

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 LUKE FORTIER		PHONE (HM)	
PHONE (WK)	CELL 541-990-4934		FAX
MAILING ADDRESS 33140 Hwy 34 SE			
CITY ALBANY	STATE OR	ZIP 97322	E-MAIL* LUKE@GETYOURGRUBONSUBWAY.COM

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

AGENT / BUSINESS NAME GSI WATER SOLUTIONS, INC. ATTN: MIKAELA CLARKE		PHONE 971-200-8501	FAX
MAILING ADDRESS 650 NE HOLLADAY STREET, SUITE 900			CELL
CITY PORTLAND	STATE OR	ZIP 97232	E-MAIL* MCLARKE@GSIWS.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 (we) affirm that the information contained in this application is true and accurate.

A handwritten signature in black ink, appearing to read "Luke Fortier".

Applicant Signature

Luke Fortier, Landowner

Print Name and Title if applicable

9/30/24

Date

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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.

- ☒ 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.

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 Attachment B for the legal description of the property.

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 2 (LINN 63786)	OAK CREEK	0.60 MI	71 FT
WELL 4	OAK CREEK	0.33 MI	18 FT

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 well log for LINN 63786 is provided in Attachment D.

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SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 0.19 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 2	☐	☒	LINN 63786	☐	CASING: 6" LINER: 4.5"	C: +1-99' L: 0-285'	205-285'	0-40 80-99	68' 12/21/202 1	SAND AND GRAVEL	285'	85 GPM PER WELL, NOT TO EXCEED A TOTAL OF 85 GPM	137.5 AF PER WELL, NOT TO EXCEED A TOTAL OF 137.5 AF
WELL 4 ¹	☒	☐	N/A	☐	6" (EST.)	+1-285' (EST.)	205-285' (EST.)	0-40' 80-99 (EST.)	65' (EST.)	SAND AND GRAVEL	285' (EST.)		

* 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.

¹Well 4 construction details estimated based off LINN 63786 well log.

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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_trsqq_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:

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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

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	Irrigation season (March 1 through October 31)	Up to 92.3 AF
Storage in a reservoir for multiple purposes including aesthetics and wildlife use	November 1 through February 28	Up to 45.2 AF

For irrigation use only:

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

Primary: **61.84** Acres

Supplemental: **N/A** Acres

Nursery Use: **N/A** Acres

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

N/A

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: **92.3 AF**

- If the use is **municipal or quasi-municipal**, attach **Form M N/A**
- If the use is **domestic**, indicate the number of households: **N/A** (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*): **N/A**

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): **Water will be pumped from Well 2 (LINN 63786) and Well 4 using 5 HP submersible pumps with Variable Frequency Drives.**
- ☐ 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 pumped from Well 2 (LINN 63786) and Well 4 and conveyed to the irrigated place of use and storage reservoir via mainline. (An application to store water in the proposed reservoir will be filed with the Department).**

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*)

The place of use will be irrigated using drip irrigation and wheel line sprinklers. N/A for storage.

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 Applicant plans to only irrigate when necessary to promote ideal plant production, and will measure the amount of water appropriated if required by the Department. No discharge of contaminated water to surface water bodies, damage to aquatic life and riparian habitat, or adverse effects to public uses of surface water are anticipated.

SECTION 7: PROJECT SCHEDULE

- Date construction will begin: **Within 5 years of permit issuance**
- Date construction will be completed: **Within 5 years of permit issuance**
- Date beneficial water use will begin: **Within 5 years of permit issuance**

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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 applied only when necessary for crop production to prevent erosion and run-off.**

N/A 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 is 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. **N/A**

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*).

The Applicant is requesting to use groundwater at a total rate of up to 0.19 cfs from Well 2 (LINN 63786) and Well 4 for irrigation of 61.84 acres and storage in a pond for multiple purposes including aesthetics and wildlife use. The Applicant will file an Application for a Permit to Store Water in a Reservoir under the alternate review process to store groundwater appropriated under this requested permit.

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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. **See 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. **See Attachment B**
- ☒ Fees - Amount enclosed: **\$3,410.00**
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- ☒ Map that includes the following items: **See Attachment C**
 - ☒ 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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Attachment A

Land Use Information Form

Application for Groundwater Permit – Luke Fortier

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Land Use Information Form



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

NOTE TO APPLICANTS

In order for your application to be processed by the Oregon Water Resources Department (OWRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be diverted, conveyed, used, and developed. The planning official may choose to complete the form while you wait or return the "Receipt Acknowledging Request for Land Use Information" to you. Applications received by OWRD without the Land Use Information Form, or the signed receipt, will be returned to you. **IMPORTANT:** Please note that while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for OWRD's acceptance of all other applications. Please be aware that your application cannot be approved without land use approval.

This form is **NOT** required if:

- 1) Water is to be diverted, conveyed, and used on federal lands only; **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.

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NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a new water right or modifying an existing water right. The Oregon Water Resources Department (OWRD) requires applicants to obtain land use information to ensure the water right does not result in land uses that are incompatible with your comprehensive plan. Please complete the form and return it to the applicant for inclusion in their application. **NOTE:** For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete the "Receipt Acknowledging Request for Land Use Information" and return it to the applicant.

You will receive notice via OWRD's weekly Public Notice once the applicant formally submits their request to OWRD. The notice will give more information about OWRD's water right process and provide additional comment opportunities. If you previously only completed the receipt for an application for a new permit to use or store water, you will have 30 days from the Public Notice date to complete the Land Use Information Form and return it to OWRD. Your attention to this request for information is greatly appreciated. If you have questions concerning this form, please contact OWRD's Customer Service Group at 503-986-0900 or WRD_DL_customerservice@water.oregon.gov.

Land Use Information Form



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

NAME Luke Fortier			PHONE 541-990-4934		
MAILING ADDRESS 33140 Hwy 34 SE					
CITY Albany		STATE OR	ZIP 97322	EMAIL LUKE@GETYOURGRUBONSUBWAY.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:
12 S	2 W	17	SE NW, NE SW, SE SW	200	EFU	☒ Diverted ☒ Conveyed ☒ Used	Irrigation & Storage
12 S	2 W	20	NE NW	200, 100		☐ Diverted ☐ Conveyed ☒ Used	Irrigation

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

Linn County

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: **0.19** ☒ 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 **Storage**

Briefly describe:

The Applicant is requesting to use groundwater at a rate of up to 0.19 cfs from two wells for irrigation of 61.84 acres, and for storage in a pond. The locations of the wells, pond, and irrigation place of use are listed above and shown on the attached map.

Note to applicant: For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department.

See Page 4 →

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Last Revised: 10/2023

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 use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): LCC 928.310(B)(1)

☐ Land uses to be served by the proposed water use(s), including proposed construction, involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being Pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

Local governments are invited to express special land use concerns or make recommendations to the Oregon Water Resources Department regarding this proposed use of water in the box below or on a separate sheet.

Name: Alyssa Boles Title: Planning Manager
 Signature: Alyssa Boles Date: 9/4/24
 Governmental Entity: Linn County Phone: 541-967-3816

Receipt Acknowledging Request for Land Use Information

Note to Local Government Representative:

Please complete this form and return it to the applicant. **For new water right applications only**, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for all other applications.

Applicant Name: _____

Staff Name: _____ Title: _____

Staff Signature: _____ Date: _____

Governmental Entity: _____ Phone: _____

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Attachment B

Legal Description

Application for Groundwater Permit – Luke Fortier



LINN COUNTY, OREGON		2020-07418
D-WD		
Stn=43 K. PETERSON	04/20/2020 12:11:00 PM	
\$10.00 \$11.00 \$10.00 \$60.00 \$19.00	\$110.00	
I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.		
Steve Druckenmiller - County Clerk		

After recording return to:
Lucas L. Fortier and Elena Fortier
33140 Highway 34
Albany, OR 97322

Until a change is requested all tax statements shall be sent to the following address:
Lucas L. Fortier and Elena Fortier
33140 Highway 34
Albany, OR 97322
File No. 343507AM

STATUTORY WARRANTY DEED

Linda M. Bishop; James and Loretta Freitag, as tenants by the entirety; and Lee Roy Freitag; each as their interest appear of record, all as tenants in common,

Grantor(s), hereby convey and warrant to

Lucas L. Fortier and Elena Fortier, as Tenants by the Entirety,

Grantee(s), the following described real property in the County of Linn and State of Oregon free of encumbrances except as specifically set forth herein:

Parcel 1:

Beginning 13.95 chains West of the Northeast corner of the C. Brooks Donation Land Claim No. 76, in Township 12 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; thence West 15.48 chains; thence South 27.83 chains (refer to County Survey No. 27 for the Northwest corner of Donation Land Claim No. 76); thence East 3.58 chains; thence South 23.57 chains; thence West 88/100 chains; thence South 3.32 chains; thence West 2.70 chains; thence South 3.5 chains; thence East 15.48 chains; thence North 60.12 chains to the point of beginning.

ALSO the following: Beginning South 17.92 chains from the Northeast corner of said Donation Land Claim No. 76, in Linn County, Oregon; thence North 20 feet; thence West 13.95 chains; thence South 20 feet; thence East 13.95 chains to the point of beginning.

Parcel 2:

The South part of the following, lying in Section 20, Township 12 South, Range 2 West of the Willamette Meridian, Linn County, Oregon:

Beginning 13.95 chains West of the Northeast corner of the Donation Land Claim of Caleb Brooks, Claim No. 76, in Township 12 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; thence West 15.48 chains to the Burkhardt Land; thence South 29.50 chains; thence East 3.58 chains; thence South 23.57 chains; thence West 88/100 chains; thence South 3.32 chains; thence West 2.70 chains; thence South 7.25 chains to the Northeast corner of a tract of land purchased from Mary Burkhardt; thence West 3.75 chains; thence South 9'47" West 16.70 chains to the Southwest corner of said tract; thence West 13.41 chains to the West line of said Donation Land Claim No. 76; thence South 48.80 chains to the Southwest corner of said Donation Land Claim No. 76; thence East 28.75 chains to the land of Wincken; thence North 55 chains to a point 72.75 chains South of the North line of said Donation Land Claim; thence East 7.40 chains; thence North 72.75 chains to the point of beginning.

ALSO to following:

Beginning 17.92 chain south of the Northeast corner of the aforesaid; thence North 20 feet; thence West 13.95 chains; thence South 20 feet; thence East 13.95 chains to the point of beginning, in Linn County, Oregon.

The true and actual consideration for this conveyance is \$1,000,000.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

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Salem OR

Attachment C

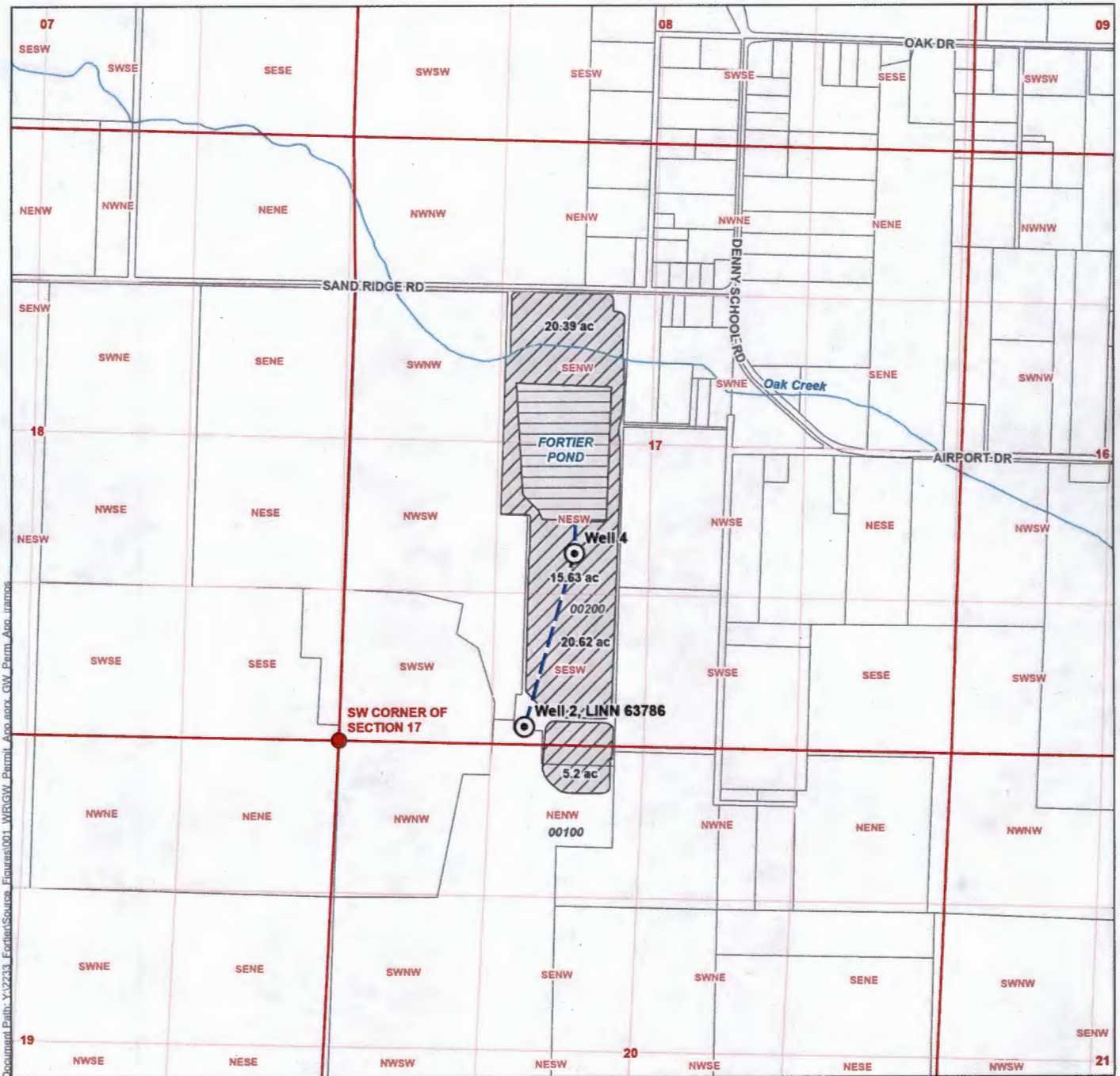
Application Map

Application for Groundwater Permit – Luke Fortier

Received by OWRD

SEP 10 2024

Salem, OR



LEGEND

- ⊙ Proposed Point of Appropriation (POA)
- Conveyance Line
- ▨ Place of Use (POU) – Irrigation, 61.84 ac.
- ▭ Place of Use (POU) – Storage (Fortier Pond), 20.05 ac.
- All Other Features
- Tax Lot
- ~ Major Road
- ~ Watercourse

LOCATION DESCRIPTION

Well 2, LINN 63786

Located 110 feet North and 1,605 feet East from the SW corner of Section 17, Township 12 South, Range 2 West (W.M.)

Well 4

Located 1,600 feet North and 1,995 feet East from the SW corner of Section 17, Township 12 South, Range 2 West (W.M.)

Application for a Permit to Use Groundwater for Irrigation and Storage Luke Fortier

Linn County

Township 12 South, Range 2 West (W.M.)

Received by OWRD

SEP 10 2024

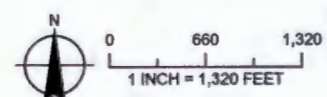
Salem, OR

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: August 30, 2024

Data Sources: BLM, ESRI, OWRD, USGS



Received by OWRD
SEP 10 2024
Salem, OR

Attachment D

LINN 63786 (Well 2) Well Log

Application for Groundwater Permit – Luke Fortier



Via electronic mail to wrddl_customerservice@water.oregon.gov

September 4, 2024

Katie Ratcliffe
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

Re: Application for a Permit to Use Groundwater on behalf of Luke Fortier

Dear Katie,

GSI Water Solutions, Inc. (GSI) is submitting the enclosed application on behalf of Luke Fortier for a permit to use groundwater. The applicant is requesting a permit to appropriate up to 0.19 cfs from two wells (Well 2 (LINN 63786) and Well 4) for irrigation of 61.84 acres and for storage in a reservoir for multiple purposes including aesthetics and wildlife use. The Applicant will also file an application under the Alternate Review process for a permit to store groundwater appropriated under this requested permit in a reservoir.

The permit application fee will be mailed to OWRD after we receive the temporary number for this application. The fee was calculated as follows:

Groundwater Base Fee	\$1,570
Rate fee of \$410 per each CFS or fraction thereof (0.19 cfs)	\$410
Number of proposed uses (2) (\$410 for each additional use)	\$410
Number of proposed points of appropriation (2) (\$410 for each additional POA)	\$410
Permit Recording Fee	\$610
Total	\$3,410.00

If you have any questions regarding this application, please contact me at mclarke@gsiws.com.

Sincerely,

A handwritten signature in black ink that reads "Mikaela Clarke".

Mikaela Clarke
Water Resources Analyst

Enclosure: Application for a Permit to Use Groundwater and attachments

Received by OWRD
SEP 10 2024
Salem, OR



Received by OWRD

SEP 10 2024

Salem, OR

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Luke Fortier

33140 Hwy 34 SE Albany OR 97322

Transaction Type: Groundwater App

Fees Received: \$ 3410.00

☐ Cash

☒ Check:

Check No. 1347

Name(s) on Check: Elf Holdings

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: Corie Corrien

(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.

Molly Monroe

From: Molly Monroe
Sent: Monday, September 9, 2024 11:20 AM
To: Molly Monroe
Subject: FW: Application for a Permit to Use Groundwater on behalf of Luke Fortier

From: REECE Nick A * WRD <Nick.A.REECE@water.oregon.gov>
Sent: Friday, September 6, 2024 2:11 PM
To: Mikaela Clarke <mclarke@gsiws.com>; WRD_DL_customerservice <WRD_DL_customerservice@water.oregon.gov>
Cc: Kim Grigsby <kgrigsby@gsiws.com>; Kyle Gorman <kgorman@gsiws.com>; Zach Pike-Urlacher <zpikeurlacher@gsiws.com>
Subject: RE: Application for a Permit to Use Groundwater on behalf of Luke Fortier

Hello,

OWRD has received and accepted the Groundwater e-application for **Luke Fortier**. The temporary application number is: **NR-20**

Please print this email and include a copy of it when mailing in the payment. The fees due for this application are: **\$ 2800** (If opting to include recording fee: **\$3410**)

A copy of the fee calculator is included for your reference:

Base Application Fee.		\$1,570.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	0.19	\$410.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	2	\$410.00
Number of proposed groundwater points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	2	\$410.00
Subtotal:		\$2,800.00
Permit Recording Fee. ***		\$610.00
* the 1st Water Use is included in the base cost. ** the 1st groundwater point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$3,410.00

Thank you,

Nick Reece
Public Service Representative 4
725 Summer Street NE, Suite A, Salem, OR 97301 | Phone: 503-986-0810



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: Mikaela Clarke <mclarke@gsiws.com>
Sent: Wednesday, September 4, 2024 5:16 PM
To: WRD_DL_customerservice <wrd_dl_customerservice@water.oregon.gov>
Cc: Kim Grigsby <kgrigsby@gsiws.com>; Kyle Gorman <kgorman@gsiws.com>; Zach Pike-Urlacher <zpikeurlacher@gsiws.com>
Subject: Application for a Permit to Use Groundwater on behalf of Luke Fortier

Hello,

GSI Water Solutions, Inc. is electronically submitting the attached application to use groundwater on behalf of Luke Fortier. The permit application fee of \$3,410.00 will be mailed to OWRD after we receive the temporary number for this application.

Please let us know if you have any questions.

Thank you,
Mikaela

Mikaela Clarke
Water Resources Analyst
direct: 971.200.8501; mobile: 971.212.0276
650 NE Holladay Street, Suite 900, Portland, OR 97232
GSI Water Solutions, Inc. | www.gsiws.com
pronouns: she/her