

# Application for a Permit to Use Groundwater



**Oregon Water Resources Department**  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
503-986-0900  
www.oregon.gov/OWRD

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant

NAME <b>Tooley Water District</b>			PHONE (HM)		
PHONE (WK) <b>503-554-8333</b>		CELL		FAX	
ADDRESS <b>P.O. Box 699</b>					
CITY <b>Newberg</b>		STATE <b>OR</b>	ZIP <b>97132</b>	E-MAIL*	

### Organization

NAME			PHONE		FAX
ADDRESS					CELL
CITY		STATE	ZIP	E-MAIL*	

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


AGENT / BUSINESS NAME <b>GSI Water Solutions, Inc.</b>			PHONE <b>541-753-0933</b>		FAX
ADDRESS <b>1600 SW Western Boulevard, Suite 240</b>					CELL
CITY <b>Corvallis</b>		STATE <b>OR</b>	ZIP <b>97333</b>	E-MAIL* <b>zpikeurlacher@gsiws.com</b>	

Note: Attach multiple copies as needed

\* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

**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.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- 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 cancelled.
- 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 (we) affirm that the information contained in this application is true and accurate.**

  
Applicant Signature

Carol Mauser, Chairperson  
Print Name and Title if applicable

9/28/2023  
Date

Applicant Signature

Print Name and Title if applicable

Date

For Department Use: App. Number: \_\_\_\_\_

Groundwater Application — Page 1  
Rev. 07/21

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**SECTION 2: PROPERTY OWNERSHIP**

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

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- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, 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 irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

**Note: Tooley has a recorded easement or access agreement in place to provide water to all properties currently supplied by the District. Additional easements or access agreements may be required. Tooley is a public corporation.**

**Affected Landowners:** List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

**The applicant is a water district. See list of effected landowners in Attachment B.**

**Legal Description:** 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 Attachment C for legal descriptions. The descriptions included in the attachment predates the subdivision of some of the parcels within the POU.**

**SECTION 3: WELL DEVELOPMENT**

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
Well 3a	COLUMBIA RIVER	~1,161 feet	~68 FEET
Well 3b	COLUMBIA RIVER	~2,096 FEET	~292 FEET

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials *(attach additional sheets if necessary).*

**The Applicant is providing two potential locations for the proposed Well 3. Tooley only plans to develop one well location but understands that OWRD will evaluate both well locations at the maximum rate requested in this application.**

**SECTION 3: WELL DEVELOPMENT, continued**

**Total maximum rate requested: 0.1 CFS** (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

**The table below must be completed for each source to be evaluated or the application will be returned.** If this is an existing well, the information may be found on the applicable well log. (*If a well log is available, please submit it in addition to completing the table.*) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
Well 3a	<input checked="" type="checkbox"/>	<input type="checkbox"/>	-	<input type="checkbox"/>	8-12 in (est.)	0-750 ft (est.)	750-850 ft (est.)	0-750 ft (est.)	20 ft (est.)	Basalt	850 ft (est.)	-	-
Well 3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>	-	<input type="checkbox"/>	8-12 in (est.)	0-850 ft (est.)	850-950 ft (est.)	0-850 ft (est.)	20 ft (est.)	Basalt	950 ft (est.)	-	-
	<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"/>									

\* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.  
 \*\* A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.  
 \*\*\* Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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For Department Use: App. Number: \_\_\_\_\_

**SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION**

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of appropriation (POA) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

[https://apps.wrd.state.or.us/apps/misc/lkp\\_trsqg\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqg_features/)

If you need help to determine in which area the proposed POA is located, please call the customer service desk at (503) 986-0801.

**Upper Columbia - OAR 690-033-0115 thru -0130**

Is the well or proposed well located in an area where the Upper Columbia Rules apply?

Yes  No

**If yes, you are notified** that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

**If yes, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:**

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

**Lower Columbia - OAR 690-033-0220 thru -0230**

Is the well or proposed well located in an area where the Lower Columbia rules apply?

Yes  No

**If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified** that the Water Resources Department will determine, by reviewing

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recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

**If yes, you will be required to provide the following information, if applicable.**

Yes  No The proposed use is for more than one cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

**Statewide - OAR 690-033-0330 thru -0340**

Is the well or proposed well located in an area where the Statewide rules apply?

Yes  No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

**SECTION 5: WATER USE**

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Group Domestic Use for 54 Households, Including Irrigation of Up to 1/2 Acre of Lawn and Garden for each property	Year-round	Up to 72.4 acre-feet

**For irrigation use only: N/A**

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated (must match map).

Primary: Acres Supplemental: Acres Nursery Use: Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):

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

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: **54** (**Exempt Uses:** Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.)
- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*):

**SECTION 6: WATER MANAGEMENT**

**A. Diversion and Conveyance**

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

- Pump (give horsepower and type): **5 HP submersible**
- Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. **Water will be diverted from the proposed Well 3 into a concrete reservoir (system bulge) and conveyed to water users through the Applicant’s closed pipe system.**

**B. Application Method**

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (*attach additional sheets if necessary*)

**N/A – Water will be for Group Domestic Use**

**C. Conservation**

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters (*attach additional sheets if necessary*).

**The water appropriated under this water right will be limited to the amount needed for group domestic water supply. The well will be constructed in a manner to prevent damage to aquatic life and riparian habitat. No discharge of contaminated water will occur, and no adverse impacts on public uses of surface water are anticipated. If requested, the well will be equipped with a measurement device to measure the amount of water diverted.**

**SECTION 7: PROJECT SCHEDULE**

- a) Date construction will begin: **Within five years of permit issuance.**
- b) Date construction will be completed: **Within five years of permit issuance.**
- c) Date beneficial water use will begin: **Within five years of permit issuance.**

**SECTION 8: RESOURCE PROTECTION**

In granting permission to use water the state encourages, and in some instances requires, careful control of activities that may affect adjacent 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.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe: **Water will be delivered through the Applicant’s piped distribution system and wastewater will be treated. No erosion or run-off will occur.**
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

**Note:** If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation: **No excavation or clearing of banks will be required for this project.**

- Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:  
List: **N/A**

**SECTION 9: WITHIN A DISTRICT**

- Check here if the point of appropriation (POA) or place of use (POU) are located within or served by an irrigation or other water district.

Irrigation District Name <b>N/A</b>	Address	
City	State	Zip

**SECTION 10: REMARKS**

Use this space to clarify any information you have provided in the application (*attach additional sheets if necessary*).

**The Applicant is applying for a permit to use groundwater for group domestic use for 54 households, including irrigation of up to ½ acre of lawn and garden for each property. The Applicant has provided two potential locations for the proposed Well 3, however, only one location will be developed.**

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## **Attachment A**

Land Use Information Form

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Application for a Permanent to Use Groundwater

Tooley Water District



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PLANNING APPLICATION COVER PAGE

SHADED AREA TO BE COMPLETED BY PLANNING DEPARTMENT					
File #	921-23-000141-PLNG	Fee:	103.55	Decision:	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied
Date Received:	9.25.23	Received by: (Planner Initials)		Decision Date:	9.26.23
Date Complete:	9.26.23	Reviewed by: (Planner Initials)		Issued by: (Planner Initials)	

APPLICANT INFORMATION

Name: Tooley Water District  
Address: PO Box 699  
City/State/Zip: Newberg, OR 97132  
Phone: 5413400032  
Email: johnamery@tooleywater.org

OWNER INFORMATION

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

Primary Point of Contact for staff: Through 9/30/2023: omcmurtrey@gsiws.com; Thereafter: johnamery@tooleywater.org

PROPERTY INFORMATION

Physical Address / Location Information: See attached map and list of properties proposed for inclusion with POU.

Township, Range, Section, Tax Lot(s)	Acct #	Acres	Zoning	Overlay Zone(s)

SIGNATURES:

Applicant(s) Owen McMurtrey Digitally signed by Owen McMurtrey  
Date: 2023.09.20 16:11:43 -07'00' Date: 9/20/2023

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

Property Owner(s) \_\_\_\_\_ Date: \_\_\_\_\_

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

\*Signatures are only valid for one year from the date of signature. Signing indicates that the property owner(s) is/are aware that an application is being made on the subject property and also authorizes Planning Department staff reasonable access to the site in order to evaluate the application

# Land Use Information Form

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Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

**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) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

# Land Use Information Form

**OREGON** Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900  
 www.oregon.gov/OWRD

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Applicant(s): **Tooley Water District ATTN: John Amery**

Mailing Address: **P.O. Box 699**

City: **Newberg**

State: **OR**

Zip Code: **97132**

Daytime Phone: **541-340-0032**

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. 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:
<u>2N</u>	<u>13E</u>	<u>17</u>	<u>NENW</u>	<u>100</u>	<u>(GMA) A-2(40)</u>	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Domestic</u>
<u>2N</u>	<u>13E</u>	<u>17</u>	<u>SENW</u>	<u>400</u>	<u>(GMA) R-2</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>Domestic</u>
<u>See place of use on attached map.</u>						<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Domestic</u>

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Wasco 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    Permit Amendment or Ground Water Registration Modification  
 Limited Water Use License    Allocation of Conserved Water    Exchange of Water

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

Estimated quantity of water needed: 0.1    cubic feet per second    gallons per minute    acre-feet

Intended use of water:  Irrigation    Commercial    Industrial    Domestic for 54 houses  
 Municipal    Quasi-Municipal    Instream    Other \_\_\_\_\_

Briefly describe:

The Applicant is applying for a permit to use groundwater for domestic use. The attached map shows two potential well locations. Only one of these locations will be developed.



**Note to applicant:** If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

### 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 the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
- Land uses to be served by the 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:	
See "Attachment A"	NSA LUDO 3.110.17 NSA LUDO 3.120.D.6	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input checked="" 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.

See "Attachment A"

Name: Dustin Williams Title: Assistant Planner

Signature: [Signature] Phone: 541-506-2591 Date: 9.26.23

Government Entity: Wasco County Planning

**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.

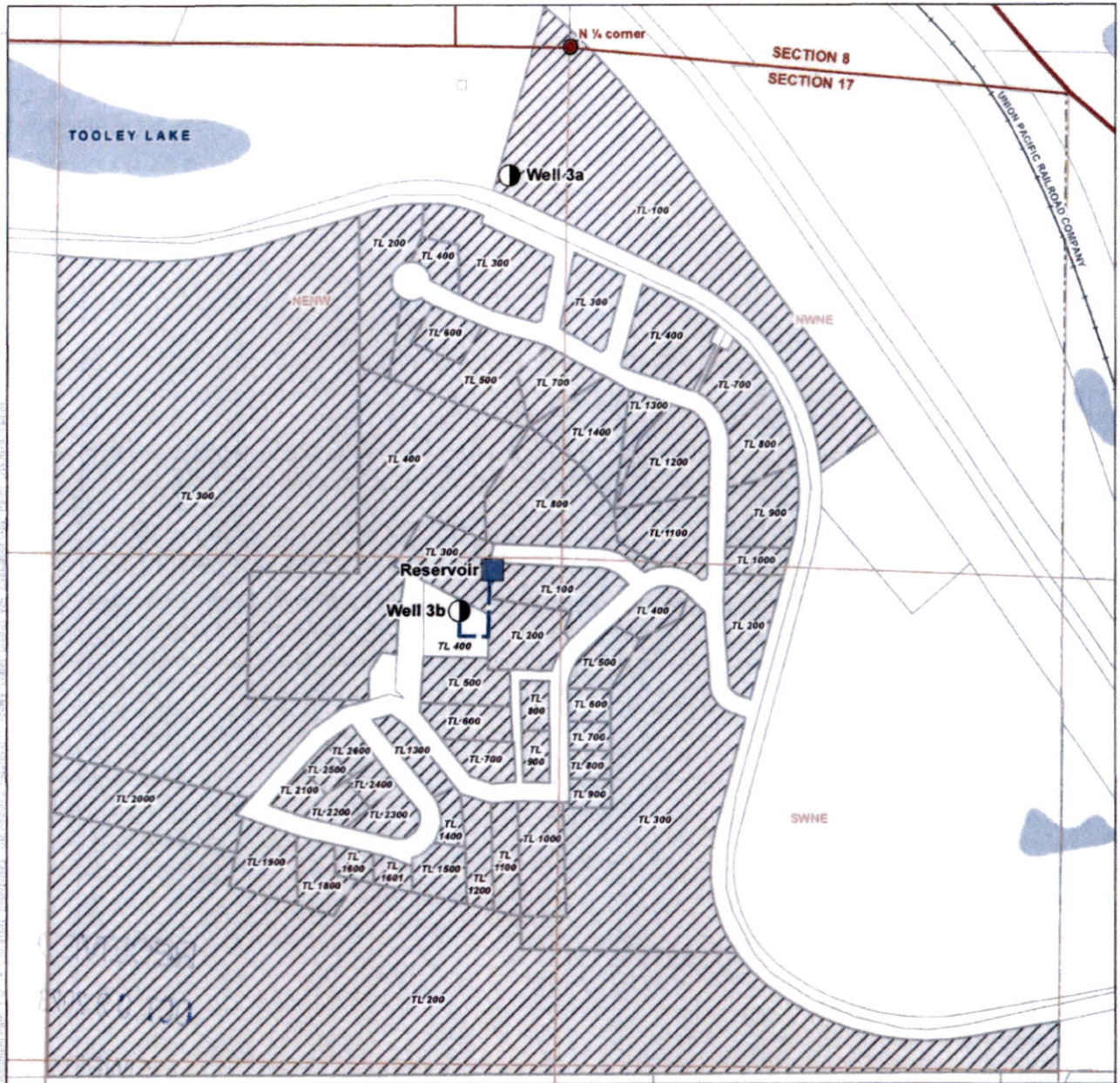


**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_



**LEGEND**

- Proposed Point of Appropriation
- Reservoir
- Conveyance Line
- Proposed Place of Use (POU)
- All Other Features**
- Major Road
- Railroad
- Waterbody

**Application for Permanent to Use Groundwater  
Tooley Water District**

Township 2 North, Range 13 East (W.M)  
Wasco County

**LOCATION DESCRIPTIONS**

**Proposed Points of Appropriation**

**Well 3a:** Located 330 feet South and 150 feet West from N 1/4 corner, Section 17, Township 2 North, Range 13 East (W.M)

**Well 3b:** Located 1460 feet South and 265 feet West from N 1/4 corner, Section 17, Township 2 North, Range 13 East (W.M)

**Reservoir**

Located 1350 feet South and 180 feet West from N 1/4 corner, Section 17, Township 2 North, Range 13 East (W.M)

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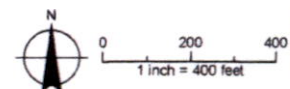
**OWRD**

**DISCLAIMER**

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

Date: September 18, 2023

Data Sources: BLM, ESRI, OWRD, USGS





**PLANNING DEPARTMENT**

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September 26, 2023

“ATTACHMENT A”

SUBJECT: Oregon Water Resources Department Land Use Compatibility Statement

FROM: Tooley Water District

All development and ground disturbance in the National Scenic Area will require land use approval. Depending on factors unknown at this early stage of inquiry, the permit will likely fall under expedited or full review.

(Expedited review) NSA LUDO 3.110.17 provides:

*New underground utility facilities, except in Agriculture Special, located inside road, utility or railroad rights-of-way or easements that have been disturbed in the past, provided no ditch for linear facilities would be more than 36 inches wide and no excavation for non-linear facilities would exceed 20 cubic yards.*

(Full review) NSA LUDO 3.120.D.6 provides:

Accessory structures for an existing or approved dwelling that are not otherwise allowed outright, eligible for the expedited development review process, or allowed in criterion 7 below. Noncommercial wind energy conversion systems which fit this category are subject to the applicable provisions of Chapter 19. (GMA & SMA)

Respectfully,

Dustin Williams  
Assistant Planner

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# Transaction Receipt

Record ID: 921-23-000141-PLNG

IVR Number: 921077253530

Office: Not Applicable  
2705 East 2nd Street  
The Dalles, OR 97058  
541-506-2560  
Fax: 541-506-2651  
wcplanning@co.wasco.or.us

Receipt Number: 71572

Receipt Date: 9/26/23

[www.co.wasco.or.us/departments/planning/index.php](http://www.co.wasco.or.us/departments/planning/index.php)

Worksite address: 4775 HIGHWAY 30 W, THE DALLES, OREGON 97058

Parcel: 2N 13E 17 400

Fees Paid					
Transaction date	Units	Description	Account code	Fee amount	Paid amount
9/26/23	1.00 Ea	Type I - Ministerial - Non-Structural sign-off - MNN	1010.21.5124.10.411.411 175.	\$103.55	\$103.55
Payment Method: Credit card authorization: 655330				Payer: Molly Monroe	Payment Amount: \$103.55
Cashier: Dustin Williams				<b>Receipt Total:</b>	<b>\$103.55</b>

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## **Attachment B**

Effected Landowners

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Application for a Permanent to Use Groundwater  
Tooley Water District



List of Effected Landowners				
Tax Lot Number	Landowner Name	Mailing Address	Mailing City	Mailing State
2N 13E 17 BD 1601	GRAY JAMES N	4545 BASALT ST W	THE DALLES	Oregon
2N 13E 17 BD 1600	GRAY JAMES N	4545 BASALT ST W	THE DALLES	Oregon
2N 13E 17 BD 1500	SEGALE RAY	PO BOX 4182	HAILEY	Idaho
2N 13E 17 BD 1900	DIETZ ANTONE M	4555 BASALT ST W	THE DALLES	Oregon
2N 13E 17 BD 1100	TOSTADO TANIA	3401 BELL CT	HOOD RIVER	Oregon
2N 13E 17 BD 1000	YOUNGLOVE BERT L & THELMA F	4826 SE 113TH AVE	PORTLAND	Oregon
2N 13E 17 BD 1200	WOLFE RICHARD	4752 SIMONELLI RD	THE DALLES	Oregon
2N 13E 17 BD 1400	SEGALE RAY	PO BOX 4182	HAILEY	Idaho
2N 13E 17 BD 2300	RUSS LARRY E & SUSAN M	4540 BASALT ST W	THE DALLES	Oregon
2N 13E 17 BD 2200	RICHARD & BEVERLY FRANCIS REV TRUST	61499 SE LONGVIEW	BEND	Oregon
2N 13E 17 AC 900	HARRISON HOLLIE A	PO BOX 27	CONDON	Oregon
2N 13E 17 BD 2100	RICHARD & BEVERLY FRANCIS REV TRUST	61499 SE LONGVIEW	BEND	Oregon
2N 13E 17 BD 2400	DOOLITTLE WILLIAM P & GLORIA	315 11TH AVE E	SEATTLE	Washington
2N 13E 17 BD 2000	LA MARCHE PAUL D	2201 FAIRVIEW AVE E #7	SEATTLE	Washington
2N 13E 17 AC 800	NELSON DAVID C	4736 SIMONELLI RD	THE DALLES	Oregon
2N 13E 17 BD 2500	VALENTINE AMANDA J & JEREMY L	4570 BASALT ST W	THE DALLES	Oregon
2N 13E 17 BD 700	CROMPTON JOHN J & JANICE M	4729 SIMONELLI RD	THE DALLES	Oregon
2N 13E 17 BD 900	PARKKI WILLIAM A SR & JOHNSON DIANA V	4735 SIMONELLI RD	THE DALLES	Oregon
2N 13E 17 BD 2600	DOOLITTLE WILLIAM P & GLORIA A	315 11TH AVE E	SEATTLE	Washington
2N 13E 17 AC 700	PATRICELLI PETER M	128 WILLOW SPRINGS DR	EUGENE	Oregon
2N 13E 17 BD 1300	JOHNSTON JEFFREY M	PO BOX 1245	SISTERS	Oregon
2N 13E 17 BD 600	CROMPTON JOHN J & JANICE M	4729 SIMONELLI RD	THE DALLES	Oregon
2N 13E 17 AC 600	BARTRUFF DANIEL L	2622 F ST	WASHOUGAL	Washington
2N 13E 17 BD 800	HECHT DAVID H	503 S DICKINSON ST	MADISON	Wisconsin
2N 13E 17 BD 500	PONTOW RICHARD D & EDITH L	4727 SIMONELLI RD	THE DALLES	Oregon
2N 13E 17 AC 500	LINDLEY BONNIE J	4724 SIMONELLI RD	THE DALLES	Oregon
2N 13E 17 BD 200	SPRENGER SAMUEL E & KATHY L	4725 SIMONELLI RD	THE DALLES	Oregon
2N 13E 17 AC 400	PATTON NANCY M	480 SE 10TH AVE	CANBY	Oregon
2N 13E 17 AC 200	SCHLAGER DAVID L & LUCINDA J	4721 ADELIN WAY W	THE DALLES	Oregon
2N 13E 17 BD 100	GONZALEZ ANDRES & JESSIE	4723 SIMONELLI RD	THE DALLES	Oregon
2N 13E 17 AB 1000	TENCER FAMILY TRUST	12700 RIVIERA PL NE	SEATTLE	Washington
2N 13E 17 BD 300	CAROTHERS ANITA M	4795 SIMONELLI RD	THE DALLES	Oregon
2N 13E 17 AB 1100	TENCER FAMILY TRUST	12700 RIVIERA PL NE	SEATTLE	Washington
2N 13E 17 AB 900	PRATT DAVID & KAY RLT	4745 ADELIN WAY	THE DALLES	Oregon
2N 13E 17 BA 800	DIX MARK	10900 FOREST AVE S	SEATTLE	Washington
2N 13E 17 AB 1200	MAUSER MARK F	PO BOX 1117	THE DALLES	Oregon
2N 13E 17 AB 1300	CHILD DAVID C & MELISSA R	4780 ADELIN WAY	THE DALLES	Oregon
2N 13E 17 AB 800	AMERY JOHN & JILL F	4753 ADELIN WAY W	THE DALLES	Oregon
2N 13E 17 AB 1400	CHILD DAVID C & MELISSA R	4780 ADELIN WAY	THE DALLES	Oregon
2N 13E 17 B 400	JONES DEBRA	4575 BASALT ST	THE DALLES	Oregon
2N 13E 17 BA 700	CHILD DAVID C & MELISSA R	4780 ADELIN WAY	THE DALLES	Oregon
2N 13E 17 AB 700	AMERY JOHN & JILL F	4753 ADELIN WAY W	THE DALLES	Oregon
2N 13E 17 BA 600	DAVIS CHARLES	PO BOX 1234	SUMNER	Washington
2N 13E 17 BA 500	DAVIS CHARLES	PO BOX 1234	SUMNER	Washington
2N 13E 17 AB 400	ZITZELBERGER JOSEPH C	4771 ADELIN WAY W	THE DALLES	Oregon
2N 13E 17 AB 300	BENDER LAURIE J	4803 ADELIN WAY W	THE DALLES	Oregon
2N 13E 17 BA 400	LINDSTROM DIANE	2149 W CASCADE AVE STE 106A	HOOD RIVER	Oregon
2N 13E 17 B 300	UNITED STATES OF AMERICA	902 WASCO AVE #200	HOOD RIVER	Oregon
2N 13E 17 BA 200	RADFORD JEFF & KAREN D	4865 ADELIN WAY W	THE DALLES	Oregon
2N 13E 17 AB 100	CARRELL CARL E & CANDICE V	4825 HWY 30W	THE DALLES	Oregon
2N 13E 17 AC 300	MATHIE TODD W	13200 BELLAMAH AVE NE	ALBUQUERQUE	New Mexico
2N 13E 17 BD 1800	HARMON WAYNE	4551 BASALT ST W	THE DALLES	Oregon
2N 13E 17 200	SEGALE RAY	PO BOX 4182	HAILEY	Idaho
2N 13E 17 BA 300	ARTHUR PATRICK L & SHANNON R	4845 ADELIN WAY	THE DALLES	Oregon
2N 13E 17 BD 400	TOOLEY WATER DIST	4727 SIMONELLI RD	THE DALLES	Oregon

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List of Effected Landowners	
Tax Lot Number	Landowner Name
2N 13E 17 BD 1601	GRAY JAMES N
2N 13E 17 BD 1600	GRAY JAMES N
2N 13E 17 BD 1500	SEGALE RAY
2N 13E 17 BD 1900	DIETZ ANTONE M
2N 13E 17 BD 1100	TOSTADO TANIA
2N 13E 17 BD 1000	YOUNGLOVE BERT L & THELMA F
2N 13E 17 BD 1200	WOLFE RICHARD
2N 13E 17 BD 1400	SEGALE RAY
2N 13E 17 BD 2300	RUSS LARRY E & SUSAN M
2N 13E 17 BD 2200	RICHARD & BEVERLY FRANCIS REV TRUST
2N 13E 17 AC 900	HARRISON HOLLIE A
2N 13E 17 BD 2100	RICHARD & BEVERLY FRANCIS REV TRUST
2N 13E 17 BD 2400	DOOLITTLE WILLIAM P & GLORIA
2N 13E 17 BD 2000	LA MARCHE PAUL D
2N 13E 17 AC 800	NELSON DAVID C
2N 13E 17 BD 2500	VALENTINE AMANDA J & JEREMY L
2N 13E 17 BD 700	CROMPTON JOHN J & JANICE M
2N 13E 17 BD 900	PARKKI WILLIAM A SR & JOHNSON DIANA V
2N 13E 17 BD 2600	DOOLITTLE WILLIAM P & GLORIA A
2N 13E 17 AC 700	PATRICELLI PETER M
2N 13E 17 BD 1300	JOHNSTON JEFFREY M
2N 13E 17 BD 600	CROMPTON JOHN J & JANICE M
2N 13E 17 AC 600	BARTRUFF DANIEL L
2N 13E 17 BD 800	HECHT DAVID H
2N 13E 17 BD 500	PONTOW RICHARD D & EDITH L
2N 13E 17 AC 500	LINDLEY BONNIE J
2N 13E 17 BD 200	SPRENGER SAMUEL E & KATHY L
2N 13E 17 AC 400	PATTON NANCY M
2N 13E 17 AC 200	SCHLAGER DAVID L & LUCINDA J
2N 13E 17 BD 100	GONZALEZ ANDRES & JESSIE
2N 13E 17 AB 1000	TENCER FAMILY TRUST
2N 13E 17 BD 300	CAROTHERS ANITA M
2N 13E 17 AB 1100	TENCER FAMILY TRUST
2N 13E 17 AB 900	PRATT DAVID & KAY RLT
2N 13E 17 BA 800	DIX MARK
2N 13E 17 AB 1200	MAUSER MARK F
2N 13E 17 AB 1300	CHILD DAVID C & MELISSA R
2N 13E 17 AB 800	AMERY JOHN & JILL F
2N 13E 17 AB 1400	CHILD DAVID C & MELISSA R
2N 13E 17 B 400	JONES DEBRA
2N 13E 17 BA 700	CHILD DAVID C & MELISSA R
2N 13E 17 AB 700	AMERY JOHN & JILL F
2N 13E 17 BA 600	DAVIS CHARLES
2N 13E 17 BA 500	DAVIS CHARLES
2N 13E 17 AB 400	ZITZELBERGER JOSEPH C
2N 13E 17 AB 300	BENDER LAURIE J
2N 13E 17 BA 400	LINDSTROM DIANE
2N 13E 17 B 300	UNITED STATES OF AMERICA
2N 13E 17 BA 200	RADFORD JEFF & KAREN D
2N 13E 17 AB 100	CARRELL CARL E & CANDICE V
2N 13E 17 AC 300	MATHIE TODD W
2N 13E 17 BD 1800	HARMON WAYNE
2N 13E 17 200	SEGALE RAY
2N 13E 17 BA 300	ARTHUR PATRICK L & SHANNON R
2N 13E 17 BD 400	TOOLEY WATER DIST

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## **Attachment C**

Legal Description

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Application for a Permanent to Use Groundwater  
Tooley Water District

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KNOW ALL MEN BY THESE PRESENTS, That FRED V. TOOLEY (hereinafter called the grantor), the spouse of the grantee hereinafter named, in consideration of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration, to grantor paid, the receipt whereof hereby is acknowledged, has bargained and sold and by these presents does grant, bargain, sell and convey unto ADELINE H. TOOLEY (herein called the grantee), an undivided one-half of the following described real property situate in Wasco County, Oregon, to-wit:

Lots 1, 5, 10, 11 and 12, TOOLEY TERRACES;

Lot 4, TOOLEY TERRACES, EXCEPTING that portion deeded to the Tooley Water District, a municipal corporation, dated October 25, 1966 and recorded October 28, 1966 in the records of Wasco County, Oregon, Micro-Film Image No. 66-1956;

Lots 6, 7 and 8, TOOLEY TERRACES, EXCEPTING that portion lying within the boundary of "Terrace Trailer Homes 2nd Addition" as recorded in Plat Book 6, Page 13, Wasco County Records. (Portion remaining being part of Lot 6);

Lots 8 and 9, in Block A, TERRACE TRAILER HOMES;

Lots 1 thru 7, Block B, TERRACE TRAILER HOMES;

Lots 4, 5 and 6, Block C, TERRACE TRAILER HOMES;

Lot 1, Block D, TERRACE TRAILER HOMES, EXCEPTING that portion deeded to Wasco County, a political subdivision of the State of Oregon and recorded April 27, 1964 in the records of Wasco County, Oregon, Micro-Film Image No. 64-0922, and described as follows:

Beginning at the Southeast corner of Lot 1, Block D; thence North  $47^{\circ}42'$  West 26.7 feet; thence North  $02^{\circ}23'$  East 95 feet, more or less, to North line of Lot D; thence Easterly to Northeast corner of Lot D; thence South  $05^{\circ}20'$  West 110 feet to the point of beginning;

Lots 1, 2, 3, 5, 6, 7, and 8, TERRACE TRAILER HOMES SECOND ADDITION;

Lot 9, TERRACE TRAILER HOMES SECOND ADDITION, EXCEPTING that portion deeded to Floyd Jallen and Geraldine Jallen, husband and wife, by deed recorded June 17, 1966 in the records of Wasco County, Oregon, Micro-Film Image No. 66-1144, and described as follows:

Beginning at the Southeast corner of Lot 4, Terrace Trailer Homes Second Addition; running thence South  $11^{\circ}47'$  West a distance of 215 feet to a point located South  $31^{\circ}15'$  West a distance of 114 feet from the Southwest corner of Lot 8, of said Addition; thence North  $66^{\circ}44'$  West 80 feet to a point due South of the Southwest corner of said Lot 4; thence North 213.6 feet to said Southwest corner of Lot 4; thence South  $73^{\circ}29'$  East 122.2 feet to the point of beginning;

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ALSO EXCEPTING that portion conveyed to Roscoe Sexton and Paul Sexton by deed recorded June 20, 1966 in the records of Wasco County, Oregon, being Micro-Film Image No. 66-1156, and described as follows:

Beginning at the Southeast corner of Lot 4, Terrace Trailer Homes Second Addition in said county and state; running thence South  $11^{\circ}47'$  West a distance of 215 feet, to a point located South  $31^{\circ}15'$  West a distance of 114 feet from the Southwest corner of Lot 8, in said Addition; thence South  $66^{\circ}44'$  East 338 feet to the Easterly boundary of Lot 9, in said Addition; thence along said line North  $31^{\circ}34'$  East 10 feet; thence North  $15^{\circ}43'$  West 162 feet; thence North  $49^{\circ}03'$  East 108 feet, to the Northeast corner of said Lot 9; thence North  $75^{\circ}32'$  West along the Northerly boundary of said Lot 9, 107 feet to the Northeast corner of Lot 8, of said Addition; thence South  $31^{\circ}15'$  West 110.5 feet to the Southeast corner of said Lot 8; thence North  $66^{\circ}44'$  West 140 feet to the Southwest corner of said Lot 8; thence North  $31^{\circ}15'$  East to the Northwest corner of said Lot 8; thence North  $58^{\circ}06'$  West along a public road, known as Adeline Way, 38 feet; thence on a 50-foot radius curve to the right, a distance of 46.7 feet the long chord of which bears North  $82^{\circ}$  West a distance of 45 feet to the point of beginning;

That part Lot 63, ROWENA, which lies westerly of a line which is parallel to and easterly 500 feet of West line of Lot 63;

That part of Lot 64, ROWENA, which lies easterly of a line described as follows: Beginning at a point East 1618.5 feet from Section corner common to Sections 7, 8, 17 and 18; thence North  $29^{\circ}30'$  East to Old Columbia River Highway and westerly of West line of Tax Lot 600 described in Deed Volume 148, Page 214, as follows: Beginning at a point on southerly right-of-way line Interstate 80N which is 200 feet, more or less, northwesterly of North quarter corner of Section 17; thence running South  $15^{\circ}18'$  West 496 feet to northerly line of Old Columbia River Highway;

ALSO, the East half of the Northwest quarter of Section 17 lying northerly and westerly of subdivision known as Tooley Terraces and Terrace Trailer Homes, and westerly of West line of Tax Lot 600 as previously described;

EXCEPTING, the Highway;

ALSO EXCEPTING, that portion of lying within the boundary of "Terrace Trailer Homes 2nd Addition" as recorded in Plat Book 6, Page 13, Wasco County Records;

That part of the Southwest quarter of the Northeast quarter of Section 17, Township 2 North, Range 13 East of the Willamette Meridian, lying southerly of Tooley Terraces; easterly of Terrace Trailer Homes; westerly of Old Columbia River Highway and northerly of North line of Tax Lot 1100 described in Deed Volume 119, Page 504, said North line described as follows: Beginning at a point South 1959 feet and East 402 feet from quarter section corner on North line of Section 17; thence West a distance of 436 feet.

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together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining;

TO HAVE AND TO HOLD said undivided one-half of said real property unto the said grantee forever.

The above named grantor retains a like undivided one-half of said real property and it is the intent and purpose of this instrument to create and there hereby is created an estate in entirety between husband and wife as to said real property.

IN WITNESS WHEREOF, the grantor has hereunto set hand and seal on this 16<sup>th</sup> day of February, 1967.

A. V. Tooley (SEAL)

STATE OF OREGON )  
 ) ss.  
County of Wasco )

February 16, 1967.

Personally appeared the above named FRED V. TOOLEY, who is known to me to be the spouse of the grantee in the above deed and acknowledged the foregoing instrument to be his voluntary act and deed.



A. P. Before me:

Charles A. Phipps  
Notary Public for Oregon

My commission expires: 3/23/70

STATE OF OREGON, }  
County of Wasco, } ss

I, H. A. HOWARD, County Clerk and ex officio Recorder of Conveyances, in and for said county, do hereby certify that the within instrument of writing was received, recorded  
Date FEB 27 3 07 PM '67  
and Hour \_\_\_\_\_  
and recorded in the - \_\_\_\_\_

records of said Wasco County under  
Micro film Number 670290  
Witness my hand & seal affixed at The Dalles  
H. A. HOWARD, County Clerk  
By [Signature] Deputy  
Return to [Signature]  
Address \_\_\_\_\_

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## Attachment D

Map

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Application for a Permanent to Use Groundwater  
Tooley Water District

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September 27, 2023

Dwight French  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301

Dwight,

GSI Water Solutions, Inc. (GSI) is submitting the enclosed application for a permit to use groundwater on behalf of Tooley Water District. The applicant is requesting a permit to appropriate up to 0.1 cfs of groundwater from a well (Well 3) for group domestic use for 54 households, including irrigation of up to ½ acre of lawn and garden for each property. The Applicant is providing two potential locations for the proposed Well 3. Tooley only plans to develop one well location but understands that OWRD will evaluate both well locations at the maximum rate requested in this application.

The fee is enclosed and was calculated as follows:

Groundwater Base Fee	\$1,570.00
First CFS or fraction thereof	\$410.00
Permit Recording Fee	\$610.00
<b>Total</b>	<b>\$2,590</b>

If you have any questions regarding this application, please contact me at 541-753-0933.

Sincerely,

A handwritten signature in blue ink that reads "Zach Pike-Urlacher". The signature is written in a cursive, flowing style.

Zach Pike-Urlacher  
Water Resources Consultant

Enclosure: Application for Permit to Use Groundwater  
Application Fee in Amount of \$2,590



## Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

### Include this checklist with the application

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**Check that each of the following items is included.** The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Well Development
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Project Schedule
- SECTION 8: Resource Protection
- SECTION 9: Within a District
- SECTION 10: Remarks

**Include the following additional items:**

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt. **(Attachment A)**
- 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. **(Attachment C)**
- Fees - Amount enclosed: **The required fee of \$2,590 is enclosed.**  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) or call (503) 986-0900.
- Map that includes the following items: **(Attachment D)**
  - Permanent quality and drawn in ink
  - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
  - North Directional Symbol
  - Township, Range, Section, Quarter/Quarter, Tax Lots
  - Reference corner on map
  - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
  - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
  - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
  - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)