

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 JAMES MILGARD		PHONE (HM) (253) 851-1001	
PHONE (WK)	CELL		FAX
ADDRESS 9801 ALLEN POINT			
CITY GIG HARBOR	STATE WA	ZIP 98332	E-MAIL* JIMMILGARD@MILGARD.COM

Organization Information

NAME		PHONE	FAX
ADDRESS			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 STEVEN R. BRUCE		PHONE (503) 319-8926	FAX
ADDRESS P.O. BOX 80174			CELL (503) 319-8926
CITY PORTLAND	STATE OR	ZIP 97280	E-MAIL* STEVE@SKOOKUMWATER.COM

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.)

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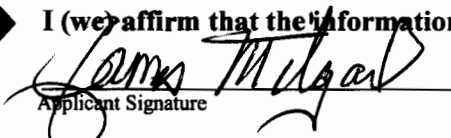
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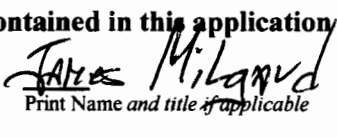
By my signature below I confirm that I understand:

- 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.

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I (we) affirm that the information contained in this application is true and accurate.


Applicant Signature


Print Name and title if applicable


Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. _____	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

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
L4	Unnamed Stream	1750 feet (approx.)	5 feet (estimated)

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 well is new and designated DESC 59536. The Owner's well number is L4 and unrelated to government lot numbers in the area.

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Volcanic materials

Total maximum rate requested: 1,146 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)
L4	<input type="checkbox"/>	<input checked="" type="checkbox"/>	DESC 59536	<input type="checkbox"/>	14 inch	2+ to 71	Open hole - 71 to 370	0 to 18	114 7/21/12	Volcanic material	370 ft		
	<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"/>									
	<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.
 ** 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 to October 31	612.6

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: 204.2 Acres Supplemental: -- 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: 612.6

- 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): 125, turbine

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. The water will be pumped from the well and conveyed through a 6-inch-diameter PVC pipeline to a center pivot.

B. Application Method

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

Low pressure center 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.

The rate and duty are consistent with other permits and rights in the area. The pumping system and pivot are new, and the system incorporates low pressure, high efficiency nozzles. The area is in the high desert of Central Oregon and there are no nearby streams.

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: NA Acreage inundated by reservoir: NA

Use(s): NA

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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*).

Annual volume (acre-feet): NA

USE OF STORED GROUND WATER	PERIOD OF USE
NA	NA

SECTION 8: PROJECT SCHEDULE

Date construction will begin: As soon as permit is issued

Date construction will be completed: April 2013

Date beneficial water use will begin: As soon as permit is issued

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	
City	State	Zip

SECTION 10: REMARKS

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

The Owner's well number is not related to government lot numbers in the area.

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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

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Applicant: James
First

Milgard
Last

Mailing Address: 9801 Allen Point

Gig Harbor
City

WA
State

98332
Zip

Daytime Phone: (253) 851-1001

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:
See	Attached	Table				<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Deschutes County

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: 2.55
 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:

Water will be pumped from a well and used to operate a pivot irrigating approximately 204 acres.

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.



ATTACHMENT TO:

Oregon Water Resources Department
Land Use Information Form

Applicant Name: James Milgard

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan designation	Water to be:	Proposed Land Use:
22 S	20 E	2	NW NE	201		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	No Change
21 S	20 E	35	SW NE	2400		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	Irrigated Crop
21 S	20 E	35	SE NE	2400		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigated Crop
21 S	20 E	35	NE SW	2400		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigated Crop
21 S	20 E	35	SE SW	2400		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigated Crop
21 S	20 E	35	NE SE	2400		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigated Crop
21 S	20 E	35	NW SE	2400		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigated Crop
21 S	20 E	35	SW SE	2400		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigated Crop
21 S	20 E	35	SE SE	2400		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigated Crop
21 S	20 E	36	NW SW	2400		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigated Crop
21 S	20 E	36	SW SW	2400		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigated Crop

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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): Chapter 18-16 of Title 18 of the Deschutes County Code.
- 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.

Name: _____ Title: Paul Blikstad, senior Planner

Signature: Paul Blikstad Phone: 541-378-6554 Date: 9-11-12

Government Entity: Deschutes County

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: _____ RECEIVED

City or County: _____ Staff contact: _____ SEP 24 2012

Signature: _____ Phone: _____ Date: _____

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SALEM, OREGON**

Exhibit "A"

PARCEL I:

Township 21 South, Range 20 East of the Willamette Meridian, Deschutes County, Oregon:

Section 1: SE1/4

Section 12: NE1/4, NE1/4 SE1/4, W1/2 SE1/4

Section 13: E1/2 NE1/4 and NE1/4 SE1/4

Section 23: E1/2 E1/2

Section 24: N1/2 SE1/4, SW1/4 SE1/4 and S1/2 SW1/4

Section 25: NW1/4 SW1/4

Section 26: SE1/4 NE1/4, NE1/4 SE1/4, S1/2 SE1/4 and SW1/4

Section 27: W1/2, W1/2 E1/2, E1/2 SE1/4 and SE1/4 NE 1/4

Section 28: N1/2, N1/2 S1/2 and S1/2 SE1/4

Section 34: All that portion lying North of Highway 20

Section 35: All that portion lying North of Highway 20

Section 36: W1/2

Township 22 South, Range 20 East of the Willamette Meridian, Deschutes County, Oregon:

Section 1: All that portion lying North of Highway 20

Section 2: All that portion lying North of Highway 20

Township 22 South, Range 21, East of the Willamette Meridian, Deschutes County, Oregon:

Section 6: E1/2 SW1/4, Lot 5, Lot 6 and that portion of Lot 7 lying North of Highway 20

Section 7: That portion of the N1/2 NW1/4 lying North of Highway 20.

EXCEPTING from the above described parcels, public roads, streets or highways.

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WARRANTY DEED

Unless a change is requested, all tax statements shall be sent to Grantee at the following address:
James A. Milgard
P.O. Box 11368
Tacoma, WA 98411

After recording, this Deed shall be delivered to:
Robert S. Lovlien
P.O. Box 1151
Bend, OR 97709

The true consideration for this transfer is \$ 1,355,172.00

ESTATE OF ROBERT L. COATS, Deceased, Grantor, conveys and warrants to JAMES A. MILGARD, Grantee, the following described real property, free of encumbrances except as specifically set forth herein:

PARCEL I, in Deschutes County, Oregon, as more particularly described on Exhibit "A", which is attached hereto and incorporated herein by reference.

TOGETHER WITH: State of Oregon Water Resources Department Groundwater Rights Certificates Numbered 53799, 53800, 53801, 53802, 53803, 53804 and 53805, as the same may be appurtenant to the real property being conveyed herein.

SUBJECT TO: The encumbrances as set forth on Exhibit "B" (Preliminary Title Report Supplemental #9 issued by Western Title & Escrow Company) attached hereto and by this reference incorporated herein.

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

RECORDED BY:
WESTERN TITLE & ESCROW CO.
305218

DESCHUTES COUNTY OFFICIAL RECORDS 2002-29745
MARY SUE PENHOLLOW, COUNTY CLERK
\$106.00
00073231200200297450160164
05/31/2002 03:42:27 PM
D-D, Cnt=1 Stn=6 BECKEY
\$80.00 \$11.00 \$10.00 \$5.00

- 1 - WARRANTY DEED

M:\DATA\RS\CLIENTS\M\Milgard.011.Des.Parcel I

BRYANT, LOVLIE & JARVIS, PC
ATTORNEYS AT LAW, ESTABLISHED 1915
591 SW Mill View Way PO Box 1151 Bend, Oregon 97709-1151 (541) 382-4331 fax (541) 389-3386 www.bryantlovlienjarvis.com
24 SW Fifth Street PO Box 650 Madras, Oregon 97741 (541) 475-2757 fax (541) 475-2962

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AS DEFINED IN ORS 30.930.

DATED this 31st day of May, 2002.

ESTATE OF R.L. COATS, Deceased

By: Roberta Coats Bowles
Roberta Coats Bowles, Co-Personal Representative

By: Lynda L. Coats-Sellers
Lynda L. Coats-Sellers, Co-Personal Representative

By: Annette J. Coats Chunn
Annette J. Coats Chunn, Co-Personal Representative

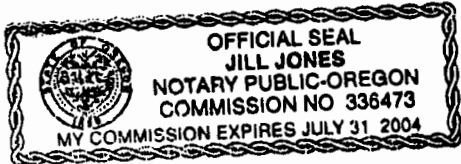
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SALEM, OREGON

STATE OF OREGON, County of Deschutes, ss:

The foregoing instrument was acknowledged before me this 31st day of May, 2002, by Roberta Coats Bowles, Co-Personal Representative of the Estate of R.L. Coats, Deceased.



Jill Jones
Notary Public for Oregon
My Commission Expires: 7/31/04

STATE OF OREGON, County of Deschutes, ss:

The foregoing instrument was acknowledged before me this 31st day of May, 2002, by Lynda L. Coats-Sellers, Co-Personal Representative of the Estate of R.L. Coats, Deceased.



Jill Jones
Notary Public for Oregon
My Commission Expires: 7/31/04

STATE OF OREGON, County of Deschutes, ss:

The foregoing instrument was acknowledged before me this 31st day of May, 2002, by Annette J. Coats Chunn, Co-Personal Representative of the Estate of R.L. Coats, Deceased.



Jill Jones
Notary Public for Oregon
My Commission Expires: 7/31/04