



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: Andy Root
First Last

Mailing address: 524 Hwy 20 N
Hines OR 97738
City State Zip

Phone: 541- 541-573-3415 541-589-0107
Home Work Other

*Fax: 541-573-3419 *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

RECEIVED
SEP 17 2008
 WATER RESOURCES DEPT
 SALEM, OREGON

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 (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): 1

Name of nearest surface water body: Malheur Lake

Distance from well(s) to nearest stream or lake: 1) Cow Creek 1/2 mile

2) _____ 3) _____ 4) _____

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

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: Donald Reed

Address: B Denio Nevada

Completion date: 6-1-2006

RECEIVED
SEP 17 2008
WATER RESOURCES DEPT
SALEM, OREGON

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	BASALT SHALE	IRRIGATION	898	506,250	900

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 2.0 CFS
(The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: MARCH 1 - OCTOBER 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: 238.2 acres
(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): 80 HP Submersible
- 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" Length 1570'
- Other (describe) _____

RECEIVED
SEP 17 2008
 WATER RESOURCES DEPT
 SALEM, OREGON

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	14"	14" steel	58		48'	16'	97	1 1/2" P.R.	260'

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:

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**

RECEIVED
SEP 17 2008
 WATER RESOURCES DEPT
 SALEM, OREGON

C. Application/Distribution Method

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

Irrigation or land application method (check all that apply):

- Flood
- High-pressure sprinkler
- Low pressure sprinkler
- Drip
- Water cannons
- Center pivot system
- Hand lines
- Wheel lines
- Siphon tubes or gated pipe with furrows
- Other, describe _____

Distribution method

- Direct pipe from source
- In-line storage (tank or pond)
- Open canal

D. Conservation

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

The water will only be used when the crop requires water

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin: 5-25-06

Proposed date construction will be completed: 5 - -08

Proposed date beneficial water use will begin: 7-1-08

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.

This well will also be supplemental to the 125 acre Pivot in SW 1/4 Sec 30 T-22-S R-23-E if needed

RECEIVED

SEP 17 2008

WATER RESOURCES DEPT
SALEM, OREGON

8. MAP REQUIREMENTS

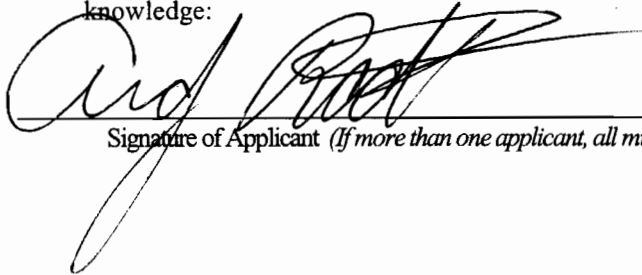
The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place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

9. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:



Signature of Applicant (If more than one applicant, all must sign.)

4-9-08

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.

RECEIVED

SEP 17 2008

WATER RESOURCES DEPT
SALEM, OREGON



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: 125 Acres

Secondary: 113.2 Acres

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

No. Permit 6-14743

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

- | | | |
|---------------------------|---|---|
| 1. <u>Alfalfa Pasture</u> | <input checked="" type="checkbox"/> Full season | <input type="checkbox"/> Partial season (from: <u>3-1</u> to <u>10-31</u>) |
| 2. _____ | <input type="checkbox"/> Full season | <input type="checkbox"/> Partial season (from: _____ to _____) |
| 3. _____ | <input type="checkbox"/> Full season | <input type="checkbox"/> Partial season (from: _____ to _____) |
| 4. _____ | <input type="checkbox"/> Full season | <input type="checkbox"/> Partial season (from: _____ to _____) |

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

74.6 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?

- | | |
|---|---|
| <input type="checkbox"/> Daily during daytime hours | <input type="checkbox"/> Daily during nighttime hours |
| <input type="checkbox"/> Two or three times weekly during daytime | <input type="checkbox"/> Two or three times weekly during nighttime |
| <input type="checkbox"/> Weekly, during daytime hours | <input type="checkbox"/> Weekly, during nighttime hours |

Other, explain: When the crop requires water

RECEIVED
SEP 17 2008
WATER RESOURCES DEPT
SALEM, OREGON

FOR WATER RESOURCES DEPARTMENT USE ONLY

Date Postmarked _____

W 169133

Date Hand-Delivered _____

OWRD Receipt _____

Date Region Office Rec'd _____

Date Fee Received _____

Check No. 13123

RECEIVED

SEP 17 2008

START CARD

NOTICE OF BEGINNING OF WELL CONSTRUCTION (as required by ORS 537.762)

WATER RESOURCES DEPT

This form is to be completed and the original mailed or delivered to the Water Resources Department, 725 Summer Street NE Suite A, Salem OR 97301-1271 for all new construction, conversion, alteration, deepening and abandonments. This original must be mailed or delivered before work is commenced. A \$125 fee shall accompany the original for all new well construction, conversion, and deepening (make checks payable to the Water Resources Department). In addition, the constructor shall provide a legible copy of this notice to the region office within which the well is being constructed, converted, altered, deepened, or abandoned using one of the following methods: (a) by regular mail no later than three (3) calendar days (72 hours) prior to commencement of work; (b) by hand delivery, during regular office hours before work is commenced; or (c) by FAX before work is commenced. If method (c) is used, a legible copy of the start card shall also be mailed or delivered to the region office no later than the day work is commenced. The Water Resources Commission has authority to impose civil penalties for failure to submit the required \$125 fee with the start card, for failure to submit the \$125 fee in a timely manner, and for failure to timely submit start cards.

Owner's name and mailing address: Andy Roof

Home Phone: P.O. Box 946

Work Phone: (541) 589-0107 Burns, Or. 97720

Type of work: Fee Required: [X] New Construction [] Conversion [] Deepening [] No Fee Required: [] Alteration (Repair/Recondition) [] Abandonment Orig. Start Card No. _____

Proposed Commencement Date: 5-25-06

Existing or Proposed Well Depth: 400' Diameter: 11" Original Well I.D. Label Number: _____

Use: [] Domestic [] Community (Public System) [] Industrial [X] Irrigation [] Thermal [] Injection [] Monitoring [] Other _____

Proposed Well Location:

County Harney Township 22S Range 33E Section 30 Tax Lot 300

1/4 NW 1/4 SW Or Latitude _____ Longitude _____

Street Address of well, if not assigned, nearest address:

3 miles N on Cow Creek Rd.

We have read the back of this form and the information provided is accurate to the best of our knowledge.

Owner/Agent Name: Bill Reed Agent Bonded Water Supply/Monitor Well Constructor Name: Donald W. Reed License No. 1521 Date Signed: 5-20-06 Company: _____ Date Signed: 5-20-06

OWNER PLEASE NOTE: This is not a water right application. The owner is responsible for obtaining a water right through the Water Resources Department, if required. The Oregon Health Division requires plans to be submitted and approved prior to construction if the well is to be used as a public system.

ADDITIONAL IMPORTANT INFORMATION ON BACK.

STATE OF OREGON

WATER SUPPLY WELL REPORT

(as required by ORS 537.765)

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

WELL I.D. # L72205

START CARD # 169133

(1) LAND OWNER

Name Andy Root Well Number _____
 Address P.O. Box 946
 City Burns State OR Zip 97720

(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 260 ft.
 Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds
18"	0	48	Port			10
18"	48	260	Cement	48	260	3 yds

How was seal placed: Method A B C D E
 Other Mix + Trimmie

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: 14"	42	58	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) _____

(7) PERFORATIONS/SCREENS:

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

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

Yield gal/min	Drawdown	Drill stem at	Flowing Time
400		260	2 hr.

Temperature of water 68 Depth Artesian Flow Found _____
 Was a water analysis done? Yes No By whom _____
 Did any strata contain water not suitable for intended use? No Too little
 Salty Muddy Other _____
 Depth of strata: _____

(9) LOCATION OF WELL by legal description:

County Harney Latitude _____ Longitude _____
 Township 22 S N or S Range 33 E E or W. WM.
 Section 30 NW SW 1/4
 Tax Lot 300 Lot 3 Block _____ Subdivision _____
 Street Address of Well (or nearest address) 3 Miles N on Cow Creek Rd

(10) STATIC WATER LEVEL:

16 ft. below land surface. Date 6-1-08
 Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 97'

From	To	Estimated Flow Rate	SWL
97	248	400	16

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL
Top Sails Clay	0	12	-
Gravel	12	39	-
Green Clay			
Stone	39	97	-
White Pumice			
Red Vesicular			
Basalt Shale	97	248	16
Green & Yellow Clay Stone			
(415)			
Green & Blue Clay Stone	248	260	16

Date started 5-25-06 Completed 6-1-06

(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.

WWC 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.

WWC Number 1521
 Signed Donald M. Head Date 6-7-06

RECEIVED

SEP 17 2008



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: Andy Root
Mailing Address: 524 Hwy 20 N
City: Hines State: OR Zip: 97738 Day Phone: 541-573-3615

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:
22-S	38-E	30	NW 1/4	303		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	IRR
22-S	38-E	30	SW 1/4	1000		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	IRR
						<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. Harney

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
- Allocation of Conserved Water
- Permit Amendment or Ground Water Registration Modification
- Water-Right Transfer
- Limited Water Use License
- Exchange of Water

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

Estimated quantity of water needed: 2.0 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 Pumped through main line to Pivots

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
SEP 17 2008
WATER RESOURCES DEPT
SALEM, OREGON

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): EFF-1.

- 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.

Name: Brandon McMillen Title: Planning Director
 Signature: [Handwritten Signature] Phone: 541-573-6855 Date: 4/9/08
 Government Entity: Harney 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: _____

EXHIBIT A**(Cow Creek)**

Land in Harney County, Oregon, as follows:

In Twp. 21 S., R. 32½ E., W.M.:

Sec. 35: N½SW¼, S½S½.

Sec. 36: N½N½, SE¼NE¼, SE¼NW¼, NE¼SW¼, SW¼SW¼, S½SE¼, NE¼SE¼.

In Twp. 22 S., R. 32½ E., W.M.:

Sec. 2: Lots 3 and 4, SW¼NE¼, SE¼NW¼, E½SW¼, W½SE¼, SE¼SE¼.

Sec. 11: NE¼, NE¼NW¼, E½SE¼.

Sec. 12: SW¼SW¼, S½SE¼.

Sec. 13: N½N½, SW¼NE¼, S½NW¼, E½SW¼.

Sec. 24: W½.

Sec. 36: E½, EXCEPTING THEREFROM right of way over the S½SE¼ conveyed to the State of Oregon, by deeds recorded March 20, 1937, in Book 37, Page 447, Deed Records, and recorded January 30, 1937, in Book 37, Page 398, Deed Records.

In Twp. 22 S., R. 33 E., W.M.:

Sec. 19: E½W½.

Sec. 30: Lots 3 and 4, E½SW¼.

In Twp. 23 S., R. 33 E., W.M.:

Sec. 18: Government Lots 3 and 4, SE¼SW¼, SE¼, NE¼SW¼.

Sec. 20: NE¼NE¼, S½NE¼, NW¼NE¼.

Sec. 32: W½NE¼.

Together with an easement from John L. Toelle, Donald G. Toelle and Shirley M. Toelle to Rattlesnake Creek Land & Cattle Company, LLC recorded February 21, 2003 as Microfilm No. 20030324, Records of Harney County, Oregon.