

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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME MIRACLE LAND & LIVESTOCK, LLC		PHONE (HM)	
PHONE (WK)	CELL (208)573-4032	FAX	
ADDRESS 20020 UPPER PLEASANT ROAD			
CITY CALDWELL	STATE IDAHO	ZIP 83607	E-MAIL SCOTT@IBIPOWER.COM

Organization Information

NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL

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

AGENT / BUSINESS NAME CK3, LLC		PHONE (541) 889-5411	FAX
ADDRESS 368 SW 5 TH AVENUE			CELL
CITY ONTARIO	STATE OR	ZIP 97914	E-MAIL

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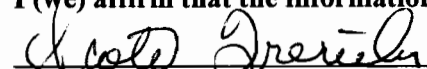
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Note: Attach multiple copies as needed

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.


Applicant Signature

Scott Fredrichs/owner
Print Name and title if applicable

3-19-12
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>G-17544</u>	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*).

NA

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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
MIRACLE WELL #1	SNAKE RIVER	1,100 FEET	5 FEET
MIRACLE WELL #2	SNAKE RIVER	2,500 FEET	10 FEET
MIRACLE WELL #3	SNAKE RIVER		

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*).

The current plan is to pump water from the proposed Miracle wells #1 & #2 into the proposed wetland pond to help cool the water in the wetland pond. Additional pumps will be used to pull water from the wetland pond to supply water to the proposed irrigation pivots. Water from Miracle well #3 will be piped and applied directly to the acreage in tax lot #400.

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: BLUE CLAY

Total maximum rate requested: 2,773.3 gpm (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.

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)
WELL #1	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	10"	0 - 400'	100' - 390'	0' - 20'	10.0 FT bgs (assumed)	BLUE CLAY	400'	600.3	388.0
WELL #2	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	12"	0 - 400'	100' - 390'	0' - 20'	10.0 FT bgs (assumed)	BLUE CLAY	400'	1200.5	775.0
WELL #3	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	12"	0 - 200'	100' - 190'	0' - 20'	10.0 FT bgs (assumed)	BLUE CLAY	200'	972.5	520.2
	<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.

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
PRIMARY IRRIGATION	MARCH 1 THRU OCTOBER 31	223.2 AF
SUPPLEMENTAL IRR.	MARCH 1 THRU OCTOBER 31	1260.0 AF
WETLAND ENHANCEMENT	YEAR ROUND	90 AF
RECREATION	YEAR ROUND	90 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: 74.40 Acres Supplemental: 420.00 Acres

List the Permit or Certificate number of the underlying primary water right(s): 28914, 29393, 34789, 41128, 41140, 42029, 76008, 76009

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 1,483.20

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

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

Pump (give horsepower and type): 100 Hp

Other means (describe): NA

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Construct (2) wells near the Wetland/Storage Pond & Appropriate water into the Wetland/storage pond. Construct (1) well in Tax Lot 400 & Appropriate water for Irrigation.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) Center pivots, hand lines, siphon tubes.

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.

The amount of water requested would enable me to adequately provide for wetland habitat (including wildlife, water fowl, fish, etc.) and the crops in the event that water is not available from my other water rights or incase of a mechanical failure and a pump needs replaced. A water meter will be installed to measure the amount of water that is pumped. Center pivots and handlines are to be mostly used irrigation purposes. Fish screens will be installed at the inlet/outlets of the existing drain ditches so fish cannot get into the ponds.

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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: Sediment Pond #1 Acreage inundated by reservoir: 0.33 acres

Use(s): Sediment Removal

Volume of Reservoir (acre-feet): 2.0 AF Dam height (feet, if excavated, write "zero"): 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): NA

USE OF STORED GROUND WATER	PERIOD OF USE
NA	Year Round

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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: Sediment Pond #2a Acreage inundated by reservoir: 0.77 acres

Use(s): Sediment Removal

Volume of Reservoir (acre-feet): 4.6 AF Dam height (feet, if excavated, write "zero"): 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): NA

USE OF STORED GROUND WATER	PERIOD OF USE
NA	Year Round

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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: Sediment Pond #2b Acreage inundated by reservoir: 0.69 acres

Use(s): Sediment Removal

Volume of Reservoir (acre-feet): 4.1 Dam height (feet, if excavated, write "zero"): 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): NA

USE OF STORED GROUND WATER	PERIOD OF USE
NA	Year Round

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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: Treatment Pond #1 Acreage inundated by reservoir: 2.5 acres

Use(s): Bacteria Removal

Volume of Reservoir (acre-feet): 2.5 Dam height (feet, if excavated, write "zero"): 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): NA

USE OF STORED GROUND WATER	PERIOD OF USE
NA	Year Round

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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: Wetland/Storage Pond Acreage inundated by reservoir: 13.0 acres

Use(s): Primary & Supplemental Irrigation, Wetland Enhancement, & Recreation

Volume of Reservoir (acre-feet): 90.0 AF Dam height (feet, if excavated, write "zero"): 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): 963.00 AF

USE OF STORED GROUND WATER	PERIOD OF USE
Primary Irrigation	March 1 thru October 31
Supplemental Irrigation	March 1 thru October 31
Wetland Enhancement	Year Round
Recreation	Year Round

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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: Treatment Pond #1 Acreage inundated by reservoir: 1.1 acres

Use(s): Bacteria Removal

Volume of Reservoir (acre-feet): 1.1 Dam height (feet, if excavated, write "zero"): 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): NA

USE OF STORED GROUND WATER	PERIOD OF USE
NA	Year Round

SECTION 8: PROJECT SCHEDULE

Date construction will begin: November 2012

Date construction will be completed: November 2016

Date beneficial water use will begin: November 2016

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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*).

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Land Use Information Form



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.

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Land Use

Information Form



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

Applicant: Scott Frehrichs
 First Last

Mailing Address: 20020 Upper Pleasant Road

Caldwell Idaho 83607 Daytime Phone: (208) 573-4032
 City State Zip

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:
15 S	46E	25		2800		<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farm
15S	47E	30		900		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farm
15S	47E	30		400		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farm
15S	47E	31		400		<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farm

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

Malheur County	<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>RECEIVED</p> <p>APR 04 2012</p> <p>WATER RESOURCES DEPT SALEM, OREGON</p> </div> <div style="text-align: center;"> <p>RECEIVED</p> <p>MAR 22 2012</p> <p>WATER RESOURCES DEPT SALEM, OREGON</p> </div> </div>
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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: 2,773.6
 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 Wetland Enhancement, Recreation

Briefly describe:

Appropriate ground water from three (3) wells. Two (2) of the wells will be used to supplement the water Requirements for my proposed Wetland project. One (1) well is strictly for irrigation.

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.

G-17544 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): MCC Title 6
- 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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SALEM, OREGON

Name: _____ Title: Jon D Beal, Planning Dir
 Signature: Jon D Beal Phone: 541-473-5185 Date: 3-6-12
 Government Entity: _____

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

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): _____.
- 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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Name: _____ Title: _____

Signature: _____ Phone: _____ Date: _____

Government Entity: _____

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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AFTER RECORDING RETURN TO:

Todd A. Rossman
White Peterson
5700 East Franklin Road, Suite 200
Nampa, ID 83687-7901

UNTIL A CHANGE IS REQUESTED ALL
TAX STATEMENTS SHALL BE SENT TO
THE FOLLOWING ADDRESS:

Miracle Land & Livestock, LLC
2220 South Indiana Avenue
Caldwell, ID 83605

Inst. No. 2009-4742

I certify that the within Instrument of
writing was received for record on
the 18 day of June, 2009
at 12:28 O'clock P.M. FEE \$31.00

STATE OF OREGON, County of Malheur

DEBORAH R. DeLONG
County Clerk

By: Shari Baliga Deputy

WARRANTY DEED

CLARENCE FRERICHS and HENRIETTA FRERICHS, husband and wife, Grantors, hereby convey, grant and warrant to MIRACLE LAND & LIVESTOCK, LLC, an Idaho limited liability company, Grantee, as a capital contribution to said limited liability company, the following described real property in Malheur County, Oregon, to-wit:

See Exhibit "A" attached hereto and by this reference incorporated herein.

SUBJECT TO taxes and assessments for the year 2008 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

The true consideration for this conveyance is \$0.00.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

The Grantors covenant to the Grantee that they are the owners in fee simple of said premises; that the premises are free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that Grantors will warrant and defend the same from all lawful claims.

RECEIVED

APR 04 2012

WATER RESOURCES DEPT
SALEM OREGON

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSONS TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSONS' RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS AND 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS AND 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

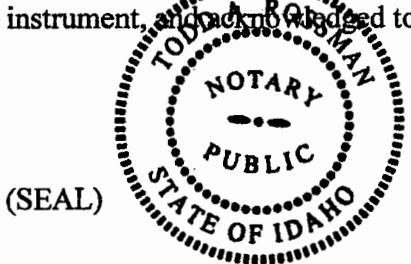
IN WITNESS WHEREOF, the Grantors executed this instrument on this 16th day of June, 2009.

Clarence Frerichs
CLARENCE FRERICHS

Henrietta Frerichs
HENRIETTA FRERICHS

STATE OF IDAHO)
 :SS
County of Canyon)

On this 16th day of June, 2009, before me, the undersigned, a Notary Public, personally appeared CLARENCE FRERICHS and HENRIETTA FRERICHS, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



[Signature]
Notary Public for Idaho
Commission expires: 1-4-2015

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APR 04 2012

WATER RESOURCES DEPT
SALEM, OREGON
G-47844

Land in Malheur County, Oregon, as follows:

In Twp. 15 S., R. 47 E., W.M.:

Sec. 30: SE ¼ SW ¼, E ½ SE ¼, SW ¼ SE ¼,

Sec. 31: A parcel of land in the NW ¼ NE ¼ more particularly described as follows:

Beginning at a point 60 feet South of the Northwest corner of said NW ¼ NE ¼;

Thence Southeasterly to a point 380 feet South of the Northeast corner of said NW ¼ NE ¼;

Thence South 40 feet;

Thence Northwesterly to a point 66 feet South of the Northwest corner of said NW ¼ NE ¼;

Thence North 6 feet, more or less, to the Point of Beginning.

Sec. 31: NE ¼ NE ¼,

EXCEPTING THEREFROM the following described parcels, to-wit:

PARCEL NO. 1:

Beginning at a point N. 89 degrees 59' W., 349.2 feet from the Southeast corner of said NE ¼ NE ¼;

Thence N. 09 degrees 07' W., 169.2 feet;

Thence N. 33 degrees 14' W., 215.3 feet;

Thence N. 00 degrees 09' E., 138.1 feet;

Thence N. 03 degrees 02' E., 274 feet;

Thence N. 46 degrees 36' W., 77.2 feet;

Thence N. 79 degrees 22' W., 369 feet;

Thence N. 83 degrees 12' W., 278.2 feet;

Thence S. 88 degrees 44' W., 149.8 feet;

Thence South 908.3 feet;

Thence S. 89 degrees 59' E., 971.5 feet to the Point of Beginning.

PARCEL NO. 2:

Beginning at a point N. 00 degrees 02' E., 519.7 feet from the Southeast corner of said NE ¼ NE ¼;

Thence N. 65 degrees 27' W., 202.1 feet;

Thence N. 03 degrees 11' E., 84.9 feet;

Thence N. 17 degrees 34' E., 158.4 feet;

Thence N. 00 degrees 34' W., 434.8 feet;

Thence S. 89 degrees 57' E., 135.7 feet;

Thence S. 00 degrees 02' W., 754.6 feet to the Point of Beginning.

Together with:

Easement, including the terms and provisions thereof, in favor of Harry G. Frasier and Pearl R. Frasier, husband and wife, by Dewane W. Alder and Della Alder, husband and wife, recorded February 23, 1965, in Book 129, Instrument No. 62376, Deed Records for a perpetual right and easement to construct and maintain an irrigation ditch or pipeline from existing drainage ditch located in the NE ¼ NE ¼ of Section 31, Twp. 15 S., R. 47 E., W.M., to a point within the Southeasterly portion of the SE ¼ SE ¼ of Section 30, Twp. 15 S., R. 47 E., W.M., for the purpose of irrigation lands in said Section 30.

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APR 04 2012

WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT "A"

R-17544

AFTER RECORDING RETURN TO:

Todd A. Rossman
White Peterson
5700 East Franklin Road, Suite 200
Nampa, ID 83687-7901

UNTIL A CHANGE IS REQUESTED ALL
TAX STATEMENTS SHALL BE SENT TO
THE FOLLOWING ADDRESS:

Miracle Land & Livestock, LLC
2220 South Indiana Avenue
Caldwell, ID 83605

Inst. No. 2009-4741
I certify that the within Instrument of
writing was received for record on
the 18 day of June, 2009
at 12:25 O'clock P. M. FEE \$31.00
STATE OF OREGON, County of Malheur
DEBORAH R. DeLONG
County Clerk

By: Shari Balygo Deputy

WARRANTY DEED

CLARENCE FRERICHS and HENRIETTA FRERICHS, husband and wife, Grantors, hereby convey, grant and warrant to MIRACLE LAND & LIVESTOCK, LLC, an Idaho limited liability company, Grantee, as a capital contribution to said limited liability company, the following described real property in Malheur County, Oregon, to-wit:

See Exhibit "A" attached hereto and by this reference incorporated herein.

SUBJECT TO taxes and assessments for the year 2008 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

The true consideration for this conveyance is \$0.00.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

The Grantors covenant to the Grantee that they are the owners in fee simple of said premises; that the premises are free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that Grantors will warrant and defend the same from all lawful claims.

RECEIVED

APR 04 2012

WATER RESOURCES DEPT
SALEM, OREGON

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSONS TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSONS' RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS AND 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS AND 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

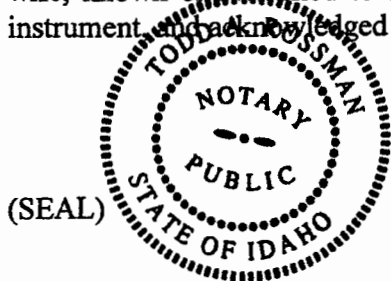
IN WITNESS WHEREOF, the Grantors executed this instrument on this 16th day of June, 2009.

Clarence Frerichs
CLARENCE FRERICHS

Henrietta Frerichs
HENRIETTA FRERICHS

STATE OF IDAHO)
)
:SS
County of Canyon)

On this 16th day of June, 2009, before me, the undersigned, a Notary Public, personally appeared CLARENCE FRERICHS and HENRIETTA FRERICHS, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



[Signature]
Notary Public for Idaho
Commission expires: 1-4-2015

jg\W\Work\F\Frerichs, Clarence & Henrietta 17842\Estate Planning\Warranty Deed to LLC - Oregon.doc

WARRANTY DEED - 2

G-17544

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APR 04 2012
WATER RESOURCES DEPT
SALEM, OREGON

Land in Malheur County, Oregon, as follows:

In Twp. 15 S., R. 46 E., W. M.:

Sec. 25: Govt Lots 1, 2, 3 and 4, NE1/4, W1/2 SE1/4 and SE1/4 SW1/4,
EXCEPTING THEREFROM all that portion of the SE1/4 SW1/4 lying South of the Highway
right of way.

In Twp. 15 S., R. 47 E., W.M.:

Sec. 30: Govt Lots 1 and 2,
EXCEPTING THEREFROM the following described road right of way:
Beginning at the Southwest corner of said Lot 2;
Thence North, along the West boundary thereof, to the Northwest corner of Lot 2;
Thence East, along the North boundary of Lot 2, 20 feet;
Thence North, on a line parallel with and 20 feet distant from the West boundary of said Lot 1,
To the North boundary of Lot 1;
Thence East, along the said North boundary, 33 feet;
Thence South, on a line parallel with and 53 feet distant from the West boundary of Lot 1,
To the South boundary of Lot 1;
Thence West, along the South boundary, 20 feet;
Thence South, on a line parallel with and 33 feet distant from the West boundary of Lot 2, to
The South boundary of Lot 2 and being 33 feet East of the Point of Beginning;
Thence West, along the said South boundary, 33 feet to the Point of Beginning.

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APR 04 2012

WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT "A"

G-17544



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

North Mall Office Building
725 Summer St. NE, Suite A
Salem, OR 97301
Phone 503-986-0900
FAX 503-986-0904
www.wrd.state.or.us

March 26, 2012

CK3, LLC
368 SW 5th. Avenue
Ontario, Oregon 97914

Dear CK3, LLC:

The Water Resources Department has received your application to use water. At this time however, we are unable to accept your application, because the minimum filing requirements are not met according to the Oregon Administrative Rules (OAR 690-310-0040 and 0050).

We are hereby returning the incomplete application and the fees submitted. Please return the application, the required information, and this checklist, so the Department may begin processing your application in a timely manner.

This review is based only on the completeness of your application. Any determination of water availability, compliance with basin plan rules, or any other water related issues has not been made.

Should you have any questions, please do not hesitate to contact Customer Service at the address above or myself by telephone at 503-986-0817.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Cc: OWRD Fiscal

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APR 04 2012

WATER RESOURCES DEPT
SALEM, OREGON





Serving the Greater Northwest
since 1972

CK3, LLC

CIVIL-STRUCTURAL-ELECTRICAL
ENGINEERING-SURVEYING & PLANNING
368 SW 5TH AVENUE, ONTARIO, OR 97914

02 April 2012

**RE: Ground Water Application for
Miracle Land & Livestock,**

RECEIVED

APR 04 2012

WATER RESOURCES DEPT
SALEM, OREGON

Dear Mr. Sauter,

The following items, as referenced on the checklist, regarding the required information for processing the ground water application have been provided:

- Completed the requested information in Section 3.
- Attached a copy of the Warranty Deed.

Respectfully submitted,

**Pat J. Woodcock
Professional Engineer,**

Phone (541) 889-5411 Fax (541) 889-2074

E-Mail Address: CK3@CK3LLC.net – Visit us at: www.CK3LLC.net

G-17544

Standard Application Completeness Checklist

Minimum Requirements (OAR 690-310-0040)(ORS 537.400)

This is the checklist used by WRD staff

County: Malheur Township: 15S Range: 46E Section: 25,30,31

Amount: 2773.6 Use: Irr, Wetland, Rec WM Dist # 9

Applicant Name:

- Amount of water from *each* source in gallons per minute (GPM), cubic feet per second (CFS), or acre feet (AF) *Will need more specific information on proposed well construction. You might wish to consult with a licensed well constructor.*
- You must include a Legal description of all the properties involved where water is diverted, crossed, and used. The Legal description includes a metes and bounds, or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or you may submit a lot book report prepared by a title company. The Department will not accept a copy of the tax bill.
- Fees: Amount of water requested _____

Base Fee \$ _____

Total Exam Fees \$ _____

1st CFS/AF _____

Permit Recording Fees \$ _____

___ Addtnl CFS/ AF @ _____ = _____

Total Paid \$ _____

___ Addtnl POD/POA @ _____ = _____

Amount Due \$ _____

___ Addtnl Use @ _____ = _____

Amount Returned \$ _____

Reviewed by: Teri H.

Date : March 22, 2012

Groups\wr\Customer Service Group\templates\standard app checklist

8/8/2011 jks

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WATER RESOURCES DEPT
SALEM, OREGON

G-17594