



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: Gale A Stanley L Nelson Kazebee
First Last

Mailing Address: 1326 NE 12th Ave
Canby OR 97013
City State Zip

Phone: 503-939-9575 503-939-9575 503-803-1400
Home Work Other

*Fax: _____ *Email Address: STAN. 503-263-6174

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. <u>6-17154</u>	Permit No. _____	Date _____

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Last Updated: 11/24/2008

Ground Water/1

WATER RESOURCES DEPT
SALEM, OREGON

2. PROPERTY OWNERSHIP

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.

N/A

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) 4 miles 2) 3) 4)

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head:

- 1) N/A 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:

N/A

Mailing Address:

City State Zip

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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
		See Well Log							

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:

N/A

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	See well log	Irrigation	1300	414,720,000	1200

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 1300 gpm (See well test)
 (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, indicate the total number of acres where water will be applied or used: 230 Acres
 (This number should be consistent with your application map.)

5. WATER MANAGEMENT

A. Diversion

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

- Pump (give horsepower and pump type): 100 HP Turbine
- 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 10" PVC Length 1320 ft

- other, describe: 8" Aluminum - 1320 ft.

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C. Application/Distribution Method

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

Center pivot and wheel lines supplied by turbine pump and PVC pipe or aluminum pipe.

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: _____

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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.

We would use a low pressure center pivot because it would be the most cost effective and manageable means to do an efficient job for this operation. The wheel lines would irrigate areas not suitable due to size for pivots.

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: April, 2009

Proposed date construction will be completed: July, 2009

Proposed date beneficial water use will begin: May, 2014

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.

[Empty box for remarks]

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, 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.)

12/17/2008

Date



Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

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

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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: 230 Acres

Secondary: _____ Acres

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

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

- 1. Alfalfa 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:

690 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

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Other, explain: We will irrigate day and night, except when haying or if conditions warrant shutting it off.



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: Gale A. Nelson & Stanley L. Kazebee
Mailing Address: 1326 NE 12th Ave
City: Canby State: OR Zip: 97013 Day Phone: 503-939-9575

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:
275	34E	9	NE 1/4	400:1600	Irrigation	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Alfalfa hay
275	34E	10	SW 1/4	400	Irrigation	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Alfalfa hay
						<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 County

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: 1300 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 with center pivot and/or wheel lines to raise alfalfa hay

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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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): EF&U-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.

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Name: Brian M. Mollen Title: Planning Director
 Signature: [Signature] Phone: 541-573-6655 Date: 12/1/08
 Government Entity: Harney 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.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

THIS SPACE RESERVED FOR RECORDER'S USE
20070047

After recording return to:
GALE A. NELSON
P.O. BOX 159
AURORA, OR 97002

COPY

Until a change is requested all
tax statements shall be sent to
The following address:

GALE A. NELSON
P.O. BOX 159
AURORA, OR 97002

Escrow No. BU0017978
Title No. 0017978

SWD

STATE OF OREGON }
County of Harney } ss
I certify that the within instrument was received
for record on the 11th day of January
2007 at 7:32 o'clock P.M. and
recorded Microfilm number 20070047
Deed _____ Records of said County.
Maria Iturriaga, County Clerk
By: J. Radman Deputy

STATUTORY WARRANTY DEED

WARREN MATTHEWS and ZOE MATTHEWS, as tenants by the entirety, Grantor(s) hereby convey and warrant to GALE A. NELSON, as to an undivided 1/2 interest and STANLEY L. KAZEBEE, as to an undivided 1/2 interest, Grantee(s) the following described real property in the County of HARNEY and State of Oregon free of encumbrances except as specifically set forth herein:

SEE EXHIBIT "A" CONSISTING OF ONE PAGE ATTACHED HERETO.

ACCT# 10840; CODE# 4-2 MAP:27S 34E LOT 400

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

The true and actual consideration for this conveyance is PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 AND 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 ORS 197.352.

Dated this 1/31/07 day of _____

Warren Matthews
WARREN MATTHEWS

Zoe Ann Matthews
ZOE MATTHEWS

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WATER RESOURCES DEPT
SALEM, OREGON

STATUTORY WARRANTY DEED

WARREN MATTHEWS and ZOE MATTHEWS, as tenants by the entirety, Grantor(s) hereby convey and warrant to GALE A. NELSON, as to an undivided 1/2 interest and STANLEY L. KAZEBEE, as to an undivided 1/2 interest, Grantee(s) the following described real property in the County of HARNEY and State of Oregon free of encumbrances except as specifically set forth herein:

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Dated this 1/23/07 day of _____, _____.

Warren Matthews
WARREN MATTHEWS

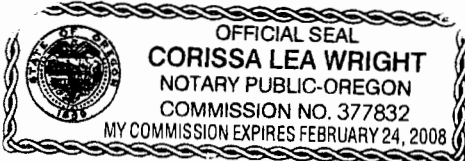
Zoe Ann Matthews
ZOE MATTHEWS

State of Oregon
County of HARNEY

This instrument was acknowledged before me on Jan 3rd, 2007 by WARREN MATTHEWS and ZOE MATTHEWS.

Corissa Lea Wright
(Notary Public for Oregon)

My commission expires Feb. 24, 2008



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SALEM, OREGON

2007 0041

EXHIBIT "A"

Land in Harney County, Oregon, as follows:

In Twp. 27 S., R. 34 E., W.M.:

Sec. 4: SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPTING THEREFROM highway right of way conveyed to the State of Oregon, as disclosed by deed recorded April 26, 1951, in Book 53, Page 418, and Resolution recorded December 2, 1975, in Book 99, Page 602, Deed Records.

Sec. 9: N $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPTING THEREFROM highway right of way conveyed to the State of Oregon, as disclosed by deed recorded April 26, 1951, in Book 53, Page 418, and Resolution recorded December 2, 1975, in Book 99, Page 602, Deed Records.

Sec. 10: NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM the following three parcels:

Parcel No. 1: Beginning at a point on the East line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 10, said point being 148 feet North and 1320 feet West of the East quarter corner of said Sec. 10; thence N. 68°39' W. 632.2 feet; thence N. 21°21' E. 430 feet; thence S. 68°39' E. 474.2 feet to a point on the East line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence South, along the said East line, 461.7 feet to the point of beginning.

Parcel No. 2: Beginning at a point on the North line of said Sec. 10, which point is 1980 feet East of the Northwest corner of said Sec. 10; thence East, along the North line of said Sec. 10, a distance of 660 feet; thence South 791.7 feet; thence West 630 feet; thence South 1108 feet; thence N. 60°20' W. parallel to and 50 feet distant Northerly from the relocated center line of the Rome-Princeton Highway, 34.53 feet to a point opposite Engineer's center line Station 310+37.92; thence North 1882.6 feet to the point of beginning.

Parcel No. 3: Highway right of way conveyed to the State of Oregon, as disclosed by deed recorded April 26, 1951, in Book 53, Page 418, and Resolution recorded December 2, 1975, in Book 99, Page 602, Deed Records.

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East well

WELL TESTING REPORT AND AGREEMENT

OPERATOR Gale Nelson LOCATION _____ DATE 1-12-08
 ADDRESS N.V. Doman
 WELL NO. 12'' WELL DEPTH 130' STATIC LEVEL 22'
 HEIGHT OF GROUND 60' HEIGHT OF SCREEN None
 WIRELINE 120' CABLE LOG 113' SUBMERGED GAGE 10'' GAGE TUBE SIZE 6''

TIME	WELL DEPTH	WATER LEVEL	G.P.S.	REMARKS
2:00 PM	22'		300	Well was plugged with mud-clay
3:00 PM	28'		400	Pump was set AT 120' To clear out well
4:00 PM	34'		600	
5:00 PM	39'		800	
6:00 PM	43'		1000	
7:00 PM	48'		1200	
8:00 PM	48'		1200	
9:00 PM	48'		1200	
10:00 PM	52'		1500	
11:00 PM	52'		1500	
12:00 AM	48'		1200	
1:00 AM	48'		1300	
2:00 AM	48'		1300	
3:00 AM	48'		1300	
4:00 AM	48'		1300	
5:00 AM	48'		1300	This is a good strong clear well clean well.
			1300	

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Valentine Drilling Co.

George Valentine

15 HRS