

FILE#: G 13156

ROBERT HOEFT
AH RANCHESPO BOX ~~427 454~~ 427

PILOT ROCK, OR

97868

Application No. G13156Permit No. G12162

Certificate No. _____

Stream Index, Page No. 7Umatilla
07-2520-0400-0140Y 4 W. Birch Creek

Date filed _____

Priority _____

Action suspended until FPD

Return to applicant _____

Date of approval _____

CONSTRUCTIONDate for beginning AUG 29 1996Date for completion OCT 01 1997

Extended to _____

Date for application of water OCT 01 1998

Extended to _____

PROSECUTION OF WORKForm "A" filed 9/27/96

Form "B" filed _____

Form "C" filed 9/28/98**FINAL PROOF**

Blank mailed _____

Proof received _____

Date certificate issued _____

FEES PAID

Date	Amount	Receipt No.
10-16-92	670. ⁰⁰	93038

Cert. Fee

FEES REFUNDED

Date	Amount	Check No.
------	--------	-----------

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

REMARKS

A-Form 90 sent SEP 05 1996
118 sent 10/7/96
NO Pump test as of 9/16/08

From: Timmie Brandt
Sent: Monday, October 20, 2008 3:14 PM
To: Mary Rohling; Alyssa Mucken
Cc: Timmie Brandt
Subject: Groundwater File G-13156 - Address Update

Robert Hoeft
AH Ranches PH#: 541-443-6242
PO Box 427
Pilot Rock OR 97868

Timmie C. Brandt
Water Rights/Adjudication Division
 OR Water Resources Department
 725 Summer Street NE, Suite A
 Salem, OR 97301
phone: 503-986-0806
fax: 503-986-0901 **HAVE A NICE**

1



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

November 15, 2008

AH RANCHES
ROBERT HOEFT
PO BOX 427
PILOT ROCK, OR 97868

Subject: Water Right Permit Number G- 12162

Dear Permit holder,

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

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

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

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

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

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

Sincerely,

Diana Durbin
Water Rights Certificate Staff

C: Permit File

690-217-0050

Qualifications for Conducting Pump Tests

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

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

STATE OF OREGON
COUNTY OF UMATILLA
PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROBERT HOEFT - AH RANCHES
P.O. BOX 427
PILOT ROCK, OREGON 97868

503-443-6242

to use the waters of A WELL in the WEST BIRCH CREEK BASIN for IRRIGATION OF 30.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 165.4 ACRES (Deficiency of Rate).

This permit is issued approving Application G-13156. The date of priority is OCTOBER 16, 1992. The use is limited to not more than 1.5 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NW 1/4 SE 1/4, SECTION 19, T 1 S, R 32 E, W.M.; 2300 FEET NORTH AND 500 FEET EAST FROM THE S 1/4 CORNER OF SECTION 19.

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 3.0 acre-feet for each acre irrigated during the irrigation season of each year. The period of allowed use is March 1 through October 31.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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

A description of the proposed place of use under this permit is as follows:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SW 1/4 NE 1/4		30.1 ACRES
SE 1/4 NE 1/4		11.1 ACRES
SW 1/4 NW 1/4	7.0 ACRES	
SE 1/4 NW 1/4	1.0 ACRE	20.0 ACRES
NE 1/4 SW 1/4	2.0 ACRES	18.1 ACRES
NW 1/4 SW 1/4	20.0 ACRES	
SW 1/4 SW 1/4		0.2 ACRE
SE 1/4 SW 1/4		24.0 ACRES
NE 1/4 SE 1/4		1.6 ACRES
NW 1/4 SE 1/4		28.4 ACRES
SW 1/4 SE 1/4		16.0 ACRES
SECTION 19		
NE 1/4 NW 1/4		14.9 ACRES
NW 1/4 NW 1/4		0.7 ACRE
SECTION 30		
TOWNSHIP 1 SOUTH, RANGE 32 EAST, W.M.		

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

Application G-13156 Water Resources Department

PERMIT G-12162

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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 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.

Limited Water Level Decline/Interference Condition

To monitor the effect of water use from the well 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 if annual water level measurements reveal any of the following events:

- (A) An average water level decline of 3 or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

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

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.

Actual construction of the well shall begin on or before September 29, 1996 and shall be completed on or before October 1, 1997. Complete application of the water shall be made on or before October 1, 1998.

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 beneficial use of water without waste. The water user is advised that new regulations may require 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.

PAGE FOUR

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

Issued this date, September 29, 1995.


Water Resources Department
Martha O. Pagel
Director

Application G-13156 Water Resources Department
Basin 7 Volume 4 West Birch Creek & Misc.
DLB MGMT. CODES 7BG, 7BR, 7DG, 7DR

PERMIT G-12162
District 5

K KRUMBEIN ENGINEERING LTD.

- CONSULTING
- ENGINEERS
- SURVEYORS
- PLANNERS

26 September 1999

Robert Hoeft - AH Ranches
P.O. Box 427
Pilot Rock, OR. 97868

Re: Application No. G-13156, Permit No. G-12162

Dear Mr. Hoeft;

At your request I have visited your property located in Sections 19 and 30, Township 1 South, Range 32 East, W.M.. At the time of my visitation you were irrigating the following acreages:

Primary:

Section 19	SW 1/4, NW 1/4	9.5 acres
	SE 1/4, NW 1/4	1.9 acres
	NE 1/4, SW 1/4	4.5 acres
	NW 1/4, SW 1/4	13.3 acres

Supplemental:

Section 19	SW 1/4, NE 1/4	30.1 acres
	SE 1/4, NE 1/4	11.1 acres
	SE 1/4, NW 1/4	20.0 acres
	NE 1/4, SW 1/4	18.1 acres
	SW 1/4, SW 1/4	0.2 acres
	SE 1/4, SW 1/4	24.0 acres
	NE 1/4, SE 1/4	1.6 acres
	NW 1/4, SE 1/4	28.4 acres
	SW 1/4, SE 1/4	16.3 acres*

* Note: this acreage of 16.3 conforms to Permit No. G-2670.

This acreage is within the limits allowed by your Permit G-12162.

The pump is located 2305 feet North and 485 feet East from the South one-quarter corner of said Section 19, said point being a fence corner accepted as the corner. The pump is a 75 HP electric. The day I visited it was pumping at 660-670 GPM. The pump goes to a buried 6 inch mainline that runs to the road to the East, across the Creek to the West, then branches to 4 inch lines that feed 1 1/2 inch wheel and hand lines. The land varies in elevation more than 150 feet from the extreme West and Southeast to the North along the highway.

The survey was based upon the fence corners at the South 1/4 corner and the Southwest corner of Section 19.

UHA
5710

RECEIVED

SEP 30 1999

WATER RESOURCES DEPT.
SALEM, OREGON

27 2092

The Final Proof survey was completed September 20, 1998 and the inspection was completed September 15, 1999. The terms and conditions as called for in Application No. G-13156 were complete as of that date. The facts contained in this report and the accompanying Final Proof map are correct to the best of my knowledge.



David H. Krumbein
David H. Krumbein, CWRE 076

I, Robert Hoeft, owner of the land called for in Application No. G-13156 agree to the findings of the CWRE and do submit this report as my Claim of Beneficial Use of the water under the terms and conditions of Application No. G-13156.

Robert S. Hoeft
Robert Hoeft

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SEP 30 1999

**WATER RESOURCES DEPT.
SALEM, OREGON**

RENEWS 6/30/01

TO: Water Rights Section

July 28, 1995

FROM: Groundwater/Hydrology Section T

SUBJECT: Application G-_____

1. PER THE _____ Basin rules, one or feet/mile of a surface water source (_____ connected to the surface water.

2. BASED UPON OAR 690-09 currently in effect
a. _____ will, or _____ have the potential for sub:
b. ☒ will not _____ source, namely W/A
c. _____ will, if properly conditioned, adequately
i. _____ The permit should contain condi
ii. _____ The permit should contain special
iii. _____ The permit should be conditioned
d. _____ will, with well reconstruction, adequately

3. BASED UPON available data, I have determin
a. _____ will, or _____ likely be available in the
b. _____ will not _____ within the capacity of the
c. ☒ can, if properly conditioned, avoid injur
i. ☒ The permit should contain condi
ii. _____ The permit should contain special condition(s) as indicated in item 4 below.
iii. _____ The permit should be conditioned as indicated in item 4 below.

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.

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## G - 13156

ROUTED TO: T. SHOOK

TOWNSHIP/

RANGE-SECTION: 1 S / 32 E - 19

APPLICATION ACCEPTED? ☒ yes ☐ no

CONDITIONS ATTACHED? ☒ yes ☐ no

REMARKS OR FURTHER INSTRUCTIONS:

CONDITION W/ 4G +
4H

Reviewer: D. Woodcock

REMARKS: CONDITION PERMIT W/ RESOURCE PROTECTION
MEASURES 4G + 4H

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.
 _____, 1993.

(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:

, 1993.

(Signature)

(WRFORM8\91)

WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Groundwater/Hydrology Files

Date July 28, 1993

FROM: Douglas Woodcock

SUBJECT: Groundwater Application G- 13156

Applicant(s) seek _____ gpm (1.5 cfs) from ONE wells in the
_____ basin
_____ sub basin
_____ sub basin.

Pertinent 7 1/2 - minute quads PILOT ROCK

Well _____ WRD# UMAT 5710 T 1 S R 32 E S 19 QQ NWSE County UMATILLA
Legal Description 2300 FT N + 500 FT EAST FROM 3/4 SEC 19
Well is 150 ft from WEST BRANCH CR (river/stream)
Well is _____ ft from _____ (river/stream)
Well elevation 1758 ft. River/stream elevation 1750 ft.
Well elevation - river/stream elevation 8
Well depth 620 SWL 22 on _____
Sealed to 26 Depth first water found _____
Cased to 26 Perforations/screens _____
Lined to _____ Perforations/screens _____
Well tests and types ?
Confined or unconfined? CONFINED Direct hydraulic connection? NO
Potential to cause substantial interference? NO

Well _____ WRD# _____ T _____ R _____ S _____ QQ _____ 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? _____ Direct hydraulic connection? _____
Potential to cause substantial interference? _____

Conditioned water rights in area: NONE

Other nearby water rights of record: MANY (SEE ATTACHED STREAM INDEX MAP)

Density of nearby wells: LOW

Comments: CONFINED BASALT, STREAM DOES NOT PENETRATE THE AQUIFER IN THIS AREA. LOW POTENTIAL FOR SUBSTANTIAL INTERFERENCE.

References used: _____

GROUNDWATER APPLICATIONS G-13156

Estimated number of wells within 1 mile radius of POA:

Approx. 10

5 irrigation

1 stock

1 group supply

1 municipal

State observation wells within a 5 mile radius:

859 / / / /

860 5/26/1961 7/5/1984

861 3/5/1956 7/5/1984

862 4/30/1964 7/9/1984

863 10/28/1953 7/10/1984

**Groundwater permits issued with extraordinary conditions
within a 5 mile radius:**

None



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

June 30, 1999

ROBERT HOEFT
AH RANCHES
PO BOX 427
PILOT ROCK OR 97868

REFERENCE: File G-13156

This letter is in regard to your water use Permit G-12162. As we pointed out to you in our letter of October 20, 1998, your claim of beneficial use must be received in this office by **September 28, 1999.**

Oregon Administrative Rule 690-14-190 states: "The claim of beneficial use shall be submitted to the Department within one year after the use was reported..as being complete...Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260."

The "claim" consists of a site report and map of the developed use prepared by a Certified Water Rights Examiner, which accompany a request from the permittee for issuance of a certificate of water right.

You are hereby notified that unless your claim is received on or before **September 28, 1999**, your permit will be canceled without further notice.

If you have any questions, please contact the Water Rights Section.

Sincerely,

DALLAS MILLER
Water Rights Specialist

DM:jh

cc: Tony Justus, Watermaster
D.H. Krumbein, CWRE

CERTIFIED - RETURN RECEIPT REQUESTED



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

October 20, 1998

ROBERT HOEFT
AH RANCHES
PO BOX 427
PILOT ROCK OR 97868

REFERENCE: File G-13156

We have received your notice that complete application of water has been made under Permit G-12162.

In order to obtain a certificate of water right, you are required by law to hire a Certified Water Right Examiner (CWRE) to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before **September 28, 1999**. A list of Certified Examiners is enclosed for your information.

The Department requires that the CWRE has a copy of the permit or transfer order to compile the claim of beneficial use. All permit conditions need to be addressed in the claim and map you submit.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

In addition, before the Water Right Certificate is issued, you are required to submit a well pump test. This test must be done according to the instructions in the brochure. Forms and brochures are available upon request.

In the meantime, the permit you hold is valid evidence of your right to use the water.

If you have any questions, please contact the Water Rights Section at 378-3739, or toll-free within Oregon 1-800-624-3199.

Sincerely,

DALLAS MILLER
Natural Resource Specialist 2

DM:jh

enclosure

cc: Tony Justus, Watermaster
D.H. Krumbein, CWRE

Form C (690-9-77)

IMPORTANT—This form is a notice to the Water Resources Director that permittee is ready to make **final proof** to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the **final proof** inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. G-13156

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, Robert Hoeft AH Ranches, the holder of Permit No. G-12162

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 25 day of September, 19 98

Remarks: _____

IN WITNESS WHEREOF, I have hereunto set my hand this 25 day of Sept, 19 98

Robert D. Hoeft AH Ranch
(Signature of Applicant)

P.O. Box 427 P.O. Box 427
(Address)

WATER RESOURCES DEPT.
SALEM, OREGON

SEP 28 1998

RECEIVED



NOTICE OF COMPLETION OF CONSTRUCTION

I, Robert Hoeft AH Ranches, the holder of Permit No. G12162
to appropriate the public waters of the state of Oregon, completed the construction of the works described
therein on the 31 day of March, 1997.

Remarks: _____

If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed develop-

ment, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 2 day of April, 1997.Robert J Hoeft AH Ranch
(Signature of Applicant)P.O. Box 427 Pilot Rock, Ore 97866
(Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.

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APR - 4 1997

WATER RESOURCES DEPT.
SALEM, OREGON

App G13156



2004

Oregon Water Resources Department
October 2004 through September 2005
Annual Water Use - Monthly Quantities Form

USER-ID 26538

2005



Facility					
POD-ID	<u>36864</u>				
October - 2004	<u>6,099,000 gal</u>				
November - 2004					
December - 2004					
January - 2005					
February - 2005					
March - 2005					
April - 2005	<u>648,000 gal</u>				
May - 2005	<u>1,800,000 gal</u>				
June - 2005	<u>2,370,000 gal</u>				
July - 2005	<u>8,682,000 gal</u>				
August - 2005	<u>10,273,000 gal</u>				
September - 2005	<u>5,635,000 gal</u>				
TOTAL *	<u>35,507,000 gal</u>				

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DEC 01 2005

WATER RESOURCES DEPT
SALEM, OREGON

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: A flow meter. If use is irrigation, total number acres irrigated 175 AC

I certify this information is true and accurate to the best of my knowledge.

Terry C. Hamby
Signature

Leasee of AH
Title

AH Ranch
Reporting Entity

11-29-05
Date

Terry Hamby
Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
725 Summer Street NE; Suite A, Salem, OR 97301-1271, or Fax 503-986-0902.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

October 18, 2005

TERRY HAMBY,
AH RANCH
PO BOX 801
PILOT ROCK, OR 97868

REFERENCE: USER_ID 26538

Dear Water User:

We have appreciated your cooperation with the Water Use Reporting program in the past. And now, with the loss of the water use coordinator position through budget reductions, we hope you can help us even more. We are requesting all who need to report monthly quantities and have Internet access to report those quantities online through our website. For the time being, the water use reporting database will not be updated with new water right information. If you need to report on a new water right not in the reporting database, you will need to submit a hard copy form. A 2005 monthly quantities form is printed on the reverse you can copy for your use.

To report monthly quantities data online, go to our web page at www.wrd.state.or.us and click on the link 'Water Use Reporting' under 'current topics'. Then, click on 'Submit your water use report data' on the Water Use Reporting page. A logon screen then appears and you use your USER_ID for both the Username and Password. To submit data for a point of diversion, scroll down to the point of diversion and click on 'Insert' to add data for that diversion. Be sure to be careful to choose the correct units, enter the monthly amounts diverted, and then click the 'Update' button. You will then be given the opportunity to review the data for that diversion to make sure it is correct. Please do so, as once data has been submitted by clicking the 'Submit' button, you cannot edit it. Also, please remember to enter zeros if you did not use a diversion. At present, the system can receive data only for the 2005 water year (October 2004 – September 2005). If you wish to submit data for another year, you will need to submit a hard copy. Thank you in advance for your cooperation. The data you provide is valuable for water management in Oregon.

Finally, if you have small water rights (less than 0.1 cfs or 9.2 AF) and do not report monthly quantities for them, we will assume that you have used water according to those rights.

Yours truly,

Gary L. Ball, PE, PLS
Hydrographics/Measurement & Reporting Manager
Voice: 503-986-0831, Fax: 503-986-0902
Gary.L.BALL@wrds.state.or.us

RECEIVED

DEC 01 2005

**WATER RESOURCES DEPT
SALEM, OREGON**

2003

Oregon Water Resources Department
October 2003 through September 2004
Annual Water Use - Monthly Quantities Form

USER-ID 26538

2004



Facility					
POD-ID	36864				
October - 2003	1,560,060 gal				
November - 2003					RECEIVED
December - 2003					DEC 17 2004
January - 2004					WATER RESOURCES DEPT SALEM, OREGON
February - 2004					
March - 2004					
April - 2004					
May - 2004	1,060,000 gal				
June - 2004	7,819,000 gal				
July - 2004	10,925,560 gal				
August - 2004	7,925,000 gal				
September - 2004	8,330,700 gal				
TOTAL *					

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: A flow meter. If use is irrigation, total number acres irrigated 175 AC
I certify this information is true and accurate to the best of my knowledge.

Terry E. Hamby
Signature

Lessee of AH
Title

AH Ranch
Reporting Entity

12-09-04
Date

Terry Hamby
Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
725 Summer Street NE; Suite A, Salem, OR 97301-1271, or Fax 503-986-0902.



OREGON WATER RESOURCES DEPARTMENT SUMMARY OF WATER RIGHTS FOR WATER USE REPORT

Dear Water User: Water year 2004 has ended! All water use reports for October 2003 to September 2004 are requested to be submitted. During the past year we transferred our data to a new computer system, and have developed a website from which you may submit your data, if you so choose. In some cases the references numbers for points of diversion may have been changed. If this creates a problem for you, please contact me. If you would like to use the new site go to the web address listed below. You will not need to mail in this completed form. This information is important for water management in Oregon. Please, complete the form on the reverse side for the water rights listed below by December 31, 2004. If you have questions, or need more time please, contact me at 503-986-0833. Thank you for your attention to this matter. Mary Grainey



TERRY HAMBY

<http://www.wrd.state.or.us>

AH RANCH

User-ID 26538

PO BOX 801

Password: 26538

PILOT ROCK OR 97868

POD-ID	FACILITY	CERT	PERMIT	APPL	PRIORITY	USE	L/S	TWP	RANGE	SEC	Q/Q	RATE	SOURCE	TRIBUTARY TO		
36864		0	G	12162	G 13153	10/16/1992	IC	L	1	S	32	E	19	NWSE	1.5 C C A WELL	W BIRCH CR

USER-ID

26538

2002

Oregon Water Resources Department
October 2002 through September 2003
Annual Water Use - Monthly Quantities Form

USER-ID 26538

2003



Facility 					
POD-ID 	36864 IC				
October - 2002	560,000 Gal				
November - 2002					
December - 2002					
January - 2003					
February - 2003					
March - 2003					
April - 2003	1,090,600 Gal				
May - 2003	17,000,100 Gal				
June - 2003	12,620,400 Gal				
July - 2003	11,620,500 Gal				
August - 2003	10,960,100 Gal				
September - 2003	9,510,300 Gal				
TOTAL *	45,741,600 Gal				

RECEIVED

JAN 26 2004

WATER RESOURCES DEPT
SALEM, OREGON

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: A flow meter attached. If use is irrigation, total number acres irrigated 170 Ac

I certify this information is true and accurate to the best of my knowledge.

Terry C Hamby
Signature

Lessee
Title

AH Ranch
Reporting Entity

1-22-04
Date

Terry Hamby
Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
725 Summer Street NE, Suite A; Salem, OR 97301-1271



OREGON WATER RESOURCES DEPARTMENT SUMMARY OF WATER RIGHTS FOR WATER USE REPORT

Dear Water User: Water year 2003 has ended! All water use reports for October 2002 to September 2003 are requested to be submitted. We are a little late this year due to our efforts to develop a website from which you may submit your data, if you so choose. If you would like to test the new site go to the web address listed below. You will not need to mail in this completed form. This information is important for water management in Oregon. Please, complete the form on the reverse side for the water rights listed below by March 1, 2004. If you have questions, or need more time please, contact me at 503-986-0833. Thank you for your attention to this matter.
Mary Grainey



TERRY HAMBY
AH RANCH
PO BOX 801
PILOT ROCK OR 97868

<http://stamp.wrd.state.or.us/apps/wr/wateruse/wateruse.php>

User-ID 26538

Password: 26538

36864

0 G 12162 G 13156 10/16/1992 IC L 1 S 32 E 19 NWSE

1.5 C C A WELL

W BIRCH CR

USER-ID

26538

2001

Oregon Water Resources Department
October 2001 through September 2002
Annual Water Use - Monthly Quantities Form

USER-ID 26538

2002



Facility					
POD-ID	36864				
October - 2001	0				
November - 2001	0				
December - 2001	0				
January - 2002	0				
February - 2002	0				
March - 2002	0				
April - 2002	2,179,000 G				
May - 2002	16,385,000 G				
June - 2002	12,177,000 G				
July - 2002	11,600,00 G				
August - 2002	10,559,000 G				
September - 2002	10,364,00 G 10,364,00				
TOTAL *					



* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: A flow meter attached. If use is irrigation, total number acres irrigated 177 ac
I certify this information is true and accurate to the best of my knowledge.

Terry E. Hamby
Signature

lessor of AH
Title
FRIGATED LAND

AH Ranch
Reporting Entity

12-02-02
Date

Terry Hamby
Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
158 12th Street NE; Salem, OR 97310-0210



OREGON WATER RESOURCES DEPARTMENT SUMMARY OF WATER RIGHTS FOR WATER USE REPORT



Dear Water User: It is a new water year! All water use reports for October 2001 to September 2002 are requested to be submitted by January 1, 2003. This information is important for water management in Oregon. Please complete the form on the reverse side for the water rights listed below. If you have questions, or need more time please, contact me at 503-378-8455 ext. 333. Thank you for your attention to this matter. Mary Grainey

~~ROBERT~~ ~~HOEFT~~ *Terry Hambury*
AH RANCH
PO BOX ~~427~~ *801*
PILOT ROCK OR 97868

USER-ID 26538

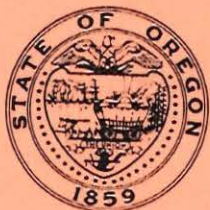
POD-ID FACILITY

36864

CERT	PERMIT	APPL	PRIORITY	USE	L/S	TWP	RANGE	SEC	Q/Q	RATE	SOURCE	TRIBUTARY TO						
0	G	12162	G	13156	10/16/1992	IC	L	1	S	32	E	19	NWSE	1.5	C	C	A WELL	W BIRCH CR

USER-ID

26538



2000

Oregon Water Resources Department
October 2000 through September 2001
Annual Water Use - Monthly Quantities Form

2001



USER-ID 26538

G13136

Facility					
POD-ID	36864 LC				
October - 2000	3,600,000 G				
November - 2000	0				
December - 2000	0				
January - 2001	0				
February - 2001	0				
March - 2001	0				
April - 2001	0				
May - 2001	12,852,000 G				
June - 2001	12,600,000 G				
July - 2001	9,072,000 G				
August - 2001	20,240,000 G				
September - 2001	5,400,000 G				
TOTAL *	63,764,000 G				

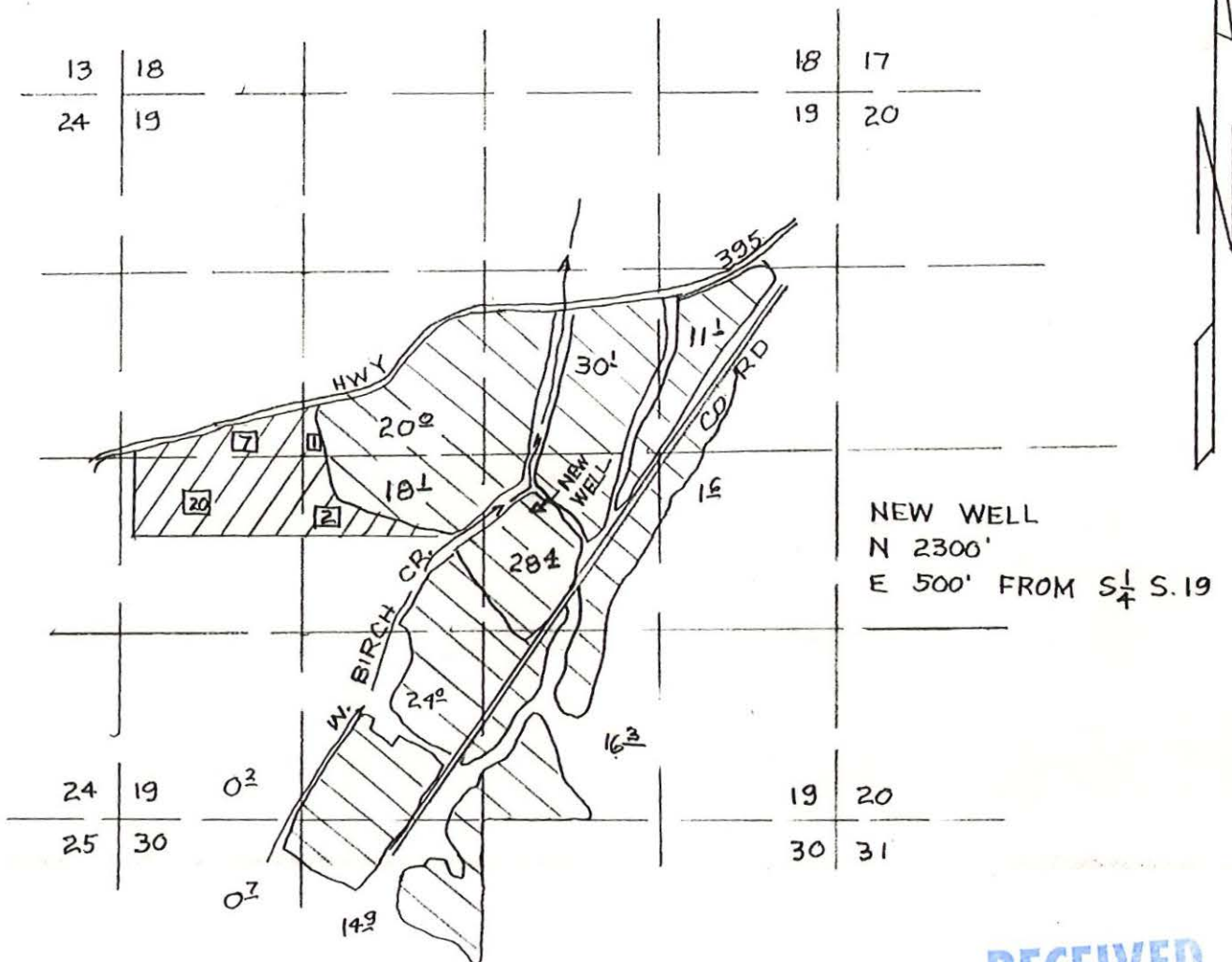
RECEIVED
FEB 01 2002
WATER RESOURCES DEPT.
SALEM, OREGON

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: A flow meter attached to pumps is method used to read gallons use each month. If use is irrigation, total number acres irrigated 165

I certify this information is true and accurate to the best of my knowledge.

<u>Terry E. Hamlin</u> Signature	<u>Lessee of AH</u> Title	<u>AH Ranch</u> Reporting Entity	<u>1-28-02</u> Date
-------------------------------------	------------------------------	-------------------------------------	------------------------



RECEIVED

JAN 10 1994

WATER RESOURCES DEPT.
SALEM, OREGON

 KRUMBEIN ENGINEERING LTD. ENGINEERS — SURVEYORS — PLANNERS 361 S.E. Second Pendleton, Oregon	Scale 1" = 1320'	Drn. By DHK	Drng. No. 9211A	Revision 1 12-22-93
	Date 10-10-92	Ckd. By	Job No. 9233	Revision 2
GROUNDWATER APPLICATION HOEFT SE $\frac{1}{4}$, SECTION 19, T.1S., R.32E.			App: G-13156 Permit: G12162	

Wm #5

RECEIVED
OCT 10 1995

STATE OF OREGON
COUNTY OF UMATILLA

RECEIVED
OCT 19 1995
WATER RESOURCES DEPT.
SALEM, OREGON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROBERT HOEFT - AH RANCHES
P.O. BOX 427
PILOT ROCK, OREGON 97868

503-443-6242

to use the waters of A WELL in the WEST BIRCH CREEK BASIN for IRRIGATION OF 30.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 165.4 ACRES (Deficiency of Rate).

This permit is issued approving Application G-13156. The date of priority is OCTOBER 16, 1992. The use is limited to not more than 1.5 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NW 1/4 SE 1/4, SECTION 19, T 1 S, R 32 E, W.M.; 2300 FEET NORTH AND 500 FEET EAST FROM THE S 1/4 CORNER OF SECTION 19.

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 3.0 acre-feet for each acre irrigated during the irrigation season of each year. The period of allowed use is March 1 through October 31.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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

A description of the proposed place of use under this permit is as follows:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SW 1/4 NE 1/4		30.1 ACRES
SE 1/4 NE 1/4		11.1 ACRES
SW 1/4 NW 1/4	7.0 ACRES	
SE 1/4 NW 1/4	1.0 ACRE	20.0 ACRES
NE 1/4 SW 1/4	2.0 ACRES	18.1 ACRES
NW 1/4 SW 1/4	20.0 ACRES	
SW 1/4 SW 1/4		0.2 ACRE
SE 1/4 SW 1/4		24.0 ACRES
NE 1/4 SE 1/4		1.6 ACRES
NW 1/4 SE 1/4		28.4 ACRES
SW 1/4 SE 1/4		16.0 ACRES
SECTION 19		
NE 1/4 NW 1/4		14.9 ACRES
NW 1/4 NW 1/4		0.7 ACRE
SECTION 30		
TOWNSHIP 1 SOUTH, RANGE 32 EAST, W.M.		

slb 16.3 ac
as allowed
by primary
(cont 39205)

165.4

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

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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 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.

Limited Water Level Decline/Interference Condition

To monitor the effect of water use from the well 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.

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

Issued this date, September 29, 1995.


for Water Resources Department
Martha O. Pagel
Director

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OCT 19 1995

WATER RESOURCES DEPT.
SALEM, OREGON

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 if annual water level measurements reveal any of the following events:

- (A) An average water level decline of 3 or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

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

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.

Actual construction of the well shall begin on or before September 29, 1996 and shall be completed on or before October 1, 1997. Complete application of the water shall be made on or before October 1, 1998.

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 beneficial use of water without waste. The water user is advised that new regulations may require 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.

Public Interest Review

File No. G-13156

I. Findings relating to OAR 690-11-195(2):

✓ The proposed water use is NOT prohibited by statute or scenic waterway criteria.

Comments:

✓ The proposed water use IS a classified use under the applicable basin program (OAR 690-507) OR an application for the use HAS BEEN filed under ORS 536.295 and OAR Chapter 690, Division 82;

Comments:

✓ The proposed water use IS consistent with conditions previously imposed by the Commission on appropriations from the same source;

Comments:

✓ The proposed water use will NOT conflict with existing water rights;

Comments:

✓ Water IS available from the source to support the proposed water use.

Comments:

II. Findings relating to OAR 690-11-195(3):

✓ Population growth demands for domestic and municipal uses:

Finding: Nothing in the record developed for this application establishes the proposed water use would interfere with future demands for domestic and municipal uses as estimated by current rates of population growth in the area.

✓ Economic development for agriculture, navigation, manufacturing, industry, power generation, commercial fishing, forestry and mining:

Finding: Nothing in the record developed for this application establishes the proposed water use would appropriate water otherwise needed for economic development for agriculture, navigation, manufacturing, industry, power generation, commercial fishing, forestry and mining.

✓ Health and safety requirements for sanitation, drainage, flood control, and fire protection:

Finding: Nothing in the record developed for this application establishes the proposed water use would appropriate water otherwise needed for health and safety requirements for sanitation, drainage, flood control, and fire protection.

✓ Public values and uses for recreation, pollution abatement, fish and wildlife resources, and scenic waterway protection:

Finding: The water availability determination made for this application reflects public value needs listed above as incorporated in instream water rights applications and certificates and scenic waterway flow data.

Public Interest Review

File No. 6-13154

III. Findings relating to OAR 690-11-195(4):

✓ Existing claims to water from the same source:

Finding: The proposed water use has been analyzed in light of other needs from the same source. Exercise of any permit issued for the proposed use would not interfere with existing uses. The water availability determination made for this application takes into account water needed for pending applications proposed for approval from the same source.

✓ Land use goals, comprehensive plans, or other land use matters:

Finding: The application is compatible with the comprehensive plan of the affected local government, as evidenced by the required land use information form (or receipt). No other land use matters have been raised by citizens, local governments, or state agencies.

✓ Identified environmental concerns:

Finding: No general environmental concerns relating to the exercise of the proposed permit have been identified in the review of agency records or by others.

✓ Character and extent of other natural resources which are present in the water source basin:

Finding: No other natural resources in the water source basin will be adversely effected according to the agency records.

✓ Riparian and aquatic fauna and flora characteristics:

Finding: No riparian and aquatic fauna and flora characteristics in the water source basin will be adversely effected in review of agency records or by others.

✓ Recreational use and potential of the water source and its basin area:

Finding: Nothing in the records indicate the proposed use will interfere recreational use and potential use within the basin.

✓ Agricultural potential of the area:

Finding: The proposed use(s) will not adversely affect agricultural potential of the area according to the records of the agency.

✓ Designated historic, cultural, or natural resource protection areas:

Finding: Nothing in the records indicate the proposed use will interfere with designated historic, cultural or natural resource protection areas.

Public Interest Review

File No. 6-13156

IV. Public Interest Determination Summary

Based on the record in the application file and the analysis of the Department as presented to the Commission in the findings displayed above, the following public interest factors have been duly considered:

- ✓ Conserving the highest use of the water for all purposes, including irrigation, domestic use, municipal water supply, power development, public recreation, protection of commercial and game fishing and wildlife, fire protection, mining, industrial purposes, navigation, scenic attraction or any other beneficial use to which the water may be applied for which it may have a special value to the public.
- ✓ The maximum economic development of the waters involved.
- ✓ The control of the waters of this state for all beneficial purposes, including drainage, sanitation and flood control.
- ✓ The amount of waters available for appropriation for beneficial use.
- ✓ The prevention of wasteful, uneconomic, impracticable or unreasonable use of the waters involved.
- ✓ All vested and inchoate rights to the waters of this state or to the use of the waters of this state, and the means necessary to protect such rights.
- ✓ The state water resources policy formulated under ORS 536.295 to 536.350 and 537.505 to 537.525.


Steven P. Applegate 9/29/95
Administrator Date
Water Rights and Adjudications Division

STATE OF OREGON

COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROBERT HOEFT - AH RANCHES
P.O. BOX 427
PILOT ROCK, OREGON 97868

503-443-6242

to use the waters of A WELL in the WEST BIRCH CREEK BASIN for IRRIGATION OF 30.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 165.4 ACRES (Deficiency of Rate).

This permit is issued approving Application G-13156. The date of priority is OCTOBER 16, 1992. The use is limited to not more than 1.5 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NW 1/4 SE 1/4, SECTION 19, T 1 S, R 32 E, W.M.; 2300 FEET NORTH AND 500 FEET EAST FROM THE S 1/4 CORNER OF SECTION 19.

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 3.0 acre-feet for each acre irrigated during the irrigation season of each year. The period of allowed use is March 1 through October 31.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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

A description of the proposed place of use under this permit is as follows:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SW 1/4 NE 1/4		30.1 ACRES
SE 1/4 NE 1/4		11.1 ACRES
SW 1/4 NW 1/4	7.0 ACRES	
SE 1/4 NW 1/4	1.0 ACRE	20.0 ACRES
NE 1/4 SW 1/4	2.0 ACRES	18.1 ACRES
NW 1/4 SW 1/4	20.0 ACRES	
SW 1/4 SW 1/4		0.2 ACRE
SE 1/4 SW 1/4		24.0 ACRES
NE 1/4 SE 1/4		1.6 ACRES
NW 1/4 SE 1/4		28.4 ACRES
SW 1/4 SE 1/4		16.0 ACRES

SECTION 19

NE 1/4 NW 1/4	14.9 ACRES
NW 1/4 NW 1/4	0.7 ACRE

SECTION 30

TOWNSHIP 1 SOUTH, RANGE 32 EAST, W.M.

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

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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 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.

Limited Water Level Decline/Interference Condition

To monitor the effect of water use from the well 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 if annual water level measurements reveal any of the following events:

- (A) An average water level decline of 3 or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

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

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.

Actual construction of the well shall begin on or before September 29, 1996 and shall be completed on or before October 1, 1997. Complete application of the water shall be made on or before October 1, 1998.

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 beneficial use of water without waste. The water user is advised that new regulations may require 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.

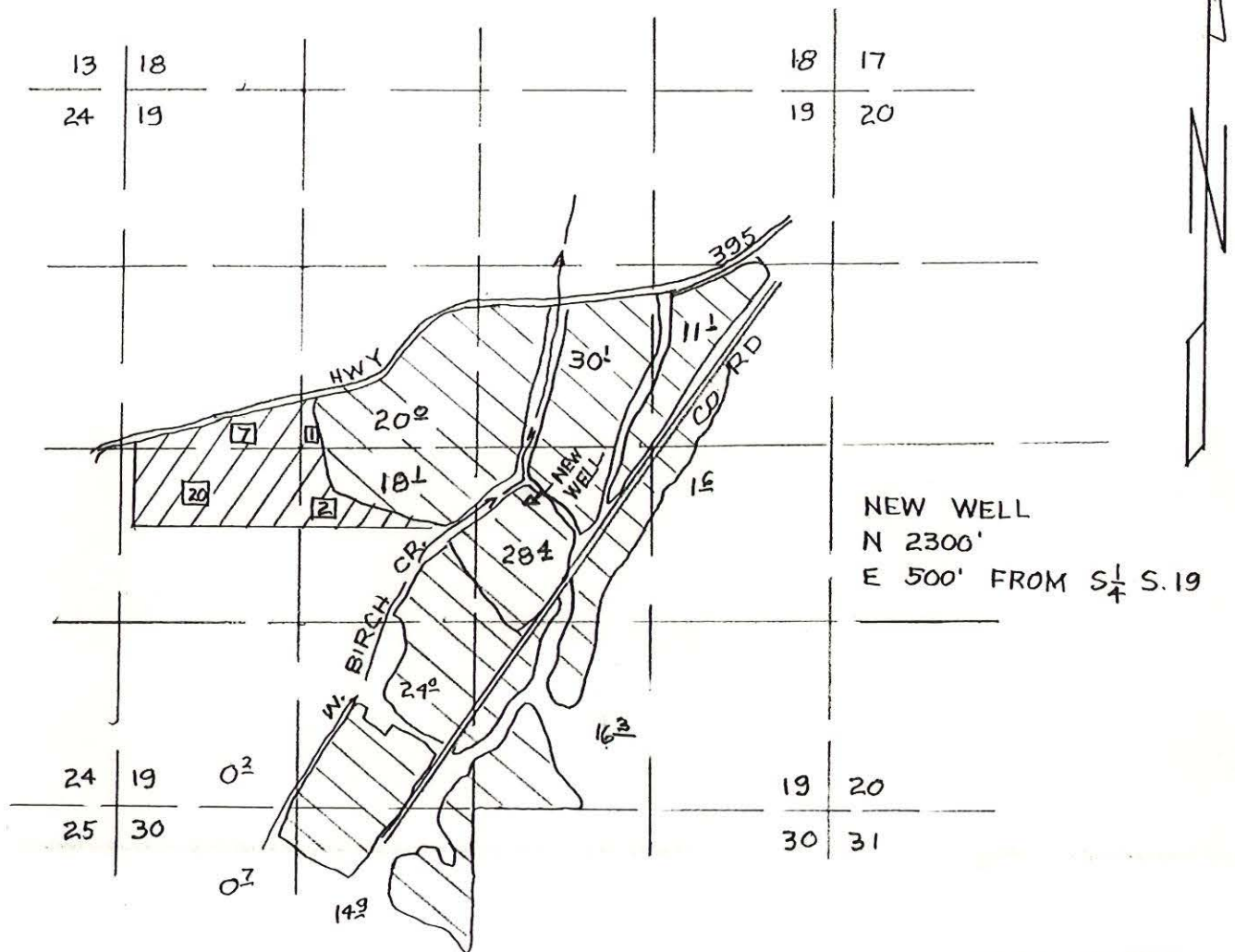
The use of water shall be limited when it interferes with any prior surface or ground water rights.

PAGE FOUR

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

Issued this date, September 29 , 1995.


for Water Resources Department
Martha O. Pagel
Director



RECEIVED

JAN 10 1994

WATER RESOURCES DEPT.
SALEM, OREGON

KRUMBEIN ENGINEERING LTD.
ENGINEERS - SURVEYORS - PLANNERS
361 S.E. Second Pendleton, Oregon

Scale 1"=1320'	Drn. By DHK	Drng. No. 92.11A	Revision 1 12-22-93
Date 10-10-92	Ckd. By	Job No. 92.33	Revision 2

GROUNDWATER APPLICATION

HOEFT

SE $\frac{1}{4}$, SECTION 19, T.1S., R.32E.



TECHNICAL REVIEW CHECKLIST

FORM-71393

(1) Application: G-13156

(2) Review Date: 8-31-93

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

SUMMARY

S Completeness
S Land Use
S GW Interference (if potential interference with surface water, see results of water availability analysis)
~~S~~ Conflicts
S Water Availability *Review Protection Conditions*

(3) S The applicant has certified that the information provided in the application is an accurate representation of the proposed use and is true and correct to the best of their knowledge.

(4) N/A No oath is required because application was filed before June 5, 1992.

(5) S Application fees:

Examination fee:	\$ 200.00
Recording fee:	\$ 470.00
TOTAL REQUIRED	\$ 670.00
TOTAL SUBMITTED	\$ 670.00
AMOUNT DUE prior to issuance of permit	\$ 0.00
AMOUNT OVERPAID	
refund due applicant	\$ 0

30
 165.4
 195.4 AC
 200
 100 1st 10
 372 186Y2
 \$672

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

(7) S MAP: S Prepared by a CWRE
 ___ Exempt under OAR 690-11-150(3)
 ___ A map or drawing included (non-CWRE)
 ___ No map or drawing in file

* See Map Regarding 5 mi. Radius of Hydrologic Unit

- (8) N/A A CWRE map is not required for applications filed before November 9, 1987.
- (9) S A written copy of the legal description of the property on which the water is to be used.
- (10) N/A A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.
- (11) S The proposed use is not restricted or prohibited by statute.
- (12) S The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.
- (13) S IRRIGATION use(s) is/are classified uses(s) under the UMATILLA Basin Program, OAR 690 - 507-060
- (14) S The application, map and supporting data are complete and free of defects.

Land Use Compatibility:

- (15) As expressed by the Planning Department of UMATILLA COUNTY
- (16) S The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section 3.011.1).
- (17) N/A The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.
- (18) N/A The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For ground water applications:

- (20) S A copy of the constructor's log, if available, for any well already constructed, or required information regarding actual or anticipated construction.
- (21) S The report from groundwater section has been received.

For reservoir applications:

- (22) N/A Plans, specifications and supporting information for the dam and impoundment area.

COPY CHECK-OFF SHEET FOR TECHNICAL REVIEWS

CC: FILE # G-13156

WATERWATCH

~~ODF&W~~ ODFW

WATERMASTER # 5

REGIONAL MANAGER - NC

CWRE - D. H. KUMBEIN #76

KEN STAHR

OTHER ADDRESSES:

CASEWORKER

SHOOK

ORIGINAL TO APPLICANT 7/29/93

WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

To: FILE / CASEWORKER

Aug. 31, 1993

From: KEN DOWDEN

Subject: GROUNDWATER WITHDRAWALS FROM THE BASALTS
NEAR A MUNICIPALITY

PLEASE NOTE THAT THERE IS A NEED TO CONTACT THE MUNICIPALITY, USUALLY THE MAYOR OF THE TOWN OR CITY, AND, AS NOTED IN THE ATTACHED BASIN POLICY COPY, REQUEST IN WRITING, IF, THEY HAVE A CURRENT, EXISTING CONSERVATION PLAN IN EFFECT. IF THEY HAVE ANY CONCERNS OR OBJECTIONS TO THIS GROUNDWATER WITHDRAWAL, (which is located within a 5-mile radius of the municipal well) WE WOULD LIKE TO REQUEST, IN WRITING, THOSE CONCERNS.

IN THIS CASE, IT WOULD BE THE TOWN OF *PILOT ROCK*.

Birch and McKay Creeks Subbasin

690-507-060

(1) Objectives: in developing a program for the management, use and control of the surface and ground water resources of the Birch and McKay Creeks subbasin, the Commission has the following objectives:

- (a) Protect instream values by closing streams to future appropriations during the low-flow season and limiting future appropriations during the high-flow season to selected nonirrigation or nonconsumptive uses.
- (b) Preserve the opportunity for future upstream storage for all beneficial uses.
- (c) Permit artificial ground water recharge to offset declining ground water levels and supplement existing ground water uses.
- (d) Protect municipal ground water supplies.
- (e) Prevent new appropriations from causing ground water/surface water interference.

(2) Surface Water: appropriation and use of surface water in the Birch and McKay Creeks subbasin shall comply with the following provisions:

(a) Birch and McKay Creeks and tributaries are withdrawn from further appropriation of unappropriated waters during the period June 1 through October 31 each year. The withdrawal does not apply to domestic, livestock, fish and wildlife uses or water released from storage. This action was taken by the Commission on December 2, 1985.

(b) Classification: permits to use surface water may be issued only for the following classified uses:

(A) The surface waters of Birch and McKay Creeks and tributaries are classified for domestic, livestock, irrigation of noncommercial lawn and garden not to exceed 1/2 acre, municipal, industrial, power development (subject to the limitations of OAR Chapter 690, Division 51), mining, fish life, wildlife, recreation, pollution abatement, artificial ground water recharge and public instream uses during the period November 1 through May 31 each year. This classification rescinds the Commission's order of December 2, 1985, withdrawing the Umatilla River and tributaries from further appropriation from November 1 through May 31 each year until December 31, 1988.

(B) Subject to the rights and priorities existing on June 24, 1988, and the withdrawal of Birch Creek and tributaries from June 1 through October 31, Birch Creek and tributaries are further classified for all beneficial uses in conjunction with storage. All natural flow rights issued on Birch Creek and tributaries after this date shall be subordinate to this classification. Any storage project built under this classification shall include provisions for municipal, fish and wildlife, and recreation uses acceptable to the Commission.

(c) Storage: surface waters, legally stored during the period November 1 through May 31, and legally released, may be used for any beneficial purpose.

(d) Artificial ground water recharge: use of surface water for ground water recharge shall be subject to the following conditions:

(A) Recharged water used under a secondary permit for irrigation may only provide supplemental water to lands with existing irrigation rights or permits on June 24, 1988;

(B) Diversion of surface water for recharge for irrigation under a secondary permit shall not exceed 2.25 acre feet per acre to be irrigated; and

(C) If the recharged water is to be used for municipal or industrial purposes under a secondary permit, the applicant shall demonstrate to the satisfaction of the Commission that it has an active water conservation program.

SEE 3 (a)(b) →

(c) Minimum perennial streamflows: minimum streamflows may be established to support aquatic life, minimize pollution or maintain recreation values:

(A) To support aquatic life in accordance with Section 3, Chapter 796, Oregon Laws 1983, no appropriation of water shall be made or granted by any state agency or public corporation of the state for waters of Birch Creek and tributaries when flows are below the levels specified in Table 1. This limitation shall not apply to domestic and livestock use or to waters legally stored or released from storage; and

(B) To support aquatic life, no appropriations of water except for domestic and livestock uses or waters legally stored or released from storage shall be made or granted by any state agency or public corporation of the state when flows are below the specified levels for the streams listed in Table 1 with priority dates of 3-31-88.

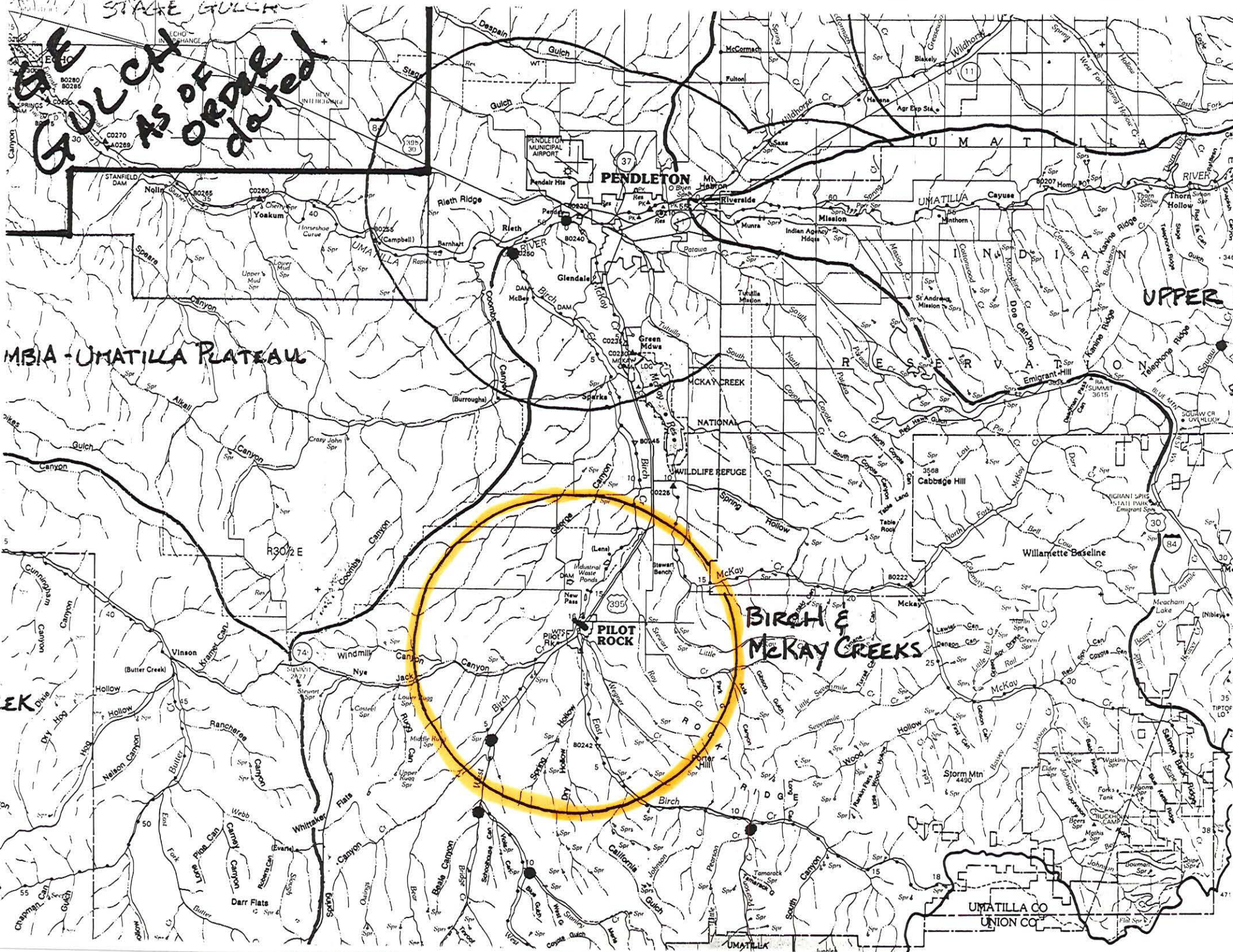
(3) Ground Water: appropriation and use of ground water in the Birch and McKay Creeks subbasin shall comply with the following provisions:

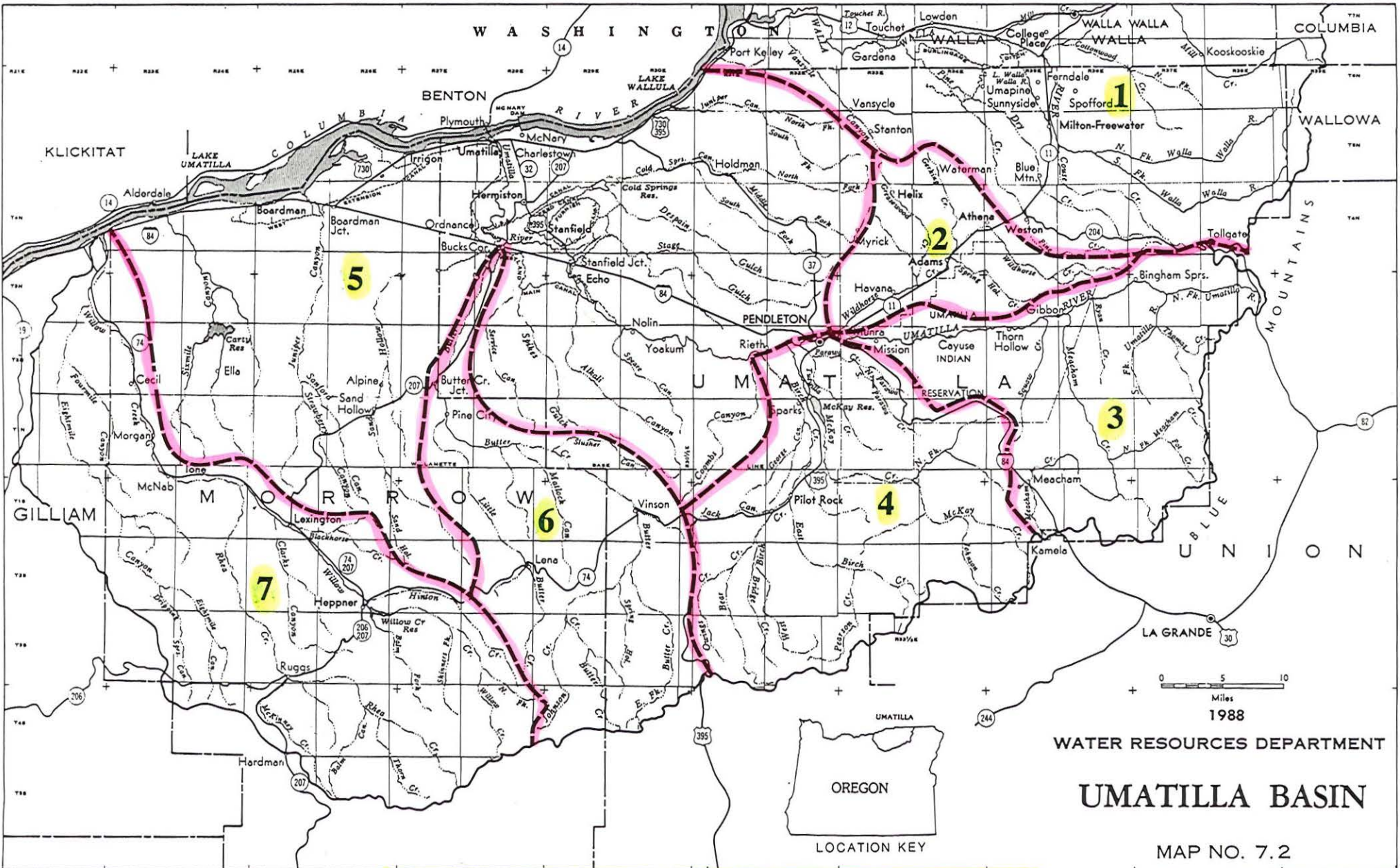
(a) Classification: permits to use ground water may be issued only for the following classified uses:

(A) The ground water resources of the Birch and McKay Creeks subbasin are classified for statutorily exempt ground water uses (see definition), irrigation, municipal, industrial, power development, low temperature geothermal, mining, fish life, wildlife, recreation, pollution abatement, and artificial ground water recharge; and

 (B) Ground water from the basalt reservoir in a five-mile radius around any municipal well of the cities of Pendleton and Pilot Rock is classified for municipal, group domestic and statutorily exempt ground water uses (see definition) only. Other uses may be permitted if it is documented that a barrier to ground water movement separates a proposed well from municipal wells and there will be no interference with municipal wells. Applications for other uses of ground water within a five-mile radius of a municipal well shall automatically be referred to the Commission for review and consideration of public interest unless the affected city affirms that it is in favor of the proposed appropriation. This classification applies only when the affected city(ies) have a full-time conservation program in effect.

(b) Permits issued to appropriate ground waters that may be hydraulically connected with surface water shall be specially conditioned. The condition shall specify that when exercise of the permit unduly interferes with surface water, the permit will be regulated in favor of the surface water source.





SUBBASINS

- | | | | |
|---|------------------------|---|---------------------------|
| 1 | Walla Walla | 5 | Columbia Umatilla Plateau |
| 2 | Wildhorse Creek | 6 | Butter Creek |
| 3 | Upper Umatilla | 7 | Willow Creek |
| 4 | Birch and McKay Creeks | | |

Memo

October 18, 1993

To: Tom Shook
From: Doug Woodcock 
Subject: Response regarding G-13156

Upon review of the well logs it appears that Umat 5710 taps the same water bearing zones as Umat 94.

MEMO

October 14, 1993

TO: DOUG WOODCOCK

FM: TOM SHOOK *Don*

SUBJECT: WELL LOG INTERPRETATION FOR FILE G-13156

PLEASE TELL ME IF THE WELL DESCRIBED IN LOG 1/32-19 P (1) WOULD DEVELOP WATER FROM THE SAME AQUIFER AS THE WELL DESCRIBED IN LOG 1S/32E/19a.

IF YOU CAN SEND ME SOMETHING THIS WEEK, GREAT, OTHERWISE AS SOON AS YOU CAN.

THANKS.

TO: Water Rights Section

July 28, 1993

FROM: Groundwater/Hydrology Section D. Woodcock

Reviewer's Name

SUBJECT: Application G- 13156

1. PER THE Basin rules, one or more of the proposed POA's is/is not within _____ feet/mile of a surface water source (_____) and taps a groundwater source hydraulically connected to the surface water.

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 surface water
 - b. ☒ will not _____ source, namely West Birch Cr; 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 water from substantial interference.

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 and/or
 - b. _____ will not _____ within the capacity of the resource; or
 - c. ☒ can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
 - i. ☒ The permit should contain condition #(s) 4G, 4I;
 - 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.

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: CONDITION PERMIT w/ RESOURCE PROTECTION
MEASURES 4G + 4I

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.
_____, 1993.

(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: _____

_____, 1993.

(Signature)

(WRFORM8V91)

Water Right Conditions
Tracking Slip

Groundwater/Hydrology Section

FILE ## G - 13156

ROUTED TO: T. SNOOK

TOWNSHIP/

RANGE-SECTION: 1S/32E-19

APPLICATION ACCEPTED? [☒]yes [☐]no

CONDITIONS ATTACHED? [☒]yes [☐]no

REMARKS OR FURTHER INSTRUCTIONS:

Condition w/ 4G +
4H

Reviewer: D. Woodcock

OBSERVATION WELL

UMAT 94

NOTICE TO WATER WELL CONTRACTOR

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

STATE ENGINEER, SALEM 10, OREGON
within 30 days from the date
of well completion.

WATER WELL REPORT

G-2879

STATE OF OREGON
(Please type or print)

State Well No.

1/32-19P(1)

State Permit No.

(1) OWNER:

Name Mr. Arnold Hoeft
Address Pilot Rock, Oregon

(2) LOCATION OF WELL:

County Umatilla Driller's well number
1/4 1/4 Section 19 T. 1S. R. 32 W. M.
Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):

Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
Abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(5) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(6) CASING INSTALLED:

Threaded ☐ Welded ☒
12 Diam. from 0 ft. to 109 ft. Gage Standard
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

(7) PERFORATIONS:

Perforated? ☐ Yes ☒ No

Type of perforator used

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

(8) SCREENS:

Well screen installed ☐ Yes ☒ No

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

(9) CONSTRUCTION:

Well seal—Material used in seal cement
Depth of seal 109 ft. Was a packer used? _____
Diameter of well bore to bottom of seal 13 in.
Were any loose strata cemented off? ☐ Yes ☒ No Depth _____
Was a drive shoe used? ☒ Yes ☐ No
Was well gravel packed? ☐ Yes ☒ No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? _____ Depth of strata _____
Method of sealing strata off _____

(10) WATER LEVELS:

Static level 30 ft. below land surface Date 4/30/64

(11) WELL TESTS:

Drawdown is amount water level is
lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom?Yield: 250 gal./min. with 250 ft. drawdown after 7 hrs." " 170 " "

" " " "

Bailer test gal./min. with _____ ft. drawdown after _____ hrs.

Artesian flow g.p.m. Date _____

Temperature of water 62 Was a chemical analysis made? ☐ Yes ☒ No

(12) WELL LOG:

Diameter of well below casing 10 ft.Depth drilled 937 ft. Depth of completed well 937 ft.

Formation: Describe by color, character, size of material and structure, and
show thickness of aquifers and the kind and nature of the material in each
stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Soil, broken rock & gravel	0	3
Sandy soil	3	7
Sand & gravel, cavey	7	16
Gravel & clay	16	20
Hard clay & broken rock	20	70
Broken brown basalt	70	109
Black basalt	109	123
Grey basalt	123	160
Broken red & brown basalt (some H2O)	160	165
Brown basalt, Broken	165	175
Brown basalt	175	180
Red & brown basalt	180	185
Brown basalt	185	200
Black basalt brown seams	200	230
Black basalt porous, some H2O	230	265
Black basalt	265	475
Dark grey basalt	475	508
Black basalt	508	520
Dark grey basalt	520	528
Black basalt brown seams	528	540
Black basalt	540	560
Black basalt porous	560	605
Dark grey basalt	605	645
Black basalt broken	645	665

Work started 19 Completed 19Date well drilling machine moved off of well 19

(13) PUMP:

Manufacturer's Name _____

Type: _____ H.P. _____

Water Well Contractor's Certification:

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

NAME _____
(Person, firm or corporation) (Type or print)

Address _____

Drilling Machine Operator's License No. _____

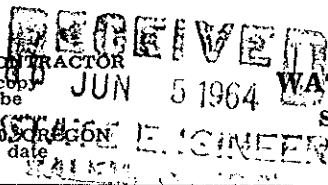
[Signed] _____
(Water Well Contractor)

Cont on Page 2

NOTICE TO WATER WELL CONTRACTOR

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

STATE ENGINEER, SALEM 10, OREGON within 30 days from the date of well completion.



WATER WELL REPORT

STATE OF OREGON (Please type or print)

State Well No. 1/32-19P01

State Permit No.

(1) OWNER:

Name
Address

(2) LOCATION OF WELL:

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

(3) TYPE OF WORK (check):

New Well ☐ Deepening ☐ Reconditioning ☐ Abandon ☐
Abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☐

(5) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(6) CASING INSTALLED:

Threaded ☐ Welded ☐

" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(7) PERFORATIONS:

Perforated? ☐ Yes ☐ No

Type of perforator used

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

(8) SCREENS:

Well screen installed ☐ Yes ☐ No

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

(9) CONSTRUCTION:

Well seal—Material used in seal
Depth of seal ft. Was a packer used?
Diameter of well bore to bottom of seal in.
Were any loose strata cemented off? ☐ Yes ☐ No Depth
Was a drive shoe used? ☐ Yes ☐ No
Was well gravel packed? ☐ Yes ☐ No Size of gravel:
Gravel placed from ft. to ft.
Did any strata contain unusable water? ☐ Yes ☐ No
Type of water? Depth of strata
Method of sealing strata off

(10) WATER LEVELS:

Static level ft. below land surface Date
Artesian pressure lbs. per square inch Date

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☐ Yes ☐ No If yes, by whom?

Yield:	gal./min. with	ft. drawdown after	hrs.
"	"	"	"
"	"	"	"

Ballor test	gal./min. with	ft. drawdown after	hrs.
Artesian flow	g.p.m. Date		

Temperature of water Was a chemical analysis made? ☐ Yes ☐ No

(12) WELL LOG:

Diameter of well below casing

Depth drilled ft. Depth of completed well ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Broken brown basalt	665	670
Broken black basalt	670	680
Black basalt	680	725
Grey basalt	725	775
Black basalt	775	850
(Tested-200 GPM from 200 feet, Temp 62)		
Grey basalt	850	885
Black basalt broken brown streaks	885	910
Broken black basalt, grey clay seams	910	914
Conglomerate of black, brown, red rock	914	922
Soft streak red & brown rock	922	925
Black, brown, red & grey clay seams	925	937

12" hole to 242 feet

10" hole to 937 feet

Work started 11/20 1963. Completed 4/30/64 19

Date well drilling machine moved off of well 5/4/64 19

(13) PUMP:

Manufacturer's Name
Type: H.P.

Water Well Contractor's Certification:

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

NAME D. K. Smith
(Person, firm or corporation) (Type or print)

Address P.O. #93 Walla Walla, Washington

Drilling Machine Operator's License No. 205 121

[Signed] D.K. Smith
(Water Well Contractor)

Contractor's License No. 204 Date 6/2/64 19

UMA7
5710

AUG 10 1992

(START CARD) # w 25249

Well Number WATER RESERVE

(9) LOCATION OF WELL by legal description:

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD:

☒ Rotary Air ☐ Rotary Mud ☐ Cable
☐ Other _____

(4) PROPOSED USE:

☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

(5) BORE HOLE CONSTRUCTION:

Special Construction approval ☐ Yes ☒ No Depth of Completed Well 620 ft.
Explosives used ☐ Yes ☒ No Type _____ Amount _____

(10) STATIC WATER LEVEL:

22 ft. below land surface. Date 8-4-92

Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 162

From	To	Estimated Flow Rate	SWI
See attached sheet			

(12) WELL LOG:

Ground elevation 1750

[illegible]

Date started 7-22-92 Completed 8-4-92

(unbonded) Water Well Constructor Certification:

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

WWC Number 1532

Signed PERT STORHEND Date 8-4-92

(bonded) Water Well Constructor Certification:

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

WWC Number 544

Signed Tammy Burr Date 8-4-92

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

☐ Pump ☐ Bailer ☐ Air ☐ Flowing
Artesian

Yield gal/min	Drawdown	Drill stem at	Time
---------------	----------	---------------	------

Temperature of Water 61 Depth Artesian Flow Found

Was a water analysis done? ☐ Yes By whom, _____

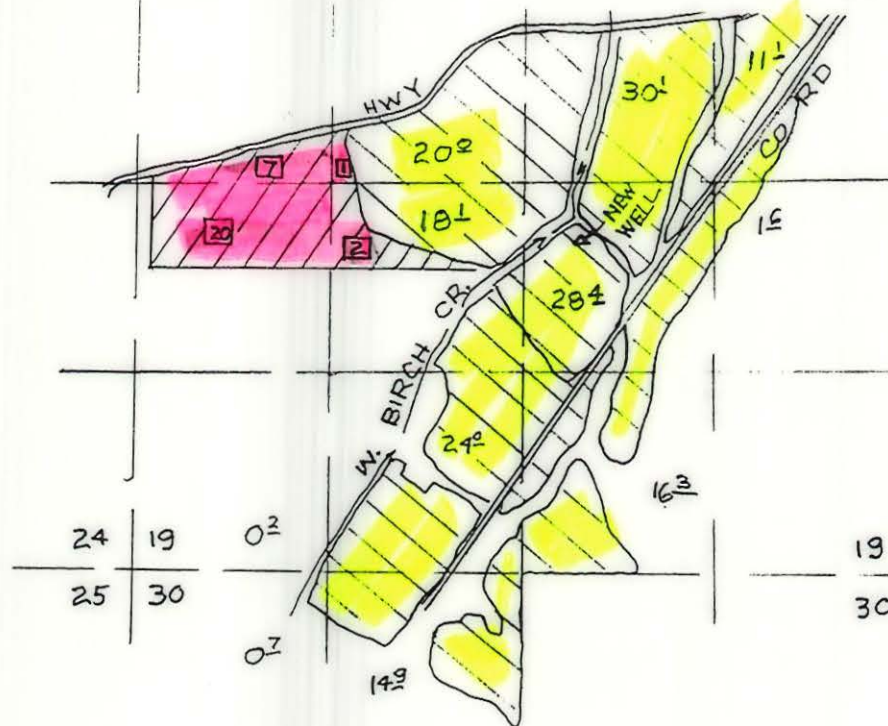
Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other

Depth of strata: _____

[illegible]

copy



NEW WELL
N 2300'
E 500' FROM S $\frac{1}{4}$ S

TR

15

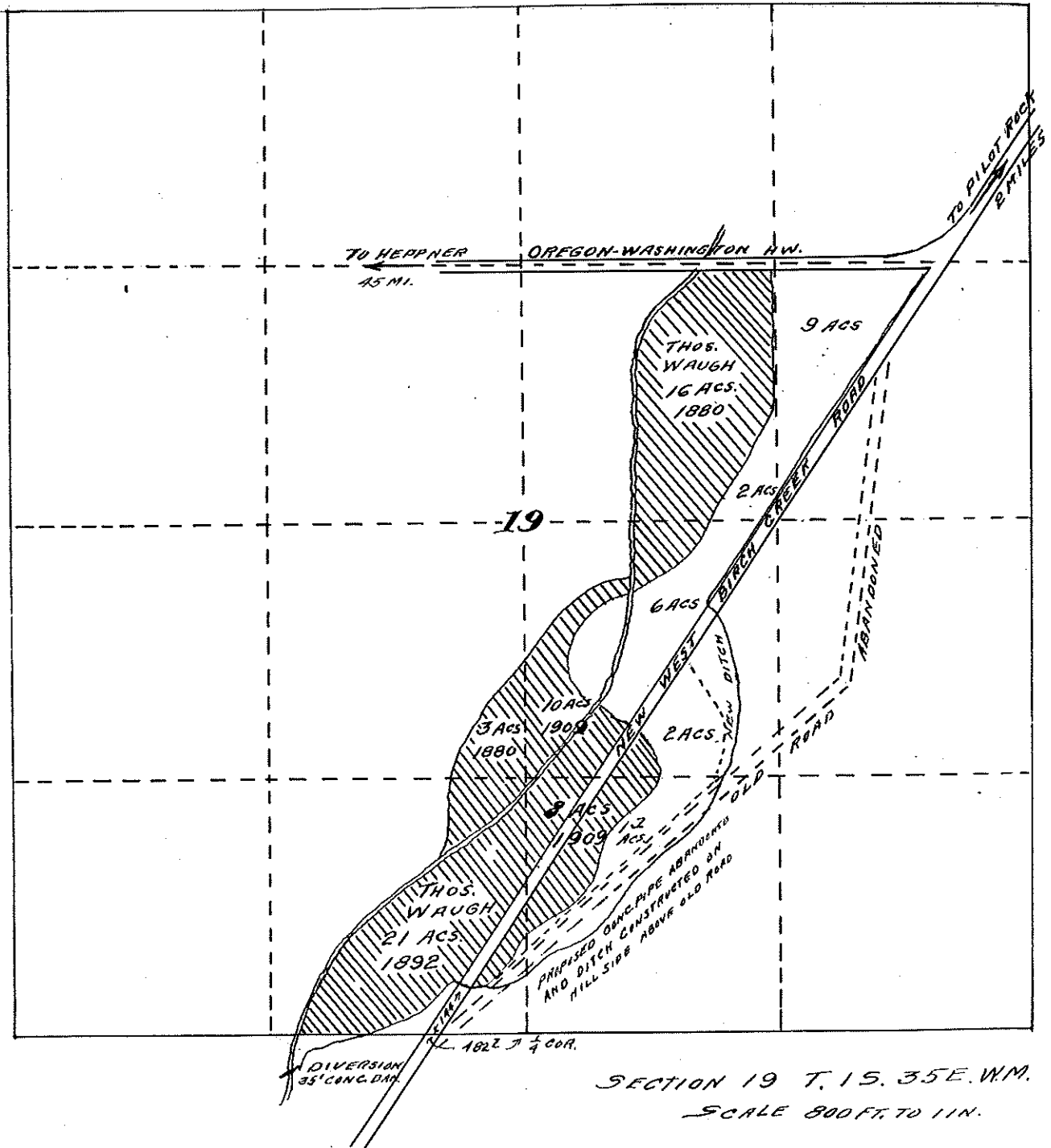
RECEIVED

JAN 10 1960

WATER RESOURCES
SALEM, ORE

MOOREHEAD ESTATE

SECTION 19 T. 15. 35 E. W.M.
SCALE 800 FT. TO 1 IN.



SECTION 19 T. 15. 35 E. W.M.
SCALE 800 FT. TO 1 IN.

cert # 2639

Hand-drawn map of a water diversion project on a grid. The map shows a "BIRCH" stream flowing from the bottom left towards the top right. A "ditch" branches off to the right from the stream. A "concrete Divide Pipe" is shown starting from the ditch and running towards the top right. A shaded rectangular area is labeled "10.3" and "10". Other numbers on the map include "19", "8", "2", "7", "117", and "30". A note at the bottom right states: "Pt. of Diversion. S-100'-W-1200' from 1/4 cor. between Sec 19-30." An arrow at the top right points towards "To Pilot Rock 17 1/2 miles."

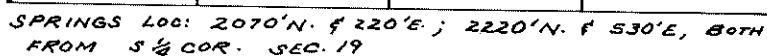
Permit No. 6637

Cert # 8418

Surveyed Aug. 20, 1964, by C.J. Gardner

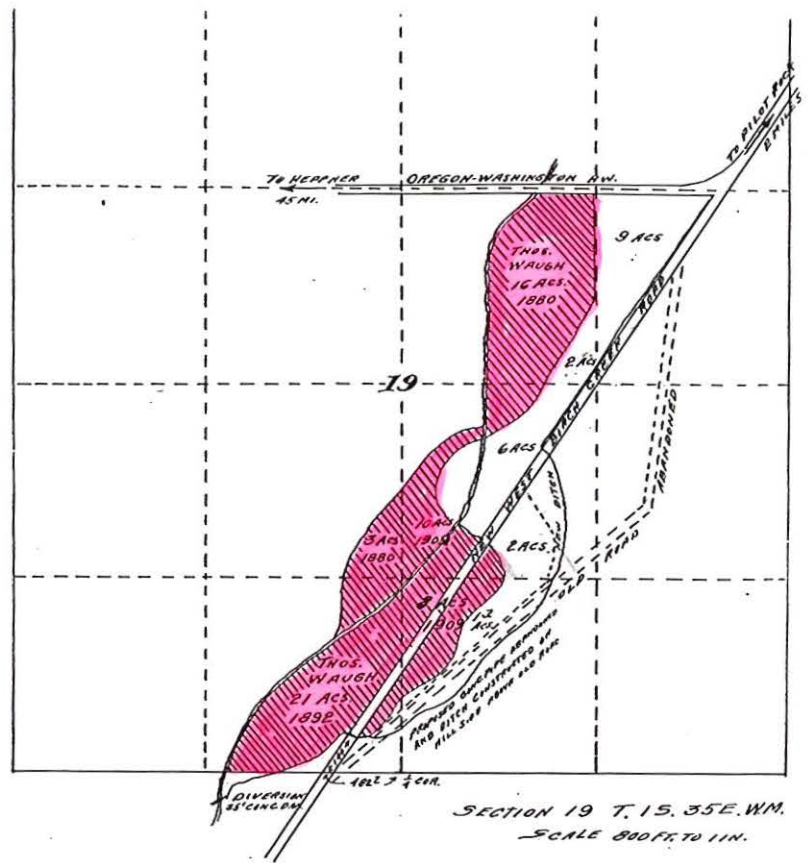
1964-N

IV. *gpc sup ire*

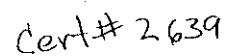


Application No. 37796..... Permit No. 28354..
IN NAME OF

Surveyed JUNE 22 23 1971, by G. BACA
AUG. 20, 1964 J.C. GARDNER

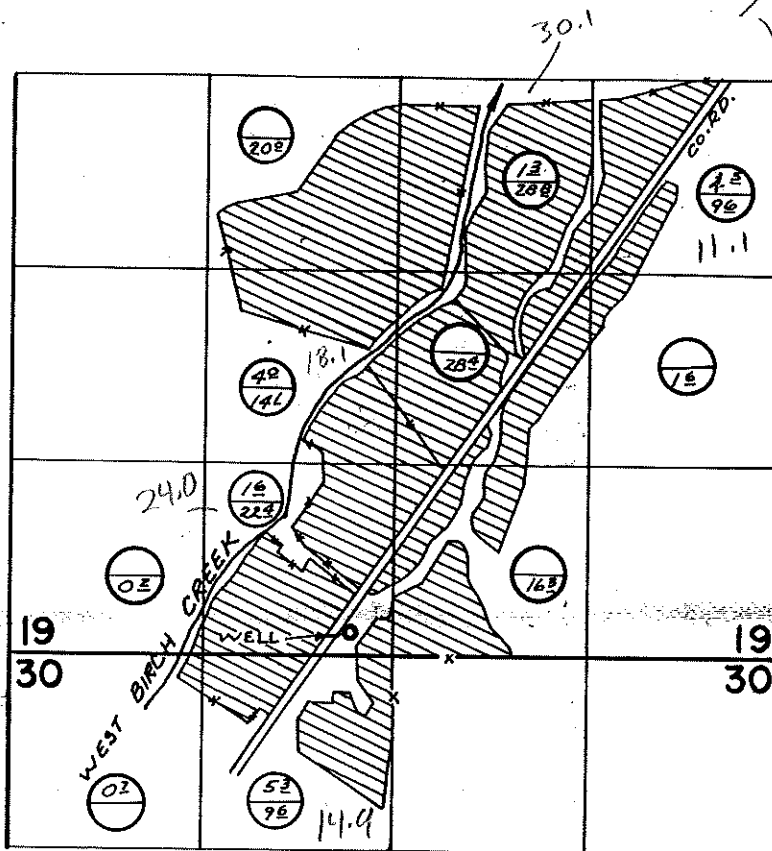


APPLICATION 9975
 CERTIFICATE 8418



T.1S.R.32E.W.M.

14.4 AC PRI
151.0 AC SP
165.4



WELL LOC: 170' N. & 300' W FROM S 1/4 COR. SEC. 19

○ — PRIMARY
● — SUPPLEMENTAL

FINAL PROOF SURVEY UNDER

Application No. G-2872 Permit No. G-2670
IN NAME OF

C# 39205

.....ARNOLD G. HOEFT.....
JUNE 22, 23, 1971 G. BACA
Surveyed AUG. 20, 1964, by C. J. GARDNER

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT			
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OR				LEGAL SUBDIVISION AS SHOWN				ON GOVERNMENT PLAT IF OTHER THAN 40 ACRES										
40 ⁰⁸ 40 ²³				40 ³⁸ 40 ⁵³														
13 ⁵	6			CANCELED				Spec. Or. V. 34 p. 185								Decree, Vol. 3	page 127	2581
	16							3			21	10	8			Decree, Vol. 3	page 127	2639
	29											8	11			9975	6637	8418
	10 ⁸ 06						20 ⁰ 11 ²			14	16	19 ⁹	11 ⁸			34282	27002	32349
	30 ¹						20 ⁰ 11 ²					24 ³	22 ⁹			37796	28354	39206
	13 15						4 ⁰			16						G-2879	G-2670	39205
	28 ⁸ 96						20 ⁰ 14 ¹			0 ² 22 ⁴	16	28 ⁴	16 ³			G-2879	G-2670	39205
20 ⁵	20															G-6296	G 6358	CANCELED
12 ⁵	20															G-6296	G 6358	CANCELED
10 ⁹																G-8361	G 7825	52903
13	6															G-8361	G 7825	
10 ²																G-11325	G-10492	64044

(SEE BACK OF CARD FOR PLAT OF SECTION)

(SEE BACK OF CARD FOR PLAT OF SECTION)

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT. IF OTHER THAN 40 ACRES																		
						7 ⁰	1 ⁰	2 ⁰	3 ⁰							4-13152	FULL	Q
		20 ¹	12 ¹					20 ⁰	12 ¹			6 ²	24 ⁰	1 ⁶	20 ¹	6-13156 24/11/11	*SEE	G-2879

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT			
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OR				LEGAL SUBDIVISION AND SHOW				ON GOVERNMENT PLAT IF OTHER THAN 40 ACRES										
				40 ⁵³	40 ⁵³			40 ²³	40 ²³									
				20				20								312	E 36	1928
					4	6		34	32	34	22					2222	1361	1655
												11 ⁵	24 ⁵	10		34282	27002	32349
				9 ⁶												G-2879	G-2670	39205
				5 ³	0 ²											G-2879	G-2670	39205
				9 ⁶												G-1356	*526	G-2879
				14 ³	0 ¹													

(SEE BACK OF CARD FOR PLAT OF SECTION)

[illegible]

MINIMUM REQUIREMENTS TO FILE

Name and mailing address
Source of water
Quantity of water
Location of project
Use of water
Signature of applicant
Allowable use by policy
State Engineer withdrawal
Legislative withdrawal
Land use approved pending

FIELD OPERATIONS

[illegible]

```

Application date stamped per money receipt date
Stream Indexed
Stream Code _____
Scenic Waterway _____
Findings:
1) Concluded - Scenic-Reg Ack letter
2) Under Study - Scenic-Ack letter
3) Basin 2 - Willamette-Ack letter
Plat Carded and copy made YES NO
Conflicts (well _____ surface _____)        
Prior ISWR # _____    
Within Irrigation District _____ (name)
Notified        
District excerpt received        
Entered in Paradox        
Prepare six copies of Draft Permit
Send one copy to Data Center

```

SUPPORT SERVICES

Stamp contents with application number
Mail/Provide copies of draft permits to DEQ, ODFW,
PARKS, AND WATERMASTER
Mail ack letter (provided by Data Center) with
receipt to applicant, cc to CWRE and file
Place label on file and card
If dam is over 10 feet or storage exceeds 9.2 AC-FT,
route file to Dam Safety Section
Notify Irrigation District

FIELD OPERATIONS

[illegible]

	<u>YES</u>	<u>NO</u>
Ownership Statement	_____	_____
Name and address of all owners	_____	_____
Other landowners notified	_____	_____
Legal Description	_____	_____
Need Commission review	_____	_____
_____ Requests greater than 5.0 cfs		
_____ Dam height greater than 20 feet		
_____ Storage greater than 100 acre-feet		
_____ Out of Basin diversion		
_____ Groundwater recharge project		
_____ Other substantial public interest		
GW comments received _____ resolved _____		
ODFW comments received _____ resolved _____		
DEQ comments received _____ resolved _____		
Interest Groups _____		
Water availability received _____		
Objections received _____ resolved _____		
Protest received _____ resolved _____		
Management Codes		

EXAMINATION FEE: _____
RECORDING FEE: _____

TOTAL: _____
REFUND: _____
DEFICIENT: _____

REMARKS: _____

November 3, 1993

ROBERT HOEFT
AH RANCHES
PO BOX 427
PILOT ROCK, OR 97868

Reference: File G 13156

Hello:

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

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

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

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

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

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

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



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

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

All evidence and objections must be received by our Salem office no later than 5:00 p.m. on or before January 14, 1994 or the Department may presume there is no opposition to any of the analyses set out in the technical review report. Evidence and objections must be addressed and delivered to: Oregon Water Resources Department, Water Rights Section, 3850 Portland Road, Northeast, Salem, Oregon 97310.

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to be "Steve Brown", with a long horizontal flourish extending to the right.

STEVE BROWN
Manager
Water Rights Division

SB/ts
Enclosures

Report Date: November 3, 1993

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

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 3850 PORTLAND ROAD N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE:
January 14, 1994.

1. APPLICATION FILE NUMBER - G 13156
2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:

ROBERT HOEFT
AH RANCHES
PO BOX 427
PILOT ROCK. OR 97868
UMATILLA COUNTY 503-443-6242

Date application received for filing and/or tentative date of priority: OCTOBER 16, 1992

SOURCE: A WELL TRIBUTARY TO: WEST FORK BIRCH CREEK

Purpose and/or use: PRIMARY AND SUPPLEMENTAL IRRIGATION

Flow: 1.5 CUBIC FEET PER SECOND (CFS)

Point of Diversion Location:

T 1 S, R 32 E, W.M.; SEC 19, NWSE

Place of use:

	PRIMARY	SUPPLEMENTAL
SWNE		30.1 ACRES
SENE		11.1 ACRES
SWNW	7.0 ACRES	
SENW	1.0 ACRE	20.0 ACRES
NESW	2.0 ACRES	18.1 ACRES
NWSW	20.0 ACRES	
SWSW		0.2 ACRE
SESW		24.0 ACRES
NESE		1.6 ACRES
NWSE		28.4 ACRES
SWSE		16.3 ACRES
SECTION 19	30.0 ACRES	

0.56 CFS
From
G-2670

0.375
CFS

0.2
1.5 CFS
1165.4 AC

NENW
NWNW
SECTION 30
T 1 S. R 32 E. W.M.

14.9 ACRES
0.7 ACRE

GROUNDWATER AVAILABILITY

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

Pursuant to OAR 690-09-040, the proposed groundwater withdrawal **will not** have the potential to cause substantial interference with surface water.

In addition, the Groundwater/Hydrology Section has reported the water **is** likely to be available to supply the proposed use.

CONFLICTS WITH OTHER WATER RIGHTS:

There **are no** existing rights from this point of diversion.

There **are** existing water rights appurtenant to the lands described in the application. See proposed permit conditions.

REPORT CONCLUSIONS:

Water in the amount of 1.5 CFS is likely available for 8 months of the 8 months normal period of use. Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

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

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

PROPOSED PERMIT CONDITIONS

Application: G 13156

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

1. Use of water under this permit is subject to all prior rights.
2. Period of allowed use: MARCH 1 TO OCTOBER 31
3. Rate of use: 1.5 CFS
4. Water use development requirements:
 - A. Begin construction by (one year from issuance of permit).
 - B. Complete construction by October 1, 1996.
 - C. Completely apply the water to beneficial use by October 1, 1997.
5. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
6. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.
7. The permit is for the beneficial use of water without

waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

8. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
9. The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times. The use of water shall be limited when it interferes with any prior surface or ground water rights.
10. Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.
11. This right is limited to any deficiency in the available supply of any prior right existing for the same land.
12. 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 3 acre-feet for each acre irrigated during the irrigation season of each year.
13. 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.
14. The PERMIT HOLDER shall obtain a static water-level measurement for each well during MARCH of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water-rights examiner, registered professional geologist, or professional engineer. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations. If a well listed on this permit displays a total static water-level decline of 25 or more feet over any period

of years, as compared to the reference level, then the PERMIT HOLDER shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the PERMIT HOLDER'S or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The reference level for water-level declines shall be the second annual measurement taken after water use begins under the terms of this permit. The PERMIT HOLDER shall in no instance allow excessive decline to occur within the aquifer as a result of use under this permit.

November 3, 1993

ROBERT HOEFT
AH RANCHES
PO BOX 427
PILOT ROCK, OR 97868

Reference: File G 13156

Dear Mr. Hoeft:

Under separate cover I have enclosed our report of technical review. This process is fairly new to staff and has taken more time to complete than anticipated; however, we believe that the process is more fair and will allow staff to deal with issues in a more timely manner. I truly apologize for the delay.

The map of your project requires a couple of changes. Our records do not show primary rights of record totaling 12.1 acres within the SE 1/4 NE 1/4 or 16.8 acres within the SW 1/4 SE 1/4 of Section 19. Those acreage figures will have to be changed to 11.1 and 16.3 respectively. A north arrow must also be placed on the map. Your examiner will have to make the changes. 1/10/94

Our records show existing rights of record not mentioned in your application. Are certificates 2639 and 8418 still valid? Five successive years of nonuse constitutes forfeiture. These rights describe the use of water from West Birch Creek.

The Umatilla Basin Plan includes a provision that groundwater from the basalt reservoir in a five-mile radius around any PILOT ROCK municipal well may be permitted if it is documented that a barrier to ground water movement separates the proposed project from the municipal well and there will be no interference with the municipal well. ✓

Such an application would have to be referred to the Water Resources Commission for review and consideration of public interest issues unless the City affirms that it is in favor of the proposed appropriation. The City must also state whether or not they have a full time conservation program in effect. 1/10/94

You should discuss this with the City and have the Mayor/City Manager send us a letter addressing the above issues.

After submission of the corrected map and additional information and the deadline for objections to the technical review expires, staff will again review the file for objections and further process your application as soon as possible.



Please feel free to contact me if you have any questions and I will be happy to address any concerns you may have.

Sincerely,

A handwritten signature in black ink, appearing to be 'SB' with a long horizontal flourish extending to the right.

STEVE BROWN
Manager
Water Rights Division

cc: David H. Krumbein, CWRE

CITY OF PILOT ROCK

P. O. BOX 130 • 144 NORTH ALDER
PILOT ROCK, OREGON 97868
503/443-2811

September 4, 1992

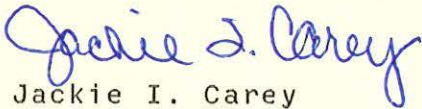
AH Ranches
P.O. Box 427
Pilot Rock, Oregon 97868

Dear Terry,

Please be advised the City, at this time, does not have any policies or objections to wells outside the city limits.

If I can be of any further assistance, please do not hesitate to contact me.

Sincerely,



Jackie I. Carey
City Recorder

JIC:jc

RECEIVED

JAN 10 1994

WATER RESOURCES DEPT.
SALEM, OREGON

January 3, 1994

Mr. Steve Brown
Oregon Resources Department
3850 Portland Rd. NE
Salem, Oregon 97310

Dear Mr. Brown:

As to your letter of November 3, 1993, the necessary changes have been made to the map. (Five copies are enclosed.)

The existing water rights of certificates 2639 and 8418 are still in use and have been used as long as they have existed.

I have enclosed a letter from the City of Pilot Rock since the well is within a five-mile radius of the City.

Please review the information enclosed and if anymore questions need to be answered, please contact me.

Sincerely,


Robert Hoeft
AH Ranch

RH/th

613156

RECEIVED

JAN 10 1994

WATER RESOURCES DEPT.
SALEM, OREGON

WaterWatch

O F O R E G O N

RECEIVED

NOV 04 1992

WATER RESOURCES DEPT.
SALEM, OREGON

October 31, 1992

Water Resources Department
3850 Portland Rd. N. E.
Salem, OR 97310

RE: Application for Permit #G13156, Robert Hoeft
W. Birch Cr. Basin, Umatilla Co., 1.5 cfs, Irrigation

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

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

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

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

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

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

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

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

Sincerely,

Jim Myron

bc:

October 26, 1992

ROBERT HOEFT
AH RANCHES
PO BOX 427
PILOT ROCK, OR 97868

REFERENCE: File(s) G-13156

We received your application(s) proposing to use water, along with supporting data and fees. Your receipt is enclosed unless you received it earlier. The application has been assigned the above referenced file number and will be reviewed in detail as time allows. If you need to call or write to us, be sure to reference the file number(s) listed above so we may assist you promptly.

Applications which are received in proper form with required maps, supporting data and fees can be considered for approval by issuance of permits following a mandatory 60-day waiting period and after public interest matters are resolved.

Processing of applications which require additional information will be delayed further. If you feel that a delay in the processing of your application will cause a hardship, please advise in writing.

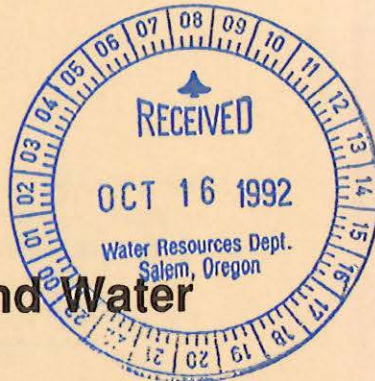
If the application is approved, the use allowed by the permit will be subject to the Water Resources Commission's Basin Program statements, instream flow requirements, and demands of prior rights.

If you have any questions, please contact the Water Right Section at the telephone number referenced below.

cc: CWRE



Application No. G-13156



State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water

Applicant(s) Robert Hoeft - AH Ranches

(Please print or type - use dark ink)

Mailing Address: P.O. Box 427 Pilot Rock, Or. 97868

443-6242

City

State

Zip

Daytime Phone No.

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

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

One well

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

Distance from development to stream: 150'

Elevation difference between streambed and development: 15'

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

Diameter of well: _____ Depth in feet: _____

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

Estimated depth to water: _____

Type of access port or measuring device:

Wells to be drilled by: _____

Address: _____

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

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: 1.5 cubic feet per second, OR gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each:

3. **INTENDED USE(s) OF WATER:** Crop Irrigation

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

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

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

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

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

Irrigation	<u>130 acres new</u>
Other (describe)	<u>165 acres supplemental</u>

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

1200 L.F. of 6" pvc water lines to existing system.

60 HP submersible and 25 HP booster

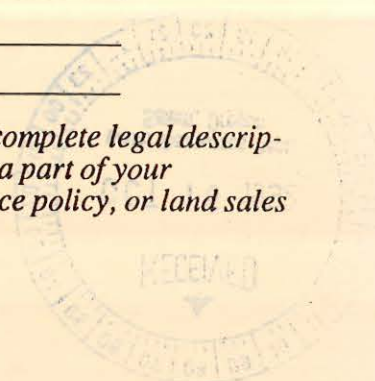
5. **PROJECT SCHEDULE:** *(List month and year)*

Proposed date construction work will begin June 1992

Proposed date construction work will be completed June 1993

Proposed date water use will be completed June 1994

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



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

_____ Applicant X CWRE _____ Other (Identify in REMARKS section)

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

_____ Applicant X CWRE _____ Other (Identify in REMARKS section)

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

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

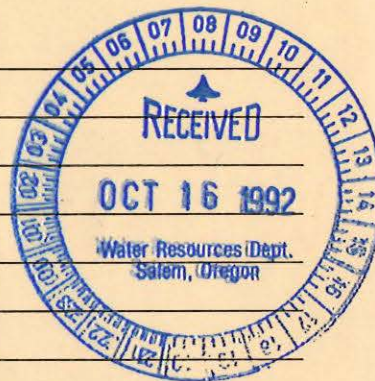
REMARKS: This water is to be supplemental to:

Permit No. G-2670

Permit 27002

Permit 28354

G-2879
34282
37796



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

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

AH Ranch Robert S. Hoelt
Signature of Applicant

Date

10/13/92

Signature of Co-Applicant, if any

Date

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

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

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

_____, 19____.

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

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 16th day of Oct, 19 92, at 8:00 o'clock, A M.

APPLICATION NO: G-13156

Description of Water Use

Application No. 6-13156
Permit No.

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

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

Applicant Name: A H Ranch
Address: PO Box 427
Pilot Rock, Oregon 97801
Phone: 443-6242 & 443-4461



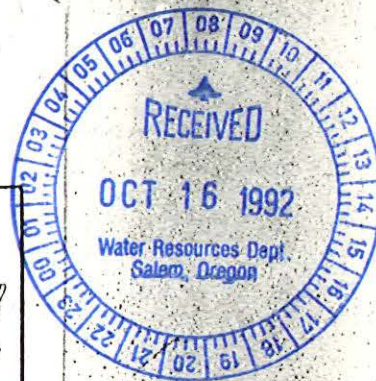
Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

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

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
☐ Surface Water Name sources: _____ _____ _____	<u>1.5</u> Cubic feet per second. _____ Gallons per minute. _____ Acre-Feet
☐ Reservoir or pond	
☒ Ground Water	

15

Application No. 6-13156
Permit No.



1832 3800
1831 1301 leg PTg 1200
2-4
2-16

R 3 PAGE 542

BARGAIN AND SALE DEED

385453

ROBERT G. HOEFT and LILLIAN A. HOEFT, husband and wife, and TONI MARIE HAMBY, BONNIE J. (HOEFT) KEY, and CLIFFORD ARNOLD HOEFT, hereinafter called grantors, convey to A H RANCH, INC. all that real property described as:

Township 1 South, Range 31, E.W.M.

Section 13: West Half of the West Half;
Southeast quarter of the Southwest Quarter.

Section 14: East Half of the East Half.

Section 24: Northwest Quarter of the Northwest Quarter;
East Half of the Northwest Quarter;
That portion of the East Half lying North of U.S. Highway No. 395.

652.50 Ac.

Ex Co. Rd. No. 672

Cont. 1-82 Ac. 6-76

650.68 Ac.

Township 1 South, Range 32, E.W.M.

Section 18: Southwest Quarter. ✓

3800

Section 19: North Half of the Northwest Quarter;
Those portions of the South Half of the Lot 2 of the Northwest Quarter; and of the Southeast Quarter of the Northwest Quarter lying North of U.S. Highway No. 395.

Ex 3801

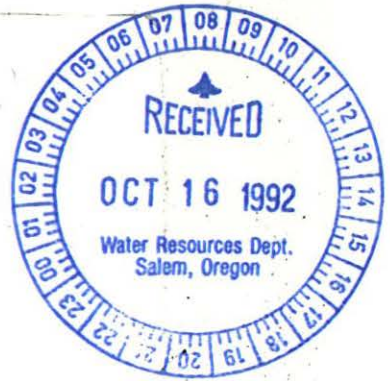
Excepting therefrom that tract of land conveyed to the State of Oregon, by and through its State Highway Commission by Deed recorded in Book 237, Page 99, Deed Records;

All being East of the Willamette Meridian, in the County of Umatilla and State of Oregon.

The true and actual consideration for this transfer is other property. No cash is involved.

Page 1 of 2 pages: Bargain and Sale Deed

BOOK 3 PAGE 542



R 3 PAGE 543

Dated this day of , 1975.

Robert G. Hoeft
Lillian A. Hoeft
Toni Marie Hamby
Bonnie J. (Hoeft) Key
Cliff A. Hoeft

STATE OF OREGON)
County of Umatilla) ss

Personally appeared the above named Robert G. Hoeft, Lillian A. Hoeft, Toni Marie Hamby, and Clifford Arnold Hoeft, and acknowledged the foregoing instrument to be their voluntary act. Before me:

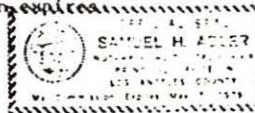
Notary Public for Oregon
My commission expires:

State of California)
County of Los Angeles) ss

Personally appeared the above named Bonnie J. (Hoeft) Key and acknowledged the foregoing instrument to be her voluntary act. Before me:



Samuel H. Adler
Notary Public for California
My commission expires:



Page 2 of 2 pages: Bargain and Sale Deed

TO 44C
(Individual)

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

on JUNE 30, 1975

before me, a Notary Public in and for said State, personally appeared

BONNIE J. (HOEFT) KEY

to be the person whose name IS subscribed to the within instrument and acknowledged that SHE executed the same.

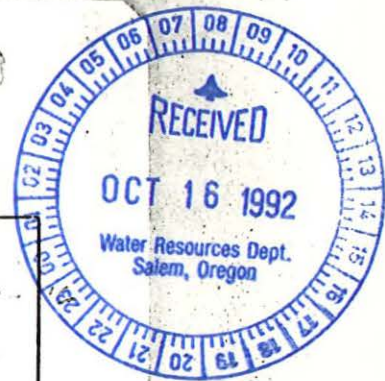
WITNESS my hand and official seal

(Seal)
Signature Samuel H. Adler

Name (Typed or Printed)
Notary Public in and for said State

4-16-76

15



gr 71126-4190
gr 71128-4190

19

R 3 PAGE 545

BARGAIN AND SALE DEED

345584

ARNOLD HOEFT and MILDRED E. HOEFT, husband and wife,
hereinafter called grantors, convey to A H RANCH, INC., all that
real property described as:

TRACT I:
The South Half of the Northeast Quarter and the
Southeast Quarter of the Northwest Quarter and
the Southwest Quarter and the West Half of the
Southeast Quarter of Section (19) and the South-
west Quarter of the Northwest Quarter of Section
(20) all in Township 1 South, Range 32, E.W.M.

All being East of the Willamette Meridian.

Excepting therefrom all land lying Northerly of
U. S. Highway No. 395: in the Southeast Quarter
of Section 24, Township 1 South, Range 31, and
in the Southeast Quarter of the Northwest
Quarter of Section 19, Township 1 South, Range
32, all East of the Willamette Meridian in the County
of Umatilla, State of Oregon.

TRACT II:

The East Half of the Southeast Quarter of Section
(19) Township 1 South, Range 32, E.W.M., except all
minerals of any nature or description whatsoever
upon, in or under aforesaid land or any part thereof,
including all coal, iron, natural gas and oil, and
also the use of such of the surface ground as may
be necessary for exploring for and mining or other-
wise extracting or carrying away the same, provided,
however, the party of the first part agrees to pay to
the parties of the second part reasonable damages to
the within described land and/or the crops and im-
provements thereon, caused by or resulting from the
exploration for or removal of said minerals.

The true and actual consideration for this transfer is other
property. No cash is involved.

DATED this 30 day of June, 1975.

STATE OF OREGON
County of Umatilla

Arnold Hoeft
Mildred E. Hoeft

Personally appeared the above named Arnold Hoeft and
Mildred E. Hoeft, and acknowledged the foregoing instrument to be
their voluntary act and deed. Before me:

Notary Public for Oregon. My Commission Expires: 11-16-76

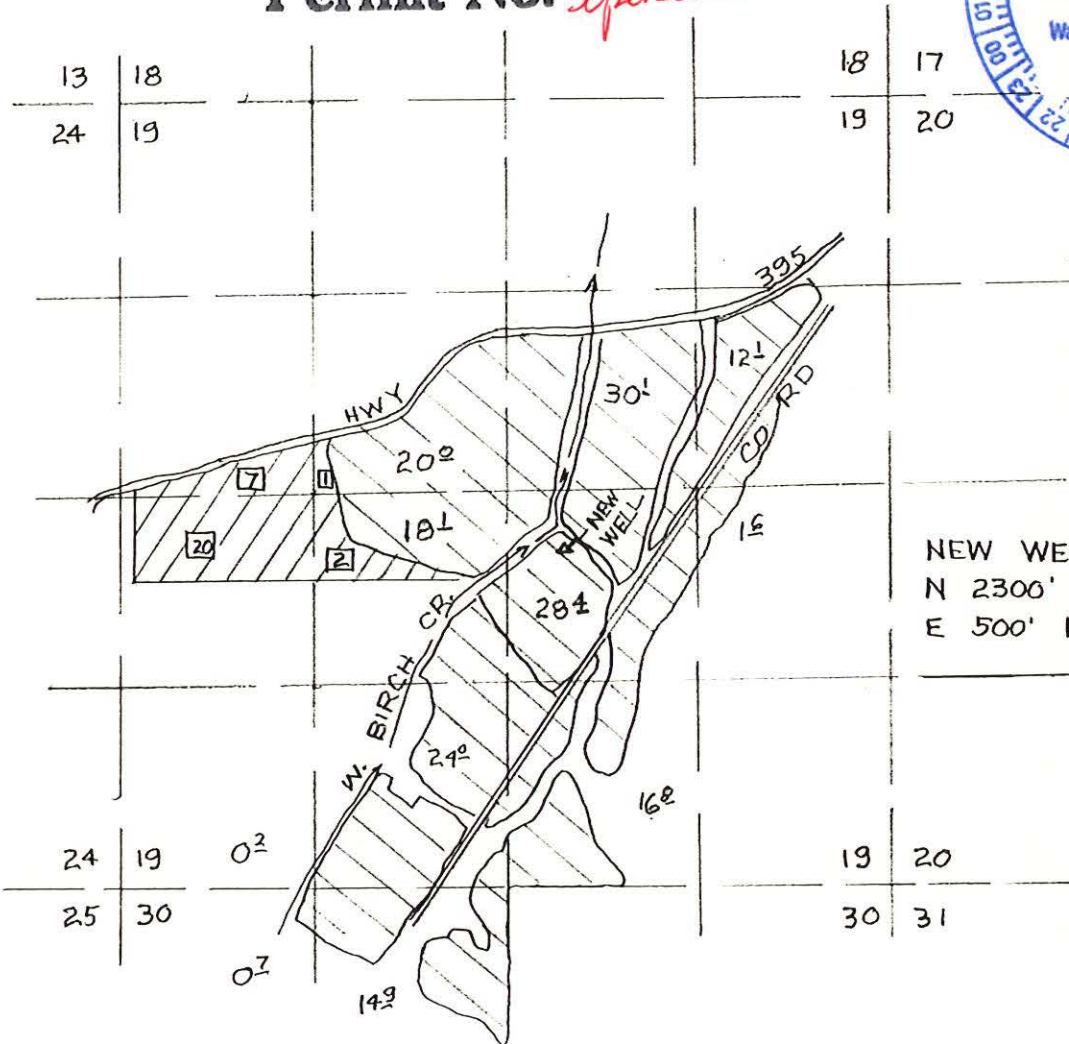
*Should c.t.
BK 146-Pg 113
Robert Hoeft et ux
to
Garnet L. Start-
evart
7-16-36
(Portion II
of HWY
+ E of West
Birch Cr.)*

11190

BOOK 3 PAGE 545

4-16-76

Application No. 6-13156
 Permit No. *Superseded*



NEW WELL
 N 2300'
 E 500' FROM S $\frac{1}{4}$ S. 19

 KRUMBEIN ENGINEERING LTD. ENGINEERS -- SURVEYORS -- PLANNERS 361 S.E. Second Pendleton, Oregon	Scale 1"=1320'	Drn. By DHK	Drng. No. 92.11A	Revision 1
	Date 10-10-92	Ckd. By	Job No. 92.33	Revision 2
GROUNDWATER APPLICATION HOEFT SE $\frac{1}{4}$, SECTION 19, T. 1S., R. 32E.				

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

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



Applicant's Name: Robert Hoeft - AH Ranches
Address: P.O. Box 427
City: Pilot Rock State: Or. Zip: 97868 Day Phone: 443-6242

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

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Use
4100 1532	EPU (Exclusive Farm Use - 160 Ac.)	X		
5400 1532	" " " " "			
4190 1532	" " " " "			

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

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

For Local Government Use Only

Local planning officials are to complete the remainder of this form. If it cannot be completed while the applicant waits, sign and detach the receipt as instructed below. You will receive notice when the applicant's water right request is filed with the Water Resources Department (WRD). You will have 30 days from the notice date to return this completed land use form to WRD. If no land use information is received from you within that period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

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

☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 3.011.1. Go to section b) on reverse side.

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

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

(over)

Receipt for Request for Land Use Information

WRD Applicant Name: _____

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application **IF** the local government cannot provide the above requested land use information while the applicant waits.

City or County: _____

Staff Contact: _____ Phone: _____

Signature: _____ Date of Information Request: _____

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: Bob Perry
Title: Senior Planner
Signature: Bob Perry

Date: 10-12-92
Phone: 276-7111, Ext 248

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.

Additional Comments:

(This area contains horizontal lines for additional comments.)

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **ARNOLD C. HOEFT**

of **P. O. Box 427, Pilot Rock**, State of **Oregon**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of a well

a tributary of **West Birch Creek (Umatilla River)** for the purpose of irrigation of **14.4 acres and supplemental irrigation of 151.0 acres** **165.4 AC**

under Permit No. **G-2670** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **June 5, 1964**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **0.56 cubic foot per second**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 19, T. 1 S., R. 32 E., W. M.** Well located: **170 feet North and 300 feet West from S $\frac{1}{4}$ Corner, Section 19.**

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to **one-eightieth** of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein,

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

Primary	Supplemental	
1.3 acres	28.8 acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$
1.5 acres	9.6 acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$
	20.0 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$
4.0 acres	14.1 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$
	0.2 acre	SW $\frac{1}{4}$ SW $\frac{1}{4}$
1.6 acres	22.4 acres	SE $\frac{1}{4}$ SW $\frac{1}{4}$
	1.6 acres	NE $\frac{1}{4}$ SE $\frac{1}{4}$
	28.4 acres	NW $\frac{1}{4}$ SE $\frac{1}{4}$
	16.3 acres	SW $\frac{1}{4}$ SE $\frac{1}{4}$
	Section 19	
5.3 acres	9.6 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$
0.7 acre		NW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 30
T. 1 S., R. 32 E., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. **May 10, 1973**

CHRIS L. WHEELER

State Engineer

STATE OF OREGON

WATER DIVISION NO. 2 COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That THOS. D. WAUGH
of Pilot Rock State of Oregon 97868 has a right to the use of
the waters of West Birch Creek a tributary of the Umatilla River,

for the purpose of the irrigation of 58 acres of land, domestic and stock use,

and that said right has been confirmed by decree of the Circuit Court of the State of
Oregon for Umatilla County, and the said decree entered of record at Salem,
in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume-3, at
page 127; that the priority of the right hereby confirmed dates from 1880 for
20 acres, 1892 for 20 acres and 1909 for 18 acres,

that the amount of water to which such right is entitled and hereby confirmed for the
purposes aforesaid, is limited to an amount actually beneficially used for said pur-
pose and shall not exceed 0.72 cubic feet per second, subject to the provisions
of paragraph 33 of said decree and all other conditions and limitations contained
in said decree.

A description of the lands irrigated under such right, and to which the water
hereby confirmed is appurtenant, or, if for other purposes, the place where such water
is put to beneficial use, is as follows: 16 acres in the Southwest quarter of Northeast
quarter; 3 acres in the Northeast quarter of Southwest quarter; 21 acres in the
Southeast quarter of Southwest quarter; 10 acres in the Northwest quarter of Southeast
quarter, and 8 acres in the Southwest quarter of Southeast quarter of Section Nineteen,
Township One South, Range Thirty-two East of Willamette Meridian, in Umatilla County,
Oregon.

The right to the use of the water aforesaid hereby confirmed is restricted to the
lands or place of use herein described.

WITNESS the seal and signature of the State
Water Board
(SEAL OF STATE WATER BOARD) of [redacted] affixed this 29th day

of December 1919
STATE WATER BOARD
[redacted]

By Percy A. Cupper,
State Engineer, President

Attest:

R. W. Potter,
Secretary

Recorded in State Record of Water Right Certificates, Volume 3, page 2639/.

STATE OF OREGON

WATER DIVISION NO. 2 COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That THOS. D. WAUGH
of Pilot Rock State of Oregon 97868 has a right to the use of
the waters of West Birch Creek a tributary of the Umatilla River,

for the purpose of the irrigation of 58 acres of land, domestic and stock use,

and that said right has been confirmed by decree of the Circuit Court of the State of
Oregon for Umatilla County, and the said decree entered of record at Salem,
in the Order Record of the ^{STATE WATER BOARD} ~~Board of Water Commissioners~~ of the State of Oregon, in Volume-³~~1~~, at
page 127; that the priority of the right hereby confirmed dates from 1880 for
20 acres, 1892 for 20 acres and 1909 for 18 acres,

that the amount of water to which such right is entitled and hereby confirmed for the
purposes aforesaid, is limited to an amount actually beneficially used for said pur-
pose and shall not exceed 0.72 cubic feet per second, subject to the provisions
of paragraph 33 of said decree and all other conditions and limitations contained
in said decree.

A description of the lands irrigated under such right, and to which the water
hereby confirmed is appurtenant, or, if for other purposes, the place where such water
is put to beneficial use, is as follows: 16 acres in the Southwest quarter of Northeast
quarter; 3 acres in the Northeast quarter of Southwest quarter; 21 acres in the
Southeast quarter of Southwest quarter; 10 acres in the Northwest quarter of Southeast
quarter, and 8 acres in the Southwest quarter of Southeast quarter of Section Nineteen,
Township One South, Range Thirty-two East of Willamette Meridian, in Umatilla County,
Oregon.

The right to the use of the water aforesaid hereby confirmed is restricted to the
lands or place of use herein described.

WITNESS the seal and signature of the ^{State}
Water Board
(SEAL OF STATE WATER BOARD) of ~~the State~~ affixed this 29th day
of December, 1919.

STATE WATER BOARD

By Percy A. Cupper,
State Engineer, President

Attest:

R. W. Potter,
Secretary

Recorded in State Record of Water Right Certificates, Volume³~~XX~~, page 2639/.

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This is to Certify, That Robert Hoeft

97868

of Pilot Rock, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of West Birch Creek a tributary of Umatilla River for the purpose of Irrigation under Permit No. 6637 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from January 8, 1925;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.3 cubic foot per second;

The point of diversion is located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 1S, Range 32EW.M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation or any other purpose), is as follows: 8 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, 2 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 9 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 1.7 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19, Township 1 South, Range 32 East of the Willamette Meridian in Umatilla County, Oregon.

The right to the use of the water for any purpose is restricted to the lands or place of use herein described.

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of section 5728, Oregon Laws.

WITNESS the signature of the State Engineer,

affixed this 10th day

of December, 19 29

Rhea Luper

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 8, page 8418.

VOR

STATE OF OREGON
COUNTY OF **UMATILLA**

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **ARNOLD C. HOEFT**

of **P. O. Box 427, Pilot Rock**, State of **Oregon** **97868**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of **two springs**

a tributary of **West Birch Creek** for the purpose of **supplemental irrigation of 88.5 acres**

under Permit No. **28354** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **July 10, 1962**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **1.11 cubic foot per second, being 0.22 cubic foot per second from East Spring and 0.89 cubic foot per second from West Spring**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19, T. 1 S., R. 32 E., W. M. Springs located: 2070 feet North and 220 feet East; 2220 feet North and 530 feet East, both from S $\frac{1}{4}$ Corner, Section 19.**

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to **one-fortieth** of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed **4 acre feet per acre** for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land, and shall not exceed the limitation allowed herein,

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

**30.1 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
20.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
11.2 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
24.3 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
2.9 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 19
T. 1 S., R. 32 E., W. M.**

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed
this date. **May 10, 1973**

CHRIS L. WHEELER

State Engineer

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **ARNOLD HOEFT**

of **Box 773, Pilot Rock**, State of **Oregon**, has made proof to the satisfaction of the **STATE ENGINEER** of Oregon, of a right to the use of the waters of **West Birch Creek**

a tributary of **Umatilla River**
irrigation of **86.1 acres**

for the purpose of

under Permit No. **27002** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **October 17, 1960 for 0.77 c.f.s.**
August 29, 1960 for 1.0 c.f.s.

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **1.77 cubic foot per second**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19 and NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 30, T. 1 S., R. 32 E., W. M.**

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to **one-fortieth** of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed **$\frac{1}{2}$ acre feet per acre** for each acre irrigated during the irrigation season of each year,

and shall

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

10.8 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
0.6 acre SE $\frac{1}{4}$ NE $\frac{1}{4}$
20.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
11.2 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
1.4 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
1.6 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
19.9 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
11.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 19
9.6 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 30
T. 1 S., R. 32 E., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. August 9, 1965

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 24, page 32349

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This is to Certify, That Robert Hoeft

97868

of Pilot Rock, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of West Birch Creek a tributary of Umatilla River for the purpose of

Irrigation under Permit No. 6637 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from January 8, 1925;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.3 cubic foot per second;

The point of diversion is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, Township 1S, Range 32EW. M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation or any other purpose), is as follows: 8 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, 2 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 9 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 1.7 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19, Township 1 South, Range 32 East of the Willamette Meridian in Umatilla County, Oregon.

The right to the use of the water for any purpose is restricted to the lands or place of use herein described.

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of section 5728, Oregon Laws.

WITNESS the signature of the State Engineer,

affixed this 10th day

of December, 19 29

Rhea Luper

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 8, page 8418.

VOR