

MEMO

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TO: Duane Cole, City Manager
COPY: Larry Anderson, Engineering Manager
FROM: Roger Pyles. 503-537-1236. 537-1272 FAX.
DATE: February 10, 1999
SUBJECT: Underground Storage Tank Closeout

Attached *State of Oregon Well Ownership Information Form* is forwarded for your notarized signature. Please return completed document to me.

Explanation:

Kleinfelder's subcontractor who installed the monitoring well at the City Public Works Yard, reported the well to the Oregon Water Resources Dept. It was reported in accordance with their new well identification program.

Even though the monitoring well meets the technical but not practical, definition of a well, and we expect closure in six months upon completion of the last quarterly monitoring in August 1999, Kleinfelder advised that the document should be filed.

Upon closure of the well we will work with Kleinfelder to get the document erased from the County Records.

**STATE OF OREGON WELL OWNERSHIP INFORMATION FORM
(FILE WITH COUNTY CLERK'S OFFICE)**

Pursuant to ORS 537.788, owners of property on which a well is located shall, within 60 days following the construction and/or alteration of a new well or upon property transfer, **record the following information in the property deed records at the appropriate County Clerks Office.** Either the deed recording number or legal description of the property may be used to identify the property.

Property Owner Name(s): CITY OF NEWBERG, OREGON

Mailing Address: PO Box 970 / NEWBERG, OR 97132

Deed Recording Number (or legal description): VOL 20, PAGE 263, YAMHILL COUNTY

Well Identification Number(s): L22485

DEED RECORDS

Rights and Responsibilities: Oregon law finds that ownership and the rights to reasonable control of water within this state belongs to the public to be managed by the Water Resources Department. Most uses of water require a water right issued by the Water Resources Department. However, state law allows some uses of groundwater without benefit of a water right. Contact the Department for more information. The Water Resources Department cannot guarantee the presence of water in the desired amount on a specific property.

In addition to the above, owners of properties on which a well is located are responsible for maintaining that well in a proper manner. Some basic requirements are listed below:

1. All wells shall be maintained in a condition where they are not a threat to public health or safety, a source of contamination, or a waste of the groundwater resource.
2. All wells shall be securely covered to prevent any foreign substance from entering the well.
3. All wells shall be equipped with an access port or airline so that static water level information can be determined at any time.
4. Well casing must be protected from damage and meet minimum extension requirements.
5. Wells may only be permanently abandoned by a licensed and bonded well constructor or a landowner with a valid permit and bond. Well abandonment must be carried out in accordance with state rules.

If you would like further information about water rights, maintaining / abandoning your well, or wish to receive a copy of the administrative rules concerning well construction, please contact the Oregon Water Resources Department by phone at (503) 378-8455, or by mail at 158 12th Street NE, Salem, OR 97310.

I have read the above describing my basic rights and responsibilities related to well ownership.

Signature of Property Owner: Duane R. Cole, City Manager

Signed or attested before me this 11th day of February, 1999

by Duane R. Cole State of Oregon, County of Yamhill
(Name(s) of Person(s))

Dawn Marie Wilson
(Signature of Notary Public)

My Commission Expires: 10/21/00

(Notary - Please Place Seal Here)



Recording Office Use Only
After Recording return to Property Owner(s)