

G-14730

FILE#: G 14730

ASSIGNED
WILLIAM A. SCHAFER

~~HC 78-2941 HWY 78 204~~ Scarlet Way
~~BURNS, OR 97720~~ Fernley, NV
89408-9488

Application No. G G-14730

Permit No. G G-13755

Certificate No. 94121

Stream Index, Page No. _____

FEES PAID

Date	Amount	Receipt No.
4-20-98	650. ⁰⁰	20542
6-14-99	25.00	30439
9-24-99	150.00	33188
7-25-12	150. ⁰⁰	106351
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

Date filed _____

Priority _____

Action suspended until COF

Return to applicant _____

Date of approval _____

CONSTRUCTION

Date for beginning 4/23/2000

Date for completion _____

Extended to _____

Date for application of water 10/1/2004

Extended to _____

PROSECUTION OF WORK

Form "A" filed _____

Form "B" filed _____

Form "C" filed _____

FINAL PROOF

Blank mailed _____

Proof received COBW 7/25/2012

Date certificate issued DEC. 14 2018

ASSIGNMENTS

Date	To Whom ^{541- ph. 493-2740}	Address	Volume	Page
6/14/99	Michael & Marsha Knudsen	56462 Highway 78 Burns OR 97720	8	413

REMARKS

PUMP TEST
6/27/2017
APPROVED

PUMP TEST
8/22/2018
APPROVED

G-13755

Mailing List for Final Certificate

Application: G-14730

Permit: G-13755

Certificate: 94121

Permit/Certificate Holder:

MICHAEL KNUDSEN
MARSHA KNUDSEN
✓ 56462 HWY 78
BURNS OR 97720

Copies Mailed	
by: <u>CH</u>	(STAFF)
on: <u>12/14/10</u>	(DATE)

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **NO**

Copies of Final Certificate to be sent to:

- ✓. Watermaster District #: 10
- ✓. Water Availability
- ✓. Vault
- ✓. File

Other persons to receive copies: (include map):

1. Current Landowner Tax Lot 25S33E00-00-08200
 - ✓ George F. Prince
6955 Alderbrook Rd
Tillamook OR 97141-9219
 - ✓ ROBERT D. BAGETT, PLS, CWRE
PO BOX 476
JOHN DAY, OR 97845

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MICHAEL KNUDSEN
MARSHA KNUDSEN
56462 HWY 78
BURNS OR 97720

confirms the right to the use of water perfected under the terms of Permit G-13755. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-14730

SOURCE OF WATER: A WELL IN MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 244.0 ACRES

MAXIMUM RATE: 3.05 CUBIC FEET PER SECOND

PERIOD OF USE: MAY 1 THROUGH SEPTEMBER 30

DATE OF PRIORITY: APRIL 20, 1998

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	33 E	WM	24	SW NE	2510 FEET SOUTH AND 50 FEET EAST FROM N1/4 CORNER, SECTION 24

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	33 E	WM	24	NE NE	30.2
25 S	33 E	WM	24	NW NE	30.8
25 S	33 E	WM	24	SW NE	30.8
25 S	33 E	WM	24	SE NE	30.2
25 S	33 E	WM	24	NE SE	30.2

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	33 E	WM	24	NW SE	30.8
25 S	33 E	WM	24	SW SE	30.8
25 S	33 E	WM	24	SE SE	30.2

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director 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 water user to report general water-use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

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

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

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


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

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

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

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

Issued DEC 14 2018



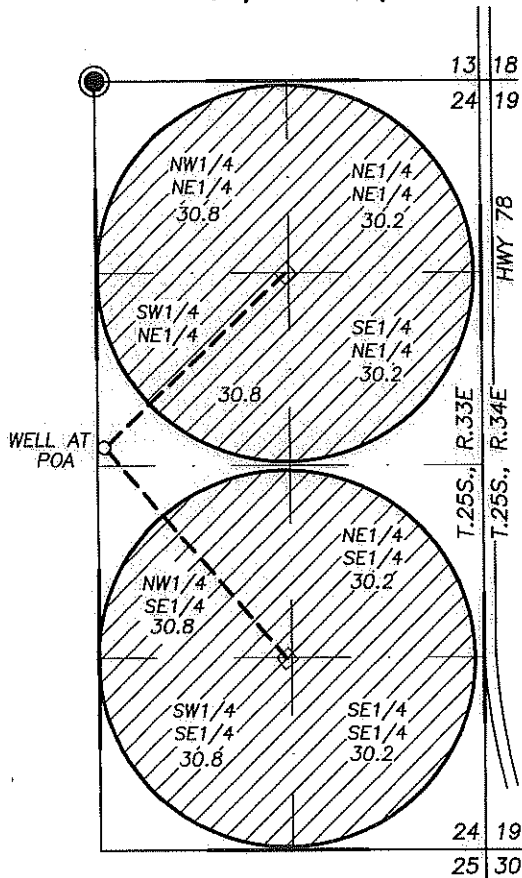
Dwight French
 Water Right Services Division Administrator, for
 Thomas M. Byler, Director
 Oregon Water Resources Department

T.25S., R.33E., W.M.

RECEIVED BY OWRD

JUL 25 2012

SALEM, OR



SCALE: 1" = 1320'

FINAL PROOF SURVEY
 UNDER
 APPLICATION NO. G-14730
 PERMIT NO. G-13755

IN NAME OF
 MICHAEL AND MARSHA KNUDSEN

POA IS 2510 FT. SOUTH AND 50 FT. EAST OF
 THE N1/4 COR. SEC. 24, T.25S., R.33E., W.M.

(E1/2 SEC. 24 = TAX LOT 8200)

○ POINT OF APPROPRIATION

▨ PLACE OF USE

● FD. MONUMENT AT N1/4 COR.
 SEC. 24

--- MAINLINE

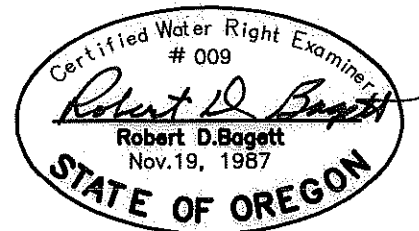
□ CENTER PIVOT & WATER
 USAGE PANEL

BY

ROBERT D. BAGETT
 217 N. CANYON BLVD.
 JOHN DAY, OREGON
 (541) 575-1251

DATE SURVEYED
 MAY 17, 2012

NOTE: THE PREPARATION OF THIS MAP
 WAS FOR THE PURPOSE OF IDENTIFYING
 THE LOCATION OF THE PROPOSED WATER
 RIGHT AND HAS NO INTENT TO PROVIDE
 DIMENSIONS OR LOCATION OF PROPERTY
 OWNERSHIP LINES.



CIT

MEMO –Proof to Satisfaction (March 17, 2014)

Application # <u>G-14730</u>	Permit # <u>G-13755</u>	Transfer #
WRD Reviewer <u>Mary Björge</u>	Date	<u>11-2-18</u>
WRD Peer Reviewer <u>C. Holmes</u>	Date	<u>11-14-18</u>

Research

- Organize file in chronological order
- Pull CBU Report & Map(s), Application Map, relevant Permit, Certificate, or Transfer Order, most recent Assignments)
 - Extension Orders, SWL Measurements, Fish Screen Certification Documents, Water Use Reports & Pump Tests
- Search for Water Right Location using Interactive Mapper. Identify Tax Lots & check for Area of Interest (AOI)
- Water Organization identified using AOI? No ___ Yes
 - If "Yes" cc: _____ & Add to Mailing List
- Print Tax Lot Map from ormap.net for the original Place of Use, and confirm Current Ownership & Address with County Assessor TL 8200 - cc: G. Prince
 - If there is a new owner, Add to Mailing List, including the owner(s) name & tax lot number
- Print Platcard & check for Place of Use Conflict? No ___ Yes
 - If "Yes", provide copy of certificate & relevant map
- Print BLM Cadastral Survey
- Does Claim Map identify correct DLC, Gov't Lots, QQ's? ___ No Yes
 - If "No", either _____ WRD amend map OR _____ prepare Order of Certification

Reviewing Claim

Have conditions on relevant permit, certificate, or transfer order been complied with? Yes, No, OR N/A

- N/A Fish Conditions
- YES Meter/measuring device shall
- YES Water Use Reporting shall
- YES Pump Test (post December 19, 1988) Approved
- Other Conditions _____

N/A SWL
C-Date 10-1-04

permit 12-13-99

- Run Capacity Calculator and Print Findings (for pump, sprinklers, pipes, ditches, as appropriate) → pivots

NOTES:

→ A well for 244.0 AC IR @ 3.05 cfs (G=180)
 fully developed, system described as
 capable of authorized

CWRE - R. Baggett

1 R 244.0

1 WE

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MICHAEL AND MARSHA KNUDSEN
HC 73 - 3100 HWY 78
BURNS, OR 97720

(541)493-2740

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

APPLICATION FILE NUMBER: G-14730

SOURCE OF WATER: A WELL IN MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 244.0 ACRES

MAXIMUM RATE: 3.05 CUBIC FEET PER SECOND

PERIOD OF USE: MAY 1 THROUGH SEPTEMBER 30

DATE OF PRIORITY: APRIL 20, 1998

POINT OF DIVERSION LOCATION: SW 1/4 NE 1/4, SECTION 24, T25S, R33E,
W.M.; 2514 FEET SOUTH AND 51 FEET EAST FROM THE N1/4 CORNER SECTION 24

2510

50

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

- NE 1/4 NE 1/4 30.2 ACRES
- NW 1/4 NE 1/4 30.8 ACRES
- SW 1/4 NE 1/4 30.8 ACRES
- SE 1/4 NE 1/4 30.2 ACRES
- NE 1/4 SE 1/4 30.2 ACRES
- NW 1/4 SE 1/4 30.8 ACRES
- SW 1/4 SE 1/4 30.8 ACRES
- SE 1/4 SE 1/4 30.2 ACRES

SECTION 24

TOWNSHIP 25 SOUTH, RANGE 33 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, 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.

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.

STANDARD CONDITIONS

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

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

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

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

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

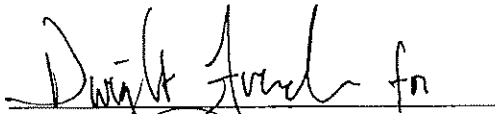
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

Actual construction of the well shall begin by April 23, 2000. Complete application of water to the use shall be made on or before October 1, 2004. 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 December 13, 1999


Martha O. Pagel, Director
Water Resources Department

Application G-14730
Basin 12
AMH

Water Resources Department
Basin Malheur Lake
MGMT.CODES 7BG 7BR

PERMIT G-13755
District 10

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MICHAEL AND MARSHA KNUDSEN
HC 73 - 3100 HWY 78
BURNS, OR 97720

(541) 493-2740

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SW 1/4 NE 1/4 30.8 ACRES
SE 1/4 NE 1/4 30.2 ACRES
NE 1/4 SE 1/4 30.2 ACRES
NW 1/4 SE 1/4 30.8 ACRES
SW 1/4 SE 1/4 30.8 ACRES
SE 1/4 SE 1/4 30.2 ACRES

SECTION 24

TOWNSHIP 25 SOUTH, RANGE 33 EAST, W.M.

Application G-14730 Water Resources Department

PERMIT G-13755

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.

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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.

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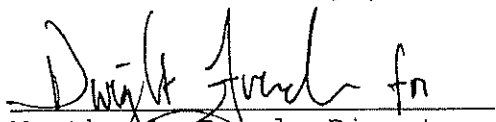
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The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction of the well shall begin by April 23, 2000. Complete application of water to the use shall be made on or before October 1, 2004. 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 December 13, 1999


Martha G. Pagel, Director
Water Resources Department

Application G-14730
Basin 12
AMH

Water Resources Department
Basin Malheur Lake
MGMT.CODES 7BG 7BR

PERMIT G-13755
District 10



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

December 11, 1998

WILLIAM A SCHAFFER
HC 73 2941 HWY 78
BURNS, OREGON 97720

Reference: File G-14730

Dear Applicant:

**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the favorable preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The proposed use is not prohibited by law or rule.
2. The use of water from A WELL IN MALHEUR LAKE BASIN for IRRIGATION OF 244.0 ACRES **is allowable** under OAR 690-512-040, the Malheur Lake Basin Program.
3. The Department has determined, based upon OAR 690-09, that the proposed groundwater use will, if properly conditioned, adequately protect the surface water from interference.
4. Based upon information provided on the well log submitted with the application, the quantity of water requested for this application is 0.22 CUBIC FOOT PER SECOND (100.0 GALLONS PER MINUTE.)
5. The Department has also determined, based upon available data, that the use of groundwater in the amount of 0.22 CUBIC FOOT PER SECOND (100.0 GALLONS PER MINUTE) for IRRIGATION OF 244.0 ACRES, if properly conditioned, will not injure existing rights or the groundwater resource.

Summary of Initial Determinations

The use of 0.22 CUBIC FOOT PER SECOND (100.0 GALLONS PER MINUTE) from A WELL IN MALHEUR LAKE BASIN for IRRIGATION OF 244.0 ACRES is allowable from May 1 through September 30 of each year.

Because of these favorable determinations, the Department can now move your application to the next phase of the water rights application review process. This phase is where public interest factors will be evaluated.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, December 25, 1998**. For your convenience you may use the enclosed "STOP PROCESSING" form.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. Measurement, recording and reporting conditions:
 - A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
 - B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use

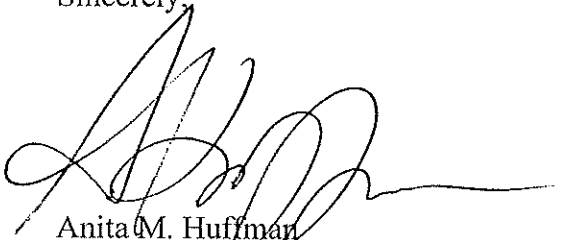
on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative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

2. 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.
3. The priority date for this application is April 20, 1998.

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at (800) 624-3199 or (503) 378-8455 extension 499. Feel free to call me at (800) 624-3199 or (503) 378-8455 extension 229 if you have any questions regarding the contents of this letter. Please have your application number available if you call.

Sincerely,



Anita M. Huffman
Water Rights Specialist

cc: Regional Manager, Watermaster District 10, Water Availability Section
enclosures: Flow Chart of Water Right Process
Stop Processing Form

G-14730
wab 12-
pou 12-
gw c

PFO CHECKLIST

Application #: C 14730
County HARVEST Basin: MALHEUR LAKE 12
Township 25S Range 33E Section 24 1/4 1/4 SW NE

- 1. Complete by Minimum Requirements Checklist? Y / N
- 2. Shortcomings (items needed before a permit and/or FO can be issued) Y / N
- 3. Should process continue Y / N (ie - shortcomings, missing vital info, on hold,...)
- 4. Groundwater Review A B C D River/Stream Name _____
 a. Groundwater Availability A B C
 b. Is second groundwater review necessary? (comments) Y / N
 c. Is the well located in a GWLA or CA? (If applicable, include map with POD) Y / N
- 5. Is use from BOR / Doug Co. project? Y / N Contract in file? Y / N Contract # _____
- 6. Is the use allowed by the Basin Program? Y / N Limited? Y / N _____
- 7. Water Availability Data OK / REDONE / NA (80% live flow & 50% storage) _____
- 8. Is the source withdrawn or limited by statute or Department order? Y / N _____
- 9. Is the Proposed Use located in or above a SWW? Y / N _____
- 10. Division 33: Y / N / NA Above Bonn (after July 17, 1992) Y / N
Below Bonn (after April 8, 1994; June 3, 1994) Y / N
Statewide - (in shaded areas on T, E, and S Map - after June 3, 1994) Y / N
- 11. IR identifies as on DEQ 303d List? Y / N / NA Comments received? Y / N
- 12. Have conflicts been addressed? Y / N / NA _____
- 13. Duty 1/30, 3 Irrigation Season 7 _____
- 14. Period of Allowed Use 5/1 - 9/30 _____
- 15. Allowed Rate OVER → REQ 2.23 (1000 GPM) $244 \times .0125 = 3.05 (1369 GPM)$

summary:

- 16. **Small** (≤ 0.1 cfs, ≤ 9.2 AF), **Medium** (> 0.1 or < 1.5 cfs, > 9.2 or < 100 AF) or **Large** (≥ 1.5 cfs, ≥ 100 AF) condition 7I and municipal use ≤ 0.1 cfs require the **Large** condition
- 17. Conditions 7B
New River Basin? Y / N / NA (conditions found in M:\groups\wr\pfo\findings & other lang)
- 18. IR Date 12/11/98 Public Notice Date 12/29/98 Comment Rec'd _____
- 19. CWRE, representatives or Property owners to notify? Y / N CHRIS T PALMER

Initials: LRK Date: 2/3/99

WELL LOG INDICATES BOTH 1000 GPM & 100 GPM.

THERE ARE NOT MANY WELL LOGS IN THE IMMEDIATE VICINITY; HOWEVER, WELLS OF SIMILAR AS LARGE AS THIS SHOULD RENDER CLOSE TO 1000 GPM IN THIS AREA

Description of Water Use

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

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

Applicant Name: William A. Schaffer
 Address: Box 73, 2941 Hwy 78
BURNS, OR 97720
 Phone: 541-493-2716

RECEIVED
 APR 20 1998
 WATER RESOURCES DEPT.
 SALEM, OREGON

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

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

Indicate sources for the proposed water use below	Indicate the estimated quantity of water the use will require
<input type="checkbox"/> Surface water Name sources: _____ _____ _____	_____ Cubic feet per second <u>2,000</u> Gallons per minute <u>3.5</u> Acre-feet <u>per season</u>
<input type="checkbox"/> Reservoir or pond	
<input checked="" type="checkbox"/> Ground Water	

Water Resources Department
 Commerce Building
 158 12th Street NE
 Salem, OR 97310-0210

Application No. 614730
 Permit No. _____

Land Use Information Form: Water Right Transfers, Use of Conserved Water, Exchanges

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. **DO NOT FILL OUT THIS FORM IF:** 1) Water is to be diverted, conveyed, and or used only on federal lands; or 2) if ALL OF THE FOLLOWING APPLY: a) the application is for a change in the place of use, b) there are no structural changes, c) the use is irrigation, and d) the use is located in irrigation districts or exclusive farm use zones.

Applicant's Name: William A. Schaffer
 Address: NC 73 2941 Hwy 78
 City: BURNS State: OR Zip: 97720 Day Phone 541-493-2716

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

(CHECK ALL THAT APPLY)

TAX LOT LOCAL ID #	PLAN DESIGNATION/ZONING (e.g. Rural Residential/RR-5)	WATER DIVERTED	WATER CONVEYED	WATER USE
<u>25-33 8200</u>	<u>EF-RU-2</u>			

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

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

=====

For Local Government Use Only

Local government planning officials are to complete the remainder of the form and return it to the applicant for inclusion in the application.

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

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan.
 Cite applicable ordinance section(s); ART 3, Sec. 3.020 Go to section b) on reverse side.
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. **Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

(CHECK THE BOX THAT APPLIES)

Type of Land Use Approval Needed (e.g. Plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Already Obtained	Already Denied	Being Pursued Satisfactorily



Oregon Water Resources Department

RECEIVED

APR 20 1998

WATER RESOURCES DEPT.
SALEM, OREGON

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instruction booklet when completing your application. Thank you.

1. Applicant Information

A. Individuals

(If more than one person is applying, please attach a sheet providing the information below for each person applying.)

Name: SCHAFER William A
Last First MI

Mailing address: HC73 2941 Hwy 78
BURNS OR 97720
City State Zip

Phone: (541) 493-2716
Home Work Other

*Fax: (541) 493-2716 *E-Mail address: _____

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: _____

Name and title of person applying: _____

Mailing address of organization: _____

City State Zip

Phone: _____
Day Evening

*Fax: _____ *E-Mail address: _____

*Optional information

For Department Use

App. No. G-1473D Permit No. _____ Date 4-20-98

2. Location and Source

The Department cannot process your application without accurate information showing the source of water and location of water use. You must attach a map to this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See page 3 in the instruction booklet for detailed map specifications. In addition, please provide the following information:

A. County

In what county is the use proposed? HARNEY

In what county is the appropriation point proposed? HARNEY

B. River Basin

(See instruction booklet pg.3 for list):

MALHEUR LAKE BASIN

C. Property Ownership

Do you own all the land where you propose to divert, transport, and use water?

Yes (Skip to section 3 "Groundwater Development.")

No Please check the appropriate box below, and on a separate sheet of paper list the names and addresses of all affected landowners.**

I have a recorded easement or written authorization permitting access.

I do not currently have written authorization or easement permitting access.

**If more than 25 landowners are involved, a list is not required. See page 4 in the instruction booklet for more details.

3. Groundwater Development

A. Number of wells: ONE B. Name of nearest surface water body MALHEUR LAKE

C. Distance from well(s) to nearest stream or lake: 1) 2 miles

2) _____ 3) _____ 4) _____

D. If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) _____

2) _____ 3) _____ 4) _____

6. Project Schedule

Proposed date construction will begin 3-17-97

Proposed date construction will be completed 4-15-97

Proposed date beneficial water use will begin ASAP

7. Remarks

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

Signature

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use is compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all statements made and information provided in this application are true and correct to the best of my knowledge:

William A. Schaffer
Signature of Applicant

1-22-98
Date

Melinda S. Schaffer
Signature of Co-applicant

1-22-98
Date

Before submitting this application, have you:

- Answered every question?
- Included a Land Use Information Form or receipt stub signed by a local official?
- Attached a legible map that meets all the necessary criteria?
- Included a check made out to WRD for at least the amount of the application fee?

E. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to question F in this section of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

1. Wells will be constructed by: WESTERN DRILLING Co. Timothy K. Riley
 Address: PO Box 751
BURNS, OR 97720 (541) 573-5695
 Completion date: 4-15-97

2. Please provide a description of your well development. (Attach additional sheets if needed.)

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Estimated depth to water	Est. depth to water-bearing stratum	Type of access port or measuring device	Total well depth

See copy of well log attached!

F. Artesian Flows

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

4. Water Use

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

(see list of beneficial uses in the instruction booklet):

IRRIGATION

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____
- If your proposed use is **irrigation**, please attach Form I
- If your proposed use is **mining**, attach Form R
- If your proposed use is **municipal**, attach Form M
- If your proposed use is **commercial/industrial** or **quasi-municipal**, attach Form Q

B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, and for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or Aquifer	Type of Use	Total Annual Amount	Production Rate of the Well in gpm
	See gpm well test attached.			

C. Season of Use

Indicate the time of year you propose to use the water (for seasonal uses like irrigation give dates when water use would begin and end):

MAY 1ST thru Sept. 30TH

D. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used:

280 ACRES

5. Water Management

A. Diversion

What equipment will you use to pump water from your well(s)?

- Pump (give horsepower and pump type) 100hp US pump & motor
- Other means (describe) _____

B. Transport

How will you transport water to your place of use?

- Ditch, canal (give average width and depth):
Width _____ Depth _____
Is the ditch or canal to be lined? Yes No
- Pipe (give diameter and total length)
Diameter(s) _____ Length _____
- Other (describe) Pivots

C. Application/Distribution Method

What equipment will you use to apply water to your place of use?

Irrigation or land application method (check all that apply):

- Flood High-pressure sprinkler Low pressure sprinkler
 Drip Water cannons Center pivot system
 Hand lines Wheel lines
 Siphon tubes or gated pipe with furrows
 Other, describe _____

Distribution method

- In-line storage (tank or pond) Direct pipe from source Open canal

D. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

This is the most efficient & economical type of pivot irrigation!

Water Right Conditions
Tracking Slip

Groundwater/Hydrology Section

FILE ## G-14730

ROUTED TO: Water Rights

TOWNSHIP/

RANGE-SECTION: T25S/R33E-24

CONDITIONS ATTACHED? Yes No

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Michael Zwart

**OREGON WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO**

To: Groundwater files

Date: May 8, 1998

From: Michael J. Zwart

Subject: Application Review: G-14730, William A. Schaeffer

This application proposes to use about 3.5 cfs from one well for irrigation of 280 acres (244 acres indicated on map). The well (HARN 50150) is completed to a depth of 225 feet and has a static water level of about 38 feet below lsd. It penetrates a semiconfined to confined aquifer developed in basalt and/or overlying sedimentary deposits of sands interbedded with clays.

The well is greater than one mile from Malheur Lake. There is no potential for substantial interference, based on the confined to semiconfined aquifer penetrated and the distance.

I recommend permit condition 7B.

TO: Water Rights Section May 8, 1998
FROM: Groundwater/Hydrology Section Michael Zwart
SUBJECT: Application G- 14730 Reviewer's Name

GROUNDWATER/SURFACE WATER CONSIDERATIONS

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

- 2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
 - a. ___ will, or _____ have the potential for substantial interference with the nearest
 - b. ___ will not _____ surface water source, namely _____; or
 - c. will if properly conditioned, adequately protect the surface water from interference:
 - i. The permit should contain condition #(s) 7B;
 - ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. ___ The permit should be conditioned as indicated in item 4 below; or
 - d. ___ will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

- 3. BASED UPON available data, I have determined that groundwater for the proposed use
 - a. ___ will, or _____ likely be available in the amounts requested without injury to prior rights
 - b. ___ will not _____ and/or within the capacity of the resource; or
 - c. will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
 - i. The permit should contain condition #(s) 7B;
 - ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. ___ The permit should be conditioned as indicated in item 4 below; or

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

REMARKS: _____

(Well Construction Considerations on Reverse Side)

TO: Water Rights Section

FROM: Groundwater/Hydrology Section

Michael Zwart
Reviewer's Name

May 8, 1998

SUBJECT: Application G-14730

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE _____ Basin rules, one or more of the proposed POA's is/is not within _____ feet/mile of a surface water source (_____) and taps a groundwater source hydraulically connected to the surface water.
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 - b. ___ will not _____ and/or within the capacity of the resource; or
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 - e. ___ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: _____

(Well Construction Considerations on Reverse Side)

14730

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

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. review of the well log;
 - b. field inspection by _____;
 - c. report of CWRE _____;
 - d. other: (specify) _____

6. THE WELL construction deficiency:
- a. constitutes a health threat under Division 200 rules;
 - b. commingles water from more than one groundwater reservoir;
 - c. permits the loss of artesian head;
 - d. permits the de-watering of one or more groundwater reservoirs;
 - e. other: (specify) _____

7. THE WELL construction deficiency is described as follows: _____

8. THE WELL
- a. was, or constructed according to the standards in effect at the time of
 - b. was not original construction or most recent modification.
 - c. I don't know if it met standards at the time of construction.

RECOMMENDATION:

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

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit
_____, 199__.

(Signature)

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

_____, 199__.

(Signature)

**OREGON WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO**

To: Groundwater files

Date: May 8, 1998

From: Michael J. Zwart

Subject: Application Review: G-14730, William A. Schaeffer

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The well is greater than one mile from Malheur Lake. There is no potential for substantial interference, based on the confined to semiconfined aquifer penetrated and the distance.

I recommend permit condition 7B.

Water Right Conditions
Tracking Slip

Groundwater/Hydrology Section

FILE ## G-14730

ROUTED TO: Water Rights

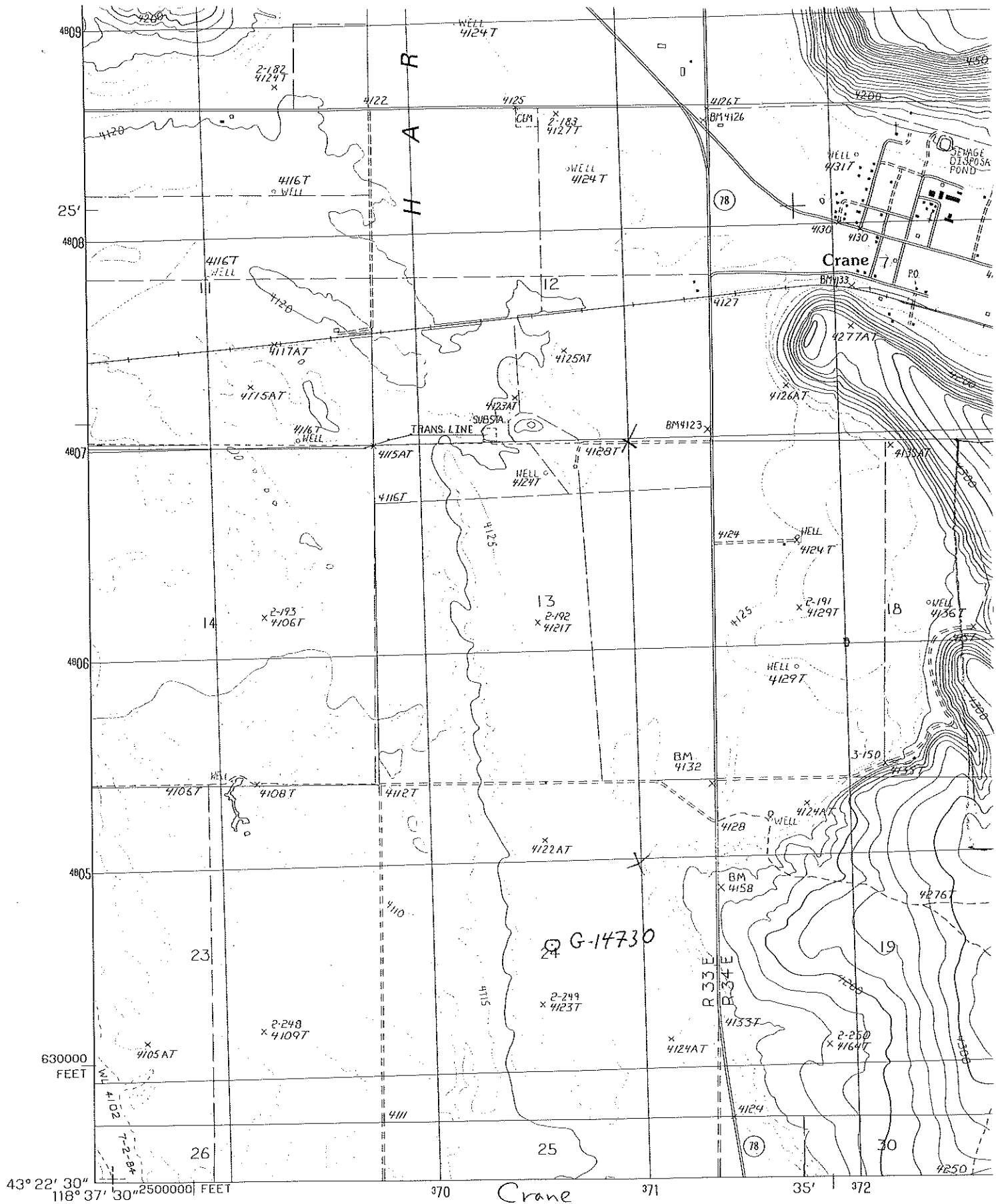
TOWNSHIP/

RANGE-SECTION: T25S/R33E-24

CONDITIONS ATTACHED? yes no

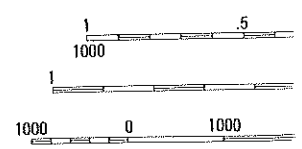
REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Michael Zwart



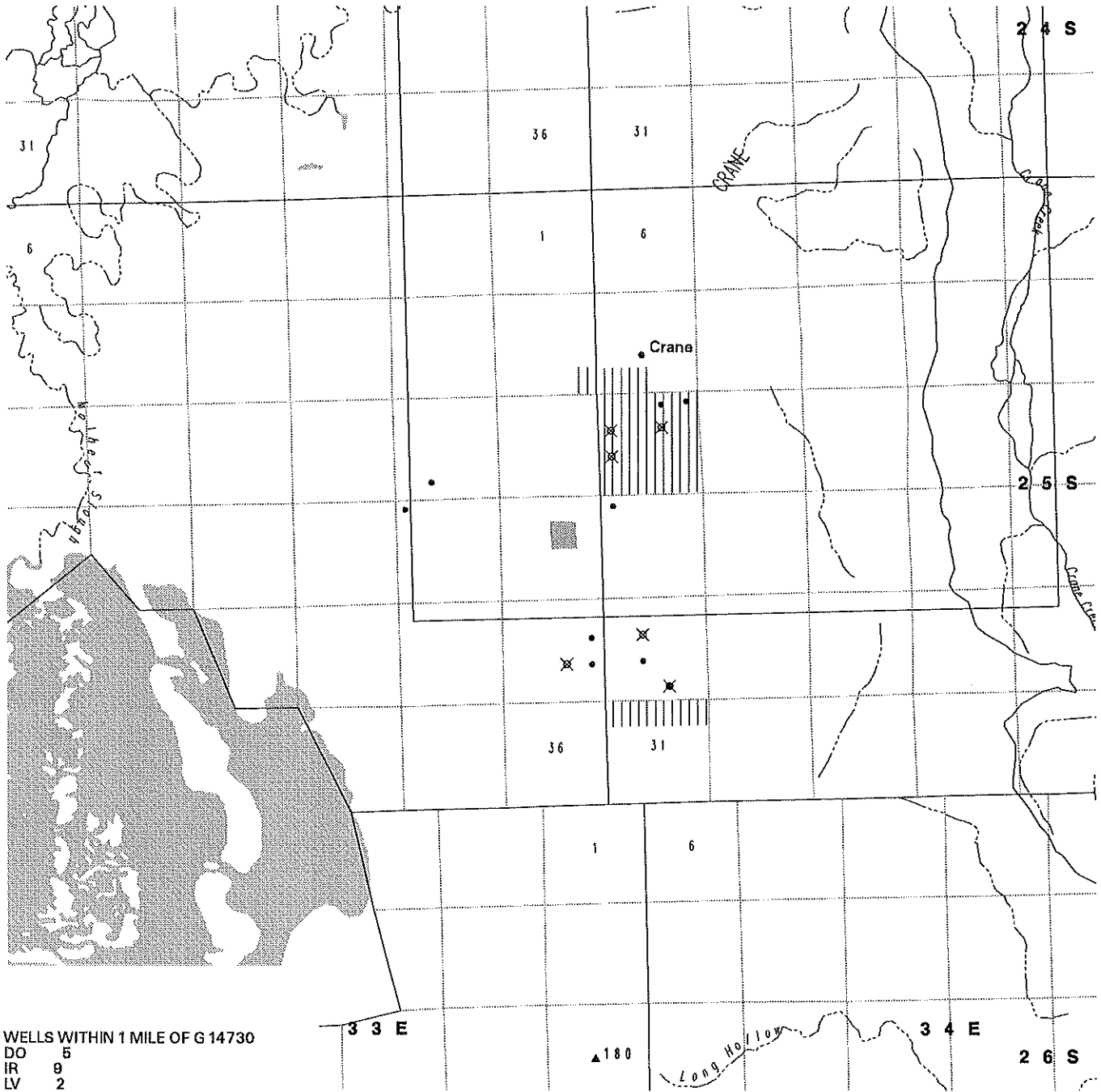
PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
 CONTROL BY.....USGS AND NOS/NOAA
 COMPILED FROM AERIAL PHOTOGRAPHS TAKEN.....1984
 FIELD CHECKED.....1987. MAP EDITED.....1990
 PROJECTION.....LAMBERT CONFORMAL CONIC
 GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR.....ZONE 11
 10,000-FOOT STATE GRID TICKS.....OREGON, SOUTH ZONE
 UTM GRID DECLINATION.....1°04' WEST
 1990 MAGNETIC NORTH DECLINATION.....17°00' EAST
 VERTICAL DATUM.....NATIONAL GEODETIC VERTICAL DATUM OF 1929
 HORIZONTAL DATUM.....1927 NORTH AMERICAN DATUM
 To place on the predicted North American Datum of 1983,

PROVISIONAL MAP



Wells in the vicinity of application G 14730

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



PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 14730

\$RECNO	APPLICATION	PERMIT	LOC-QQ	USE	RATE	DIV-UNITS
1	G 8993	G 8373	25.00S34.00E18SWNE	IR	1.1900	C
2	G 8802	G 8243	25.00S34.00E18SWNW	IR	2.4800	C
3	G 10514	G 9673	25.00S34.00E18NWSW	IR	1.0800	C
4	G 8621	G 8161	25.00S34.00E30SENW	IR	7.7100	C
5	G 1357	G 1236	25.00S34.00E30SWSE	IR	1.2500	C
5	G 8621	G 8161	25.00S34.00E30SWSE	IR	7.7100	C
6	G 8118	G 7549	25.00S33.00E25NWSE	IR	2.0000	C
7	G 8118	G 7549	25.00S33.00E25NWSE	IR	2.0000	C

NO CONDITIONED WELLS WITHIN 1 MILE OF APPLICATION G 14730

APPLICATION G 14730 FALLS WITHIN THESE QUAD(S)

CRANE

CRANE

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-14730

Superceding Final Order

Appeal Rights

Under the provisions of ORS 527.170 and ORS 537.622, the applicant may request a contested case hearing by submitting the information required for a protest under ORS 537.153(6) or ORS 527.621(7) to the Department within 14 days after the date of mailing of this order as shown below. If a contested case hearing is requested, the Department must schedule one. In the contested case hearing, however, only those issued based on the above modifications to the proposed final order may be addressed.

SB 804 allows for additional appeal rights for other than contested case. This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of this order must be filed within the 60 day time period specified by ORS 183.484(2).

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law. Where no changes have been made to a Proposed Final Order on a water right application and no protests have been filed during the protest period, the final order is not subject to judicial review.

Application History

On April 20, 1998, WILLIAM A. SCHAFFER submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on February 16, 1999. The protest period closed April 2, 1999, and no protest was filed.

On April 23, 1999, the Department issued a Final Order approving the application upon submission of recording fees of \$150. The recording fees were received by the Department on September 24, 1999.

The application was assigned to Michael and Marsha Knudsen on June 14, 1998.

The Department continues to find that the proposed use would not impair or be detrimental to the public interest. However; based upon continued review, the Department has determined that the

findings of the Proposed Final Order and Final Order issued April 23, 1999 require modification.

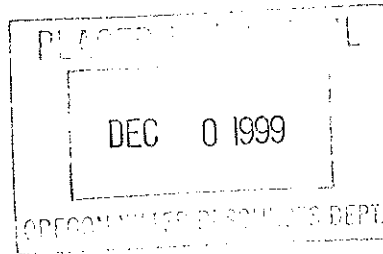
The Department finds that the number of acres shown on the application map total 244.0 acres, not 280.0 acres as identified in the Proposed Final Order and Final Order. In addition, the maximum amount of water allowed is 3.05 CUBIC FEET PER SECOND, reduced from 3.50 CUBIC FEET PER SECOND allowed in the Proposed Final Order and Final Order.

Order

Application G-14730 therefore is approved with the above modifications to the Proposed Final Order, and Permit Number 13755 is issued as limited by the conditions set forth therein.

DATED December 13, 1999


Martha C. Pagel, Director



This document was prepared by Anita M. Huffman. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me toll free within Oregon at 1-800-624-3199 extension 229. Outside of Oregon you can dial 1-503-378-8455.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Adam Sussman. His extension number is 262.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 499.

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-14730

Final Order

Application History

On April 20, 1998, WILLIAM A. SCHAFFER submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on February 16, 1999. The protest period closed April 2, 1999, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest.

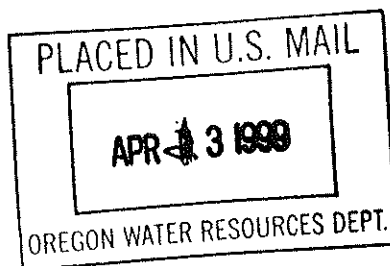
Order

Upon payment of outstanding permit recording fees, Application G-14730 shall be approved as proposed by the Proposed Final Order and as provided on the attached draft permit.

Permit recording fees are required in the amount of \$150.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees within 60 days from the date of this Final Order will result in the proposed rejection of Application G-14730.

DATED April 23, 1999


Martha O. Pagel, Director



Appeal Rights

No changes have been made to the findings of the Proposed Final Order and no protests were filed during the protest period following the Proposed Final Order, therefore, there is no opportunity for appeal or judicial review of this final order (690-310-160(5)).

This document was prepared by Russell W. Klassen. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me toll free within Oregon at 1-800-624-3199 extension 266. Outside of Oregon you can dial 1-503-378-8455.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Adam Sussman. His extension number is 262.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 499.

0001 3 ' 894

STATE OF OREGON

COUNTY OF HARNEY

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

WILLIAM A. SCHAFFER *Michael & Marsha Knudsen* (541) 493-2716
204 SCARLET WAY *11673 - 3100 Hwy 78* (541) 493-2716
FERNLEY, NV 89408-9488 *BURNS, OR 97720*

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

APPLICATION FILE NUMBER: G-14730

SOURCE OF WATER: A WELL IN MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 280.0 ACRES *Should be 244.0 per map*

MAXIMUM RATE: 3.5 CUBIC FEET PER SECOND *3.05 cfs REQUEST = 2.23 cfs*

PERIOD OF USE: MAY 1 THROUGH SEPTEMBER 30

DATE OF PRIORITY: APRIL 20, 1998

POINT OF DIVERSION LOCATION: SW 1/4 NE 1/4, SECTION 24, T25S, R33E, W.M.; 2514 FEET SOUTH AND 51 FEET EAST FROM THE N1/4 CORNER SECTION 24

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

- NE 1/4 NE 1/4 30.2 ACRES
- NW 1/4 NE 1/4 30.8 ACRES
- SW 1/4 NE 1/4 30.8 ACRES
- SE 1/4 NE 1/4 30.2 ACRES
- NE 1/4 SE 1/4 30.2 ACRES
- NW 1/4 SE 1/4 30.8 ACRES

SW 1/4 SE 1/4 30.8 ACRES
SE 1/4 SE 1/4 30.2 ACRES
SECTION 24
TOWNSHIP 25 SOUTH, RANGE 33 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, 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.

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.

STANDARD CONDITIONS

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

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

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

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

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

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

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

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

Actual construction of the well shall begin by April ²³, 2000. Complete application of water to the use shall be made on or before October 1, 2003. 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 _____, 199_

DRAFT - THIS IS NOT A PERMIT

Martha O. Pagel, Director
Water Resources Department

Application G-14730
Basin 12
RWK- WEEK 186

Water Resources Department
Basin Malheur Lake
MGMT.CODES 7BG 7BR

PERMIT DRAFT
District 10

Mailing List for FO Copies

Application#G-14730

Mailing List April 12, 1999

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

Applicant: WILLIAM A. SCHAFFER, 204 SCARLET WAY, FERNLEY, NV 89408-9488

For FO w/Draft Permit - Copies sent to:

1. WRD - File # G-14730

Copies Mailed	
By:	<u>HW</u>
	(SUPPORT STAFF)
on:	<u>4/23/99</u>
	(DATE)

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

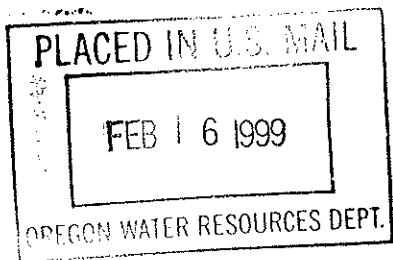
2. WRD - Watermaster District #: 10
3. WRD - Regional Manager: ER

COPIES TO Other Interested Persons

4. Chris T. Palmer

CASEWORKER: RWK

Oregon Water Resources Department
Water Rights Division



Water Rights Application
Number G-14730

Proposed Final Order

Summary of Recommendation: The Department recommends that the attached draft permit be issued with conditions.

Application History

On April 20, 1998, WILLIAM A. SCHAFFER submitted an application to the Department for the following water use permit:

- Amount of Water: 1000 GALLONS PER MINUTE (2.23 CFS)
- Use of Water: IRRIGATION OF 280.0 ACRES
- Source of Water: A WELL IN MALHEUR LAKE BASIN
- Area of Proposed Use: HARNEY County within Section 24, Township 25 South, Range 33 East, W.M.

On 12/11/98, the Department mailed the applicant notice of its Initial Review, determining that "The use of 0.22 CUBIC FOOT PER SECOND (100.0 GALLONS PER MINUTE) from A WELL IN MALHEUR LAKE BASIN for IRRIGATION OF 244.0 ACRES is allowable from May 1 through September 30 of each year." The applicant did not notify the Department to stop processing the application within 14 days of that date.

On 12/29/98, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.

No written comments were received within 30 days.

In reviewing applications, the Department may consider any relevant sources of information, including the following:

- comments by or consultation with another state agency
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available
- the rate and duty for the proposed use
- pending senior applications and existing water rights of record
- designations of any critical groundwater areas

- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any general basin-wide standard for flow rate and duty of water allowed
- the need for a flow rate and duty higher than the general standard
- any comments received

Findings of Fact

The Malheur Lake Basin Program allows the following uses: IRRIGATION.

A WELL IN MALHEUR LAKE BASIN is not within or above a State Scenic Waterway.

An assessment of water availability has been completed by the Department's groundwater section. A copy of this assessment is in the file. This assessment determined that water is available for further appropriation May 1 through September 30, the period requested.

The rate of proposed use to be allowed has been changed from the Initial Review. The rate of use requested on the Land Use Form is 4.46 CFS. The Department finds that no more than 3.5 CFS would be necessary for the proposed use. The amount of water requested, 4.46 CFS, shall be restricted to 3.5 CFS.

The proposed well is not within a designated critical ground water area.

The Department determined, based upon OAR 690-09, that the proposed groundwater use will, if properly conditioned, adequately protect the surface water from interference.

The Groundwater Section finds that there **is NOT** a preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

Conclusions of Law

Under the provisions of ORS 537.621, the Department must presume that a proposed use will ensure the preservation of the public welfare, safety and health if the proposed use is allowed in the applicable basin program established pursuant to ORS 536.300 and 536.340 or given a preference under ORS 536.310(12), if water is available, if the proposed use will not injure other water rights and if the proposed use complies with rules of the Water Resources Commission.

The proposed use requested in this application is allowed in the an 80 Basin Plan.

No preference for this use is granted under the provisions of ORS 536.310(12).

Water is available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with other rules of the Water Resources Commission not otherwise described above.

The proposed use complies with the State Agency Agreement for land use.

No proposed flow rate and duty of water higher than the general basin-wide standard is needed.

For these reasons, the required presumption has been established.

Under the provisions of ORS 537.621, once the presumption has been established, it may be overcome by a preponderance of evidence that either:

- (a) One or more of the criteria for establishing the presumption are not satisfied; or
- (b) The proposed use would not ensure the preservation of the public welfare, safety and health as demonstrated in comments, in a protest . . . or in a finding of the department that shows:
 - (A) The specific aspect of the public welfare, safety and health under ORS 537.525 that would be impaired or detrimentally affected; and
 - (B) Specifically how the identified aspect of the public welfare, safety and health under ORS 537.525 would be impaired or be adversely affected.

In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in injury to existing water rights; and the proposed use would ensure the preservation of the public welfare, safety and health as described in ORS 537.525.

Recommendation

The Department recommends that the attached draft permit be issued with conditions.

DATED February 16, 1999



Dwight French
Water Rights Section Manager

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

Protest Rights and Standing

Under the provisions of 537.621(7), you have the right to protest this proposed final order. Your protest must be in writing, and must include the following:

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and
- If you are not the applicant, the \$200 protest fee required by ORS 536.050 and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting a contested case hearing. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the proposed final order.
- If you do not protest this Proposed Final Order and if no substantive changes are made in the final order, you will not have an opportunity for judicial review, protest or appeal of the final order when it is issued.

Requests for Standing

Under the provisions of 537.621(6), persons other than the applicant who support a proposed final order may request standing for purposes of participating in any contested case proceeding on the proposed final order or for judicial review of a final order. A request for standing shall be in writing, include a statement that the requester supports the proposed final order, and a statement of how the requester would be harmed if the proposed final order is modified. The fee required at the time of submitting this request is \$50.00. If a hearing is scheduled, an

additional fee of \$150.00 must be submitted along with a request for intervention. Forms to request standing are available from the Department.

Your protest or request for standing must be received in the Water Resources Department no later than **April 2, 1999**.

After the protest period has ended, the Director will either issue a final order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been submitted and if

- upon review of the issues, the director finds that there are significant disputes related to the proposed use of water, or
- the applicant requests a contested case hearing within 30 days after the close of the protest period.

This document was prepared by Russell W. Klassen. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me toll free within Oregon at 1-800-624-3199 extension 266. Outside of Oregon you can dial 1-503-378-8455.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Adam Sussman. His extension number is 262.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 499.

DRAFT

This is not a permit!!!
STATE OF OREGON

DRAFT

COUNTY OF HARNEY

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

WILLIAM A. SCHAFFER
204 SCARLET WAY
FERNLEY, NV 89408-9488

(541)493-2716

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

APPLICATION FILE NUMBER: G-14730

SOURCE OF WATER: A WELL IN MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 280.0 ACRES

MAXIMUM RATE: 3.5 CUBIC FEET PER SECOND

PERIOD OF USE: MAY 1 THROUGH SEPTEMBER 30

DATE OF PRIORITY: APRIL 20, 1998

POINT OF DIVERSION LOCATION: SW 1/4 NE 1/4, SECTION 24, T25S, R33E,
W.M.; 2514 FEET SOUTH AND 51 FEET EAST FROM THE N1/4 CORNER SECTION 24

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NE 1/4 30.2 ACRES
NW 1/4 NE 1/4 30.8 ACRES
SW 1/4 NE 1/4 30.8 ACRES
SE 1/4 NE 1/4 30.2 ACRES
NE 1/4 SE 1/4 30.2 ACRES
NW 1/4 SE 1/4 30.8 ACRES
SW 1/4 SE 1/4 30.8 ACRES
SE 1/4 SE 1/4 30.2 ACRES

SECTION 24

TOWNSHIP 25 SOUTH, RANGE 33 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, 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.

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.

STANDARD CONDITIONS

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

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

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

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

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

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

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

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

Actual construction of the well shall begin within one year from issuance of the final order approving the use. Complete application of the water to the use shall be made on or before October 1, 2003. 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 _____, 199__

DRAFT - THIS IS NOT A PERMIT

Martha O. Pagel, Director
Water Resources Department



Oregon Water Resources Department

RECEIVED

APR 20 1998

WATER RESOURCES DEPT. SALEM, OREGON

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instruction booklet when completing your application. Thank you.

1. Applicant Information

A. Individuals

(If more than one person is applying, please attach a sheet providing the information below for each person applying.)

Name: SCHAFER William A
Mailing address: HC73 2941 Hwy 78 Burns OR 97720
Phone: (541) 493-2716
*Fax: (541) 493-2716 *E-Mail address:

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization:
Name and title of person applying:
Mailing address of organization:
City State Zip
Phone: Day Evening
*Fax: *E-Mail address:

*Optional information

For Department Use
App. No. G-14730 Permit No. Date 4-20-98

2. Location and Source

The Department cannot process your application without accurate information showing the source of water and location of water use. You must attach a map to this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See page 3 in the instruction booklet for detailed map specifications. In addition, please provide the following information:

A. County

In what county is the use proposed? HARNEY

In what county is the appropriation point proposed? HARNEY

B. River Basin

(See instruction booklet pg.3 for list):

MALHEUR LAKE BASIN

C. Property Ownership

Do you own all the land where you propose to divert, transport, and use water?

- Yes (Skip to section 3 "Groundwater Development.")
- No Please check the appropriate box below, and on a separate sheet of paper list the names and addresses of all affected landowners.**
- I have a recorded easement or written authorization permitting access.
- I do not currently have written authorization or easement permitting access.

**If more than 25 landowners are involved, a list is not required. See page 4 in the instruction booklet for more details.

3. Groundwater Development

A. Number of wells: ONE B. Name of nearest surface water body MALHEUR LAKE

C. Distance from well(s) to nearest stream or lake: 1) 2 miles

2) _____ 3) _____ 4) _____

D. If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) _____

2) _____ 3) _____ 4) _____

6. Project Schedule

Proposed date construction will begin 3-17-97

Proposed date construction will be completed 4-15-97

Proposed date beneficial water use will begin ASAP

7. Remarks

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

Signature

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use is compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all statements made and information provided in this application are true and correct to the best of my knowledge:

William A. Schaffer
Signature of Applicant

1-22-98
Date

Melinda S. Schaffer
Signature of Co-applicant

1-22-98
Date

Before submitting this application, have you:

- Answered every question?
- Included a Land Use Information Form or receipt stub signed by a local official?
- Attached a legible map that meets all the necessary criteria?
- Included a check made out to WRD for at least the amount of the application fee?

E. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to question F in this section of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

1. Wells will be constructed by: WESTERN DRILLING Co; Timothy K. Riley
 Address: PO Box 751
BURNS, OR 97720 (541) 573-5695
 Completion date: 4-15-97

2. Please provide a description of your well development. (Attach additional sheets if needed.)

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Estimated depth to water	Est. depth to water-bearing stratum	Type of access port or measuring device	Total well depth

See copy of well log attached!

F. Artesian Flows

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

4. Water Use

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

(see list of beneficial uses in the instruction booklet):

IRRIGATION

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____
- If your proposed use is **irrigation**, please attach Form I
- If your proposed use is **mining**, attach Form R
- If your proposed use is **municipal**, attach Form M
- If your proposed use is **commercial/industrial** or **quasi-municipal**, attach Form Q

B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, and for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or Aquifer	Type of Use	Total Annual Amount	Production Rate of the Well in gpm
See gpm well test attached				

C. Season of Use

Indicate the time of year you propose to use the water (for seasonal uses like irrigation give dates when water use would begin and end):

MAY 1ST thru Sept. 30TH

D. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used:

280 ACRES

5. Water Management

A. Diversion

What equipment will you use to pump water from your well(s)?

- Pump (give horsepower and pump type) 100hp US pump & motor
- Other means (describe) _____

B. Transport

How will you transport water to your place of use?

- Ditch, canal (give average width and depth):
Width _____ Depth _____
Is the ditch or canal to be lined? Yes No
- Pipe (give diameter and total length)
Diameter(s) _____ Length _____
- Other (describe) Pivots

C. Application/Distribution Method

What equipment will you use to apply water to your place of use?

Irrigation or land application method (check all that apply):

- Flood High-pressure sprinkler Low pressure sprinkler
 Drip Water cannons Center pivot system
 Hand lines Wheel lines
 Siphon tubes or gated pipe with furrows
 Other, describe _____

Distribution method

- In-line storage (tank or pond) Direct pipe from source Open canal

D. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

This is the most efficient & economical type of pivot irrigation!

FO CHECKLIST

FILE # C 14730-
 PFO WEEK # 186

PFO TO FO CONVERSION

REVIEW DATE: 4/12/99
 INITIALS: EMK

In preparing to create the OF, you should check the following:

1. Y/N Were comments or protests received? If so, **from whom** and **when**?
2. ✓ On the PFO CC list, verify names and mailing addresses of **ALL** commentors (regardless of comment date, **affected landowners**, and **those who paid the \$10 feet**).
3. Y/N/NA Have affected land owners been notified?
4. Y/N Is the file lacking a signed oath of accuracy for the application?
5. Y/N/NA Has ODFW asked for self certification of screening condition?
 If so, write "ODFW CERT" in the permit black on the front of the file.
6. Y/N Is water use prohibited for one or more months of the normal use period?
7. Y/N If #6 = "Y", is short season letter on file? Note: If short season letter is lacking, see item #10 below.
8. OWES 150 Give applicant 60 days to submit required information.
 Verify Payment of recording fees (*circle the appropriate option*)

² 250 BASE
150 ICFS
225 3 CFS
175 REC
800
650
150

OWES 150

 - (1) Issue FO w/permit if fees are paid — Prepare refund request for excess fees, **including standing fees if no protest is filed and no modifications are being made to the PFO.**
 - (2) Issue FO w/o permit if fees are lacking.
9. Y/N Is further processing possible? If not state reason: _____
10. ✓ Notify applicant of additional information or fees required prior to permit issuance. (**SEND CERTIFIED LETTER** & use standard wording from M:\...FO\TOOLS if possible)
11. ✓ Assign permit numbers to files with oaths, fees, and no protests or other issues.
12. Y/N Do the PFO conclusions require modification? Why? _____
 (If YES, circle FOMOD and one other type below)

FO Type: (circle types)	DENIAL	FO w/o PERMIT	FO & PERMIT	FOMOD
				MGMT CODES <u>78</u>

Once created, modify FO as needed to:

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

Once FO document is completed:

16. ✓ Save WordPerfect document in M:\GROUPS\WR\FOWEEK 186 & delete duplicates.
17. ✓ Print final draft of document and submit to team leader for review
18. Y/N Team leader review completed m:\groups\wr\fo\forms\FO Check List.wpd

PFO CHECKLIST

Application #: C 14730
County HARVEST Basin: VALUVER LAKE 12
Township 25S Range 33E Section 24 1/4 1/4 SW NE

- 1. Complete by Minimum Requirements Checklist? Y / N
- 2. Shortcomings (items needed before a permit and/or FO can be issued) Y / N
- 3. Should process continue Y / N (ie - shortcomings, missing vital info, on hold,...)
- 4. Groundwater Review **A B C D** River/Stream Name _____
 a. Groundwater Availability **A B C**
 b. Is second groundwater review necessary? (comments) Y / N
 c. Is the well located in a GWLA or CA? (if applicable, include map with POD) Y / N
- 5. Is use from BOR / Doug Co. project? Y / N Contract in file? Y / N Contract # _____
- 6. Is the use allowed by the Basin Program? Y / N Limited? Y / N _____
- 7. Water Availability Data **OK / REDONE / NA** (80% live flow & 50% storage) _____
- 8. Is the source withdrawn or limited by statute or Department order? Y / N _____
- 9. Is the Proposed Use located in or above a SWW? Y / N _____
- 10. Division 33: Y / N / NA Above Bonn (after July 17, 1992) Y / N
Below Bonn (after April 8, 1994; June 3, 1994) Y / N
Statewide - (in shaded areas on T, E, and S Map - after June 3, 1994) Y / N
- 11. IR identifies as on DEQ 303d List? Y / N / NA Comments received? Y / N
- 12. Have conflicts been addressed? Y / N / NA _____
- 13. Duty 1/80, 3 Irrigation Season 7
- 14. Period of Allowed Use 5/1 - 9/30
- 15. Allowed Rate OVER -> REQ 2.23 (1000 GPM) 244 x .025 = 3.05 (1369 GPM)

summary:

- 16. **Small** (≤ 0.1 cfs, ≤ 9.2 AF), **Medium** (> 0.1 or < 1.5 cfs, > 9.2 or < 100 AF) or **Large** (≥ 1.5 cfs, ≥ 100 AF) condition 7I and municipal use ≤ 0.1 cfs require the **Large** condition
- 17. Conditions 7B
New River Basin? Y / N / NA (conditions found in M:\groups\wr\pfo\findings & other lang)
- 18. IR Date 12/11/98 Public Notice Date 12/29/98 Comment Rec'd _____
- 19. CWRE, representatives or Property owners to notify? Y / N CHRIS T PALMER

Initials: RWC Date: 2/3/99

WELL LOG INDICATES BOTH 1000 GPM & 100 GPM.

THERE ARE NOT MANY WELL LOGS IN THE IMMEDIATE VICINITY; HOWEVER, WELLS OF CASING AS LARGE AS THIS SHOULD PRODUCE CLOSE TO 1000 GPM IN THIS AREA

Application #: G 14730

Basin: 12-Malheur Lake

WAB: _____ POU-WAB _____

County Hann Township 25S Range 33E Section 24 1/4 1/4

- 1. Complete by Minimum Requirements checklist. Y / N Items still required: _____
- 2. Indicators that the process should not continue (ie - items missing, letter to file indicating hold, or other) Y / N
- 3. Groundwater review A B C D River/Stream Name _____ Conditions 7B
 Water Availability A B C
a. Is the well located in a groundwater limited area? Y / N Name _____
- 4. Within or Above a Scenic Waterway Y / N conditions/restrictions Y / N
- 5. Allowed under Basin Program Y / N Limitations Y / N 690-512-040
- 6. Withdrawn? Y / N season allowed _____
- 7. Basin Maps have been checked Y / N Malheur Lake
- 8. Water Availability (50% < July 17, 1992 ** 80% [50% storage] > July 17, 1992) NA
- 9. Use IRR Period of Allowed Use 5/1-9/30 Requested
- 10. For Irrigation: Rate 1/80 Duty 3 Season 3/1-10/31
- 11. Allowable Rate of Use: 244/80 = 3.05 (-Large) (1370 GPM)
- 12. Priority Date(s) 4-20-98 Request 0.22 (100gpm)
- 13. B.O.R. project Y / N contract # _____
- 14. Subject to Division 33 (Above Bonn after July 17, 1992; Below Bonn after April 8, 1994 or June 3, 1994; or Statewide - in shaded areas on T, E, & S Map - After June 3, 1994) Y / N NA
- 15. Conflicts Y / N
- 16. Conditions? (BOR, GW, other) Y / N
- 17. Land use approval OK'd needs approval county notified NA
- 18. Watermaster Dist: (1 2 16 18 - NWR) (3 4 5 - NCR) (6 8 9 10 ER) (11 12 17 - SCR) (14 15 19 - SWR)
- 19. Letter will be Good Limited Bad Bad w/IRshort because _____

App requests 280 - map (pivots) = 244.0 Acres

OWRE - Palmer # 100

by: [Signature] Date: 7-8-98

OREGON WATER RESOURCES DEPARTMENT
ADMINISTRATIVE RULES
CHAPTER 690
DIVISION 512
MALHEUR LAKE BASIN PROGRAM

Minimum Perennial Streamflows

690-512-001

The minimum perennial streamflows listed in Table 1 are hereby adopted or established.

Water Availability

690-512-040

(1) Except as provided in section (3) of this rule, the Department shall not accept an application for permit, or issue a permit, for any use of surface water, or of groundwater the use of which has the potential to substantially interfere with surface water, in the Malheur Lake Basin unless the applicant shows, by a preponderance of evidence, that unappropriated water is available to supply the proposed use at the times and in the amounts requested. The evidence provided shall be prepared by a qualified hydrologist or other water resources specialist and shall include:

(a) Streamflow measurements or gage records from the source or, for use of groundwater, the stream in hydraulic connection with the source; or

(b) An estimate of water availability from the source or, for use of groundwater, the stream in hydraulic connection with the source which includes correlations with streamflow measurements or gage records on other, similar streams and considers current demands for water affecting the streamflows.

(2) The criteria used in determining if the use of groundwater has the potential to substantially interfere with surface water shall be those established in OAR Chapter 690, Division 9.

(3) This rule shall not apply to issuance of:

(a) Instream water rights,

(b) Permits for storage of water between March 1 and May 31 if the application is not required to be referred to the Commission under OAR 690-11-080 (2)(a)(C), or

(c) Permits for use of water legally stored.

Description of Water Use

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

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

Applicant Name: William A. Schaffer
 Address: NC 23 2941 Hwy 78
BURNS, OR 97720
 Phone: 541-493-2716

RECEIVED

APR 20 1998

WATER RESOURCES DEPT.
 SALEM, OREGON

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

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

Indicate sources for the proposed water use below	Indicate the estimated quantity of water the use will require
<input type="checkbox"/> Surface water Name sources: _____ _____ <input type="checkbox"/> Reservoir or pond <input checked="" type="checkbox"/> Ground Water	_____ Cubic feet per second <u>2,000</u> Gallons per minute <u>3.5</u> Acre-feet <u>per season</u>

Water Resources Department
 Commerce Building
 158 12th Street NE
 Salem, OR 97310-0210

Application No. 614730
 Permit No. _____

Land Use Information Form: Water Right Transfers, Use of Conserved Water, Exchanges

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. **DO NOT FILL OUT THIS FORM IF:** 1) Water is to be diverted, conveyed, and or used only on federal lands; or 2) if **ALL OF THE FOLLOWING APPLY:** a) the application is for a change in the place of use, b) there are no structural changes, c) the use is irrigation, and d) the use is located in irrigation districts or exclusive farm use zones.

Applicant's Name: William A. Schaffer
 Address: NC 73 2941 Hwy 78
 City: Beaufort State: OR Zip: 97720 Day Phone 541-493-2716

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

(CHECK ALL THAT APPLY)

TAX LOT LOCAL ID #	PLAN DESIGNATION/ZONING (e.g. Rural Residential/RR-5)	WATER DIVERTED	WATER CONVEYED	WATER USE
<u>2533 8200</u>	<u>EF-RU-2</u>			

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

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

=====

For Local Government Use Only

Local government planning officials are to complete the remainder of the form and return it to the applicant for inclusion in the application.

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

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan.
 Cite applicable ordinance section(s); ART 3, Sec. 3020 Go to section b) on reverse side.

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

(CHECK THE BOX THAT APPLIES)

Type of Land Use Approval Needed (e.g. Plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Already Obtained	Already Denied	Being Pursued Satisfactorily



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

December 11, 1998

WILLIAM A SCHAFFER
HC 73 2941 HWY 78
BURNS, OREGON 97720

Reference: File G-14730

Dear Applicant:

**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the favorable preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The proposed use is not prohibited by law or rule.
2. The use of water from A WELL IN MALHEUR LAKE BASIN for IRRIGATION OF 244.0 ACRES is **allowable** under OAR 690-512-040, the Malheur Lake Basin Program.
3. The Department has determined, based upon OAR 690-09, that the proposed groundwater use will, if properly conditioned, adequately protect the surface water from interference.
4. Based upon information provided on the well log submitted with the application, the quantity of water requested for this application is 0.22 CUBIC FOOT PER SECOND (100.0 GALLONS PER MINUTE.)
5. The Department has also determined, based upon available data, that the use of groundwater in the amount of 0.22 CUBIC FOOT PER SECOND (100.0 GALLONS PER MINUTE) for IRRIGATION OF 244.0 ACRES, if properly conditioned, will not injure existing rights or the groundwater resource.

Summary of Initial Determinations

The use of 0.22 CUBIC FOOT PER SECOND (100.0 GALLONS PER MINUTE) from A WELL IN MALHEUR LAKE BASIN for IRRIGATION OF 244.0 ACRES is allowable from May 1 through September 30 of each year.

Because of these favorable determinations, the Department can now move your application to the next phase of the water rights application review process. This phase is where public interest factors will be evaluated.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, December 25, 1998**. For your convenience you may use the enclosed "STOP PROCESSING" form.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. Measurement, recording and reporting conditions:
 - A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
 - B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use

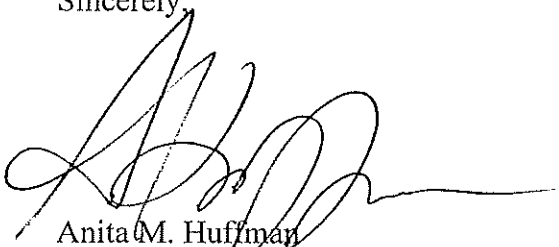
on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative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

2. 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.
3. The priority date for this application is April 20, 1998.

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at (800) 624-3199 or (503) 378-8455 extension 499. Feel free to call me at (800) 624-3199 or (503) 378-8455 extension 229 if you have any questions regarding the contents of this letter. Please have your application number available if you call.

Sincerely,



Anita M. Huffman
Water Rights Specialist

cc: Regional Manager, Watermaster District 10, Water Availability Section
enclosures: Flow Chart of Water Right Process
Stop Processing Form

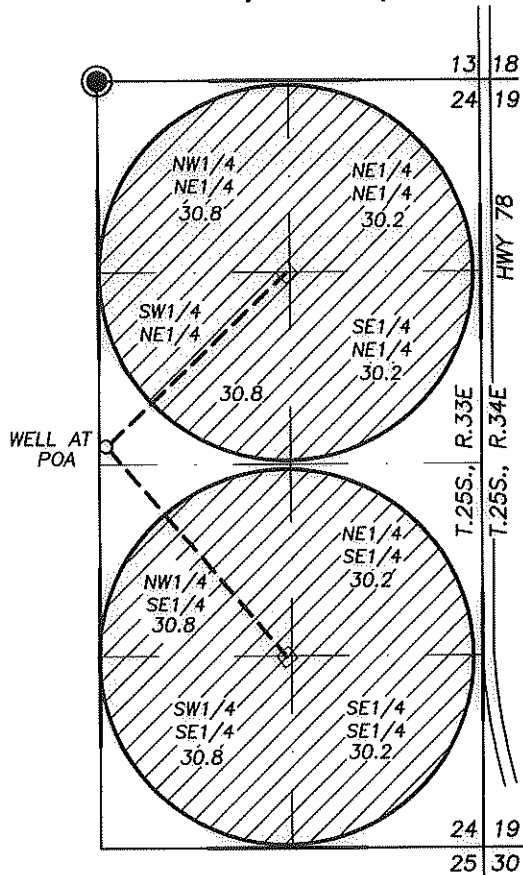
G-14730
wab 12-
pou 12-
gw c

T.25S., R.33E., W.M.

RECEIVED BY OWRD

JUL 25 2012

SALEM, OR



SCALE: 1" = 1320'


FINAL PROOF SURVEY
 UNDER
 APPLICATION NO. G-14730
 PERMIT NO. G-13755

IN NAME OF
 MICHAEL AND MARSHA KNUDSEN

POA IS 2510 FT. SOUTH AND 50 FT. EAST OF
 THE N1/4 COR. SEC. 24, T.25S., R.33E., W.M.

(E1/2 SEC. 24 = TAX LOT 8200)

○ POINT OF APPROPRIATION

 PLACE OF USE

 FD. MONUMENT AT N1/4 COR.
 SEC. 24

--- MAINLINE

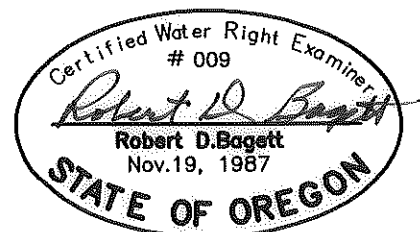
 CENTER PIVOT & WATER
 USAGE PANEL

BY

ROBERT D. BAGETT
 217 N. CANYON BLVD.
 JOHN DAY, OREGON
 (541) 575-1251

DATE SURVEYED
 MAY 17, 2012

NOTE: THE PREPARATION OF THIS MAP
 WAS FOR THE PURPOSE OF IDENTIFYING
 THE LOCATION OF THE PROPOSED WATER
 RIGHT AND HAS NO INTENT TO PROVIDE
 DIMENSIONS OR LOCATION OF PROPERTY
 OWNERSHIP LINES.



NOTE:
SEE U.S. VS. OREGON 295 U.S. 1,26
FOR COURT DECISION ON THE
OWNERSHIP OF MALHEUR LAKE.

HIGHWAY

SEE MAP 26S 34E

STEENS

8000
720.00 AC.

8100
240.00 AC.

8200
316.2 AC.

3

24

PLAT

8000

8400
320.00 AC.

8300
160.00 AC.

06-12-197

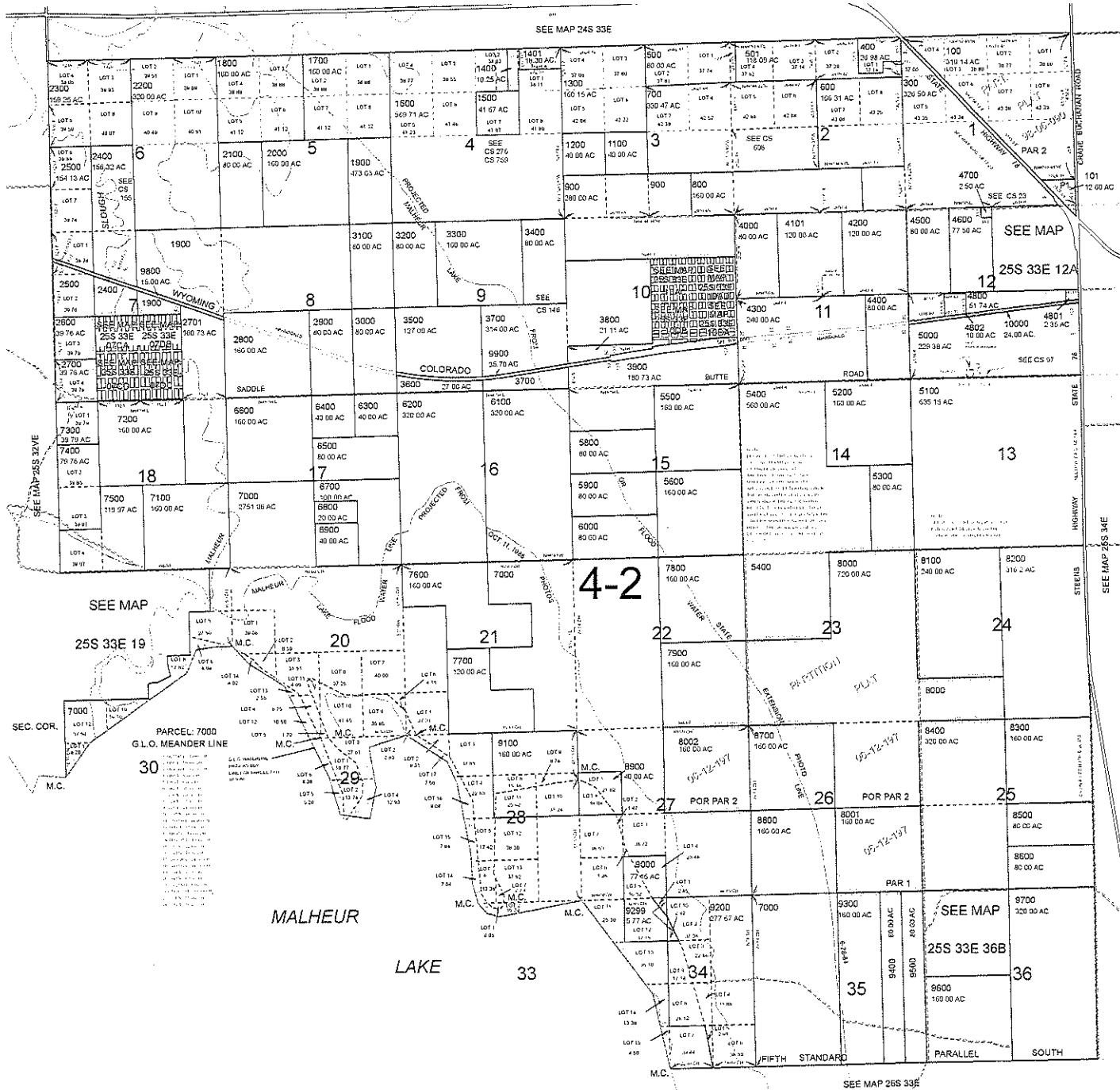
rd COM JOR D pg 252

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

T.25S. R.33E. W.M. HARNEY COUNTY

25S33E

1" = 2000'

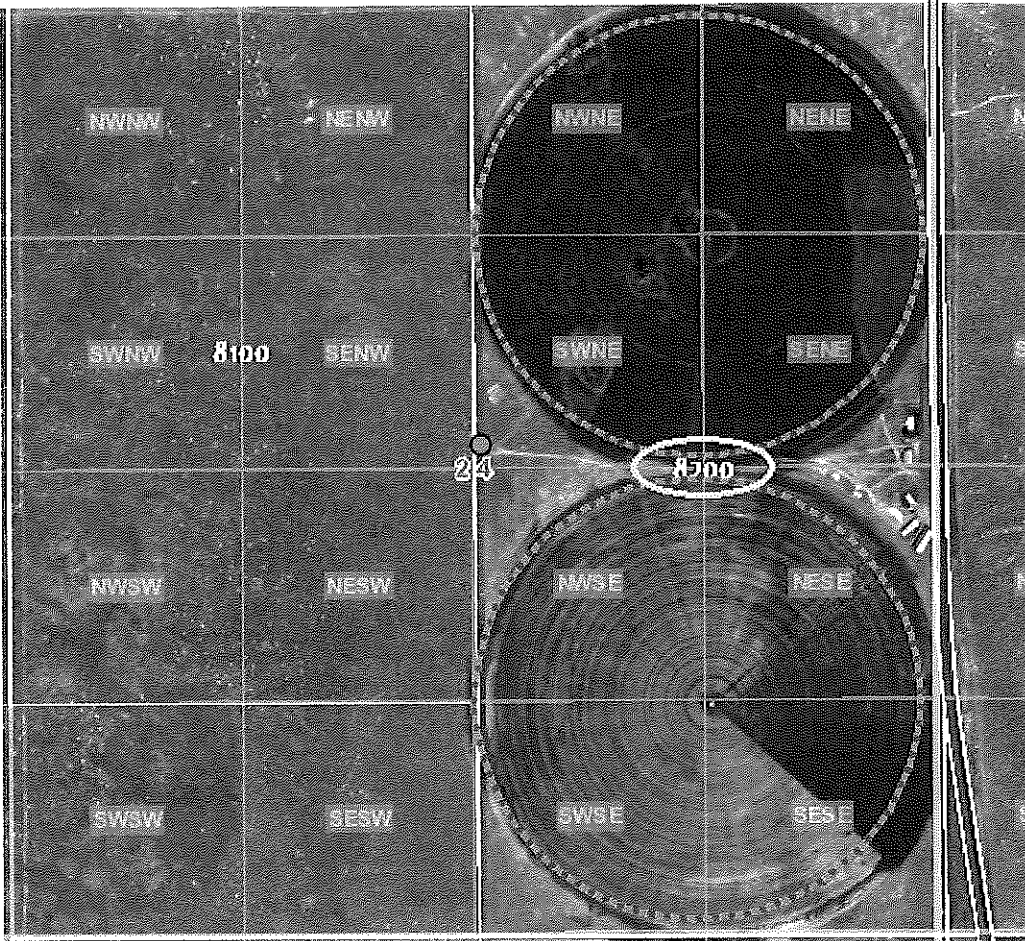


Cancelled Nos.
 200
 1000
 4900
 5700
 4100 (2016)



PRINTED ON 10/13/2017

25S33E



County: Harney
Taxlot: 25S33E000008200
Owner1:
Owner2:
Owner Address:
Site Address: , , OR
Acres: 316.2
TRSQQ: WM25.00S33.00E000008200
Effective Date: January 1, 2018

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2019

NOT OFFICIAL VALUE

November 2, 2018 2:34:12 pm

Account # 10467 Map # 25S33E00-00-08200 Code - Tax # 0420-10467 Legal Descr Metes & Bounds - See legal report for full description. Mailing Name PRINCE, GEORGE F Agent In Care Of Mailing Address 6955 ALDERBROOK RD TILLAMOOK, OR 97141-9219 Prop Class 559 MA SA NH Unit RMV Class 559 04 00 042 3565-1	Tax Status ASSESSABLE Acct Status ACTIVE Subtype NORMAL Deed Reference # 2012-915 Sales Date/Price 07-18-2012 / \$769,250.00 Appraiser TAMMY ATTLEBERGER
---	---

Situs Address(s)	Situs City
ID# 56462 HIGHWAY 78	BURNS
ID# 56464 HIGHWAY 78	BURNS

Code Area	RMV	MAV	Value Summary AV	RMV Exception	CPR %
0420	714,528			Land	0
	Impr.			Impr.	0
Code Area Total	940,328	451,990	374,706		0
Grand Total	940,328	451,990	374,706		0

Land Breakdown											
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0420	1	R		EFRU-2	Farm Use Zoned	100	A	267.99	2	006*	669,980
0420	2	R		EFRU-2	Farm Use Zoned	100	A	46.23	6	006*	16,180
0420	4	R		EFRU-2	Farm Use Zoned	100	A	2.00	HS	006*	4,370
0420	3	R		EFRU-2	Farm Use Zoned	100	A	0.00	IW	006*	6,000
0420					SITE AMENTIES	100					12,000
0420					SITE AMENTIES	100					6,000
Grand Total								316.22			714,530

Improvement Breakdown										
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #	Trended RMV	
0420	1	1999	472	MS Double wide	100	1,757		R - 76257	59,330	
0420	2	1999	462	MS Double wide	100	1,458		R - 76258	38,690	
0420	3	2006	337	HAY COVER	100	7,280			49,350	
0420	4	2001	304	GP BUILDING	100	3,200			38,710	
0420	5	2006	309	MAINLINE 10"	100	2,610			36,340	
0420	7		110	Residential Other Improvements	100	0			1,750	
0420	8		361	LIVESTOCK SHED	100	120			610	
0420	9		310	MACHINE SHED	100	143			1,020	
Grand Total						16,568			225,800	

MS Account(s): 0420-R-76257, R-76258



Oregon Water Resources Department
Water Rights Platcard Report

- [Main](#) [Help](#)
- [Return](#) [Contact Us](#)

No Conflicts

Search Criteria

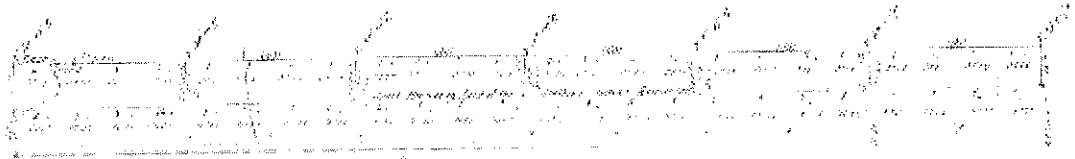
Meridian: Township: Range: Section: Records per Page:

Platcards Maps!
[Learn about](#) * [View Map](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown
							Q(160):	NE	NE	NE	NE	NW	NW	NW	NW	SW	SW	SW	SW	SE	SE	SE	SE	QQ
Select Permit: G 13755 *		4/20/1998	IRRIGATION					30.2	30.8	30.8	30.2													
Additional Info: MICHAEL KNUDSEN App: G14730 Permit: G13755								<i>R.o.f.R.</i>																

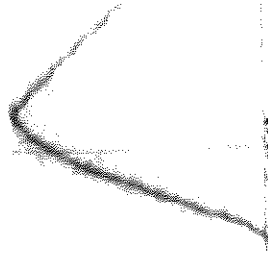
Acreage Legend: 12.25 Regular acreage -12.25- Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended * Acreage is not specified

Fractional Township N^o 25 South Range N^o 35 East Will. Mer. Oregon



8000

24



N 1/4 Sec 30 E

S 89 57' W

1000000	1000000	1000000	1000000
1000000	1000000	1000000	1000000
1000000	1000000	1000000	1000000
1000000	1000000	1000000	1000000
1000000	1000000	1000000	1000000
1000000	1000000	1000000	1000000
1000000	1000000	1000000	1000000
1000000	1000000	1000000	1000000
1000000	1000000	1000000	1000000
1000000	1000000	1000000	1000000

about 1/2 mi



N 78 50' E

Water Use Report Based on Water Right



Permit: G 13755 *

KNUDSEN, MICHAEL 56462 HWY 78 BURNS, OR 97720

Records per page: [View All](#)

Acre-feet (AF) of Water Used

<u>Water Year*</u>	<u>Report ID</u>	<u>Facility</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sep</u>	<u>Total Water Used</u>	<u>Irrigated Acres</u>
2017	49257	PIVOT I & PIVOT II (HARN 50150/L-11940)							49.00	121.00	168.00	172.00	164.00	41.00	715.00	244.00
2016	49257	PIVOT I & PIVOT II (HARN 50150/L-11940)	0.00	0.00	0.00	0.00	0.00	0.00	58.00	107.00	174.00	186.00	172.00	31.00	728.00	244.00
2015	49257	PIVOT I & PIVOT II (HARN 50150/L-11940)	0.00	0.00	0.00	0.00	0.00	0.00	32.00	121.00	166.00	201.00	171.00	27.00	718.00	244.00
2013	49257	PIVOT I & PIVOT II (HARN 50150/L-11940)	0.00	0.00	0.00	0.00	0.00	0.00	26.09	143.62	100.05	128.28	141.78	99.74	639.56	
2012	49257	PIVOT I & PIVOT II (HARN 50150/L-11940)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	124.29	100.66	142.09	105.88	118.46	591.38	
2011	49257	PIVOT I & PIVOT II (HARN 50150/L-11940)	0.00	0.00	0.00	0.00	0.00	0.00	43.89	131.66	87.16	140.56	127.67	31.61	562.53	
2010	49257	PIVOT I & PIVOT II (HARN 50150/L-11940)	0.00	0.00	0.00	0.00	0.00	0.00	30.69	127.36	100.05	143.01	116.92	110.48	628.51	
2009	49257	PIVOT I & PIVOT II (HARN 50150/L-11940)	0.00	0.00	0.00	0.00	0.00	0.00	129.20	112.01	88.69	107.41	133.50	24.55	595.37	
2008	49257	PIVOT I & PIVOT II (HARN 50150/L-11940)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	142.70	144.85	150.38	141.48	128.89	708.30	
2002	49257	PIVOT I & PIVOT II (HARN 50150/L-11940)	0.00	0.00	0.00	0.00	0.00	0.00	34.32	135.52	37.56	152.02	180.01	41.69	581.13	
2001	49257	PIVOT I & PIVOT II (HARN 50150/L-11940)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.07	2.13	2.13	2.13	1.07	8.53	

*The water year is named for the calendar year in which it ends. Example: the 2018 water year begins Oct. 1, 2017 and ends Sep. 30, 2018.

- The Water Resources Department makes reasonable efforts to screen the data for quality control; however, the Department cannot accept responsibility for errors, omissions, or accuracy of the information. Notification of any errors is appreciated. Send notifications to wateruse@wr.state.or.us or call (503) 986-0905.
- Water use is reported by point of diversion (POD), rather than by water right.
- If a POD is shared with multiple water rights, it is not feasible to separate out the amount used under the water right being queried from water used by other rights using this same POD.
- Monthly amounts indicate:
 - For diverted rights, the total amount diverted during the month;
 - For storage rights, the amount generally stored in the reservoir/pond during the month, as represented by the volume of water impounded on approximately the same day each month.
- Water use amounts have all been converted to "acre-feet" (AF), regardless of the original measurement unit reported. One AF is the volume of water that will cover an acre of ground one foot deep = 325,850 gallons.

Pump Capacity Calculator

using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 100
Efficiency = 7.04
Lift = 39
PSI = 39

Results Calculated

(hp)(efficiency) = 704
Head based on psi = 99.1
Total dynamic head = 138.1
(head + lift)

Pump Capacity = 5.099 cubic feet per second

Pump Capacity Calculator

using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 100
Efficiency = 7.04
Lift = 43
PSI = 28

Results Calculated

(hp)(efficiency) = 704
Head based on psi = 71.1
Total dynamic head = 114.1
(head + lift)

Pump Capacity = 6.168 cubic feet per second

CLAIM OF BENEFICIAL USE

for Permits claiming more than 0.1 cfs and All Transfers



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

No fee is required for submitting this form for a transfer.

**A fee of \$150 must accompany this form to be accepted for permits
with a priority date of July 9, 1987, or later. (ORS 536.050(1))**

A separate form shall be completed for each permit.

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

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
http://www.wrd.state.or.us/OWRD/WR/cwre_info.shtml#.

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

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see
http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml.

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SECTION 1 GENERAL INFORMATION

JUL 25 2012

SALEM, OR

1. File Information

APPLICATION # (G, R, S OR T) G-14730	PERMIT # (IF APPLICABLE) G-13755	PERMIT AMENDMENT # (IF APPLICABLE) NA
---	-------------------------------------	--

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Michael and Marsha Knudsen		PHONE NO. 541-493-2740	ADDITIONAL CONTACT NO. NA	
ADDRESS 56462 Highway 78				
CITY Burns	STATE OR	ZIP 97720	E-MAIL NA	

If the current property owner is not the permit or transfer holder of record, it is recommended that an assignment be filed with the Department. **The COBU must be signed by each permit or transfer holder of record.**

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

PERMIT OR TRANSFER HOLDER OF RECORD Michael and Marsha Knudsen		
ADDRESS 56462 Highway 78		
CITY Burns	STATE OR	ZIP 97720

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD NA		
ADDRESS NA		
CITY NA	STATE NA	ZIP NA

4. Date of Site Inspection:

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Mike Knudsen	May 17, 2012	Owner/ Operator

6. County:

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

**Mark "NA" if there are no owners of property not included in this claim

OWNER OF RECORD NA		
ADDRESS NA		
CITY NA	STATE NA	ZIP NA

ADDITIONAL OWNER OF RECORD NA		
ADDRESS NA		
CITY NA	STATE NA	ZIP NA

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SECTION 2
SYSTEM DESCRIPTION

A. Points of Diversion/Appropriation

1. Point of diversion/appropriation name or number:

POINT OF DIVERSION/APPROPRIATION (POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
POA	L11940 HARN 50150	NA

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

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

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY
NA		

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

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	RATE OR VOLUME FOR USE (CFS, GPM, OR AF)
POA	Irrigation	Alfalfa/Pasture	May1 thru Sept 30	3.05 cfs
Total Quantity of Water Used				3.05 cfs

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

Water is pumped from the well and delivered through a 10" above ground steel mainline for 8 feet to a "Y", where the mainline splits for the two pivots. From the "Y" a 10" above ground steel mainline runs northeasterly 5 feet and connects with a buried 10" PVC mainline running northeasterly 1715 feet to Pivot #1 to irrigate north field.

From the "Y" a 10" above ground steel mainline runs southeasterly 5 feet and connects with a buried 10" PVC mainline running southeasterly 1900 feet to Pivot #2 to irrigate south field.

A water usage panel is on both pivots.

The system was not in operation on the day of my inspection, May 17, 2012.

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SECTION 2

SYSTEM DESCRIPTION (B through H)

Are there multiple PODs or POAs? NO

If "YES" you will need to copy and complete Sections 2B through 2H for each POD/POA.

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

NA

B. Place of Use

1. Is the right for municipal use? NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLot	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
25S	33E	WM	24	NENE	NA	NA	Irrigation	30.2	NA
25S	33E	WM	24	NWNE	NA	NA	Irrigation	30.8	NA
25S	33E	WM	24	SWNE	NA	NA	Irrigation	30.8	NA
25S	33E	WM	24	SENE	NA	NA	Irrigation	30.2	NA
25S	33E	WM	24	NESE	NA	NA	Irrigation	30.2	NA
25S	33E	WM	24	NWSE	NA	NA	Irrigation	30.8	NA
25S	33E	WM	24	SWSE	NA	NA	Irrigation	30.8	NA
25S	33E	WM	24	SESE	NA	NA	Irrigation	30.2	NA
Total Acres Irrigated								244.0	NA

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

C. Diversion and Delivery System Information

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

1. Is a pump used? YES

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

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Unknown	Unknown	Unknown	Turbine	Unknown	10"

3. Motor Information

MANUFACTURER	HORSEPOWER
High Trust - US Electrical	100

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4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
PIVOT#1-100	39 psi	38 ft.	1 ft.	5.10 cfs
PIVOT#2- 100	28 psi	38 ft.	5 ft.	4.96 cfs

5. Provide pump calculations:

PIVOT # 1. See attached EXHIBIT A.
PIVOT # 2. See attached EXHIBIT B.

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

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
PIVOT # 1 Not in operation on day of my inspection.	NA	NA	NA
PIVOT #2 Not in operation on day of my inspection.	NA	NA	NA

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

7. Is the distribution system piped?

YES

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

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
PIVOT #1 --- 10"	1715 ft.	PVC	Buried
PIVOT # 2 ---10"	1900 ft.	PVC	Buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
NA	NA	NA	NA

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
NA	NA	NA	NA	NA	NA

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

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11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
Pivot #1 (north)-Valley	1397 ft.	39 psi	900 gmp	2.00 cfs
Pivot #2 (south)- Valley	1397 ft.	28 psi	950 gpm	2.12 cfs
			TOTAL	4.12 cfs

12. Additional notes or comments related to the system:

See note in SECTION 4 under VARIATIONS.

D. Groundwater Source Information (Well and Sump)

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

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

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

Access port is a ¼ inch opening 1.5 feet above ground level on southwest side of casing.

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

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY
unknown	unknown	225 ft.	4/14/1997	NA	Wm. & Melinda Schaffer	Western Drilling Co.

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

NA

5. Is the appropriation from a dug well (sump)? NO

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

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

E. Storage

1. Does the distribution system include in-system storage (i.e. storage tank, bulge in system / reservoir) NO

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

If "YES" is it a: NO
 Storage Tank
 Bulge in System / Reservoir RECEIVED BY OWRD

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

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F. Gravity Flow Pipe

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

1. Does the system involve a gravity flow pipe?

NO

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

G. Gravity Flow Canal or Ditch

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

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

NO

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

H. Reservoir

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

NO

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

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

SECTION CONDITIONS

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

1. Time Limits:

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

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	Dec. 13, 1999		
BEGIN CONSTRUCTION (A)	April 23, 2000	April 30, 2000	Begin construction.
COMPLETE CONSTRUCTION (B)		June 30, 2000	Completed construction.
COMPLETE APPLICATION OF WATER (C)	October 1, 2004	July 1, 2001	Complete application of water accomplished.

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

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

NO

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

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4. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement? NO

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

5. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements? NO

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

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

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

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

b. Has the pump test been previously submitted to the Department? NO

c. Is the pump test attached to this claim? YES

d. Has the pump test been approved by the Department? NO

e. Has a pump test exemption been approved by the Department? NO

7. Measurement Conditions:

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

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

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

b. Has a meter been installed? NO

JUL 25 2012

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
NA	NA	NA	NA	NA	NA

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

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department? YES

e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

NAME	TITLE	APPROXIMATE DATE
Gerry Clark	See attached Exhibit D	Jan. 10, 2012

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED
Water Usage per Pivot Control Panel	Working/ both pivots	South Pivot 5/22/1997 North Pivot 6/24/1998

8. Recording and reporting conditions

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

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

b. Have the reports been submitted? YES

METHOD OF SUBMITTING REPORT (PAPER OR ELECTRONIC)	WATER USER REPORTING ID
Paper	28881

If the reports have not been submitted, attach a copy of the reports if available.

9. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? NO

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

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

10. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? NO

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

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

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

- a. Were there special well construction standards? NO
- b. Was submittal of a ground water monitoring plan required? NO
- c. Was the water user required to restore the riparian area if it was disturbed? NO
- d. Was a fishway required? NO
- e. Was submittal of a letter from an engineer required prior to storage of water? NO
- f. Was submittal of a water management and conservation plan required? NO
- g. Other conditions? NO

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

NA

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**SECTION 4
VARIATIONS**

Include a description of variations from the permit, permit amendment final order, extension final order, or transfer final order. (i.e. *"The permit allowed three points of diversion. The water user only developed one of the points."* or *"The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres."*)

The permit allowed 244.0 acres of irrigation the water user developed and is applying water to 278.3 acres. I find no application or permit for the additional use. I reviewed this situation with owner/operator, Mike Knudsen. Mr. Knudsen elected to eliminate the end guns on both pivots thereby reducing the radius of coverage to the permitted acres. Mr. Knudsen will make application to the department for irrigation of the additional 34.3 acres.

**SECTION 5
ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
Exhibit A	PIVOT # 1 Pump Capacity calculations
Exhibit B	PIVOT # 2 Pump Capacity calculations
Exhibit C	Well Pump Test
Exhibit D	Letter from Gerry Clark, OWRD- Re: Dedicated electrical meter

**SECTION 6
CLAIM SUMMARY**

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POA	3.05 cfs	4.12 cfs	NA	Irrigation	244.0	244.0

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JUL 25 2012

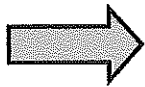
SECTION 7

CLAIM OF BENEFICIAL USE MAP

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

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

Used GPS in RTK to locate POA at well, both pivots, mainlines, irrigated fields and the aluminum capped monument at N1/4 corner Section 24, Twp.25S., R33E., W.M. Also utilized current satellite imagery per ORMAP, undated.



Map Checklist

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

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

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

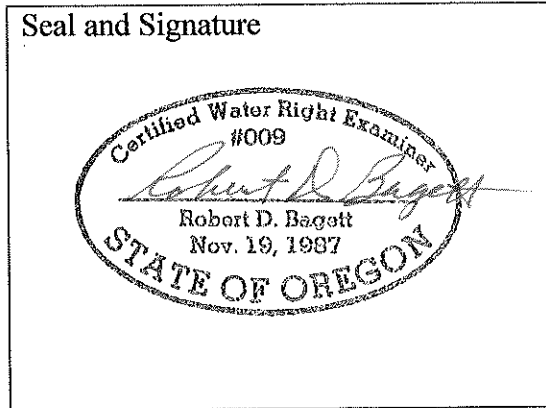
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**SECTION 8
SIGNATURES**

CWRE Statement, Seal and Signature

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



CWRE NAME Robert D. Baggett		PHONE NO. 541-575-1251	ADDITIONAL CONTACT NO. 541-620-0717
ADDRESS P.O. Box 476			
CITY John Day	STATE OR	ZIP 97845	E-MAIL bob@johndaysurveyors.com

Permit or Transfer Holder's of Record Signature or Acknowledgement

This Claim of Beneficial Use must be signed by each permit or transfer holder of record.

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

SIGNATURE	PRINT OR TYPE NAME	DATE
	Michael Knudsen	7/24/12
	Marsha Knudsen	7/24/12

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JUL 25 2012

Pump Capacity Calculation Sheet

using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 100
Efficiency = 7.04
Lift = 39
PSI = 39

Results Calculated

$(hp)(\text{efficiency}) = 704$
Head based on psi = 99.1
Total dynamic head = 138.1
(head + lift)

Pump Capacity = 5.10 feet per second

Permit G12755 Pivot 1

Mike Knudsen

EXHIBIT A

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JUL 25 2012

SALEM, OR

Pump Capacity Calculation Sheet

using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency: 7.04

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 100
Efficiency = 7.04
Lift = 43
PSI = 39

Results Calculated

(hp)(efficiency) = 704
Head based on psi = 99.1
Total dynamic head = 142.1
(head + lift)

Pump Capacity = 4.96 feet per second

Permit G13755 Pivot 2

Mike Knudsen

EXHIBIT B

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JUL 25 2012

SALEM, OR

Bob Bagett

From: "Mark Owens" <cte84921@centurytel.net>
To: "Bob " <bob@johndaysurveyors.com>
Sent: Monday, January 16, 2012 11:22 AM
Attach: Water Use Reports.pdf
Subject: Fwd: Water Right Information - Knudsen Permit G-13755

----- Forwarded message from -----
Date: Tue, 10 Jan 2012 18:22:57 +0000
From: Gerry Clark
Reply-To: Gerry Clark
Subject: Water Right Information - Knudsen Permit G-13755
To: "emailaddress@centurytel.net"

Mark and Mike,

I have attached a copy of the water user reports that were in the file for water years 2000-2001 and 2001-2002.

As we discussed, because the permit indicates that a "meter" is required, a dedicated electrical meter is considered by the Department to be a meter for the purpose of demonstrating compliance with the condition. Please be aware that the Department may require the water user to install a flow meter at some point in time.

When the Claim has been completed by the CWRE, please be sure that both Michael and Marsha sign the Claim. In addition, there is a \$150.00 fee that will need to be submitted with the Claim.

Please let me know if you have any additional questions.

Gerry

Gerry Clark

Water Right Services Division

Water Resources Department

725 Summer Street NE, Suite A

Salem, Oregon 97301

Phone: 503-986-0811

Fax: 503-986-0901

WRD Home Page: www.wrd.state.or.us

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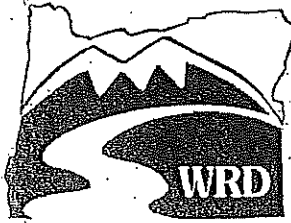
SALEM, OR

EXHIBIT D

----- End forwarded message -----
Thank you
Mark Owens
emailaddress@centurytel.net

Completion Checklist for CWRE Claims of Beneficial Use

Application # G 14730



Date Received 7/25/2012
 CWRE Name Robert Baggett Claim Logged
 File Marked _____
 Oversized Map # _____
 Read the file and attach a copy of the permit or transfer final order. _____

Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
- Source illustrated if surface water (OAR 690-014-0170(3))
- Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- Point(s) of diversion or appropriation (coordinates) (OAR 690-014(4) & 690-310-0050)
- Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
- Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014(4))
- Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

Report Review:

- On form or format provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- Tax lot information (OAR 690-014)
- Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- Source(s) of water (OAR 690-014-0100)
- Point of diversion/appropriation location (OAR 690-014-0100)
- Use, period of use, and rate for use (OAR 690-014-0100)
- Place of use location (OAR 690-014-0100)
- Type of use (OAR 690-014-0100)
- Extent of use (OAR 690-014-0100)
- Rate and Duty (OAR 690-014-0100)
- Diversion rate for each use (OAR 690-014-0100)
- Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- System capacity (OAR 690-014-0100)
 - _____ Calculated capacity of system (required)
 - _____ Measured amount of use (optional)
- Permit/Transfer Final Order Conditions (OAR 690-014-0100)
 - _____ Time limits
 - _____ Initial water level measurements
 - _____ Annual static water level measurements
 - _____ Measurement, recording, and reporting
 - _____ Meter/measuring device
 - _____ Water use reporting
 - _____ Fish screening and/or by-pass
 - Pump test (ground water)
 - _____ Other conditions
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of permittee or transfer holder (OAR 690-014-0100)

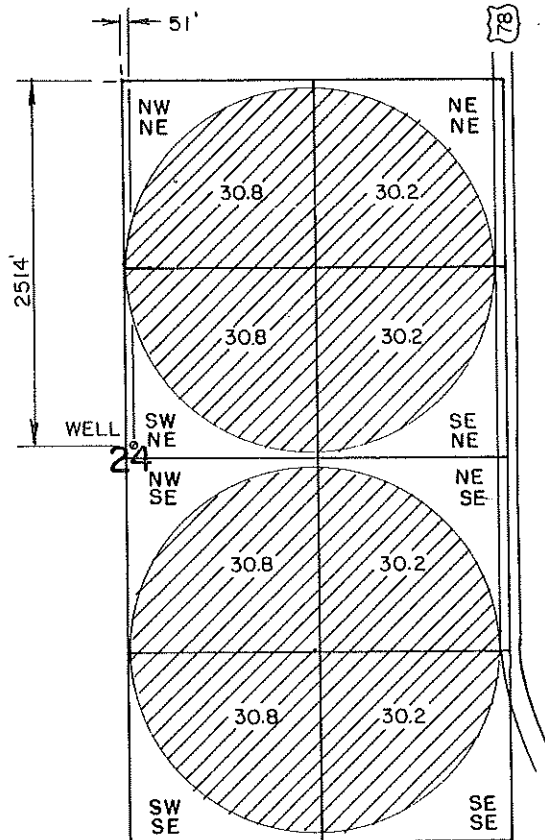
DEF = deficient
 N/A = Not Applicable

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APR 20 1998

WATER RESOURCES DEPT.
SALEM, OREGON

T 25 S, R 33 E, WM



E 1/2 SECTION - TAX LOT 8200

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

App No. *G-14730*
Permit No. *G-13755*

120.8

	WILLIAM SCHAFFER		WATER RIGHT APPLICATION MAP	
	Scale: 4" = 1 MILE	Date: NOV. 1997	Job: 1657B	
	Dsn:		Sht. No.	
	Drn: CHRIS		of 1	
Ckd:	M. A. PALMER & SONS, INC. ENGINEERING & SURVEYING 254 N. Alder - Box 61 Burns, Oregon 97720			



Oregon
Kate Brown, Governor

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

August 22, 2018

MARK & CELESTE OWENS
OWENS HAY LLC
PO BOX 746
CRANE OR 97732

GW

The Department has accepted the pump test results for the following permitted well(s):

Application	Water Right	Permitted Well	Tested Well	Test Date	Test Status	Exemption	Well Name
G 14730	Permit: G 13755 *	HARN 50150	HARN 50150	05/21/2012	Approved	None	L-11940

Please contact me if you have any questions.

Sincerely,

Darrick Boschmann
503-986-0853
Groundwater Section

cc: GW Pump Test File



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

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

June 27, 2013

MICHAEL & MARSHA KNUDSEN
56462 HIGHWAY 78
BURNS OR 97720

GW

The Department has accepted the pump test results for the following permitted well(s):

Application	Permit	Permitted Well	Tested Well	Test Date	Test Status	Exemption	Owner's Well Name
G	14730 G	13755 HARN 50150	HARN 50150	05/21/2012	Approved	None	L-11940

Please contact me if you have any questions.

Sincerely,

Karl Wozniak
Ground Water/Hydrology Section

cc: GW Pump Test File



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

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

August 1, 2012

Michael and Marsha Knudsen
56462 Highway 78
Burns OR 97720

On July 25, 2012 the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

Application G-14730 Permit G-13755

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

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml

Customer Service phone: (503) 986-0801

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

Your receipt is enclosed.

Cc: file

MEMORANDUM

TO: GROUND WATER SECTION
FROM: CERTIFICATE SECTION - CONNIE VANCE
SUBJECT: PUMP TEST FOR PERMIT G-13755 APPLICATION G-14730 DATE: 7/25/2012

The attached pump test was recently received. We have retained the original for the application file.

S:\groups\wr\certs\Resource Center\pump test memo normal.doc

Oregon Water Resources Department
PUMP TEST FORM COVER SHEET

Well Owner:
 Name: Michael and Marsha Kundsens
 Address: 56462 Hwy 78
 County: Harney
 City: Burns State: OR Zip: _____
 Original owner (from well log): William and Melinda Schaffer

Well Location:
 Township: 25 S Range: 33 E
 Section: 24 1/4: SW 1/4 NE 1/4 NE
 Well depth: 225.0 Date drilled: 4/15/97
 Owners well no. (if any): _____
 POB-ID: _____

Water Right Information:
 Application: G-14730 Permit: G-13755 Certificate: _____
 Is this well listed on more than one water right? Yes If yes, list additional water rights below:
 Application: _____ Permit: _____ Certificate: _____
 Application: _____ Permit: _____ Certificate: _____

Pump Test:
 Test Conducted by: Michael Kundsens Well Owner? Yes
 Company: _____
 Address: 56462 Hwy 78 Date of Test: 05/21/2012
 City: Burns State: OR Zip: 97720
 Daytime phone: 541-589-0701

Method of discharge measurement (see our brochure for more information): Flow meter
 Method of water-level measurement (pick one or enter other method used): Electric tape
 Length of air line (if used): _____

Pump type (pick one or enter other method used): Turbine
 Was the pump test conducted during normal use of the well? Yes Note: _____

Are you aware of any wells, other than domestic or stock wells, pumping within 1000 feet of the tested well during the test or within 24 hours prior to the test? Yes Note: none
 If yes, give approximate distances to each and approximate pumping rate of each. If possible, indicate if they were turned on or off during the test: _____

Is there a lake, stream or other surface water body within 1/4 mile of the tested well? Yes If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head. Approx. distance: _____ ft Approx. elevation difference: _____ ft

Well elevation is above surface water body.

Description of measuring point (e.g. top port of 1 inch port pipe, west side) between the casing and liner of well
 Measuring point distance above land surface 1.50 feet.

Static water level measurements: (A minimum of three measurements are required in the hour before pumping begins at no less than 20 minutes apart):

Time	Depth to water below meas. point	Depth to water below land surface
<u>8:00 am</u>	<u>43.00</u>	<u>41.50</u>
<u>8:20 am</u>	<u>43.00</u>	<u>41.50</u>
<u>8:40 am</u>	<u>43.00</u>	<u>41.50</u>

Discharge measurements: (A discharge measurement is required at the start of pumping and at least once an hour during the test; additional measurements should be noted on the Pump Test Data Sheet):

Time	Discharge Rate	Discharge Units (e.g. gpm, cfs, etc)
<u>8:45 am</u>	<u>1,700.00</u>	<u>gpm (gallons per minute)</u>
<u>9:45 am</u>	<u>1,700.00</u>	<u>gpm (gallons per minute)</u>
<u>10:45 am</u>	<u>1,700.00</u>	<u>gpm (gallons per minute)</u>
<u>11:45 am</u>	<u>1,700.00</u>	<u>gpm (gallons per minute)</u>
<u>12:45 pm</u>	<u>1,700.00</u>	<u>gpm (gallons per minute)</u>

Time pump turned on: Date 05/21/2012 Time 8:45 am
 Time pump turned off: Date 05/21/2012 Time 12:46 pm
 Total pumping time: 4 hours 1 minutes

Note: Well must be idle for at least 16 hours prior to the test.

Additional forms can be obtained from our web site at: <http://www.wrd.state.or.us>

Required Signature: Mike Kundsens

RECEIVED BY OWRD

JUL 25 2012

SALEM, OR

OWRD 2/9/2000

EXHIBIT C-1/2

Gerry Clark

From: Gerry Clark
Sent: Tuesday, January 10, 2012 10:23 AM
To: 'emailaddress@centurytel.net'
Subject: Water Right Information - Knudsen Permit G-13755
Attachments: Water Use Reports.pdf

Mark and Mike,

I have attached a copy of the water user reports that were in the file for water years 2000-2001 and 2001-2002.

As we discussed, because the permit indicates that a "meter" is required, a dedicated electrical meter is considered by the Department to be a meter for the purpose of demonstrating compliance with the condition. Please be aware that the Department may require the water user to install a flow meter at some point in time.

When the Claim has been completed by the CWRE, please be sure that both Michael and Marsha sign the Claim. In addition, there is a \$150.00 fee that will need to be submitted with the Claim.

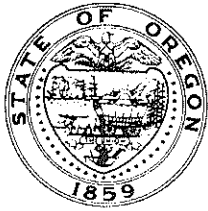
Please let me know if you have any additional questions.

Gerry

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

Phone: 503-986-0811
Fax: 503-986-0901

WRD Home Page: www.wrd.state.or.us



014730

USER-ID 28881

2000

Oregon Water Resources Department
October 2000 through September 2001
Annual Water Use - Monthly Quantities Form

2001



49257

Facility <input type="checkbox"/>	POD-ID <input type="checkbox"/>				
		Pivot #1	Pivot #2		
October - 2000					
November - 2000					
December - 2000					
January - 2001					
February - 2001					
March - 2001					
April - 2001					
May - 2001		173641.5	173641.5		
June - 2001		347,287.5	347,287.5		
July - 2001		347,287.5	347,287.5		
August - 2001		347,287.5	347,287.5		
September - 2001		173641.5	173641.5		
TOTAL *		1389150	1389150		

RECEIVED
MAY 10 2002
WATER RESOURCES DEPT.
SALEM, OREGON

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: Pivot Control Panel (Water on Reading). If use is irrigation, total number acres irrigated 267

I certify this information is true and accurate to the best of my knowledge.

Mike Krouse
Signature

Owner
Title

Mike
Reporting Entity

4-15-02
Date

2001

Oregon Water Resources Department
 October 2001 through September 2002
 Annual Water Use - Monthly Quantities Form

USER-ID 28881

2002



Facility <input checked="" type="checkbox"/>	<u>44257</u>				
POD-ID <input checked="" type="checkbox"/>	<u>Pivot I</u>	<u>Pivot II</u>	<u>44257 (IR)</u>		
October - 2001					
November - 2001					
December - 2001					
January - 2002					
February - 2002					
March - 2002					
April - 2002	<u>5,568,000</u>	<u>5,616,000</u>	<u>11,184,000</u>		
May - 2002	<u>22,080,000</u>	<u>22,080,000</u>	<u>44,160,000</u>		
June - 2002	<u>4,032,000</u>	<u>8,208,000</u>	<u>12,240,000</u>		
July - 2002	<u>23,664,000</u>	<u>25,872,000</u>	<u>49,536,000</u>		
August - 2002	<u>29,376,000</u>	<u>29,280,000</u>	<u>58,656,000</u>		
September - 2002	<u>7,248,000</u>	<u>6,336,000</u>	<u>13,584,000</u>		
TOTAL *	<u>91,968,000</u>	<u>97,392,000</u>			

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: PIVOT CONTROL PANEL
(WATER METER READING) If use is irrigation, total number acres irrigated 267
 I certify this information is true and accurate to the best of my knowledge.

Mike Spuda
 Signature

Owner
 Title

Mike
 Reporting Entity

12-30-02
 Date

Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
 158 12th Street NE; Salem, OR 97310-0210

Mailing List for FO Copies

Application#G-14730

Mailing List December 2, 1999

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

Applicant: MICHAEL AND MARSHA KNUDSEN, HC 73-3100 HWY 78, BURNS, OR 97720

For FO w/Permit - Copies sent to:

1. WRD - File # G-14730

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

2. WRD - Watermaster District #: 10
3. WRD - Regional Manager: ER

COPIES TO Other Interested Persons

4. Chris T. Palmer

CASEWORKER: AMH

*Data Center
NWR - (Gloria)*

Copies Mailed	
By: <i>Cal</i>	
	(SUPPORT STAFF)
on: <i>1/12/00</i>	
	(DATE)

Mailing List for PFO Copies

Application #G-14730

PFO Date February 16, 1999

Original mailed to:

Applicant: WILLIAM A. SCHAFFER, 204 SCARLET WAY, FERNLEY, NV 89408 -9488

Copies sent to:

1. WRD - File # G-14730

PFO, Map, and Fact Sheet Copies sent to:

2. WRD - Watermaster # 10
3. WRD - Regional Manager: ER
4. ODFW District Biologist: Wayne Bowers

Copies sent to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

5. Chris T. Palmer (CWRE)

CASEWORKER : RWK- WEEK 186

Copies Mailed
By: <u> JLW </u>
(SUPPORT STAFF)
on: <u> 2/16/99 </u>
(DATE)



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

June 22, 1999

MICHAEL & MARSHA KNUDSEN
HC 73 - 3100 HWY 78
BURNS OR 97720

REFERENCE: File G-14730

The assignment of Application G-14730 from William Schaffer to you has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original is enclosed along with our receipt number 30439 covering the recording fee of \$25 you submitted.

Sincerely,

DALLAS S. MILLER
Water Rights Specialist

DSM:jh

Enclosure

cc: Mitch Lewis, Watermaster
Data Center, OWRD
Chris Palmer, CWRE
William Schaffer - 204 Scarlet Way - Fernley, NV 89408



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

CERTIFIED MAIL
Return Receipt Requested

August 2, 1999

Michael and Marsha Knudsen
HC 73 - 3100 Hwy 78
Burns, Oregon 97720

RE: Application File # G-14730

Dear Mr. and Mrs. Knudsen:

On **April 23, 1999**, a Final Order was sent from the Department requesting an additional item necessary to complete your application for water use. The following item must still be received:

- ▶ Permit recording fees in the amount of \$150.00.

Please submit this item by **October 1, 1999**. If we do not receive the item requested above by this date, your application **will** be rejected. If your application is rejected, any fees submitted in excess of the examination fee will be refunded; however, the examination fee is non-refundable and will not be returned. In addition, the priority date associated with your application will be lost.

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

Should you have any questions regarding your application or the required materials listed above please call me at (503) 378-8455, extension 331, or toll free within Oregon at 1-800-624-3199.

Sincerely,

Laura K. Snedaker
Senior Water Rights Specialist

cc: Mitch Lewis, Watermaster District #10
Jerry Rodgers, E Region Manager
Chris T. Palmer, CWRE



APR 20 1998

50150

L11940

G 14730

STATE OF OREGON WATER SUPPLY WELL REPORT WATER RESOURCES DEPT.

(as required by ORS 537.765)

SALEM, OREGON

(START CARD) # 83831

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number _____

Name William & Melinda Schaffer

Address HC 73 2941 Hwy 78

City Burns State OR Zip 97720

(2) TYPE OF WORK:

New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:

Rotary Air Rotary Mud Cable Auger

Other

(4) PROPOSED USE:

Domestic Community Industrial Irrigation

Thermal Injection Livestock Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes No Depth of Completed Well 225 ft.

Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds
28	0	18	bentonite	0	18	28 sacks
22	18	160				
12	160	225				

How was seal placed: Method A B C D E

Other poured dry & tamped

Backfill placed from _____ ft. to _____ ft. Material _____

Gravel placed from 160 ft. to 0 ft. Size of gravel 3/8

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	24	+1	20	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:	14	+1.5	160	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

Perforations Method factory saw cut

Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
40	160	1/8x4	6720	14		<input type="checkbox"/>	<input checked="" type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

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

Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time hr.
100	0		1 hr.

Temperature of water: 57 Depth Artesian Flow Found _____

Was a water analysis done? No Yes By whom _____

Did any strata contain water not suitable for intended use? Too little

Salty Muddy Odor Colored Other

Depth of strata: _____

(9) LOCATION OF WELL by legal description:

County Harney Latitude _____ Longitude _____

Township 25S N or S Range 33E E or W. WM.

Section 24 SW 1/4 NE 1/4

Tax Lot 8200 Lot _____ Block _____ Subdivision _____

Street Address of Well (or nearest address) Hwy 78

(10) STATIC WATER LEVEL:

38 ft. below land surface. Date 4-14-97

Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 40

From	To	Estimated Flow Rate	SWL
40	225	1000	28

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL
Sandy loam topsoil	0	1	
Sand/clay	1	12	
Clay, brn	12	25	
Clay, bluish gray	25	58	
Sand, blk	58	80	29
Clay green/sand blk	80	86	28
Sand, blk	86	96	28
Clay, green	96	102	28
Sand, blk	102	108	28
Clay, tan	108	111	28
Sand, brn	111	140	28
Clay, blk	140	150	28
Sand, blk	150	160	28
Rock/clay blk	160	180	28
Rock broken blk	180	210	28
Rock loose brn	210	220	28
Rock brn	220	225	28

Date started 3-17-97 Completed 4-14-97

(unbonded) Water Well Constructor Certification:

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

WWC Number _____

Signed _____ Date _____

(bonded) Water Well Constructor Certification:

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

WWC Number 1424

Signed Timothy K. Riley Date 4-15-97

Mailing List for IR Copies

Application #G-14730

IR Date: December 11, 1998

Original mailed to:

Applicant: WILLIAM A SCHAFFER , HC 73 2941 HWY 78, BURNS, OREGON 97720

Copies sent to:

1. WRD - File # G-14730
2. WRD - Water Availability: Ken Stahr

IR, Map, and Fact Sheet Copies sent to:

3. WRD - Watermaster # District 10
4. WRD - Regional Manager (not Bob Main):ER
5. ODFW District Biologist: (HARNEY County)Wayne Bowers

Copies sent to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

6. CWRE: Chris Palmer #100 _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____

Copies Mailed

By: <u>NW</u>
(SUPPORT STAFF)
on: <u>12/11/98</u>
(DATE)

APPLICATION FACT SHEET

Mail to: *Applicant, Watermaster, District Biologist (ODFW)*
If necessary, also mail to : Regional Water quality manager (DEQ), and DOA

Application File Number: G-14730

Applicant: WILLIAM A SCHAFFER

County: HARNEY

Watermaster: District 10

Priority Date: April 20, 1998

Source: A WELL IN MALHEUR LAKE BASIN

Use: IRRIGATION OF 244.0 ACRES

Quantity: 100.0 GALLONS PER MINUTE

Basin Name & Number: Malheur Lake, #12

Stream Index Reference: Volume 2 MALHEUR L & MISC

Point of Diversion Location: SWNE, SECTION 24, T25S, R33E, W.M.; 2514 FEET SOUTH & 51 FEET EAST FROM N1/4 CORNER, SECTION 24

Place of Use: NENE 30.2 ACRES NWNE 30.8 ACRES SWNE 30.8 ACRES SENE 30.2 ACRES NESE 30.2 ACRES NWSE 30.8 ACRES SWSE 30.8 ACRES SESE 30.2 ACRES, SECTION 24, TOWNSHIP 25 SOUTH, RANGE 33 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, December 25, 1998

PUBLIC NOTICE DATE: Tuesday, December 29, 1998

30 DAY COMMENT DEADLINE DATE: Thursday, January 28, 1999

Mitch Lewis, 11:23 AM 7/2/98, Schaffer application

X-Sender: lewisme@mailhub.wrd.state.or.us
Date: Thu, 02 Jul 1998 11:23:26
To: Anita.M.Mcloud@wrд.state.or.us
From: Mitch Lewis <Mitch.E.Lewis@wrд.state.or.us>
Subject: Schaffer application

Anita, could you please NOT do a IR on the application we talked about this morning. If I could get you to send the application back to me it would be a big help. The applicant is having trouble with a land sale and may withdraw completely, or re-apply. This is a mess! Don't try to e-mail me. I am using a computer in a different office. Thanks. ML



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

RECEIVED

MAY 11 1998

WATER RESOURCES DEPT.
SALEM, OREGON

April 21, 1998

William Schaffer
HC73 2941 Hwy 78
Burns, OR 97720

REFERENCE FILE G-14730

Dear Mr. Schaffer:

The Department has received your application for a permit to use water and has assigned the above referenced number to your application. Please refer to that number when contacting the Department.

Your application has been accepted and you should expect an Initial Review of your application within 45 days. However, at this time additional information is required to complete your application. Please submit the following:

- ▶ The metes and bounds legal description of the property where the water will be diverted, conveyed and used. (OAR 690-310-040(1)(I) The metes and bounds legal description can be found on your deed, land sales contract or title insurance policy. Do not send a copy of your tax bill.

I have enclosed a return envelope for your convenience. Please submit the requested information immediately so that your application can be processed in a timely manner without delay. If you have any questions, please call me at 1-800-624-3199 extension 229.

Sincerely,

Anita McLoud
Water Rights Specialist
Initial Review

cc: File

*Anita,
Attached is the legal
description from the deed!
Let me know if you need
anything else!
Melinda*

980698

Loan No.: 126138

Date: APRIL 15, 1998

Property Address:

HC 73 2941 HIGHWAY 78
BURNS, OREGON 97720

RECEIVED

MAY 11 1998

WATER RESOURCES DEPT.
SALEM, OREGON

Exhibit "A"

Legal Description

The East Half, of Section Twenty-Four, Township Twenty-Five South, Range Thirty-Three East, Willamette Meridian, County of Harney and State of Oregon, EXCEPTING THEREFROM that portion conveyed by deed to the State of Oregon, by and through its State Highway Commission, recorded August 2, 1947, in Book 46, Page 442, Harney County Deed Records.

A.P.N. # : 4-2-25-33-8200

980698

RECEIVED

MAY 11 1998

WATER RESOURCES DEPT.
SALEM, OREGON

RETURN TO

Name:
METWEST MORTGAGE SERVICES, INC.

Address:
P.O. BOX 2162
SPOKANE, WASHINGTON 99210

STATE OF OREGON }
County of Harney } ss
I certify that the within instrument was received
for record on the 24 day of April
1998 at 1:30 clock P.M. and
recorded Microfilm number 770678
By: Maria Iturriaga, County Clerk
Deputy

Loan No. 126138

[Space Above This Line For Recording Data]

DEED OF TRUST

COPY

THIS DEED OF TRUST ("Security Instrument") is made on APRIL 15, 1998
The grantor is WILLIAM A SCHAFFER AND MELINDA S SCHAFFER

HARNEY COUNTY TITLE COMPANY ("Borrower"). The trustee is
METWEST MORTGAGE SERVICES, INC., A WASHINGTON CORPORATION ("Trustee"). The beneficiary is
which is organized and existing under the laws of WASHINGTON, and whose address is
929 WEST SPRAGUE AVENUE, SPOKANE, WASHINGTON 99201

("Lender"). Borrower owes Lender the principal sum of
ONE HUNDRED THIRTY TWO THOUSAND SEVEN HUNDRED NINETY FIVE AND 00/100*****
Dollars (U.S. \$ 132,795.00). This debt is evidenced by Borrower's note dated
the same date as this Security Instrument ("Note"), which provides for annual payments, with the full debt, if not paid
earlier, due and payable on MAY 1, 2018 . This Security Instrument secures
to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals, extensions and
modifications of the Note; (b) the payment of all other sums, with interest, advanced under paragraph 7 to protect the
security of this Security Instrument; and (c) the performance of Borrower's covenants and agreements under this
Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with
power of sale, the following described property located in HARNEY County, Oregon:
LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT
"A".
A.P.N. : 4-2-25-33-8200

which has the address of HC 73 2941 HIGHWAY 78, BURNS
[Street]

[City]

Oregon 97720 ("Property Address");
[Zip Code]



Oregon Water Resources Department

RECEIVED

APR 20 1998

WATER RESOURCES DEPT.
SALEM, OREGON

FORM I
FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

Primary Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: 280 Acres

Secondary: _____ Acres

List the permit or certificate number of the primary water right: no. _____

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- 1. alfalfa hay Full season Partial season (from: 5/1 to 9/30)
- 2. Oat hay Full season Partial season (from: 5/1 to 9/30)
- 3. barley Full season Partial season (from: 5/1 to 9/30)
- 4. _____ Full season Partial season (from: _____ to _____)

3. Indicate the maximum total number of acre-feet you expect to use in an irrigation season:

3.5 acre-feet / SEASON
(1 acre-foot equals 12 inches of water spread over one acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

- Daily during daytime hours Daily during nighttime hours
- Two or three times weekly during daytime Two or three times weekly during nighttime
- Weekly, during daytime hours Weekly, during nighttime hours

Other, explain: daily : day + night

PRE-IR APPLICATION PROCESSING OUTLINE

Application File # G-14730

MINIMUM REQUIREMENTS TO FILE
OAR 690-310-040

DATE

INITIAL

4-21-98

[Signature]

SURFACE AND GROUNDWATER APPLICATIONS

Name and mailing address of applicant

Source of water

Quantity of water

Map meeting requirements of OAR
690-310-050

Nature of proposed use

Names and addresses of legal owners

Easement/authorization statement

Legal description of POD/POU

Description of works and conveyance

Information on waste/measurement, etc

Land use approved _____ pending _____

Signature/title of applicant

Oath

Estimated capacity of pump

Primary permit or certificate number
(if application is for supplemental)

Form M _____ Q _____ I R _____

Examination fee _____ Recording

CWRE map for dam >10ft AND storage >9.2 AF
(For standard reservoirs only)

ADDITIONAL FOR GROUNDWATER APPLICATIONS

Copy of well log (for existing wells)

Groundwater development

Well Characteristics

Rate of flow if no pumping required

HB 2376 Expedited Review Reservoir

Completed Application

Land use approved _____ pending _____

Map showing Township, Range, Section,
quarter-quarter section and tax lot info

HB 2376 exam fee \$10 per acre-foot

SUPPORT SERVICES

Stamp contents with application number

Place label on file and calendar card

Acknowledgment post card to applicant

Route to Initial Review

5/12/98

[Signature]



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

April 21, 1998

William Schaffer
HC73 2941 Hwy 78
Burns, OR 97720

REFERENCE FILE G-14730

Dear Mr. Schaffer:

The Department has received your application for a permit to use water and has assigned the above referenced number to your application. Please refer to that number when contacting the Department.

Your application has been accepted and you should expect an Initial Review of your application within 45 days. However, at this time additional information is required to complete your application. Please submit the following:

- ▶ The metes and bounds legal description of the property where the water will be diverted, conveyed and used. (OAR 690-310-040(1)(I) The metes and bounds legal description can be found on your deed, land sales contract or title insurance policy. Do not send a copy of your tax bill.

I have enclosed a return envelope for your convenience. Please submit the requested information immediately so that your application can be processed in a timely manner without delay. If you have any questions, please call me at 1-800-624-3199 extension 229.

Sincerely,

Anita McLoud
Water Rights Specialist
Initial Review

cc: File

RECEIPT # **30439**

INVOICE # _____

RECEIVED FROM: Marsha C. Knudsen
 BY: _____

APPLICATION	<u>7-14730</u>
PERMIT	
TRANSFER	

CASH: CHECK: # 96-7030 OTHER: (IDENTIFY)

TOTAL REC'D \$ 25.00

0417 WRD MISC CASH ACCT	
ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
VOUCHER #	

0427 WRD OPERATING ACCT	
PCA AND OBJECT CLASS	
<u>PCA # 66111</u>	
0407 MISCELLANEOUS	
0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$ <u>25.00</u>
(New) TC162 DEPOSIT LIAB. (IDENTIFY)	\$
WATER RIGHTS:	
0201 SURFACE WATER	EXAM FEE \$
0203 GROUND WATER	RECORD FEE \$
0205 TRANSFER	\$
WELL CONSTRUCTION	
0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$
LANDOWNER'S PERMIT	0219 \$
0220	\$
OTHER (IDENTIFY)	

0437 WELL CONST. START FEE	
0211 WELL CONST START FEE	\$
0210 MONITORING WELLS	\$
OTHER (IDENTIFY)	

0539 LOTTERY PROCEEDS	
1302 LOTTERY PROCEEDS	\$

0467 HYDRO ACTIVITY	
0233 POWER LICENSE FEE (FW/WRD)	LIC NUMBER \$
0231 HYDRO LICENSE FEE (FW/WRD)	\$
HRDRO APPLICATION	\$

RECEIPT # **30439** DATED: 6-14-99 BY: Roger Wright
 Distribution-White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

RECEIPT # **33188**

INVOICE # _____

RECEIVED FROM: Marsha C. Knudsen
 BY: _____

APPLICATION	<u>7-14730</u>
PERMIT	
TRANSFER	

CASH: CHECK: # 96-7030 OTHER: (IDENTIFY)

TOTAL REC'D \$ 150.00

0417 WRD MISC CASH ACCT	
ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
VOUCHER #	

0427 WRD OPERATING ACCT	
PCA AND OBJECT CLASS	
<u>PCA # 66111</u>	
0407 MISCELLANEOUS	
0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$
(New) TC162 DEPOSIT LIAB. (IDENTIFY)	\$
WATER RIGHTS:	
0201 SURFACE WATER	EXAM FEE \$
0203 GROUND WATER	RECORD FEE \$
0205 TRANSFER	\$ <u>150.00</u>
0206	\$
WELL CONSTRUCTION	
0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$
LANDOWNER'S PERMIT	0219 \$
0220	\$
OTHER (IDENTIFY)	

0437 WELL CONST. START FEE	
0211 WELL CONST START FEE	\$
0210 MONITORING WELLS	\$
OTHER (IDENTIFY)	

0539 LOTTERY PROCEEDS	
1302 LOTTERY PROCEEDS	\$

0467 HYDRO ACTIVITY	
0233 POWER LICENSE FEE (FW/WRD)	LIC NUMBER \$
0231 HYDRO LICENSE FEE (FW/WRD)	\$
HRDRO APPLICATION	\$

RECEIPT # **33188** DATED: 9-24-99 BY: Roger Wright
 Distribution-White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

RECEIPT # **20542**

INVOICE # _____

RECEIVED FROM: Schaffner Farms
 BY: _____

APPLICATION	<u>G14730</u>
PERMIT	
TRANSFER	

CASH: CHECK: # 96-7030 OTHER: (IDENTIFY)

TOTAL REC'D \$ 650.00

0417 WRD MISC CASH ACCT	
ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
VOUCHER #	

0427 WRD OPERATING ACCT	
PCA AND OBJECT CLASS	
<u>PCA 66111</u>	
0407 MISCELLANEOUS	
0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$
(New) TC162 DEPOSIT LIAB. (IDENTIFY)	\$
WATER RIGHTS:	
0201 SURFACE WATER	EXAM FEE \$
0203 GROUND WATER	RECORD FEE \$
0205 TRANSFER	\$ <u>625.00</u>
0206	\$ <u>25.00</u>
WELL CONSTRUCTION	
0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$
LANDOWNER'S PERMIT	0219 \$
0220	\$
OTHER (IDENTIFY)	

0437 WELL CONST. START FEE	
0211 WELL CONST START FEE	\$
0210 MONITORING WELLS	\$
OTHER (IDENTIFY)	

0539 LOTTERY PROCEEDS	
1302 LOTTERY PROCEEDS	\$

0467 HYDRO ACTIVITY	
0233 POWER LICENSE FEE (FW/WRD)	LIC NUMBER \$
0231 HYDRO LICENSE FEE (FW/WRD)	\$
HRDRO APPLICATION	\$

RECEIPT # **20542** DATED: 4-20-99 BY: D. Buehler
 Distribution-White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**
725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **106351** INVOICE # _____

RECEIVED FROM: Marsha C. + Michael Knudsen APPLICATION G14130

BY: _____ PERMIT _____

CASH: CHECK # 7133 OTHER: (IDENTIFY) TRANSFER _____

TOTAL REC'D \$ 150.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES _____ \$ _____
OTHER: (IDENTIFY) _____ \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES 4.0111 \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME _____ \$ _____

WATER RIGHTS:

EXAM FEE	RECORD FEE
0201 SURFACE WATER \$ _____	0202 \$ _____
0203 GROUND WATER \$ _____	0204 \$ _____
0205 TRANSFER \$ _____	

WELL CONSTRUCTION

EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR \$ _____	0219 \$ _____
LANDOWNER'S PERMIT	0220 \$ _____

0200 OTHER (IDENTIFY) 11.811 \$ 150.00

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____
0210 MONITORING WELLS \$ _____ CARD # _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **106351** DATED: 7-25-12 BY: R

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

NEW APPLICATION ROUTING SLIP

RECEIPTING 4-22-98 OLSB
 DATA CENTER 4/24/98 JM
 FRED LISSNER /
 WR DATA ENTRY /
 INITIAL REVIEW _____
 WR SUPPORT Cam 5/12/98

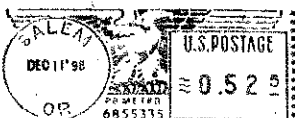
Mike

U.S. POSTAL SERVICE
PS FORM 3547

WATER RESOURCES DEPT.
COMMERCE BUILDING
158 12th STREET NE
SALEM, OR 97310-0210

ADDRESS SERVICE REQUESTED

PRESORTED
FIRST CLASS



return
to sender

fee due 50¢

FILE#: G 14730
WILLIAM A SCHAFER
HC 73 2941 HWY 78
BURNS, OR 97720

SCHA073* 977200019 1798 03 12/15/98
FORM 3547
SCHAFER
204 SCARLET WAY
FERNLEY NV 89408-9488



FIRST CLASS

First-Class Mail
Postage & Fees Paid
U.S.P.S.
Permit No. G-10

Is your RETURN ADDRESS completed on the reverse side?

SENDER: <input type="checkbox"/> Complete items 1 and/or 2 for additional services. <input type="checkbox"/> Complete items 3, 4a, and 4b. <input type="checkbox"/> Print your name and address on the reverse of this form so that we can return this card to you. <input type="checkbox"/> Attach this form to the front of the mailpiece, or on the back if space does not permit. <input type="checkbox"/> Write "Return Receipt Requested" on the mailpiece below the article number. <input type="checkbox"/> The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery
3. Article Addressed to: MICHAEL & MARSHA KNUDSEN HC 73-3100 HWY 78 BURNS, OR 97720 G-14730	4a. Article Number P56287	4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD
5. Received By: (Print Name) MARSHA A. KNUDSEN	7. Date of Delivery 12-8-99	8. Addressee's Address (Only if requested and fee is paid)
6. Signature (Addressee or Agent) 		
PS Form 3811, December 1994		102595-99-B-0223 Domestic Return Receipt

JF

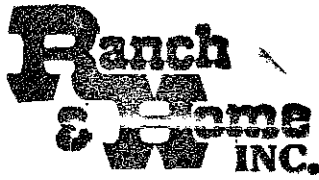
Thank you for using Return Receipt Service.

DATE: 4-21-97
NAME: WILLIAM SCHAFFER
ADDRESS: CRANE, OR
PHONE: 541-493-2716

RECEIVED

APR 20 1998

WATER RESOURCES DEPT.
SALEM, OREGON



PIP DIVISION
13103 Hwy. 20 W. Burns, OR.
(503) 573-2400

Permit No. GM730

WELL DEPTH 225'
WELL DIAMETER
+1'-160' 14"
160'-225' 12"
CASING +1'-160' 14"

