

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



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

**Criteria for a Permit Extension of Time**

**The Department can accept requests for an extension of time on permits to (1) complete construction, and/or to (2) apply water to beneficial use.**

**In order to approve a permit extension request the Department must be able to find:**

**1) Construction has begun:**

**A. For Groundwater Permits**

Construction of the well began within 5 years of the date the permit was issued or by the actual construction date specified in the permit.

**B. For Surface Water or Reservoir Permits**

Construction of the water system began within 5 years of the date the permit was issued or by the actual construction date specified in the permit.

**The Department will also confirm that:**

- 2) A required fish screen, fish passage or fish by-pass device was installed before or prior to diversion of any water. An exception to the need to confirm installation prior to diversion of any water would be a waiver submitted to the Department from ODFW stating that a fish screen, fish passage or fish by-pass device was not required, provided your permit allows for a waiver.**

**If you have questions, please call the Department at (503)-986-0900 and ask to speak with a permit extension specialist.**

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**Instructions are in Attachment A.**



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

- This completed Application for Extension of Time.
- Statutory fee of \$575.
- Signature page (Second page of this Application for Extension of Time).
- All supporting documentation and/or evidence referenced in the Application for Extension of Time.

**MAIL COMPLETED APPLICATION  
along with the Supporting documents and/ or evidence**

**\$575 STATUTORY FEE TO:**

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



**GENERAL TIPS:**

- Permit holders of **municipal or quasi-municipal water use permits DO NOT use this form**. The correct form is APPLICATION FOR EXTENSION OF TIME FOR MUNICIPAL AND QUASI-MUNICIPAL WATER USE PERMITS, available at the following link:  
[http://www.oregon.gov/owrd/PUBS/docs/forms/fillable\\_muni\\_quasi\\_ext\\_app\\_form\\_2014.doc](http://www.oregon.gov/owrd/PUBS/docs/forms/fillable_muni_quasi_ext_app_form_2014.doc)
- Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate APPLICATION FOR EXTENSION OF TIME must be submitted for each permit. OAR 690-315-0020(2).
- An instruction sheet, INSTRUCTIONS FOR COMPLETING AN APPLICATION FOR EXTENSION OF TIME FOR A WATER RIGHT PERMIT (Attachment A), provides details that will help you answer each question on the application. Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at:  
[http://arcweb.sos.state.or.us/pages/rules/oars\\_600/oar\\_690/690\\_315.html](http://arcweb.sos.state.or.us/pages/rules/oars_600/oar_690/690_315.html)
- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 315-0020(3)(n).

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- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights Services Division.
- An Application for an Extension of Time will be reviewed for completeness. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

**Reference Materials Needed to Complete this Application:**

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

**Questions to complete this application for an Extension of Time**

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

**1. Beginning Construction within required deadlines.** OAR 690-315-0020(3)(d)

For Groundwater Permits

Has construction of the well begun?  Yes  No

Date construction began Month: 6 Day: 30 Year: 2003

Details of construction and attach documentation: Well is completed July 2, 2003. Pump test submitted July 28, 2003. Pivots and mainline and power installed and used May, 2008. Claim of beneficial use submitted August, 2009

For Surface/Reservoir Permit

Has construction of the water system begun?  Yes  No

Date construction began Month:      Day:      Year:     

Details of construction and attach documentation:     

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

2. Permits typically contain standard or special conditions that must be fully satisfied to lawfully develop and use permitted water. Review the permit subject to this extension to identify which of the conditions listed in the 2<sup>nd</sup> column are contained within it. Using the extra row labeled "other" to specify any other additional conditions specified in a final order approving a permit amendment or prior extension of time. In the 1<sup>st</sup> column check the box for each condition (row) identified as relevant. In the 3<sup>rd</sup> column check "Yes" if you have completed or met the permit condition. Check "No" if the condition is not yet satisfied. In the 4<sup>th</sup> column, give the date when the condition was satisfied or will be satisfied. Attach any pertinent documentation. Note: a pump test condition does not need to be addressed here however; you must submit the results of the test to the Department for approval prior to certification.

**CHART-A**

Permit Conditions in this Permit		Have Completed or Met?	Date satisfied/ or will be satisfied
Checkbox	Ground water Check those included on this permit		
<input checked="" type="checkbox"/>	Installation of a meter/totalizing flow meter	X Yes <input type="checkbox"/> No	May, 2008
<input checked="" type="checkbox"/>	Submittal of annual water usage report	X Yes <input type="checkbox"/> No	March, 2005
<input type="checkbox"/>	Submittal of initial static water level measurement	<input type="checkbox"/> Yes X No	
<input checked="" type="checkbox"/>	Submittal of annual static water level measurements in the month required	X Yes <input type="checkbox"/> No	March 31, 2010
<input type="checkbox"/>	Submittal of Seven consecutive static water level measurements in the month required	<input type="checkbox"/> Yes X No	
<input type="checkbox"/>	Special well construction standards	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a monitoring plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Surface Water or Reservoir</b>			
<input type="checkbox"/>	Installation of a meter/ totalizing flow meter/ in-line meter	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation a staff gauge	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish screen	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish by-pass device	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish passage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of an outlet gate/pipe/ conduit	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from ODFW that fish screen, fish by-pass device, and or fish passage is not required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submit as-built plans and specification	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from an engineer prior to storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	

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Other (Specify):

Yes

No

If you have NOT complied with Permit conditions, explain the reasons why and indicate a date certain, when you will be in compliance.

Static water level measurements were done, but not in the month specified. Will be in compliance by October 1, 2021. This time also allows time to complete the irrigation project by watering the pivot corners.

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

3. Provide evidence of physical work made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-B); and if applicable, within the time period of the most recent extension granted (CHART-C). CHART-B (below) must be completed for all Application for Extension of Time requests. Use *chronological order*. (this does NOT include planning, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land, or planting crops)

#### CHART-B

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
7/2003	Well was completed and test pumped	5,000.00
DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED <i>and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER</i> <i>List work/actions done during the permitted time period.</i>	COST*
4/15/2004	Date the permit was signed - find date above signature on last page of permit.	
5/2008	Two pivots, pump, and flow meter installed	140,000.00
10/1/2008	Date the permit specified complete application of water to the use shall be made- all permits contain this date.	
DATE	WORK ACCOMPLISHED AFTER the date the permit specified complete application of water <i>COMPLETE ONLY IF THIS IS YOUR 1st APPLICATION FOR AN EXTENSION OF TIME: List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i>	COST*

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

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

*TIP: Report the rate used to date. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.*

**6. For Surface Water Permit Extensions (e.g. S-XXXX or R-XXXX):**

*TIP: Report the rate in the same units of measurement as specified in the permit.*

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

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

Acre-feet stored to date = \_\_\_\_\_ AF

**7. For Ground Water Permit Extensions (e.g. G-XXXX):**

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

**CHART-D**

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					If yes, provide the Permit, Certificate, or Transfer No.
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment? (See 8 below)	Maximum instantaneous rate used to date from this well -- under <u>this permit only</u> (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	
1	1	Yes X No <input type="checkbox"/>	HARN 50957	53097	Yes X No <input type="checkbox"/>	4 CFS	Yes <input type="checkbox"/> No X	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
Total instantaneous rate from all wells utilized under this permit								

**8. If the drilled location of a well is not authorized on this permit, please specify its location below, or provide a map showing its location.**

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Has or will a Permit Amendment Application been/be filed? Yes  No X

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If a Permit Amendment Application has been filed: Transfer No. T-\_\_\_\_\_

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Well # \_\_\_\_\_ Actual location: \_\_\_\_\_

Well # \_\_\_\_\_ Actual location: \_\_\_\_\_

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

9. Provide the total number of acres irrigated to date under this permit (if applicable). List by year, the number of acres irrigated each year since permit issuance, and provide a copy of the application map identifying the acres irrigated. 2008- 250 acres, 2009- 250 acres, 2010- 250 acres, 2011- 250 acres, 2012- 250 acres, 2013-250 acres, 2014- 250 acres, 2015- 250 acres.

Total acres irrigated to date: 250.0

**Ground Water Permits:** Please specify which wells are being utilized for this irrigation.

Well #1 Acres250                      Well # \_\_\_\_\_ Acres \_\_\_\_\_

Well # \_\_\_\_\_ Acres \_\_\_\_\_                      Well # \_\_\_\_\_ Acres \_\_\_\_\_

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

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

**CHART-E**

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
10/1/2021	Install system to irrigate about 70 more acres of pivot corners	30,000.00
Year: 2021	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
<b>Total Cost</b>		<b>30,000.00</b>

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

11. Estimated remaining cost to complete the project: 30,000.00  
(The total cost from CHART-E)

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

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**12. Describe the reasons why the construction was not completed, and/or water was not beneficially used within permit time limits. Provide supporting information for the reason(s) that best fits your circumstances. Include any additional unforeseen events and/or other governmental regulation or requirements.**

Kenneth & Paula Thomas, the original applicants, did not comply correctly with the static water measuring requirements of always measuring in March. This extension will allow this to be corrected. Kenneth & Paula Thomas are selling the land and the new owners, these applicants, wish to irrigate the full 320 acres and need time to install the necessary system.

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

**13. Justify the time requested to complete the project and/or apply the water to full beneficial use. Include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.**

Kenneth & Paula Thomas did not realize they had not fulfilled the necessary static water level measuring requirements. They had submitted a Claim of Beneficial Use in August, 2008, and as they had heard nothing, they assumed it was being processed in a normal manner. They did not realize there was a problem. Now that they are selling the property, the new owners would like to extend the time to further complete the project.

[OAR 690-315-0020(3)(m)(n)]

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

\_\_\_\_\_

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

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[OAR 690-315-0020(3)(m)(n)]

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

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STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

KENNETH AND PAULA THOMAS  
PO BOX 864  
CRANE, OR 97732

(541)493-2776

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

APPLICATION FILE NUMBER: G-16058

SOURCE OF WATER: A WELL IN SOUTH FORK MALHEUR RIVER BASIN

PURPOSE OR USE: IRRIGATION USE ON 320.0 ACRES

MAXIMUM RATE: 4.0 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JULY 28, 2003

WELL LOCATION: SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , SECTION 35, T26S, R33E, W.M.; 1550 FEET SOUTH  
& 600 FEET EAST FROM NW CORNER, SECTION 35

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 and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  40.0 ACRES

NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  40.0 ACRES

SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  40.0 ACRES

SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  40.0 ACRES

SECTION 26

NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  40.0 ACRES

NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  40.0 ACRES

SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  40.0 ACRES

SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  40.0 ACRES

SECTION 35

TOWNSHIP 26 SOUTH, RANGE 33 EAST, W.M.

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Application G-16058 Water Resources Department

PERMIT G-15591

Measurement, recording and reporting conditions:

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

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

Measurements must be made according to the following schedule:

**Before Use of Water Takes Place**

Initial and Annual Measurements

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

**After Use of Water has Begun**

Reference Water Level Determination

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

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

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

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

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

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

#### STANDARD CONDITIONS

If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Proposed Final Order and Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

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

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

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

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

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

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

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

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

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

Complete application of the water to the use shall be made on or before October 1, 2008. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.


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

Issued April 15, 2004

  
Paul R. Cleary, Director  
Water Resources Department

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

**CULTURAL RESOURCES PROTECTION LAWS:** Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

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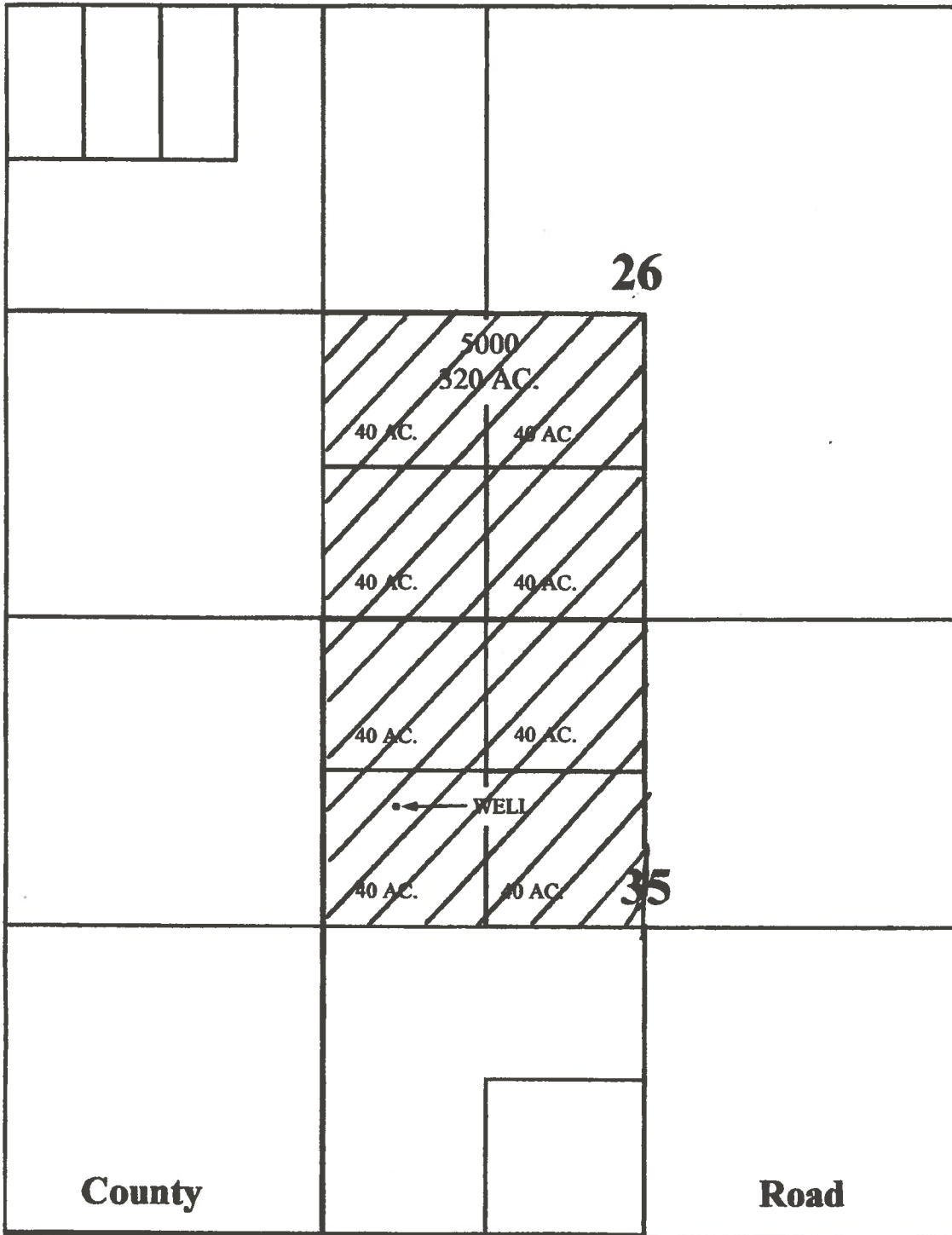
SALEM, OR

Application G-16058  
Basin 12

Water Resources Department  
Volume 1 SFK MALHEUR R

PERMIT G-15591  
10

**APPLICATION MAP IN THE NAME OF KENNETH AND PAULA THOMAS  
SW 1/4 SEC. 26, NW 1/4 SEC. 35, T26S, R33E.W.M., TAX LOT 5000 (320 acres)**



**SCALE:  
1" = 1320'**

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**WELL LOCATED 1550' SOUTH AND 600' EAST FROM THE  
NW CORNER OF SEC. 35.**

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JUL 28 2003

WATER RESOURCES DEPT.  
SALEM, OREGON

appno G-16058  
Permit G-15591