



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: HW and JUDITH F (PACHY) BURNS
First Last

Mailing address: 63131 RHEA CREEK RD
IONE OR 97843
City State Zip

Phone: 541 676 0009 406 223-6090
Home Work Other

*Fax: 541 676 0009 *E-Mail address: pachy@mcn.net

B. Organizations

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

Name of organization: _____

Name and title of person applying: JF PACHY BURNS - OWNER

Mailing address of organization: _____

City State Zip

Phone: _____
Day Evening

*Fax: _____ *E-Mail address: _____

* Optional information

For Department Use		
App. No. <u>G-17021</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.

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): 2

Name of nearest surface water body: RHEA CREEK

Distance from well(s) to nearest stream or lake: 1) 750' + 20 yds

2) 750' + ? depends on success of first well
2nd may not be needed

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) 10 ft +

2) 10 ft + ? 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: LARRY BURD

Address: _____

Completion date: proposed spring & summer of 2008

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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	8"-10"	steel 10"	150'	none	18'	300'	275'	alluvial port	325'
2	8"-10"	steel 10"	150'	none	18'	300'	275'	alluvial port	325'

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: n/a
- ☒ 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	UNKNOWN	IRRIGATION	1340 85600 gpm	468.7 AF	600 gpm
2		IRRIGATION	1400	891.75 AF	1340 gpm

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 345 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 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: 156.25 297.25
(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): 50-60 hsp / SURFACE 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 Mainline 6" Length 1 3/4 to 2 miles

- ☐ 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 <i>possibly</i> |
| ☒ 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.

SPRINKLE METHODS OF IRRIGATION ARE CHOSEN TO IRRIGATE
HAY FIELDS, PASTURE, AND ROTATING GRAIN PRODUCTION -

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: WE WILL GET BIDS ON THE WELLS WHEN THE
APPLICATION IS ACCEPTED

Proposed date construction will be completed: _____

Proposed date beneficial water use will begin: THE IRRIGATION SEASON UPON COMPLETION

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.

- IT IS DIFFICULT TO ANSWER MOST OF THESE QUESTIONS PRECISELY -
1. AREAS AROUND HOMES & BUILDINGS - POINT OF APPROPRIATION EXISTING DOMESTIC WELL
 2. W/ THE ASSISTANCE OF JOEL CLARK, THESE MAPS INDICATE THE SUPPLEMENTAL AND PRIMARY WATER REQUESTS -
 3. THE SUPPLEMENTAL AND PRIMARY WATER RIGHT REQUESTS ON THE BOTTOM GROUND IS OUR THE MOST EFFICIENT USE ✓

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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:

Norberto W. Burns 10/8/07
Signature of Applicant (If more than one applicant, all must sign.) Date
Judith Faye (Pacey) Burns 10/8/07

\$1,300
F 100
\$1,200.00

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

Ground Water/6

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Oregon Water Resources Department

FORM I FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supple

☒ Primary ☒ Supplemental

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

Primary:

20 161

121.1 IS

Secondary:

136.25

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

6
314.08

2. Please list the anticipated crops you will grow and whether you
partial season:

1. PASTURE

☒ Full season

☐ Partial season (from: _____ to _____)

2. HAY

☒ 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:

891.75 ~~468.7~~ 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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Last revision: October 31, 1996

MAR 10 2008

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STATE OF OREGON
COUNTY OF MORROW
CERTIFICATE OF WATER RIGHT

This is to Certify, That Arthur C. Keene

of Heppner, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Rhea Creek

a tributary of Willow Creek for the purpose of Irrigation

under Permit No. 7582 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from September 21, 1926;

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 purposes, and shall not exceed 0.4 cubic foot per second;

The point of diversion is located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 2S, Range 24E W. M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation or any other purpose), is as follows: 10 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, 13.9 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, and 7.8 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, Township 2 South, Range 24 East of the Willamette Meridian in Morrow County, Oregon.

The right to the use of the water for any purpose is restricted to the lands or place of use herein described.

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of section 5723, Oregon Laws.

WITNESS the signature of the State Engineer,

affixed this 25th day

of October, 1929

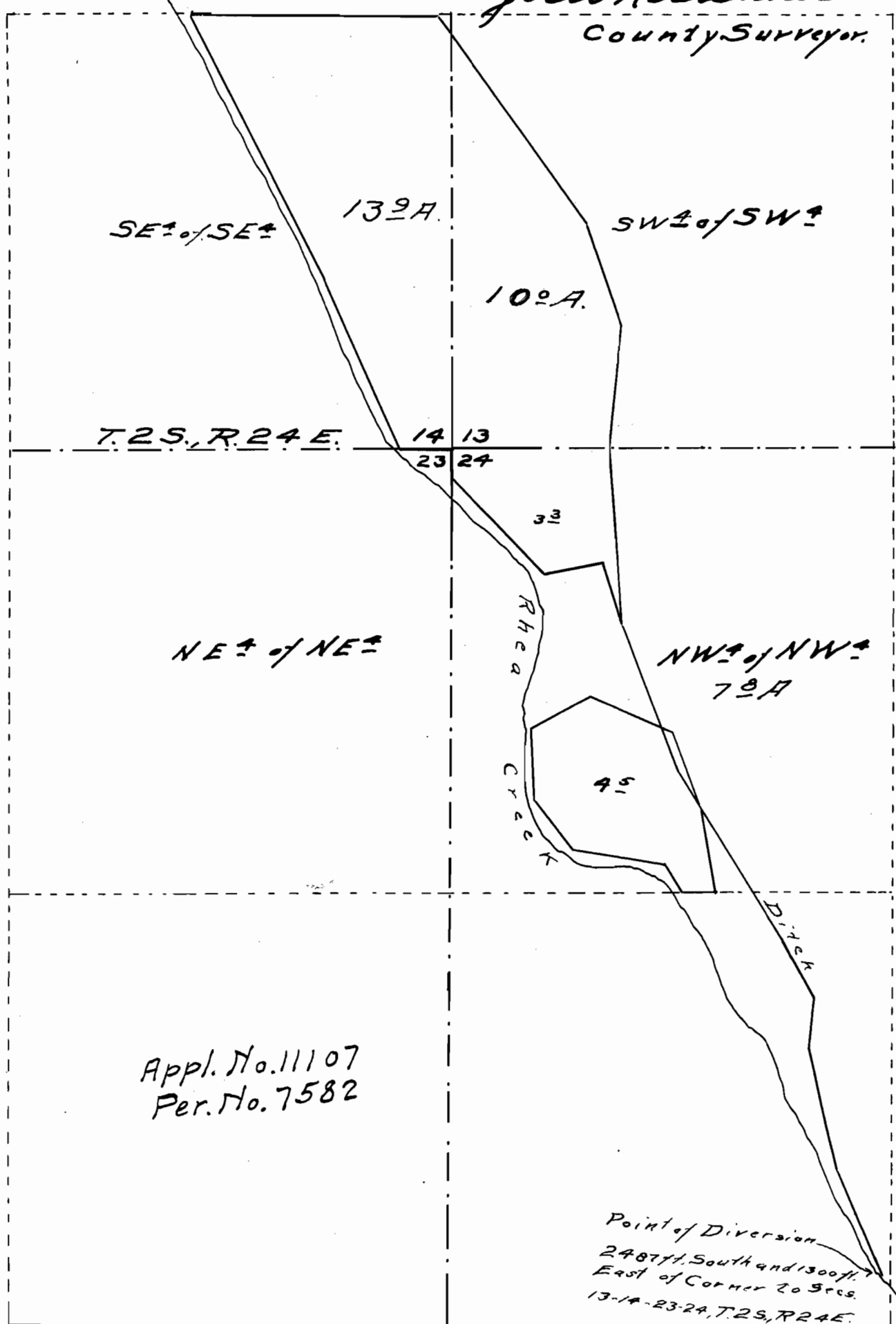
Rhea Luper

State Engineer.

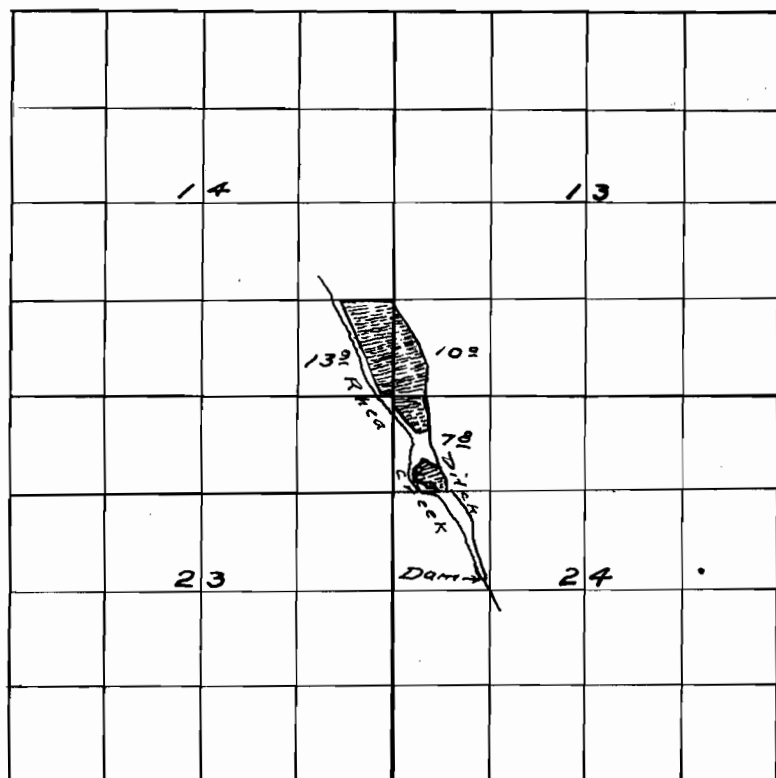
Recorded in State Record of Water Right Certificates, Volume 8, page 8224

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Green River
County Surveyor.



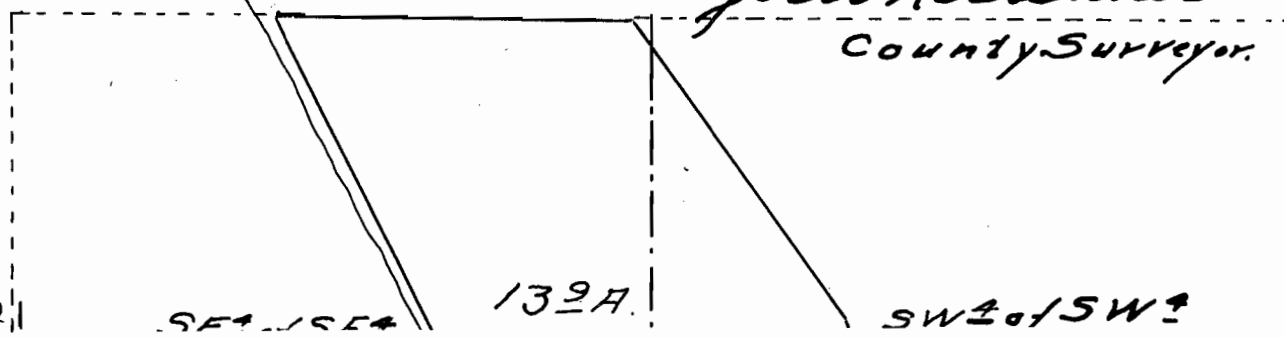
*Plat Showing Land to be Irrigated
on Arthur C. Keene's Tract
on Rhea Creek, Morrow County, Oregon,
T. 2 S., R. 24 E., W. M.*



Appl. #

I, Jos. W. Kirschner, of Heppner, Oregon, do hereby certify that this map was made from notes taken during an actual survey, made by me, Jan. 10, 1926, and that it correctly represents the work in the accompanying application, together with the location of streams and other ditches in the immediate vicinity, and has written thereon the area in each smallest legal subdivision which it is proposed to irrigate

*Jos. W. Kirschner
County Surveyor.*



STATE OF OREGON
COUNTY OF MORROW
CERTIFICATE OF WATER RIGHT

This Is to Certify, That BRYCE KEENE

of Ione, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Rhea Creek

a tributary of Willow Creek for the purpose of irrigation of 8.3 acres

under Permit No. 29362 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from January 8, 1964

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 purposes, and shall not exceed 0.14 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24, T. 2 S., R. 24 E., W. M., 2660 feet South and 1450 feet East from NW Corner, Section 24.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-sixtieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

1.1 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
1.0 acre SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 13

6.2 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 14
T. 2 S., R. 24 E., W. M.

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

WITNESS the signature of the State Engineer, affixed

this date. January 31, 1973

CHRIS L. WHEELER

State Engineer

STATE OF OREGON
COUNTY OF MORROW
CERTIFICATE OF WATER RIGHT

This Is to Certify, That BRYCE KEENE

of **Ione**, State of **Oregon**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of **Rhea Creek**

a tributary of **Willow Creek** for the purpose of
irrigation of **42.1 acres**

under Permit No. **29361** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **January 8, 1964**

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 purposes, and shall not exceed **0.70 cubic foot per second**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, T. 2 S., R. 24 E., W. M., 1670 feet North and 680 feet West from SE Corner, Section 14.**

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to **one-sixtieth** of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed **3 acre feet per acre** for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

**9.8 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
1.4 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
0.4 acre SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 11**

**9.1 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
15.7 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
3.3 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
2.4 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 14
T. 2 S., R. 24 E., W. M.**

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

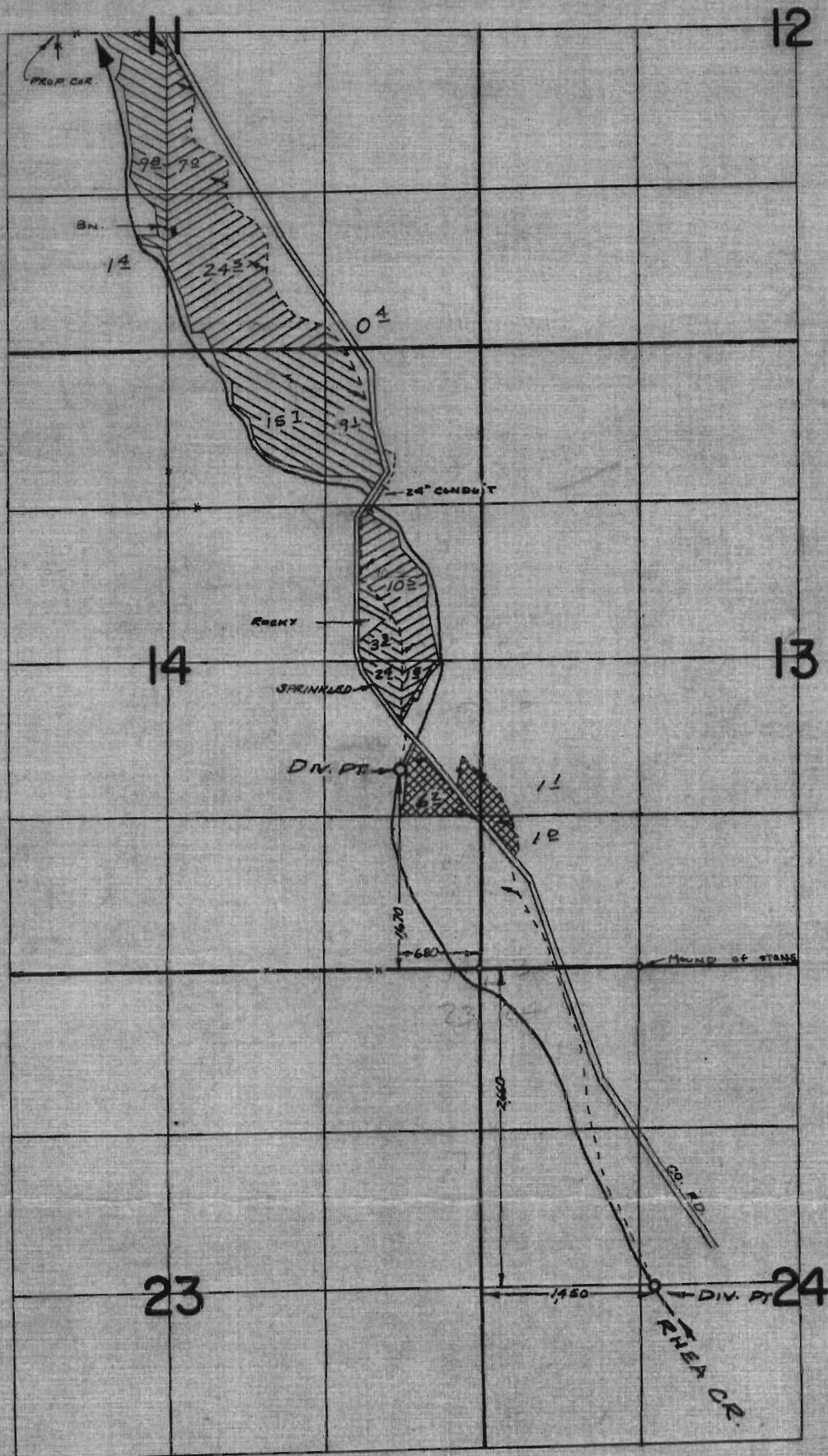
WITNESS the signature of the State Engineer, affixed

this date. **January 31, 1973**

CHRIS L. WHEELER

State Engineer

T.2S.R.24E.W.M.



APPL. 39393
COVERED BY
PRIOR RIGHTS
CERT. 2860 & 212

APPL. 39394

FINAL PROOF SURVEY

UNDER

Application No. 39393 Permit No. 29361
39394 29362

IN NAME OF

A. C. B. BRYCE KEENE

Surveyed JUNE 5 1971, by R. MUCKEN

G-17021

1971-K

WARRANTY DEED

KNOWN ALL MEN BY THESE PRESENTS THAT, JAMES A. WEST and CARLEEN JEAN WEST, as tenants by the entirety, Grantor(s) for and in "the true consideration for this conveyance is pursuant to an IRC 1031 Tax Deferred Exchange on behalf of the Grantor for the sum of Seven Hundred Forty Thousand dollars and Zero cents to it paid by the grantee(s) herein, do hereby grant, bargain, sell and convey unto JUDITH FAYE BURNS, aka PACHY BURNS and HORATIO W. BURNS, as tenants by the entirety, Grantee(s), the following described tract of land in the County of Morrow, State of Oregon, more particularly described as follows:

See Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the granted premises unto the said Grantee(s), their heirs and assigns forever.

And the Grantor(s) do covenant that they are lawfully seized in fee simple of the above granted premises free from all encumbrances EXCEPT, The rights of the public in roads and highways.

The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax, interest, and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.

Right of Way, including the terms and provisions thereof, in favor of Central Rhea Creek Telephone Company, recorded May 11, 1955, in Book 59, Page 230, Morrow County Deed Records.

Right of Way for Electric Transmission and Distribution Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded February 11, 1975, as Microfilm No. M-7703, Morrow County Microfilm Records.

Right of Way, including the terms and provisions thereof, in favor of Pacific Northwest Bell Telephone Company, recorded March 10, 1989, as Microfilm No. M-32673, Morrow County Microfilm Records.

Right of Way for Electric Transmission and Distribution Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded December 19, 1996, as Microfilm No. M-49748, Morrow County Microfilm Records.

Right of Way for Electric Transmission and Distribution Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded December 19, 1996, as Microfilm No. M-49749, Morrow County Microfilm Records.

Right of Way, including the terms and provisions thereof, in favor of Centurytel of Eastern Oregon, Inc. dba Centurytel, recorded June 21, 1999, as Microfilm No. M-58298, Morrow County Microfilm Records.

And that they, and their successors heirs executors and administrators shall Warrant and forever defend the granted premises, against the lawful claims and demands of all persons, except as above stated.

Before signing or accepting this instrument, the person transferring fee title should inquire about the person's rights, if any, under Chapter 1, Oregon Laws 2005 (Ballot Measure 37 (2004)). 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 approved uses 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 Chapter 1, Oregon Laws 2005 (Ballot Measure 37 (2004)).

WITNESS my Hand and Seal this 9th day of May, 2006.

JAMES A. WEST

James A. West

CARLEEN JEAN WEST

Carleen Jean West

STATE OF OREGON
COUNTY OF MORROW

BE IT REMEMBERED, that on this 9th day of May, 2006, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named, JAMES A. WEST and CARLEEN JEAN WEST, to me known to be the individual(s) described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

Pam Neal
Notary Public for the State of OREGON
My Commission Expires: 6/10/2009

All tax statements should be mailed to the
Following address until otherwise notified:
JUDITH FAYE BURNS, aka Pachy Burns
HORATIO W. BURNS
33171 Rhea Creek Road PO Box 1510
Jct. Oregon 97843/ Big Timber, MT
59011-1510
After recording please return to:
COLUMBIA RIVER TITLE COMPANY, LLC.
P.O. BOX 633
BOARDMAN, OR. 97818



MORROW COUNTY, OREGON 2006-16623
D-WD
Crt=1 Stn=1 BC 05/10/2006 11:54:27 AM
\$10.00 \$11.00 \$10.00 \$31.00



Bobbi Childers, County Clerk for Morrow
County, Oregon, certify that the instrument
identified herein was recorded in the Clerk
records.

Bobbi Childers - County Clerk



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SALEM, OREGON

EXHIBIT "A"

Township 2 South, Range 24, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

Section 13: The South Half of the Southwest Quarter; That part of the South Half of the Southeast Quarter of Section 13, of said Township and Range lying North and West of the County Road known as County Road No. 27 "C".

Section 14: The South Half of the Southeast Quarter. That portion of the Northwest Quarter of the Southeast Quarter lying South and East of Keck Canyon County Road.

Section 24: That part of the Northwest Quarter of the Northeast Quarter lying North and West of said County Road No. 27 "C". ALSO all that portion of the North Half of the Northwest Quarter lying North of the County Road which intersects with the Rhea Creek County Road in the Northwest Quarter of the Northwest Quarter of said Section 24, and running thence in a Northeasterly direction therefrom and all that portion of said North Half of the Northwest Quarter of said Section lying West of the Rhea Creek County Road.

All that portion of Sections 13, 14 and 11, Township 2 South, Range 24, East of the Willamette Meridian, in the County of Morrow and State of Oregon, described as follows:

Beginning at the Southwest corner of the Southeast Quarter of the Northeast Quarter of Section 14, said point being the true point of beginning of this description; thence North 76°30' East a distance of 230.00 feet to the intersection of the Keck Canyon Road and the Rhea Creek Market Road; thence North 10° East a distance of 313.00 feet along said Rhea Creek Road; thence North a distance of 870.00 feet along said Rhea Creek Road; thence North 43°15' East 195.00 feet along said Road to a point on the North side of Rhea Creek; thence North 34° West a distance of 178.00 feet to a point on the North bank of Rhea Creek; thence Northwesterly following the meander of the North bank of Rhea Creek to a point lying North 70°30' West a distance of 925.00 feet from the last described point; thence South 56°30' West a distance of 155.00 feet across Rhea Creek; thence North 42° West a distance of 550.00 feet; thence North 27°15' West a distance of 1,620.00 feet; thence North 4°15' East a distance of 120.00 feet; thence North 5° West a distance of 785.00 feet; thence North 36° West a distance of 733.00 feet to a point on the East West center line of Section 11; thence East along said center line a distance of 908.00 feet to a point on the center line of Rhea Creek Road; thence East along said center line a distance of 2,340.00 feet, more or less, to the East Quarter corner of said Section 11; thence South along the Section line a distance of 5,280.00 feet, more or less, to the West Quarter corner of Section 13; thence East a distance of 5,280.00 feet, more or less, to the East Quarter corner of Section 13; thence South along the Section line a distance of 1,320.00 feet; thence West a distance of 6,600.00 feet, more or less, to the Southwest corner of the Northeast Quarter of the Southeast Quarter; thence North a distance of 1,320.00 feet to the point of beginning.

EXCEPTING THEREFROM the following described land:

Township 2 South, Range 24, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

Section 14: Beginning at a point lying North 49°05' East a distance of 648.40 feet from the Southwest corner of the Northeast Quarter of the Northeast Quarter, said point being the true point of beginning of this description; thence North 11°32' West a distance of 208.70 feet; thence North 78°28' East a distance of 208.70 feet; thence South 11°32' East a distance of 208.70 feet; thence South 78°28' West a distance of 208.70 feet to the point of beginning.

ALSO EXCEPTING THEREFROM all roads and road rights of way.

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WATER RESOURCES DEPT
SALEM, OREGON

G-17021



**Oregon Water Resources Department
Land Use Information Form**

RECEIVED
OCT 30 2007

OCT 29 2007

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 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: HW and JUDITH F (Pachy) Buens
Mailing Address: 63131 RHEA CREEK RD
City: IONE State: OR Zip: 97843 Day Phone: 541 676 0009

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:
<u>2S</u>	<u>24E</u>			<u>1500</u>		☒ Diverted ☒ Conveyed ☒ Used	<u>Ag</u>
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

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

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 ☐ Limited Water Use License
☐ Permit Amendment or Ground Water Registration Modification

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

Estimated quantity of water needed: 3 cf/s ☐ 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: SUPPLEMENTAL IRRIGATION OF 136.25 ACRES
PRIMARY IRRIGATION OF 161 ACRES FOR AGRICULTURAL
USE.

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

RECEIVED

DEC 03 2007

WATER RESOURCES DEPT
SALEM, OREGON

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MAR 10 2008

WATER RESOURCES DEPT
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Land Use Information Form

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						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

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

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State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
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SALEM, OREGON

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SALEM, OREGON

G-17021

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): MCZO 3.010 - Farm Use Zone

☐ 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:	
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ 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: W. Timmons Title: Assoc. Planner
Signature: [Signature] Phone: 541-422-4624 Date: 11/26/07
Government Entity: Morrow County Planning Department

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: _____

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SALEM, OREGON

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DEC 03 2007

WATER RESOURCES DEPT
SALEM, OREGON

Last updated 12/22/06 WR

6-17021

PRICES ARE FIRM -FOOTAGES ARE ESTIMATE ONLY

HERMISTON 567-3088

PENDLETON 276-8225

LARRY BURD WELL DRILLING INC.

70732 S W DOUGLAS DRIVE

PENDLETON, OREGON 97801

NAME	BURNS, PACKY
ADDRESS	63131 Rhedak
ADDRESS	
CITY	LONG
STATE	97843

HOME	541-676-0009
WORK PHONE	
CELL	1
FAX PHONE	
DATE	2/27/2008

MAP NO. 2S 24E 36 TL 3900

DESCRIPTION	FROM	TO	QTY	UNIT	COST	TOTAL
ORE START CARD FEE			1	1 EACH	\$125.00	\$125.00
MOB & DEMOB			1	1 LUMP	\$1,500.00	\$1,500.00
DRILL 16 INCH SURFACE HOLE	0	38	38	38 FEET	\$104.00	\$3,952.00
12 INCH CASING	-2	38	40	40 FEET	\$30.04	\$1,201.60
SURFACE SEAL			1	1 EACH	\$500.00	\$500.00
DRILL 12 INCH OPEN HOLE	38	500	462	462 FEET	\$84.00	\$38,808.00
WELL LID			1	1 EACH	\$250.00	\$250.00
			0			\$0.00
			0			\$0.00
			0			\$0.00
			0			\$0.00
			0			\$0.00
			0			\$0.00
			0			\$0.00
				SUB TOTAL		\$46,336.60
				PAYMENT		
				TOTAL DUE		\$46,336.60

PAYMENT CHOICE

1. THE TOTAL AMOUNT OF THE ESTIMATE PRIOR TO MOBILIZATION OR.
2. FIFTY PERCENT DOWN PRIOR TO MOBILIZATION OR.
3. PROGRESS PAYMENTS WHEN REQUESTED BY THE CONTRACTOR OF UP TO 90%FOR MATERIAL AND CONSTRUCTION ACTUALLY COMPLETED.
4. OWNER WILL PAY CONTRACTOR ALL BALANCES DUE ON THE SAME DAY THE FINAL INVOICE INVOICE IS RECIEVED BY THE OWNER FROM THE CONTRACTOR.
5. OTHER

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I AND OWNER

DATE

WATER RESOURCES DEPT
SALEM, OREGON

5-17021