

Please note - I have been working with Rick Cusk, WWR 8, Baker Co. RJH

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 RICHARD J. HAINES		PHONE (HM) 541-523-3554	
PHONE (WK)	CELL 541-403-0724	FAX 541-523-3554	
ADDRESS 43934 RUNNING IRON RD			
CITY BAKER CITY	STATE OREGON	ZIP 97814	E-MAIL* RJHAINES64@MSN.COM

Organization Information

NAME HAINES ORGANIC FARM		PHONE 541-523-3554	FAX 541-523-3554
ADDRESS 43934 RUNNING IRON RD		CELL 541-403-0724	
CITY BAKER CITY	STATE OREGON	ZIP 97814	E-MAIL* RJHAINES64@MSN.COM

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

AGENT / BUSINESS NAME		PHONE	FAX
ADDRESS		CELL	
CITY	STATE	ZIP	E-MAIL*

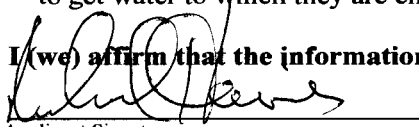
Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

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

Richard Haines
Print Name and title if applicable

3-16-2012
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use	
App. No. <u>G-17547</u>	Permit No. <u>RECEIVED</u> Date <u>RECEIVED</u>

Revised 2/1/2012

Ground Water/3

WR

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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.

X ☐ Yes

☐ There are no encumbrances.

X ☐ 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*).

Stan & Becky Mitchell 43948 Running Iron Rd Baker City, OR 97814 541-524-0547 (north)

Shelley & Ray Scott 13880 Red Fox Rd Baker City, OR 97814 541-523-2835 (west)

Barbara & Carl Stiff P.O. Box 946 Baker City, OR 97814 (south)

Property currently vacant south of our property, 43918 Running Iron Rd Baker City, OR 97814, for sale by Howard Realty

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
1	Pine Creek	1,200 Feet	Well head 11 feet above stream channel

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*).

No repairs or alterations from the existing well log attached to this application.

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: gravel & sand, alluvium

Total maximum rate requested: 6 acre feet, 22gpm (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volume 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)
1	☐	☒	L11866	☐	6 inches	160	120-140	0 to 20	40 ft 04-14-1997	gravel & sand alluvium	160 ft	22 gpm	6
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									

* 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 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1, – October 31,	6

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: 2 Acres Supplemental: NA Acres

List the Permit or Certificate number of the underlying primary water right(s): NA

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 6

- 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): 1.5 hp, submersible, AERMOTOR A-20-150 3W

☐ Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water is piped underground from well head to pressure tank in garage. From there it goes to my house (for domestic use), a second underground line to my barn where there is an outlet, and a third underground line to my organic field where is an outlet.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) A combination of low volume sprinkler heads on 2" handline, drip irrigation, spot watering of individual plants.

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.

I am requesting the 6 acre feet of water to support my organic farming business on an area of 2 acres on my property. I expect to actively grow vegetables on 1 acre, and rest the 2nd acre annually. I will rotate the production site and rest site annually. I will apply one or more cover crops to enhance soil conditions on the rested acre, and to minimize encroachment of noxious weeds. I will apply mulch around my vegetable crops to minimize water evaporation and reduce the presence of noxious weeds. (see Page 10)

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*). NA

Reservoir name: NA Acreage inundated by reservoir: NA

Use(s): NA

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

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*). NA

Annual volume (acre-feet): NA

USE OF STORED GROUND WATER	PERIOD OF USE
NA	NA

SECTION 8: PROJECT SCHEDULE

Date construction will begin: In existence

Date construction will be completed: 2014

Date beneficial water use will begin: Immediately upon issuance of the permit

SECTION 9: WITHIN A DISTRICT

☐ Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name NA	Address NA	
City NA	State NA	Zip NA

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SECTION 10: REMARKS

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

Section 5 Item C. Conservation, (continued) In my watering practices I inspect areas I am watering at 1-2 hour intervals to ensure I apply the correct amount of water, and do not over water and thereby waste water. I also have and use a soil moisture meter to monitor the application of water. I do not have any riparian habitat within or immediately adjacent to my property. In the interest of enhancing existing native bee populations I have worked under contract with the USDA NRCS to both enhance existing and expand pollinator habitat vegetation. These areas border my down slope side of my 2 acre field, are both planted and seeded to a variety of native shrub and herbaceous plants found in our area, and are fenced to 7 feet with steel mesh fence to exclude deer and elk. I describe this project solely on the fact that these sites provide excellent ground cover should there be movement of soil. Using low till practices, along with increasing soil tilth through seeding of cover crops during growing rest cycles I do not experience any soil movement regardless of rain fall volume. And last, as I am certified through Oregon Tilth, I do not use chemicals in any manner on my property.

Please note two recorded errors on the Water Supply Well Report submitted by Robert Stoffel, contractor who drilled the well in 1997. The first shows Keith and Karen Haines as owners. The correct name is Richard and Karen Haines. The second shows the Tax Lot as 204. The correct tax lot is 206.

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.

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NOTE TO LOCAL GOVERNMENTS

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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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SALEM, OREGON

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: Richard Haines
First Last
Mailing Address: 43934 Renning Iron Rd.
Baker City OR 97814 Daytime Phone: 541-523-3554
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	1/4 1/4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
85	38	25		206	RR-5	☐ Diverted	☐ Conveyed	☒ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Baker County

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B. Description of Proposed Use

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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: 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 _____

Briefly describe:

Certified organic farming on 2 acres water use is for watering vegetables. Will use a combi. system of drip, low volume sprinkler heads and spot watering.

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. →

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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 the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): BCZSO Section 303.01(C)
- ☐ 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	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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: Tara L. Andrews Title: Planner

Signature: Tara L. Andrews Phone: 541-323-8219 Date: _____

Government Entity: Baker County Planning Department

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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April 4, 2012

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**WATER RESOURCES DEPT
SALEM, OREGON**

Jerry Sauter

Water Rights Program Analyst

Water Resources Department

North Mall Office Building

725 Summer St. NE, Suite A

Salem, Oregon 97301

Dear Jerry Sauter or Water Rights Caseworkers:

In response to your letter of March 20, 2012 (copy enclosed) I am hereby submitting a legal description of my property associated with my ground water permit application. The document is titled Warranty Deed.

I have also enclosed an Interoffice Memo from Rick Lusk, Watermaster District 8, at his request.

Last, in reading the first sentence of the March 20, letter I wanted to clarify my application was to use water to irrigate from a well for farming purposes, and not to store water.

Thank you.

Sincerely,



Richard Haines

Applicant

G-17547

WARRANTY DEED

WILLIAM A. KELSEY and LOUISE B. KELSEY, Grantors, convey and warrant to RICHARD J. HAINES and KAREN F. HAINES, husband and wife, Grantee, the following described real property in Baker County, Oregon, more fully described on Exhibit "A" attached hereto and by this reference incorporated herein, including and subject to the following:

TOGETHER WITH any and all improvements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining including any appurtenant easements, and all water and water rights, ditches and ditch rights and timber rights appurtenant thereto.

SUBJECT TO reservations in federal patents and state deeds, covenants, conditions, restrictions, reservations and easements for all roads, road rights of way, streets and alleys and utility installations all as the same appear of record or are visible thereon, including without limit, easements for ditches recorded respectively in Deed Book 82 at Page 206, Deed Book 84 at Page 575, and Deed Book 84 at Page 594; easement for access and utilities granted by Instrument D89 10 019, along the North line of the herein described property; power line easement granted by instrument recorded as D89 30 008; and easements for access and utilities along the North line and along the East 30 feet of said property as shown in the above referenced partition plat recorded as instrument D94 08 100; all recording references being to the Deed Records of Baker County, Oregon.

SUBJECT TO discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose.

The true consideration for this conveyance is \$38,500.00.

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.

DATED this 28th day of July, 1994.

William A. Kelsey
William A. Kelsey

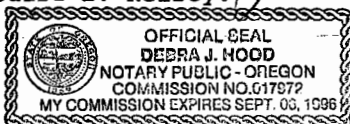
Louise B. Kelsey
Louise B. Kelsey

STATE OF OREGON

County of Baker

) ss.

The foregoing instrument was acknowledged before me this 28th day of July, 1995, by William A. Kelsey and Louise B. Kelsey.



Debra J. Hood
Notary Public for Oregon
My Commission Expires: 9-6-96

AFTER RECORDING RETURN TO AND
SEND TAX STATEMENTS TO:
Richard J. & Karen F. Haines
214 S.E. Franke Drive
John Day, Oregon 97845

#18110

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WATER RESOURCES DEPT
SALEM, OREGON

REVISED
EXHIBIT "A"

A tract of land in the East half of the Northeast quarter of Section 25, Township 8 South, Range 38 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

Commencing at a point on the East line of said Section 25, a distance of 1333.33 feet South 00°23'12" East from the Northeast corner of said Section 25;
thence continuing South 00°23'12" East along said East line, a distance of 558.33 feet to the Northeast corner of Parcel No. 2 of Partition Plat P-1990-002, recorded June 7, 1990, in Deeds 90 24 001;
thence along the North line of said tract, South 89°45'48" West 409.57 feet;
thence North 00°10'12" West 557.86 feet;
thence North 89°41'55" East 407.46 feet to the point of beginning.

The above property is shown as Parcel No. 5 of Partition Plat 1995-018, recorded July 31, 1995, in Deeds 95 31 125, a replat of Partition Plat 1994-005, recorded February 22, 1994, in Deeds 94 08 100.

30269

STATE OF OREGON, County of Baker, SS
I certify that the within instrument was received for the record on the 2nd day of August, 1996, at 9:15 o'clock A.M.,

Witness my hand and seal of County affixed.

John L. Woods County Clerk
By Janie M. McIntyre Deputy

ETC
per CK 3500

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WATER RESOURCES DEPT
SALEM, OREGON

G-17547

File No.: T00007856

EXHIBIT "A"

A tract of land in the East half of the Northeast quarter of Section 25, Township 8 South, Range 38 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

Commencing at a point on the East line of said Section 25, a distance of 1333.33 feet South $00^{\circ}23'12''$ East from the Northeast corner of said Section 25;

thence continuing South $00^{\circ}23'12''$ East along said East line, a distance of 558.33 feet to the Northeast corner of Parcel No. 2 of Partition Plat P-1990-002, recorded June 7, 1990, in Deeds 90 24 001;

thence along the North line of said tract, South $89^{\circ}45'48''$ West 409.37 feet;

thence North $00^{\circ}10'12''$ West 557.86 feet;

thence East to the point of beginning.

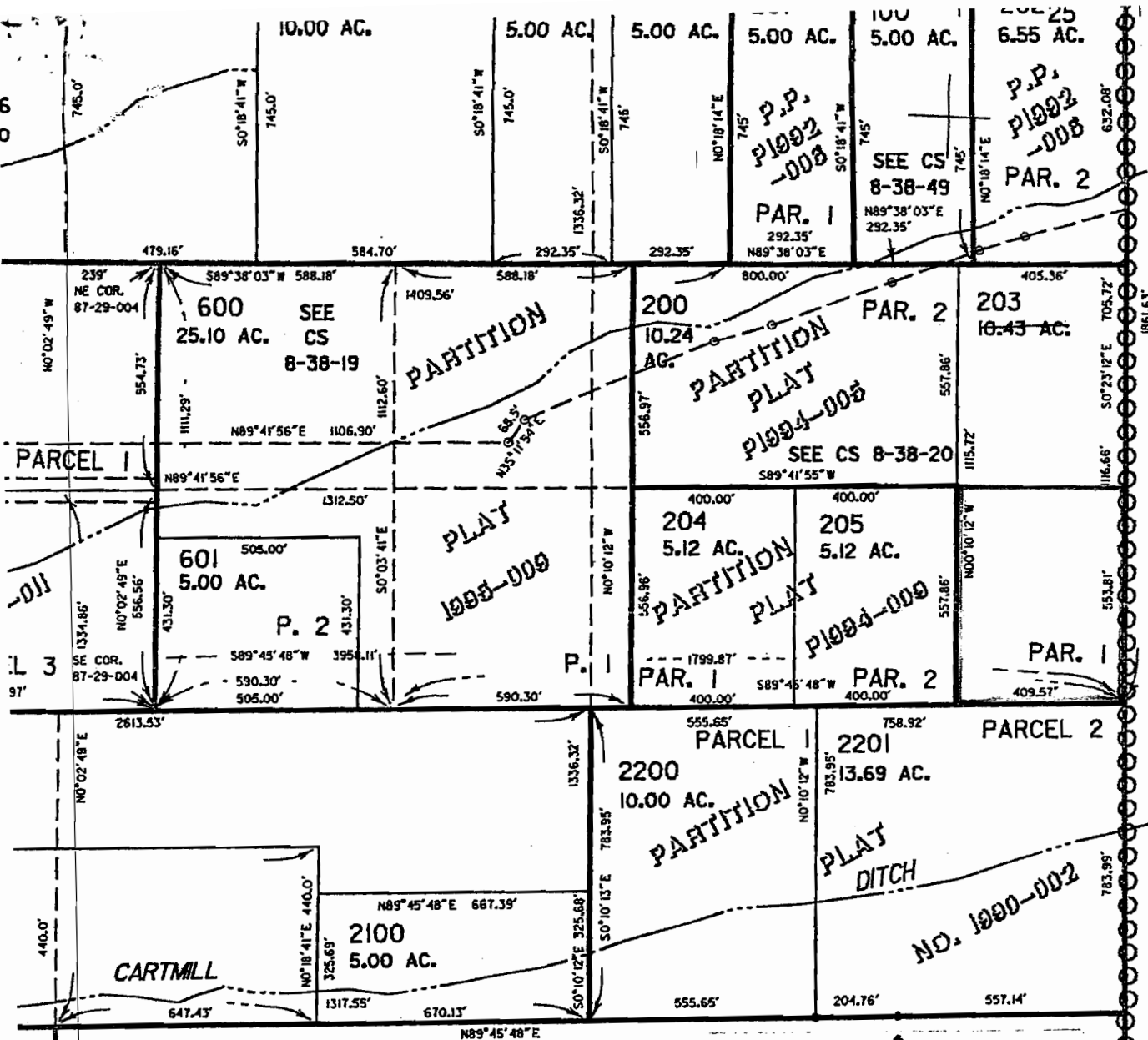
The above property is shown as the South half of Parcel No. 1 of Partition Plat 1994-005, recorded February 22, 1994, in Deeds 94 08 100.

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SEE MAP 8 39 30

THIS SKETCH IS FOR LOCATION PURPOSES ONLY, AND NO WARRANTIES ARE IMPLIED AS TO VARIATIONS, IF ANY, IN DIMENSIONS OR LOCATION AS REVEALED BY AN ACCURATE SURVEY

8 38 25
ELKHORN TITLE CO.

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SEE MAP

8 38 25D

Gr-17547

SEE MAP 8 39 30C

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WATER RESOURCES DEPT
SALEM, OREGON

INTEROFFICE MEMO
WATERMASTER DISTRICT # 8

Water Resources Department

Phone: (541) 523-8224

E-mail: Rick.M.LUSK@wrд.state.or.us

TO: Water Right Caseworkers

DATE: April 4, 2012

FROM: Rick Lusk, Watermaster District 8 *RmL*

SUBJECT: Richard J. Haines Ground Water Application

Dick Haines has been working with this office on this ground water application. Please contact me if there are questions regarding the application. This office will work with the water right staff and Mr. Haines to supply additional information, if necessary.

G-17547

Standard Application Completeness Checklist

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

This is the checklist used by WRD staff

- ☐ 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 22 gpm

Base Fee \$ 1000

Total Exam Fees \$ 1250

1st CFS/AF \$ 250

Permit Recording Fees \$ _____

____ Addtnl CFS/ AF @ _____ = _____

Total Paid \$ _____

____ Addtnl POD/POA @ _____ = _____

Amount Due \$ _____

____ Addtnl Use @ _____ = _____

Amount Returned \$ 1250

Reviewed by: Laura W

Date : March 20, 2012

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

8/8/2011 jks

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Application for a Permit to Use Ground Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
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Water-Use Permit Application Processing

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1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 (www.oregon.gov/owrd/law). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$200. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$300.00 for the applicant and \$600.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed, the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department issues a Final Order consistent with the PFO. If the application is approved, a permit is issued that specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

RECEIVED

MAR 19 2012

WATER RESOURCES DEPT
SALEM, OREGON

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.615)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

- ☒ SECTION 1: applicant information and signature
- ☒ SECTION 2: property ownership
- ☒ SECTION 3: well development
- ☒ SECTION 4: water use
- ☒ SECTION 5: water management
- ☒ SECTION 6: storage of groundwater in a reservoir
- ☒ SECTION 7: use of stored groundwater from the reservoir
- ☒ SECTION 8: project schedule
- ☒ SECTION 9: within a district
- ☒ SECTION 10: remarks

Attachments:

- ☒ Land Use Information Form with approval and signature (*must be an original*) or signed receipt
- ☒ 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. Example: A copy of the deed, land sales contract or title insurance policy.
- ☒ Fees - Amount enclosed: \$1250⁰⁰
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

Provide a map and check that each of the following items is included:

- ☐ Permanent quality and drawn in ink
- ☐ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- ☐ North Directional Symbol
- ☐ Township, Range, Section, Quarter/Quarter, Tax Lots
- ☐ Reference corner on map
- ☐ Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- ☐ Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- ☐ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- ☐ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- ☐ Other _____



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 20, 2012

Richard J. Haines
43934 Running Iron Road
Baker City, Oregon 97814

RECEIVED

APR 09 2012

WATER RESOURCES DEPT
SALEM, OREGON

Dear Richard J. Haines:

The Water Resources Department has received your application to store 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 by telephone at 503-986-0817.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Cc: OWRD Fiscal

68-17547

