

**Oregon Water Resources Department  
Water Right Services Division**

**Application for Extension of Time**

In the Matter of the Application for an Extension of Time	)	
for Permit G-12723, Water Right Application G-13527, in	)	
the name of Douglas John Lee	)	<b>FINAL ORDER ON</b>
	)	<b>EXTENSION</b>
	)	<b>INCORPORATING</b>
	)	<b>SETTLEMENT</b>
	)	<b>AGREEMENT</b>

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**Permit Information**

Application:	G-13527
Permit:	G-12723
Basin:	4 – Hood / Watermaster District 3
Date of Priority:	October 15, 1993
Source of Water:	a well in Rowena River Basin
Purpose of Use:	irrigation of 27.9 acres
Maximum Rate:	0.125 cubic foot per second (cfs)

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This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.

**Appeal Rights**

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

**Application History**

Permit G-12723 was issued by the Department on August 28, 1996. The permit specified actual construction of the well to begin by August 28, 1997, completion of construction by October 1, 1998 and complete application of water to beneficial use by October 1, 1999. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 2014. On January 6, 2020, Douglas John Lee submitted an Application for Extension of Time for Permit G-12723. In accordance with OAR 690-315-0050(2), on May 12, 2019, the Department issued a Proposed Final Order proposing to extend the time to complete construction and to fully apply water to October 1, 2025, with limitations. The protest period closed June 26, 2020, in accordance with OAR 690-315-0060(1). Mr. Lee filed a timely protest.

## FINDINGS OF FACT

The findings of fact in the Proposed Final Order dated May 12, 2019 are adopted and incorporated herein.

### ADDITIONAL FINDINGS OF FACT

On March 26, 2021, the Department and Mr. Lee signed a Settlement Agreement, which is incorporated herein and made a part of this order, resolving all issues raised in the protest.

The terms of the Agreement include:

Mr. Lee will submit a permit amendment application to change the place of use and the point of appropriation for Permit G-12723 within six months of the date of the final order approving the extension of time, being August 23, 2021. The permit amendment application shall be consistent with the draft permit amendment application and maps attached to and incorporated into the Settlement Agreement as Attachment 1.

If the application to amend Permit G-12723 is approved, the deadline to complete construction and apply water to full beneficial use is extended from October 1, 2014 to October 1, 2025.

If the application to amend Permit G-12723 is denied, the deadline to complete construction and apply water to full beneficial use is extended from October 1, 2014, to no later than the date of the final order denying the amendment, AND the use of water under this permit is limited to a maximum rate of 0.08 cfs of water for irrigation of 19.0 acres.

If no application to amend Permit G-12723 is filed within six months of the date of the final order approving the extension of time, the deadline to complete construction and apply water to full beneficial use is extended from October 1, 2014 to the date of the final order on the extension, being August 23, 2021, AND the use of water under this permit is limited to a maximum rate of 0.08 cfs of water for irrigation of 19.0 acres.

No further extensions of time for Permit G-12723 will be requested.

1. The permit holder agrees to submit a completed Progress Report Form to the Department by **October 1, 2024**.
  - (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on

the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

### CONCLUSION OF LAW

With the forgoing additional findings of fact, the Department finds there is good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

### ORDER

The extension of time for Application G-13527, Permit G-12723, therefore, is approved subject to the terms contained herein, the Settlement Agreement and Attachment 1.

If the required application to amend Permit G-12723 is approved, the deadline to complete construction and apply water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2014, to October 1, 2025.

If the required application to amend Permit G-12723 is denied, the deadline to complete construction and apply water to full beneficial use within the terms and conditions of the permit is extended to no later than the date of the final order denying the amendment.

If no application to amend Permit G-12723 is filed within six months of the date of the final order approving the extension of time, the deadline to complete construction and apply water to full beneficial use is extended from October 1, 2014, to the date of the final order approving the extension, being August 23, 2021.

DATED: March 26, 2021



Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department

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- If you have any questions about statements contained in this document, please contact the Permit Extension Specialist at (503) 986-0802.
  - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
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9. Effective upon the signing of this Agreement by the Parties, Mr. Lee waives any and all right to petition for judicial review of this Agreement, and waives any and all right to request reconsideration, petition for judicial review, or appeal the Final Order.

### **C. Terms of the Agreement**

1. Mr. Lee will submit a permit amendment application to change the place of use and the point of appropriation for Permit G-12723 within six months of the date of the final order approving the extension of time. The permit amendment application shall be consistent with the draft permit amendment application and maps attached to and incorporated into this Agreement as Attachment 1.
2. Applications for permit amendments are processed in accordance with existing technical information, department policies and pertinent statutes and rules. The Department makes no implied or express promise as to the approval of a permit amendment for Permit G-12723.
3. The intent of this Agreement and permit extension is to allow Mr. Lee sufficient time to file an application to amend Permit G-12723 and for the Department to issue an order.
4. If the application to amend Permit G-12723 is approved, the deadline to complete construction and apply water to full beneficial use is extended from October 1, 2014 to October 1, 2025.
5. If the application to amend Permit G-12723 is denied, the deadline to complete construction and apply water to full beneficial use is extended from October 1, 2014, to no later than the date of the final order denying the amendment, AND the use of water under this permit is limited to a maximum rate of 0.08 cfs of water for irrigation of 19.0 acres.
6. If no application to amend Permit G-12723 is filed within six months of the date of the final order approving the extension of time, the deadline to complete construction and apply water to full beneficial use is extended from October 1, 2014, to the date of the final order on the extension, AND the use of water under this permit is limited to a maximum rate of 0.08 cfs of water for irrigation of 19.0 acres.
7. No further extensions of time for Permit G-12723 will be requested.
8. The permit holder agrees to submit a completed Progress Report Form to the Department by **October 1, 2024. A form will be enclosed with your Final Order.**
  - (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit

or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

9. Once each Party has signed this Agreement, the Department will issue a Final Order on Extension Incorporating Settlement Agreement consistent with the attached draft Final Order on Extension Incorporating Settlement Agreement.
10. Each Party to this Agreement represents, warrants, and agrees that the person who executes this Agreement on its behalf has the full right and authority to enter into this Agreement on behalf of that Party and bind that Party to the terms of this Agreement.
11. Each Party to this Agreement certifies that it has had a reasonable opportunity to review and request changes to the Agreement, and that it has signed this Agreement of its own free will and accord.
12. The Parties agree that nothing in this Agreement or the Final Order on Extension Incorporating Settlement Agreement establishes factual, legal, or policy precedent.
13. This Agreement may be signed in counterparts.



Dwight French, Administrator,  
Water Right Services Division  
for Thomas M. Byler, Director  
Oregon Water Resources Department

March 26, 2021  
Date

\_\_\_\_\_  
Douglas John Lee

\_\_\_\_\_  
Date

or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.
9. Once each Party has signed this Agreement, the Department will issue a Final Order on Extension Incorporating Settlement Agreement consistent with the attached draft Final Order on Extension Incorporating Settlement Agreement.
  10. Each Party to this Agreement represents, warrants, and agrees that the person who executes this Agreement on its behalf has the full right and authority to enter into this Agreement on behalf of that Party and bind that Party to the terms of this Agreement.
  11. Each Party to this Agreement certifies that it has had a reasonable opportunity to review and request changes to the Agreement, and that it has signed this Agreement of its own free will and accord.
  12. The Parties agree that nothing in this Agreement or the Final Order on Extension Incorporating Settlement Agreement establishes factual, legal, or policy precedent.
  13. This Agreement may be signed in counterparts.

Dwight French, Administrator,  
Water Right Services Division  
for Thomas M. Byler, Director  
Oregon Water Resources Department

  
\_\_\_\_\_  
Douglas John Lee

\_\_\_\_\_  
Date

1/15/2021  
\_\_\_\_\_  
Date





State of Oregon  
 Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900

# Application for Permit Amendment

## Part 1 of 5 – Minimum Requirements Checklist

**This permit amendment application will be returned if Parts 1 through 5 and all required attachments are not completed and included.**  
 For questions, please call (503) 986-0900, and ask for Transfer Section.

**Check all items included with this application. (N/A = Not Applicable)**

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator). If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature
- Part 5 – Information about Permits to be Amended: **Number of permits to be amended: 1**  
**List the Permits here: G-12723 (Attachment A)**  
 Please include a separate Part 5 for each permit. (See instructions on page 6)
- Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner). **(Attachment B)**
- N/A Request for Assignment Form and statutory fee. The request for assignment form has to be completed if the applicant is **not** the permit holder of record and needs to be assigned to the permit; **or** the landowner of the proposed place of use is **not** the permit holder of record and needs to be assigned to the permit. (The Request for Assignment Form is available online at <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>). Assignment is not needed if the applicant is the permit holder of record. **(Attachment C)**
- N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant or other permit holders of record that are not listed as applicants.
- N/A Oregon Water Resources Department's Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone. **(Attachment D)**
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation. **(Attachment E)**
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500 feet from the surface water source and more than 1000 feet upstream or downstream from the point of diversion. (ORS 540.531(2) or (3)).

**(For Staff Use Only)**

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part _____ is incomplete
<input type="checkbox"/> Additional signature(s) required	
Other/Explanation _____	
Staff: _____ 503-986-0_____	Date: ____/____/____

## Part 2 of 5 – Permit Amendment Map Checklist

**Your permit amendment application will be returned if any of the map requirements listed below are not met.**

Please be sure that the map you submit includes all the items listed below and meets the requirements of OAR 690-380-3100, however, the map does not have to be prepared by a Certified Water Right Examiner. Check all boxes that apply.

- N/A If more than three permits are involved, separate maps for each permit.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water use permit, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the permit is being changed, a separate hachuring is needed for the portion of the permit left unchanged.
- N/A If you are proposing a change in place of use, show the proposed place of use with hachuring that includes separate hachuring for each permit, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water use permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

**Part 3 of 5 – Fee Worksheet**

FEE WORKSHEET for PERMIT AMENDMENT			
1	Base Fee (includes one type of change to one permit for up to 1 cfs)	1	\$1,160
2	Types of change proposed: <input checked="" type="checkbox"/> Place of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>2</u> (2a) Subtract 1 from the number in line 2a = <u>1</u> (2b) <i>If only one change, this will be 0</i> Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	\$930
3	Number of permits included in Permit Amendment <u>1</u> (3a) Subtract 1 from the number in 3a: <u>0</u> (3b) <i>If only one permit this will be 0</i> Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	0
4	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 » <input checked="" type="checkbox"/> Yes: enter \$410 »	4	\$410
5	Do you propose to change the place of use? <input type="checkbox"/> No: enter 0 on line 5 » <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the permits to be amended (see example below*): <u>0.56</u> (5a) Subtract 1.0 from the number in 5a above: <u>-0.9</u> (5b) If 5b is 0, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: <u>N/A</u> (5c) and multiply 5c by \$350, then enter on line 5 » » » » » » » » » » » » » » » »	5	0
6	Add entries on lines 1 through 5 above: » » » » » » » » » » » » » » » » Subtotal:	6	\$2,500
7	Is this permit amendment: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by OWEB as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter on line 7 » » » » » » » » » » » » » » » »	7	0
8	Subtract line 7 from line 6: » » » » » » » » » » <b>Permit Amendment Fee:</b>	8	<b>\$2,500</b>

\*Example for Line 5a calculation to transfer 45.0 acres of Primary Permit S-12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Permit S-87654 (1/80 cfs per acre) on the same land:

1. For irrigation calculate cfs for each permit involved as follows:
  - a. Divide total authorized cfs by total acres in the permit (*for S-12345, 1.25 cfs ÷ 100 ac*); then multiply by the number of acres to be changed to get the application cfs (*x 45 ac = 0.56 cfs*).
  - b. If the water right permit does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (*For S-87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs*)
2. Add cfs for the portions of permits on all the land included in the application; however **do not count cfs for supplemental permits on acreage for which you have already calculated the cfs fee for the primary permit on the same land**. The fee should be assessed only once for each “on the ground” acre included in the application. (*In this example, blank 5a would be only 0.56 cfs, since both permits serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0*).

**Part 4 of 5 – Applicant Information and Signature**

**Applicant Information**

APPLICANT/BUSINESS NAME <b>Douglas Lee</b>			PHONE NO. <b>503-869-5713</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>13340 Goodall Road</b>				FAX NO.
CITY <b>Lake Oswego</b>	STATE <b>OR</b>	ZIP <b>97034</b>	E-MAIL <b>djl97034@msn.com</b>	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

**NOTE:** Direct correspondence to Leigh Bartholomew, 503-437-6874,  
[Leigh.Bartholomew@resultspartners.com](mailto:Leigh.Bartholomew@resultspartners.com)

**Applicant Information**

APPLICANT/BUSINESS NAME <b>Bartholomew Family Trust</b>			PHONE NO. <b>541-478-0143</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>1600 Carroll Road</b>				FAX NO.
CITY <b>Mosier</b>	STATE <b>OR</b>	ZIP <b>97040</b>	E-MAIL <b>barts@mosierwinet.com</b>	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

**Agent Information** – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME <b>GSI Water Solutions, Inc. Attn: Theodore Ressler</b>			PHONE NO. <b>971-350-8509</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>55 SW Yamhill St., Suite 300</b>				FAX NO.
CITY <b>Portland</b>	STATE <b>OR</b>	ZIP <b>97204</b>	E-MAIL <b>theodore.ressler@gsiws.com</b>	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

Explain in your own words what you propose to accomplish with this permit amendment; and why:  
The applicants are proposing three changes to the permit: 1) change an 8.9-acre portion of the authorized place of use to a contiguous area; 2) add an additional point of appropriation (POA 3) to serve 8.4 acres of the To Lands using a 0.038 cfs portion of the permit authorized rate; and 3) add an additional point of appropriation (POA 2) to serve 0.5 acres of the To Lands and the 19.0 acres of existing authorized lands using the remaining 0.087 cfs of the permit authorized rate.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Is the applicant the permit holder of record?  Yes\*  No\*

If NO, include either:

- A completed assignment form (with required statutory assignment fee), assigning all or a portion of the permit to the applicant(s), **OR**
- An affidavit of consent from the permit holder(s) of record that gives permission for the applicant to amend the permit.

**\*NOTE: One of the applicants, Douglas Lee, is the permit holder of record. A request for a partial assignment is included with this application that requests the assignment of an 8.4 acre portion (0.038 cfs) of the permit to the other applicant, Bartholomew Family Trust (Attachment C).**

Has the Completion ("C") Date of the permit(s) in this application expired?  Yes  No



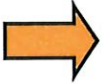
If YES, this application will not be accepted by the Department.

If NO, what are the completion dates of the permit(s)? 10/1/2025

- If the permit completion date expires while the Permit Amendment Application is pending, the Department will not approve the Permit Amendment Application until an Extension of Time Application is approved for the permit.
- You may consider using the Reimbursement Authority process to expedite the processing of this Permit Amendment Application if the completion date of the permit expires within 6 months of the date of filing this application.

**By my signature below, I confirm that I understand:**

- Prior to Department approval of the permit amendment, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the permit is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: The Dalles Chronicle.



**I (we) affirm that the information contained in this application is true and accurate.**

\_\_\_\_\_  
Applicant Signature

**Douglas Lee**

Print Name (and Title if applicable)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Signature

**Elizabeth Bartholomew**

Print Name (and Title if applicable)

\_\_\_\_\_  
Date

**DRAFT**



**Check one of the following:**

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The permit holder(s) of record will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to the permit holder(s) of record.

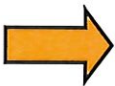
**Check the appropriate box, if applicable:**

- Check here if any of the permits proposed for amendment are or will be located within or served by an irrigation or other water district.

IRRIGATION DISTRICT NAME <b>N/A</b>	ADDRESS	
CITY	STATE	ZIP

- Check here if water for any of the permits supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME <b>N/A</b>	ADDRESS	
CITY	STATE	ZIP



To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME <b>Wasco County Planning Department</b>	ADDRESS <b>205 East 2<sup>nd</sup> Street</b>	
CITY <b>The Dalles</b>	STATE <b>OR</b>	ZIP <b>97058</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

**Part 5 of 5 – Water Use Permit Information**

Please use a separate Part 5 for each permit being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

**PERMIT # G-12723**

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**  
 (Note: If the POD/POA name is not specified in the permit, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-____)	Twp	Rng	Sec	¼¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POA 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASC 3023 (original) WASC 3018 (alteration) WASC 2068 (alteration) WASC 52704 (abandonment)	2	N 12	E 18	E SE	1200	472.2' South & 945.4' West from E ¼ corner of Section 18
POA 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	WASC 52703	2	N 12	18	NE SE	1200	440' South & 940' West from E ¼ corner of Section 18
POA 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	WASC 52641	2	E	18	SE NW	1000	1241' North & 2856' West from E ¼ corner of Section 18

Check all type(s) of change(s) proposed (change "CODES" are provided in parentheses):

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Place of Use (POU)        | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA)  |
| <input type="checkbox"/> Point of Diversion (POD)             | <input type="checkbox"/> Additional Point of Appropriation (APOA)      |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Surface water POD to Ground Water POA (SW/GW) |

Will all of the proposed changes affect the entire water use permit?

- Yes Complete only the proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the permit to be changed.

**For a change in place of use:**

**Does the permit holder of record own or control the land TO which the place of use is being moved?**

- Yes\*  No\*

If NO, the landowner of the land TO which the place of use is being moved must be assigned to the permit as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment.

**\*NOTE: One of the applicants, Douglas Lee, is the permit holder of record. A request for a partial assignment is included with this application that requests the assignment of an 8.4 acre portion (0.038 cfs) of the permit to the other applicant, Bartholomew Family Trust (Attachment C).**

Is the proposed place of use contiguous to the authorized place of use?  Yes  No

The permitted place of use can be moved only to lands that are contiguous to the authorized place of use **unless** the change to non-contiguous lands is in furtherance of mitigation or conservation efforts undertaken for the purposes of benefiting a species listed as sensitive, threatened, or endangered under ORS 496.171 to 496.192 or the federal Endangered Species Act of 1973 (16 U.S.C. 1531 to 1544), as determined by the listing agency. Contiguous land being either adjacent land or land separated from the land to which a permit is authorized by roads, utility corridors, irrigation ditches or publicly owned rights of way.

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Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Changes to Water Use Permit # G-12723**

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.  
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																								
2	S	9	E	15	NE	NW	100		15.0	POD #1 POD #2		2	S	E	15	NW	NW	100	1	10.0	POD #5			
"	"	"	"	"	"	"	"	"	EXAMPLE	"		2	S	9	E	15	SW	NW	200		5.0	POD #6		
2	N	12	E	18	NE	SE	1200		19.0	POA 1	10/15/1993	POA 1	2	N	12	E	18	NE	SE	1200		19.0	POA 2	10/15/1993
2	N	12	E	18	NE	SE	1200		8.7	POA 1	10/15/1993	POA 1	2	N	12	E	18	SW	NE	1200		0.5	POA 2	10/15/1993
2	N	12	E	18	SE	NE	1200		0.2	POA 1	10/15/1993	POU/POA	2	N	12	E	18	SW	NE	1000		6.9	POA 3	10/15/1993
													2	N	12	E	18	SE	NW	1000		0.6	POA 3	10/15/1993
													2	N	12	E	18	NW	NE	1000		0.6	POA 3	10/15/1993
													2	N	12	E	18	NE	NW	1000		0.3	POA 3	10/15/1993
TOTAL ACRES							27.9	TOTAL ACRES										27.9						


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**Additional remarks: A new point of appropriation (POA 2) will be used to serve the 19.0 acres of the existing authorized place of use that is not being changed and 0.5 acres of the To Lands. A second new point of appropriation (POA 3) will be used to serve 8.4 acres of the To Lands.**



Are there other water rights certificates, water use permits or ground water registrations associated with the “from” or “to” lands?  Yes  No

If YES, list the other certificate, permit, or ground water registration numbers: N/A

 If the permit(s) are for irrigation or supplemental irrigation use, other water rights existing on the same land for irrigation that are subject to transfer must either change concurrently or be cancelled. Any change to a water right certificate or ground water registration must be filed separately in a water right transfer application or ground water registration modification application, respectively.

**For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:**

- Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department’s web page at: [http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx))

**AND/OR**

- Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide “a best estimate” for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

**Table 3. Construction of Point(s) of Appropriation**

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-____	Total Well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right



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**Attachment A**  
**Water Right Information**  
Application for a Permit Amendment – Permit G-12723

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STATE OF OREGON

COUNTY OF WASCO

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

J SCOTT HARRIS  
1515 MORGENSEN RD  
MOSIER, OREGON 97040

(541) 478-3236

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

APPLICATION FILE NUMBER: G-13527

SOURCE OF WATER: A WELL IN THE ROWENA RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 27.9 ACRES

RATE OF ALLOWED USE: 0.125 CUBIC FOOT PER SECOND

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION

DATE OF PRIORITY: OCTOBER 15, 1982

POINT OF DIVERSION LOCATION: NE 1/4 SECTION 18, T 2 N, R 12 E, W.M.; 472.2 FEET SOUTH AND 945.4 FEET WEST FROM THE E 1/4 CORNER SEC 18

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 inches per acre for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SE 1/4 27.9 ACRES  
SECTION 18  
TOWNSHIP 2 NORTH, RANGE 12 EAST, 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.

Application G-13527 Water Resources Department

PERMIT G-12723

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

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

#### 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 Taken 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 declines, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

#### STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The wells 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.

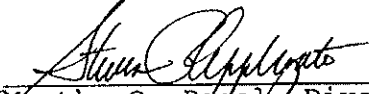
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 August 28, 1996

*for*   
Martha O. Pagel, Director  
Water Resources Department

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Application G-13527  
Basin 04

Water Resources Department  
Volume 2 MOSIER CR & MISC  
MGMT.CODE 7DG, 7DR, 7BG, 7BR

PERMIT G-12723  
District 03

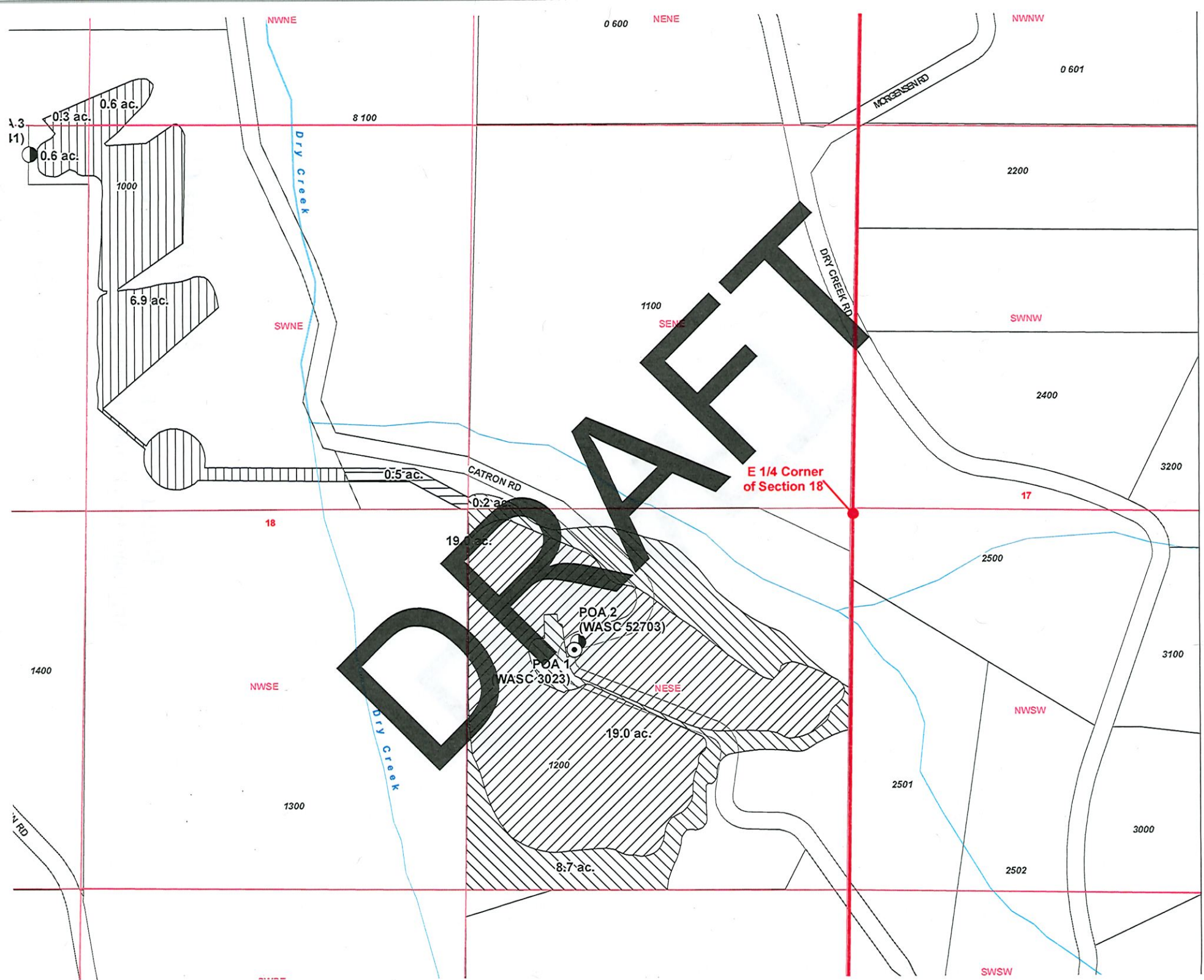


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**Attachment B**  
**Application Map**

Application for a Permit Amendment – Permit G-12723

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Range

**LEGEND**

- Point of
  - P
  - ⊙ A
- Place of
  - ▨ F
  - ▩ S
  - ▬ T
  - ▮ T
- All Other
  - ⊕ T
  - ~ V

**POA L**  
 POA 1 (1 and 945 Township)  
 POA 2 (1 and 940 Township)  
 POA 3 (1 and 285 Township)

**DISCLAIMER**  
 This map may be located to provide owners with



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**Attachment C**  
**Request for Partial Assignment**  
Application for a Permit Amendment – Permit G-12723

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

# Request for Assignment

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, Douglas Lee

(Name of Current Holder of Record)

13340 Goodall Road Lake Oswego OR 97034-1562 503-869-5713  
 (Mailing Address) (City) (State) (Zip) (Phone #)

- hereby assign all my interest in and to the entire application/permit/transfer/limited license/groundwater statement; (example, sold all the land authorized under the right)
- hereby assign all my interest in and to a portion of application/permit/transfer/limited license/groundwater statement; (*You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned.* Example, sold a portion of the land authorized under the right)
- hereby assign a portion of my interest in and to the entire application/permit/transfer/limited license/groundwater statement; (example, adding an additional person)

Application # G-13527 ; Permit # G-12723 ; Transfer # \_\_\_\_\_ ;

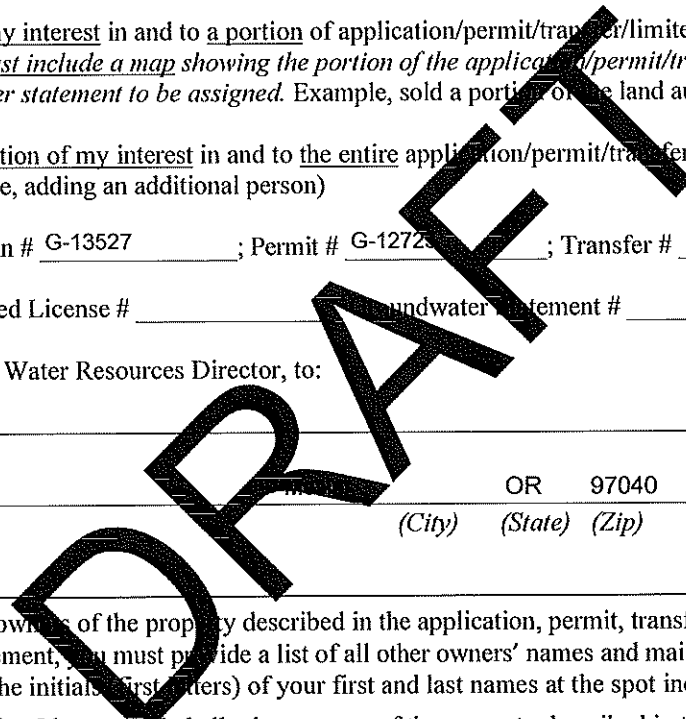
Limited License # \_\_\_\_\_ Groundwater Statement # \_\_\_\_\_ ;

as filed in the office of the Water Resources Director, to:

Bartholomew Family Trust

(Name of New Owner)

1600 Carroll Road OR 97040 541-478-0143  
 (Mailing Address) (City) (State) (Zip) (Phone #)



**Note:** If there are other owners of the property described in the application, permit, transfer order, limited license, or groundwater statement, you must provide a list of all other owners' names and mailing addresses and attach it to this form. Write the initials (first letters) of your first and last names at the spot indicated below \_\_\_\_\_.

\_\_\_\_\_ I hereby certify that I have notified all other owners of the property described in this application, permit, transfer order, limited license, or groundwater statement of this Request of Assignment.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
 (Day) (Month) (Year)

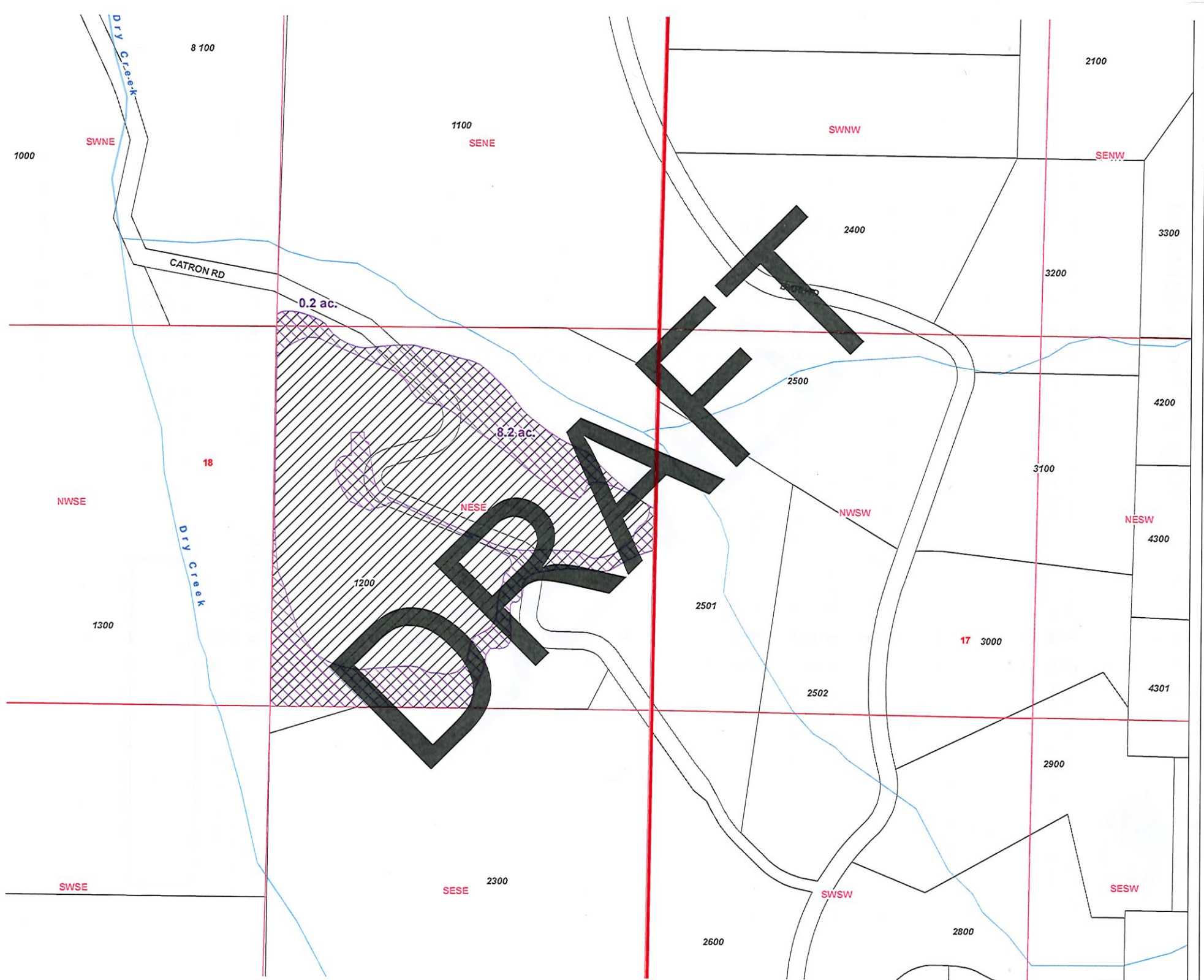
Signature of Current Holder of Record \_\_\_\_\_

**Failure to provide any of the required information will result in the return of your application.**

**DO NOT WRITE IN THIS BOX**



The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$100.



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**Attachment D**  
**Land Use Information Form**  
Application for a Permit Amendment – Permit G-12723

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# Land Use Information Form



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

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

**This form is NOT required if:**

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; OR
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
  - a) The existing and proposed water use is located entirely within land zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well heads; and
  - d) The application involves irrigation water use only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.



# Land Use Information Form



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

Applicant(s): Douglas Lee  
Bartholomew Family Trust, Attn: Elizabeth Bartholomew

Mailing Address: 13340 Goodall Road  
1600 Carrol Road

City: Lake Oswego State: OR Zip Code: 97034 Daytime Phone: 503-869-5713  
Mosier OR 97040 541-478-0143

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. 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.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>2N</u>	<u>12E</u>	<u>18</u>	<u>NESE</u>	<u>1200</u>	<u>A-1(40)</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>2N</u>	<u>12E</u>	<u>18</u>	<u>SWNE</u>	<u>1200</u> <u>1000</u>	<u>A-1(40)</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>2N</u>	<u>12E</u>	<u>18</u>	<u>SENE</u>	<u>1000</u>	<u>A-1(40)</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>2N</u>	<u>12E</u>	<u>18</u>	<u>NENW</u>	<u>1000</u>	<u>A-1(40)</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>2N</u>	<u>12E</u>	<u>18</u>	<u>NWNE</u>	<u>1000</u>	<u>A-1(40)</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Wasco County

## B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water   
  Water Right Transfer   
  Permit Amendment or Ground Water Registration Modification  
 Limited Water Use License   
  Allocation of Conserved Water   
  Exchange of Water

Source of water:  Reservoir/Pond     Ground Water     Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 0.125     cubic feet per second     gallons per minute     acre-feet

Intended use of water:  Irrigation     Commercial     Industrial     Domestic for \_\_\_\_\_ household(s)  
 Municipal     Quasi-Municipal     Instream     Other \_\_\_\_\_

Briefly describe:

The applicants are submitting an application to make the following changes to an existing water use permit: change an 8.9-acre portion of the place of use to a contiguous area and add two new wells to supply water for use under the permit. Note: the 0.125 cfs rate listed above is the existing authorized rate of groundwater use authorized by the permit.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

## For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

Government Entity: \_\_\_\_\_

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

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POA 1

WASC 3023 (Original)  
WASC 3018 (Alteration)  
WASC 2068 (Alteration)  
WASC 52704 (Abandonment)

POA 2

WASC 52703

POA 3

WASC 52641

Attachment E  
Well Logs

Application for a Permit Amendment – Permit G-12723

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RECEIVED

OCT 26 1966

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.

WATER WELL REPORT  
STATE ENGINEER  
STATE OF OREGON  
(Please type or print)

WWSGC  
003023

State Well No. 2N/12-18  
State Permit No.

(1) OWNER:  
Name Woodrow Patron  
Address Mosier Ore.

(11) WELL TESTS: Drawdown is amount water level is lowered below static level  
Was a pump test made?  Yes  No If yes, by whom?  
Yield: gal./min. with ft. drawdown after hrs.

(2) LOCATION OF WELL:  
County Wasco Driller's well number  
1/4 Section 18 T. 2N R. 12E W.M.  
Bearing and distance from section or subdivision corner

Ballor test 35 gal./min. with 3 ft. drawdown after 1 hrs.  
Artesian flow None g.p.m. Date 10-14-66  
Temperature of water 56 Was a chemical analysis made?  Yes  No

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

(12) WELL LOG: Diameter of well below casing 5 3/8  
Depth drilled 335 ft. Depth of completed well 333 ft.  
Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

(4) PROPOSED USE (check): Domestic  Industrial  Municipal  Irrigation  Test Well  Other   
(5) TYPE OF WELL: Rotary  Driven  Cable  Jetted  Dug  Bored

MATERIAL	FROM	TO
Sand Topsoil	0	39
Sand	39	71
Clay	71	72
Black Basalt	72	301
fractured Basalt	301	309
Black Basalt	309	335

(6) CASING INSTALLED: Threaded  Welded   
6" Diam. from 0 ft. to 30 ft. Gage 35  
" Diam. from ft. to ft. Gage  
" Diam. from ft. to ft. Gage

(7) PERFORATIONS: Perforated?  Yes  No  
Type of perforator used  
Size of perforations in. by  
perforations from ft. to ft.  
perforations from ft. to ft.  
perforations from ft. to ft.  
perforations from ft. to ft.

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

(9) CONSTRUCTION: Well seal—Material used in seal Cement  
Depth of seal 28 ft. Was a packer used? No  
Diameter of well bore to bottom of seal 8 in.  
Were any loose strata cemented off?  Yes  No  
Was a drive shoe used?  Yes  No  
Was well gravel packed?  Yes  No Size of gravel:  
Gravel placed from ft. to ft.  
Did any strata contain unusable water?  Yes  No  
Type of water? depth of strata  
Method of sealing strata off

Work started Oct 5 1966 Completed Oct 14 1966  
Date well drilling machine moved off of well Oct 14 1966

(10) WATER LEVELS:  
Static level 180 ft. below land surface Date 10-14-66  
Artesian pressure None lbs. per square inch Date

(13) PUMP: Manufacturer's Name  
Type: H.P.  
Water Well Contractor's Certification:  
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.  
NAME Water Mtn Drilling Co.  
(Person, firm or corporation) (Type or print)  
Address Box 206  
Drilling Machine Operator's License No. 189  
[Signed] J. S. Packer  
(Water Well Contractor)  
Contractor's License No. 465 Date Oct 25, 1966

(USE ADDITIONAL SHEETS IF NECESSARY)



W

WATER 2068

RECEIVED

2N/12E/18da

STATE OF OREGON WATER WELL REPORT (as required by ORS 537.785)

FEB - 4 1993

(START CARD) # 48141

(1) OWNER: Name Scott Harris, Address 1515 Morgensen Rd., City Mosier, State Or., Zip 97040

(2) LOCATION OF WELL by legal description: County Wasco, Township 2N, Range 12 E, Section 18, NE 1/4 SE 1/4, Tax Lot 301, Block, Subdivision, Street Address of Well (or nearest address) Catron Rd., Mosier, Or.

(2) TYPE OF WORK: [ ] New Well [x] Deepen [ ] Recondition [ ] Abandon

(3) DRILL METHOD: [x] Rotary Air [ ] Rotary Mud [ ] Cable [ ] Other

(4) PROPOSED USE: [x] Domestic [ ] Community [ ] Industrial [ ] Irrigation [ ] Thermal [ ] Injection [ ] Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval Yes No, Depth of Completed Well 480 ft., Explosives used [ ] [x] Type, Amount

Table with columns: HOLE Diameter From To, SEAL Material From To, Amount sacks or pounds. Row 1: 6, 365, 480, N/A

How was seal placed: Method [ ] A [ ] B [ ] C [ ] D [ ] E [ ] Other, Backfill placed from ft. to ft., Material, Gravel placed from ft. to ft., Size of gravel

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Casing and Liner rows.

(7) PERFORATIONS/SCREENS: [ ] Perforations Method, [ ] Screens Type, Material

Table with columns: From, To, Slot size, Number, Diameter, Tela/pipe size, Casing, Liner

(8) WELL TESTS: Minimum testing time is 1 hour. [ ] Pump [ ] Bailer [x] Air [ ] Flowing Artesian. Yield gal/min 60, Drawdown, Drill stem at 480, Time 1 hr.

Temperature of water 71, Depth Artesian Flow Found, Was a water analysis done? [ ] Yes [ ] No, Did any strata contain water not suitable for intended use? [ ] Too little [ ] Salty [ ] Muddy [ ] Odor [ ] Colored [ ] Other, Depth of strata

(10) STATIC WATER LEVEL: 346 ft. below land surface, Date 12-28-92, Artesian pressure lb. per square inch, Date

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

Table with columns: From, To, Estimated Flow Rate, SWL

(12) WELL LOG: Ground elevation

Table with columns: Material, From, To, SWL. Rows: Clay Grey (360-371), Rock fract blk (371-380), Rock hard fract blk (380-410), Rock hard fract grey (410-442), Rock hard blk (442-480) 346

Date started 12-23-92, Completed 12-28-92

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

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief. Signed, Date, WWC Number 790

WELL IDENTIFICATION FORM

CURRENT WELL OWNER:

Owner's Well Number

RECEIVED

Name: Scott Harris

JUL 10 1997

Mailing Address: 1515 Morgensen Rd.

WATER RESOURCES DEPT. SALEM, OREGON

City: Mosier

State: OR

Zip: 97040

Please send well tag and recording form to: Jeff Hunter, P.O. Box 657, Hood River, OR 97031. If a well report is available for this well, please attach a copy of it to this form and return. It is not necessary for you to complete the remainder of the form if the well report is attached. If a well report is not available, please complete the remainder of the form to the best of your ability.

WELL LOCATION:

WASC 2068

County: Latitude: Longitude:

Township: N or S, Range: E or W Section: 1/4 1/4

Tax Lot Number:

Street Address of Well (if different from above):

WELL INFORMATION:

Start Card Number Approx. Construction Date:

Well Constructor:

Name of Owner at Time of Construction:

Well Depth (in feet) Static Water Level (in feet):

Diameter of Exposed Well Casing (in inches):

Does this well have a formal water right associated with it? Yes: No: If yes

Application # Permit # Certificate #

Please Return Completed Form to: Oregon Water Resources Department 158 12th Street NE Salem, OR 97310

(Office use only)

Well Identification Number 16596



Amended 3/12/2020

Amendment

STATE OF OREGON WATER SUPPLY WELL REPORT (as required by ORS 537.765 & OAR 690-205-0210)

WASC 52704

WELL I.D. LABEL# 1014435 START CARD # 1014435 ORIGINAL LOG # WASC / 3023

1/8/2020

(1) LAND OWNER Owner Well I.D. First Name DOUGLAS Last Name LEE Company Address 13340 GOODALL RD. City LAKE OSWEGO State OR Zip 97034

(2) TYPE OF WORK [X] New Well [ ] Deepening [ ] Conversion [ ] Alteration (complete 2a & 10) [X] Abandonment (complete 5a)

(2a) PRE-ALTERATION Dia + From To Gauge Stl Plstc Wld Thrld Casing: Material From To Amt sacks/lbs Seal:

(3) DRILL METHOD [X] Rotary Air [ ] Rotary Mud [ ] Cable [ ] Auger [ ] Cable Mud [ ] Reverse Rotary [ ] Other

(4) PROPOSED USE [X] Domestic [ ] Irrigation [ ] Community [ ] Industrial/ Commercial [ ] Livestock [ ] Dewatering [ ] Thermal [ ] Injection [ ] Other

(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy) Depth of Completed Well 480 ft.

Table with columns: Dia, From, To, Material, SEAL From, To, Amt, sacks/lbs. Row 1: 6, 0, 480, Calculated, Calculated.

How was seal placed: Method [ ] A [ ] B [ ] C [ ] D [ ] E [ ] Other Backfill placed from ft to ft. Material Filter pack from ft to ft. Material Size Explosives used: [ ] Yes Type Amount

(5a) ABANDONMENT USING UNHYDRATED BENTONITE Proposed Amount 137.00 Sacks Actual Amount 137.00 Sacks

(6) CASING/LINER Casing Liner Dia + From To Gauge Stl Plstc Wld Thrld Shoe [ ] Inside [ ] Outside [ ] Other Location of Shoe(s) Temp casing [ ] Yes Dia From + To

(7) PERFORATIONS/SCREENS Perforations Method Screens Type Material

Table with columns: Perf/ Screen, Casing/ Screen, Dia, From, To, Scrn/slot width, Slot length, # of slots, Tele/ pipe size.

(8) WELL TESTS: Minimum testing time is 1 hour [ ] Pump [ ] Bailer [ ] Air [ ] Flowing Artesian Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)

Table with columns: Temperature, Water quality concerns? From, To, Description, TDS amount, ppm, Units.

(9) LOCATION OF WELL (legal description) County WASCO Twp 2.00 N N/S Range 12.00 E E/W WM Sec 18 NE 1/4 of the SE 1/4 Tax Lot 1200 Tax Map Number Lot 11885 DRY CREEK RD, MOSIER OR 97040

(10) STATIC WATER LEVEL Date SWL(psi) + SWL(ft) Existing Well / Pre-Alteration Completed Well Flowing Artesian? Dry Hole?

Table for WATER BEARING ZONES with columns: SWL Date, From, To, Est Flow, SWL(psi), + SWL(ft).

(11) WELL LOG Material Ground Elevation From To. Includes handwritten entries: 157 Bag of Bentonite, 28'-480', 6 Bag of cement, 0-28'.

Date Started 11/19/2019 Completed 11/19/2019 (unbonded) Water Well Constructor Certification I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards.

(bonded) Water Well Constructor Certification I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. License Number 1879 Date 1/8/2020 Signed MICHAEL MERRITT (E-filed) Contact Info (optional) Triton Burleson

STATE OF OREGON
WATER SUPPLY WELL REPORT

WASC 52703

WELL I.D. LABEL# L132636

START CARD # 1044129

(as required by ORS 537.765 & OAR 690-205-0210)

1/8/2020

ORIGINAL LOG #

(1) LAND OWNER

Owner Well I.D.
First Name DOUGLAS Last Name LEE
Company
Address 13340 GOODALL RD.
City LAKE OSWEGO State OR Zip 97034

(2) TYPE OF WORK

[X] New Well [ ] Deepening [ ] Conversion
[ ] Alteration (complete 2a & 10) [ ] Abandonment (complete 5a)

(2a) PRE-ALTERATION

Casing: Dia + From To Gauge Stl Plstc Wld Thrld
Material From To Amt sacks/lbs
Seal:

(3) DRILL METHOD

[X] Rotary Air [ ] Rotary Mud [ ] Cable [ ] Auger [ ] Cable Mud
[ ] Reverse Rotary [ ] Other

(4) PROPOSED USE

[X] Domestic [ ] Irrigation [ ] Community
[ ] Industrial/ Commercial [ ] Livestock [ ] Dewatering
[ ] Thermal [ ] Injection [ ] Other

(5) BORE HOLE CONSTRUCTION

Special Standard (Attach copy)
Depth of Completed Well 640.00 ft.

Table with columns: Dia, From, To, Material, SEAL, From, To, Amt, sacks/lbs. Rows include Bentonite and Cement.

How was seal placed: Method [ ] A [ ] B [X] C [ ] D [ ] E

[X] Other POURED

Backfill placed from ft. to ft. Material

Filter pack from ft. to ft. Material Size

Explosives used: [ ] Yes Type Amount

(5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount Actual Amount

(6) CASING/LINER

Table with columns: Casing, Liner, Dia, From, To, Gauge, Plstc, Wld, Thrld. Includes shoe and temp casing info.

(7) PERFORATIONS/SCREENS

Table with columns: Perf/Screen, Casing/Liner, Dia, From, To, width, length, # of slots, Tele/pipe size.

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

[ ] Pump [ ] Bailer [X] Air [ ] Flowing Artesian

Table with columns: Yield gal/min, Drawdown, Drill stem/Pump depth, Duration (hr). Values: 55, 640, 1.

Temperature 55 °F Lab analysis [ ] Yes By

Table with columns: Water quality concerns?, From, To, Description, Amount, Units.

(9) LOCATION OF WELL (legal description)

County wasco Twp 2.00 N N/S Range 12.00 E E/W WM
Sec 18 NE 1/4 of the SE 1/4 Tax Lot 1200
Tax Map Number Lot
Lat " or DMS or DD
Long " or DMS or DD
[ ] Street address of well [X] Nearest address
1885 DRY CREEK RD., MOSIER OR 97040

(10) STATIC WATER LEVEL

Table with columns: Date, SWL(psi), SWL(ft). Rows for Existing Well / Pre-Alteration and Completed Well.

WATER BEARING ZONES

Table with columns: SWL Date, From, To, Est Flow, SWL(psi), SWL(ft). Rows for 10/29/2019, 11/4/2019, 11/20/2019.

WELL LOG

Table with columns: Material, From, To, Ground Elevation. Lists various geological layers like Top Soil, Brown Clay, Sandy Clay, etc.

Date Started 10/28/2019 Completed 11/20/2019

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards.

License Number Date

Signed

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above.

License Number 1879 Date 1/8/2020

Signed MICHAEL MERRITT (E-filed)

Contact Info (optional) Triton Burluson

STATE OF OREGON  
 WATER SUPPLY WELL REPORT  
 (as required by ORS 537.765 & OAR 690-205-0210)

WELL I.D. LABEL# L132626  
 START CARD # 1040789  
 ORIGINAL LOG #

2/17/2019

(1) LAND OWNER  
 Owner Well I.D. \_\_\_\_\_  
 First Name \_\_\_\_\_ Last Name \_\_\_\_\_  
 Company BARTHOLOMEW TRUST  
 Address 1600 CARROLL RD.  
 City MOSIER State OR Zip 97040

(2) TYPE OF WORK  New Well  Deepening  Conversion  
 Alteration (complete 2a & 10)  Abandonment (complete 5a)

(2a) PRE-ALTERATION  
 Dia + From To Gauge Stl Plstc Wld Thrd  
 Casing:            
 Material From To Amt sacks/lbs  
 Seal: \_\_\_\_\_

(3) DRILL METHOD  
 Rotary Air  Rotary Mud  Cable  Auger  Cable Mud  
 Reverse Rotary  Other \_\_\_\_\_

(4) PROPOSED USE  Domestic  Irrigation  Community  
 Industrial/ Commercial  Livestock  Dewatering  
 Thermal  Injection  Other \_\_\_\_\_

(5) BORE HOLE CONSTRUCTION Special Standard  (Attach copy)  
 Depth of Completed Well 510.00 ft.

BORE HOLE			SEAL			sacks/
Dia	From	To	Material	From	To	Amt lbs
10	0	510	Cement	0	482	138 S
						Calculated 129.37
						Calculated

How was seal placed: Method  A  B  C  D  E  
 Other \_\_\_\_\_  
 Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
 Filter pack from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_ Size \_\_\_\_\_  
 Explosives used:  Yes Type \_\_\_\_\_ Amount \_\_\_\_\_

(5a) ABANDONMENT USING UNHYDRATED BESTONITE  
 Proposed Amount \_\_\_\_\_ Actual Amount \_\_\_\_\_

(6) CASING/LINER  
 Casing Liner Dia + From To Gauge Plstc Wld Thrd  
           
 Shoe  Inside  Outside  Other Location shoe(s) 482  
 Temp casing  Yes Dia \_\_\_\_\_ From + \_\_\_\_\_ To \_\_\_\_\_

(7) PERFORATIONS/SCREENS  
 Perforations Method \_\_\_\_\_  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_  
 Perf/ Casing/ Screen Dia From To Scm/slot Slot # of Tel/ Screen Liner Dia From To width length slots pipe size

Perf/ Screen Liner	Dia	From	To	Scm/slot width	Slot length	# of slots	Tel/ pipe size

(8) WELL TESTS: Minimum testing time is 1 hour  
 Pump  Bailer  Air  Flowing Artesian  
 Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)  
 70 \_\_\_\_\_ 482 \_\_\_\_\_ 2 \_\_\_\_\_  
 Temperature 59 °F Lab analysis  Yes By \_\_\_\_\_  
 Water quality concerns?  Yes (describe below) TDS amount 170 ppm  
 From To Description Amount Units

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)  
 County wasco Twp 2.00 N N/S Range 12.00 E E/W WM  
 Sec 18 NE 1/4 of the NW 1/4 Tax Lot 1000  
 Tax Map Number \_\_\_\_\_ Lot \_\_\_\_\_  
 Lat \_\_\_\_\_ " or \_\_\_\_\_ DMS or DD  
 Long \_\_\_\_\_ " or \_\_\_\_\_ DMS or DD  
 Street address of well  Nearest address  
 1600 CARROLL RD., MOSIER, OR97040

(10) STATIC WATER LEVEL  
 Date SWL(psi) + SWL(ft)  
 Existing Well / Pre-Alteration \_\_\_\_\_  
 Completed Well 1/11/2019 \_\_\_\_\_ 364  
 Flowing Artesian?  Dry Hole?

WATER BEARING ZONES Depth water was first found 228.00

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)
12/27/2018	228	232	10		<input checked="" type="checkbox"/>
1/8/2019	350	425	25		364
1/8/2019	425	510	70		364

WELL LOG Ground Elevation \_\_\_\_\_

Material	From	To
Soil	0	2
Sandy Clay	2	30
Claystone	30	38
Claystone	38	78
Gray Basalt	78	92
Broken Red and Gray Basalt	92	103
Gray Basalt Hard	103	217
Light Gray Basalt	217	228
Broken Light Gray Basalt	228	232
Gray Basalt	232	266
Gray and Red Basalt with Claystone	266	272
Gray Basalt	272	467
Gray Claystone	467	485
Gray Basalt	485	510

Date Started 12/20/2018 Completed 1/11/2019

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

(bonded) Water Well Constructor Certification  
 I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
 License Number 1879 Date 2/17/2019  
 Signed MICHAEL MERRITT (E-filed)  
 Contact Info (optional) Mike Merritt

**Oregon Water Resources Department  
Water Right Services Division**

**Application for Extension of Time**

In the Matter of the Application for an Extension of Time )  
for Permit G-12723, Water Right Application G-13527, in )  
the name of Douglas John Lee )  
)  
)

**FINAL ORDER ON  
EXTENSION  
INCORPORATING  
SETTLEMENT  
AGREEMENT**

---

**Permit Information**

Application:	G-13527
Permit:	G-12723
Basin:	4 – Hood / Watermaster District 3
Date of Priority:	October 15, 1993
Source of Water:	a well in Rowena River Basin
Purpose of Use:	irrigation of 27.9 acres
Maximum Rate:	0.125 cubic foot per second (cfs)

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This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.

**Appeal Rights**

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

**Application History**

Permit G-12723 was issued by the Department on August 28, 1996. The permit specified actual construction of the well to begin by August 28, 1997, completion of construction by October 1, 1998 and complete application of water to beneficial use by October 1, 1999. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 2014. On January 6, 2020, Douglas John Lee submitted an Application for Extension of Time for Permit G-12723. In accordance with OAR 690-315-0050(2), on May 12, 2019, the Department issued a Proposed Final Order proposing to extend the time to complete construction and to fully apply water to October 1, 2025, with limitations. The protest period closed June 26, 2020, in accordance with OAR 690-315-0060(1). Mr. Lee filed a timely protest.

**FINDINGS OF FACT**



The findings of fact in the Proposed Final Order dated May 12, 2019 are adopted and incorporated herein.

### **ADDITIONAL FINDINGS OF FACT**

On January \_\_\_, 2021, the Department and Mr. Lee signed a Settlement Agreement, which is incorporated herein and made a part of this order, resolving all issues raised in the protest.

The terms of the Agreement include:

Mr. Lee will submit a permit amendment application to change the place of use and the point of appropriation for Permit G-12723 within six months of the date of the final order approving the extension of time, being **DATE**. The permit amendment application shall be consistent with the draft permit amendment application and maps attached to and incorporated into the Settlement Agreement as Attachment 1.

If the application to amend Permit G-12723 is approved, the deadline to complete construction and apply water to full beneficial use is extended from October 1, 2014 to October 1, 2025.

If the application to amend Permit G-12723 is denied, the deadline to complete construction and apply water to full beneficial use is extended from October 1, 2014, to no later than the date of the final order denying the amendment, AND the use of water under this permit is limited to a maximum rate of 0.08 cfs of water for irrigation of 19.0 acres.

If no application to amend Permit G-12723 is filed within six months of the date of the final order approving the extension of time, the deadline to complete construction and apply water to full beneficial use is extended from October 1, 2014 to the date of the final order on the extension, being **DATE**, AND the use of water under this permit is limited to a maximum rate of 0.08 cfs of water for irrigation of 19.0 acres.

No further extensions of time for Permit G-12723 will be requested.

1. The permit holder agrees to submit a completed Progress Report Form to the Department by **October 1, 2024**.
  - (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on



the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

## CONCLUSION OF LAW

With the forgoing additional findings of fact, the Department finds there is good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

## ORDER

The extension of time for Application G-13527, Permit G-12723, therefore, is approved subject to the terms contained herein, the Settlement Agreement and Attachment 1.

If the required application to amend Permit G-12723 is approved, the deadline to complete construction and apply water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2014, to October 1, 2025.

If the required application to amend Permit G-12723 is denied, the deadline to complete construction and apply water to full beneficial use within the terms and conditions of the permit is extended to no later than the date of the final order denying the amendment.

If no application to amend Permit G-12723 is filed within six months of the date of the final order approving the extension of time, the deadline to complete construction and apply water to full beneficial use is extended from October 1, 2014, to the date of the final order approving the extension, being **DATE**.

DATED:

Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department

- 
- If you have any questions about statements contained in this document, please contact the

Permit Extension Specialist at (503) 986-0802.

- If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
- 

DRAFT

Mailing List for Extension FO Copies

FO Date: January \_\_, 2021

Copies Mailed

Application: G-13527

By: \_\_\_\_\_

Permit: G-12723

On: \_\_\_\_\_

Original mailed to permit holder

Douglas John Lee  
13340 Goodall Road  
Lake Oswego, OR 97034

Copies sent to:

1. WRD - App. File G-13527/ Permit G-12723
2. Theodore Ressler, GSI Water Solutions  
55 SW Yamhill St. Suite 300  
Portland, OR 97204

Fee paid as specified under ORS 536.050 to receive copy:

3. None

Receiving notification via e-mail - FO available in WRIS for review  
(DONE BY EXTENSION SPECIALIST)

4. WRD - Watermaster District 3, Robert Wood

If Progress Reports are included:  
(DONE BY EXTENSION SPECIALIST)

Add record to Progress Report tracking sheet.xls Done: by \_\_\_\_\_ Date \_\_\_\_\_

CASEWORKER: JDP





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

**Extension of Time  
 Progress Report Form  
 For Checkpoints**

**TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT**

Permit Holder: Douglas John Lee

Application G-13527

Permit G-12723

**Progress Report for 2024**

Report Due no later than October 1, 2024

**DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE**

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit G-12723.

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between January 6, 2020 and October 1, 2024	FINANCIAL INVESTMENT

Use back of form if needed

2. Describe actions to achieve compliance with conditions of the permit and/or previous extension.  
*(Examples: installed a meter, submitted water usage reports, submitted static water level measurements, installed a fish screen, obtained approval for fish screen from ODFW etc.)*

3. Permit Amendment Submitted: Yes No

4. Total number of acres irrigated to date: \_\_\_\_\_ Primary  
 Total acres irrigated per well,  
 Well \_\_\_\_\_

4. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, to date.

Maximum rate used to date = \_\_\_\_\_ cfs

Maximum Rate per well:

Well \_\_\_\_\_

*Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly, or annual water volume totals.*

**INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITEM.  
 FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE  
 EXTENSION BEING DENIED.**

Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name/Title \_\_\_\_\_

Diligence Shown  Yes  No Date Public Noticed: \_\_\_\_\_  
*For OWRD use only*  
 Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_