

# 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 SHAWN BINGAMAN			PHONE (HM)
PHONE (WK) 541-786-1056	CELL		FAX
ADDRESS PO BOX 143			<b>RECEIVED</b> <b>MAR 04 2024</b>
CITY IMBLER	STATE OR	ZIP 97841	E-MAIL* msbingaman@gmail.com <b>OWRD</b>

### 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 PAUL GARVIN/GARVIN HYDROGEO LLC			PHONE 503-347-7188	FAX
ADDRESS 1705 MAIN ST SUITE 101			CELL	
CITY BAKER CITY	STATE OR	ZIP 97814	E-MAIL* GARVIN.HYDROGEO@GMAIL.COM	

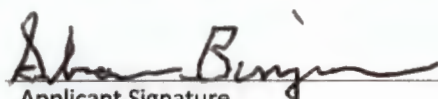
Note: Attach multiple copies as needed

\* 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 affirm that the information contained in this application is true and accurate.

  
Applicant Signature

Shawn Bingaman  
Print Name and Title if applicable

2-16-24  
Date

**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.

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.

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**(Right of way for Rinehart road cuts through non irrigated portion of property)**

- 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.

**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).*

N/A

**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 Legal Description in property deeds provided in Attachment 4

**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
1	GRAND RONDE RIVER	½ MILE	WELL IS 140 FT ABOVE RIVER

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 proposed POA (Rinehart well L-112279) is an authorized POA on permit G-16532.

**SECTION 3: WELL DEVELOPMENT, continued**

**Total maximum rate requested:** 665 GPM (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)
RINEHART WELL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	L-112279	<input type="checkbox"/>	16"	-1.5 - 58.5'	518' TO 538' AND 938' TO 978'	0' - 60'	7' BLS 3/28/2023	CLAYSTONE, SANDSTONE	1036'	761	408 AF

- \* 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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**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

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**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

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:**

Water will be applied using center pivots, no flood irrigation will be used. Also, this land has been successfully dry farmed in recent years, so water use is expected to be below average for this region.

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

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

Yes  No

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**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)
Irrigation	March 1 thru October 31	408

**For irrigation use only:**

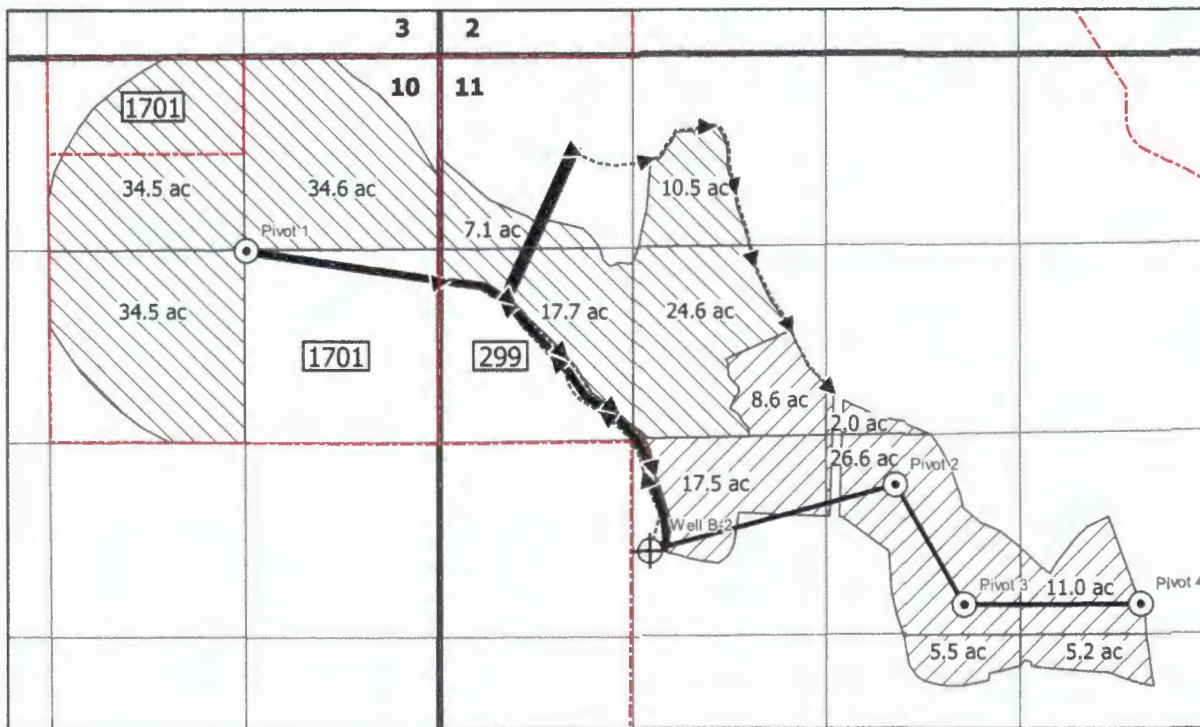
Please indicate the number of primary, supplemental and/or nursery acres to be irrigated (*must match map*).

Primary: **135.9 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: **408**

T7S R39E WM



**LEGEND**

-  Place of Use: Primary Oct 2 - Oct 31 and Supplemental Mar 1 - Oct 1
-  Place of Use: Supplemental Mar 1 - Oct 31
-  Baker County Taxlot Boundary 1701
-  Well
-  8" Mainline
-  10" Mainline
-  16" Mainline
-  Ditch

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**Claim of Beneficial Use Map**  
**Application G-17872, Transfer T-13347**  
**Permit G-18434**  
**Baker County, OR**

Prepared on Behalf of Brad and June Allen

1 inch = 1,320 feet



Date: 1/2/2024  
Drawn by: Paul F. Gault

Notes:

Well B-2: 1,922 feet N and 1,481 feet E from the SW Corner of Section 11

Flow measurement device is located within a 10 foot radius of Well B-2

This map is not intended to provide legal dimensions or locations of property ownership lines.

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: **(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): 100 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 appropriated from the existing well with an existing pump and motor and conveyed northeast via buried mainline to three proposed center pivots and wheel lines with sprinklers to cover areas to be irrigated that are not beneath the pivot footprints. The center pivots will be connected in series via the buried mainline.

### 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*)

Center pivots equipped with sprinklers and wheel lines with sprinklers will apply water to the proposed place of 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*).

This water right is being requested since direct precipitation can be an unreliable source of irrigation water in the dryer years, the maximum allowable rate was requested but the actual use is likely to be much lower. No work will occur within riparian areas or wetlands. The soils of the property are well-drained and runoff will be further minimized through the use of center pivot and wheeline sprinkler irrigation.

## SECTION 7: PROJECT SCHEDULE

- Date construction will begin: Spring 2025 or 2026 depending on date of permit issuance.
- Date construction will be completed: Late Summer 2025 or 2026 depending on date of permit issuance.
- Date beneficial water use will begin: Spring 2026 or 2027 depending on date 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

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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: Runoff is currently not experienced during dryland farming and the proposed irrigation methods ensure minimal runoff 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: The soils surface is already prepared due to dryland farming and surface disturbances will be limited to the necessary footprints of the mainline and center pivot pad installation.
- Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:  
List: NA

**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	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*).

NA

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## Minimum Requirements Checklist

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

### Include this checklist with the application

**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.
- 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. **Deeds provided in Attachment 4**
- Fees - Amount enclosed: **\$ 3,000**  
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:
  - 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)

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# Water-Use Permit Application Processing

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## 1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050. The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

## 2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$310. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

## 3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at [www.oregon.gov/owrd](http://www.oregon.gov/owrd). The public comment period is 30 days from publication in the weekly notice.

## 4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

## 5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$480.00 for the applicant and \$950.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

## 6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate

# Land Use Information Form



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
503-986-0900  
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## 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 groundwater 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 503-986-0900.

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# 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

### Applicant

NAME SHAWN BINGAMAN		PHONE (HM)	
PHONE (WK) 541-786-1056	CELL	FAX	
ADDRESS PO Box 143			
CITY IMBLER	STATE OR	ZIP 97841	E-MAIL* msbingaman@gmail.com

### 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:
1N	39E	34	SWSE	1500	Mixed Farm-Forest	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Mixed Farm-Forest
1N	39E	34	SESE	1500	Mixed Farm-Forest	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Mixed Farm-Forest
1S	39E	2	SWNW	0900	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU
1S	39E	3	NWNE	0900	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU
1S	39E	3	NENE	0900	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU
1S	39E	3	SENE	0900	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU
1S	39E	3	SWNE	0900	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU
1S	39E	3	SESE	1000	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	EFU
1S	39E	3	NESE	1000	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	EFU

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

Union 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 Groundwater Registration Modification  
 Limited Water Use License   
 Allocation of Conserved Water   
 Exchange of Water

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

Estimated quantity of water needed: 1.70     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:

The applicant is applying for a permit to use groundwater for the property described in Table A, this property is currently Dry-farmed. The source of water is an Existing well located on a property to the south also owned by the applicant.

## 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): UCZ 150 See. 2.02

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:	
		<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
	<b>RECEIVED</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>MAR 04 2024</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>OWRD</b>	<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.

NAME <u>Stacy Warren</u>	TITLE: <u>Associate Planner</u>
SIGNATURE <u>Stacy Warren</u>	PHONE: <u>541-963-1014</u>
GOVERNMENT ENTITY <u>Union County Planning Department</u>	DATE: <u>February 15, 2024</u>

**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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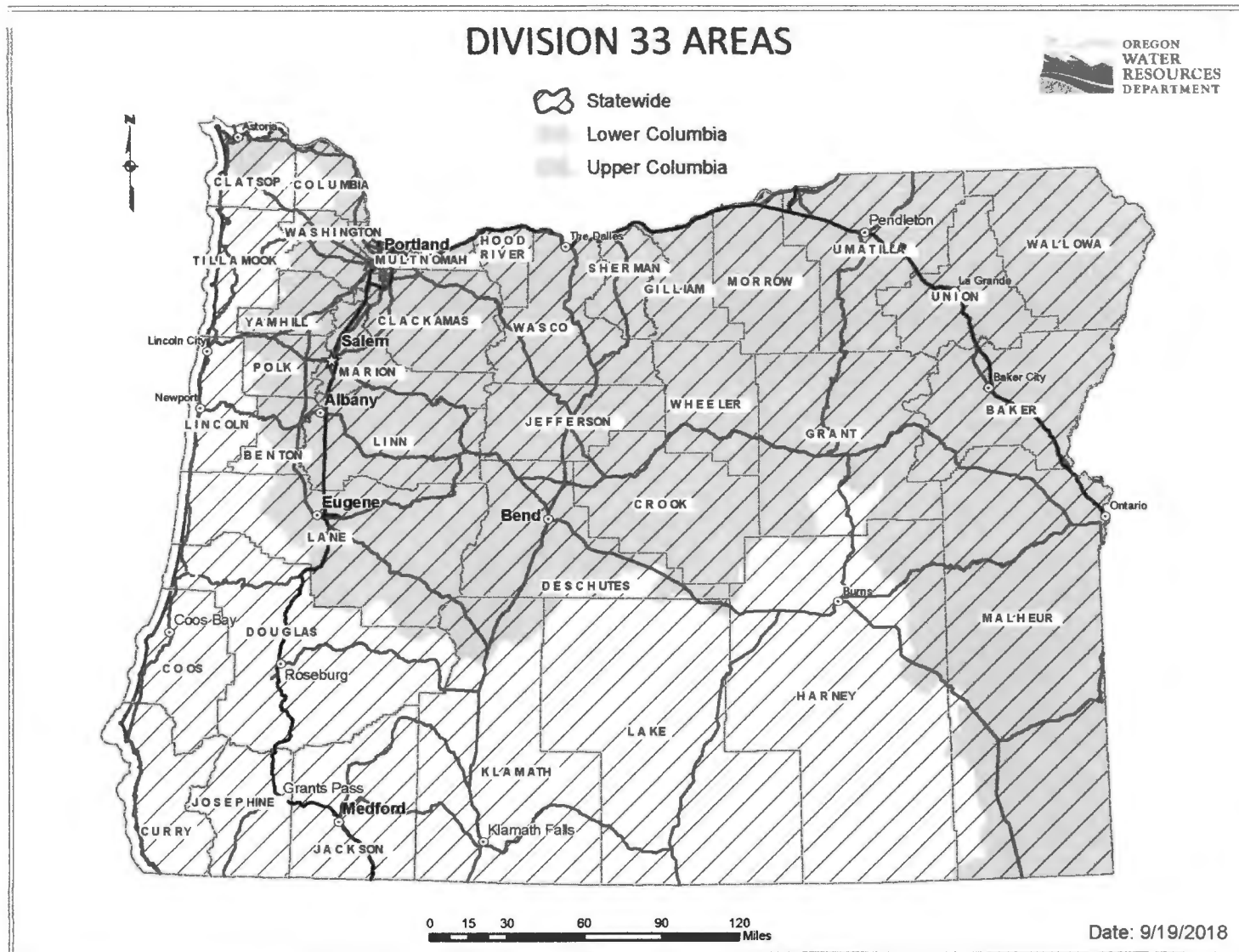
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Figure 1: Map of Division 33 Areas



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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 Division 33 rules apply: [https://apps.wrd.state.or.us/apps/misc/lkp\\_trsqq\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/)



23-36916D

After recording return to:  
Eastern Oregon Title, Inc.  
1601 Adams Avenue  
La Grande, Oregon 97850

Until a change is requested all tax  
statements shall be sent to the following  
address:

Matthew Shawn Bingaman  
P.O. Box 143  
Imbler, OR 97841

UNION COUNTY, OR	20230796
Pgs= 3	
\$100.00	04/26/2023 09:13:02 AM
I, Lisa Feik, County Clerk for Union County, Oregon certify that the instrument identified herein was recorded in the Co. Clerk's records.	
	
Lisa Feik, Union County Clerk	

### STATUTORY WARRANTY DEED

Ponderosa Fiduciary Services, LLC, Trustee of The Janice K. Kilbourn Survivor's Trust under the Stanley F. and Janice K. Kilbourn Family Trust dated April 25, 1989, as to an undivided 1/2 interest; and Ponderosa Fiduciary Services, LLC, Trustee of The Stanley F. Kilbourn Bypass Trust under the Stanley F. and Janice K. Kilbourn Family Trust dated April 25, 1989, as to an undivided 1/2 interest, Grantor, conveys and warrants to Matthew Shawn Bingaman, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

**SEE EXHIBIT "A" ATTACHED HERETO FOR DETAILED LEGAL DESCRIPTION**

**This property is free from liens and encumbrances, EXCEPT:**

Those of record

"BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010."

The true consideration for this conveyance is \$639,930.00. (Here comply with requirements of ORS 93.030)

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Dated this 24th day of April, 2023.

Ponderosa Fiduciary Services, LLC

*Kate Chandler*, Member

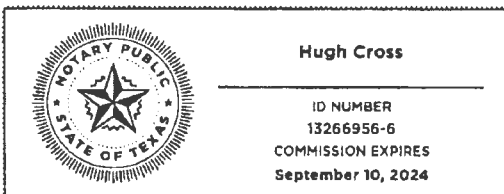
By: Kate Chandler, Member of Ponderosa Fiduciary Services, LLC, Trustee of the Janice K. Kilbourn Survivor's Trust, Trustee of the Stanley F. and Janice K. Kilbourn Family Trust dated April 25, 1989, and Trustee of the Stanley F. Kilbourn Bypass Trust, Trustee of the Stanley F. and Janice K. Kilbourn Family Trust dated April 25, 1989

STATE OF Texas )  
 )ss.  
COUNTY OF Bell )

Signed or attested before me on this 24th day of April, 2023 by Kate Chandler, Member of Ponderosa Fiduciary Services, LLC, Trustee of the Janice K. Kilbourn Survivor's Trust, Trustee of the Stanley F. and Janice K. Kilbourn Family Trust dated April 25, 1989, and Trustee of the Stanley F. Kilbourn Bypass Trust, Trustee of the Stanley F. and Janice K. Kilbourn Family Trust dated April 25, 1989.

*Hugh Cross*

Notary Public for the State of Texas  
My commission expires: 09/10/2024



Notarized online using audio-video communication

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**EXHIBIT "A"**

**TRACT "A":**

IN TOWNSHIP 1 SOUTH, RANGE 39 EAST OF THE WILLAMETTE MERIDIAN, UNION COUNTY, OREGON:

**Section 2:** The Southwest quarter of Northeast quarter; the South half of Northwest quarter; the North half of Southwest quarter and the Northwest quarter of Southeast quarter.

**Section 3:** The North half of the Northeast quarter and the Northeast quarter of the Northwest quarter;

ALSO the South half of the Northeast quarter and all that part of the Southeast quarter of the Northwest quarter lying North and East of the Grande Ronde River;

EXCEPTING THEREFROM all that portion lying East of the Grande Ronde River and South and West of the center of the channel of a spring branch or gulch that intersects the South line of the Southeast quarter of the Northeast quarter of said Section 3, about 75 rods, more or less West of the Southeast corner of the Northeast quarter of said Section 3 and runs thence in a Northwesterly direction to its junction with the Grande Ronde River;

ALSO EXCEPTING THEREFROM that portion included in deed to the State of Oregon, by and through its State Highway Commission, recorded February 14, 1961, deed records of Union County, Oregon.

(01S39-900; Ref. Nos. 11079, 11359, 11370, 14469 and 14497)

This legal description was created prior to January 1, 2008.

**TRACT "B":**

IN TOWNSHIP 1 NORTH, RANGE 39 EAST OF THE WILLAMETTE MERIDIAN, UNION COUNTY, OREGON:

**Section 34:** The South half of the Southeast quarter; EXCEPTING THEREFROM THE FOLLOWING:

All that portion of the Southwest quarter of the Southeast quarter of said Section 34 which lies West of the right-of-way of the Oregon-Washington Railroad and Navigation Company right-of-way;

ALSO EXCEPTING the North two rods of the said South half of the Southeast quarter;

ALSO EXCEPTING all that portion included in deed to the State of Oregon, by and through its State Highway Commission, recorded February 14, 1961, in Book 144, page 336, deed records of Union County, Oregon.

(01N3934-1500; Ref. No. 14262)

This legal description was created prior to January 1, 2008.

described as follows, to-wit:

Attachment 4 - page 4 of 5

The southwest quarter of southeast quarter and the south half of southwest quarter of Section 2; the north half of north half of northwest quarter of Section 11; the southeast quarter of Section 3, and that part of the east half of southwest quarter of Section 3 lying easterly of the center of the channel of Grande Ronde River; all that part of the northwest quarter of northeast quarter and of the northeast quarter of northwest quarter of Section 10 lying easterly of the center of the channel of Grande Ronde River and north and west of the County Road; and all that part of the southeast quarter of northwest quarter and of the south half of northeast quarter of Section 3 lying east of the center of the channel of Grande Ronde River and south and west of the center of the channel of a spring branch or gulch that intersects the south line of said southeast quarter of northeast quarter of Section 3 about 75 rods west of the southeast corner of said northeast quarter, and runs thence in a Northwesterly direction to the junction of Grande Ronde River;

SUBJECT TO EASEMENTS for roads, utilities and ditches as same now exist or appear of record.

All being in Township 1 South, Range 39 East of the Willamette Meridian, and situate in Union County, Oregon.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

The true and actual consideration for this transfer, stated in dollars, is \$80,000.00.

Dated this 2 day of <sup>August</sup> ~~July~~, 1991.

*Robert B. Lee*

ROBERT B. LEE

STATE OF OREGON, County of Union ) ss.

Personally appeared the above named ROBERT B. LEE and acknowledged the foregoing instrument to be his voluntary act and deed. Before me: 2, 1991.

*Cheryl K. Hager*  
Notary Public for Oregon  
My Commission Expires: 3-30-92



After Recording Return To:  
~~M. Shawn Bingaman~~ *Patty*  
~~P.O. Box 129 143~~ *Bingaman*  
Imbler, OR 97841 *PO Box 509*  
*Imbler*

Send Tax Statements To:  
M. Shawn Bingaman  
P. O. Box 129 143  
Imbler, OR 97841

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STATE OF OREGON

County of Union

} SS

I certify that this instrument was received and recorded in the book of records of said county.

R. NELLIE BOGUE HIBBERT,  
Union County Clerk

by: *R. Nelson* Deputy.

DOC#: 20024984  
RCPT: 50847 27.00  
8/30/2002 2:02 PM  
REFUND: .00

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

UNIO 52461

WELL I.D. LABEL# L 112279
START CARD # 1021552
ORIGINAL LOG #

6/18/2014

(1) LAND OWNER Owner Well I.D.
First Name SHAWN Last Name BINGAMAN
Company
Address PO BOX 143
City IMBLER State OR Zip 97841

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

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

(3) DRILL METHOD
[X] Rotary Air [X] Rotary Mud [ ] Cable [ ] Auger [ ] Cable Mud
[ ] Reverse Rotary [ ] Other

(4) PROPOSED USE [ ] Domestic [X] Irrigation [ ] Community
[ ] Industrial/ Commercial [ ] Livestock [ ] Dewatering
[ ] Thermal [ ] Injection [ ] Other

(5) BORE HOLE CONSTRUCTION Special Standard [ ] (Attach copy)
Depth of Completed Well 1036.00 ft.

Table with columns: Dia, From, To, Material, SEAL From, To, Amt, lbs. Rows include Cement with 0, 60, 75 S.

How was seal placed: Method [ ] A [ ] B [X] C [ ] D [ ] E
[ ] Other

Backfill placed from ft. to ft. Material

Filter pack from ft. to ft. Material Size

Explosives used: [ ] Yes Type Amount

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

(6) CASING/LINER
Casing Liner Dia + From To Gauge Stl Plstc Wld Thrd
Shoe [X] Inside [ ] Outside [ ] Other Location of shoe(s) 998
Temp casing [ ] Yes Dia From To

(7) PERFORATIONS/SCREENS
Perforations Method
Screens Type spiral wound Material ss
Perf/ Casing/ Screen Screen Liner Dia From To Scrn/slot Slot # of Tele/
Screen Liner 12 518 538 .06 length slots pipe size
Screen Liner 12 938 978 .06

(8) WELL TESTS: Minimum testing time is 1 hour
[ ] Pump [ ] Bailer [X] Air [ ] Flowing Artesian
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)
1200 600 4
1200 300 3
500 200

Temperature 68 °F Lab analysis [ ] Yes By

Table for water quality concerns: From To Description Amount Units

(9) LOCATION OF WELL (legal description)
County UNIO Twp 1.00 S N/S Range 39.00 E E/W WM
Sec 3 SE 1/4 of the SE 1/4 Tax Lot 1000
Tax Map Number Lot
Lat " or DMS or DD
Long " or DMS or DD
[ ] Street address of well [X] Nearest address

RHINEHART LANE
IMBLER, OR 97841

(10) STATIC WATER LEVEL
Date SWL(psi) + SWL(ft)
Existing Well / Pre-Alteration
Completed Well 6/11/2014 12
Flowing Artesian? [ ] Dry Hole? [ ]

Table for WATER BEARING ZONES: SWL Date From To Est Flow SWL(psi) + SWL(ft). Row: 11/14/2013 448 1036 1200 12

(11) WELL LOG
Ground Elevation
Material From To
Soil 0 2
Brown Wet Clay 2 10
Brown Dry Clay 10 40
Black Basalt w/trace Gray & Red Basalt 40 90
Black Basalt/Gray Basalt 90 134
Black Basalt 134 162
Black Basalt w/Brown and Red Basalt 162 180
Black Basalt w/Brown Sandstone 180 254
Brown Sandstone w/Brown Claystone 254 440
Brown Sandstone w/Blue/Green Claystone 440 448
Brown Sandstone/Brown Claystone 448 521
Gray Claystone 521 532
Gray Claystone w/Brown Sandstone 532 598
Brown Sandstone 598 931
Brown Claystone w/Brown Sandstone 931 985
Brown Sandstone w/Brown & Green Claystone 985 1036

Date Started 10/31/2013 Complete 6/11/2014

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

License Number Date

Signed

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1881 Date 6/18/2014

Signed GARRY L ZOLLMAN (E-filed)

Contact Info (optional) Garry Zollman

6/18/2014

(2a) PRE-ALTERATION

Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd

Material	From	To	Amt	sacks/lbs

(5) BORE HOLE CONSTRUCTION

BORE HOLE				SEAL				sacks/
Dia	From	To	Material	From	To	Amt	lbs	

FILTER PACK			
From	To	Material	Size

(6) CASING/LINER

Casing Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd

(7) PERFORATIONS/SCREENS

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

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)

Water Quality Concerns

From	To	Description	Amount	Units

(10) STATIC WATER LEVEL

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)

(11) WELL LOG

Material	From	To

Comments/Remarks

Water Right Permit G-16532  
Approval G-17110