



**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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).*

## 1. APPLICANT INFORMATION

### A. Individuals

Applicant: ALMON BREWSTER  
First Last

Mailing address: 14190 TALLEY-DOBBIN LN  
HAINES OR 97833  
City State Zip

Phone: 541-856-3887  
Home Work Other

\*Fax: 541-856-3932 \*E-Mail address: almonbrew@aol.com

### B. Organizations

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

Name of organization: NA

Name and title of person applying: \_\_\_\_\_

Mailing address of organization: \_\_\_\_\_  
 \_\_\_\_\_  
City State Zip

Phone: \_\_\_\_\_  
Day Evening

\*Fax: \_\_\_\_\_ \*E-Mail address: \_\_\_\_\_

\* Optional information

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WATER RESOURCES DEPT  
SALEM OREGON

For Department Use		
App. No. <u>G-116986</u>	Permit No. _____	Date _____

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**2. PROPERTY OWNERSHIP**

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

- Yes (Skip to section 3 "Ground water Development.")
- 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.

ALMON J. BREWSTER, FAY C. BREWSTER, DANIEL E. BREWSTER

**3. GROUND WATER DEVELOPMENT**

**A. Well Information**

Number of well(s): 1

Name of nearest surface water body: NORTH POWDER RIVER

Distance from well(s) to nearest stream or lake: 1) 2 MILES +/-

2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) \_\_\_\_\_

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: STOFFEL BROS. DRILLING

Address: P.O. BOX 549

ENTERPRISE, OR. 97828

Completion date: \_\_\_\_\_

G-16986

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
1	10"	STEEL	400	200-400	120'	80 FT	130 FT	TUBE	400'

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:

N/A

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**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**

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G-16986

**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)
1	120' <del>50'</del> 500'	SUPPLEMENTAL	1340	120,096,000	1340

**C. Maximum Rate of Use Requested**

What is the maximum, instantaneous rate of water that will be used? 3.0 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 - OCTOBER 30  
(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: 107.00  
(This number should be consistent with your application map.)

**5. WATER MANAGEMENT**

**A. Diversion**

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

- Pump (give horsepower and pump type): 75 HP
- 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 " Length 1 MILE EXISTING LINE
- Other (describe) UNDERGROUND LINES

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**C. Application/Distribution Method**

What equipment will you use to apply water to your place of use? 1/4 MI. CENTER PIVOT, WHEEL LINES.

2 WHEEL LINES, SOME 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.

THE APPLICATION SYSTEMS ARE ALREADY SET UP, USING LOW PRESSURE SYSTEMS

GRAVITY FLOW. THE WELL WILL ONLY BE USED WHEN SURFACE WATER IS GONE.

WE ALSO PLAN ON PLANTING MORE GRAINS AND LESS ALFALFA. GRAINS TAKE LESS 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: APRIL, 2008

Proposed date construction will be completed: JUNE, 2008

Proposed date beneficial water use will begin: July 2008

**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.*

I am working with watermaster Rick Lusk on this application.

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Oregon Water Resources Department

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.

Primary: 8.9 Acres

Secondary: 101 Acres

List the permit or certificate number of the primary water right: No. 1518

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

- 1. Alfalfa [Full season checked]
2. wheat [Full season checked]
3. [Full season]
4. [Full season]

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

321 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 [checked]
Two or three times weekly during daytime
Two or three times weekly during nighttime
Weekly, during daytime hours
Weekly, during nighttime hours

Other, explain: Combination of Daily Daytime + Mostly Nighttime hrs.

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**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.)

12/20/2007  
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](http://www.wrd.state.or.us) or call (503) 986-0900.

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WRD on the web:

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STATE OF OREGON

WATER DIVISION NO. 2 COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That W. J. WELCH of Haines State of Oregon has a right to the use of the waters of North Powder River, a tributary of Powder River,

for the purpose of the irrigation of 453 1/2 acres of land and domestic and stock use,

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Union County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 3, at page 252; that the priority of the right hereby confirmed dates from the year 1879 for the irrigation of 90 acres and from 1890 for 363 1/2 acres;

that the amount of water to which such right is entitled and hereby confirmed for the purposes aforesaid, is limited to an amount actually beneficially used for said purpose, and shall not exceed a rate of flow of 3.75 sec. ft. from March 1st to October 1st of each year; the total quantity diverted during each irrigation season not to exceed 1134 acre feet.

A description of the lands irrigated under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows:

24 1/2 acres in NE 1/4 of SE 1/4; 40 acres in SE 1/4 of SE 1/4; Section Eleven (11): 80 acres in E 1/2 of SW 1/4; 36 1/2 acres in NW 1/4 of SW 1/4; 32 1/2 acres in SW 1/4 of SW 1/4; Section Twelve (12): 160 acres in NW 1/4 of Section Thirteen (13); 80 acres in E 1/2 of NE 1/4; Section Fourteen (14), Township Seven (7) South Range Thirty-eight (38) East of Willamette Meridian, in Baker County, Oregon.

Plat of Division of the right  
S.W. Vol 3 - P. 413

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described.

WITNESS the seal and signature of the State Water Board, affixed this 9th day of May, 1917.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By JOHN H. LEWIS State Engineer, President

Attest: M. F. MERS Secretary

Recorded in State Record of Water Right Certificates, Volume 24, page 1518

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G-16984



# Abstract of Permit No. 6498

Application No. 9753

Certificate No. 7673

Name **W. J. Welch,**  
 Address **Haines, Oregon.**  
 Source of water supply **Seepage and waste water from adjoining lands, and springs caused thereby, tributary of North Powder R.**  
 Use **Supplemental irrigation and stock.**  
 Point of diversion **Three main ditches will be used for irrigation, one heading in the NW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 14, another heading in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 14 and a third which is used for**  
 Number of acres **453.5** (see remarks)

**DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE**

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
7 S	38 E	11													24.5			40
		12									40	36.5	2.5	40				
		13					40	40	40	40								
		14	40			40												

Priority date **August 11, 1924.**  
 Amount of water **2.5 cfs.**  
 Time limit to begin construction  
 Time limit to complete construction *extended to* *extended to*  
 Time limit to completely apply water *extended to* *extended to*

Remarks: **stock water at the house and barn located in the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 13, heads in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 11 all in T. 7 S, R. 38 E.W.M.**

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WARRANTY DEED (INDIVIDUAL)

BRAD R BARKER and JAMI B BARKER, herein called grantor, convey(s) to ALMON J BREWSTER AND FAY C BREWSTER, HUSBAND AND WIFE AS TO AN UNDIVIDED 2/3 INTEREST AND DANIEL ELWOOD BREWSTER AS TO AN UNDIVIDED 1/3 INTEREST ALL WITH RIGHTS OF SURVIVORSHIP all that real property situated in the County of Baker, State of Oregon, described as:

See Exhibit "A" attached hereto and incorporated herein by this reference

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except covenants, conditions, restrictions, reservations, taxes, assessments, easements, rights of way of record or visible thereon and shortages in acreages and boundary disputes which a true and accurate survey would reveal; and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above

The true and actual consideration for this transfer is \$475,000.00

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 8 day of April, 2005

Brad R Barker Jami B Barker

STATE OF Nevada, County of Washoe ss.

On April 8, 2005 personally appeared the above named Brad R Barker and Jami B Barker and acknowledged the foregoing instrument to be their voluntary act and deed.

DIANE S. TAYLOR Notary Public - State of Nevada Appointment Number 94-1439-2 My Appt. Expires Feb. 7, 2008

Before me: [Signature] Notary Public for My commission expires: 2/7/06

WARRANTY DEED (INDIVIDUAL) Brad R and Jami B Barker TO Almon Brewster et al 14190 Talley-Dobbins Lane Haines OR 97833 After Recording Return to: Elkhorn Title Company 1725 Main Street Baker City OR 97814

STATE OF OREGON, ) ) ss. County of [ ] ) I certify that the within instrument was received for record on the [ ] day of [ ], [ ], at [ ] o'clock [ ] M. and recorded in book [ ] on page [ ] Records of Deeds of said County. Witness my hand and seal of County affixed. Title Deputy

56 518 738 2800 & 2801 ref# 7088 & 17503 ELKHORN TITLE COMPANY #15441

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G-16986

B05 15 0202

File No.: 00015441

EXHIBIT "A"

IN TOWNSHIP 7 SOUTH, RANGE 38 EAST of the Willamette Meridian, in the County of Baker and State of Oregon:

Section 11: The Northeast quarter of the Southeast quarter.

Section 12: The North half of the Southwest quarter.

EXCEPT that portion conveyed to Baker County for road, by deed recorded July 9, 1920 in Deed Book 93, page 448.

STATE OF OREGON

County of Baker

SS

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

Tamara J. Green  
Baker County Clerk

by: *[Signature]* Deputy.

DOC#: 05150201B

RCPT: 86456 26.00

4/12/2005 11:00 AM

REFUND: *Exc 046* .00