



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

A. Individuals

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Applicant: Michael Becker

MAY 09 2008

Mailing address: P.O. Box 1159
First Last WATER RESOURCES DEPT SALEM, OREGON

La Grande, Oregon 97850

Phone: 541.963.6775 541.963.7096

*Fax: 541.963.6775 *E-Mail address: mbecker@mikebeckergc.com

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: _____

Name and title of person applying: Michael Becker

Mailing address of organization: _____

City State Zip

Phone: _____

*Fax: _____ *E-Mail address: _____

* Optional information

For Department Use		
App. No. <u>G 17049</u>	Permit No. _____	Date _____

2. PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water?

Yes (Please check appropriate box below then skip to section 3 ("Ground water Development"))

There are no encumbrances

This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))

No (Please check the appropriate box below.)

I have a recorded easement or written authorization permitting access.

I do not currently have written authorization or easement permitting access.

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 irrigated and/or domestic use only (ORS 274.040).

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.

List the names and mailing addresses of all affected landowners.

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3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): 2

Name of nearest surface water body: Phys Slough

Distance from well(s) to nearest stream or lake: 1) Well 3: 5900 ft

2) Well 4: 4,200 ft 3) _____ 4) _____

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) Well 4: 5 feet

2) _____ 3) _____ 4) _____

B. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to section 4 of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by: Dennis Daugherty, Riverside, Inc.

Address: 111 S. Roswell Blvd/ PO Box 720

Parma, ID 83660

Completion date: 2008

Please provide a description of your well development. (*Attach additional sheets if needed.*)

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
3	16"-20"	Steel 16"-20"	> 500 ft*	> 500 ft*	> 500 ft*	unknown	> 500 ft*	Per OAR's	> 500 ft*
4	16"-20"	Steel 16"-20"	> 500 ft*	> 500 ft*	> 500 ft*	unknowns	> 500 ft*	Per OAR's	> 500 ft*
		*See remarks							
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Note: Well numbers in this listing must correspond to well locations(s) shown on accompanying map.

If well log is not available, or well is not yet constructed, you must provide: proposed total depth, depth of casing and seal, and the anticipated perforation and open intervals.

C. Artesian Flows

If your water well is flowing artesian, describe your water control and conservation works:

If the well is flowing artesian, the water control and conservation works will be per OAR's.

4. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____
- If your proposed use is **irrigation**, please attach **Form I**
- If your proposed use is **mining**, attach **Form R**
- If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
3	Basalts	Irrigation	See total	See total	TBD
4	Basalts	Irrigation	See total	See total	TBD
		Total	1,912	332,955,000	TBD

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 4.26 cfs
(The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: March 1 to October 31
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

E. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used: 340.6 acres
(This number should be consistent with your application map.)

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5. WATER MANAGEMENT

A. Diversion

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

Pump (give horsepower and pump type): To be determined

Other means (describe): _____

B. Transport

How will you transport water to your place of use?

Ditch or canal (give average width and depth):

Width _____ Depth _____

Is the ditch or canal to be lined? Yes No

Pipe (give diameter and total length):

Diameter 10 inch Length 2,500 ft

Other (describe) _____

C. Application/Distribution Method

What equipment will you use to apply water to your place of use? Two center pivot systems and hand lines.

Irrigation or land application method (check all that apply):

- Flood
- High-pressure sprinkler
- Low pressure sprinkler
- Drip
- Water cannons
- Center pivot system
- Hand lines
- Wheel lines
- Siphon tubes or gated pipe with furrows
- Other, describe _____

Distribution method

- Direct pipe from source
- In-line storage (tank or pond)
- Open canal

D. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

Seasonal usage using efficient center pivot systems and hand lines, where appropriate, only when plants need the water.

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin: June 2008

Proposed date construction will be completed: June 2008

Proposed date beneficial water use will begin: July 2008

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7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

This water right will be used as a supplemental right to irrigate when water is not available under the primary rights. These wells will be drilled into the basalts. At this time, no wells have been drilled that deep. Therefore, depth to the basalt water bearing zones, and yields are unknown. The wells will be cased and sealed through the overlying alluvium into the basalts per OAR's.

8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

9. SIGNATURE

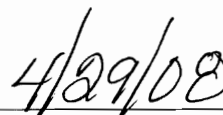
By my signature below I confirm that I understand:

- 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 packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- 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 canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:



Signature of Applicant *(If more than one applicant, all must sign.)*



Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

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FORM I

FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

Primary Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

really
320.6
acres

Primary: _____ Acres

Secondary: 340.6 Acres

List the permit or certificate number of the primary water right: No. Cert. 34301, 12431, 3485

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- 1. Alfalfa and hay Full season Partial season (from: _____ to _____)
- 2. _____ Full season Partial season (from: _____ to _____)
- 3. _____ Full season Partial season (from: _____ to _____)
- 4. _____ Full season Partial season (from: _____ to _____)

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

1,022 acre-feet

(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

- Daily during daytime hours Daily during nighttime hours
- Two or three times weekly during daytime Two or three times weekly during nighttime
- Weekly, during daytime hours Weekly, during nighttime hours
- Other, explain: Variable, based on evaporation and plant needs.

COPY

20
88
4/19/05

After recording, return original to:

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

Michael A. Becker
Vicki L. Becker

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Michael A. Becker
Vicki L. Becker

AUG 19 2005

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20002022 ✓

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$158,000.00.

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WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That CHARLES E. ROGERS, JOHN L. HABBERSTAD and JAMES M. HABBERSTAD, each as to an undivided one-third interest, hereinafter collectively referred to as the "Grantors", for the consideration hereinafter stated, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto MICHAELA. BECKER and VICKI L. BECKER, husband and wife, hereinafter referred to as the "Grantees", and unto grantees' heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Union and State of Oregon, described as follows, to-wit:

A portion of Parcel 1 of Minor Partition Plat No. 1993-05 filed April 21, 1993 in Plat Cabinet "A", Slide 331, records of Union County, Oregon, described as follows:

The southeast quarter of Section 36, Township 3 South, Range 39 East of the Willamette Meridian in Union County, Oregon.

SUBJECT TO:

1. a. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
1. b. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. a. Easements, liens, encumbrances, interests or claims thereof which are not shown by the public records.

4/19/05
priority

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2. b. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
4. a. Unpatented mining claims.
4. b. Reservations or exceptions in patents or in Acts authorizing the issuance thereof.
4. c. Water rights, claims or title to water.

Whether or not the matters excepted under (a), (b), or (c) are shown by the public records.

5. Any lien or right to lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. AS DISCLOSED by Union County assessment records, the premises herein described have been zoned or classified for farm use. If said land has been disqualified, or is subsequently disqualified for such use, the property will be subject to additional taxes or penalties and interest.
7. RIGHTS OF THE PUBLIC to that portion of said land, if any, lying within the right of way for the County Road known as Woodruff Lane, along the south line of the land described herein, as disclosed and shown on Union County tax assessment maps.

To Have and to Hold the same unto the said grantees and grantees' heirs, successors and assigns forever.

And said grantors hereby covenant to and with said grantees and grantees' heirs, successors and assigns that grantors are lawfully seized in fee simple of the above granted premises, free from all encumbrances except as set forth above, and that grantors will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

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DEC 16 2004

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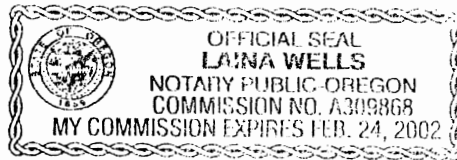
STATE OF OREGON)
: ss.
County of Union)

John L. Habberstad

John L. Habberstad

May 19, 2000.

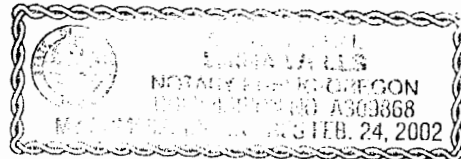
Personally appeared the above named John L. Habberstad and acknowledged the foregoing instrument to be his voluntary act and deed.



BEFORE ME:

Laina Wells

Notary Public for Oregon
My commission expires: 2-24-2002



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AUG 19 2005

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STATE OF OREGON)
: ss.
County of Union)

James M. Habberstad

James M. Habberstad

May 19, 2000.

Personally appeared the above named James M. Habberstad and acknowledged the foregoing instrument to be his voluntary act and deed.

"Grantors"

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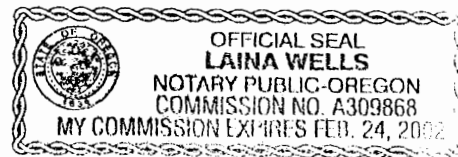
DEC 16 2004

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BEFORE ME:

Laina Wells

Notary Public for Oregon
My commission expires: 2-24-2002



STATE OF OREGON }
County of Union } SS

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SALEM, OREGON

I certify that this instrument was received and recorded in the book of records of said county.

R. NELLIE BOGUE HIBBERT,
Union County Clerk

by: *R. N. Bogue Hibbert* Deputy.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building

725 Summer Street NE, Suite A

Salem, OR 97301-1266

503-986-0900

FAX 503-986-0904

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 jurisdictions 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.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for 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.

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Oregon Water Resources Department
Land Use Information Form

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 ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Michael Becker
Mailing Address: P.O. Box 1159
City: La Grande State: OR Zip: 97850 Day Phone: 541.562.5875

This application is related to a Measure 37 claim. [] Yes [] No

A. Land and Location

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

Table with 8 columns: Township, Range, Section, 1/4 1/4, Tax Lot #, Plan Designation (e.g. Rural Residential/RR-5), Water to be: (Diverted, Conveyed, Used), Proposed Land Use: (Irrigation). Rows include tax lots 03S 39E 8800 and 03S 40E 9500.

List all counties and cities where water is proposed to be diverted, conveyed, or used. Union County

B. Description of Proposed Use

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

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

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Source of water: [] Reservoir/Pond [x] Ground Water [] Surface Water (name)

Estimated quantity of water needed: 4.26 [x] cubic feet per second [] gallons per minute [] acre-feet

Intended use of water: [x] Irrigation [] Commercial [] Industrial [] Domestic for household(s)
[] Municipal [] Quasi-municipal [] Instream [] Other

Briefly describe: Ground water will be withdrawn from two wells for irrigation of hay and alfalfa.

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

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____.

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)

If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

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

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Name: Cody VAVRA Title: ASSISTANT PLANNER
 Signature: [Signature] Phone: 903-1014 Date: 4-29-08
 Government Entity: Union County Planning

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: _____