

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) | |
| PHONE (WK) | CELL | FAX | |
| ADDRESS | | | |
| CITY | STATE | ZIP | E-MAIL* |

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Organization Information

| | | | |
|---|-------------|------------------------|------------------|
| NAME HAT ROCK WATER CO., INC C/O JOE FRANELL | | PHONE (541)289-1993 | FAX SALEM, OR |
| ADDRESS 82608 C STREET | | CELL | |
| CITY HERMISTON | STATE OR | ZIP 97838 | E-MAIL* |

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

| | | | |
|--|-------------|------------------------|-------------------------------|
| AGENT / BUSINESS NAME WILLIAM PORFILY | | PHONE (541)449-1327 | FAX (541)449-1327 |
| ADDRESS P.O. BOX 643 | | CELL (541) 561-7259 | |
| CITY STANFIELD | STATE OR | ZIP 97875 | E-MAIL* wporfily@gmail.com |

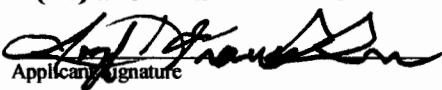
Note: Attach multiple copies as needed

* 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.


Applicant Signature

Joe Franell-President
Print Name and title if applicable

2-20-14
Date

Applicant Signature

Print Name and title if applicable

Date

| | | |
|--------------------|------------------|------------|
| For Department Use | | |
| App. No. G-12774 | 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. We own the land where the proposed well will be located
- This land is encumbered by easements, rights of way, roads or other encumbrances.

No

- We have a recorded easement or written authorization permitting access. We have an existing system that current serves all are member. This system has been in prior to 1991 and water that is obtain with this application will use the same delivery system
- 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*).

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 |
| Well | Columbia River | 1100 ft | +140 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*).

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: **Basalt**

Total maximum rate requested: **450 gpm** (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

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

| OWNER'S WELL NAME OR NO. | PROPOSED | EXISTING | WELL ID (WELL TAG) NO.* OR WELL LOG ID** | FLOWING ARTESIAN | CASING DIAMETER | CASING INTERVALS (IN FEET) | PERFORATED OR SCREENED INTERVALS (IN FEET) | SEAL INTERVALS (IN FEET) | MOST RECENT STATIC WATER LEVEL & DATE (IN FEET) | PROPOSED USE | | | |
|--------------------------|-------------------------------------|--------------------------|--|--------------------------|-----------------|----------------------------|--|--------------------------|---|-------------------|------------------|--------------------------|---------------------------|
| | | | | | | | | | | SOURCE AQUIFER*** | TOTAL WELL DEPTH | WELL-SPECIFIC RATE (GPM) | ANNUAL VOLUME (ACRE-FEET) |
| Well | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | Proposed 12 " | Proposed 100 ft | N/A | Proposed 100 Ft | N/A | Basalt | Est. <800 ft | 450 gpm | 70 acre-ft |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | RECEIVED BY OWRD | | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | FEB 24 2014 | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | SALEM, OR | | |

* 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) |
|-----------------|---------------|---------------------------|
| Quasi-Municipal | Year Round | 70.0 |
| | | |
| | | |
| | | |

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: N/A

Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).

Primary: _____ 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: _____

- 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

A. Diversion and Conveyance

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

Pump (give horsepower and type): 15 hp Submersible Pump

Other means (describe): _____

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Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water: The above pump will deliver water into existing 80,000 gallon reregulating storage tank. An existing 7.5 hp booster pump, pumps water from the this tank into an existing system that currently supplies group domestic water to the Hat Rock Water Company under existing Permit S-52968

B. Application Method

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

The existing system (existing management of the system is unaware of maps of the system and it location) will be used to deliver water from the reregulating reservoir to each household which have their own system for their own use of the water

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.

Officer and management of the Hat Rock Water Co have under consideration that their members will be request during summer months to irrigated lawn and gardens every other day

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*). N/A

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*). N/A

Annual volume (acre-feet): _____

| USE OF STORED GROUND WATER | PERIOD OF USE |
|----------------------------|---------------|
| | |
| | |

SECTION 8: PROJECT SCHEDULE

Date construction will begin: Started

Date construction will be completed: Oct. 1, 2024

Date beneficial water use will begin: Oct. 1, 2015

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SECTION 9: WITHIN A DISTRICT

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Check here if the point of diversion or place of use are located within or served by an irrigation or other water district. N/A

| | | |
|--------------------------|---------|-----|
| 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 existing source of water that we are using under Permit S-52968 is starting to test high in nitrates. Water from this propose well will be used to dilute or replace the water from the existing supply. Existing Permit S-52968 "C" date is Oct.1, 2024. It would be reasonable that the "C" for this permit be the same. The Hat Rock Water Company is working on filing to become a Quasi-Municipal Organization.



Oregon Water Resources Department

FORM M

FOR MUNICIPAL AND QUASI MUNICIPAL WATER SUPPLIES

Unless otherwise noted, water use information should be in acre-feet per year (AFY).
1 acre-foot is equal to 325,851 gallons.

Background Information

Name of water supplier: Hat Rock Water Co., Inc.

Name and size of area to be served: One half Square Mile
(in square miles)

Present population of service area: 39 homes
(Contact county planning staff, if needed.)

Projected population in 20 years: 62 homes (number authorized under current permit)
(Cite source and year. For example: "20,595 Based upon 1995 Portland State University projections.")

List present water rights and permits held:

| Date of Issuance: | Natural Source of Water: | Amount Permitted: | Utilization: |
|--------------------|--|-------------------|-----------------|
| <u>May 7, 1991</u> | <u>Unnamed Spring, Tributary of Columbia River</u> | <u>0.19 cfs</u> | <u>0.10 cfs</u> |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

Water Use

Average **yearly** demand: 68.64 AFY Year: 2013

Per-capita daily consumption (in gallons): 392.8 gallons
(Divide average annual water sales by population to arrive at consumption, then divide by 365 to get daily values.)

Peak season (by month/day): Apr 15 to Oct 15 **Total peak season** demand: 57.6 Acre-feet

Peak season per-capita daily consumption: 669.7gpd
(Divide total peak season demand by population and the number of days during the peak.)

Annual amount of water:

Produced: 68.64 ac ft
(diverted or pumped)

Delivered: 68.64 ac ft

Is your system fully metered? Yes No

Describe your rate structure: The current rate is \$25 per month house hold or user
(e.g. flat rate, increasing or decreasing block rate or combination of different systems)

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Request for Water

A. Discuss the reason(s) for your request for additional water
(e.g. loss of current supply, peak demand, growth, or other):

The existing source of water that is presently being used under Permit S-52968 is starting to test high in nitrates. Water from the proposed well will be used to dilute or replace the water from the existing source.

B. How long is the amount of water requested in this application expected to meet future needs?

(e.g. until the year 2040) Until the maximum number of residence (62) is reached.

C. Briefly discuss operation of water system and the most constraining component of the system:

A 10 hp pump delivers water to an 80,000 gallon buried steel storage tank from the spring. A 7.5 hp pump, pumps water from the storage tank into the delivery system that serves the residences. There is a flow meter from the storage tanks

D. Percentage of water use by type:

Residential: 95% Commercial: 5%
Public Authority: _____ Agricultural: _____
Unaccounted for use: _____ Industrial: _____
Other (specify use): _____

E. List cost to implement proposed request.

Compare cost and benefits with other water supply, or combination of supply options. This should include water efficiency measures such as replacing current showerheads with low-flow types. (Attach documentation, as available.)

The total cost of this improvement (well, well pump, small treatment plant, and generator) is estimated to cost \$110,000. No other alternative was considered.

F. How and by how much will your proposed water use efficiency programs increase efficiency?

(Express as a percentage of per-capita consumption.)

The proposed new well and equipment is not intended to improve the system efficiency. It is being pursued to maintain a healthy water source with acceptable nitrate levels.

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WARRANTY DEED

78149

KNOW ALL MEN BY THESE PRESENTS, That CHARLES KIK

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by HAT ROCK WATER COMPANY, INC. hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Umatilla and State of Oregon, described as follows, to-wit:

That portion of Lot 1, Block 6, Hat Rock Tracts in Northeast Quarter of Section 15, Township 5 North, Range 29 East, Willamette Meridian, Umatilla County, Oregon being described as follows: Beginning at a point on the South line of said Lot 1 which lies South 69°28'29" West 158.13 feet from the Southeast corner of said Lot 1 and running; thence North 6°10'09" West 66.19 feet; thence South 83°49'51" West 50.00 feet; thence South 6°10'09" East 78.99 feet to a point on the South line of said Lot 1; thence North 69°28'29" East 51.61 feet to the point of beginning. Also an easement for a water line over the following described parcel: Beginning at the Southeast corner of the above described parcel and running; thence North 6°10'09" West along the East line of said parcel 8.39 feet; thence North 81°50'43" East 37.94 feet to a point on the South line of Lot 1, Block 6 of said Hat Rock Tracts; thence South 69°28'29" West along said South line 39.14 feet to the point of beginning.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except Restrictive and Protective Covenants, contained in the Plat and Dedication of Hat Rock Tract, filed 9/8/50, Book 7 page 19.

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ None. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 14th day of September, 1981; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Charles Kik

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, County of Umatilla, September 14, 1981

STATE OF OREGON, County of Umatilla, 1981

Personally appeared the above named Charles Kik

Personally appeared who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

and acknowledged the foregoing instrument to be his voluntary act and deed.

a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon Florence Tumblin My commission expires: 4/30/84

Notary Public for Oregon My commission expires:

Charles Kik Rt. 2 Box 2578 Hermiston, Oregon 97838 Hat Rock Water Company, Inc. 408 East Main Hermiston, Oregon 97838 Hat Rock Water Company, Inc. 408 East Main Hermiston, Oregon 97838

INDEXED FILED STATE OF OREGON, COUNTY OF UMATILLA, 1981 J. Dean Fouquette, Sr. County Clerk certify that this instrument was received and recorded ON SEP. 15 1981 11:10 o'clock A.M. in the record of DEEDS of said County in Book R-84 Page 1148 J. DEAN FOUQUETTE, SR. County Clerk By Betty Johnson

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: Hat Rock Water Co. INC c/o Joe Franell President
First _____ Last _____

Mailing Address: 82608 C Street

Hermiston
City

OR
State

97838
Zip

(541)289-1993
Daytime Phone:

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: |
|----------|-------|---------|----------|-----------|---|--|--|-------------------------------|------------------------|
| 5N | 29E | 15 | SW NE | 1505 | | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input type="checkbox"/> Used | Quasi-Municipal |
| | | | | | | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used | |

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

Umatilla County

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 450 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:

Because of our current supply of water (Springs) is starting to test high in Nitrates we propose to Drill a Well. The water from the Well will be used to dilute or to replace the domestic portion of our Existing W Right

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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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): _____.
- 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 |

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.

The proposed well will supplement or replace the domestic water supply for 'Hat Rock Tracts', as depicted on the attached map.

Name: CAROL JOHNSON, PLANNER Title: _____

Signature: *Carol Johnson* Phone: 541-278-6252 Date: 2-10-2014

Government Entity: _____

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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