

Application for Permit Amendment



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

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MAY 18 2012

B.L.M. VALE

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This permit amendment application will be returned if Parts 1 through 4 and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Permit Amendment Application Map Checklist.
- Part 3 – Completed Permit Amendment Application – Applicant Information and Signature.
- Part 4 – Completed Permit Amendment Application – Water Use Permit Information.
Please include a separate Part 4 for each permit. List all permit(s) to be amended here: **G12525.**

Attachments:

- Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- Permit amendment fees – Amount enclosed: \$ **1,900.00**.
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0883.
- N/A Request for Assignment Form and statutory fee. The request for assignment form has to be completed if the applicant is **not** the permit holder of record and needs to be assigned to the permit; **or** the landowner of the proposed place of use is **not** the permit holder of record and needs to be assigned to the permit (the Request for Assignment Form is available online at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>). Assignment is not needed if applicant is the permit holder of record.
- N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant, **or** other permit holders of record that are not listed as applicants.
- N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Land use form is not required if any of the following apply:
 - Water is to be diverted, conveyed, and/or used only on federal lands.
 - All of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
 - The proposed changes are all located on the property reviewed in Land Use form enclosed in Water Right Application Folder # _____.
- N/A For changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation, Water Well Report(s)/Well Log(s)

(For Staff Use Only)

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

- | | |
|--|--|
| <input type="checkbox"/> Application fee not enclosed/insufficient | <input type="checkbox"/> Map not included or incomplete |
| <input type="checkbox"/> Land Use Form not enclosed or incomplete | <input type="checkbox"/> Assignment Form and fee not enclosed/insufficient |
| <input checked="" type="checkbox"/> Additional signature(s) required | Part _____ is incomplete |

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____ / ____ / ____

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Part 2 of 4 – Permit Amendment Map Checklist

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

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

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- N/A If **more than three** permits are involved, separate maps for each permit.
- Permanent quality printed with dark ink on white or clear paper or film.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, three (3) paper copies and an electronic copy in a .pdf, .tiff or .jpg format are required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water use permit, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the permit is being changed, a separate hachuring is needed for the portion of the permit left unchanged.
- N/A If you are proposing a change in place of use, show the proposed place of use with hachuring that includes separate hachuring for each permit, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water use permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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Part 3 of 4 – Applicant Information and Signature

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Applicant Information

APPLICANT/BUSINESS NAME Dan Sullivan Sullivan Z Ranch, INC		PHONE NO. 541-446-3410	ADDITIONAL CONTACT NO.
ADDRESS 25475 Highway 245		FAX NO.	
CITY Hereford	STATE OR	ZIP 97837	E-MAIL

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

AGENT/BUSINESS NAME Jan Alexander Jan Alexander Mine Permitting, LLC		PHONE NO. 541-446-3413	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 153		FAX NO. 541-446-3391	
CITY Unity	STATE OR	ZIP 97884	E-MAIL alx@ortelco.net

If an agent is listed above, please check one of the following:

- Please send all correspondence to Agent. Send copies of correspondence to Applicant; **OR**
- Please send all correspondence to Applicant. Send copies of correspondence to Agent.
- Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Is the applicant the permit holder of record? Yes No

If NO, include either:

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



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

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Jan Alexander Applicant signature Agent Dan Sullivan Sullivan Z Ranch Name (and title if applicable) (print) Date 6-15-12

Donald W Gonzalez Applicant signature Donald W Gonzalez Name (and title if applicable) (print) Date 6/21/12
Vale BLM, District Mgr.

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In your own words tell us what change(s) you want made and the reason for the amendment(s): **Three changes are requested for the points of appropriation. OWRD determined that the two original wells under this permit, BAKE 50775 (or well 2), and BAKE 50616 (or well 1) did not meet state standards and had to be abandoned. Two new replacement wells were drilled in the fall of 2011 (BAKE 52188 and BAKE 52184), but since BAKE 52188 came in at only 12 gpm, a third well is also proposed to be drilled in the spring of 2012. One change to the place of beneficial use is also proposed. This change is necessary because in 2011 the Bureau of Land Management determined that tax lot 100 could not be located as a mining claim under the Mining Laws, and since this is a mining water right, the well and its water can no longer be used on this tax lot. Tax lots 300 and 2700 in the NE,SE of sec 27, are part of the Sullivan Z Ranch where mining is currently taking place, and these tax lots are contiguous to tax lot 100. We are proposing to delete 40 acre tax lot 100 in Sec. 27 from the water right and add 38.5 acres of tax lot 300 and the portion of tax lot 2700 located in the NE,SE of section sec 27.**

Check one of the following:

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

Check the appropriate box, if applicable:

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

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Baker County	ADDRESS 1995 Third Street	
CITY Baker City	STATE OR	ZIP 97814

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 4 of 4 – Water Use Permit Information

Please use a separate Part 4 for each permit being amended.

PERMIT # G12525

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

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
BAKE 52188 new well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	L106158	12 S	39 E	22	NW NE	1100	N44° 30' 49.26" W117° 55' 8.43"
BAKE 52184 new well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	L106157	12 S	39 E	26	NW NW	1100	N44° 29' 53.13" W117° 54' 33.16"
well #3 APOA	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		12 S	39 E	26	NW NW	1100	N44° 29' 56.48" W117° 54' 33.34"
see page 5A	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

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

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

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Part 4 of 4 – Water Use Permit Information

Please use a separate Part 4 for each permit being amended.

PERMIT # G12525-PAGE 5A

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

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
BAKE 52166 WELL 1 ABAN- DONED	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	L BAKE 50656	12 S	39 E	22	NW NE	1100	S 38 DEGREES E, 1040' FROM THE N1/4 COR. SEC 22
BAKE 52165 WELL 2 ABAN- DONED	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	L BAKE 50775	12 S	39 E	27	SE NE	100	N 25 DEGREES W, 800' FROM THE E 1/4 COR. SEC 27

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

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

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

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

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Please use additional pages of Table 2 as needed

Table 2. Description of Changes to Water Use Permit # G12525

List only the part of the permit that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

Authorized ("from" lands) as they appear before the changes								Proposed Changes (see "CODES" from previous page)	Proposed ("to" lands) after the changes							
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s)/POA(s) to be used (from Table 1)
2	S	9	E 15 NE NW	100		15.0	POD #1 POD #2	POU/POD	2	S	9	E 15 NW NW	100	1	10.0	POD #5
"	"	"	" " " "	"	"	EXAMPLE	"	"	2	S	9	E 15 SW NW	200		5.0	POD #6
12	S	39	E 27 SE NE	100		40		POU	12	S	39	E 27 NE SE	300, 2700		38.5	BAKE52184, BAKE52188, WELL 3
12	S	39	E 27 SE NE	100			BAKE 52165 WELL 2	POA	12	S	39	E 26 NW NW	1100			BAKE52184 NEW WELL 2
12	S	39	E 22 NW NE	1100			BAKE 52166 WELL 1	POA	12	S	39	E 22 NW NE	1100			BAKE52188 NEW WELL 1
								APOA	12	S	39	E 26 NW NW	1100			WELL 3
TOTAL ACRES							40		TOTAL ACRES							38.5

Additional remarks: Well 1 came in at only 12 gpm. Well 3 will be drilled in the spring with the hope of increasing the total from all wells to around one cfs.

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For a change in place of use:

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

Yes No

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

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

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

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

If YES, list the other certificate, permit, or ground water registration numbers: SURFACE CERTIFICATES 63627, 5880

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

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

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps2.wrd.state.or.us/apps/gw/well_log/Default.aspx)

OR

Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide adequate information is likely to delay the processing of your transfer application. For proposed wells, we recommend that you consult a licensed well driller, geologist or certified water right examiner for the proper information needed to complete the table.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
BAKE 52188 new well 1	yes	L106158	405'	8",6"	8" 0-118', 6" 65'-105'	0-118'	105'-405'	225'	f.basalt, c. gravel	12 gpm

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Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-_____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
BAKE 52184 new well 2	yes	L106157	440'	8"	2'-220'	0-110	220-440	98'	f.basalt	185gpm
well #3 should be similar to new well 2	No	WELL 3 WILL BE LOCATED 405 FEET NW OF WELL 2	expect 440'	8"	2-220	0-110	220-440'	expect 98'	f. balsalt	expect 185 gpm
BAKE 52166, BAKE 52165	filled with cement	L BAKE 50656, L BAKE 50775	420' 295'	8"		none				60gpm, 200 gpm

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