

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 DON & NANCY MCGINN | | PHONE (HM) 541.856.3632 | |
| PHONE (WK) | CELL. 541.786.2445 | | FAX |
| ADDRESS 46502 SCHOOLHOUSE RD | | | RECEIVED BY OWRD AUG 13 2013 |
| CITY HAINES | STATE OR | ZIP 97833 | |

Organization Information

| | | | |
|---------|-------|-------|------------------|
| NAME | | PHONE | FAX SALEM, OR |
| 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 SARA HAYNES / BROWNE CONSULTING, LLC | | PHONE 541.523.5170 | FAX 541.523.5170 |
| ADDRESS 50809 ELLIS ROAD | | | CELL. |
| CITY NORTH POWDER | STATE OR | ZIP 97867 | E-MAIL* SARA@BROWNECONSULTING.BIZ |

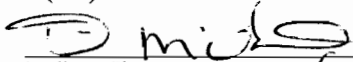
Note: Attach multiple copies as needed

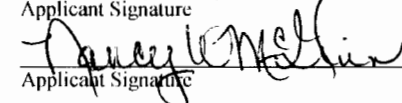
* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

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


Applicant Signature

Don McGinn
Print Name and title if applicable

Nancy McGinn
Print Name and title if applicable

7-31-13
Date

7-31-13
Date

| | | |
|-------------------------|------------------|------------|
| For Department Use | | |
| App. No. <u>G-17712</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*).

N/A

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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 |
| Well 1 | Big Muddy Creek | 300' | 0' |
| Well 2 | Big Muddy Creek | 240' | 0' |
| Well 3 | Big Muddy Creek | 1320' | 20' |
| | | | |
| | | | |

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*).

There are not a lot of irrigation wells within the region, but the irrigation wells that have been drilled have yielded approximately 300-600 GPM and vary in depth from 400-800 feet deep (BAKE 50735 & BAKE 50751 are the closest; drilled in 2000, BAKE 52265 drilled in May 2013). Livestock and domestic wells in the region range from 50 to 600 feet deep.

The proposed well(s) is [are] to be drilled within a quarter-mile of Big Muddy Creek and within 300 feet of a domestic well (for the closest proposed well). Due to the proximity of Big Muddy Creek, it is estimated that a deeper seal depth will be required. Wells #1 and #2 are located less than 50' west from Foothill Road and Well #3 is located near the shop, approximately 425' north from Big Muddy Creek Lane.

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Alluvium Ground Water (Aquifer unknown)

Total maximum rate requested: 1.924 CFS (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.

G-17712

| OWNER'S WELL NAME OR NO. | PROPOSED | EXISTING | WELL ID (WELL TAG) NO.* OR WELL LOG ID** | FLOWING ARTESIAN | CASING DIAMETER | CASING INTERVALS (IN FEET) | PERFORATED OR SCREENED INTERVALS (IN FEET) | SEAL INTERVALS (IN FEET) | MOST RECENT STATIC WATER LEVEL & DATE (IN FEET) | PROPOSED USE | | | |
|--------------------------|-------------------------------------|--------------------------|--|--------------------------|-----------------|----------------------------|--|--------------------------|---|-------------------|------------------|--------------------------|---------------------------|
| | | | | | | | | | | SOURCE AQUIFER*** | TOTAL WELL DEPTH | WELL-SPECIFIC RATE (GPM) | ANNUAL VOLUME (ACRE-FEET) |
| Well 1 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | N/A | <input type="checkbox"/> | 10", 8" | 0-400 | 75-400 | 0-75 | N/A | Alluvial | 400 | 864 | 346.44 |
| Well 2 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | N/A | <input type="checkbox"/> | 10", 8" | 0-400 | 75-400 | 0-75 | N/A | Alluvial | 400 | 864 | 346.44 |
| Well 3 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | N/A | <input type="checkbox"/> | 10", 8" | 0-400 | 75-400 | 0-75 | N/A | Alluvial | 400 | 864 | 346.44 |
| | <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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Superseded 10-10-13

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Alluvium Ground Water (Aquifer unknown)

Total maximum rate requested: 2.9 CFS (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.

G-17712

| OWNER'S WELL NAME OR NO. | PROPOSED | EXISTING | WELL ID (WELL TAG) NO.* OR WELL LOG ID** | FLOWING ARTESIAN | CASING DIAMETER | CASING INTERVALS (IN FEET) | PERFORATED OR SCREENED INTERVALS (IN FEET) | SEAL INTERVALS (IN FEET) | MOST RECENT STATIC WATER LEVEL & DATE (IN FEET) | PROPOSED USE | | | |
|--------------------------|-------------------------------------|--------------------------|--|--------------------------|-----------------|----------------------------|--|--------------------------|---|-------------------|------------------|--------------------------|---------------------------|
| | | | | | | | | | | SOURCE AQUIFER*** | TOTAL WELL DEPTH | WELL-SPECIFIC RATE (GPM) | ANNUAL VOLUME (ACRE-FEET) |
| Well 1 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | N/A | <input type="checkbox"/> | 10", 8" | 0-400 | 75-400 | 0-75 | N/A | Alluvial | 400 | 1,300 | 2,100 |
| Well 2 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | N/A | <input type="checkbox"/> | 10", 8" | 0-400 | 75-400 | 0-75 | N/A | Alluvial | 400 | 1,300 | 2,100 |
| Well 3 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | N/A | <input type="checkbox"/> | 10", 8" | 0-400 | 75-400 | 0-75 | N/A | Alluvial | 400 | 1,300 | 2,100 |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | | | |

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Alluvium Ground Water (Aquifer unknown)

Total maximum rate requested: 2.9 CFS (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.

G-17712

| OWNER'S WELL NAME OR NO. | PROPOSED | EXISTING | WELL ID (WELL TAG) NO.* OR WELL LOG ID** | FLOWING ARTESIAN | CASING DIAMETER | CASING INTERVALS (IN FEET) | PERFORATED OR SCREENED INTERVALS (IN FEET) | SEAL INTERVALS (IN FEET) | MOST RECENT STATIC WATER LEVEL & DATE (IN FEET) | PROPOSED USE | | | |
|--------------------------|-------------------------------------|--------------------------|--|--------------------------|-----------------|----------------------------|--|--------------------------|---|-------------------|------------------|--------------------------|---------------------------|
| | | | | | | | | | | SOURCE AQUIFER*** | TOTAL WELL DEPTH | WELL-SPECIFIC RATE (GPM) | ANNUAL VOLUME (ACRE-FEET) |
| Well 1 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | N/A | <input type="checkbox"/> | 10", 8" | 0-400 | 75-400 | 0-75 | N/A | Alluvial | 400 | 1,300 | 2,100 |
| Well 2 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | N/A | <input type="checkbox"/> | 10", 8" | 0-400 | 75-400 | 0-75 | N/A | Alluvial | 400 | 1,300 | 2,100 |
| Well 3 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | N/A | <input type="checkbox"/> | 10", 8" | 0-400 | 75-400 | 0-75 | N/A | Alluvial | 400 | 1,300 | 2,100 |
| | <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) |
|-------------------------|-----------------------|---------------------------|
| Supplemental Irrigation | March 1 to October 31 | 346.44 |
| | | |
| | | |
| | | |

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: 0 Acres Supplemental: 115.48 Acres
List the Permit or Certificate number of the underlying primary water right(s): 57913
Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 346.44

- 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: _____

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SECTION 5: WATER MANAGEMENT

WATER RESOURCES DEPT
SALEM, OREGON

A. Diversion and Conveyance

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

- Pump (give horsepower and type): 75 HP, 8" pump in the well in conjunction with a Paco 40 HP booster pump.
- Other means (describe): _____

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

Water will be pumped from the well and through a 10" mainline (on the north end of the property) to the west end of the property to the existing wheel lines.

B. Application Method

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

Currently, two wheel lines are in operation from the main line located underground on the north boundary of the property. The sprinkler nozzles distribute the water over the crop land. The potential for use of big gun sprinklers and hand lines can be expected for the 35 acres that are not currently crop land. At a future date, the landowner would be interested in converting the wheel lines to a 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.

SECTION 4: WATER USE

| USE | PERIOD OF USE | ANNUAL VOLUME (ACRE-FEET) |
|-------------------------|-----------------------|---------------------------|
| Supplemental Irrigation | March 1 to October 31 | 2,100 |
| | | |
| | | |
| | | |

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: 0 Acres Supplemental: 115.48 Acres

List the Permit or Certificate number of the underlying primary water right(s): 57913

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 2,100

- 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: _____ RECEIVED BY OWRD

SECTION 5: WATER MANAGEMENT

AUG 13 2013

A. Diversion and Conveyance

SALEM, OR

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

Pump (give horsepower and type): 75 HP, 8" pump in the well in conjunction with a Paco 40 HP booster pump.

Other means (describe): _____

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

Water will be pumped from the well and through a 10" mainline (on the north end of the property) to the west end of the property to the existing wheel lines.

B. Application Method

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

Currently, two wheel lines are in operation from the main line located underground on the north boundary of the property. The sprinkler nozzles distribute the water over the crop land. The potential for use of big gun sprinklers and hand lines can be expected for the 35 acres that are not currently crop land. At a future date, the landowner would be interested in converting the wheel lines to a 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.

Big Muddy Creek water runs out early in the season and irrigation is required to proceed with crop lands. All irrigation is currently diverted from the ditch via a 10" mainline that ensure water loss due to seepage and/or evaporation is limited and minimal. The McGinns would like to upgrade to a pivot with a large end gun in the future. They would like to have the option of using a pivot and have the correct amount of water in order to be able to use it legally in conjunction with the hand lines and big guns that will be required to irrigate the pasture and orchard. With this irrigation system in place, the landowners will use water more efficiently and control the amount of water lost. Flow meters will be installed on each of the wells to monitor and record water use. There will be no damage to aquatic life or riparian habitat or mixing of surface and ground water due to the mainline pipe system.

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: _____ 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

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Date construction will begin: Upon review approval.

AUG 13 2013

Date construction will be completed: Approximately one year after final review.

SALEM, OR

Date beneficial water use will begin: March 1, 2014

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 Powder Valley Water Control District | Address 690 E Street | |
| City North Powder | State OR | Zip 97867-8203 |

Revised 10-10-13

SECTION 10: REMARKS

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

The McGinns irrigate their land from their water rights under Certificate 57913 that allows 115.48 acres of primary irrigation (1882 & 1891 priority dates) from Killamacue, Rock and Big Muddy Creeks points of diversion. Water in these creeks is dependent on snow melt and this season is especially early for anticipated water shutoff. Once these creeks have dried up, the McGinns are unable to irrigate their 80 acres of crops and 35.48 acres of pasture and orchard.

The landowner is applying for a standard groundwater application and is hoping to drill one well that will meet the conditions of approval for a standard groundwater application (but will include three locations in case the first is not productive).

Proposed "Well 1" will be located in the SE side of the McGinn Tax Lot 100 and is anticipated to be drilled to a depth of 400 feet with an anticipated yield of approximately 850-1,000 GPM. "Well 1" will be 10" wide with an 8" (75 HP) pump in the well and a 40 HP booster pump located on the surface. Although the Section 2 above-mentioned well logs do not show a likely yield of 850-1,000 GPM from one well in this region, if the amount of water is available from one well, it is the landowner's intent to drill only one irrigation well.

Since the estimated yield of "Well 1" may not meet the maximum yield under this application, this application includes the option for the McGinns to drill 1-2 more wells that may be used in conjunction to attain the desired rate. "Well 2" is located in the northeast corner of the property and will be the second priority for drilling to meet the maximum yield requested. "Well 3" is located near the house and shop in the south center portion of the property. All of these locations are within a quarter mile of Big Muddy Creek and it is anticipated a seal depth of at least 75' will be required in order to avoid contamination with surface water. If a 75 ft continuous seal is not required because basalt is encountered at 75 ft, the intention is to develop a 2-part seal.

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WATER RESOURCES DEPT
SALEM, OREGON

SECTION 10: REMARKS

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

The McGinns irrigate their land from their water rights under Certificate 57913 that allows 115.38 acres of primary irrigation (1882 & 1891 priority dates) from Killamacue, Rock and Big Muddy Creeks points of diversion. Water in these creeks is dependent on snow melt and this season is especially early for anticipated water shutoff. Once these creeks have dried up, the McGinns are unable to irrigate their 80 acres of crops and 35.48 acres of pasture and fruit trees.

The landowner is applying for a standard groundwater application and is hoping to drill one well that will meet the conditions of approval for a standard groundwater application (but will include three locations in case the first is not productive).

Proposed "Well 1" will be located in the SE side of the McGinn Tax Lot 100 and is anticipated to be drilled to a depth of 400 feet with an anticipated yield of approximately 1,300 GPM. "Well 1" will be 10" wide with an 8" (75 HP) pump in the well and a 40 HP booster pump located on the surface. Although the Section 2 above-mentioned well logs do not show a likely yield of 1,300 GPM from one well in this region, if the amount of water is available from one well, it is the landowner's intent to drill only one irrigation well.

Since the estimated yield of "Well 1" may not meet the maximum yield under this application, this application includes the option for the McGinns to drill 1-2 more wells that may be used in conjunction to attain the desired rate. "Well 2" is located in the northeast corner of the property and will be the second priority for drilling to meet the maximum yield requested. "Well 3" is located near the house and shop in the south center portion of the property. All of these locations are within a quarter mile of Big Muddy Creek and it is anticipated a seal depth of at least 75' will be required in order to avoid contamination with surface water. If a 75 ft continuous seal is not required because basalt is encountered at 75 ft, the intention is to develop a 2-part seal.

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SALEM, OR

SECTION 10: REMARKS

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Proposed "Well 1" will be located in the SE side of the McGinn Tax Lot 100 and is anticipated to be drilled to a depth of 400 feet with an anticipated yield of approximately 1,300 GPM. "Well 1" will be 10" wide with an 8" (75 HP) pump in the well and a 40 HP booster pump located on the surface. Although the Section 2 above-mentioned well logs do not show a likely yield of 1,300 GPM from one well in this region, if the amount of water is available from one well, it is the landowner's intent to drill only one irrigation well.

Since the estimated yield of "Well 1" may not meet the maximum yield under this application, this application includes the option for the McGinns to drill 1-2 more wells that may be used in conjunction to attain the desired rate. "Well 2" is located in the northeast corner of the property and will be the second priority for drilling to meet the maximum yield requested. "Well 3" is located near the house and shop in the south center portion of the property. All of these locations are within a quarter mile of Big Muddy Creek and it is anticipated a seal depth of at least 75' will be required in order to avoid contamination with surface water. If a 75 ft continuous seal is not required because basalt is encountered at 75 ft, the intention is to develop a 2-part seal.

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SALEM, OR

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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AUG 13 2013

Revised

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: Don & Nancy
First

McGinn
Last

Mailing Address: 46502 Schoolhouse Road

Haines
City

OR
State

97833
Zip

Daytime Phone: 541.786.2445

RECEIVED

OCT 10 2013

WATER RESOURCES DEPT
SALEM, OREGON

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 | Tax Lot # | Plan Designation (e.g., Rural Residential/RR-5) | Water to be: | | | Proposed Land Use: |
|----------|-------|---------|-------|-----------|---|-----------------------------------|-----------------------------------|--|--------------------|
| 7S | 38E | 27 | NE NW | 100 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Supp Irrig. |
| 7S | 38E | 27 | NW NE | 100 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Supp Irrig. |
| 7S | 38E | 27 | NE NE | 100 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Supp Irrig. |
| 7S | 38E | 27 | SE NW | 100 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Supp Irrig. |
| 7S | 38E | 27 | SW NE | 100 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Supp Irrig. |
| 7S | 38E | 27 | SE NE | 100 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Supp Irrig. |

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

Baker

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: 1,924 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:

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
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Applicant: Don & Nancy
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AUG 13 2013

A. Land and Location

SALEM, OR

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

Baker

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: 1,300 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:

Land Use

Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
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Applicant: Don & Nancy
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SALEM, OR

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Baker

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 Exchange of Water

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 Ground Water
 Surface Water (name) _____

Estimated quantity of water needed: 1,300
 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:

Supplemental irrigation of 115.38 acres of various farm crops after primary water rights dry up in the irrigation season.

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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SALEM, OR

For Local Government Use Only

AUG 13 2013

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 sec 301.01
- 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.

BCZSO section 301.01 - EFU zone - FARM USES permitted. Per Applicant, no construction is proposed. At the time construction is required, please contact Baker Co. Planning Dept.

Name: Laurea J. Hoopes, PLANNER
 Signature:  Phone: 541 523-8219 Date: 7/29/13
 Government Entity: Baker City - County Planning Dept.

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 _____

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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 _____

SALEM, OR

CONSERVATOR'S DEED

B12 07 0107

TIM FISHER, NATALIE MILLER and NANCY HARRINGTON, Tri-conservators of the Estate of Cecil K. Fisher, an incapacitated person, under No. 92056968 of the Circuit Court of the State of Oregon for the County of Union, collectively as Grantor, convey to DONALD F. MCGINN and NANCY MCGINN, husband and wife, Grantees, that certain real property situate in Baker County, Oregon, more fully described as:

That certain real property more fully described on Exhibit "A" attached and fully incorporated herein by this reference.

This legal description was created prior to January 1, 2008.

TOGETHER WITH any and all improvements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including without limit, all appurtenant water and water rights, all mineral rights, all surface and subsurface rights of any kind or nature, and together with all irrigation systems and related irrigation equipment located thereon.

SUBJECT TO all matters of record and also SUBJECT TO rights of the public in and to any portion of the Premises lying within the boundaries of roads, highways or lying between the mean highwater mark of any creeks or streams thereon; and subject to any and all matters, including easements and assessments, if any, pertaining to the Adams ditch and other ditches crossing said Property.

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 \$500,000.00.

"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 21st day of February, 2012.

[Signature]
TIM FISHER, Tri-conservator

[Signature]
NATALIE MILLER, Tri-conservator

[Signature]
NANCY HARRINGTON, Tri-conservator

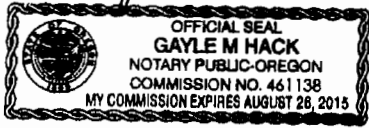
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SALEM, OR

STATE OF Oregon)
County of Baker) ss:

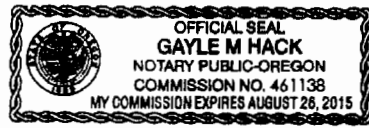
The foregoing instrument was acknowledged before me this 17th day of February, 2012, by TIM FISHER, Tri-conservator.



[Signature]
Notary Public for Oregon
My Commission Expires: 8/26/15

STATE OF Oregon)
County of Baker) ss:

The foregoing instrument was acknowledged before me this 17th day of February, 2012, by NATALIE MILLER, Tri-conservator.



[Signature]
Notary Public for Oregon
My Commission Expires: 8/26/15

ETC #19674

B12 07 0108

STATE OF IDAHO)
County of ADA) ss:

The foregoing instrument was acknowledged before me this 20 day of FEBRUARY, 2012, by NANCY HARRINGTON, Tri-conservator.



Patricia M. Brewster
Notary Public for Wills Trust
My Commission Expires: Sept 18, 2015

SEND TAX STATEMENTS TO:

AFTER RECORDING RETURN TO:

RECEIVED BY OWRD

AUG 13 2013

SALEM, OR

61-17712

File No.: 00019674

EXHIBIT "A"

IN TOWNSHIP 7 SOUTH, RANGE 38 EAST of the Willamette Meridian, in the County of Baker and State of Oregon:

Section 27: The North half of the North half, and all of the Southeast quarter of the Northwest quarter and the South half of the Northeast quarter lying North of Big Muddy Creek Lane (Baker County Road No. 636).

EXCEPTING THEREFROM the following:
A parcel of land in Section 27, Township 7 South, Range 38 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:
Beginning at a point on the West right of way line of Baker County Road No. 1139, at a point which bears South 0°54'24" West 1,245.50 feet from the Northeast corner of said Section 27;
thence South 0°28'25" East along the West road right of way a distance of 356.0 feet;
thence South 89°33'30" West 146.86 feet;
thence North 0°35'05" West 353.07 feet;
thence North 88°24'52" East 147.58 feet to the point of beginning.

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AUG 13 2013

SALEM, OR

1 of 1

STATE OF OREGON)
COUNTY OF BAKER)
I CERTIFY THAT THIS
INSTRUMENT WAS RECEIVED
AND RECORDED IN THE BOOK
OF RECORDS OF SAID COUNTY
TAMARA J. GREEN, BAKER CO. CLERK
BY Karen Phillips DEPUTY
DOC#: 12070106B
2/21/2012 3:55 PM
REF .00 56.00
ETC C46

Cr-1772