



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

Application for a Permit to Use
Surface 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.

1. APPLICANT INFORMATION

A. Applicants

Applicant: Carpenter Trust and Toad Hill Trust (Russ Carpenter, Trustee)
First Last

Mailing Address: 47227 Goodpasture Road

Vida Oregon 97488
City State Zip

Phone: 541/ 896-3542
Home Work Other

*Fax: *Email Address:

B. Organizations

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

Name of Organization:

Name and Title of Person Applying:

Mailing Address or Organization:

City State Zip

Phone : Day Evening

*Fax: *Email Address:

*Optional

For Department Use
App. No. S-87333 Permit No. Date

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2. SOURCE AND PROPERTY OWNERSHIP

A. The Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: Willamette Basin Project Tributary to: McKenzie River
Reservoirs

Source 2: _____ Tributary to: _____

Source 3: _____ Tributary to: _____

Source 4: _____ Tributary to: _____

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

B. Applications to Use Stored Water

Complete this section if any source listed in item 2A above is stored water.

Do you, or will you, own the reservoir(s) described in item 2A above?

Yes

No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

*See attached Contract Data Sheet (U.S. Bureau of Reclamation)

If *all* sources listed in item 2A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

Surface Water/2

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C. Property Ownership

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

Yes (Please check appropriate box below then skip to section 3 'Water Use')

- There are no encumbrances
- This land is encumbered by easements, rights of way, roads or other encumbrances
(please provide a copy of the recorded deed(s))

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. See attached description. All involved property is located in Tax Lots 804 and 810 in the SE 1/4 of Sec. 36, T16S, R2E
List the names and mailing addresses of all affected landowners. Not Applicable

3. 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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B. Amount of Water

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):

(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

| Source | Type of use | Amount |
|--------------------|-------------|---|
| Willamette Basin | Irrigation | 120 <input type="radio"/> cfs <input checked="" type="radio"/> gpm <input type="radio"/> af |
| Project Reservoirs | | <input type="text"/> <input type="radio"/> cfs <input type="radio"/> gpm <input type="radio"/> af |
| | | <input type="text"/> <input type="radio"/> cfs <input type="radio"/> gpm <input type="radio"/> af |
| | | <input type="text"/> <input type="radio"/> cfs <input type="radio"/> gpm <input type="radio"/> af |

C. 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.)

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 5.8 acres
(This number should be consistent with your application map.)

4. WATER MANAGEMENT

A. Diversion

What method will you use to divert water from the source?

- Pump (give horsepower and pump type): 120 gpm centrifugal pump (3 h.p.)
- Head-gate (give dimensions): _____
- other means (describe): _____

B. Monitoring

How will you monitor your diversion to be sure you are within the limits of your water right (allowed rate and duty) and you are not wasting water?

- Weir
- Meter
- Periodic Sampling
- other means (describe): _____

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C. 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): (Main)Diameter 3.75 inches Length 120 feet other, describe: _____**D. Application/Distribution Method**

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

Pump and Sprinkler irrigation

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 (~~canal~~ or pond) Open Canal

Pond (see map)

E. Conservation

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

Will use enclosed pipeline and efficient sprinkler system to conserve water. Pond used as a "bulge" in the system has been sealed with bentonite to limit seepage. No open ditches or canals will be used. Use during early morning and/or during night-time hours will further increase efficiency.

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5. RESOURCE PROTECTION

A. Protection Practices

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- Diversion will be screened to prevent uptake of fish and other aquatic life. Describe planned actions:

Diversion is already screened (existing Permit R-14379 has same point of diversion.

- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. Describe planned actions:

Diversion system was installed with special attention paid to protect riparian area. Area is stable.

- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe:

The diversion is properly screened and was placed in the river so as to prevent damage to aquatic life.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe:

The irrigation system has been professionally engineered and installed to prevent erosion and unnecessary runoff. Waste will be kept to a minimum by use of sprinkler irrigation.

- Other:

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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.

(See Permit R14379)

Proposed date construction will begin: Construction complete on diversion & pond

Proposed date construction will be completed: After permit is obtained

Proposed date beneficial water use will begin: Upon approval of 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.

The flow rate requested (120 gpm) is made based on the capacity of the pump utilized and to maximize the efficiency of the sprinkler irrigation. The application is for 5.8 acres irrigated and 14.5 acre-feet/year.

CONTACT FOR QUESTIONS: David C. Moon
Supervised Attorney
Office of Bill Kloos
Phone: 541/ 485-5350

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 points of diversion and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

*See attached map (Harvey M. Christensen, CWRE)

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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, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

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

Russell Carpenter, Trustee

11-17-08

Signature of Applicant *(if more than one applicant, all must sign.)*

Date

Russ Carpenter, Trustee of Carpenter Trust and Toad Hill Trust

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 or call (503) 986-0900.

WRD on the web:
www.wrd.state.or.us

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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: _____ 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. <u>Grass & Hay</u> _____ | <input checked="" type="checkbox"/> Full season | <input type="checkbox"/> Partial season (from: _____ to _____) |
| 2. <u>Trees</u> _____ | <input checked="" type="checkbox"/> Full season | <input type="checkbox"/> Partial season (from: _____ to _____) |
| 3. _____ | <input type="checkbox"/> Full season | <input type="checkbox"/> Partial season (from: _____ to _____) |
| 4. _____ | <input type="checkbox"/> Full season | <input type="checkbox"/> Partial season (from: _____ to _____) |

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

14.5 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?

- | | |
|---|--|
| <input type="checkbox"/> Daily during daytime hours | <input type="checkbox"/> Daily during nighttime hours |
| <input type="checkbox"/> Two or three times weekly during daytime | <input checked="" type="checkbox"/> Two or three times weekly during nighttime |
| <input type="checkbox"/> Weekly, during daytime hours | <input type="checkbox"/> Weekly, during nighttime hours |

Other, explain: Two or three times weekly during early

morning.

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Our No. 201187-ML

EXHIBIT "A"

Beginning at the meander corner on the left bank of the McKenzie River between Section 36, Township 16 South, Range 2 East of the Willamette Meridian; and Section 31, Township 16 South, Range 3 East of the Willamette Meridian; running thence along the East line of Section 36, Township 16 South, Range 2 East of the Willamette Meridian, South $0^{\circ} 03'$ East 93.22 feet to the Northerly right of way line of a certain county road; thence along the Northerly right of way line of said county road as follows: North $74^{\circ} 00' 30''$ West 150.17 feet, South $15^{\circ} 59' 30''$ West 10.0 feet, along a 542.96 foot radius curve to the right through a central angle of $25^{\circ} 59' 30''$ (long chord bears North $61^{\circ} 00' 45''$ West 244.20 feet) a distance of 246.28 feet, North $48^{\circ} 01'$ West 65.12 feet, along a 602.96 foot radius curve to the left through a central angle of $24^{\circ} 56'$ (long chord bears North $60^{\circ} 29'$ West 260.32 feet) a distance of 262.35 feet North $72^{\circ} 57'$ West 187.16 feet to the true point of beginning of this description; continue thence along said right of way line 270 feet; thence along a 142.39 foot radius curve to the left through a central angle of $8^{\circ} 57' 40''$ (chord bears North $77^{\circ} 25' 50''$ West 228.48 feet) a distance of 228.70 feet to a 2 inch iron pipe; thence leaving said Northerly right of way line of said county road and running North $16^{\circ} 04'$ East 577.0 feet to the left bank of the McKenzie River, said point being referenced by a 1/2 inch iron pipe; run thence upstream along the said left bank to a point bearing North $16^{\circ} 04'$ East from the true point of beginning; run thence South $16^{\circ} 04'$ West 400 feet, more or less, to the true point of beginning, in Lane County, Oregon.

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Oregon Water Resources Department Land Use Information Form

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: Carpenter Trust and Toad Hill Trust
Mailing Address: 47227 Goodpasture Road
City: Vida State: OR Zip: 97488 Day Phone: 541/896-3542

This application is related to a Measure 37 claim. Yes 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.

| Township | Range | Section | ¼ ¼ | Tax Lot # | Plan Designation (e.g. Rural Residential/RR-5) | Water to be: | | | Proposed Land Use: |
|----------|-------|---------|-----|-----------|--|--|--|--|--------------------|
| 16S | 2E | 36 | | 804 | RR-5 | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Irrig |
| 16S | 2E | 36 | | 810 | RR-5 | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | " |
| | | | | | | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used | |
| | | | | | | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used | |

List all counties and cities where water is proposed to be diverted, conveyed, or used. Lane County

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 14.5 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: Stored water from Bureau of Reclamation
(Willamette Basin Project Reservoirs) will be used
for irrigation purposes.

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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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): LC 16.290.

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: | |
|---|---|--------------------|------------------------------------|
| | | Obtained Denied | Being pursued Not being pursued |
| | | Obtained Denied | Being pursued Not being pursued |
| | | Obtained Denied | Being pursued Not being pursued |
| | | Obtained Denied | Being pursued Not being pursued |
| | | Obtained Denied | Being pursued Not being pursued |
| | | Obtained Denied | Being pursued 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.

Water use for irrigation; existing SFD on TL 804.

Name: Lindsey Eichner Title: Planner
 Signature: Lindsey Eichner Phone: (541) 462-3992 Date: 11/20/08
 Government Entity: Lane County

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

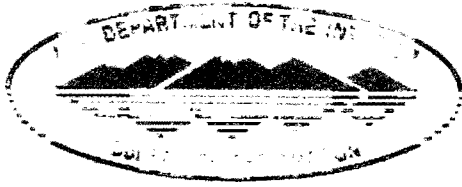
Signature: _____ Phone: _____ Date: _____

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CONTRACT DATA SHEET



U.S. Bureau of Reclamation
Attn: PN-3324
1150 North Curtis Road
Boise, ID 83706-1234
208-378-5344

RECLAMATION
Managing Water in the West

1. Applicant Information:

A. Landowners

- 1) Name of landowner(s): Carpenter Trust and Toad Hill Trust
- 2) Address: c/o Russ Carpenter, Trustee, 47227 Goodpasture Road, Vida, OR
- 3) Mailing Address (if different): 97 8 8
- 4) Taxpayer Identification Number(s): Russ Carpenter, Trustee
(Social Security Number or Employer Identification Number)¹
- 5) Do you own all of the land where you propose to divert and make use of water? Yes

B. Water User Organizations (Such as Irrigation Districts, Ditch/Canal Companies, Water Control Districts, Water User Associations & Cooperatives, Irrigation Improvement Districts, and similar entities organized according to State Law)

- 1) Name of Organization: _____
- 2) Name & Title of Applicant: _____
- 3) Mailing Address of Organization: _____
- 4) Taxpayer Identification Number: _____
(Social Security Number or Employer Identification Number)
- 5) Please provide the following information:
 - (a) A description of the area served by the organization (location, total acreage, # of water users, prominent crops, etc.)
 - (b) Copy of organization by-laws, articles of incorporation (if applicable), board resolution authorizing the applicant to represent and bind the organization under contract with the United States.

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2. Source of Water (*name of stream, river*) McKenzie River (Willamette Basin Project Res.)

3. Proposed point of diversion: 770 feet west and 1565.7 feet north
of SE corner of Section 36, Township 16S, Range 2E,
Willamette Meridian.

4. A water right permit to divert storage water is required. Application or file number with OWRD if you have applied for a permit to divert storage water: To be filed with OWRD (Applicant will supply OWRD Applic. # when received.)

5. Include a map of lands and diversion points. *[Same as required by Oregon Water Resources Department (OWRD) for application for surface/ground water permit].*

*See Attached Map of CWRE

6. Do you currently hold a right to natural flows for irrigating the property described herein? No
If yes, what is/are the priority date(s)? _____

7. Total quantity of water from storage requested: 14.5 acre-feet.

8. Location of land to be irrigated in each 40-acre tract:

| TOWNSHIP | RANGE | SECTION | 40-ACRE TRACT (1/4) (1/4) | NO. of ACRES | TYPE of IRRIGATED CROP |
|----------|-------|---------|------------------------------|-----------------|---------------------------------------|
| 16S | 2E | 36 | Gov. Lot #8 | 5.35 | Pasture & Trees |
| 16S | 2E | 36 | Gov. Lot #7 | .45 | Pasture & Trees |
| | | | | | |
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9. What is the present use of the land identified above? *[Farming; idle (fallow cultivated land); native (appears never to have been tilled); planted pasture or other (please specify)].*
Planted pasture

10. Is the land identified above currently being irrigated? No If yes, what is the source? *(natural flows, wells, etc.)* _____

11. Diversion must be screened to prevent uptake of fish and other aquatic life.
Describe plan(s) to comply with State/Federal fish screen standards: Pump intake is already screened to meet OWRD standards.

12. Telephone Number where you can be reached during the day: 541/ 896-3542

Before returning the completed Contract Data Sheet to the address provided on page 1, please check that you have done the following:

- ANSWERED ALL QUESTIONS COMPLETELY
- ATTACHED AND IDENTIFIED ADDITIONAL SHEET(S) AS NECESSARY
- ATTACHED THE REQUIRED MAP
- SUBMIT PAYMENT FOR THE APPROPRIATE CONTRACT ADMINISTRATION FEE ², MAKE CHECK PAYABLE TO THE U. S. BUREAU OF RECLAMATION

¹ Section 31001.(i) of the Debt Collection Improvement Act of 1996 (Chapter 10 of Pub. L. 104-134) requires each contractor with an agency of the United States to furnish their taxpayer identifying number (social security number or employer identification number) and each agency to disclose to that contractor its intent to use such number for purposes of collecting and reporting on any delinquent amounts arising out of such contractor's relationship with the Government.

² The minimum contract administration fee for most applications is \$100. However, from time to time this fee may be revised