

# 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>Ivan Barsukoff</b>			PHONE (HM)
PHONE (WK)	CELL <b>503 989 7289</b>	FAX	
MAILING ADDRESS <b>4634 S. Timber Trail Dr</b>			
CITY <b>Woodburn</b>	STATE <b>OR</b>	ZIP <b>97071</b>	E-MAIL* <b>Fetinbars@Netscape.net</b>

### Organization

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

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.)

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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.

Ivan Barsukoff      Ivan Barsukoff      9/26/24  
Applicant Signature      Print Name and Title if applicable      Date

\_\_\_\_\_  
Applicant Signature      Print Name and Title if applicable      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.
- 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).*

**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.

**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	pudding river	N/A	

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).*

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**SECTION 3: WELL DEVELOPMENT, continued**

Total maximum rate requested: 300 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)
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	8"					Lower Columbia	280'	250-300	
	<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"/>									
	<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.

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

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

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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

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**

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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	May - September	100

**For irrigation use only:**

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

Primary: 40 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: 100

- 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

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### A. Diversion and Conveyance

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

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- Pump (give horsepower and type): **30 hp Berkley**
- Other means (describe):

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Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

### 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*)

**hand line sprinklers - then convert possibly to drip**

### 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*).

**Irrigate the necessary areas to prevent damage.**

## SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: **after issue of permit**
- b) Date construction will be completed: **after issue of permit**
- c) Date beneficial water use will begin: **after issue of permit**

## 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. **possibly convert to dripline to avoid runoff**

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

- 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:

**Area is all flat**

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

**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. *None*

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*).

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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.
- Fees - Amount 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:
  - 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  
[www.oregon.gov/OWRD](http://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.

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This form is **NOT** required if:

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- 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.

## 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](mailto: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 <i>Ivan Barsukoff</i>		PHONE <i>503 989 7289</i>
MAILING ADDRESS <i>4634 S. Timbertrail Dr</i>		
CITY <i>Woodburn</i>	STATE <i>OR</i>	ZIP <i>97071</i>
EMAIL <i>Fetinbars@Netscape.net</i>		

### 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:
<i>05S</i>	<i>01W</i>	<i>14</i>		<i>900</i>	<i>AG (EFU)</i>	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<i>Farming</i>
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

*Clackamas 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: *250-300*  
 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:

*Farm use - production of crops*

**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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## For Local Government Use Only

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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): 200 401

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:	
		<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 Oregon Water Resources Department regarding this proposed use of water in the box below or on a separate sheet.

Farm use, including production of crops, is an outright permitted use in the subject property's underlying EFU zone.

Name: Taylor Camp Title: Senior Planner

Signature: [Signature] Date: 9/25/2024

Governmental Entity: Clackamas County Phone: 503 742 4512

**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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Clackamas County Official Records Catherine McMullen, County Clerk	<b>2024-013244</b> 04/17/2024 10:13:02 AM
D-D                      Cnt=1 Stn=75 BRAD \$25.00 \$16.00 \$10.00 \$62.00	<b>\$113.00</b>



FIRST AMERICAN 4152274

After recording return to:  
Ivan Barsukoff  
4634 S Timber Trail Dr.  
Woodburn, OR 97071-8719

Until a change is requested all tax  
statements shall be sent to the  
following address:  
Ivan Barsukoff  
4634 S Timber Trail Dr.  
Woodburn, OR 97071-8719

File No.: 7081-4152274 (DL)  
Date: April 11, 2024

**STATUTORY WARRANTY DEED**

**Pamela Kay Williams and Susan Irene Lowrie, as tenants in common of an undivided one-half interest each, Grantor, conveys and warrants to Ivan Barsukoff and Evdokia Barsukoff, as tenants by the entirety, and Fetina Barsukoff, all not as tenants in common, but with the rights of survivorship, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:**

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

**Subject to:**

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$760,000.00**. (Here comply with requirements of ORS 93.030)

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**Exhibit "A"**

Real property in the County of Clackamas, State of Oregon, described as follows:

Beginning at the S. W. corner of the D.L.C. of William Elliott and Nancy Elliott, his wife, Claim No. 45, Not. No. 872, Cert. No. 1429, in Clackamas County, Oregon; thence Northerly along the W. line of said D. L. C. 6.125 chains; thence Easterly to a point in the division line between the East and West halves of said D. L. C. 6.125 chains North of the South line of said D.L.C.; measured along said division line; thence Southerly along said division line to the said South line; thence Westerly along said South line to the place of beginning, containing 40 acres, more or less, all in Clackamas County, Oregon.

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

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LEGEND

- Found Monument as noted, flush with ground surface and in good condition unless otherwise noted
- Set 3/8" x 30" Iron Rod with Yellow Plastic Cap Marked "AZMUTH SURVEYING"
- ( ) Date of Record
- | | Data Computed from one or more Record Sources as noted
- | ] Surveyor, File Number for survey in which monument probably originated
- I.P. = Iron Pipe
- I.R. = Iron Rod
- - - Wire Fence unless otherwise noted
- PLAT NO. 237 = WOODBURN ORCHARD COMPANY TRACTS RECORDED BY D.W. TAYLOR IN 1906
- PLAT NO. 0390 = PLAT "C" of WOODBURN ORCHARD COMPANY TRACTS RECORDED BY H.C. TILLMAN IN 1914
- 2015-075387 = Document No. 2015-075387
- 2005-078190 = Document No. 2005-078190
- 97-087998 = Document No. 97-087998

SCALE: 1" = 200'

BOUNDARY SURVEY

FOR JAY BURKERT

LOTS 10, 11, 21, 22 OF WOODBURN ORCHARD COMPANY TRACTS

AND THE ADDITIONAL TRACTS IN THE SW 1/4 OF SECTION 13, AND THE NW 1/4 AND NE 1/4 OF SECTION 14, T. 5 S., R. 1 W., W.M. CLACKAMAS COUNTY, OREGON. MONUMENTS SET: FEBRUARY 09, 2023

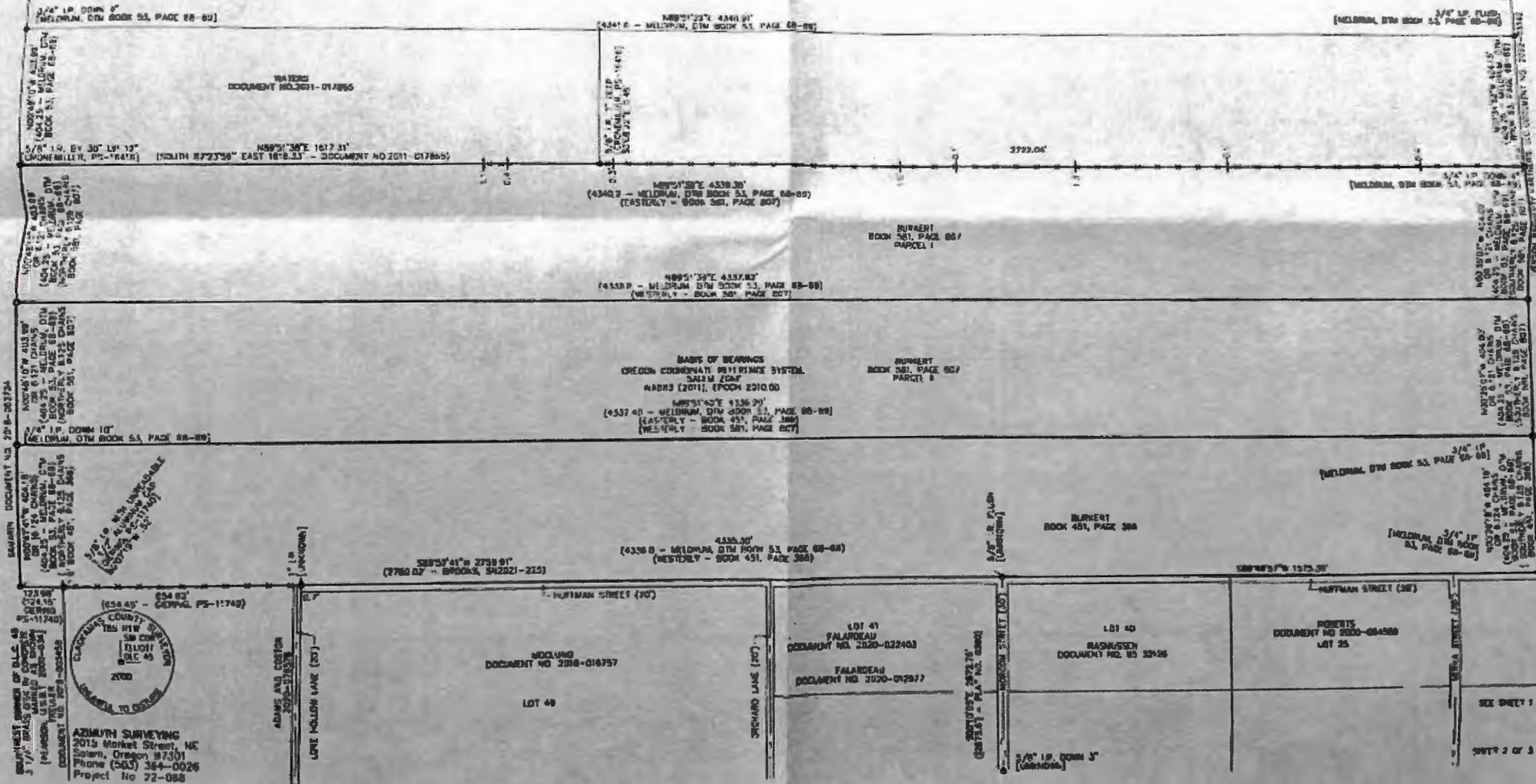
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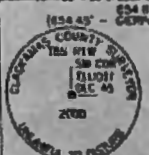
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NOTE: SEE NARRATIVE ON SHEET 3 DISTANCE FOR FENCE OFFSETS INDICATE THE DIRECTION THE FENCE IS FROM THE LINE.

REGISTERED PROFESSIONAL LAND SURVEYOR  
 James S. Hepler  
 Oregon  
 2015 No. 2451  
 EXPIRES 4-30-25



SOUTHWEST CORNER OF B.L.C. 48 5 1/2" BRASS MARKED AS SHOWN (WALSH, USLEY 2000-034) DOCUMENT NO. 97-022429



AZMUTH SURVEYING  
 2015 Market Street, NE  
 Salem, Oregon 97301  
 Phone (503) 384-0026  
 Project No 72-088

# BOUNDARY SURVEY

FOR

## JAY BURKERT

LOTS 10,11,21,22 OF WOODBURN ORCHARD COMPANY TRACTS  
AND THE ADDITIONAL TRACTS

THE SW 1/4 OF SECTION 13, AND THE NW 1/4 AND NE 1/4 OF SECTION 14, T. 5 S., R. 1 W., W.M.  
CLACKAMAS COUNTY, OREGON  
MONUMENTS SET: FEBRUARY 09, 2023

### NARRATIVE

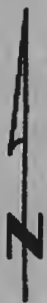
This survey was made to prove a well-reasoned professional opinion as to the correct location of the corners of the lands described in Book 451, Page 366, Book 551, Page 581, and Parcels I and II of Book 581, Page 807. Although they share a common owner and are near each other, there are two distinct circumstances that control the interpretation of the legal descriptions in these deeds. Two of these are located within half of a donation land claim. The other one is made up of lots in a subdivision and fractions of lots that remain after conveyances to others.

The tracts of land described in Book 451, Page 366, and Parcels I and II of Book 581, Page 807 are located within the west half of the Elliot Donation Land Claim. These tracts are described as strips of land parallel to the south line of the claim but controlled by the distances on the east and west ends. These properties and their north adjoiner were first surveyed by DT Meldrum. His survey is found in his filed book, DTM 53, Pages 68 and 69. Meldrum's survey matches the deed and whether original survey or first survey does not really matter as his work was well within the standard of practice for the time. For the donation land claim lines, the division, and the north line of Parcel I, I have accepted all monuments as having been carefully placed and certainly not beyond mere technical error. There are two exceptions: The monument by Cronemiller (see PS 16416) intended to be on the north line of Parcel I, is not. Cronemiller did not have adequate control for the location of the line when it was and is available. Similarly, Ciering's monument (see PS-11/40) near the southwest corner of the Elliot Donation Land Claim falls off of the line to a degree that is beyond mere technical error, and where ample monumentation existed and exists today to place it more correctly. For these two exceptions, I have noted the position of the monuments relative to the line. Where Meldrum's monuments were missing, I attempted to match Meldrum's measurement by proportioning the measurement differences.

Book 551, Page 581 describes four lots in Woodburn Orchard Company Tracts (Plat No. 237). Two of the lots have been altered by conveyances of portions of the lots to others, which are not reflected in the deed. The plat calls for monuments at the boundary corners, but only references "appropriate monuments at each corner" in the Surveyor's Certificate. For plats of this era, it seems common that this refers to the corners of the land, but not the lots. There are open circles at the boundary corners, some of which are labeled as monuments. Although otherwise unexplained monuments are found throughout the plat, they seem to be of a type that was not commonly used in 1909. Therefore, I take the view that the verifiable original monuments that have been found are at the southeast corner and the northeast corner, both of which have been correctly perpetuated in subsequent surveys. The other monuments found and accepted are either from subsequent surveys that have been filed, subsequent surveys that have not been filed, or, if my view is incorrect, set by the original surveyor. Whichever the case, the measurements to the monuments that have been accepted are consistent with the record measurements of the plat within a level of precision that is well within the expected precision of the original plat survey. Where monuments were not found, the small measurement error was distributed proportionately. Within Meridian Road, the plat centerline is shown and used to identify the location of the lots.

For the fractional parts of Lots 10 and 11, a latent ambiguity is noted. The deeds locate the west lines of the parts that have been conveyed to others based on the west line of Meridian Road. Most prior surveys indicate a width of 40 feet. County Road information indicates a 50-foot width. In addition, the county road alignment differs from the plat alignment. There may be an error in the County Road survey. The County Road file indicates that the road followed the route of an existing road. However, near the north end of the part retraced in this survey, the County survey departs from the traveled way. Because prior surveys show the right-of-width as 40 feet, it seems most likely that whoever wrote those descriptions was acting on the basis of published surveys rather than the more obscure Road file information. In addition, the fences, although not an exact match, are nearer the location based on surveys. Therefore, I have accepted the line indicated in PS-8411, which also matches closely with the plotted road location. On the basis of the foregoing, monuments were set at corners where none were found.

### LEGEND



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- = Set 5/8"X30" Iron Rod with Yellow Plastic Cap Marked "AZIMUTH SURVEYING"
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REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*James S. Hepler*

OREGON  
JULY 25, 1880  
JAMES S. HEPLER  
2451

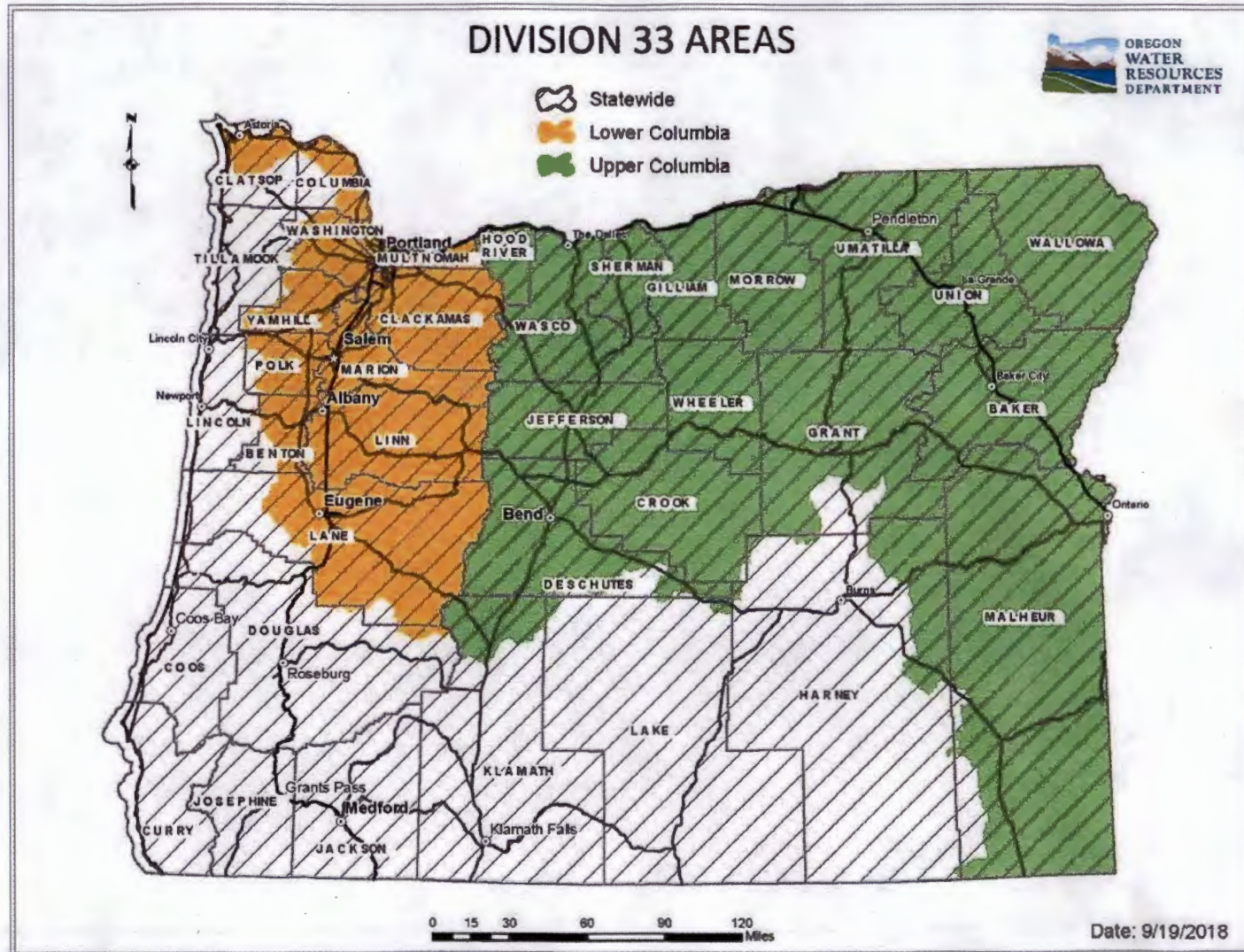
EXPIRES: 6-30-23

### NOTE:

DISTANCE FOR FENCE OFFSETS INDICATES  
THE DIRECTION THE FENCE IS FROM THE LINE.

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



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Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Ivan Barsukoff 4634 S. Timber Trail Dr.  
Woodburn OR 97071

Transaction Type: GW App

Fees Received: \$ 2590<sup>00</sup>

Cash  Check; Check No. 3254

Name(s) on Check: Ivan Barsukoff

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: Nick Reese  
(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.

Well • 1030 Feet South 300 Feet west of NE Section Corner

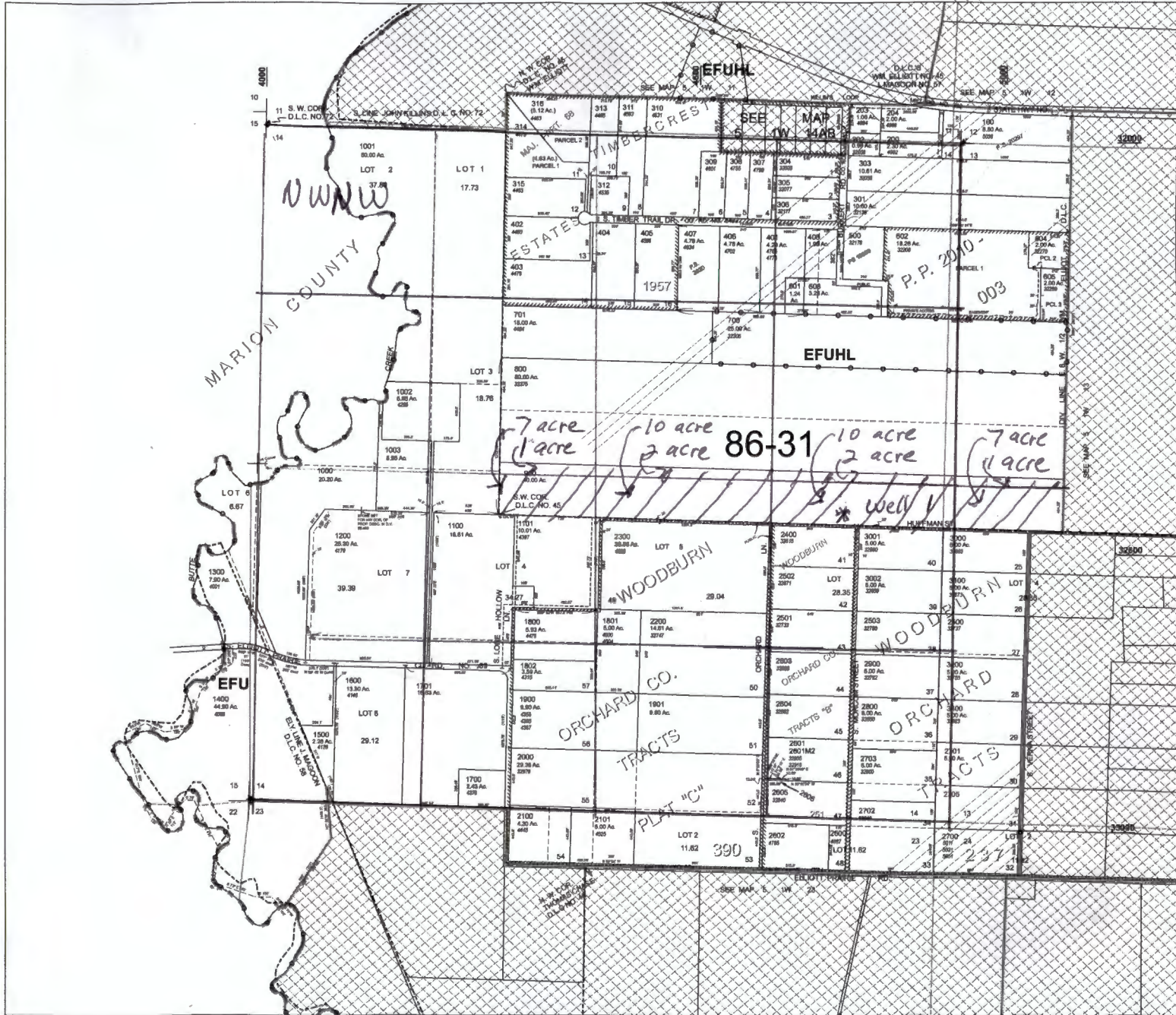
5 1W 14

SEC. 14 T.5S. R.1W. W. M.  
CLACKAMAS COUNTY

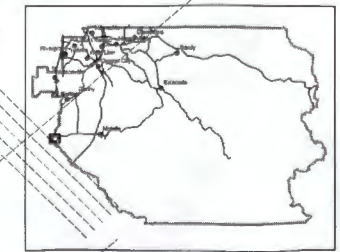
D.L.C. 8  
WM. ELLIOTT NO. 45  
J. MAGOON NO. 57

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Salem, OR

Cancelled  
300  
300  
600  
2704  
201  
302  
400  
2200T1  
205  
1490  
501  
304E1  
2601M1



- Parcel Boundary
- - - Private Road ROW
- - - Historical Boundary
- - - Railroad Centerline
- Tax Code Lines
- Map Index
- Water Lines
- Land Use Zoning
- Plats
- Water
- ⊙ Corner
- Section Corner
- 1/16th Line
- Govt Lot Line
- - - DLC Line
- - - Meander Line
- - - PLS' Section Line
- ⊙ Historic Corridor 407
- ⊙ Historic Corridor 207



THIS MAP IS FOR ASSESSMENT PURPOSES ONLY

5 1W 14

Print Date: 1/22/2024