

Application for a Permit to Use Ground Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

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JAN 24 2012

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

WATER RESOURCES DEPT

NAME <i>Justin & Stephanie Bowen</i>		PHONE (SALEM, OREGON) <i>(541) 219-1756</i>	
PHONE (WK) <i>SAME</i>	CELL <i>(541) 517-4578</i>	FAX <i>N/A</i>	
ADDRESS <i>55288 Hwy 78</i>			
CITY <i>Burns</i>	STATE <i>OR</i>	ZIP <i>97720</i>	E-MAIL <i>excelsiorhay@gmail.com</i>

Organization Information

NAME <i>Justin Bowen DBA Excelsior Hay & Livestock</i>		PHONE	FAX
ADDRESS <i>Same as above</i>		CELL	
CITY	STATE	ZIP	E-MAIL

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME		PHONE	FAX
ADDRESS <i>N/A</i>		CELL	
CITY	STATE	ZIP	E-MAIL

Note: Attach multiple copies as needed

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.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- 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 cancelled.
- 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 (we) affirm that the information contained in this application is true and accurate.

Justin Bowen
Applicant Signature

Print Name and title if applicable

1/24/12
Date

Stephanie Bowen
Applicant Signature

Print Name and title if applicable

1/24/12
Date

For Department Use		
App. No. <i>G17527</i>	Permit No. _____	Date _____

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

Yes

There are no encumbrances.

This land is encumbered by easements, rights of way, roads or other encumbrances.

No

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 irrigation and/or domestic use only (ORS 274.040).

Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

N/A

SECTION 3: WELL DEVELOPMENT

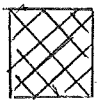
WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
Horn 1867	Malheur Lake		

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials (*attach additional sheets if necessary*).

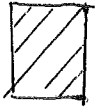
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Key

H2O

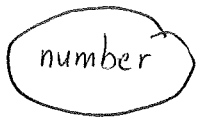


Proposed Water Rights



Existing Water Rights

• W7 Proposed Well Site



New Distance Measurements

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We would like to have the option of having a second well (well 7 W7) as an alternative to deepening W1 if sufficient water is needed. Enclosed is \$250 for another point of appropriation (W7). If more information is needed please feel free to call (541) 219-1756 or email excelsiorhay@gmail.com

Thank You!

Clarification: We do not intend to irrigate the ground using both wells. We will choose between the two plans in the upcoming months.

Justin Bowen

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: _____

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Total maximum rate requested: _____ (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

Complete the table below. If this is an existing well, the following information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner.

649527

Horn 1867

OWNER'S WELL NAME OR NO	PROPOSED	EXISTING	WELL ID (WELL TAG NO* OR WELL LOG ID**)	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
W2	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Horn 1867	<input type="checkbox"/>	12"	20'	Ø	20'	31' 4"/11/11	gravel/Bedrock	350'	Max 1500	3 AF
W7	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	12"	20'	Ø	20'		gravel/Bedrock	300'	Max 1100	3 AF
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

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* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

*** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: _____

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Total maximum rate requested: _____ (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

Complete the table below. If this is an existing well, the following information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner.

G17527

Harn 1867

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
W2	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Harn 1867	<input type="checkbox"/>	12"	20'	Ø	20'	31' 4/11/11	gravel/Bedrock	350'	1500	3AF
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.
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 *** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
1500 GPM	March 1 - Oct 31	3 AF

Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.

For irrigation use only:
 Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).
 Primary: 135 Acres Supplemental: 0 Acres
 List the Permit or Certificate number of the underlying primary water right(s): _____
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: _____ 3 AF

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: N/A
 If the use is **mining**, describe what is being mined and the method(s) of extraction: N/A

SECTION 5: WATER MANAGEMENT

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 SALEM, OREGON

A. Diversion and Conveyance

What equipment will you use to pump water from your well(s)?

Pump (give horsepower and type): 100 hp turbine

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. _____

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

_____ Low Pressure Pivot

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters.

_____ We plan to measure the amount of water used in accordance with current regulation.

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

If you would like to store ground water in a reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Reservoir name: N/A Acreage inundated by reservoir: _____

Use(s): _____

Volume of Reservoir (acre-feet): _____ Dam height (feet, if excavated, write "zero"): _____

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

If you would like to use stored ground water from the reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Annual volume (acre-feet): N/A

USE OF STORED GROUND WATER	PERIOD OF USE

SECTION 8: PROJECT SCHEDULE

Date construction will begin: Feb '12

Date construction will be completed: Mar '12

Date beneficial water use will begin: Jun '12 if approved

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SECTION 9: REMARKS

Use this space to clarify any information you have provided in the application (*attach additional sheets if necessary*).

* See Highlighted map *

Just to clarify, we are planning to irrigate the proposed Field out of a well which we are currently using for irrigation on a field with water rights already. We plan to deepen this well to accomodate both fields. This well is associated with Application File Number G-16207. The water will be piped to new field (See Highlighted map)

Existing Well property

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES
Office of County Assessor – Harney County

Reference # 10479

Code Area 4-2

Map # 25 33

Tax Lot # 9700

Acres 320.00

Legal Description	Date	Deed Record
Land in Harney County, Oregon, as follows:		
In Township 25 S., Range 33 E., W.M. Section 36: E1/2		
Olivia Morrison	6/13/1894	18 56 G 57
WD: Edward E. Lea, personal representative of the Estate of Olivia Morrison to: Forrest & Catherine A. Skinner, husband & wife		
	11/8/77	105 175
	12/30/77	105 399
Death Certificate: Forrest Skinner		
	9/21/93	931457
WD: Catherine Skinner to: Tony Hackett & Linda Hackett		
	12/22/97	972602
Memorandum of Contract of Sale: Tony Hackett & Linda Hackett, husband & wife to: Robert N. & Sandra N. Cargill, husband & wife		
	2/4/98	980202
Well Ownership L 57434		
	2/3/05	20050237
Well Ownership L 21127		
	2/3/05	20050238
WD: Robert N. & Sandra N. Cargill, husband & wife to: Michael L. & Susan F. Stills, husband & wife (error on legal description)		
	3/22/05	20050550
Corrected legal description		
	4/11/05	20050708
WD: Michael L. & Susan F. Stills, as tenants by the entirety to: Wayne S. & Michele L. Smith, as tenants by the entirety		
	9/18/06	20061990
WD: Tony & Linda Hackett, husband & wife to: Robert N. & Sandra N. Cargill, husband & wife		
	10/13/06	20062155
WD: Wayne S. & Michele L. Smith, as tenants by the entirety to: Justin R. & Stephanie N. Bowen, husband & wife, as tenants by the entirety		
	5/6/09	20090784

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WATER RESOURCES DEPT
SALEM, OREGON

G-17527

proposed water use property

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES
Office of County Assessor – Harney County

Reference # 10480

Code Area 4-2

Map# 25 33

Tax Lot # 9600

Acres 160.00

=====

Legal Description

Date

Deed Record

Land in Harney County, Oregon, as follows:

In Township 25 S., Range 33 E., W.M.
Section 36: SW1/4

Edna F. Roberts

9/26/38

38 247

=====

5/12/64

75 194

WD: Edna F. Roberts to:

The Pacific Land & Livestock Co., Inc.

5/12/64

75 195

6/29/64

75 373

8/6/64

75 497

=====

WD: The Pacific Land & Livestock Company, Inc. to:

Lois L. Merton

1/24/66

79 141

3/24/66

79 318

=====

GD: Lois L. Merton to:

Charles L. & Phyllis J. Peck, husband & wife, as joint tenants

10/1/74

97 234

10/1/74

97 235

Certificate of Redemption

5/28/82

116 681

=====

WD: Charles L. & Phyllis J. Peck to:

Gary L. & Cathy Coffey, husband & wife, as to an undivided 1/2 interest and James W. Reichle, as to an undivided 1/2 interest

6/15/90

900834

=====

WD: Gary L. & Cathy Coffey, as tenants by the entirety, as to an undivided 1/2 interest and James W. Reichle, as to an undivided 1/2 interest to:

Justin & Stephanie Bowen, as tenants by the entirety

9/19/11

2011-1157

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SALEM, OREGON

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Land Use

Information Form

WATER RESOURCES DEPT
SALEM, OREGON



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

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) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

Land Use Information Form

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Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

WATER RESOURCES DEPT
SALEM, OREGON

Applicant: _____

First *Justin & Stephanie*

Last *Bowen*

Mailing Address: _____

55288 Hwy. 78

City *Burns*

State *OR*

Zip *97720*

Daytime Phone: *(541) 219-1756*

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. 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:
<i>25S</i>	<i>33E</i>	<i>36</i>	<i>SWSE</i>	<i>9700</i>		<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<i>RR</i>
<i>25S</i>	<i>33E</i>	<i>36</i>	<i>NWSE</i>	<i>9600</i>		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<i>RR</i>
<i>25S</i>	<i>33E</i>	<i>36</i>	<i>NESE</i>	<i>9600</i>		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
<i>25S</i>	<i>33E</i>	<i>36</i>	<i>SWSW</i>	<i>9600</i>		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
<i>25S</i>	<i>33E</i>	<i>36</i>	<i>SESE</i>	<i>9600</i>				<input checked="" type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Harney County, Crane, Oregon

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: *1500 gpm* 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:

We would like to deepen an existing well to gain more water for an additional 135 Ac.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

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 the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): HC 20 3020 (EPLU)
- Land uses to be served by the 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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WATER RESOURCES DEPT
SALEM, OREGON

Name: Brendan McMillan Title: Planning Director

Signature: [Signature] Phone: (503) 573-6655 Date: 1/24/2012

Government Entity: Harney County Planning Dept.

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.

----- 617527 -----

