

Received by OWRD

DEC 05 2024

Salem, OR

Application for a Permit to Use

Surface Water



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 Charles Edward Wyant III		PHONE (HM) 503-871-4272	
PHONE (WK)	CELL	FAX	
MAILING ADDRESS PO Box 397			
CITY Dallas	STATE OR	ZIP 97338	E-MAIL * akwyant@aol.com

Organization

NAME W-96, LLC		PHONE 503-871-4272	
MAILING ADDRESS PO Box 397		CELL	
CITY Dallas	STATE OR	ZIP 97338	E-MAIL *

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

AGENT / BUSINESS NAME Jeffrey Wyant		PHONE 503-428-8466	
MAILING ADDRESS 5882 Aspen Way NE		CELL	
CITY Salem	STATE OR	ZIP 97317	E-MAIL *

Note: Attach multiple copies as needed

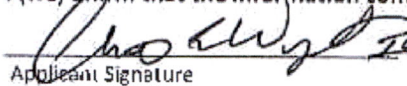
* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

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 legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive 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 receive water to which they are entitled.

I (we) affirm that the information contained in this application is true and accurate



 Charles Edward Wyant III Nov. 21, 2024
 Applicant Signature Print Name and Title if applicable Date

 Applicant Signature Print Name and Title if applicable Date

For Department Use: App. Number: _____

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: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: R 89390	Tributary to: Luckiamute River
TRSQQ of POD: 9S5W13 NWNW	
Source 2:	Tributary to:
TRSQQ of POD:	

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

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B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in Section 3A above?

- Yes. No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

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

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

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.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of diversion (POD) 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 T,R,S,QQ or the Lat/Long of a POD 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 POD is located, please call the customer service desk at (503) 986-0900.

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

Is the POD 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.

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If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon 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 POD located in an area where the Lower Columbia rules apply?

Yes No

If yes, you are notified that 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, provide the following information (the information must be provided with the application to be considered complete).

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

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

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

Yes No

If yes, 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 1: N/A

Section 2: N/A

Section 3: N/A

Section 4: N/A

Section 5: N/A

Section 6:

- A. Diversion and Conveyance
 - a. Pump HP and type
- B. Application Method
 - a. 3" hand-line irrigation
- C. Conservation
 - a. The water is needed to irrigate pasture for livestock feed and/or hay growth.
 - b. Any surface flow off the irrigated pasture flows back into the off-channel reservoir from which the irrigation water is being used.

Section 7: N/A

Section 8:

- a) 1/1/25
- b) 1/31/25
- c) 4/1/25

Section 9: N/A

Section 10: N/A

For the Map:

Irrigation Acres

PLSS Township Section QQ	Acres
9S5W11 SESE	2
9S5W12 SWSW	10
9S5W12 SESW	3
9S5W14 NENE	15
9S5W13 NWNW	40
9S5W13 NENW	10
9S5W14 SENE	20

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9S5W13 SWNW	40
9S5W13 SENW	10
TOTAL	150

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*The subject property contains wetlands identified on the National Wetlands Inventory (NWI) Map. According to the Polk County Significant Resource Areas (SRA) Map, the wetlands are not associated with inventoried fish bearing streams. However, this serves as notification to the property owners of the presence of wetlands on the property. Any development within this inventoried wetland areas may require permits from the Oregon Department of State Lands (DSL) and Oregon Department of Fish and Wildlife (ODFW).

*A portion of the subject property is located within the regulated floodplain. Any structural or non-structural development within the floodplain such as mining, dredging, excavating, filling, etc. would require a land use permit pursuant to Polk County Zoning Ordinance (PCZO) 178.060.

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SECTION 5: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
R 89390	Pasture Irrigation	April - October	19 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated.
 Primary: 150 Acres Supplemental: 0 Acres Nursery Use: 0 Acres
 If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s):
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: _____

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households:
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

SECTION 6: WATER MANAGEMENT

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A. Diversion and Conveyance

What equipment will you use to pump water from your source?

- Pump (give horsepower and type):
- Other means (describe):

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)

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 public uses of affected surface waters.

Superseded

SECTION 5: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
R 89390	19.0	April-October	<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated.
Primary: 150 Acres Supplemental: 0 Acres Nursery Use: 0 Acres

If supplemental acres are listed, provide 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: 19

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households:
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

- Pump (give horsepower and type):
 Other means (describe):

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)

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 public uses of affected surface waters.

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SECTION 7: RESOURCE PROTECTION

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

- Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.
Describe planned actions:
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.
Describe planned actions and additional permits required for project implementation:
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe planned actions and additional permits required for project implementation:
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions:
- List other federal and state permits or contracts to be obtained, if a water right permit is granted.

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin:
- b) Date construction will be completed:
- c) Date beneficial water use will begin:

SECTION 9: WITHIN A DISTRICT

- Check here if the point of diversion or place of use are located within or are 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).

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Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266503-986-0900
www.oregon.gov/OWRD

OWRD

Form with fields for NAME (Charles Wyant III), PHONE (HM) (503-871-4272), ADDRESS (PO Box 397), CITY (Dallas), STATE OR, ZIP (97338), and E-MAIL* (wyantce@aol.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.

Table with 8 columns: Township, Range, Section, 1/4, Tax Lot #, Plan Designation, Water to be: (Diverted, Conveyed, Used), Proposed Land Use. Includes handwritten entries for 9S, 5W, 14, NWNW, 100, 9, 5, 12, 501.

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

Text box containing the word 'Polk'.

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 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 wildlife

Briefly describe:

Text box containing 'obtain water right for existing pond'

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

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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): PCZO 136.030(A) "Farm use"
- 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
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

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*see attached notes

Name: Michael Burns Title: Associate Planner
 Signature: Michael Burns Phone: (503) 623-9237 Date: 7/27/2023
 Government Entity: Polk County Community Development

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: Received by OWRD
 Signature: _____ Phone: _____ Date: _____

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Salem, OR

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

Attachment 2: Land Use Information Form

Received by OWRD

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Salem, OR

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.

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.

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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

NAME Charles E Wyant III			PHONE 503 871 4272	
MAILING ADDRESS P.O. Box 397				
CITY Dallas	STATE OR	ZIP 97338	EMAIL akwyant@aol.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	X X	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
9S	5W	15 14	NWNW	100		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	irrigation
						<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:

Polk

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: 19.0 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:

Irrigation for pasture for livestock feed and/or hay growth

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

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): PC20 136-030(A)

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.

Name: Eric Knudson Title: Senior Planner

Signature: [Signature] Date: 12/2/24

Governmental Entity: Polk County Phone: 503-623-9237

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: _____

APN: 218726

Statutory Warranty Deed
- continued

File No.: 7081-4011353 (80)

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Polk, State of Oregon, described as follows:

PARCEL I:

BEGINNING AT THE NORTHWEST CORNER OF THE HENRY HELMICK DONATION LAND CLAIM NO. 41 IN TOWNSHIP 9 SOUTH, RANGE 5 WEST OF THE WILLAMETTE MERIDIAN, IN POLK COUNTY, OREGON; THENCE NORTH 4.35 CHAINS; THENCE WEST 16.54 CHAINS; THENCE SOUTH 14.91 CHAINS; THENCE WEST 18.43 CHAINS; THENCE SOUTH 31.21 CHAINS TO THE SOUTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO HAROLD E. MCKAY, ET UX, BY DEED RECORDED JULY 31, 1959, IN DEED BOOK 171, PAGE 417, RECORDS OF POLK COUNTY, OREGON, SAID POINT ALSO BEING ON THE NORTH LINE OF THAT TRACT OF LAND CONVEYED TO HAROLD E. MCKAY, ET UX, AS PARCEL FOUR BY DEED RECORDED OCTOBER 9, 1953, IN DEED BOOK 152, PAGE 77, RECORDS OF POLK COUNTY, OREGON; THENCE EAST ALONG SAID NORTH LINE OF MCKAY TRACT 34.74 CHAINS TO THE WEST LINE OF SAID HELMICK DONATION LAND CLAIM; THENCE NORTH ALONG SAID WEST LINE 41.73 CHAINS TO THE PLACE OF BEGINNING.

PARCEL II:

BEGINNING AT THE MOST SOUTHERLY SOUTHWEST CORNER OF THE JAMES E. ELKINS DONATION LAND CLAIM NO. 44 IN TOWNSHIP 9 SOUTH, RANGE 5 WEST OF THE WILLAMETTE MERIDIAN IN POLK COUNTY, OREGON; THENCE SOUTH 0° 30' WEST 14.91 CHAINS; THENCE SOUTH 89° 30' WEST 12.51 CHAINS; THENCE NORTH 14.91 CHAINS TO A POINT WEST OF THE PLACE OF BEGINNING; THENCE EAST 12.51 CHAINS TO THE PLACE OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS ACROSS THAT CERTAIN REAL PROPERTY MORE PARTICULARLY DESCRIBED IN BOOK 133 PAGE 78, BOOK OF RECORDS, POLK COUNTY, OREGON.

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

LOVRIEN Corie L * WRD

From: Jeffrey Wyant <wyant.jeffrey@gmail.com>
Sent: Monday, December 2, 2024 1:42 PM
To: LOVRIEN Corie L * WRD
Subject: Re: New Water Right application
Attachments: Land Use Form 2024.PDF

Follow Up Flag: Follow up
Flag Status: Completed

Hello again,

I hadn't realized that the Land Use Form was out of date. Here's an updated one. Also for the Pump, it's a Sigma 4" PTO-driven pump. I'm not sure how I missed that. It's tractor driven and has a maximum flow of 300 gpm.

Thanks again for the help.
Jeff

On Mon, Nov 25, 2024 at 2:13 PM LOVRIEN Corie L * WRD <corie.l.lovrien@water.oregon.gov> wrote:

Hi Jeffrey,

Thanks for contacting OWRD. I forwarded your application materials to a colleague for a secondary review, and it looks like the land use form is out of date. To be accepted, the date on the land use form needs to be within one year of application submission. It looks like it expired in July of this year. Additionally, on the supplemental sheet for section 6, did you mean to include the pump type and horsepower? It appears to be left blank. Let me know if you have any questions.

Take care,

Corie

Corie Lovrien

Customer Service Representative

Water Right Services Division

725 Summer Street NE Ste A

Salem, Oregon 97301

(503) 986-0801



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

NOTE: The Salem office is now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8 a.m. - 5 p.m. every day. The Salem office of OWRD is closed for customer service drop-ins from Noon – 1pm. **Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members.** Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

From: Jeffrey Wyant <wyant.jeffrey@gmail.com>
Sent: Monday, November 25, 2024 1:43 PM
To: LOVRIEN Corie L * WRD <corie.l.lovrien@water.oregon.gov>
Subject: Re: New Water Right application

Good afternoon,

Thanks for getting back to me. This should be everything you listed out. I look forward to hearing back from you soon.

Jeff

On Thu, Nov 21, 2024 at 1:44 PM LOVRIEN Corie L * WRD <corie.l.lovrien@water.oregon.gov> wrote:

Hi Jeffrey,

The Water Resources Department has received your online application for a permit to use surface water. At this time, however, we are unable to accept your application because the minimum filing requirements have not