

Name **FIVE GUYS GOOSE CLUB**  
 By **23601 SW PLATANUS PLACE**  
 Add **SHERWOOD, OR 97140**

C20

Priority 1-23-2009  
 County HARNEY WM# 10

**RELATED FILES**  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**DEVELOPMENT** Date  
 Completion 12-3-2014  
 Extended to 10/1/2020  
 Final Proof received COBW 8/1/2016  
 and Cert. Mailed MAY 31 2017

Application No. G17168  
 Permit No. G-16620  
 Certificate No. 93123

DENIED \_\_\_\_\_ Date \_\_\_\_\_  
 MISFILED \_\_\_\_\_ Volume \_\_\_\_\_ Page \_\_\_\_\_  
 WITHDRAWN \_\_\_\_\_  
 CANCELLED \_\_\_\_\_

FEES PAID		
Date	Amount	Receipt No.
1-23-09	800.00	95432
10-16-09	400.00	98123
7/6/15	\$575.00	116494
8-1-16	\$300.00	120752
	Cert. Fee	

FEES REFUNDED		
Date	Amount	Receipt No.

ASSIGNMENTS		
Date	To Whom	Address

REMARKS T-12222 A APOA v100 pg. 617

\_\_\_\_\_  
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 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

MAP LOCATION \_\_\_\_\_

JP 1.27.2009

**PHONE CALL**

FOR Wed EXTRA DATE 7-14 TIME 2010  A.M.  P.M.  
M. R DARRON LUNDY  
OF \_\_\_\_\_  
PHONE 903 806 0270 FAX/CELL \_\_\_\_\_  
MESSAGE BLUE  TELEPHONED  
CARD  RETURNED YOUR CALL  
OWNERS / G 17168  PLEASE CALL  
 WILL CALL AGAIN  
 CAME TO SEE YOU  
SIGNED 503 289 0900 1154  WANTS TO SEE YOU



# Oregon

Kate Brown, Governor

93123

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Ste A  
Salem, OR 97301  
Phone: 503-986-0900  
Fax: 503-986-0904  
[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

March 18, 2019

G 17108

MATTHEW F. STASHIN  
21762 SW MOUNTAIN HOME RD  
SHERWOOD, OR 97140

REFERENCE: Transfer Application T-12812

Enclosed is a copy of the final order approving your water right transfer application.

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Kelly Starnes, by telephone at (503) 986-0886 or by e-mail at [Patrick.K.Starnes@oregon.gov](mailto:Patrick.K.Starnes@oregon.gov).

Sincerely,

Elsa M. Canuto  
Water Right Services Support  
Transfers and Conservation Section

cc: J R. Johnson, Watermaster Dist. #10 (via email)  
Harney County Planning Department  
John A. Short, Agent

Enclosure



**BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON**

In the Matter of Transfer Application	)	FINAL ORDER
T-12812, Harney County	)	APPROVING A CHANGE IN
	)	POINTS OF APPROPRIATION
	)	AND A CHANGE IN PLACE OF USE

**Authority**

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department’s procedures and criteria for evaluating transfer applications.

**Applicant**

MATTHEW F. STASHIN  
21762 SW MOUNTAIN HOME RD  
SHERWOOD, OR 97140

**Findings of Fact**

1. On December 29, 2017, MATTHEW F. STASHIN filed an application to change the points of appropriation and to change the place of use under Certificates 67672, 92313 and 93123. The Department assigned the application number T-12812.
2. On December 26, 2017, WRIGHT FARMS LLC filed an application for additional points of appropriation and to change the place of use also under Certificate 67672. The Department assigned the application number T-12807.
3. Notice of the application for transfer was published on January 9, 2018, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
4. On June 12, 2018, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12812 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of July 12, 2018, for the applicant to respond. The applicant requested that the completion date be extended to October 1, 2023 and for the Department to proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

9. The portion of the second right to be transferred is as follows:

**Certificate:** 92313 in the name of MATTHEW F. STASHIN AND NORTHWEST FARM CREDIT SERVICES, FLCA (perfected under Permit G-17595)

**Use:** IRRIGATION OF 87.0 ACRES

**Priority Date:** AUGUST 18, 1975

**Rate:** 1.05 CUBIC FEET PER SECOND

**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

**Source:** THREE WELLS within the MALHEUR LAKE BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	33 E	WM	18	NW NE	WELL 2 - 32 FEET NORTH AND 28.7 FEET WEST FROM THE SE CORNER OF THE NWNE OF SECTION 18
24 S	33 E	WM	18	SW SE	WELL 3 - 42.7 FEET SOUTH AND 32.9 FEET WEST FROM THE NE CORNER OF THE SWSE OF SECTION 18
24 S	33 E	WM	18	NE SW	WELL 4 - 60.5 FEET NORTH AND 304.75 FEET EAST FROM THE SW CORNER OF THE NESW OF SECTION 18

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
24 S	33 E	WM	18	NE NE		5.3
24 S	33 E	WM	18	NW NE		6.1
24 S	33 E	WM	18	SW NE		7.1
24 S	33 E	WM	18	SE NE		6.4
24 S	33 E	WM	18	NE SW		10.2
24 S	33 E	WM	18	NW SW	3	7.1
24 S	33 E	WM	18	SW SW	4	6.1
24 S	33 E	WM	18	SE SW		9.1
24 S	33 E	WM	18	NE SE		7.4
24 S	33 E	WM	18	NW SE		8.6
24 S	33 E	WM	18	SW SE		7.4
24 S	33 E	WM	18	SE SE		6.2
					Total	87.0

13. Transfer Application T-12812 proposes to move the authorized points of appropriation approximately 2.4 miles for WELL #1 and 2.25 miles for WELL #2 from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
24 S	33 E	WM	30	NW SW	3	WELL #1 - 1380 FEET NORTH AND 140 FEET EAST FROM THE SW CORNER OF SECTION 30
24 S	33 E	WM	30	SE SW		WELL #2 - 1180 FEET NORTH AND 1680 FEET EAST FROM THE SW CORNER OF SECTION 30

14. Transfer Application T-12812 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	33 E	WM	30	NE SW	14.4

**Transfer Review Criteria (OAR 690-380-4010)**

15. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
16. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12812.
17. The proposed changes would not result in enlargement of the rights.
18. The proposed changes would not result in injury to other water rights.
19. All other application requirements are met.

**Conclusions of Law**

The change in points of appropriation and change in place of use proposed in Transfer Application T-12812 are with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

**Now, therefore, it is ORDERED:**

1. The change in points of appropriation and change in place of use proposed in Transfer Application T-12812 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 67672, 92313 and 93123 and any related decree.
3. Water right Certificate 67672 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer or transfer T-12807.

10. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

**MAR 18 2019**

Dated at Salem, Oregon this \_\_\_\_\_.



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

Mailing date: **MAR 19 2019**

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MATTHEW F STASHIN  
21762 SW MOUNTAIN HOME ROAD  
SHERWOOD OR 97140

NORTHWEST FARM CREDIT SERVICES, FLCA  
3370 10<sup>TH</sup> STREET, SUITE B  
BAKER CITY OR 97814

confirms the right to use the waters of THREE WELLS in the MALHEUR LAKE BASIN for IRRIGATION OF 367.0 ACRES.

This right was perfected under Permit G-17595. The date of priority is AUGUST 18, 1975. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 4.45 CUBIC FEET PER SECOND (CFS), being 1.48 CFS FROM EACH OF THE WELLS or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	33 E	WM	18	NW NE	WELL 2 - 32 FEET NORTH AND 28.7 FEET WEST FROM THE SE CORNER OF THE NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> OF SECTION 18
24 S	33 E	WM	18	SW SE	WELL 3 - 42.7 FEET SOUTH AND 32.9 FEET WEST FROM THE NE CORNER OF THE SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> OF SECTION 18
24 S	33 E	WM	18	NE SW	WELL 4 - 60.5 FEET NORTH AND 304.75 FEET EAST FROM THE SW CORNER OF THE NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> OF SECTION 18

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



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

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

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

The wells shall be cased as necessary in accordance with good practice and if the flow is artesian the works shall include proper capping and control valve to prevent the waste of ground water.

The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the wells at all times.

The water user shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

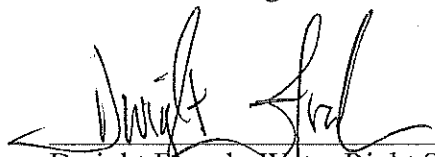
This certificate describes that portion of water right Certificate 92313, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAR 18 2019, approving Transfer Application T-12812.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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

MAR 18 2019

WITNESS the signature of the Water Resources Director, affixed \_\_\_\_\_,



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

STATE OF OREGON  
 COUNTY OF HARNEY  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FIVE GUYS GOOSE CLUB  
 23601 SW PLATANUS PLACE  
 SHERWOOD, OR 97140

confirms the right to use the waters of A WELL in the MALHEUR SLOUGH BASIN for IRRIGATION OF 125.6 ACRES.

This right was perfected under Permit G-17603. The date of priority is JANUARY 23, 2009. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.35 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the well. The period of use is from MARCH 1 THROUGH OCTOBER 31.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	33 E	WM	5	NE SW	WELL 2 - 1285 FEET SOUTH AND 210 FEET WEST FROM THE C <sup>1</sup> / <sub>4</sub> CORNER OF SECTION 5

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	33 E	WM	5	NE SW	31.4
25 S	33 E	WM	5	SE SW	31.4
25 S	33 E	WM	5	NW SE	31.4
25 S	33 E	WM	5	SW SE	31.4
Total					125.6

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the wells if any of the following events occur:

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

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

The water user shall ensure that the well had been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

The combined quantity of water diverted at the new point of appropriation (Well 2) shall not exceed the quantity of water that was lawfully available at the original point of appropriation described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	33 E	WM	5	NW SE	WELL 1 (ORIGINAL) - 2540 FEET NORTH AND 2079 FEET WEST FROM THE SE CORNER OF SECTION 5

Water shall be acquired from the same aquifer as the original point of appropriation.

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.

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 interference.

The well(s) 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.

STATE OF OREGON  
 COUNTY OF HARNEY  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HELEN M. BARRUS  
 19949 CEDAR LANE  
 BEND, OR 97701

confirms the right to use the waters of ONE WELL in the SAGE HEN CREEK BASIN for IRRIGATION of 2.0 ACRES.

This right was perfected under Permit G-10914. The date of priority is MAY 23, 1989. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.03 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
25 S	31 E	WM	5	NW NW	4	35 FEET SOUTH AND 1377 FEET WEST FROM THE N¼ CORNER OF SECTION 5

The amount of water used for irrigation 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 per acre for each acre irrigated during the irrigation season of each year.

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

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
24 S	31 E	WM	31	SE SE		1.0
25 S	31 E	WM	6	NE NE	1	1.0
Total						2.0

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



# Oregon

Kate Brown, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

September 25, 2018

MATTHEW STASHIN  
21762 SW MOUNTAIN HOME RD  
SHERWOOD, OR 97140

SUBJECT: Water Right Transfer Application T-12812

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-12812. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication and in the Burns Times Herald newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the last date of newspaper publication.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please do not hesitate to contact me at 503-986-0886 or [Patrick.K.Starnes@oregon.gov](mailto:Patrick.K.Starnes@oregon.gov) if I may be of assistance.

Sincerely,

Kelly Starnes  
Transfer Program Analyst  
Transfer and Conservation Section

cc: Transfer Application file T-12812  
JR Johnson, District 10 Watermaster (via e-mail)  
John A. Short, Agent for the applicant (via e-mail)

encs

**BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON**

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-12812, Harney County	)	PROPOSING APPROVAL OF A
	)	CHANGE IN POINTS OF
	)	APPROPRIATION AND A CHANGE IN
	)	PLACE OF USE

**Authority**

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

**Applicant**

MATTHEW F. STASHIN  
21762 SW MOUNTAIN HOME RD  
SHERWOOD, OR 97140

**Findings of Fact**

1. On December 29, 2017, MATTHEW F. STASHIN filed an application to change the points of appropriation and to change the place of use under Certificates 67672, 92313 and 93123. The Department assigned the application number T-12812.
2. On December 26, 2017, WRIGHT FARMS LLC filed an application for additional points of appropriation and to change the place of use also under Certificate 67672. The Department assigned the application number T-12807.
3. Notice of the application for transfer was published on January 9, 2018, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
4. On June 12, 2018, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12812 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of July 12, 2018, for the applicant to respond. The applicant requested that the completion date be extended to October 1, 2023 and for the Department to proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.

8. The portion of the second right to be transferred is as follows:

**Certificate:** 92313 in the name of MATTHEW F. STASHIN AND NORTHWEST FARM CREDIT SERVICES, FLCA (perfected under Permit G-17595)

**Use:** IRRIGATION OF 87.0 ACRES

**Priority Date:** AUGUST 18, 1975

**Rate:** 1.05 CUBIC FEET PER SECOND

**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

**Source:** THREE WELLS within the MALHEUR LAKE BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	33 E	WM	18	NW NE	WELL 2 - 32 FEET NORTH AND 28.7 FEET WEST FROM THE SE CORNER OF THE NWN OF SECTION 18
24 S	33 E	WM	18	SW SE	WELL 3 - 42.7 FEET SOUTH AND 32.9 FEET WEST FROM THE NE CORNER OF THE SWSE OF SECTION 18
24 S	33 E	WM	18	NE SW	WELL 4 - 60.5 FEET NORTH AND 304.75 FEET EAST FROM THE SW CORNER OF THE NESW OF SECTION 18

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
24 S	33 E	WM	18	NE NE		5.3
24 S	33 E	WM	18	NW NE		6.1
24 S	33 E	WM	18	SW NE		7.1
24 S	33 E	WM	18	SE NE		6.4
24 S	33 E	WM	18	NE SW		10.2
24 S	33 E	WM	18	NW SW	3	7.1
24 S	33 E	WM	18	SW SW	4	6.1
24 S	33 E	WM	18	SE SW		9.1
24 S	33 E	WM	18	NE SE		7.4
24 S	33 E	WM	18	NW SE		8.6
24 S	33 E	WM	18	SW SE		7.4
24 S	33 E	WM	18	SE SE		6.2
					Total	87.0

12. Transfer Application T-12812 proposes to move the authorized points of appropriation approximately 2.4 miles for WELL #1 and 2.25 miles for WELL #2 from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
24 S	33 E	WM	30	NW SW	3	WELL #1 - 1380 FEET NORTH AND 140 FEET EAST FROM THE SW CORNER OF SECTION 30
24 S	33 E	WM	30	SE SW		WELL #2 - 1180 FEET NORTH AND 1680 FEET EAST FROM THE SW CORNER OF SECTION 30

13. Transfer Application T-12812 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	33 E	WM	30	NE SW	14.4

***Transfer Review Criteria (OAR 690-380-4010)***

14. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
15. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12812.
16. The proposed changes would not result in enlargement of the rights.
17. The proposed changes would not result in injury to other water rights.
18. All other application requirements are met.

**Determination and Proposed Action**

The change in points of appropriation and change in place of use proposed in Transfer Application T-12812 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.


*If Transfer Application T-12812 is approved, the final order will include the following:*

1. *The change in points of appropriation and change in place of use proposed in Transfer Application T-12812 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 67672, 92313 and 93123 and any related decree.*



10. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this SEP 27 2018

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

This Preliminary Determination was prepared by Marcy Osborn. If you have questions about the information in this document, you may reach me at 541-523-8224 ext.228 or [marcy.j.osborn@oregon.gov](mailto:marcy.j.osborn@oregon.gov).

*Protests should be addressed to the attention of Water Rights Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.*

**Notice Regarding Service Members:** Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>



**Oregon**  
Kate Brown, Governor

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

September 25, 2018

MATTHEW STASHIN  
21762 SW MOUNTAIN HOME RD  
SHERWOOD, OR 97140

SUBJECT: Water Right Transfer Application T-12812

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-12812. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication and in the Burns Times Herald newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the last date of newspaper publication.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please do not hesitate to contact me at 503-986-0886 or [Patrick.K.Starnes@oregon.gov](mailto:Patrick.K.Starnes@oregon.gov) if I may be of assistance.

Sincerely,

Kelly Starnes  
Transfer Program Analyst  
Transfer and Conservation Section

cc: Transfer Application file T-12812  
JR Johnson, District 10 Watermaster (via e-mail)  
John A. Short, Agent for the applicant (via e-mail)

encs

**BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON**

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-12812, Harney County	)	PROPOSING APPROVAL OF A
	)	CHANGE IN POINTS OF
	)	APPROPRIATION AND A CHANGE IN
	)	PLACE OF USE

**Authority**

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

**Applicant**

MATTHEW F. STASHIN  
21762 SW MOUNTAIN HOME RD  
SHERWOOD, OR 97140

**Findings of Fact**

1. On December 29, 2017, MATTHEW F. STASHIN filed an application to change the points of appropriation and to change the place of use under Certificates 67672, 92313 and 93123. The Department assigned the application number T-12812.
2. On December 26, 2017, WRIGHT FARMS LLC filed an application for additional points of appropriation and to change the place of use also under Certificate 67672. The Department assigned the application number T-12807.
3. Notice of the application for transfer was published on January 9, 2018, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
4. On June 12, 2018, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12812 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of July 12, 2018, for the applicant to respond. The applicant requested that the completion date be extended to October 1, 2023 and for the Department to proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.

8. The portion of the second right to be transferred is as follows:

**Certificate:** 92313 in the name of MATTHEW F. STASHIN AND NORTHWEST FARM CREDIT SERVICES, FLCA (perfected under Permit G-17595)

**Use:** IRRIGATION OF 87.0 ACRES

**Priority Date:** AUGUST 18, 1975

**Rate:** 1.05 CUBIC FEET PER SECOND

**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

**Source:** THREE WELLS within the MALHEUR LAKE BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	33 E	WM	18	NW NE	WELL 2 - 32 FEET NORTH AND 28.7 FEET WEST FROM THE SE CORNER OF THE NWN OF SECTION 18
24 S	33 E	WM	18	SW SE	WELL 3 - 42.7 FEET SOUTH AND 32.9 FEET WEST FROM THE NE CORNER OF THE SWSE OF SECTION 18
24 S	33 E	WM	18	NE SW	WELL 4 - 60.5 FEET NORTH AND 304.75 FEET EAST FROM THE SW CORNER OF THE NESW OF SECTION 18

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
24 S	33 E	WM	18	NE NE		5.3
24 S	33 E	WM	18	NW NE		6.1
24 S	33 E	WM	18	SW NE		7.1
24 S	33 E	WM	18	SE NE		6.4
24 S	33 E	WM	18	NE SW		10.2
24 S	33 E	WM	18	NW SW	3	7.1
24 S	33 E	WM	18	SW SW	4	6.1
24 S	33 E	WM	18	SE SW		9.1
24 S	33 E	WM	18	NE SE		7.4
24 S	33 E	WM	18	NW SE		8.6
24 S	33 E	WM	18	SW SE		7.4
24 S	33 E	WM	18	SE SE		6.2
Total						87.0

12. Transfer Application T-12812 proposes to move the authorized points of appropriation approximately 2.4 miles for WELL #1 and 2.25 miles for WELL #2 from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
24 S	33 E	WM	30	NW SW	3	WELL #1 - 1380 FEET NORTH AND 140 FEET EAST FROM THE SW CORNER OF SECTION 30
24 S	33 E	WM	30	SE SW		WELL #2 - 1180 FEET NORTH AND 1680 FEET EAST FROM THE SW CORNER OF SECTION 30

13. Transfer Application T-12812 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	33 E	WM	30	NE SW	14.4

***Transfer Review Criteria (OAR 690-380-4010)***

14. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
15. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12812.
16. The proposed changes would not result in enlargement of the rights.
17. The proposed changes would not result in injury to other water rights.
18. All other application requirements are met.

**Determination and Proposed Action**


The change in points of appropriation and change in place of use proposed in Transfer Application T-12812 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

*If Transfer Application T-12812 is approved, the final order will include the following:*

1. *The change in points of appropriation and change in place of use proposed in Transfer Application T-12812 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 67672, 92313 and 93123 and any related decree.*

10. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this SEP 27 2018 \_\_\_\_\_,

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

This Preliminary Determination was prepared by Marcy Osborn. If you have questions about the information in this document, you may reach me at 541-523-8224 ext.228 or [marcy.j.osborn@oregon.gov](mailto:marcy.j.osborn@oregon.gov).

*Protests should be addressed to the attention of Water Rights Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.*

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**REIMBURSEMENT AUTHORITY PERMIT  
APPLICATION G-17168 PERMIT G-17603**

**Certificate 93123 issued 5-31-17**

ATHEN STASHIN

# Completion Checklist for Claims of Beneficial Use for POST JULY 1, 2004 Claims

Application # <u>9-17168 / 9-17603</u> / Permit	WRD Reviewer <u>Kerry Karanagh</u>
Transfer # _____	Claim Logged _____
Date Received <u>8-1-16</u>	Oversized Map # _____
CWRE Name <u>Gary DeJarnatt</u>	<u>Jessica Joye 5/9/17</u>

Map Review: John Short - Representative Permit 9-17603 issued 5-20-16  
Cdate = 10-1-2020

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1)) (supersedes permit 9-16620)
- Disclaimer (OAR 690-014-0170(5)) by Permit Amendment T-12222
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050) 2 wells
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310) 1.5 cfs for IR of 140 ac
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4)) 1/80, 3
- Source illustrated if surface water (OAR 690-014-0170(3)) gw
- 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) pivot
- 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 690-014-0170(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)

one well

COBU - Well 2 (HARN 52063) - only 1 well developed  
1.5 cfs for IR of 140.0 ac  
Mar 1 - Oct 31

### 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) HARNEY
- Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- Source(s) of water (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)

well drilled 6-11-2014  
under use report - 1st use in April 2015  
1st March SWL meas - 3-3-2016

- Diversion rate for each use (OAR 690-014-0100) one use - IR
- 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) Op pump = 1.65 cfs
- Measured amount of use (optional) From water use reporting

1st use in April 2015 - no SWL  
in March 2015  
3/3/16

Rec'd 3-24-17

- Permit/Transfer Final Order Conditions (OAR 690-014-0100)
- Time limits
- Initial water level measurements initial March SWL meas - 3/3/16
- Annual static water level measurements annual March SWL meas -
- Measurement, recording, and reporting
- Meter/measuring device install TFM or OSMD
- Water use reporting recording & reporting
- Fish screening and/or by-pass
- Pump test (ground water) Approved for well 2 - 2-10-17 by Darrick Boschmann
- Other

Conditions from Extension Final Order and/or Water Management Conservation Plan Cdate Ext to 10-1-20  
no add'l conditions

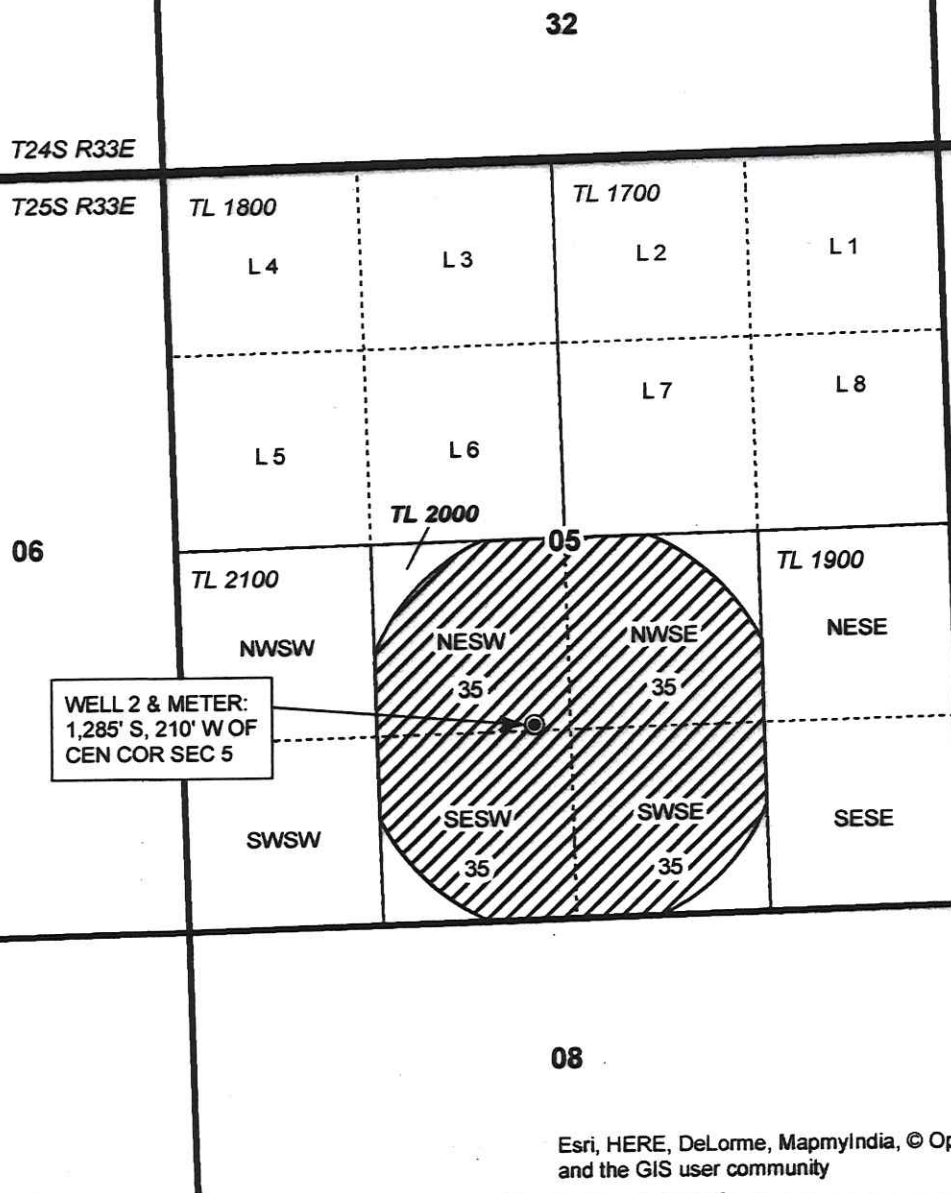
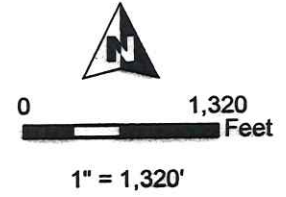
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of permittee of transfer holder (OAR 690-014-0100)

DEF = deficient  
N/A = Not Applicable



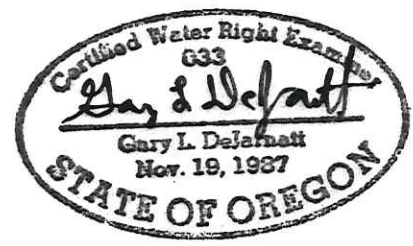
**T25S, R33E, SECTION 5, WM**  
**HARNEY COUNTY, OREGON**

*WORK COPY*



RECEIVED BY OWRD  
 AUG 01 2016  
 SALEM, OR

- POU Irrigation
- Township
- Section
- Quarter Quarter
- Tax Lot
- Well



RENEWAL DATE 12/31/2017

Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

**CLAIM OF BENEFICIAL USE MAP**  
**Five Guys Goose Club**

NOTE: THIS MAP IS NOT INTENDED TO  
 PROVIDE LEGAL DIMENSIONS OR LOCATIONS  
 OF PROPERTY OWNERSHIP LINES.

**WATER RIGHT SERVICES, LLC**  
 PO BOX 1830, BEND, OR 97709  
 CCB# 197121 [www.oregonwater.us](http://www.oregonwater.us)  
 541-389-2837 [JOHNSHORT@USA.COM](mailto:JOHNSHORT@USA.COM)

AP G-17168 PERMIT G-16620

JOB #16008 JULY 5, 2016

rate ✓  
C. Date ✓

Per reviewed by Jessica Joye

STATE OF OREGON

COUNTY OF HARNEY

Looks good!

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FIVE GUYS GOOSE CLUB ✓  
23601 SW PLATANUS PLACE ✓  
SHERWOOD OR 97140 ✓

confirms the right to the use of water perfected under the terms of Permit G-17603. 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-17168 ✓  
SOURCE OF WATER: A WELL IN MALHEUR SLOUGH BASIN ✓  
PURPOSE OR USE: IRRIGATION OF 140.0 ACRES ✓  
MAXIMUM RATE: 1.5 CUBIC FEET PER SECOND  
PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 ✓  
DATE OF PRIORITY: JANUARY 22 ✓

The well is located as follows:

Twp	Rng	Mer	Sec
25 S ✓	33 E ✓	WM	5 ✓

The amount of water used for irrigation of the same lands, is limited to a diversion of water during the irrigation season.

A description of the place of use is:

Twp	Rng	Mer	Sec	Cor
25 S	33 E	WM	5	NE 1/4
25 S	33 E	WM	5	SE 1/4
25 S	33 E	WM	5	NW 1/4
25 S	33 E	WM	5	SW 1/4

R 12410-17  
 Malheur station - Five Guys  
 App G-17168

---

524-17

Jessica -  
 Please per review draft  
 proposed certificate.  
 Thx P.  
 Kerry

right existing for  
at for each acre

\* I believe you should include point... See permit. Because language "together with"

diverted at the new... claimed you will not include the

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.

\* Add: Water shall be acquired from the same aquifer as the original point of appropriation NEVERMIND I FOUND IT!

don't include, well 1 is not used.

The combined quantity of water diverted at the new point of appropriation (Well 2), together with that diverted at the original point of appropriation (Well 1), shall not exceed the quantity of water that was lawfully available at the original point of appropriation described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	33 E	WM	5	NW SE	WELL 1 (ORIGINAL) - 2540 FEET NORTH AND 2079 FEET WEST FROM SE CORNER, SECTION 5

Water shall be acquired from the same aquifer as the original point of appropriation.

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.

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 interference.

The well(s) 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 use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to the agreement.

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

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

Issued \_\_\_\_\_

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

# Mailing List for Certificate

Scheduled Mailing Date:

Application: G-17168 ✓

Permit: G-17603 ✓

**Certificate: PROPOSED**

Copies Mailed	
by: _____	(STAFF)
on: _____	(DATE)

Certificate Holder:

FIVE GUYS GOOSE CLUB ✓  
23601 SW PLATANUS PLACE ✓  
SHERWOOD OR 97140 ✓

**Copies of Final Certificate to be sent to:**

1. Watermaster District 10
2. Water Availability
3. Vault
4. File

**Other persons to receive copies: (include map):**

1. Gary DeJarnatt, CWRE
2. John Short, Representative

**Landowner:**

1. Darren Lundy ✓  
23601 SW Platanus Place ✓  
Sherwood, OR 97140 ✓

STATE OF OREGON  
 COUNTY OF HARNEY  
 PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

FIVE GUYS GOOSE CLUB  
 23601 SW PLATANUS PLACE  
 SHERWOOD, OR 97140

This superseding permit is issued to describe an amendment for an additional point of appropriation proposed under Permit Amendment Application T-12222 and approved by Special Order Vol. 100, Page 617, entered MAY 2 02016, and to describe an extension of time for complete application of water approved October 23, 2015. **This permit supersedes Permit G-16620.**

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

APPLICATION FILE NUMBER: G-17168

SOURCE OF WATER: **2 WELLS** IN MALHEUR SLOUGH BASIN

PURPOSE OR USE: **IRRIGATION USE ON 140.0 ACRES**

MAXIMUM RATE: **1.5 CUBIC FEET PER SECOND**

PERIOD OF USE: **MARCH 1 THROUGH OCTOBER 31**

DATE OF PRIORITY: JANUARY 23, 2009

**WELL LOCATIONS:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	33 E	WM	5	NW SE	2540 FEET NORTH AND 2079 FEET WEST FROM THE SE CORNER OF SECTION 5
25 S	33 E	WM	5	NE SW	1285 FEET SOUTH AND 210 FEET WEST FROM THE CENTER 1/4 CORNER OF SECTION 5

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

*NOT well develop*

*→ ✓ per cubic ft*

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.


Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an **OWRD Well Identification Number (Well ID tag)**, which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

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.

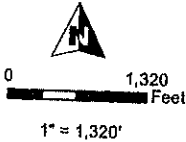
Completion of construction and application of the water was to be made on or before October 1, 2014, when the permit was originally issued on December 3, 2009. By Extension of Time Final Order dated October 23, 2015, the completion of construction and application of water was extended to on or before October 1, 2020.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

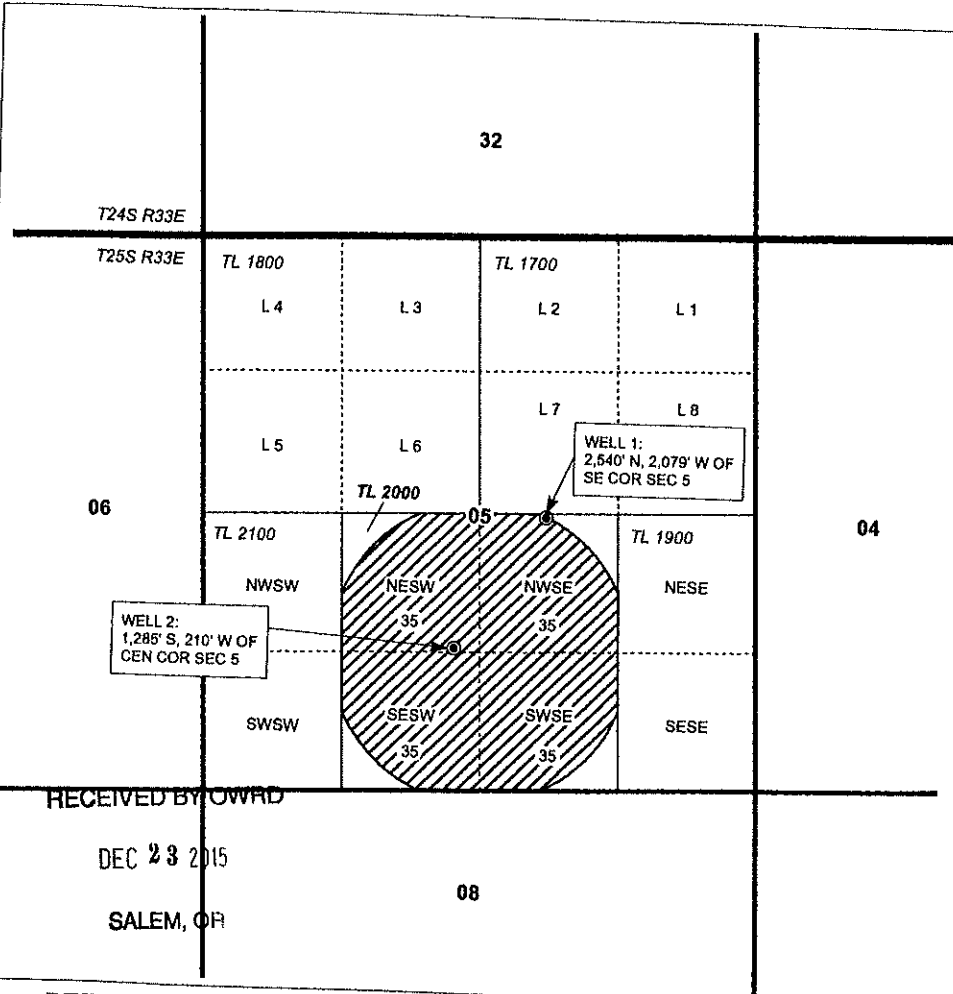
Issued May 20, 2016

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

**T25S, R33E, SECTION 5, WM**  
**HARNEY COUNTY, OREGON**



- POU Irrigation
- Township
- Section
- Quarter Quarter
- Tax Lot
- Well



WELL 2:  
 1,285' S, 210' W OF  
 CEN COR SEC 5

WELL 1:  
 2,540' N, 2,079' W OF  
 SE COR SEC 5

RECEIVED BY OWRD

DEC 23 2015

SALEM, OR



RENEWAL DATE 12/31/2015

**PERMIT AMENDMENT MAP**  
**Five Guys Goose Club**

PERMIT G-16620

NOTE: THIS MAP IS NOT INTENDED TO  
 PROVIDE LEGAL DIMENSIONS OR LOCATIONS  
 OF PROPERTY OWNERSHIP LINES.

1 12222

DECEMBER 8, 2015

**WATER RIGHT SERVICES, LLC**  
 PO BOX 1830, BEND, OR 97709  
**CCB# 197121** [www.oregonwater.us](http://www.oregonwater.us)  
 541-389-2837 [JOHNSHORT@USA.COM](mailto:JOHNSHORT@USA.COM)



STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

FIVE GUYS GOOSE CLUB  
23601 SW PLATANUS PLACE  
SHERWOOD, OR 97140

*Superseded by  
Permit G-17803*

*T-12222 permit  
amendment  
to add POA*

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

APPLICATION FILE NUMBER: G-17168

SOURCE OF WATER: WELL 1 IN MALHEUR SLOUGH BASIN

PURPOSE OR USE: IRRIGATION USE ON 140.0 ACRES

MAXIMUM RATE: 1.5 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JANUARY 23, 2009

WELL LOCATION: NW ¼ SE ¼, SECTION 5, T25S, R33E, W.M.; 2540 FEET NORTH AND 2079 FEET WEST FROM SE CORNER, SECTION 5

*Well 1*

*Drig. Auth well*

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE ¼ SW ¼ 35.0 ACRES

SE ¼ SW ¼ 35.0 ACRES

NW ¼ SE ¼ 35.0 ACRES

SW ¼ SE ¼ 35.0 ACRES

SECTION 5

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 totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter or measuring device in good working order.

- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

**STANDARD CONDITIONS**

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.

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.

Completion of construction and application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued DECEMBER 3, 2009

*E. Timothy Wall*

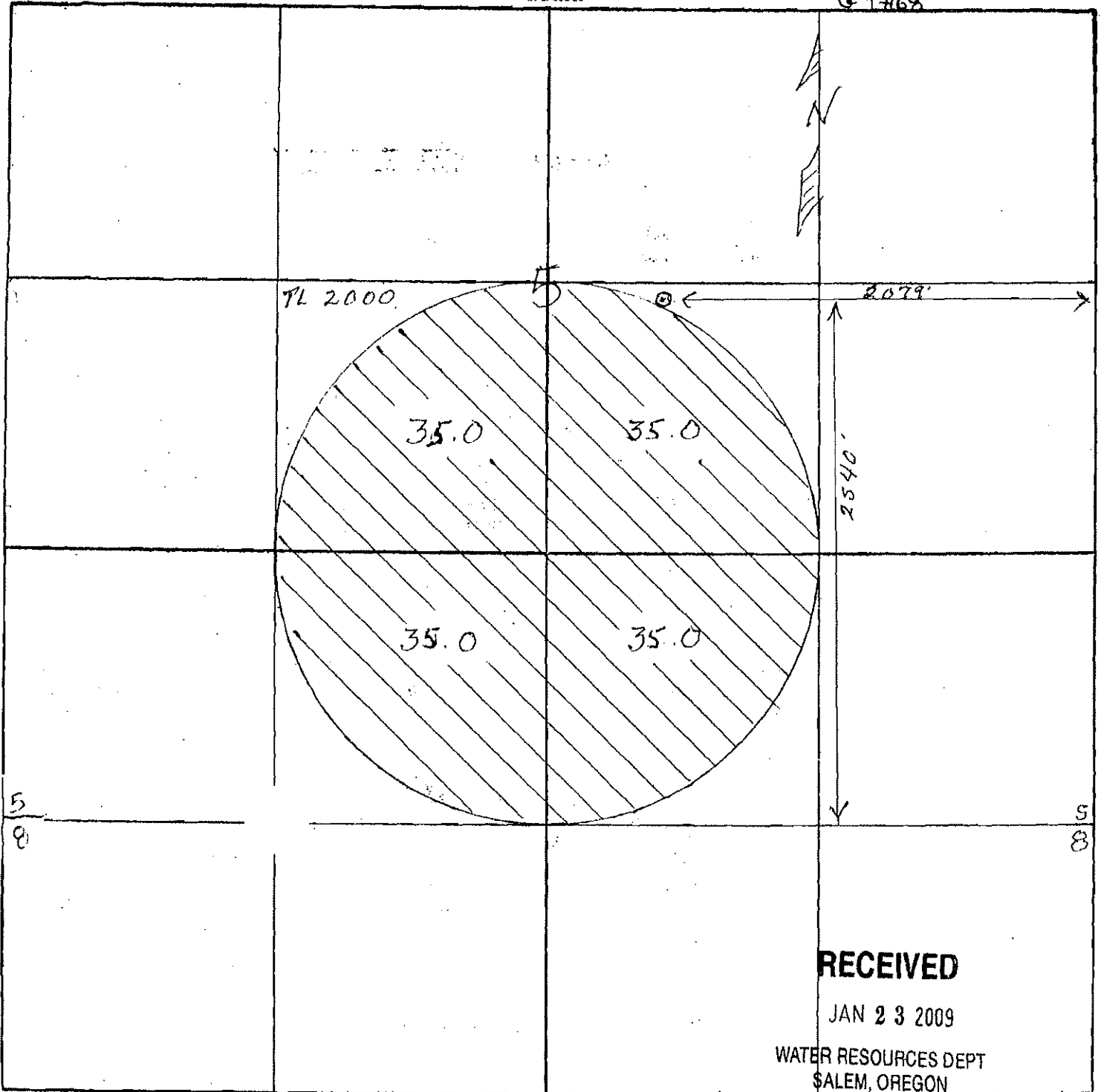
for Phillip C. Ward, Director  
Water Resources Department

SECTION PLAN

Section 5 Township 25-S Range 33-E  
County of Harney State of Oregon

NORTH

G-17168



**RECEIVED**

JAN 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON

Remarks scale - 8" = 1 mile - 660' -



# Oregon

Kate Brown, Governor

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

February 10, 2017

DARREN LUNDY  
FIVE GUYS GOOSE CLUB  
23601 SW PLATANUS PLACE  
SHERWOOD OR 97140

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	Owner's Well Name
G 17168	Permit: G 17603 *	HARN 52063	HARN 52063	10/21/2016	Approved	None	WELL 2 (L-60061)

Please contact me if you have any questions.

Sincerely,

Darrick Boschmann  
Groundwater Section

cc: GW Pump Test File

**Pump Capacity Calculation Sheet**

App G-17168, Permit G-17603

using Department designed formula:

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

only 1 well developed - Well 2  
Well 2 (HARN 52063) - L60061

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

**Data Entry (fill in underlined blanks)**

HP =	<u>125</u>
Efficiency =	<u>7.04</u>
Lift =	<u>368</u>
PSI =	<u>65</u>

**Results Calculated**

(hp)(efficiency) =	880
Head based on psi =	165.1
Total dynamic head =	533.1
(head + lift)	

**Pump Capacity = 1.65 feet per second**

**BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON**

In the Matter of Permit Amendment	)	FINAL ORDER
T-12222, Harney County	)	APPROVING AN ADDITIONAL POINT
	)	OF APPROPRIATION

**Authority**

Oregon Revised Statute (ORS) 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

**Applicant**

FIVE GUYS GOOSE CLUB  
23601 SW PLATANUS PLACE  
SHERWOOD, OR 97140

**Findings of Fact**

1. On December 23, 2015, Five Guys Goose Club filed an application for an additional point of appropriation under Permit G-16620. The Department assigned the application number T-12222.
2. On October 23, 2015, the Department approved an extension of time for complete application of water to October 1, 2020.
3. Notice of the application for the permit amendment was published in the Department's weekly notice on December 29, 2015, and in the Burns Times Herald newspaper on May 4 and 11, 2016, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
4. Permit Amendment Application T-12222 proposes an additional point of appropriation approximately 0.3 mile from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	33 E	WM	5	NE SW	1285 FEET SOUTH AND 210 FEET WEST FROM THE CENTER 1/4 CORNER OF SECTION 5

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 and OAR 690-01-0005 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

6. All other terms and conditions of Permit G-16620 remain the same.

Dated at Salem, Oregon this 20 day of MAY, 2016.



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

MAY 27 2016

Mailing Date: \_\_\_\_\_





**Oregon Water Resources Department**  
Water Rights Information Query

Permit: G 17603 \*

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

**Contact Information** (Click to Collapse...)

▼ **Current contact information**

OWNER:  
 ▸ FIVE GUYS GOOSE CLUB  
 23601 SW PLATANUS PLACE  
 SHERWOOD, OR 97140

**Water Right Information** (Click to Collapse...)

Status: Non-Cancelled  
 County: Harney  
 File Folder Location: Salem  
 Watermaster District: 10

**Workflow** (Click to Collapse...)

- **Application: G 17168**
- **Permit: G 17603** *document, paper map*
- Signature: 5/20/2016

*Superseding Permit*

Permit Workflow

Action	Date	Result	Completed By
Completion Date [C Date]	12/3/2014		
Extension Application Received	7/6/2015		MACHELLE BAMBERGER
▸ Extension Comment Period Ends	8/13/2015		MACHELLE BAMBERGER
Extension PFO 315 Issued	9/1/2015	Propose to Approve	MACHELLE BAMBERGER
Extension PFO Protest Period Ends	10/16/2015	Propose to Approve	MACHELLE BAMBERGER
Extension FO Issued	10/23/2015	Extended	MACHELLE BAMBERGER
Extended Completion Date [Extension C Date]	10/1/2020		MACHELLE BAMBERGER

▼ **Order(s)**

Order Origin	Volume-Page	Signature	Description
▸ Special	100-617	5/20/2016	T-12222 APPROVING AN APOA

▼ **Transfer(s)**

Transfer	Transfer type	Status
▸ T12222 ()	Permit Amendment	Approved

- [View right with Web Mapping](#)
- [View Places of Use from Water Rights in the Same Area](#)
- [View Reported Water Use](#)

*T-12222  
Permit Amendment  
Add'l POA*

**Scanned Documents** (Click to Collapse...)

Records per page: 10

Document Type	Document Title	Date	Remarks
Application Checklist	<a href="#">Application Checklist &amp; Receipt</a>	1/23/2009	
Application	<a href="#">GW Application</a>	1/23/2009	
Map - Application	<a href="#">Map</a>	1/23/2009	
Review - Groundwater/Application	<a href="#">GW Review</a>	4/7/2009	
Initial Review	<a href="#">Initial Review</a>	4/24/2009	
Order - Proposed Final	<a href="#">PFO</a>	8/11/2009	
Order - Final	<a href="#">Final Order w/Draft Permit</a>	11/12/2009	
Order - Extension of Time	<a href="#">Extension PFO</a>	9/1/2015	
Order - Extension of Time	<a href="#">Extension FQ</a>	10/23/2015	
Order	<a href="#">Order Image - Volume: 100 Page: 617</a>	5/20/2016	T-12222 APPROVING AN APOA

12

**Point(s) of Diversion** (Click to Collapse...)

▼ **POD 1 - A WELL > MALHEUR SLOUGH BASIN**

▼ **Description**

- T-R-S-QQ: 25.00S-33.00E-5-NW SE
- Location Description: 2540 FEET NORTH AND 2079 FEET WEST FROM SE CORNER, SECTION 5

▼ **POD Rate**

Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)
1.5	0.75(est)		

▼ **IRRIGATION (Primary)**

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
1/23/2009	1.5	0.75(est)			1/80	3.00000	3/1	10/31	

▼ **POD 2 - A WELL > MALHEUR SLOUGH BASIN**

▼ **Description**

- T-R-S-QQ: 25.00S-33.00E-5-NE SW
- Location Description: 1285 FEET SOUTH AND 210 FEET WEST FROM C1/4 CORNER, SECTION 5

▼ **POD Rate**

Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)
1.5	0.75(est)		

▼ **IRRIGATION (Primary)**

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
1/23/2009	1.5	0.75(est)			1/80	3.00000	3/1	10/31	

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

**Application for Extension of Time**

In the Matter of the Application for an Extension of Time    )  
for Permit G-16620, Water Right Application G-17168,        ) FINAL ORDER  
in the name of Five Guys Goose Club                            )

---

**Permit Information**

Application:	G-17168
Permit:	G-16620
Basin:	12 – Malheur Lake / Watermaster District 10
Date of Priority:	January 23, 2009
Source of Water:	Well 1 in Malheur Slough Basin
Purpose of Use:	Irrigation use on 140.0 Acres
Maximum Rate:	1.5 cubic feet per second (cfs)

---

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

Appeal Rights

**This is a final order in other than a contested case.** This order is subject to judicial review under ORS 183.484. A request for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either file for judicial review, or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Application History

Permit G-16620 was issued by the Department on December 3, 2009. The permit specified for completion of construction by October 1, 2014 and complete application of water to beneficial use by October 1, 2014. On July 6, 2015, Five Guys Goose Club submitted to the Department an Application for Extension of Time for Permit G-16620. In accordance with OAR 690-315-0050(2), on September 1, 2015, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2020, and the time to fully apply water to beneficial use to October 1, 2020. The protest period closed October 16, 2015, in accordance with OAR 690-315-0060(1). No protest was filed.

Mailing List for Extension FO Copies

FO Date: October 23, 2015

Copies Mailed

Application: G-17168

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

Permit: G-16620

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

Original mailed to permit holder

Five Guys Goose Club  
23601 SW Plantanus Place  
Sherwood, OR 97140

Copies sent to:

1. WRD - App. File G-17168/ Permit G-16620
2. John Short  
PO Box 1830  
Bend, OR 97709

Fee paid as specified under ORS 536.050 to receive copy:

3. None

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

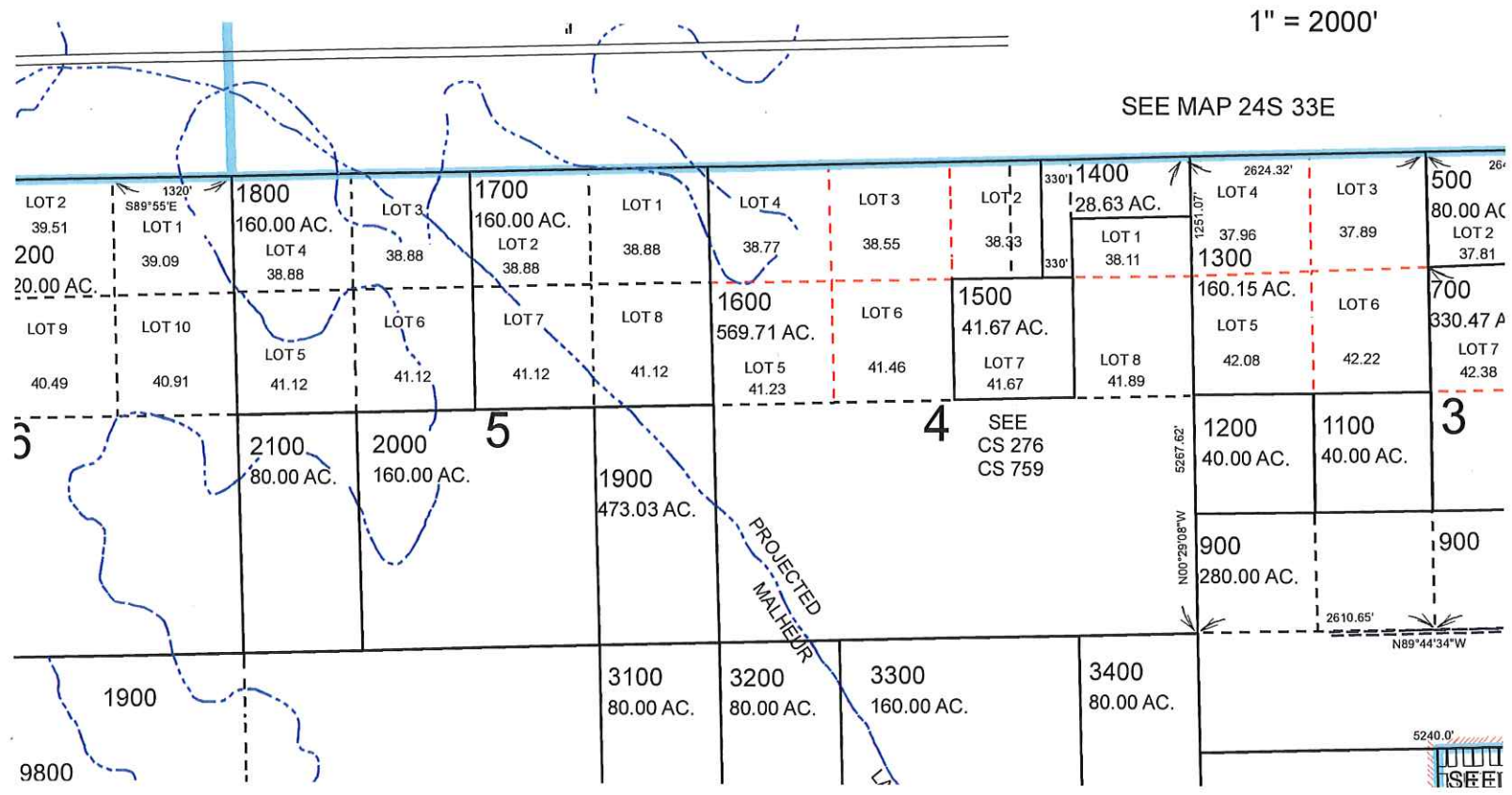
4. WRD - Watermaster District 10, JR Johnson

CASEWORKER: MAB

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

1" = 2000'

SEE MAP 24S 33E



# Harney County

[← Back](#)
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[Detail Help](#)

<b>Account #</b>	23537	<b>Tax Status</b>	ASSESSABLE
<b>Map #</b>	25S33E000002000	<b>Account Status</b>	ACTIVE
<b>Code - Tax #</b>	0420-23537	<b>Subtype</b>	NORMAL
<b>Owner</b>	LUNDY, DARREN - ET AL		
<b>Agent</b>			
<b>Mailing Address</b>	23601 SW PLATANUS PL SHERWOOD, OR 97140-8264		

Reports

[Summary Report](#)

[Ledger Report](#)

[Tax Summary Report](#)

[Names](#)

[Legal Report](#)

Improvements

Link	Site	Bldg #	Stat Class	Code Area	Year Built	Eff Year Built	Description	Livable Size
<a href="#">I</a>		1	111	0420	1998	2007	One story	704
<a href="#">I</a>		2	110	0420		1998	Residential Other Improvements	0
<a href="#">I</a>		3	110	0420		1990	Residential Other Improvements	0
<a href="#">I</a>		4	110	0420			Residential Other Improvements	0
<a href="#">I</a>	1	5	311	0420	2014	2014	MAINLINE 8"	800

DISCLAIMER AND LIMITATION OF LIABILITY

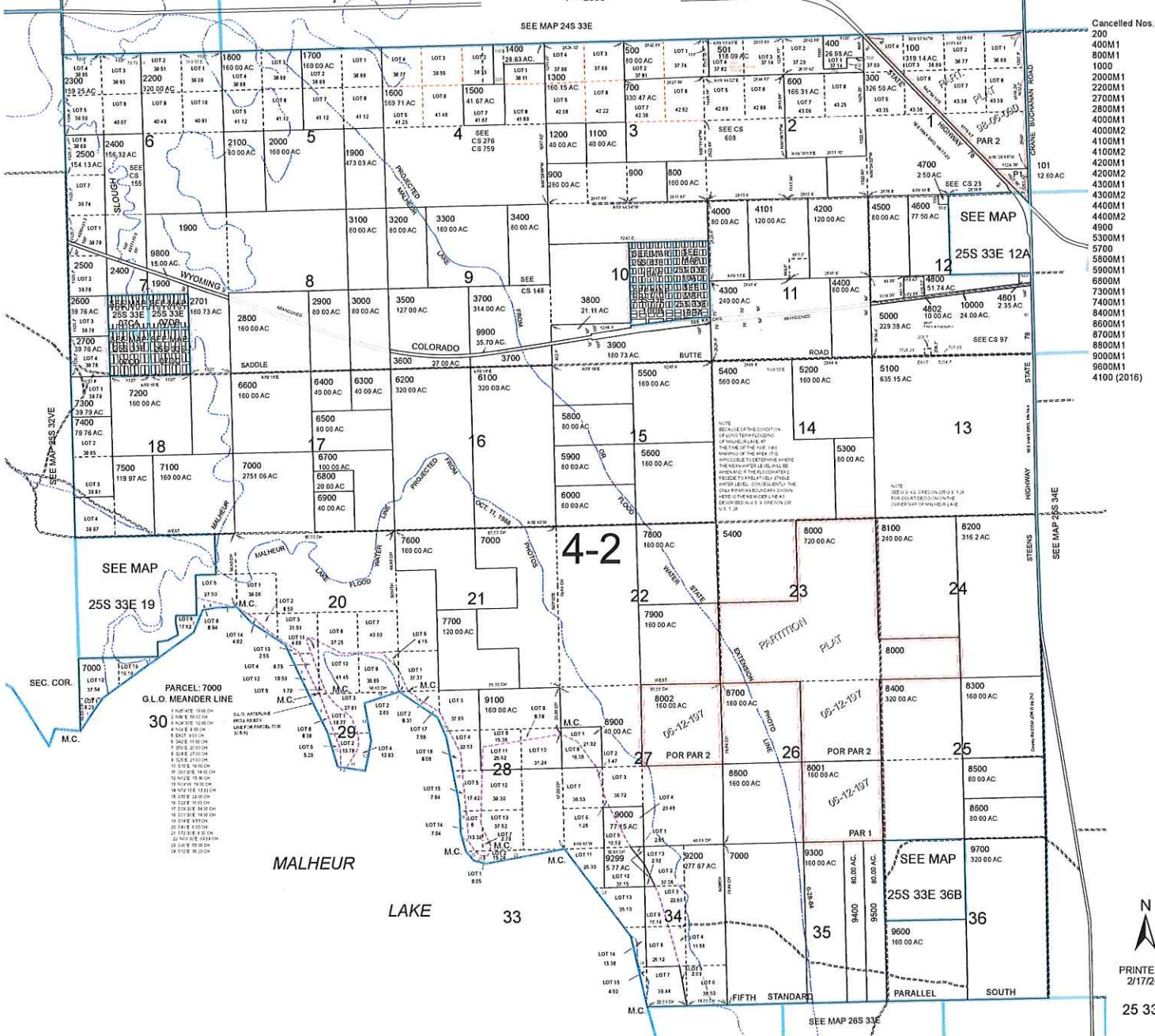
This site provides Harney County data for your convenience. Every reasonable effort has been made to assure the accuracy of data. Harney County makes no warranty, representation or guaranty as to the content, accuracy, timeliness or completeness of any of the data provided herein. Information on the Harney County web site is not guaranteed to be accurate and may contain errors and omissions. Harney County explicitly disclaims any representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. Harney County shall assume no liability for any errors, omissions, or inaccuracies in the information provided regardless of how caused. Harney County shall assume no liability for any decisions made or actions taken or not taken by the user of the applications in reliance upon any information or data furnished hereunder. If reliance upon computer record is intended, verification of information on source documents is required.

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

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

25 33 00

1" = 2000'

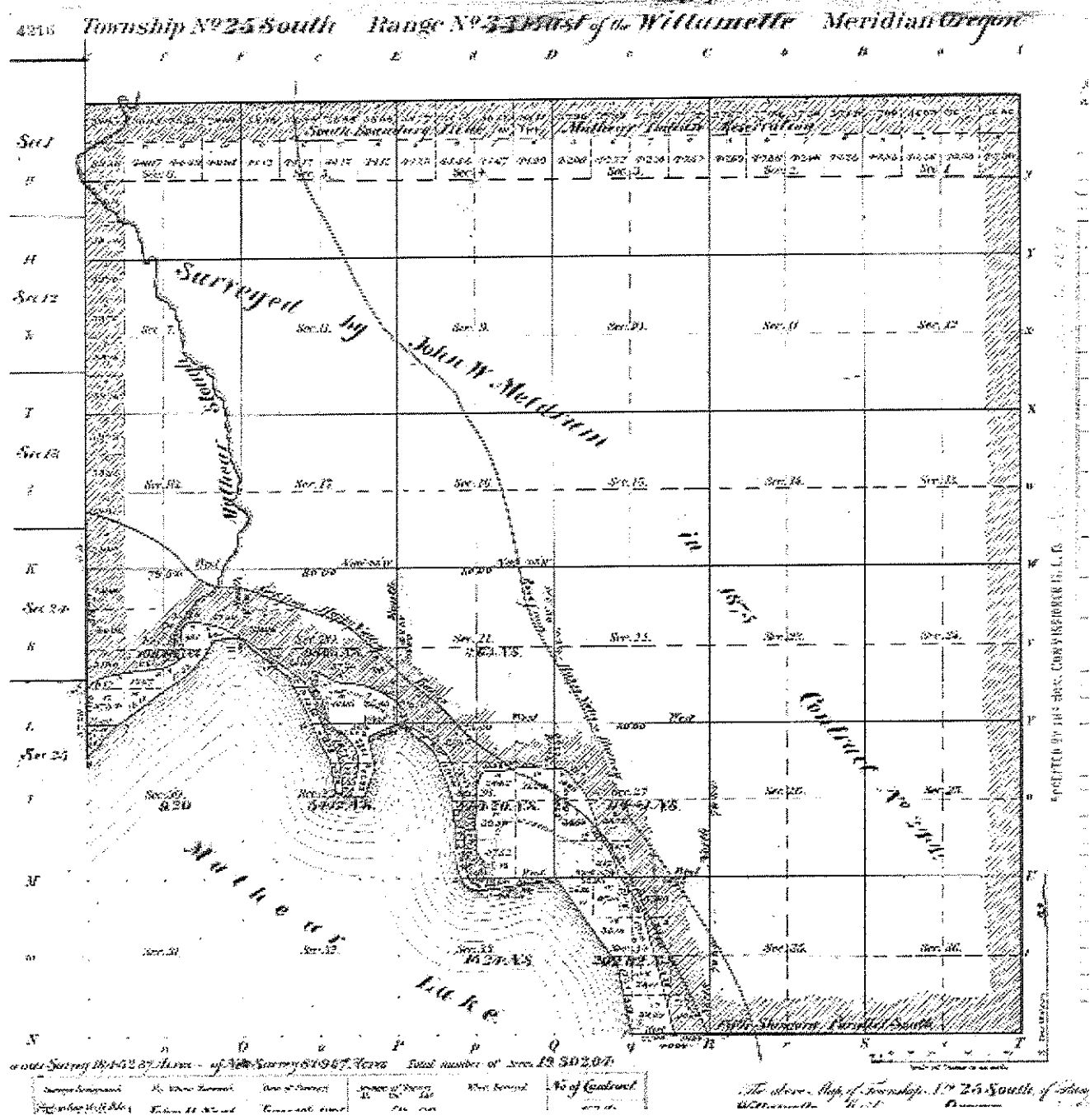


- Cancelled Nos.
- 200
  - 400M1
  - 600M1
  - 1000
  - 2000M1
  - 2200M1
  - 2700M1
  - 2800M1
  - 4000M1
  - 4000M2
  - 4100M1
  - 4100M2
  - 4200M1
  - 4200M2
  - 4300M1
  - 4300M2
  - 4400M1
  - 4400M2
  - 4900
  - 5300M1
  - 5700
  - 5800M1
  - 5900M1
  - 6800M
  - 7300M1
  - 7400M1
  - 8400M1
  - 8600M1
  - 8700M1
  - 8800M1
  - 9000M1
  - 9600M1
  - 4100 (2016)

PRINTED ON  
2/17/2016

25 33 00

Cadastral survey T25S, R33E, W.M. - 1896-12-21:





**Oregon Water Resources Department  
Water Rights Platcard Report**

*NCR*

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

**Search Criteria**

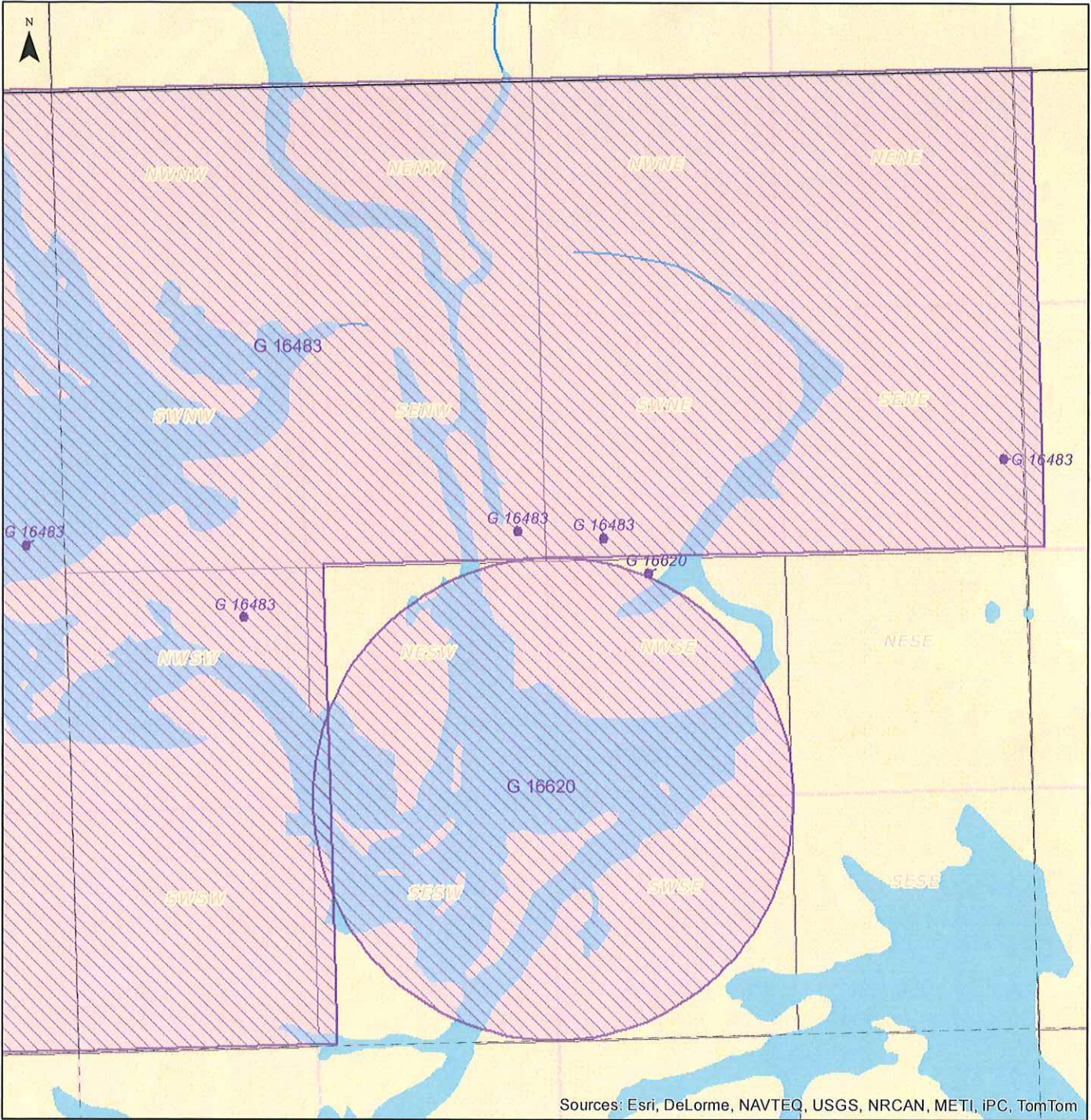
Meridian: Willamette    Township: 25    South    Range: 33    East    Section: 5    Records per Page: 100

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

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	qQ(40): q(160):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknwn
								NE	NE	NE	NE	NW	NW	NW	NW	SW	SW	SW	SW	SE	SE	SE	SE	QQ
<a href="#">Select</a> Permit: G 16483 *		5/29/2008	IRRIGATION					40	40	40	40	40	40	40	40		40	40						
Additional Info: VETTER ENTERPRISES LLC App: G17062 Permit: G16483																								
<a href="#">Select</a> Permit: G 17603 *		1/23/2009	IRRIGATION												35			35		35	35			
Additional Info: FIVE GUYS GOOSE CLUB App: G17168 Permit: G17603																								

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





Sources: Esri, DeLorme, NAVTEQ, USGS, NRCAN, METI, IPC, TomTom



**Legend**

**Index Map**

For more information:  
<http://www.wrd.state.or.us> and  
<http://apps.wrd.state.or.us/apps/wr/wrinfo/>

This map is for informal purposes only. It is not intended for legal, engineering or surveying purposes. Municipal rights are not included on this map.

**Points of Diversion**

- 75030
- 24883
- 24883

**Places of Use**

- 75030 Storage water
- 24883 Surface water
- 24883 Ground water

Water Rights - Outline to be determined. (Applies to all colors)

Water right labels indicate certificate number or permit letter(s) and number. Municipality uses excluded.





# Oregon Water Resources Department Water Rights Mapping Tool

**OWRD Only**

725 Summer St NE, Sale

Return

Contact Us

Search

Search: Water Right by File

Application:

Permit:

Certificate:

Claim:

Transfer:

Snap ID:

POD Source:

Irr. District:

(Draw box on map.)

Points of Diversion: (Count: 2)

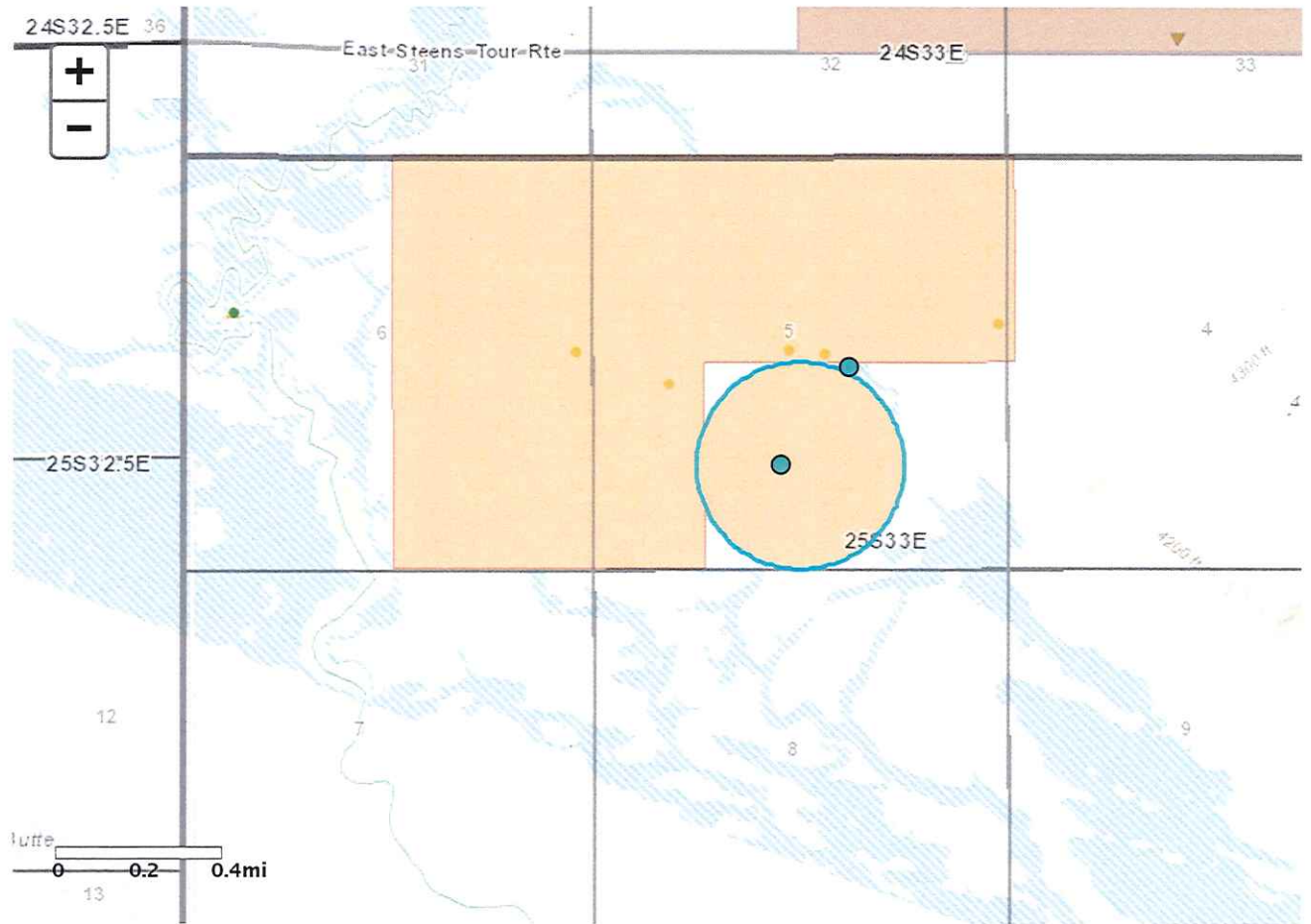
Identify Non-Water Right Features

Tax Lots

Tools

Layers

Bookmarks



POD

POU

Irrigation Districts AOI

WR By Time

Work copy

# T25S, R33E, SECTION 5, WM HARNEY COUNTY, OREGON

32

T24S R33E

T25S R33E

TL 1800

TL 1700

L 4

L 3

L 2

L 1

L 5

L 6

L 7

L 8

TL 2000

05

TL 2100

TL 1900

NWSW

NESW

NWSE

NESE

WELL 2 & METER:  
1,285' S, 210' W OF  
CEN COR SEC 5

35

35

SWSW

SESW

SWSE

SESE

35

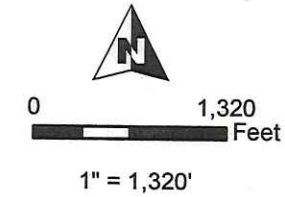
35

04

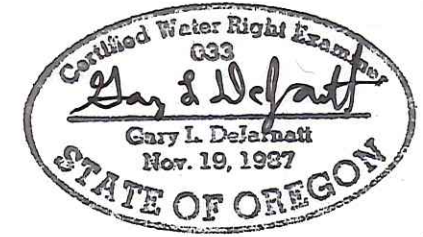
RECEIVED BY OWRD

AUG 01 2016

SALEM, OR



- POU Irrigation
- Township
- Section
- Quarter Quarter
- Tax Lot
- Well



RENEWAL DATE 12/31/2017

Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

### CLAIM OF BENEFICIAL USE MAP Five Guys Goose Club

NOTE: THIS MAP IS NOT INTENDED TO  
PROVIDE LEGAL DIMENSIONS OR LOCATIONS  
OF PROPERTY OWNERSHIP LINES.

**WATER RIGHT SERVICES, LLC**  
 PO BOX 1830, BEND, OR 97709  
 CCB# 197121 [www.oregonwater.us](http://www.oregonwater.us)  
 541-389-2837 [JOHNSHORT@USA.COM](mailto:JOHNSHORT@USA.COM)

AP G-17168

PERMIT G-16620

JOB #16008

JULY 5, 2016

Oregon Water Resources Department
PERMIT CONDITION WATER-LEVEL REPORTING FORM

Your water right requires periodic static water-level measurements in your wells. Consult your permit or certificate to determine when measurements should be made, when reports are due, and who is allowed to make the measurements. Keep a copy of all measurement reports for your records. All wells that have been constructed must be measured regardless of whether they are being used. Please contact the Department if you are no longer the holder of this right or no longer have an interest in it.

Application: G 17168
Permit: G 17603
Certificate:
Transfer: T 12222
POD: 2
Userid: 30571

DARREN LUNDY
FIVE GUYS GOOSE CLUB
23601 SW PLATANUS PLACE
SHERWOOD OR 97140

RECEIVED

MAR 24 2017

OWRD

Well History, if available:

Table with columns: Logid, Type Work, Date, Depth. Row 1: HARN 52063, NEW WELL, 06/11/2014, 425

Identification of Measured Well (Provide as much information as possible. Correct any errors.)

Water Resources Well Log ID: HARN 52063
Owner's well name: WELL 2 (L-60061)
Well ID (Well Tag) on Well: L-
Well name on water right: A WELL
Well ID (Well Tag) on Well Log: L- 60061
Well drilled by: DEEP HOLE DRILLING
Start Card # on Well Log: 1023249
Total depth: 425 Casing diameter (inches): 12
Date drilled: 06/11/2014
Owner on well log: MATT STASHEN FIVE GUYS GOOSE CLUB
Well location on water right: In the NE quarter of the SW quarter of Section 5, Township 25.00S, Range 33.00E, 1285 FEET SOUTH AND 210 FEET WEST FROM C1/4 CORNER, SECTION 5

Water-Level Measurement

Date of measurement: 3/17/17
Measurements should be made to at least the nearest tenth of a foot (10.2), the nearest inch (10' 3") or the nearest pound, if using a gage.
Depth to water below measuring point: 35 ft
Airline length or transducer depth:
Measuring point height above / below land surface:
Airline pressure: psi x 2.31 =
Depth to water below land surface: 34' 9"
Shut-in pressure: psi x 2.31 =
Measurement status: Static [X] Pumping [ ] Rising [ ] Flowing [ ] Other [ ]
Measurement method: E-tape [X] Airline [ ] Other [ ]
Length of time well was idle prior to measurement: 5 months
Measuring point description: 2" pipe SW side of casing
The measuring point is the reference point from which the measurement is made. Examples are: 1/2" access port in well cap; 1-1/2" port pipe on N side; pressure gage.

Comments:

When did water use begin for this well under this permit? Month Year

I hereby certify that the information on this report is accurate and represents the static water level in the well at the time of measurement.

Person making measurement (print): George Valentine
Signature of measurer: [Signature]
Company: Valentine Drilling
License number (Circle license type: CWRE, RG, PE, WWC Pump Installer): 1675
Daytime phone number: 541-589-0611 Email address:

If you have any questions about this notice, please call the Measurement & Reporting Section of the Department at 503-986-0822. Return this Form to: OWRD, Meas & Rept Section, 725 Summer St. NE, Suite. A, Salem, OR 97301-1266 or email it as an attachment to reportingmmts@wrdd.state.or.us.

Additional forms can be obtained from our web sit at: http://www.wrd.state.or.us. OWRD GW/KCW 2/6/2017

Water Level Data on File at OWRD for this well (last 2 measurements only, most recent date on top):

Table with columns: Date, MP Height, WL BLS, Pump Idle Time, Status, Method, Measured By, Measuring Point Description. Row 1: 03/03/2016, 0.00, 33.80, STATIC, ETAPE, GEORGE VALENTINE, 2" PIPE ON SIDE OF CASING

# Oregon Water Resources Department Permit Condition Water Level Report

OWRD Logid	Main aq	Max depth	LSD Elev	Township	Range	S	QQ	Q
HARN.....52063	HARN.....	425	.....	25.00 S/	33.00 E-	5	NE	SW
Well Tag Log	Well Tag Field	Csg Diam Field						
60061	.....	.....						
Well Location 1285 FT S & 210 FT W FR C 1/4 COR S5								
Well Address								
Owner Well Names WELL 2 (L-60061)								

Well History:				Water Rights with reporting conditions that list this well:	
Logid	Type Work	Compl Depth	Compl Date	Owner on Log	Reference Trigger
HARN	NEW WELL	425	06/11/201	MATT STASHEN	Permit Certificate pod level activated?

<b>Owner:</b>	
Name	DARREN LUNDY
Other Name	FIVE GUYS GOOSE CLUB
Contact	.....
Address	23601 SW PLATANUS PLACE
City / St / Zip	SHERWOOD OR 97140

well drilled 6-11-2014

Date	Time	MP Hght	WL BLS	WL Elev	Method Code	Status Code	Measured By	Pump Idle Time	MP Description	WIComments
03/03/2016		0	33.80		T	S	GEORGE VALENTINE		2" PIPE ON SIDE OF CASING	IMP assumed as 0 KCWI

3-17-17 34'9" T S George Valentine 5 mos idle 2" pipe on SW side of casing

↓ ↓  
E-tape static

→ 3-17-17 SWL meas rec'd 3-24-17 from John Short.

→ 34'9" = 34.75 feet

Method Codes: A = Airline, T = Etape, V = Calibrated Etape, G = Uncalibrated Gage, H = Calibrated Gage, N - Not Measured, O = Observed, RA = Recorder Analog, RS = Recorder Shaft Encoder, RT = Recorder Transducer, R = Reported, S = Steel Tape, U = Unknown  
 Status Codes: D = Dry, A = Falling, F = Flowing, P = Pumping, R = Rising, S = Static, U = Unknown

Application G-17168, Permit G-17603 – Well 2 (HARN 52063):

Pod Name Report

Current WRIS Owners:

user_id	name_first	name_last	name_company	name_other	last_update
			FIVE GUYS GOOSE CLUB		8/4/2009

Water Use Report Owner:

80571	DARREN	LUNDY	FIVE GUYS GOOSE CLUB	12/23/2013
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Current Owner (from Groundwater Owners File for Pump Tests & Permit Condition Water Levels):

80571	DARREN	LUNDY	FIVE GUYS GOOSE CLUB	8/2/2010
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Quick Links

1a [POD List](#) Transfers: 12222 Orders (vol/page): 100 617

1b [POD Name](#)

2a [Data Input Form](#)

2b [POD Correlation Form](#) Find pods with same TRSqq as current record

[Owner Input Form](#)

[Permit Conditions](#) Find pods w same TRSqq & used as current record

[GW Master](#)

[Show Water Use Report](#) Instructions for Correlating Well Logs to POAs

[Water Right on Web](#)

Application	Permit	Water Right (Node Name)	wr type	sta	Valid right	snp_id	Pod loc_id	pod nbr	pod loc type	wu	Logid	Correlated By	Date Corr	WRIS pod_name	Water-Use Reporting facility_name	Groundwater Database Owner's well Name	T/R/S Q/Q	legal						
G	17168	Perm G 17603	SW	NC	No	184500	257874	1	GW	WE	PROP	Derrick Boschmann	03/15/2016	A WELL	WELL 1 (PROPOSED)	WELL 2 (L-80061)	25.00	S	33.00	E	5	NW	SE	2540 FT N & 2079 FT W FR SE COR, S5
G	17168	18020	SW	CN	No	187725	208391	1	GW	WE	PROP	Derrick Boschmann	03/15/2016	WELL 1	WELL 1 (PROPOSED)		25.00	S	33.00	E	5	NW	SE	2540 FT N & 2079 FT W FR SE COR, S5
G	17168	18020	SW	NC	No	180789	310411	1	GW	WE	PROP	Derrick Boschmann	03/15/2016	WELL 1	WELL 1 (PROPOSED)		25.00	S	33.00	E	5	NW	SE	2540 FT N & 2079 FT W FR SE COR, S5
G	17168	18020	SW	NC	No	180789	314288	2	GW	WE	PROP	Derrick Boschmann	03/15/2016	A WELL	WELL 1 (PROPOSED)		25.00	S	33.00	E	5	NE	SW	1285 FT S & 210 FT W FR C1/4 COR, S5
G	17168	17603	SW	NC	Yes	188302	314298	1	GW	WE	PROP	Derrick Boschmann	03/15/2016	A WELL	WELL 1 (PROPOSED)		25.00	S	33.00	E	5	NW	SE	2540 FT N & 2079 FT W FR SE COR, S5
G	17168	17603	SW	NC	Yes	188302	314299	2	GW	WE	PROP	Derrick Boschmann	03/15/2016	A WELL	A WELL (L-80061)	WELL 2 (L-80061)	25.00	S	33.00	E	5	NE	SW	1285 FT S & 210 FT W FR C1/4 COR, S5

Data Input Forms for WRIS POD Attributes

Report Date: 8/21/2009

Application: G Permit: 17168 Certificate: 17603 Claim: gw\_cert\_nbr: 188302 Decreases: PR

Water Right: Permit: G 17603 snp id: 188302 wr type: GW wr status: NC Valid?: Yes snp origin: PR

Priority Date: 1/23/2009 Permit date: 5/20/2016 Cert date: 5/20/2016 name\_first: DARREN name\_last: LUNDY name\_company: FIVE GUYS GOOSE CLUB name\_other:

pod location id: 314299 pod nbr: 2 pod\_source\_type: WE user id: 20571 wtr use report id: 87024 meter required: record wtr use: report wtr use: report swl: pump test status:

T: 25.00 TC: S RC: S QQ: 33.00 E: 5 NE: SW Q: 12 Bsn nbr: 12 WRIS location: 1285 FEET SOUTH AND 210 FEET WEST FROM C1/4 CORNER, SECTION 5

GW Logid: HARN 52063 Well Tag-Log: 80061 W Tag-Well: A WELL WRIS pod name: A WELL Water Use Rptg facility name: A WELL (L-80061) GW Owners Well Name: WELL 2 (L-80061)

Quick Links

1a [POD List](#)

1b [POD Name](#)

2a [Data Input Form](#)

2b [POD Correlation Form](#)

[Owner Input Form](#)

[Permit Conditions](#)

[GW Master](#)

[Show Water Use Report](#) Instructions for Correlating Well Logs to POAs

[Water Right on Web](#)

Date Created: 8/14/2016 4:02:04 PM

Created By: turnerm

Date Modified: 8/14/2016 5:11:45 AM

Modified By: Relookup wris\_logid locs -

g\_Yes: Yes

SourceOWRDFilter: Temp KCW

Well Logs	Owners	Permitted Use	Permit Condtns	Wtr Use	Wtr Lvl Entry	Wtr Lvl Entry Filtered	Wtr Lvl Compliance	Pmp Tst Compliance	KlamPoasGwSw	Wtr Lvl Compliance Klam	Kcw Stuff																																															
GW Log ID: HARN 52063	Well Tag - Log: 80061	Well Tag - Well: 80061	Not Drilled As Of: 03/15/2016	Date Correlated: 03/15/2016	Correlated By: Derrick Boschmann	GW Owners Well Name: WELL 2 (L-80061)	In gw mstr: Yes	In wells.shp: 1000	Horiz Err GW Xy Source: TRANSFER MAP	wr_comment - title:	wr_comment - comment_type:																																															
<p>Get Well Log Logid Comments</p> <p>Max csg di (nearest inch): 12</p> <p>GW Well History: Copy Data from Well Log Database - 1st record only</p> <table border="1"> <thead> <tr> <th>Log</th> <th>Log Cnty / Num</th> <th>Start Crd</th> <th>Type Work</th> <th>First Wtr</th> <th>C Dpth</th> <th>Compl Date</th> <th>C by</th> <th>Owner on log</th> <th>Comment</th> <th>Well Tag in GRID</th> </tr> </thead> <tbody> <tr> <td>Log</td> <td>HARN 52063</td> <td>1023249</td> <td>NEW WELL</td> <td>15</td> <td>425</td> <td>6/11/2014</td> <td>MATT STASHEN</td> <td>FIVE GUYS</td> <td></td> <td>80061</td> </tr> <tr> <td>Log</td> <td>HARN 52063</td> <td>1023249</td> <td>NEW WELL</td> <td>15</td> <td>425</td> <td>06/11/2014</td> <td>ST MATT STASHEN</td> <td>FIVE GUYS</td> <td></td> <td></td> </tr> </tbody> </table> <p>GRID (Well Log Database) History (well logs with same well tag):</p> <table border="1"> <thead> <tr> <th>Log</th> <th>Log Cnty / Num</th> <th>Start Crd</th> <th>First Wtr</th> <th>C Dpth</th> <th>Compl Date</th> <th>Owner on log</th> </tr> </thead> <tbody> <tr> <td>Log</td> <td>HARN 52063</td> <td>1023249</td> <td>15.00</td> <td>425.00</td> <td>6/11/2014</td> <td>MATT STASHEN FIVE GUYS GOOSE CLUB</td> </tr> </tbody> </table> <p>Maximum Depth of Well: 425</p>												Log	Log Cnty / Num	Start Crd	Type Work	First Wtr	C Dpth	Compl Date	C by	Owner on log	Comment	Well Tag in GRID	Log	HARN 52063	1023249	NEW WELL	15	425	6/11/2014	MATT STASHEN	FIVE GUYS		80061	Log	HARN 52063	1023249	NEW WELL	15	425	06/11/2014	ST MATT STASHEN	FIVE GUYS			Log	Log Cnty / Num	Start Crd	First Wtr	C Dpth	Compl Date	Owner on log	Log	HARN 52063	1023249	15.00	425.00	6/11/2014	MATT STASHEN FIVE GUYS GOOSE CLUB
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Log	HARN 52063	1023249	15.00	425.00	6/11/2014	MATT STASHEN FIVE GUYS GOOSE CLUB																																																				

# Facility Water Use Report



*per permit G-17603  
to well 2*

A WELL (L-60061)  
Report ID 67024



A WELL;  
1285 FEET SOUTH AND 210 FEET WEST FROM C1/4 CORNER, SECTION 5  
(25S-33E-5-NE SW)

Permit: G 17603 \*  
FIVE GUYS GOOSE CLUB

*no use in March 2015.*

Records per page: 10

### Acre-feet (AF) of Water Used

Water Year*	Method of Measurement	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Total Water Used	Irrigated Acres
2015	PWR	0.00	0.00	0.00	0.00	0.00	0.00	47.50	66.30	38.00	77.80	159.70	30.40	419.70	140.00

\*The water year is named for the calendar year in which it ends. Example: the 2014 water year begins Oct. 1, 2013 and ends Sep. 30, 2014.

### Method(s) of Measurement:

PWR Power consumed x ratio of volume of water pumped per electric power consumption (KWG used in a month x gallons per KWH = gallons)

- 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.
- Zeroes indicate that a report was received, stating that no water was used during those months; if a year is not listed, no report of water use was received for that year.

*Water Year 2015 -> Oct 1, 2014 through Sept 30, 2015*

# Water Use Report Based on Water Right



Permit: G 17603 \*

FIVE GUYS GOOSE CLUB 23601 SW PLATANUS PLACE SHERWOOD, OR 97140

Records per page: 10

### Acre-feet (AF) of Water Used

<u>Water Year*</u>	<u>Report ID</u>	<u>Facility</u>	<u>Acre-feet (AF) of Water Used</u>												<u>Total Water Used</u>	<u>Irrigated Acres</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>		
2015	<u>67024</u>	A WELL (L-60061)	0.00	0.00	0.00	0.00	0.00	0.00	47.50	66.30	38.00	77.80	159.70	30.40	419.70	140.00
2014	<u>64115</u>	WELL 1 (PROPOSED)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	68.00	68.00	135.00
2013	<u>64115</u>	WELL 1 (PROPOSED)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	

\*The water year is named for the calendar year in which it ends. Example: the 2014 water year begins Oct. 1, 2013 and ends Sep. 30, 2014.

- 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.
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Application # G-17168 Permit # G-17603 Transfer #

Matthew Stashin RA# R12410-17

**Reimbursement Authority Process  
Itemized Estimate Sheet  
for  
Certificates**

	Est. Time (hr)	Individual	Hourly Rate	Est. Cost	Date	Act. Time (hr)
1. Review Claim of Beneficial Use report & map;	1.25	Kerry	\$95	\$118	2-13 5-4 5-16 1.0 0.5 0.5	190
2. Conflict Check	0.00	Kerry	\$95	\$0		
3. Preparation of deficiency letter	0.00	Kerry	\$95	\$0		
4. Preparation of proposed certificate	1.50	Kerry	\$95	\$142	2-13 5-4 5-9 1.5 0.5 0.25	214
5a. Peer review	0.00		\$95	\$0		
5b. Peer review	0.10	Dwight	\$120	\$12	5-18 0.1	12
5c. Peer review	0.50	Jessica Ann	\$87	\$43	0.5 NR 5/9	44
6. Project Management	3.00	Kerry	\$95	\$284	9-13 10-19 10-19 2-13 3-1 5-9 5-19 6-8 0.5 0.5 0.25 0.25 0.5 0.5 0.25 0.5	309
7a. Water right data record update	0.20	Connie	\$60	\$12	5-18 0.2	12
7b. Water right data record update	1.75	Data Tech	\$58	\$102	5-19 1.0	58
8. Pump test - submitted w/COBU - NEED review	4.00	GW Staff	\$98	\$392	2-0 2-10 2-0 2-0	294 ±
<b>Total</b>	<b>12.30</b>			<b>\$1,104</b>		<b>9133</b>

1100

933 over

NO REFUND

Permit G-17603 - 1.5 CFS for IR of 140.0 - result of permit amendment T-12222  
supersedes original Permit G-16620  
COBU - 1.5 cfs for IR of 140.0 acres -- only 1 well developed

pump test will soon be submitted - per John Short  
Well HARN 52063 (well 2) -drilled 6/11/14; first water used April 2015; 1st March SWL meas-3/3/16  
-- Kerry/Karl to review pump test

Certificate 93123 issued 5-31-2017.

**KAVANAGH Kerry L \* WRD**

---

**From:** johnshort@usa.com  
**Sent:** Friday, May 19, 2017 11:52 AM  
**To:** KAVANAGH Kerry L \* WRD  
**Subject:** Re: RA Project R12410-17 for Matthew Stashin (Five Guys Goose Club) involving Application G-17168 -- please review the draft proposed certificate

OK. Full speed ahead!

Thanks,  
John

John A. Short CCB# 197121

541-389-2837

Water Right Services, LLC  
PO Box 1830  
Bend, OR 97709  
[johnshort@usa.com](mailto:johnshort@usa.com)  
[oregonwater.us](http://oregonwater.us)

On May 19, 2017, at 11:50 AM, KAVANAGH Kerry L \* WRD  
<[Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov)> wrote:

Hi John,

I spoke with Gerry about your question – he’s back half time for now.

This condition will be carried forward in the certificate because it was included in the transfer final order as a condition. In addition, the public interest review was completed for the original well (through the permit application process), but not for the additional well approved by the transfer final order. The transfer final order was approved contingent on all conditions listed in the order, included this one.

I hope this makes sense – if not, please call me at 503-986-0927.

I will move forward with final certificate for this RA project.

Thanks,  
Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

---

**From:** [johnshort@usa.com](mailto:johnshort@usa.com) [<mailto:johnshort@usa.com>]

**Sent:** Thursday, May 11, 2017 4:21 PM

**To:** KAVANAGH Kerry L \* WRD

## KAVANAGH Kerry L \* WRD

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Friday, May 19, 2017 11:51 AM  
**To:** 'johnshort@usa.com'  
**Subject:** RE: RA Project R12410-17 for Matthew Stashin (Five Guys Goose Club) involving Application G-17168 -- please review the draft proposed certificate

Hi John,

I spoke with Gerry about your question – he's back half time for now.

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**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301  
Voice 503.986.0927 | Fax 503.986.0901  
Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

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**Sent:** Thursday, May 11, 2017 4:21 PM  
**To:** KAVANAGH Kerry L \* WRD  
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Kerry - They never drilled Well #1 so wouldn't the first part of page 3 about Well #1 be deleted?

Other than that, all looks great!

Thanks,  
John

John A. Short CCB# 197121

541-389-2837

Water Right Services, LLC  
PO Box 1830  
Bend, OR 97709  
[johnshort@usa.com](mailto:johnshort@usa.com)  
[oregonwater.us](http://oregonwater.us)

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Water Right Services, LLC  
PO Box 1830  
Bend, OR 97709  
[johnshort@usa.com](mailto:johnshort@usa.com)  
[oregonwater.us](http://oregonwater.us)

On May 9, 2017, at 3:34 PM, KAVANAGH Kerry L \* WRD <[Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov)> wrote:

Hi John,

Please find attached to this email the draft proposed certificate for Application G-17168.

Please ask Mr. Stashin to review and compare the draft proposed certificate for accuracy and completeness.

For your convenience, here is a link to information regarding Application G-17168 in the Department's Water Rights Information System (WRIS) database:

[http://apps.wrd.state.or.us/apps/wr/wrinfo/wr\\_details.aspx?snp\\_id=188302](http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=188302)

Click on "document" to the right of "Permit G-17603" to view the permit.

Please provide me your comments or edits, should you have any. If you and the water user agree with the draft proposed certificate and let me know this, then I can proceed to issue a certificate without waiting the standard 60-day notice period.

Thank you.

Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FIVE GUYS GOOSE CLUB  
23601 SW PLATANUS PLACE  
SHERWOOD OR 97140

confirms the right to the use of water perfected under the terms of Permit G-17603. 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-17168

SOURCE OF WATER: A WELL IN MALHEUR SLOUGH BASIN

PURPOSE OR USE: IRRIGATION OF 140.0 ACRES

MAXIMUM RATE: 1.5 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JANUARY 23, 2009

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	33 E	WM	5	NE SW	WELL 2 - 1285 FEET SOUTH AND 210 FEET WEST FROM C1/4 CORNER, SECTION 5

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	33 E	WM	5	NE SW	35.0
25 S	33 E	WM	5	SE SW	35.0
25 S	33 E	WM	5	NW SE	35.0
25 S	33 E	WM	5	SW SE	35.0

**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.

*Well 1 (original) not drilled - Jo' Short wants this removed from cert? NO. carry this TFO condition forward to Cert. - per Gerry Clark*

The combined quantity of water diverted at the new point of appropriation (Well 2) shall not exceed the quantity of water that was lawfully available at the original point of appropriation described as follows:

\*

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	33 E	WM	5	NW SE	WELL 1 (ORIGINAL) - 2540 FEET NORTH AND 2079 FEET WEST FROM SE CORNER, SECTION 5

Water shall be acquired from the same aquifer as the original point of appropriation.

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.

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 interference.

The well(s) 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 use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to the agreement.

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

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

Issued \_\_\_\_\_

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

**KAVANAGH Kerry L \* WRD**

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Tuesday, May 09, 2017 3:35 PM  
**To:** 'johnshort@usa.com'  
**Subject:** RA Project R12410-17 for Matthew Stashin (Five Guys Goose Club) involving Application G-17168 -- please review the draft proposed certificate  
**Attachments:** G-17168-or-prop\_DRAFT-2017-05-09.pdf

Hi John,

Please find attached to this email the draft proposed certificate for Application G-17168.

Please ask Mr. Stashin to review and compare the draft proposed certificate for accuracy and completeness.

For your convenience, here is a link to information regarding Application G-17168 in the Department's Water Rights Information System (WRIS) database:

[http://apps.wrd.state.or.us/apps/wr/wrinfo/wr\\_details.aspx?snp\\_id=188302](http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=188302)

Click on "document" to the right of "Permit G-17603" to view the permit.

Please provide me your comments or edits, should you have any. If you and the water user agree with the draft proposed certificate and let me know this, then I can proceed to issue a certificate without waiting the standard 60-day notice period.

Thank you.

Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

STATE OF OREGON  
 COUNTY OF HARNEY  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FIVE GUYS GOOSE CLUB  
 23601 SW PLATANUS PLACE  
 SHERWOOD OR 97140

confirms the right to the use of water perfected under the terms of Permit G-17603. 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-17168  
 SOURCE OF WATER: A WELL IN MALHEUR SLOUGH BASIN  
 PURPOSE OR USE: IRRIGATION OF 140.0 ACRES  
 MAXIMUM RATE: 1.5 CUBIC FEET PER SECOND  
 PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31  
 DATE OF PRIORITY: JANUARY 23, 2009

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	33 E	WM	5	NE SW	WELL 2 - 1285 FEET SOUTH AND 210 FEET WEST FROM C1/4 CORNER, SECTION 5

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	33 E	WM	5	NE SW	35.0
25 S	33 E	WM	5	SE SW	35.0
25 S	33 E	WM	5	NW SE	35.0
25 S	33 E	WM	5	SW SE	35.0

**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.



The combined quantity of water diverted at the new point of appropriation (Well 2) shall not exceed the quantity of water that was lawfully available at the original point of appropriation described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	33 E	WM	5	NW SE	WELL 1 (ORIGINAL) – 2540 FEET NORTH AND 2079 FEET WEST FROM SE CORNER, SECTION 5

Water shall be acquired from the same aquifer as the original point of appropriation.

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.

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 interference.

The well(s) 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 use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to the agreement.

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

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

Issued \_\_\_\_\_

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

**KAVANAGH Kerry L \* WRD**

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Wednesday, March 01, 2017 1:56 PM  
**To:** 'johnshort@usa.com'  
**Subject:** RA Project R12410-17 for Matthew Stashin (Five Guys Goose Club) involving App G-17168 (Permit G-17063) -- need March 2017 SWL measurement from new well

Hi John,

I believe we discussed the need for a March 2017 static water level (SWL) measurement for Application G-17168 (Permit G-17063) last week.

Now that it is March 1, 2017, here is friendly reminder!

As you may recall, Permit G-17603 was issued on May 20, 2016, approving the permit amendment T-12222 for an additional point of appropriation.

Permit G-17063 had the following permit conditions:

**The Department requires the water user to obtain, from a qualified individual (see below) report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of each measurement.**

**The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.**

The well (HARN 52063) was drilled on June 11, 2014. The March 3, 2016 SWL measurement will serve as the initial March SWL measurement. Now we need the "first annual water-level measurement" in order to establish the reference level.

Again, please ask the water user to obtain a March SWL measurement this month – we don't want to miss the March window.

Thanks,  
Kerry

copy

**KAVANAGH Kerry L**

---

**From:** johnshort@usa.com  
**Sent:** Monday, October 31, 2016 2:37 PM  
**To:** Kerry L Kavanagh  
**Subject:** Fwd: Pump test for Ap G-17168  
**Attachments:** scan.pdf

Here you go! No multiple well exemption required as they only proved up on one well.

John

John A. Short CCB# 197121

541-389-2837

Water Right Services, LLC  
PO Box 1830  
Bend, OR 97709  
[johnshort@usa.com](mailto:johnshort@usa.com)  
[oregonwater.us](http://oregonwater.us)

Begin forwarded message:

**From:** John Short<[johnshort@usa.com](mailto:johnshort@usa.com)>  
**Subject:** Pump test  
**Date:** October 31, 2016 at 7:19:39 AM PDT  
**To:** John Short<[johnshort@usa.com](mailto:johnshort@usa.com)>

RECEIVED  
OCT 31 2016  
OWRD

## KAVANAGH Kerry L

---

**From:** johnshort@usa.com  
**Sent:** Wednesday, October 19, 2016 3:25 PM  
**To:** Kerry L Kavanagh  
**Subject:** Re: RA Agreement R12410-17 for Matthew Stashin involving Application G-17168  
**Attachments:** Scan 153.pdf

2016 SWL attached. Manager just said he'll get the pump test scheduled as pump is all hooked up for it right now.

John

John A. Short CCB# 197121

541-389-2837

Water Right Services, LLC  
PO Box 1830  
Bend, OR 97709  
[johnshort@usa.com](mailto:johnshort@usa.com)  
[oregonwater.us](http://oregonwater.us)

On Sep 13, 2016, at 2:11 PM, KAVANAGH Kerry L <[kerry.l.kavanagh@state.or.us](mailto:kerry.l.kavanagh@state.or.us)> wrote:

Hello John,

Attached are copies of the fully executed Applicant's Agreement signed by the required parties and a receipt for the monies paid for these expedited services. The agreement details the terms and conditions that a work order was issued for the expedited services you requested.

As a reminder, I am including status of the TWO items that I asked you for in my earlier email:

- 1) Pump test – what is the progress for scheduling a pump test in the near future?
- 2) The conditions included in the superseding permit G-17603 require an initial March static water level measurement and annual March measurements, thereafter.

The Well log for Well 2 (HARN 52063) was drilled in June 2014. WRIS indicates that water use reporting indicates first use in April 2015.

Does the water user have record of a static water level measurement taken in March 2015, prior to use in April 2015?

If you have any questions, please call me.

Thanks,  
Kerry



## KAVANAGH Kerry L

---

**From:** johnshort@usa.com  
**Sent:** Wednesday, October 19, 2016 3:26 PM  
**To:** Kerry L Kavanagh  
**Subject:** Re: RA Agreement R12410-17 for Matthew Stashin involving Application G-17168

Sorry, only a 2016 SWL.

John A. Short CCB# 197121

541-389-2837

Water Right Services, LLC  
PO Box 1830  
Bend, OR 97709  
[johnshort@usa.com](mailto:johnshort@usa.com)  
[oregonwater.us](http://oregonwater.us)



On Sep 13, 2016, at 2:11 PM, KAVANAGH Kerry L <[kerry.l.kavanagh@state.or.us](mailto:kerry.l.kavanagh@state.or.us)> wrote:

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Does the water user have record of a static water level measurement taken in March 2015, prior to use in April 2015?

If you have any questions, please call me.

Thanks,  
Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: [Kerry.L.Kavanagh@state.or.us](mailto:Kerry.L.Kavanagh@state.or.us) Web: <http://oregon.gov/ORWD>

## KAVANAGH Kerry L

---

**From:** KAVANAGH Kerry L  
**Sent:** Tuesday, September 13, 2016 2:11 PM  
**To:** johnshort@usa.com  
**Subject:** RA Agreement R12410-17 for Matthew Stashin involving Application G-17168  
**Attachments:** RA contract executed\_G-17168.pdf; RA contract receipt\_G-17168.pdf

Hello John,

Attached are copies of the fully executed Applicant's Agreement signed by the required parties and a receipt for the monies paid for these expedited services. The agreement details the terms and conditions that a work order was issued for the expedited services you requested.

As a reminder, I am including status of the TWO items that I asked you for in my earlier email:

- 1) Pump test – what is the progress for scheduling a pump test in the near future?
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If you have any questions, please call me.

Thanks,  
Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: [Kerry.L.Kavanagh@state.or.us](mailto:Kerry.L.Kavanagh@state.or.us) Web: <http://oregon.gov/ORWD>



**OREGON WATER RESOURCES DEPARTMENT  
 CERTIFICATE REIMBURSEMENT AUTHORITY  
 APPLICANT'S AGREEMENT**  
 Contract Number: **R12410-17**



This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Matthew Stashin**, hereafter Applicant, hereafter known together as the parties.

<b>OWRD Information</b>	<b>Applicant's Information</b>	<b>Applicant's Representative</b>
Project Contact: Kerry Kavanagh Reimbursement Authority Oregon Water Resources Department 725 Summer Street NE Salem, OR 97301-1271 Phone: 503-986-0927 Email: <a href="mailto:Kerry.L.Kavanagh@state.or.us">Kerry.L.Kavanagh@state.or.us</a>	Name: Matthew Stashin  Address: 21762 SW Mountain Home Rd Sherwood, OR 97140	Name: John Short Title: Representative Company: Water Right Services LLC Address: PO Box 1830 Bend, OR 97709 Phone: 541-389-2837 Email: johnshort@usa.com

1. **Purpose.** The purpose of this Agreement is to expedite the processing of the **Claim of Beneficial Use (Application Number: G-17168)**
2. **Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
3. **Restrictions.** Matthew Stashin and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
4. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
5. **Consideration.** Matthew Stashin shall pay OWRD in advance for actual costs incurred by OWRD. Matthew Stashin agrees to pay the full amount of **\$1100** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payment received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.
6. **Confidentiality.** Matthew Stashin agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
7. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

**PCA 47126**



8. **Termination.** Applicant may request to terminate this agreement only in writing at any time during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
9. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certifies that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
10. **Duration of Estimate.** The Estimate of Time to complete the work is no later than one hundred and twenty days (120) days once this Agreement has been fully executed and payment of the estimated cost deposited. However, this estimate is contingent on the Applicant's expeditious resolution of any deficiency and may be affected by the Department's work load. This Estimate of Time may become null and void after thirty (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate.
11. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
12. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
13. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: Matthew Stashin  
 Name: Matthew Stashin  
 Date: 8/28/16

For OWRD: K. Kavanagh  
 Name: Kerry Kavanagh  
 Water Right Services Division  
 Date: 9-2-16

Mail signed Agreement to:

**Kerry Kavanagh**  
**Oregon Water Resources Department**  
**725 Summer Street NE, Suite A**  
**Salem, OR 97301-1271**

PCA 47126



**OREGON WATER RESOURCES DEPARTMENT  
CERTIFICATE REIMBURSEMENT AUTHORITY  
ESTIMATE APPLICATION**

*ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.*

*The purpose of this application is to obtain estimates of the cost and time required to process a Certificate Request. A separate estimate application is required for each application and/or transfer number. There is a non-refundable application fee of \$125.00 per request.*

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input checked="" type="checkbox"/>	Certificate Request	Application Number <span style="float:right">G-17168</span> Permit Number <span style="float:right">G-17603</span> Transfer Number/Permit Amendment (if applicable) <span style="float:right">T-12222</span>

	<u>Applicant Information</u>	<u>Applicant's Representative/Contact</u>
Name:	<u>Matthew Stashin</u>	<u>John A. Short</u>
Address:	<u>21762 SW Mountain Home Road</u> <u>Sherwood, OR 97140</u>	<u>PO Box 1830</u> <u>Bend, OR 97709</u>
Phone:	_____	<u>541-389-2837</u>
Fax:	_____	_____
E-Mail Address:	_____	<u>johnshort@usa.com</u>

I certify that I (check one):

- have previously filed a Claim of Beneficial Use
- am attaching the Claim of Beneficial Use with this request and have included the appropriate claim fee.

I understand the following:

- That upon receipt of my non-refundable application fee in the amount of **\$ 125.00**, OWRD will, within fourteen (14) days, notify me in writing of the estimates of cost and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate Claim of Beneficial Use may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:  
**Oregon Water Resources Department  
Certificate Reimbursement Authority Program  
725 Summer St. NE, Suite A  
Salem, OR 97301-1271**

RECEIVED BY OWRD

I certify that I am the (check one):

- Applicant  Applicant's Representative  Other (Please specify) \_\_\_\_\_

AUG 01 2016

Name: John A. Short, Water Right Services, LLC Agent

SALEM, OR

Signature: 

**OWRD USE ONLY: Reimbursement Authority Number: R12 410 17**

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # **121163**

72 Commerce St. N.E. Ste. A  
SALEM, OR 97301-4172  
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # \_\_\_\_\_

RECEIVED FROM: Matthew Frank Stashin APPLICATION G-17168  
 BY: Melissa Stashin PERMIT \_\_\_\_\_  
 TRANSFER \_\_\_\_\_

CASH:  CHECK:# 3126 OTHER: (IDENTIFY)

TOTAL REC'D \$ 1,100.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 47126 R-12410-17 \$ \_\_\_\_\_  
0408 OTHER: (IDENTIFY) Reimbursement Authority \$ 1100.00

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407 COPY & TAPE FEES \$ \_\_\_\_\_  
 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 \$ _____

OTHER (IDENTIFY) \_\_\_\_\_

**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: **121163** DATED: 9-1-16 BY: Felicia Brown

STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

RECEIPT # **121163**

720 Summer St. N.E. Ste. A  
 SALEM, OR 97301-4172  
 (503) 986-0900 / (503) 986-0904 (fax)

INVOICE # \_\_\_\_\_

RECEIVED FROM: Matthew Frank Stavin  
 BY: Melissa Stavin

APPLICATION	G-17168
PERMIT	
TRANSFER	

CASH:  CHECK:#  3126 OTHER: (IDENTIFY)

TOTAL REC'D \$ 1,100.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 47126 R-12410-17 \$  
0408 OTHER: (IDENTIFY) Reimbursement \$ 1100.00  
Authority

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

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

**WATER RIGHTS:**

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

**WELL CONSTRUCTION**

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

OTHER (IDENTIFY) \_\_\_\_\_

**0536 TREASURY 0437 WELL CONST ACCT**

0211 WELL CONST START FEE RD # \_\_\_\_\_  
 0210 MONITORING WELLS RD # \_\_\_\_\_  
 OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467**

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

**TREASURY OTHER / RDX**

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

**RECEIVED BY OWRD**  
**SEP 01 2016**  
**SALEM, OR**

RECEIPT: **121163** DATED: 9-1-16 BY: Felicia Brown

## KAVANAGH Kerry L

---

**From:** KAVANAGH Kerry L  
**Sent:** Monday, August 15, 2016 3:45 PM  
**To:** johnshort@usa.com  
**Subject:** RA Certificate Estimate R12410-17 for Matthew Stashin involving Application G-17168  
**Attachments:** RA contract\_G-17168.pdf; RA estimate receipt\_G-17168.pdf; RA estimate request\_G-17168.pdf

Hello John,

Please find the attached estimate and agreement to process the permit into a certificate. **If the proposed agreement is acceptable to you and Mr. Stashin, please ask Mr. Stashin to return a signed copy to our office along with the payment of the estimated cost to process the permit into a certificate.**

There are a few items that I need prior to preparation of the final document:

- 1) Pump test – you told me in a telephone conversation on August 3, 2016 that Mr. Stashin will schedule a pump test in the near future.
- 2) The conditions included in the superseding permit G-17603 require an initial March static water level measurement and annual March measurements, thereafter.

The Well log for Well 2 (HARN 52063) was drilled in June 2014. WRIS indicates that water use reporting indicates first use in April 2015.

Does the water user have record of a static water level measurement taken in March 2015, prior to use in April 2015?

If you have any questions, please call me.

Thanks,  
Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: [Kerry.L.Kavanagh@state.or.us](mailto:Kerry.L.Kavanagh@state.or.us) Web: <http://oregon.gov/ORWD>



**OREGON WATER RESOURCES DEPARTMENT  
 CERTIFICATE REIMBURSEMENT AUTHORITY  
 APPLICANT'S AGREEMENT**  
 Contract Number: **R12410-17**



This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Matthew Stashin, hereafter Applicant, hereafter known together as the parties.

<b>OWRD Information</b>	<b>Applicant's Information</b>	<b>Applicant's Representative</b>
Project Contact: Kerry Kavanagh	Name: Matthew Stashin	Name: John Short
Reimbursement Authority		Title: Representative
Oregon Water Resources Department		Company: Water Right Services LLC
725 Summer Street NE	Address: 21762 SW Mountain Home Rd	Address: PO Box 1830
Salem, OR 97301-1271	Sherwood, OR 97140	Bend, OR 97709
Phone: 503-986-0927		Phone: 541-389-2837
Email: <a href="mailto:Kerry.L.Kavanagh@state.or.us">Kerry.L.Kavanagh@state.or.us</a>		Email: johnshort@usa.com

1. **Purpose.** The purpose of this Agreement is to expedite the processing of the **Claim of Beneficial Use**. (Application Number: G-17168)
2. **Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
3. **Restrictions.** Matthew Stashin and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
4. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
5. **Consideration.** Matthew Stashin shall pay OWRD in advance for actual costs incurred by OWRD. Matthew Stashin agrees to pay the full amount of **\$1100** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payment received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.
6. **Confidentiality.** Matthew Stashin agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
7. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

**PCA 47126**

## KAVANAGH Kerry L

---

**From:** SNYDER Lisa J  
**Sent:** Thursday, August 04, 2016 10:20 AM  
**To:** ORTIZ-TURNER Carlos; OPEIFA Salem B  
**Cc:** SUMPTION Mishelle K; KAVANAGH Kerry L; HENDERSON Sarah A; GREW Heidi P; WUETHRICH Courtney A  
**Subject:** RE: Certificate Requests

Please use PCA 47126 and project R12410-17.

*Lisa J Snyder* | Fiscal Services Manager, Administrative Services

Oregon Water Resources Department  
Desk: 503.986.0921 | Fax: 503.986.0904

---

**From:** ORTIZ-TURNER Carlos  
**Sent:** Thursday, August 04, 2016 8:28 AM  
**To:** SNYDER Lisa J; OPEIFA Salem B  
**Cc:** SUMPTION Mishelle K; KAVANAGH Kerry L; HENDERSON Sarah A; GREW Heidi P; WUETHRICH Courtney A  
**Subject:** Certificate Requests

Hello,

Applicant: MATTHEW STASHIN  
Related to Application: G – 17168  
Receipt #: 120752

Thank You ☺

*Carlos Ortiz-Turner* | Receptionist, Administrative Services

Oregon Water Resources Department  
725 Summer St NE, Suite A  
Salem, OR 97301-1266  
Desk: 503.986.0900

**KAVANAGH Kerry L**

---

**From:** ORTIZ-TURNER Carlos  
**Sent:** Thursday, August 04, 2016 8:28 AM  
**To:** SNYDER Lisa J; OPEIFA Salem B  
**Cc:** SUMPTION Mishelle K; KAVANAGH Kerry L; HENDERSON Sarah A; GREW Heidi P;  
WUETHRICH Courtney A  
**Subject:** Certificate Requests

Hello,

Applicant: MATTHEW STASHIN  
Related to Application: G – 17168  
Receipt #: 120752

Thank You ☺

*Carlos Ortiz-Turner* | Receptionist, Administrative Services  
Oregon Water Resources Department  
725 Summer St NE, Suite A  
Salem, OR 97301-1266  
Desk: 503.986.0900



STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

RECEIPT # **120752**

5 Summer St. N.E. Ste. A  
 SALEM, OR 97301-4172  
 (503) 986-0900 / (503) 986-0904 (fax)

INVOICE # \_\_\_\_\_

RECEIVED FROM: Matthew Frank Stashin APPLICATION G-17168  
 BY: Melissa Stashin  
 PERMIT \_\_\_\_\_  
 TRANSFER \_\_\_\_\_

CASH:  CHECK:# 3108 OTHER: (IDENTIFY)  TOTAL REC'D \$ 300.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 47126 R-12410-17 \$ \_\_\_\_\_  
0408 OTHER: (IDENTIFY) Reimbursement Authority \$ 125.00

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS** 46111

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

**WATER RIGHTS:**

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

**WELL CONSTRUCTION**

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

0200 OTHER (IDENTIFY) COBU \$ 175.00

**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: **120752** DATED: 8-1-16 BY: Carlos O. Turner

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

STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

RECEIPT # **120752** 725 Summer St. N.E. Ste. A  
 SALEM, OR 97301-4172  
 (503) 986-0900 / (503) 986-0904 (fax)

INVOICE # \_\_\_\_\_

RECEIVED FROM: Mathew Frank Stashin APPLICATION G-171168  
 BY: Melissa Stashin PERMIT \_\_\_\_\_  
 TRANSFER \_\_\_\_\_

CASH:  CHECK:# 3108 OTHER: (IDENTIFY)  \_\_\_\_\_  
 TOTAL REC'D \$ 300.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 47126 R-12410-17 \$ \_\_\_\_\_  
0408 OTHER: (IDENTIFY) Reimbursement Authority \$ 125.00

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407 COPY & TAPE FEES 46111 \$ \_\_\_\_\_  
 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) COBU \$ 175.00

**0536 TREASURY 0437 WELL CONST. START FEE**

0211 WELL CONST START FEE \$ \_\_\_\_\_ CARD # \_\_\_\_\_  
 0210 MONITORING WELLS \$ \_\_\_\_\_ CARD # \_\_\_\_\_

OTHER (IDENTIFY) \_\_\_\_\_

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

**TREASURY OTHER / RDX**

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

RECEIPT: **120752** DATED: 8-1-16 BY: Carlos O. Turner

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



**OREGON WATER RESOURCES DEPARTMENT  
CERTIFICATE REIMBURSEMENT AUTHORITY  
ESTIMATE APPLICATION**

*ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.*

*The purpose of this application is to obtain estimates of the cost and time required to process a Certificate Request. A separate estimate application is required for each application and/or transfer number. There is a non-refundable application fee of \$125.00 per request.*

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input checked="" type="checkbox"/>	Certificate Request	Application Number <span style="float:right">G-17168</span> Permit Number <span style="float:right">G-17603</span> Transfer Number/Permit Amendment (if applicable) <span style="float:right">T-12222</span>

	<u>Applicant Information</u>	<u>Applicant's Representative/Contact</u>
Name:	<u>Matthew Stashin</u>	<u>John A. Short</u>
Address:	<u>21762 SW Mountain Home Road</u>	<u>PO Box 1830</u>
	<u>Sherwood, OR 97140</u>	<u>Bend, OR 97709</u>
Phone:	_____	<u>541-389-2837</u>
Fax:	_____	_____
E-Mail Address:	_____	<u>johnshort@usa.com</u>

I certify that I (check one):

- have previously filed a Claim of Beneficial Use
- am attaching the Claim of Beneficial Use with this request and have included the appropriate claim fee.

I understand the following:

- That upon receipt of my non-refundable application fee in the amount of **\$ 125.00**, OWRD will, within fourteen (14) days, notify me in writing of the estimates of cost and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate Claim of Beneficial Use may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:  
**Oregon Water Resources Department  
Certificate Reimbursement Authority Program  
725 Summer St. NE, Suite A  
Salem, OR 97301-1271**

RECEIVED BY OWRD

I certify that I am the (check one):

- Applicant
- Applicant's Representative
- Other (Please specify) \_\_\_\_\_

AUG 01 2016

**Name:** John A. Short, Water Right Services, LLC Agent

SALEM, OR

**Signature:** \_\_\_\_\_

<b>OWRD USE ONLY: Reimbursement Authority Number: R12 410 17</b>
--

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FIVE GUYS GOOSE CLUB  
23601 SW PLATANUS PLACE  
SHERWOOD OR 97140

confirms the right to the use of water perfected under the terms of Permit G-17603. 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-17168

SOURCE OF WATER: A WELL IN MALHEUR SLOUGH BASIN

PURPOSE OR USE: IRRIGATION OF 140.0 ACRES

MAXIMUM RATE: 1.5 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JANUARY 23, 2009

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	33 E	WM	5	NE SW	WELL 2 - 1285 FEET SOUTH AND 210 FEET WEST FROM C1/4 CORNER, SECTION 5

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	33 E	WM	5	NE SW	35.0
25 S	33 E	WM	5	SE SW	35.0
25 S	33 E	WM	5	NW SE	35.0
25 S	33 E	WM	5	SW SE	35.0

**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.

The combined quantity of water diverted at the new point of appropriation (Well 2) shall not exceed the quantity of water that was lawfully available at the original point of appropriation described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	33 E	WM	5	NW SE	WELL 1 (ORIGINAL) – 2540 FEET NORTH AND 2079 FEET WEST FROM SE CORNER, SECTION 5

Water shall be acquired from the same aquifer as the original point of appropriation.

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.

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 interference.

The well(s) 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 use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to the agreement.

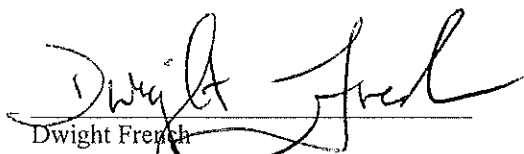
The Director may require water level or pump test results every ten years.

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

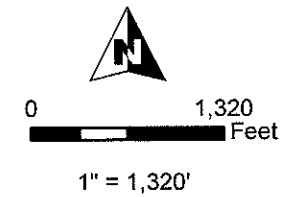
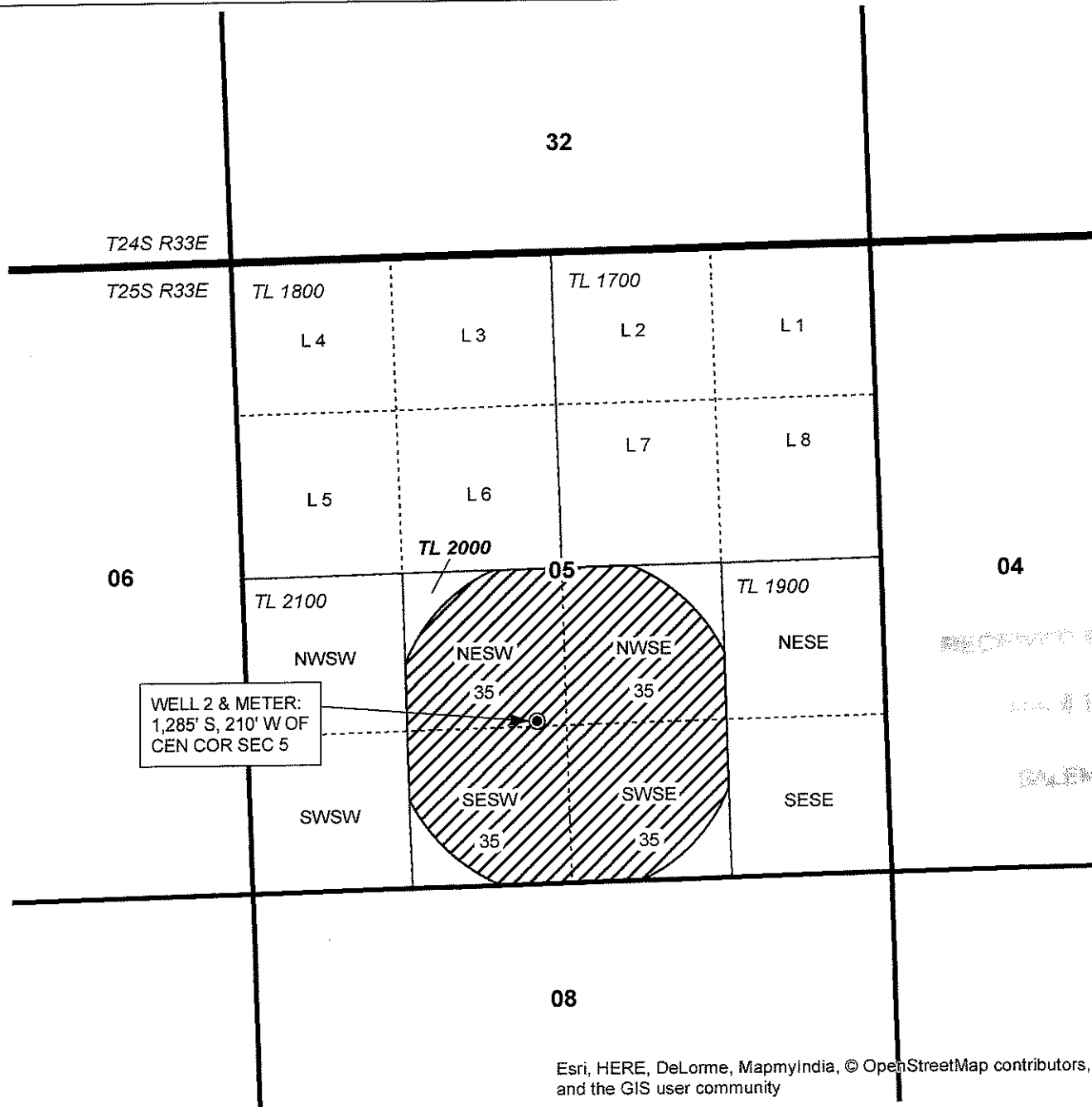
Issued           MAY 31 2017          









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

**T25S, R33E, SECTION 5, WM**

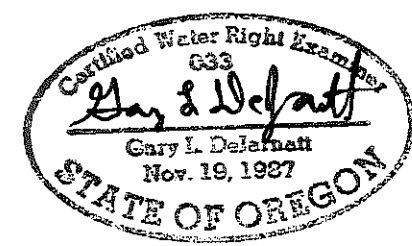
HARNEY COUNTY, OREGON



-  POU Irrigation
-  Township
-  Section
-  Quarter Quarter
-  Tax Lot
-  Well

WELL 2 & METER:  
1,285' S, 210' W OF  
CEN COR SEC 5

RECEIVED BY OWNER  
JUL 1 2017  
DALEM OR



RENEWAL DATE 12/31/2017

Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

**CLAIM OF BENEFICIAL USE MAP**  
**Five Guys Goose Club**

NOTE: THIS MAP IS NOT INTENDED TO  
PROVIDE LEGAL DIMENSIONS OR LOCATIONS  
OF PROPERTY OWNERSHIP LINES.

**WATER RIGHT SERVICES, LLC**  
PO BOX 1830, BEND, OR 97709  
CCB# 197121 [www.oregonwater.us](http://www.oregonwater.us)  
541-389-2837 [JOHNSHORT@USA.COM](mailto:JOHNSHORT@USA.COM)

AP G-17168 PERMIT G-16620

JOB #16008 JULY 5, 2016



# Oregon

Kate Brown, Governor

**Water Resources Department**

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

**DATE MAILED: MAY 31 2017**

## **NOTICE OF CERTIFICATE ISSUANCE**

The attached certificate confirms the water right established under the terms of a permit issued by this Department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

The certificate is a final 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.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Kerry Kavanagh at 503-986-0927.

# Mailing List for Certificate

Scheduled Mailing Date:

Application: G-17168

Permit: G-17603

**Certificate: 93123**

Copies Mailed	
by:	<u>Connie Vance</u> (STAFF)
on:	<u>MAY 31</u> 2017 (DATE)

Certificate Holder:

FIVE GUYS GOOSE CLUB ✓  
23601 SW PLATANUS PLACE  
SHERWOOD OR 97140

**Copies of Final Certificate to be sent to:**

1. Watermaster District 10 ✓
2. Water Availability ✓
3. Vault ✓
4. File ✓

**Other persons to receive copies: (include map):**

1. Gary DeJarnatt, CWRE ✓
2. John Short, Representative ✓

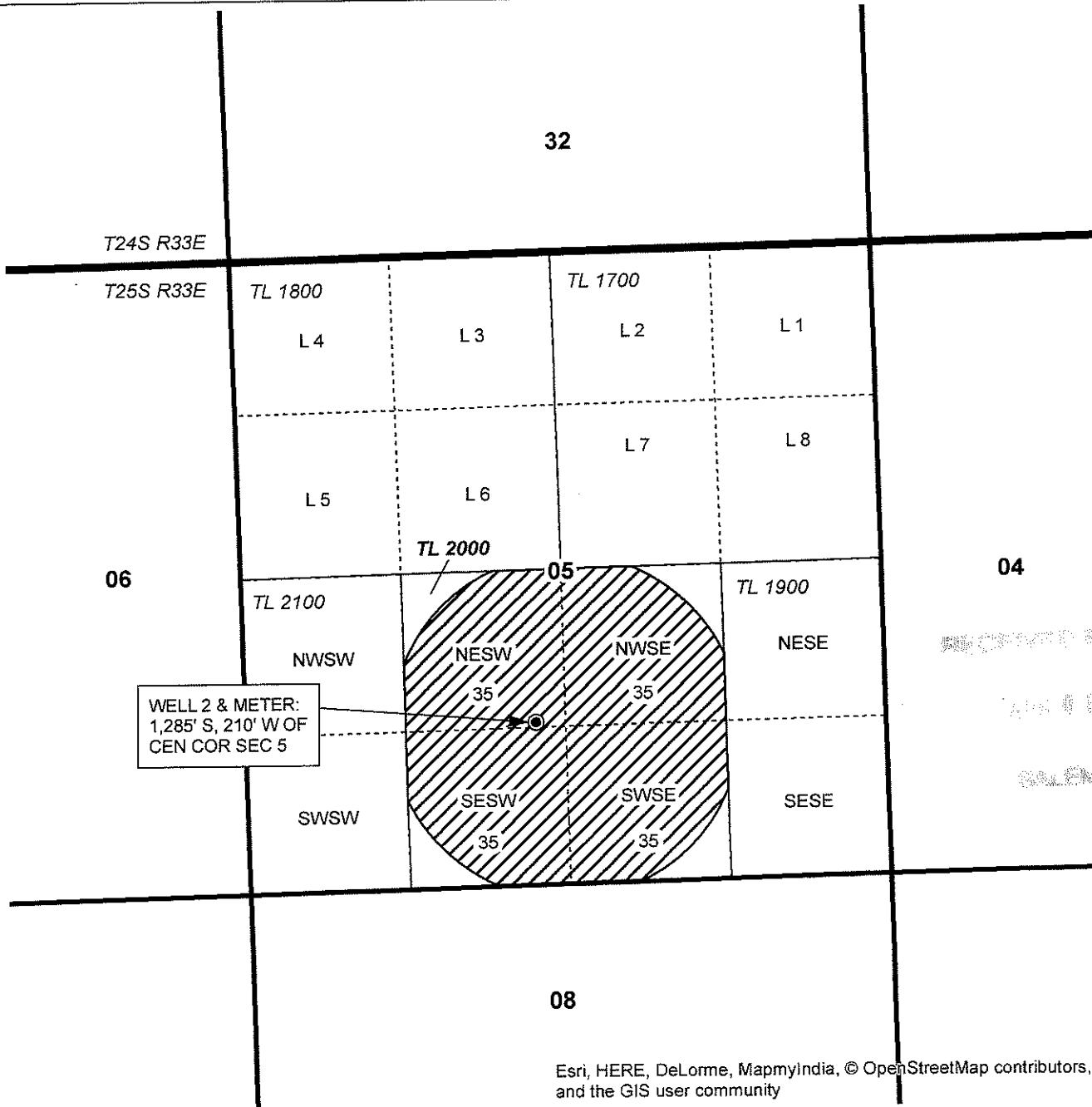
**Landowner:**

1. Darren Lundy ✓  
23601 SW Platanus Place  
Sherwood, OR 97140

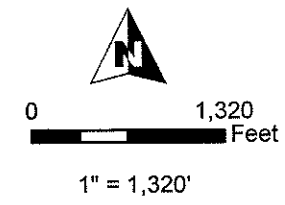








**T25S, R33E, SECTION 5, WM**

HARNEY COUNTY, OREGON

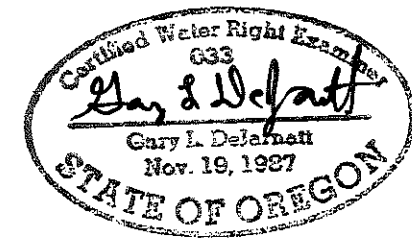


WELL 2 & METER:  
1,285' S, 210' W OF  
CEN COR SEC 5



-  POU Irrigation
-  Township
-  Section
-  Quarter Quarter
-  Tax Lot
-  Well

RECORDED IN OFFICE  
JULY 5 2016  
SALEM, OR



RENEWAL DATE 12/31/2017

Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

**CLAIM OF BENEFICIAL USE MAP**  
**Five Guys Goose Club**

NOTE: THIS MAP IS NOT INTENDED TO  
PROVIDE LEGAL DIMENSIONS OR LOCATIONS  
OF PROPERTY OWNERSHIP LINES.

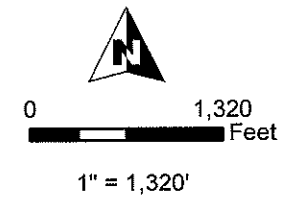
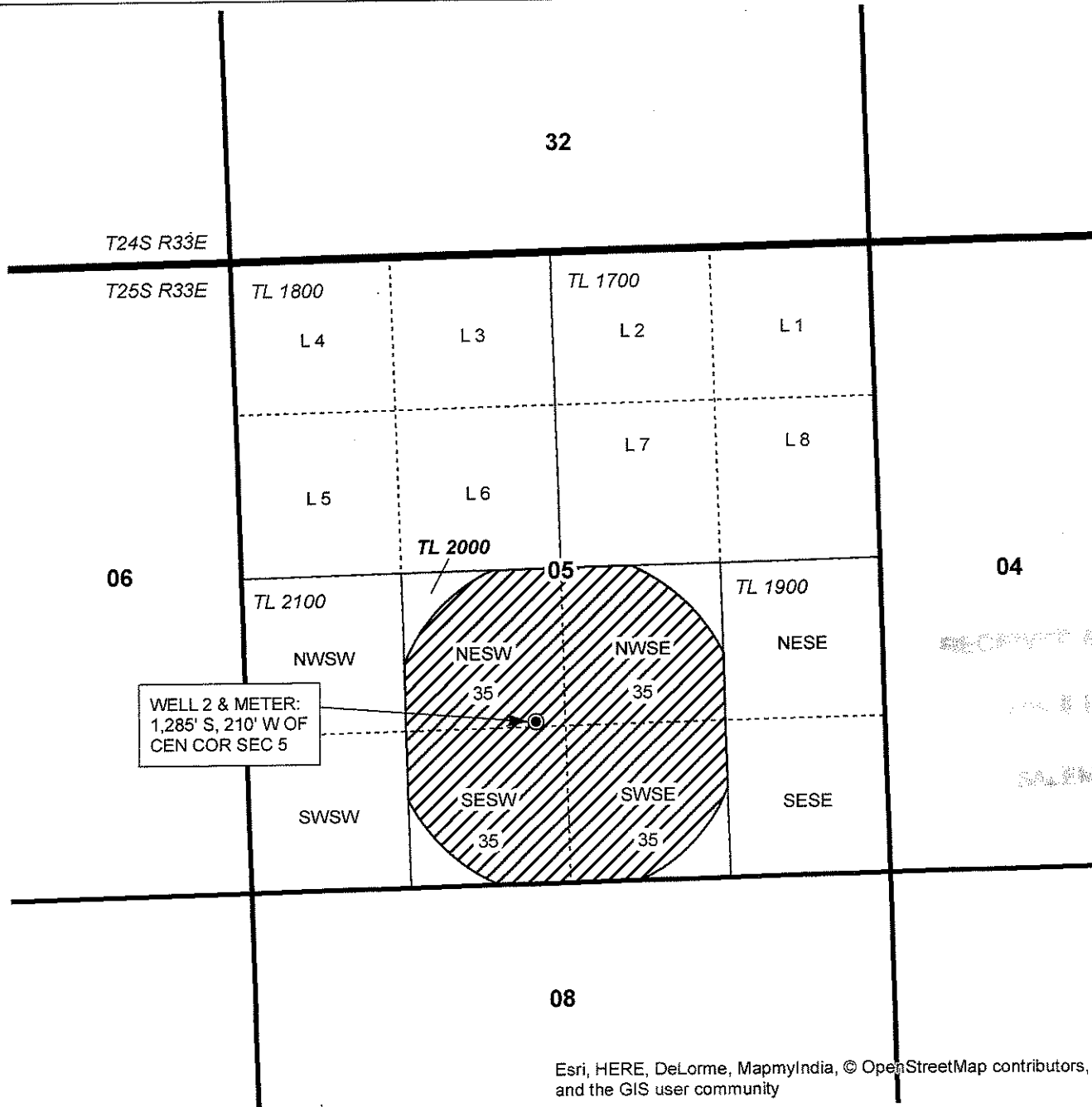
**WATER RIGHT SERVICES, LLC**  
PO BOX 1830, BEND, OR 97709  
CCB# 197121 [www.oregonwater.us](http://www.oregonwater.us)  
541-389-2837 [JOHNSHORT@USA.COM](mailto:JOHNSHORT@USA.COM)







AP G-17168 PERMIT G-16620

JOB #16008 JULY 5, 2016

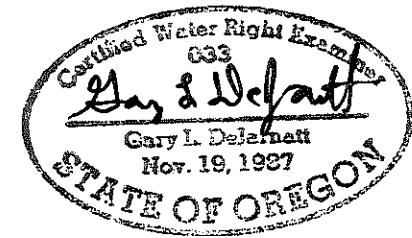
**T25S, R33E, SECTION 5, WM**

HARNEY COUNTY, OREGON



-  POU Irrigation
-  Township
-  Section
-  Quarter Quarter
-  Tax Lot
-  Well

WELL 2 & METER:  
1,285' S, 210' W OF  
CEN COR SEC 5



RENEWAL DATE 12/31/2017

Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

**CLAIM OF BENEFICIAL USE MAP**  
**Five Guys Goose Club**

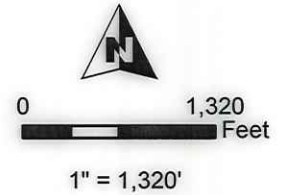
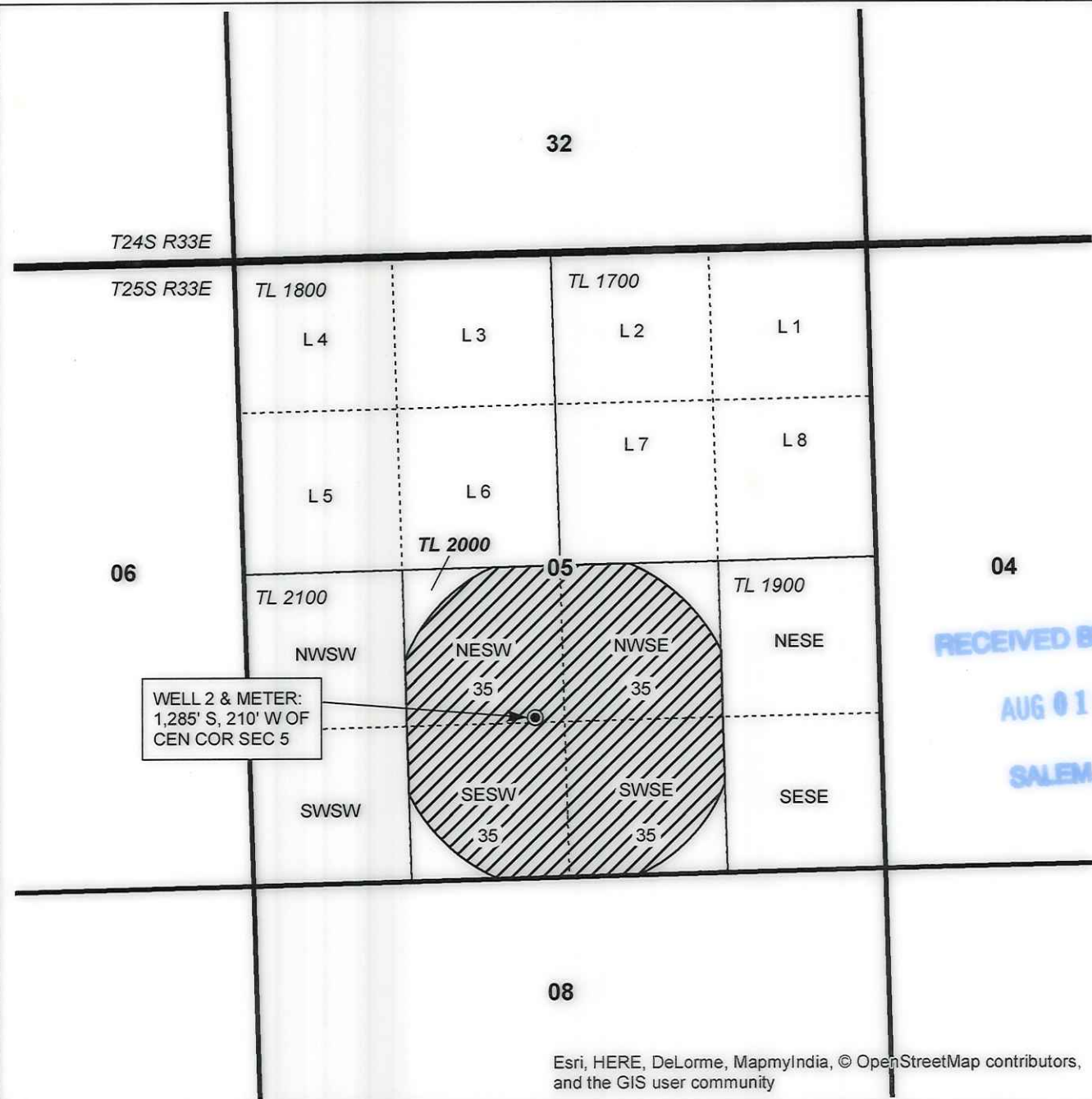
NOTE: THIS MAP IS NOT INTENDED TO  
PROVIDE LEGAL DIMENSIONS OR LOCATIONS  
OF PROPERTY OWNERSHIP LINES.

**WATER RIGHT SERVICES, LLC**  
PO BOX 1830, BEND, OR 97709  
CCB# 197121 [www.oregonwater.us](http://www.oregonwater.us)  
541-389-2837 [JOHNSHORT@USA.COM](mailto:JOHNSHORT@USA.COM)

AP G-17168 PERMIT G-16620

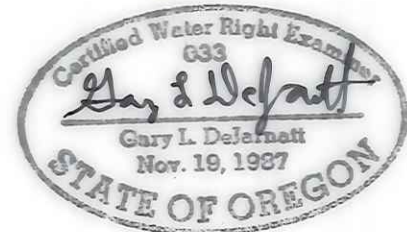
JOB #16008 JULY 5, 2016

**T25S, R33E, SECTION 5, WM**  
**HARNEY COUNTY, OREGON**



-  POU Irrigation
-  Township
-  Section
-  Quarter Quarter
-  Tax Lot
-  Well

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RENEWAL DATE 12/31/2017

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**CLAIM OF BENEFICIAL USE MAP**  
**Five Guys Goose Club**

NOTE: THIS MAP IS NOT INTENDED TO  
 PROVIDE LEGAL DIMENSIONS OR LOCATIONS  
 OF PROPERTY OWNERSHIP LINES.

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AP G-17168 PERMIT G-16620

JOB #16008 JULY 5, 2016

# 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](http://www.wrd.state.or.us)

**A fee of \$175 must accompany this form for permits  
with priority dates after July 8, 1987.**

**A fee of \$175 must accompany this form for any Transfer final orders  
including a water right with a priority date of July 9, 1987, or later.**

**Example – A transfer involves 5 rights and one of the rights  
has a priority date of July 9, 1987, or later, the fee is required.**

**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.oregon.gov/owrd/pages/wr/cwre\\_info.aspx](http://www.oregon.gov/owrd/pages/wr/cwre_info.aspx)

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.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

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.oregon.gov/owrd/pages/mgmt\\_reimbursement\\_authority.aspx](http://www.oregon.gov/owrd/pages/mgmt_reimbursement_authority.aspx)

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### SECTION 1

### GENERAL INFORMATION

#### 1. File Information

APPLICATION # (G, R, S OR T) <b>G-17168</b>	PERMIT # (IF APPLICABLE) <b>G-17603</b>	PERMIT AMENDMENT # (IF APPLICABLE) <b>T-12222</b>
--	--	--

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME <b>Matthew Stashin et al</b>		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS <b>21762 SW Mountain Home Road</b>			
CITY <b>Sherwood</b>	STATE <b>OR</b>	ZIP <b>97140</b>	E-MAIL

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. *Each permit or transfer holder of record must sign this form.*

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

PERMIT OR TRANSFER HOLDER OF RECORD <b>FIVE GUYS GOOSE CLUB</b>			
ADDRESS <b>23601 SW Platanus Place</b>			
CITY <b>Sherwood</b>	STATE <b>OR</b>	ZIP <b>97140</b>	E-MAIL

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD <b>N/A</b>			
ADDRESS			
CITY	STATE	ZIP	E-MAIL

4. Date of Site Inspection: **6/3/2015 & 6/15/2016**

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
<b>Matthew Stashin</b>	<b>Multiple</b>	<b>Owner</b>
<b>Jim Robey</b>	<b>Multiple</b>	<b>Manager</b>

6. County: **Harney**

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)):

OWNER OF RECORD <b>N/A</b>			
ADDRESS			
CITY	STATE	ZIP	E-MAIL

Add additional tables for owners of record as needed

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**SECTION 2  
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 <b>Gary DeJarnatt Job # 16008</b>		PHONE NO.	ADDITIONAL CONTACT NO. <b>John Short 541-389-2837</b>	
ADDRESS <b>20735 Double Peaks Drive</b>				
CITY <b>Bend</b>	STATE <b>OR</b>	ZIP <b>97701</b>	E-MAIL	

Permit or Transfer Holder's of Record Signature or Acknowledgement

***Each** permit or transfer holder of record must sign this form in the space provided below.*

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	TITLE	DATE
<i>Matthew Stashin</i>	Matthew Stashin	Owner	7/28/16
		<b>RECEIVED BY OWRD</b>	

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### SECTION 3

### CLAIM DESCRIPTION

**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)
<b>WELL 2</b>	<b>HARN 52063</b>	<b>L-60061</b>

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
<b>WELL 2</b>	<b>MALHEUR SLOUGH BASIN</b>	

**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	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
<b>WELL 2</b>	<b>IR</b>	<b>HAY</b>	<b>Mar 1 to Oct 31</b>	<b>1.5 cfs</b>
<b>Total Quantity of Water Used</b>				<b>1.5 cfs</b>

**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 to pivot and applied for crop irrigation.**

**Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).**

**5. Variations:**

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below. **YES**      **NO**

*(e.g. "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.")*

**Permit authorized two wells, only one is developed.**

**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
<b>WELL 2</b>	<b>1.5 cfs</b>	<b>1.65 cfs</b>	<b>n/a</b>	<b>IR</b>	<b>140.0</b>	<b>140.0</b>

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**SECTION 4  
SYSTEM DESCRIPTION**

Are there multiple PODs or POAs?

YES NO

If "YES" you will need to copy and complete Sections 4B through 4G for each POD/POA.

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

**WELL 2**

**A. Place of Use**

1. Is the right for municipal use?

YES 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
25 S	33 E	WM	5	NE SW			IR	35.0	N/A
25 S	33 E	WM	5	SE SW			IR	35.0	N/A
25 S	33 E	WM	5	NW SE			IR	35.0	N/A
25 S	33 E	WM	5	SW SE			IR	35.0	N/A
<b>Total Acres Irrigated</b>								<b>140.0</b>	<b>N/A</b>

**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.**

**B. 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 NO

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
			<b>Submersible</b>		

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3. Motor Information

MANUFACTURER	HORSEPOWER
<b>NIDEC Motor Corp</b>	<b>125 hp</b>

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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)
<b>125 hp</b>	<b>65 psi</b>	<b>368 ft</b>	<b>0</b>	<b>1.65 cfs</b>



5. Provide pump calculations:

**See attached OWRD pump calculations.**

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)
N/A			

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

7. Is the distribution system piped?

YES NO

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

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
		Steel	Buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
N/A			

10. Sprinkler Information

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

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

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)

12. Additional notes or comments related to the system:

**C. Groundwater Source Information (Well and Sump)**

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

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YES NO

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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:

A 1" dia. threaded plug access port at the side of well 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

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.

N/A

5. Is the appropriation from a dug well (sump)?

YES NO

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

**D. Storage**

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)

YES NO

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

**E. 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?

YES NO

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

**F. 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?

YES NO

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

**G. Reservoir**

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

YES 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.

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## SECTION 5 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	<b>12/03/2009</b>		
BEGIN CONSTRUCTION (A)	<b>N/A</b>	<b>6/02/2014</b>	<b>WELL 2 (HARN 52063)</b>
COMPLETE CONSTRUCTION (B)	<b>10/01/2020</b>	<b>6/15/2016</b>	<b>System Complete</b>
COMPLETE APPLICATION OF WATER (C)	<b>10/01/2020</b>	<b>6/15/2016</b>	<b>Complete application of water to beneficial use.</b>

\* 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)? YES NO

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

3. If for a transfer extension order, provide the following information:

VOLUME	PAGE	DATE EXTENDED TO
<b>Special Order Volume 100</b>	<b>617</b>	<b>10/01/2020</b>

### 4. Initial Water Level Measurements:

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

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

b. What month was the initial measurement to be taken in?

**March**

c. Was the measurement submitted to the Department? YES NO

d. If the initial measurement was not submitted, provide that measurement now, if available:

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT

### 5. Annual Static Water Level Measurements:

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

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

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b. Provide the month, or months, the static water level measurement(s) were to be made:

March

c. Were the static water level measurements taken in the month(s) required? YES NO

d. If "YES", were those measurements submitted to the Department? YES NO

e. If the annual measurements were not submitted, provide the measurements now:

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT

**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 NO

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

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

c. Is the pump test attached to this claim? AUG 01 2016 YES NO

d. Has the pump test been approved by the Department? SALEM, OR YES NO

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

**\*\* Claims will not be reviewed until a pump test or exemption has been approved by the Department**

**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 NO

*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.**

b. Has a meter been installed? YES NO

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
<u>WELL 2</u>	<u>Elster</u>	<u>16567800</u>	<u>Working</u>	<u>4729</u>	
<u>WELL 2</u>	<u>Cromete</u>	<u>08-8-3832</u>	<u>Working</u>	<u>720663</u>	

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

**8. Recording and reporting conditions**

a. Is the water user required to report the water use to the Department? YES NO

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

b. Have the reports been submitted? YES NO

METHOD OF SUBMITTING REPORT (PAPER OR ELECTRONIC)	WATER USER REPORTING ID
<u>Electronic</u>	<u>30571</u>

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? YES NO

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

**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? YES NO

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

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

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

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

**Well tag requirement met. Well tag L-60061 permanently attached.**

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**SECTION 6**

**ATTACHMENTS**

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

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ATTACHMENT NAME	DESCRIPTION
<b>Pumps Calcs</b>	<b>OWRD calculations of pump output</b>
<b>Well Log</b>	<b>HARN 52063 L-60061</b>
<b>Pictures</b>	<b>2015 &amp; 2016 Onsite photographs since aerial imagery is sparse.</b>
<b>CBU Map</b>	<b>Claim of Beneficial Use Map</b>

**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.

**On-site direct measurement and NAIP Imaginary**

## 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.)

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

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I am amending this well log. The static level changed while under construction.  
**HARN 52063**

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

**HARN 52063**  
 7/6/2014

WELL I.D. LABEL# L60061  
 START CARD # 1023249  
 ORIGINAL LOG # \_\_\_\_\_

**(1) LAND OWNER** Owner Well I.D. \_\_\_\_\_  
 First Name MATT Last Name STASHEN  
 Company FIVE GUYS GOOSE CLUB  
 Address HWY 78  
 City CRANE State OR Zip 97732

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

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

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

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

**(5) BORE HOLE CONSTRUCTION** Special Standard  (Attach copy)  
 Depth of Completed Well 425.00 ft.

BORE HOLE			SEAL			
Dia	From	To	Material	From	To	Amt sacks/lbs
16	0	38	Bentonite Chips	0	38	33 S
12	38	280				
10	280	360				
8	360	425				

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

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

**(6) CASING/LINER**  
 Casing Liner Dia + From To Gauge Stil Plstc Wld Thrd  

<input checked="" type="checkbox"/>	<input type="checkbox"/>	12	<input checked="" type="checkbox"/>	1.5	280	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------	----	-------------------------------------	-----	-----	-----	-------------------------------------	--------------------------	--------------------------	-------------------------------------	--------------------------

 Shoe  Inside  Outside  Other \_\_\_\_\_ Location of shoe(s) \_\_\_\_\_  
 Temp casing  Yes Dia \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_

**(7) PERFORATIONS/SCREENS**  
 Perforations Method \_\_\_\_\_  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_  

Perf/ Screen	Casing/ Liner	Screen Dia	From	To	Sem/slot width	Slot length	# of slots	Tele/ pipe size

**(8) WELL TESTS: Minimum testing time is 1 hour**  
 Pump  Bailor  Air  Flowing Artesian  

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
900	197	300	3

Temperature 57 °F Lab analysis  Yes By \_\_\_\_\_  
 Water quality concerns?  Yes (describe below) TDS amount  

From	To	Description	Amount	Units

**(9) LOCATION OF WELL (legal description)**  
 County HARNEY Twp 25.00 S N/S Range 33.00 E E/W WM  
 Sec 5 SE 1/4 of the SE 1/4 Tax Lot 02000  
 Tax Map Number \_\_\_\_\_ Lot \_\_\_\_\_  
 Lat \_\_\_\_\_ " or \_\_\_\_\_ DMS or DD  
 Long \_\_\_\_\_ " or \_\_\_\_\_ DMS or DD  
 Street address of well  Nearest address  
60621 HWY 78 BURNS 97720

**(10) STATIC WATER LEVEL**  

Existing Well / Pre-Alteration Completed Well	Date	SWL (psi)	+ SWL (ft)
	6/11/2014		38

 Flowing Artesian?  Dry Hole?

WATER BEARING ZONES Depth water was first found 15.00

SWL Date	From	To	Est Flow	SWL (psi)	+ SWL (ft)
6/4/2014	15	16	5		15
6/6/2014	50	180	400		<del>20</del> 38
6/11/2014	350	425	1000		38

**(11) WELL LOG** Ground Elevation \_\_\_\_\_

Material	From	To
Top Soil	0	3
Gray Clay	3	58
Gray Clay and Fine Sand	58	64
Sandstone	64	78
Claystone	78	160
Fine Sand	160	170
Sandstone	170	350
Black Fractured Basalt	350	385
Gray Sandstone Hard	385	425

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 AUG 01 2016  
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 AUG 13 2014  
 SALEM, OR  
 SALEM, OR

Date Started 6/2/2014 Complete 6/11/2014

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

**(bonded) Water Well Constructor Certification**  
 I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
 License Number 1801 Date 7/6/2014  
 Signed JARRETT S HUMPHREY (E-filed)  
 Contact Info (optional) Jarrett Humphrey #1801

**Pump Capacity Calculation Sheet**

WELL 2 L-60061

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 = 125  
Efficiency = 7.04  
Lift = 368  
PSI = 65

---

**Results Calculated**

---

(hp)(efficiency) = 880  
Head based on psi = 165.1  
Total dynamic head = 533.1  
(head + lift)

**Pump Capacity = 1.65 cubic feet per second**

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June 3, 2015

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AUG 01 2016

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June 15, 2016

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AUG 01 2016

SALEM, OR



Oregon Water Resources Department
PERMIT CONDITION WATER-LEVEL REPORTING FORM

Your water right requires periodic static water-level measurements in your wells. Consult your permit or certificate to determine when measurements should be made, when reports are due, and who is allowed to make the measurements. Keep a copy of all measurement reports for your records. All wells that have been constructed must be measured regardless of whether they are being used. Please contact the Department if you are no longer the holder of this right or no longer have an interest in it.

Application: G 17168
Permit: G 17603
Certificate:
Transfer: T 12222
POD: 2
Userid: 30571

DARREN LUNDY
FIVE GUYS GOOSE CLUB
23601 SW PLATANUS PLACE
SHERWOOD OR 97140

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OWRD

Well History, if available:

Table with columns: Logid, Type Work, Date, Depth. Row 1: HARN 52063, NEW WELL, 06/11/2014, 425

Identification of Measured Well (Provide as much information as possible. Correct any errors.)

Water Resources Well Log ID: HARN 52063
Well ID (Well Tag) on Well: L-
Well ID (Well Tag) on Well Log: L- 60061
Start Card # on Well Log: 1023249
Date drilled: 06/11/2014
Owner's well name: WELL 2 (L-60061)
Well name on water right: A WELL
Well drilled by: DEEP HOLE DRILLING
Total depth: 425 Casing diameter (inches): 12
Owner on well log: MATT STASHEN FIVE GUYS GOOSE CLUB
Well location on water right: In the NE quarter of the SW quarter of Section 5, Township 25.00S, Range 33.00E, 1285 FEET SOUTH AND 210 FEET WEST FROM C1/4 CORNER, SECTION 5

Water-Level Measurement

Date of measurement: 3/17/17
Measurements should be made to at least the nearest tenth of a foot (10.2), the nearest inch (10' 3") or the nearest pound, if using a gage.
Depth to water below measuring point: 35 ft
Airline length or transducer depth:
Measuring point height above / below land surface:
Airline pressure: psi x 2.31 = feet
Depth to water below land surface: 34' 9"
Shut-in pressure: psi x 2.31 = feet
Measurement status: Static [X] Pumping
Measurement method: E-tape [X] Airline
Length of time well was idle prior to measurement: 5 months
Measuring point description: 2" pipe SW side of casing
The measuring point is the reference point from which the measurement is made. Examples are: 1/2" access port in well cap; 1-1/2" port pipe on N side; pressure gage.

Comments:

When did water use begin for this well under this permit? Month Year

I hereby certify that the information on this report is accurate and represents the static water level in the well at the time of measurement.
Person making measurement (print): George Valentine
Signature of measurer: [Signature]
Company: Valentine Drilling
License number (Circle license type: CWRE, RG, PE, WWC Pump Installer): 1675
Daytime phone number: 541-589-0611 Email address:

If you have any questions about this notice, please call the Measurement & Reporting Section of the Department at 503-986-0822. Return this Form to: OWRD, Meas & Rept Section, 725 Summer St. NE, Suite. A, Salem, OR 97301-1266 or email it as an attachment to reportingmmts@wrdd.state.or.us.

Additional forms can be obtained from our web sit at: http://www.wrd.state.or.us. OWRD GW/KCW 2/6/2017

Water Level Data on File at OWRD for this well (last 2 measurements only, most recent date on top):
Table with columns: Date, MP Height, WL BLS, Pump Idle Time, Status, Method, Measured By, Measuring Point Description

**KAVANAGH Kerry L \* WRD**

---

**From:** johnshort@usa.com  
**Sent:** Friday, March 24, 2017 1:11 PM  
**To:** KAVANAGH Kerry L \* WRD  
**Subject:** Five guys SWL  
**Attachments:** Five Guys Permit Condition Water Level Reporting Form.pdf

John A. Short CCB# 197121

541-389-2837

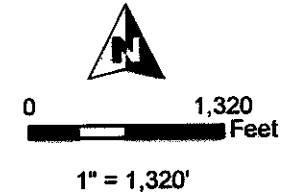
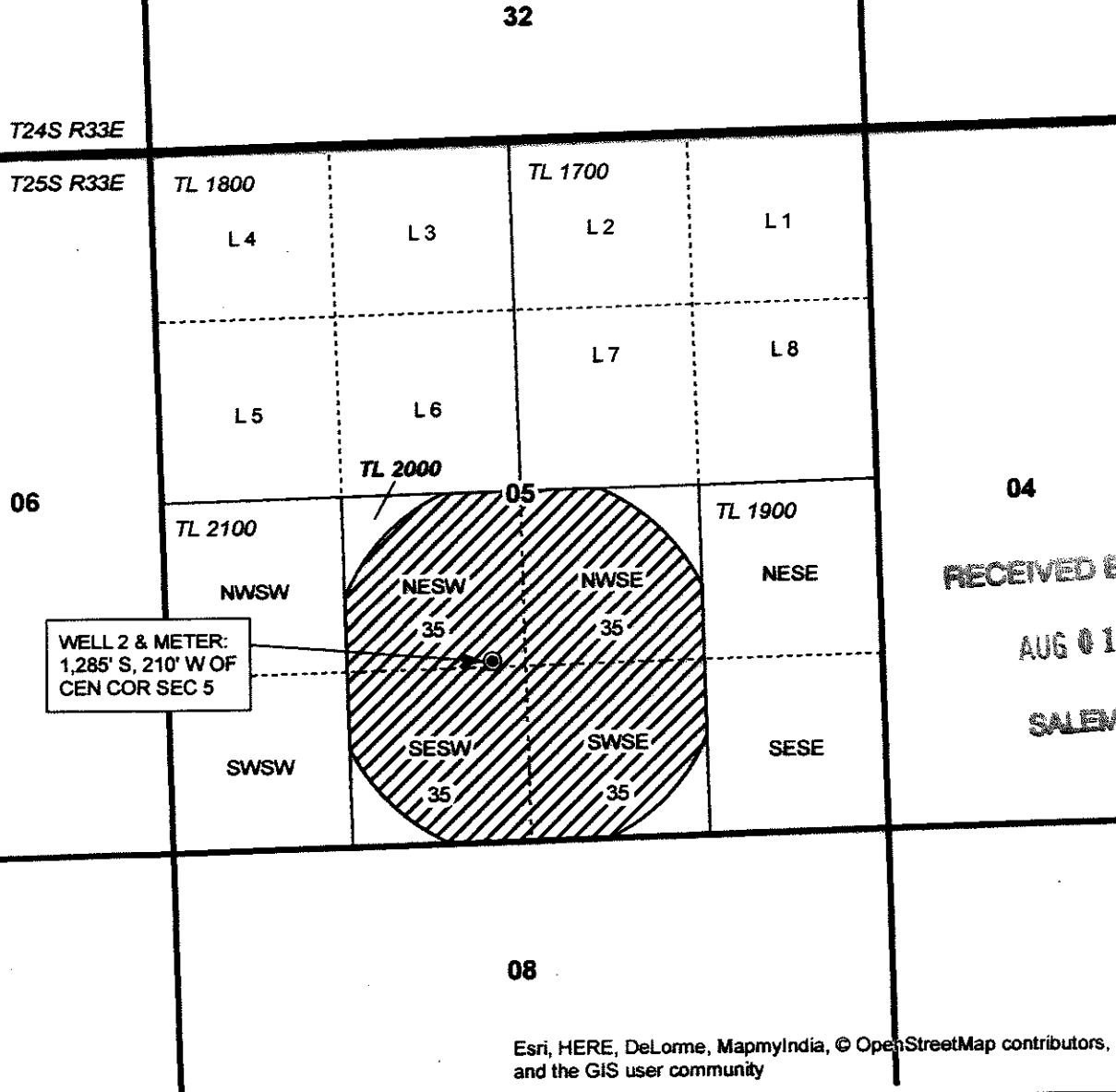
Water Right Services, LLC  
PO Box 1830  
Bend, OR 97709  
[johnshort@usa.com](mailto:johnshort@usa.com)  
[oregonwater.us](http://oregonwater.us)







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MAR 24 2017

OWRD

**T25S, R33E, SECTION 5, WM**  
**HARNEY COUNTY, OREGON**

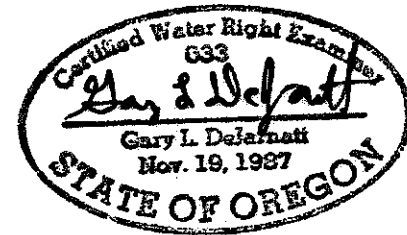


-  POU Irrigation
-  Township
-  Section
-  Quarter Quarter
-  Tax Lot
-  Well

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AUG 01 2016

SALEM, OR



RENEWAL DATE 12/31/2017

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**CLAIM OF BENEFICIAL USE MAP**  
**Five Guys Goose Club**

NOTE: THIS MAP IS NOT INTENDED TO  
 PROVIDE LEGAL DIMENSIONS OR LOCATIONS  
 OF PROPERTY OWNERSHIP LINES.

**WATER RIGHT SERVICES, LLC**  
 PO BOX 1830, BEND, OR 97709  
 CCB# 197121 [www.oregonwater.us](http://www.oregonwater.us)

AP G-17168

PERMIT G-16620

JOB #16008

JULY 5, 2016

541-389-2837 [JOHNSHORT@USA.COM](mailto:JOHNSHORT@USA.COM)



**Oregon**  
Kate Brown, Governor

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

February 10, 2017

DARREN LUNDY  
FIVE GUYS GOOSE CLUB  
23601 SW PLATANUS PLACE  
SHERWOOD OR 97140

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	Owner's Well Name
G 17168	Permit: G 17603 *	HARN 52063	HARN 52063	10/21/2016	Approved	None	WELL 2 (L-60061)

Please contact me if you have any questions.

Sincerely,

Darrick Boschmann  
Groundwater Section

cc: GW Pump Test File

Well 2 from Permit  
 from CORBU: well 2 (HARN 52063) L-60061  
 from FileMaker: well 2 (L-60061) → HARN 52063

GWPLID=3724

Oregon Water Resources Department  
**PUMP TEST FORM COVER SHEET**

**Well Owner:**  
 Name: Five Guys Foods Club LLC  
 Address: 23601 SW Mistahus Place  
 County: Washington  
 City: Sherwood State: OR Zip: 97140  
 Original owner (from well log): Same

**Well Location:**  
 Township: 25 S (N/S) Range: 33 E (EW)  
 Section: 05 1/4: SW 1/16: NE 1/64: SE  
 Well depth: 425 Date drilled: 6-2-2014  
 Owners well no. (if any): #2  
 POD ID: L-60061

**Water Right Information:** Superseding Permit G-17603 from Well Log → HARN 52063  
 Application: G-17168 Permit: G-16620 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: George Valentine  
 Company: Valentine Drilling Well Owner?  Yes  
 Address: PO BOX 676  
 City: Crowe State: OR Zip: 97732 Date of Test: 10/21/16  
 Daytime phone: 541-559-0611

Method of discharge measurement (see our brochure for acceptable methods): Flow meter  
 Method of water-level measurement (pick one or enter other method used): E Tape  
 Length of air line (if used): \_\_\_\_\_

Pump type (pick one or enter other method used): Turbine line shaft  
 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: \_\_\_\_\_  
 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 \_\_\_\_\_ surface water body.

Description of measuring point (e.g. top port of 1 inch port pipe, west side) 1 1/2" Port south side of well casing  
 Measuring point distance above land surface = 66 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>11:10 AM</u>	<u>54 feet</u>	<u>53 feet 4 inches</u>
<u>11:35 AM</u>	<u>54 feet</u>	<u>53 feet 4 inches</u>
<u>11:55 AM</u>	<u>54 feet</u>	<u>53 feet 4 inches</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>12:15 PM</u>	<u>900</u> Average	<u>0 p.m.</u>
<u>1:20</u>	<u>850</u>	<u>11</u>
<u>2:20</u>	<u>850</u>	<u>11</u>
<u>3:20</u>	<u>800</u>	<u>11</u>
<u>4:15</u>	<u>775</u> FWA=857	<u>11</u>

Time pump turned on: 12:15 PM Date: 10/21/16 Time: 12:13 PM  
 Time pump turned off: \_\_\_\_\_ Date: 10/21/16 Time: 4:15 PM  
 Total pumping time: 4:15 PM 4 hours 10/21/16 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> OWRD 2/9/2000

Required Signature: George Valentine

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 OCT 31 2016  
 OWRD



STATE OF OREGON  
WATER RESOURCES DEPARTMENT  
INTEROFFICE MEMO

Date: February 8, 2017

TO: Justin Iverson  
FROM: Kerry Kavanagh  
SUBJECT: Pump Test for Well HARN 52063 – App G-17168, Permit G-16620  
RA Project R12410-17 – App G-17168, Permit G-17603 – Five Guys Goose Club  
(Matthew Stashin)

I have entered the pump test data for HARN 52063 in the FileMaker gw database – GWPID 3724

Please see plots at: S:\exchange\Kerry\Pump Tests\to review\HARN\_52063

**TO DO:**

**Please review the pump test data and plots and prepare a letter of approval/denial for the pump test for HARN 52063. Please also update the “pump test compliance” information for application G-17168 in FileMaker.**

**The recovery plot looks odd – recovery data only noted water level measurements taken from 4:17 pm through 4:25 pm.**

**Please note - the Claim of Beneficial Use (COBU) report and map only describe beneficial use made from one well – HARN 52063  
– Permit G-17603 authorized “2 WELLS IN MALHEUR SLOUGH BASIN”**

If this file could be reviewed and returned to me by **March 1, 2017**, I'd greatly appreciate it!

Please let me know if the pump test is satisfactory.

Please ask your staff to document the amount of time they spent reviewing the pump test results.

If you have any questions, please let me know. Thanks!



I am amending this well log. The static never changed while under construction.  
**HARN 52063**

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

HARN 52063

WELL I.D. LABEL# **L60061**  
 START CARD # 1023249  
 ORIGINAL LOG #

7/6/2014

(1) LAND OWNER Owner Well I.D. \_\_\_\_\_  
 First Name MATT Last Name STASHEN  
 Company FIVE GUYS GOOSE CLUB  
 Address HWY 78  
 City CRANE State OR Zip 97732

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

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

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

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

(5) BORE HOLE CONSTRUCTION Special Standard  (Attach copy)  
 Depth of Completed Well 425.00 ft.

BORE HOLE			SEAL			sacks/
Dia	From	To	Material	From	To	Amt lbs
16	0	38	Bentonite Chips	0	38	33 S
12	38	280				
10	280	360				
8	360	425				

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

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

(6) CASING/LINER  
 Casing Liner Dia + From To Gauge Stl Plstc Wld Thrd  
  12  1.5 280 250      
 Shoe  Inside  Outside  Other Location of shoe(s) \_\_\_\_\_  
 Temp casing  Yes Dia \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_

(7) PERFORATIONS/SCREENS  
 Perforations Method \_\_\_\_\_  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_  

Perf/ Screen	Casing/ Liner	Screen Dia	From	To	Scr/slot width	Slot length	# of slots	Tele/ pipe size

(8) WELL TESTS: Minimum testing time is 1 hour  
 Pump  Bailer  Air  Flowing Artesian  

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
900	197	300	3

Temperature 57 °F Lab analysis  Yes By \_\_\_\_\_  
 Water quality concerns?  Yes (describe below) TDS amount  

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)  
 County HARNEY Twp 25.00 S N/S Range 33.00 E E/W WM  
 Sec 5 SE 1/4 of the SE 1/4 Tax Lot 02000  
 Tax Map Number \_\_\_\_\_ Lot \_\_\_\_\_  
 Lat \_\_\_\_\_ " or \_\_\_\_\_ DMS or DD  
 Long \_\_\_\_\_ " or \_\_\_\_\_ DMS or DD  
 Street address of well  Nearest address  
60621 HWY 78 BURNS 97720

(10) STATIC WATER LEVEL  

Existing Well / Pre-Alteration	Date	SWL (psi)	+ SWL (ft)
Completed Well	6/11/2014		38

 Flowing Artesian?  Dry Hole?

WATER BEARING ZONES Depth water was first found 15.00

SWL Date	From	To	Est Flow	SWL (psi)	+ SWL (ft)
6/4/2014	15	16	5		15
6/6/2014	50	180	400		<del>28</del> 38
6/11/2014	350	425	1000		38

(11) WELL LOG Ground Elevation \_\_\_\_\_  

Material	From	To
Top Soil	0	3
Gray Clay	3	58
Gray Clay and Fine Sand	58	64
Sandstone	64	78
Claystone	78	160
Fine Sand	160	170
Sandstone	170	350
Black Fractured Basalt	350	385
Gray Sandstone Hard	385	425

RECEIVED BY OWRD  
 AUG 13 2014  
 SALEM, OR

Date Started 6/2/2014 Complete 6/11/2014

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

(bonded) Water Well Constructor Certification  
 I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
 License Number 1801 Date 7/6/2014  
 Signed JARRETT S HUMPHREY (E-filed)  
 Contact Info (optional) Jarrett Humphrey #1801

# Oregon Water Resources Department Permit Condition Water Level Report

OWRD Logid Main aq Max depth LSD Elev Township Range S QQ Q  
 HARN 1028 HARN 402 4125 24.00 S/ 33.00 E- 24 SE NW

Well Tag Log Well Tag Field Csg Diam Field

Well Location 1310 FT. N & 1230 FT. W. FR. C1/4 COR. S24

Well Address

Owner Well Names WELL1

**Well History:**

Logid	Type Work	Depth	Compl Date	Owner on Log
HARN 1028	NEW WELL	402	4/2/1979	JESSE J MORLAN

*well drilled 1979*

**Water Rights with reporting conditions that list this well:**

Permit	Certificate pod	Reference level activated?	Trigger
G 15949	1		

**Owner:**

Name HEATH STALCUP  
 Other Name  
 Contact  
 Address 27492 S. KINZY RD  
 City / St / Zip ESTACADA OR 97023

Date	Time	MP Hght	WL BLS	WL Elev	Method Code	Status Code	Measured By	Pump Idle Time	MP Description	WIComments
03/31/2015		1	53.00	4072.00	T	S	GEORGE VALENTINE	5 MONTHS	1.1/4" PIPE	
01/06/2016		1	56.00	4069.00	T	S	GEORGE VALENTINE		1" PIPE	

Method Codes: A = Airline, T = Etape, V = Calibrated Etape, G = Uncalibrated Gage, H = Calibrated Gage, N - Not Measured, O = Observed, RA = Recorder Analog, RS = Recorder Shaft Encoder, RT = Recorder Transducer, R = Reported, S = Steel Tape, U = Unknown

Status Codes: D = Dry, A = Falling, F = Flowing, P = Pumping, R = Rising, S = Static, U = Unknown

work copy

# T25S, R33E, SECTION 5, WM

## HARNEY COUNTY, OREGON

32

T24S R33E

T25S R33E

TL 1800

TL 1700

L 4

L 3

L 2

L 1

L 5

L 6

L 7

L 8

TL 2000

06

05

04

TL 2100

TL 1900

NWSW

NESW

NWSE

NESE

WELL 2 & METER:  
1,285' S, 210' W OF  
CEN COR SEC 5

35

35

SWSW

SESW

SWSE

SESE

35

35

08

RECEIVED BY OWRD

AUG 01 2016

SALEM, OR



0 1,320 Feet

1" = 1,320'

POU Irrigation

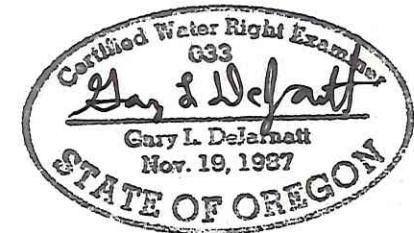
Township

Section

Quarter Quarter

Tax Lot

Well



RENEWAL DATE 12/31/2017

Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

### CLAIM OF BENEFICIAL USE MAP

Five Guys Goose Club

NOTE: THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

### WATER RIGHT SERVICES, LLC

PO BOX 1830, BEND, OR 97709  
CCB# 197121 [www.oregonwater.us](http://www.oregonwater.us)  
541-389-2837 [JOHNSHORT@USA.COM](mailto:JOHNSHORT@USA.COM)

AP G-17168

PERMIT G-16620

JOB #16008

JULY 5, 2016



# Oregon

Kate Brown, Governor

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

February 10, 2017

DARREN LUNDY  
FIVE GUYS GOOSE CLUB  
23601 SW PLATANUS PLACE  
SHERWOOD OR 97140

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	Owner's Well Name
G 17168	Permit: G 17603 *	HARN 52063	HARN 52063	10/21/2016	Approved	None	WELL 2 (L-60061)

Please contact me if you have any questions.

Sincerely,

Darrick Boschmann  
Groundwater Section

cc: GW Pump Test File

**KAVANAGH Kerry L**

---

**From:** johnshort@usa.com  
**Sent:** Monday, October 31, 2016 2:37 PM  
**To:** Kerry L Kavanagh  
**Subject:** Fwd: Pump test for Ap G-17168  
**Attachments:** scan.pdf

Here you go! No multiple well exemption required as they only proved up on one well.

John

John A. Short CCB# 197121

541-389-2837

Water Right Services, LLC  
PO Box 1830  
Bend, OR 97709  
[johnshort@usa.com](mailto:johnshort@usa.com)  
[oregonwater.us](http://oregonwater.us)

Begin forwarded message:

**From:** John Short<[johnshort@usa.com](mailto:johnshort@usa.com)>  
**Subject:** Pump test  
**Date:** October 31, 2016 at 7:19:39 AM PDT  
**To:** John Short<[johnshort@usa.com](mailto:johnshort@usa.com)>

RECEIVED  
OCT 31 2016  
OWRD

**PUMP TEST DATA SHEET**

Application: G-17168 Permit: G-16620 Certificate: \_\_\_\_\_ Pod Id: L-60061

All water-level measurements must either be in feet and inches, or feet and decimal fractions.

**Drawdown Data**

**Recovery Data**

Date	Time	Time Since Pump Started (minutes)	Depth to Water Below Measuring Pt	Depth to Water Below Land Surface	Comments	Date	Time	Time Since Pump Stopped (minutes)	Depth to Water Below Measuring Pt	Depth to Water Below Land Surface	Comments
10/21/16	12:15	2	81' 4"	80' 4"		10/21/16	4:17	2	164		Recovery
	12:17	4	86'	85' 4"			4:19	4	114		WWS
	12:19	6	92'	91' 4"			4:21	6	71		50 feet
	12:21	8	115'	114' 4"			4:23	8	61		T made
	12:23	10	142'	141' 4"			4:25	10	57		IF level
	12:31	18	154'	153' 4"			4:30	15			to
	12:36	23	162'	161' 4"			4:35	20			measure
	12:41	28	170'	169' 4"			4:40	25			the first
	12:46	33	176'	175' 4"			4:45				5 minutes
	1:00	47	189'	188' 4"							
	1:15	62	195'	194' 4"							
	1:30	77	203'	201' 4"							
	1:45	92	207'	206' 4"							
	2:00	107	211'	210' 4"							
	2:15	122	214'	213' 4"							
	2:30	137	216'	215' 4"							
	2:45	152	219'	218' 4"							
	3:00	167	222'	221' 4"							
	3:15	182	223'	222' 4"							
	3:30	197	224'	223' 4"							
	3:45	212	225'	224' 4"							
	4:00	227	226'	225' 4"							
	4:15	242	228'	227' 4"							

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

OWRD 2/9/2000

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OCT 31 2016

OWRD

**KAVANAGH Kerry L**

---

**From:** johnshort@usa.com  
**Sent:** Monday, October 31, 2016 2:37 PM  
**To:** Kerry L Kavanagh  
**Subject:** Fwd: Pump test for Ap G-17168  
**Attachments:** scan.pdf

Here you go! No multiple well exemption required as they only proved up on one well.

John

John A. Short CCB# 197121

541-389-2837

Water Right Services, LLC  
PO Box 1830  
Bend, OR 97709  
[johnshort@usa.com](mailto:johnshort@usa.com)  
[oregonwater.us](http://oregonwater.us)

Begin forwarded message:

**From:** John Short<[johnshort@usa.com](mailto:johnshort@usa.com)>  
**Subject:** Pump test  
**Date:** October 31, 2016 at 7:19:39 AM PDT  
**To:** John Short<[johnshort@usa.com](mailto:johnshort@usa.com)>

RECEIVED  
OCT 31 2016  
OWRD

**PUMP TEST DATA SHEET**

Application: G-17168 Permit: G-16620 Certificate: \_\_\_\_\_ Pod Id: L-60061

All water-level measurements must either be in feet and inches, or feet and decimal fractions.

**Drawdown Data**

**Recovery Data**

Date	Time	Time Since Pump Started (minutes)	Depth to Water Below Measuring Pt	Depth to Water Below Land Surface	Comments	Date	Time	Time Since Pump Stopped (minutes)	Depth to Water Below Measuring Pt	Depth to Water Below Land Surface	Comments
10/21/16	12:15	2	81.9'	80' 4"		10/21/16	4:17	2	164		Recovery
	12:17	4	86'	85' 4"			4:19	4	114		was
	12:19	6	92'	91' 4"			4:21	6	71		50 feet
	12:21	8	115'	114' 4"			4:23	8	61		I made
	12:23	10	142'	141' 4"			4:25	10	57		it had
	12:31	18	154'	153' 4"			4:30	15			to
	12:36	23	162'	161' 4"			4:35	20			measure
	12:41	28	170'	169' 4"			4:40	25			the first
	12:46	33	170'	175' 4"			4:45				8 minutes
	1:00	47	199'	188' 4"							
	1:15	62	195'	194' 4"							
	1:30	77	202'	201' 4"							
	1:45	92	207'	208' 4"							
	2:00	107	211'	210' 4"							
	2:15	122	214'	213' 4"							
	2:30	137	216'	215' 4"							
	2:45	152	219'	218' 4"							
	3:00	167	222'	221' 4"							
	3:15	182	223'	222' 4"							
	3:30	197	224'	223' 4"							
	3:45	212	225'	224' 4"							
	4:00	227	226'	225' 4"							
	4:15	242	228'	227' 4"							

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

OWRD 2/9/2000

**RECEIVED**

OCT 31 2016

OWRD





# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301  
Phone (503) 986-0900  
Fax (503) 986-0904  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

May 24, 2016

FIVE GUYS GOOSE CLUB  
23601 SW PLATANUS PLACE  
SHERWOOD, OR 97140

REFERENCE: Permit Amendment Application T-12222

Enclosed is a copy of the order approving your Permit Amendment application.

Also enclosed is a superseding permit that incorporates the amendments approved by the final order contained herein. Please read this document and abide by the requirements.

If you have any questions related to the approval of this permit amendment, you may contact your caseworker, Sarah Henderson, by telephone at (503) 986-0890 or by e-mail at [Sarah.A.Henderson@wrd.state.or.us](mailto:Sarah.A.Henderson@wrd.state.or.us).

Sincerely,

Marissa Andrews  
Water Rights Services Support

cc: J R. Johnson, Watermaster Dist. # 10 (via email)  
John A. Short, Agent

Enclosure



**BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON**

In the Matter of Permit Amendment	)	FINAL ORDER
T-12222, Harney County	)	APPROVING AN ADDITIONAL POINT
	)	OF APPROPRIATION

**Authority**

Oregon Revised Statute (ORS) 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

**Applicant**

FIVE GUYS GOOSE CLUB  
23601 SW PLATANUS PLACE  
SHERWOOD, OR 97140

**Findings of Fact**

1. On December 23, 2015, Five Guys Goose Club filed an application for an additional point of appropriation under Permit G-16620. The Department assigned the application number T-12222.
2. On October 23, 2015, the Department approved an extension of time for complete application of water to October 1, 2020.
3. Notice of the application for the permit amendment was published in the Department's weekly notice on December 29, 2015, and in the Burns Times Herald newspaper on May 4 and 11, 2016, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
4. Permit Amendment Application T-12222 proposes an additional point of appropriation approximately 0.3 mile from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	33 E	WM	5	NE SW	1285 FEET SOUTH AND 210 FEET WEST FROM THE CENTER 1/4 CORNER OF SECTION 5

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 and OAR 690-01-0005 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

6. All other terms and conditions of Permit G-16620 remain the same.

Dated at Salem, Oregon this 20 day of MAY, 2016.



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

MAY 27 2016

Mailing Date: \_\_\_\_\_

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

FIVE GUYS GOOSE CLUB  
23601 SW PLATANUS PLACE  
SHERWOOD, OR 97140

This superseding permit is issued to describe an amendment for an additional point of appropriation proposed under Permit Amendment Application T-12222 and approved by Special Order Vol. 100, Page 617, entered MAY 27 2016, and to describe an extension of time for complete application of water approved October 23, 2015. This permit supersedes Permit G-16620.

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

APPLICATION FILE NUMBER: G-17168

SOURCE OF WATER: 2 WELLS IN MALHEUR SLOUGH BASIN

PURPOSE OR USE: IRRIGATION USE ON 140.0 ACRES

MAXIMUM RATE: 1.5 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JANUARY 23, 2009

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	33 E	WM	5	NW SE	2540 FEET NORTH AND 2079 FEET WEST FROM THE SE CORNER OF SECTION 5
25 S	33 E	WM	5	NE SW	1285 FEET SOUTH AND 210 FEET WEST FROM THE CENTER 1/4 CORNER OF SECTION 5

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

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.


Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

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.

Completion of construction and application of the water was to be made on or before October 1, 2014, when the permit was originally issued on December 3, 2009. By Extension of Time Final Order dated October 23, 2015, the completion of construction and application of water was extended to on or before October 1, 2020.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued MAY 20, 2016



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





# Oregon

Kate Brown, Governor

G-17168

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

December 28, 2015

FIVE GUYS GOOSE CLUB  
23601 SW PLATANUS PLACE  
SHERWOOD, OR 97140

Reference: Application T- 12222

On December 23, 2015, we received your water right Transfer application. The application was accompanied by \$1350.00. Our receipt number 118399 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

Your application will be examined to determine whether additional information is needed. We will notify you if further information or corrections to the application or map are required.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water from the new point of appropriation until a final order approving the application has been issued by the Department.

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

If you have any questions, please contact the Transfer Section at (503) 986-0807.

Cc: Watermaster Dist. #10 (via email)  
John A. Short, Agent

Enclosure



## Transfer Applications: Permit Amendments

The holder of a water right permit may apply to change a point of diversion or appropriation or to change the place of use pursuant to ORS 537.211 (4).

Notice is given that the following applications for Permit Amendments have been received by the Department. If the proposed change in point of diversion or appropriation is for a distance greater than 1/4 mile or includes intervening diversion points, notice also will be published in a local newspaper.

Transfer	<u>T 12219</u>
Water Right	Permit: G-16783
County/Basin	Baker / Powder (9)
Applicant Name	SIDDOWAY, BERT PO BOX 115 29754 OLD HWY 30 DURKEE, OR 97905
Proposed Change	POINT OF APPROPRIATION, ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > PRITCHARD CREEK / 11.00S 43.00E 19 NENE
Use/Quantity	IRRIGATION / 3.340 CFS
Priority Date	05/11/2009

Transfer	<u>T 12222</u>
Water Right	Permit: G-16620
County/Basin	Harney / Malheur Lake (12)
Applicant Name	FIVE GUYS GOOSE CLUB 23601 SW PLATANUS PLACE SHERWOOD, OR 97140
Proposed Change	ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > MALHEUR SLOUGH / 25.00S 33.00E 5 NWSE
Use/Quantity	IRRIGATION / 1.500 CFS
Priority Date	01/23/2009



Application # G-17148 Permit # G-16620

**Public Notice Route Slip ... New Application Extension of Time**  
per Division 315 Rules... (Extensions received on July 1, 2001 or after)

◆ **WRIG...**  
Money Received on: 7-7-15

◆ **Extension Specialist ...**  
 Added to tracking spreadsheet

**After fee is receipted and app is added to spreadsheet, route to...**

- ◆ **Kate Fitzgerald...**
  - Publish on Public Notice (initial 30-day comment): Date of notice 7-14-15
  - Update WRIS Database
  - In the "PNotice Date" field... Enter the date the Extension Application was published on the Public Notice.
  - In the "Ext Filed" field... Enter the date the Extension Application was received.

Yes or  No: Return file to Extension Specialist after PN \_\_\_\_\_

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 # **116494**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Matthew Frank Stashin  
 BY: Melissa Stashin

APPLICATION	G-17168
PERMIT	
TRANSFER	

CASH:  CHECK:#  2800 OTHER: (IDENTIFY)

TOTAL REC'D \$ 575.00

**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		\$
0410	RESEARCH FEES		\$
0408	MISC REVENUE: (IDENTIFY)		\$
TC162	DEPOSIT LIAB. (IDENTIFY)		\$
0240	EXTENSION OF TIME		\$ <u>575.00</u>
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 \$
	OTHER (IDENTIFY)		

**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: **116494** DATED: 7/6/15 BY: gallett hays

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



# Oregon

Kate Brown, Governor

**Water Resources Department**

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

July 7, 2015

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Right Services Division has received your application for an extension of time for **APPLICATION FILE #: G-17168 (Permit G-16620)**. Your application will be reviewed in the future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

You may continue the use of water under your water right until the Water Resources Department formally takes action on your extension application. If your permit includes conditions, water use reporting, water level measurement reporting, etc., you are required to comply with the conditions.

Any additional development that occurs after the expired completion date, identified on the permit or an extension order, can only be claimed upon an approved extension application.

If you have questions concerning your extension of time application, please contact Machel Bamberger at (503) 986-0802. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's website at: [www.wrd.state.or.us](http://www.wrd.state.or.us).

### Completeness Checklist for Permit Extension of Time Application

Minimum completeness criteria for Extension of Time Applications are set forth in OAR 690-086-0020(3) for NON-Municipal or NON-Quasi-Municipal permits and in OAR 690-086-0070(3) for Municipal or Quasi-Municipal permits.

- 1. Is the permit to be extended Non-Cancelled according to WRIS and the permit file? \_\_\_\_\_  
**If the permit has been cancelled, the Extension Application cannot be accepted.**
- 2. Is the extension applicant's name and mailing address the permit holder of record? \_\_\_\_\_  
If an Assignment has **not** yet occurred, and is **not** submitted with the Extension of Time Application, the application cannot be accepted.
- 3. Did Construction begin on or before the "A" date (Actual Construction date), If no "A" date then by the "C" date (Completion Date)? \_\_\_\_\_  
**IF NO, Return application, The Extension cannot be granted.**
- 4. Pull the permit file. If a copy of the permit is not in the file, pull up an image of the permit in WRIS.
- 5. Is the appropriate Extension of Time Application used? \_\_\_\_\_  
If the wrong application form is used, the Extension Application cannot be accepted.
  - If a Municipal or Quasi-Municipal permit, use: "Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits."
  - If a NON-Municipal or NON-Quasi-Municipal permit, use: "Application for Extension of Time for a Water Right Permit (Non-Municipal / Non-Quasi-municipal Water Use)."
- 6. Are the requested date(s) for extension identified (Page 1)? \_\_\_\_\_  
  - Check the permit to see if it includes a "B-Date" and/or a "C-Date."  
 "B-Date" = date by which construction of the water delivery system for the permit is to be completed.  
 "C-Date" = date by which full beneficial use of water under the permit is to be accomplished AND CONSTRUCTION MUST BEGIN by if no "A" DATE.
- 7. Is the Extension Application signed (with an original signature) by permit holder(s) of record or an authorized agent? \_\_\_\_\_  
(If signed by agent, documentation from the permit holder(s) granting authorization for the agent to sign on their behalf must be provided or be present and current in the permit file.)  
  
If **not** signed by a permit holder of record or authorized agent, the Extension Application cannot be accepted.
- 8. Are all questions on the application answered? \_\_\_\_\_  
(NOTE: Supporting documentation such as: copies of the permit, well log(s), annual water use reports, static water level measurement reports, evidence demonstrating construction/work/water use accomplished, etc. may be included.)
- 9. Has the \$575 fee been paid? \_\_\_\_\_  
 \*If applicable, has the \$85 fee for the Assignment been paid? \_\_\_\_\_  
 (As of July 1, 2013, the Extension of Time fee is \$575, and Request for Assignment fee is \$85)  
 If the fee has NOT been paid, the application cannot be accepted.  
 \*\*NOTE: If the fee is the only item missing, contact the applicant to see if they can submit the fee with the next few days. If the applicant commits to submitting the fee within one week, hold the Extension Application, and explain to them that if it is not received the application will be returned (as we are required to keep any application, regardless of how complete, if retained by the Department as long as two weeks).
- 10. If after completing this checklist, it is not clear whether the application can be accepted, please route both the money slip and Non-Muni Extension Application to Machel Bamberger or Corey Courchane. For municipal application route to, Machel Bamberger. One will either: 1) accept the application; 2) return the application; or 3) prepare a deficiency letter.

Reviewed by: M Bamberger Date: 7-7-15

# Extension PFO Checklist for Other than Muni or Quasi-Municipal Water Use Permits

(OAR 690-315-0010 through OAR 690-315-0060)

AGENT.  
Johnshort  
PO Box 1830  
Bend, OR  
97709

Application: G-17168 Permit: G-16626 Permit Amendment? No  Yes  T-  pending  approved needed.

Permit Holder's Name: five Guys Goose club 23601 SW Platanus place  
 Permit Holder's Mailing Address: \_\_\_\_\_ email \_\_\_\_\_ sherwood, OR 97140

Phone Number: \_\_\_\_\_

POD Location: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ 1/4 \_\_\_\_\_

Drainage Basin: 12 County: Harnay Watermaster District: 10 Watermaster: JR Johnson  
Malheur lake

Date Permit was issued: 12-3, 2009 Priority Date: 1-23-09 Date of PN: \_\_\_\_\_

Source: well 1 in Malheur slough Basin

Use: IR 140.0 A

"Q": 1.5 cfs

Orig "A" Date: \_\_\_\_\_ Orig "B" Date: 10/1/ 2014 Orig "C" Date: 10/1/ 2014

Extension request rec'd: 7-6-15 Last Authorized "B" Date: 10/1/ Last Authorized "C" Date: 10/1/

Request Number (1, 2, 3...): 1<sup>st</sup> Proposed "B" Date: 10/1/ 2020 Proposed C Date: 10/1/ 2020

**Conditions of Permit:**

Condition Met?	Condition Not Met?	Permit Condition
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	construction began well (HARN 52063) 6-2-2014
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Totalizing flow meter
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	water usage reporting
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	SWL March
<input type="checkbox"/>	<input type="checkbox"/>	

**Factors to consider in determining "Reasonable Diligence" [OAR 690-315-0040(3)]:**

- Yes  No
- Work was accomplished within the time allowed in the permit or previous extension
  - Water right permit holder conformed with the permit or previous extension conditions
  - Financial investments were made toward developing the beneficial water use.
    - Amount Invested to date: \$ 90,000 Estimated Remaining Cost: \$ 0
  - Beneficial use made of the water during the permit or previous extension time limits
    - Permit holder has beneficially used 1  cfs  gpm  af of the total permitted quantity of water on 140 acres

GW REVIEW: Y  N   
 MITIGATION REVIEW: Y  N

Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes  No

## BAMBERGER Machelle A

---

**From:** John Short <johnshort@usa.com>  
**Sent:** Thursday, July 09, 2015 7:48 PM  
**To:** BAMBERGER Machelle A  
**Subject:** Re: Five Guys Goose Club extension Permit G-16620  
**Attachments:** FullSizeRender.jpg; FullSizeRender (1).jpg

Hello Machelle,

I inspected this property June 3, 2015 intending to do a Claim of Beneficial Use but found the well in the wrong location so filed for this extension. Per your questions:

1. The flow meter (pictured) is part of the pivot control system which was running. I do not know how to access that information and did not wish to mess up their system.
2. WRIS shows reports for 2013 (no usage) and 2014 with usage in Sept. Per my onsite picture (also attached), clearly the whole 140 acres had been planted and irrigated.

Hope this helps.

Sincerely,  
John

John A. Short CCB# 197121

541-389-2837

Water Right Services, LLC  
PO Box 1830  
Bend, OR 97709  
[johnshort@usa.com](mailto:johnshort@usa.com)  
[oregonwater.us](http://oregonwater.us)

**Sent:** Thursday, July 09, 2015 at 3:17 PM  
**From:** "BAMBERGER Machelle A" <[machelle.a.bamberger@state.or.us](mailto:machelle.a.bamberger@state.or.us)>  
**To:** "johnshort@usa.com" <[johnshort@usa.com](mailto:johnshort@usa.com)>  
**Subject:** Five Guys Goose Club extension Permit G-16620

Good Afternoon John;

I am review the extension application for Permit G-16620 Five Guys Goose Club. I have a few questions.

- 1) If a totalizing flow meter was installed then why is there NA in Chart E for the maximum measured rate, and that they have irrigated all 140.0 acres?
- 2) I have no record of water usage report received by the Department, do you have a copy?

Thank you,

Machelle



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

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

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

**I, FIVE GUYS GOOSE CLUB**

NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

**the holder of:** Application Number G-17168 Permit Number G-16620 [OAR 690-315-0020(3)(b)]

*\*\*A separate application must be submitted for each permit as per OAR 690-315-0020(2). \*\**

23601 SW PLATANUS PLACE  
 MAILING ADDRESS

SHERWOOD, OR 97140  
 CITY, STATE, ZIP

PHONE

E-MAIL ADDRESS

X **do hereby request that** the time to apply water to full beneficial use under the terms and conditions of the permit, which now expires on Month 12 Day 3 Year 2014, be extended through October 1, Year 2020.

**Please Note.** If the permit **does** specify a date when **construction** must be **completed**, you should request to extend both the time to apply water to full beneficial use **and** to complete construction. These dates are typically found on the permit above the signature of the Director.

**and**

**do hereby request that** the time to complete construction of the water system, which now expires on Month 12 Day 3 Year 2014, be extended through October 1, Year 2020

**Sign after completing the entire application, questions 1-11.**

I am the permit holder, or have attached to this application written authorization from the permit holder, to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for OWRD to suspend processing of the request and/or reason to deny the extension. I have completed the entire application.

Matthew Stashin  
 Signature

6/30/15  
 Date

Printed Name/Title Matthew Stashin / owner

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**MAIL COMPLETED and SIGNED APPLICATION with the \$575 STATUTORY FEE TO:**

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

Submit the following items with your Application for Extension of Time:

- **The signed and completed Application for Extension of Time.**
- **\$575 check to OWRD or Oregon Water Resources Department**
- **All supporting documentation and/or evidence referenced in the application.**

Reference materials needed to complete this Application:

- **Water right permit.** A copy of the water right permit can be downloaded from the Department's Website at <http://www.wrd.state.or.us> (using the link to the Water Rights Information System (WRIS)). A copy of the permit may be requested from the Water Rights Division at 503-986-0801 (copy fees will apply).
- **Documentation** which demonstrates compliance with permit conditions (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Helpful information for completing this Application:

- Permit holders of **municipal or quasi-municipal water use permits DO NOT use this form.** The form *Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits* is at the following link: <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#other>
- Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the permit terms & conditions.
- The attached *Instructions for Completing an Application for Extension of Time for a Water Right Permit* will help you answer each question on the application. If, after reading the instructions, you need assistance, please call the Extensions Specialist at 503-986-0900.
- Permit extensions are evaluated under OAR Chapter 690, Division 315, which may be viewed at: <http://www.wrd.state.or.us/OWRD/LAW/index.shtml>. Please note that OWRD may require additional information, if necessary, to evaluate the application per OAR 315-0020(3)(n).
- OWRD will review applications received for completeness and will return incomplete or deficient applications per OAR 690-315-0040(1)(a) to the applicant.

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# Questions to Complete this Application for Extension of Time

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

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

1. **Did the “actual construction” of the water system/well drilling begin within the time specified in the permit?**  Yes  No  N/A, if not specified in this permit

Date “actual construction” began is: 06/02/2014 WELL 1 (HARN 52063 / L-60061)

Describe details of construction: WELL DRILLING STARTED

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

- 2-A. **Please Describe how you have complied with each standard and special condition in the original permit [and, if applicable, conditions contained in any order approving a permit amendment and/or order approving a prior extension of time].**

*TIP: The instruction sheet explains which typical conditions must be addressed here.*

**Condition Number:** Hand-number each condition on a copy of your permit (and, if applicable, any permit amendment and/or prior extension). Include a copy of your hand-numbered permit.

## CHART-A

Condition Number	Date Satisfied	Describe How Permit Condition Has Been Satisfied
1	NA	TOTALIZING FLOW METER INSTALLED
2	NA	ASSIGNED OWRD WELL ID TAG
3	2014	WATER USE RECORDING

- 2-B. **If you have NOT complied with all applicable conditions, explain the reasons why and indicate with a date certain (in the near future) when compliance will occur.**

## CHART-B

Condition Number	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied
4	NA	INITIAL STATIC WATER LEVEL MEASUREMENTS
5	03/31/2016	ANNUAL STATIC WATER LEVEL MEASUREMENT
6	NA	WELL 1 (HARN 52063) IN DIFFERENT LOCATION

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

**3-A. Provide evidence of physical progress made toward completion of the water system and progress toward making beneficial use of water within the original permitted time period.**

CHART-C (below) must be completed for all Application for Extension of Time requests. *Use chronological order.*

**CHART-C**

DATE	LIST & DESCRIBE WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED	COST*
	NA	
DATE	LIST & DESCRIBE WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED <i>and</i> PRIOR TO DATE FOR COMPLETE APPLICATION OF WATER	COST*
	Date the permit was signed - find date above signature on last page of permit.	
12/3/2009	PERMIT SIGNED	
N/A	Date the permit specified "Actual Construction Work" shall begin ("A-Date") -not all permits contain this date.	
6/11/2014	WELL COMPLETED	\$20,000.00
2014	CENTER PIVOT SYSTEM INSTALLED	\$70,000.00
09/2014	CLEARING AND PREPARING GROUND, PLANTED AND IRRIGATED	<del>\$10,000.00</del>
	Date the permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date.	
DATE	LIST & DESCRIBE WORK ACCOMPLISHED AFTER DATE FOR COMPLETE APPLICATION OF WATER UP TO NOW Complete if this is your first request for extension of time.	COST*
<b>*Total Cost for Chart-C</b>		<b>\$100,000.00</b>

**\* If exact cost is not known, please provide your best estimate.**

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**IF this is** your first Application for an Extension of Time, write NA in Chart D below and proceed to question 4 at the bottom of this page.

**3-B) Provide evidence of physical progress made toward completion of the water system and progress toward making beneficial use of water within the most recent extension period.**

If this **is not** your 1st Application for Extension of Time request, fill out CHART-D below in addition to CHART-C above. *Use chronological order.*

**CHART-D**

DATE	LIST AND DESCRIBE WORK ACCOMPLISHED <u>DURING</u> THE LAST EXTENSION PERIOD	COST*
	"Extended From" date for complete application of water used in the 1 <sup>st</sup> (or the most recent) Application for Extension of Time.	
	NA	
	"Extended To" date for complete application of water resulting from the 1 <sup>st</sup> (or the most recent) Application for Extension of Time.	
DATE	LIST AND DESCRIBE WORK ACCOMPLISHED <u>AFTER</u> THE LAST EXPIRED EXTENSION PERIOD UP TO NOW	COST*
	NA	
<b>Total Cost of Chart-D</b>		<b>\$0.00</b>

**\* If exact cost is not known, please provide your best estimate.**

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4. [OAR 690-315-0020(3)(f)]  
**Cost of project to date: \$100,000.00**  
*(The total combined cost from CHART-C and CHART-D)*

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

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

*TIP: Report the rate used to date in the same units of measurement as specified in the permit. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.*

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

Maximum measured rate used to date = 0 cfs (cubic feet per second)

or

Maximum measured rate used to date = 0 gpm (gallons per minute)

or

Acre-feet stored to date = 0 AF

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

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

**CHART-E**

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					If yes, provide the Permit, Certificate, or Transfer No.
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment? (See 5-C below)	Maximum measured rate used from this well - - under this permit only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	
WELL 1	NA	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	HARN 52063	60061	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	NA	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
Total measured rate from all wells utilized under this permit						NA		

**5-C) If the drilled location of a well is not authorized on this permit, please specify its location below, or provide a map showing its location. Has or will a Permit Amendment Application been/be filed? Yes  No**

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

Well #60061: Actual location: 1,285'S, 210'W FROM CTR COR, SEC 5, T25S, R33E

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

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

6. Provide the total number of acres actually irrigated to date under this permit (if any).

Surface Water Permits: I have applied water to \_\_\_\_\_ acres for irrigation to date.

Ground Water Permits: I have applied water to 140.0 acres for irrigation to date.

Please specify which wells are being utilized for this irrigation.

Well #60061 Acres140.0 Well # \_\_\_\_\_ Acres \_\_\_\_\_

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

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

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

CHART-F

APPROXIMATE DATE RANGE (projected)	LIST & DESCRIBE WORK TO BE ACCOMPLISHED TO COMPLETE WATER DEVELOPMENT (projected)	ESTIMATED COST (projected)
2016	PERMIT AMENDMENT FOR NEW WELL LOCATION	\$5,000.00
	APOA	
Year: 2020	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
8.	Estimated remaining total cost to complete the water development: [OAR 690-315-0020(3)(g)]	\$5,000.00

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

9. Describe the reasons why the water development was not constructed, and/or water was not beneficially used within permit time limits. Provide supporting information for the reason(s) that best fits your circumstances (A, B, C or D).

9-A) Is the project of a size and scope that was originally planned to be phased in over a time frame longer than the one allowed in the permit? If yes, describe.

NO

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**9-B)** Did the financial resources needed to develop the project preclude completion of the project within authorized time frames? If yes, describe.

NO

**9-C)** Did good faith attempts to comply with other agency permit conditions and/or acquire permits from other agencies, or otherwise comply with government regulations, delay completion of the project? If yes, describe.

NO

**9-D)** Have other unforeseen events delayed full development of the water system and use of water within the authorized time frames? If yes, describe.

WELL WAS DRILLED AT BETTER LOCATION FOR SYSTEM,  
REQUIRING PERMIT AMENDMENT, COMPLETION DATE ALREADY PAST

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

**10. Justify the time requested to complete the project and/or apply the water to full beneficial use.** Your justification should combine information from your answers from Questions 2-B, 7, 8, and 9 of this Application for Extension of Time. Include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.

FILING OF PERMIT AMENDMENT FOR NEW WELL LOCATION

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

NA

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SALEM, OR

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

FIVE GUYS GOOSE CLUB  
23601 SW PLATANUS PLACE  
SHERWOOD, OR 97140

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

APPLICATION FILE NUMBER: G-17168

SOURCE OF WATER: WELL 1 IN MALHEUR SLOUGH BASIN

PURPOSE OR USE: IRRIGATION USE ON 140.0 ACRES

MAXIMUM RATE: 1.5 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JANUARY 23, 2009

6) WELL LOCATION: NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SECTION 5, T25S, R33E, W.M.; 2540 FEET NORTH AND 2079 FEET WEST FROM SE CORNER, SECTION 5

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  35.0 ACRES

SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  35.0 ACRES

NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  35.0 ACRES

SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  35.0 ACRES

SECTION 5

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

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Measurement, recording and reporting conditions:

1) A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter or measuring device in good working order.

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SALEM, OR

- 3) B. The permittee 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.
- C. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

- 4)  
5) The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and



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- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

- 2) Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

#### STANDARD CONDITIONS

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.

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.

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

The well(s) 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.

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

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.

Completion of construction and application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued DECEMBER 3, 2009

*E. Timothy Wall*

for Phillip C. Ward, Director  
Water Resources Department

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Application G-17168  
Basin 12

Water Resources Department  
Volume 2 MALHEUR L & MISC

PERMIT G-16620  
10

I am amending this Well log. The static level changed while under construction.  
**HARN 52063**

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

**HARN 52063**

WELL I.D. LABEL# L60061  
 START CARD # 1023249  
 ORIGINAL LOG # \_\_\_\_\_

7/6/2014

**(1) LAND OWNER** Owner Well I.D. \_\_\_\_\_  
 First Name MATT Last Name STASHEN  
 Company FIVE GUYS GOOSE CLUB  
 Address HWY 78  
 City CRANE State OR Zip 97732

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

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

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

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

**(5) BORE HOLE CONSTRUCTION** Special Standard  (Attach copy)  
 Depth of Completed Well 425.00 ft.  
**BORE HOLE** **SEAL** sacks/lbs  

Dia	From	To	Material	From	To	Amt	lbs
16	0	38	Bentonite Chips	0	38	33	S
12	38	280					
10	280	360					
8	360	425					

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

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

**(6) CASING/LINER**  

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12	X	1.5	280	250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" 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"/>						<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"/>	<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

  
 Shoe  Inside  Outside  Other Location of shoe(s) \_\_\_\_\_  
 Temp casing  Yes Dia \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_

**(7) PERFORATIONS/SCREENS**  
 Perforations Method \_\_\_\_\_  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_  

Perf/ Screen	Casing/ Liner	Dia	From	To	Scr/slot width	Slot length	# of slots	Tele/ pipe size

**(8) WELL TESTS: Minimum testing time is 1 hour**  
 Pump  Bailer  Air  Flowing Artesian  

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
900	197	300	3

  
 Temperature 57 °F Lab analysis  Yes By \_\_\_\_\_  
 Water quality concerns?  Yes (describe below) TDS amount  

From	To	Description	Amount	Units

**(9) LOCATION OF WELL (legal description)**  
 County HARNEY Twp 25.00 S N/S Range 33.00 E E/W WM  
 Sec 5 SE 1/4 of the SE 1/4 Tax Lot 02000  
 Tax Map Number \_\_\_\_\_ Lot \_\_\_\_\_  
 Lat \_\_\_\_\_ " or \_\_\_\_\_ DMS or DD  
 Long \_\_\_\_\_ " or \_\_\_\_\_ DMS or DD  
 Street address of well  Nearest address  
60621 HWY 78 BURNS 97720

**(10) STATIC WATER LEVEL**  

Existing Well / Pre-Alteration	Date	SWL (psi)	+ SWL (ft)
Completed Well	6/11/2014		38

  
 Flowing Artesian?  Dry Hole?   
**WATER BEARING ZONES** Depth water was first found 15.00  

SWL Date	From	To	Est Flow	SWL (psi)	+ SWL (ft)
6/4/2014	15	16	5		15
6/6/2014	50	180	400		<del>28</del> 38
6/11/2014	350	425	1000		38

**(11) WELL LOG** Ground Elevation \_\_\_\_\_  

Material	From	To
Top Soil	0	3
Gray Clay	3	58
Gray Clay and Fine Sand	58	64
Sandstone	64	78
Claystone	78	160
Fine Sand	160	170
Sandstone	170	350
Black Fractured Basalt	350	385
Gray Sandstone Hard	385	425

  
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 JUL 06 2015 AUG 13 2014  
 SALEM, OR SALEM, OR

Date Started 6/2/2014 Complete 6/11/2014  
**(unbonded) Water Well Constructor Certification**  
 I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.  
 License Number \_\_\_\_\_ Date \_\_\_\_\_  
 Signed \_\_\_\_\_

**(bonded) Water Well Constructor Certification**  
 I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
 License Number 1801 Date 7/6/2014  
 Signed JARRETT S HUMPHREY (E-filed)  
 Contact Info (optional) Jarrett Humphrey #1801

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

**Application for Extension of Time**

In the Matter of the Application for an Extension of Time     )  
for Permit G-16620, Water Right Application G-17168,        ) PROPOSED FINAL ORDER  
in the name of Five Guys Goose Club                             )

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**Permit Information**

Application:	G-17168
Permit:	G-16620
Basin:	12 – Malheur Lake / Watermaster District 10
Date of Priority:	January 23, 2009
Source of Water:	Well 1 in Malheur Slough Basin
Purpose of Use:	Irrigation use on 140.0 Acres
Maximum Rate:	1.5 cubic feet per second (cfs)

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***Please read this Proposed Final Order in its entirety.***

*In Summary, the Department proposes to:*

- Grant an extension of time to complete construction of the water system from October 1, 2014 to October 1, 2020.
- Grant an extension of time to apply water to full beneficial use from October 1, 2014 to October 1, 2020<sup>1</sup>.

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

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<sup>1</sup>Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

3. Notification of the Application for Extension of Time for Permit G-16620 was published in the Department's Public Notice dated July 14, 2015. No public comments were received regarding the extension application.

**Review Criteria [OAR 690-315-0040]**

*The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0040. This determination shall consider the applicable requirements of ORS 537.230<sup>2</sup>, 537.248<sup>3</sup>, 537.630<sup>4</sup> and/or 539.010(5)<sup>5</sup>.*

**Complete Extension of Time Application [OAR 690-315-0040(1)(a)]**

4. On July 6, 2015, the Department received a completed Application for Extension of Time and the fee specified in ORS 536.050 from the permit holder.

**Start of Construction [OAR 690-315-0040(1)(b) and 690-315-0040(5)]**

5. Construction of the well began prior to the deadline specified in the permit. The permit holder states, construction began June 2, 2014.

**Duration of Extension [OAR 690-315-0040(1)(c)]**

*Under OAR 690-315-0040(1)(c), in order to approve an extension of time for water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.*

6. As of July 6, 2015, the permit holder states the remaining work to be completed consists of gaining approval from the Department for a permit amendment for the change in location of the well; meeting all permit conditions; completing construction of the water system and applying water to full beneficial use.
7. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2020, to complete construction of the water system and to accomplish the application of water to beneficial use under the terms and conditions of Permit G-16620 is both reasonable and necessary.

**Good Cause [OAR 690-315-0040(1)(d)]**

*The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0040(2).*

**Reasonable Diligence of the Appropriator [OAR 690-315-0040(2)(a)]**

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<sup>2</sup>ORS 537.230 applies to surface water permits only.

<sup>3</sup>ORS 537.248 applies to reservoir permits only.

<sup>4</sup>ORS 537.630 applies to ground water permits only.

<sup>5</sup>ORS 539.010(5) applies to surface water and ground water permits.

*following factors when determining the market and the present demand for water or power to be supplied:*

15. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0040(4)(a-c)].

The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-16620; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined when an application for a new water right is submitted. The point of appropriation for Permit G-16620, located within the Malheur Slough Basin, is not located within a limited or critical ground water area. Malheur Slough is not located within or above any state or federal scenic waterway, however, it is located within an area ranked "low" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. The point of appropriation is not in an area listed by the Department of Environmental Quality as a water quality limited stream.

*Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].*

16. None have been identified.

*Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0040(4)(f)].*

17. None have been identified.

*Fair Return Upon Investment [OAR 690-315-0040(2)(f)]*

18. Use and income from the permitted water development will likely result in reasonable returns upon the investment made to date.

*Other Governmental Requirements [OAR 690-315-0040(2)(g)]*

19. Delay in the development of this project was not caused by any other governmental requirements.

*Unforeseen Events [OAR 690-315-0040(2)(h)]*

20. None have been identified.

## PROPOSED ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to:

Extend the time to complete construction of the water system under Permit G-16620 from October 1, 2014 to October 1, 2020.

Extend the time to apply water to beneficial use under Permit G-16620 from October 1, 2014 to October 1, 2020.

DATED: September 1, 2015

  
Dwight W. French, Administrator,  
Water Right Services Division

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

### Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **October 16, 2015**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
  - a. The name, address and telephone number of the petitioner;
  - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
  - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
  - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;



Mailing List for Extension PFO Copies

PFO Date: September 1, 2015

Copies Mailed

Application: G-17168

Permit: G-16620

By: BO  
On: 9/1/15

Original mailed to Applicant:

Five Guys Goose Club  
Attention: Matthew Stashin  
23601 SW Plantanus Place  
Sherwood, OR 97140

Copies sent to:

1. WRD - App. File G-17168/ Permit G-16620
2. John Short  
PO Box 1830  
Bend, OR 97709

Fee paid as specified under ORS 536.050 to receive copy:

3. None

Receiving via e-mail (10 AM Tuesday of signature date)  
(DONE BY EXTENSION SPECIALIST)

4. WRD - Watermaster District 10, JR Johnson

CASEWORKER: MAB

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

**Application for Extension of Time**

In the Matter of the Application for an Extension of Time )  
for Permit G-16620, Water Right Application G-17168, ) FINAL ORDER  
in the name of Five Guys Goose Club )

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**Permit Information**

Application:	G-17168
Permit:	G-16620
Basin:	12 – Malheur Lake / Watermaster District 10
Date of Priority:	January 23, 2009
Source of Water:	Well 1 in Malheur Slough Basin
Purpose of Use:	Irrigation use on 140.0 Acres
Maximum Rate:	1.5 cubic feet per second (cfs)

---

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

**Appeal Rights**

**This is a final order in other than a contested case.** This order is subject to judicial review under ORS 183.484. A request for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either file for judicial review, or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

**Application History**

Permit G-16620 was issued by the Department on December 3, 2009. The permit specified for completion of construction by October 1, 2014 and complete application of water to beneficial use by October 1, 2014. On July 6, 2015, Five Guys Goose Club submitted to the Department an Application for Extension of Time for Permit G-16620. In accordance with OAR 690-315-0050(2), on September 1, 2015, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2020, and the time to fully apply water to beneficial use to October 1, 2020. The protest period closed October 16, 2015, in accordance with OAR 690-315-0060(1). No protest was filed.

Mailing List for Extension FO Copies

FO Date: October 23, 2015

Copies Mailed

Application: G-17168

By: KF

Permit: G-16620

On: 10/23/15

Original mailed to permit holder

Five Guys Goose Club  
23601 SW Plantanus Place  
Sherwood, OR 97140

Copies sent to:

1. WRD - App. File G-17168/ Permit G-16620
2. John Short  
PO Box 1830  
Bend, OR 97709

Fee paid as specified under ORS 536.050 to receive copy:

3. None

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

4. WRD - Watermaster District 10, JR Johnson

CASEWORKER: MAB

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

FIVE GUYS GOOSE CLUB  
23601 SW PLATANUS PLACE  
SHERWOOD, OR 97140

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

APPLICATION FILE NUMBER: G-17168

SOURCE OF WATER: WELL 1 IN MALHEUR SLOUGH BASIN

PURPOSE OR USE: IRRIGATION USE ON 140.0 ACRES

MAXIMUM RATE: 1.5 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JANUARY 23, 2009

WELL LOCATION: NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SECTION 5, T25S, R33E, W.M.; 2540 FEET  
NORTH AND 2079 FEET WEST FROM SE CORNER, SECTION 5

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  35.0 ACRES

SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  35.0 ACRES

NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  35.0 ACRES

SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  35.0 ACRES

SECTION 5

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 totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter or measuring device in good working order.

- B. The permittee 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.
- C. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and

- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

#### STANDARD CONDITIONS

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.

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.

Completion of construction and application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued DECEMBER 3, 2009



for Phillip C. Ward, Director  
Water Resources Department

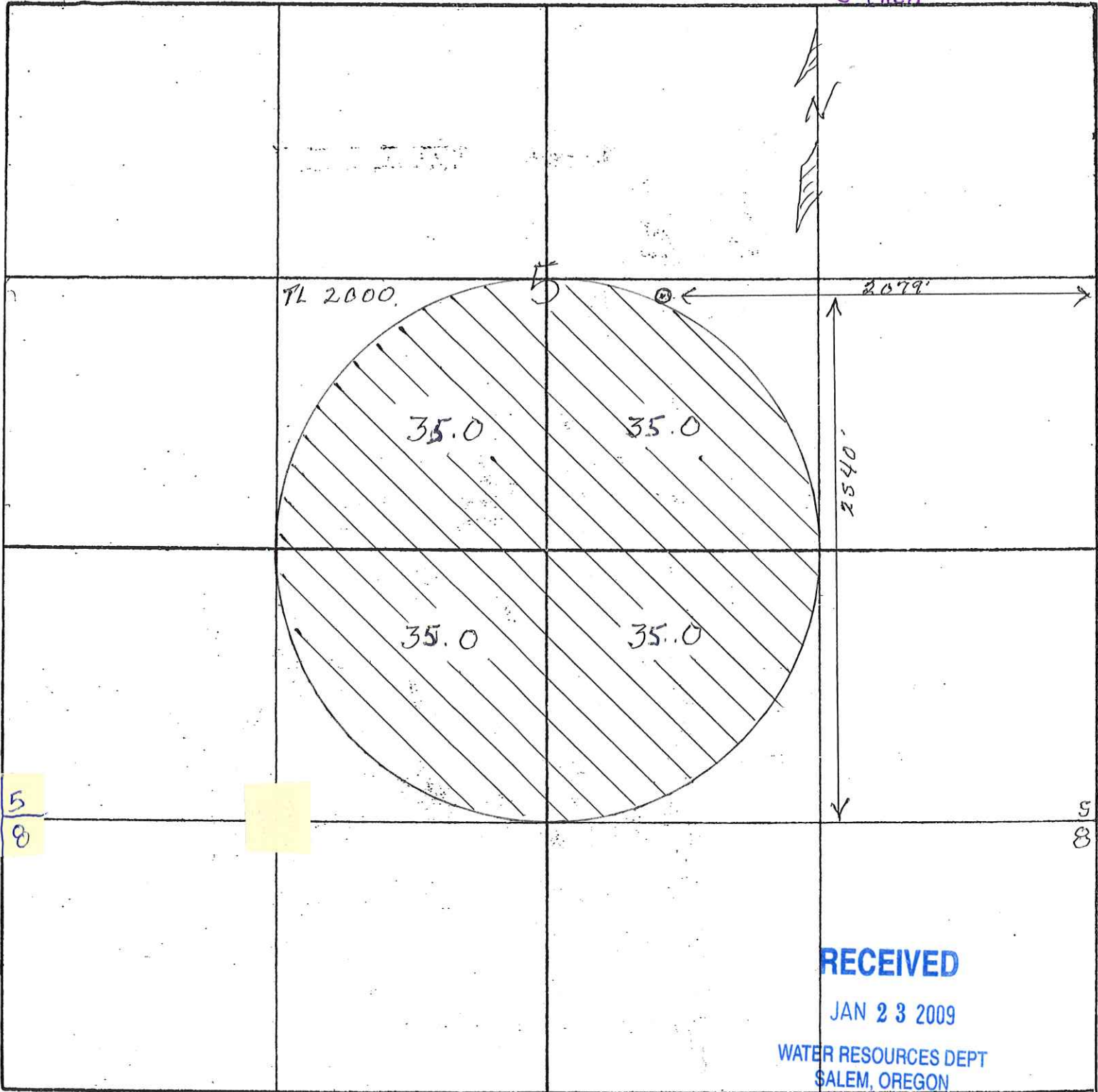
SECTION PLAN

Section 5 Township 25-S Range 33-E

County of Harney State of Oregon

NORTH

G-17168



RECEIVED

JAN 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON

Remarks scale - 8" = 1 mile - 660' -

App No G-17168 Permit No G-16620



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

FIVE GUYS GOOSE CLUB  
23601 SW PLATANUS PLACE  
SHERWOOD, OR 97140

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

APPLICATION FILE NUMBER: G-17168

SOURCE OF WATER: WELL 1 IN MALHEUR SLOUGH BASIN

PURPOSE OR USE: IRRIGATION USE ON 140.0 ACRES

MAXIMUM RATE: 1.5 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JANUARY 23, 2009

WELL LOCATION: NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SECTION 5, T25S, R33E, W.M.; 2540 FEET NORTH  
AND 2079 FEET WEST FROM SE CORNER, SECTION 5

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  35.0 ACRES  
SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  35.0 ACRES  
NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  35.0 ACRES  
SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  35.0 ACRES

SECTION 5

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 totalizing flow meter or other suitable measuring device as approved by the Director at each point of

- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

#### **STANDARD CONDITIONS**

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.

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.

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

Issued \_\_\_\_\_, 2009

DRAFT - THIS IS NOT A PERMIT

\_\_\_\_\_  
for Phillip C. Ward, Director  
Water Resources Department

## FO Checklist

Application #: G-17168 Applicant: DARREN LUNDY FIVE GUYS GOOSE CLUB

Name and/or address has **changed or been assigned**  Yes  No  
 If new: \_\_\_\_\_

Respond to **significant comments, issues, or disputes** related to the proposed use of water.  N/A

**Affected landowner(s)** have been notified  N/A  Yes  No, send a letter to landowners before FO issuance.

**Verify names/addresses** of affected landowners, and those who commented and/or paid \$10 fee.  N/A

Include fish screen form if ODFW requested **screening condition and rate  $\leq 0.5$  CFS**  N/A  Yes  No

PFO conclusions **require modification** due to typos, errors or omission of conditions  Yes  No  
 If so: \_\_\_\_\_

Within North Umpqua settlement reach and issuing permit, **spreadsheet has been updated**  N/A  Yes

**SWW** If GW and interference, copy form for Stahr.  N/A

<u>Fees</u>	<u>Base Fee</u>	<u>Water Amount (Q)</u>						
	\$300 / \$500	1 <sup>st</sup> CFS/AF _____						
	\$700 / \$1000	_____ Addl @ _____						
		_____ Addl @ _____						
		Add'l <input type="checkbox"/> POD/POA <input type="checkbox"/> use + _____						
<table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; text-align: center;">_____ +</td> <td style="width: 30%; text-align: center;">_____ =</td> <td style="width: 40%; text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">(base)</td> <td style="text-align: center;">(Q)</td> <td style="text-align: center;">(total exam fee)</td> </tr> </table>			_____ +	_____ =	_____	(base)	(Q)	(total exam fee)
_____ +	_____ =	_____						
(base)	(Q)	(total exam fee)						

EXAM FEE REQUIRED	<u>800</u>	RECORDING FEE REQUIRED	\$250 / \$300 / <u>\$400</u>
EXAM FEE PAID	<u>- 800</u>	RECORDING FEE PAID	- _____
STILL OWED	<u>-</u>	STILL OWED	_____

FO w/ draft permit; still needed: \_\_\_\_\_ FO w/ permit # 116620 - print 10/6/09 \_\_\_\_\_ FO to deny refund \$ \_\_\_\_\_

fees  
 easement  
 st water contract  
 approved dam plans & specs  
 land use approval  
 well construction approval

Name: Brook Geffen Date: 9/25/2009 Peer Reviewer: KJK

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.

## PFO Checklist

Application #: G-17168 Applicant: DARREN LUNDY FIVE GUYS GOOSE CLUB

Shortcomings preventing PFO? Y /  N Should process continue? Y /  N  
 IR Date 4/24/09 Public Notice Date 4/27/09 Comments received? Y /  N

Was additional information requested in the IR? Y /  N If so, do we now have enough info to do the PFO? Y /  N  
 Was the application filed after 10/23/99?  Y /  N (If not, add A date requirement)

B.O.R. or Doug Co. project Y /  N Contract in file? N contract # \_\_\_\_\_

POD characteristics identifies as DEQ 303d? Y /  N / NA Comments received? Y /  N \_\_\_\_\_

Is second gw review necessary? Y /  N / NA Complete? Y /  N

Water Availability  OK / REDONE / NA \_\_\_\_\_

Have conflicts been addressed? Y /  N /  NA \_\_\_\_\_

Changes from IR determinations NA

SWW If GW and interference, copy form for Stahr. NA

Copy to Reg Manager ER WM 10 CWRE \_\_\_\_\_ Agent \_\_\_\_\_

<input checked="" type="checkbox"/> Fees	Base Fee	Water Amount (Q)
	\$300 / <input checked="" type="checkbox"/> \$500	1 <sup>st</sup> CFS/AF <u>200</u>
	\$700 / \$1000	<u>1</u> Addl @ <u>100</u> <u>100</u>
		Add'l <input type="checkbox"/> POD/POA <input type="checkbox"/> use + _____
	<u>500</u> (base)	<u>300</u> = <u>800</u> (Q) (total exam fee)

EXAM FEE REQUIRED	<u>800</u>	RECORDING FEE REQUIRED	\$250 / \$300 / <input checked="" type="checkbox"/> \$400
EXAM FEE PAID	<u>800</u>	RECORDING FEE PAID	<u>—</u>
STILL OWED	<u>—</u>	STILL OWED	<u>400</u>

Name: Brook Geffen Date: 7/17/2009 Peer Reviewer: \_\_\_\_\_

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.

# IR CHECKLIST

Application #: G-17168 Applicant: DARREN LUNDY FIVE GUYS GOOSE CLUB

Use(s): IRRIGATION USE ON 140.0 ACRES Priority Date: January 23, 2009

MU or QM  NA  will complete construction within 20 years  
 Fujii reviewed recommendations \_\_\_\_\_

Is the application complete?  No  Yes

ORS 538 prohibits use  No  Yes If so, do not do an IR; return the application & fees to the applicant.

DIV 9  NA  will likely be available...  will not likely be available...  will, if properly conditioned...

classify as surface water well \_\_\_\_\_ has PSI with \_\_\_\_\_

(include basin map if true) well \_\_\_\_\_ is within  1N 3E 20, 21, 28, 29  GWLA  CGWA \_\_\_\_\_

GW conditions 7N \_\_\_\_\_

DIVISION 33  NA  No  above Bonneville, and  not allowed 4/15 - 9/30  
 below Bonneville  
 statewide

SW Availability  NA  80% live  50% storage \_\_\_\_\_ WID: \_\_\_\_\_

Use DWF's nonstandard W/A memo if the source is a Drews Reservoir tributary; the Snake River; the Columbia River; the North Umpqua River below Rock Creek; or within the drainages of the Lost River, Chehalem Creek, or Champoeg Creek (including Mission & Case Creeks)

POU conflict  NA  No  No, different sources  No, make up a deficiency in rate  No, existing not at max. rate

Yes \_\_\_\_\_

Use is supplemental, checked for primary rights w/ diff source  NA  Yes limits \_\_\_\_\_

Use is  allowed  not allowed  limited  OAR  Compact \_\_\_\_\_

Requested Use/Rate/Season 1k / 1.5 / 3/1 - 10/31 \_\_\_\_\_

Allowed Use/Rate/Season " " " Limit 100 Duty 3

Land use  approved  not approved  being pursued  county notified  NA

Storage contract  NA  BOR  Doug Co  Corp of Eng  needed  obtained \_\_\_\_\_

Authorized agent specified  NA  needed  Yes \_\_\_\_\_

Conditions: Large \_\_\_\_\_

Small  $\leq 0.1$  CFS,  $\leq 9.2$  AF,  Medium  $> 0.1$  and  $< 0.5$  CFS,  $> 9.2$  and  $< 100$  AF,  Large  $\geq 0.5$  CFS,  $\geq 100$  AF  
Use at least "Medium" when the source is Siltcoos Lake, Sandy Basin GW, or stored water with a contract.  
Use "Large" for temp control (including NU), HC exceptions, Tenmile Lake, or if applicant is a government entity  
Use "Large-7g" or "Large-7i" if GW recommends 7g or 7i  
Use "Large with totalizing flow meter" for IR permits in South Salem Hills or IR over 10 Ac. in Stage Gulch CGWA

Stream is withdrawn  NA  No  Yes, allows use/season \_\_\_\_\_

SWW  NA  above  within \_\_\_\_\_ (If GW and interference, copy form for Stahr.)

### Water Rights Platcard Report

Meridian: Willamette Township: 25 South Range: 33 East Section: 5 Records per Page: 200 Search

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	Unkown	
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unkown			
Select App:G 17062 *		5/29/2008	IRRIGATION				40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40		
Additional Info: VETTER ENTERPRISES LLC App: G17062																										
Select App:G 17168 *		1/23/2009	IRRIGATION													35				35			35	35		
Additional Info: DARREN LUNDY App: G17168																										

Acreage Legend: 12.25 Regular acreage   
 ±2.25 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

## Point of Diversion Characteristics

Right:	App:G 17168 *
Name:	FIVE GUYS GOOSE CLUBDARREN LUNDY

TRSOQ: 25.00S-33.00E-05-NWSE Digital Map of TRSOQ

County: Harney

Basin: Malheur Lake

WM District: 10

WM Region: E

Withdrawn Area:

WAB: MALHEUR SL > MALHEUR L - AT MOUTH (31200101)

Priority WAB:

Rule 4D:

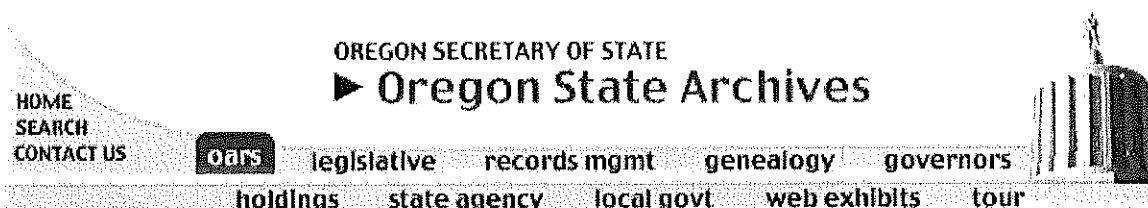
Groundwater Restricted Area:

Scenic Water Way:

Division 33:

Water Quality Limited:





**The Oregon Administrative Rules contain OARs filed through March 13, 2009**

## **WATER RESOURCES DEPARTMENT**

### **DIVISION 512**

#### **MALHEUR LAKE BASIN PROGRAM PROVISION**

**690-512-0040**

#### **Water Availability**

(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 of 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 690-011-0080(2)(a)(C); or

(c) Permits for use of water legally stored.

Water Right Conditions  
Tracking Slip

Groundwater/Hydrology Section

FILE ## G-17168

ROUTED TO: Water Rights

TOWNSHIP/  
RANGE-SECTION: 25S/33E 5 db

CONDITIONS ATTACHED?  Yes  No

REMARKS OR FURTHER INSTRUCTIONS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reviewer: Mike Zwart

**PUBLIC INTEREST REVIEW FOR GROUND WATER APPLICATIONS**

TO: Water Rights Section Date April 7, 2009

FROM: Ground Water/Hydrology Section Michael Zwart  
Reviewer's Name

SUBJECT: Application G- 17168 Supersedes review of \_\_\_\_\_  
Date of Review(s)

**PUBLIC INTEREST PRESUMPTION; GROUNDWATER**

**OAR 690-310-130 (1)** *The Department shall presume that a proposed groundwater use will ensure the preservation of the public welfare, safety and health as described in ORS 537.525.* Department staff review ground water applications under OAR 690-310-140 to determine whether the presumption is established. OAR 690-310-140 allows the proposed use be modified or conditioned to meet the presumption criteria. **This review is based upon available information and agency policies in place at the time of evaluation.**

**A. GENERAL INFORMATION:** Applicant's Name: Darren Lundy County: Harney

A1. Applicant(s) seek(s) 1.5 cfs from one well(s) in the Malheur Lake Basin,  
Malheur Slough subbasin Quad Map: Warm Springs Butte

A2. Proposed use: Irrigation, 140 acres Seasonality: March 1 to October 31

A3. Well and aquifer data (attach and number logs for existing wells; mark proposed wells as such under logid):

Well	Logid	Applicant's Well #	Proposed Aquifer*	Proposed Rate(cfs)	Location (T/R-S QQ-Q)	Location, metes and bounds, e.g. 2250' N, 1200' E fr NW cor S 36
1	Proposed	1	Basin fill	1.5	25S/33E-5 NW-SE	2540' N, 2079' W fr SE cor S 5
2						
3						
4						
5						

\* Alluvium, CRB, Bedrock

Well	Well Elev ft msl	First Water ft bls	SWL ft bls	SWL Date	Well Depth (ft)	Seal Interval (ft)	Casing Intervals (ft)	Liner Intervals (ft)	Perforations Or Screens (ft)	Well Yield (gpm)	Draw Down (ft)	Test Type
1	4104	50	25		200	0-20	0-200	None	100-200			

Use data from application for proposed wells.

A4. **Comments: All proposed construction information from application.**  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

A5.  **Provisions of the Malheur Lake** Basin rules relative to the development, classification and/or management of ground water hydraulically connected to surface water  are, or  are not, activated by this application. (Not all basin rules contain such provisions.)  
 Comments: \_\_\_\_\_  
 \_\_\_\_\_

A6.  **Well(s) #** \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, tap(s) an aquifer limited by an administrative restriction.  
 Name of administrative area: \_\_\_\_\_  
 Comments: \_\_\_\_\_  
 \_\_\_\_\_

**C. GROUND WATER/SURFACE WATER CONSIDERATIONS, OAR 690-09-040**

**C1. 690-09-040 (1): Evaluation of aquifer confinement:**

Well	Aquifer or Proposed Aquifer	Confined	Unconfined
1	Basin-fill sediments (Qal and Tvs of GW Report #16)	<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"/>

**Basis for aquifer confinement evaluation:** Ground water in the basin fill is regionally unconfined and hydraulically connected to surface water sources, including Malheur and Harney Lakes.

**C2. 690-09-040 (2) (3): Evaluation of distance to, and hydraulic connection with, surface water sources. All wells located a horizontal distance less than ¼ mile from a surface water source that produce water from an unconfined aquifer shall be assumed to be hydraulically connected to the surface water source. Include in this table any streams located beyond one mile that are evaluated for PSI.**

Well	SW #	Surface Water Name	GW Elev ft msl	SW Elev ft msl	Distance (ft)	Hydraulically Connected?			Potential for Subst. Interfer. Assumed?	
						YES	NO	ASSUMED	YES	NO
1	1	Malheur Slough	4080±	4098±	6450	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Basis for aquifer hydraulic connection evaluation:** Ground water likely is discharging to lower reaches of Malheur Slough and/or Malheur Lake. Malheur Slough is dry in most years and therefore is not considered for Division 9 reviews, per memo by Ivan Gall, January 15, 2008.

**Water Availability Basin the well(s) are located within:** 31200101 MALHEUR SL> MALHEUR L- AT MOUTH

**C3a. 690-09-040 (4): Evaluation of stream impacts for each well that has been determined or assumed to be hydraulically connected and less than 1 mile from a surface water source. Limit evaluation to instream rights and minimum stream flows that are pertinent to that surface water source, and not lower SW sources to which the stream under evaluation is tributary. Compare the requested rate against the 1% of 80% natural flow for the pertinent Water Availability Basin (WAB). If Q is not distributed by well, use full rate for each well. Any checked  box indicates the well is assumed to have the potential to cause PSI.**

Well	SW #	Well < ¼ mile?	Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
		<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"/>
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Basis for impact evaluation: \_\_\_\_\_  
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C4b. 690-09-040 (5) (b) The potential to impair or detrimentally affect the public interest is to be determined by the Water Rights Section.

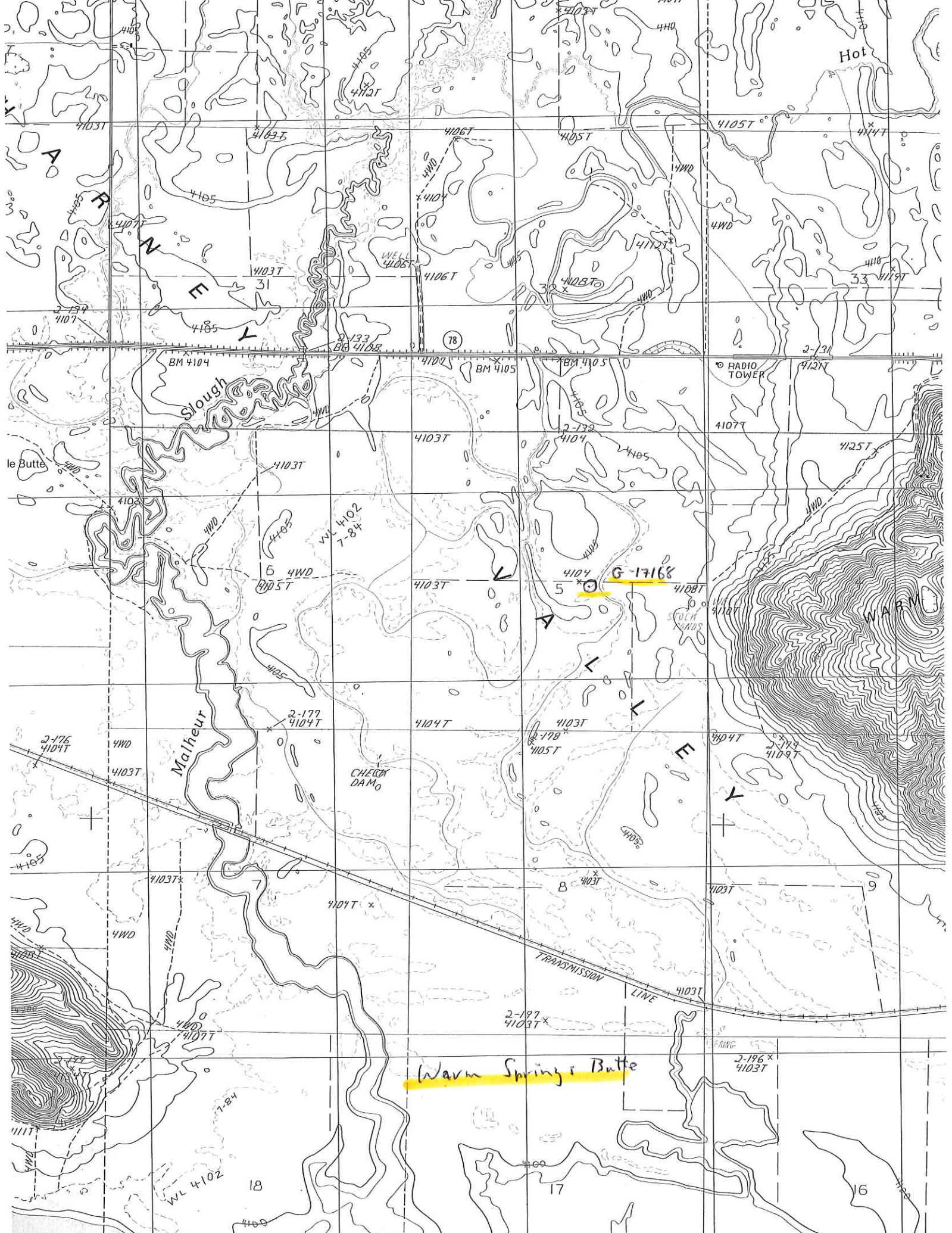
C5.  If properly conditioned, the surface water source(s) can be adequately protected from interference, and/or ground water use under this permit can be regulated if it is found to substantially interfere with surface water:  
i.  The permit should contain condition #(s) \_\_\_\_\_;  
ii.  The permit should contain special condition(s) as indicated in "Remarks" below;

C6. SW / GW Remarks and Conditions \_\_\_\_\_  
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References Used: Local well logs; local recent reviews; GW Report 16, by Leonard, 1970; Greene, Walker, and Corcoran, 1972, Geologic Map of the Burns Quadrangle, Oregon, USGS Miscellaneous Geologic Investigations Map I-680; Memo by Ivan Gall, 1/15, 2008, Stream Assessment for Division 9 Review in the Malheur Lakes Basin.

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Warm Springs Butte

G-17168

Malheur

Slough

CHECON DAM

RADIO TOWER

Hot

le Butte

WARM SPRINGS BUTTE

TRANSMISSION LINE

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Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-17168

**Final Order**

*Appeal Rights*

This is a Final Order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

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 January 23, 2009, Five Guys Goose Club submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on August 11, 2009. The protest period closed September 25, 2009, and no protest was filed.

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

**Order**

Application G-17168 is therefore approved as proposed by the Proposed Final Order. Upon payment of outstanding fees in the amount of \$400, a permit shall be issued authorizing the proposed water use.

Failure to meet this requirement within 60 days from the date of this Final Order may result in the proposed rejection of the application.

*If you need to request additional time, your written request should be received in the Salem office of the Department within 60 days of this Final Order. The Department will evaluate the request and determine whether or not the request may be approved.*



**Oregon Water Resources Department  
Water Rights Division**

Water Rights Application  
Number G-17168

Prior to the issuance of a permit, the Department must receive permit recording fees in the amount of \$400.00. Please include your application number on your check made out to the Oregon Water Resources Department.

**Proposed Final Order**

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

*Application History*

On January 23, 2009, Five Guys Goose Club submitted an application to the Department for the following water use permit:

- Amount of Water: 1.5 CUBIC FEET PER SECOND (CFS)
- Use of Water: IRRIGATION USE ON 140.0 ACRES
- Source of Water: WELL 1 IN MALHEUR SLOUGH BASIN
- Area of Proposed Use: HARNEY COUNTY WITHIN SECTION 5, TOWNSHIP 25 SOUTH, RANGE 33 EAST, W.M.

On April 24, 2009, the Department mailed the applicant notice of its Initial Review, determining that "The use of 1.5 CFS from Well 1 in Malheur Slough Basin for irrigation use on 140.0 acres is allowable during the full period requested, March 1 through October 31." The applicant did not notify the Department to stop processing the application within 14 days of that date.

On April 28, 2009, 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:

- recommendations by other state agencies
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available

An assessment of ground water availability has been completed by the Department's Ground Water/Hydrology section. A copy of this assessment is in the file. The proposed water use will, if properly conditioned, avoid injury to existing rights and the resource.

The Department finds that the amount of water requested, 1.5 CFS, is an acceptable amount.

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

*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 Malheur Lake-Basin Program, or a 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 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;
- If you are the applicant, the protest fee of \$300 required by ORS 536.050; and
- If you are not the applicant, the protest fee of \$600 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 ORS 537.153(7) (for surface water) or ORS 537.621(8) (for ground water), persons other than the applicant who support a Proposed Final Order can request standing for purposes of participating in any contested case proceeding on the Proposed Final Order or for judicial review of a Final Order.

Requests for standing must be received in the Water Resources Department no later than **September 25, 2009**. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;

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

FIVE GUYS GOOSE CLUB  
23601 SW PLATANUS PLACE  
SHERWOOD, OR 97140

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

APPLICATION FILE NUMBER: G-17168

SOURCE OF WATER: WELL 1 IN MALHEUR SLOUGH BASIN

PURPOSE OR USE: IRRIGATION USE ON 140.0 ACRES

MAXIMUM RATE: 1.5 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JANUARY 23, 2009

WELL LOCATION: NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SECTION 5, T25S, R33E, W.M.; 2540 FEET NORTH  
AND 2079 FEET WEST FROM SE CORNER, SECTION 5

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  35.0 ACRES  
SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  35.0 ACRES  
NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  35.0 ACRES  
SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  35.0 ACRES

SECTION 5

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 totalizing flow meter or other suitable measuring device as approved by the Director at each point of

- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

#### **STANDARD CONDITIONS**

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.

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of

submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued

**DRAFT - THIS IS NOT A PERMIT**

for Phillip C. Ward, Director  
Water Resources Department

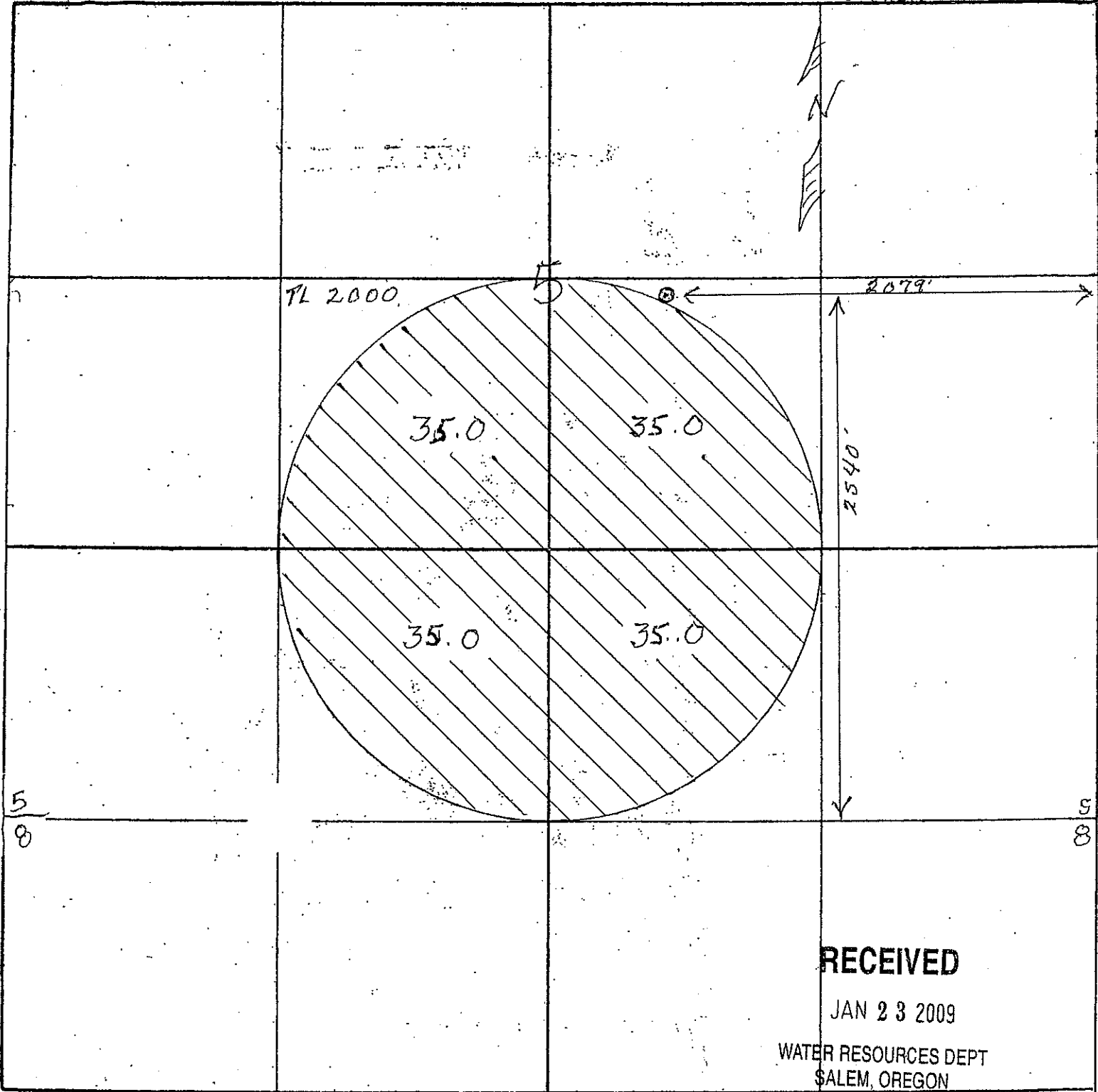
SECTION 5

Section 5 Township 25-S Range 33-E

County of Harney State of Oregon

NORTH

6-17168



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JAN 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON

Remarks scale - 8" = 1 mile - 660' -



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem Oregon 97301-1271  
 (503) 986-0900  
 www.wrd.state.or.us

# 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 instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 1. APPLICANT INFORMATION

### A. Individuals

Applicant: \_\_\_\_\_  
First Last

Mailing address: \_\_\_\_\_  
 \_\_\_\_\_  
City State Zip

Phone: \_\_\_\_\_  
Home Work Other

\*Fax: \_\_\_\_\_ \*E-Mail address: \_\_\_\_\_

### B. Organizations

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

Name of organization: Darren R. Lundy, et al (Five Guys Goose Club)

Name and title of person applying: Darren Lundy

Mailing address of organization: 23601 SW Platanus PL  
Sherwood OR 97140  
City State Zip

Phone: 503-806-0270 (cell) 503-625-3900 503-289-0900  
Day Evening work

\*Fax: 503-286-5938 \*E-Mail address: darren.r.lundy@lummins.com

\* Optional information

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JAN 23 2009

App. No. <u>G-17168</u>	For Department Use	Permit No. _____	Date _____
		WATER RESOURCES DEPT SALEM, OREGON	



**2. PROPERTY OWNERSHIP**

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

Yes (Skip to section 3 "Ground water Development.")

No (Please check the appropriate box below.)

I have a recorded easement or written authorization permitting access.

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

Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040).

You must provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.

List the names and mailing addresses of all affected landowners.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**3. GROUND WATER DEVELOPMENT**

**A. Well Information**

Number of well(s): 1

Name of nearest surface water body: Masheur Lake

Distance from well(s) to nearest stream or lake: 1) 4 miles

2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_

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

2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_

**B. 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 section 4 of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by: Tim Riley

Address: Hines OR 97738

Completion date: Spring of 2009

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**JAN 23 2009**

**WATER RESOURCES DEPT  
SALEM, OREGON**

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	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
1	14"	Lowered 14" steel	200'	Lowered 100-200	20'	25	50	2" Pipe	200'

Note: Well numbers in this listing must correspond to well locations(s) shown on accompanying map.

If well log is not available, or well is not yet constructed, you must provide: proposed total depth, depth of casing and seal, and the anticipated perforation and open intervals.

**C. Artesian Flows**

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

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**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 provided in the instructions.

- 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 or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

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SALEM, OREGON

**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, 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 rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
1	SANDY GRAVEL	IRRIGATION	675 GPM	80,785	800

**C. Maximum Rate of Use Requested**

What is the maximum, instantaneous rate of water that will be used? 1.5 CFS  
 (The fees for your application will be based on this amount.)

**D. Period of Use**

Indicate the time of year you propose to use the water: MARCH 1 - OCTOBER 31  
 (For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

**E. Acreage**

If you will be applying water to land, please give the total number of acres where water will be applied or used: 120 acres  
 (This number should be consistent with your application map.)

**5. WATER MANAGEMENT**

**A. Diversion**

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

- Pump (give horsepower and pump type): Submersible 40 HP
- Other means (describe): \_\_\_\_\_

**B. Transport**

How will you transport water to your place of use?

- Ditch or 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 6" Length 1250'
- Other (describe) \_\_\_\_\_

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 SALEM, OREGON

**C. Application/Distribution Method**

What equipment will you use to apply water to your place of use? Submersible Pump and Low Pressure Pivot

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

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

Using a Low pressure Pivot with drop nozzles to prevent excess evaporation

**6. PROJECT SCHEDULE**

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin: Winter 2008

Proposed date construction will be completed: Summer 2009

Proposed date beneficial water use will begin: When we receive a permit

**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.

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SALEM, OREGON

**8. MAP REQUIREMENTS**

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with 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 the map guidelines sheet for detailed map specifications.

**9. 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 must be 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 information provided in this application is true and correct to the best of my knowledge:

*Darren R. Hardy* 12-27-2008  
*Lewis J. Lewis* 12-27-08  
*Gordon Bloomquist* 12-27-2008  
*Kenneth R. Bauer* 12/24/2008  
*Justin L. Lindy* 12/26/2008

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at [www.wrd.state.or.us](http://www.wrd.state.or.us) or call (503) 986-0900.

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JAN 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON

**SENDER: COMPLETE THIS SECTION**

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

1. Article Addressed to:

G-17168  
 DARREN LUNDY  
 23601 SW PLATANUS PL  
 SHERWOOD OR 97140

2. Article Number

(Transfer from service label)

7006 0810 0003 8797 4934 WR

PS Form 3811, February 2004

Domestic Return Receipt

(IR)

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *[Signature]* AGENT

Agent

Addressee

B. Received by (Printed Name)

DARREN J. MERKLE

C. Date of Delivery

D. Is delivery address different from item 1?  Yes

If YES, enter delivery address below:  No

3. Service Type

Certified Mail

Express Mail

Registered

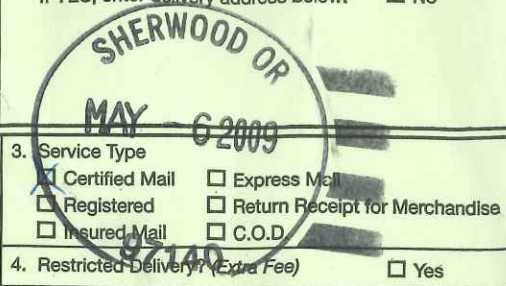
Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery (Extra Fee)

Yes



UNITED STATES POSTAL SERVICE



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

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MAY 07 2009

WATER RESOURCES DEPT  
SALEM, OREGON

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

WATER RESOURCES DEPARTMENT  
725 SUMMER STREET NE SUITE A  
SALEM OR 97301-1266





# Oregon

Theodore R. Kulongoski, 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

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

FIVE GUYS GOOSE CLUB  
ATTN: DARREN LUNDY  
23601 SW PLATANUS PLACE  
SHERWOOD, OR 97140

April 24, 2009

Reference: File G-17168

Dear Mr. Lundy:

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

This letter is to inform you of the 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 application proposed the use of 1.5 cubic feet per second (CFS) of water from Well 1 in Malheur Slough Basin for irrigation use on 140.0 acres March 1 through October 31.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. The use of water from Well 1 in Malheur Slough Basin for irrigation use is allowable under the Malheur Lake Basin Program.
4. If properly conditioned, the proposed use of ground water will avoid injury to existing ground water rights and the resource.

The Department has determined, based upon OAR 690-009, that the proposed ground water use will not have the potential for substantial interference with any surface water source.

5. The map and Form I submitted with your application show that you are applying for 140.0 acres, whereas your application shows that you are applying for 120.0 acres. Please submit information to clarify intended acreage. If the map and Form I are in error, please submit an updated map and Form I. If you do not submit clarification by May 21, 2009, on this matter, we will rely on acreage shown on your map and Form I.



3. The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

The water source identified in your application may be affected by an Agricultural Water Quality Management Area Plan. These plans are developed by the Oregon Department of Agriculture

# APPLICATION FACT SHEET

Application File Number: G-17168

Applicant: FIVE GUYS GOOSE CLUB

County: HARNEY

Watermaster: 10

Priority Date: JANUARY 23, 2009

Source: WELL 1 IN MALHEUR SLOUGH BASIN

Use: IRRIGATION USE ON 140.0 ACRES

Quantity: 1.5 CUBIC FEET PER SECOND

Basin Name & Number: Malheur Lake, #12

Stream Index Reference: Volume 2 MALHEUR L & MISC

Point of Diversion or Well Location(s): NWSE, SECTION 5, T25S, R33E, W.M.; 2540 FEET NORTH AND 2079 FEET WEST FROM SE CORNER, SECTION 5

Place of Use:

NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  35.0 ACRES  
SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  35.0 ACRES  
NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  35.0 ACRES  
SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  35.0 ACRES

SECTION 5

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

**14 DAY STOP PROCESSING DEADLINE DATE: Friday, May 8, 2009**

**PUBLIC NOTICE DATE: Tuesday, April 28, 2009**

**30 DAY COMMENT DEADLINE DATE: Thursday, May 28, 2009**

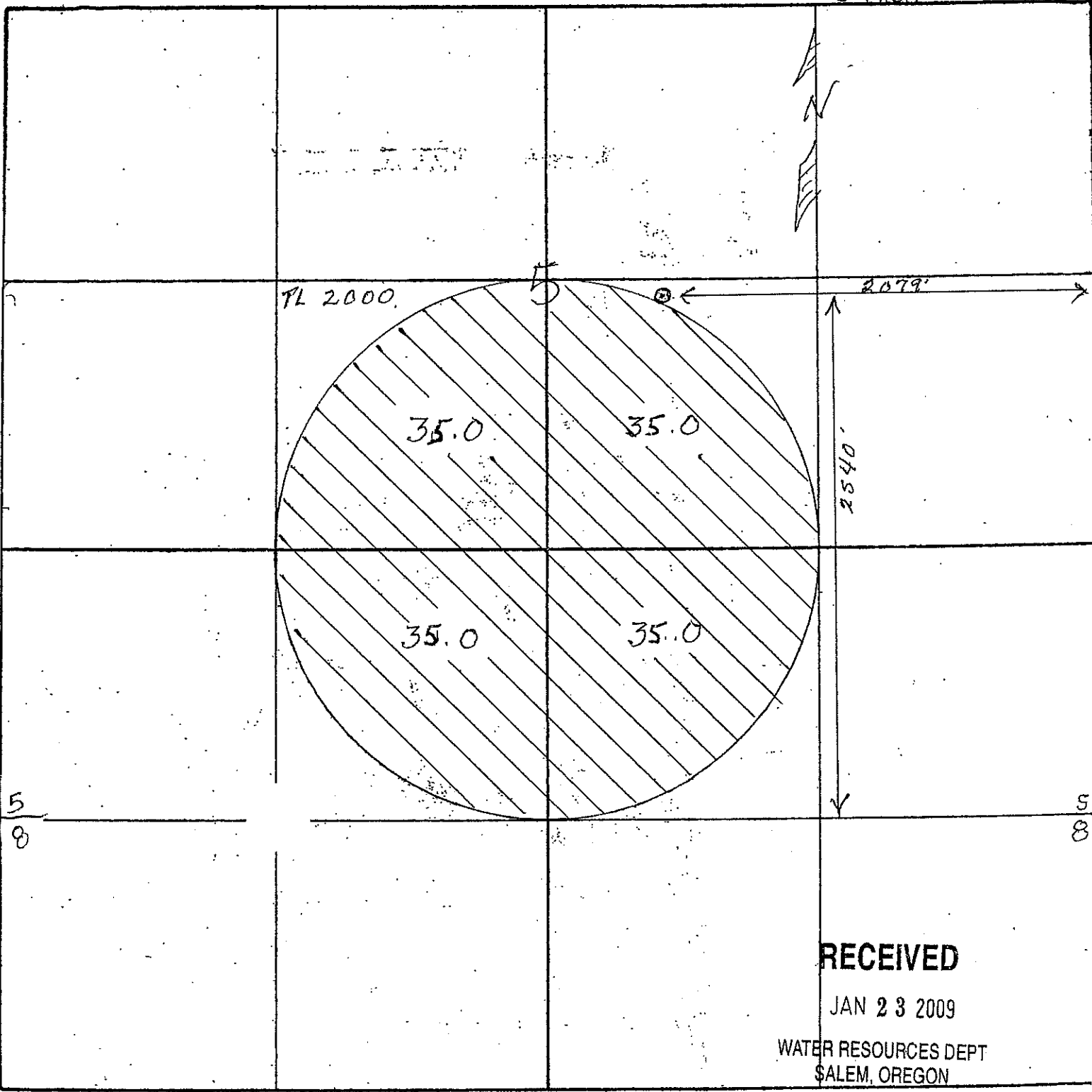
SECTION PLAN

Section 5 Township 25-S Range 33-E

County of Harney State of Oregon

NORTH

G-1768



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JAN 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON

Remarks scale - 8" = 1 mile - 660) -



# Oregon

Theodore R. Kulongoski, 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

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

FIVE GUYS GOOSE CLUB  
ATTN: DARREN LUNDY  
23601 SW PLATANUS PLACE  
SHERWOOD, OR 97140

April 24, 2009

Reference: File G-17168

Dear Mr. Lundy:

RECEIVED  
MAY 21 2009  
WATER RESOURCES DEPT.  
SALEM, OREGON

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SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the 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:

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→ The map which indicates we are applying for 140 ACS is correct. Please disregard the 120 ACS indicated on our application. Thank you. Darren Lundy 5/21/09  
Phone 503-986-0270



# Oregon Water Resources Department

## 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: 140 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. Grain - ALFALFA     Full season     Partial season (from: 3-1 to 10-31)
- 2. \_\_\_\_\_     Full season     Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)
- 3. \_\_\_\_\_     Full season     Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)
- 4. \_\_\_\_\_     Full season     Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)

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

360 acre-feet

(1 acre-foot equals 12 inches of water spread over 1 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: When ever the Crop requires water

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JAN 23 2009  
WATER RESOURCES DEPT  
SALEM, OREGON



Oregon Water Resources Department
Land Use Information Form

Gr-17168

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Darren Lundy
Mailing Address: 13601 PLATANUS PL
City: Sherwood State: OR Zip: 97140 Day Phone: 503-806-0270

This application is related to a Measure 37 claim. [ ] Yes [X] No

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Table with 8 columns: Township, Range, Section, 1/4 1/4, Tax Lot #, Plan Designation (e.g. Rural Residential/RR-5), Water to be: (Diversed, Conveyed, Used), Proposed Land Use: (RR, etc.)

List all counties and cities where water is proposed to be diverted, conveyed, or used. Harney

B. Description of Proposed Use

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

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

Source of water: [ ] Reservoir/Pond [X] Ground Water [ ] Surface Water (name)

Estimated quantity of water needed: 1 1/2 [X] cubic feet per second [ ] gallons per minute [ ] acre-feet

Intended use of water: [ ] Irrigation [ ] Commercial [ ] Industrial [ ] Domestic for household(s)
[ ] Municipal [ ] Quasi-municipal [ ] Instream [ ] Other

Briefly describe: Submersible Pump & Pivot

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

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

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JAN 23 2009

WATER RESOURCES DEPT
SALEM, OREGON

**For Local Government Use Only**

G-17468

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

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

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

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): EP40-2

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

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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JAN 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON

Name: Brian Muller Title: Planning Director  
 Signature: [Signature] Phone: 541-573-6655 Date: 12/19/08  
 Government Entity: Hannay

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

**Receipt for Request for Land Use Information**

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

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

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

COPY

WARRANTY DEED

HISHAM JOUDI, grantor, conveys and warrants to DARREN R. LUNDY, KENNETH R. BRUNER, DAVID A. FANNING, STEVE KORB and DOUGLAS LUNDY, grantees, the following described real property free of encumbrances except as specifically set forth herein:

Land in Harney County, Oregon, as follows:

In Twp 25 S., R. 33 E. W.M.:  
Sec. 5: E 1/2 SW 1/4, W 1/2 SE 1/4.

Code 4-2 25-33 TL 2000 Ref #23537

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SALEM, OREGON

EXCEPTIONS:

1. AS DISCLOSED by the tax roll the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.
2. MINERALS RESERVED by The Pacific Land and Livestock Company, Inc., a corporation, as to full interest therein, in Deed recorded Oct. 30, 1964, in Book 76, Page 303 of Deeds, and all rights of said Pacific Land and Livestock Company, Inc., a corporation, and its successors in interest, as owners thereof.
3. The grantor is not guaranteeing that there is any legal means of access to and from the land described above to a public road.

The true consideration for this conveyance is \$11,200.00.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED: \_\_\_\_\_, 1996.

HISHAM JOUDI

STATE OF CALIFORNIA, \_\_\_\_\_ County) ss.

This instrument was acknowledged before me by HISHAM JOUDI on \_\_\_\_\_, 1996.

Notary Public for California  
My Commission Expires: \_\_\_\_\_



SECTION PLAN

Section 5 Township 25-S Range 33-E

County of Harney State of Oregon

NORTH

G-17169

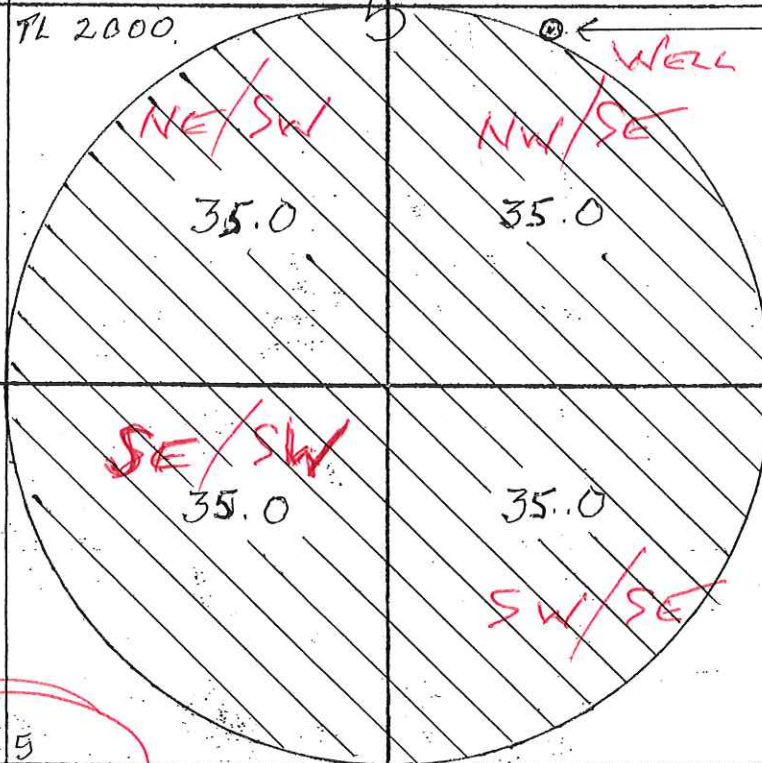
WORK COPY

CORRECTED SECTION



TL 2000

2079'



2540'

65  
78

65  
78

INCORRECT

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JAN 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON

5

Remarks scale - 8" = 1 mile - 660) -

RECEIVED

JAN 23 2009

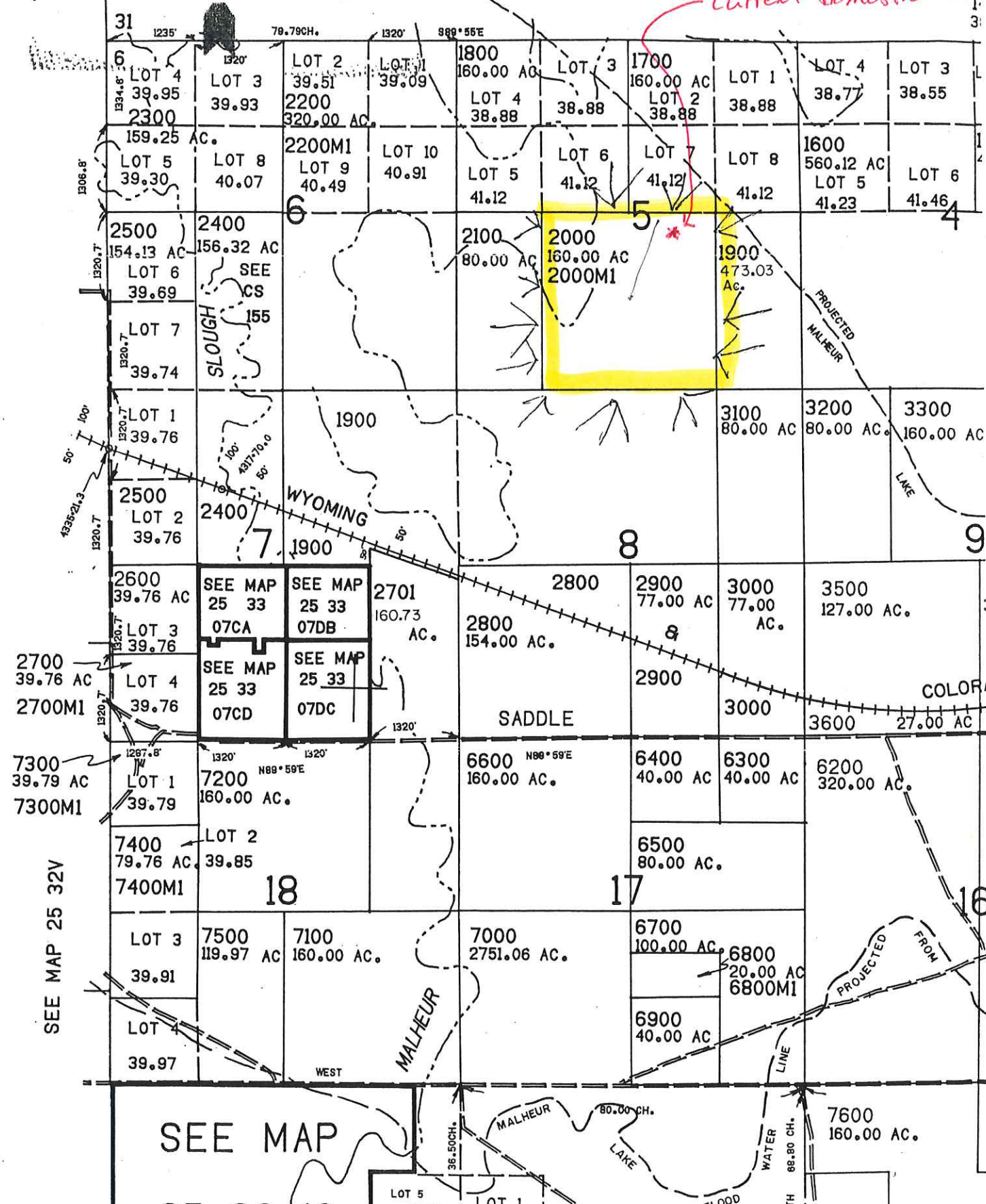
G-17168

WATER RESOURCES DEPT  
SALEM, OREGON

THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY.

36  
STEENS  
MADE SOLELY FOR THE PUR-  
POSE OF ASSISTING IN LOCATING SAID PREMISES  
AND THE COMPANY ASSUMES NO LIABILITY FOR  
MISTAKES, IF ANY, IN DIMENSIONS AND LOCATIONS  
AS DETERMINED BY ACTUAL SURVEY.

Current Domestic well



SEE MAP 25 32V

SEE MAP

25 33 10

LOT 5  
27.50

LOT 1  
28.00



G-17168 

## Water Resources Department

### Apply for a Permit to Use Ground, Surface and/or Stored Water:

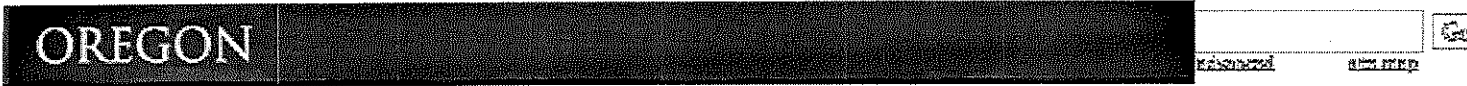
Today's Date: Monday, January 26, 2009

		Last Calculated Cost Values
Base Application Fee for use of Ground, Surface and optionally Stored Water.		
Number of proposed cubic feet per second (cfs) to be diverted or appropriated.	1.50	
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Livestock, etc) *	1	
Number of proposed Surface Water points of diversions. **	0	
Number of proposed Ground Water points of appropriation. (i.e. nbr of wells) ** #	1	
Number of Acre Feet to be diverted from Stored Surface Water.	0	
Number of Acre Feet to be appropriated from Stored Ground Water.	0	
* the 1st Water Use is included in the base cost. ** the 1st Surface Water point of diversion or Ground Water point of appropriation is included in the base cost.. # Ground Water points of appropriation value should include all injection wells, if applicable.	Calculate	
Permit Recording Fee. ***	Reset	
Estimated cost of Permit Application		

[Return to Fee Calculator Options page:](#)

[OWRD Fee Schedule:](#)

Disclaimer: This Web-based fee calculator is provided by the Oregon Water Resources Department for the convenience of applicants. Considerable effort has been expended to ensure it's accuracy, however by proceeding users acknowledge that



## Water Resources Department

### Apply for a Permit to Use Ground, Surface and/or Stored Water:

Today's Date: Monday, January 26, 2009

Base Application Fee for use of Ground, Surface and optionally Stored Water.		\$500.00
Number of proposed cubic feet per second (cfs) to be diverted or appropriated.	1.50	\$300.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation,Livestock,etc) *	1	
Number of proposed Surface Water points of diversions. **	0	
Number of proposed Ground Water points of appropriation. (i.e. nbr of wells) ** #	1	
Number of Acre Feet to be diverted from Stored Surface Water.	0	
Number of Acre Feet to be appropriated from Stored Ground Water.	0	
Permit Recording Fee. ***		\$300.00
* the 1st Water Use is included in the base cost. ** the 1st Surface Water point of diversion or Ground Water point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but it must be paid before a permit will be issued, and is fully refundable if a permit is not issued. # Ground Water points of appropriation value should include all injection wells, if applicable.	Recalculate	
Estimated cost of Permit Application		\$1,100.00

[Return to Fee Calculator Options page:](#)

[OWRD Fee Schedule:](#)

# Mailing List for IR Copies

Application #G-17168

IR Date: April 24, 2009

## Original mailed to applicant:

DARREN LUNDY FIVE GUYS GOOSE CLUB, 23601 SW PLATANUS PLACE, SHERWOOD, OR 97140

## Copies sent to:

1. WRD - File # G-17168
2. WRD - Water Availability: Ken Stahr

## IR, Map, and Fact Sheet Copies sent to:

3. WRD - Regional Manager: ER
4. WRD - Watermaster # 10
5. Department of Agriculture

Copies Mailed
By: <u>TCB</u>
(SUPPORT STAFF)
on: <u>4/23/09</u>
(DATE)

Affected Landowners (include "Notice of Initial Review--Affected Landowner"):

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

Caseworker: Brook Geffen

COPYSHT.IR

**REMINDER:** Copy all IR's for uses in the Klamath Basin to DEQ and ODFW contacts, regardless of whether they are subject to Division 33. (If they are not subject to Division 33, do not include Division 33 forms.)

# Mailing List for PFO Copies

Application #G-17168

PFO Date August 11, 2009

**Original mailed to applicant:**

~~FIVE GUYS GOOSE CLUB, 23601 SW PLATANUS PLACE, SHERWOOD, OR 97140~~

Copies sent to:

- ~~1. WRD - File # G-17168~~
- ~~2. Water Availability: Ken Stahr~~

Copies Mailed
By: <u>JCB</u>
(SUPPORT STAFF)
on: <u>8/10/09</u>
(DATE)

PFO and Map Copies sent to:

- ~~3. WRD - Watermaster # 10~~
- ~~4. Regional Manager: ER~~

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

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

CASEWORKER : Geffenba

# Mailing List for FO Copies

Application #G-17168

---

**Original mailed to applicant with claim of beneficial use form:**

DARREN LUNDY  
FIVE GUYS GOOSE CLUB  
23601 SW PLATANUS PLACE  
SHERWOOD OR 97140

- Copies sent to:** 1. WRD - File # G-17168  
2. WRD - Ken Stahr

<p><b>Copies Mailed</b></p> <p>By: <u>CAS</u> (SUPPORT STAFF)</p> <p>on: <u>11/20/05</u> (DATE)</p>
---

**FO and Map Copies sent to (remember to reduce copy margins):**

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

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

- 5.

**"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies**

- 1.

CASEWORKER : Brook Geffen

# Mailing List for FO Copies

Application #G-17168

---

**Original mailed to applicant with claim of beneficial use form:**

DARREN LUNDY  
FIVE GUYS GOOSE CLUB  
23601 SW PLATANUS PLACE  
SHERWOOD OR 97140

**Copies sent to:**

WRD - File # G-17168  
WRD - Ken Stahr

<p><b>Copies Mailed</b></p> <p>By: <u>AS</u> (SUPPORT STAFF)</p> <p>on: <u>12/30/09</u> (DATE)</p>
--

**FO and Map Copies sent to (remember to reduce copy margins):**

WRD - Watermaster District #: 10  
WRD - Regional Manager: ER

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

i.

**"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies**

i.

CASEWORKER : Brook Geffen



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **95432**      725 Summer St. N.E. Ste. A      INVOICE # \_\_\_\_\_  
 SALEM, OR 97301-4172  
 (503) 986-0900 / (503) 986-0904 (fax)

RECEIVED FROM: <u>Darren R. Lundy</u>	APPLICATION <u>6-17168</u>
BY: _____	PERMIT _____
	TRANSFER _____
CASH: <input type="checkbox"/> CHECK:# <u>1378</u> OTHER: (IDENTIFY) <input type="checkbox"/>	TOTAL REC'D \$ <u>800.00</u>

**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	<u>46111</u>	\$ _____	
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		\$ <u>800.00</u>	0204 \$ _____
0205 TRANSFER		\$ _____	
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR		\$ _____	0219 \$ _____
LANDOWNER'S PERMIT			0220 \$ _____
OTHER (IDENTIFY) _____			

**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: **95432**      DATED: 1/23/09 BY: X. Bell

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

STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

RECEIPT # **98123**

725 Summer St. N.E. Ste. A  
 SALEM, OR 97301-4172  
 (503) 986-0900 / (503) 986-0904 (fax)

INVOICE # \_\_\_\_\_

RECEIVED FROM: Darren R Lund  
 BY: \_\_\_\_\_

APPLICATION	G171168
PERMIT	
TRANSFER	

CASH:  CHECK:#  1440 OTHER: (IDENTIFY)

TOTAL REC'D \$ 400.00

**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	\$	
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 \$ 400.00
0205	TRANSFER	\$	
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	\$	0219 \$
	LANDOWNER'S PERMIT		0220 \$
	OTHER (IDENTIFY)		

**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: **98123**

DATED: 10-6-09 BY: LSB

Darren Lundy  
23601 SW Platanus Pl  
Sherwood, OR, 97140

PORTLAND OR 972

05 OCT 2009 PM 8 T



Water Rights Section  
Oregon Water Resources Department  
725 Summer St, NE Suite A  
Salem, OR - 97301-1266

97301+1266



**Oregon Water Resources Department  
Water Rights Division**

Water Rights Application  
Number G-17168

Prior to the issuance of a permit, the Department must receive permit recording fees in the amount of \$400.00. Please include your application number on your check made out to the Oregon Water Resources Department.

**RECEIVED**

OCT 06 2009

**Proposed Final Order**

WATER RESOURCES DEPT  
SALEM, OREGON

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

*Application History*

On January 23, 2009, Five Guys Goose Club submitted an application to the Department for the following water use permit:

- Amount of Water: 1.5 CUBIC FEET PER SECOND (CFS)
- Use of Water: IRRIGATION USE ON 140.0 ACRES
- Source of Water: WELL 1 IN MALHEUR SLOUGH BASIN
- Area of Proposed Use: HARNEY COUNTY WITHIN SECTION 5, TOWNSHIP 25 SOUTH, RANGE 33 EAST, W.M.

On April 24, 2009, the Department mailed the applicant notice of its Initial Review, determining that "The use of 1.5 CFS from Well 1 in Malheur Slough Basin for irrigation use on 140.0 acres is allowable during the full period requested, March 1 through October 31." The applicant did not notify the Department to stop processing the application within 14 days of that date.

On April 28, 2009, 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:

- recommendations by other state agencies
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available