



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/publication/reports/index.shtml](http://www.wrd.state.or.us/publication/reports/index.shtml).

## 1. APPLICANT INFORMATION

### A. Individuals

BONNIE

Applicant: John + Jacob Potter  
First Last

Mailing address: 54422 HWY 78  
Burns OR 97720  
City State Zip

Phone: JAKE SHOLEY  
(541) 495-2414 (541) 493-2695  
Home Work Other

\*Fax: (541) 493-2695 \*E-Mail address: N/A

521 589 1247  
 CORC # JAKE

### 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 of organization: \_\_\_\_\_

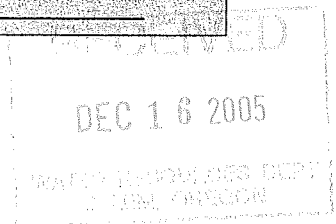
\_\_\_\_\_  
City State Zip

Phone: \_\_\_\_\_  
Day Evening

\*Fax: \_\_\_\_\_ \*E-Mail address: \_\_\_\_\_

\* Optional information

For Department Use		
App. No. <u>6-16583</u>	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).

List the names and mailing addresses of all affected landowners.

N/A

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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) 2+ 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 question F in this section 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: John Bostberg

Address: Box 443

Burns OR 97726 Well log Attached

Completion date: 9-29-63

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	12	welded .250	177ft	0	30ft	24ft	181'	2" pipe	244

Note: Well numbers in this listing must correspond to well locations(s) shown on accompanying map.

**C. Artesian Flows**

If your water well is flowing artesian, describe your water control and conservation works:

N/A

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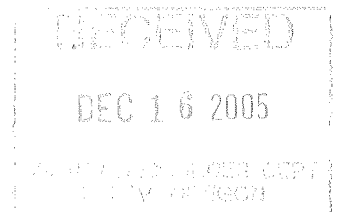
**4. WATER USE**

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**



G-16583

**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	Matheur Lake	Irrigation	14,586	4,410,866.400	1500 Gpm

**C. Maximum Rate of Use Requested**

What is the maximum, instantaneous rate of water that will be used? 3.25 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, Oct 31st  
 (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: 260  
 (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): 65 horse 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 8 Length 2640'
- Other (describe) \_\_\_\_\_

**C. Application/Distribution Method**

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

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.

Center pivots are a more water saving system than wheel lines.

**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: 9-20-1963

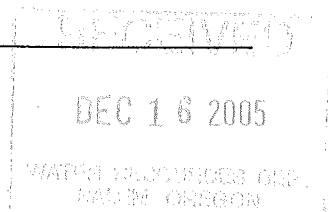
Proposed date construction will be completed: 9-29-1963

Proposed date beneficial water use will begin: 3-1-2007

**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.

N/A



## 8. MAP REQUIREMENTS

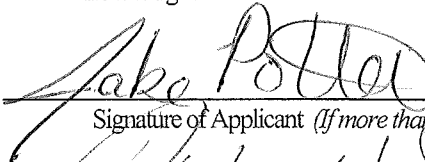
The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place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

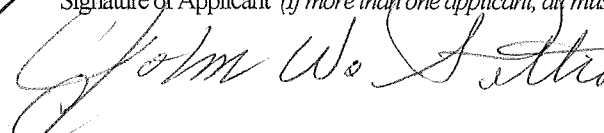
## 9. SIGNATURE

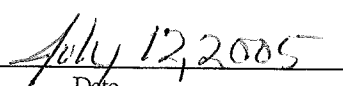
By my signature below I confirm that I understand:

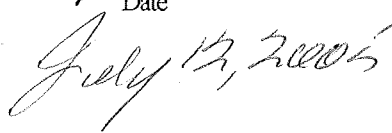
- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- 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

  
Date

  
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](http://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: 260 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 / oats  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:

780 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: \_\_\_\_\_

RECEIVED

DEC 16 2005

Last revision: October 31, 1996

G-16583

BEHESSED TO BE A TRUE COPY  
OF THE ORIGINAL DOCUMENT  
CONSISTING OF 2 PAGES  
CIRCUIT COURT  
HARNEY COUNTY, OREGON  
DATED 10-20-04  
BY S. SWELL

20041863 (

**FILED**  
Harney County Circuit Court

MAY 14 2004

Time: 1:45p By AL

Date of Entry  
5/14/04  
AL

Lot # 1700

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF HARNEY

JOHN W. POTTER and  
BONNIE B. POTTER,

Plaintiffs,

v.

ESTATE OF De B. FORSLUND and  
DOROTHY FORSLUND,

Defendants.

Case No. 04-03-62CRV  
GENERAL  
DEFAULT JUDGMENT ON  
SUIT TO QUIET TITLE

THIS MATTER coming before the court on the Suit to Quiet Title filed by the plaintiffs and properly served upon the Defendants by publication on April 7, 14, and 21 of 2004 in the Burns Time-Herald and there being no answer from the Defendants:

IT IS HEREBY ORDERED AND ADJUDGED that the claims alleged in the motion are accurate and true.

IT IS FURTHER ORDERED AND ADJUDGED that the relief requested by the plaintiffs is proper.

IT IS FURTHER ORDERED AND ADJUDGED that the following relief is granted by the court:

1. Plaintiffs are the owner and entitled to the possession of the real property free of any claim, estate, title or interest of defendant or those claiming under the defendant and quieting title on the property in plaintiffs. Said real property described adequately as:

In Twp. 26 S., R. 33 E., W.M.:

Sec. 2: SE $\frac{1}{4}$ SW $\frac{1}{4}$ .

Sec. 12: N $\frac{1}{2}$ NE $\frac{1}{4}$ , SAVE & EXCEPT highway right of way

RECEIVED  
DEC 16 2005  
WORTH RECAVING DEPT  
SALEM, OREGON



conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded September 15, 1947, in Book 47, Page 36, Deed Records.

- 2. Defendant and those claiming under defendant are enjoined from asserting any estate, title or any interest in the real property or any part thereof.
- 3. No money judgment is asserted or granted in this case.

DATED this 12 day of May, 2004.

*William D. Cramer*  
 \_\_\_\_\_  
 William D. Cramer,  
 Harney County Circuit Court Judge

STATE OF OREGON }  
 County of Harney } ss  
 I certify that the within instrument was received  
 for record on the 20 day of October  
 2004 at 12:00 o'clock P.M. and  
 recorded Microfilm number 20041863  
Deed Records of said County.  
 \_\_\_\_\_  
 Marie Turriaga, County Clerk  
 By: Marie Turriaga Deputy Clerk

RECEIVED  
 DEC 16 2005  
 CLERK OF COUNTY CLERK  
 DEPT  
 HARNEY, OREGON

Lot# 400

for record on the 5 day of May  
2005 at 2:06 o'clock P.M. and  
recorded Microfilm number 20050876  
Deed Records of said County.  
Marilyn Turriaga, County Clerk  
By: Maria Turriaga Deputy

QUITCLAIM DEED

SEND TAX STATEMENTS TO:

John W. Potter  
54422 Hwy 78  
Burns  
Oregon 97720

AFTER RECORDING RETURN TO:

John W. Potter  
54422 Hwy 78  
Burns  
Oregon 97720

The true and actual consideration for this conveyance is not stated in the terms of dollars because said consideration consists of or includes other property or other value given or promised which other property or value is either a part of or the whole consideration.

PAUL W. ABLES and CHERYL R. ABLES, Grantor, releases and quitclaims to JOHN W. POTTER, Grantee, all right, title and interest in and to the following described real property:

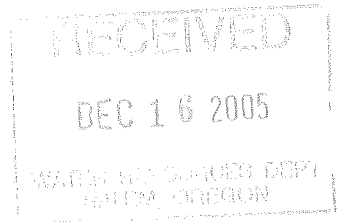
Land in Harney County, Oregon, as follows:

In Township 26 South, Range 33 East, W.M.: TL #400

Section 1: SE 1/4, SAVE & EXCEPT highway right of way conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded July 28, 1947, in Book 46, Page 402, Deed Records.  
lying west of State Hwy. 78

"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."

QUITCLAIM DEED -1-



OFFICE OF LAW  
399 S. OREGON STREET  
ONTARIO, OREGON 97914  
(541) 889-5372

INST. #2005 0816

The true and actual consideration for this conveyance is stated above and is incorporated herein by this reference.

DATED this 19<sup>th</sup> day of April, 2005.

GRANTOR:

Paul W. Ables

Paul W. Ables

Cheryl R. Ables

Cheryl R. Ables

STATE OF OREGON )

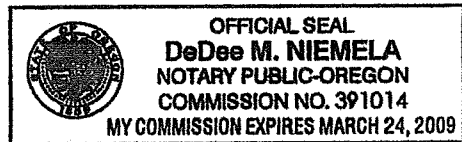
County of Clatsop ) ss.

Personally appeared the above named Paul W. Ables and Cheryl R. Ables and acknowledged the foregoing instrument to be their voluntary act and deed before me this 19 day of April, 2005.

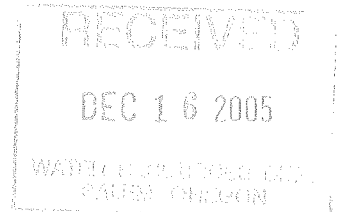
DeDee M. Niemela

Notary Public for Oregon

My Commission Expires: 3/24/09



OFFICE OF LAW  
399 S. OREGON STREET  
ONTARIO, OREGON 97914  
(541) 889-5372



LAST YEAR'S TAX

13.13

See back for explanation of taxes marked with (\*)

DE: 42 ACRES: 66.910
P: 265 33E 0 100

Lot #100

POTTER, JOHN & BONNIE
54422 HWY 78
BURNS OR 97720

ESD 1.00
Union High#1 Crane 2.71
Sch Dist#4 Crane 2.68

VALUES: LAST YEAR THIS YEAR
SPEC ASSESSED)

EDUCATION TOTAL : 6.39

General Fund 5.00
Hosp. District 2.14

TOTAL 1472 2208

GENERAL GOVT TOTAL : 7.14

ASSESSED 1077 1110

EXEMPTION

NET TAXABLE: 1077 1110

\*POTENTIAL TAX LIABILITY\*

If a mortgage company pays your taxes,
This statement is for your records only.

Full Payment with 3% Discount 13.12
2/3 Payment with 2% Discount .00
1/3 Payment No Discount .00

TOTAL 2004-2005 TAX 13.53
TOTAL TAX (After Discount) 13.12

Tear Here

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

Tear Here

04-2005 PROPERTY TAXES HARNEY COUNTY

REAL

ACCT # 10491
343

Full Payment Enclosed Due: 11/15/2004 13.12
or 2/3 Payment Enclosed Due: 11/15/2004 .00
or 1/3 Payment Enclosed Due: 11/15/2004 .00

DISCOUNT IS LOST & INTEREST APPLIES AFTER DUE DATE

Mailing address change on back

Enter Payment Amount \$

MAKE PAYMENT TO:

POTTER, JOHN & BONNIE
54422 HWY 78
BURNS, OR 97720

HARNEY COUNTY
TAX COLLECTOR
450 N BUENA VISTA
BURNS OR 97720
541 573-8365

RECEIVED
DEC 16 2005
HARNEY COUNTY

