WILLIAM I. PORFILY

P.O. Box 643 Stanfield, OR 97875 (541) 449-1327 (541)561-7259 Cell bporfily@my189.net

June 15, 2010

Michele McAleer Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, OR 97301-2430

Re: File # G- 17260 (Alan Cleaver) and your Preliminary Determination Letter of May14, 2010

Michele,

Enclosed is a new Land Use Form addressing the missing tax lots in the original Land Use Form as identified in your May 14th letter. Also enclosed is an amended application map that has removed the acre that was also included in Permit G-4933. This map identifies the number of acres hachured that was omitted in the original application map.

The wells (Well 11, Well 12 and Well F) were in existence at the time we submitted the application. Wells 12 and F have no access ports for measuring water levels. I have enclosed the Water Level Measurement Use Impact Plan (WLMUI) for Permit G-15396. Permit G-15396 also includes these three wells as POAs. This WLMUI for Permit G-15396 identifies two neighboring wells along with Well 11 for making and reporting water level measurements. These measurements for Permit G-15396 will also be a good reference against the future measurements made under this application. Thus, we request permission for the wells and water level measurements under WLMUI for Permit G-15396 to be made or allowed in the conditions for Application G-17260.

There is no well log for Well F, thus, we will need an OWRD Well Identification Number for this well. Please provide number and tag for this well. Wells 11 & 12 have well logs and have UMAT numbers assigned to them on their respective well logs but no ID tags have been attached to these wells. Please provide tags for these wells if they are required.

JUN 25 2010

Upon receiving this letter, please remove Application G-17260 from the administrative hold I placed on it last week.

Feel free to call me if you have any questions or would like additional information.

Sincerely,

William I. Porfily

Cc Alan Cleaver, P.O. Box 1191, Hermiston, OR 97838

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Oregon Water Resources Department Land Use Information Form

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. WRD will use this and other information to evaluate the water use application. THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water right transfer, allocation of conserved water, or exchange and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm use zone.

	To Be C	ompleted By Applicant ———	
		lual or group that is filing an application wit map from the application to this form.	h the Water
A. Applicant ———			
Name: Alan Cle			
Address: P.O. Box			
		97838 Day Phone:(541)567-2380	
B. Land and Location			
		elow for all tax lots on or through which w	
		ed" if water is diverted (taken) from its so	
		d) on tax lot, and "used" if water will be p	
		ked. (Attach extra sheets as necessary.)	
municipal use, or imga area boundaries for th		ation districts, may substitute existing and	a proposed service
area bourtdaries for th	e tax lot illioilliation i	equested below.	
Tax Lot	Plan Designated (e.g.	Water to be: (Check all that apply)	Proposed Land Use
I.D.	Rural Residential/RR-5)		
T5N R26E WM Sect. 34 TLs 100, 101, & 103	EFU	☑ Diverted ☑ Conveyed ☑ Used	Irrigation
T5N R26E WM Sect. 35	1	☐ Diverted ☐ Conveyed ☐ Used	Irrigation
TLs 100	EFU	Z Diverted Z conveyed Z conv	Ti i gation
T4N R26E WM Sect. 2		☐ Diverted ☐ Conveyed ☐ Used	Irrigation
TLs 300, & 400	EFU		
T4N R26E WM Sect. 3	EFU EFU	☐ Diverted ☐ Conveyed ☐ Used	Irrigation
TLs 100, 101, 102, 200, 201, 300, 500, & 600	EFUL		
201, 300, 300, & 000			
List counties and cities who		-	
proposed to be diverted, co		w County	
C. Description of Pro		ne Water Resources Department.	
		Allocation of Conserved Water Exchange	RECEIVE
ndicate the intended use	e of water and describe	the key characteristics of the project.	JUN 25 201
Commercial Municipal Other] Industrial] Quasi-municipal	☐ Instream ☐ Irrigation ☐ Domestic (indicate number of households	WATER RESOURCES I SALEM, OREGON
Briefly describe: This applic		ental irrigate from existing wells areas with West E	
District Water Rights when andicate the source of the water			
	_	Surface Water	
T Vesei Aoni\Long	Ground Water	Surface Water(Source)	
ndicate the estimated quantity	of water the use will require	e: 7.83 CFS GPM Acre-Feet	

Last Revised: 04/06/04

	— For Local Governmen	t Use Only —	
	eleted by a planning official from each is. In this case, only the city planning needed or feel free to copy.		
A. Allowed Use Check the appropriate box below	v and provide requested informati	on.	
allowed outright section(s): MCZC Land uses to be involve discretion Please provide information as reconveyed, or used. Check "diverconveyed (transported) on tax lomay be checked. (Attach extra section (s):	served by proposed water uses or are not regulated by your condendation. Go to section Between 3.000 served by proposed water uses nary land use approvals as listed equested below for all tax lots on ceted" if water is diverted (taken) from the tax in the sexisting and proposed service are	nprehensive plan. ("Approval" below. (including proposed in the table below or through which wat or its source on tax or municipal use, or municipal use, or	ed construction) ter will be diverted, lot, "conveyed" if water is ax lot. More than one box rirrigation uses within
requested below. Type of Land Use Approval Needed	City Most Significant, Applicable	Chaole th	a itam that applicat
(3.g. plan amendments, rezones, conditional use permits, etc.)	Plan Policies & Ordinance Section References		ne item that applies: 1 Use Approval
conditional ase permiss, etc.)	References	Obtained	☐ Being pursued
		☐ Denied☐ Obtained☐	☐ Not being pursed☐ Being pursued
		☐ Denied ☐ Obtained	☐ Not being pursed☐ Being pursued
		☐ Denied	☐ Not being pursed
		☐ Obtained☐ Denied	☐ Being pursued☐ Not being pursed
		Obtained	☐ Being pursued
		☐ Denied☐ Obtained	☐ Not being pursed☐ Being pursued
		Denied	☐ Not being pursed
Record of Action/land use decision 3. Approval Please provide printed name Name:	LANE	icient.) Date: _5/3	27/2010
Fitle: PLANNING DIE Bignature: Arla	259702 Phon	e: <u>541 93</u> 3	-9629
C. Additional Comments —			
ocal governments are invited	to express special land use concosed use of water below, or on		ommendations to the
			RECEIVE
			JUN 25 2010
			WATER RESOURCES
		-	CALEM ODEOO

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 may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

AMENDED 07-20-09 PLAN FOR REPORTING THE USE AND IMPACT OF GROUNDWATER WITHDRAWAL For Permit G-15396

1. Permit Holder

Alan Cleaver

2. Wells included in this Plan

Under Water Right Permit G-15396 eight wells were authorized to be used for primary and supplemental irrigation. The same numbering system used to identify wells in the permit will be used in this report.

3. History

Below are the 7 of 8 water levels at the time the wells were drilled. This information was taken from the well logs for each well. The well log for "Well F" was not found.

Well #	Date Drilled	Water Level Below Land Surface	Elevation Above Sea Level*	Water Levels Above Sea Level
1	May 1971	57 feet	325	268
2	June 1971	67 feet	335	268
3	June 1971	62 feet	338	276
4	June 1971	73 feet	348	275
6	July 1971	65 feet	332	267
\mathbf{F}			318	
11	Sept. 1971	43 feet	315	272
12	Sept. 1971	44 feet	322	278

^{*} Taken from a USGS Quad Map

These wells were used under existing water right certificates before the issuing of Permit G-15396. A new reference water level may be needed to reflect current conditions. All the wells were surveyed on April 7, 2004. Well #11 was the only one with an access port for measuring water levels.

JUN 25 2010

Previous land owner Dennis Logan advised us that there are several other unused wells in the vicinity that may provide the water level measurements we need. We located the two described below:

Air Strip Well: This is currently an unused 8 inch well which is located 140 ft South and 60 ft East from the intersection of Paterson Ferry Road and US Highway 730 in the SW ¼ of Section 34, Township 5 North, Range 26 East WM. The well log indicates the well is 87 feet deep. The well log is attached.

North of Big Rock Well: This is currently an unused 8 inch well which is located 3410 ft North and 525 ft East from the intersection of Paterson Ferry Road and US Highway 730 in the NW ¼ of Section 34, Township 5 North, Range 26 East WM. Measurements show this well to be 99.1 feet deep. No well log was located for this well.

Under this plan we propose to use the Air Strip Well, North Big Rock Well, and Well #11 described below to monitor the effects of water use on the aquifer water levels that provide water for Permit G-15396.

Well #11: Located in the NW¼ NW¼, Section 35 T5N, R26E, WM, 610 feet South & 110 feet East from the NW Corner, Section 35. The well log is attached.

All 8 wells authorized in Permit G-15396 had relatively the same water level measurements at the time of drilling. If the proposed monitoring wells are found not suitable we will equip the other agreed upon wells with measuring ports. This will be done in consultation with the Oregon Water Resources Department (OWRD).

4. Frequency and Timing of Static Water Level Measurements

Water will be measured every year in March and reported to the OWRD by April 15th.

5. Methodology for Obtaining Measurements

An E-tape (well probe) will be used to obtain water level measurements. Reading will be taken in feet and 1/10th foot and reported to the nearest tenth of foot.

6. Qualification of the Person Measuring

The water level measurements and the water use calculations will be done by a competent, independent third party hired by the permit holder that must meet CEIVED approval of the OWRD.

7. Reporting Frequency and Timing

The permit holder is responsible for annually reporting the water levels and the previous year's water usage to the OWRD by April 15th.

WATER RESOURCES DEPT

2

9. Stipulated A Reference Water Level

In the table we have listed the water levels in the Air Strip Well and Well #11 from the well logs. Water levels have been measured in the proposed monitoring wells since 2004. We have listed these measurements. The measurements made in 2005 will be the reference levels used to determine if water use needs to be curtailed as required in the permit.

Water Level above Sea Level (feet)

Years/ Wells	WL when Drilled	2004	2005	2006	2007	2008	2009	2010	2011
Well #11	272	269.1	268.1*	267.65	266.5	265.8	*		
Air Strip Well	267	269.1	272.5*	272.4	272.6	273.5	266.0		
N. Big Rock			280.8*	281.3	281.5	281.7	274.4		

^{*}Was operating much of the measuring period do to wind and blowing dust.

10. Measurement Discontinuation

Water levels have remained stable since wells were drilled in the early 1970's. This amended plan proposes to discontinue water level measurements effective 2009, until OWRD requires that the measurements be resumed in the future (See Attached July 20, 2009 E-mail Mike Zwart).

11. Attachments

Attached are the well logs for Well #11 and Air Strip Well, Mike Zwart July 20, 2009 Email, and the application map for Permit G-15396 showing the location of the monitoring wells.

Alan Cleaver	Date

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^{*} Reference levels to compare future measurements

Bill Porfily

From:

Mike Zwart [zwartmj@wrd.state.or.us]

Sent:

Monday, July 20, 2009 1:58 PM

To:

Bill Porfily

Subject:

RE: Plan for Reporting the Use and Impact of Ground Water Withdrawals for Permit G-15396

Bill,

I have reviewed the draft plan. I have previously tied well F to log-id MORR 1271. Let me know if you believe that this is not an accurate tie.

I would like you to consider making an additional request to amend the plan to discontinue measurements, effective 2009, until the Department requires that the measurements be resumed in the future. Current water levels in this aquifer appear to be reasonably stable. If you do not follow up with this suggestion, then the amended plan as you have proposed here will be approved and I will be expecting future water levels to be submitted in accordance with the plan.

Mike Zwart

Michael Zwart Oregon Water Resources Department 503-986-0844

From: Bill Porfily [mailto:bporfily@my180.net]

Sent: Tuesday, July 07, 2009 4:33 PM

To: Mike Zwart **Cc:** 'Angel Edmiston'

Subject: Plan for Reporting the Use and Impact of Ground Water Withdrawals for Permit G-15396

Mark

Attached is a proposed amended plan, two well logs and a map for measuring and reporting water levels for the above mention permit. This is in response to your March 16, 2009 to Alan Cleaver and you May 10, 2004 Letter to Richard Carney. Please advise if this plan meets the requirement that is required in Permit G-15396. We will send you hard copies if this is O-K.

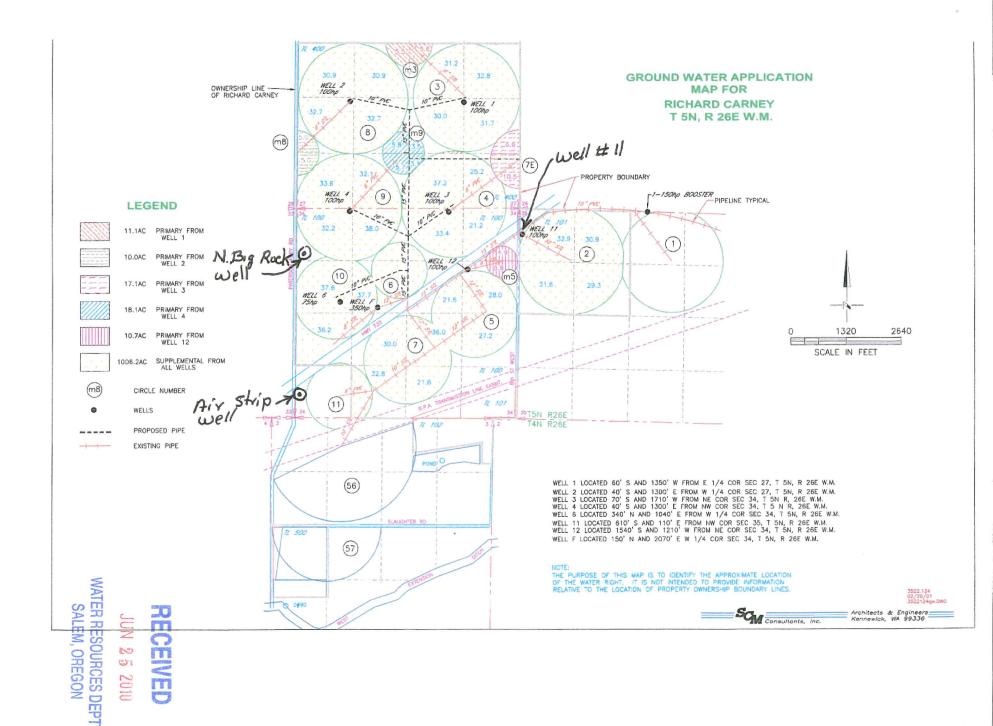
Thanks for your consideration in this matter

WILLIAM I. PORFILY

P.O. Box 643 Stanfield, OR 97875 (541) 449-1327 Off & Fax (541)561-7259 Cell bporfily@my180.net

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The original and first copy REPORT State Well No. 5N/HE- 15-666 of this report are to be filed with the (Please type of print) NOV 19 1971 STATE ENGINEER, SALEM, OREGON 97340 State Permit No. ... within 30 days from the date (Do not write above this line) ENGINEER of well completion. (10) LOCATION OF WELL: (1) OWNER: Driller's well number #11 County Morrow DESERT MAGIC, INC. Name NW 14 Section 35 T. 5N R. 26E P.O. Box 216 Address Boardman Oregon Bearing and distance from section or subdivision corner a 8 100 Fast of the W corner (2) TYPE OF WORK (check): Section 35 Deepening [If abandonment, describe material and procedure in Item 12. (11) WATER LEVEL: Completed well. (4) PROPOSED USE (check): (3) TYPE OF WELL: Depth at which water was first found Driven 🛘 Rotary Domestic | Industrial | Municipal | Static level ft. below land surface. Date Cable Jetted Irrigation X Test Well [Other Bored [Dug Artesian pressure lbs, per square inch. Date CASING INSTALLED: Threaded | Welded | (12) WELL LOG: Diameter of well below casing 16 "Diam from 0 ft to 87 ft. Gage 250 Depth drilled 87 ft. Depth of completed well ft. " Diam. from ft, to _____ ft. Gage Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, " Diam. from ft. to ft. Gage 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. PERFORATIONS: Perforated? 🙀 Yes 🗌 No. MATERIAL Type of perforator used Machine Size of perforations 3/16 in. by 3 3 top soil - brown sandy perforations from 77 ft. to 87 3 7 coarse gray sand sand gravel & boulders 87 _____ perforations from _____ ft. to _____ perforations from _____ ft._to (7) SCREENS: Well screen installed? Y Yes 🗆 No . . . Johnson Manufacturer's Name Model No. -Diam. 16 Slot size 50 Set from 67 ft. to 77 ft. Diam. Slot size Set from ft. to Drawdown is amount water level is lowered below static level (8) WELL TESTS: Was a pump test made? Was I No H yes, by whom? Driller 1557 gal./min. with 23 ft. drawdown after 8 hrs. " Bailer test gal./min. with ft. drawdown after hrs. Artesian flow g.p.m. perature of water Depth artesian flow encountered Work started 9-16 1977 Completed 9-25 19 71 Date well drilling machine moved off of well (9) CONSTRUCTION: Drilling Machine Operator's Certification: Well seal-Material used _____Cement___ This well was constructed under my direct supervision. Materials used and information reported above are true to my Well sealed from land surface to 43 Diameter of well bore to bottom of seal24..... best knowledge and belief. (Drilling Machine Operator) Date Oct 11, 197/ Stew -Diameter of well bore below seal ____24 in. [Signed] .. Number of sacks of cement used in well seal sacks ---- sacks Number of sacks of bentonite used in well seal Brand name of bentonite Water Well Contractor's Certification: Number of pounds of bentonite per 100 gallons This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. Was a drive shoe used? Yes No Plugs Size: location ft. Did any strata contain unusable water?

Yes
No Type of water? depth of strata Method of sealing strata off Was well gravel packed? X Yes No Size of gravel 1/8 to 3/8 43 ft. to 87 ft. Gravel placed from Contractor's License No. Date

11 NC

NOTICE TO WATER WELL CONTRACTOR

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the

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

DECEIVER

WATER WELL REPORT	
WATER WELL REPORT MAR 1 1973 State Well No. 5 A	26E-34
WARE OF OREGON STATE ENGLISHED	
(Please type or print ATE ENGINEER (Do not write above this fine) LEM. OREGOTATE Permit No.	
(Do not write above this line) LEM. OREGON	

(1) OWNER:	(10) LOCATION OF WELL:
Name Desert Magie INC.	County Morrow Driller's well number 50
Address P.O. Box 216; Board man, Ore 97818	SW 1/2 SW 1/4 Section 34 T.SN R. 26 E. W.M.
(9) MVDE OF WORK (sheek).	Bearing and distance from section or subdivision corner
(2) TYPE OF WORK (check):	560ft. North & SOft, East
New Well Deepening Reconditioning Abandon I If abandonment, describe material and procedure in Item 12.	S.W. Corner of Sec. 34
	(11) WATER LEVEL: Completed well.
(3) TYPE OF WELL: (4) PROPOSED USE (check):	Depth at which water was first found 58. — #
Rotary Driven Domestic Industrial Municipal	Static level 5. 3 ft. below land surface. Date Res. 27.
Dug Bored Irrigation Test Well Other	Artesian pressure NONE lbs. per square inch. Date 127
CASING INSTALLED: Threaded Welded Welded Description of the Signature of the Signature of the Sage Sound of the Sage Sou	(12) WELL LOG: Diameter of well below casing S Depth drilled 87 ft. Depth of completed well 87 f
ft. Gage	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 is
PERFORATIONS: Perforated? Yes X No.	position of Static Water Level and indicate principal water-bearing strate
Type of perforator used	MATERIAL From To SWL
Size of perforations in. by in.	Silty Sandy to PSoil D 6.2
perforations from ft. to ft.	Para post of Song 000 / 1/1/ 1/10 220
perforations fromft. toftftft.	thought or s
	It. Brown med Lina 22.0 37.0
(7) SCREENS: Well screen installed? Yes X No	Sand O Aprox, 5% grassel
Manufacturer's Name	Med. Course Grey sand 37.º 56.º
Type	Med course grey sand 56.2 62 58.
Diam. Slot size Set from ft. to ft. Diam. Slot size Set from ft. to ft.	Med to Course grey 63.2 83.2 53.
(8) WELL TESTS: Drawdown is amount water level is lowered below static level	Sand, very few gravels.
Was a pump test made? M Yes \(\subseteq No \text{ If yes, by whom? } \(\bar{P.G.G.Im}. \)	Med. Hard Braken or 83.0 85- 53.
Yield: 30 gal./min. with / ft. drawdown after 2 hrs.	Hard nortia//4 A-actured 85.º 81.º 53.
guarina. with 10. diawdown alect mis.	Bosalt ROCK
" " "	0.5007
- 1 7 5 1 11	:-
8/2/0	
1 Caric	- E 1 11 42 C 1 5 7
perature of water 5 Depth artesian flow encountered U.U.V. it.	Work started Feb. 14 1973 Completed Febr 27 197
(9) CONSTRUCTION:	Date well drilling machine moved off of well Feb 27 197
Well seal-Material used Bentonite	Drilling Machine Operator's Certification:
Well sealed from land surface toft.	This well was constructed under my direct supervision Materials used and information reported above are true to m
Diameter of well bore to bottom of seal in.	best knowledge and belief
Diameter of well bore below seal 4 in Drive Show	[Signed]
Number of sacks of cement used in well seal sacks Number of sacks of bentonite used in well seal sacks	Drilling Machine Operator's License No. 48
Brand name of bentonite Bayaid	
Number of pounds of bentonite per 100 gallons	Water Well Contractor's Certification:
of water Not Meters of West Mills No. 100 gals.	This well was drilled under my jurisdiction and this report i true to the best of my knowledge and belief.
Was a drive shoe used? Les \(\subseteq \) No Plugs Size: location ft. Did any strata contain unusable water? \(\subseteq \) Yes \(\subseteq \) No	Name B. B. Drilling Ca
The and prese contain anababic March. [1] 162 18740	Address L. Box 124, Herm; Steen, Negan
Type of water?	and the state of t
Type of water? Method of sealing strate off	0 1 - 2 1 978-20
Method of sealing strata off RECEIVED	[Signety] Skin L. Brown 97820
DELFIVED	[Signed] Air L. Brawer (Water Well Contractor) Contractor's License No. 5/6. Date 716, 27, 197

Well Water Level Measurements Paterson Ferry Road (Carney Farm) February 20, 2010

Well 11:

Located in the NW¼ NW¼, Section 35 T5N, R26E, WM. 610 feet South & 110 feet from the NW Corner, Section 35.

Measured: February 19, 2010

Well has been idle since last fall shut down.

Measurement was done through 1½" access pipe east side of well.

Measurement point was top of the $1\frac{1}{2}$ " pipe one foot above ground level.

Several feet of pump lubricating oil is on top of water level.

Water level was 56.9 ft 11 inches below top of the 1½" access pipe or 55.9 ft below ground level.

Ground elevation of this well taken from a USGS Quad Map is 315 ft above sea level.

Air Strip Well:

This is a currently unused 8 inch well located 140 ft South and 60 ft East from the intersection of Paterson Ferry Road and US Hiway 730 in the SW 1/4 of Section 34, Township 5 North, Range 26 East WM.

Measured: February 19, 2010

Well has been idle for over a year.

Measurement was done with an E-Tape (well probe).

Measurement was done through 2" nipple top of well casing.

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Measuring point was the top of the casing 8" inches above ground level.

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Water level was 54.8 ft below the top of the casing or 54.2 ft below ground levels ALEM, OREGON

Depth of well was measure at 59.6 feet below land surface in 2004.

Ground elevation of this well taken from a USGS Quad Map is 320 ft above sea level.

Irrigation had not started for season

North of Big Rock Well:

This is a currently unused 8 inch well Located 3410 ft North and 525 ft East from the intersection of Paterson Ferry Road and US Hiway 730 in the NW 1/4 of Section 34, Township 5 North, Range 26 East WM.

Measured: February 19, 2010

Well has been idle for over a year.

Measurement was done with an E-Tape (well probe).

Measurement was done through 1" hole north side top of well casing.

Measuring point was the top of the casing 8" inches above ground level.

Water level was 77.3 ft below the top of the casing or 76.6 ft below ground level.

Depth of well was measure at 99.1 feet below land surface in 2005.

Ground elevation of this well taken from a USGS Quad Map is 350 ft above sea level.

Irrigation had not started for season

Water Level above Sea Level (feet)

Years/ Wells	4-29	4-01	3-02	3-28	3-22	3-23	2-19	2011
	2004	2005	2006	2007	2008	2009	2010	
Well #11	269.1	268.1	267.65	266.5	265.8	runin	259.1	
Air Strip Well	269.1	272.5	272.4	272.6	273.5	266	265.8	
N. Big Rock		280.8	281.3	281.5	281.7	274.4	273.4	

Summary: Water levels measurements show a decline from last years measurements. The Air Strip Well of 0.2 ft, the N. Big Rock Well of 1.0 ft and the Well #11 a decline of 6.7 ft in the last two years. This is the earliest in the year that measurements have been taken. It would be interesting what happens to water levels when West Extension Irr. Dist. turns on their system.

Water level measurements taken by William Porfily.

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