

# 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 Marcus Delint			PHONE (HM) 541-786-3300
PHONE (WK)	CELL		FAX
MAILING ADDRESS 64154 Case Rd			
CITY Cove	STATE OR	ZIP 97824	E-MAIL*

### 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 Jeffrey Hsu - Bagett, Griffith and Blackman			PHONE 541-963-6092	FAX
MAILING ADDRESS 2006 Adams Ave.			CELL	
CITY La Grande	STATE OR	ZIP 97850	E-MAIL* jeff@bgbsurveyors.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.)

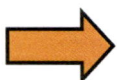
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**By my signature below I confirm that I understand:**

- 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.**

	Marcus W. de Lint	Dec Feb 4 2025
Applicant Signature	Print Name and Title if applicable	Date

Applicant Signature

Print Name and Title if applicable

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).*

ROBERT AND LENA KUCHLER  
63661 WOODSELL LN  
LA GRANDE, OR 97850  
OWNERS OF TAX LOTS 9301 AND 9302. APPLICANT LEASES LAND FOR AGRICULTURE.

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**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
Well#1	Willow Creek		

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).*

Proposed well utilizes information from Well Log UNIO 173, located approximately a quarter mile to the Southeast of proposed Well #1

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### SECTION 3: WELL DEVELOPMENT, continued

**Total maximum rate requested:** 2.68 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#1	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>						Basalt	1400 ft m/l	1200	941.1
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>						Received			
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>						FEB 18 2025			
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>						OWRD			
	<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.

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

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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/](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	March 1-October 31	941.1

**For irrigation use only:**

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

Primary: 313.7 Acres

Supplemental: 0 Acres

Nursery Use: 0 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: 941.1 af

- If the use is **municipal or quasi-municipal**, attach **Form M**
- 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): **125 hp Turbine**  
☐ 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) (*attach additional sheets if necessary*) **low volume pivots**

### 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*).

**One pivot can be 500 or 1000 gal/min depending how much water**

## SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: **2026-2027**  
b) Date construction will be completed: **within 1yr of start.**  
c) Date beneficial water use will begin: **after well is drilled**

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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: **always cover crop. Use correct amount of products only that is beneficial and the land will consider.**

- ☐ 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:

- ☐ 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.

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



Attachment 2: 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)

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## 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](mailto:WRD_DL_customerservice@water.oregon.gov).

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# Land Use Information Form



## Attachment 2: 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 Marcus Delint				PHONE 541-786-3300	
MAILING ADDRESS 64154 Case Rd					
CITY Cove		STATE OR	ZIP 97824	EMAIL	

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### A. Land and Location

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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:
1S	38E	35	NE	9303	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
1S	38E	35	NE	9300	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
1S	38E	26	SE	9301	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
1S	38E	26	SE	9302	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation

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

Union 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: 3.92    ☒ 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:

Proposed new basalt well to irrigate 313.7 acres m/l in the SE1/4 Section 26 and the NE 1/4 Section 35, T1SR38E
---

**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 →

## 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**

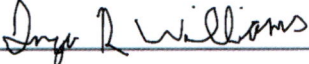
- ☒ Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Article 2.0 Exclusive Farm Use
- ☐ Land uses to be served by the proposed water use(s), including proposed 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.

None	<div style="color: blue; font-weight: bold; font-size: 1.2em;">Received</div> <div style="color: blue; font-weight: bold; font-size: 1.2em;">FEB 18 2025</div> <div style="color: blue; font-weight: bold; font-size: 1.2em;">OWRD</div>
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Name: Inga Williams Title: Planning Director

Signature:  Date: 2/4/2025

Governmental Entity: Union County Phone: 541-963-1014

### 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: \_\_\_\_\_

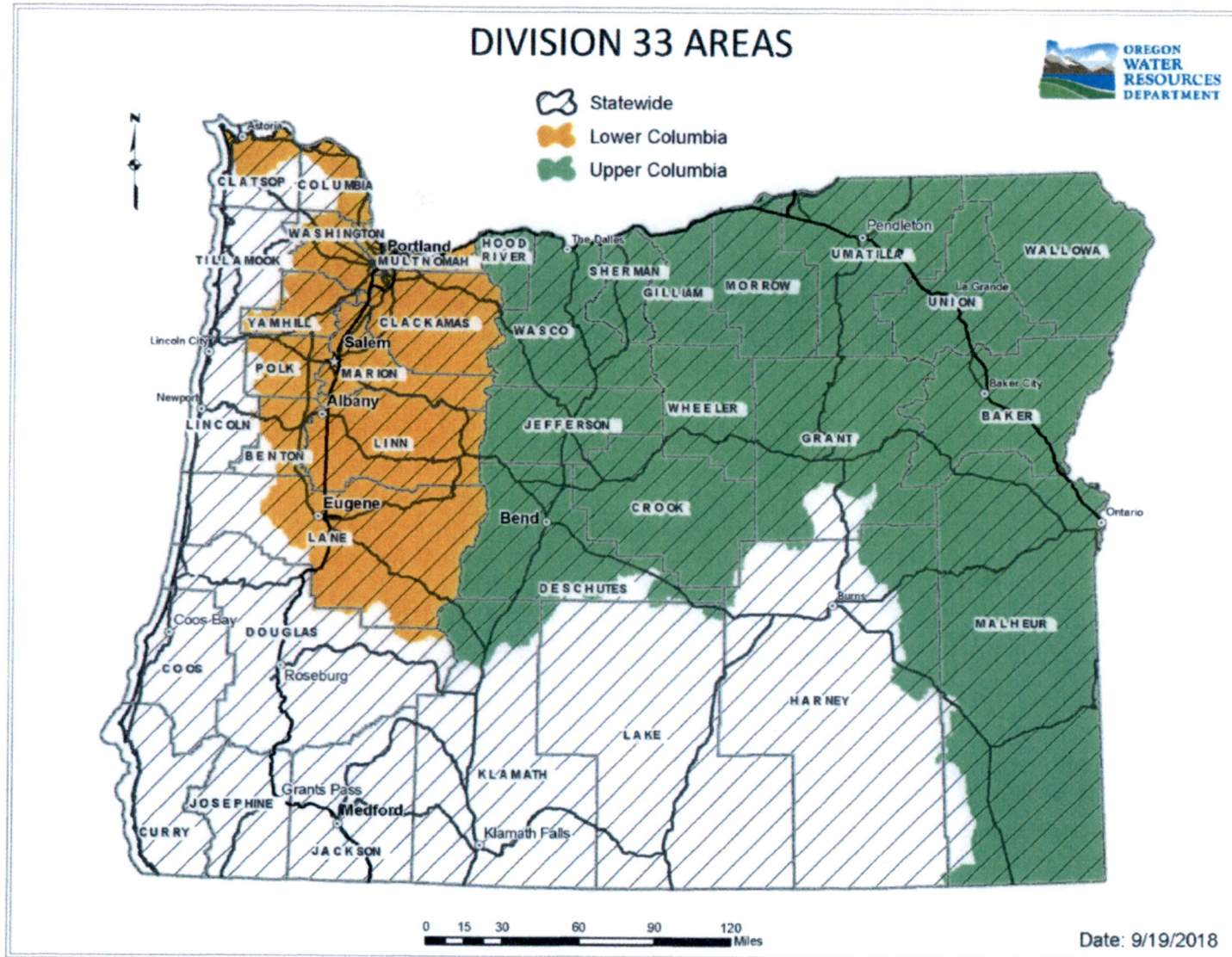
Staff Name: \_\_\_\_\_ Title: \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Governmental Entity: \_\_\_\_\_ Phone: \_\_\_\_\_



Figure 1: Map of Division 33 Areas



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For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the Division 33 rules apply: [https://apps.wrd.state.or.us/apps/misc/lkp\\_trsqq\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/)



2020

## FARM LEASE AGREEMENT

THIS LEASE AGREEMENT made and entered into this **1<sup>st</sup> day of October, 2020** by **Robert Kuchler** and **Lena Kuchler** hereinafter referred to as "Lessor" and **Marcus deLint** and **Cresta deLint** hereinafter referred to as "Lessee".

**WITNESSETH:** The Lesser hereby lets, demises and leases unto the Lessee the following described premises.

**Farm Number 1892 of township 1S Range 38E** Subject to easments for ditches and utilities as same may exist or appear of record on said premises SITUATE IN THE County of Union, State of Oregon.

Term; the Lessor does hereby lease to the Lessee the premises for a term commencing on October 1<sup>st</sup>, 2020 and ending five (1) year hence, at midnight on, September 30<sup>th</sup> 2025 to have and to hold said property on terms and conditions herein set forth.

The lessee has a 30 day option (other relatives) to purchase said property in the event that said property is for sale during the term of this lease. In the event of death of lessor, this lease shall terminate one year from the date of death of the lessor.

**RENT:** The lessee promises and agrees to pay as rent for said premises \$10,000 cash rent for 150 acres. Lessor will not be responsible for any share of fertilizer or chemical sprays or custom harvesting.

**USE OF THE PREMISES:** The premises shall be used for crop cultivation, and for no other purpose.

### **LESSEE'S OBLIGATION CONCERNING USE.**

1. All work necessary to carry out the terms of this agreement shall be done in a first class farmer-like manner and in proper season therefore, and all tools and equipment shall be furnished at Lessee's own expense, unless otherwise specified herein.
2. None of the land upon said premises shall be permitted to lie idle, uncultivated or in weeds.
3. Lessee shall do all things reasonably possible to grow crops, protect the land from erosion, to preserve and build up the fertility of the soil, and to maintain any easements that may be in existence at the time of execution of this lease.
4. Lessee shall do all things reasonably possible to maintain any water rights that may be in existence at the time of execution of this lease.
5. Lessee shall not suffer or commit waste to said premises, nor will he

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permit any nuisance to exist thereon, nor will he use said premises in any unlawful manner.

**CROP EXPENSES;** The lessee shall be responsible for cost and application of all fertilizer and chemical spray.

**F.S.A. PAYMENTS:** All U.S. Department of Agriculture, F.S.A. payments for the subject property, if any shall by law go to the Lessee.

**OBLIGATIONS OF LESSEE;** The lessee further covenants and agrees as follows:

1. Lessee shall pay the rent as herein above provided.
  2. The Lessee will deliver and surrender to the said Lessor the above premises at the end of the term hereby created, in as good order and condition as the same are now in, reasonable use and ordinary wear and tear thereof and damage by unavoidable casualties excepted, and the Lessee hereby agrees that no notice whatsoever shall be necessary to terminate this lease at the expiration of the term.
  3. That the Lessor shall not be obligated to pay the Lessee for any work or labor preformed on said premises, or otherwise, in connection with this lease, unless said work shall have been ordered by the lessor in writing; and unless be bound to pay more than the price agreed between the parties in writing before the work shall be done.
  4. The Lessee will order no material for repairs of improvements for which the lessee expects reimbursement from the lessor, with the written consent of Lessor and any material ordered without such consent shall be at the expense of Lessee.
  5. That Lessee will permit the Lessor, or their agents or representatives, to come upon the premises and to inspect the same at all reasonable times and at any intervals, and that the Lessor, their agents and representatives, shall never in any sense be trespassers on the premises.
  6. This lease shall not be assigned or sublet, either voluntarily or by operation of law, without the consent of the Lessor being first obtained.
  7. The Lessee shall not permit any lien to remain on file by any person performing any labor or work of any kind on said premises or on or about the products thereof, and no lien or right of lien shall exist as to the Lessor and Lessor interest in such property and the crops thereon.
  8. **INDEMNIFICATION;** Lessee shall indemnify and defend Lessor from any claim, loss or liability arising out of or related to any activity of Lessee on the lessor premises in the possession or under the control of the Lessee.
- INSURANCE:** Lessee shall procure and thereafter during the term of the

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A. Public liability and property damage insurance in a responsible company with limits of not less than \$100,000 for injury of one person, \$300,000 for injury to two or more persons in one occurrence, and \$100,000 for damage of property. Such insurance shall cover all risks arising directly or indirectly out of Lessee's activities on or any condition of the leased premises whether or not related to an occurrence caused or contributed to by Lessors negligence, and shall protect Lessor and lessee against claims of third persons. Certificates evidencing such insurance and bearing endorsements requiring 10 days' written notice to Lessor prior to any changes of cancellation shall be furnished to Lessor prior to Lessee's occupancy of the property.

QUIET ENJOYMENT: The lessor agrees that the lessee, doing and performing the several covenants herein made by him, may peaceably hold and occupy said premises during the term of this agreement without any interference or interruptions by the Lessor, or any persons claiming lawfully through them, except that the Lessor reserves the right to go upon said premises at any time and perform such work thereon as they may deem advisable, which does not prevent the Lessee from carrying out this agreement.

EXTENSIONS: No action of either of the parties hereto shall be constructed as an extension of time of this lease, nor will any extension of time be binding upon the parties hereto unless endorsed in writing here on and signed by both the Lessor and the Lessee; Except when a grass crop has been planted by Lessee, with a contract that will run longer than said lease; Lessee has the option to farm those acres until any such grass crop runs out.

NOTICE: It is specifically agreed that before the Lessor shall terminate this lease by reason of any breach of provision contained herein, that they will first give the Lessee written notice of such breach, and the Lessee shall have the right to cure such default for a period of thirty (30) days. At the expiration of that time, if such breach has not been cured, then said lease shall be fully terminated, with out further action being necessary on the part of the Lessor.

NON WAIVER: Waiver by either party of strict performance of any provision of this lease shall not be a waiver of or prejudice the party's right

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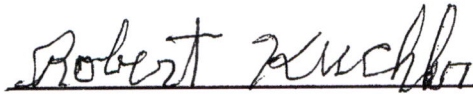
to require strict performance of the same provision in the future or of any other provision.

**ATTORNEY FEES:** In the event suit becomes necessary to enforce or construe any of the provisions of this agreement, the successful party shall be entitled to tax as cost a reasonable attorney's fee and all costs incurred.

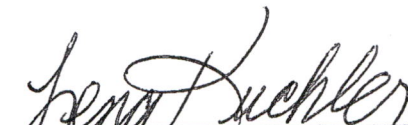
**LESSORS LIEN:** If Lessee shall default in his covenant to pay the rent provided for herein, and upon the occasion of Tenant's liability and promise to pay damages upon the occasion of the termination of this lease, as herein provided for, Landlord shall have a lien for such sums against the crops produced upon the premises and may enter the same and take possession of said crops and sell them at public or private sale, with or without notice to Tenant, and apply the proceeds thereof after deducting the expenses of said sale upon the monies due to Lessor.

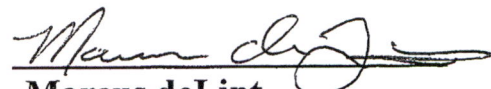
**LESSORS**

**LESSEES**

  
Robert Kuchler

  
Cresta deLint

  
Lena Kuchler

  
Marcus deLint

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Salem, OR

20090741

**WARRANTY DEED<sup>1</sup>**

ROBERT L. KUCHLER, Personal Representative of the Estate of Windsor Kuchler, Grantor, conveys and warrants to ROBERT L. KUCHLER and LENA M. KUCHLER, husband and wife, Grantees, the following described real property free of encumbrances except as specifically set forth herein situated in Union County, Oregon, to-wit:

**SEE ATTACHED EXHIBIT "A"**

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

The true consideration for this conveyance is inheritance value of \$ 432,500.00.

DATED this 3<sup>rd</sup> day of March, 2009.

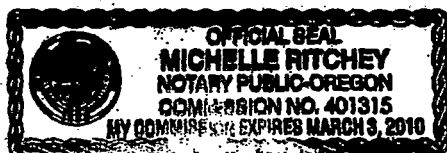
Robert L. Kuchler

Robert L. Kuchler,  
Personal Representative for the  
Estate of Windsor Kuchler

STATE OF OREGON )  
County of Union ) ss.

March 3, 2009.

This instrument was acknowledged before me by Robert L. Kuchler, Personal Representative for the Estate of Windsor Kuchler.



Michelle Ritchey  
Notary Public for Oregon  
My commission expires: 3-3-10

<sup>1</sup> Until a change is requested, all tax statements shall be sent to the following address:

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Salem, OR

**EXHIBIT "A"**  
**TO**  
**WARRANTY DEED**

The East 825 feet of the Southeast quarter of Section 26, Township 1 South, Range 38 East of the Willamette Meridian, Union County, Oregon.

The Southeast quarter of Section 26, Township 1 South, Range 38 East of the Willamette Meridian, Union County, Oregon EXCEPTING the East 825 feet thereof.

**SUBJECT TO THE FOLLOWING EXCEPTIONS:**

1. The assessment roll and the tax roll disclosed that the within described premises were specially assessed as farm land. If the land has become or becomes disqualified for the special assessment under the statute, an additional tax and interest may be levied for the years in which the land was subject to the special land use assessment.
2. Right-of-way for Union County Road No. 134 (Woodell Lane) across the Southside of this property.



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Salem, OR

RETURN TO: Mammen & Null Lawyers, LLC  
PO Box 477  
La Grande, OR 97850

TAXES TO: Marcus William DeLint  
64154 Case Road  
Cove, OR 97824

UNION COUNTY, OR

20213546

Pgs= 1

\$90.00

09/14/2021 02:57:01 PM

I, Robin Church, County Clerk for Union County, Oregon certify that the instrument identified herein was recorded in the Co. Clerk's records.

*R Church*

Robin Church, Union County Clerk

### PERSONAL REPRESENTATIVE'S DEED

CAROL JUDITH ORMOND, Personal Representative of THE ESTATE OF GENE ANTHONY NOLAND, DECEASED, Union County Circuit Court Probate No. 19PB09054, Grantor, conveys to MARCUS WILLIAM DELINT, Grantee, all right, title and interest in and to the following described real property, free of encumbrances by the Grantor except as specifically set forth herein:

The northeast quarter of Section 35, Township 1 South, Range 38 East of the Willamette Meridian.

SITUATE IN the County of Union, State of Oregon.

(01S38-9300; Ref. No. 10887 and 01S38-9303; Ref No. 16178)

The true and actual consideration for this conveyance is estate distribution.

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

Dated this 9<sup>th</sup> day of September, 2021.

THE ESTATE OF GENE ANTHONY NOLAND, DECEASED

By: Carol Judith Ormond  
Carol Judith Ormond, Personal Representative

STATE OF California )

) ss.

County of Alameda )

On September 9, 2021, before me personally appeared Carol Judith Ormond who, being duly sworn did say that she is the Personal Representative of the Estate of Gene Anthony Noland and that said instrument was signed in behalf of said estate; and she acknowledged said instrument to be her voluntary