



LETTER OF TRANSMITTAL

TO: Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301

Date: 06/04/2008	Work Order 12821
Attention	
RE:	

ENCLOSED ARE THE FOLLOWING:

QUANTITY	DESCRIPTION
1	(7 pgs) GROUNDWATER APPLICATION WITH FORM I
1	CHECK FOR \$1000.00
1	(4pgs) LAND USE FORM PLUS ASSESSOR'S MAP AND LEGAL DESCRIPTION
1	(6 pgs) PRE-APPLICATION CONSULTATION
1	APPLICATION MAP

THESE ARE TRANSMITTED (as checked below)

- For approval
 As requested
 Filing/Recording
 For your use
 Approved as noted
 For your review & approval

Remarks:	SF Blueline	
	SF Mylar	
	Xerox	
	Tube, Mailer, Etc.	
	P & H	
	TOTAL	

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PICKED UP BY:
 DELIVERED BY:
 COPY TO: Ray Benzel w/ 1 of each

JUN 05 2008
 WATER RESOURCES DEPT.
 SALEM, OREGON

BY: Larry M. Toll, C.W.R.E
 ltoll@tennesoneng.com



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

Applicant: Ray and Paula Benzel
First Last

Mailing address: 80650 Wamic Market Road
Wamic OR 97063
City State Zip

Phone: 541-544-2482
Home Work Other

*Fax: _____ *E-Mail address: _____

B. Organizations

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

Name of organization: Agent is Tenneson Engineering Corp, Larry Toll

Name and title of person applying: _____

Mailing address of organization: 409 Lincoln Street
The Dalles OR 97058
City State Zip

Phone: 541-296-9177
Day Evening

*Fax: 541-296-6657 *E-Mail address: ltoll@tennesoneng.com

* Optional information

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For Department Use		
App. No. _____	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.

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): 1

Name of nearest surface water body: Threemile Creek

Distance from well(s) to nearest stream or lake: 1) 150 feet

2) _____ 3) _____ 4) _____

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) 2500 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: Jim Tibbets

Address: WWC # 1782

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SALEM, OREGON**

Completion date: _____

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		See WASC	51413						

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:

None

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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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		Suppl Irrigation	175	30,240,000	175

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 175 gpm
(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: 168.8
(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): 30 hp submersible pump
- 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 8, 6, 4 inch Length 80,000 feet
- Other (describe) _____

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C. 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
- 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.

meter, _____

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: 9/24/2005

Proposed date construction will be completed: 10/1/2010

Proposed date beneficial water use will begin: 10/1/2010

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.

Benzels' have an existing irrigation system that runs off of water delivered by the
Badger Ditch. This water goes to a pond on the property and is pumped from there.
This well will pump directly into the pond and then be repumped using the existing
surface water system.

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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:

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

JUNE 4, 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.

Fee	
\$500	Base
200	1st c/s
300	Recording
<u> </u>	
\$1000	Total

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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: 0 Acres

Secondary: 168.8 Acres

List the permit or certificate number of the primary water right: No. Cert 5764, 7869,

79976, 82890, 82973, 92974, 46368 (T-5551)

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

1. Wheat Full season Partial season (from: ___ to ___)

2. alfalfa Full season Partial season (from: ___ to ___)

3. Pasture 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:

up to 506.4 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: _____

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WATER RESOURCES DEPT. SALEM, OREGON

February 6, 2008

Mike Zwart
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-2430

Reference: Pre-Application Consultation

Mike:

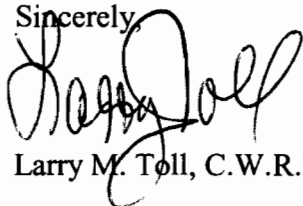
Ray Benzel has a well (WASC 51413) drilled on his property (Tax Lot 4S-12E 1900). He is now interested in obtaining a water right for supplementing his Badger Creek Water Right. I have enclosed:

1. Well Report for WASC 51413
2. Assessor's Map
3. Print of USGS Quad in area (scale 1"=1320')
4. Print of Aerial Photo in area (scale 1"=1320')

The well log reports 175 gpm and this is probable near well capacity. I realize there could be standard conditions related to recording/reporting water use and water levels. Is there any problems that would stop a permit from being issued?

Please feel free to contact me should you have any questions. You may respond using email if that is more convenient.

Sincerely,



Larry M. Toll, C.W.R.E.

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WATER RESOURCES DEPT.
SALEM, OREGON

LMT:jw
<wo#12821>

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)

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WASC 51413
NOV 18 2005

WASC
51413

WELL I.D. # L 73219
START CARD # 145833

Instructions for completing this report are on the last page of the manual.

(1) LAND OWNER Name RAY BENZEL Well Number _____
Address 80650 WAMIC MKT RD
City WAMIC State OR Zip 97063

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

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other _____

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other _____

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 459 ft.
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds
12	0	115	Concrete	0	115	25
8	115	459				

How was seal placed: Method A B C D E
 Other Pressure Pumped Bottom up

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 8	+2	115	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used Inside Outside None
Final location of shoe(s) 115

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

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

Yield gal/min	Drawdown	Drill stem at	Time
175	100%	458	1 hr.

Flowing Artesian
 Pump Bailer Air

Temperature of water 56 Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
 Any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County WASCO Latitude _____ Longitude _____
Township 24 S N or S Range 12 E E or W. WM.
Section 14 SE 1/4 NW 1/4
Tax Lot 1900 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 80650 WAMIC MKT RD WAMIC OR 97063

(10) STATIC WATER LEVEL:
220 ft. below land surface. Date 9-24-05
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 279

From	To	Estimated Flow Rate	SWL
279	450	175	220

(12) WELL LOG:
Ground Elevation 1100

Material	From	To	SWL
SOK + BONDERS	0	10	
RED, GREY + BLACK ROCK	10	93	
CINDERS RED	93	98	
RED, GREY + BLACK ROCK	98	279	
RED, GREY + BLACK ROCK			
CINDERS + GREY CLAY (WB)	279	450	220
GREY BASALT	450	459	

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Date started 9-3-05 Completed 9-24-05

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, 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.

WVC Number _____
Signed _____ Date _____

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, 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.

WVC Number 1782
Signed Jo White Date 9-30-05

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): 3.210.B1

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
		<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.

Name: A Gary Nychyk Title: Sr. Planner
 Signature: [Signature] Phone: 541-506-2560 Date: 5/14/08
 Government Entity: Wasco County Planning Dept.

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

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JUN 05 2008

WATER RESOURCES DEPT.
SALEM, OREGON

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____



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: Ray and Paula Benzel
Mailing Address: 80650 Wamic Market Road
City: Wamic State: OR Zip: 97063 Day Phone: 541-544-2482

This application is related to a Measure 37 claim. [] Yes [x] 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, Tax Lot #, Plan Designation (e.g. Rural Residential/RR-5), Water to be: (Diverted, Conveyed, Used), Proposed Land Use: (Irrigation). Rows include tax lots 1900 in sections S1/2 S1/2 and N1/2 N1/2.

List all counties and cities where water is proposed to be diverted, conveyed, or used. Wasco 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
[x] Allocation of Conserved Water [] Limited Water Use License
[x] Permit Amendment or Ground Water Registration Modification

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

Estimated quantity of water needed: 175 [x] cubic feet per second [x] gallons per minute [] acre-feet

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

Briefly describe: Propose to add a supplemental source of water to land currently irrigated through the Badger Ditch

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

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ASSIGNMENT OF CONTRACT OF SALE

We the undersigned, JOHN E. HANSEN and GAYLE HANSEN, husband and wife, do by this instrument convey, sell, assign and set-over unto RAY A. BENZEL and JOAN BENZEL, husband and wife, all of our right, title and interest in and to that certain Contract of Sale and the land therein described, dated the 1st day of May, 1968 wherein ALL-COAST ENTERPRISES, INC., a California Corporation agreed to buy and GLEN DESHAZER and VELMA DESHAZER, husband and wife agreed to sell the following lands:

The Southwest Quarter of the Southeast Quarter, the Southeast Quarter of the Southwest Quarter of Section 12; the Northeast Quarter of the Northwest Quarter, the North half of the Northeast Quarter of Section 13; Township 4 South, Range 12 East of the Willamette Meridian; the Northeast Quarter of the Northeast quarter, the Northwest Quarter of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter, the West half of the Northeast Quarter of Section 18, Township 4, South, Range 13, East of the Willamette Meridian; the South half of the Southwest Quarter of Section 7, Township 4 South, Range 13, East of the Willamette Meridian; all in the County of Wasco and State of Oregon

which said Contract of Sale was assigned by All-Coast Enterprises, Inc. a California Corporation to us and which said Contract and the lands therein described was assigned to Dora C. Gerke by assignment. We warrant that said Contract is in full force and effect and that we are not in default thereunder and that the principal balance due under said Contract is the sum of \$75,039.17, together with interest as therein provided from the 21 day of November 1972, and we direct that the above named sellers under said Contract of Sale, upon full payment of the purchase price, as in said Contract provided, execute and deliver to our above named assignees the Deed provided for in the Contract.

Dated this 5 day of May, 1973.

John E. Hansen
Gayle Hansen

Acceptance of contract of sale

We the above named RAY A. BENZEL and JOAN BENZEL, husband and wife, in consideration of the above Assignment and in further con-

CHARLES H. MANSCH
ATTORNEY AT LAW
1199 WALL STREET
BEND, OREGON 97701

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INDEXED

COMPARED

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