOWER COLUMBIA/SANDY\_\_ CLACKAMAS\_\_ MOLALLA/PUDDING\_\_ FRENCH/PRAIRIE\_\_ NORTH SANTIAM\_\_  
HOOD RIVER\_\_ MID DESCHUTES\_\_ N FORKS JOHN DAY\_\_ (includes: Middle Fork John Day, North Fork John Day)  
UMPQUA\_\_ (includes: Umpqua, North Umpqua, South Umpqua) MALHEUR\_\_ (includes: Willow/Malheur, Bully,  
Lower Malheur, Upper Malheur, Farewell Bend, Middle Snake/Payette)

IN COMMITTEE: COQUILLE\_\_ COOS\_\_ MID COAST\_\_ (includes: Siletz/Yaquina, Alsea, Siuslaw, Siltcoos) WALLA WALLA\_\_  
SOUTHERN WILLAMETTE VALLEY\_\_ (includes: Coast Willamette, Middle Willamette, McKenzie) UPPER JOHN DAY\_\_  
KLAMATH HEADWATERS\_\_ (includes: Butte, Sprague, Williamson, Upper Klamath, Upper Klamath Lake) LOST RIVER\_\_  
INLAND ROGUE\_\_ (includes: Lower Rogue, Middle Rogue, Upper Rogue, Applegate, Illinois)  
WALLOWA\_\_ (includes: Wallowa, Lower Grande Ronde, Imnaha)

21. WM District: NWR: 1 2 16 18 20 NCR: 3 4 5 21 ER: 6 8 9 10 SCR: 11 12 17 SWR: 13 14 15 19

✓ 22. Initial Review will be: GOOD LIMITED BAD BAD W/IR SHORT BAD W/HC EXCEPT

✓ 23. ☆Proposed Allowed Use & Rate: 0.201 cfs (90gpm) for IR of 16.05ac

☆Proposed Allowed Period of Use: Mar 1 - Oct 31

☆Measuring condition: Small Medium Large

☆Conditions (BOR, GW other): Yes No 7C per GW analysis

Reviewer's Name: KERRY LEFEVER Date: 7/12/01

cc: Mike Wolf, AG

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

MA 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:

MA (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;

MA (b) Groundwater from the basalt aquifers in the Damascus, Gladtidings, Kingston, Mt. Angel, Parrett Mountain, and Stayton-Sublimity areas, and the Troutdale aquifer in the Damascus area is classified for exempt uses only:

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

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

Resources Commission which shall indicate the steps for obtaining an alternate long-term water supply.

MA (c)(A) Except as provided in paragraph (B) of this subsection, groundwater from the basalt aquifers in the Sherwood-Damascus-Wilsonville Groundwater Limited Area as described and shown in Exhibit 6 is classified for exempt uses only;

(B) Groundwater applications G-12155 (City of Sherwood) and G-13353 (Manke Lumber Co.) shall be processed according to the classifications in effect on the date the application was filed. Permits shall contain the Special Permit Conditions specified in Section (3) of this rule.

MA (d) Groundwater in the basalt aquifers in the Chehalem Mountain, Eola Hills and South Salem Hills Groundwater Limited Areas is classified for exempt uses, irrigation and rural residential fire protection systems only. Permits may be issued, for a period not to exceed five years, for fire protection and for drip or equally efficient irrigation provided the Director finds the proposed use and amount do not pose a threat to the groundwater resource or existing permit holders. The amount of water used for irrigation shall be further limited to one acre-foot per acre per year. Permits may be extended for additional five-year periods if the Director finds that the groundwater resource can probably support the extended use. Applications may be rejected or permit or certificate extensions may be denied if the aquifer displays any of the adverse impacts defined in OAR 690-08:

MA (A) The Chehalem Mountain Groundwater Limited Area is as described and shown in Exhibit 8. The Eola Hills Groundwater Limited Area is as described and shown in Exhibit 10. The South Salem Hills Groundwater Limited Area is as described and shown in Exhibit 11;

(B) Groundwater applications pending on October 4, 1991 shall be processed according to the classifications in effect on the date the application was filed. Permits may be issued for a period not to exceed five years and shall contain the Special Permit Conditions specified in section (3) of this rule. Permits may be extended for additional five-year periods if the Director finds that the groundwater resource can probably support the extended use. Applications submitted after October 4, 1991 shall be processed according to the requirements of these rules and classifications. Within two years of permit issuance, the applicant shall prepare a plan for the Water Resources Commission which shall indicate the steps for obtaining an alternate long-term water supply;

MA (e) Groundwater — Surface water hydraulic connection: These rules are in addition to the requirements of OAR 690-09. Groundwater in unconfined alluvium within 1/4 mile of the banks of a stream or surface water source is presumed to be in hydraulic connection with the surface water source, unless the applicant or appropriator provides satisfactory information or demonstration to the contrary. This hydraulically connected groundwater shall be classified the same as the surface source. This section shall not apply to those groundwater uses exempted by ORS 537.545. Notwithstanding such classification, permits may be issued for the use of water from a well in an unconfined aquifer that is hydraulically connected to groundwater, within a quarter mile of a stream, provided that surface water impacts are mitigated through storage releases.

MA (3) Special Columbia River Basalt Group Aquifer Permit Conditions: New permits issued to appropriate groundwater from Columbia River Basalt Group aquifers shall be specially conditioned. The conditions shall specify:

(a) A static water level measurement be made and submitted before any use of water may commence at the well;

(b) The permittee/appropriator install a meter or other suitable measuring device approved by the Director and submit an annual report of water used to the Department;

(c) Limits on acceptable amounts of depletion and interference with other users;

(d) Use of water from the well be controlled or shut off if limits specified in the permit to protect the resource from depletion, and prior appropriators from interference, are exceeded;

(e) The Department shall determine, from measurements submitted by the permittee/ appropriator, or other data on file in the department, the initial and subsequent water levels from which the previously cited declines are referenced;

(f) Following the issuance of a permit, the permittee/appropriator shall measure the water levels in the permitted well each year between March 1 and March 31 (spring high-water level) and submit the data to the Department within 90 days of measurement. Water level measurements shall be made by a certified water rights examiner, licensed water well driller, licensed pump installer, registered geologist, licensed land surveyor, registered professional engineer or the permittee/ appropriator;

(g) Any other conditions derived from OAR 690-08 as deemed necessary to protect the groundwater resource.

(4) Special Permit Conditions: New permits issued to appropriate groundwater from aquifers within the Sandy-Boring Groundwater Limited Area and the Troutdale aquifer in the Damascus Groundwater Limited Area shall be specially conditioned. The conditions shall specify:

(a) A static water level measurement be made and submitted before any use of water may commence at the well;

(b) Limits on acceptable amounts of depletion and interference with other users;

(c) Use of water from the well be controlled or shut off if limits specified in the permit to protect the resource from depletion, and prior appropriators from interference, are exceeded;

(d) The Department shall determine, from measurements submitted by the permittee/ appropriator, or other data on file in the department, the initial and subsequent water levels from which the previously cited declines are referenced;

(e) Following the issuance of a permit, the permittee/appropriator shall measure the water levels in the permitted well each year between March 1 and March 31 (spring high-water level) and submit the data to the Department within 90 days of measurement. Water level measurements shall be made by a certified water rights examiner, licensed water well driller, licensed pump installer, registered geologist, licensed land surveyor, registered professional engineer or the permittee/ appropriator;

(f) Any other conditions as specified in OAR 690-08 as deemed necessary to protect the groundwater resource.

[ED. NOTE: The Exhibit(s) referenced in this rule is not printed in the OAR Compilation. Copies are available from the Water Resources Department.]

Stat. Auth.: ORS Ch. 536 & 537

Hist.: WRD 4-1992, f. & cert. ef. 3-13-92; WRD 12-1993, f. & cert. ef. 9-9-92; WRD 3-1994, f. & cert. ef. 3-10-94, WRD - 1994, f. & cert. ef. 11-7-94



# Plat Card Report for 2S 4W 36

3/1/2001

Page 2 of 2

Application Permit Certificate Status	NE				NW				SW				SE				Govt Lot DLC		
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
S 72543 S 52267 7/8/1992												0 RC	0 RC						
7/8/1992												0 WI	0 WI						
R 73823 R 11531 12/29/1993					12.400 IR	14.800 IR	7.100 IR												
R 79867 R 10284! 71638 1/1/1993																			

Notes: Primary is to be assumed. (s) indicates supplemental Rights assumed non-canceled.

Type of Use > 

Acres
<input type="checkbox"/> <input type="checkbox"/>
Status

 < Supplemental indicator

# Analysis for Application: G15260

**Location: 2.00 S-4.00 W-36-swne**

Uses: IR 16.050 (P)

**Basins**

BASIN_NUM	BASIN_NAME
2	Willamette

**Records Found: 1**

**WaterMaster Districts**

WATERDIST	REGION
16	NW

**Records Found: 1**

**WAB**

BASIN	WID	LINK_1
2	70746	Water Availability: <u>50%</u> <u>80%</u>

**Records Found: 1**

**County**

COUNTY	FIPS
Yamhill	41071

**Records Found: 1**

**Groundwater Limited Records Found: 0**

6/13/01

1142

1365-8

Chuck Berg  
end of March

G-15260

503-662-5226

STATUS

~~123 KEN BUBBEN~~

STATE OF OREGON

Arrow 00-026

WATER SUPPLY WELL REPORT

(as required by ORS 537.765)

(1) OWNER:

Well Number: 2

Name: Chris Berg  
Address: 19320 NE Woodland Loop Road  
City: Yamhill State: OR Zip: 97148

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

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

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

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval  Yes  No  
Depth of Completed Well 72  
Explosives Used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE			SEAL			sacks or pounds
Diameter	From	To	Material	From	To	
10"	0	80	cement	0	3	4 bags
			bent chips	3	30	11 bags

How was seal placed: Method  A  B  C  D  E  
 Other bent chips poured-probed

Backfill placed from \_\_\_\_\_ to \_\_\_\_\_ Material \_\_\_\_\_  
from \_\_\_\_\_ to \_\_\_\_\_ Material \_\_\_\_\_  
Gravel placed from 30 to 80 Size of gravel 3/8" pea

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
8"	+2	3	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6"	+1	37	sch 40	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

LINER:							
N/A				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of Shoe(s):

(7) PERFORATIONS/SCREENS:

Perforations Method:  
 Screen Type: Mach slot Material: pvc

From	To	Slot Size	No.	Diameter	Tele/pipe size	Casing	Liner
37	47	.010		6"	pipe	<input checked="" type="checkbox"/>	<input type="checkbox"/>
47	52	.020		6"	pipe	<input checked="" type="checkbox"/>	<input type="checkbox"/>
52	62	.020		6"	pipe	<input checked="" type="checkbox"/>	<input type="checkbox"/>
62	72	.010		6"	pipe	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Pump  Bailer  Air  Flowing Artesian

Yield gpm	Drawdown	Drill Stem at	Time
53	N/A	70	1 hr.
53	N/A	55	1 hr.

Temperature of water 56 Depth Artesian Flow Found  
Was a water analysis done? \_\_\_\_\_ By whom:  
Did any strata contain water not suitable for intended use? (explain)

Depth of Strata: \_\_\_\_\_

ARROW DRILLING (503) 538-4422

YAMH  
52307

WELL ID # L 37659  
START CARD # 127496

(9) LOCATION OF WELL by legal description:

County: Yamhill Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_  
Township: 2S Range: 4W  
Section: 36 SW 1/4 NE 1/4  
Tax Lot: 700 Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_  
Street Address of Well (or nearest address) 19320 NE Woodland Loop Road, Yamhill, Oregon 97148

(10) STATIC WATER LEVEL:

33 Ft. below land surface Date 7/20/00  
Artesian pressure \_\_\_\_\_ lb. per sq. in. Date \_\_\_\_\_

(11) WATER BEARING ZONES:

Depth at which water was first found 35

From	To	Est. Flow Rate	SWL
35	75	53 gpm	33

(12) WELL LOG:

Ground Elevation:

Material	From	To	SWL
top soil	0	1	
clay reddish brown	1	12	
clay tan	12	16	
shale sft tan fract	16	25	
shale hrd gray	25	35	
sandstone gray very hrd w/shale fragments (diced)	35	50	
siltstone light grey hrd fract	50	57	
shale chocolate brwn hard very fract	57	75	
sandstone brwn sft	75	80	

RECEIVED  
SEP 08 2000  
WATER RESOURCES DEPT.  
SALEM, OREGON  
RECEIVED  
MAR 30 2001  
WATER RESOURCES DEPT.  
SALEM, OREGON

Date Started: 7/14/00

Completed: 7/20/00

(unbonded) Water Well Constructor Certification:

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

Signed \_\_\_\_\_ Date \_\_\_\_\_ WWC Number \_\_\_\_\_

(bonded) Water Well Constructor Certification:

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

Signed John R. State Date \_\_\_\_\_ WWC Number 1483 Date 9/3/00

# NEW APPLICATION ROUTE SLIP

RECEIVING MB

400<sup>00</sup>  
exam fee  
only

DATA CENTER 8A 1-5-01

GROUNDWATER YES  NO   
1/29/01 Dwm

CAROL Dg 1/30/01  
(Powerbuilder updates & marking contents of file)

ROUTE TO FILES \_\_\_\_\_

*Dwm*

**Water Right Conditions  
Tracking Slip**

*Groundwater/Hydrology Section*

FILE # G-15260

ROUTED TO: WR'S

TOWNSHIP/

RANGE-SECTION: 25/4W-36

CONDITIONS ATTACHED?  Yes  No

REMARKS OR FURTHER INSTRUCTIONS:

---

---

---

Reviewer: Donna Miller



TO: Water Rights Section January 29, 199<sup>2001</sup>  
 FROM: Groundwater/Hydrology Section Donna Miller  
 SUBJECT: Application G- 15260 Reviewer's Name

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE Willanette Basin rules, one or more of the proposed POA's is is not within 1/4 feet/mile of a surface water source ( \_\_\_\_\_ ) and taps a groundwater source hydraulically connected to the surface water.
  
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
  - a. \_\_\_ will, or \_\_\_\_\_ have the potential for substantial interference with the nearest
  - X 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.

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
  - X will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
    - X i. The permit should contain condition #(s) 7C;
    - ii. \_\_\_ The permit should contain special condition(s) as indicated in "Remarks" below;
    - iii. \_\_\_ The permit should be conditioned as indicated in item 4 below; or
  
4.
  - a. \_\_\_ THE PERMIT should allow groundwater production from no deeper than \_\_\_\_\_ ft. below land surface;
  - b. \_\_\_ The permit should allow groundwater production from no shallower than \_\_\_\_\_ ft. below land surface;
  - c. \_\_\_ The permit should allow groundwater production only from the \_\_\_\_\_ groundwater reservoir between approximately \_\_\_\_\_ ft. and \_\_\_\_\_ ft. below land surface;
  - d. \_\_\_ Well reconstruction is necessary to accomplish one or more of the above conditions.
  - e. \_\_\_ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(Well Construction Considerations on Reverse Side)



# Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130

January 2, 2001

RECEIVED

JAN 08 2001

WATER RESOURCES DEPT.  
SALEM, OREGON

Charles & Dian Berg  
19320 NE Woodland Loop Road  
Yamhill, Oregon 97148

Reference: Application File #G-15260

Dear Mr. and Mrs. Berg:

The Department recently received your application for a Permit to Use Ground Water and has assigned it the application file number referenced above. Please refer to that number when corresponding with the Department.

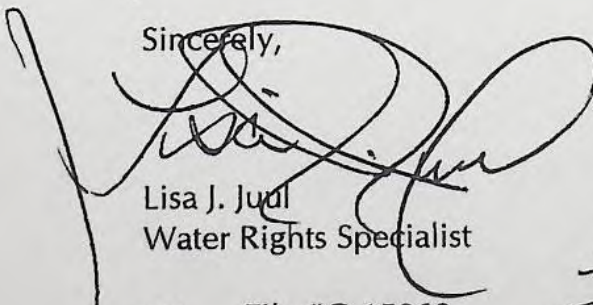
However, the application you submitted is not complete. Additional information is required and must be submitted to the Department in order to continue processing your application. Please provide the necessary information listed below:

- Under "Item #6, Project Schedule" of the application form, the applicant must indicate the **"proposed date that beneficial water use will begin"** for the proposed project.

In order to expedite the processing of your application, please submit the requested information by **Friday, January 19, 2001**. If the requested information is not received by January 19, 2001, the Department may return the application and supporting documents, as well as, any fees paid for this application.

If you have any questions concerning your application, please feel free to contact me at (503)378-8455, extension 264, or toll-free within Oregon at 1-800-624-3199, extension 264.

Sincerely,

  
Lisa J. Judl  
Water Rights Specialist

cc: File #G-15260  
WM District #16

01/04/01  
Mr. Judl,  
Please see attached.  
I have entered 06/01/01 as  
the date use will begin.  
Thank you for your attention  
Sincerely,  
Dian Berg

RECEIVED

JAN 08 2006

RESOURCES DEPT.  
SALEM, OREGON

**C. Application/Distribution Method**

What equipment will you use to apply water to your place of use? Pipe From well or Reservoir to zoned pipe distribution

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

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

Distribution method

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

**D. Conservation**

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

Use drip irrigation to apply approximately 2 gal per week at each plant

**6. PROJECT SCHEDULE**

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

Proposed date construction will begin 7/18/00

Proposed date construction will be completed 7/19/00

Proposed date beneficial water use will begin 6/01/01

**7. REMARKS**

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

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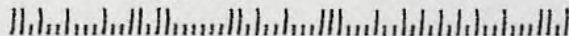
Dian Berg  
19320 NE Woodland Loop Rd.  
Yamhill, OR 97148-8422



15260

Ms. Lisa J. Jurel  
Water Rights Specialist  
Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172

97301+4172





# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130

January 2, 2001

Charles & Dian Berg  
19320 NE Woodland Loop Road  
Yamhill, Oregon 97148

Reference: Application File #G-15260

Dear Mr. and Mrs. Berg:

The Department recently received your application for a Permit to Use Ground Water and has assigned it the application file number referenced above. Please refer to that number when corresponding with the Department.

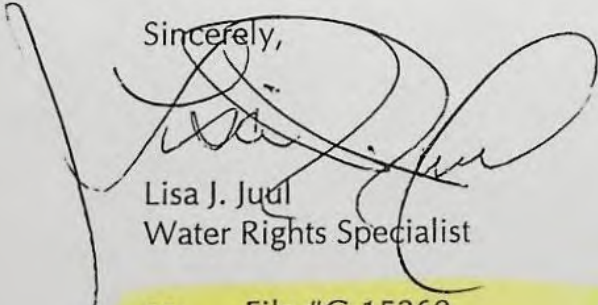
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If you have any questions concerning your application, please feel free to contact me at (503)378-8455, extension 264, or toll-free within Oregon at 1-800-624-3199, extension 264.

Sincerely,

  
Lisa J. Juul  
Water Rights Specialist

cc: File #G-15260  
WM District #16

Application No. *g15260*  
Permit No.

# Standard Application "Completeness" Checklist

Minimum Requirements (OAR 690-310-040)

Application # - <u>G-15260</u>	County: <u>Yamhill</u>
Priority Date: <u>12-12-00</u>	Township: <u>2 South</u>
Use(s): <u>Irrig of</u> <u>16.05 ac</u>	Range: <u>4 West</u>
	Section: <u>30</u>
	POD 1/4: <u>SW 1/4 NE 1/4</u>
Rate: <u>90.0 gpm = 0.201 cfs</u>	POU 1/4: <u>SW 1/4 NE 1/4 - 16.05 ac</u>

Applicant/Organization Name, Mailing Address and Telephone Number. If applicant is other than a private landowner, Organizations section must be completed.

Source and tributary listed? 1 well

Property ownership indicated? If applicant does not own all the land, is the affected landowner's name and mailing address listed? (Including: Lands, not owned by applicant, upon which the source is located .....or..... any Lands, not owned by applicant, which are crossed by the diversion works.) **NOTE: An easement or agreement DOES NOT need to be submitted at this time, but will be required before a permit will be issued.**

If a groundwater application...is the groundwater development section completed? \_\_\_\_\_

Proposed Use of the water.... Is each proposed use identified? Irrig

Has the appropriate "Supplemental Form" for each proposed use been completed?

Form I (Irrigation)      ~~Form M (Municipal or Quasi-Municipal)~~

~~Form R (Mining)~~      ~~Form Q (Commercial or Industrial)~~

~~Spring Description Sheet (if source is a Spring)~~

Amount of water from each source listed in GPM, CFS or AF? 90.0 gpm = 0.201 cfs

Acreage being proposed, if applicable. 16.05 ac

Season being requested by applicant. March 1 - Oct 31

The **water management section** has been completed? If system has not been designed, the applicant may estimate this information. \_\_\_\_\_

**Resource protection system** completed on Surface Water application? \_\_\_\_\_

sent letter requesting info on 1-2-2001

Are the **dates of construction** indicated? Date beneficial water use will begin?  
If system already completed, applicant should indicate **existing**.

Is the **application signed in ink by the applicant**? If the application is in the name of an organization or corporation, the authorized agent must sign the application.

Is a **copy of the deed, land sales contract or title insurance policy included**? We cannot accept a copy of the tax bill.

A **completed Land-Use Form** or receipt signed by the appropriate planning department officials enclosed? *Does the use on land-use form match the proposed use on the application?*

Does the **map meet map requirements** of OAR 690-310-050? \_\_\_\_\_

- Town, Range, Sec, ¼¼ and Tax Lot #       Scale of the Map       Reference corner on map
- North Directional Symbol       ¼¼'s clearly identified       POD clearly identified
- POU clearly identified       Location Coordinates for each POD
- Location of House, if Domestic       Number of acres per ¼¼, if Irrigation
- Location of Bldg, if Comm/Indus       Location of Stock Tanks, if Livestock
- Muni/Quasi-Muni Service Boundaries       Other \_\_\_\_\_

**Correct fees enclosed?** Refer to worksheet to calculate fees.

Total Paid \$ 400.00

Base Fee \$ 250 -  
plus 150 - 1st cfs

Total Amount of Water Requested: 0.201 cfs

plus \_\_\_\_\_  
Total Exam Fee \$ 400.00

**Total Exam Fee \$ 400.00      Recording Fee \$ \_\_\_\_\_**

Completeness Check by: \_\_\_\_\_

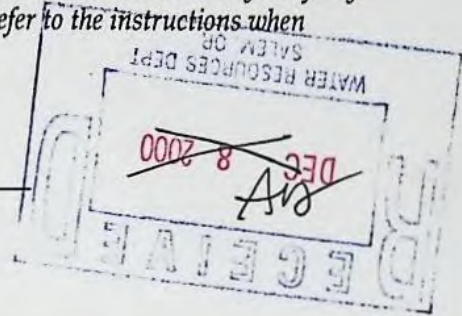
Date: 12-29-00



State of Oregon  
**Water Resources Department**  
 158 12th Street NE, Salem, OR 97310  
 (503)378-8455 • (800)624-3199  
 www.wrd.state.or.us

# Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. Thank you.



## 1. APPLICANT INFORMATION

### A. Individuals

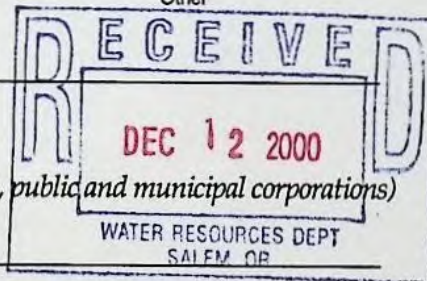
Applicant: Charles & Dian Berg  
First Last

Co-applicant: \_\_\_\_\_  
First Last

Mailing address: 19320 NE Woodland Loop Rd  
Yamhill OR 97148  
City State Zip

Phone: \_\_\_\_\_  
Home Work Other

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



### B. Organizations

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

Name of organization: \_\_\_\_\_

Name and title of person applying: \_\_\_\_\_

Mailing address of organization: \_\_\_\_\_

\_\_\_\_\_  
City State Zip

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

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

\*Optional information

For Department Use		
App. No. <u>G15260</u>	Permit No. _____	Date <u>12/12/00</u>

**2. PROPERTY OWNERSHIP**

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

- Yes (Skip to section 3 "Ground water Development.")
- No Please check the appropriate box below.
  - I have a recorded easement or written authorization permitting access.
  - I do not currently have written authorization or easement permitting access.

List the names and mailing addresses of all affected landowners.\*

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\*If more than 25 landowners are involved, a list is not required. See instructions.

**3. GROUND WATER DEVELOPMENT**

A. Number of well(s): 1 B. Name of nearest surface water body: Chehalis Creek

C. Distance from well(s) to nearest stream or lake: 1) 1,650'

2) 1000' 3) \_\_\_\_\_ 4) \_\_\_\_\_

D. If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) 300'

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

**E. Well Characteristics**

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to question F in this section of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by: Arrow Drilling

Address: 729 N Main St  
Newberg, OR 97132

Completion date: 7/20/00 YAMH 52307

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

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
2	6"	6"sch 40 PVC	72	37' to 72'	30'		35'		72' 80'

**F. Artesian Flows**

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

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**4. WATER USE**

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

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

See list of beneficial uses provided in the instructions.

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

Application No. 215260  
Permit No.

**B. Amount of Water**

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

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
1	Marine Sandstone	Irrigation	90	10,461,390	53

**C. Maximum Rate of Use Requested**

What is the maximum, instantaneous rate of water that will be used? 90 gpm  
(The fees for your application will be based on this amount.)

**D. Period of Use**

Indicate the time of year you propose to use the water: March 1 - October 31  
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

**E. Acreage**

If you will be applying water to land, please give the total number of acres where water will be applied or used: 3.67 16.05 acres  
(This number should be consistent with you application map.)

**5. WATER MANAGEMENT**

**A. Diversion**

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

- Pump (give horsepower and pump type) 1 1/2 H.p Variable Speed
- Other means (describe) \_\_\_\_\_

**B. Transport**

How will you transport water to your place of use?

- Ditch or canal (give average width and depth)  
Width \_\_\_\_\_ Depth \_\_\_\_\_  
Is the ditch or canal to be lined?  Yes  No
- Pipe (give diameter and total length)  
Diameter 2-inch Length 700' mainline
- Other (describe) \_\_\_\_\_

**C. Application/Distribution Method**

What equipment will you use to apply water to your place of use? Pipe From well or reservoir to zoned pipe distribution

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

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

Distribution method

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

**D. Conservation**

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

Use drip irrigation to apply approximately 2 gal per week at each plant

**6. PROJECT SCHEDULE**

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

Proposed date construction will begin 7/18/00

Proposed date construction will be completed 7/19/00

Proposed date beneficial water use will begin \_\_\_\_\_

**7. REMARKS**

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

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

Application No. 915260  
Ground Water Permit No.

## 8. MAP REQUIREMENTS

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

## 9. SIGNATURE

By my signature below I confirm that I understand:

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

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

---

Signature of Applicant

Date

---

Signature of Co-applicant

Date

**Before you submit your application be sure you have:**

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

## 8. MAP REQUIREMENTS

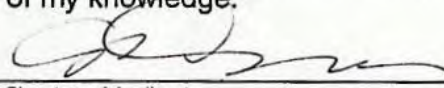

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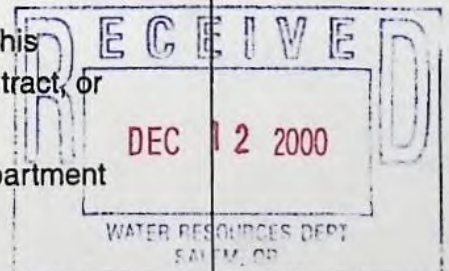
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I swear that all information provided in this application is true and correct to the best of my knowledge:

	9/8/00
Signature of Applicant	Date
	9/8/00
Signature of Co-applicant	Date

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# Oregon Water Resources Department

## FORM I

### FOR IRRIGATION WATER USE

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

Primary     Supplemental

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

Primary:            16.05            Acres

Secondary:        \_\_\_\_\_            Acres

List the permit or certificate number of the primary water right:            no. \_\_\_\_\_

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

1. Wine grapes             Full season     Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)

2. \_\_\_\_\_             Full season     Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)

3. \_\_\_\_\_             Full season     Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)

4. \_\_\_\_\_             Full season     Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)

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

32.1            acre-feet

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

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

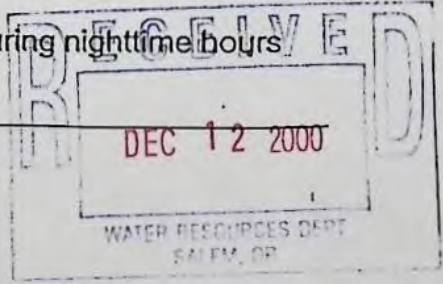
Daily during daytime hours             Daily during nighttime hours

Two or three times weekly during daytime             Two or three times weekly during nighttime

Weekly, during daytime hours             Weekly, during nighttime hours

Other, explain: \_\_\_\_\_

Application No. g15260  
Permit No. \_\_\_\_\_





Application No. 915260  
 Permit No.  
 Oregon Water Resources Department  
 Land Use Information Form

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

**To Be Completed By Applicant**

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

**A. Applicant**

Name: CHARLES & DIAN BERG

Address: 19320 NE WOODLAND LOOP RD

City: YAMHILL State: OR Zip: 97148 Day Phone: 503-662-5226

**B. Land and Location**

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
<u>2436 700</u>	<u>AF-20 / Agriculture/Forestry</u>	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used

List counties and cities where water is proposed to be diverted, conveyed, or used. YAMHILL

**C. Description of Water Use**

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

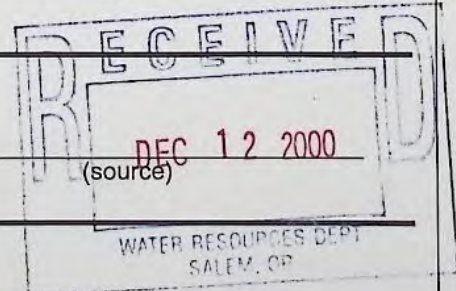
Beneficial Use(s): IRRIGATION (DRIP)

Briefly describe: TO BE USED ON 8 ACRES OF NEWLY PLANTED VINEYARD FOR GROWTH OF 2 SEASONS (MARCH-NOVEMBER) AND ON AN AS-NEEDED BASIS THEREAFTER

**D. Source**

Indicate the source for the proposed water use:

Reservoir/Pond  Ground Water  Surface Water



**E. Quantity**

Indicate the estimated quantity of water the use will require:

15  CFS  GPM  Acre-Feet

**For Local Government Use Only**

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

**A. Allowed Use**

Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); 403 of the Yanhill Co. zoning ord. Go to section B "Approval" below
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

**Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

**B. Approval**

Please provide printed name and written signature.

Name: Kenneth P. Friday Date: 10/4/00  
 Title: Planning Division Manager Phone: 503 434-7516  
 Signature: Kenneth P. Friday

**C. Additional Comments**

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet.

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**Note:** If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)

TAX ACCT. NO. 2436-00700

MAP NO.

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That CHARLES P. BERG and DIAN B. BERG hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto CHARLES P. BERG AND DIAN B. BERG, AS TENANTS BY THE ENTIRETY, AND CHRISTIAN P. BERG AND DONALD E. BERG, AS TENANTS IN COMMON hereinafter called grantees, and unto grantees's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of YAMHILL, State of Oregon, described as follows, to-wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

To Have and to Hold the same unto the said grantees and grantees's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$1.00.

\*However, the actual consideration consists of or includes other property or value given or promised which is (the whole/paid by title) consideration (indicate which). (The sentence between the symbols \*, if not applicable should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 25th day of October 19 99; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

YCTE C

Handwritten signatures of Charles P. Berg and Dian B. Berg with printed names below.

STATE OF OREGON

County of Yamhill ss.

BE IT REMEMBERED, That on this 25th day of October, 19 99, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named CHARLES P. BERG and DIAN B. BERG known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereto set my hand and affixed my official seal the day and year last above written.

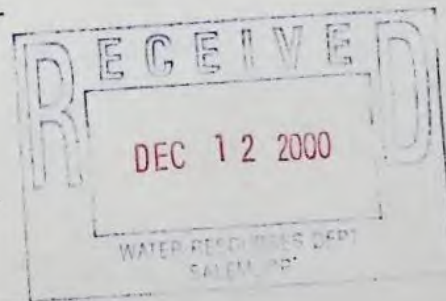
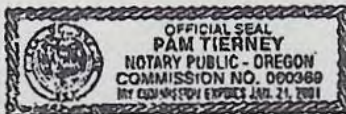
Notary Public signature and seal for Pam Tierney, Notary Public for Oregon, My Commission expires 1/24/2001.

CHARLES P. BERG

Grantor's Name and Address CHARLES P. BERG

Crafter's Name and Address After recording return to: YAMHILL COUNTY TITLE & ESCROW, INC. 2201 PORTLAND ROAD NEWBERG, OR 97132

Until a change is requested, all tax statements shall be sent to the following address. SAME AS GRANTEE



Recorded in Official Yamhill County Records CHARLES STERN, COUNTY CLERK



40.00

00020506199921470002

199921470 2:19:42 PM 10/27/1999 ORR DONR 1 2 TONYR 10.00 10.00 20.00

Application No. 9 15260 Permit No.

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **42240**

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

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

RECEIVED FROM: Andres P. Berg  
BY: \_\_\_\_\_

APPLICATION	G-15260
PERMIT	
TRANSFER	

CASH:  CHECK: # 197070 OTHER: (IDENTIFY)

TOTAL REC'D \$ 400.00

**0417 WRD MISC CASH ACCT**

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

**RECEIVED  
OVER THE COUNTER**

**REDUCTION OF EXPENSE**

PCA AND OBJECT CLASS \_\_\_\_\_ VOUCHER # \_\_\_\_\_

**0427 WRD OPERATING ACCT**

*6881 ACCT  
PCA # 660111*

MISCELLANEOUS		\$
0407 COPY & TAPE FEES		\$
0410 RESEARCH FEES		\$
0408 MISC REVENUE: (IDENTIFY)		\$
(New) TC162 DEPOSIT LIAB. (IDENTIFY)		\$

**WATER RIGHTS:**

0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$ <u>400.00</u>	0204	\$
0205 TRANSFER	\$	0206	\$

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
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 # **42240**

DATED: 11-12-00 BY: Mig

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **51390**

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

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

RECEIVED FROM: Roots Vineyard  
BY: \_\_\_\_\_

APPLICATION	G15260
PERMIT	
TRANSFER	

CASH:  CHECK: #  24-680 OTHER: (IDENTIFY)

TOTAL REC'D \$ 175.00

**0417 WRD MISC CASH ACCT**

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

**REDUCTION OF EXPENSE**

CASH ACCT.	\$
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**0427 WRD OPERATING ACCT**

PCA AND OBJECT CLASS		VOUCHER #	
		<u>6611</u>	
<b>MISCELLANEOUS</b>			
0407	COPY & TAPE FEES		\$
0410	RESEARCH FEES		\$
0408	MISC REVENUE: (IDENTIFY)		\$
(New) TC162	DEPOSIT LIAB. (IDENTIFY)		\$
<b>WATER RIGHTS:</b>			
0201	SURFACE WATER	EXAM FEE	RECORD FEE
0203	GROUND WATER	\$	0202 \$
0205	TRANSFER	\$	0204 \$ <u>175.00</u>
<b>WELL CONSTRUCTION</b>			
0218	WELL DRILL CONSTRUCTOR	EXAM FEE	0206 \$
	LANDOWNER'S PERMIT	\$	0219 \$
			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	\$
------	------------------	----

**0467 HYDRO ACTIVITY**

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

RECEIPT # **51390**

DATED: 3/11/02 BY: C. Vance

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **51390**

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

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

RECEIVED FROM: Roots Vineyard  
BY: \_\_\_\_\_

APPLICATION	G15260
PERMIT	
TRANSFER	

CASH:  CHECK: #  24-680 OTHER: (IDENTIFY)

TOTAL REC'D \$ 175.00

**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**

6611

0407	MISCELLANEOUS	\$
0410	COPY & TAPE FEES	\$
0408	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY)	\$
(New) TC162	DEPOSIT LIAB. (IDENTIFY)	\$

**WATER RIGHTS:**

0201	SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203	GROUND WATER	\$	0204	\$ <u>175.00</u>
0205	TRANSFER	\$	0206	\$

**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	\$
------	------------------	----

**0467 HYDRO ACTIVITY**

LIC NUMBER

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

HRDRO APPLICATION \_\_\_\_\_

RECEIPT # **51390**

DATED: 3/11/02 BY: C. Vance

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **113415**

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

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

RECEIVED FROM: Dian B. Berg & Charles P. Berg  
BY: \_\_\_\_\_

APPLICATION	G-15260
PERMIT	
TRANSFER	

CASH:  CHECK# 1219 OTHER: (IDENTIFY)

TOTAL REC'D \$ 85.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 0408 \$ \_\_\_\_\_  
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) <u>Assignment</u>	\$ <u>85.00</u>
TC162 DEPOSIT LIAB. (IDENTIFY)	\$
0240 EXTENSION OF TIME	\$

**WATER RIGHTS:**

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

**WELL CONSTRUCTION**

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

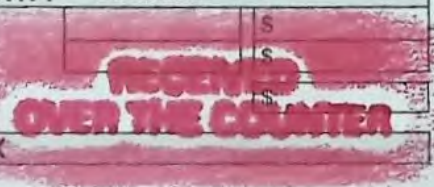
OTHER (IDENTIFY) \_\_\_\_\_

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

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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



**TREASURY OTHER / RDX**

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

RECEIPT: **113415** DATED: 7/11/14 BY: Emell Hope

Colp

FILE#: G 15260

CHARLES BERG G-15031

BERG, DIAN

19320 NE WOODLAND LP RD

YAMHILL, OR 97148