



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Application for a Permit to Use Surface 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.

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WATER RESOURCES DEPT
SALEM, OREGON

1. APPLICANT INFORMATION

A. Individuals

Applicant: GORDON MILLER
First Last
Mailing address: 2001 COMMERCIAL ST SE
SALEM OREGON 97302
City State Zip
Phone: 503.363.1224 503.363.1500
Home Work Other
*Fax: 503.588.2020 *E-Mail address: _____

B. Organizations

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

Name of organization: _____
Name and title of person applying: _____
Mailing address of organization: _____

City State Zip
Phone: _____
Day Evening
*Fax: _____ *E-Mail address: _____

* Optional information

For Department Use

App. No. _____ Permit No. _____ Date _____

2. SOURCE AND PROPERTY OWNERSHIP

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A. The Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: CAT HORN SPRING Tributary to: WILLAMETTE RIVER
Source 2: _____ Tributary to: _____
Source 3: _____ Tributary to: _____
Source 4: _____ Tributary to: _____

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

B. Applications to Use Stored Water

Complete this section if any source listed in item 2A above is stored water.

Do you, or will you, own the reservoir(s) described in item 2A above?

- ☐ Yes.
- ☐ No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

If *all* sources listed in item 2A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

- ☐ By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:
- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
 - A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

C. 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 "Water Use")

☒ 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.

GORDON MILLER - APPLICANT IS ONLY AFFECTED
LANDOWNER

3. 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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B. Amount of Water

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

(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

Source	Type of use	Amount
LATHORN SPRING	IRRIGATION	0.06 ☒ cfs ☐ gpm ☐ af
		☐ cfs ☐ gpm ☐ af
		☐ cfs ☐ gpm ☐ af
		☐ cfs ☐ gpm ☐ af

C. Period of Use

Indicate the time of year you propose to use the water: MARCH 1 - OCTOBER 31

(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

D. Acreage

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 4.0

(This number should be consistent with your application map.)

4. WATER MANAGEMENT**A. Diversion**

What method will you use to divert water from the source?

☒ Pump (give horsepower and pump type): 7 HP CENTRIFUGAL

☐ Head-gate (give dimensions): _____

☐ Other means (describe): _____

B. Monitoring

How will you monitor your diversion to be sure you are within the limits of your water right (allowed rate and duty) and you are not wasting water?

☐ Weir

☐ Meter

☒ Periodic Sampling

☐ Other means (describe): _____

C. Transport

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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 3" Length ± 500'

☐ Other (describe) _____

D. Application/Distribution Method

What equipment will you use to apply water to your place of use? _____

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 MAY ALSO USE THIS
☒ In-line storage tank or pond ☐ Open canal

E. Conservation

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

Will be using mostly drip - which conserves water

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5. RESOURCE PROTECTION

A. Protection Practices

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

☐ Diversion will be screened to prevent uptake of fish and other aquatic life.

Describe planned actions: N/A

☐ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. Describe planned actions: N/A

☐ Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe: N/A

☒ Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe: AREA OF USE REMOTE TO SPRING

'ORGANIC' FARMING BEING PRACTICED

☐ Other: _____

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6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, on ~~completion~~, please indicate that date.

Proposed date construction will begin: Fall 2008

Proposed date construction will be completed: JUNE 2012

Proposed date beneficial water use will begin: MAY 2013

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.

8. MAP REQUIREMENTS

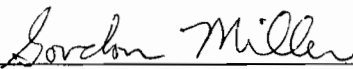
The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed points of diversion and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

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SALEM, OREGON**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.)

5-19-08

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.

WRD on the web:www.wrd.state.or.us



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SALE OF WATER RIGHTS

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: 3.0 Acres

Supplemental: 3.0 Acres

List the permit or certificate number of the primary water right:

No. _____

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

1. Nursery trees, Fruit trees, Caneberries

☐ Full season ☒ Partial season (from: 3/1 to 10/31)

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:

5.0 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: _____



Oregon Water Resources Department
Land Use Information Form

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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 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.

WATER RESOURCES DEPT
SALEM, OREGON

Applicant Name: GORDON MILLER
Mailing Address: 2001 COMMERCIAL ST SE
City: SALEM State: OR Zip: 97302 Day Phone: 503-363-1500

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.

Township	Range	Section	1/4 1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
8S	4W	36	B	100	Prim. 5A	☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

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

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
☐ Exchange of Water ☐ Allocation of Conserved Water
☐ Permit Amendment or Ground Water Registration Modification

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) LATHOEN SPRING

Estimated quantity of water needed: .06 ☒ 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: WATER TO BE USED IN ORGANIC FARMING

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

APR - 1999

After recording return to:
GORDON A. MILLER
2001 COMMERCIAL STREET SE
SALEM, OR 97302

TITLE ORDER NO: 18-72912

KEY ESCROW NO: 09-1661

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SALEM, OREGON

Until a change is requested tax statements
shall be sent to the following address:
SAME AS ABOVE

WARRANTY DEED -- STATUTORY FOR
(INDIVIDUAL or CORPORATION)

GEORGE LINDSEY STENDER, Grantor,

conveys and warrants to:

GORDON A. MILLER, Grantee,

the following described real property free of encumbrances except as
specifically set forth herein:

Beginning at the Northwest corner of Section 36, in Township 8 South, Range 4
West of the Willamette Meridian in Marion County, Oregon; thence South 16.75
chains; thence East 4.00 chains; thence South 15.65 chains to a County Road;
thence South 79°54' East along the County Road 2.77 chains to the most
Westerly Southwest corner of a 25.84 acre tract conveyed to William Bliven, et
ux, by deed recorded in Volume 236, Page 143, Deed Records for said County;
thence North 44° West 8.26 chains; thence North 89°16' East 1.25 chains;
thence North 44' West 2.96 chains; thence North 89°16' East 5.29 chains;
thence South 75°34' East 5.66 chains; thence South 44° East 6.70 chains;
thence South 67°52' East 4.51 chains; thence South 36°2' East 10.94 chains to
the line running East and West through the center of said Section 36; thence
East 5.96 chains; thence South 4.81 chains; thence East 5.05 chains; thence
North 44.81 chains to the North line of said Section 36; thence West 40.00
chains to the place of beginning, being situated in Marion County, Oregon.

SUBJECT TO:

1. The assessment and tax rolls disclose that the premises herein described
have been specifically assessed as Farm Use Land. If the land becomes
disqualified for the special assessment under the statute, an additional tax
may be levied for previous years in which the farm use assessment was in
effect for the land and in addition thereto a penalty may be levied if notice
of disqualification is not timely given.

2. The rights of the public in and to that portion of the premises herein
described lying within the limits of roads, streets and highways.

Tax Account No: R33840

Map No:

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.

The true consideration for this conveyance is \$612,325.00 (Which is paid
by an accommodator as part of an IRC 1031 exchange). However, if the
actual consideration consists of or includes other property or other value
given or promised, such other property or value was part of the/the
whole of the (indicate which) consideration. If the grantor is a corporation,
this has been signed by authority of the Board of Directors.

Dated this 23 day of Feb, 1999.

GRANTOR(S):