



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

250
 10AF 150
 5.9AF 4
 406

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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1. APPLICANT INFORMATION

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 SALEM, OREGON

A. Applicants

Applicant: David Kneiling
First Last

Mailing Address: 2831 Brush College Road NW

Salem Oregon 97304
City State Zip

Phone: 503-932-2198 503-363-4823
Home Work Other

*Fax: _____ *Email Address: _____

B. Organizations

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

Name of Organization: N/A

Name and Title of Person Applying: _____

Mailing Address or Organization: _____

City State Zip

Phone : _____
Day Evening

*Fax: _____ *Email Address: _____

*Optional

For Department Use			
App. No. _____	Permit No. _____	Date _____	

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).

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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. WATER USE

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

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

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

B. Amount of Water

Provide the 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
Reservoir A	Irrigation	2.5 <input type="radio"/> cfs <input type="radio"/> gpm <input checked="" type="radio"/> af
Reservoir B	Irrigation	13.4 <input type="radio"/> cfs <input type="radio"/> gpm <input checked="" type="radio"/> af
		<input type="text"/> <input type="radio"/> cfs <input type="radio"/> gpm <input type="radio"/> af
		<input type="text"/> <input type="radio"/> cfs <input type="radio"/> gpm <input type="radio"/> 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.)

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 51.9
(This number should be consistent with your application map.)

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4. WATER MANAGEMENT

A. Diversion

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

- Pump (give horsepower and pump type): Centrifugal, Hp to be determined
- 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

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 6-inch Length 3550' +/-

other, describe: _____

D. Application/Distribution Method

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

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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

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.

Irrigating only as plant needs, soil conditions, and weather conditions dictate.
Equipment to be used is already on hand for use with other water rights.

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:

Intake pipes in reservoirs will be screened

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

No construction work in stream channels or riparian areas

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- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe:

No aquatic life is planned for the two off channel reservoirs. Reservoirs will be drained each year due to irrigation use. Intakes will be screened.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe:

Chemical products will be applied at controlled rates that ensure plant uptake rather than run-off. Erosion will be controlled through best management practices.

- Other:

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: Septmeber 2008

Proposed date construction will be completed: October 2008

Proposed date beneficial water use will begin: March 2009

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.

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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 points of diversion 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, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

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.)

9/10/08
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.

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WRD on the web:

www.wrd.state.or.us



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: 51.9 Acres

Secondary: _____ Acres

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

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

- 1. ALFALEA Full season Partial season (from: _____ to _____)
- 2. _____ Full season Partial season (from: _____ to _____)
- 3. _____ Full season Partial season (from: _____ to _____)
- 4. _____ Full season Partial season (from: _____ to _____)

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

_____ 15.9 _____ 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: _____ as plant, soil and weather conditions dictate



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: David Kneiling

Mailing Address: 2831 Brush College Road NW

City: Salem State: OR Zip: 97304 Day Phone: 503-363-4823

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

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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	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
Sec	Attached	List				<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

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

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: 15.9 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: Irrigation of 51.9 acres of farmland

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.

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): PC 20.136.030(A).

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

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

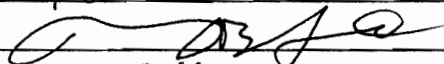
Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued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

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

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Name: Jerry Sorte Title: Senior Planner
 Signature:  Phone: 503 623 9237 Date: 9/16/08
 Government Entity: Polk County

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.



AmeriTitle 21148/212037

After recording return to:
THE DAVID K. KNIELING TRUST, DATE
P.O. BOX 5113
SALEM, OR 97304

Until a change is requested all
tax statements shall be sent to
the following address:
THE DAVID K. KNIELING TRUST, DATE
P.O. BOX 5113
SALEM, OR 97304

Escrow No. 07-212037
Title No. _____

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RECORDED IN POLK COUNTY
LINDA DAWSON, COUNTY CLERK

2002-008458



\$31.00

00051101200200084580020028

05/31/2002 11:12:26 AM

REC-WD Cnt=1 Stns=1 CAPTAIA
\$10.00 \$10.00 \$11.00

WARRANTY DEED

VELMA A. BARKER,
Grantor(s) hereby grant, bargain, sell, warrant and convey to:
DAVID K. KNIELING AND REBECCA L. KNIELING, CO-TRUSTEES OR SUCCESSORS OF THE
DAVID K. KNIELING TRUST, DATED THE 12TH DAY OF APRIL, 2001, DAVID K.
KNIELING, TRUSTOR, AS TO AN UNDIVIDED 50% INTEREST, AND REBECCA L. KNIELING
AND DAVID K. KNIELING, CO-TRUSTEES OR SUCCESSORS OF THE REBECCA L. KNIELING
TRUST, DATED THE 12TH DAY OF APRIL, 2001, REBECCA L. KNIELING, TRUSTOR, AS TO
AN UNDIVIDED 50% INTEREST, TOGETHER AS TENANTS IN COMMON.
Grantee(s) and grantee's heirs, successors and assigns the following described
real property, free of encumbrances except as specifically set forth herein in
the County of POLK and State of Oregon, to wit:
SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE
TAX ACCT. 266194

SUBJECT TO: all those items of record and those apparent upon the land, if
any, as of the date of this deed and those shown below, if any:

--

and the grantor will warrant and forever defend the said premises and every
part and parcel thereof against the lawful claims and demands of all persons
whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration for this conveyance is \$ 500,000.00.

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 23rd day of May, 2002.

Velma A. Barker
VELMA A. BARKER

State of Oregon
County of MARION

This instrument was acknowledged before me on May 23, 2002 by VELMA
A. BARKER.

Marcia M. Cooper
(Notary Public for Oregon)

My commission expires ~~6/15/03~~ 6/15/03



Exhibit 'A'

Beginning at the Southwest corner of the John Phillips Donation Land Claim No. 50 in Township 6 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; thence North along the West line of said Donation Land Claim to a point 476.5 feet South of the Northwest corner of said Donation Land Claim; thence Northeasterly to a point on the North line of said Donation Land Claim which is 548.5 feet East of the Northwest corner of said Donation Land Claim; thence East along the North line of said Donation Land Claim to the Northwest Corner of a tract of land conveyed to Ralph C. Shepard and wife, by deed recorded November 30, 1917, in Volume 67, Page 310, Deed Records for Polk County, Oregon; thence South along the West line of said Shepard tract, 40.00 chains to the Southwest corner of said Shepard tract and the North line of a tract of land conveyed to Mary Frances Woelke, by deed recorded June 10, 1927, in Volume 81, Page 544, Deed Records for Polk County, Oregon; thence West along the North line of said Woelke tract and the North line of a tract of land conveyed to Lina Henderson, by deed recorded June 10, 1927, Volume 81, Page 543, Deed Records for Polk County, Oregon, to the Northwest corner of said Henderson tract; thence South 15' West along the Westerly line of said Henderson tract, 42.25 chains to the Southwest corner of said Henderson tract on the South line of the Said John Phillips Donation Land Claim; thence West along the South line of said Phillip Donation Land Claim to the place of beginning.

SAVE AND EXCEPT that portion lying within the boundaries of public roads and highways.

ALSO SAVE AND EXCEPT that part lying Southwesterly of the Southwesterly right of way line of the road deeded to Polk County, Oregon by deed recorded July 22, 1958 in Volume 167, Page 412, Records of Polk County, Oregon.

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