

Mailing List for Final Certificate

Application: G-15085

Permit: G-13990

Certificate: 99109

Permit/Certificate Holder:

MOMTAZI FAMILY LLC
2083 CALVIN COURT
MCMINNVILLE OR 97128

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **YES**

Copies of Final Certificate to be sent to:

1. Watermaster District #: 22 (auto email)
2. File
3. Vault

Other persons to receive copies: (include map):

1. H and R Engineering LLC
Leland Hardy, CWRE
1955 Salem Dallas Hwy. NW #922
Salem, OR 97304

Copies Mailed by: <u>TM</u> (STAFF) on: <u>MAY 15 2026</u> (DATE)



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

DATE MAILED: MAY 15 2026

NOTICE OF CERTIFICATE ISSUANCE

The attached certificate confirms the water right established under the terms of a permit issued by this Department: The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

The certificate is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in-a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions, please contact Codi Holmes at 503-979-3184.

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MOMTAZI FAMILY LLC
MOE MOMTAZI
2083 CALVIN COURT
MCMINNVILLE OR 97128

confirms the right to the use of water perfected under the terms of Permit G-13990. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-15085

SOURCE OF WATER: BASALT AQUIFRE: WELL 1 AND WELL 2 WITHIN THE MUDDY CREEK BASIN; MARINE ROCK AQUIFER: WELL 5, AND WELL 6 WITHIN THE MUDDY CREEK BASIN

PURPOSE or USE: IRRIGATION OF 6.0 ACRES, SUPPLEMENTAL IRRIGATION OF 212.7 ACRES AND NURSERY OPERATIONS ON 0.05 ACRES

MAXIMUM RATE: IRRIGATION USE: 0.198 CUBIC FOOT PER SECOND (CFS), BEING 0.033 CFS FROM WELL 1, 0.033 CFS FROM WELL 2, 0.022 CFS FROM WELL 5, 0.11 CFS FROM WELL 6; NURSERY OPERATIONS: 0.033 CFS FOR NURSERY OPERATIONS FROM WELL 1 ON 0.05 ACRES

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND SUPPLEMENTAL IRRIGATION, AND, NOVEMBER 1 THROUGH APRIL 30 OF EACH YEAR FOR NURSERY OPERATIONS ON 0.05 ACRES

DATE OF PRIORITY: JANUARY 28, 2000

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
5 S	5 W	WM	9	NE NE		WELL 6 (YAMH 51626) – 1320 FEET SOUTH AND 48 FEET WEST FROM NE CORNER, SECTION 9
5 S	5 W	WM	9	NW SW	4	WELL 5 (YAMH 51623) – 2510 FEET NORTH AND 980 FEET EAST FROM SW CORNER, SECTION 9
5 S	5 W	WM	9	NE SW		WELL 1 (YAMH 7270) – 1584 FEET NORTH AND 1390 FEET EAST FROM SW CORNER, SECTION 9
5 S	5 W	WM	9	NW SE		WELL 2 (YAMH 7272) – 2170 FEET NORTH AND 2370 FEET WEST FROM SE CORNER, SECTION 9

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

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

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime, during the period of allowed use specified above, that the use is beneficial.

A description of the place of use is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	5 W	WM	9	NW SE	2.6
5 S	5 W	WM	9	SW SE	3.4

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
5 S	5 W	WM	4	SE SE		6.4
5 S	5 W	WM	9	NE NE		28.5
5 S	5 W	WM	9	NW NE	4	18.2
5 S	5 W	WM	9	SW NE		17.3
5 S	5 W	WM	9	SE NE		10.2
5 S	5 W	WM	9	NE NW	3	2.4
5 S	5 W	WM	9	SW NW		0.7
5 S	5 W	WM	9	SE NW	5	25.4
5 S	5 W	WM	9	NE SW		29.3
5 S	5 W	WM	9	NW SW	6	9.6
5 S	5 W	WM	9	SW SW	7	4.8
5 S	5 W	WM	9	SE SW		4.4
5 S	5 W	WM	9	NE SE		17.8
5 S	5 W	WM	9	NW SE		12.9
5 S	5 W	WM	9	SW SE		6.1
5 S	5 W	WM	10	NW NW		3.3
5 S	5 W	WM	10	SW NW		5.9
5 S	5 W	WM	16	NW NW		9.5

NURSERY OPERATIONS					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	5 W	WM	9	SE SW	0.05

Measurement, recording and reporting conditions:

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

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

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, 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.

To monitor the effect of water use from the well authorized under this right, the Director may require 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. The 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 three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The reference level against which any future measurements will be compared is 23.5 feet below land surface for Well 1, 10.74 feet below land surface for Well 2, 36.03 feet below land surface for Well 5 and 85.0 feet below land surface for Well 6.

The period of non-use or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the water user'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 right. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

The well(s) shall be maintained 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 the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

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

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

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

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

THIS CERTIFICATE IS ISSUED TO CORRECT A SCRIVENER'S ERROR REGARDING THE QQ OF WELL 5, AND SUPERSEDES CERTIFICATE 98920.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued **MAY 15 2026**.

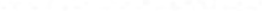


Katherine Ratcliffe
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

T. 5 S., R.5 W., W.M.

Location: The NE 1/4, SE 1/4, NW 1/4 & SW 1/4 of the NE 1/4 and The NE 1/4, NW 1/4 & SW 1/4 of the SE 1/4 and the NE 1/4, SE 1/4, NW 1/4 & SW 1/4 of the SW 1/4 and The NE 1/4, SE 1/4 & SW 1/4 of the NW 1/4 of Section 9, The SW 1/4 of the NW 1/4 and The NW 1/4 of the SW 1/4 of Section 10, The SE 1/4 of the SE 1/4 of Section 4, The NW 1/4 of the NW 1/4 of Section 16, T. 5 S., R.5 W., W.M., Yamhill County, OR

LEGEND:

-  = Tax Lot Line
-  = Property line
-  = D.L.C. line
-  = Section line
-  = "40" line
-  = Irrigation Mainlines, 4", 3" & 2" PVC, HDPE
-  = Unnamed Intermittent Stream
-  = Surface Water Appl. S-84126, Primary
-  = Ground Water Appl. G-15085, Supplemental
-  = Ground Water Appl. G-15085, Primary

Surface water sources
unnamed tributaries of the
South Yamhill River

RECEIVED

SEP 07 2016

WATER RESOURCES DEPT
SALEM, OREGON Scale: 1" = 660'

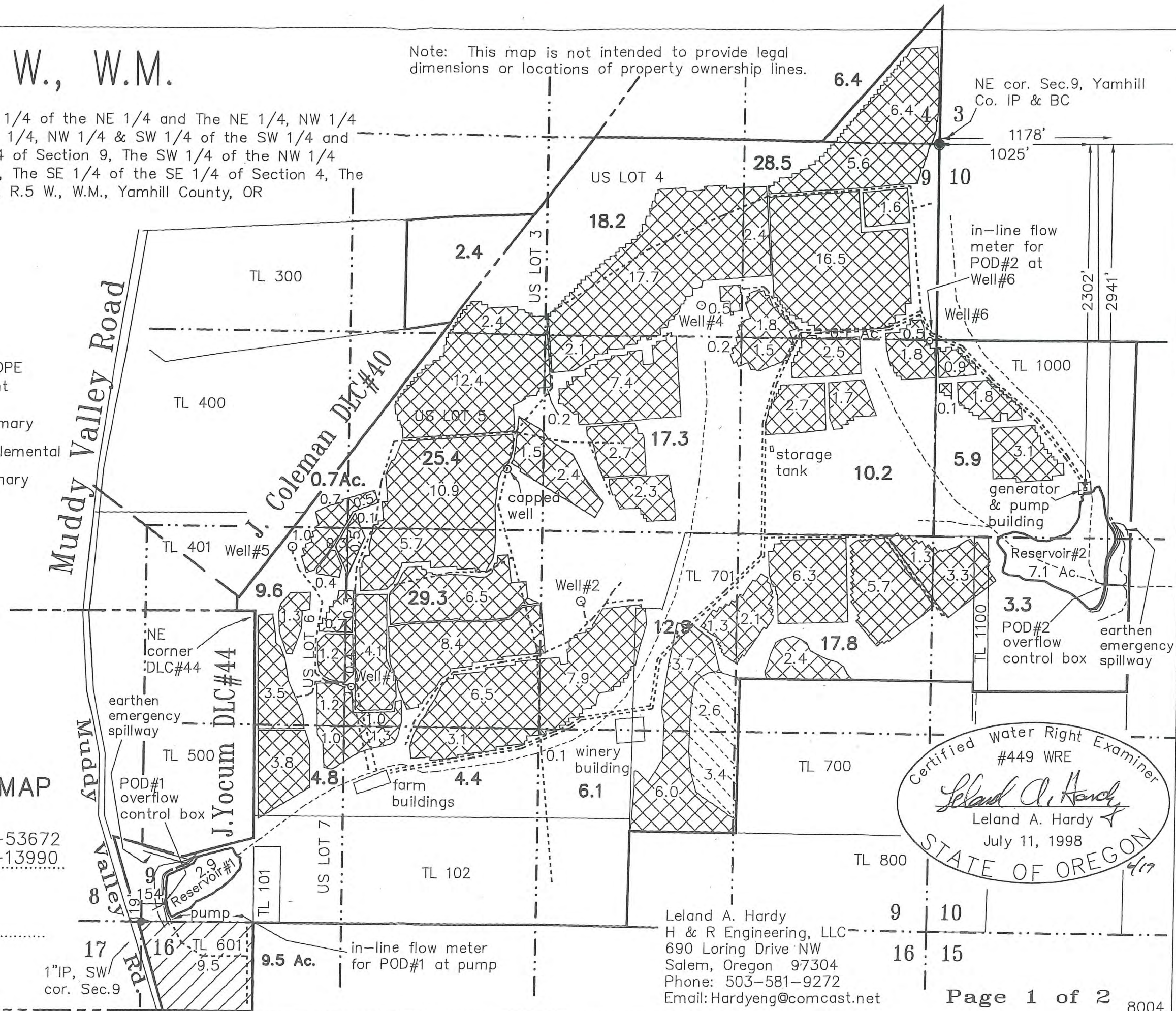
CLAIMS OF BENEFICIAL USE MAP

UNDER
S-84126 S-53672
Application No. G-15085 Permit No. G-13990

IN NAME OF
MOMTAZI FAMILY, LLC

Surveyed July, 2015

Note: This map is not intended to provide legal dimensions or locations of property ownership lines.



Certified Water Right Examiner
#449 WRE
Leland A. Hardy
Leland A. Hardy
July 11, 1998
STATE OF OREGON

Leland A. Hardy
H & R Engineering, LLC
690 Loring Drive NW
Salem, Oregon 97304
Phone: 503-581-9272
Email: Hardyeng@comcast.net

Mailing List for Final Certificate

Application: G-15085

Permit: G-13990

Certificate: 98920

Permit/Certificate Holder:

MOMTAZI FAMILY LLC
2083 CALVIN COURT
MCMINNVILLE OR 97128

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **YES**

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3. Vault

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Leland Hardy, CWRE
1955 Salem Dallas Hwy. NW #922
Salem, OR 97304

Copies Mailed
by: <u>TH</u> (STAFF)
on: <u>JAN 30 2026</u> (DATE)



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

DATE MAILED: JAN 30 2026

NOTICE OF CERTIFICATE ISSUANCE

The attached certificate confirms the water right established under the terms of a permit issued by this Department: The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

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STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MOMTAZI FAMILY LLC
MOE MOMTAZI
2083 CALVIN COURT
MCMINNVILLE OR 97128

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APPLICATION FILE NUMBER: G-15085

SOURCE OF WATER: BASALT AQUIFRE: WELL 1 AND WELL 2 WITHIN THE MUDDY CREEK BASIN; MARINE ROCK AQUIFER: WELL 5, AND WELL 6 WITHIN THE MUDDY CREEK BASIN

PURPOSE or USE: IRRIGATION OF 6.0 ACRES, SUPPLEMENTAL IRRIGATION OF 212.7 ACRES AND NURSERY OPERATIONS ON 0.05 ACRES

MAXIMUM RATE: IRRIGATION USE: 0.198 CUBIC FOOT PER SECOND (CFS), BEING 0.033 CFS FROM WELL 1, 0.033 CFS FROM WELL 2, 0.022 CFS FROM WELL 5, 0.11 CFS FROM WELL 6; NURSERY OPERATIONS: 0.033 CFS FOR NURSERY OPERATIONS FROM WELL 1 ON 0.05 ACRES

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DATE OF PRIORITY: JANUARY 28, 2000

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
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A description of the place of use is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
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SUPPLEMENTAL IRRIGATION						
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NURSERY OPERATIONS					
Twp	Rng	Mer	Sec	Q-Q	Acres
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Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device as approved by the Director in good working order.
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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 three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The reference level against which any future measurements will be compared is 23.5 feet below land surface for Well 1, 10.74 feet below land surface for Well 2, 36.03 feet below land surface for Well 5 and 85.0 feet below land surface for Well 6.

The period of non-use or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the water user'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 right. 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.

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The Director may require water level or pump test results every ten years.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued JAN 30 2026.



Katherine Ratcliffe
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

T. 5 S., R.5 W., W.M.

Location: The NE 1/4, SE 1/4, NW 1/4 & SW 1/4 of the NE 1/4 and The NE 1/4, NW 1/4 & SW 1/4 of the SE 1/4 and the NE 1/4, SE 1/4, NW 1/4 & SW 1/4 of the SW 1/4 and The NE 1/4, SE 1/4 & SW 1/4 of the NW 1/4 of Section 9, The SW 1/4 of the NW 1/4 and The NW 1/4 of the SW 1/4 of Section 10, The SE 1/4 of the SE 1/4 of Section 4, The NW 1/4 of the NW 1/4 of Section 16, T. 5 S., R.5 W., W.M., Yamhill County, OR

LEGEND:

-  = Tax Lot Line
-  = Property line
-  = D.L.C. line
-  = Section line
-  = "40" line
-  = Irrigation Mainlines, 4", 3" & 2" PVC, HDPE
-  = Unnamed Intermittent Stream
-  = Surface Water Appl. S-84126, Primary
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Surface water sources
unnamed tributaries of the
South Yamhill River

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SEP 07 2016

WATER RESOURCES DEPT
SALEM, OREGON Scale: 1" = 660'

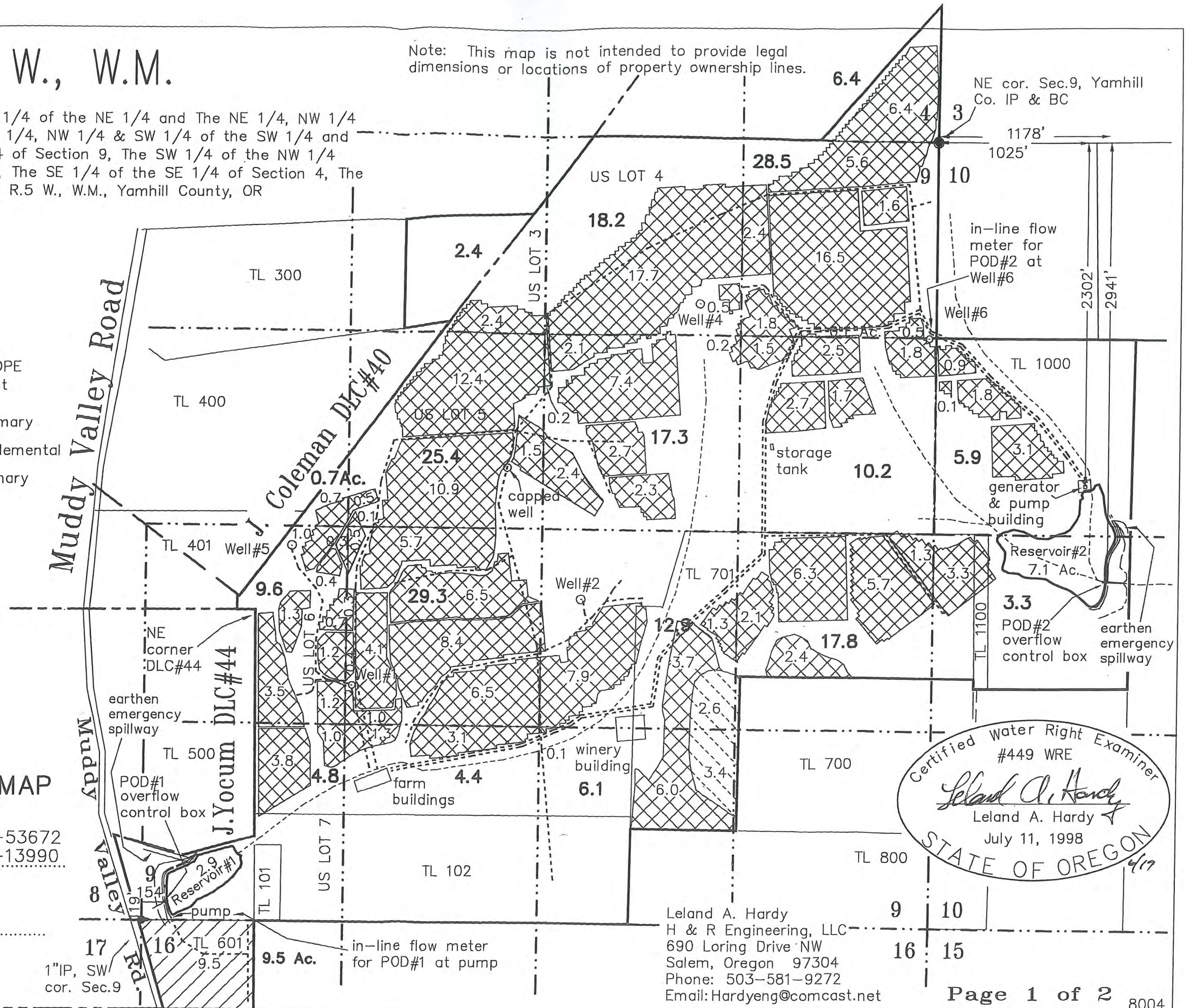
CLAIMS OF BENEFICIAL USE MAP

UNDER
S-84126 S-53672
Application No. G-15085 Permit No. G-13990

IN NAME OF
MOMTAZI FAMILY, LLC

Surveyed July, 2015

Note: This map is not intended to provide legal dimensions or locations of property ownership lines.



Certified Water Right Examiner
#449 WRE
Leland A. Hardy
Leland A. Hardy
July 11, 1998
STATE OF OREGON

Leland A. Hardy
H & R Engineering, LLC
690 Loring Drive NW
Salem, Oregon 97304
Phone: 503-581-9272
Email: Hardyeng@comcast.net

T. 5 S., R.5 W., W.M.

Location: The NE 1/4, SE 1/4, NW 1/4 & SW 1/4 of the NE 1/4 and The NE 1/4, NW 1/4 & SW 1/4 of the SE 1/4 and the NE 1/4, SE 1/4, NW 1/4 & SW 1/4 of the SW 1/4 and The NE 1/4, SE 1/4 & SW 1/4 of the NW 1/4 of Section 9, The SW 1/4 of the NW 1/4 and The NW 1/4 of the SW 1/4 of Section 10, The SE 1/4 of the SE 1/4 of Section 4, The NW 1/4 of the NW 1/4 of Section 16, T. 5 S., R.5 W., W.M., Yamhill County, OR

WELL TABLE - POA				
Well	North-South	East-West	From Section Corner	Flow Meter Location
Well #1	1584'N	1390'E	SW corner of Section 9	at well head
Well #2	2170'N	2370'W	SE corner of Section 9	at well head
Well #3	N/A	N/A	N/A	N/A
Well #4	1115'S	1596'W	NE corner of Section 9	well not used
Well #5	2510'N	980'E	SW corner of Section 9	at well head
Well #6	1320'S	48'W	NE corner of Section 9	at well head

POND TABLE - POD				
Pond	North-South	East-West	From Section Corner	Flow Meter Location
Pond #1	119'N	154'E	SW corner of Section 9	at pump
Pond #2	2941'S	1178'E	NE corner of Section 9	at well #6

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H & R Engineering, LLC
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CLAIMS OF BENEFICIAL USE

RECEIVED

SEP 07 2016

UNDER
S-84126 S-53672
Application No. G-15085 Permit No. G-13990

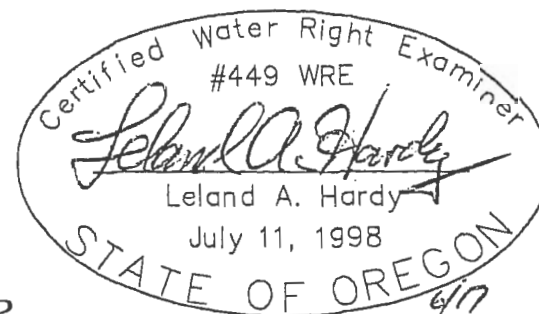
WATER RESOURCES DEPT
SALEM, OREGON

IN NAME OF

MCMTAZI FAMILY, LLC

Surveyed July, 2015

Page 2 of 2



Mailing List for Proposed Certificate

Application: G-15085

Permit: G-13990

Certificate: 031 0

Permit/Certificate Holder:

MOMTAZI FAMILY LLC
2083 CALVIN COURT
MCMINNVILLE OR 97128

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **YES**

Copies of Proposed Certificate to be sent to:

1. Watermaster District #: 22
2. File

Other persons to receive copies: (include map):

1. Leland Hardy, CWRE

Copies Mailed

by: TM
(STAFF)

on: 10.10.2025
(DATE)



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

www.oregon.gov/owrd

Reference: Application G-15085 Permit G-13990

The Pump Test requirement for the permit has not yet been satisfied. Oregon Administrative Rule 690-217-0020(1) requires that ground water permit holders with a priority date on or after December 20, 1988 submit the results of a pump test for each well listed in your claim of beneficial use before a water right certificate can be issued. These rules also allow the well owner to request one of two types of exemptions related to the testing of the well(s). The first type of exemption request is for an "Unreasonable Burden." This exemption can be requested if testing the well(s) would place an unreasonable burden on the well owner (OAR 690-217-0015(3) and (4)). Examples could include a) an economic hardship or b) the test would cause an interruption of services to customers or possible other necessary uses from the well (domestic, livestock, ect.). The second exemption request allows an owner with multiple wells to request that a qualifying, previously approved pump test on one of their wells be used to satisfy the requirement for additional wells under their ownership (OAR 690-217-0020(3)). No fee is required to request either type of exemption. Exemptions must be requested in writing using one of the two exemption forms before being considered. A one page description of the Pump Test Program along with the necessary forms to request either type of exemption or perform the test is attached. Should you have any additional questions concerning the Pump Test requirements, please contact Pump Test Program by sending an email to: wr_d_l_pumptestsupport@water.oregon.gov

If you are not listed as the permit holder of record, and you are the current landowner, and would like to have the final certificate issued in your name, you may apply through the Department to have the permit assigned to you. If you have any questions about the assignment process, please contact Mary Bjork at 503-979-9895 or mary.f.bjork@waer.oregon.gov.

Please see enclosures which include 1) a Pump Test Packet and 2) A copy of the Permit. Please contact the Department and let us know how you wish to proceed. If you have any questions please contact me via email at codi.n.holmes@water.oregon.gov.

Sincerely,

Codi Holmes

Codi Holmes
Certificate Section

enclosures

Cc: File G-14184

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MOMTAZI FAMILY LLC
MOE MOMTAZI
2083 CALVIN COURT
MCMINNVILLE OR 97128

confirms the right to the use of water perfected under the terms of Permit G-13990. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-15085

SOURCE OF WATER: BASALT AQUIFER: WELL 1 AND WELL 2 WITHIN THE MUDDY CREEK BASIN; MARINE ROCK AQUIFER: WELL 5, AND WELL 6 WITHIN THE MUDDY CREEK BASIN

PURPOSE or USE: IRRIGATION OF 6.0 ACRES, SUPPLEMENTAL IRRIGATION OF 212.7 ACRES AND NURSERY OPERATIONS ON 0.05 ACRES

MAXIMUM RATE: IRRIGATION USE: 0.198 CUBIC FOOT PER SECOND (CFS), BEING 0.033 CFS FROM WELL 1, 0.033 CFS FROM WELL 2, 0.022 CFS FROM WELL 5, 0.11 CFS FROM WELL 6; NURSERY OPERATIONS: 0.033 CFS FOR NURSERY OPERATIONS FROM WELL 1 ON 0.05 ACRES

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND SUPPLEMENTAL IRRIGATION, AND, NOVEMBER 1 THROUGH APRIL 30 OF EACH YEAR FOR NURSERY OPERATIONS ON 0.05 ACRES

DATE OF PRIORITY: JANUARY 28, 2000

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Glott	Measured Distances
5 S	5 W	WM	9	NE NE		WELL 6 (YAMH 51626) – 1320 FEET SOUTH AND 48 FEET WEST FROM NE CORNER, SECTION 9
5 S	5 W	WM	9	NW NE	4	WELL 5 (YAMH 51623) – 2510 FEET NORTH AND 980 FEET EAST FROM SW CORNER, SECTION 9
5 S	5 W	WM	9	NE SW		WELL 1 (YAMH 7270) – 1584 FEET NORTH AND 1390 FEET EAST FROM SW CORNER, SECTION 9
5 S	5 W	WM	9	NW SE		WELL 2 (YAMH 7272) – 2170 FEET NORTH AND 2370 FEET WEST FROM SE CORNER, SECTION 9

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

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

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime, during the period of allowed use specified above, that the use is beneficial.

A description of the place of use is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	5 W	WM	9	NW SE	2.6
5 S	5 W	WM	9	SW SE	3.4

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
5 S	5 W	WM	4	SE SE		6.4
5 S	5 W	WM	9	NE NE		28.5
5 S	5 W	WM	9	NW NE	4	18.2
5 S	5 W	WM	9	SW NE		17.3
5 S	5 W	WM	9	SE NE		10.2
5 S	5 W	WM	9	NE NW	3	2.4
5 S	5 W	WM	9	SW NW		0.7
5 S	5 W	WM	9	SE NW	5	25.4
5 S	5 W	WM	9	NE SW		29.3
5 S	5 W	WM	9	NW SW	6	9.6
5 S	5 W	WM	9	SW SW	7	4.8
5 S	5 W	WM	9	SE SW		4.4
5 S	5 W	WM	9	NE SE		17.8
5 S	5 W	WM	9	NW SE		12.9
5 S	5 W	WM	9	SW SE		6.1
5 S	5 W	WM	10	NW NW		3.3
5 S	5 W	WM	10	SW NW		5.9
5 S	5 W	WM	16	NW NW		9.5

NURSERY OPERATIONS					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	5 W	WM	9	SE SW	0.05

Measurement, recording and reporting conditions:

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

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

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, 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.

To monitor the effect of water use from the well authorized under this right, the Director may require 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. The 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 three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The reference level against which any future measurements will be compared is 23.5 feet below land surface for Well 1, 10.74 feet below land surface for Well 2, 36.03 feet below land surface for Well 5 and 85.0 feet below land surface for Well 6.

The period of non-use or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the water user'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 right. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

The well(s) shall be maintained 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 the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

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

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

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

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

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued _____.

Katherine Ratcliffe
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

T. 5 S., R.5 W., W.M.

Location: The NE 1/4, SE 1/4, NW 1/4 & SW 1/4 of the NE 1/4 and The NE 1/4, NW 1/4 & SW 1/4 of the SE 1/4 and the NE 1/4, SE 1/4, NW 1/4 & SW 1/4 of the SW 1/4 and The NE 1/4, SE 1/4 & SW 1/4 of the NW 1/4 of Section 9, The SW 1/4 of the NW 1/4 and The NW 1/4 of the SW 1/4 of Section 10, The SE 1/4 of the SE 1/4 of Section 4, The NW 1/4 of the NW 1/4 of Section 16, T. 5 S., R.5 W., W.M., Yamhill County, OR

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690 Loring Drive NW
Salem, Oregon 97304
Phone: 503-581-9272
Email: Hardyeng@comcast.net

CLAIMS OF BENEFICIAL USE

UNDER

S-84126

S-53672

Application No. G-15085

Permit No. G-13990

IN NAME OF

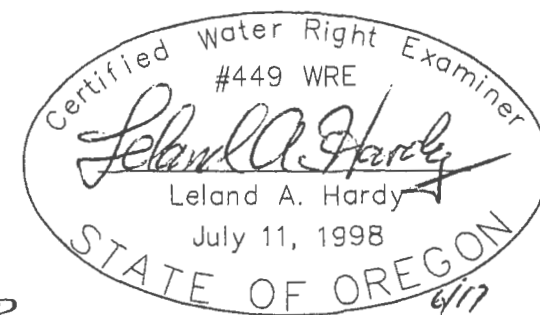
MOMTAZI FAMILY, LLC

Surveyed July, 2015

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SEP 07 2016

WATER RESOURCES DEPT
SALEM, OREGON



T. 5 S., R.5 W., W.M.

Location: The NE 1/4, SE 1/4, NW 1/4 & SW 1/4 of the NE 1/4 and The NE 1/4, NW 1/4 & SW 1/4 of the SE 1/4 and the NE 1/4, SE 1/4, NW 1/4 & SW 1/4 of the SW 1/4 and The NE 1/4, SE 1/4 & SW 1/4 of the NW 1/4 of Section 9, The SW 1/4 of the NW 1/4 and The NW 1/4 of the SW 1/4 of Section 10, The SE 1/4 of the SE 1/4 of Section 4, The NW 1/4 of the NW 1/4 of Section 16, T. 5 S., R.5 W., W.M., Yamhill County, OR

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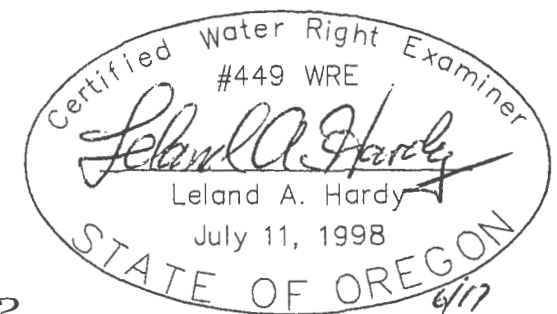
WATER RESOURCES DEPT
SALEM, OREGON

IN NAME OF

MOMTAZI FAMILY, LLC

Surveyed July, 2015

Page 2 of 2



PERMIT

MEMO -Proof to Satisfaction

PROP - NO PT

Application # <u>G15085</u>	Permit # <u>G13990</u>	Permit Amendment (T-FILE)#
WRD Reviewer (CW) <u>holmes</u>	Date	
WRD Peer Reviewer (PR) <u>J Skene</u>	Date <u>9/25</u>	
Related Files:		

CW	PR	RESEARCH
☐	☒	Organize: file in chronological Order; Pull following items from paper file:
		☒ CBU Report/Map ☐ App (Permit) Map ☐ Assignment ☐ Extension fo <u>6/22/2010</u> ☐ Fish Screen Doc ☐ Pump Test ☒ n/a ☐ n/a ext (date <u>07/20/15</u>) ☐ Permit Amendment ☐ n/a ☒ SWL (paper) ☐ Water Use Charts
		Electronic Application Folder:
☐	☒	☒ Create CBU folder ☐ Create Work Packet folder
☐	☒	Scan: Above documents into "CBU Folder"
☐	☒	Save other docs electronically: save these in the Work Packet folder per naming conventions
		☒ Permit ☐ Transfer Order ☐ POU Report (conflict) ☐ Water Use Report ☐ n/a ☐ n/a ☐ n/a ☐ n/a
		☒ SWL (GW) ☐ OrMap Tax Lot Map ☐ Ownership Report ☐ BLM Map ☐ n/a <u>YAMH 555W 9, 10, 16</u>
		☒ PT Approve/Deny ☐ Dam Safety ☐ Mitigation ☐ Others ☐ n/a <u>NONE</u> ☒ n/a ☒ n/a
☐	☒	Search :
☐	☒	☒ Interactive Mapper ☐ AOI ☐ Map and TaxLot New Owner & Address: ☐ n/a ☒ n/a
		Research Comments:

REVIEW OF CLAIM: Comments on Second Page

Required By Permit/Order	Complied Y/N	CONDITIONS	NOTES:
☐ Yes ☒ No ☐ n/a	☐ Y ☐ N	Fish Condition	
☒ Yes ☐ No ☐ n/a	☐ Y ☐ N	Meter/Measuring Device	
☐ Yes ☒ No ☐ n/a	☐ Y ☐ N	Water Use Reporting	<u>MM</u>
☒ Yes ☐ No ☐ n/a	☐ Y ☒ N	Pump Test	<u>NO-</u>
☒ Yes ☐ No ☐ n/a	☒ Y ☐ N	SWL <u>MM</u> (Month)	<u>2002, 2003</u>
☐ Yes ☐ No ☐ n/a	☐ Y ☐ N	Dam Safety	
☐ Yes ☐ No ☐ n/a	☐ Y ☐ N	Well Id	
☐ Yes ☐ No ☒ n/a	☐ Y ☐ N	Other:	
☐ Yes ☐ No ☐ n/a	☐ Y ☐ N	C-date <u>07/1/2005</u>	Ext C-date <u>10/1/2015</u>

SIGN 6/13/2001REVIEW OF MAP: ☐ Yes ☐ No is a REVISED Map required?

CW	PR	Notes:
☐	☒	Verify POA/POD Location
☐	☒	Verify POU
☐	☒	POU clearly identified use type
☐	☒	DLC/GOV'T LOT

RUN CAPACITY CALCULATOR AND SAVE CALCS TO APPLICATION FOLDER: P: 9.83AC SUPP 403.42

POD/POA PERMIT	POD/POA CLAIM	PERMITTED RATE <u>11-9/30</u>	CLAIM RATE	CALCULATED RATE	NOTES: <u>12/3/11-10/31 N. 11-4/30</u>
Well 1 <u>YAMH 7270</u>	<u>YAM 7270</u>	<u>0.033</u>	<u>0.033</u>	<u>0.035</u>	
Well 2 <u>7272</u>	<u>YAM 7272</u>	<u>0.033</u>		<u>0.033</u>	
<u>4 51194</u>		<u>0.04</u>			
<u>5 51623</u>	<u>YAM 51623</u>	<u>0.022</u>		<u>0.022</u>	
<u>6 51626</u>	<u>YAM 51626</u>	<u>0.124</u>			
		<u>0.239</u>		<u>0.198</u>	

212.7 = 2.65 CFS

NURSEY OPEN
NO: 0.05AC

DETERMINATION:

CW	PR	DOCUMENT	NOTES:
☐	☐	LETTER FOR CLARIFICATION	
☐	☐	DRAFT (PLEASE EXPLAIN)	
☐	☐	PROPOSED	
☐	☐	FINAL	
☐	☐	PROPOSED ORDER TO CANCEL	

FINAL CHECKS: Review your document; BEFORE printing proposed for Support

CW	PR	DID YOU CHECK?	NOTES:
☐	☐	DATA REVIEW	
		☐ POA/POD/DAM TABLES/DESCRIPTIONS	☐ PLACE OF USE TABLES, INCLUDING ACRES FOR GOV'T LOTS/DLC
☐	☐	SPELL CHECKED DOC	
☐		CERT NUMBER ISSUED	CERT #

EXTRAS: BEFORE Printing your Final Certificate

CW	PR	DID YOU CHECK?	NOTES:
☐	☐	DATA REVIEW COMMENTS	
☐	☐	SPELL CHECKED DOC BEFORE FINAL CERTIFICATE PRINTED	

CASEWORKER REVIEW COMMENTS:**PEER REVIEWER COMMENTS:**

Well 1 YAMH 7270 2002 2003 2010
 Well 2 YAMH 7272 2002 2003 2010
 Well 4 YAMH 51754 2002 2003 2010
 Well 5 YAMH 51623 2002 2003 2010
 Well 6 YAMH 51626 2002 2003 2010

CLAIM OF BENEFICIAL USE



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

**A fee of \$175 must accompany this form for permits
with priority dates after July 8, 1987.**

**A fee of \$175 must accompany this form for any Transfer final orders
including a water right with a priority date of July 9, 1987, or later.**

**Example – A transfer involves 5 rights and one of the rights
has a priority date of July 9, 1987, or later, the fee is required.**

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at: http://www.oregon.gov/owrd/pages/wr/cwre_info.aspx

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete**

RECEIVED

SEP 07 2016

WATER RESOURCES DEPT
SALEM, OREGON

SECTION 1

GENERAL INFORMATION

1. File Information

APPLICATION # (G, R, S or T) G-15085	PERMIT # (IF APPLICABLE) G-13990	PERMIT AMENDMENT # (IF APPLICABLE)
--	--	------------------------------------

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Momtazi Family LLC		PHONE NO. 503-843-1235	ADDITIONAL CONTACT NO. 503-843-1234
ADDRESS 15765 SW Muddy Valley Road			
CITY McMinnville	STATE OR	ZIP 97128	E-MAIL moe@maysara.com

If the current property owner is not the permit or transfer holder of record, it is recommended that an assignment be filed with the Department. ***Each** permit or transfer holder of record must sign this form.*

3. Permit or transfer holder of record (this may, or may not, be the current property owner)

PERMIT OR TRANSFER HOLDER OF RECORD Momtazi Family LLC		
ADDRESS 2083 Colvin Court		
CITY McMinnville	STATE OR	ZIP 97128

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection: **July1 and October 1, 2015**

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Moe Momtazi	July 1, 2015	Managing Partner
Moe Momtazi	October 1, 2015	Managing Partner

6. County: **Yamhill**

7. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

OWNER OF RECORD N/A		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

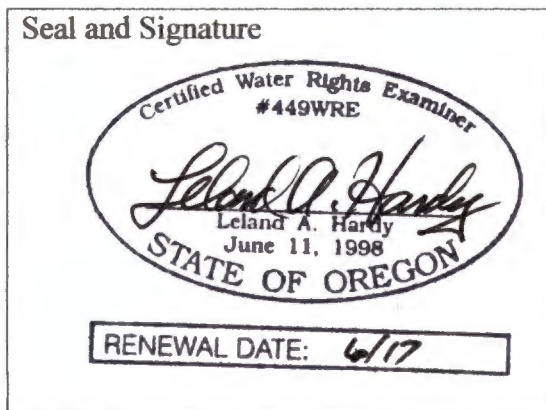
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SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME Leland A. Hardy	PHONE NO. Office 503-581-9272	ADDITIONAL CONTACT NO. Cell 503-559-0551
ADDRESS 690 Loring Drive NW		
CITY Salem	STATE OR	ZIP 97304
E-MAIL hardyeng@comcast.net		

Permit or Transfer Holders of Record Signature or Acknowledgement

Each permit or transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
Momtazi Family LLC By <i>Moe Momtazi</i>	Momtazi Family LLC By Moe Momtazi	Managing Partner	

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WATER RESOURCES DEPT
SALEM, OREGON

SECTION 3

CLAIM DESCRIPTION

1. Point of diversion/appropriation name or number:

POINT OF DIVERSION/APPROPRIATION (POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
POA #1	YAMH7270	
POA #2	YAMH7272	
POA #5	YAMH51623	L-30905
POA #6	YAMH51626	L-30906

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

2. Point of diversion/appropriation source and, if from surface water, the tributary:

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY
	N/A	

3. Developed use(s), period of use, and rate for each use:

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
POA #1	Irrigation & Nursery	Grapes & Grape Nursery	March 1 - Oct 31 & Nov 1 - April 30	0.035 cfs
POA #2	Irrigation	Grapes & Grass Pasture	March 1 - Oct 31	0.033 cfs
POA #5	Irrigation	Grapes	March 1 - Oct 31	0.022 cfs
POA #6	Irrigation	Grapes	March 1 - Oct 31	0.124 cfs
Total Quantity of Water Used				0.214 cfs

4. Provide a general narrative description of the distribution works. This description must trace the water system from each point of diversion or appropriation to the place of use:

All four wells and surface sources supply water to a buried, HDPE and PVC pipeline network, designed to supply grape vineyard, nursery and grass pasture water needs. In-line valves are adjusted at least daily to direct flows to areas being irrigated by above ground continuous tube drip micro (grapes) and end tow lateral sprinkler (pasture) irrigation systems. HDPE end tow (K-Line) sprinkler irrigation laterals replaced aluminum hand move sprinkler laterals in 2016.

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

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WATER RESOURCES DEPT
SALEM, OREGON

6. Claim Summary:

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POA #1	0.033 cfs	0.035 cfs	0.035 cfs	Irrigation & Nursery	67.91 0.05	35.77 0.05
POA #2	0.033 cfs	0.034 cfs	0.033 cfs	Irrigation	64.03	33.72
POA #5	0.022 cfs	0.022 cfs	0.022 cfs	Irrigation	42.69	22.48
POA #6	0.110 cfs	0.124 cfs	0.124 cfs	Irrigation	240.62	126.73

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WATER RESOURCES DEPT
SALEM, OREGON

SECTION 4.1

SYSTEM DESCRIPTION

Are there multiple PODs or POAs?

YES NO

If "YES" you will need to copy and complete Sections 4B through 4G for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

POA #1 (Well #1) YAMH7270

A. Place of Use

1. Is the right for municipal use?

YES NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
Total Acres Irrigated See Addendum Section 4 Irrigation Water								Place of Use	

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (G Lot), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, G Lot, and QQ.

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES NO

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Unknown	Unknown	Unknown	Submersible	N/A	1½"

3. Motor Information

MANUFACTURER	HORSEPOWER
Unknown	1.0

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
1.0	30	90	35	0.035

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5. Provide pump calculations:

$$Q_i = \frac{1.0 \text{ Hp (7.04)}}{201 \text{ ft}} = 0.035 \text{ cfs}$$

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
566,000	567,000	63 min 22 sec	0.035

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES NO

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
4"	4,830'	HDPE and PVC Plastic	Buried
2" and 3"	26,400'	HDPE and PVC Plastic	Buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
1", 1½", 2", and 3"	>200,000'	PVC Plastic	Buried

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
			N/A		

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
	N/A			

12. Additional notes or comments related to the system:

All four wells and surface sources supply water to a buried HDPE and PVC plastic pipeline network, designed to supply vineyard, pasture and nursery water needs. In-line valves are adjusted at least daily to direct flow to area being irrigated by above ground, continuous tube drip (grapes) and mini spray nozzle (nursery) micro irrigation systems

RECEIVED

C. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)?

YES NO

If "NO", items 2 through 8 relating to this section may be deleted.

2. Describe the access port (type and location) or other means to measure the water level in the well:

1/2" diameter nipple with cap

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

YAMH7270

5. Is the appropriation from a dug well (sump)?

YES NO

If "NO", items 6 through 8 relating to this section may be deleted.

D. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)

YES NO

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank

YES NO

Bulge in System / Reservoir

YES NO

Complete appropriate table(s), unused table may be deleted.

E. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

RECEIVED YES NO

If "NO", items 2 through 4 relating to this section may be deleted.

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F. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

WATER RESOURCES DEPT
SALEM, OREGON YES NO

If "NO", items 2 through 4 relating to this section may be deleted.

G. Reservoir

1. Does the claim involve a reservoir modified through a transfer?

YES NO

Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

SECTION 4.2

SYSTEM DESCRIPTION

Are there multiple PODs or POAs?

YES NO

If "YES" you will need to copy and complete Sections 4B through 4G for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

POA # 2 (Well #2)	YAMH7272
--------------------------	-----------------

A. Place of Use

1. Is the right for municipal use?

YES NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
Total Acres Irrigated See Addendum Section 4 – Irrigation Water								Place of Use	

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (G Lot), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, G Lot, and QQ.

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES NO

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Unknown	Unknown	Unknown	Submersible	N/A	1½"

3. Motor Information

MANUFACTURER	HORSEPOWER
Unknown	1.0

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
1.0	30	131	0	0.034

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5. Provide pump calculations:

$$Q_a = \frac{1.0 \text{ Hp (7.04)}}{207 \text{ ft}} = 0.034 \text{ cfs}$$

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
4,000	5,000	68 min	0.033 cfs

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES NO

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
4"	4,830'	HDPE and PVC Plastic	Buried
2" and 3"	26,400'	HDPE and PVC Plastic	Buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
40 mm	600'	Rubber hose	Above ground end tow lateral
1", 1½", 2" and 3"	>200,000'	PVC Plastic	Buried

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
12 mm	50	1.7	15	15	0.06 cfs

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
		N/A		

12. Additional notes or comments related to the system:

All four wells and surface sources supply water to a buried HDPE and PVC plastic pipeline network, designed to supply vineyard and pasture water needs. In-line valves are adjusted at least daily to direct flow to area being irrigated by above ground, continuous tube drip micro irrigation (grapes) and end tow lateral sprinkler irrigation (grass pasture).

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C. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)?

YES NO

If "NO", items 2 through 8 relating to this section may be deleted.

2. Describe the access port (type and location) or other means to measure the water level in the well:

1/2" nipple with cap

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

YAMH7272

5. Is the appropriation from a dug well (sump)?

YES NO

If "NO", items 6 through 8 relating to this section may be deleted.

D. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)

YES NO

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank

YES NO

Bulge in System / Reservoir

YES NO

Complete appropriate table(s), unused table may be deleted.

E. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

YES NO

If "NO", items 2 through 4 relating to this section may be deleted.

F. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

YES NO

If "NO", items 2 through 4 relating to this section may be deleted.

G. Reservoir

1. Does the claim involve a reservoir modified through a transfer?

YES NO

Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

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SECTION 4.5

SYSTEM DESCRIPTION

Are there multiple PODs or POAs?

YES NO

If "YES" you will need to copy and complete Sections 4B through 4G for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

POD # 5 (Well #5)	YAMH51623
--------------------------	------------------

A. Place of Use

1. Is the right for municipal use?

YES NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
Total Acres Irrigated See Addendum Section 4 – Irrigation Water								Place of Use	

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (G Lot), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, G Lot, and QQ.

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES NO

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Unknown	Unknown	Unknown	Submersible	N/A	1½"

3. Motor Information

MANUFACTURER	HORSEPOWER
Unknown	1.0

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a well, the water level DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
1.0	30	218	26	0.022

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5. Provide pump calculations:

$$Q_s = \frac{1.0 \text{ Hp (7.04)}}{320} = 0.022 \text{ cfs}$$

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
1,665,000	1,666,000	101 min	0.022

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES NO

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
4"	4,830'	HDPE and PVC Plastic	Buried
2" and 3"	26,400'	HDPE and PVC Plastic	Buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
1", 1½", 2" and 3"	>200,000'	PVC Plastic	Buried

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
			N/A		

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
		N/A		

12. Additional notes or comments related to the system:

All four wells and surface sources supply water to a buried HDPE and PVC plastic pipeline network, designed to supply vineyard, pasture and nursery water needs. In-line valves are adjusted at least daily to direct flow to area being irrigated by above ground, continuous tube drip micro irrigation (grapes).

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C. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)?

YES NO

If "NO", items 2 through 8 relating to this section may be deleted.

2. Describe the access port (type and location) or other means to measure the water level in the well:

1/2" FPT with plug in well cap

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

YAMH51623 Well Tag L-30905

5. Is the appropriation from a dug well (sump)?

YES NO

If "NO", items 6 through 8 relating to this section may be deleted.

D. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)

YES NO

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank

YES NO

Bulge in System / Reservoir

YES NO

Complete appropriate table(s), unused table may be deleted.

E. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

YES NO

If "NO", items 2 through 4 relating to this section may be deleted.

F. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

YES NO

If "NO", items 2 through 4 relating to this section may be deleted.

G. Reservoir

1. Does the claim involve a reservoir modified through a transfer?

YES NO

Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

If "NO", items 2 through 9 relating to this section may be deleted.

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SECTION 4.6

SYSTEM DESCRIPTION

Are there multiple PODs or POAs?

YES NO

If "YES" you will need to copy and complete Sections 4B through 4G for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

POA #6 (Well #6) YAMH51626

A. Place of Use

1. Is the right for municipal use?

YES NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
Total Acres Irrigated See Addendum Section 4 – Irrigation Water								Place of Use	

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (G Lot), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, G Lot, and QQ.

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES NO

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Unknown	Unknown	Unknown	Submersible	N/A	3"

3. Motor Information

MANUFACTURER	HORSEPOWER
Unknown	10

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a well, the water level during pumping	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (in cfs)
10	30	180	180	0.16

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5. Provide pump calculations:

$$Q_5 = \frac{10 \text{ Hp (7.04)}}{436} = .16 \text{ cfs}$$

Estimate 10 Hp pump motor is operating ~8 Hp load, producing ~56 gpm or 0.124 cfs.

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
685,000	686,000	18 min	0.124

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES NO

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
4"	4,830'	HDPE and PVC Plastic	Buried
2" and 3"	>200,000'	PVC Plastic	Buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
1", 1½", 2" and 3"	>200,000'	PVC Plastic	Buried

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
			N/A		

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
		N/A		

12. Additional notes or comments related to the system:

All four wells and surface sources supply water to a buried HDPE and PVC plastic pipeline network, designed to supply vineyard and pasture water needs. In-line valves are adjusted at least daily to direct flow to areas being irrigated by above ground, continuous tube drip micro irrigation (grapes) and end tow lateral sprinkler irrigation (pasture).

C. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)?

If "NO", items 2 through 8 relating to this section may be deleted.

RECEIVED YES NO

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WATER RESOURCES DEPT
SALEM, OREGON

Describe the access port (type and location) or other means to measure the water level in

at:

1" nipple and cap in well cap

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

YAMH51626

5. Is the appropriation from a dug well (sump)?

YES NO

If "NO", items 6 through 8 relating to this section may be deleted.

Reminder: Construction standards for sumps can be found in OAR 690-210-0400.

D. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)

YES NO

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank

YES NO

Bulge in System / Reservoir

YES NO

Complete appropriate table(s), unused table may be deleted.

E. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

YES NO

If "NO", items 2 through 4 relating to this section may be deleted.

F. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

YES NO

If "NO", items 2 through 4 relating to this section may be deleted.

G. Reservoir

1. Does the claim involve a reservoir modified through a transfer?

YES NO

Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

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SALEM, OREGON

SECTION 5

CONDITIONS

All conditions contained in the permit, permit amendment, transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits, transfer final orders, and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit, extension or transfer final order:

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	June 13, 2001		
BEGIN CONSTRUCTION (A)	June 13, 2002	July 1, 2001	Installed flow meters on wells, buried pipelines, and land clearing.
COMPLETE CONSTRUCTION (B)	October 1, 2015	September 12, 2015	Completed buried pipeline network to irrigate vineyards and pasture.
COMPLETE APPLICATION OF WATER ©	October 1, 2015	September 30, 2015	Applied irrigation water to vineyards and grass pasture.

* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)?

YES NO

If "NO", you may delete item 3 in this section.

3. If for a transfer extension order, provide the following information:

VOLUME	PAGE	DATE EXTENDED TO
	N/A	

4. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement?

YES NO

If "NO", items 4b through 4d relating to this section may be deleted.

b. What month was the initial measurement to be taken in?

March

c. Was the measurement submitted to the Department?

YES NO

d. If the initial measurement was not submitted, provide that measurement now, if available:

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT

5. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements?

YES NO

If "NO", items 5b through 5e relating to this section may be deleted.

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6. Pump Test (Required for most ground water permits prior to issuance of a certificate)

a. Did the permit require the submittal of a pump test?

YES NO

If "NO", items 6b through 6e relating to this section may be deleted.

7. Measurement Conditions:

a. Does the permit, permit amendment, transfer final order, or any extension final order require the installation of a meter or approved measuring device?

YES NO

If "NO", items 7b through 7f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

b. Has a meter been installed?

YES NO

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POA #1	Netafim		Working	3,356,000	July 1, 2001
POA #2	Master		Working	10,000	July 1, 2001
POA #5	Netafim		Working	40,025,000	July 30, 2001
POA #6	Netafim		Working	818,000	July 30, 2001

If a meter has been installed, items 7d through 7f relating to this section may be deleted.

8. Recording and reporting conditions

a. Is the water user required to report the water use to the Department?

YES NO

If "NO", item 8b relating to this section may be deleted.

9. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion?

YES NO

If "NO", items 9b through 9e relating to this section may be deleted.

10. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion?

YES NO

If "NO", items 10b and 10c relating to this section may be deleted.

Reminder: If by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order:

a. Were there special well construction standards?

YES NO

b. Was submittal of a ground water monitoring plan required?

YES NO

c. Was the water user required to restore the riparian area if it was disturbed?

YES NO

d. Was a fishway required?

YES NO

e. Was submittal of a letter from an engineer required prior to storage of water?

YES NO

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SALEM, OREGON

f. Was submittal of a water management and conservation plan required?

YES NO

g. Other conditions?

YES NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

--

SECTION 6 ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Addendum to Section 4	Irrigation Water Place Of Use
COBU Page 2 of 2	Displays well, pond and flowmeter locations

SECTION 7 CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

GPS and google earth aerial photo

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Map Checklist

Please be sure that the map you submit includes ALL the items listed below.

(Reminder: Incomplete maps and/or claims may be returned.)

- ☐ Map on polyester film
- ☐ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☐ Township, Range, Section, Donation Land Claims, and Government Lots
- ☐ If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- ☐ Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- ☐ Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- ☐ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- ☐ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☐ Tax lot boundaries and numbers
- ☐ Source illustrated if surface water
- ☐ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- ☐ Application and permit number or transfer number
- ☐ North arrow
- ☐ Legend
- ☐ CWRE stamp and signature

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ADDENDUM TO SECTION 4 -- IRRIGATION AND NURSERY WATER PLACE OF USE
MOMTAZI FAMILY, LLC
CLAIM OF BENEFICIAL USE
October 1, 2015
Township 5 South, Range 5 West WM

<u>Section</u>	<u>1/4 1/4</u>	<u>Acres</u>		<u>Section</u>	<u>1/4 1/4</u>	<u>Acres</u>
<u>Surface Water Primary Application# S-84126, Permit # S-53672 POD's # 1 and 2</u>						
4	SE SE	6.4		9	NW SW	9.6
					NE SW	29.3
9	NE NW	2.4			SE SW	4.4
	SE NW	25.4			SW SW	4.8
	SW NW	0.7				
				10	SW NW	5.9
9	NW NE	18.2			NW NW	3.3
	NE NE	28.5				
	SE NE	10.2		16	NW NW	9.5
	SW NE	17.3				
9	NW SE	12.9		Total Surface Water		212.7
	NE SE	17.8		Primary Acres		
	SW SE	6.1				
<u>Grund Water Supplemental Application# G-15085, Permit # G-13990 POA's # 1, 2, 5 and 6</u>						
4	SE SE	6.4		9	NW SW	9.6
					NE SW	29.3
9	NE NW	2.4			SE SW	4.4
	SE NW	25.4			SW SW	4.8
	SW NW	0.7				
				10	SW NW	5.9
9	NW NE	18.2			NW NW	3.3
	NE NE	28.5				
	SE NE	10.2				
	SW NE	17.3				
				Total Ground Water		203.2
9	NW SE	12.9		Supplemental Acres		
	NE SE	17.8				
	SW SE	6.1	Nursery	9	SE SW	0.05
<u>Ground Water Primary Application# G-15085, Permit # G-13990 POA's # 1, 2, 5 and 6</u>						
9	NW SE	2.6				
	SW SE	3.4		Total Ground Water		6.0
				Primary Acres		

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WATER RESOURCES DEPT
SALEM, OREGON

August 4, 2015

To: Gerry Clark, WRD
From: Leland Hardy, CWRE 449
RE: CBU Mapping Scale Waiver Request for Files
Application G-15085, Permit G-13990
Application S-84126, Permit S-53672
Application R-84127, Permit R-12823
Application R-84128, Permit R-12824

I am requesting a waiver of map scale for the Claim maps for the above referenced files. I am requesting to prepare maps at a scale of 1" = 660'.

Leland Hardy, PE, CWRE

*Request Approved
Gerry Clark
WRD 8/4/15*

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T. 5 S., R.5 W., W.M.

Location: The NE 1/4, SE 1/4, NW 1/4 & SW 1/4 of the NE 1/4 and The NE 1/4, NW 1/4 & SW 1/4 of the SE 1/4 and the NE 1/4, SE 1/4, NW 1/4 & SW 1/4 of the SW 1/4 and The NE 1/4, SE 1/4 & SW 1/4 of the NW 1/4 of Section 9, The SW 1/4 of the NW 1/4 and The NW 1/4 of the SW 1/4 of Section 10, The SE 1/4 of the SE 1/4 of Section 4, The NW 1/4 of the NW 1/4 of Section 16, T. 5 S., R.5 W., W.M., Yamhill County, OR

WELL TABLE - POA

Well	North-South	East-West	From Section Corner	Flow Meter Location
Well #1	1584'N	1390'E	SW corner of Section 9	at well head
Well #2	2170'N	2370'W	SE corner of Section 9	at well head
Well #3	N/A	N/A	N/A	N/A
Well #4	1115'S	1596'W	NE corner of Section 9	well not used
Well #5	2510'N	980'E	SW corner of Section 9	at well head
Well #6	1320'S	48'W	NE corner of Section 9	at well head

POND TABLE - POD

Pond	North-South	East-West	From Section Corner	Flow Meter Location
Pond #1	119'N	154'E	SW corner of Section 9	at pump
Pond #2	2941'S	1178'E	NE corner of Section 9	at well #6

Leland A. Hardy
H & R Engineering, LLC
690 Loring Drive NW
Salem, Oregon 97304
Phone: 503-581-9272
Email: Hardyeng@comcast.net

CLAIMS OF BENEFICIAL USE

UNDER

S-84126

S-53672

Application No. G-15085

Permit No. G-13990

IN NAME OF

MOMTAZI FAMILY, LLC

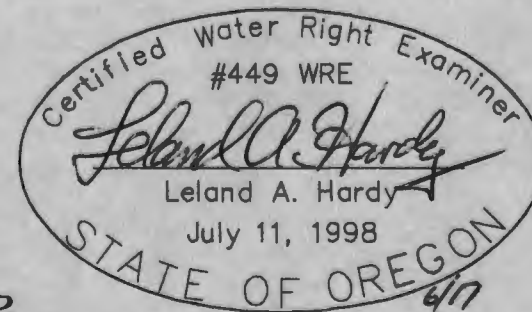
.....

Surveyed July, 2015

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WATER RESOURCES DEPT
SALEM, OREGON



Checklist for Claims of Beneficial Use Received At Customer Service Counter

Date Received 9/7/14 CWRE Hardy

By Scott CSG

File Marked yes

Application # G-15085 \$175.00 Fee

Claim Logged yes

Transfer # _____ \$175.00 Fee if priority date is after July 9, 1987.

Map Review:

- ☒ Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- ☒ Application & permit #; or transfer # (OAR 690-014-0100(1))
- ☒ Disclaimer (OAR 690-014-0170(5))
- ☒ North arrow (OAR 690-310-0050(2)(c))
- ☒ CWRE stamp and signature (OAR 690-014 & 310-0050)
- ☒ Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- ☒ Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

Report Review:

- ☒ On form or format provided by the Department (OAR 690-014-0100(1))
- ☒ Application & permit #; or transfer # (OAR 690-014)
- ☒ Ownership information (OAR 690-014)
- ☒ Date of survey (OAR 690-014)
- ☒ Person interviewed (OAR 690-014)
- ☒ County (OAR 690-014)
- ☒ CWRE stamp and signature (OAR 690-014-0100)
- ☒ Signature(s) of permittee or transfer holder (OAR 690-014-0100)



Oregon
Kate Brown, Governor

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

September 16, 2016

Momtazi Family LLC
2083 Colvin Ct
McMinnville OR 97128

On September 7, 2016 the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

Application **G-15085 Permit G-13990**
S-84126 S-53672
R-84127 R-12823
R-84128 R-12824

The COBU included a report and map. In the future the Department will review your submittal. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at:

http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml

Customer Service phone: (503) 986-0801

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file

T. 5 S., R.5 W., W.M.

Location: The NE 1/4, SE 1/4, NW 1/4 & SW 1/4 of the NE 1/4 and The NE 1/4, NW 1/4 & SW 1/4 of the SE 1/4 and the NE 1/4, SE 1/4, NW 1/4 & SW 1/4 of the SW 1/4 and The NE 1/4, SE 1/4 & SW 1/4 of the NW 1/4 of Section 9, The SW 1/4 of the NW 1/4 and The NW 1/4 of the SW 1/4 of Section 10, The SE 1/4 of the SE 1/4 of Section 4, The NW 1/4 of the NW 1/4 of Section 16, T. 5 S., R.5 W., W.M., Yamhill County, OR

WELL TABLE - POA				
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Leland A. Hardy
H & R Engineering, LLC
690 Loring Drive NW
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Phone: 503-581-9272
Email: Hardyeng@comcast.net

CLAIMS OF BENEFICIAL USE

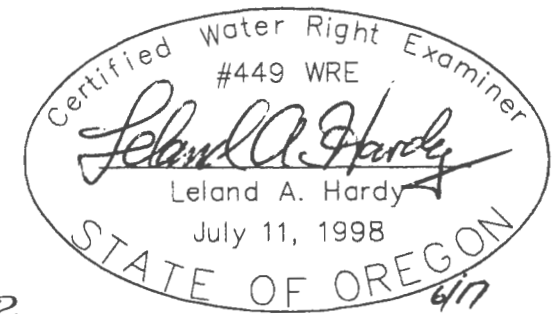
UNDER
S-84126 S-53672
Application No. G-15085 Permit No. G-13990

IN NAME OF
MOMTAZI FAMILY, LLC
.....
Surveyed July....., 2015

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SALEM, OREGON

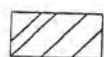
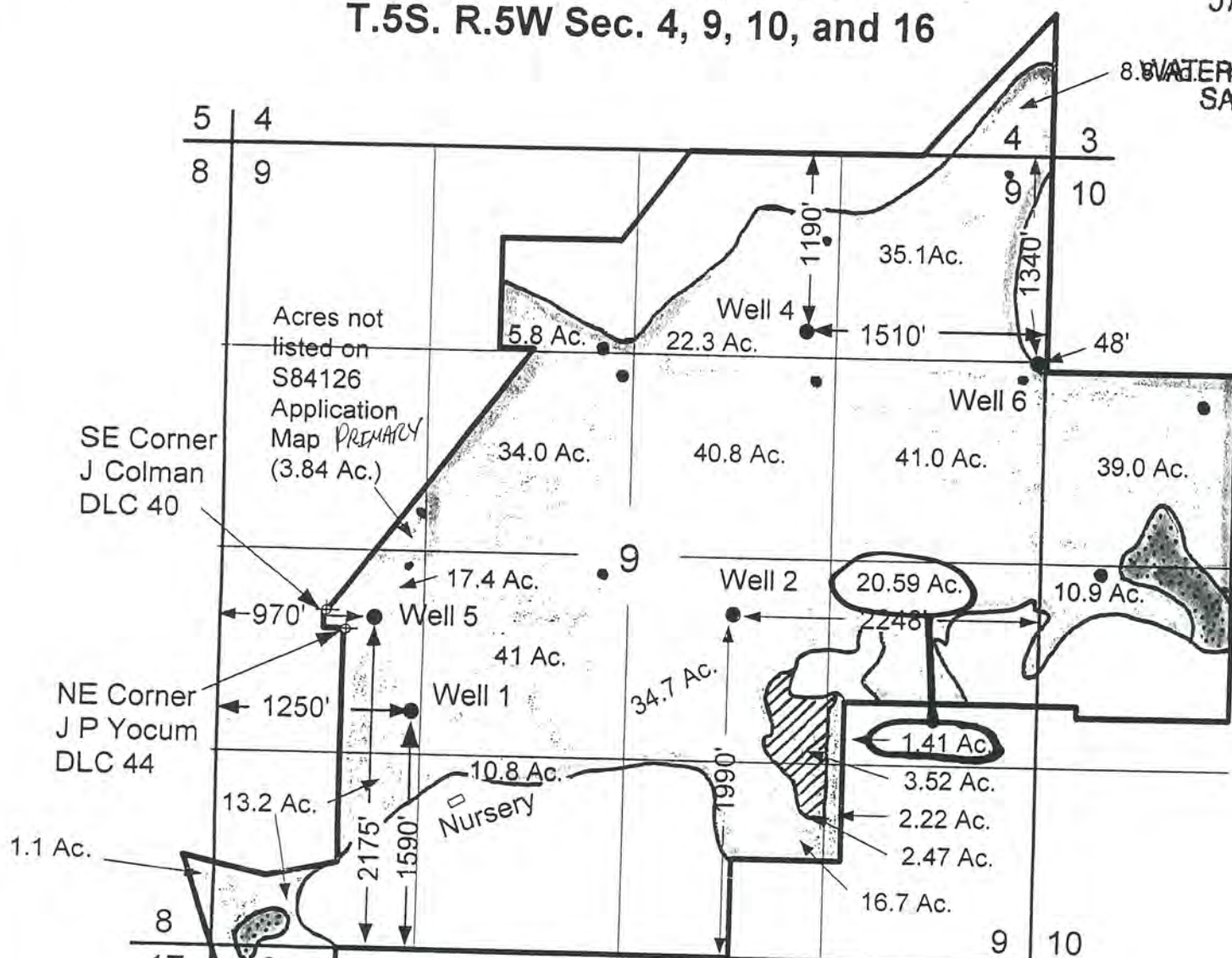


Permit Application Map for Supplemental Groundwater **RECEIVED**

Momtazi Family, L.L.C.
T.5S. R.5W Sec. 4, 9, 10, and 16

JAN 28 2000

8. WATER RESOURCES DEPT.
SALEM, OREGON



Primary ground water right, 5.99 acres.



Supplemental water right to Permit Application Number S-84126, 405.4 acres.



Area not irrigated.



Reservoir, R-84127 and R-84128

Well 1 is located 1,250 feet east and 1,590 feet north of the SW corner of Section 9
Well 2 is located 2,248 feet west and 1,990 feet north of the SE corner of Section 9
Well 3 is not a part of the supplemental water right (Well not shown on map)
Well 4 is located 1,510 feet west and 1,190 feet south of the NE corner of Section 9
Well 5 is located 970 feet east and 2,175 feet north of the SW corner of Section 9
Well 6 is located 48 feet west and 1,340 feet south of the NE corner of Section 9.

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

Scale: 1" = 1,320'



0 1,320



EXPIRATION DATE 12/31/2000

Pacific Hydro-Geology Inc.

WORK COPY

6-15085

CLARK Gerry E

From: CLARK Gerry E
Sent: Wednesday, May 04, 2016 12:31 PM
To: EASTMAN Jeana M
Subject: RE: Permit G-13990, Momtazi - do well-specific rates on permits "stand" when reviewing COBU/cert issuance?

Jeana,

I would say that they are limited to the specific rates per well as identified on the permit regardless of the items that you have addressed.

Gerry

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

Phone: 503-986-0811

From: EASTMAN Jeana M
Sent: Tuesday, May 03, 2016 9:28 AM
To: CLARK Gerry E
Cc: EASTMAN Jeana M
Subject: Permit G-13990, Momtazi - do well-specific rates on permits "stand" when reviewing COBU/cert issuance?

Hi Gerry -

This permit has well-specific rates. This is due to how the application was submitted. There was no rate-reduction necessary for a PSI finding; the wells are not even hydraulically connected to SW. What flexibility is there with the well-specific rate, e.g. what if the COBU has different rates for each well, but combined they don't exceed the maximum allowed by the permit? would that be acceptable? Would that prevent certificate issuance? Could the certificate be issued for higher/lower amounts per well to match the COBU, as long as the max rate isn't exceeded, even though the rates per well would be different than listed on the permit?

Thanks for your help,
-jeana

CLARK Gerry E

From: CLARK Gerry E
Sent: Wednesday, July 29, 2015 10:50 AM
To: 'matt@macdonaldsurveying.com'
Subject: RE: COBU question Permit G-13990, 53672, R-12823, R0-12824 for Momtazi Family LLC

Matt,

Sorry for not getting back to you sooner, I was out of the office for several days.

Your request for a waiver related to map scale for the above listed permits is approved. A Claim map at a scale of 1" = 660' is acceptable.

Please included a copy of this message with the Claims.

Let me know if you have any additional questions.

Gerry

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

Phone: 503-986-0811

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

From: Matt Dunckel [<mailto:matt@macdonaldsurveying.com>]
Sent: Thursday, July 23, 2015 7:37 AM
To: CLARK Gerry E
Subject: RE: COBU question Permit G-13990, 53672, R-12823, R0-12824 for Momtazi Family LLC

Gerry, I would like to draft the COBU maps for these at 1"=660' on 11"x17" paper. I cannot quite fit the property on that size paper at the assessor's map scale. Would that be acceptable?

thanks,
Matt Dunckel
503-472-7904

August 4, 2015

To: Gerry Clark, WRD
From: Leland Hardy, CWRE 449
RE: CBU Mapping Scale Waiver Request for Files
Application G-15085, Permit G-13990
Application S-84126, Permit S-53672
Application R-84127, Permit R-12823
Application R-84128, Permit R-12824

RECEIVED

AUG 04 2015

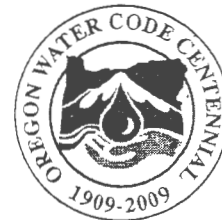
WATER RESOURCES DEPT
SALEM, OREGON

I am requesting a waiver of map scale for the Claim maps for the above referenced files. I am requesting to prepare maps at a scale of 1" = 660'.

Leland Hardy, PE, CWRE

*Request Approved
Gerry Clark
WRD 8/4/15*

Oregon Water Resources Department
Water Rights Division



Water Rights Application
Number G-15085

Final Order
Extension of Time for Permit Number G-13990

Appeal Rights

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

Application History

Permit G-13990 was issued by the Department on June 13, 2001. The permit called for complete application of water to beneficial use by October 1, 2005. On June 30, 2009 Momtazi Family, LLC submitted to the Department an Application for Extension of Time for Permit G-13990. In accordance with OAR 690-315-0050(2), on March 23, 2010 the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2015. The protest period closed May 7, 2010 in accordance with OAR 690-315-0060(1). No protest was filed.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2010. A form is enclosed with this Final Order.**

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

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

Order

The extension of time for Application G-15085, Permit G-13990, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use is extended to October 1, 2015.

DATED: June 22, 2010


Dwight French, Administrator of
Water Rights and Adjudications
for
Phillip C. Ward, Director

-
- If you have any questions about statements contained in this document, please contact Scott Kudlemyer at (503) 986-0813.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-

Mailing List for Extension FO Copies

Note: Include a copy of the "Important Notice" document along with the original copy of the Final Order being sent to the permit holder.

FO Date: June ~~xx~~ 2010

Copies Mailed

Application G-15085
Permit G-13990

By: JS
On: 6/22/10

Original mailed to permit holder

Momtazi Family, LLC
Attn: Moe Momtazi
2083 Colvin Ct
McMinnville, OR 97128

Copies sent to:

1. WRD - App. File G-15085/ Permit G-13990
2. WRD - Support Staff, Salem

Fee paid as specified under ORS 536.050 to receive copy:

3. None

Receiving via e-mail (10 AM day of signature date)

4. WRD – Water Master District 16 – Mike McCord, Salem

Done by SA Date 6/21/10

If Progress Reports are included:

Add record to Progress Report tracking sheet.xls Done: by SA Date 6/21/10

CASEWORKER: SBK

**Oregon Water Resources Department
Water Rights Division**



Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit G-13990, Water Right Application G-15085)
in the name of Momtazi Family, LLC.) PROPOSED FINAL ORDER

Permit Information

Application File G-15085 Permit G-13990

Basin: 2 – Willamette / Watermaster District 16

Date of Priority: January 28, 2000

Authorized Use of Water

Source of Water: Basalt Aquifer: Well 1 and Well 2 within the Muddy Creek Basin; Marine Rock Aquifer: Well 4 and Well 5, and Well 6 within the Muddy Creek Basin

Purpose of Use: Primary Irrigation of 9.83 Acres, Supplemental Irrigation of 405.42 Acres and Nursery Operations on 0.05 Acres

Maximum Rate: Irrigation Use: 0.239 Cubic Feet per Second (cfs), being 0.033 cfs from Well 1, 0.033 cfs from Well 2, 0.04 cfs from Well 4; 0.022 cfs from Well 5, and 0.11 cfs from Well 6; Nursery Operation: 0.033 cfs for Nursery Operations from Well 1 on 0.05 Acres.

**This Extension of Time request is being processed in accordance with Oregon
Administrative Rule Chapter 690, Division 315**

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

This Proposed Final Order applies only to Permit G-13990, water right Application G-15085.
A copy of Permit G-13990 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- Grant an extension of time to apply water to full beneficial use from October 1, 2005 to October 1, 2015.
- Make the extension subject to certain conditions set forth below.

ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources
PFO – Proposed Final Order

Units of Measure

cfs – cubic feet per second
gpm – gallons per minute

AUTHORITY

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

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

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

the income or use that may be required to provide fair and reasonable returns upon the investment.

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

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

FINDINGS OF FACT

Background

1. Permit G-13990 was granted by the Department on June 13, 2001. The permit authorizes the use of up to 0.239 cfs of water from Well 1, Well 2, Well 4, Well 5 and Well 6 for primary irrigation of 9.83 acres, supplemental irrigation of 405.42 acres and nursery operations on 0.05 acres. The permit specified complete application of water was to be made on or before October 1, 2005.
2. The permit holder submitted an "Application for Extension of Time" to the Department on June 30, 2009 requesting the time to apply water to full beneficial use under the terms and conditions of Permit G-13990 be extended from October 1, 2005 to October 1, 2015. This is the first permit extension requested for Permit G-13990.
3. Notification of the Application for Extension of Time for Permit G-13990 was published in the Department's Public Notice dated July 7, 2009. No public comments were received regarding the extension application.

Review Criteria [OAR 690-315-0040]

The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0040. This determination shall consider the applicable requirements of ORS 537.230¹, 537.248², 537.630³ and/or 539.010(5)⁴.

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

4. On June 30, 2009 the Department received a completed Application for Extension of Time and the fee specified in ORS 536.050 from the permit holder.

¹ORS 537.230 applies to surface water permits only.

²ORS 537.248 applies to reservoir permits only.

³ORS 537.630 applies to ground water permits only.

⁴ORS 539.010(5) applies to surface water and ground water permits.

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

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

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

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

6. As of June 30, 2009 the remaining work to be completed consists of clearing, planting and installing drip irrigation on 65.0 acres of vineyard, installing new pasture irrigation system on 70.0 acres and applying water to full beneficial use.
7. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2015 to accomplish the application of water to beneficial use under the terms and conditions of Permit G-13990 is both reasonable and necessary.

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

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

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

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

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

8. Work was accomplished within the time allowed in the permit or previous extension as follows:
 - a. Construction of the well was completed prior to October 1, 2005.
 - b. Work completed (specified in the Application for an Extension of Time) during the original development time frame under Permit G-13990 includes installation of 190.0 acres of drip irrigation system.
 - c. From October 1, 2004 to June 30, 2009 the permit holder has installed drip irrigation on 80.0 acres of vineyard and sprinkler irrigation on 70.0 acres of pasture.

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

9. The following beneficial use of water was made during the permit or previous extension time limits:
- a. Since the issuance of Permit G-13990 on June 13, 2001 a maximum rate of 0.239 cfs of water has been appropriated from Well 1, Well 2, Well 4, Well 5 and Well 6 for supplemental irrigation of 340.0 acres and 0.05 acres for nursery use.

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

10. The water right permit holder's conformance with the permit or previous extension conditions.
- a. The Department has considered the permit holder's compliance with conditions, and did not identify any concerns.

Financial Investments [OAR 690-315-0040(3)(d)]

11. Financial investments made toward developing the beneficial water use.
- a. As of June 30, 2009 the permit holder has invested approximately \$919,000 which is approximately 85 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$168,000 investment is needed for the completion of this project.

Cost to Appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b)]

12. As of June 30, 2009 the permit holder has invested approximately \$919,000 which is approximately 85 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$168,000 investment is needed for the completion of this project.

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

13. The Department has found good faith of the appropriator under Permit G-13990.

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

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

14. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in

consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0040(4)(a-c)].

- a. The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-13990; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined at such time that such application for a new water right is submitted. The points of appropriation for Permit G-13990, located within the Muddy Creek Basin, are not located within a limited or critical ground water area. Muddy Creek is not located within or above any state or federal scenic waterway, is located within an area ranked “high” for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. Muddy Creek is listed by the Department of Environmental Quality as a water quality limited stream.
15. Economic investment in the project to date [OAR 690-315-0040(4)(d)].
 - a. As of June 30, 2009 the permit holder has invested approximately \$919,000
16. Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].
 - a. None have been identified.
17. Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0040(4)(f)].
 - a. None have been identified.
18. OAR 690-315-0050(6) requires the Department to place a checkpoint condition on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. A “Checkpoint Condition” is specified under Item 1 of the “Conditions” section of this PFO to meet this condition.

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

19. Use and income from the permitted water development results in reasonable returns upon the investment made to date.

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

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

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

21. None have been identified.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630(1).
2. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
3. The applicant complied with begin actual construction timeline requirements pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
4. Full application of water to beneficial use can be accomplished by October 1, 2015⁵, as required by OAR 690-315-0040(1)(c).
5. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).
6. As required by OAR 690-315-0050(6) and as described in Finding 18 above, the Department has established, as specified in the "Conditions" section of this PFO (Item 1), progress checkpoints in order to ensure future diligence is exercised in the development and perfection of Permit G-13990.

Proposed Order

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

Extend the time to apply water to beneficial use under Permit G-13990 from October 1, 2005 to October 1, 2015.

⁵Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

Subject to the following conditions:

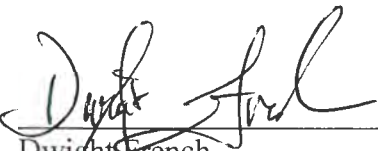
CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2010**. *A form will be enclosed with your Final Order.*

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

DATED: March 23, 2010


Dwight French
Administrator
Water Rights & Adjudications Division

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

Proposed Final Order Hearing Rights

- 1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **May 7, 2010**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.

2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The applicant or non-applicant protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
 - a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a protest has been submitted, and:
 - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

-
- If you have any questions about statements contained in this document, please contact Scott Kudlemyer at 503-986-0813.
 - If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Patricia McCarty at 503-986-0819.
 - If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0801.
 - Address any correspondence to : Water Rights and Adjudications Division
725 Summer St NE, Suite A
Fax: 503-986-0901 Salem, OR 97301-1266
-

Mailing List for Extension PFO Copies

PFO Date: March 23, 2010

**Application G-15085
Permit G-13990**

Copies Mailed

By: JS
On: 3/23/10

Original mailed to Applicant:

Momtazi Family, LLC
Attn: Moe Momtazi
2083 Colvin Court
McMinnville, OR 97128

Copies sent to:

1. WRD - App. File G-15085/ Permit G-13990

Fee paid as specified under ORS 536.050 to receive copy:

2. None

Receiving via e-mail (10 AM Tuesday of signature date)

3. PFO: WRD – Watermaster District 16 – Mike McCord, Salem

Done by SC Date 3/16/10

CASEWORKER: SBK

Proposed Final Order: Permit G-13990

Page 1 of 1

STATE OF OREGON

COUNTY OF YAMHILL

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MOMTAZI FAMILY LLC
MOE MOMTAZI
2083 COLVIN COURT
MCMINNVILLE, OREGON 97128

PHONE (503) 472-8880

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

APPLICATION FILE NUMBER: G-15085

SOURCE OF WATER: BASALT AQUIFER: WELL 1 AND WELL 2 WITHIN THE MUDDY CREEK BASIN; MARINE ROCK AQUIFER: WELL 4, WELL 5, AND WELL 6 WITHIN THE MUDDY CREEK BASIN

PURPOSE OR USE: PRIMARY IRRIGATION OF 9.83 ACRES, SUPPLEMENTAL IRRIGATION OF 405.42 ACRES AND NURSERY OPERATIONS ON 0.05 ACRE

MAXIMUM RATE: IRRIGATION USE: 0.239 CUBIC FOOT PER SECOND (CFS), BEING 0.033 CFS FROM WELL 1, 0.033 CFS FROM WELL 2, 0.04 CFS FROM WELL 4; 0.022 CFS FROM WELL 5, AND 0.11 CFS FROM WELL 6,; NURSERY OPERATION: 0.033 CFS FOR NURSERY OPERATIONS FROM WELL 1 ON 0.05 ACRE

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 FOR PRIMARY AND SUPPLEMENTAL IRRIGATION AND NOVEMBER 1 THROUGH APRIL 30 OF EACH YEAR FOR NURSERY OPERATIONS ON 0.05 ACRE

DATE OF PRIORITY: JANUARY 28, 2000

POINT OF DIVERSION LOCATIONS: NW 1/4 NE 1/4, SE 1/4 NE 1/4, NW 1/4 SW 1/4, NW 1/4 SE 1/4, SECTION 9 T5S, R5W, W.M.; WELL 4 - 1190 FEET SOUTH & 1510 FEET WEST, WELL 6 - 1340 FEET SOUTH & 48 FEET WEST, BOTH FROM NE CORNER, SECTION 9; WELL 1 - 1590 FEET NORTH & 1250 EAST, WELL 5 - 2175 FEET NORTH & 970 FEET EAST, BOTH FROM SW CORNER, SECTION 9; WELL 2 - 1990 FEET NORTH AND 2248 FEET WEST FROM SE CORNER, SECTION 9, T5S, R5W, W.M.

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

Application G-15085 Water Resources Department

PERMIT G-1399C

irrigated during the irrigation season of each year.

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime, during the period of allowed use specified above, that the use is beneficial.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>	<u>NURSERY</u>
SE 1/4 SE 1/4		8.80 ACRES	
SECTION 4			
SE 1/4 SE 1/4		1.10 ACRES	
SECTION 8			
NE 1/4 NE 1/4		35.10 ACRES	
NW 1/4 NE 1/4		22.30 ACRES	
SW 1/4 NE 1/4		40.80 ACRES	
SE 1/4 NE 1/4		41.00 ACRES	
NE 1/4 NW 1/4		5.80 ACRES	
SW 1/4 NW 1/4	3.84 ACRES		
SE 1/4 NW 1/4		34.00 ACRES	
NE 1/4 SW 1/4		41.00 ACRES	
NW 1/4 SW 1/4		17.40 ACRES	
SW 1/4 SW 1/4		13.20 ACRES	
SE 1/4 SW 1/4		10.80 ACRES	
SE 1/4 SW 1/4			0.05 ACRES
NE 1/4 SE 1/4		22.00 ACRES	
NW 1/4 SE 1/4		34.70 ACRES	
NW 1/4 SE 1/4	3.52 ACRES		
SW 1/4 SE 1/4	2.47 ACRES		
SW 1/4 SE 1/4		16.70 ACRES	
SE 1/4 SE 1/4		2.22 ACRES	
SECTION 9			
SW 1/4 NW 1/4		39.00 ACRES	
NW 1/4 SW 1/4		10.90 ACRES	
SECTION 10			
NW 1/4 NW 1/4		8.60 ACRES	
SECTION 16			
TOWNSHIP 5 SOUTH, RANGE 5 WEST, W.M.			

Measurement, recording and reporting conditions:

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

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.

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

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

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

After Use of Water has Begun

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

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

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

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

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

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under

this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

STANDARD CONDITIONS

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

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

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

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

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

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

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

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

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

Issued June 13, 2001


Paul R. Cleary, Director
Water Resources Department

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

Application G-15085
Basin 02
JWG

Water Resources Department
Volume 11A DEER CR MISC
MGMT.CODE 7ER, 7EG

PERMIT DRAFT
District 16

Application # G-15085

Permit # G-13990

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

♦ WRIG...

Money Receipted on: 6/30/09

♦ Extension Specialist...

☒ Added to tracking spreadsheet

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

♦ Jonnine Skaug...

☐ Publish on Public Notice (initial 30-day comment): Date of notice 7/7/09

☒ Update WRIS Database

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

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

Yes or No:

Return file to Extension Specialist after PN

Sw Review

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **96970**

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

INVOICE # _____

RECEIVED FROM: Hanna Momtazi

APPLICATION	<u>see below</u>
PERMIT	
TRANSFER	

BY: _____

CASH: ☐ CHECK: # 155 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1400.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES _____
OTHER: (IDENTIFY) _____

\$	
\$	

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES G-15085 \$350.00
0410 RESEARCH FEES S-84126 \$350.00
0408 MISC REVENUE: (IDENTIFY) R-84127 \$350.00
TC162 DEPOSIT LIAB. (IDENTIFY) R-84128 \$350.00
0240 EXTENSION OF TIME _____

\$	
\$	
\$	
\$	
\$	<u>1400.00</u>

WATER RIGHTS:

0201 SURFACE WATER 46111
0203 GROUND WATER
0205 TRANSFER

EXAM FEE	
\$	
\$	
\$	
EXAM FEE	
\$	

0202
0204

0219
0220

RECORD FEE	
\$	
\$	
LICENSE FEE	
\$	
\$	

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR
LANDOWNER'S PERMIT
OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE
0210 MONITORING WELLS
OTHER (IDENTIFY) _____

CARD #	
CARD #	

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

\$	
\$	
\$	

TREASURY OTHER / RDX

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

\$	
----	--

RECEIPT: **96970**

DATED: 6-30-09 BY: J. Bell



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

July 7, 2009

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Rights Section has received your application for an extension of time for **APPLICATION FILE#: G-15085 (PERMIT#:G-13990)**. Your application will be reviewed in the near future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

If you have questions concerning your extension of time application, please contact Scott Kudlemyer at (503) 986-0813. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's Internet home page at: "www.wrd.state.or.us".

Extension PFO Checklist for Other than Muni or Quasi-Municipal

Water Use Permits

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

Application: G- 15085 Permit: G- 13990 Permit Amendment? No ☒ Yes ☐ T- ☐ pending ☐ approved

Permit Holder's Name: Momtazi Family, LLC

Permit Holder's Mailing Address: 2083 Colvin Court McMinnville OR, 97128 email moe@maysara.com

Phone Number: 503-472-8880

POD Location: Township 5 S Range 5W Section 9 $\frac{1}{4}$
NWNE, SENE, NWSW, NWSW, NWSE

Drainage Basin: 2 County: Yamhill Watermaster District: 16 Watermaster: Mike McCord

Date Permit was issued: 6/13/2001

Priority Date: 1/28/2000

Date of PN: 7/7/2009

Source: Basalt Aquifer: Well 1 and Well 2 within Muddy Creek Basin; Marine Rock Aquifer: Well 4, Well 5 and Well 6 within Muddy Creek Basin

Use: Primary irrigation of 9.83 acres, supplemental irrigation of 405.42 acres and nursery operations on 0.05 acres

"Q": Irrigation Use: 0.239 cfs, being 0.033 cfs from Well 1, 0.033 cfs from Well 2, 0.04 cfs from Well 4; 0.022 from Well 5 and 0.11 cfs from Well 6; Nursery Operation: 0.033 cfs from Nursery Operations from Well 1 on 0.05 acres

Orig "A" Date: _____

Orig "B" Date: 10/1/

Orig "C" Date: 10/1/2005

Extension request rec'd: 6/30/2009

Last Authorized "B" Date: 10/1/

Last Authorized "C" Date: 10/1/2005

Request Number (1, 2, 3...): 1

Proposed "B" Date: 10/1/

Proposed C Date: 10/1/2015

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
☒	☐	Install Meter
☒	☐	Initial and Annual SWL Measurements each March (before water use)
☒	☐	Reference Water Level Measurement after first year of use during March
☐	☐	
☐	☐	

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

Yes No

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

• Amount Invested to date: 919,000 Estimated Remaining Cost \$168,000

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

• Permit holder has beneficially used 0.239 ☒ cfs ☐ gpm ☐ af of the total permitted quantity of water on 340 + 0.5 Nursery acres
1,206 Supplemental + 1033 Nursery

No GW review needed!
DNF 7/14/07

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

Application: - Permit: - Township Range Section

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

Identify the closest surface water or localized water basin. Muddy Creek Basin
Ground Water Permits: Is the POA located...
Surface Water Permits: Is the POD located...

Yes No

- ☐ ☒ above a state scenic waterway? Name Source: OWRD "Areas Above State Scenic Waterways" Map
☐ ☒ within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html
☒ ☐ within a sensitive, threatened or endangered species area Source: "/>

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

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

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

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

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

☐ 5-year Progress Report Checkpoints (Years: 2010)

☐ Other: _____

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

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

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

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

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

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

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

NOTES:

Extension "PFO" Dates



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

Application for Extension of Time for a Water Right Permit

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

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

*This application and a summary of review criteria and procedures that are generally applicable to this
application are available at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>.*

I, Momtazi Family, LLC (Moe Momtazi, President)

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

2083 Colvin Court

ADDRESS

McMinnville

CITY

Oregon

STATE

97128

ZIP

503-472-8880

PHONE

moe@maysara.com

E-MAIL ADDRESS

the permit holder of:

Application Number G - 15085

Permit Number G - 13990
[OAR 690-315-0020(3)(b)]

do hereby request that the time in which to:

☐ complete construction (of diversion/appropriation works and/or purchase and installation of the
equipment necessary to the use of water), which time now expires on October 1, _____, be
extended to October 1, _____,

and/or the time in which to:

☒ apply water to full beneficial use under the terms and conditions of the permit, which time now
expires on October 1, 2005, be extended to October 1, 2015.

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Application for Extension of Time for a Water Right Permit
Page 1 of 9

Last Revised 10/11/2007

Before submitting your Application for Extension of Time, make sure the following items are included:

- This completed Application for Extension of Time.
- Statutory fee of \$350.
- Signature page (last page of this Application for Extension of Time).
- All supporting documentation and/or evidence referenced in the Application for Extension of Time.

MAIL COMPLETED APPLICATION

along with the

\$350 STATUTORY FEE TO:

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

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SALEM, OREGON



GENERAL TIPS:

- Request the reasonable amount of time necessary to fully complete the water construction project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate Application for Extension of Time must be submitted for each permit. OAR 690-315-0020(2).
- An instruction sheet (Instructions for Filling Out Extension of Time Application for Permits) provides details that will help you answer each question on the application. Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at:
<http://www.wrd.state.or.us/OWRD/LAW/index.shtml>.

- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 315-0020(3)(n).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights and Adjudications Division.
- Once an Application for Extension of Time is received by OWRD, it will be reviewed for completeness. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

Reference Materials Needed to Complete this Application:

- The water right permit. If needed, a copy of the water right permit can be downloaded from the Department's Website at <http://www.wrd.state.or.us> (find the link to the Water Rights Information System (WRIS)). Or, a copy of the permit (or other documents) may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- Documentation which demonstrates compliance with permit conditions (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Answer the Following Questions to Complete this Application for Extension of Time

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

1. Did the actual construction of the water system/well drilling begin within the time specified in the permit? [yes/no] YES



TIP: *Not all permits specify a date by which construction was to begin.*

Date construction began is: August 6, 1984 (previous land owner)

Details of construction: Three wells were constructed by the previous owner prior to October 1, 2004. Vineyard with drip irrigation has been installed on 270 acres. A sprinkler irrigation system is used on 70 acres of pasture. Drip irrigation system installation begin in the summer of 2000.

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Application for Extension of Time for a Water Right Permit
Page 3 of 9

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

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SALEM, OREGON

2. Permits typically contain standard or special conditions that must be satisfied to lawfully develop and use permitted water. In the development of this water right, have you satisfied the conditions contained in your permit? [yes/no] No

A) Describe how you have complied with each condition contained in the original permit [and, if applicable, each condition contained in any order approving a permit amendment and/or a final order approving a prior extension of time]. Include the date when the condition was satisfied.



TIP: The instruction sheet for the Application for Extension of Time provides an explanation of the typical conditions that must be addressed in this question.

CHART-A

Condition No.**	Date Satisfied	Describe How Permit Condition Has Been Satisfied
1	7/1/2001 to 6/19/09	Installed five of five flow meters on wells
		Static water levels for 2002 and 2003 in OWRD files
2	4/11/2009	Measured static water levels in five wells

** Condition No: Hand-number each condition on a copy of your permit (and, if applicable, permit amendment and prior extension).

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

CHART-B

Condition No.**	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied

** Condition No: Hand-number each condition on a copy of your permit (and, if applicable, permit amendment and prior extension).

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Application for Extension of Time for a Water Right Permit
Page 4 of 9

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

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WATER RESOURCES DEPT

3. Provide evidence of physical progress made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-C); and if applicable, within the time period of the most recent extension granted (CHART-D).

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

CHART-C

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
8/6/1984	Three wells constructed by previous land owner	\$20,000
5/29/1999	Installed two wells	\$5,000

DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER <i>List work/actions done during the permitted time period.</i>	COST*
6/13/2001	The permit was signed - find date above signature on last page of permit.	
6/1/2000	Dam and reservoir #2 construction begin \$400,000	
6/13/2002	The permit specified "Actual Construction Work" shall begin ("A-Date") -not all permits contain this date.	
7/1/2001	Pump station and pipeline on reservoir #2	18,000
3/15/2001	Dam and reservoir #1 construction began \$100,000	
2001 - 2004	Vineyard	
	Land clearing 160 acres	\$480,000
	Drip irrigation system 190 acres	\$266,000
	Establishing vineyard 190 acres	\$515,000
10/1/2005	The permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date.	

DATE	WORK ACCOMPLISHED AFTER "C-DATE" <i>COMPETE ONLY IF THIS IS YOUR 1st APPLICATION FOR EXTENSION OF TIME: List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
October 2004	Land clearing 100 acres	\$500,000
to	Establishing vineyard 80 acres	\$160,000
Present	Vineyard drip irrigation system 80 acres	\$112,000
	Pasture sprinkler irrigation system 70 acres	\$26,000
Total Cost for Chart-C		\$2,102,000

* If exact cost is not known, you must provide your best estimate.

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

CHART-D

DATE	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
10/1/___	"Extended From" date for complete application of water used in the 1 st (or the most recent) Application for Extension of Time.	
10/1/___	"Extended To" date for complete application of water resulting from the 1 st (or the most recent) Application for Extension of Time.	

DATE	WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
Total Cost of Chart-D		

* If exact cost is not known, you must provide your best estimate.

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

4. Cost of project to date: over \$2,102,000 (in area affected by ground water irrigation)
(The total combined cost of CHART-C and CHART-D)

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



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

Maximum rate used to date = 0.239 cfs = .206 cfs supplemental + .033 cfs nursery, or,

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

Acre-feet stored to date = _____ AF (Reservoir #2)

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

Total acres irrigated to date: 340 + .05 nursery

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

CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
Present	Land clearing 65 acres	\$455,000 -
to	Vineyard planting 65 acres	130,000 -
October 2015	Vineyard drip irrigation system 65 acres	91,000 +
	New pasture sprinkler irrigation system 70 acres	77,000 +
Year: 2015	Intend to apply water to full beneficial use under the terms and conditions of this permit.	
Total Cost		\$753,000

8. Estimated remaining cost to complete the project: \$753,000
(The total cost from CHART-E)

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

A) The project is of a size and scope that was originally planned to be phased in over a time frame longer than the one allowed in the permit.

The total project includes: ~305 acres land clearing, ~335 acres vineyard establishment, ~335 acres drip irrigation, ~70 acres sprinkler irrigation on grass pasture, plus constructing two earthen fill dams and reservoirs for irrigation water storage and two wells.

Approximately 65 acres of the most difficult land remains to be cleared. Our goal is to clear 10 acres and plant / irrigate 25 acres of new vineyard each year. A new pasture sprinkler irrigation system will follow

B) The financial resources needed to develop the project precluded completion of the project within authorized time frames.

Available Family development funds (cash + loans) have been exhausted. Here on, continued development depends on the price of grapes, weather and equipment availability.

Past development funds have averaged about \$240,000 per year. Future development funds are estimated to be about half or \$120,000 per year.

C) Good faith attempts to comply with permit conditions and/or acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project.

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- D) Acts of God or other unforeseen events delayed full development of the water system and use of water within the authorized time frames.

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

10. Justify the time requested to complete the project and/or apply the water to full beneficial use. Your justification should combine information from your answers from Questions 2, 3-A, 3-B, 7 and 9 of this Application for Extension of Time, and should also include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.

Project development on the most difficult topography has been left to the last. Available development funds are limited. Our goal is to plant and install drip irrigation on 25 additional acres each year. Realistically in six years, project development should be complete.

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

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

Joe Mantz
Signature

June 29, 2009
Date

TO: Water Rights Section

March 14, 199²⁰⁰⁰

FROM: Groundwater/Hydrology Section

Reviewer's Name

SUBJECT: Application G- 15085

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE Willamette Basin rules, one or more of the proposed POA's is/is not within _____ feet/mile of a surface water source (_____) ~~and~~ taps a groundwater source hydraulically connected to the surface water.
Not Applicable → OAR 690-502-160(2)(c) Not satisfied
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
a. _____ will, or _____ have the potential for substantial interference with the nearest
b. ☒ will not surface water source, namely Unnamed Tribs; or
c. _____ will if properly conditioned, adequately protect the surface water from interference:
i. _____ The permit should contain condition #(s) _____;
ii. _____ The permit should contain special condition(s) as indicated in "Remarks" below;
iii. _____ The permit should be conditioned as indicated in item 4 below; or
d. _____ will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
a. _____ will, or _____ likely be available in the amounts requested without injury to prior rights
b. _____ will not and/or within the capacity of the resource; or
c. ☒ will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
i. ☒ The permit should contain condition #(s) 7E;
ii. _____ The permit should contain special condition(s) as indicated in "Remarks" below;
iii. _____ The permit should be conditioned as indicated in item 4 below; or
4. a. _____ THE PERMIT should allow groundwater production from no deeper than _____ ft. below land surface;
b. _____ The permit should allow groundwater production from no shallower than _____ ft. below land surface;
c. _____ The permit should allow groundwater production only from the _____ groundwater reservoir between approximately _____ ft. and _____ ft. below land surface;
d. _____ Well reconstruction is necessary to accomplish one or more of the above conditions.
e. _____ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS:

(Well Construction Considerations on Reverse Side)

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

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

RECOMMENDATION:

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

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

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

_____, 199____
(Signature)

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

_____, 199____
(Signature)

MEMO

March 13

2000
~~199~~

FROM GW: Donna Miller
(Reviewer's Name)

☐ Yes☒ No☐ Yes☒ No☒

FLOW REDUCTION: (To be filled out only if Preponderance of Evidence box is not checked)

Exercise of this permit is calculated to reduce monthly flows in _____ Scenic Waterway by the following amounts expressed as a proportion of the consumptive use by which surface water flow is reduced.

[illegible]

**Water Right Conditions
Tracking Slip**

Groundwater/Hydrology Section

FILE ## G-15085

ROUTED TO: WR'S

TOWNSHIP/

RANGE-SECTION: 5S/5W-9

CONDITIONS ATTACHED? ☒ yes ☐ no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Don M. [Signature]

WATER RESOURCES DEPARTMENT MEMORANDUM

p123

TO: Groundwater/Hydrology Files

Date 2/10/2000

FROM: Donna Miller

SUBJECT: Groundwater Application G-15085

Phone:

Name: Montazi Family LLC

Applicant(s) seek 100 gpm (cfs) from 5 well(s) in the

Proposed use: Irrigation & Nursery
 405.4 acres Secondary Irrig.
 5.99 acres primary

Location	Well(s)	Basin
47.5 Willamette	Well 6 Willamette	basin
Yamhill R.	Yamhill R.	sub basin
S. Yamhill R.	S. Yamhill R.	sub basin
Dean CK	Unnamed trib.	
Muddy CK		

Pertinent 7 1/2-minute quads 0.05 nmsa Muddy Valley

Well #1 WRD# YAMH 7270 T 5S R 5W S 9 Q0 cbd County Yamhill

Legal Description 1,250' east + 1,590' North of the SW Corner of Section 9

Well is 550 ft from Unnamed Trib of Muddy CK (river/stream)

Well is 1900 ft from Muddy CK (river/stream)

Well elevation 310 ft River/stream elevation ① 235, ② 180 ft.

Well elevation-river/stream elevation ① 75' ② 130'

Well depth 120' SWL 23 on 8/18/84

Sealed to 18' Depth first water found 68'

Cased to 18' Perforations/screens

Lined to 0-128 Perforations/screens 100-128

Well tests and types 15 gpm / 1 hr Air test

Confined or unconfined? Confined Hydraulically connected? NO

Potential to cause substantial interference? NO

Well #2 WRD# YAMH 7272 T 5S R 5W S 9 Q0 abd County Yamhill

Legal Description 2,248' W + 1,990' N of the SE corner of Section 9

Well is 400 ft from Unnamed Trib Muddy CK (river/stream)

Well is - ft from - (river/stream)

Well elevation 380 ft River/stream elevation ① 340 ft.

Well elevation-river/stream elevation 40'

Well depth 183' SWL 20 on 8/10/84

Sealed to 18' Depth first water found 90'

Cased to 18' Perforations/screens

Lined to 0-183 Perforations/screens NONE

Well tests and types 15 gpm / 1 hr Air test

Confined or unconfined? Confined Hydraulically connected? NO

Potential to cause substantial interference? NO

Conditioned water rights in area: NO

Other nearby water rights of record:

Density of nearby wells of record:

Comments: Marine sediments, rocks & associated volcanics are the aquifers for this application. The several well reports reveal some yield but long term sustainability is questionable to me. The unnamed tribs near the wells have reservoirs owned by the applicant who wants to supplement irrigation from the wells. I think that well use will influence only a very localized area.

References used: USGS WSP-390, well logs, topo, basin geologic maps

WATER RESOURCES DEPARTMENT MEMORANDUM

p2 73

TO: Groundwater/Hydrology Files Date _____

FROM: _____

SUBJECT: Groundwater Application G- 15085 Phone: _____

Name: _____

Applicant(s) seek _____ gpm (_____ cfs) from _____ well(s) in the _____ basin

Proposed use: _____ sub basin

_____ sub basin

Pertinent 7 1/2 - minute quads _____

Well #4 WRD# YAMH 51754 T 5S R 5W S 9 Q 26d County YamhillLegal Description 1,510' W + 1,190' S of the NE corner of Section 9Well is 300 ft from Unnamed Trib Muddy CK (river/stream)Well is - ft from - (river/stream)Well elevation 680 ft River/stream elevation 600 ftWell elevation - river/stream elevation 80Well depth 450' SWL 123 on 8/30/99Sealed to 39' Depth first water found 260Cased to 39' Perforations/screens -Lined to 3' - 450' Perforations/screens 410 - 450, 269 - 270Well tests and types 10 gpm / 1 hr Air testConfined or unconfined? Confined Hydraulically connected? NOPotential to cause substantial interference? NOWell #5 WRD# YAMH 51623 T 5S R 5W S 9 Q 26a County YamhillLegal Description 970' east + 2,175' North of the SW corner of Section 9Well is 1250 ft from Unnamed Trib Muddy CK (1) (river/stream)Well is 1700 ft from Muddy CK (2) (river/stream)Well elevation 380 ft River/stream elevation (1) 230 (2) 190 ftWell elevation - river/stream elevation (1) 150 (2) 190Well depth 300' SWL 17 on 5/22/99Sealed to 39' Depth first water found 99Cased to 39' Perforations/screens -Lined to 0 - 300 Perforations/screens 80 - 86, 240 - 260, 280 - 300Well tests and types 10 gpm / 4 hrs air testConfined or unconfined? Confined Hydraulically connected? _____Potential to cause substantial interference? NO

Conditioned water rights in area: _____

Other nearby water rights of record: _____

Density of nearby wells of record: _____

Comments: _____

References used: _____

WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Groundwater/Hydrology Files Date _____

FROM: _____

SUBJECT: Groundwater Application G- 15089 Phone: _____

Name: _____

Applicant(s) seek _____ gpm (_____ cfs) from _____ well(s) in the _____ basin

Proposed use: _____ sub basin

_____ sub basin

Pertinent 7 1/2 - minute quads _____

Well # 6 WRD# YAMH 51626 T 5S R 5W S 9 Q0 ada County Yamhill

Legal Description 48' west + 1,340' south of the NE corner of Section 9

Well is _____ ft from _____ (river/stream)

Well is _____ ft from _____ (river/stream)

Well elevation 640 ft River/stream elevation 450 ft

Well elevation - river/stream elevation 190

Well depth 221 SWL 80 on 5/25/99

Sealed to 19 Depth first water found 182

Cased to 19 Perforations/screens _____

Lined to 0 - 221 Perforations/screens 181 - 221

Well tests and types 90 gpm / 1 hr Airstest

Confined or unconfined? Confined Hydraulically connected?

Potential to cause substantial interference? NO

Well _____ WRD# _____ T _____ R _____ S _____ Q0 _____ County _____

Legal Description _____

Well is _____ ft from _____ (river/stream)

Well is _____ ft from _____ (river/stream)

Well elevation _____ ft River/stream elevation _____ ft

Well elevation - river/stream elevation _____

Well depth _____ SWL _____ on _____

Sealed to _____ Depth first water found _____

Cased to _____ Perforations/screens _____

Lined to _____ Perforations/screens _____

Well tests and types _____

Confined or unconfined? _____ Hydraulically connected? _____

Potential to cause substantial interference? _____

Conditioned water rights in area: _____

Other nearby water rights of record: _____

Density of nearby wells of record: _____

Comments: _____

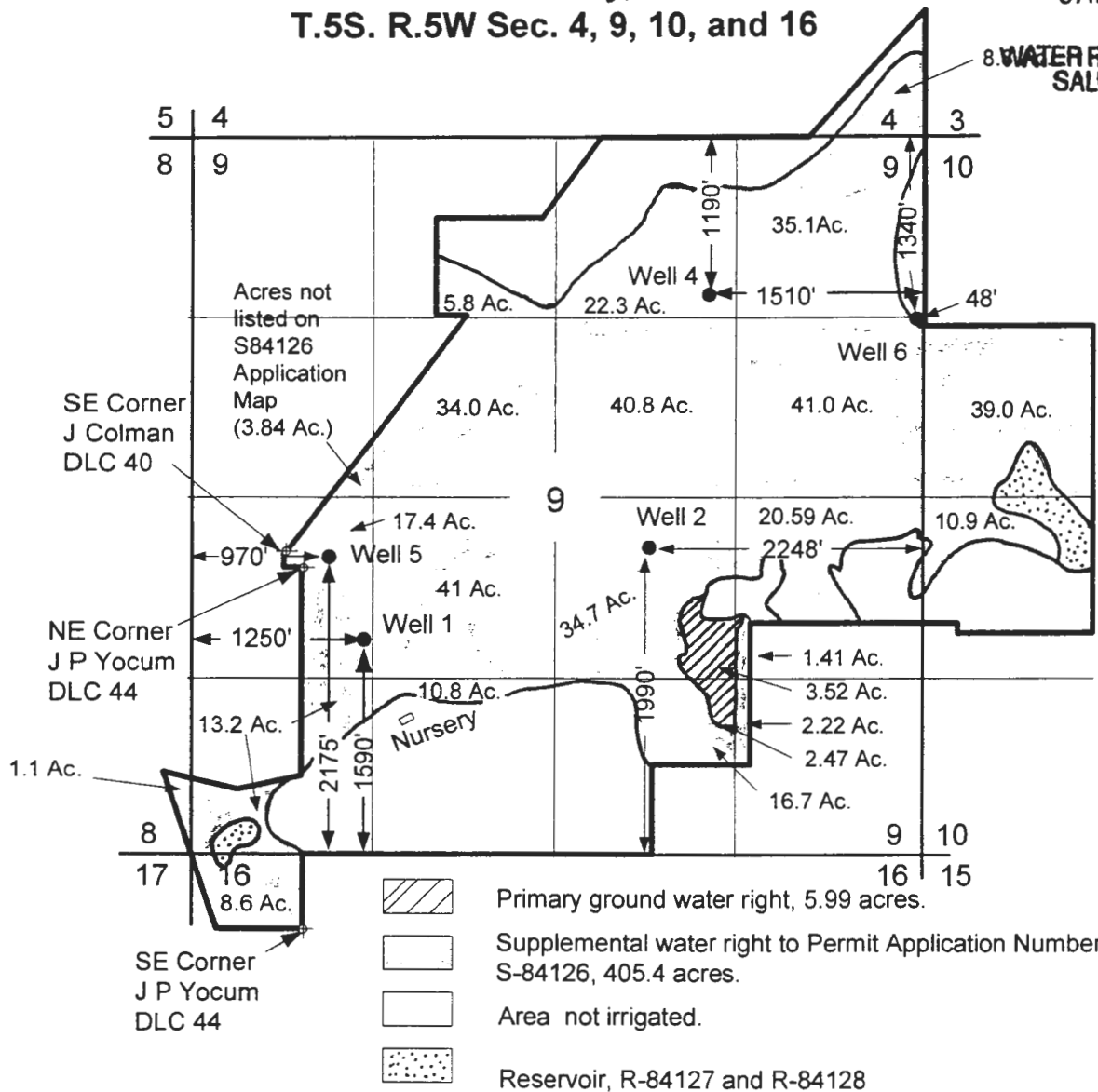
References used: _____

Permit Application Map for Supplemental Groundwater **RECEIVED**

Momtazi Family, L.L.C.
T.5S. R.5W Sec. 4, 9, 10, and 16

JAN 28 2000

8. WATER RESOURCES DEPT.
 SALEM, OREGON



Well 1 is located 1,250 feet east and 1,590 feet north of the SW corner of Section 9.
 Well 2 is located 2,248 feet west and 1,990 feet north of the SE corner of Section 9.
 Well 3 is not a part of the supplemental water right (Well not shown on map).
 Well 4 is located 1,510 feet west and 1,190 feet south of the NE corner of Section 9.
 Well 5 is located 970 feet east and 2,175 feet north of the SW corner of Section 9.
 Well 6 is located 48 feet west and 1,340 feet south of the NE corner of Section 9.

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



Scale: 1" = 1,320'



0 1,320



EXPIRATION DATE 12/31/2000

Pacific Hydro-Geology Inc.

State Permit No.

SP*45292-690

WATER RESOURCES DEPT
PLEASE TYPE OR PRINT IN INK
SALEM, OREGON

SP*45292-690

YAMH 51754

RECEIVED

SEP 07 1999

(1) OWNER: Well No. 1887
Name **NONTASI FAMILY LLC**
Address **2083 COLVIN CT**
City **MCMINNVILLE** St OR Zip 97128

(2) TYPE OF WORK: NEW WELL

(3) DRILL METHOD: ROTARY AIR

(4) PROPOSED USE: IRRIGATION

(5) BORE HOLE CONSTRUCTION:
Special Construction Approval NO Depth of Compl. Well 450 ft
Explosives used NO Type Amount
Diam. From To Material From To Amount
10 0 39 BENTONITE CHIP 0 39 19 SAX
6 39 450

Seal placement method **POURED/PROBED**
Backfill: from ___ ft to ___ ft Material
Gravel: from ___ ft to ___ ft Size

(6) CASING/LINER:
Diam. From To Gauge Material Connection
Casing 9 +1 39 .25 STEEL WELDED

Liner 4 3 450 SDR26 PLASTIC WELDED

Final Location of shoe(s) NO SHOE

(7) PERFORATIONS/SCREENS:
[X] Perf. Method **ELECTRIC SAW**
[] Screens Type Material
From To Slot Size Number Diam. Size Casing/liner
410 450 .1X7" 72 LNER
269 270 .1X3" 2 LNER

(8) WELL TESTS: Minimum testing time is 1 hour
Test type AIR
Yield GPM Draw-down Drill stem at Time
18 450 1 hr.
18 435 1/2

Temperature of water 54 Depth Artesian Flow Found
Was water analysis done? NO By whom
Reason for water not suitable for use
Depth of strata

(9) LOCATION OF WELL by legal description:
County **YAMHILL** Lat. " " Long. " " " "
Township 5 S Range 5 W NW.
Section 9 SW 1/4 NE 1/4
Tax Lot 100 Lot Block Subdivision
Street Address of Well (or nearest Address)
15765 SW MUDDY VALLEY RD MCMINNVILLE, OR

(10) STATIC WATER LEVEL:
123 ft. below land surface. Date 08/30/99
Artesian pressure ___ lb per square in. Date

(11) WATER BEARING ZONES:
Depth at which water was first found 260
From To Est Flow Rate SWL
260 263 2 123
409 428 16 123

(12) WELL LOG:
Material Ground elevation From To SWL
TOP SOIL 0 2
RED CLAY 2 18
DECAYED MARINE ROCK 18 30
HARD GRAY MARINE ROCK, FINE GRAIN 30 260
SOFTER GRAY MARINE ROCK WB 260 261 123
HARD GRAY MARINE ROCK, FINE GRAIN 261 335
GRAY SILTSTONE 335 341
HARD GRAY MARINE ROCK 341 362
HARD GRAY SILTSTONE 362 391
HARD GRAY SILTSTONE W/TAN STREAKS 391 409
HARD, FRAC MARINE ROCK/SILTSTONE MIX, WB 409 428 123
GRAY CLAYSTONE, SOFT 428 438
GRAY OILY CLAYSTONE, GUNNY 438 450

DAVE PAYSINGER, BLUE WATER DRILLING CO.
(503) 209-8989

Date started 08/30/99 Completed 08/30/99

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

Signed _____ WWC Number _____
Date _____

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

Signed _____ WWC Number 1438
Date 08/30/99

RECEIVED

MAY 25 1999

WATER RESOURCES DEPT.
SALEM, OREGON

(1) OWNER: Well No. 1847
Name MONTANI FAMILY LLC
Address 2083 COLVIN CT
City MCMINNVILLE St OR Zip 97128

(2) TYPE OF WORK: NEW WELL

(3) DRILL METHOD: ROTARY AIR

(4) PROPOSED USE: FARM

(5) BORE HOLE CONSTRUCTION:
Special Construction Approval NO Depth of Compl. Well 300 ft
Explosives used NO Type Amount

Diam.		From	To	Material	From	To	Amount
10	0	39		BENTONITE CHIP	0	39	18 SAX
6	39	300					

Seal placement method POURED/PROBED

Backfill: from ft to ft Material
Gravel: from ft to ft Size

(6) CASING/LINER:

Diam.	From	To	Gauge	Material	Connection
Casing 6	+1	39	.25	STEEL	WELDED

Diam.	From	To	SDR	Material	Connection
Liner 4	0	300	SDR26	PLASTIC	WELDED

Final Location of shoe(s) NO SHOE

(7) PERFORATIONS/SCREENS:

[X] Perf. Method ELECTRIC SAW

From	To	Slot Size	Number	Diam.	Tele/pipe Size	Casing/liner
80	86	.124"	10			LINER
240	260	.127"	36			LINER
280	300	.127"	36			LINER

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

Test type AIR

Yield GPM	Draw-down	Drill stem at	Time
10		300	1 hr.
10		300	4

Temperature of water 54 Depth Artesian Flow Found
Was water analysis done? NO By whom
Reason for water not suitable for use
Depth of strata

(9) LOCATION OF WELL by legal description:
County YAMHILL Lat. Long.
Township 5 S Range 5 W NW.
Section 9 NE 1/4 SW 1/4
Tax Lot 100 Lot Block Subdivision
Street Address of Well (or nearest Address)
15765 SW MUDDY VALLEY RD SHERIDAN, OR

(10) STATIC WATER LEVEL:
17 ft. below land surface. Date 05/22/99
Artesian pressure lb per square in. Date

(11) WATER BEARING ZONES:
Depth at which water was first found 99

From	To	Est Flow Rate	SWL
99	103	7	NA
181	202	2	NA
252	264	1	17

(12) WELL LOG:

Material	Ground elevation	From	To	SWL
TOP SOIL		0	2	
BROKEN ROCK IN DECAYED CLAY		2	8	
DECAYED MARINE ROCK, BROWN		8	31	
HARD GRAY COARSE MARINE ROCK		31	63	
HARD GRAY SILTSTONE		63	69	
HARD GRAY MARINE ROCK		69	99	
GREEN MARINE ROCK, FRACTURED	WB	99	103	17
HARD GRAY MARINE ROCK		103	175	
HARD GRAY CLAYSTONE		175	181	
BROWN CLAYSTONE/COARSE GRAY MARINE ROCK	WB	181	202	17
STRATIFIED MARINE ROCK/CLAYSTONE, HARD		202	252	
FINE GRAIN GRAY MARINE ROCK, FRAC	WB	252	264	17
HARD GRAY CLAYSTONE		264	288	
SOFT GRAY CLAYSTONE		288	300	

DAVE PAYSINGER, BLUE WATER DRILLING CO.
(503) 209-8989

Date started 05/21/99 Completed 05/22/99

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

Signed _____ WWC Number _____
Date _____

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

Signed *David A. Paysinger* WWC Number 1438
Date 05/22/99

RECEIVED

MAY 28 1999

WATER RESOURCES DEPT.
SALEM, OREGON

(1) OWNER: Well No. 1848
Name MONTAZI FAMILY LLC
Address 2083 COLVIN CT
City MCMINNVILLE St OR Zip 97128

(2) TYPE OF WORK: NEW WELL

(3) DRILL METHOD: ROTARY AIR

(4) PROPOSED USE: FARM

(5) BORE HOLE CONSTRUCTION:

Special Construction	Approval NO	Depth of Compl. Well	221 ft
Explosives used	NO	Type	Amount
HOLE SEAL			
Diam.	From	To	Material From To Amount
10	0	19	BENTONITE CHIP 0 19 10 SAX
6	19	221	

Seal placement method POURED/PROBED
Backfill: from ___ ft to ___ ft Material
Gravel: from ___ ft to ___ ft Size

(6) CASING/LINER:

Diam.	From	To	Gauge	Material	Connection
Casing 6	+1	19	.25	STEEL	WELDED

Diam.	From	To	Gauge	Material	Connection
Liner 4	0	221	SDR26	PLASTIC	WELDED

Final Location of shoe(s) NO SHOE

(7) PERFORATIONS/SCREENS:

[X] Perf.	Method	ELECTRIC SAW	[] Screens	Type	Material		
From	To	Slot	Size	Number	Diam.	Size	Casing/liner
181	221	.1X7"	72				LINER

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

Test type	AIR	Draw-down	Drill stem at	Time
Yield GPM				
90			221	1 hr.
90			201	1

Temperature of water 53 Depth Artesian Flow Found
Was water analysis done? NO By whom
Reason for water not suitable for use
Depth of strata

(9) LOCATION OF WELL by legal description:
County YAMHILL Lat. Long.
Township 5 S Range 5 W NW.
Section 9 SW 1/4 NE 1/4
Tax Lot 100 Lot Block Subdivision
Street Address of Well (or nearest Address)
15765 SW MUDDY VALLEY RD MCMINNVILLE, OR

(10) STATIC WATER LEVEL:

80 ft. below land surface. Date 05/25/99
Artesian pressure lb per square in. Date

(11) WATER BEARING ZONES:

Depth at which water was first found	182		
From	To	Est Flow Rate	SWL
182	206	90	80

(12) WELL LOG:

Material	Ground elevation 600	From	To	SWL
BROWN ROCKY CLAY		0	1	
BROKEN DECAYED MARINE ROCK, COARSE		1	11	
TIGHT GRAY MARINE ROCK, MED.		11	56	
BROWN MARINE ROCK, HARD		56	63	
GRAY MARINE ROCK, HARD/FINE GRAIN		63	182	
GRAY MARINE ROCK, FRACTURED/BROKEN	WB	182	206	80
GRAY MARINE ROCK, HARD/MED GRAIN		206	221	

DAVE PAYSINGER, BLUE WATER DRILLING CO.
(503) 209-8989

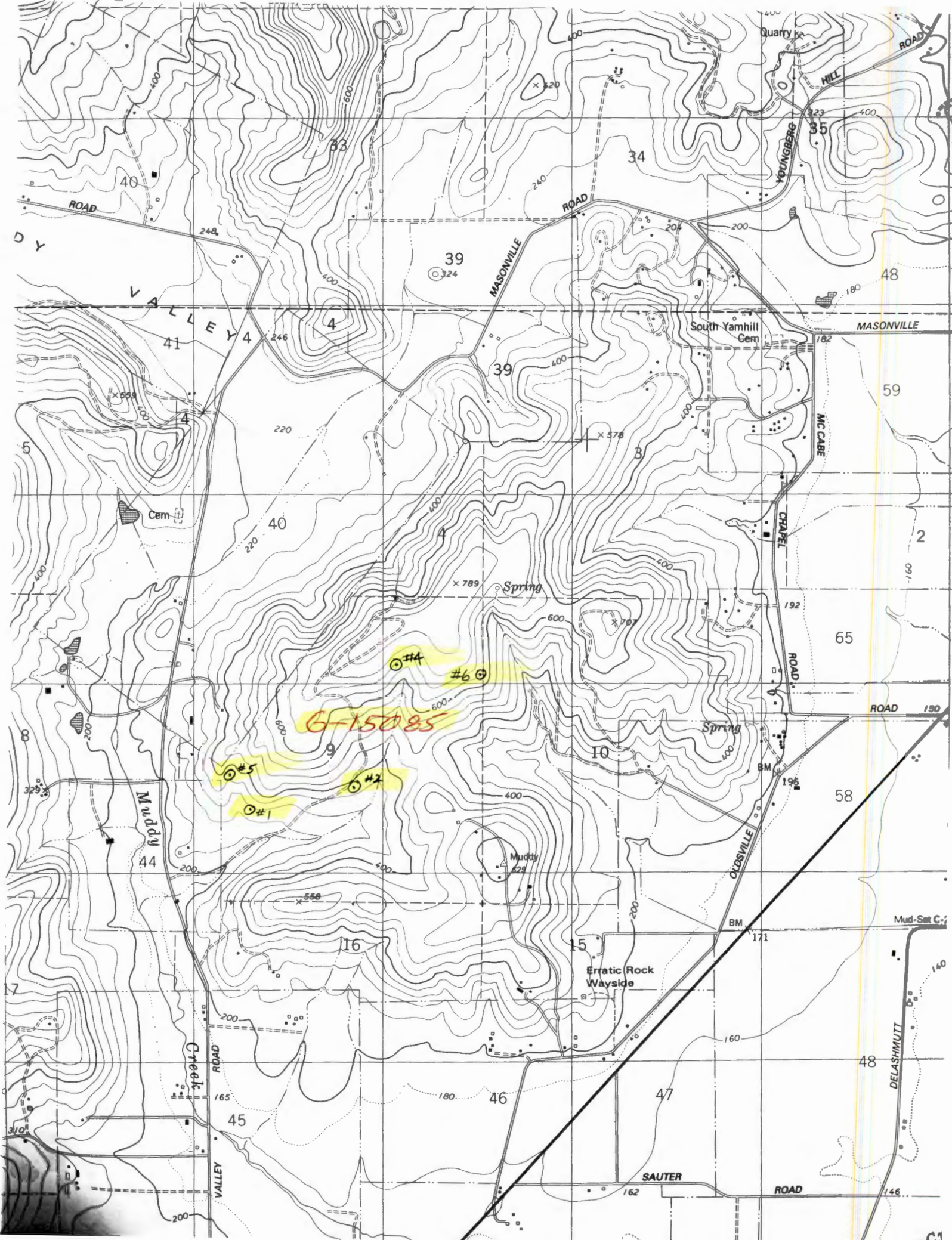
Date started 05/24/99 Completed 05/25/99

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

Signed _____ WWC Number _____
Date _____

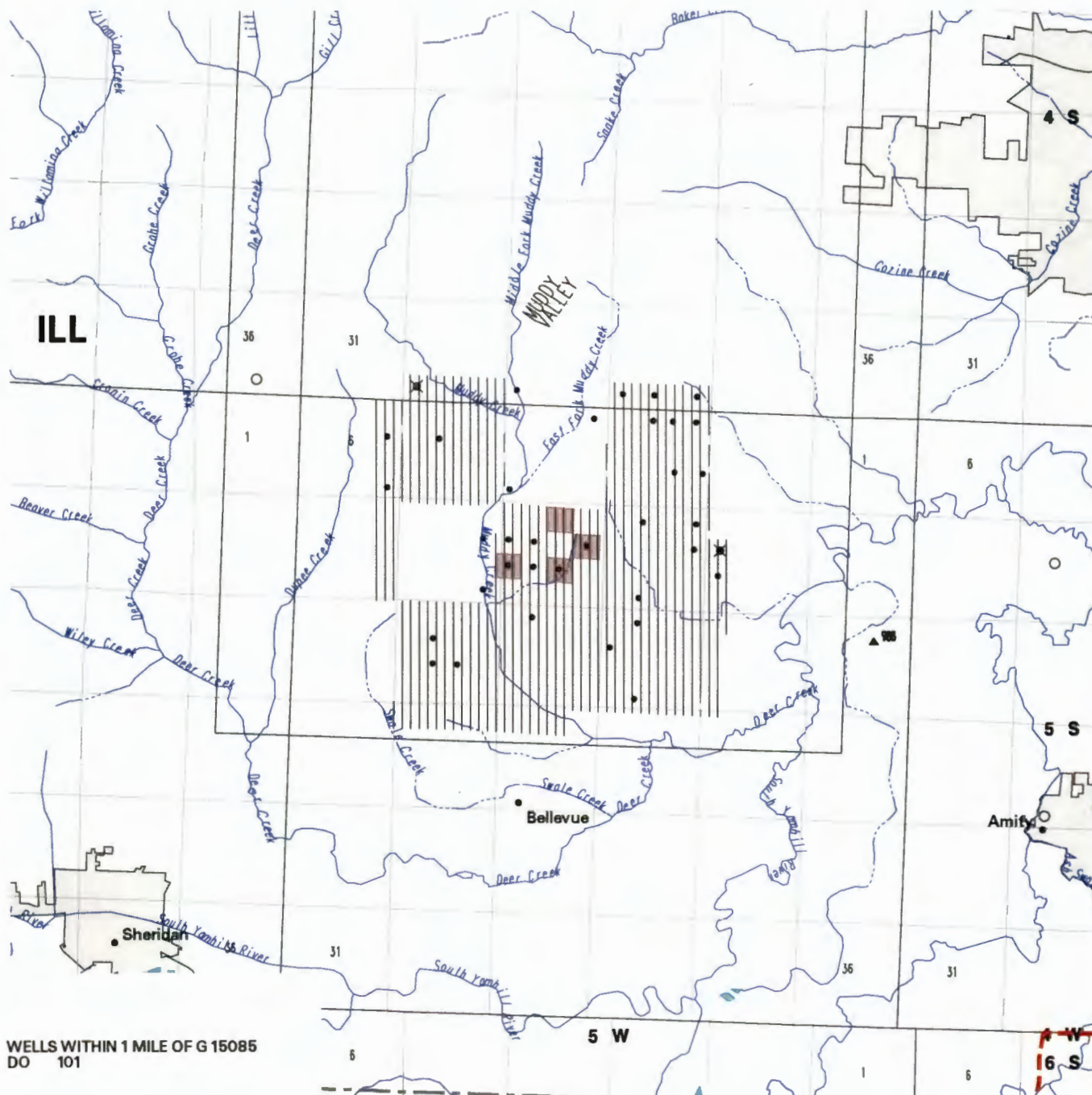
(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards.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

Signed *David A. Paysinger* WWC Number 1438
Date 05/25/99



Wells in the vicinity of application G 15085

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



WELLS WITHIN 1 MILE OF G 15085
DO 101

PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 15085

\$RECNO	APPLICATION	PERMIT	LOC-QQ	USE	RATE	DIV-UNITS
1	G 14017	G 12917	4.00S 5.00W32SWSW	AG	1.0000	C
1	G 14017	G 12917	4.00S 5.00W32SWSW	IR	1.0000	C
2	G 11870	G 11685	5.00S 5.00W11SWNW	IS	0.2500	C

CONDITIONED WELLS WITHIN 5 MILES OF APPLICATION G 15085

\$RECNO	APPLICATION	PERMIT	LOC-QQ	CONDITION-CODE
1	G 13600	G 12060	4.00S 6.00W36SWSE	7BG
1	G 13600	G 12060	4.00S 6.00W36SWSE	7DR
1	G 13600	G 12060	4.00S 6.00W36SWSE	7GG
1	G 13600	G 12060	4.00S 6.00W36SWSE	7GR
2	G 12381	G 11726	5.00S 4.00W 8SEW	4EG
2	G 12381	G 11726	5.00S 4.00W 8SEW	4EW
3	G 13278	G 12189	5.00S 4.00W20SEW	4FG
3	G 13278	G 12189	5.00S 4.00W20SEW	4FR
3	G 13278	G 12189	5.00S 4.00W20SEW	7BG
3	G 13278	G 12189	5.00S 4.00W20SEW	7BR
3	GR 431	GR 417	5.00S 4.00W20SEW	

APPLICATION G 15085 FALLS WITHIN THESE QUAD(S)

MUDDY VALLEY

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

\$RECNO	NAME1	NAME2	SUB-AREA	STATUS
1	EOLA HILLS			LIMI

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APR 15 2003

WATER RESOURCES DEPT
SALEM, OREGON

Water Level Report

Owner Name: Momtazi Family LLC; Moe Momtazi
Owner Address: 2083 Colvin Court
McMinnville, Oregon 97128

Application: G-15085
Permit: G-13990
Certificate: Not Issued

Well 1 (YAMH 7270) is located in the NW 1/4 SW 1/4, Section 9, T.5S., R.5W., W.M.; 1,590 feet north and 1,250 feet east from the SW corner of Section 9.

Date of measurement: 3/11/2003

Static water level below measuring point: 24.80 feet, or airline pressure psi
Measuring point distance above land surface: 1.3 feet, or airline length feet
Static water level below land surface: 23.50 feet

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

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

Well 2 (YAMH 7272) is located in the NW 1/4 SE 1/4, Section 9, T.5S., R.5W., W.M.; 1,990 feet north and 2,248 feet west from the SE corner of Section 9.

Date of measurement: 3/11/2003

Static water level below measuring point: 12.44 feet, or airline pressure psi
Measuring point distance above land surface: 1.7 feet, or airline length feet
Static water level below land surface: 10.74 feet

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

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

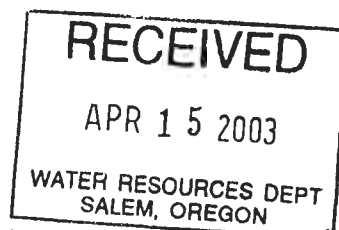
Well 4 (YAMH 51754) is located in the NW 1/4 NE 1/4, Section 9, T.5S., R.5W., W.M.; 1,190 feet south and 1,510 feet west from the NE corner of Section 9.

Date of measurement: 3/11/2003

Static water level below measuring point: 100.12 feet, or airline pressure psi
Measuring point distance above land surface: 1.1 feet, or airline length feet
Static water level below land surface: 99.02 feet

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

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



Water Level Report

Owner Name: Momtazi Family LLC; Moe Momtazi
Owner Address: 2083 Colvin Court
McMinnville, Oregon 97128

Application: G-15085
Permit: G-13990
Certificate: Not Issued

Well 5 (YAMH 51623) is located in the NW 1/4 SW 1/4, Section 9, T.5S., R.5W., W.M.; 2,175 feet north and 970 feet east from the SW corner of Section 9.

Date of measurement: 3/11/2003

Static water level below measuring point: 36.93 feet, or airline pressure psi
Measuring point distance above land surface: 0.9 feet, or airline length feet
Static water level below land surface: 36.03 feet

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

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

Well 6 (YAMH 51626) is located in the SE 1/4 NE 1/4, Section 9, T.5S., R.5W., W.M.; 1,340 feet south and 48 feet west from the NE corner of Section 9.

Date of measurement: 3/11/2003

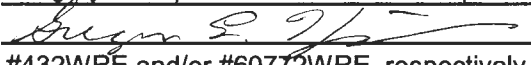
Static water level below measuring point: feet, or airline pressure NA* psi
Measuring point distance above land surface: feet, or airline length 214 feet
Static water level below land surface: 85 feet

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

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

Remarks: *Pressure gage does not show airline pressure, but reads depth to water directly.

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

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

Mailing List for Permit Copies

Application # G-15085

Mailing List Print Date June __, 2001

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

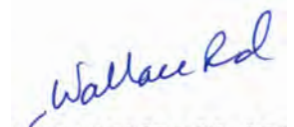
Applicant: MOMTZAI FAMILY LLC: MOE MOMTAZI, 2083 COLVIN COURT, MCMINNVILLE OR 97128

Copies Mailed
By: <u>Dy</u>
(SUPPORT STAFF)
on: <u>6/14/01</u>
(DATE)

Permit Copies sent to (Remember to reduce copy margins):

1. WRD - File # G-15085
2. WRD - Ken Stahr
3. WRD - Data Center
4. WRD - Watermaster District #: 16 - BILL FERBER

For FO w/Draft Permit, Copies to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

1. CWRE - MALIA R KUPILLAS
2. BLUE WATER DRILLING, 16303 SE  DAYTON OR 97114
3. _____

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

1. _____
2. _____

CASEWORKER: JWG - WEEK 290

MISCELLANEOUS WATER RIGHTS ROUTE SLIP

LAURA _____

JAKE _____

DALLAS _____

ANITA _____

WRIG _____

RENEE _____

LISA _____

OTHER

Jonny Guiney

G-15085

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 45664

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

INVOICE # _____

RECEIVED FROM: Momtazi Family LLC
BY: _____

APPLICATION	G/5085
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # ☒ 96-8 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 175.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY)

\$

OTHER: (IDENTIFY)

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

0427 WRD OPERATING ACCT

66111

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

\$

0202

RECORD FEE

\$

0203 GROUND WATER

\$

0204

\$ 175.00

0205 TRANSFER

\$

0206

\$

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS

\$

0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HRDRO APPLICATION

\$

RECEIPT # 45664

DATED: 06/05/01

BY: C. Vance

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **45664**

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

INVOICE # _____

RECEIVED FROM: Momtazi Family LLC

BY: _____

APPLICATION	G-15085
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 96-8 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 175.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS

PUBLICATIONS / MAPS

OTHER: (IDENTIFY) _____

OTHER: (IDENTIFY) _____

\$
\$
\$
\$

REDUCTION OF EXPENSE

CASH ACCT.

PCA AND OBJECT CLASS

VOUCHER #

\$

0427 WRD OPERATING ACCT

66111

MISCELLANEOUS

0407 COPY & TAPE FEES

0410 RESEARCH FEES

0408 MISC REVENUE: (IDENTIFY) _____

TC162 DEPOSIT LIAB. (IDENTIFY) _____

\$
\$
\$
\$

WATER RIGHTS:

0201 SURFACE WATER

0203 GROUND WATER

0205 TRANSFER

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER (IDENTIFY) _____

EXAM FEE

\$

\$

\$

EXAM FEE

\$

0202

0204

0206

0219

0220

RECORD FEE

\$

\$

\$

\$

\$

\$

LICENSE FEE

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

0210 MONITORING WELLS

OTHER (IDENTIFY) _____

\$

\$

CARD #

CARD #

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS

\$

0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

0231 HYDRO LICENSE FEE (FW/WRD)

HRDRO APPLICATION

\$
\$
\$

RECEIPT # **45664**

DATED: 06/05/01 BY: C. Vance

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-15085

Final Order

Application History

On January 28, 2000, MOMTAZI FAMILY LLC; MOMTAZI, MOE submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on January 16, 2001. The protest period closed March 2, 2001, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest, but the Department's continuing evaluation reveals that the Proposed Final Order requires modification to correctly describe the MAXIMUM RATE for IRRIGATION USE, and CHARACTER OF USE WITHIN EACH PLACE OF USE.

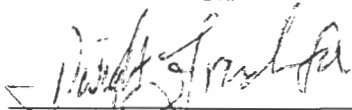
Order

Upon payment of outstanding permit recording fees, Application G-15085 shall be approved with the above modifications to the Proposed Final Order and as provided on the attached draft permit.

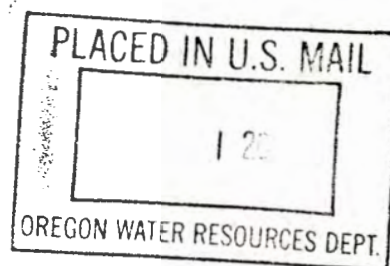
Permit recording fees are required in the amount of \$175.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees within 60 days from the date of this Final Order may result in the proposed rejection of Application G-15085.

If you need to request additional time to submit the required fees, the written request should be received in the Salem office of the Department by the deadline above. The Department will evaluate the request and determine whether or not the request may be granted.

DATED May 31, 2001



Paul/R. Cleary, Director



RECEIVED

JUN 06 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Momtazi Family LLC
2083 Colvin Court
McMinnville, Oregon 97128



Water Resources Dept
Commerce Building
158 12th Street NE
Salem, OR, 97301-4172

97301X4172 03



Mailing List for FO Copies

Application #

Mailing List Print Date

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

Applicant: MOMTZAİ FAMILY LLC: MOE MOMTAZI, 2083 COLVIN COURT, MCMINNVILLE OR 97128

Copies Mailed
By: <u>DG</u>
(SUPPORT STAFF)
on: <u>5/31/01</u>
(DATE)

For FO w/Draft Permit - Copies sent to:

1. WRD - File # G-15085
2. WRD - Ken Stahr

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

3. WRD - Watermaster District #: 16 - BILL FERBER

For FO w/Draft Permit, Copies to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

1. CWRE - MALIA R KUPILLAS
2. BLUE WATER DRILLING, 16303 SE , DAYTON OR 97114
3. _____

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

1. _____
2. _____

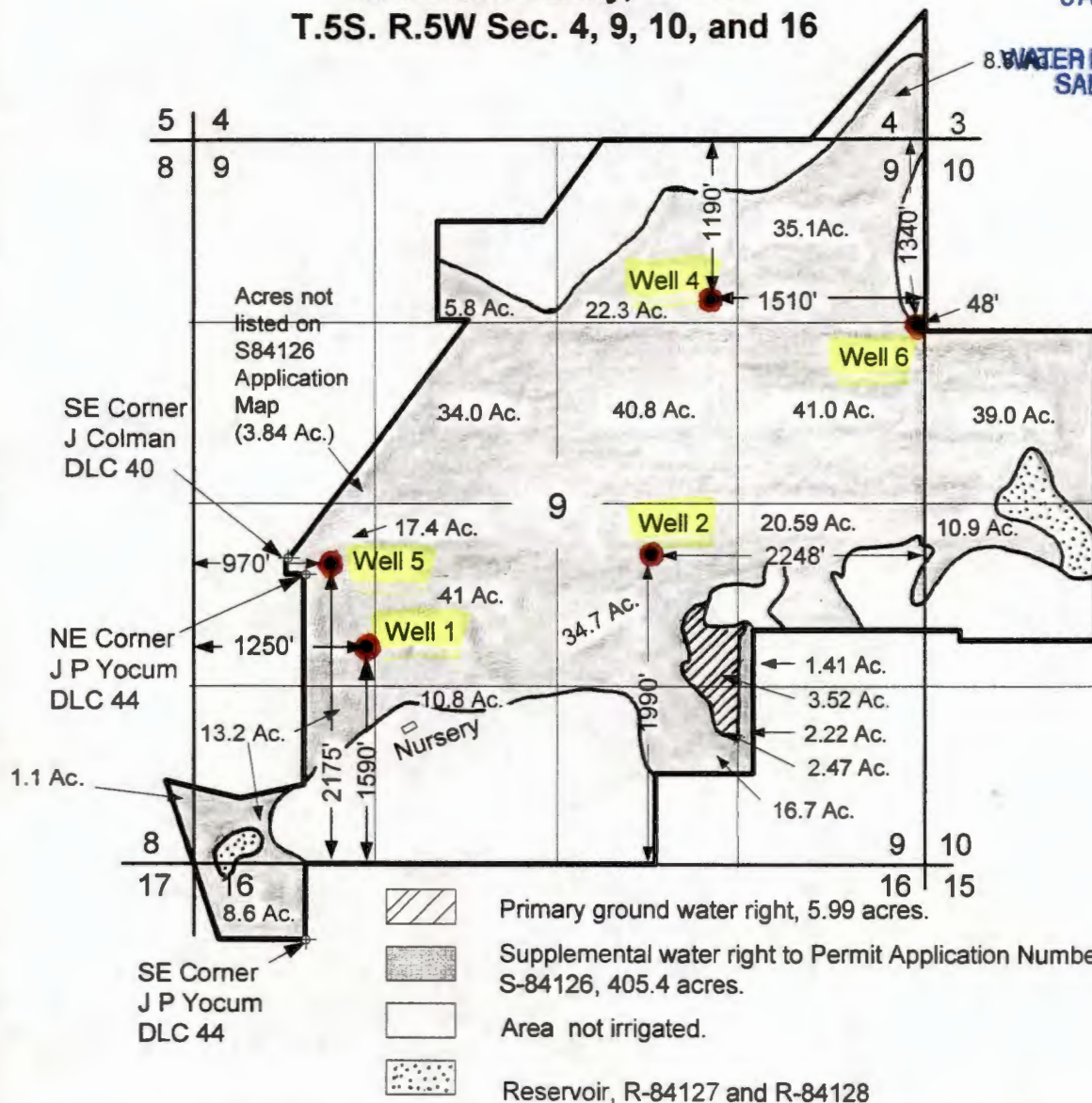
CASEWORKER: JWG - WEEK 287

Permit Application Map for Supplemental Groundwater Right **RECEIVED**

Momtazi Family, L.L.C.
T.5S. R.5W Sec. 4, 9, 10, and 16

JAN 28 2000

WATER RESOURCES DEPT.
 SALEM, OREGON



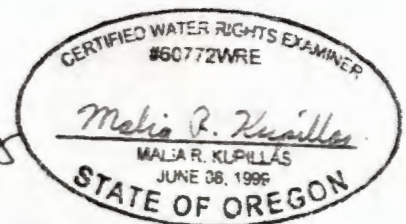
Well 1 is located 1,250 feet east and 1,590 feet north of the SW corner of Section 9.
 Well 2 is located 2,248 feet west and 1,990 feet north of the SE corner of Section 9.
 Well 3 is not a part of the supplemental water right (Well not shown on map).
 Well 4 is located 1,510 feet west and 1,190 feet south of the NE corner of Section 9.
 Well 5 is located 970 feet east and 2,175 feet north of the SW corner of Section 9.
 Well 6 is located 48 feet west and 1,340 feet south of the NE corner of Section 9.

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



Scale: 1" = 1,320'
 0 1,320

Application No. G-15085
 Permit No.



EXPIRATION DATE 12/31/2000

Pacific Hydro-Geology Inc.

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

Issued _____, 2000

DRAFT - THIS IS NOT A PERMIT

Paul R. Cleary, Director
Water Resources Department

Application G-15085
Basin 02
JWG

Water Resources Department
Volume 11A DEER CR MISC
MGMT.CODE 7ER, 7EG

PERMIT DRAFT
District 16

Department.

STANDARD CONDITIONS

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

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

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

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

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

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

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

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

After Use of Water has Begun

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

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

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

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

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

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

Measurement, recording and reporting conditions:

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

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.

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

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

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

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime, during the period of allowed use specified above, that the use is beneficial.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>	<u>NURSERY</u>
SE 1/4 SE 1/4		8.80 ACRES	
SECTION 4			
SE 1/4 SE 1/4		1.10 ACRES	
SECTION 8			
NE 1/4 NE 1/4		35.10 ACRES	
NW 1/4 NE 1/4		22.30 ACRES	
SW 1/4 NE 1/4		40.80 ACRES	
SE 1/4 NE 1/4		41.00 ACRES	
NE 1/4 NW 1/4		5.80 ACRES	
SW 1/4 NW 1/4	3.84 ACRES		
SE 1/4 NW 1/4		34.00 ACRES	
NE 1/4 SW 1/4		41.00 ACRES	
NW 1/4 SW 1/4		17.40 ACRES	
SW 1/4 SW 1/4		13.20 ACRES	
SE 1/4 SW 1/4		10.80 ACRES	
SE 1/4 SW 1/4			0.05 ACRES
NE 1/4 SE 1/4		22.00 ACRES	
NW 1/4 SE 1/4		34.70 ACRES	
NW 1/4 SE 1/4	3.52 ACRES		
SW 1/4 SE 1/4	2.47 ACRES		
SW 1/4 SE 1/4		16.70 ACRES	
SE 1/4 SE 1/4		2.22 ACRES	
SECTION 9			
SW 1/4 NW 1/4		39.00 ACRES	
NW 1/4 SW 1/4		10.90 ACRES	
SECTION 10			
NW 1/4 NW 1/4		8.60 ACRES	
SECTION 16			
TOWNSHIP 5 SOUTH, RANGE 5 WEST, W.M.			

DRAFT

This is not a permit!!!

DRAFT

STATE OF OREGON

COUNTY OF YAMHILL

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

MOMTAZI FAMILY LLC

MOE MOMTAZI

2083 COLVIN COURT

PHONE (503) 472-8880

MCMINNVILLE, OREGON 97128

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

APPLICATION FILE NUMBER: G-15085

SOURCE OF WATER: BASALT AQUIFER: WELL 1 AND WELL 2 WITHIN THE MUDDY CREEK BASIN; MARINE ROCK AQUIFER: WELL 4, WELL 5, AND WELL 6 WITHIN THE MUDDY CREEK BASIN

PURPOSE OR USE: PRIMARY IRRIGATION OF 9.83 ACRES, SUPPLEMENTAL IRRIGATION OF 405.42 ACRES AND NURSERY OPERATIONS ON 0.05 ACRE

MAXIMUM RATE: IRRIGATION USE: 0.239 CUBIC FOOT PER SECOND (CFS), BEING 0.033 CFS FROM WELL 1, 0.033 CFS FROM WELL 2, 0.04 CFS FROM WELL 4; 0.022 CFS FROM WELL 5, AND 0.11 CFS FROM WELL 6,; NURSERY OPERATION: 0.033 CFS FOR NURSERY OPERATIONS FROM WELL 1 ON 0.05 ACRE

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 FOR PRIMARY AND SUPPLEMENTAL IRRIGATION AND NOVEMBER 1 THROUGH APRIL 30 OF EACH YEAR FOR NURSERY OPERATIONS ON 0.05 ACRE

DATE OF PRIORITY: JANUARY 28, 2000

POINT OF DIVERSION LOCATIONS: NW 1/4 NE 1/4, SE 1/4 NE 1/4, NW 1/4 SW 1/4, NW 1/4 SE 1/4, SECTION 9 T5S, R5W, W.M.; WELL 4 - 1190 FEET SOUTH & 1510 FEET WEST, WELL 6 - 1340 FEET SOUTH & 48 FEET WEST, BOTH FROM NE CORNER, SECTION 9; WELL 1 - 1590 FEET NORTH & 1250 EAST, WELL 5 - 2175 FEET NORTH & 970 FEET EAST, BOTH FROM SW CORNER, SECTION 9; WELL 2 - 1990 FEET NORTH AND 2248 FEET WEST FROM SE CORNER, SECTION 9, T5S, R5W, W.M.

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

Application G-15085

PERMIT DRAFT

Appeal Rights

Under the provisions of ORS 527.170 and ORS 537.622, the applicant may request a contested case hearing by submitting the information required for a protest under ORS 537.153(6) or ORS 527.621(7) to the Department within 14 days after the date of mailing of this order as shown below. If a contested case hearing is requested, the Department must schedule one. In the contested case hearing, however, only those issued based on the above modifications to the proposed final order may be addressed.

SB 804 allows for additional appeal rights for other than contested case. This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of this order must be filed within the 60 day time period specified by ORS 183.484(2).

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

This document was prepared by Jerry Gainey. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me toll free within Oregon at 1-800-624-3199 extension 458. Outside of Oregon you can dial 1-503-378-8455.

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

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301-4172, Fax: (503)378-2496

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-15085

Final Order

Application History

On January 28, 2000, MOMTAZI FAMILY LLC; MOMTAZI, MOE submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on January 16, 2001. The protest period closed March 2, 2001, and no protest was filed.

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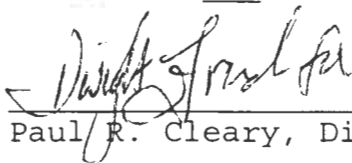
Order

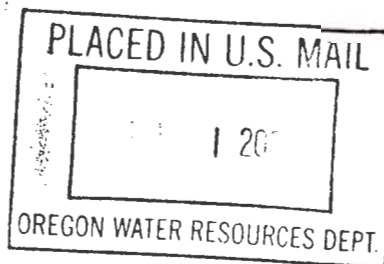
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If you need to request additional time to submit the required fees, the written request should be received in the Salem office of the Department by the deadline above. The Department will evaluate the request and determine whether or not the request may be granted.

DATED May 31, 2001


Paul R. Cleary, Director



**Oregon Water Resources Department
Water Rights Division**

Water Rights Application
Number G-15085

Proposed Final Order

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

Application History

On January 28, 2000, MOMTAZI FAMILY LLC; MOE MOMTAZI, submitted an application to the Department for the following water use permit:

- Amount of Water: 123.0 GALLONS PER MINUTE, (GPM), BEING 30.0 GPM FROM WELL 1, 15.0 GPM FROM WELL 2, 18.0 GPM FROM WELL 4, 10.0 GPM FROM WELL 5, AND 50.0 GPM FROM WELL 6
- Use of Water: PRIMARY IRRIGATION OF 5.99 ACRES AND SUPPLEMENTAL IRRIGATION OF 409.26 ACRES AND NURSERY OPERATIONS ON 0.05 ACRES
- Source of Water: FIVE WELLS IN MUDDY CREEK BASIN
- Area of Proposed Use: YAMHILL County within SECTION 8, SECTION 9, SECTION 10, SECTION 16, TOWNSHIP 5 SOUTH, RANGE 5 WEST, W.M.

On 7/14/00, the Department mailed the applicant notice of its Initial Review, determining that "the use of 0.24 CUBIC FOOT PER SECOND (108.0 GALLONS PER MINUTE,) BEING 15.0 GPM FROM WELL 1, 15.0 GPM FROM WELL 2 from the Basalt aquifer; and 18.0 GPM FROM WELL 4, 10.0 GPM FROM WELL 5, and 50.0 GPM FROM WELL 6 from the Marine Rock aquifer, for PRIMARY IRRIGATION OF 9.83 ACRES AND SUPPLEMENTAL IRRIGATION OF 409.26 ACRES is allowable from March 1 through October 30 of each year. The use of 0.03 CFS (15.0 GPM) for NURSERY USE of 0.05 ACRES is allowable from November 1 through April 30 of each year."

The applicant did not notify the Department to stop processing the application within 14 days of that date.

On 8/1/00, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.

No written comments were received within 30 days.

In reviewing applications, the Department may consider any relevant

2-20-01

The rate of use allowed in
Draft Permit needs review.
Data Center had some questions
about the rates & how it'd.
Does not add up right?

LKS

sources of information, including the following:

- comments by or consultation with another state agency
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available
- the rate and duty for the proposed use
- pending senior applications and existing water rights of record
- designations of any critical groundwater areas
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any general basin-wide standard for flow rate and duty of water allowed
- the need for a flow rate and duty higher than the general standard
- any comments received

Findings of Fact

The Willamette Basin Program allows the following uses: IRRIGATION USE AND IRRIGATION AND AGRICULTURAL USE FOR NURSERY OPERATIONS.

An assessment of groundwater availability has been completed by the Department's Groundwater/Hydrology section. A copy of this assessment is in the file. The proposed use of groundwater **will, if properly conditioned, avoid injury** to existing rights or to the groundwater resource. Therefore, groundwater may be appropriated during the full period requested by the applicant, being year round for Nursery Operations and MARCH 1 THROUGH OCTOBER 31 for Irrigation.

Continued review of the file requires modification of the Initial Review document to identify the correct number of acres to be irrigated and covered by nursery use. The correct number is PRIMARY IRRIGATION OF 9.83 ACRES AND SUPPLEMENTAL IRRIGATION OF 405.42 ACRES. Nursery operations will be on 0.05 acres only.

The identified FIVE WELLS WITHIN the MUDDY CREEK BASIN are not within or above a State Scenic Waterway.

The Department finds that no more than 2,329.7 GPM (5.19 Cubic Feet Per Second) [CFS] would be necessary for Irrigation of 9.83 acres and Supplemental Irrigation of 405.42 acres and that no more than 3.37 GPM (0.007 CFS) would be necessary for Nursery Operations on 0.05 acre. The amount of water requested, 108.0 GPM (0.24 CFS) FOR Irrigation use and 15.0 GPM (0.033 CFS) for Nursery Operations, shall be restricted to no more than 0.24 CFS for Primary and Supplemental Irrigation and 0.007 CFS for Nursery Operations.

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

The Department determined, based upon OAR 690-09, that the proposed groundwater use will not have the potential for substantial interference with surface water, namely unnamed tributaries of Muddy Creek.

The Groundwater Section finds, per OAR 390.835(9), there **is NOT** a

preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

Conclusions of Law

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

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

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

Water is available for the proposed use.

The proposed use will not injure other water rights.

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

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

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

For these reasons, the required presumption has been established.

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

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

In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by

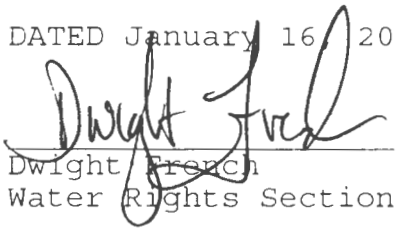
a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

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

Recommendation

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

DATED January 16, 2001


Dwight French
Water Rights Section Manager

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

Protest Rights and Standing

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

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

Requests for Standing

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

Your protest or request for standing must be received in the Water Resources Department no later than **March 2, 2001**.

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

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

This document was prepared by Ken Dowden. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me toll free within Oregon at 1-800-624-3199 extension 217. Outside of Oregon you can dial 1-503-378-8455.

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

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 228.

Address all other correspondence to:

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

DRAFT

This is not a permit!!!
STATE OF OREGON

DRAFT

COUNTY OF YAMHILL

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

MOMTAZI FAMILY LLC
MOE MOMTAZI
2083 COLVIN COURT
MCMINNVILLE, OREGON 97128

PHONE (503) 472-8880

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

APPLICATION FILE NUMBER: G-15085

SOURCE OF WATER: BASALT AQUIFER: WELL 1 AND WELL 2 WITHIN THE MUDDY CREEK BASIN; MARINE ROCK AQUIFER: WELL 4, WELL 5, AND WELL 6 WITHIN THE MUDDY CREEK BASIN

PURPOSE OR USE: PRIMARY IRRIGATION OF 9.83 ACRES, SUPPLEMENTAL IRRIGATION OF 405.42 ACRES AND NURSERY OPERATIONS ON 0.05 ACRE

MAXIMUM RATE: IRRIGATION USE: 0.241 CUBIC FOOT PER SECOND (CFS), BEING 0.033 CFS FROM WELL 1, 0.033 CFS FROM WELL 2, 0.04 CFS FROM WELL 4; 0.022 CFS FROM WELL 5, AND 0.11 CFS FROM WELL 6;; NURSERY OPERATION: 0.033 CFS FOR NURSERY OPERATIONS FROM WELL 1

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 FOR PRIMARY AND SUPPLEMENTAL IRRIGATION AND NOVEMBER 1 THROUGH APRIL 30 OF EACH YEAR FOR NURSERY OPERATIONS

DATE OF PRIORITY: JANUARY 28, 2000

POINT OF DIVERSION LOCATIONS: NW 1/4 NE 1/4, SE 1/4 NE 1/4, NW 1/4 SW 1/4, NW 1/4 SE 1/4, SECTION 9 T5S, R5W, W.M.; WELL 4 - 1190 FEET SOUTH & 1510 FEET WEST, WELL 6 - 1340 FEET SOUTH & 48 FEET WEST, BOTH FROM NE CORNER, SECTION 9; WELL 1 - 1590 FEET NORTH & 1250 EAST, WELL 5 - 2175 FEET NORTH & 970 FEET EAST, BOTH FROM SW CORNER, SECTION 9; WELL 2 - 1990 FEET NORTH AND 2248 FEET WEST FROM SE CORNER, SECTION 9, T5S, R5W, W.M.

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime, during the period of allowed use specified above, that the use is beneficial.

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>	<u>NURSERY</u>
SE 1/4 SE 1/4	8.80 ACRES		
SECTION 4			
SE 1/4 SE 1/4	1.10 ACRES		
SECTION 8			
NE 1/4 NE 1/4	35.10 ACRES		
NW 1/4 NE 1/4	22.30 ACRES		
SW 1/4 NE 1/4	40.80 ACRES		
SE 1/4 NE 1/4	41.00 ACRES		
NE 1/4 NW 1/4	5.80 ACRES		
SW 1/4 NW 1/4		3.84 ACRES	
SE 1/4 NW 1/4	34.00 ACRES		
NE 1/4 SW 1/4	41.00 ACRES		
NW 1/4 SW 1/4	17.40 ACRES		
SW 1/4 SW 1/4	13.20 ACRES		
SE 1/4 SW 1/4	10.80 ACRES		
SE 1/4 SW 1/4			0.05 ACRES
NE 1/4 SE 1/4	22.00 ACRES		
NW 1/4 SE 1/4	34.70 ACRES		
NW 1/4 SE 1/4		3.52 ACRES	
SW 1/4 SE 1/4		2.47 ACRES	
SW 1/4 SE 1/4	16.70 ACRES		
SE 1/4 SE 1/4	2.22 ACRES		
SECTION 9			
SW 1/4 NW 1/4	39.00 ACRES		
NW 1/4 SW 1/4	10.90 ACRES		
SECTION 10			
NW 1/4 NW 1/4	8.60 ACRES		
SECTION 16			
TOWNSHIP 5 SOUTH, RANGE 5 WEST, W.M.			

Measurement, recording and reporting conditions:

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

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

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.

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

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

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

After Use of Water has Begun

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

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

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

- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

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

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

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

STANDARD CONDITIONS

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

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

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

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

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

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

land-use plan.

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

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

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

Issued _____, 2000

DRAFT - THIS IS NOT A PERMIT

Paul R. Cleary, Director
Water Resources Department

12. NA Assign permit numbers to files with oaths, fees, and no protests or other issues.

FO Type: (circle types) DENIAL FO w/o PERMIT (REASON: Lacks Fees) Lacks Easement Map Other

FO & PERMIT (Permit # _____) FOMOD MGMT CODES::

Once FO document is completed:

15. gk Save WordPerfect document in M:\GROUPS\WR\FO\WEEK 287 & delete duplicates.

16. gk Print final draft of document and submit to team leader for review

17. Y / N Team leader review completed

18. Route to Dwight for signature

20. Update folders, E-mail data center, send copy to HTML

21. To support for mailing

FO CHECKLIST

FILE # G 15085
PFO WEEK # 286
FO WEEK # 287

PFO TO FO CONVERSION

REVIEW DATE: 5/18/01
INITIALS: JWG
WM District 16
Region Mgr ew
ODFW Bio _____

FILE#: G 15085

Applicant Name ar MOMTAZI FAMILY LLC; MOMTAZI, MOE
Address: 2083 COLVIN COURT
MCMINNVILLE, OR 97128

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

1. Y/N (N) Were comments or protests received? If so, **from whom** and **when**?

Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)
2. OK On the PFO CC list, verify names and mailing addresses of **ALL** commentors (regardless of comment date, **affected landowners**, and **those who paid the \$10 feet**).

3. Y/N (NA) Have affected land owners been notified?
4. Y/N (NA) Has ODFW asked for self certification of screening condition?
If so, write "ODFW CERT" in the permit black on the front of the file.
6. Y/N (N) Is water use prohibited for one or more months of the normal use period?
If yes, is short season letter on file? _____. If short season letter is lacking, see item #10 below.
Give applicant 60 days to submit required information.
7. (Y)/N Do the PFO conclusions require modification? Why? MAX RATE OF USE & CHARACTER
(If YES, circle FOMOD and one other type below) OF USE WITHIN PLACE OF USE.
8. yes Correct PFO errors (such as POD or POU location (verify from map)
9. ✓ Include or exclude permit conditions and management codes.
10. (Y)/N Is further processing possible? If not state reason: _____
11. ____ Verify Payment of recording fees (circle the appropriate option)

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

(2) Issue FO w/o permit if fees are lacking.

1st CFS/AF 0274 150
Addnl. _____
TOTAL Q 150

Exam Fee Paid	<u>250</u>
Q fee	<u>150</u>
Subtotal	<u>400</u>
Recording Fee	<u>175</u>
Total	<u>575</u>
Amount Paid	<u>400</u>
Amount due/refund	<u>175</u>

Mailing List for PFO Copies

Application #G-15085

PFO Date January 16, 2001

Original mailed to:

✓ Applicant: MOMLAZI FAMILY LLC; MOE MOMLAZI, 2083 COLVIN COURT, MCMINNVILLE, OREGON 97128

Copies sent to:

1. WRD - File # G-15085
- 2.

Copies Mailed
By: <u>Dg</u>
(SUPPORT STAFF)
on: <u>1/12/01</u>
(DATE)

PFO, Map, and Fact Sheet Copies sent to:

- ✓ 3. WRD - Watermaster # District 16, Bill Ferber
- ✓ 4. ODFW District Biologist: Greg Robart, NW Region Office, 17330 SE Evelyn St, Clackamas, OR 97015

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

✓ 5. Blue Water Drilling, 16303 S.E. Dayton, OR 97114

6. _____

7. _____

8. _____

9. _____

10. _____

11. _____

12. _____

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

1. _____

2. _____

3. _____

**RECEIVED**

JAN 28 2000

Oregon Water Resources Department**WATER RESOURCES DEPT.
SALEM, OREGON****Application for a Permit to Use Ground Water**

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instruction booklet when completing your application. Thank you.

1. Applicant Information**A. Individuals**

(If more than one person is applying, please attach a sheet providing the information below for each person applying.)

Name: _____
Last First MI

Mailing address: _____

_____ City State Zip

Phone: _____
Home Work Other

*Fax: _____ *E-Mail address: _____

B. Organizations

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

Name of organization: ^{Family} Montazi, L.L.C.

Name and title of person applying: Moe Montazi, Owner-Manager

Mailing address of organization: 2083 Colvin Court

McMinville OR 97128
City State Zip

Phone: (503) 472-8880 (503) 843-4769
Day Evening

*Fax: (503) 435-0338 *E-Mail address: _____

*Optional information

For Department Use

App. No. G-15085 Permit No. _____ Date 1-28-2000

2. Location and Source

The Department cannot process your application without accurate information showing the source of water and location of water use. You must attach a map to this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See page 3 in the instruction booklet for detailed map specifications. In addition, please provide the following information:

A. County

In what county is the use proposed? Yamhill

In what county is the appropriation point proposed? Yamhill

B. River Basin

(See instruction booklet pg.3 for list):

Willamette

C. Property Ownership

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

☒ Yes (Skip to section 3 "Groundwater Development.")

☐ No Please check the appropriate box below, and on a separate sheet of paper list the names and addresses of all affected landowners.**

☐ I have a recorded easement or written authorization permitting access.

☐ I do not currently have written authorization or easement permitting access.

**If more than 25 landowners are involved, a list is not required. See page 4 in the instruction booklet for more details.

3. Groundwater Development

A. Number of wells: 5 B. Name of nearest surface water body Muddy Creek + unnamed creek

C. Distance from well(s) to nearest stream or lake: 1) Well 1, 500 Ft to unnamed + 1,400 Ft to Muddy Creek
2) Well 2, 1,200 Ft + 1,400 Ft 3) Well 6, 1,400 Ft + 1,000 Ft 4) Well 2, 650' to unnamed creek

D. If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) Well 1, 50 Ft + 90 Ft

2) Well 5, 130 Ft + 200 Ft 3) Well 6, 80 Ft + 80 Ft 4) Well 2, 40 Ft 5) Well 4, 30'

6. Project Schedule

Proposed date construction will begin 5/24/99

Proposed date construction will be completed 5/25/99

Proposed date beneficial water use will begin April 1, 2000

7. Remarks

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

Signature

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use is compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all statements made and information provided in this application are true and correct to the best of my knowledge:

Albe Montoya
Signature of Applicant

June 8, 99
Date

Signature of Co-applicant

Date

Before submitting this application, have you:

- Answered every question?
- Included a Land Use Information Form or receipt stub signed by a local official?
- Attached a legible map that meets all the necessary criteria?
- Included a check made out to WRD for at least the amount of the application fee?

E. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to question F in this section of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

1. Wells will be constructed by: Blue Water Drilling

Address: 16303 SE Wallace Road

Dayton, Oregon 97114

Completion date: 05/25/99

2. Please provide a description of your well development. (Attach additional sheets if needed.)

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Estimated depth to water	Est. depth to water-bearing stratum	Type of access port or measuring device	Total well depth
1a	6" 4"	Steel PVC Liner	18' 128'	108 to 128	18'	23'	68'	Bolt	128'
5	6" 4"	Steel Plastic	29' 300'	80 to 86 240 to 260 280 to 300	39'	17'	99'	Bolt	300'
6	6" 4"	Steel Plastic	19' 221'	182 to 206	19'	80'	182'	Bolt	221'
2	6" 4"	Steel liner	18' 0-183'	open 183'	18'	20'	90'	Bolt	183'
4	9" 4"	Steel PVC liner	39' 3-450'	416-450' 269-276'	39'	123'	260'	Bolt	450'

F. Artesian Flows

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

5. Water Management

A. Diversion

What equipment will you use to pump water from your well(s)?

- ☒ Pump (give horsepower and pump type) Well #1, 1 1/2 Hp, Well #2 1 Hp, Well #4 1 Hp, Well #5 1 Hp, Well #6 5 Hp
- ☐ Other means (describe) _____

B. Transport

How will you transport water to your place of use?

- ☐ Ditch, canal (give average width and depth):
Width _____ Depth _____
Is the ditch or canal to be lined? ☐ Yes ☐ No
- ☒ Pipe (give diameter and total length) multiple pipelines
Diameter(s) 4 - 12" Length 400 - 2,500 ft per pipeline
- ☐ Other (describe) _____

C. Application/Distribution Method

What equipment will you use to apply water to your place of use?

Irrigation or land application method (check all that apply):

- | | | |
|--|--|--|
| ☐ Flood | ☐ High-pressure sprinkler | ☒ Low pressure sprinkler |
| ☒ Drip (<u>micro</u>) | ☐ Water cannons | ☐ Center pivot system |
| ☒ Hand lines | ☒ Wheel lines | |
| ☐ Siphon tubes or gated pipe with furrows | | |
| ☐ Other, describe _____ | | |

Distribution method

- ☐ In-line storage (tank or pond) ☒ Direct pipe from source ☐ Open canal

D. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

4. Water Use

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

(see list of beneficial uses in the instruction booklet):

Irrigation & Nursery

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____
- If your proposed use is **irrigation**, please attach Form I
- If your proposed use is **mining**, attach Form R
- If your proposed use is **municipal**, attach Form M
- If your proposed use is **commercial/industrial** or **quasi-municipal**, attach Form Q

B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, and for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or Aquifer	Type of Use	Total Annual Amount	Production Rate of the Well in gpm
1	Gray basalt	Nursery & Irrigation		15 gpm Nu. 15 gpm Ir.
5	Marine rock	Irrigation		10 gpm
6	Gray Marine rock	Irrigation		50 gpm
2	Gray Basalt	Irrigation		15 gpm
4	Marine rock	Irrigation		18 gpm

C. Season of Use

Indicate the time of year you propose to use the water (for seasonal uses like irrigation give dates when water use would begin and end):

Nov. 1 to April 30 For Nursery
March 1 to October 30 For irrigation and year round For Nursery

D. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used:

405.4 acres From S-84126. Permit Map For This Supplemental & Primary

Groundwater Right shows 376.83 acres supplemental & 5.44 acres primary for a
total of 382.27 to irrigate the same land.
Ground Water/4



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

July 14, 2000

MOMTAZI FAMILY LLC;
MOE MOMTAZI
2083 COLVIN COURT
MCMINNVILLE, OREGON 97128

(503)472-8880

Reference: File G-15085

Dear Applicant:

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

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

Initial Review Determinations:

1. The proposed use is not prohibited by law or rule.
2. The use of water from FIVE WELLS IN MUDDY CREEK BASIN for PRIMARY IRRIGATION OF 9.83 ACRES AND SUPPLEMENTAL IRRIGATION OF 409.26 ACRES AND NURSERY USE FOR 0.05 ACRES **is allowable** under OAR 690-501-160(2), the Willamette Basin Program.
3. The Department has determined, based upon OAR 690-09, that the proposed groundwater use will not have the potential for substantial interference with the nearest surface water source, namely unnamed tributaries of the Willamette River.
4. The Department has determined that the wells are constructed into two different aquifers. Wells 1 and 2 are constructed into the Basalt aquifer, and Wells 4, 5 and 6 are constructed in the Marine Rock aquifer.
5. The Department has also determined, based upon available data, that the use of groundwater in the amount of 0.24 CUBIC FOOT PER SECOND (108.0 GALLONS PER MINUTE,) BEING 15.0 GPM FROM WELL 1, 15.0 GPM FROM WELL 2, from



the Basalt aquifer; and 18.0 GPM FROM WELL 4, 10.0 GPM FROM WELL 5, AND 50.0 GPM FROM WELL 6 from the Marine Rock aquifer for PRIMARY IRRIGATION OF 9.83 ACRES AND SUPPLEMENTAL IRRIGATION OF 409.26 ACRES AND 0.03 CFS (15.0 GPM) for NURSERY USE **is available**, and if properly conditioned, will not injure existing rights or the groundwater resource.

Summary of Initial Determinations

The use of 0.24 CUBIC FOOT PER SECOND (108.0 GALLONS PER MINUTE,) BEING 15.0 GPM FROM WELL 1, 15.0 GPM FROM WELL 2 from the Basalt aquifer; and 18.0 GPM FROM WELL 4, 10.0 GPM FROM WELL 5, AND 50.0 GPM FROM WELL 6 from the Marine Rock aquifer, for PRIMARY IRRIGATION OF 9.83 ACRES AND SUPPLEMENTAL IRRIGATION OF 409.26 ACRES is allowable from March 1 through October 30 of each year. The use of 0.03 CFS (15.0 GPM) for NURSERY USE of 0.05 ACRES is allowable from November 1 through April 30 of each year.

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

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

To Proceed With Your Application:

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

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, July 28, 2000**. For your convenience you may use the enclosed "STOP PROCESSING" form.

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

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

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

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

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

After Use of Water has Begun

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

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

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

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

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

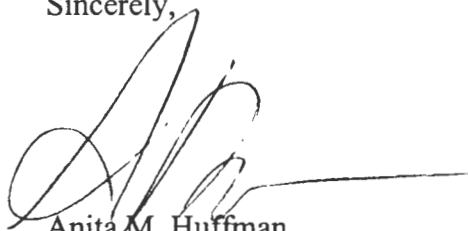
The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question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

3. The priority date for this application is January 28, 2000.

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at (800) 624-3199 or (503) 378-8455 extension 201. Feel free to call me at (800) 624-3199 or (503) 378-8455 extension 229 if you have any questions regarding the contents of this letter. Please have your application number available if you call. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301-4172, Fax: (503)378-2496.

Sincerely,



Anita M. Huffman
Water Rights Specialist

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

Revised

APPLICATION MAP

In the Name of: Momtazi Family, LLC

Moe Momtazi, Owner - Manager

Sections 4, 8, 9, 10, and 16 T. 5 S., R 5 W.

Scale 1" = 1320'

COPY
Appl Map
S-84126

Acreage
proposed to for
irrigate = 405.4

October 22, 1999

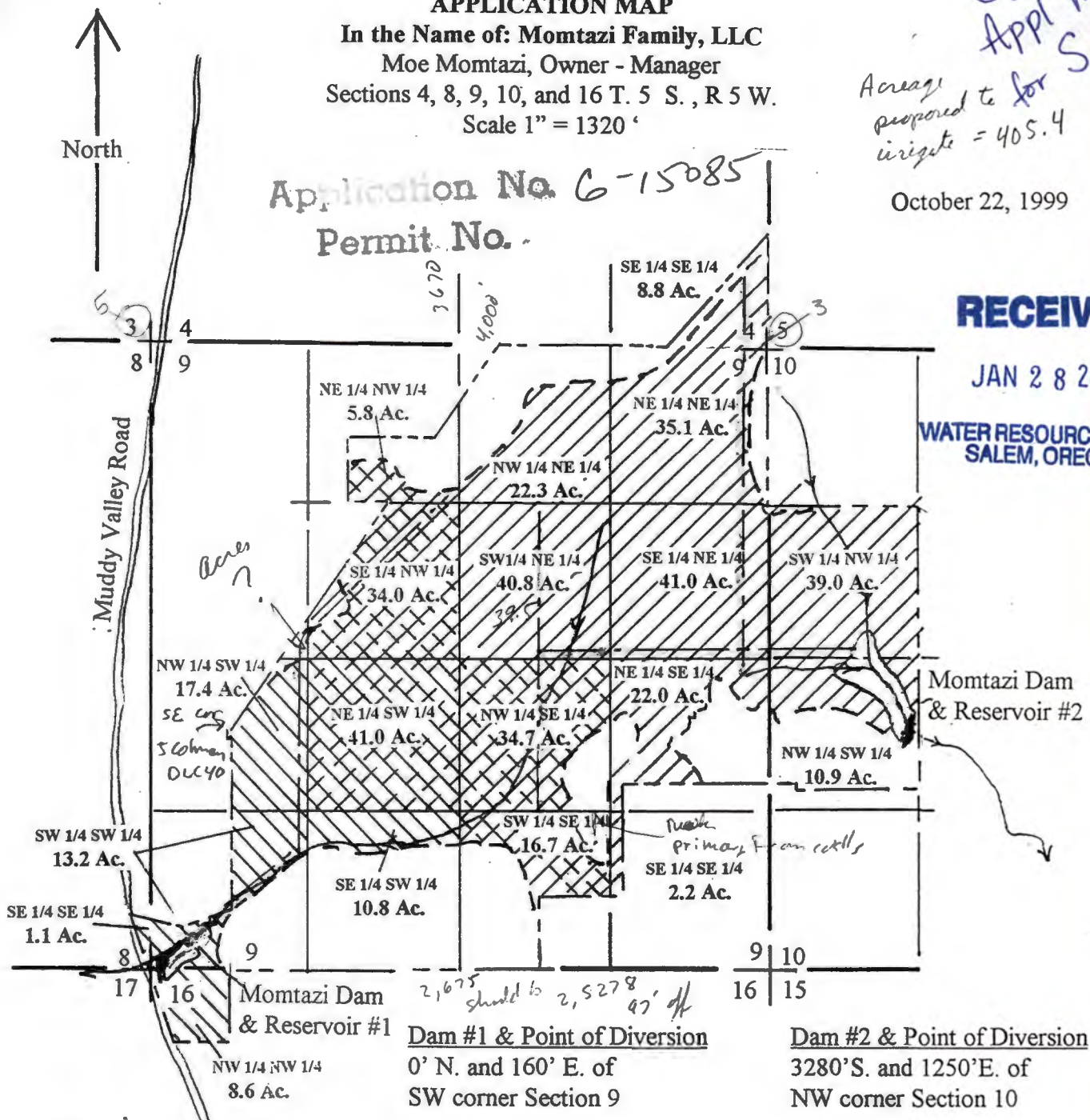
Application No. 6-15085

Permit No.

RECEIVED

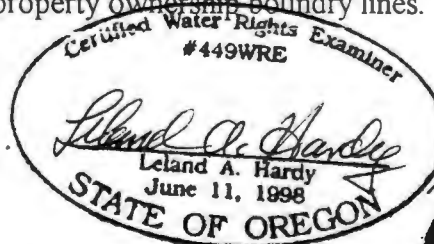
JAN 28 2000

WATER RESOURCES DEPT.
SALEM, OREGON



This map is for the purpose of locating water rights. It is not intended to provide information relative to location of property ownership boundary lines.

State Hwy 18



RENEWAL DATE: June 11, 2000

SEE

18 18 18



Application No. 618085
Oregon Water Resources Department
Permit No.

RECEIVED

JAN 28 2000

FORM I
FOR IRRIGATION WATER USE

WATER RESOURCES DEPT.
SALEM, OREGON

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

☒ Primary ☒ Supplemental

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

Primary: 0.05 Nursery, Nov. 1 to April 30
5.99 Acres

Secondary: 405.4 Acres

List the permit or certificate number of the primary water right:

no. 5-84126 - } Application
R-84127 } No.
R-84128 }

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

1. Grapes ☐ Full season ☒ Partial season (from: Mar 1 to Oct 30)
2. Grass pastures & hay ☐ Full season ☒ Partial season (from: Mar 1 to Oct 30)
3. Nursery ☐ Full season ☒ Partial season (from: Feb 1 to June 30)
4. _____ ☐ Full season ☐ Partial season (from: _____ to _____)

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

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

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

- Grapes ☒ Daily during daytime hours ☒ Daily during nighttime hours
- ☐ Two or three times weekly during daytime ☐ Two or three times weekly during nighttime
- Grass ☒ Weekly, during daytime hours ☐ Weekly, during nighttime hours
- ☐ Other, explain: _____

NEW GREGORY
WATER RESOURCES

1901 & 1902

RECEIVED

PFO CHECKLIST

Application #: G-15085

Basin: WILLAMETTE #2 WID: _____

County YAMHILL Township 55 Range 5W Section 49.16 1/4 1/4

1. Is the file complete by the Minimum Requirements Checklist? (Y) N
2. Shortcomings (items needed before a permit and/or FO can be issued) Y (N)
Check file for indicators that the process **should not** continue until a later date (ie - protest, letter to file indicating hold, or other)
3. Groundwater Review A (B) C D River/Stream Name YAN TRIS Conditions 7E
 - a. Groundwater Availability A B C
 - b. Is second groundwater review necessary? (comments) Y (N)
 - c. Is HB 1033 review complete? (Y) N
 - d. Is the well located in a GWLA or CA? (If applicable, include map with POD) Y (N)
4. Is use from a B.O.R. or Douglas County project? Y (N) Contract in file? Y / N Contract # _____
5. Is the use allowed by the Basin Program? (Y) / N Limited? Y / N WILLAMETTE #2 690-501-160(2)
6. Water Availability Data OK / REDONE / NA (50% before July 17, 1992; 80% live flow & 50% storage after July 17, 1992)
7. Is the source withdrawn or limited by statute or Department withdrawal order? Y (N)
8. Is the Proposed Use located in or above a Scenic Waterway? Y (N)
9. Division 33: Above Bonn (after July 17, 1992) Y / N / NA
Below Bonn (after April 8, 1994; June 3, 1994) Y / N / NA
Statewide - (in shaded areas on T, E, and S Map - after June 3, 1994) Y / N / NA
10. Per the IR, is the Proposed Source on the DEQ 303d List? Y (N) If so, any comments received? Y / N
Is the Proposed Use in an existing or draft Dept of Ag. Water Quality Management Plan Area? Y / N
11. Have conflicts been addressed? (Y) N UNDERLYING PRIMARY IRR. RIGHTS AS NOTED AND ADDRESSED
12. Rate 180 Duty 23 Irrigation Season 3/1 - 10/31
13. Period of Allowed Use YEAR ROUND FOR NURSERY OPERATIONS, 3/1 - 10/31 FOR SADD. IRR.
14. Allowed Rate of Use 108.0 GALLONS PER MINUTE
5.19 gfs MOST ALLOWED FOR IRR.
15. Is the use **Small** (≤ 0.1 cfs, ≤ 9.2 AF), **Medium** (> 0.1 or < 1.5 cfs, > 9.2 or < 100 AF) or **Large** (≥ 1.5 cfs, ≥ 100 AF)?
If the use is Municipal and ≤ 0.1 CFS, use **Large** condition.
16. Conditions STD GW GW COND. 7E
Is the proposed use within the New River Basin? Y / N If yes, include New River Agreement Conditions.
17. IR Public Notice Date AUGUST 19 2000 Comments Received? Y (N)
18. Was the application filed on or after October 23, 1999? (Y) / N If yes, then no A date.
19. Final Report Checklist
 - ☒ Documents used in determination are attached to this checklist and highlighted
 - ☒ Fill out PFO CC List (don't forget to check for other property owners)
 - a. Re-notify Water Availability? (Rate, Duty and Period of Allowed Use changes) Y (N)
 - b. Check Watermaster Dist. on the CC list and draft permit.
 - ☒ Spell Check and Accuracy Check
 - ☒ Final PFO report hard copy check (format, margins, etc.)
 - Final PFO has been saved to m:\groups\wr\pfo\done\week#\application #

Name: Ken Dowden Date: 12/8/00

IR CHECKLIST

Application # 615085

Priority Date: 1/28/00

Basin: 2-Will

County: YAMHILL

Township 5S Range 5W Section 4, 8, 9, 10, 14 1/4 MULTIPLE ROA'

WAB #: N/A

POU WAB #: POA = #1 NWSW
#2 NWSE
#3 N/A
#4 NWNE
#5 NWSW
#6 SENE

✓ 1. Complete by Minimum Requirements checklist? Yes No

Items still required: _____

✓ 2. Basin Maps checked? Yes No

✓ 3. Within or above a Scenic Waterway? Yes No

If Yes.....cc: State Parks Dept.

Conditions/Restrictions? Yes No

N/A 4. Within Oregon Streamflow Restoration Area? Yes NoIf Yes, include Streamflow Restoration Block

✓ 5. Groundwater Review: A B C D River/Stream Name _____

Conditions? 7E

Water Availability: A B C

✓ 6. Is the well located in a groundwater limited area? Yes No Name _____

✓ 7. Is the well located in T. 1N, R. 3E, Sec. 20, 21, 28, 29? Yes No If Yes...call, E-mail and send cc of IR to DEQ

✓ 8. Requested Use & Rate: NU, IRR

✓ 9. Season requested by applicant: 3/1-10/30 IRR ; 11/1-4/30 NU

✓ 10. Allowed under Basin Program? Yes No

Limitations? Yes No

N/A 11. Withdrawn? Yes No Season Allowed: _____

N/A 12. Water Availability: 80% _____ 50% _____ N/A

✓ 13. For Irrigation: Rate 1/80 Duty 2 1/2 Season 3/1-10/31

✓ 14. For Nursery or Cranberry: Rate 1/40 Duty 5 Season YR

Map shows 3.84Ac
 not permitted under
 S-84126. allow as
 Primary under this
 application.

15. Conflict? Yes No

16. BOR project? Yes No Contract # and Duty: _____

17. Conditions (BOR, GW, other)? Yes No

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

123.06pm REQ.
0.274 cfs.

19. Measuring condition: Small Medium Large

20. Subject to Division 33: Yes No N/A

★ Upper Columbia Div 33 Rules (Above Bonneville)? Yes No

If Yes..... NO WATER USE ALLOWED from APRIL 15 thru SEPTEMBER 30 of each year

- cc: ☐ ODFW District Biologist ☐ NMFS.....Marc Liverman
☐ Columbia River Intertribal Fish Commission ☐ Dept. Of Agriculture.....Steve Applegate
☐ US Fish & Wildlife ☐ DEQ Headquarters.....Tom Rosetta
☐ NW Power Planning Council

★ Statewide Div 33 Rules (Blue anywhere in state & Cross-Hatching OUTSIDE the Columbia Basin)? Yes No

- If Yes.....cc: ☐ ODFW District Biologist ☐ Steve Applegate.....Dept. of Agriculture ☐ Tom Rosetta.....DEQ Headquarters
- ★ DIVISION 33 CONDITIONS ★
Above Bonneville: "B54B"
Below Bonneville: "PISPC"

21. On DEQ 303d (Water Quality Limited) list? Yes No If Yes.....cc: Tom Melville - DEQ Headquarters

22. Within Dept. of Ag Water Quality Management Area? Yes No If Yes.....cc: Mike Wolf - Dept. of Ag
TUALATIN _____ BEAR CREEK(ROGUE) _____ UMATILLA _____ UPPER GRANDE RONDE _____

DRAFT: LOWER COLUMBIA-CLATSKANIE _____ LOWER COLUMBIA _____ YAMHILL _____
NECANICUM _____ NEHALEM _____ WILSON-TRASK-NESTUCCA _____ UMPQUA _____
NORTH UMPQUA _____ SOUTH UMPQUA _____ LOWER DESCHUTES _____

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

24. Proposed Allowed Use & Rate: IRR - SUPP 108gpm (0.24 cfs)
Proposed Allowed Period of Use: IRR. 3/1-10/30 N/A H/1-4/30

25. Letter will be: GOOD LIMITED BAD BAD W/IR SHORT BAD W/HC EXCEPT

Name: AM Date: _____

3

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## 6-15085

ROUTED TO: WR'S

TOWNSHIP/

RANGE-SECTION: 5S/5W-9

CONDITIONS ATTACHED? ☒ yes ☐ no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Don M. [Signature]

TO: Water Rights Section

March 14, ²⁰⁰⁰199

FROM: Groundwater/Hydrology Section

Don Mulla
Reviewer's Name

SUBJECT: Application G- 15085

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE Willamette Basin rules, one or more of the proposed POA's is/is not within _____ feet/mile of a surface water source (_____) ~~and~~ taps a groundwater source hydraulically connected to the surface water.
Not Applicable → OAR 690-502-160(2)(c) Not satisfied
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
- a. _____ will, or _____ have the potential for substantial interference with the nearest
 - ☒ b. X will not _____ surface water source, namely Unnamed Tribs; or
 - c. _____ will if properly conditioned, adequately protect the surface water from interference:
 - i. _____ The permit should contain condition #(s) _____;
 - ii. _____ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. _____ The permit should be conditioned as indicated in item 4 below; or
 - d. _____ will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
- a. _____ will, or _____ likely be available in the amounts requested without injury to prior rights
 - b. _____ will not _____ and/or within the capacity of the resource; or
 - ☒ c. X will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
 - ☒ i. X The permit should contain condition #(s) 7E;
 - ii. _____ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. _____ The permit should be conditioned as indicated in item 4 below; or
- 4.
- a. _____ THE PERMIT should allow groundwater production from no deeper than _____ ft. below land surface;
 - b. _____ The permit should allow groundwater production from no shallower than _____ ft. below land surface;
 - c. _____ The permit should allow groundwater production only from the _____ groundwater reservoir between approximately _____ ft. and _____ ft. below land surface;
 - d. _____ Well reconstruction is necessary to accomplish one or more of the above conditions.
 - e. _____ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: _____

(Well Construction Considerations on Reverse Side)

MEMO

March 13

2000
199

FROM GW: Don Malla
(Reviewer's Name)

☐ Yes☒ No☐ Yes☒ No

FLOW REDUCTION: (To be filled out only if Preponderance of Evidence box is not checked)

Exercise of this permit is calculated to reduce monthly flows in _____ Scenic Waterway by the following amounts expressed as a proportion of the consumptive use by which surface water flow is reduced.

[illegible]

53672

SEC 4

8⁸

SESE ✓

N

SEC 8

1.1

SESE ✓

SEC 9

NENE 35¹ ✓

NWNE 22³ ✓

SWNE 40⁸ ✓

SENE 41⁰ ✓

VENW 5⁸ ✓

SENW 34⁰ ✓

(3.84) PRIMARY

NESW 41⁰ ✓

NWSW 17⁴ ✓

SWSW 13² ✓

SESW 10⁸ ✓

NESE 22⁰ <20.59> <1.41> ✓

NWSE 34² ✓

3.52 PRIMARY

SWSE 16² ✓

2.47 PRIMARY

SESE 2² ✓

SWNW 39⁰ ✓ SEC 10

NWSW 10⁹ ✓

NWNW 8⁶ ✓ SEC 16

405.4 primary permit S-53672

Application G-15085 =

SEC 9

SWNW 3.84 P - LIST OR NOT?

NW SE 3.52 P

SW SE 2.47 P / 9.83

SESW 0.05 NU

-yes - for IR
row/map
but make
this primary.

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

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

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

Stat. Auth.: ORS 536.300 & 536.340

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

Groundwater Classifications and Conditions

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

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

(a) Groundwater from the *shallow* Troutdale aquifer and the specially designated portion of the *deep* Troutdale aquifer in the Sandy-Boring area is classified for exempt uses only. The Sandy-Boring Groundwater Limited Area is as described and shown in Exhibit 1. Groundwater applications pending on October 4, 1991 shall be processed according to the classifications in effect on the date the application was filed and shall contain the Special Permit Conditions specified in section (4) of this rule. Applications may be rejected if the aquifer displays any of the adverse impacts defined in OAR 690-08. Applications submitted after October 4, 1991 shall be processed according to the requirements of these rules and classifications;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(f) Any other conditions as specified in OAR 690-08 as deemed necessary to protect the groundwater resource.

[ED. NOTE: The Exhibit(s) referenced in this rule is not printed in the OAR Compilation. Copies are available from the Water Resources Department.]

Stat. Auth.: ORS Ch. 536 & 537

Hist.: WRD 4-1992, f. & cert. ef. 3-13-92; WRD 12-1993, f. & cert. ef. 9-9-92; WRD 3-1994, f. & cert. ef. 3-10-94, WRD - 1994, f. & cert. ef. 11-7-94

Plat Card Report for 5S 5W 16

5/19/2000

Page 1 of 1

Application	Permit	Certificate	Status	NE				NW				SW				SE				Govt Lot	DLC
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
S 13173	S 9413	11228								6.000 IR											
12/4/1929																					
G 15085										8.600 IR (s)											
1/28/2000																					
S 50647	S 38265	57238												15.300 IR	8.100 IR						
6/12/1973			45																		
S 50901	S 38429		Cncl'd															2.500 IR cncl'd	1.900 IR cncl'd		
7/20/1973																					
														0.100 IR cncl'd				3.000 IR cncl'd	2.300 IR cncl'd		
7/20/1973																					
S 84126	S 53672									8.600 IR											
4/27/1999																					
R 84127	R 12823									0 ST											
4/27/1999																					

Lisa - Did like to discuss
"supplemental" with you

jil

Notes: Primary is to be assumed. (s) indicates supplemental
Rights assumed non-canceled.

Type of Use >

Acres	
Status	

Plat Card Report for 5S 5W 10

5/19/2000

Page 1 of 1

Application	Permit	Certificate	Status	NE				NW				SW				SE				Govt Lot	DLC
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
G 11870	G 11685			0.800 IR			0.200 IR														
11/17/1988																					
G 15085				<i>Montlazi Fam. - supplemental -</i>						39.000 IR (s)				10.900 IR (s)							
1/28/2000																					
S 46883	S 35052		Cncl'd													0 LV cncl'd					
4/13/1970																					
S 59441	S 44524	56799																0 DI			
10/22/1979																					
S 69759	S 51711			0.700 IR																	
11/17/1988																					
S 69760	S 51712			0.800 IR			0.200 IR														
11/17/1988																					
S 84126	S 53672			<i>Montlazi Fam.</i>						39.000 IR				10.900 IR							
4/27/1999																					
R 84128	R 12824									0 ST				0 ST							
4/27/1999																					

Notes: Primary is to be assumed. (s) indicates supplemental Rights assumed non-canceled.

Type of Use >

Acres
☐ ☐
Status

< Supplemental indicator

Plat Card Report for 5S 5W 9

5/17/2000

Page 1 of 1

Application	Permit	Certificate	Status	NE				NW				SW				SE				Govt Lot		DLC
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
G 15085			Montazi Fam	- supplemental											0.050 NU		34.700 IR (s)	2.470 IR				
1/28/2000																						
1/28/2000																						
S 84126	S 53672		Montazi Family																			
4/27/1999	FO 4/25/00																					
R 84127	R 12823																					
4/27/1999																						

MAP SHOWS
SUPPLEMENTAL,
BUT PERMIT 53672
DID NOT ALLOW ANYTHING
IN SW NW.
SHOULD SHOW
AS PRIMARY HERE

Notes: Primary is to be assumed. (s) indicates supplemental
Rights assumed non-canceled.

Type of Use >

Acres	
Status	

< Supplemental indicator

Plat Card Report for 5S 5W 8

5/17/2000

Page 1 of 1

Application Permit Certificate Status	NE				NW				SW				SE				Govt Lot DLC
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
G 15085 1/28/2000 <i>Montaji Family - supplemental subject file</i>																1.100 IR (s)	
S 26937 S 21164 26212 3/6/1952 <i>no conflict 44</i>													6.400 IR			2.400 IR	
S 61508 S 45860 4/7/1981 Cncl										20.000 IR cncl	31.130 IR cncl	2.870 IR cncl					
R 74208 R 10038 69171 1/1/1993																	
P 74656 9/2/1994																	
P 77181 1/3/1995														0 LV			
S 84126 S 53672 4/27/1999 <i>F.O. 4/25/00 Montaji Family</i>																1.100 IR	

Notes: Primary is to be assumed. (s) indicates supplemental
Rights assumed non-canceled.

Type of Use >

Acres	
☐	☐
Status	

< Supplemental indicator

Plat Card Report for 5S 5W 4

5/17/2000

Page 1 of 1

Application	Permit	Certificate	Status	NE				NW				SW				SE				Govt Lot	DLC
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
G 15085				Montaji Fanny - supplemental															8.800		
1/28/2000																			IR (s)		
S 70311	S 51463		Cncl							19.370											
										IR											
										1.720											
										IR											
										cncl											
R 73789	R 12449										0										
										WI											
R 83746	R 12528										0										
										PA											
1/6/1998																					
											0										
										WI											
S 84126	S 53672																		8.800		
Final Order 4/25/00																			IR		
4/27/1999																					

Notes: Primary is to be assumed. (s) indicates supplemental
Rights assumed non-canceled.

Type of Use >

Acres
☐ ☐
Status

 < Supplemental indicator

Revised

APPLICATION MAP

In the Name of: Momtazi Family, LLC

Moe Momtazi, Owner - Manager

Sections 4, 8, 9, 10, and 16 T. 5 S., R. 5 W.

Scale 1" = 1320'

COPY
Appl Map
S-84126

Acreage
proposed to for
irrigate = 405.4

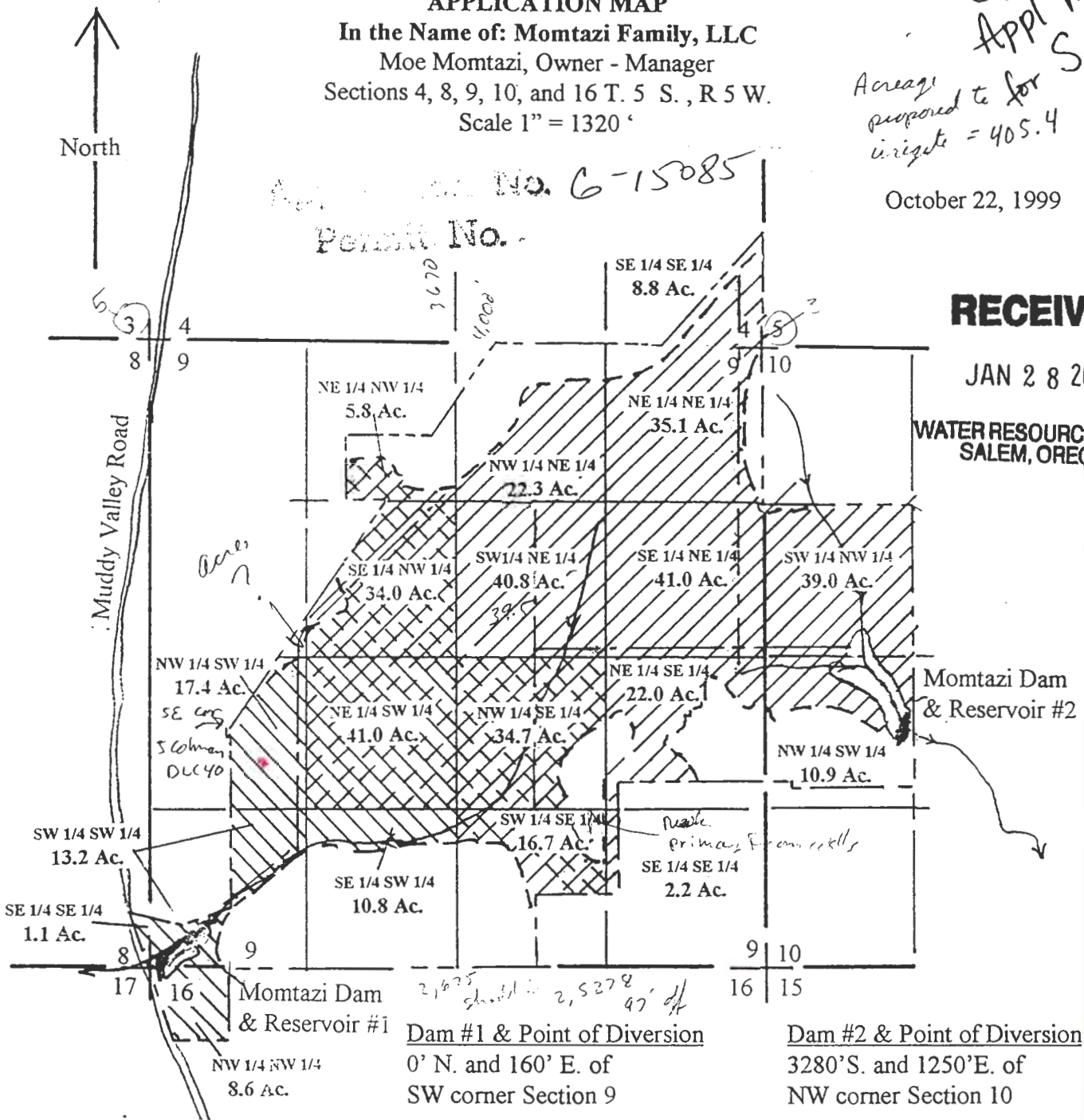
October 22, 1999

Permit No. 6-15085

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WATER RESOURCES DEPT.
SALEM, OREGON



This map is for the purpose of locating water rights. It is not intended to provide information relative to location of property ownership boundary lines.

Certified Water Rights Examiner
#449WRE
Leland A. Hardy
June 11, 1998
STATE OF OREGON

RENEWAL DATE: June 11, 2000

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PACIFIC HYDRO-GEO

Oregon

JAN 28 2000

AUG 19 1999

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SALEM, OREGON

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WATER

RESOURCES

DEPARTMENT

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdictions where your water right will be used and developed. The planning official may chose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan.

Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land use form and return it to WRD. If no land use information is received from you within that 30 day period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact WRD's Land Use Coordinator at (503) 378-3739, ext. 241.

Application No. *B-15085*
Permit No. .



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



Oregon Water Resources Department Land Use Information Form

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WATER RESOURCES DEPT.
SALEM, OREGON

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

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: Momtazi L.L.C.Address: 2083 Colvin CourtCity: Mc Minnville State: OR Zip: 97128 Day Phone: (503) 472-8880

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
<u>55/5409 TL100</u>	<u>AGRICULTURE/FORESTRY LARGE HOLDING</u>	☒ Diverted	☒ Conveyed	☒ Used
	<u>EF-80</u>	☐ Diverted	☐ Conveyed	☐ Used
		☐ Diverted	☐ Conveyed	☐ Used

List counties and cities where water is proposed to be diverted, conveyed, or used. Yamhill

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Note: Winery is not planned in the near future 1/26/00 Maria Xypelle

Beneficial Use(s): Irrigate and chemirrigate grapes, and water for a winery.

Date: _____ Signature: _____

Phone: _____ Staff contact: _____

City or County: _____

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included in the application for a water right permit if the local government cannot provide the requested land use information while the applicant waits.

Name of water right applicant: _____

Receipt for Request for Land Use Information

For Local Government Use Only

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

A. Allowed Use

Check the appropriate box below and provide requested information.

☐ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); _____. Go to section B "Approval" below

☒ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

AND MUST BE APPLIED FOR PRIOR TO ANY CONSTRUCTION

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
WINERY REQUIRES A SITE DESIGN REVIEW.	Y.C. 20. ORD. SECTIONS 402.02(H) 402.10(I) 1100.	☐ Obtained ☐ Denied	☐ Being pursued ☒ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued

Note: Please attach documentation of applicable local land use approvals which have already been obtained.
(Record of Action plus accompanying findings is sufficient.)

B. Approval

Please provide printed name and written signature.

Name: MARTIN CHROUST-MASIN Date: 8-17-99

Title: ASSOCIATE PLANNER Phone: (503) 434-7516

Signature: Martin Chroust-Masin

C. Additional Comments

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet.

THE APPLICATION FOR AND APPROVAL OF A SITE DESIGN
REVIEW MUST BE CONCLUDED PRIOR TO ANY CONSTRUCTION
OF THE WINERY.

THE IRRIGATION OPERATION IS AN OUTRIGHT PERMITTED USE
AND DOES NOT NEED ANY LAND USE APPROVALS.

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)

Mailing List for IR Copies

Application #G-15085

IR Date: July 14, 2000

Original mailed to:

Applicant: MOMTAZI FAMILY LLC; MOMTAZI, MOE, 2083 COLVIN COURT,
MCMINNVILLE, OREGON 97128

Copies sent to:

1. WRD - File # G-15085
2. WRD - Water Availability: Ken Stahr

IR, Map, and Fact Sheet Copies sent to:

3. WRD - Watermaster # District 16

Copies Mailed By: <u>Michele</u> (SUPPORT STAFF) on: <u>7-14-00</u> (DATE)
--

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

4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

ID# AMH

COPY8HT.IR

APPLICATION FACT SHEET

Mail to: Applicant, Watermaster, District Biologist (ODFW)
If necessary, also mail to : Regional Water quality manager (DEQ), and DOA

Application File Number: G-15085

Applicant: MOMTAZI FAMILY LLC; MOMTAZI, MOE

County: YAMHILL

Watermaster: District 16

Priority Date: January 28, 2000

Source: FIVE WELLS IN MUDDY CREEK BASIN

Use: PRIMARY IRRIGATION OF 5.99 ACRES AND SUPPLEMENTAL IRRIGATION OF
409.26 ACRES AND NURSERY USE

Quantity: 123.0 GALLONS PER MINUTE, BEING 30.0 GPM FROM WELL 1, 15.0 GPM
FROM WELL 2, 18.0 GPM FROM WELL 4, 10.0 GPM FROM WELL 5, AND 50.0 GPM
FROM WELL 6

Basin Name & Number: Willamette, #02

Stream Index Reference: Volume 11A DEER CR MISC

Point of Diversion Location: NWSW, SECTION 9, T 5S, R5W, W.M.; 1590 FEET NORTH &
1250 FEET EAST FROM SW CORNER, SECTION 9 NWSE, SECTION 9, T 5S, R5W, W.M.;
1990 FEET NORTH & 2248 FEET WEST FROM SE CORNER, SECTION 9 NWNE,
SECTION 9, T 5S, R5W, W.M.; 1190 FEET SOUTH & 1510 FEET WEST FROM NE
CORNER, SECTION 9 NWSW, SECTION 9, T 5S, R5W, W.M.; 2175 FEET NORTH & 970
FEET EAST FROM SW CORNER, SECTION 9 SENE, SECTION 9, T 5S, R5W, W.M.; 1340
FEET SOUTH & 48 FEET WEST FROM NE CORNER, SECTION 9

Place of Use: SESE 8.8 ACRES, SECTION 4 SESE 1.1 ACRES, SECTION 8 NENE 35.1

ACRES NWNE 22.3 ACRES SWNE 40.8 ACRES SENE 41.0 ACRES NENW 5.8 ACRES
SWNW 3.84 ACRES SENW 34.0 ACRES NESW 41.0 ACRES NWSW 17.4 ACRES SWSW
13.2 ACRES SESW 10.8 ACRES SESW 0.05 ACRES NESE 22.0 ACRES NWSE 34.7
ACRES NWSE 3.52 ACRES SWSE 2.47 ACRES SWSE 16.7 ACRES SESE 2.22 ACRES,
SECTION 9 SWNW 39.0 ACRES NWSW 10.9 ACRES, SECTION 10 NWNW 8.6 ACRES,
SECTION 16, TOWNSHIP 5 SOUTH, RANGE 5 WEST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, July 28, 2000

PUBLIC NOTICE DATE: Tuesday, August 1, 2000

30 DAY COMMENT DEADLINE DATE: Thursday, August 31, 2000

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JAN 28 2000

EXHIBIT A

WATER RESOURCES DEPT.
SALEM, OREGON

—A tract of land in Section 10, Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon, being part of that tract of land described in deed from Smith to Milleman and recorded in Instrument No. 199808779, Deed and Mortgage Records, and being more particularly described as follows:

BEGINNING at the Northwest corner of said Milleman tract; thence South 00°27'12" East 100.00 feet along the West line of said Milleman tract to an iron rod; thence South 89°25'50" East 350.99 feet to an iron rod; thence continuing South 89°25'50" East 46.00 feet; thence North 00°27'12" West 108.31 feet to the North line of said Milleman tract; thence South 89°22'10" West 46.00 feet along said North line to an iron rod; thence South 89°22'10" West 350.93 feet along said North line to the point of beginning as shown by CS-10597.

Application No. G-15085
Permit No.

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APR 27 1999

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. ~~R-51127~~
Permit No.

± 30000

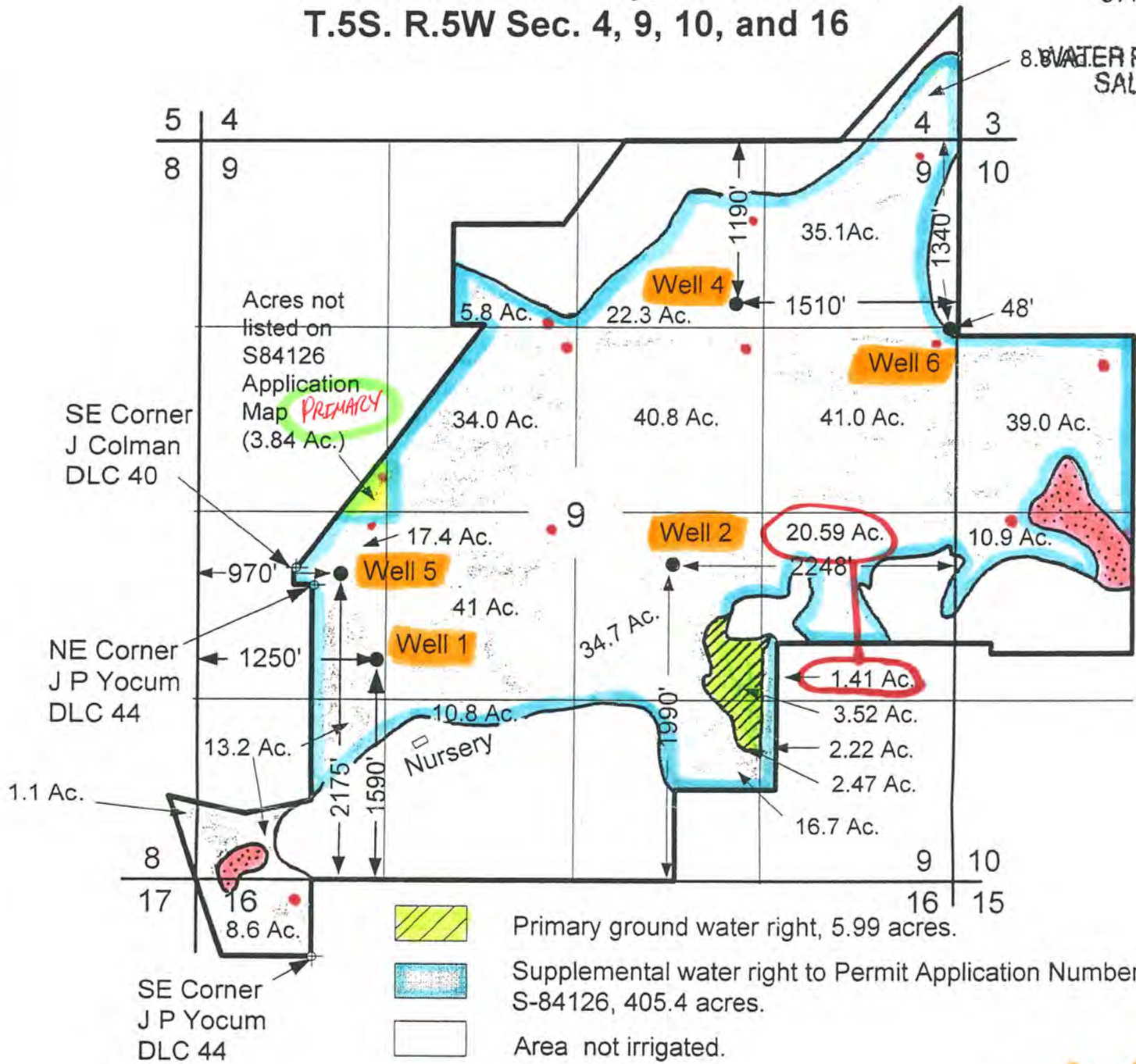
1000

Permit Application Map for Supplemental Groundwater **RECEIVED**

Momtazi Family, L.L.C.
T.5S. R.5W Sec. 4, 9, 10, and 16

JAN 28 2000

8. WATER RESOURCES DEPT.
 SALEM, OREGON



Well 1 is located 1,250 feet east and 1,590 feet north of the SW corner of Section 9.
 Well 2 is located 2,248 feet west and 1,990 feet north of the SE corner of Section 9.
 Well 3 is not a part of the supplemental water right (Well not shown on map).
 Well 4 is located 1,510 feet west and 1,190 feet south of the NE corner of Section 9.
 Well 5 is located 970 feet east and 2,175 feet north of the SW corner of Section 9.
 Well 6 is located 48 feet west and 1,340 feet south of the NE corner of Section 9.

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

Scale: 1" = 1,320'
 0 1,320

Application No. G-15085
 Permit No.



EXPIRATION DATE 12/31/2000

Pacific Hydro-Geology Inc.

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JAN 28 2000

WATER RESOURCES DEPT.
SALEM, OREGON

QUITCLAIM DEED

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APR 27 1999

WATER RESOURCES DEPT.

KNOW ALL MEN BY THESE PRESENTS, That **MONTAZI FAMILY LLC.**, hereinafter called Grantor, for the consideration hereinafter stated, does hereby remise, release and quitclaim unto **KEN and TANI MILLEMAN**, hereinafter called Grantee and unto Grantee's heirs, successors and assigns, all of the right, title and interest which Grantor has pursuant to an easement described in that certain Bargain and Sale Deed recorded in Instrument 199716865 Deed and Mortgage Records, Yamhill County, State of Oregon, in and to that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Yamhill, State of Oregon, described as follows, to-wit:

-----A tract of land situated in the West one-half of the Southwest one-quarter of Section 10, Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod at the Northeast corner of Tract No. 1 as described in Volume 94, Page 475, Deed Records of Yamhill County, Oregon, said point being East 400.00 feet and North 1°00'47" East 640.00 feet from the Southwest corner of Section 10, Township 5 South, Range 5 West; thence from said point of beginning West, along the North line of said tract, 115.00 feet to a 5/8 inch iron rod, which is 285.00 feet East of the West line of said Section 10; thence North 1°00'47" East, parallel to said West line of Section 10, 964.00 feet to a 5/8 inch iron rod; thence East 982.35 feet to a 5/8 inch iron rod; thence continuing East 39.65 feet to the East line of the West one-half of the Southwest one-quarter of said Section 10; thence South 1°00'47" West, along said East line, 582.50 feet to a point from which an iron rod bears West 46.97 feet; thence West 46.97 feet to said 5/8 inch iron rod; thence continuing West 400.03 feet to a 5/8 inch iron; thence South 1°00'47" West, parallel to the West line of said Section 10, 511.50 feet to a 5/8 inch iron rod; thence West 460.00 feet to a 5/8 inch iron rod on the East line of above said Tract No. 1; thence North 1°00'47" East along said East line, 130.00 feet to the point of beginning.

To Have and to Hold the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$0. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

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

Application No R-84127

Permit No

1801

18

18

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JAN 28 2000

WATER RESOURCES DEPT.
SALEM, OREGON
EXHIBIT "A"

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APR 27 1999

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. ~~6-15085~~
Permit No.

PARCEL I

BEGINNING at corner of Sections 3, 4, 9 and 10 in Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon, and being a part of Sections 9 and 4 in said Township and Range; running thence North, 14.02 chains to an oak 6 inches in diameter, marked and described as in deed, from which an oak 6 inches in diameter bears South 8° East, 37 links distant; thence South 41° West, 18.37 chains set stake from which an oak 18 inches in diameter bears South 72° West, 106 links distant; thence North 89° 43' West on line between Sections 4 and 9, 23.27 chains, set stake on the East line of the James Coleman Donation Land Claim; thence South 36° West on said line, 59.00 chains to the Southeast corner of said Claim; thence North 54° West, 24 links; thence South, 1.51 chains; thence East, 1.85 chains to the Northeast corner of the James P. Yocom Donation Land Claim; thence South on the East line of said Claim, 31.90 chains to the line between Sections 9 and 16; thence East, 38.30 chains to the Southeast corner of the J. M. Merrill Claim; thence North, 32.25 chains; thence East, 2.50 chains; thence Northeasterly, 6.78 chains; thence East, 26.43 chains to the quarter section corner between Sections 9 and 10; thence North on said line, 40.28 chains to the PLACE OF BEGINNING.

EXCEPTING THEREFROM that portion conveyed to Rodger B. Whitley and Denise A. Whitley, husband and wife, by instrument recorded October 22, 1947 in Film Volume 217, Page 1021, Deed Records.

Tax Lot No. 5509-100
5509-102

PARCEL II

BEING a part of the James P. Yocom Donation Land Claim No. 44 in Sections 5 and 9, Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon, and being a portion of that tract of land conveyed to Jack J. and Anita E. Kenworthy, by Deed recorded January 31, 1984 in Film Volume 183, Page 1211, Deed Records, and further described as follows:

BEGINNING at the Southeast corner of the said Yocom Claim; and running thence North along the East line of said Claim, 1178.5 feet to an iron pipe and the TRUE POINT OF BEGINNING of the tract to be described herein; thence South 46° 32' West, 36.7 feet to an iron pipe; thence South 75° 11' West, 473.2 feet to an iron pipe; thence North 74° 22' West, 489.9 feet to an iron pipe set on the Easterly margin of the present used and traveled road (Market Road No. 19 - Muddy Valley Road); thence South 17° 16' East along said Easterly margin of Muddy Valley Road, 71.46 feet to an iron pipe, said point also being the Northwest corner of that tract conveyed to Rodger R. Whitley et ux., by

(continued on Page 2)

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JAN 28 2000

Exhibit "A" (continued)

WATER RESOURCES DEPT.
SALEM, OREGON

instrument recorded October 22, 1987 in Film Volume 227, Page 1021, Deed Records; thence South 74° 22' East along the North line of said Whitley tract, 467.41 feet to an iron pipe; thence continuing along the North line of said Whitley tract, North 75° 11' East, 501.21 feet to an iron pipe; thence North along the East line of said James P. Yocom Claim, 80.26 feet to the POINT OF BEGINNING.

Tax Lot No. 5509-600

PARCEL III

A portion of that tract of land in Contract between Joseph F. Mac Donald and Robert H. Tapp and Nellie R. Tapp, recorded June 5, 1972 in Film Volume 89, Page 1512, Deed Records, more particularly described as follows:

Tract 1: The North 965 feet of the West 485 feet of the following described tract:

The West half of the Southeast Quarter and the East half of the Southeast Quarter of Section 9 in Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon.

EXCEPT that portion conveyed to David W. Wadell by Deed recorded January 14, 1941 in Book 117, Page 369, Deed Records of Yamhill County, Oregon.

Tract 2: The North 965 feet of the following described tract:

The West half of the East half of the Southeast Quarter and the East half of the West half of the Southeast Quarter of Section 9 in Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon.

Tract 3: The North 965 feet of the following described tract:

The East half of the East half of the Southeast Quarter of Section 9, Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon.

Tract 4: The North 965 feet of the following described tract:

The West 285 feet of West 400 feet of the Southwest Quarter of Section 10, Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon.

Tract 5: BEGINNING at the Southwest corner of that tract of land conveyed to Dennis Burger and Elaine McCall, husband and wife in deed recorded April 9, 1990 in Film Volume 242, Page 729, Deed Records; thence East along the South line of the said Burger tract, 715.5 feet; thence South parallel with the West line of the Robert Tapp tract recorded in Film Volume 89, Page 1812, Deed Records to a point that is

(continued on Page 3)

JAN 28 2000

Exhibit "A" (continued)

WATER RESOURCES DEPT.
SALEM, OREGON

East, 715.5 feet from the Northwest corner of that tract of land conveyed to Van W. Keck et ux. by deed recorded May 3, 1977 in Film Volume 119, Page 1865, Deed Records; thence West along the North line of the Keck tract, 715.5 feet to the Northwest corner thereof; thence North along the West line of the Tapp tract at the TRUE POINT OF BEGINNING.

Tax Lot No. 5509-701

PARCEL IV

THE Southwest quarter of the Northwest quarter and the West half of the Southwest quarter of Section 10, Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon.

EXCEPTING THEREFROM the West 400 feet of the Southwest quarter of Section 10, Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon.

ALSO EXCEPTING THEREFROM that tract conveyed to Ronald L. Smith, et ux. by deed recorded February 27, 1978 in Film Volume 127, Page 272, Deed Records.

FURTHER EXCEPTING THEREFROM that portion of the above described property conveyed to Harold Levy, et ux. by deed recorded June 1, 1978 in Film Volume 129, Page 1387, Deed Records.

TOGETHER WITH the following described easement and right of way:

BEGINNING at a point on the apparent centerline of County Road No. 431, said point being South, 2672.27 feet and East, 1369.01 feet from the Northwest corner of Section 15, Township 5 South, Range 5 West, Willamette Meridian, Yamhill County, Oregon, said easement and right of way being 30 feet in width, 15 feet on each side of the centerline, EXCEPT the first 450.00 feet of which is 20.00 feet in width, the boundaries of said right of way being extended or shortened at the angle points and property lines to form a continuous boundary; said centerline following an existing road and being more particularly described as follows:

Thence North 11° 15' West, 450.00 feet;
Thence North 2° 29' 54" West, 50.70 feet;
Thence North 0° 00' East, 153.00 feet;
Thence North 15° 17' 49" West, 104.62 feet;
Thence North 21° 03' 52" West, 106.25 feet;
Thence North 0° 57' 15" West, 40.00 feet
Thence North 47° 00' 41" East, 90.86 feet;
Thence North 1° 27' East, 79.03 feet;
Thence North 0° 55' 11" West, 135.20 feet;
Thence North 1° 06' 58" West, 295.69 feet;
Thence North 16° 47' 05" West, 72.22 feet;
Thence North 28° 45' 13" West, 74.30 feet;

(continued on Page 4)

JAN 28 2000

WATER RESOURCES DEPT.
SALEM, OREGON

Exhibit "A" (continued)

Thence North 40° 27' 20" West, 98.01 feet;
Thence North 46° 27' 27" West, 160.78 feet;
Thence North 51° 50' 04" West, 90.48 feet;
Thence North 61° 57' 11" West, 85.88 feet;
Thence North 73° 00' 48" West, 183.22 feet;
Thence North 64° 06' 56" West, 73.70 feet;
Thence North 51° 39' 33" West, 72.31 feet;
Thence North 41° 15' 55" West, 63.33 feet;
Thence North 30° 15' 32" West, 66.74 feet;
Thence North 19° 10' 39" West, 55.97 feet;
Thence North 8° 02' 21" West, 526.04 feet;

to a point from which the Northwest corner of Section 15 bears West, 415.00 feet; thence continuing along said roadway across the East 60.00 feet of Tract No. 1 as described in Volume 94, Page 475, Deed Records of Yamhill County, Oregon, 640.00 feet to a point on the North line of said Tract No. 1, said point being West, 45.00 feet from the Northeast corner of said Tract No. 1, leaving existing roadway and continuing:

Thence North 1° 00' 47" East, 235.82 feet;
Thence North 24° 02' 45" East, 552.57 feet;
Thence North 53° 24' 44" East, 94.76 feet;
Thence North 88° 48' East, 98.35 feet;
Thence South 68° 06' 45" East, 30.58 feet;
Thence South 29° 19' 43" East, 134.58 feet;
Thence South 76° 51' 57" East, 61.66 feet;
Thence North 35° 32' 15" East, 60.22 feet;
Thence North 3° 31' 37" West, 72.34 feet;
Thence North 12° 19' East, 85.01 feet;
Thence North 9° 52' East, 127.66 feet;

to terminus of easement.

Tax Lot No. 5510-1000

PARCEL V

A tract of land in Section 10, Township 5 South, Range 5 West, of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows:

The East 115 feet of the West 400 feet of the Southwest Quarter of Section 10.

EXCEPTING THEREFROM the South 1604 feet.

Tax Lot No. 5510-1100

YCT&E 136432
955-3
955-3-1
955-2

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JAN 28 2000

WATER RESOURCES DEPT.
SALEM, OREGON

EXHIBIT "A"

Legal Description:

A tract of land in Section 9, Township 5 South, Range 5 West, Yamhill County, Oregon and being more particularly described as follows:

BEGINNING at the Northeast corner of that tract of land described in deed form MILLICENT BURT to ALAN OLSEN and recorded in Film Volume 227, Page 106, Yamhill County Deed Records, said Northeast corner being on the East line of the James Coleman Donation Land Claim No. 40 at a point that is South 36° 00' 00" West 462.55 feet from the Northeast corner of the South one-half of said Coleman Donation Land Claim; thence continuing South 36° 00' 00" West 320.26 feet along the East line of said Coleman Donation Land Claim to an iron rod set in CSP-9224 at the East end of a boundary agreement line between SMITH and OLSEN and recorded in Film Volume 233, Pages 1534-1541; thence South 82° 03' 00" West 209.05 feet along the agreement line; thence North 00° 00' 00" East (North) 734.56 feet to a point on the North line of said OLSEN tract that is South 87° 01' 30" West 748.96 feet from the POINT OF BEGINNING; thence North 87° 01' 30" East 748.96 feet to the POINT OF BEGINNING.

Tax Lot 5509-300
YCTE 145805
455-1-1

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APR 27 1999

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. R-84127
Permit No.

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EXHIBIT "A"

WATER RESOURCES DEPT.
SALEM, OREGON

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APR 27 1999

WATER RESOURCES DEPT.
SALEM, OREGON

BEING a part of the James P. Yocum Donation Land Claim No. 44, in Township 5 South, Range 5 West of the Willamette Meridian of Yamhill County, Oregon, said part being more particularly described as follows:

BEGINNING at the Southeast corner of the said Yocum Claim and running thence North along the East line of said Claim 562.32 feet to the South line of Section 9, Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon; thence running East along said South line of said Section, 171.31 feet; thence North 535.902 feet; thence West 171.31 feet to a point on the East line of said Yocum Claim; thence South 75° 11' West 501.21 feet; thence North 74° 22' West 467.41 feet to the Easterly right-of-way of Muddy Valley Road (County Road No. 19); thence along said right-of-way South 17° 16' East 1147.84 feet to a point on the South line of said Yocum Claim; thence along the South line of said Claim North 89° 59' East 594.00 feet to the Place of Beginning.

TL 5509-601

TL 5509-101

YCT&E

955-1-1

Application No.

Permit No.

C-15085

~~RECEIVED~~

T. 5 S., R.5 W., W.M.

Location: The NE 1/4, SE 1/4, NW 1/4 & SW 1/4 of the NE 1/4 and The NE 1/4, NW 1/4 & SW 1/4 of the SE 1/4 and the NE 1/4, SE 1/4, NW 1/4 & SW 1/4 of the SW 1/4 and The NE 1/4, SE 1/4 & SW 1/4 of the NW 1/4 of Section 9, The SW 1/4 of the NW 1/4 and The NW 1/4 of the SW 1/4 of Section 10, The SE 1/4 of the SE 1/4 of Section 4, The NW 1/4 of the NW 1/4 of Section 16, T. 5 S., R.5 W., W.M., Yamhill County, OR

Note: This map is not intended to provide legal dimensions or locations of property ownership lines.

LEGEND:

- = Tax Lot Line
- = Property line
- = D.L.C. line
- = Section line
- = "40" line
- = Irrigation Mainlines, 4", 3" & 2" PVC, HDPE
- = Unnamed Intermittent Stream
- = Surface Water Appl. S-84126, Primary
- = Ground Water Appl. G-15085, Supplemental
- = Ground Water Appl. G-15085, Primary

Surface water sources
unnamed tributaries of the
South Yamhill River

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SEP 07 2015

WATER RESOURCES DEPT
SALEM, OREGON

Scale: 1" = 660'

CLAIMS OF BENEFICIAL USE MAP

UNDER
S-84126 S-53672
Application No. G-15085 Permit No. G-13990

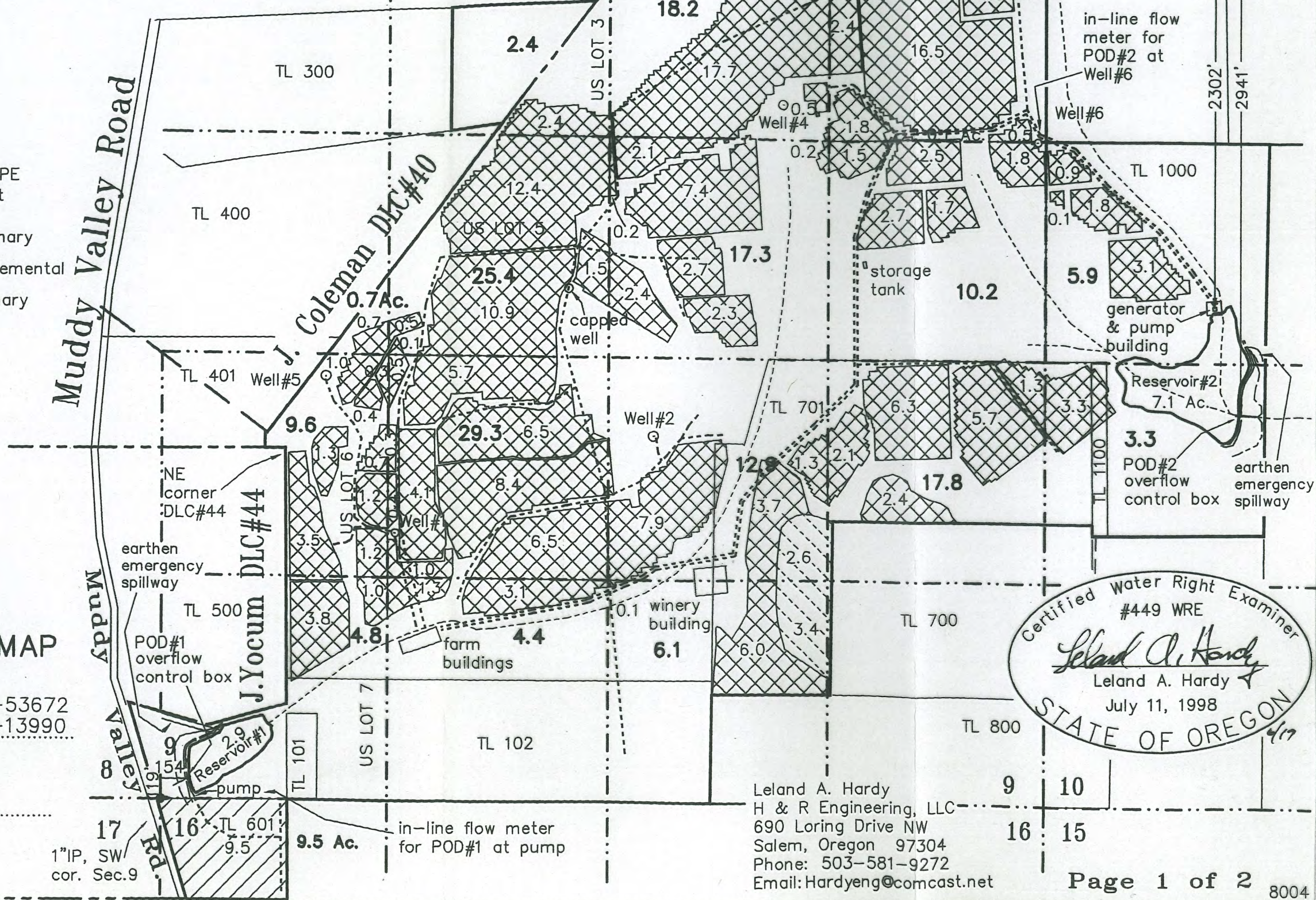
IN NAME OF
MONTAZI FAMILY, LLC

Surveyed July, 2015

Muddy Valley Road

North

1"IP, SW
cor. Sec.9



Certified Water Right Examiner
#449 WRE
Leland A. Hardy
Leland A. Hardy
July 11, 1998
STATE OF OREGON

Leland A. Hardy
H & R Engineering, LLC
690 Loring Drive NW
Salem, Oregon 97304
Phone: 503-581-9272
Email: Hardyeng@comcast.net

JAN 28 2000

**WATER RESOURCES DEPT.
SALEM, OREGON**

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

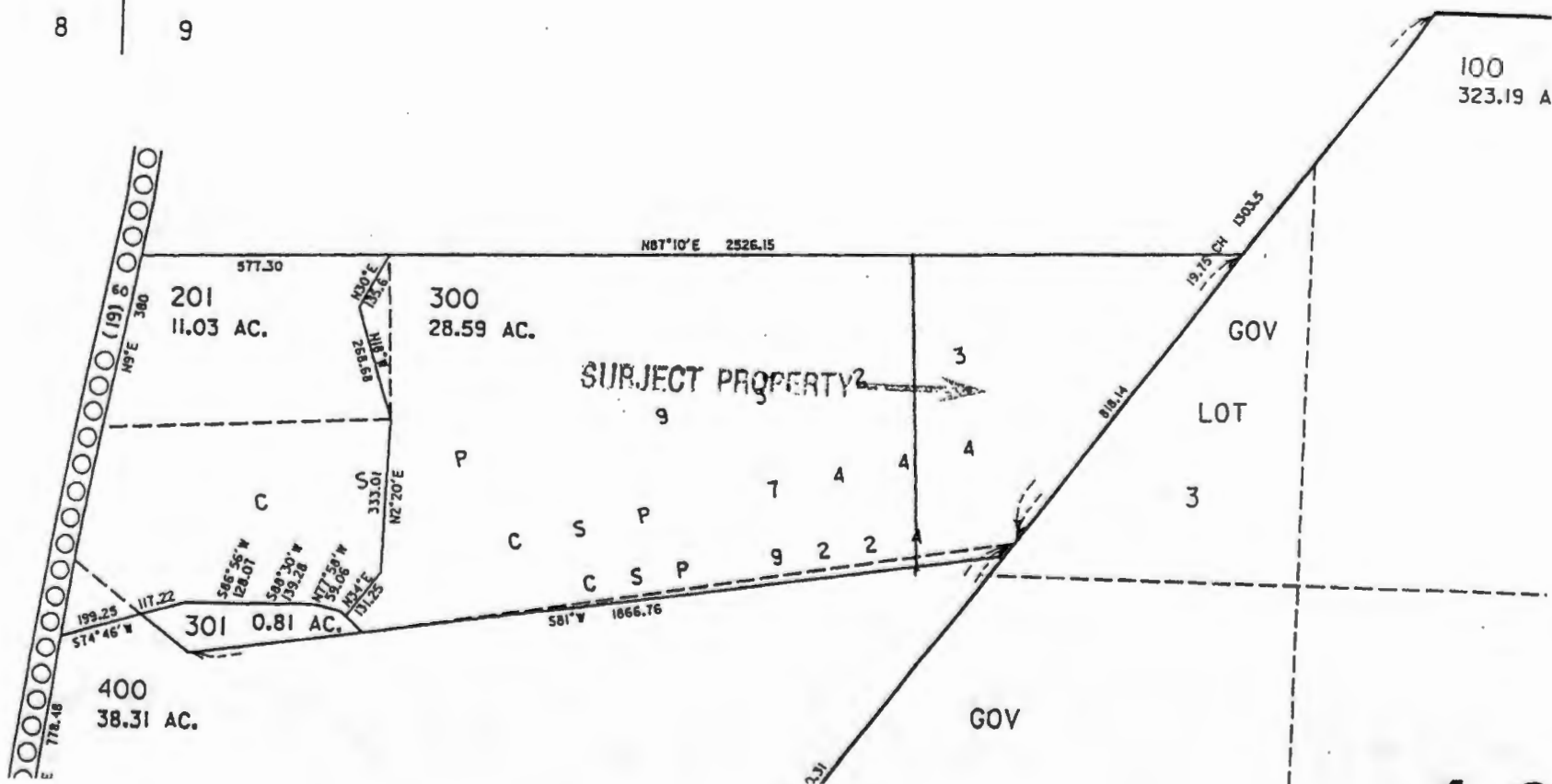
SECTION 9 T5S R5W
YAMHILL COUNT

1" = 400'

SEE MAP 5 5 04

SEE MAP 5 5 04

5	4
8	9



40

LOT 5

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WATER RESOURCES DEPT.
SALEM, OREGON

No. 6-15085

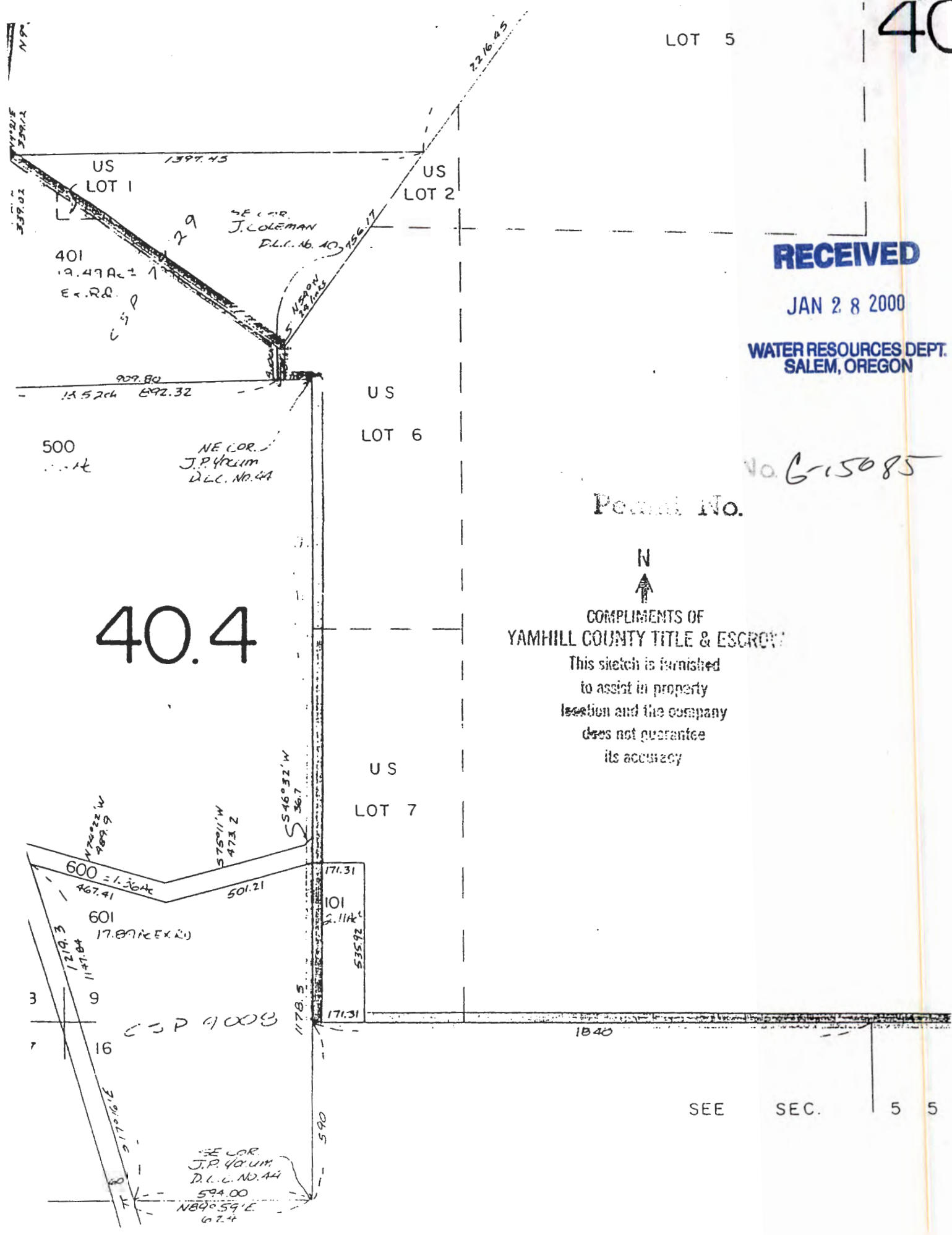
Parcel No.



COMPLIMENTS OF
YAMHILL COUNTY TITLE & ESCROW

This sketch is furnished
to assist in property
location and the company
does not guarantee
its accuracy

40.4



Well No. 6

Yamh 51626

6-15085

B@ State of Oregon

WATER WELL REPORT (as required by ORS 537.765)

Page 1 of 1

State Well ID L30906

Start Card # 118620

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WATER RESOURCES DEPT.
SALEM, OREGON

(1) OWNER: Well No. 1848
 Name MONTANI FAMILY LLC
 Address 2083 COLVIN CT
 City MC MINNVILLE St OR Zip 97128

(2) TYPE OF WORK: NEW WELL

(3) DRILL METHOD: ROTARY AIR

(4) PROPOSED USE: FARM

(5) BORE HOLE CONSTRUCTION:

Special Construction Approval NO Depth of Compl. Well 221 ft
 Explosives used NO Type Amount

HOLE		SEAL		Amount	
Diam.	From To	Material	From To		
10	0 19	BENTONITE CHIP	0 19	10	SAX
6	19 221				

Seal placement method POURED/PROBED

Backfill: from ___ ft to ___ ft Material

Gravel: from ___ ft to ___ ft Size

(6) CASING/LINER:

Diam.	From To	Gauge	Material	Connection
Casing 6	+1 19	.25	STEEL	WELDED

Diam.	From To	Gauge	Material	Connection
Inner 4	0 221	SDR26	PLASTIC	WELDED

Final Location of shoe(s) NO SHOE

(7) PERFORATIONS/SCREENS:

[X] Perf. Method ELECTRIC SAW

[] Screens Type

Material

From To	Slot Size	Number	Diam.	Tele/pipe Size	Casing/liner
181 221	.187"	72			LINER

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

Test type AIR

Yield GPM	Draw-down	Drill stem at	Time
90		221	1 hr.
90		201	1

Temperature of water 53 Depth Artesian Flow Pound

Was water analysis done? NO By whom

Reason for water not suitable for use

Depth of strata

(9) LOCATION OF WELL by legal description:

County YAMHILL Lat. ' ' ' Long. ' ' '
 Township 5 S Range 5 W NW.
 Section 9 SW 1/4 NE 1/4
 Tax Lot 100 Lot Block Subdivision
 Street Address of Well (or nearest Address)
 15765 SW MUDDY VALLEY RD MC MINNVILLE, OR

(10) STATIC WATER LEVEL:

80 ft. below land surface. Date 05/25/99
 Artesian pressure ___ lb per square in. Date

(11) WATER BEARING ZONES:

Depth at which water was first found 182		Est Flow Rate	SWL
From	To		
182	206	90	80

(12) WELL LOG:

Material	Ground elevation 600		SWL
	From	To	
BROWN ROCKY CLAY	0	1	
BROKEN DECAIED MARINE ROCK, COARSE	1	11	
TIGHT GRAY MARINE ROCK, MED.	11	56	
BROWN MARINE ROCK, HARD	56	63	
GRAY MARINE ROCK, HARD/FINE GRAIN	63	182	
GRAY MARINE ROCK, FRACTURED/BROKEN	182	206	40
GRAY MARINE ROCK, HARD/MED GRAIN	206	221	

DAVE PAYSINGER, BLUE WATER DRILLING CO.

(503) 209-8989

Date started 05/24/99

Completed 05/25/99

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

Signed _____ WMC Number _____
 Date _____

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

Signed _____ WMC Number 1438
 Date 05/25/99

MINIMUM APPLICATION REQUIREMENTS
CHECKLIST (OAR 690-310-040)

G-15085
2-8-2000


☒ **Applicant name and mailing address.** If applicant is other than a private landowner, Organizations section must be complete.

☒ **Source and tributary** listed? (Including, if applicable, the name and mailing address of any owner of land upon which the source is located.) 5 wells

☒ **Property ownership indicated?** If applicant does not own all the land, is the affected landowner(s) listed? **NOTE: An easement or agreement DOES NOT need to be submitted at this time, but will be required before a permit will be issued.**

☒ **If a groundwater application...** is the groundwater development section completed? Is the Well Characteristics section completed or is the well log for the actual well proposed to be used included? well logs - OK

☒ **Proposed Use of the water....** Has the appropriate supplemental form been completed for each use, ie: I form for irrigation, Q for commercial or industrial uses, M for municipal or quasi-municipal or R for mining? If the application is for the use of a spring, a spring description sheet must be completed. IR & NU

☒ **Amount of water** from each source listed in GPM, CFS or AF? Q for ea. well - OK

☒ **Acreage** being proposed, if applicable. 405.4 AC

123 gpm Total
1230 ÷ 448.83 = 0.274 cfs

☒ **Season** being requested by applicant. IR - Mar 1 - Oct 31, NU - Nov 1 - Apr 3

☒ The **water management** section has been completed? If system has not been designed, the applicant may estimate this information.

☒ **Resource protection system** completed on Surface Water application?

☒ Are the **dates of construction** indicated? If system already completed, applicant should indicate existing.

☒ Is the **application signed in ink by the applicant?** If the application is in the name of an organization or corporation, the authorized agent must sign the application.

☒ Is a **copy of the deed, land sales contract or title insurance policy** included? We cannot accept a copy of the tax bill.

☒ A **completed Land-Use Form** or receipt signed by the appropriate planning department officials enclosed?

☒ Does the **map meet map requirements** of OAR 690-310-050?

☒ **Correct fees enclosed?** Refer to worksheet to calculate fees.

OK
Paid \$400.00

Base 250
1st cfs 150
\$ 400.00

MINIMUM APPLICATION REQUIREMENTS
CHECKLIST (OAR 690-310-040)

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JAN 28 2000

WATER RESOURCES DEPT.
SALEM, OREGON

☒ **Applicant name and mailing address.** If applicant is other than a private landowner, Organizations section must be complete. *Title*

☒ **Source and tributary** listed? (Including, if applicable, the name and mailing address of any owner of land upon which the source is located.) *5 wells*

☒ **Property ownership indicated?** If applicant does not own all the land, is the affected landowner(s) listed? **NOTE: An easement or agreement DOES NOT need to be submitted at this time, but will be required before a permit will be issued.**

☒ **If a groundwater application...** is the groundwater development section completed? Is the Well Characteristics section completed or is the well log for the actual well proposed to be used included? *5 well logs*

☒ **Proposed Use of the water....** Has the appropriate supplemental form been completed for each use, ie: I form for irrigation, Q for commercial or industrial uses, M for municipal or quasi-municipal or R for mining? If the application is for the use of a spring, a spring description sheet must be completed. *Form I IR & NR*

☒ **Amount of water** from each source listed in GPM, CFS or AF? *Prod. Rate of Well #4*

☒ **Acreage** being proposed, if applicable.

☒ **Season** being requested by applicant. *Don't want NR Year Round?*

☒ **The water management section** has been completed? If system has not been designed, the applicant may estimate this information.

☒ **Resource protection system** completed on Surface Water application? *N/A*

☒ **Are the dates of construction** indicated? If system already completed, applicant should indicate existing.

☒ **Is the application signed in ink by the applicant?** If the application is in the name of an organization or corporation, the authorized agent must sign the application.

☒ **Is a copy of the deed, land sales contract or title insurance policy included?** We cannot accept a copy of the tax bill.

☒ **A completed Land-Use Form** or receipt signed by the appropriate planning department officials enclosed?

☒ **Does the map meet map requirements** of OAR 690-310-050? *# of Ac / 1/4 1/4*

☒ **Correct fees enclosed?** Refer to worksheet to calculate fees. *for Suppl & Prim*

JAN 28 2000

State of Oregon
WATER WELL REPORT (as required by ORS 537.765)

Page 1 of 1

State Well ID L30905
Start Card # 118619WATER RESOURCES DEPT.
SALEM, OREGON

Well No 5.

YAMH 51623

G-15085

(1) OWNER: Well No. 1847
Name MONTAZI FAMILY LLC
Address 2083 COLVIN CT
City MCINTINVILLE St OR Zip 97128

(2) TYPE OF WORK: NEW WELL

(3) DRILL METHOD: ROTARY AIR

(4) PROPOSED USE: FARM

(5) BORE HOLE CONSTRUCTION:

Special Construction Approval NO Depth of Compl. Well 300 ft
Explosives used NO Type Amount
HOLE SEAL
Diam. From To Material From To Amount
10 0 39 BENTONITE CHIP 0 39 18 SAX
6 39 300

Seal placement method POURED/PROBED
Backfill: from ft to ft Material
Gravel: from ft to ft Size

(6) CASING/LINER:

Diam.	From	To	Gauge	Material	Connection
Casing 6	+1	39	.25	STEEL	WELDED
Inner 4	0	300	SDR26	PLASTIC	WELDED

Final Location of shoe(s) NO SHOE

(7) PERFORATIONS/SCREENS:

[X] Perf. Method ELECTRIC SAW
[] Screens Type Material
Slot Tele/pipe
From To Size Number Diam. Size Casing/liner
80 86 .1X4" 10 LINDER
240 260 .1X7" 36 LINDER
280 300 .1X7" 36 LINDER

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

Test type AIR

Yield GPM	Draw-down	Drill stem at	Time
10		300	1 hr.
10		300	4

Temperature of water 54 Depth Artesian Flow Pound
Was water analysis done? NO By whom
Reason for water not suitable for use
Depth of strata

(9) LOCATION OF WELL by legal description:

County YAMHILL Lat. ' ' ' Long. ' ' '
Township 5 S Range 5 W NW.
Section 9 NE 1/4 SW 1/4
Tax Lot 100 Lot Block Subdivision
Street Address of Well (or nearest Address)
15765 SW MUDDY VALLEY RD MCINTINVILLE, OR

(10) STATIC WATER LEVEL:

17 ft. below land surface. Date 05/22/99
Artesian pressure lb per square in. Date

(11) WATER BEARING ZONES:

Depth at which water was first found 99
From To Est Flow Rate SWL
99 103 7 NA
181 202 2 NA
252 264 1 17

(12) WELL LOG:

Material	Ground elevation		SWL
	From	To	
TOP SOIL	0	2	
BROKEN ROCK IN DECAYED CLAY	2	8	
DECAYED MARINE ROCK, BROWN	8	31	
HARD GRAY COARSE MARINE ROCK	31	63	
HARD GRAY SILTSTONE	63	69	
HARD GRAY MARINE ROCK	69	99	
GREEN MARINE ROCK, FRACTURED	WB 99	103	17
HARD GRAY MARINE ROCK	103	175	
HARD GRAY CLAYSTONE	175	181	
BROWN CLAYSTONE/CRSE GRAY MARINE ROCK	WB 181	202	17
STRATIFIED MARINE ROCK/CLAYSTONE, HARD	202	252	
FINE GRAIN GRAY MARINE ROCK, FRAC	WB 252	264	17
HARD GRAY CLAYSTONE	264	288	
SOFT GRAY CLAYSTONE	288	300	

DAVE PAYSINGER, BLUE WATER DRILLING CO.
(503) 209-8989

Date started 05/21/99 Completed 05/22/99

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

Signed _____ WWC Number _____
Date _____

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

Signed _____ WWC Number 1438
Date 05/22/99

VAMH 51754

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SEP 07 1999

(1) OWNER: Well No. 1887
Name MONTAZI FAMILY LLC
Address 2083 COLVIN CT
City MC MINNVILLE St OR Zip 97128

(2) TYPE OF WORK: NEW WELL

(3) DRILL METHOD: ROTARY AIR

(4) PROPOSED USE: IRRIGATION

(5) BORE HOLE CONSTRUCTION:

Special Construction Approval NO Depth of Compl. Well 450 ft
Explosives used NO Type Amount

BORE		SEAL				
Diam.	From To	Material	From To	Amount		
10	0 39	BENTONITE CHIP	0 39	19 SAX		
6	39 450					

Seal placement method POURED/PROBED

Backfill: from ___ ft to ___ ft Material
Gravel: from ___ ft to ___ ft Size

(6) CASING/LINER:

Diam.	From To	Gauge	Material	Connection
Casing 9	+1 39	.25	STEEL	WELDED

Diam.	From To	Gauge	Material	Connection
Liner 4	3 450	SDR26	PLASTIC	WELDED

Final Location of shoe(s) NO SHOE

(7) PERFORATIONS/SCREENS:

[X] Perf. Method ELECTRIC SAW

[] Screens Type

Material

From	To	Slot Size	Number	Diam.	Tele/pipe Size	Casing/liner
410	450	.1X7"	72			LINER
269	270	.1X1"	2			LINER

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

Test type AIR

Yield GPM	Draw-down	Drill stem at	Time
18		450	1 hr.
18		435	1/2

Temperature of water 54 Depth Artesian Flow Found

Was water analysis done? NO By whom

Reason for water not suitable for use

Depth of strata

(9) LOCATION OF WELL by legal description:

County YAMHILL Lat. ' ' ' Long. ' ' '
Township 5 S Range 5 W W.
Section 9 SW 1/4 NE 1/4
Tax Lot 100 Lot Block Subdivision
Street Address of Well (or nearest Address)
15765 SW HODDY VALLEY RD MC MINNVILLE, OR

WATER RESOURCES DEPT.
SALEM, OREGON

(10) STATIC WATER LEVEL:

123 ft. below land surface. Date 08/30/99
Artesian pressure ___ lb per square in. Date

(11) WATER BEARING ZONES:

Depth at which water was first found 260

From	To	Net Flow Rate	SNL
260	263	2	123
409	428	16	123

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JAN 28 2000

WATER RESOURCES DEPT.
SALEM, OREGON

(12) WELL LOG:

Material	Ground elevation		SNL
	From	To	
TOP SOIL	0	2	
RED CLAY	2	18	
DECAYED MARINE ROCK	18	30	
HARD GRAY MARINE ROCK, FINE GRAIN	30	260	
SOFTER GRAY MARINE ROCK	260	261	123
HARD GRAY MARINE ROCK, FINE GRAIN	261	335	
GRAY SILTSTONE	335	341	
HARD GRAY MARINE ROCK	341	362	
HARD GRAY SILTSTONE	362	391	
HARD GRAY SILTSTONE W/TAN STREAKS	391	409	
HARD, FRAC MARINE ROCK/SILTSTONE MIX, WB	409	428	123
GRAY CLAYSTONE, SOFT	428	438	
GRAY OILY CLAYSTONE, GUMMY	438	450	

DAVE PAYSINGER, BLUE WATER DRILLING CO.
(503) 209-8989

Date started 08/30/99 Completed 08/30/99

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

Signed _____ WWC Number _____
Date _____

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

Signed *David L. Paysinger* WWC Number 1438
Date 08/30/99

16.

Application No. G-15085

SP-45292-6314

WATER WELL REPORT
STATE OF OREGON

RECEIVED

SEP 7 1984

WATER RESOURCES DEPT
SALEM, OREGON

State Well No. 55/SW-9CA

State Permit No.

Well No. 1

Well 1

(1) OWNER:

Name Seild S. E. Ind. Land Developers

Address 5516 S. E. Int. Way

City Milwaukee, Or. 97222

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandonment ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Hotter Air ☒ Driven ☐ Domestic ☒ Industrial ☐ Municipal ☐
Mud ☐ Plug ☐ Irrigation ☐ Test Well ☐ Other ☐
U Bored ☐ Thermal ☐ Withdrawal ☐ Rejection ☐

(4) PROPOSED USE (check):

(5) CASING INSTALLED:

Steel ☐ Plastic ☒
Threaded ☐ Welded ☐

6" Diam. from +1 ft. to 18 ft. Gauge 160PVC

" Diam. from ft. to ft. Gauge

LINER INSTALLED:

4" Diam. from 0 ft. to 128 ft. Gauge 160PVC

(6) PERFORATIONS:

Perforated? ☒ Yes ☐ No

Type of perforator used Drill

Size of perforations 5/8 in. Circular

150 perforations from 108 ft. to 128 ft.

perforations from ft. to ft.

perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Type Model No.

Diam. Slot Size Set from ft. to ft.

Diam. Slot Size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Is pump test made? ☐ Yes ☒ No If yes, by whom?

gal/min. with ft. drawdown after hrs.

Air test 15 gal/min. with drill stem at 128 ft. 1 hrs.

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

sign flow g.p.m.

perature of water 52 Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Special standards: Yes ☐ No ☒

Well seal—Material used Cement Grout

Well sealed from land surface to 18 ft.

Diameter of well bore to bottom of seal 10 1/2 in.

Diameter of well bore below seal 6 in.

Number of sacks of cement used in well seal 7 sacks

How was cement grout placed? Hole was clean & dry, grout introduced from bottom up.

Was pump installed? No Type HP Depth ft.

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

Did any strata contain movable water? ☐ Yes ☒ No

Type of Water? depth of strata

Method of sealing strata off

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

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Yamhill

Driller's well number

NE 1/4 SW 1/4 Section 9 T5S R5W W.M.

Tax Lot # 5509-100 Lot Bk Subdivision

Address at well location: Rte 3mMinnville, muddy valley road.

(11) WATER LEVEL: Completed well.

Depth at which water was first found 68-Trace ft.

Static level 23 ft. below land surface. Date 8-18-84

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 6 In.

Depth drilled 128 ft. Depth of completed well 128 ft.

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

MATERIAL	From	To	SWL
Topsoil	0	1	
Weathered brown & gray basalt	1	9	
Coarse grained gray basalt	9	33	
Fine grained gray basalt	33	69	
Coarse grained gray basalt w/ fractured layers, possible caving	69	128	

RECEIVED

JAN 28 2000

WATER RESOURCES DEPT
SALEM, OREGON

Work started Aug 6 1984 Completed Aug 15 1984

Date well drilling machine moved off of well Aug 15 1984

(unbonded) Water Well Constructor Certification (if applicable):

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

(Signed) Date TO

Bonded Water Well Constructor Certification:

Bond 28046278 Issued by Western Surety

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

Name Wilcox Drilling & Pump Co.

Address P. O. Box 569 Minnville, Or. 97128

(Signed) James H. Wilcox

Water Well Constructor

Date Aug 19 1984

NOTICE TO WATER WELL CONSTRUCTOR

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

WATER RESOURCES DEPARTMENT

SALEM, OREGON 97310

within 30 days from the date of well completion.

ST-40282-850

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **121224**

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

INVOICE # _____

RECEIVED FROM: Montazi Family LLC
BY: _____

APPLICATION See below
PERMIT _____
TRANSFER _____

CASH: ☐ CHECK # 4930 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 700.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

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

4270 WRD OPERATING ACCT

MISCELLANEOUS 46111 1-84128 4@
0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:
0201 SURFACE WATER \$ _____
0203 GROUND WATER \$ _____
0205 TRANSFER \$ _____

WELL CONSTRUCTION
0218 WELL DRILL CONSTRUCTOR \$ _____
LANDOWNER'S PERMIT \$ _____

0200 X OTHER (IDENTIFY) COBU 700.00

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **121224**

DATED: 9/7/16 BY: [Signature]

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

RECEIVED
OVER THE COUNTER

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **35631**

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

INVOICE # _____

RECEIVED FROM: Pacific Hydro-Geology

BY: _____

APPLICATION	3150000
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 24-680 ☒ OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 400.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY) _____

\$

OTHER: (IDENTIFY) _____

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

0427 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) _____

\$

TC162 DEPOSIT LIAB. (IDENTIFY) _____

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

0206

\$

WELL CONSTRUCTION

EXAM FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY) _____

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY) _____

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS

\$

0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HRDRO APPLICATION

\$

RECEIPT #

35631

DATED: 1-31-00

BY: D Marshall

Distribution-White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fisc

MONEY SLIP

WATER RESOURCES DEPARTMENT

MONEY SLIP #

158 12TH ST. N.E.

INVOICE #

SALEM, OR 97310-0210

378-8455 / 378-8130 (FAX)

035631

RECEIVED FROM: _____

BY: _____

APPLICATION

G-15085

PERMIT

TRANSFER

CASH: ☐CHECK: # ☐OTHER: (IDENTIFY) ☐

TOTAL REC'D

\$400.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY) _____

\$

OTHER: (IDENTIFY) _____

\$

REDUCTION OF EXPENSE

CASH ACCT. _____

\$

PCA AND OBJECT CLASS _____

VOUCHER # _____

0427 WRD OPERATING ACCT

MISCELLANEOUS

0407

COPY & TAPE FEES

\$

0410

RESEARCH FEES

\$

0408

MISC REVENUE: PUB.NOTICE, PFO, ASSIGN _____

\$

New) TC165

DEPOSIT LIAB. CUST.ACC. _____

\$

Existing) TC168

WATER RIGHTS:

0201

SURFACE WATER, RES, ALT

\$

0202

\$

0203

GROUND WATER

\$

0204

\$

0205

TRANSFER

\$

0206

\$

WELL CONSTRUCTION

EXAM FEE

RECORD FEE

0218

WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER _____

PROTEST FEE
EXTENSION

SPECIAL INSTRUCTIONS:

TO: LISA

0467 HYDRO ACTIVITY

LIC NUMBER

0233

POWER LICENSE FEE (FW/WRD)

\$

0231

HYDRO LICENSE FEE (FW/WRD)

\$

HRDRO APPLICATION _____

\$

NEW APPLICATION ROUTE SLIP

RECEIPTING

dy

DATA CENTER

2/11/2022 gm

GROUNDWATER

YES

☒

NO

3/14/00 Don

(Powerbuilder)

cal

FILES

cal

Don