

CANCELLED

FILE#: G 13131

MICHAEL KIRKPATRICK
KIRKPATRICK, ANDREA
94705 OAKLEA DR.
JUNCTION CITY, OR

97448

04

Application No. G G13131

Permit No. G G12848

Certificate No. CANCELLED

Stream Index, Page No. 2

FEEES PAID

Date	Amount	Receipt No.
9/24/92	348 -	92246
	Cert. Fee	
FEEES REFUNDED		
Date	Amount	Check No.

Date filed _____
Priority _____
Action suspended until Aug 13/10/04
Return to applicant _____
Date of approval _____

CONSTRUCTION

Date for beginning OCT 10 1997
Date for completion OCT 01 1998
Extended to _____
Date for application of water OCT 01 1999
Extended to _____

PROSECUTION OF WORK

Form "A" filed _____
Form "B" filed _____
Form "C" filed _____

FINAL PROOF

Blank mailed _____
Proof received _____
Date certificate issued _____

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

REMARKS

2/12/03 CANCELLED in special order vol 58 pg 255

2003/12

new new:

11/1/96 Kate Garvey
same address in June. City
sent her cc: of FO

12-05-2003

6-13131

C-FTMID

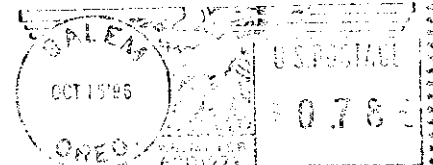
- CERT. SENT (RETURNED TO PERMITTEE OF RECORDS)
- APPOINTMENT NEW OWNERS IN 1996 WHEN SENT WITH
ASSIGNMENT - NO RESPONSE
- NO RESPONSE
- NO COPIES RECEIVED
- NO EXT ADD RECEIVED

SOURCES DEPT.
E BUILDING
REET NE
97310-0210

SENDER
RT #
INIT

VACANT
 INSUFFICIENT ADDRESS
 ATTEMPTED, NOT DELIVERED
 NO MAIL RECEIPTABLE
 REFUSED
 NOT DEL AS ADRY
 UNABLE TO PERFORM

CONSERVE WITH
FOR
OREGON



RECEIVED

OCT 17 1996

WATER RESOURCES DEPT.
SALEM, OREGON

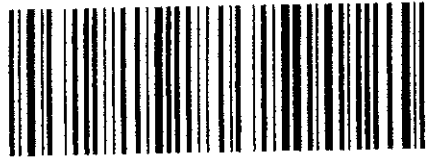
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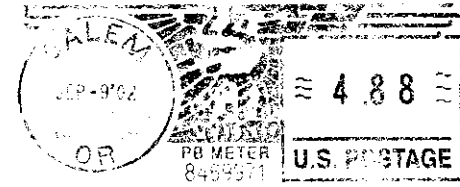
97448

REGISTERED MAIL


**WATER RESOURCES DEPT.
COMMERCE BUILDING
158 12th STREET NE
SALEM, OR 97301-4172**



7001 0320 0004 7020 2828



WR JS

 RETURN TO SENDER RT # _____ INT # _____	<input type="checkbox"/> NO SUCH NUMBER <input type="checkbox"/> VACANT <input type="checkbox"/> INSUFFICIENT ADDRESS <input type="checkbox"/> ATTEMPTED, NOT KNOWN <input type="checkbox"/> NO MAIL RECEPTACLE <input type="checkbox"/> REFUSED <input type="checkbox"/> NOT DEL AS ADDRESSED <input checked="" type="checkbox"/> UNABLE TO FORWARD
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G1313 JS 7020 2828
 M. & A. KIRKPATRICK
 27884 HWY 36
 JUNCTION CITY OR 97448

RECEIVED
 SEP 11 2002
 WATER RESOURCES DEPT.
 SALEM, OREGON

Application No. 6-13131

Permit No.

RECEIVED

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

SEP 24 1992

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

Applicant's Name: Michael or Andrea Kirkpatrick
 Address: 94705 Oaklea Drive
 City: Junction City State: OR Zip: 97448 Day Phone: 503/998-1883

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

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Use
T15S.R4W.S30	TL 2900 <u>AGRICULTURE/E30</u>		X	X
T15S.R4W.S30	TL 2901 <u>RURAL RESIDENTIAL/RA5</u> <u>AGRICULTURE/E30</u>	X	X	X

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

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

For Local Government Use Only

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

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

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): LANE CODE 16.212(2)(a). Go to section b) on reverse side.

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

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

(over)

Receipt for Request for Land Use Information

WRD Applicant Name: _____

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

City or County: _____

Staff Contact: _____ Phone: _____

Signature: _____ Date of Information Request: _____

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: THOM LANFEAR

Title: ASSOCIATE PLANNER

Date: 9-22-92

Phone: 687-4054

Signature: Thom Lanfeer

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. For additional information call Roberta Jortner or Rick Bastasch at 378-3671.

Additional Comments:

Lined area for additional comments.

*** OREGON WATER RESOURCES DEPARTMENT ***

1/ 4/1998

Select by permit G 5483

Name: CLARRY OTTOSEN

County : LANE

Application: G 5654

94705 OAKLEA OR

Status : NON-CANCELLED

Permit : G 5483

JUNCTION CITY, OR

97448

Certificate type: OR

Certificate: 47518

Certificate date: 2/28/1979

Supercedes certificate: 0

Related documents:

Remarks :

Source	Use	P/S	Priority	Quantity	Location	LOT/DLC	Status
A WELL > FLAT CR	IR	P	11/10/1971	0.0400CFS	15 S 4 W 30 NESW		V

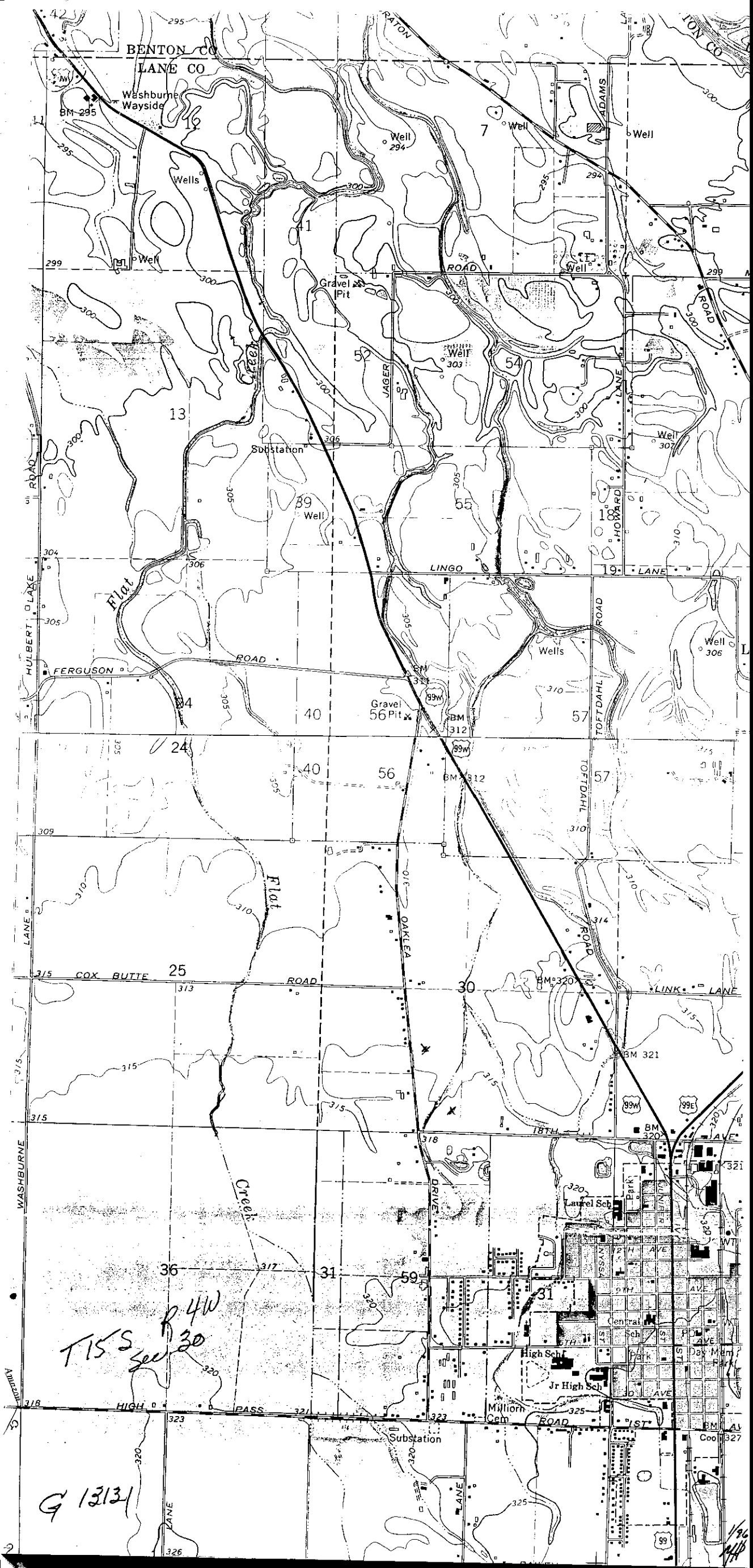
Legal description: 2540 FT N & 3580 FT W FM SE COR, S30

Rate: 1/80 Limit: 2.5 AFT/acre/year Other limits:

Points of appropriations:	Use	P/S	Location	DLC/LOT	Acres	Status
=====	IR	P	15 S 4 W 30 NESW		3.400	V

Handwritten:
 3.4 acres @ .0425
 = .0400
 = .0025

Handwritten:
 1/95
 M/Kadd



T15S R4W
Sec 30

G 13131

196
144

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF THE CANCELLATION)
OF CERTAIN PERMITS TO APPROPRIATE) ORDER
WATER UNDER THE PROVISIONS OF ORS)
537.260)


The time within which the appropriations under the following water right permit(s) should have been perfected has expired. The owners of such permit(s) have failed or refused within the period of three months thereafter to submit proof of the completion of such appropriations as required by ORS 537.260. Notices have been addressed to each of the owners of said permit(s) by certified mail in accordance with the provisions of ORS 537.260 and ORS 174.160. The owners of such permit(s) have failed or refused to submit proof of the completion of the appropriations under the terms and conditions of their respective permit(s), although the sixty-day time limits allowed in such notices has elapsed.

PERMITS TO USE GROUNDWATER:

<u>Name</u>	<u>Basin No.</u>	<u>WM Dist.</u>	<u>Application No.</u>	<u>Permit No</u>
Michael or Andrea Kirkpatrick	2	2	G-13131	G-12848

Proof of appropriation of water under the terms and conditions of the permit(s) listed has not been made to the satisfaction of the WATER RESOURCES DIRECTOR as required under ORS 537.260. NOW, THEREFORE, it is hereby ORDERED that the permit(s) are canceled in accordance with the provisions of ORS 537.260

Dated at Salem, Oregon this 12th day of Dec, 2003.


Paul R. Cleary
Director

Special Order Volume 58 Page 255

This is a final order in other than contested case. Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition the Director for reconsideration of this order or petition for judicial review of this order. As provided in ORS 536.075, 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).

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF THE CANCELLATION)
OF CERTAIN PERMITS TO APPROPRIATE) ORDER
WATER UNDER THE PROVISIONS OF ORS)
537.260)

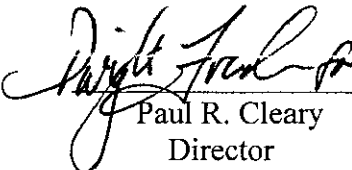
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Oregon

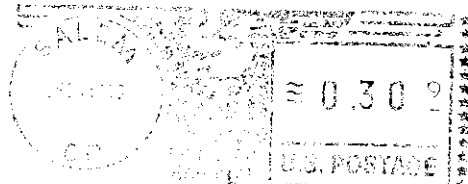
WATER RESOURCES
DEPARTMENT

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

Address Service Requested

	<input type="checkbox"/> NO SUCH NUMBER
	<input type="checkbox"/> VACANT
	<input type="checkbox"/> INSUFFICIENT ADDRESS
	<input type="checkbox"/> ATTEMPTED, NOT KNOWN
	<input type="checkbox"/> NO MAIL DELIVERABLE
	UNDELIVERED RETURN TO POST OFFICE

POST OFFICE CLASS



M. & A. KIRKPATRICK
27884 HWY 36
JUNCTION CITY, OR

RECEIVED

DEC 17 2003

WATER RESOURCES DEPT
SALEM, OREGON





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
www.wrd.state.or.us

September 9, 2002

Certified mail number 7020 2828
Return receipt requested

M. & A. KIRKPATRICK
27884 HWY 36
JUNCTION CITY OR 97448

Reference: Application G-13131, Permit G-12848

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 1999.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use, to include a final proof survey map of the development. The map and claim of beneficial use was to have been submitted to our Department within one year of October 1, 1999. A list of certified water right examiners is enclosed for your use.

If you are not finished with the development of your permit, you need to file for an extension of time to complete your development. An extension form is also enclosed with this letter.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. A cancellation form is enclosed, if you are interested in this option.

If you have not submitted either a Claim of Beneficial Use or a request for an extension of time of your permit, within 60 days of the date of this letter (November 8, 2002) the Department may cancel your permit without further notice.

Please give me a call if you have questions. My phone number is 503-378-8455 extension 274.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosures (3)

cc: OWRD Watermaster MICHAEL MATTICK, District 2
File G-13131





Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
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Water Rights Program Analyst

Enclosures (3)

cc: OWRD Watermaster MICHAEL MATTICK, District 2
File G-13131

PERMIT STATUS REVIEW BY AL DATE 6/24/00 FILE # 6 13131 - 2nd 22 acres 2 acres

1. Per Dwight French, do not send "C" DATE NOTICE PACKET if: note on JS list

Permit is for municipal or quasi-municipal use or in Bonanza study area
(per DF, when in doubt about MU/QM, change database code)

Extension pending _____ final _____

?? Assignment is pending _____

Cancellation is requested _____ final _____

Dept. has already sent a certified "Form 100" letter (date _____, # _____)
Was mail deliverable as addressed? _____
Send cancellation letter _____

Claim of beneficial use and final proof map (COBU) have been received by Department
Date information received _____

2. IF NONE OF THE ABOVE APPLY

Send certified "C" date notice packet to permit holder.

"C" DATE 10/1/99

C.O.B.U. DEADLINE 10/1/2000

WATERMASTER DISTR # 02

WATERMASTER NAME Michael Mattick

- 27884 Hwy 36, Junction City, 97448

*OK James Carter
10/1/99
10/1/2000*

OREGON WATER RESOURCES DEPARTMENT
WATER RIGHTS/ADJUDICATION DIVISION

INTEROFFICE MEMORANDUM

TO: G13131
FROM: Darlene Castle DATE: October 28, 1996
SUBJECT: Returned FO

The FO was returned to us not deliverable as addressed unable to forward. I called phone number on application and left voice mail explaining that I needed the correct address- no response.

10/25 - I called again. Child on message recorder mentions other phone numbers that can be called to reach someone. I called 541-998-1421 and reached Andrea Kirkpatrick. She explained that they sold the property a year ago and gave me the name and number of the new owner. Bruce and Kate Anderson - 998-5876. Andrea said she would call them, explain the situation and have them call me.

10/28 - Call left Friday night at 9:30 p.m. on my voice mail. Mr. Kirkpatrick giving me his address -- 27884 Hwy 36, Junction City, OR 97448. He did not leave a phone number.

I am mailing the FO to this address and have enclosed an assignment form. I have noted Dallas' name as a contact if questions on that form.

541-998-1883 345-1887
998 1421 10/22
Called, left
message saying
we need correct
address in order
to mail final dr.
other was returned.

Bruce + Kate^{10/25}
Anderson
998-5876

property changed
hands

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-13131

Final Order

Application History

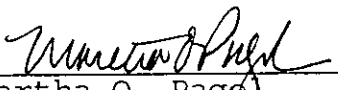
On September 24, 1992, MICHAEL AND ANDREA KIRKPATRICK submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on January 16, 1996. The protest period closed March 1, 1996, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest, but the Department's continuing evaluation reveals that the Proposed Final Order requires modification to correctly describe the requirements for monitoring groundwater level declines in the subject aquifer.

Order

Application G-13131 therefore is approved with the above modifications to the Proposed Final Order, and Permit Number G-12848 is issued as limited by the conditions set forth in the permit.

DATED October 10, 1996



Martha O. Page
Director

Hearing and Appeal Rights

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

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

STATE OF OREGON

COUNTY OF LANE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MICHAEL OR ANDREA KIRKPATRICK
94705 OAKLEA DRIVE
JUNCTION CITY, OREGON 97448

(541)998-1883

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

APPLICATION FILE NUMBER: G-13131

SOURCE OF WATER: TWO WELLS WITHIN THE WILLAMETTE RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 32.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 2.0 ACRES

RATE OF USE: 0.425 CUBIC FOOT PER SECOND (CFS), BEING 0.025 CFS FROM WELL #1 AND 0.4 CFS FROM WELL #2

PERIOD OF ALLOWED USE: MARCH 1 THROUGH JUNE 30, AND SEPTEMBER 1 THROUGH OCTOBER 31

DATE OF PRIORITY: September 24, 1992

POINT OF DIVERSION LOCATION: NE 1/4 SW 1/4, SE 1/4 SW 1/4, SECTION 30 T15S, R4W, W.M.; WELL #1 - 410 FEET SOUTH & 790 FEET WEST; WELL #2 - 2200 FEET SOUTH & 20 FEET WEST, BOTH FROM THE C 1/4 CORNER OF SECTION 30

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE 1/4 SW 1/4	3.7 ACRES	2.0 ACRES
SE 1/4 SW 1/4	28.3 ACRES	
SECTION 30		
TOWNSHIP 15 SOUTH, RANGE 4 WEST, W.M.		

Measurement, recording and reporting conditions:

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

Application G-13131 Water Resources Department

PERMIT G-12848

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

Limited Water Level Decline/Interference Condition

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

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

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

After Use of Water has Begun

Seven Consecutive Annual Measurements

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

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

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and

- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

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

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

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

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

STANDARD CONDITIONS

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

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

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

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

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

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

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

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

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

Issued October 10, 1996



Martha O. Pagan, Director
Water Resources Department

COPY CHECK-OFF SHEET FOR PROPOSED FINAL ORDERS

CC: FILE # G-13131

WATERMASTER # 02

REGIONAL MANAGER: Tom Paul

ODF&W - Lane County:

CWRE (if agent): #054 James F. Gosson

DEO

OTHER STATE AGENCY IF NECESSARY:

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

POWER BUILDER UPDATER; FRONT COUNTER

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

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

CASEWORKER : RMH

Application No. 6-13131
 Permit No. G12848
 APPLICATION MAP

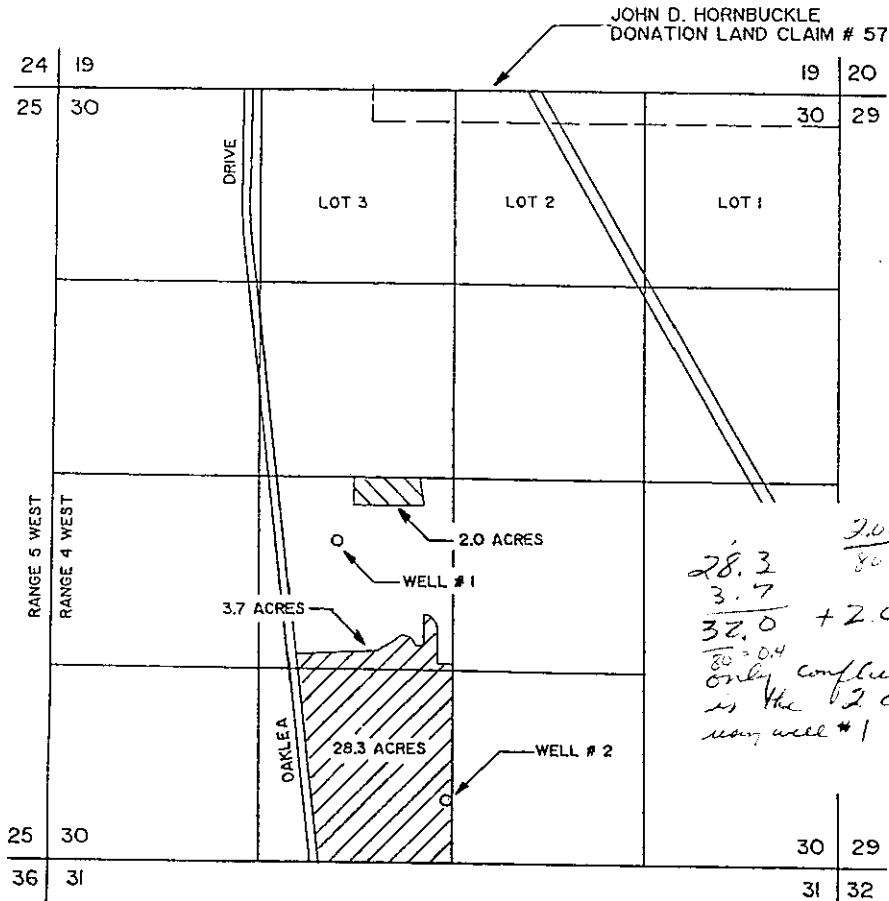
RECEIVED



SEP 24 1992

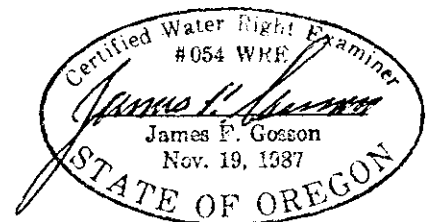
WATER RESOURCES DEPT.
 SALEM, OREGON

IN THE NAME OF MICHAEL OR ANDREA KIRKPATRICK

1 INCH = 1320 FEET SECTION 30, TOWNSHIP 15 SOUTH, RANGE 4 WEST, W.M.



-  SUPPLEMENTAL IRRIGATION FROM WELL #1
-  IRRIGATION FROM WELL #2



WELL #1 IS LOCATED 410 FEET SOUTH AND 790 FEET WEST FROM THE CENTER 1/4 CORNER OF SECTION 30, BEING WITHIN THE NE 1/4 OF THE SW 1/4 OF SECTION 30. WELL #2 IS LOCATED 2200 FEET SOUTH AND 20 FEET WEST FROM THE CENTER 1/4 CORNER OF SECTION 30, BEING WITHIN THE SE 1/4 OF THE SW 1/4 OF SECTION 30, BOTH IN TOWNSHIP 15 SOUTH, RANGE 4 WEST, W.M., LANE COUNTY.

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

FILE # G-13131

FO CHECKLIST

REVIEW DATE: 9/18/96

WEEK # 53

PFO TO FO CONVERSION

INITIALS : JWG

In preparing the FO, you should check the following:

1. Y / N Were comments or protests received in response to the PFO?
2. If #1 = "Y", from whom were the comments received and when?
3. Verify names and addresses on the PFO CC list. **ALL** commentors (regardless of comment date), **affected landowners (were they notified?)**, and **those who paid the \$10 fee** should be listed.
4. 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
5. Y / N Is the file lacking a signed oath of accuracy for the application?
6. Y / N Has ODFW asked for self certification on screening condition?
7. Y / N Is water use prohibited for one or more months of the normal use period?
8. Y / N If # 7 = "Y", is short season letter on file? Note: If short season letter is lacking prepare FO with Draft permit giving applicant 60 days to submit letter.
9. Y / N Is further processing possible? If not state reason: _____
10. Notify applicant of additional information or fees required prior to permit issuance (**SEND CERTIFIED LETTER** & use standard wording from M:\T\FO\TOOLS if possible)
11. Assign permit numbers to files with oath, fees, and no protests or other issues

Route to: (circle one)

DENIAL	FO w/o PERMIT	FO & PERMIT	COMMENTS
LARRY	JERRY	JEREMY	DOUG

Initials DB

Modify FO as needed to:

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

Once FO document is completed:

15. Save WordPerfect document in M:\T\FO\WEEK 54 & delete duplicates
16. Print final draft of document and submit to team leader for review

17. Y / N Team leader review completed

STATE OF OREGON
WATER RESOURCES DEPARTMENT
WATER RIGHTS DIVISION

Before the Director of the Water Resources Department

In the matter of) PROPOSED
Groundwater Application) FINAL
G-13131 submitted by) ORDER
MICHAEL OR ANDREA KIRKPATRICK

FINDINGS OF FACT

Water Use Request

1. MICHAEL OR ANDREA KIRKPATRICK requested use of 0.425 CUBIC FOOT PER SECOND, BEING 0.025 CFS FROM WELL #1 AND 0.4 CFS FROM WELL #2; of water from TWO WELLS IN WILLAMETTE RIVER BASIN for IRRIGATION OF 32.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 2.0 ACRES.
2. The area of proposed use is in Lane County within:
SECTION 30
TOWNSHIP 15 SOUTH, RANGE 4 WEST, W.M.
3. The water delivery system is described by the applicant as water being delivered from the wells by electric motors/pumps with pipelines to sprinklers and the places of use.
4. The request was made in Application G-13131 which was received by the Water Resources Department on September 24, 1992.

Affected Waters

1. This proposed use of groundwater is not within or above a State Scenic Waterway.
2. There are other water rights on a tributary to Flat Creek or on downstream waters.
3. There are senior water rights from this point of appropriation.

Department Actions

1. The application was determined to be complete and not defective.
2. The Department determined, based upon OAR 690-09, that the proposed groundwater use will have the potential for substantial interference with the nearest surface water source, namely a tributary to Flat Creek, tributary to the Willamette River.
3. A technical review of the application was completed and a report of the results of that review was mailed to the applicant on September 30, 1993.
4. The satisfactory technical review determined:

- a. IRRIGATION OF 32.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 2.0 ACRES is allowed under the Willamette Basin Program for use September 1 through June 30.
 - b. The use is not prohibited by Statute.
 - c. Water is available for further appropriation (at an 80 percent exceedance probability) for the period **year round; however irrigation is not a classified use from July 1 through August 31 in the Willamette Basin Plan.**
 - d. There are existing water rights appurtenant to the lands;
 - e. The use would not injure existing water rights.
5. The report of technical review listed these determinations and disclosed a number of conditions and restrictions that would likely be included in the permit if issued. These conditions and restrictions are listed in the attached draft permit.

Assessment

1. In proceeding with evaluation of Application G-13131, the following criteria were found to be relevant by the Department.
 - a. The Willamette Basin Program (OAR Chapter 690, Division 502-050 (1e);
 - b. The Lane County Comprehensive Plan and Zoning Ordinance;
 - c. Groundwater availability as determined by the Groundwater/Hydrology staff (OAR Chapter 690, Division 9);
 - d. The established rate and duty for the proposed use;
 - e. The amount of water available in a tributary to Flat Creek, a tributary of main stem Willamette River;
 - f. Pending, senior applications and existing water rights of record;
 - g. Comments received.

CONCLUSIONS OF LAW

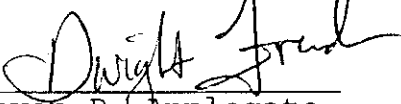
1. Based upon continued evaluation, the Department finds the determinations of the technical review remain valid.
2. The period of allowed use is from March 1 through June 30, and September 1 through October 31 of each year.
3. The Department finds that no more than 0.425 CFS, BEING 0.025 CFS FROM WELL #1 AND 0.4 CFS FROM would be necessary for the proposed use. The amount of water requested, 0.425 CUBIC FOOT PER SECOND, is allowed for the proposed use.
4. Lane County Planning Department staff completed the Department's Land Use Information Form and indicated thereon that the land use associated with the proposed use is compatible with the Lane County Comprehensive Land Use Plan.
5. The proposed use would not conflict with existing water rights, and, if exercised in accordance with law, rule, and the proposed conditions would not result in injury to existing water users.

6. The proposed use complies with all other rules of the Commission.
7. Pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly, and given the findings listed above, a rebuttable presumption has been established that the use will not impair or be detrimental to the public interest if exercised in the manner described in the attached draft permit.
8. Therefore, the proposed use, as conditioned, and described in the attached draft permit, would not impair or be detrimental to the public interest.

PROPOSED ORDER

IT IS PROPOSED that Application G-13131 in the name of MICHAEL OR ANDREA KIRKPATRICK be approved for IRRIGATION OF 32.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 2.0 ACRES as provided in the attached draft permit.

DATED January 16, 1996



Steven P. Applegate
Administrator
Water Rights and Adjudications Division

NOTICE:

This Proposed Final Order is issued by the Department pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly.

To seek changes in this proposed final order, you must file a formal protest.

Formal protests to this proposed final order must be made in proper form and accompanied by the statutory fee in the amount of \$200. Note: The applicant is not subject to this fee.

For other than the applicant, if you agree with the findings in this proposed order, but wish to maintain your right to participate in any contested case proceeding or judicial review, you must file a written request for standing. Requests for standing in proceedings relating to this application must be made in the proper form and accompanied by the statutory fee in the amount of \$50.

Protests or requests for standing, along with the appropriate fees must be received by the Water Resources Department in Salem, Oregon by 5:00 pm on March 1, 1996.

Only the applicant and any persons who timely file a protest or request for standing may participate in further proceedings before the Department or the Commission which deal with this Application.

DRAFT
STATE OF OREGON

COUNTY OF LANE

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

MICHAEL OR ANDREA KIRKPATRICK
94705 OAKLEA DRIVE
JUNCTION CITY, OREGON 97448

(503)998-1883

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

APPLICATION FILE NUMBER: G-13131

SOURCE OF WATER: TWO WELLS IN WILLAMETTE RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 32.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 2.0 ACRES

RATE OF USE: 0.425 CFS, BEING 0.025 CFS FROM WELL #1 AND 0.4 CFS FROM WELL #2

PERIOD OF ALLOWED USE: WATER MAY BE APPROPRIATED DURING THE MONTHS OF MARCH 1 THROUGH JUNE 30, AND SEPTEMBER 1 THROUGH OCTOBER 31

DATE OF PRIORITY: September 24, 1992

POINT OF DIVERSION LOCATION: NE 1/4 SW 1/4, SE 1/4 SW 1/4, SECTION 30 T15S, R4W, W.M.; WELL #1 410 FEET SOUTH & 790 FEET WEST FROM C1/4 CORNER OF SECTION 30, AND WELL #2 2200 FEET SOUTH & 20 FEET WEST FROM C1/4 CORNER OF SECTION 30

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE 1/4 SW 1/4	3.7 ACRES	2.0 ACRES
SE 1/4 SW 1/4	28.3 ACRES	
SECTION 30		
TOWNSHIP 15 SOUTH, RANGE 4 WEST, W.M.		

Measurement, recording and reporting conditions:

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

The permittee shall obtain a static water-level measurement for each well during March of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water-rights examiner, registered professional geologist, or professional engineer. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations. If a well listed on this permit displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the permittee shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the permittee's or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The reference level for water-level declines shall be the second annual measurement taken after water use begins under the terms of this permit. The permittee shall in no instance allow excessive decline to occur within the aquifer as a result of use under this permit.

STANDARD CONDITIONS

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

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

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

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

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

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

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

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

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

Issued _____, 199_

DRAFT

Water Resources Department
Martha O. Pagel
Director

Application G-13131 Water Resources Department
Basin 02 Volume 24 Willamette River S½ & misc.
RMH MGMT.CODE

PERMIT DRAFT
District 02

SEPTEMBER 30, 1993

Michael and Andrea Kirkpatrick
94705 Oaklea Drive
Junction City, OR 97448

Reference: #G13131

Dear Kirkpatricks:

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

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

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

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

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

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



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

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

All evidence and objections must be received by our Salem office **no later than 5:00 p.m. on or before DECEMBER 10, 1993** or the Department may presume there is no opposition to any of the analyses set out in the technical review report. Evidence and objections must be addressed and delivered to: Oregon Water Resources Department, Water Rights Section, 3850 Portland Road, Northeast, Salem, Oregon 97310.

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

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

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

Sincerely,



STEVE BROWN
Manager
Water Rights Division

Enclosures1

Report Date: SEPTEMBER 30, 1993

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

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 3850 PORTLAND ROAD N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE:
DECEMBER 10, 1993.

1. APPLICATION FILE NUMBER - G 13131
2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:

MICHAEL KIRKPATRICK
KIRKPATRICK, ANDREA
94705 OAKLEA DR
JUNCTION CITY, OR 97448
LANE COUNTY 503-998-1883

Date application received for filing and/or tentative date of priority: 9/24/1992

SOURCE: WELL 1 AND WELL 2
FLAT CREEK

TRIBUTARY TO:

Purpose and/or use: IRRIGATION OF 32.0 ACRES AND
SUPPLEMENTAL IRRIGATION OF 2.0 ACRES.

Flow: 0.425 cfs TOTAL, BEING FROM WELL 1 - 0.025 cfs
SUPPLEMENTAL,
AND FROM WELL 2 - 0.400 cfs PRIMARY.

Point of Diversion Location:

WELL 1 - 410 FEET SOUTH AND 790 FEET WEST;
WELL 2 - 2200 FEET SOUTH AND 20 FEET WEST,
BOTH FROM THE CENTER 1/4 CORNER OF SECTION 30, BEING
WITHIN THE SE 1/4 OF THE SW 1/4, TOWNSHIP 15 SOUTH,
RANGE 4 WEST, W.M.

Place of use:

NESW 3.7 Acres 2.0 Supplemental
SESW 28.3 Acres
Section 30
T 15 S, R 4 W, W.M.

GROUNDWATER AVAILABILITY

This is an application for use of groundwater with the potential to cause substantial interference with surface water.

Water is likely available in excess of needs for all existing rights 80% of the time during each monthly period. However, **irrigation is not a classified use from July 1 through August 31** in the Willamette Basin Plan .

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

CONFLICTS WITH OTHER WATER RIGHTS:

There **are** existing rights from this point of diversion. See proposed permit conditions.

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

REPORT CONCLUSIONS:

Water in the amount of 0.425 cfs is likely available for 6 months of the 8 months normal period of irrigation. Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

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

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

PROPOSED PERMIT CONDITIONS

Application: G13131

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

1. Use of water under this permit is subject to all prior rights.
2. Period of allowed use: **WATER MAY BE APPROPRIATED DURING THE MONTHS OF MARCH, APRIL, MAY, JUNE, SEPTEMBER AND OCTOBER OF EACH YEAR.**
3. Rate of use: **0.425 CFS TOTAL, BEING 0.025 CFS FROM WELL #1 AND 0.400 CFS FROM WELL #2.**
4. 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.
5. Water use development requirements:
 - A) Begin construction by (one year from issuance of permit).
 - B) Complete construction by October 1, 1995.
 - C) Completely apply the water to beneficial use by October 1, 1996.
6. The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.
7. 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.
8. 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.
 9. This right is limited to any deficiency in the available supply of any prior right existing for the same land.
 10. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.
 11. The permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
 12. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
 13. The use of water shall be limited when it interferes with any prior surface or ground water rights.
 14. The permittee shall obtain a static water-level measurement for each well during March of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water-rights examiner, registered professional geologist, or professional engineer. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations. If a well listed on this permit displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the permittee shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action

shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the permittee's or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The reference level for water-level declines shall be the second annual measurement taken after water use begins under the terms of this permit. The permittee shall in no instance allow excessive decline to occur within the aquifer as a result of use under this permit.

The source of flow data is:

Water Availability for Oregon's Rivers and Streams: Volume 2: Technical Guide and Appendixes. By E. George Robison, May 1991.

The following tabulation delineates the flow of surface water available from the **Willamette River** for appropriation for the months of each year in CFS at gage #14174000, located near Albany, SW 1/4, Section 6, T 11 S, R 3 W, W.M.

<u>JAN</u>	<u>FEB</u>	<u>MAR</u>	<u>APR</u>	<u>MAY</u>	<u>JUN</u>	<u>JUL</u>	<u>AUG</u>	<u>SEP</u>	<u>OCT</u>	<u>NOV</u>	<u>DEC</u>	
14813	18312	14850	14427	9879	5198	3298	2503	2528	2918	7864	12809	GAGED
1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	ISWR*
13063	16562	13100	12677	8129	3448	1548	753	778	1168	6114	11059	AVL**

Note: K. G. P. on 1/85

*Minimum Stream Flow, Application #184, Priority Date 06/22/64

**Water Available

The source of flow data is:

Water Availability for Oregon's Rivers and Streams: Volume 2: Technical Guide and Appendixes. By E. George Robison, May 1991.

WATER AVAILAILITY SUMMARY

<u>JAN</u>	<u>FEB</u>	<u>MAR</u>	<u>APR</u>	<u>MAY</u>	<u>JUN</u>	<u>JUL</u>	<u>AUG</u>	<u>SEP</u>	<u>OCT</u>	<u>NOV</u>	<u>DEC</u>	
13063	16562	13100	12677	8129	3448	1548	753	778	1168	6114	11059	AVL**

These flows represent the amount of water which is likely available in excess of needs for all existing rights (including Instream Water Rights of record and Scenic Waterway Flow requirements) 80% of the time during each monthly period.

WATER AVAILABILITY:

The following tabulation delineates the flow of surface water available from the **Willamette River** for appropriation for the months of each year in CFS at gage #14211720, located near **Portland, NW 1/4 NE 1/4 Section 3, T 1 S, R 1 E, W.M.**

<u>JAN</u>	<u>FEB</u>	<u>MAR</u>	<u>APR</u>	<u>MAY</u>	<u>JUN</u>	<u>JUL</u>	<u>AUG</u>	<u>SEP</u>	<u>OCT</u>	<u>NOV</u>	<u>DEC</u>	GAGED	<i>Regulated Nat. Component</i>
33392	28705	28362	22341	16886	10719	7570	7412	10185	13918	22842	31099	ISWR*	
1500	1500	1500	1500	1500	1500	1500	1500	1500	1500	1500	1500	AVL**	

*Minimum Stream Flow, Application #181, Priority Date 04/20/71

**Water Available

The source of flow data is:

Water Availability for Oregon's Rivers and Streams: Volume 2; Technical Guide and Appendixes. By E. George Robison, May 1991.

The following tabulation delineates the flow of surface water available from the **Willamette River** for appropriation for the months of each year in CFS at gage #14198000, located near **Wilsonville, SE 1/4 NE 1/4, Section 24, T 3 S, R 1 W, W.M.**

<u>JAN</u>	<u>FEB</u>	<u>MAR</u>	<u>APR</u>	<u>MAY</u>	<u>JUN</u>	<u>JUL</u>	<u>AUG</u>	<u>SEP</u>	<u>OCT</u>	<u>NOV</u>	<u>DEC</u>	GAGED	<i>Non Reg Non Reg</i>
26743	29536	25908	26152	20049	10646	5310	3155	3546	6031	14901	24452	ISWR*	
1500	1500	1500	1500	1500	1500	1500	1500	1500	1500	1500	1500	AVL**	

*Minimum Stream Flow, Application #182, Priority Date 06/22/64

**Water Available

The source of flow data is:

Water Availability for Oregon's Rivers and Streams: Volume 2; Technical Guide and Appendixes. By E. George Robison, May 1991.

The following tabulation delineates the flow of surface water available from the **Willamette River** for appropriation for the months of each year in CFS at gage #14191000, located near **Salem, SE 1/4 SW 1/4, Section 22, T 7 S, R 3 W, W.M.**

<u>JAN</u>	<u>FEB</u>	<u>MAR</u>	<u>APR</u>	<u>MAY</u>	<u>JUN</u>	<u>JUL</u>	<u>AUG</u>	<u>SEP</u>	<u>OCT</u>	<u>NOV</u>	<u>DEC</u>	GAGED	<i>Non Reg Non Reg</i>
24112	29444	23794	21617	16272	7622	4370	3256	3320	4291	12845	22322	ISWR*	
1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	AVL**	

*Minimum Stream Flow, Application #183, Priority Date 06/22/64

**Water Available

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.

LANE
 6284

WATER WELL REPORT
 STATE OF OREGON
 (Please type or print)
 (Do not write above this line)

RECEIVED

SEP 18 1968
 State Well No. 15/4w-3
 STATE ENGINEER
 BALTIM OREGON
 Permit No. G-4766

(1) OWNER:
 Name Mr. Clarry Ottosen
 Address 132 Ottosen Lane, Junction City, Oregon

(2) TYPE OF WORK (check):
 New Well Deepening Reconditioning Abandon
 If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
 Rotary Driven
 Cable Jetted
 Dug Bored

(4) PROPOSED USE (check):
 Domestic Industrial Municipal
 Irrigation Test Well Other

CASING INSTALLED:
 Threaded Welded
 5" Diam. from 4.6" ft. to 26.6" ft. Gage 280
 " Diam. from " ft. to " ft. Gage
 " Diam. from " ft. to " ft. Gage

PERFORATIONS:
 Perforated? Yes No.
 type of perforator used torch
 Size of perforations 3/8 in. by 6 in.
 42 perforations from 26 ft. to 22.6 ft.
 perforations from " ft. to " ft.
 perforations from " ft. to " ft.
 perforations from " ft. to " ft.

(7) SCREENS:
 Well screen installed? Yes No
 Manufacturer's Name _____
 Type _____ Model No. _____
 Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
 Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(8) WATER LEVEL: Completed well.
 Static level 13 ft. below land surface Date 8/2/68
 an pressure _____ lbs. per square inch Date _____

(9) WELL TESTS:
 Drawdown is amount water level is lowered below static level
 Was a pump test made? Yes No If yes, by whom? Driller
 rate: 225 gal./min. with 7 ft. drawdown after 1 hrs.
 " " " "
 " " " "
 Bailer test _____ gal./min. with _____ ft. drawdown after _____ hrs.
 Artesian flow _____ g.p.m. Date _____
 Temperature of water _____ Was a chemical analysis made? Yes No

(10) CONSTRUCTION:
 Well seal—Material used Bentonite
 Depth of seal 6 ft.
 Diameter of well bore to bottom of seal 8 in.
 Were any loose strata cemented off? Yes No Depth _____
 Was a drive shoe used? Yes No
 Did any strata contain unusable water? Yes No
 Type of water? _____ depth of strata _____
 Method of sealing strata off _____
 Was well gravel packed? Yes No Size of gravel: _____
 Gravel placed from _____ ft. to _____ ft.

(11) LOCATION OF WELL:
 County Lane Driller's well number _____
 _____ 1/4 Section 30 T. 15 R. 4w V _____
 Bearing and distance from section or subdivision corner _____

(12) WELL LOG:
 Diameter of well below casing 0
 Depth drilled 32 ft. Depth of completed well 26.6

Formation: Describe color, texture, grain size and structure of mater and show thickness and nature of each stratum and aquifer penetr with at least one entry for each change of formation. Report each ch in position of Static Water Level as drilling proceeds. Note drilling r:

MATERIAL	From	To	SV
soil	0	6	
sand & gravel	6	12	
sand	12	16	
sand & gravels	16	26	1
sand & gravels w/clay	26	32	1

Work started 9-2 1968 Completed 9-2
 Date well drilling machine moved off of well 9-7

Drilling Machine Operator's Certification:
 This well was constructed under my direct supervision. M rials used and information reported above are true to my knowledge and belief.
 [Signed] Carl Pitcher Date 9-10, 19
 (Drilling Machine Operator)

Drilling Machine Operator's License No. 386

Water Well Contractor's Certification:
 This well was drilled under my jurisdiction and this repo true to the best of my knowledge and belief.
 NAME Pitcher Pump & Drilling Co.
 (Person, firm or corporation) (Type or print)
 Address 255 West 5th St. Junction City, Oreg
 [Signed] Carl Pitcher (Water Well Contractor)
 Contractor's License No. 494 Date 9-10, 19

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.

Application No. 6-13131 Permit No.

STATE OF OREGON (Please type or print) (Do not write above this line)

State Well No. 15/411-37 RECEIVED State Permit No.

SEP 24 1992

(1) OWNER:

Name Mr. Clarry A. Ottosen Address 1040 Gilman Drive, Colton, California

(2) TYPE OF WORK (check):

New Well [X] Deepening [] Reconditioning [] Abandon []

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary [] Cable [] Dug [] Driven [X] Jetted [] Bored []

(4) PROPOSED USE (check):

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

(5) CASING INSTALLED:

5" Diam. from 6" ft. to 24.6 ft. Gage 258

(6) PERFORATIONS:

Perforated? [X] Yes [] No. Type of perforator used torch. Size of perforations 3/8 in. by 6 in. 46 perforations from 25 ft. to 20.6 ft.

(7) SCREENS:

Well screen installed? [] Yes [X] No. Manufacturer's Name Type Model No. Diam. Slot size Set from ft. to ft.

(8) WATER LEVEL: Completed well.

Static level 12.6 ft. below land surface Date 9-30-68 Artesian pressure lbs. per square inch Date

(9) WELL TESTS:

Drawdown is amount water level is lowered below static level. Was a pump test made? [X] Yes [] No. If yes, by whom? Driller. Well: 250 gal./min. with 7 ft. drawdown after 1 hrs.

(10) CONSTRUCTION:

Well seal—Material used Ben tonite Depth of seal 6 ft. Diameter of well bore to bottom of seal 8 in. Were any loose strata cemented off? [] Yes [X] No Depth. Was a drive shoe used? [] Yes [X] No. Did any strata contain unusable water? [] Yes [X] No. Type of water? depth of strata. Method of sealing strata off. Was well gravel packed? [] Yes [X] No Size of gravel. Gravel placed from ft. to ft.

(11) LOCATION OF WELL:

County Lane Driller's well number WATER RESOURCES DEPT. SECTION 30 T15S SALEM, OREGON R4W W.M. Bearing and distance from section or subdivision corner

(12) WELL LOG:

Diameter of well below casing 0 Depth drilled 25 ft. Depth of completed well 25 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 as drilling proceeds. Note drilling rates.

Table with columns: MATERIAL, From, To, SWL. Rows include Soil, Sand & Gravels (tight), Sand & gravels (loose).

Work started 9-30 1968 Completed 9-30 1968 Date well drilling machine moved off of well 9-30 1968

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief. [Signed] Carl Stehly Date Nov. 7, 1968 (Drilling Machine Operator)

Drilling Machine Operator's License No. 386

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. NAME Pitcher Pump & Drilling Co. (Person, firm or corporation) (Type or print) Address 255 W. 5th, Junction City, Oregon [Signed] Carl Stehly (Water Well Contractor) Contractor's License No. 494 Date Nov. 7, 1968

TO: Water Rights Section
FROM: Groundwater/Hydrology Section
SUBJECT: Application G- 13131

7/23, 1993

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

2. BASED UPON OAR 690-09 currently in effect,
a. will, or } have the potential for subst
b. will not } source, namely trib. A
c. will, if properly conditioned, adequately p
i. The permit should contain condition
ii. The permit should contain special c
iii. The permit should be conditioned a
d. will, with well reconstruction, adequately p

3. BASED UPON available data, I have determined
a. will, or } likely be available in the ar
b. will not } within the capacity of the re
c. can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
i. The permit should contain condition #(s) 46 ;
ii. The permit should contain special condition(s) as indicated in "Remarks" below;
iii. The permit should be conditioned as indicated in item 4 below.

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

G-13131
HY

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## 613131
ROUTED TO: Carol Spence
TOWNSHIP/
RANGE-SECTION: T15S/R4W-30

APPLICATION ACCEPTED? Yes [] no
CONDITIONS ATTACHED? Yes [] no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Gates

REMARKS: _____

TO: Water Rights Section 7/23, 1993
 FROM: Groundwater/Hydrology Section Gates
 SUBJECT: Application G- 13131
Reviewer's Name

1. PER THE Willamette Basin rules, one or more of the proposed POA's is is not within 1/4 feet/mile of a surface water source (_____) and taps a groundwater source hydraulically connected to the surface water.



2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
 a. will, or } have the potential for substantial interference with the nearest surface water
 b. will not } source, namely trib. to Flat Creek; or
 c. will, if properly conditioned, adequately protect the surface water from interference:
 i. The permit should contain condition #(s) _____;
 ii. The permit should contain special condition(s) as indicated in "Remarks" below;
 iii. The permit should be conditioned as indicated in item 4 below; or
 d. will, with well reconstruction, adequately protect the surface water from substantial interference.

3. BASED UPON available data, I have determined that groundwater for the proposed use
 a. will, or } likely be available in the amounts requested without injury to prior rights and/or
 b. will not } within the capacity of the resource; or
 c. can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
 i. The permit should contain condition #(s) 46; What month? mid March
 ii. The permit should contain special condition(s) as indicated in "Remarks" below;
 iii. The permit should be conditioned as indicated in item 4 below.
March

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 #1 (Appl. G4766, Permit G4489) is; Flat Creek is tributary to a slough, tributary to Upper Willamette Main Stem.
C. Gates

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

5. **THE WELL** which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. review of the well log;
 - b. field inspection by _____;
 - c. report of CWRE _____;
 - d. other: (specify) _____
6. **THE WELL** construction deficiency:
- a. constitutes a health threat under Division 200 rules;
 - b. commingles water from more than one groundwater reservoir;
 - c. permits the loss of artesian head;
 - d. permits the de-watering of one or more groundwater reservoirs;
 - e. other: (specify) _____
7. **THE WELL** construction deficiency is described as follows: Seal is not @ required depth
8. **THE WELL**
- | | | | |
|--|---|---|--|
| a. <input type="checkbox"/> | was, or | } | constructed according to the standards in effect at the time of original construction or most recent modification. |
| b. <input type="checkbox"/> | was not | | |
| c. <input checked="" type="checkbox"/> | 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.

_____, 1992.
(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: _____

_____, 1992.
(Signature)

TWO WELLS

STATE OF OREGON
 WATER RESOURCES DEPARTMENT
 INTEROFFICE MEMO

date : 7/23/93

TO: File G- 13131
 From: Sarah C Meyer
 Subject: Surface/Ground Water Considerations

Applicant Michael + Andrea
Kirkpatrick
94705 Oaklea DR
JUNCTION CITY, OR 97448

The applicant seeks 0.425 cfs from two wells for irrigation and
supplemental irrigation in the Willamette River Basin

T 15S R 4W S 30 County Lane

FACTS WELL #1 0.025 cfs WELL#2 0.40 cfs

Near-by stream trib. to Flat Creek
 Distance from stream 780' 500'
 elevation difference 2' 1'

	WELL #1	WELL#2
Depth of well	<u>25</u>	<u>25</u>
Casing to	<u>20+</u>	<u>20+</u>
Lined to		
Sealed to		<u>6 feet</u>
Perforated/screened		<u>P-25-20.6'</u> <u>Sand and gravels</u> <u>(loose)</u>

	WELL #1	WELL#2
Well tests		<u>250 / 7' / 1</u>
Water found first	<u>12 1/2'</u>	<u>12 1/2'</u>
Water-bearing zones		<u>Sand and gravels</u> <u>from 4 to 25'</u> <u>looser gravels @ 16-25'</u>

	WELL #1	WELL#2
Static water level date		<u>12.6'</u> <u>9/30/68</u>

Information sources
 Conceptual model Younger alluvium overlying older
alluvium - very hydraulic

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

① 410' S, 790' W
 ② 2200' S, 20' W } C/4, S 30

Water Watch - mmt

DATE: November 17, 1995
TO: Fred Lissner
Groundwater/Hydrology Section
FROM: Laura K. Snedaker, ext. 331
Water Rights Section - PFO
SUBJECT: Hydraulic Connection Objection (G-13131)

We have received objections from the applicant to the department's initial finding of relative connection between groundwater and surface water for application G-13131.

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

Thankyou.

No Additional Data has been Supplied

12/18/95
Assume March
unless otherwise
noted

Gates

9/18/96
Skip 1033 review this
time. Not a SWW
basis.

Dyke

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

DATE : December 18, 1995

TO: G-13131

FROM: Sarah Gates *smg*

SUBJECT: Objection

Objection relative to the substantial interference with surface water is denied because no new supporting data or analysis was supplied.

Application No. G - 13131

RECEIVED

SEP 24 1992

State of Oregon
WATER RESOURCES DEPARTMENT

WATER RESOURCES DEPT.
SALEM, OREGON

Application for a Permit to Appropriate Ground Water

Applicant(s) Michael or Andrea Kirkpatrick
(Please print or type - use dark ink)

Mailing Address: 94705 Oaklea Drive
Junction City Oregon 97448 503/998-1883
City State Zip Daytime Phone No.

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

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

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

Distance from development to stream: Well #1, 780' Well #2, 500'

Elevation difference between streambed and development: WELL #1, 2' WELL #2, 1'

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

Diameter of well: both 6" (estimated) Depth in feet: both 25'

Type and size of well casing: Well #1: 4" steel, Well #2: 5" steel No. of feet: both 20+ feet

Estimated depth to water: both 12 1/2 feet

Type of access port or measuring device: access ports in both well casings

Wells to be drilled by: Well #1 (unknown); Well #2 (Pitcher Pump & Drilling Co.)

Address: 255 W. 5th, Junction City, Oregon 97448

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

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: 0.425 cubic feet per second, OR _____ gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each: being 0.025 cfs from Well #1 and 0.400 cfs from Well #2.

3. **INTENDED USE(s) OF WATER:** Irrigation of lawn, pasture and row crops.

If for more than one use, give the quantity of water from each source for each use; 0.025 cfs
from well #1 for supplemental irrigation and 0.400 cfs from well #2 for irrigation.

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

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

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

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

Irrigation	<u>32.0</u>
Other (describe)	<u>supplemental irrigation 2.0</u>

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

Electric motor/pumps with pipelines to the places of use. Irrigation will be
by sprinklers.

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

Proposed date construction work will begin construction started

Proposed date construction work will be completed October 1, 1993

Proposed date water use will be completed October 1, 1994

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

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

 Applicant X CWRE Other (Identify in REMARKS section)

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

 Applicant X CWRE Other (Identify in REMARKS section)

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

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

REMARKS: Well #1 is the source providing water under Permit ~~6-4489~~ G-5654,
 Water well report for Well #2 is enclosed.

Handwritten notes:
G-5654
perm. G-5483
WST

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

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

Michael J. Kutpatrick
Signature of Applicant

 9-24-92
Date

Andrea J. Kutpatrick
Signature of Co-Applicant, if any

 9-24-92
Date

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

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

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

_____, 19____.

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

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 24th day of September, 19 92, at 11:18 o'clock, A M.

APPLICATION NO: G - 13131

TECHNICAL REVIEW CHECKLIST

Application: G-13131
 Review Date: 7/9/93
29

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

SUMMARY	
<u>S</u>	Completeness
<u>S</u>	Land Use
<u>S</u>	GW Interference (if potential interference with surface water, see results of water availability analysis) 1/4 mi
<u>S</u>	Conflicts (Treat as surface) Well #1 same POD for G4266
<u>S</u>	Water Availability NEW GW RULES → POTENTIAL INTERFERENCE → TREAT AS SURFACE (NEW RULES) → RESTRICTIONS 7/1-8/31 (NO WING)

✓

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

N/A

No oath is required because application was filed before June 5, 1992.

S

Application fees:

Examination fee:	\$ 200	
Recording fee:	\$ 148	IRR. 100 + 48
TOTAL REQUIRED	\$ 348	
TOTAL SUBMITTED	\$ 348	
AMOUNT DUE prior to issuance of permit	\$ - 0 -	
AMOUNT OVERPAID		
refund due applicant	\$ - 0 -	

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

A satisfactory map of the proposed place of water use prepared by a certified water right examiner, unless exempt under OAR 690-14-150(3).

A CWRE map is not required for applications filed before November 9, 1987.

N/A

S

A written copy of the legal description of the property on which the water is to be used.

N/A

A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.

N/A

No statement of ownership was required for applications filed before August, 1990.

Pending
S

The report from watermaster has been received.

S

The proposed use is not restricted or prohibited by statute.

S

The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.

S

Irrigation use(s) (s) are classified uses(s) under the Willamette Basin Program, OAR 690 - 502.

S

The application, map and supporting data are complete and free of defects.

Land Use Compatibility:

As expressed by the Planning Department of Lane Co

S

The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section Lane Code 16.212 7a(2)(a))

N/A

The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.

N/A

The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For ground water applications:

S

A copy of the constructor's log, if available, for any well already constructed, or required information regarding actual or anticipated construction.

(X) S

The report from groundwater section has been received.

For reservoir applications:

N/A

Plans, specifications and supporting information for the dam and impoundment area.

TOWNSHIP 155 RANGE 4W W. M. Card # 1 SECTION 30

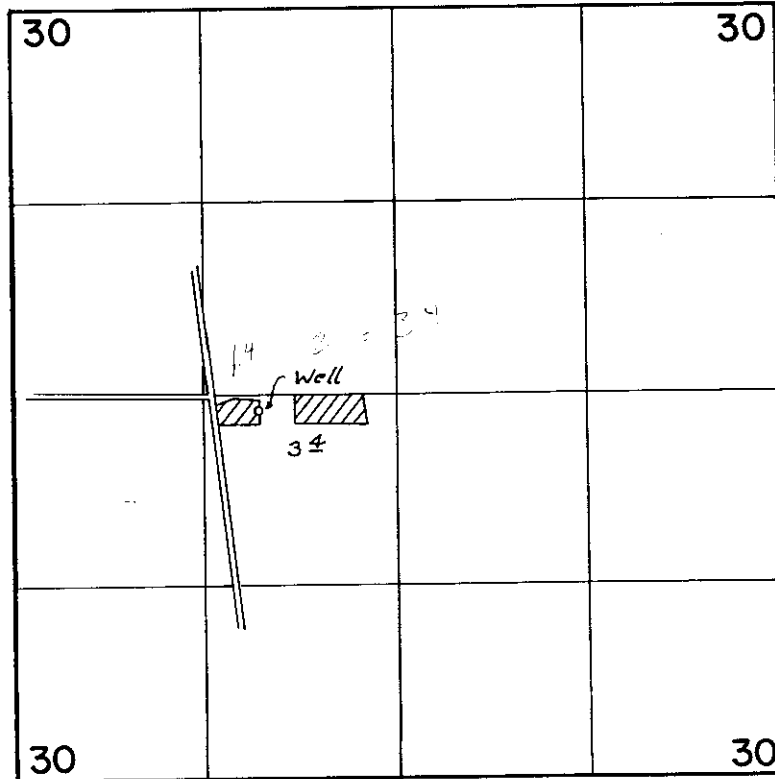
NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																		
																GR-1494	GR-1444	CANCELLED
																GR-1495	GR-1445	CANCELLED
																GR-1757	GR-1713	
															36	GR-1768	GR-1715	
															40	GR-2155	GR-2065	
															20	GR-2156	GR-2066	
															26	GR-2158	GR-2067	
																GR-2238	GR-2139	
																GR-2431	GR-2306	1
																GR-2933	GR-2759	1
																GR-2936	GR-2761	2
																GR-2937	GR-2762	1
																GR-3032	GR-2840	1
																GR-3596	GR-3302	1

TOWNSHIP 155 RANGE 4W W. M. Card # 2 SECTION 30

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																		
																GR-2775	GR-3948	2
																G-3285	G-3535	47735
																G-3570	G-3570	38131
																G-4766	G-4489	40768
																G-5012	G-4725	42087
																G-4993	G-4711	40876
																G-5654	G-5483	47518
																G-5708	G-5514	46684
																G-6733	G-6263	54633
																G-4660	G-4384	44496
																G-12535		
																B-13047		
																G-13131		
																G-13131		

Conflict
E POD

T. 15S., R. 4W., W.M.



Well Loc: 2540' N. & 3580' W. from S.E. Cor.
Sec. 30

FINAL PROOF SURVEY UNDER

Application No. G-5654 Permit No. G-5483
IN NAME OF

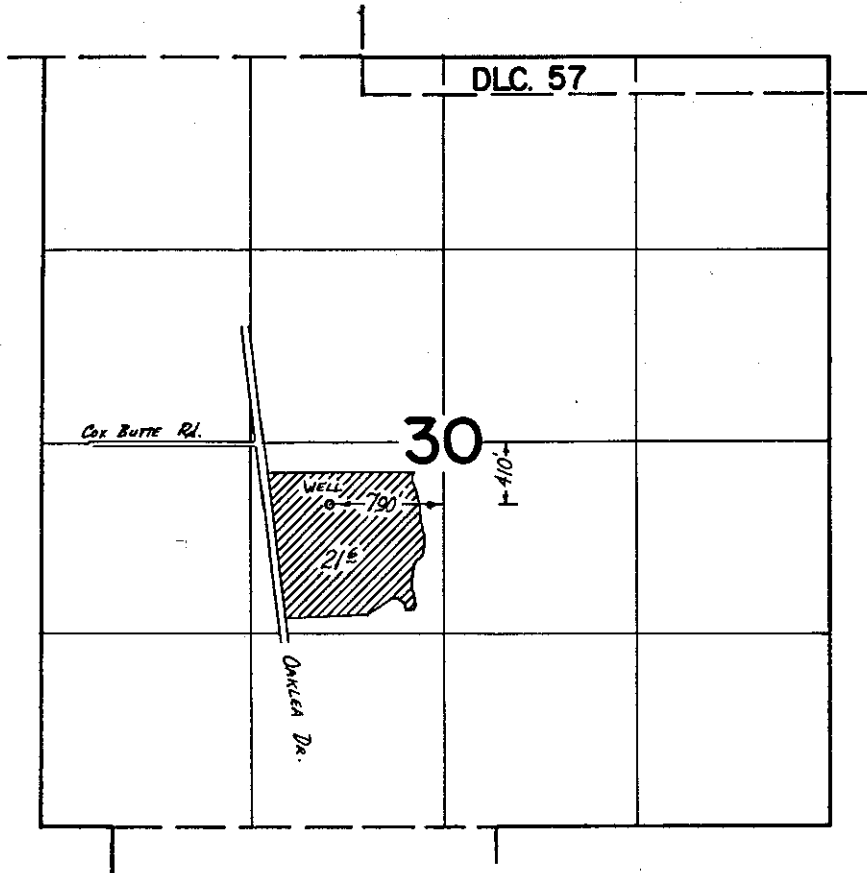
Clarry Ottosen

Surveyed May 14, 1976, by D.M. Norby

Priority date 11/91
Q = 0.04 cfs

DBQ-111-269 *ACB*

T.15S., R4W., W.M.



*Same POD
as well #1
in appl. 6/3/31*

FINAL PROOF SURVEY UNDER

Application No. G-4766 Permit No. G-4489
IN NAME OF

CLARRY A. OTTOSEN

Surveyed 25 Sept. 1972, by D. NORBY

RECEIVED

DEC - 6 1993

WATER RESOURCES DEPT.
SALEM, OREGON

December 1, 1993

Steve Brown, Manager
Oregon Water Resources Department
Water Rights Section
3850 Portland Road N.E.
Salem, OR 97310

*Recorded
objection*

Reference: #G-13131

Dear Mr Brown;

This letter is in regards to our application for water use permit for land located in Lane County, file #G-13131.

In your Satisfactory Report of Technical Review, for water use permit, you have determined that water is likely available in excess of needs 80 percent of the time. You have however determined that irrigation would not be available to us from July 1 through August 31. This severely limits the agricultural use of the land for which it is zoned. It is our understanding that prior to our purchase of the property in 1992, this particular piece of land has been successfully irrigated during the eight month normal period of irrigation for at least 10 years and has created no conflicts with any other existing rights from the point of diversion or from existing water rights appurtenant to the land.

Because of this successful water use history we respectfully request that we be allowed to irrigate for the full eight months of normal irrigation so that the land may continue to be used as productive agricultural property.

It is also our understanding that when a permit is issued it would be subjugated to prior existing rights and, therefore, would not create a conflict should ground waters cause interference with surface waters.

We thank you for your consideration in this matter.

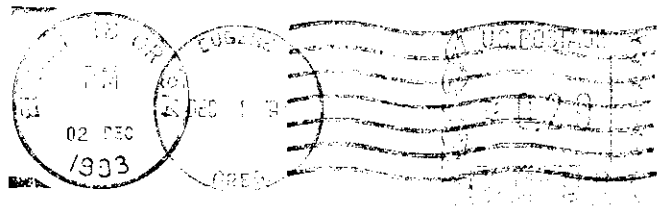
With regards,

Michael J + Andrea Kirpatrick

MICHAEL & ANDREA KIRPATRICK

BLUE WATER BOATS, INC.

P.O. BOX 70091 • EUGENE, OREGON 97401



Steve Brown
Oregon Water Resources Dept.
Water Rights Section
3850 Portland Rd N.E.
Salem, OR 97310

Application No. 63131

Planning Official Initials: TL

Permit No. of Water Use

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

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

RECEIVED

SEP 24 1992

WATER RESOURCES DEPT. SALEM, OREGON

Applicant Name: Michael or Andrea Kirkpatrick
Address: 94705 Oaklea Drive
Junction City, Oregon 97448
Phone: 503/998-1883

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

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

Table with 2 columns: Indicate sources for the proposed water use below; Indicate the estimated quantity of water the use will require. Includes checkboxes for Surface Water, Reservoir or pond, and Ground Water, along with numerical input fields for water quantity.

Application No. 6-13131

Permit No.

Our No. 100823-D

RECEIVED

EXHIBIT "A"

SEP 24 1992

PARCEL I:

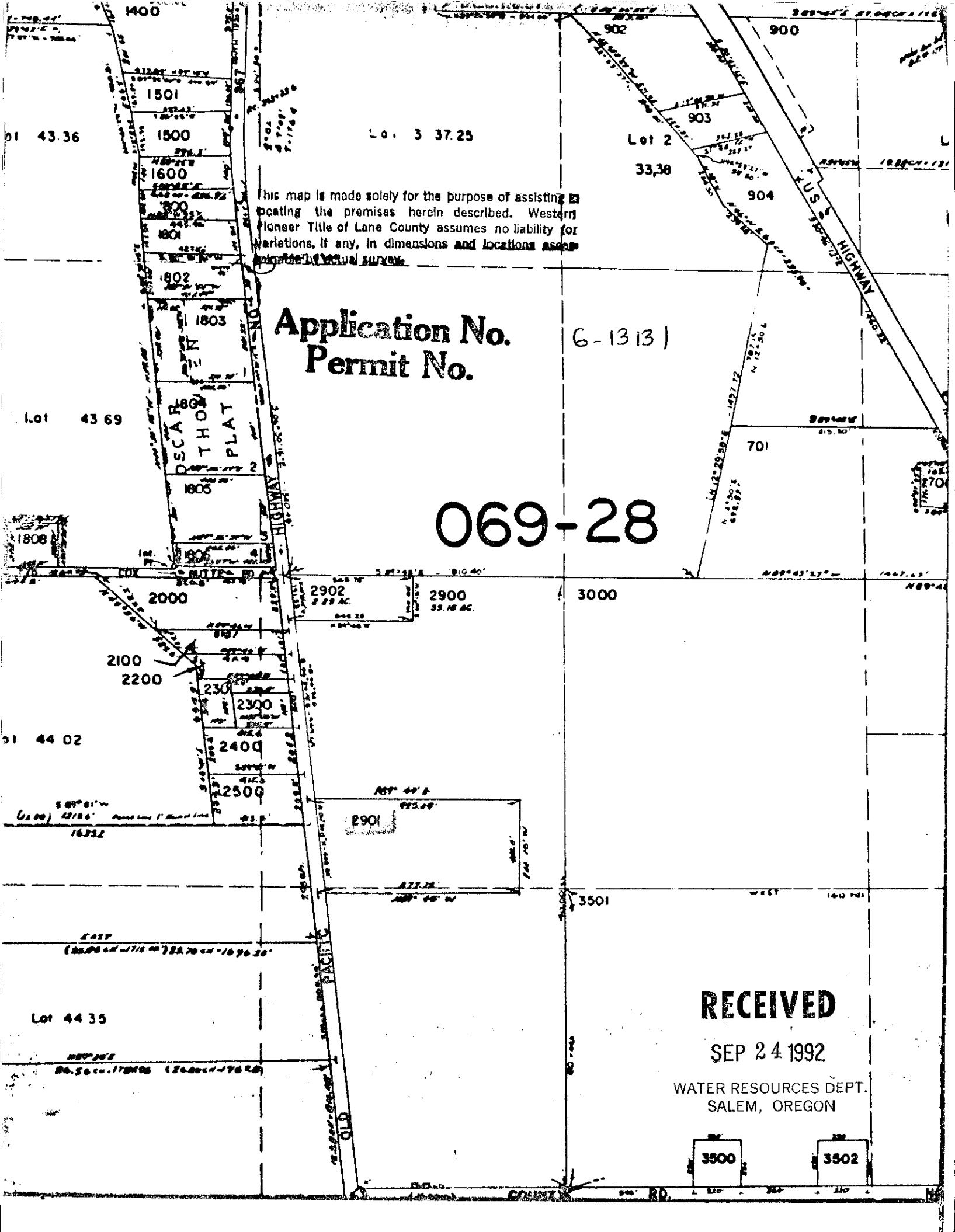
WATER RESOURCES DEPT.
SALEM, OREGON

Beginning at the West one-quarter corner of Section 30, Township 15 South, Range 4 West of the Willamette Meridian; thence South 89° 45' East 1513.07 feet along the East-West one-quarter Section line through said Section 30 to a railroad spike set in the centerline of Oaklea Drive (formerly the Old Pacific Highway) marking the True Point of Beginning; thence South 6° 30' 15" East, 949.69 feet along said centerline to a point marked by a railroad spike; thence South 89° 45' East, 925.09 feet along a line parallel with the East-West one-quarter line through said Section 30 to a point marked by an iron pin; thence South 0° 15' West, 400.00 feet to a point marked by an iron pin; thence North 89° 45' West, 877.72 feet along a line parallel with the East-West one-quarter line through said Section 30 to a railroad spike set in the centerline of said Oaklea Drive; thence South 6° 30' 15" East, 1306 feet, more or less, to a point on a line bearing North 89° 45' West, from the Southeast corner of the Southwest one-quarter of said Section 30; thence South 89° 45' East, 960.5 feet, more or less, to the Southeast corner of the Southwest one-quarter of said Section 30; thence North 0° 15' East, 2640 feet, more or less, to a point on said East-West one-quarter line through said Section 30; thence North 89° 45' West, 1273.14 feet to the true point of beginning, in Lane County, Oregon.

EXCEPT THEREFROM: Beginning at the West one-quarter corner of Section 30, Township 15 South, Range 4 West of the Willamette Meridian; thence South 89° 45' East 1513.07 feet along the East-West one-quarter Section line through said Section 30 to a railroad spike set in the centerline of Oaklea Drive (formerly the Old Pacific Highway) marking the TRUE POINT OF BEGINNING; thence South 89° 45' East 565.75 feet continuing along said one-quarter line to a point marked by an iron pin; thence South 0° 15' West 190.00 feet to a point marked by an iron pin; thence North 89° 45' West 543.25 feet along a line parallel with the East-West one-quarter line through said Section 30 to a point on the centerline of said Oaklea Drive; thence North 6° 30' 15" West 191.33 feet along said centerline to the true point of beginning, in Lane County, Oregon.

PARCEL II:

Beginning at an iron pin marking the West one-quarter corner of Section 30, Township 15 South, Range 4 West of the Willamette Meridian; thence South 89° 45' East 1513.07 feet along the East-West one-quarter Section line through said Section 30 to a railroad spike set in the centerline of Oaklea Drive (formerly the Old Pacific Highway); thence South 6° 30' 15" East 949.69 feet along said centerline to a railroad spike marking the TRUE POINT OF BEGINNING; thence South 89° 45' East 925.09 feet along a line parallel with the East-West one-quarter line through said Section 30 to a point marked by an iron pin; thence South 0° 15' West 400.00 feet to a point marked by an iron pin; thence North 89° 45' West 877.72 feet along a line parallel with the East-West one-quarter line through said Section 30 to a railroad spike set in the centerline of said Oaklea Drive; thence North 6° 30' 15" West 402.80 feet along the centerline of Oaklea Drive to the true point of beginning, in Lane County, Oregon.



This map is made solely for the purpose of assisting in locating the premises herein described. Western Pioneer Title of Lane County assumes no liability for variations, if any, in dimensions and locations as shown on the actual survey.

Application No. 6-1313
 Permit No.

069-28

RECEIVED

SEP 24 1992

WATER RESOURCES DEPT.
 SALEM, OREGON

3500

3502

Lot 43.36

Lot 3 37.25

Lot 2 33.38

Lot 43.69

Lot 44.02

Lot 44.35

OSCAR B. THOMAS PLAT

PACIFIC

U.S. HIGHWAY 2400

COUNTY

COMPLETENESS DETERMINATION CHECKLIST

248

Application #	Review Date	Reviewer
G-13131	11/2/95	CORY

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

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

COMPLETED

WaterWatch

O F O R E G O N

OCT - 5 1992

WATER RESOURCES DEPT.
SALEM, OREGON

October 2, 1992

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

RE: Application for Permit #G13131, M. Kirkpatrick
Willamette R. Basin, Lane Co., .425 cfs, Irr.

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

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

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

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

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

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

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

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

Sincerely,


Jim Myron

bc:

September 25, 1992

MICHAEL KIRKPATRICK
KIRKPATRICK, ANDREA
94705 OAKLEA DR
JUNCTION CITY, OR 97448

REFERENCE: File(s) G-13131

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

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

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

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

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

cc: CWRE



DATE	INITIALS
9/24/92	JW
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

MINIMUM REQUIREMENTS TO FILE

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

FIELD OPERATIONS

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

DATE	INITIALS
9/29	CW
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

SUPPORT SERVICES

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

FIELD OPERATIONS

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

EXAMINATION FEE: _____
 RECORDING FEE: _____

 TOTAL: _____
 REFUND: _____
 DEFICIENT: _____

REMARKS: _____

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

- Sender: Please print your name, address, and ZIP+4 in this box •

WATER RESOURCES DEPT
ATTN: J. SAUTER
158 - 12TH STREET NE
SALEM OR 97301-4172

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

G13131 JS 7020 2828

M. & A. KIRKPATRICK
 27884 HWY 36
 JUNCTION CITY OR 97448

2. Article Number

(Transfer from service label)

7001 0320 0004 7020 2828

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Agent AddresseeB. Received by (*Printed Name*)

C. Date of Delivery

D. Is delivery address different from item 1? YesIf YES, enter delivery address below: No

3. Service Type

 Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.4. Restricted Delivery? (*Extra Fee*) Yes

PWJg 12/12/04

Application No. **G13131**
Permit No. **G12818**

MICHAEL KIRKPATRICK
KIRKPATRICK, ANDREA
94705 OAKLEA DR
JUNCTION CITY, OR

97448

Assigned

Address

Beginning construction

OCT 10 1997

Completion of construction

OCT 01 1998

Extended to

Complete application of water

OCT 01 1999

Extended to

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## 613133

ROUTED TO: Carol Spence

TOWNSHIP/

RANGE-SECTION: T4S/R3W-13

APPLICATION ACCEPTED? yes no

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Gates

**Water Right Conditions
Tracking Slip**

Groundwater/Hydrology Section

FILE ## 6-13131

ROUTED TO: Laura Snedaker

TOWNSHIP/

RANGE-SECTION: _____

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Satis