

Na
E
Ad
G-19198
David L Baker
40105 Highway 20
Brothers OR 97712

Application No. **G- 19198**

Permit No. _____

Certificate No. _____

Date

DENIED _____

MISFILED _____

WITHDRAWN _____

CANCELLED _____

Volume | Page

FEES PAID

Date	Amount	Receipt No.
8-30-2021	\$2,590.00	136275
2-28-2025	480.00	144786
	Cert. Fee	

FEES REFUNDED

Date	Amount	Receipt No.

Priority 08-30-2021

County Deschutes WM# 11

RELATED FILES

DEVELOPMENT

Date

Completion _____

Extended to _____

Final Proof received _____

Proposed Cert. Mailed _____

ASSIGNMENTS

Date	To Whom	Address

REMARKS _____

MAP LOCATION _____

WR

On

ED MAIL

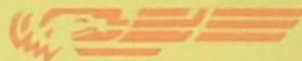
Summer St NE, Suite A
Salem, OR 97301-1266

ADDRESS SERVICE REQUESTED



9589 0710 5270 0208 3256 50

US POSTAGE PAID BY ADDRESSEE



ZIP 97301 \$ 009.64⁰
02 7W
0008029484 JAN 14 2025

NL V16

G-19198
Yreka Butte Enterprises LLC
David L. Baker
40105 Hwy 20
Brothers, OR 97712

Received
FEB 04 2025
OWRD

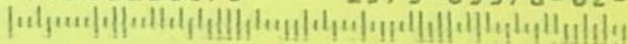
NIXIE 971 SE 1 0102/02/25

RETURN TO SENDER

~~UNCLAIMED~~
UNABLE TO FORWARD

UNC
97301>1266

BC: 97301126673 *1579-09978-02-19



STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **144786** 725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172 INVOICE # _____
(503) 986-0900 / (503) 986-0904 (fax)

RECEIVED FROM: Baker-Mason Hay, LLC APPLICATION G-19198
BY: David Baker or Evija Baker PERMIT _____
CASH: ☐ CHECK: ☒ 2939 OTHER: (IDENTIFY) _____ TRANSFER _____
TOTAL REC'D \$ 480.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS 41235
0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ _____
WATER RIGHTS: EXAM FEE RECORD FEE
0201 SURFACE WATER \$ 0202 \$ _____
0203 GROUND WATER \$ 0204 \$ _____
0205 TRANSFER \$ _____
WELL CONSTRUCTION EXAM FEE LICENSE FEE
0218 WELL DRILL CONSTRUCTOR \$ 0219 \$ _____
LANDOWNER'S PERMIT 0220 \$ _____
0223 OTHER (IDENTIFY) Protest \$ 480.00

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____
0210 MONITORING WELLS \$ _____ CARD# _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX RECEIVED

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **144786** DATED 2-28-2025 BY: LUCI MIN

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **144786** 725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172 INVOICE # _____
(503) 986-0900 / (503) 986-0904 (fax)

RECEIVED FROM: Baker-Mason Hay, LLC APPLICATION G-19198
BY: David Baker or Evija Baker PERMIT _____
CASH: ☐ CHECK: ☒ 2939 OTHER: (IDENTIFY) _____ TRANSFER _____
TOTAL REC'D \$ 480.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS 41235
0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ _____
WATER RIGHTS: EXAM FEE RECORD FEE
0201 SURFACE WATER \$ 0202 \$ _____
0203 GROUND WATER \$ 0204 \$ _____
0205 TRANSFER \$ _____
WELL CONSTRUCTION EXAM FEE LICENSE FEE
0218 WELL DRILL CONSTRUCTOR \$ 0219 \$ _____
LANDOWNER'S PERMIT 0220 \$ _____
0223 OTHER (IDENTIFY) Protest \$ 480.00

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____
0210 MONITORING WELLS \$ _____ CARD# _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX RECEIVED

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **144786** DATED 2-28-2025 BY: LUCI MIN

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Received by OWRD

FEB 28 2025

Salem, OR



CASCADE
GEOENGINEERING

21145 Scottsdale DR, Bend, Oregon 97701
360-907-4162 newtonjim@hotmail.com

February 27, 2025

TO:

Will Davidson, Protest Program Coordinator
Oregon Water Resources Department
725 Summer ST NE, Suite A
Salem, Oregon 97301

FROM:

Jim Newton, P.E., R.G., C.W.R.E.

ON BEHALF OF G-19198 PERMIT APPLICANT:

David L. Baker, Applicant & Registered Agent
Yreka Butte Enterprises, LLC, Applicant
40105 U.S. Hwy 20
Brothers, Oregon 97712
541-306-0319

**RE: WRITTEN PROTEST PETITION BY THE PERMIT APPLICANT HOLDER OF RECORD;
PERMIT APPLICATION PROPOSED FINAL ORDER TO DENY, PERMIT APPLICATION G-
19198; YREKA BUTTE ENTERPRISES, LLC; BROTHERS, OREGON**

Received by OWRD

FEB 28 2025

Salem, OR

February 27, 2025

David L. Baker

Yreka Butte Enterprises, LLC

40105 U.S. Hwy 20

Brothers, Oregon 97712

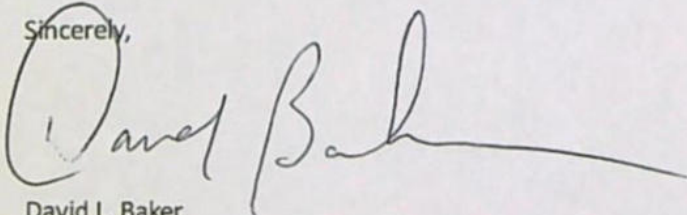
**APPLICANT PROTEST, PROPOSED FINAL ORDER TO DENY; OREGON WATER RESOURCES DEPARTMENT
PERMIT APPLICATION G-19198, YREKA BUTTE ENTERPRISES, LLC & DAVID L. BAKER; DESCHUTES
COUNTY, OREGON**

Dear Protest Coordinator:

The letter has been prepared to accompany a protest as the applicant for Oregon Water Resources Department (OWRD) permit application G-19198 Proposed Final Order to Deny (PFO), as the permit applicants David L. Baker and as the registered agent for Yreka Butte Enterprises, LLC (as registered with the Oregon Secretary of State) under registry 837186-93. The attached letter of protest has been prepared in association with Cascade Geoengineering, LLC (CGE) as an agent to represent and assist the applicants for OWRD permit application G-19198.

If you have questions regarding this letter and the enclosed protest, please feel free to contact me at the above address, or by telephone at 541-306-0319.

Sincerely,

A handwritten signature in black ink, appearing to read "David Baker", with a long horizontal flourish extending to the right.

David L. Baker

Yreka Butte Enterprises, LLC

February 27, 2025

Received by OWRD

FEB 28 2025

Salem, OR

David L. Baker

Yreka Butte Enterprises, LLC

40105 U.S. Hwy 20

Brothers, Oregon 97712

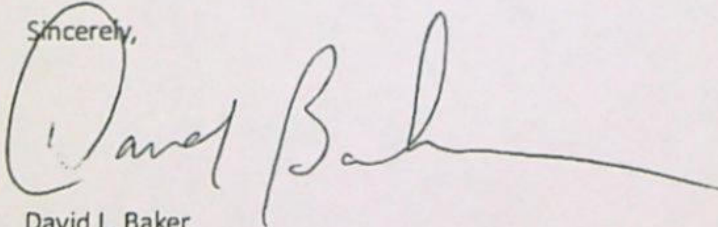
**APPLICANT PROTEST, PROPOSED FINAL ORDER TO DENY; OREGON WATER RESOURCES DEPARTMENT
PERMIT APPLICATION G-19198, YREKA BUTTE ENTERPRISES, LLC & DAVID L. BAKER; DESCHUTES
COUNTY, OREGON**

Dear Protest Coordinator:

The letter has been prepared to accompany a protest as the applicant for Oregon Water Resources Department (OWRD) permit application G-19198 Proposed Final Order to Deny (PFO), as the permit applicants David L. Baker and as the registered agent for Yreka Butte Enterprises, LLC (as registered with the Oregon Secretary of State) under registry 837186-93. The attached letter of protest has been prepared in association with Cascade Geoengineering, LLC (CGE) as an agent to represent and assist the applicants for OWRD permit application G-19198.

If you have questions regarding this letter and the enclosed protest, please feel free to contact me at the above address, or by telephone at 541-306-0319.

Sincerely,

A handwritten signature in black ink, appearing to read "David Baker", with a long horizontal flourish extending to the right.

David L. Baker

Yreka Butte Enterprises, LLC

Received by OWRD

FEB 28 2025

Salem, OR



CASCADE
GEOENGINEERING

21145 Scottsdale DR, Bend, Oregon 97701
360-907-4162 newtonjim@hotmail.com

February 27, 2025

TO:

Will Davidson, Protest Program Coordinator
Oregon Water Resources Department
725 Summer ST NE, Suite A
Salem, Oregon 97301

FROM:

Jim Newton, P.E., R.G., C.W.R.E.

ON BEHALF OF G-19198 PERMIT APPLICANT:

David L. Baker, Applicant & Registered Agent
Yreka Butte Enterprises, LLC, Applicant
40105 U.S. Hwy 20
Brothers, Oregon 97712
541-306-0319

**RE: WRITTEN PROTEST PETITION BY THE PERMIT APPLICANT HOLDER OF RECORD;
PERMIT APPLICATION PROPOSED FINAL ORDER TO DENY, PERMIT APPLICATION G-
19198; YREKA BUTTE ENTERPRISES, LLC; BROTHERS, OREGON**

FEB 28 2025

Salem, OR

Dear Mr. Davidson:

This protest petition letter has been prepared by Cascade Geoengineering, LLC (CGE) on behalf of the permit application holder of record, Yreka Butte Enterprises, LLC and David L. Baker (Applicants), to protest the Proposed Final Order (PFO) recommending denial of the Oregon Water Resources Department (OWRD) water right permit application G-19198. The PFO was signed and dated January 14, 2025 by Katherine Ratcliffe of the OWRD.

The required date for submittal of a protest of the PFO is noted in the PFO as February 28, 2025. This letter is timely and respectfully submitted to protest the PFO recommending denial of the OWRD water right permit application G-19198.

Based on the enclosed information, siting errors and deficiencies in the PFO that need correcting, the PFO should be re-issued recommending approval of the permit.

DESCRIPTION OF PFO ADVERSE AFFECT OR AGGRIEVE G-19198 PERMIT APPLICATION HOLDER

Application History

Initial Review [OAR 690-310-0070 and 690-310-0080]

1. Included in the Application History is the receipt date of the new permit application assigned file number G-19198 and a priority date of August 30, 2021. Based on the Completion Checklist for the file for G-19198, the completion review was completed on 9/2/2021 noting the application met the minimum completion standards. At this point, the OWRD checklist notes that further reviews are required, however, the checklist notes the permit application requested rate as 0.067 cfs [cubic feet per second], whereas, the application requested 0.67 cfs rate from the requested well (DESC-60049). Based on OARs 690-310-0070 and 690-310-0080 once the completion review is conducted and the application deemed complete, the OWRD is to issue an initial review in accordance with OAR 690-310-0080(2), which states:

"(2) Upon completion of the initial review and no later than 30 days after determining an application to be complete and not defective as described in 690-310-0070, the Department shall send by regular mail, or with the consent of the

FEB 28 2025

Salem, OR

recipient, by electronic means to the applicant an initial review report setting forth the Department's preliminary determinations. "

The OWRD did not issue an initial review until July 19, 2024, as noted on #2 of the Application History, certainly an undue time to receive the Initial Review (IR) that included a requirement to modify the proposed well (DESC-60049), while the IR requires the applicant to make a decision within 14 days to stop or progress with processing of the application. With the OWRD taking nearly 3 years to issue the IR with a notation that the requested well does not meet standards for a proper well seal, for a well that was drilled in 2014 and the well log having a received by dated by the OWRD of August 1, 2014, approximately 10 years after the well was drilled and the log filed for review and acceptance by the OWRD.

The nature of the OWRD's failure to follow OARs regarding timelines, timely review of well construction as noted on OWRD received well completion logs taking years, places a significant and undue burden on the Applicants.

Presumption that a Proposed Use will Ensure the Preservation of the Public Welfare, Safety and Health under ORS 537.525

13. This finding of fact states that *"Public welfare, safety and health under ORS 537.525(3) would be impaired or detrimentally affected for the following reasons. The Department finds that the proposed use would not be within the capacity of the available sources. Groundwater levels in the are of the proposed point of appropriation have been showing persistent declines, and additional groundwater development in this area will likely contribute to those declines and could impair the function of the aquifer by precluding its perpetual use."* The basis for these assertions is the groundwater reviews from both March 1, 2022, and a groundwater re-review from January 11, 2024 noting with a graph showing 20 wells and a seeming declining trend of recorded groundwater levels.

The first groundwater review dated March 1, 2022 included 20 wells that created a very cluttered and difficult to read graph of the recorded water levels on file with the OWRD, all of these recorded water levels were completed and filed by either the initial well driller, a licensed pump installer, or a hired registrant (noted as either a CWRE or Registered Geologist, none of the recorded water levels were noted as conducted by an OWRD staff member). Further, the January 11, 2024 groundwater re-review recalled the same 20 wells, however, did not include the reported water levels for 2023, and further, the IR did not include water levels for the March 2024 reported water levels. The January 11, 2024 groundwater re-review further states, *"Most wells in the area report similar SWL*

FEB 28 2025

Salem, OR

depths regardless of total depth or reported "First Water" implying little confinement with depth.", which is used to justify noting the aquifer is 'Unconfined', however, the groundwater re-reviewer apparently fails to understand the definition of a confined aquifer, as clearly stated in OAR 690-200-0050(10) and (11):

(10) "Artesian Aquifer" means a confined aquifer in which groundwater is under sufficient head to rise above the level at which it was first encountered, whether or not the water flows at land surface. If the water level stands above land surface, the well is a flowing artesian well (see Figure 200-2)."

(11) "Artesian Water Supply Well" means a water supply well in which groundwater is under sufficient pressure to rise above the level at which it was first encountered, whether or not the water flows at land surface. If the water level stands above land surface the well is a flowing artesian water supply well."

A review of all 20 well logs noted in both the March 2021 and the January 2024 groundwater review/re-review reference wells that all report static water levels higher than the encountered first water, ranging from as little as 10-feet of a 'confined aquifer' to more than 90-feet of 'confined aquifer' conditions, as defined in OARs 690-200-0050(10) and (11).

Further, both groundwater review/re-review fail to note the annual variability of recorded groundwater levels that is common in aquifers that are driven primarily by recharge that falls as wintertime precipitation and dependent on climate availability. Had the re-review from January 2024 been completed after the March 2024 reported water levels (January 2024 would have only considered March water level measurements from 2023 or prior, of which 2021-2023 were all documented drought years for the respective groundwater basin along with nearly all of Oregon), as several of the 20 wells reported a rise in reported groundwater levels nearing or higher than the initial reported water levels in the wells when the wells were first constructed.

Additionally, as noted in a contested case hearing of the Oregon Water Resources Department vs. Pinnacle Utilities, LLC for a denied Limited License LL-1879, under oath testimony provided by Mr. Joseph Kemper, OWRD hydrogeologist for the Deschutes Basin, a Register Geologist, stated that the OWRD classifies recorded and reported water levels for wells under three categories; *Suspect*, *Plausible*, and *Accurate*. Based on testimony from Mr. Kemper during the contested case judicial process noted that the OWRD considers reported water levels from licensed individuals are only classified as worth as *Plausible*, and that only water levels reported by OWRD are considered to be *Accurate*. Further, Mr. Kemper noted that water levels from un-licensed individuals are

FEB 28 2025

Salem, OR

considered *Suspect*. Considering that all of the reported water levels reported to the OWRD, as noted on the OWRD website groundwater data for each of the 20 well logs noted in the groundwater review/re-review, are from licensed individuals that are not OWRD staff members, so it would seem that the OWRD would consider these reported water levels as only *Plausible*. Taking into consideration the Miriam-Webster dictionary (available online at www.m-w.com) publishes 3 definitions for *Plausible*,

"1 superficially fair, reasonable, or valuable but often deceptively so

2 superficially pleasing or persuasive

3 appearing worthy of belief".

It would seem that both of the OWRD groundwater reviews conducted in March 2021 and January 2024 contain significant errors that do not accurately follow definitions for the aquifer request for use in the Application G-19198; nor do they provide a basis to completely accept all of the water levels in the reported wells without even taking into consideration 2 additional years of reported water levels between the 2021 and the 2023 reported water levels.

CONCLUSIONS OF LAW

The OWRD states only one reason for denial under the 'Conclusion of Law' at the summation of the PFO recommending denial, stating:

"1. The proposed use will not ensure the preservation of the public welfare, safety and health as described in ORS 537.525."

Considering the errors contained with the 'Findings of Facts' noted above, and the failure for the groundwater review/re-review to consider more detailed water levels, after also noting in the PFO that the Application meets all other criteria that support issuance of the permit, it is respectfully requested the OWRD re-issue the PFO recommending APPROVAL.

APPLICANT PROTEST FEE

Consistent with Oregon Revised Statute (ORS) 536.050, the protest fee, if the protest is by the applicant, is being delivered to the OWRD on February 28, 2025 to meet the protest submittal date.

FEB 28 2025

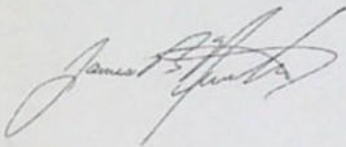
Salem, OR

CLOSURE

Based on the information contained herein, including identification of errors and deficiencies contained within the PFO that need correcting and proper consideration the PFO should be re-issued recommending approval of the Permit.

If you have questions regarding this protest of the PFO for the Application recommending denial for permit application G-19198, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Newton", is written over a horizontal line.

Jim Newton, PE, RG, CWRE
Principal – Engineer-Geologist
Cascade Geoengineering, LLC



Received by OWRD

FEB 28 2025

Salem, OR

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address:

David Baker

40105 US Hwy 20 Brothers OR 97712

Transaction Type:

Protest

Fees Received: \$

480.00

☐ Cash

☒ Check

Check No.

2939

Name(s) on Check:

Same as above

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

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

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

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

Sincerely,

OWRD Customer Service Staff

Submission received by:

Corie Corrien

(Name of OWRD staff)

Instructions for OWRD staff:

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



Received by OWRD

FEB 28 2025

Salem, OR

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address:

David Baker

40105 US Hwy 20 Brothers OR 97712

Transaction Type:

Protest

Fees Received: \$

480.00

☐ Cash

☒ Check

Check No.

2939

Name(s) on Check:

Same as above

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

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

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

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

Sincerely,

OWRD Customer Service Staff

Submission received by:

Corie Corrien

(Name of OWRD staff)

Instructions for OWRD staff:

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

Mailing List for PFO Copies

Application G-19198

PFO Date January 14, 2025

Original mailed via CERTIFIED MAIL to applicant:

YREKA BUTTE ENTERPRISES LLC
DAVID L. BAKER
40105 HWY 20
BROTHERS OR 97712

Sent via auto email:

1. Applicant/Agent – bakerd11@hotmail.com
2. WRD – Watermaster #24, Bill D. Nashem
3. WRD – Carolyn Sufit, CR
4. WRD – SW Section

Copies sent to:

1. WRD – File # G-19198

Application Specialist: Adam Frederick

Copies Mailed
By: <u>TM</u> (SUPPORT STAFF)
On: <u>1-14-2025</u> (DATE)

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To	
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

**Oregon Water Resources Department
Water Right Services Division**

Water Right Application G-19198 in the)
name of YREKA BUTTE ENTERPRISES, LLC)
and DAVID L. BAKER)

PROPOSED FINAL ORDER
TO DENY

Summary: The Department proposes to issue an order denying Application G-19198 because the use does not comply with rules of the Commission, specifically Oregon Administrative Rule (OAR) 690-210, and the proposed use would not be within the capacity of available sources.

Authority

The application is being processed in accordance with Oregon Revised Statute (ORS) 537.615 through 537.628, and 390.826, and Oregon Administrative Rule (OAR) Chapter 690, Divisions 5, 8, 9, 33, 300, 310, 400, 410 and the Deschutes Basin Program (OAR 690-505). These statutes and rules can be viewed on the following website: www.oregon.gov/OWRD/programs/policylawandrules

The Department's main website can be found at: www.oregon.gov/OWRD

The Department shall presume that a proposed groundwater use will ensure the preservation of the public welfare, safety and health as described in ORS 537.525 if:

- a) The proposed use is allowed in the applicable basin program established pursuant to ORS 536.300 and ORS 536.340 or given a preference under ORS 536.310(12);
- b) Water is available;
- c) The proposed use will not injure other water rights; and
- d) The proposed use complies with the rules of the Commission.

ORS 537.621(2); OAR 690-310-0130.

All four criteria must be met for a proposed use to be presumed to ensure the preservation of the public welfare, safety and health. This shall be a rebuttable presumption and may be overcome by a preponderance of evidence that either one or more of the criteria for establishing the presumption are not satisfied, or that the proposed use would not ensure the preservation of the public welfare, safety and health as demonstrated in any comments received, information available in the Department's files or received from other interested agencies, and any other available information. ORS 537.621(2); OAR 690-310-0130(2).

If the Department determines that the presumption is not established, the Department shall determine whether the proposed use will impair or adversely affect the public welfare, safety and health under ORS 537.525 and may either:

- a) Propose denial of the application upon a finding that the use will impair or adversely affect the public welfare, safety and health; or

- b) Make specific findings to demonstrate that even though the presumption is not established, the proposed use will not impair or adversely affect the public welfare, safety and health and propose approval of the application with appropriate modifications or conditions.

OAR 690-310-0140(2).

FINDINGS OF FACT

Application History

1. On August 30, 2021, Yreka Butte Enterprises, LLC and David L. Baker filed a complete application for the following water use:

Source: ROCKCHUCK WELL (DESC 60049) IN SOUTH FORK CROOKED RIVER BASIN

Use: IRRIGATION OF 53.4 ACRES

Rate: 0.67 CUBIC FOOT PER SECOND (CFS), FURTHER LIMITED TO 160.2 ACRE-FEET (AF) ANNUALLY

Period of Use: APRIL 1 THROUGH OCTOBER 31

County: DESCHUTES COUNTY

Place of Use: SECTION 4, TOWNSHIP 22 SOUTH, RANGE 20 EAST, W.M.

2. On July 19, 2024, the Department mailed the applicant notice of its Initial Review, determining that the appropriation of 0.67 CFS, further limited to 160.2 AF annually, of water from Rockchuck Well (DESC 60049) in South Fork Crooked River Basin for irrigation of 53.4 acres from April 1 through October 31 of each year is not allowable. The applicant did not notify the Department to stop processing the application within 14 days of that date.
3. On July 23, 2024, the Department provided notice of the application in its weekly public notice, requesting comments, and providing information for interested persons about obtaining future notices and a copy of the Proposed Final Order.

Presumption Criterion (a) - Consistency with Basin Program

4. Irrigation is allowed under the Deschutes Basin Program (OAR 690-505-0400). ORS 537.621(3)(b); OAR 690-310-0150(2)(b).
5. The proposed groundwater use is not within a designated critical groundwater area. ORS 537.621(3)(b); OAR 690-310-0150(2)(b).

Presumption Criterion (b) - Water Availability

6. An assessment of groundwater availability has been completed by the Department. A copy of this assessment is in the file and can be viewed on the Department's website. Groundwater for the proposed use is not over-appropriated. In addition, the Department has determined that the proposed groundwater use will not have the potential for substantial interference (PSI) with surface water. OAR 690-009-0040. Therefore, water is available for the proposed use. ORS 537.621(3)(c); OAR 690-310-0150(2)(c); OAR 690-300-0010(57).

Presumption Criterion (c) - Injury Determination

7. If properly conditioned (and if authorized), the proposed use of groundwater will not injure other water rights. ORS 537.621(3)(d); OAR 690-310-0150(2)(e).

Presumption Criterion (d) - Whether the Use Complies with Rules of the Commission

8. Documentation has been submitted from the relevant land-use planning jurisdiction that indicates the proposed use is allowed outright. ORS 537.621(3)(b); OAR 690-310-0150(2)(b).
9. The proposed use is located within or above the Deschutes State Scenic Waterway, as designated under ORS 390.826. The Department has determined, based upon OAR 690-310-0260, that there is **not** a preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife. OAR 690-310-0260(9)(a).
10. The applicant did not provide evidence that Rockchuck Well (DESC 60049) was constructed or repaired in a manner that protects groundwater resources and meets current minimum well constructions standards, as required in OAR 690-210.

Presumption that a Proposed Use will Ensure the Preservation of the Public Welfare, Safety and Health under ORS 537.525

11. Because the use does not comply with rules of the Commission at OAR 690-210, one of the criteria necessary to establish the presumption is not met and the presumption that the proposed groundwater use will ensure the preservation of the public, welfare, safety and health under ORS 537.525 is **not** established. OAR 690-310-0140(1); OAR 690-310-0150(2)(h).
12. Because the presumption is not established, the Department evaluated whether the proposed use will impair or adversely affect the public welfare, safety and health under ORS 537.525. OAR 690-310-0140(2).
13. In accordance with ORS 537.525(3), in order to insure the preservation of the public welfare, safety and health it is necessary that beneficial use without waste, within the capacity of available sources, be the basis, measure and extent of the right to appropriate ground water. Public welfare, safety and health under ORS 537.525(3) would be impaired or detrimentally affected for the following reasons. The Department finds that the proposed use would not be within the capacity of available sources. Groundwater levels in the area of the proposed point of appropriation have been showing persistent declines, and additional groundwater development in this area will likely contribute to those declines and could impair the function of the aquifer by precluding its perpetual use. As such, the proposed use is determined to be not within the capacity of available sources. Therefore, the proposed use will impair or adversely affect the public welfare, safety, and health under ORS 537.525. ORS 537.525; ORS 537.621(2); OAR 690-310-0140(2).

Further Evaluation of the Proposed Use

14. No written comments were received by the close of the comment period. OAR 690-310-0150(1).

Other Criteria and Requirements

15. The amount of water requested, 0.67 CFS, further limited to 160.2 AF annually, is necessary for the proposed use. ORS 537.621(3)(c); OAR 690-310-0150(2)(d).
16. The applicant proposed measures to prevent waste, measure the amount of water appropriated, prevent damage to aquatic life and riparian habitat, prevent discharge of contaminated water to a

surface stream and to prevent damage to public uses of any affected surface waters. These measures are included in Sections 6 and 8 of the application. OAR 690-310-0150(2)(j).

17. The proposed use complies with rules of the Water Resources Commission not otherwise described above.

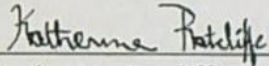
CONCLUSION OF LAW

1. The proposed use will not ensure the preservation of the public welfare, safety and health as described in ORS 537.525.

PROPOSED ORDER

The Department recommends issuing an order denying Application G-19198.

DATED January 14, 2025



Katherine Ratcliffe
Water Rights Section Manager, for
Ivan Gall, Director
Oregon Water Resources Department

Protests

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for groundwater), you can protest this Proposed Final Order. If you wish to submit a protest by U.S. mail, please consider mailing early to ensure the Department receives the protest by the deadline specified. Protests must be received by the Water Resources Department no later than **February 28, 2025**.

As provided in ORS 537.621(7), ORS 536.050(1)(j), and OAR 690-002-0025 — 0035, protests must be in writing and include the following:

- Your name, address, and telephone number;
- A description of your interest in the Proposed Final Order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in the Proposed Final Order would impair or be detrimental to your interest;
- A detailed description of how the Proposed Final Order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known;
- Any information or evidence that the proposed use or the proposed use as modified would preserve the public welfare, safety and health as provided in ORS 537.625(3).
- If you are the applicant, a protest fee of \$480 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$950 required by ORS 536.050 and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting a contested case hearing.

Requests for Standing

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for groundwater), persons other than the applicant who support a Proposed Final Order can request standing for purposes of participating in any contested case proceeding on the Proposed Final Order or for judicial review of a Final Order.

Requests for standing must be received in the Water Resources Department no later than **February 28, 2025**. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the Proposed Final Order as issued;
- A detailed statement of how the requester would be harmed if the Proposed Final Order is modified; and
- A standing fee of \$270. If a hearing is scheduled, an additional fee of \$680 must be submitted along with a petition for party status.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been submitted and either:

- upon review of the issues, the director finds that there are significant disputes related to the proposed use of water, or
- the applicant requests a contested case hearing within 30 days after the close of the protest period.

If you do not timely file a protest or timely request a hearing, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear or fail to appear at a scheduled hearing, the Director may issue a Final Order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default. OAR 137-003-0670.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 137-003-0555, an agency representative may represent a partnership, corporation, association, governmental subdivision or public or private organization if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice To Active Duty Servicemembers: Active-duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

-
- If you have any questions about statements contained in this document, please contact Adam Frederick at Adam.M.Frederick@water.oregon.gov or 971-707-8400.
 - If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Will Davidson at Will.D.Davidson@water.oregon.gov or 503-507-2749.
 - If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.
 - Address any correspondence to: Water Right Services Division
725 Summer St NE, Suite A
Salem, OR 97301-1266
Fax: 503-986-0901
-

Mailing List for IR Copies

Application G-19198

IR Date: July 19, 2024

Original and map mailed to applicant:

YREKA BUTTE ENTERPRISES, LLC
DAVID L. BAKER
40105 HWY 20
BROTHERS OR 97712

Sent via auto email:

1. Applicant – bakerd11@hotmail.com
2. Agent – bakerd11@hotmail.com
3. WRD – Watermaster #24, Bill Nashem
4. WRD – Carolyn Sufit, SCR
5. WRD – SW Section

Copies sent to:

1. WRD – File G-19198
2. Deschutes County Planning Department (by email)

Application Specialist: Adam Frederick

Copies Mailed

By: TM
(SUPPORT STAFF)

On: 7.19.2024
(DATE)



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

Water Right Application Initial Review

July 19, 2024

YREKA BUTTE ENTERPRISES, LLC
DAVID L. BAKER
40105 HWY 20
BROTHERS OR 97712

Reference: Application G-19198

This document is to inform you of the preliminary analysis of the water-use permit application and to describe your options. In determining whether an application may be approved, the Water Resources Department (Department) must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information supplied, the Department has made the following preliminary determinations:

Preliminary Determinations under Oregon Administrative Rule (OAR) 690-310-0080:

1. Application G-19198 proposes the appropriation of 0.67 cubic foot per second (CFS), further limited to 160.2 acre-feet (AF) annually, of water from Rockchuck Well (DESC 60049) in South Fork Crooked River Basin for irrigation of 53.4 acres from April 1 through October 31 of each year.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. Irrigation is allowed under the Deschutes Basin Program (OAR 690-505-0400).
4. The proposed groundwater use is not within a designated critical groundwater area. OAR 690-310-0080(1)(a).
5. An assessment of groundwater availability has been completed by the Department. A copy of this assessment is in the file and can be viewed on the Department's website. Groundwater for the proposed use is not over-appropriated; however, groundwater for the proposed use is not available within the capacity of the resource. Therefore, groundwater is **not** available for the proposed use. OAR 690-310-0080(1)(b); OAR 690-300-0010(57).
6. The Department has determined that the proposed groundwater use will not have the potential for substantial interference (PSI) with surface water. OAR 690-310-0080(1)(b); OAR 690-009-0040.

7. If properly conditioned (and if authorized), the proposed use of groundwater will not injure other water rights.
8. The proposed use is located above the Deschutes Scenic Waterway, as designated under Oregon Revised Statute 390.826. The Department has determined, based upon OAR 690-310-0260, that there is **not** a preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.
9. The Department has determined that Rockchuck Well (DESC 60049) does not meet current minimum well construction standards. The annular seal does not extend to the appropriate depth. To meet minimum well construction standards, the well must be resealed with an approved grout to a minimum depth of 114 feet below ground surface. See the **Minimum Well Construction Standards – Repair Required** section below for more information.
10. Documentation has been submitted from the relevant land-use planning jurisdiction that indicates the proposed use is allowed outright.

Summary of Preliminary Determinations
The appropriation of 0.67 CFS, further limited to 160.2 AF annually, of water from Rockchuck Well (DESC 60049) in South Fork Crooked River Basin for irrigation of 53.4 acres from April 1 through October 31 of each year is not allowable.

Minimum Well Construction Standards – Repair Required:

Prior to the issuance of any Proposed Final Order that may recommend approval, evidence demonstrating compliance with well construction standards must be submitted and approved by the Department. In repairing the well(s), you should work closely with the Department and/or a licensed well constructor to ensure that repairs are carried out in a manner that will not violate well construction or other rules. You are encouraged to contact Tommy Laird of the Department's Well Construction and Compliance Section at 503-302-8618 to determine how to proceed.

Please submit this information no later than August 22, 2024. If you are unable to submit the information listed above by this date, you may request an administrative hold for up to an additional 180 days. You must submit the request in writing, stating how much more time is needed and why you need additional time. If an administrative hold is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

Please also note that regardless of the outcome of this application, you will need to work with the Department to either repair or abandon the well(s) to comply with the minimum standards for the construction, conversion, alteration, maintenance, and abandonment of water supply wells in order to protect the state's groundwater supply (OAR 690-200).

Public Comment:

Public interest issues and/or public comments will be addressed as the Department prepares a Proposed Final Order. If significant public interest issues are identified, they could have an impact on the eventual outcome of the application.

At this time, you must decide whether to proceed or to withdraw the application.

- **To Proceed** - If you choose to proceed with the application, you do not have to notify the Department. The application will be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a Proposed Final Order.
- **To Withdraw** - You may withdraw the application and receive a refund (minus a \$310 processing fee). You must notify the Department **in writing** by **August 2, 2024**. For your convenience you may use the enclosed "STOP PROCESSING" form.

Although it is unlikely that a permit will be issued, if the Department's findings change and a permit is issued, it will likely include the following conditions:

1. Construction of the well shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the construction deadline to begin is missed.
2. If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.
3. **Water Use Measurement, Recording, and Reporting:**
 - A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the device in good working order.
 - B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The permittee shall keep a complete record of the volume of water used each month, and shall submit an annual report which includes the recorded water-use measurements to the Department annually, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
 - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

4. **Scenic Waterway:**

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

5. **Well Identification Tag:**

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

The water source identified in the application may be affected by an Agricultural Water Quality Management Area Plan. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders, and help to ensure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to explore ODA's website at www.oregon.gov/ODA to learn more about the plans and how they may affect the proposed water use.

For Further Information:

Feel free to contact me at Adam.M.Frederick@water.oregon.gov or 971-707-8400 if you have any questions regarding the contents of this letter or the application. Please include the application number in all correspondence. General questions about water rights and water use permits should be directed to our customer service staff at 503-986-0900. When corresponding by mail, please use this address: Adam Frederick, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,

Adam Frederick

Adam Frederick
Water Right Application Specialist
Oregon Water Resources Department

Enclosures: Application Process Description
Stop Processing Request Form

G-19198
WAB: No PSI
Proposed to Deny

APPLICATION FACT SHEET

Application File Number: G-19198

Applicant: YREKA BUTTE ENTERPRISES, LLC AND DAVID L. BAKER

County: DESCHUTES

Watermaster: BILL D. NASHEM, #24, SCR

Priority Date: AUGUST 30, 2021

Source: ROCHCHUCK WELL (DESC 60049) IN SOUTH FORK CROOKED RIVER BASIN

Use: IRRIGATION OF 53.4 ACRES

Quantity: 0.67 CUBIC FOOT PER SECOND, FURTHER LIMITED TO 160.2 ACRE-FEET ANNUALLY

Period of Use: APRIL 1 THROUGH OCTOBER 31

Basin Name & Number: DESCHUTES, #5

WAB: S FK CROOKED R > CROOKED R - AT MOUTH

Well Location:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
22 S	20 E	WM	4	SW SE	4287 FEET SOUTH AND 3712 FEET EAST FROM NW CORNER, SECTION 4

Places of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
22 S	20 E	WM	4	SW NE	0.2
22 S	20 E	WM	4	NE SW	4.5
22 S	20 E	WM	4	NE SE	7.5
22 S	20 E	WM	4	NW SE	37.3
22 S	20 E	WM	4	SW SE	3.9

PUBLIC NOTICE DATE: July 23, 2024

14 DAY STOP PROCESSING DEADLINE DATE: August 2, 2024

30 DAY COMMENT DEADLINE DATE: August 22, 2024

**APPLICATION PROCESS DESCRIPTION FOR
GROUNDWATER, SURFACE WATER AND REGULAR RESERVOIR APPLICATIONS**

In order to use the waters of Oregon, an application must be submitted and a permit obtained from the Water Resources Department. The water must be used for beneficial purpose without waste. For more information about water right topics, weekly public notice, forms and fees please visit our website at: www.oregon.gov/owrd

1. Pre-application considerations

- Follow instructions in the application packet.
- If you have questions about completing an application or would like to arrange a pre-application conference contact the Department's Water Rights Customer Service Group at (503) 986-0900.

2. Application filing

- Application with fee is received by the Department.
- Department determines completeness of application.
- If use is not allowed by statute (ORS 538), the application and fees are returned to the applicant.
- An incomplete application and fees are returned to the applicant.
- Only a complete application receives a tentative priority date, is assigned a caseworker, and moves forward for processing.

3. Initial Review (IR)

- Caseworker reviews application by considering basin plans, water availability, statutory restrictions, and all other appropriate factors.
- Caseworker sends IR report to Applicant.
- Four days after date of the IR, it is included in Department's weekly Public Notice.
- Public comments must be submitted within 30 days after the Public Notice.

4. Proposed Final Order (PFO)

- Caseworker evaluates application against required criteria and develops draft permit, if appropriate.
- PFO includes instructions for filing of protests.
- Caseworker considers public comments and mails PFO to Applicant.
- The PFO is included in Department's weekly Public Notice.
- Public protests to the PFO must be submitted within 45 days after the Public Notice.

5. Final Order (FO)

- If no protest is filed, Final Order is issued.

The protest process

If one or more protests are filed, the process consists of:

- settlement discussion;
- contested case hearing;
- Proposed Order;
- period of time to file exceptions; or
- possible hearing by Water Resources Commission.
- Final Order is issued.

Permit holder responsibilities

- Comply with all water use conditions of the permit.
- Advise Department of address change or assignment to new permit holder.
- If need arises, request extension of time or authorize cancellation of permit.
- Submit timely claim of beneficial use (COBU) to the Department.
- Most permits require COBU to be prepared by a Certified Water Right Examiner.
- Permits may be canceled by the permit holder or by the Department for failure to comply with or one or more permit conditions.

STOP PROCESSING REQUEST FORM

FOR GROUNDWATER, SURFACE WATER AND REGULAR RESERVOIR APPLICATIONS

- Stop processing deadline is within 14 days of Initial Review.

Applicant notification to withdraw Water Right Application **G-19198**.

After reviewing the Initial Review for my application, I request that processing be stopped, and fees be refunded (minus a \$310 processing fee). I understand that without a valid permit, I may not legally use the water as requested in my application.

Signature _____ Date _____

Signature _____ Date _____

Under ORS 537.150(5) and 537.620(5), timely submission of this request authorizes that the water right application process be stopped, and all filing fees (except \$310 processing fee) be returned.

- This notice must be received by the Water Resources Department no later than:

August 2, 2024

- Return the notice to:

OWRD, Water Right Services Division
STOP PROCESSING
725 Summer Street, NE - Suite A
Salem, OR 97301-1266



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

September 2, 2021

David L Baker
40105 Highway 20
Brothers OR 97712

Dear Applicant:

The Oregon Water Resources Department has received your groundwater application for a water use permit. Your application has been assigned file number **G 19198-**. Please refer to this number when contacting the Department. Should you have any questions about your application, please contact the following Water Rights Specialist assigned to your application:

Kim French, Water Rights Specialist	Phone: 503-986-0816
	Email: kim.r.french@oregon.gov

A description of the steps that are used for processing a water right application are shown on the reverse side of this letter.

The first step in the water rights process is the completion of a groundwater review by the Department. This review can take approximately 6-9 months to complete, sometimes longer. Once the groundwater review is completed, you will receive a copy of an Initial Review that summarizes the Department's preliminary determinations. Copies of the Proposed Final Order and Final Order will also be mailed to you.

Please note that your application is subject to review and comment from other state agencies and interested parties.

Sincerely,

Judy Ferrell
Customer Service Representative
Oregon Water Resources Department

cc: File G-19197

E-2 App☐ Yes☐ No**Standard Application Completeness Checklist****Groundwater and Surface Water Applications Only**

Minimum Application Requirements (OAR 690-310-0040 & -0050)

For use by WRD staff only

Application #:	G-19198	Receipt #:	136275
Applicant Name:	David L Baker	Amount Requested:	0.67CFS
Priority Date:	08/30/2021	Proposed Use:	IR
County:	Deschutes	POD's TRS &TL:	22S/20E/9/NE-SW./502 & 600
WM #:	11- Jeremy Giffin	Caseworker:	<input type="checkbox"/> KF <input type="checkbox"/> LG
Reviewed by:	Judy	Reviewed Date:	09/02/2021

- ☒ Applicant/Organization Name and Mailing Address
- ☒ Signature of all applicants (include title or authority of representative if applicant is an organization or corporation). Note: Applicant's agent may NOT sign the application on behalf of the applicant.
- ☒ Property Ownership: Does the applicant own all the land for the proposed project? ☒ Yes ☐ No

If No:

- ☐ The affected landowner's name(s) and mailing address(s) must be listed.
- ☐ A signed statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.

- ☐ **For a SW Application:** Source of water must be indicated.

- ☐ If the source is stored water, is the stored water component filled out and does the applicant own the reservoir or include a non-expired agreement for stored water? (ORS 537.400)
- ☐ If for stored water, is the source authorized under a permit, certificate, or decree?

Permit or Certificate issued: ☐ Y ☐ N Permit or Certificate #:

NOTE: An expedited secondary (E2) application and a reservoir application cannot be filed at the same time. The reservoir must be legally authorized first, under an existing water right, in order to accept and process an E2 application.

- ☒ **For a GW Application:** Well development table completed and a well log report included (if existing)

- ☒ Division 33 (Sensitive, Threatened, Endangered, Fish Species)

- ☒ Proposed Water Use:

- ☒ Amount of water from *each* source in GPM, CFS, or AF
- ☒ Period of use indicated
- ☐ If for supplemental irrigation, primary acreage or underlying permit or certificate number listed.
(Note: Primary and Supplemental Irrigation counts as 2 uses)


- ☒ Water Management Section


- ☒ Resource Protection Section

- ☒ Project schedule. (Note: If system is already completed, indicates "existing.", (Note: Estimates are okay if the water system has not been designed))
- ☐ Supplemental data sheets enclosed (if needed)
- ☐ Form M (Municipal or Quasi-Municipal)
- ☒ A completed **Land-Use Form** or receipt signed and dated by the appropriate planning department. Please be certain that the Land-Use form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months.
- ☒ A **Legal Description** of all the properties involved where water is diverted, conveyed, and used. The legal description includes a metes and bounds or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or applicant may submit a lot book report prepared by a title company. Copies of tax bills are not acceptable
- ☒ The proposed source ☐ IS ☒ IS NOT restricted or withdrawn from further appropriation. **NOTE:** If it is withdrawn under ORS 538, reject/return application and fees.
- ☒ The **map** must meet all the minimum requirements of OAR 690-310-0050.
- ☒ Township, Range, Section
 - ☐ Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU)
 - ☒ Place of use, ¼-¼'s and tax lot clearly identified
 - ☒ Even map scale not less than 4" = 1 mile (1" = 1320 ft.); examples: 1" = 100 ft., 1" = 200 ft.
 - ☐ Location of **each** diversion point or well by reference to a recognized public land survey corner.
 - ☐ Multiple wells shall be uniquely labeled, and identified on well logs, if existing.
 - ☒ Reference corner on map
 - ☒ North directional symbol
 - ☒ Number of acres per ¼ ¼ if for irrigation, nursery, or agriculture
- ☒ **Fees:** Amount of Water Requested: 0.67CFS Name on Check: Yreka Butte Ent LLC David Baker


Exam Fee Due:	\$ 1,980.00		
Exam Fee Submitted:	\$ 1,980.00		
Difference:	\$ 0.00		
Recording Fee Paid?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	\$	610.00
Total:	\$ 2,590.00		

Oregon Water Resources Department Groundwater Application

 Main

 Help

 Return

 Contact Us

Today's Date: Thursday, September 2, 2021

Base Application Fee.		\$1,570.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	0.67	\$410.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed groundwater points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	1	
Subtotal:		\$1,980.00
Permit Recording Fee. ***		\$610.00
* the 1st Water Use is included in the base cost. ** the 1st groundwater point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$2,590.00

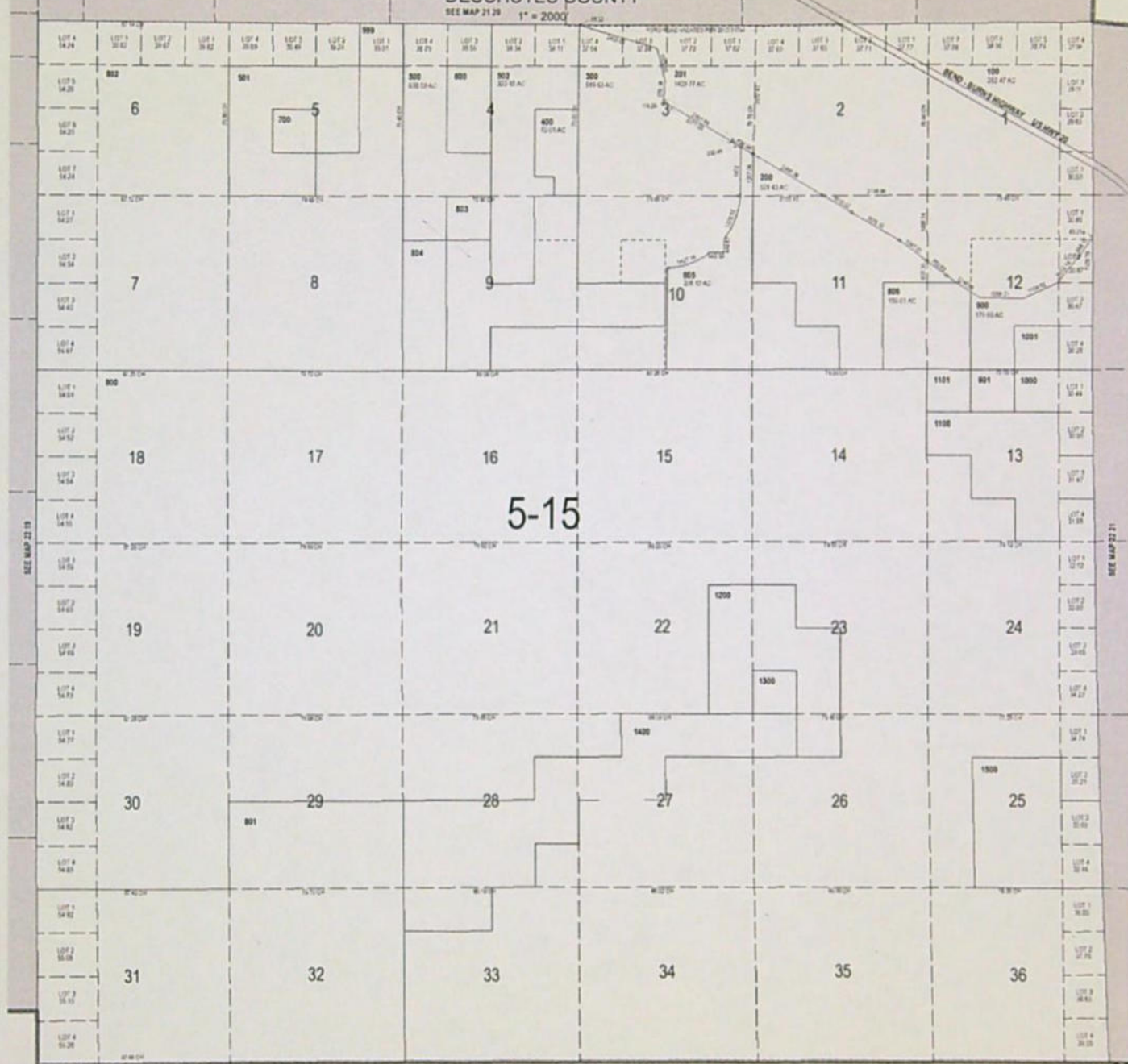
work copy

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

T.22S. R.20E. W.M.
DESCHUTES COUNTY
SEE MAP 21 20 1" = 2000'

22 20 00

8/3/2020



Cancelled Nos.
807
500

22 20 00

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172

RECEIPT # **136275**

(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM:

BY:

CASH:

CHECK #

OTHER: (IDENTIFY)

APPLICATION

PERMIT

TRANSFER

TOTAL REC'D

\$ **2590.00**

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY)

\$

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE
\$ **1,980.00**

0202

\$

0203 GROUND WATER

0204

\$ **610.00**

0205 TRANSFER

EXAM FEE
\$

0219

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR

0220

\$

LANDOWNER'S PERMIT

\$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD#

0210 MONITORING WELLS

\$

CARD#

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____

\$

RECEIPT:

136275

DATE:

8-30-2001

BY:

[Signature]

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 David L. Baker		PHONE (HM) 5413060319	
PHONE (WK)	CELL		FAX
ADDRESS 40105 Hwy 20			
CITY Brothers	STATE OR	ZIP 97712	E-MAIL* bakerd11@hotmail.com

Organization

NAME Yreka Butte Enterprises, LLC		PHONE 5413060319		FAX
ADDRESS 40105 Hwy 20		CELL		
CITY brothers	STATE or	ZIP 97712	E-MAIL* bakerd11@hotmail.com	

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

AGENT / BUSINESS NAME David L. Baker		PHONE same		FAX
ADDRESS same		CELL		
CITY	STATE	ZIP	E-MAIL* same	

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.)

RECEIVED

AUG 30 2021

OWRD

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.

Applicant Signature

Print Name and Title if applicable

Date

Applicant Signature

Print Name and Title if applicable

Date

RECEIVED

JUN 24 2021

OWRD

For Department Use: App. Number: _____

Groundwater — Page 1

Rev. 08-18

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.

RECEIVED

AUG 30 2021

OWRD

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
DESC 60049	Lizard 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).*

RECEIVED

JUN 24 2021

OWRD

SECTION 3: WELL DEVELOPMENT continued

Total maximum rate requested: 0.67 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)
Rockchuck	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Desc60049	<input type="checkbox"/>	12	20	see well log			South Fork Crooked River Basin	600	1000	3
	<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"/>									
	<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.

RECEIVED

JUN 24 2021

OWRD

RECEIVED

AUG 30 2021

Groundwater Page 3
Rev. 08-18

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_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 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

RECEIVED
RECEIVED
AUG 30 2021
JUN 24 2021
OWRD OWRD

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.

☐ 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).

☐ Yes ☒ No

RECEIVED
JUN 24 2021
OVRD

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
irrigation	4/1-10/15 31	150 160.2

Primary: ~~50~~ 52.9 Acres

Supplemental: _____ Acres

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 150

- For Department Use: App. Number: _____

- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*): _____

RECEIVED

AUG 30 2021

RECEIVED

SECTION 6: WATER MANAGEMENT

OWRD

JUN 24 2021

A. Diversion and Conveyance

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

- ☒ Pump (give horsepower and type): 100 hp turbine
☐ Other means (describe): _____

100 hp turbine pump

OWRD

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

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 pressure low pressure center pivot

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*).

install LISA sh Install LISA/HIFA, low elevation sprinklers to reduce transpiration. Flow meter required - and already in use

SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: n/a
 b) Date construction will be completed: 10/2021
 c) Date beneficial water use will begin: 10/2021

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: contour farming, perennial crops,

- ☐ 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: _____

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

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

☐ Yes ☒ No

RECEIVED
AUG 30 2021
OVRD
RECEIVED
JUN 24 2021
OVRD

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	4/1-10/15 31	150 160.2

For irrigation use only:

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

Primary: 53.4 Acres Supplemental: _____ 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: 150

- 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.)

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 District 11	Address 231 SW Scalehouse 1p Ste 103	
City Bend	State OR	Zip

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application (attach additional sheets if necessary).

— This app asks to extend an existing Permitted Pivot (G17744) to extents limited by topography.

RECEIVED

JUN 24 2021

RECEIVED

AUG 30 2021

OWRD

OWRD

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

RECEIVED

AUG 30 2021

OWRD

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or groundwater registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land use form and return it to the WRD. If no land use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

RECEIVED

JUN 24 2021

OWRD

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

Applicant

NAME Yreka Butte Enterprises, LLC		PHONE (HM) 5413060319	
PHONE (WK)	CELL	FAX	
ADDRESS 40105 Hwy 20			
CITY Brothers	STATE or	ZIP 97712	E-MAIL* bakerd11@hotmail.com

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
22S	20E	9	NESHANVILLE, OR	502/600	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU
						<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:

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 150 _____ ☐ 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:

Irrigate farm ground

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.

RECEIVED

JUN 24 2021

OWRD

RECEIVED

JUN 24 2021

Attachment 2: Land Use Information Form

For Local Government Use Only

OWRD

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.

RECEIVED

AUG 30 2021

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): _____

OWRD

☐ 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.

SEE ATTACHED LETTER AND MAPS.

NAME <i>Nardanzey Muea</i>		TITLE: <i>ASSISTANT PLANNER</i>
SIGNATURE <i>[Signature]</i>	PHONE: <i>541-317-3164</i>	DATE: <i>6/10/2021</i>
GOVERNMENT ENTITY <i>Deschutes County</i>		

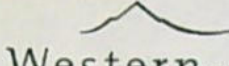
Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

After recording return to:
Order Number: 94380A
 Western Title & Escrow 360 SW Bond, Suite 100 Bend, OR 97702
Grantee Name(s)
Yreka Butte Enterprises LLC 40105 Hwy 20 Brothers, OR 97712
Until a change is requested, all tax statements shall be sent to the following address:
Same as Above

Deschutes County Official Records 2016-046068	
D-D	11/04/2016 02:50:59 PM
Stn=0 BN	
\$11.00 \$10.00 \$10.00 \$6.00 \$21.00	\$58.00
I, Nancy Blankenship, County Clerk for Deschutes County, Oregon, certify that the instrument identified herein was recorded in the Clerk records. Nancy Blankenship - County Clerk	

RECEIVED

AUG 30 2021

OWRD

Reserved for Recorder's Use

STATUTORY WARRANTY DEED

David Roth and Janette Roth, Grantor(s), convey and warrant to Yreka Butte Enterprises LLC, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

SEE ATTACHED EXHIBIT "A"

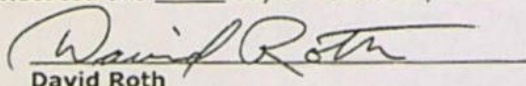
Account #'s: 143556,143555,143554,143553,143552,143551,270303
 Map and Tax Lots: 222000-00-00300,00400,00500,00600,00803,00804 & 00807

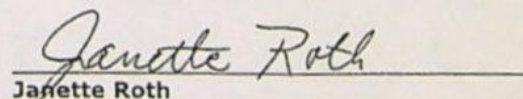
This property is free of encumbrances, EXCEPT: All those items of record, if any, as of the date of this deed, including any real property taxes due, but not yet payable.

The true consideration for this conveyance is \$888,365.00, which is paid to an Accommodator as part of an IRC 1031 Exchange. (Here comply with requirements of ORS 93.030.)

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.

Executed this 4th day of November, 2016


 David Roth


 Janette Roth

**RETURN TO WESTERN
 TITLE & ESCROW**

RECEIVED

AUG 30 2021

OWRD

State of Oregon, County of Deschutes) ss.

This instrument was acknowledged before me on this 4 day of November, 2016 by David Roth and Janette Roth.

Notary Public for the State of Oregon
My commission expires: 2/27/18

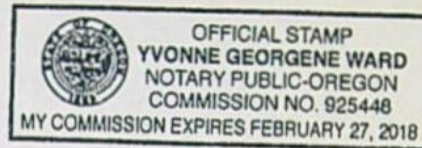


EXHIBIT "A"

Situated in Deschutes County, State of Oregon:

Parcel I

Township 22 South, Range 20 East of the Willamette Meridian, Deschutes County, Oregon:

Section 4: SE1/4 NW1/4; NE1/4 SW1/4 and E1/2 SE1/4

Section 9: NE1/4 NW1/4; SW1/4 NW1/4; W1/2 SW1/4

Parcel II

Township 22 South, Range 20 East of the Willamette Meridian, Deschutes County, Oregon:

Section 3: Beginning at a point on the west line of Section 3 which point is South 00°02'00" East 18.32' more or less from the NW corner of Section 3; thence South 73°36'08" East, 2453.63 more or less; thence South 14°14'06" East 1003.40' more or less; thence South 04°32'15" West 659.38' more or less; thence South 59°44'00" (E) 114.26' more or less to the north/south center line of the section; thence South along the centerline to the South 1/4 corner; thence West along the south line of the section to the Southwest corner of said section; thence North along the west line of the section to the point of beginning.

Section 10: N1/2 NW1/4 and SW1/4 NW1/4

Parcel III

Township 22 South, Range 20 East, Willamette Meridian, Deschutes County, Oregon.

Section 4: NE1/4; NE1/4 NW1/4 (Lot 3); W1/2 NW1/4 (includes Lot 4); W1/2 SW1/4; SE1/4SW1/4 and W1/2 SE1/4

Section 9: NE1/4; NW1/4 NW1/4; SE1/4 NW1/4; E1/2 SW1/4 and N1/2 SE1/4

Section 10: N1/2 SW1/4

Parcel IV

Township 22 South, Range 20 East, Willamette Meridian, Deschutes County, Oregon.

Section 9: S1/2 SE1/4

Section 10: SE1/4 NW1/4; S1/2 SW1/4



\$108.00

D-D Cnt=1 Str=2 AS
\$20 00 \$11 00 \$61 00 \$10 00 \$6 00

03/09/2020 03:09 PM

After recording return to:

David Baker
40105 Highway 20
Brothers, OR 97712

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

No change

RECEIVED

AUG 30 2021

OWRD

BARGAIN AND SALE DEED

YREKA BUTTE ENTERPRISES, LLC, an Oregon limited liability company, Grantor, conveys to YREKA BUTTE ENTERPRISES, LLC, an Oregon limited liability company, Grantee, the following described real property in Deschutes County, Oregon described in **EXHIBIT A**, attached and incorporated by reference herein.

This conveyance is authorized by a property line adjustment approved by Deschutes County on August 2, 2019 under File No. 247-19-000014-AD, 19-015-AC, 19-468-MA, 19-469, LR, 19-470-LL. A map depicting the adjustment is marked **EXHIBIT B**, attached hereto and incorporated by reference herein. The decision for the property line adjustment required that the property line adjustment be finalized. State law requires that new deeds to be recorded that describe each parcel in its adjusted configuration. This deed conveys Tax Lot 400, Assessor's Map 22-20-00 as adjusted. The properties involved in this adjustment were conveyed to Grantor by two warranty deeds. The first deed, and the one that conveyed Tax Lot 400 with other land, was recorded at Deschutes County Official Records 2016-046068 on November 4, 2016. The second deed was recorded at Deschutes County Official Records 20198-18407 on June 3, 2019.

The adjusted boundary line is the west boundary line of the East One-Half of the Southeast One-Quarter (E ½ SE ¼) of Section 4, Township 22 South, Range 20 East, Willamette Meridian, Deschutes County, Oregon.

The true consideration for this conveyance is zero.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON

ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 9th day of March, 2020.

RECEIVED

AUG 30 2021

YREKA BUTTE ENTERPRISES, LLC

OWRD

By: David L. Baker
DAVID L. BAKER Manager

STATE OF OREGON)
) ss.
COUNTY OF DESCHUTES)

This instrument was acknowledged before me on this 9th day of March, 2020 by David L. Baker as Manager of Yreka Butte Enterprises, LLC.



Jennifer Lynn Lawrence
Notary Public

Print Name JENNIFER LYNN LAWRENCE

My commission expires April 30, 2022

(Use this space for notarial stamp/seal)

Precision Land Surveying, Inc.

Professional Land Surveyors

PROPERTY DESCRIPTION
DESCHUTES COUNTY FILE 247-19-000470-LL

RESULTING T.L. 22-20-0000-00400

IN TOWNSHIP 22 SOUTH, RANGE 20 EAST, WILLAMETTE MERIDIAN, DESCHUTES COUNTY,
OREGON;

SECTION 4: THE EAST ONE-HALF OF THE SOUTHEAST ONE-QUARTER (E1/2 SE1/4)

EXCEPTING THERE FROM THE SOUTHERLY 590.00 FEET OF THE WESTERLY
590.00 FEET.

PARCEL CONTAINS 72.01 ACRES, MORE OR LESS, SUBJECT TO ALL EASEMENTS, RESTRICTIONS,
AND RIGHTS-OF-WAY OF RECORD PERTAINING TO THE ABOVE DESCRIBED LANDS.

RECEIVED

AUG 30 2021

OWRD

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Jerry D. Stichler

03/04/20

OREGON
JULY 25, 1991
JERRY D. STICHLER
2527

RENEWS 6/30/20



\$108.00

D-D Cnt=1 Stn=2 AS
\$20 00 \$11 00 \$61 00 \$10 00 \$6 00

03/09/2020 03:09 PM

After recording return to:

David Baker
40105 Highway 20
Brothers, OR 97712

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

No change

RECEIVED

AUG 30 2021

OWRD

BARGAIN AND SALE DEED

YREKA BUTTE ENTERPRISES, LLC, an Oregon limited liability company, Grantor, conveys to YREKA BUTTE ENTERPRISES, LLC, an Oregon limited liability company, Grantee, the following described real property in Deschutes County, Oregon described in **EXHIBIT A**, attached and incorporated by reference herein.

This conveyance is authorized by a property line adjustment approved by Deschutes County on August 2, 2019 under File No. 247-19-000014-AD, 19-015-AC, 19-468-MA, 19-469, LR, 19-470-LL. A map depicting the adjustment is marked **EXHIBIT B**, attached hereto and incorporated by reference herein. The decision for the property line adjustment required that the property line adjustment be finalized. State law requires that new deeds to be recorded that describe each parcel in its adjusted configuration. This deed conveys parts of Tax Lots 400 and 500, Assessor's Map 22-20-00 and Tax Lot 2300, Assessor's Map 21-20-00, as adjusted. The properties involved in this adjustment were conveyed to Grantor by two warranty deeds. The first deed, and the one that conveyed Tax Lot 400 with other land, was recorded at Deschutes County Official Records 2016-046068 on November 4, 2016. The second deed was recorded at Deschutes County Official Records 20198-18407 on June 3, 2019.

The adjusted boundary line is the west boundary line of the East One-Half of the Southeast One-Quarter (E ½ SE 1/4) of Section 4, Township 22 South, Range 20 East, Willamette Meridian, Deschutes County, Oregon.

The true consideration for this conveyance is zero.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND

REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 9th day of March, 2020.

YREKA BUTTE ENTERPRISES, LLC

By:

David L. Baker
DAVID L. BAKER, Manager

RECEIVED

AUG 30 2021

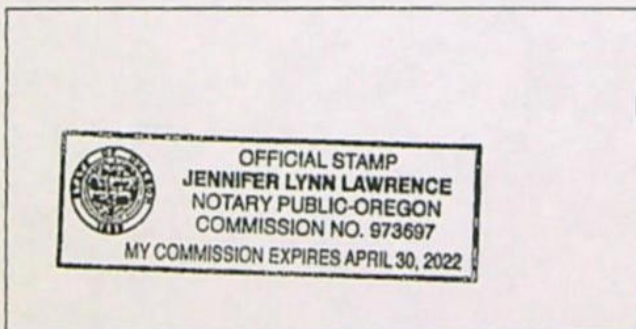
OWRD

STATE OF OREGON)

) ss.

COUNTY OF DESCHUTES)

This instrument was acknowledged before me on this 9th day of March, 2020 by David L. Baker as Manager of Yreka Butte Enterprises, LLC.



(Use this space for notarial stamp/seal)

Jennifer Lynn Lawrence
Notary Public

Print Name

JENNIFER LYNN LAWRENCE

My commission expires

April 30, 2022

Precision Land Surveying, Inc.

Professional Land Surveyors

RECEIVED

AUG 30 2021

OWRD

PROPERTY DESCRIPTION DESCHUTES COUNTY FILE 247-19-000470-LL

RESULTING MC NETT PARCEL (LOT OF RECORD #1)

IN TOWNSHIP 21 SOUTH, RANGE 20 EAST, WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON;

SECTION 34: BEGINNING AT THE SOUTHWEST CORNER OF SECTION 34, T21S, R20E, W.M.; THENCE S89°47'22"E - 343.66 FEET ALONG THE SOUTH LINE OF SAID SECTION 34; THENCE N73°36'08"W - 326.64 FEET; THENCE N00°09'41"E - 2548.43 FEET PARALLEL TO THE WEST LINE OF SAID SECTION 34; THENCE N61°28'21"E - 2106.40 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 20; THENCE N60°06'51"W - 2162.44 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO THE WEST LINE OF SAID SECTION 34; THENCE S00°09'41"W - 4722.84 FEET ALONG THE WEST LINE OF SAID SECTION 34 TO THE POINT OF BEGINNING.

IN TOWNSHIP 22 SOUTH, RANGE 20 EAST, WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON;

SECTION 4: GOVERNMENT LOT 1, GOVERNMENT LOT 2, THE SOUTH ONE-HALF OF THE NORTHEAST ONE-QUARTER (S1/2 NE1/4), THE WEST ONE-HALF OF THE SOUTHEAST ONE-QUARTER (W1/2 SE1/4), THE SOUTHERLY 590.00 FEET OF THE WESTERLY 590.00 FEET OF THE EAST ONE-HALF OF THE SOUTHEAST ONE-QUARTER (E1/2 SE1/4)

EXCEPTING THERE FROM:

BEGINNING AT THE NE CORNER OF SECTION 4; THENCE N89°47'22"W - 62.24 FEET ALONG THE NORTH LINE OF SECTION 4; THENCE S73°36'08"E - 64.89 FEET TO THE EAST LINE OF SECTION 4; THENCE N00°02'00"W - 18.32 FEET ALONG THE EAST LINE OF SECTION 4 TO THE POINT OF BEGINNING.

SECTION 9: THE WEST ONE-HALF OF THE NORTHEAST ONE-QUARTER (W1/2 NE1/4).

PARCEL CONTAINS 371.85 ACRES, MORE OR LESS, SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD PERTAINING TO THE ABOVE DESCRIBED LANDS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Jerry D. Stichler

03/04/20

OREGON
JULY 25, 1991
JERRY D. STICHLER
2527

RENEWES 6/30/20

P.O. Box 2062
Redmond, Oregon 97756

EXHIBIT A

(541) 548-6092
plsurveying@gmail.com

RECEIVED

AUG 30 2021

DESCHUTES COUNTY ASSESSOR'S NAME LEDGER

8/27/2021 3:18:56 PM

OWRD

Account ID 281600 Township 22 Range 20 Section 00 1/4 0 1/16 0 Taxlot 00502 Special Interest

Effective Date 14-Aug-2020 9:06 AM Transaction ID 21435555 Entry Date 11-Mar-2020 Recorded Date 09-Mar-2020 Sale Date

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
2	22306954	2020	CLERK - BOR	B&S	2020	10704	1			SEGREGATION - TO	2220000000500

SEGREGATED FROM TAX LOT 500 (+315.86 AC)
DESCHUTES COUNTY FILE 247-19-000470-LL

Name Changes	Status	Name	Name Type	Ownership Type	Ownership %
	A	YREKA BUTTE ENTERPRISES LLC	OWNER	OWNER	100.0000

Size Changes	Code	+ / - Size	Alternate Size	Code Area Deleted	Move to Acct	Move To Code
	5015	315.86 Acres	0			

Size Totals	Code	Acres	Sqft	Alternate Size
	5015	315.86		

Action Metes and Bounds

Add: SEE BARGAIN AND SALE DEED 2020-10704 FOR LEGAL DESCRIPTION
TAX LOT 22 20 00 502 AND 21 20 00 2300 CONSIDERED ONE LOT PER DESCHUTES COUNTY FILE 247-19-000470-LL

Effective Date 14-Aug-2020 9:06 AM Transaction ID 21435555 Entry Date 11-Mar-2020 Recorded Date 09-Mar-2020 Sale Date

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
2	22306966	2020	CLERK - BOR	B&S	2020	10703	1			SIZE CHANGE	

ALSO PORTION OF TAX LOT 400 (+7.99 AC)
DESCHUTES COUNTY FILE 247-19-000470-LL

Size Changes	Code	+ / - Size	Alternate Size	Code Area Deleted	Move to Acct	Move To Code
	5015	7.99 Acres	0			

Size Totals	Code	Acres	Sqft	Alternate Size
	5015	323.85		

Effective Date 04-Sep-2020 3:32 PM Transaction ID 21447483 Entry Date 04-Sep-2020 Recorded Date 04-Sep-2020 Sale Date

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
1	22314533	2020	CDD REQ	AC	2020	2090	1			SITUS CHANGE	

Size Totals	Code	Acres	Sqft	Alternate Size
	5015	323.85		

8/27/2021 3:18:56 PM

Account ID	Township	Range	Section	1/4	1/16	Taxlot	Special Interest
281600	22	20	00	0	0	00502	

RECEIVED

AUG 30 2021

OWRD

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-025-0210)

DESC 60049

WELL LABEL # L 111742
START CARD # 196694

DRAFT

Instructions for completing this report are on the last page

(1) LAND OWNER
First Name Dale D Owner Well I.D. ROTH
Company PO Box 358
Address CHRISTMAS VALLEY State OR Zip 97641

(2) TYPE OF WORK ☒ New Well ☐ Deepening ☐ Conversion
☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD
☐ Rotary Air ☒ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud
☐ Reverse Rotary ☐ Other

(4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other

(5) BORE HOLE CONSTRUCTION Special Standard: ☐ Yes (attach copy)
Depth of Completed Well 600 ft.

BORE HOLE				SEAL			
Dia	From	To	Material	From	To	Amount	Scks/lbs
20"	0	35"	Bent	0	50	96	scr
18"	50	115					
16"	115	200					
14"	200	600					

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☐ Other

Backfill placed from _____ ft. to _____ ft. Material _____
Filter pack from _____ ft. to _____ ft. Material _____ Size _____
Explosives used: ☐ Yes Type _____ Amount _____

(6) CASING/LINER									
Casing	Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded
X		16"	+	1	115	.250	X		X

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____
Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method									
Screens Type Material									
Perf	Scrn	Casing	Linr	Screen Dia	From	To	Screen/ slot width	Slot length	# of slots

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

Pump <input type="checkbox"/> Bailer <input type="checkbox"/> Air <input checked="" type="checkbox"/> Flowing Artesian <input type="checkbox"/>			
Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
1000		600	1.2

Temperature 60 °F Lab analysis ☐ Yes By _____
Water quality concerns? ☐ Yes (describe below)
From _____ To _____ Description _____ Amount _____ Units _____

RECEIVED BY OWRD

AUG 01 2014

(9) LOCATION OF WELL (legal description)
County Desch Twp 22 N or S Range 20 E or W W.M.
Sec 4 1/4 of the _____ 1/4 Tax Lot _____
Tax Map Number _____ Lot _____
Lat _____ " or _____ DMS or DD
Long _____ " or _____ DMS or DD
Street Address of Well (or nearest address) 40105 Hwy 20
Berlin OR 97712

(10) STATIC WATER LEVEL

Date	SWL (psi)	+	SWL (ft)
Existing Well/Predeepening			147
Completed Well	4.5-11		147

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES Depth water was first found 200

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
	200	200	200			147

(11) WELL LOG

Ground Elevation

Material	From	To
TOP Soil	0	2
Brown Clay	2	25
Gray Basalt	25	100
Sand Brown Dry	100	109
Basalt Brown	109	115
Gray Basalt	115	203
Sand gravel clay	203	280
Basalt	280	320
Pumice with	320	600
gravel Sand construction		

Date Started 1-22-14 Completed 4-5-14

(unbonded) Water Well Constructor Certification

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

License Number _____ Date _____

Signed _____

(bonded) Water Well Constructor Certification

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

License Number 1654 Date 7-14-14

Signed _____

Contact Info. (optional)

STATE OF OREGON
WATER SUPPLY WELL REPORT

(as required by ORS 537.765 & OAR 690-205-0210)

DESC 60049

WELL LABEL # L 111742

START CARD # 196694

DRAFT

Instructions for completing this report are on the last page

(1) LAND OWNER

First Name DAVID Last Name ROTH

Company

Address PO Box 358

City CHRISTMAS VALLEY State OR Zip 97641

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Conversion
☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD

☐ Rotary Air ☒ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud
☐ Reverse Rotary ☐ Other

(4) PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other

(5) BORE HOLE CONSTRUCTION Special Standard: ☐ Yes (attach copy)

Depth of Completed Well 600 ft.

BORE HOLE			SEAL				
Dia	From	To	Material	From	To	Amount	Scks/lbs
20"	0	30"	Bent	0	50	96	500
18"	50	115					
16"	115	200					
14"	200	600					

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E

☐ Other

Backfill placed from _____ ft. to _____ ft. Material _____

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

Explosives used: ☐ Yes Type _____ Amount _____

(6) CASING/LINER

Casing	Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
X		16"	+	1	115	.250	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____

Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____

Screens Type _____ Material _____

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

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

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
1000		600	1.2

Temperature 60 °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe) _____

From	To	Description	Amount	Units

RECEIVED BY OWRD

AUG 01 2014

(9) LOCATION OF WELL (legal description)

County Desch Twp 22 N or S Range 20 E or W W.M.

Sec 4 1/4 of the _____ 1/4 Tax Lot _____

Tax Map Number _____ Lot _____

Lat _____ " or _____ DMS or DD

Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) 40105 Hwy 20

Beldin OR 97712

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Predeepening				147
Completed Well	4-5-11			147

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES Depth water was first found 200

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
	200	200	200			147

(11) WELL LOG

Ground Elevation _____

Material	From	To
TOP Soil	0	2
Gravel	2	25
Gravel Basalt	25	100
Sand Basalt	100	109
Basalt	109	115
Gravel Basalt	115	205
Sand gravel clay	205	280
Red gravel	280	320
Pumice	320	600
gravel sand conglomerate		

RECEIVED

RECEIVED

JUN 24 2021

AUG 30 2021

OWRD

OWRD

Date Started 1-22-14 Completed 4-5-14

(unbonded) Water Well Constructor Certification

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

License Number _____ Date _____

Signed _____

(bonded) Water Well Constructor Certification

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

License Number 1654 Date 7-14-14

Signed _____

Contact Info. (optional) _____

Deschutes County Property Information

Summary for account #281600

Summary information is displayed for the selected property.

Account Information

Mailing Name: YREKA BUTTE ENTERPRISES LLC
Map and Taxlot: 2220000000502
Account: 281600
Situation Address: 39625 FORD RD, BEND, OR 97702
Tax Status: Assessable

Warning

This account may have potential additional tax liabilities, taxes due, or other special development conditions.

Ownership

Mailing To:
YREKA BUTTE ENTERPRISES LLC
40105 HIGHWAY 20
BROTHERS, OR 97712

Taxes

Property Tax (Current Year): \$2,845.53
Tax Code Area: 5015

Assessment

Assessor Acres: 323.85
Property Class: 559 -- FARM
EXCLUSIVE FARM USE POTENTIAL ADDITIONAL TAX LIABILITY

Valuation

Current Year Value Summary
As of Jan. 1, 2020
2020 - 2021 Tax Year

Real Market Values:

Land	\$641,590
Structures	\$392,590
Total	\$1,034,180

Assessed Values:

Maximum Assessed	N/A
Assessed Value	\$256,211
Veterans Exemption	

THE INFORMATION AND MAPS ACCESSED THROUGH THIS WEB SITE PROVIDE A VISUAL DISPLAY FOR YOUR CONVENIENCE. EVERY REASONABLE EFFORT HAS BEEN MADE TO ASSURE THE ACCURACY OF THE MAPS AND ASSOCIATED DATA. DESCHUTES COUNTY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, SEQUENCE, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE DATA PROVIDED HEREIN. DESCHUTES COUNTY EXPLICITLY DISCLAIMS ANY REPRESENTATIONS AND WARRANTIES, INCLUDING, WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. DESCHUTES COUNTY SHALL ASSUME NO LIABILITY FOR ANY ERRORS, OMISSIONS, OR INACCURACIES IN THE INFORMATION PROVIDED REGARDLESS OF HOW CAUSED. DESCHUTES COUNTY ASSUMES NO LIABILITY FOR ANY DECISIONS MADE OR ACTIONS TAKEN OR NOT TAKEN BY THE USER OF THIS INFORMATION OR DATA FURNISHED HEREUNDER.

RECEIVED

JUN 24 2021

RECEIVED

AUG 30 2021

OWRD

OWRD

Deschutes County Property Information

Summary for account #143553

Summary information is displayed for the selected property.

Account Information

Mailing Name: YREKA BUTTE ENTERPRISES LLC
Map and Taxlot: 22200000000600
Account: 143553
Situation Address: 39735 FORD RD, BEND, OR 97702
Tax Status: Assessable

RECEIVED

AUG 30 2021

OWRD

RECEIVED

JUN 24 2021

OWRD

Warning

This account may have potential additional tax liabilities, taxes due, or other special development conditions.

Ownership

Mailing To:
YREKA BUTTE ENTERPRISES LLC
40105 HIGHWAY 20
BROTHERS, OR 97712

Taxes

Property Tax (Current Year): \$27.15
Tax Code Area: 5015

Assessment

Assessor Acres: 80.00
Property Class: 550 -- FARM

EXCLUSIVE FARM USE POTENTIAL ADDITIONAL TAX LIABILITY

Valuation

Current Year Value Summary
As of Jan. 1, 2020
2020 - 2021 Tax Year

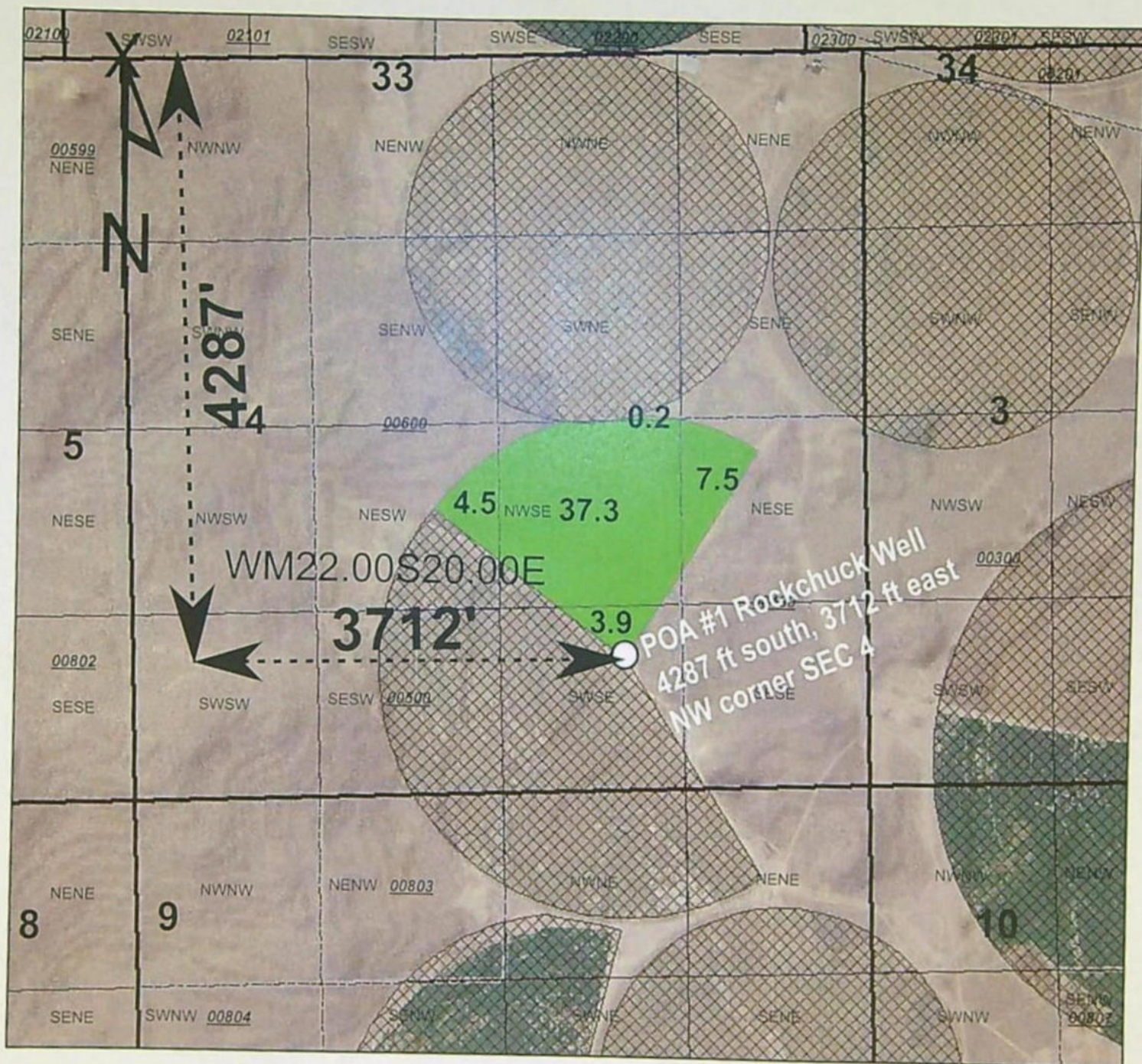
Real Market Values:

Land	\$68,610
Structures	\$00
Total	\$68,610

Assessed Values:

Maximum Assessed	N/A
Assessed Value	\$2,560
Veterans Exemption	

THE INFORMATION AND MAPS ACCESSED THROUGH THIS WEB SITE PROVIDE A VISUAL DISPLAY FOR YOUR CONVENIENCE. EVERY REASONABLE EFFORT HAS BEEN MADE TO ASSURE THE ACCURACY OF THE MAPS AND ASSOCIATED DATA. DESCHUTES COUNTY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, SEQUENCE, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE DATA PROVIDED HEREIN. DESCHUTES COUNTY EXPLICITLY DISCLAIMS ANY REPRESENTATIONS AND WARRANTIES, INCLUDING, WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. DESCHUTES COUNTY SHALL ASSUME NO LIABILITY FOR ANY ERRORS, OMISSIONS, OR INACCURACIES IN THE INFORMATION PROVIDED REGARDLESS OF HOW CAUSED. DESCHUTES COUNTY ASSUMES NO LIABILITY FOR ANY DECISIONS MADE OR ACTIONS TAKEN OR NOT TAKEN BY THE USER OF THIS INFORMATION OR DATA FURNISHED HEREUNDER.



RECEIVED

AUG 30 2021

OWRD

Legend

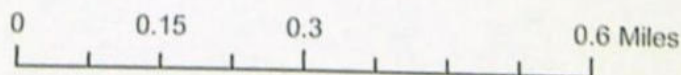
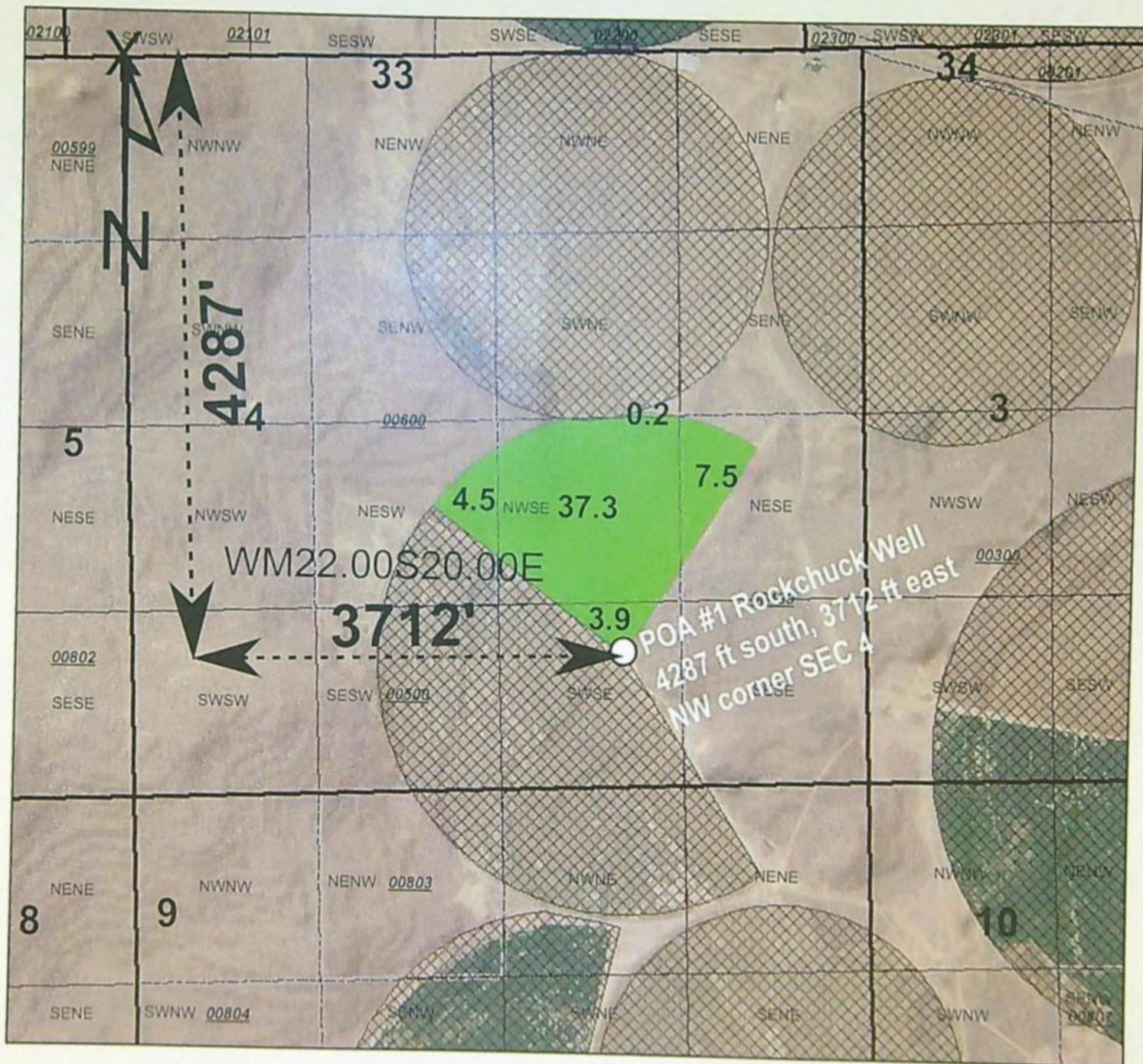
- proposed, this application, 53.4 acres
- existing water rights
- tax lots

Groundwater application map
David Baker 40105 Hwy 20, Brother OR 97712
4/15/2021

RECEIVED

JUN 24 2021

OWRD



Legend

- proposed, this application, 53.4 acres
- existing water rights
- tax lots

RECEIVED

AUG 30 2021

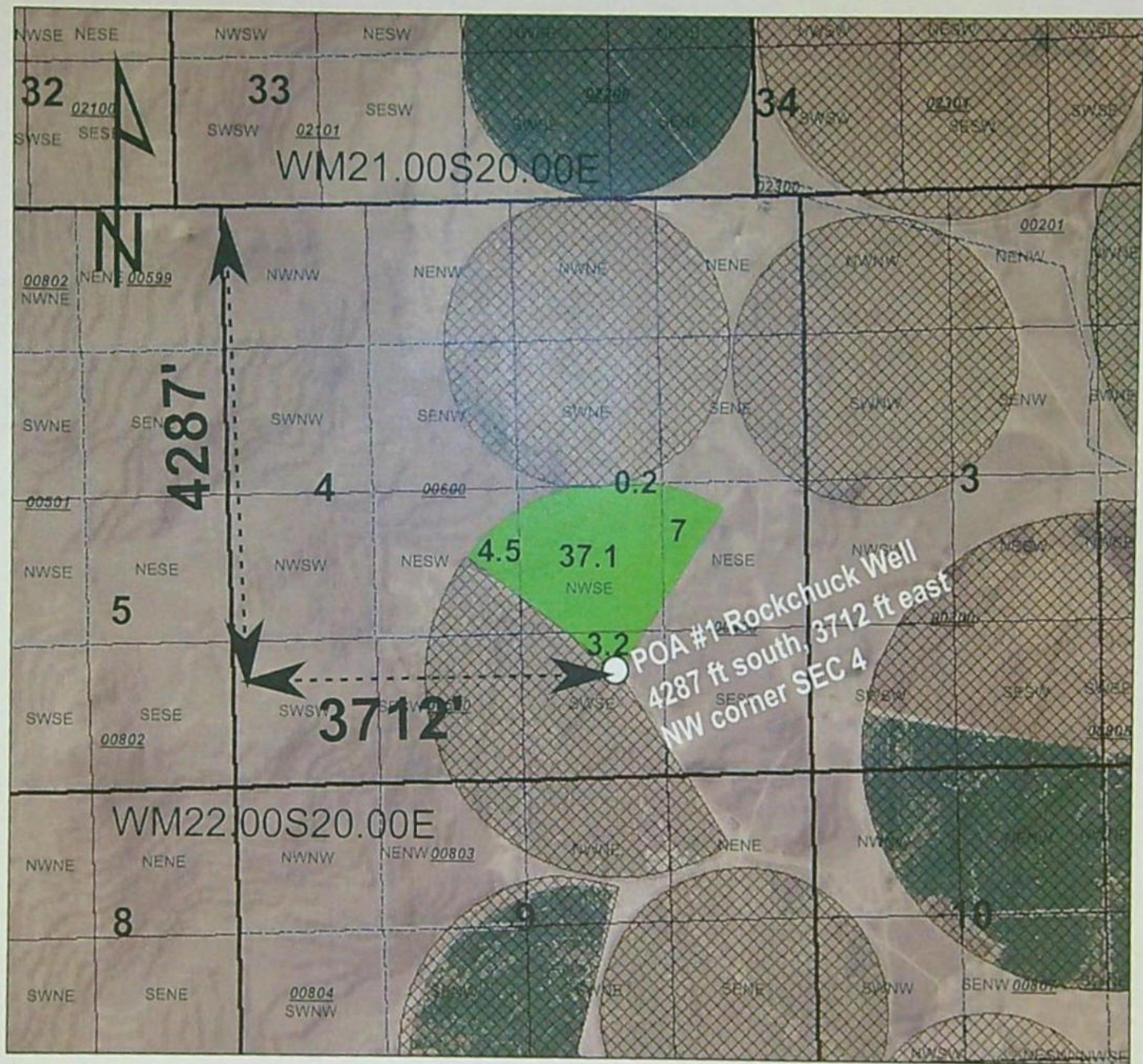
OWRD

RECEIVED

JUN 24 2021

OWRD

Groundwater application map
David Baker 40105 Hwy 20, Brother OR 97712
4/15/2021



0 0.125 0.25 0.5 Miles

1 inch = 0.25 miles

Legend

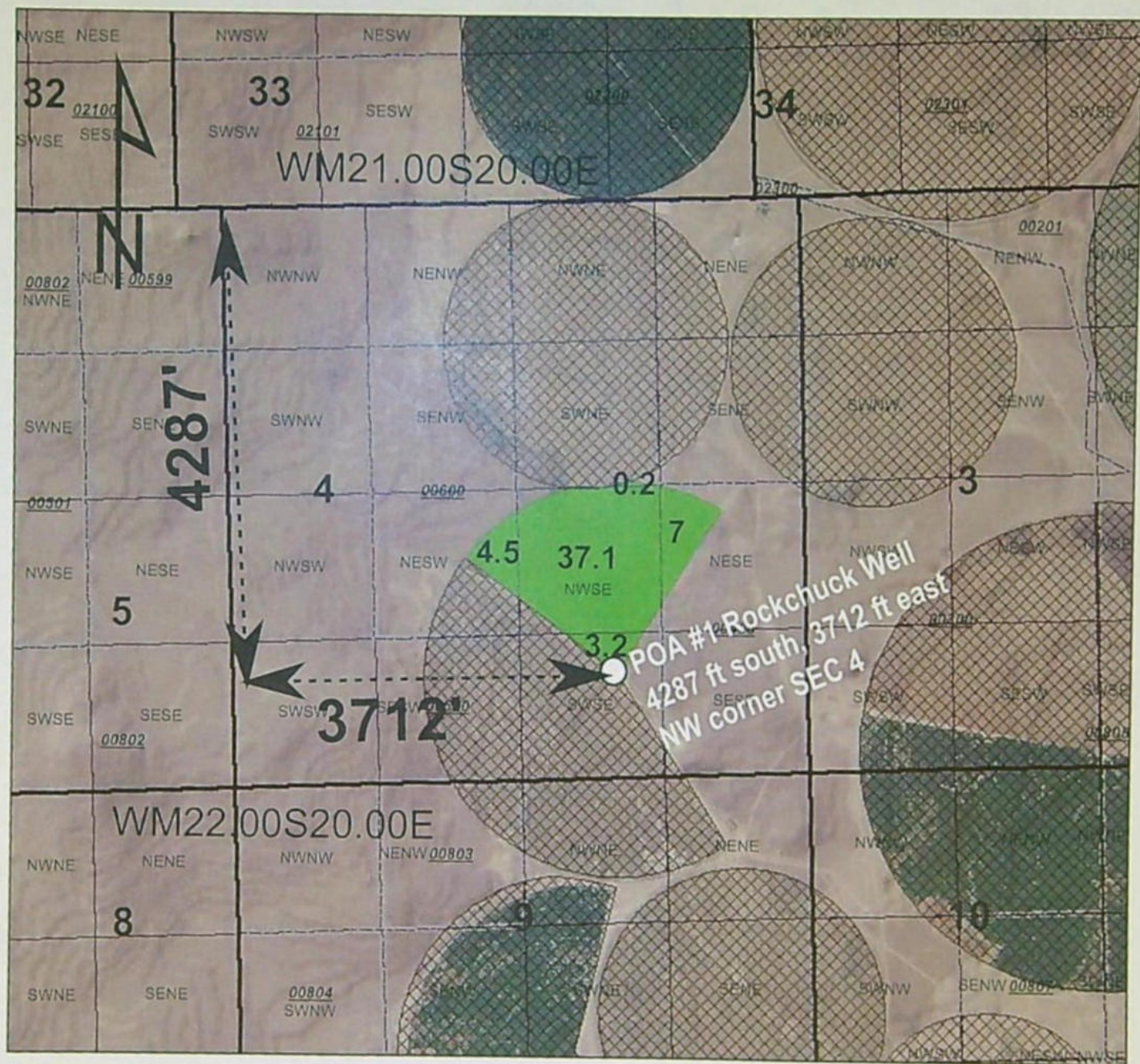
- proposed, this application, 53.4 acres
- existing water rights
- tax lots

Groundwater application map
David Baker 40105 Hwy 20, Brother OR 97712
4/15/2021

RECEIVED

AUG 30 2021

OWRD



0 0.125 0.25 0.5 Miles

1 inch = 0.25 miles

Legend

- proposed, this application, 53.4 acres
- existing water rights
- tax lots

Groundwater application map

David Baker 40105 Hwy 20, Brother OR 97712

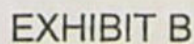
4/15/2021

RECEIVED

AUG 30 2021

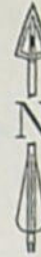
OWRD

RECEIVED
AUG 30 2021
OWRD

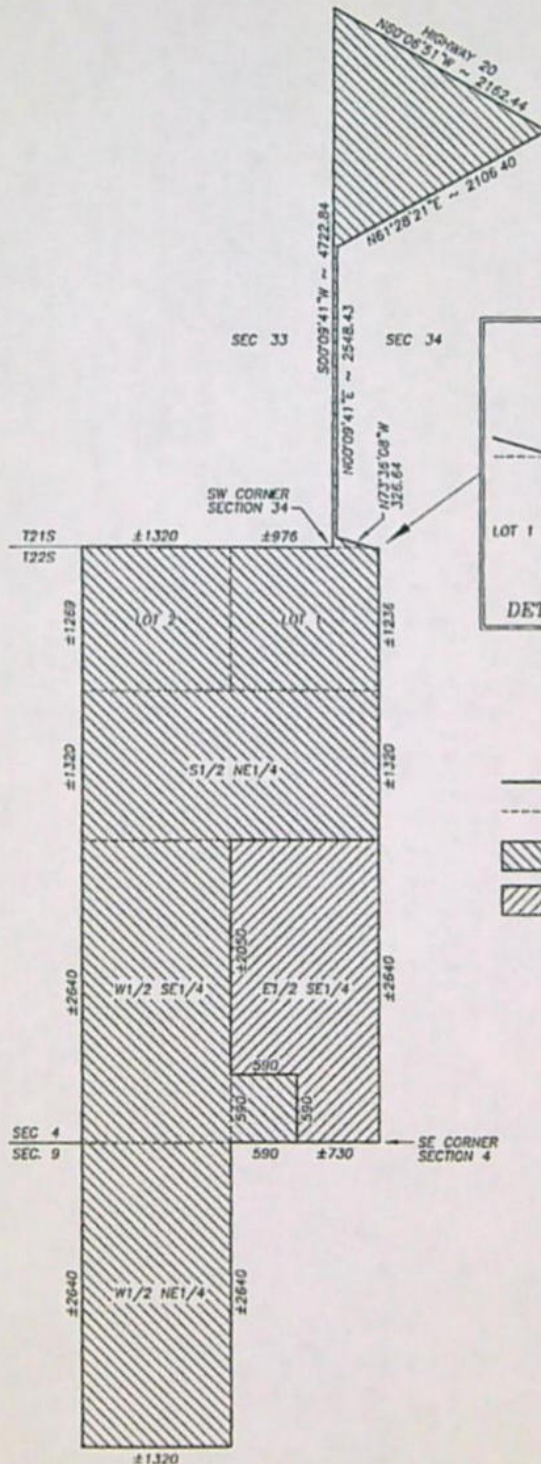


DRAWN BY	JS	JOB NO	19/110
EP	NONE	ACAD	19110_PARCELS

RESULTING PARCELS
DESCHUTES COUNTY FILE 247-19-000470-LL
PORTIONS OF SECTION 34 IN T21S, R20E, W.M. AND SECTIONS 4 AND 9
IN T22S, R20E, W.M., DESCHUTES COUNTY, OREGON



SCALE 1" = 1000'
 0 500 1000 2000 FT



LEGEND

- PROPERTY LINE.
- - - SECTIONAL SUBDIVISION LINE.
- RESULTING MC NETT PARCEL
- RESULTING TAX LOT 22-20-0000-00400

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Jerry D. Stichler 03/04/20

OREGON
 JUL 25, 1991
 JERRY D. STICHLER
 2527

RENEWES 6/30/20

PREPARED FOR:
 YREKA BUTTE ENTERPRISES
 P.O. BOX 358
 CHRISTMAS VALLEY, OR 97641

PREPARED BY:
 PRECISION LAND SURVEYING, INC.
 P.O. BOX 2082
 REDMOND, OREGON 97788
 (541) 548-6092
 MARCH 4, 2020 SHEET 1 OF 1

DRAWN BY: JS	JOB NO: 18/110
EP: NONE	ACAD: 18110_PARCELS

EXHIBIT B

RECEIVED
AUG 30 2021
OWRD

File: 247-21-000408-PS

Map and Taxlot: 2220000000600

RECEIVED

JUN 24 2021

OWRD

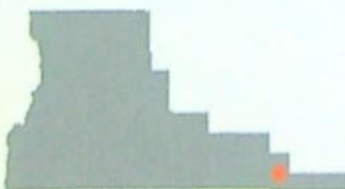
RECEIVED

AUG 30 2021

OWRD



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS,
USDA, USGS, AeroGRID, IGN, and the GIS User Community, Deschutes
County GIS



Date: 6/10/2021



RECEIVED RECEIVED

247-21-000408-PS

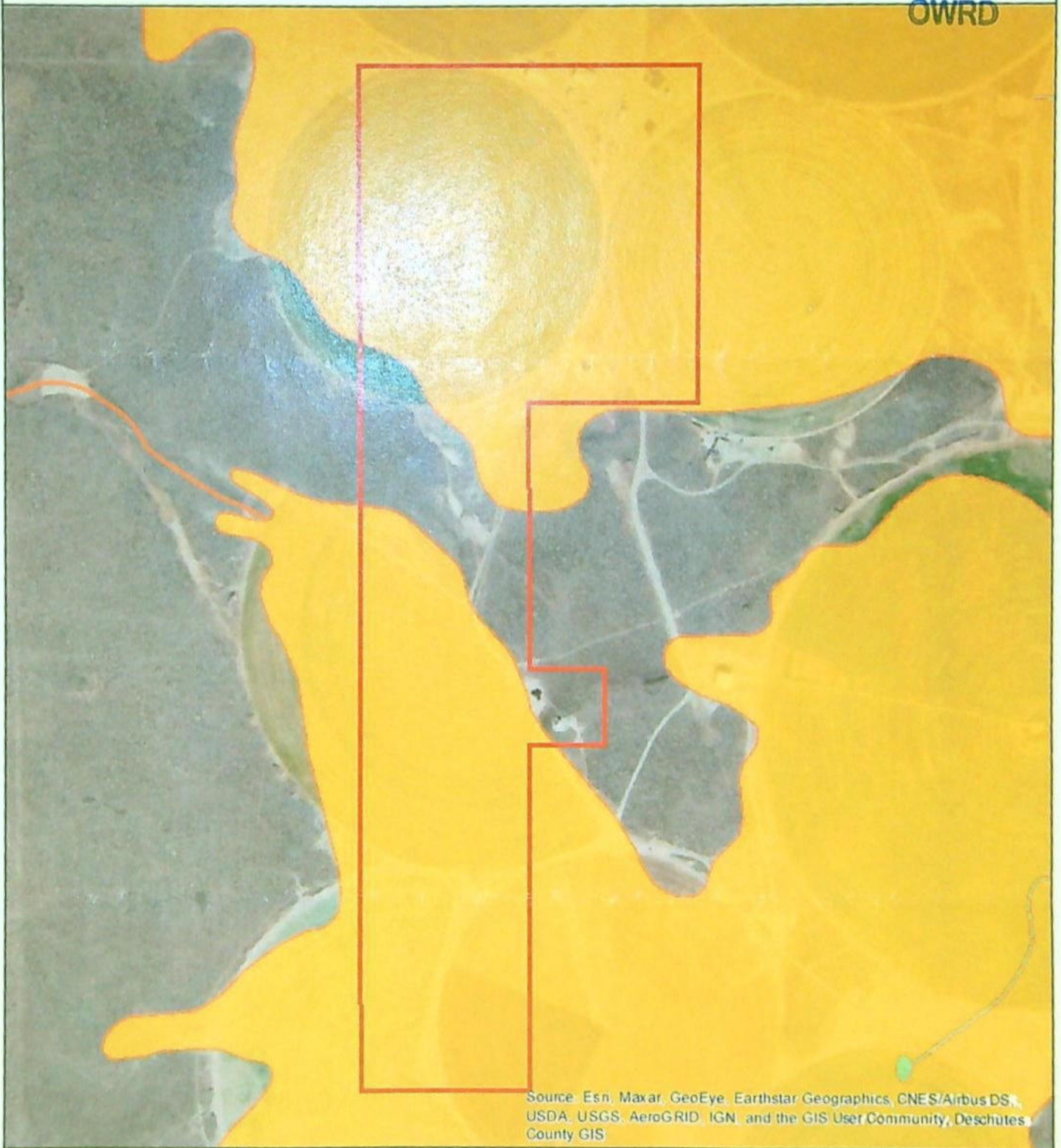
AUG 30 2021

JUN 24 2021

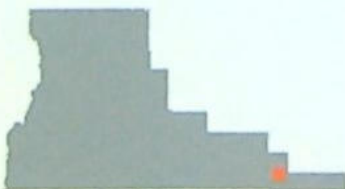
Map and Taxlot: 2220000000502

OWRD

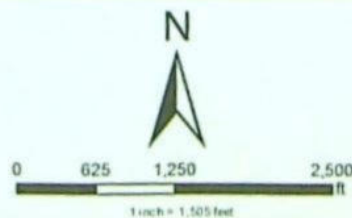
OWRD



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Deschutes County GIS



Date: 6/10/2021



RECEIVED

Attachment 1: Checklist & Processing Information

JUN 24 2021

Minimum Requirements Checklist

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

OWRD

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

RECEIVED

AUG 30 2021

OWRD

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: \$ 2210.00
See the Department's Fee Schedule at 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)

RECEIVED

JUN 24 2021

Water-Use Permit Application Processing

OWRD

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.

RECEIVED

2. Initial Review

AUG 30 2021

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 \$260. 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. 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 \$410.00 for the applicant and \$810.00 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.



RECEIVED

AUG 30 2021

OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Yreka Butte Enterprises, LLC

40105 Hwy 20 Brothers, OR 97712

Transaction Type: WR Application

Fees Received: \$ 2590.00

☐ Cash

☒ Check:

Check No. 2660

Name(s) on Check: Same.

Address on Check: Same.

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: C. Middleton
(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.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.

Figure 1: Map of Division 33 Areas

RECEIVED

JUN 24 2021

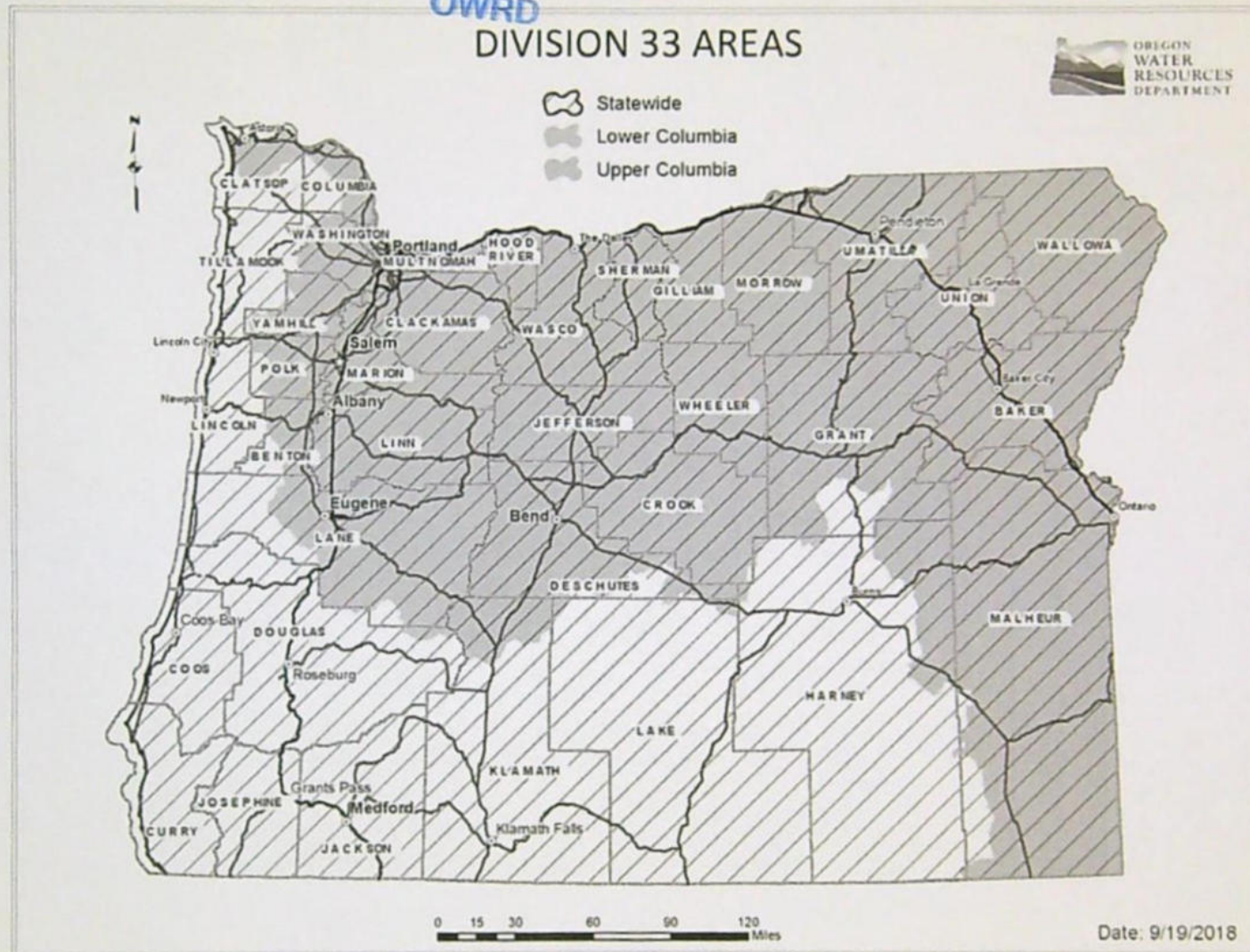
OWRD

RECEIVED

AUG 30 2021

OWRD

DIVISION 33 AREAS



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/

Oregon Water Resources Department
Groundwater Application

RECEIVED


AUG 30 2021


OWRD


RECEIVED


JUN 24 2021

OWRD

 Main

 Help





 Return

 Contact Us

Today's Date: Thursday, April 15, 2021

Base Application Fee.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	0.67	\$350.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed groundwater points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	1	
Subtotal:		\$1,690.00
Permit Recording Fee. ***		\$520.00
<p>* the 1st Water Use is included in the base cost. ** the 1st groundwater point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.</p>		<div>Recalculate</div>
Estimated cost of Permit Application		\$2,210.00

Oregon Water Resources Department Groundwater Application

 [Main](#)
 [Help](#)
 [Return](#)
 [Contact Us](#)

Today's Date: Thursday, September 2, 2021

Base Application Fee.		\$1,570.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	0.67	\$410.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed groundwater points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	1	
Subtotal:		\$1,980.00
Permit Recording Fee. ***		\$610.00
* the 1st Water Use is included in the base cost. ** the 1st groundwater point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$2,590.00