

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

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME WENDT FAMILY LLC		PHONE (HM) 541-856-3571	
PHONE (WK) 541-856-3571	CELL 541-403-2158	FAX N/A	
ADDRESS 15647 MAXWELL LANE			
CITY HAINES	STATE OR	ZIP 97833	E-MAIL* N/A

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 JAN KERNS		PHONE 541-856-3449	FAX 1-888-293-5896
ADDRESS 45917 QUAIL ROAD			CELL 541-403-0823
CITY HAINES	STATE OR	ZIP 97833	E-MAIL* JKERNS@RCONNECTS.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.)

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.

 manager

Applicant Signature

Joel Wendt, Manager, manager, Wendt Family LLC

Print Name and title if applicable

Date

Applicant Signature

Print Name and title if applicable

Date

10/18/13

For Department Use

Revised 2/1/2012

App. No. G-17229

Permit No. _____
Ground Water/3

Date _____

WR

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*).

Wendt Family, LLC. Joel Wendt, manager

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

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
#2 Proposed	Little Muddy Creek	Little Muddy creek is approximately 1.25 mi. south of the well site.	34' (Proposed well @ 3390' apx., Little Muddy @ 3356')

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 new well will be at a higher elevation than Little Muddy Creek.

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Alluvial

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Total maximum rate requested: 4.2 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.

2271-1-5

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)
#2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	n/a	<input type="checkbox"/>	12"	0-200'	40-100'	0-40'	n/a	alluvial	200	1892	3
	<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.

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Supplemental Irrigation	Mar. 1 - Oct. 31	3 acre feet

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: ___ Acres Supplemental: 337.4 Acres

List the Permit or Certificate number of the underlying primary water right(s): G-2329, 55562

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 3 AF/AC (1012 AF total)

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

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

SECTION 5: WATER MANAGEMENT

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A. Diversion and Conveyance

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

Pump (give horsepower and type): 100 hp submersible

Other means (describe):

Pump into existing buried mainline delivery system for wheel lines and hand lines to augment existing well; plus pump into open ditch for flood irrigating where sprinklers are not presently used.

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

The present buried 8" mainline serves the hay fields and the wheellines and handlines. No changes are anticipated in the delivery system. Because the mainline also could serve the pasture that is presently being flood irrigated, the potential for sprinkler irrigation is already in place. It is not anticipated that any additional risers would be needed in the buried mainline. The mainline is down-slope from both the existing well and the new, proposed well. Gravity pressure is achieved in the line. Both the existing well and the proposed well are at the highest elevation on the ranch, so no additional infrastructure is needed to get the water conveyed.

B. Application Method

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

Wheel lines and some hand lines on hay ground. Flood irrigation is anticipated to continue on the pasture ground because cattle are hard on irrigation lines. Hand lines have been used in the past in the pasture, and the infrastructure is in place to use hand lines for pasture irrigation when needed or desired.

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 surface right is a very junior right, which runs out early. The existing well provides irrigation as well as supplemental irrigation, but is not sufficient for optimum crop and pasture production. The soil has the capability of higher production, but is limited by the availability of water.

Water will be measured by a flow meter at the pump.

Waste will be prevented by wheel line and hand line irrigation on the crop ground. Flood irrigation waste is already prevented by drop ditches which allow for reuse of the water. No water leaves the property through the main ditch network. There will be no discharge of contaminated water to a surface stream. The pastures are well sodded, so cattle manure is utilized on the fields. There is no manure runoff.

Due to the lack of water, there is no year-around aquatic life in the irrigation ditch. Willows have been planted along the ditch bank to prevent erosion. There is a good sod component to the edge of the ditch so erosion and riparian damage have been actively controlled by good stewardship and pasture management.

There are no adverse impacts to public uses of surface water.

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: N/A Acreage inundated by reservoir: N/A

Use(s): N/A

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

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): N/A

USE OF STORED GROUND WATER	PERIOD OF USE
N/A	N/A

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SECTION 8: PROJECT SCHEDULE

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Date construction will begin: Fall/Winter 2013

Date construction will be completed: Winter 2018

Date beneficial water use will begin: Winter 2018

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 Irrigation District	Address 690 E. St.	
City North Powder	State OR	Zip 97867

SECTION 10: REMARKS

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

It is anticipated that the power line to the existing well will be extended to the new well. This will be a very efficient system both for delivery of water, construction and power efficiency and construction.

This farm has the potential for a lot more hay and pasture production, but is limited by availability of adequate water.

The well location is scaled from an approximate corner location of SE corner of Sec. 8, from the Haines USGS Quad map. The location is also noted by GPS longitude and latitude.

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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

Applicant(s): Wendt Family LLC

Mailing Address: 15647 Maxwell Lane

City: Haines

State: OR

Zip Code: 97833

Daytime Phone: 5410403-2158

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:
<u>7S</u>	<u>39E</u>	<u>7</u>	<u>E1/2</u> <u>SE1/4</u>	<u>1500</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Ag</u>
<u>7S</u>	<u>39E</u>	<u>8</u>	<u>W1/2</u> <u>SW1/4</u>	<u>1500</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Ag</u>
<u>7S</u>	<u>39E</u>	<u>17</u>	<u>NW1/4</u> <u>SW1/4</u>	<u>1500</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Ag</u>
<u>7S</u>	<u>39E</u>	<u>18</u>	<u>NE1/4</u>	<u>1500</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Ag</u>

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

<u>Baker</u>	RECEIVED BY OWRD OCT 23 2013
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B. Description of Proposed Use

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Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond
 Ground Water
 Surface Water (name) _____

Estimated quantity of water needed: 3 x 337.4
 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:

<u>Supplemental irrigation for hay and pasture production.</u> <u>Total acre feet requested is 3 x 337.4 = 1012.2 acre feet.</u>

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.

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): 301.01 (A)
- 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.

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Name: _____ Title: Holly Kerns, Interim Director
 Signature: Holly Kerns Phone: 541-523-8219 Date: 10/16/13
 Government Entity: Baker 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: WENDT FAMILY LLC % JOEL WENDT, MANAGER
 City or County: BAKER Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

EXHIBIT 1

Land in Baker County, Oregon, as follows:

The $W\frac{1}{2}SW\frac{1}{4}$ of Section 8; the $NW\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$ of Section 17; and that part of the $E\frac{1}{2}SE\frac{1}{4}$ of Section 7, and that part of the $E\frac{1}{2}NE\frac{1}{4}$ of Section 18, and that part of the $SW\frac{1}{4}NW\frac{1}{4}$, and the $NW\frac{1}{4}SW\frac{1}{4}$ of Section 17, lying East of the Oregon-Washington Railroad and Navigation Company's right-of-way, all being in Township 7 South, Range 39 E. W. M., in Baker County Oregon.
ALSO, beginning at the southeast corner of the $NW\frac{1}{4}$ of Section 17, of said township and range; thence North 4.71 chains; thence North $33^{\circ}15'$ West to a point 5 chains South of the Northeast corner of the $NW\frac{1}{4}NW\frac{1}{4}$ of said Section 17; thence South to the Southwest corner of the $SE\frac{1}{4}NW\frac{1}{4}$ of said Section 17; thence East to the place of beginning.

Together with all ditches and ditch rights and water and water rights appertaining to said premises, or used in connection therewith.

EXCEPTING THEREFROM rights-of-way for roads, ditches, railroads, telephone, telegraph and power lines as the same may now be located thereon.

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Legal Description of Supplemental Groundwater Application – Wendt Family LLC

Land located in Baker County, Oregon, and described as follows:

T.7 S. R. 39 E. W.M

Section 7:

37.6 ac. NE $\frac{1}{4}$ SE $\frac{1}{4}$

34.6 ac. SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 8:

36.8 ac. NW $\frac{1}{4}$ SW $\frac{1}{4}$

39.0 ac SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 17:

6.0 ac NE $\frac{1}{4}$ NW $\frac{1}{4}$

40.0 ac NW $\frac{1}{4}$ NW $\frac{1}{4}$

37.4 ac SW $\frac{1}{4}$ NW $\frac{1}{4}$

29.5 ac. SE $\frac{1}{4}$ NW $\frac{1}{4}$

37.5 ac. NE $\frac{1}{4}$ SW $\frac{1}{4}$

18.2 ac. NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 18:

18.8 ac. NE $\frac{1}{4}$ NE $\frac{1}{4}$

2.0 ac. SE $\frac{1}{4}$ NE $\frac{1}{4}$

Total acres = 337.4

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