

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 DEPARTMENT OF STATE LANDS			PHONE (HM) 541-388-6033
PHONE (WK) 541-388-6033	CELL 541-480-1032		FAX 541-388-6480
ADDRESS 1645 NE FORBES ROAD SUITE 112			
CITY BEND	STATE OR	ZIP 97701	E-MAIL* SHAWN.ZUMWALT@STATE.OR.US

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.)

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.

Larry R. Quackenbush
Applicant Signature

Larry R. Quackenbush
LM - Eastern Region Mgr
Print Name and title if applicable

07/09/13
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>G-17705</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*).

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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
1	Malheur Lake	10-miles +	<10'
2	Malheur Lake	10 miles +	<10'
3	Malheur Lake	10 miles +	<10'
4	Malheur Lake	10 miles +	<10'

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*).

We are proposing 4 well locations for 1-irrigation pivot and for flood irrigation as identified on the enclosed map. Only two wells will likely be developed- one well for the irrigation pivot and one well for the flood irrigation. The flood irrigation will be done in order to enhance habitat for migrating waterfowl and shorebirds while also contributing to a more sustainable livestock operation. The flood irrigation project will provide alternative forage during critical dry periods and help maintain healthy plant communities.

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: _____

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

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

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	x	☐		☐	14"-20"	100'		26'	125'		300'	800	
2	x	☐		☐	14"-20"	100'		26'	125'		300'	800	
3	x	☐		☐	14"-20"	100'		26'	125'		300'	800	
4	x	☐		☐	14"-20"	100'		26'	125'		300'	800	
	☐	☐		☐									
	☐	☐		☐									

* 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)
Irrigation	March 1st thru Oct 31st	

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: 285.2 Acres Supplemental: _____ Acres

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

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 855.6

- 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)?

x Pump (give horsepower and type): 100 HP turbine pump

☐ Other means (describe): _____

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

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
Center pivot irrigation system as well as flood irrigation.

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 flood irrigation will be done in order to enhance habitat for migrating waterfowl and shorebirds while also contributing to a more sustainable livestock operation. The flood irrigation project will provide alternative forage during critical dry periods and help maintain healthy plant communities. The Center pivot will have drop sprinklers which will have less evaporation

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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WATER RESOURCES DIVISION
SALEM, OREGON

Reservoir name: _____ Acreage inundated by reservoir: _____

Use(s): _____

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

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

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

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

Annual volume (acre-feet): _____

USE OF STORED GROUND WATER	PERIOD OF USE

SECTION 8: PROJECT SCHEDULE

Date construction will begin: Spring 2014

Date construction will be completed: Summer 2014

Date beneficial water use will begin: Summer 2014

771-784-1
JUL 19 2013

WATER DIVISION
JUL 19 2013

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*).

Land Use

Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
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(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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OREGON WATER RESOURCES DEPARTMENT
SALAM, 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: Department of State Lands
First

Last

Mailing Address: 1645 NE Forbs Road Suite 112

Bend

City

OR

State

97701

Zip

Daytime Phone: 541-388-6456

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:
23S	32E	10	NWSE	1700	EFRU-1	☒ Diverted	☒ Conveyed	☒ Used	Irr
23S	32E	10	SWSE	1700	EFRU-1	☒ Diverted	☒ Conveyed	☒ Used	Irr
23S	32E	10	NESE	1700	EFRU-1	☒ Diverted	☒ Conveyed	☒ Used	Irr
23S	32E	10	SESE	1700	EFRU-1	☒ Diverted	☒ Conveyed	☒ Used	Irr
23S	32E	14	NWN W	1700	EFRU-1	☒ Diverted	☒ Conveyed	☒ Used	IRR
23S	32E	14	SWN W	1700	EFRU-1	☒ Diverted	☒ Conveyed	☒ Used	IRR
23S	32E	14	NENW	1700	EFRU-1	☒ Diverted	☒ Conveyed	☒ Used	IRR
23S	32E	14	SENW	1700	EFRU-1	☒ Diverted	☒ Conveyed	☒ Used	IRR

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

Harney County	JUL 19 2013
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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: 855.6 ☐ 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:

1 Pivot 100 HP Turbine Pump/ 3acre feet per acre at 125.2 acres for 375.6 acre-feet per year. Flood irrigation 100HP Turbine Pump/3acre feet at 160-acres for 480 acre-feet per year for a total of 855.6 acre feet per year.

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

See bottom of Page 3. →

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): HCZO 3.020.
- ☐ 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: Brandon McMullen Title: Planning Director

Signature:  Phone: 541-573-6655 Date: 6/25/2013

Government Entity: Harney 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: _____

Date _____

(For staff use only)



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

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- | | | |
|--------------------------|---|-------|
| ☐ | SECTION 1: | _____ |
| ☐ | SECTION 2: | _____ |
| ☐ | SECTION 3: | _____ |
| ☐ | SECTION 4: | _____ |
| ☐ | SECTION 5: | _____ |
| ☐ | SECTION 6: | _____ |
| ☐ | SECTION 7: | _____ |
| ☐ | SECTION 8: | _____ |
| ☐ | SECTION 9: | _____ |
| ☐ | Land Use Information Form | _____ |
| ☐ | 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. | |
| ☐ | Fees _____ | |

MAP

- ☐ 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

All state-owned lands in the SE ¼ of Section 10 and NW ¼ of Section 14
Township 23 South, Range 32 East, Willamette Meridian, Harney County,
Oregon, more particularly described as follows:

The SE ¼ of Section 10 and the NW ¼ of Section 14 all in Tax Lot 1700 in
Township twenty four (23) south, Range thirty two (32) East, W.M. Containing
320 acres

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WATER RESOURCES DEPT
SALEM, OREGON

Poison Creek Slough.doc
GI-17705

Kerry Kavanagh

From: ZUMWALT Shawn <shawn.zumwalt@state.or.us>
Sent: Monday, July 29, 2013 9:48 AM
To: KAVANAGH Kerry L
Subject: Water Rights Legal Descriptions
Attachments: Wrights Point.docx; Poison Creek Slough.docx; Island Ranch.docx; Carson Point.docx

Hi Kerry,

I apologize for the delay on getting you the legal descriptions for these. If you need more information please contact me as soon as convenient for you and I will get any information you may need.

Thanks again,

Shawn

Shawn P. Zumwalt
Land Manager
Land Management Division
Eastern Region
Ph. 541-388-6033

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JUL 29 2013

WATER RESOURCES DEPT
SALEM, OREGON