



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: Douglas & Tamra Gunderson
First Last

Mailing address: _____
Burns OR 97720
City State Zip

Phone: 541-973-3902 503-313-1400
Home Work Other

*Fax: _____ *E-Mail address: TAM GUNDERSON
@HOTMAIL.COM

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

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): 4

Name of nearest surface water body: Malheur Lake

Distance from well(s) to nearest stream or lake: 1) 3 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) _____

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: Arthur Fry

Address: _____

Completion date: Fall 2009

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Please provide a description of your well development. (Attach additional sheets if needed.)

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
1	16"	16" steel	150'		40'	30'	60'	2" P.P.C	300'
2	16"	16" steel	150'		40'	30'	60'	2" P.P.C	300'
3	16"	16" steel	150'		40'	30'	60'	2" P.P.C	300'
4	16"	16" steel	150'		40'	30'	60'	2" P.P.C	300'

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**

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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	GRAVEL	IRRIGATION	700	84,150	750
2	GRAVEL	IRRIGATION	700	84,150	750
3	GRAVEL	IRRIGATION	700	84,150	750
4	GRAVEL	IRRIGATION	700	84,150	750

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 6.4 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: 502.4 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): 75 HP Turbin Pumps
- 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" Length _____
- Other (describe) _____

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C. Application/Distribution Method

What equipment will you use to apply water to your place of use? 4 Turbine Pumps / 4 Center Pivots

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.

I will use low pressure drop nozzle pivots to reduce evaporation - monitor soil moisture for irrigating

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: July 2009

Proposed date construction will be completed: March 2010

Proposed date beneficial water use will begin: March 2010

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.

B - wells haven't been drilled yet

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8. MAP REQUIREMENTS


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

9. SIGNATURE

By my signature below I confirm that I understand:

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

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



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

7/10/09

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.



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: 502.4 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. ALFAIFA Full season Partial season (from: 3-1 to 10-31)
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:

1507.2 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: When crop requires water

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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: Douglas & TAMRA Gunderson
 Mailing Address: 70029 Hwy 205
 City: BURNS State: OR Zip: 97720 Day Phone: 541-573-3902

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:
<u>24-S</u>	<u>32½-E</u>	<u>29</u>	<u>All</u>	<u>8400</u>		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>IRR</u>
						<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. 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: 6.4 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: 4 Turbin Pumps - 4 Center Pools

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): 3.020 EUM-2

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
		<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: Dwight Johnson Jr. Title: Planning Assistant
 Signature: [Signature] Phone: (541) 573-8174 Date: 7 June 2009
 Government Entity: Heavenly Court Planning Assistant

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.

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Receipt for Request for Land Use Information

AUG 25 2009

Applicant name: _____ WATER RESOURCES DEPT
 SALEM, OREGON
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

20032036

WARRANTY DEED

SAMUEL E. GUNDERSON, ALAN GRANT GUNDERSON, SAMUEL G. GUNDERSON, TARA G. MILLER, f/k/a GUNDERSON, MANDY E. GUNDERSON, RYAN GUNDERSON, KARLA HUNT, f/k/a, GUNDERSON, and DOUGLAS K. GUNDERSON called Grantors herein, hereby convey the property to DOUGLAS K. GUNDERSON, and TAMRA L. GUNDERSON, husband and wife, called Grantees herein described as:

See attached "Exhibit A"

together with any and all water rights, if any and all of Grantor Sam Gunderson's permit rights in Bell A Grazing Cooperative; SUBJECT to easements, reservations, and restrictions of record.

RESERVING, however, unto the Grantor Samuel E. Gunderson a life estate for the life of said Grantor.

The above described property has been assessed for ad valorem tax purposes under the Farm Deferral method and Grantees covenant and agree to maintain the same; should Grantees fail to keep the property qualified for Farm Deferral tax treatment, or if for any reason a retroactive assessment of taxes with respect to the property is made, Grantees shall pay the same and shall hold Grantor and Grantor's predecessors harmless from any claim, demand, or liability for payment arising out of such retroactive assessment of taxes with respect to the property, whether or not such additional taxes, penalties or interest apply to tax years prior to the date of this deed.

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.

The consideration for this transfer is note secured by mortgage, face \$300,000.00
Counterparts of pages 2 and 4 containing signatures and acknowledgements of one or more of the parties

FOR RECORDER'S USE

STATE OF OREGON }
County of Harney }
I certify that the foregoing instrument was received
for record on _____
2003, at _____
and recorded in _____
_____ County Clerk
By: _____ Deputy

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INSTRUMENT # 2003 2056

may be signed, acknowledged and recorded as part of this deed.

Until further notice, send all tax statements to: Douglas and Tamra Gunderson.

Dated : May 23, 2003

Dated : May 23, 2003

Samuel E. Gunderson
Samuel E. Gunderson

Alan Grant Gunderson
Alan Grant Gunderson

Dated : May 23, 2003

Dated : May 23, 2003

Douglas K. Gunderson
Douglas K. Gunderson

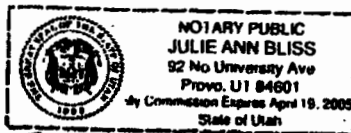
Tara G. Miller
Tara G. Miller

Dated : May 23, 2003

Dated : Aug 5, 2003

Mandy A. Gunderson
Mandy A. Gunderson

Ryan Gunderson
Ryan Gunderson



Dated : August 13, 2003

Dated : July 30, 2003

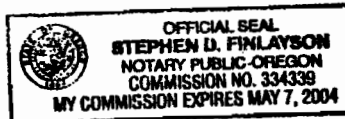
Karla J. Hunt
Karla J. Hunt

Samuel G. Gunderson
Samuel G. Gunderson

STATE OF OREGON, County of Harney) ss.

Personally appeared the above named Samuel E. Gunderson and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:
[Signature]
Notary Public for Oregon
My commission expires: 5-7-04



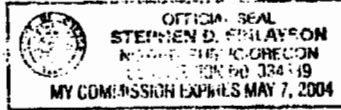
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INSTRUMENT # 20031810

STATE OF Oregon, County of Harney) ss.

Personally appeared the above named Alan Grant Gunderson and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me: [Signature]
Notary Public for Oregon
My commission expires: 5-7-04



STATE OF Oregon, County of Harney) ss.

Personally appeared the above named Tara G. Miller, fka Gunderson, and acknowledged the foregoing instrument to be her voluntary act and deed.

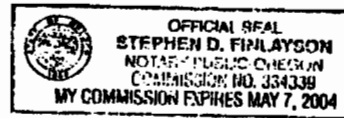
Before me: [Signature]
Notary Public for Oregon
My commission expires: 5-7-04



STATE OF Oregon, County of Harney) ss.

Personally appeared the above named Mandy A Gunderson and acknowledged the foregoing instrument to be her voluntary act and deed.

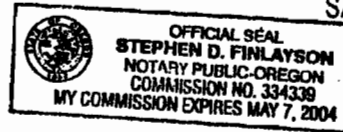
Before me: [Signature]
Notary Public for Oregon
My commission expires: 5-7-04



STATE OF OREGON, County of Harney) ss.

Personally appeared the above named Douglas K. Gunderson and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me: [Signature]
Notary Public for Oregon
My commission expires: 5-7-04



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INSTRUMENT # 2003 2086

STATE OF Oregon, County of Multnomah) ss.

Personally appeared the above named Samuel G. Gunderson and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

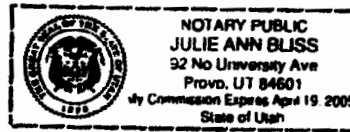
Kelli C Busby
Notary Public for Oregon
My commission expires: March 26, 2006



STATE OF Utah, County of Utah) ss.

Personally appeared the above named Ryan Gunderson and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:
Julie Ann Bliss
Notary Public for Oregon
My commission expires: April 19, 2005



STATE OF OREGON, County of MULTNOMAH) ss.

Personally appeared the above named Karla Hunt, fka Gunderson, and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:

Julie Ann Bliss
Notary Public for Oregon
My commission expires: AUGUST 15, 2005



Prepared By:
STEPHEN D. FINLAYSON P.C., Attorney
709 Ponderosa Village
Burns, OR 97720 541-573-2151

RETURN DEED TO:
Douglas and Tamra Gunderson

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INSTRUMENT # 2003 ~~2010~~

EXHIBIT "A"

Land in Harney County, Oregon, as follows:

In Twp. 23 S., R. 31 E., W.M.:

- Sec. 10: W $\frac{1}{2}$.
- Sec. 15: W $\frac{1}{2}$. SAVE & EXCEPT Bums-Crane highway right of way.
- Sec. 16: All, SAVE & EXCEPT highway right of way conveyed to the State of Oregon, by and through its State Highway Commission, by Deeds recorded October 24, 1966, in Book 81, Page 221, recorded July 15, 1996, Instrument No. 961467 and recorded September 19, 1996, Instrument No. 961870, Deed Records. ALSO, SAVE & EXCEPT the following parcel; Beginning at a point which is 22 feet South and 3108 feet East of the Northwest corner of said Sec. 16:
 - thence N. 89°52' E., along the Southerly right of way line of the Bums-Crane Highway, 500.0 feet;
 - thence S. 0°08' E. 1000.0 feet;
 - thence S. 89°52' W. 1324.0 feet;
 - thence N. 0°08' W. 560.0 feet;
 - thence S. 89°52' W. 990.0 feet;
 - thence N. 0°08' W. 440.0 feet;
 - thence N. 89°52' E., along the Southerly right of way line of the Bums-Crane Highway, 1814.0 feet to the place of beginning.

In Twp. 24 S., R. 32 $\frac{1}{2}$ E., W.M.:

- Sec. 17: E $\frac{1}{2}$.
- Sec. 19: Lots 1, 2, 3 and 4, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, SAVE & EXCEPT that portion of Lot 4, conveyed to the State of Oregon, by and through its State Highway Commission by Deed recorded June 10, 1946, in Book 43, Page 236, Deed Records.
- Sec. 20: NE $\frac{1}{4}$, SW $\frac{1}{4}$.
- Sec. 21: NW $\frac{1}{4}$.
- Sec. 29: All, SAVE & EXCEPT that portion of the SW $\frac{1}{4}$ conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded September 16, 1946, in Book 44, Page 263, Deed Records.
- Sec. 30: E $\frac{1}{2}$ NE $\frac{1}{4}$, and that portion of the SE $\frac{1}{4}$ lying and being Northeasterly of the highway right of way.
- Sec. 31: All that portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ lying Northeasterly of the highway right of way.
- Sec. 32: NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and all that portion of the W $\frac{1}{2}$ NW $\frac{1}{4}$ lying Northeasterly of the Highway right of way; SAVE & EXCEPT that portion of the E $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded September 16, 1946, in Book 44, Page 263, Deed Records. ALSO SAVE & EXCEPT that portion acquired by the State of Oregon, by and through its State Highway Commission by Condemnation dated April 1, 1947 and filed April 2, 1947, in Book "M", Page 236, of the Circuit Court Journal of Harney County, Oregon.

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