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				PHONE (HM)
Gary and Darla Du Bois				541-460-0363
PHONE (WK)	CELL			FAX
None				541-443-1210
ADDRESS				
42629 Beilke Rd.				
CITY	STATE	ZIP	E-MAIL*	
Pendleton	or	97801	Garyd542@starband.net	

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			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.)

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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.

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

Applicant Signature — Gary Du Bois (Print Name *and title if applicable*) — Date 6/7/13

Applicant Signature — Darla C Du Bois (Print Name *and title if applicable*) — Date 6/7/13

For Department Use

App. No. G-17682 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)*.

Umatilla County
216 SE 4th
Pendleton, OR 97801

You must 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.

SECTION 3: WELL DEVELOPMENT

		IF LESS THAN 1 MILE:	
WELL NO.	NAME OF NEAREST SURFACE WATER	DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
New	Birch Creek	11,000 ft.	--169 ft.

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)*.

Case new well to 700 ft.

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: _____

Total maximum rate requested: 56 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 i 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.

										PROPOSED USE			
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)	SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
1	☒	☐		☐	8"					Basalt Aquifer	+700 ft.	56	30
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									

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

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

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

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	1 March -- 31 October	30

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: 10 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: 30

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: _____

  If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

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): 5 hp Pump

☐ Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. 2" supply line

B. Application Method
What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
Hand lines and /or wheel line

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.
Water needed to irrigate hay grass, we will water only when needed and soil moistureis needed.

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).*

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Reservoir name: NA Acreage inundated by reservoir: _____

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Use(s): _____

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

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

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

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

Annual volume (acre-feet): _____

USE OF STORED GROUND WATER	PERIOD OF USE

SECTION 8: PROJECT SCHEDULE

Date construction will begin: 7/1/2023 as funds allow

Date construction will be completed: 7/1/2023 as funds allow

Date beneficial water use will begin: 7/1/2023 as funds allow

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	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 topo map shows a blue line through the bottom of the section. There is no indication that water has flowed in this area in the last 50 years. Ther is not even a calvert under the county road for run off.

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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: Gary and Darla (First) Du Bois (Last)

Mailing Address: 42629 Beilke Rd.

Pendleton (City) OR (State) 97801 (Zip) Daytime Phone: 541-460-0363

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:
1 N	32 E	17	SE	2202	EFU	☐ 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:

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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: 56 gpm ☐ cubic feet per second ☒ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

Irrigate grass hay field

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.

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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): VCDC 152.056.

☐ 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: Richard H. Jennings Title: Planner

Signature: [signature] Phone: 278-6249 Date: 6-5-13

Government Entity: Umatilla 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: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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OCT-01-2010 13:40 AMERITITLE PENDLETON

2010 5710067

AmeriTitle
Part Of The JELD-WEN Family

RECEIVED
OCT 04 2010
UMATILLA COUNTY RECORDS

2010-5710067 1 of 2

State of Oregon)
)
County of Umatilla)

This instrument was received and recorded on

10-04-10 at 3:15

in the record of instrument code type DE-WD

Instrument Number 2010-5710067
Fee 46.00

Office of County Records

Records Officer

After recording return to:
Gary D. DuBois
11528 SW Dynomite Ln
Culver, OR 97734-9518

Until a change is requested all tax statements shall be sent to the following address:

Gary D. DuBois
11528 SW Dynomite Ln
Culver, OR 97734-9518

Escrow No. PD0066187
Title No. 0066187
SWD-EM r.012910

AmeriTitle Ldc187

STATUTORY WARRANTY DEED

Cheryl Ann Clark, Grantor(s) hereby convey and warrant to **Gary D. DuBois and Darla C. DuBois, as tenants by the entirety,** Grantee(s) the following described real property in the County of **Umatilla** and State of Oregon, free of encumbrances except as specifically set forth herein:

Parcel 2, Partition Plat No. 2006-18, located in Township 1 North, Range 32, East of the Willamette Meridian, Umatilla County, Oregon, filed July 17, 2006, Instrument No. 2006-5040375, Office of County Records.

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

Account No. 145740 **1N 32 00 2202 16-04**

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:
2010-2011 Real Property Taxes a lien not yet due and payable.

The true and actual consideration for this conveyance is **$225,000.00.**

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BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

Dated this 1ST day of October, 10.

Cheryl Ann Clark

Cheryl Ann Clark

State of OREGON
County of Umatilla

This instrument was acknowledged before me on 1 October, 2010 by Cheryl Ann Clark.

(Notary Public)

OFFICIAL SEAL
MAURICE G SMITH
NOTARY PUBLIC-OREGON
COMMISSION NO. 447616
MY COMMISSION EXPIRES MAY 16, 2014

My commission expires May 16, 2014

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EXHIBIT "A"

Parcel 1, PARTITION PLAT NO. 2006-18, located in Section 17, Township 1 North, Range 32, East of the Willamette Meridian, Umatilla County, Oregon, filed July 17, 2006, Instrument No. 2006-5040375, Office of County Records.

SUBJET TO:

1. Easement for gas pipeline, including the terms and provisions thereof,
   Grantee : Cascade Natural Gas Corporation
   Recorded : July 20, 1956, Book 235, Page 686
   Amended : July 25, 1956, Book 236, Page 79, Deed Records.

2. Covenant not to sue, including the terms and provisions thereof, by
   Grantor : Larry Parker, et ux
   Recorded: July 25, 2006, Instrument No. 2006-5040710, Office of County Records.

3. Irrevocable consent agreement, including the terms and provisions thereof, by,
   Grantor : Larry Parker, et ux
   Recorded: July 25, 2006, Instrument No. 2006-5040710, Office of County Records.

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UMATILLA County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2013

June 5, 2013 9:41:15 am

Account #	145740	**Tax Status**	ASSESSABLE
Map #	1N3200-00-02202	**Acct Status**	ACTIVE
Code - Tax #	1604-145740	**Subtype**	NORMAL
Legal Descr	PARTITION PLAT 2006-18 Lot - PARCEL 1		
Mailing Name	DUBOIS GARY DONALD & DARLA CAROLE (TRS)	**Deed Reference #**	2012-5860615
Agent		**Sales Date/Price**	12-13-2011 / $0.00
In Care Of		**Appraiser**	SHANK, LLOYD
Mailing Address	11528 SW DYNOMITE LN CULVER, OR 97734-9518		

Prop Class	571	**MA**	**SA**	**NH**	**Unit**
RMV Class	401	06	77	000	145740-1

Situs Address(s)	Situs City
ID# 1 42629 BEILKE RD	PENDLETON

Value Summary

Code Area		AV	RMV	MAV	RMV Exception	CPR %
1604	Land	138,190	138,190	142,340	Land 0	
	Impr.	70,770	70,770	97,660	Impr. 0	
Code Area Total		208,960	208,960	240,000	0	
Grand Total		208,960	208,960	240,000	0	

Land Breakdown

Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	Irr Class	Irr Size
1604					CITY OSD - RESIDENTIAL FULL	100					
1604	1	R		EFU	Market	100	A	10.00	L		
						Grand Total		10.00			0.00

Improvement Breakdown

Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #	Trended RMV
1604	1	1940	132	One story with basement	100	1,512			53,500
1604	2	1940	300	Farm Bldg	100	768			5,250
1604	3	1940	300	Farm Bldg	100	168			600
1604	4	1940	300	Farm Bldg	100	720			300
1604	5	1940	300	Farm Bldg	100	720			3,490
1604	6		300	Farm Bldg	100	196			2,690
1604	7	2010	300	Farm Bldg	100	288			2,470
1604	8	2010	300	Farm Bldg	100	288			2,470
					Grand Total	4,660			70,770

Exemptions/Special Assessments/Potential Liability

Code Area	Type
1604	

NOTATION(S):

- POTENTIAL ADDL TAX LIABILITY ADDED 2005

Comments: 2006 disqualification non farm dwelling 10acre partition
10/17/2006 paid patl 572.05
REMODELED 1989

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SALEM, OR

G-7682

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: $ 1250 00
  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 _____

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