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)
STANLEY J. AND LORI L., BOSHART				541-928-8662
PHONE (WK)	CE	LL		FAX
ADDRESS				
32818 TANGENT LP				
CITY	STATE	ZIP	E-MAIL*	
TANGENT	OR	97389		
Organization Information				
NAME			PHONE	FAX
ADDRESS				CELL
CITY	STATE	ZIP	E-MAIL*	
Agent Information – The agent is authorize	ed to repr	esent the ap		
AGENT / BUSINESS NAME	ov Ivo		PHONE (502) 5016	FAX (502) 622 5083
DOANN HAMILTON/PACIFIC HYDRO-GEOLO	GY, INC		(503) 632-5016	(503) 632-5983
ADDRESS 18487 S. VALLEY VISTA ROAD				CELL (503) 349-6946
CITY	STATE	ZIP	E-MAIL*	(000)010
MULINO	OR	97042	PHGDMH@GMAIL.COM	
* By providing an e-mail address, conse electronically. (paper copies of the final				RECEIVE
By my signature below I confirm that				DEC 2 2 2014
I am asking to use water specif	ically as	described	in this application.	
• Evaluation of this application v	vill be bas	sed on into	ormation provided in the	e application. permit. WATER RESOURCES I
I cannot use water legally until	the wate	r Kesourc	es Department issues a	of any proposed weal, EMI @REGON
the use is exempt. Acceptance	of this on	nlication o	loes not quarantee a ner	mit will be issued
			ides not guarantee a per	init will be issued.
If I get a permit, I must not wasIf development of the water use	sie water.	ecording to	the terms of the nermi	t the permit can be cancelled
The water use must be compati	ble with	local com	orehensive land-use nla	ns
• Even if the Department issues	nermit	I may hay	e to ston using water to	allow senior water-right holders
to get water to which they are		i illay ilav	e to stop using water to	anow senior water right horders
to get water to which they are t	Sittitica.			
I (we) affirm that the information	on contai	ined in th	is application is true a	nd accurate.
V COLLIN ROLL		TAN		
Suff Dem	<u> </u>	. 731		
Applicant Signature	Pri	nt Name and	title if applicable	Date 17-17-14
-7411 119 11W		OYL	JUDINART	
Applicant Signature	Pri	nt Name and	шие у а ррисавіе	Date

Permit No.

App. No. G1 7776

For Department Use

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		
	\boxtimes	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	naı	mes and mailing addresses of all affected landowners (attach additional sheets if necessary).
NA		

You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

SECTION 3: WELL DEVELOPMENT

		IF LESS T	HAN 1 MILE:		
WELL NO.	NAME OF NEAREST SURFACE WATER	DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD		
Well 1	Unnamed tributary of Lake Creek	Approximately 1,000 feet	Approximately 5-10 feet		
		110			

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).

Well specifications provided in the table below are estimates and subject to change based on actual conditions encountered in the field.

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 1.28 cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the 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 to obtain the necessary information.

											OPOSED	USE	
OWNER'S. WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG D^*	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL- SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
Well 1	\boxtimes		NA		8 inch	0 to 170 feet	100 to 135 feet	0 to 25 feet	NA	Alluvial	170 feet	600 gpm	255.5 AF
			, ,										

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 so that the for each subsequent alteration of the well.

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

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 through October 31	255.5 AF

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 mo	atch map).						
Primary: 102.2 Acres Supplemental: Acres							
List the Permit or Certificate number of the underlying primary water right(s):							
Indicate the maximum total number of acre-feet you expect to use in an irrigation seas	on: <u>255.5 AF</u>						
• If the use is municipal or quasi-municipal, attach Form M							
• If the use is domestic , indicate the number of households:							
If the use is mining, describe what is being mined and the method(s) of extraction	:						
SECTION 5: WATER MANAGEMENT							
A. Diversion and Conveyance	RECEIVED						
What equipment will you use to pump water from your well(s)?	DEC 2 2 2014						
□ Pump (give horsepower and type): <u>Submersible 30 Hp or larger</u>	MATER RECOURCES DEPT						
☐ Other means (describe): WATER RESOURCES DEPT SALEM, OREGON							
Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. From the well the mainline will run east-west through the hazelnuts with							

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) A drip line system will be installed at the base of the hazelnut trees.

hydrants evenly spaced along the length. From these hydrants laterals will be attached to assemble drip

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.

<u>Irrigation of the hazelnuts will be done with a drip irrigation system using best management practices to prevent waste.</u> A flow meter will be used to measure the amount of water used.

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: NA Acreage inundated by reservoir: NA

line system along each row of hazelnut trees.

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Use(s): NA

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

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): NA

USE OF STORED GROUND WATER	PERIOD OF USE
NA	NA

8: PROJECT S	

Date construction will begin: Spring 2015

Date construction will be completed: 2020

Date beneficial water use will begin: Spring 2020

SECTION 9: WITHIN A DISTRICT

Check here if the point of diversion or place of use ar	e located within or served by an	irrigation or other water
district.		

Irrigation District Name	Address			
City	State	Zip		

SECTION 10: REMARKS

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

NA

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Land Use Information Form



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 <u>all</u> 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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WATER RESOURCES DEPT SALEM, OREGON

Revised 3/4/2010 Ground Water/8 WR

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:	Stannley J	and Lori	<u>L.</u>	Boshart Last					
Mailing Ac	ldress: <u>328</u>	18 Tangent	Loup						
Tangent City		OR State		97389 Zip	Daytime Phone:	<u>541-928-86</u>	<u>62</u>		
A. Land	and Loca	ation							
(transporte	d), and/or u	sed or dev	eloped. A	pplicants for	s where water will be di municipal use, or irrigues manicipal use, or irrigues must be discount of the same of the same of the discount of the	ation uses w	ithin irrigatio		
Township	Range	Section	1/4 1/4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)		Water to be:		Proposed Land Use:
128	3W	16		606		☐ Diverted	☑ Conveyed	☑ Used	Irrigation
128	3W	16		607		☑ Diverted	☑ Conveyed	⊠ Used	Irrigation
						☐ Diverted	Conveyed	Used	
						☐ Diverted	Conveyed	Used Used	
		ities where	water is	proposed to l	be diverted, conveyed, a	and/or used		EIV	/ED
Linn Cou	ınty						DE	C 2 2 20)14
B. Descr	ription of	Propose	ed Use				WATER R SALI	ESOURC EM, OREC	
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 Exchange of Water Exchange of Water Permit Amendment or Ground Water Registration Modification Permit Amendment or Ground Water Registration Permit Amendment Permit									
Source of v	vater: 🔲 F	Reservoir/Po	nd 🗵	Ground Wat	er Surface Wate	er (name)			
Estimated of	quantity of	water need	ed: <u>1.28</u>		cubic feet p	er second	gallons per	minute [acre-feet
Intended use of water:									
Briefly des	cribe:								
Drip irrig	Drip irrigation will be installed to irrigate Hazelnut trees.								

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. \rightarrow

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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.

<u>Please check the appropriate box bel</u>	<u>ow and provide the requested</u>	informati	<u>ion</u>
Land uses to be served by the proposed water regulated by your comprehensive plan. Cite a			
☐ Land uses to be served by the proposed water approvals as listed in the table below. (Please already been obtained. Record of Action/land have been obtained but all appeal periods.)	attach documentation of applicable land- d-use decision and accompanying finding	nd-use appro ings are suffi	vals which have
Type of Land-Use Approval Needed (e.g., plan amendments, rezones,	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land	d-Use Approval:
conditional-use permits, etc.)	Policies & Ordinance Section References	☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		Obtained Denied	☐ Being Pursued☐ Not Being Pursued
		☐ Obtained☐ Denied	☐ Being Pursued ☐ Not Being Pursued
Farm use as	defined in LCC	930	100(B)(104)
Name: Alyssa Boles	Title: Pla	nner	
Signature: Duma Bo	Phone: 541-947	3811, Date	: 12/18/14
Government Entity: <u>Unn</u> Ca	sunt		
Note to local government representative: Plea you sign the receipt, you will have 30 days from Use Information Form or WRD may presume th comprehensive plans.	the Water Resources Department's no	tice date to red d use of water	eturn the completed Land er is compatible with local
	Request for Land Use Inform		
Applicant name:			0=11/5
City or County:	Staff contact:	RE	CEIVED
Signature:	Phone:	_ Date:D[EC 2 2 2014



After recording return to: Stanley Boshart 30370 Driver Rd Shedd, OR 97377

Until a change is requested, tax statements shall be sent to the following address: NO CHANGE

LINN COUNTY, OREGON D-QD

2008-13728

\$5.00 \$11.00 \$10.00

Crt=1 Str=1 COUNTER 07/09/2008 03:24:46 PM



Steve Druckenmiller - County Clerk



STATUTORY QUITCLAIM DEED

Richard D. Boshart, Grantor, releases and quitclaims to Stanley Boshart and Lori Boshart, husband and wife, Grantee, the following described real property:

Parcel 1, PARTITION PLAT NO. 2008-1, Linn County, Oregon.

Tax Account No.

The true consideration for this conveyance is \$Clear Title. This deed is to clear document 2006-19614 recorded August 10, 2006. Grantor has no rights to any improvements.

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. 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.

Dated $\underline{\mathcal{G}}$ day of July, 2008

Died D Boston Richard D. Boshart

STATE OF OREGON County of Linn

The foregoing instrument was acknowledged before me this $\frac{9}{2}$ of July , 2008 by Richard D. Boshart, personally.

Notary Public for Oregon My commission expires:

Order No. 25g0035382

5/17/2010

OFFICIAL SEAL
R SULLIVAN
NOTARY PUBLIC – OREGON
COMMISSION NO. 404748 MY COMMISSION EXPIRES MAY 17, 2010 RECEIVED

DEC 2 2 2014

WATER RESOURCES DEPT BALEM, OREGON

Deed - Quit Claim ORRQ 6/2005; Rev. 12/2007

2008-13728

000 101-08-50 Grantor's Name and Address: Merrill F. Boshart 32780 Tangent Loop Drive Tangent, OR 97389

Grantee's Name and Address: Stanley J. Boshart P.O. Box 386 Tangent, OR 97389

After Recording Return To: Joel D. Kalberer Weatherford, Thompson et al. P.O. Box 667 Albany, OR 97321

Send Tax Statements To: Grantee

LINN COUNTY, OREGON D-WD Cnt=1 Stn=1 COUNTER 05/20/2010 03:44:14 PM

2010-08345

\$10.00 \$11.00 \$15.00 \$9.00 \$10.00



Steve Druckenmiller - County Clerk



WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that the Merrill F. Boshart, hereinafter referred to as Grantor, for the consideration hereinafter stated, does hereby conveys and warrants the following described real property subject to liens and encumbrances of record unto Stanley J. Boshart and Lori L. Boshart, husband and wife, hereinafter referred to as Grantee the described property, situated in Linn County, State of Oregon, property commonly known as 32836 Tangent Loop Drive, Tangent, Oregon containing approximately 101.66 acres, more or less and more particularly described in the Linn County Recorder's office at DN2006-19615 (Property). SEE ATTACHED EXHIBIT A

TO HAVE AND TO HOLD the same unto Grantee and Grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$304,980. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration. In construing this Deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this Deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 13 day of Moy 2010.

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.

STATE OF OREGON

County of Linn

This instrument was acknowledged before me on this 13 day of 1

Merrill F. Boshart.

OFFICIAL SEAL YVONNE & WARD NOTARY PUBLIC - OREGON COMMISSION NO. 445725 MISSION EXPIRES MARCH 21, 201

Notary Public for Orego My Commission Expires

N:\ATTY\IDK\Boshart, Gene\Warranty Doed.doc

Warranty Deed

4-17976

2010-08345

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LEGAL DESCRIPTION

"EXHIBIT A"

Parcel 1, Partition Plat No. 2007-45, in the County of Linn and State of Oregon. (Recorded June 7, 2007 in the Linn County Record of Partition Plats as 2007-13751)

Reference: Title Order No. 091293L Escrow No. 02-607698

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