



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: _____
First Last

Mailing address: _____

City State Zip

Phone: _____
Home Work Other

*Fax: _____ *E-Mail address: _____

B. Organizations

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

Name of organization: Medelez Trucking, LLC

Name and title of person applying: Kelly Medelez, Owner

Mailing address of organization: 1190 East Punkin Center Road
Hermiston OR 97838
City State Zip

Phone: (541) 567-4098 (541) 571-0938
Day Evening

*Fax: (541) 564-9726 *E-Mail address: _____

* Optional information

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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): One New Well

Name of nearest surface water body: Hermiston Ditch (Drain) a tributary of the Umatilla River

Distance from well(s) to nearest stream or lake: 1) Approximately 1 mile from Hermiston Ditch (Drain)

2) 2 miles from Umatilla River 3) _____ 4) _____

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) Approximately 90 feet

2) _____ 3) _____ 4) _____

B. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to section 4 of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by: Larry Burd (541) 567-3088

Address: _____

Hermiston, OR 97838

Completion date: Existing (Domestic) Well - May 27th, 2003; New Well to be constructed

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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
Dom.	10" to 198'	8" welded steel	200	N/A	198'	109'	335'	Top Cover	
Dom.	8" to 345'								345'
New	8"	8" welded steel	~175	N/A	~175'	70'	Alluvial	2" Plug	~190'
		6" screen at bottom	~15						

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

(WELL I.D.)# L 62828 (START CARD) # 155811

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

(1) OWNER: Well Number Name MEDELEZ, KELLY Address 1264 EAST PUNKIN CENTER ROAD City HERMISTON State OR Zip 97838

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

(3) DRILL METHOD: [X] Rotary Air [] Rotary Mud [] Cable [] Auger [] Other

(4) PROPOSED USE: [X] Domestic [] Community [] Industrial [] Irrigation [] Thermal [] Injection [] Livestock [] Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval [] Yes [X] No Depth of Completed Well 345 ft. Explosives used [] Yes [X] No Type Amount

Table with columns: HOLE Diameter, From, To, SEAL Material, From, To, Sacks or pounds. Rows include 12 INCH, 10 INCH, and 7 1/2 INCH.

How was seal placed: Method [] A [] B [X] C [] D [] E Backfill placed from ft. to ft. Material Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Includes rows for Casing and Liner.

(7) PERFORATIONS/SCREENS: Table with columns: From, To, Slot size, Number, Diameter, Material, Casing, Liner.

(8) WELL TESTS: Minimum testing time is 1 hour. Includes Pump, Bailer, Air, and Artesian options. Test results for 75 GPM and 20 GPM.

(9) LOCATION OF WELL by legal description: County UMATILLA Latitude Longitude Township 4 N Range 28 E W.M. Section 02 NE 1/4 NW 1/4 Tax Lot 100 Lot Block Subdivision Street Address of Well (or nearest address) 800 EAST PUNKIN CENTER ROAD PUNKIN

(10) STATIC WATER LEVEL: 109 ft. below land surface. Date 5-28-03 Artesian pressure 88 lb. per square inch. Date 5-28-03

(11) WATER BEARING ZONES: Table with columns: From, To, Estimated Flow Rate, SWL. Rows include 175 SURFACE H20 and 315 BASALT H20.

(12) WELL LOG: Ground Elevation 520. Includes material log table and multiple 'RECEIVED' stamps from Water Resources Dept. Salem, Oregon.

Date started 5-23-03 Completed 5-27-03 (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. Signed Larry Burd WWC Number 1731 Date 5-27-03

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)
Existing	See Well Log	Domestic			
New	Not Yet Constructed	Irrigation	255	43,990,000	-
				(135 ac-ft)	

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 255 gpm
(The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: March 1 - 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: 45.0 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): Estimated to need a 20 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 6 inch Length ~2,000 feet

- Other (describe) _____

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C. Application/Distribution Method

What equipment will you use to apply water to your place of use? Sprinklers located along buried PVC laterals.

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 solid-set irrigation system will be designed to achieve a highly uniform application of water. Irrigation sets will be scheduled based on crop water requirements available from the Northwest Irrigation Network. A solid-set system is the most effective method to irrigate the size and shape of area for pasture/alfalfa.

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: February 2009

Proposed date construction will be completed: October 2009

Proposed date beneficial water use will begin: March 2010

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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.

The proposed dates are dependent on the issuing of a permit.

The proposed irrigation well will pump from the alluvial aquifer which is estimated at around 180 to 190 feet deep.

This well will be cased to 175 feet (8 inch) and have a 15 foot long 6 inch diameter well screen at the bottom.

8. MAP REQUIREMENTS

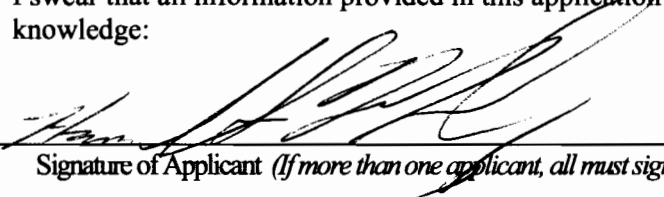
The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place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

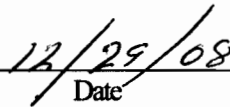
9. SIGNATURE

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.)


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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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: 45.0 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. Pasture/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:

135 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: Two, 12-hr sets daily during peak use periods covering the area in 5 to 7 days.

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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: Medelez Trucking, LLC (Kelly Medelez Owner)

Mailing Address: 1190 East Punkin Center Road

City: Hermiston State: OR Zip: 97838 Day Phone: (541) 567-4098

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	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
4N	28E	2	NE NE	200		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigation
4N	28E	2	NE NE	201		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigation
4N	28E	2	NW NE	300		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigation
						<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. Umatilla County near Hermiston

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B. Description of Proposed Use

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

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- 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: 135 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 a 45.0 acre area to grow pasture/alfalfa. Water will be conveyed through a buried pipeline network and applied through a buried sprinkler system.

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): 152.056.

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:	
U/A	U/A	<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.

Land use only

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SALEM, OREGON

Name: J.P. Cook Title: Asst. Planning Dir
 Signature: [Signature] Phone: 541.278.6251 Date: 12-8-08
 Government Entity: Umatilla 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.

KNOW ALL MEN BY THESE PRESENTS, That ROSE V. BAKER, TRUSTEE OF THE BAKER FAMILY 1989 TRUST

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by MEDELEZ TRUCKING, LLC

hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of UMATILLA and State of Oregon, described as follows, to-wit:

The East Half of the Northwest Quarter of the Northeast Quarter of Section 2, Township 4 North, Range 28, East of the Willamette Meridian. Umatilla County, Oregon;

SUBJECT to any and all water rights of way.



1998-3250718 1 of 2

TO HAVE and to HOLD the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

AS SET FORTH ON REVERSE

and that 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 paid for this transfer, stated in terms of dollars, is \$ 95,000.00. However, the actual consideration consists of or includes other property or value given or promised which is (the whole or part of the) consideration. (indicate which) (The sentence between the symbols @, if not applicable should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 16 day of MARCH 19 98; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

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.

STATE OF NEVADA County of Washoe } ss. ROSE V. BAKER, TRUSTEE RECEIVED MAR 18 1998 UMATILLA COUNTY RECORDS

BE IT REMEMBERED, That on this 16 day of MARCH 1998, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named ROSE V. BAKER, TRUSTEE

known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that she executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



Peggy Pearl Notary Public for Nevada My Commission expires 2/25/1999

RECEIVED MAY 27 2008 WATER RESOURCES DEPT. SALEM, OREGON

Table with 2 columns: Field Name, Value. Fields include Grantor's Name and Address, Grantee's Name and Address, After recording return to, and tax statement address.

State of Oregon) County of Umatilla) This instrument was received and recorded on 03-18-98 at 10:40 in the record of document code type DE-WD. Space Reserved For Recorder's Use Location R325-0718 Document number 1998-3250718 Fee 40.00. Office of County Records Received by [Signature] Records Officer

PIONEER TITLE CO. 59663-2 126 SE Court, Pend. OR, 97801

G-17060

(18)

Herb Mosgar

From: Kerry Kavanagh
Sent: Friday, January 02, 2009 3:46 PM
To: Doug Woodcock; Mike Zwart
Cc: Herb Mosgar; Jeana Eastman; KAVANAGH Kerry L
Subject: App G-17161 Medelez Trucking LLC ; Mr. Kelly Medelez --(see App G-17060)

Hello,

The applicant appears to be submitting a new application to target the alluvial aquifer. Please note that Application G-17060 proposed two wells in the basalt aquifer. It appears that App G-17161 proposes the same lands as the earlier application.

On September 12, 2008, an unfavorable IR was issued for Application G-17060 because ground water was not likely available in the amounts requested (1.0 cfs for irrigation use on 44.99 acres from basalt aquifer) without injury to prior rights and/or within the capacity of the resource.

Please note that Paul Wattenburger, CWRE, with IRZ, assisted the applicant with both applications. Paul's telephone number is 541-567-0252.

Kerry