

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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Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 (www.oregon.gov/owrd/law). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$200. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$350.00 for the applicant and \$700.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed, the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department issues a Final Order consistent with the PFO. If the application is approved, a permit is issued that specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

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

Organization Information

NAME ELITE SOIL, LLC		PHONE	FAX
ADDRESS 62870 JOHNSON RANCH ROAD			CELL
CITY BEND	STATE OR	ZIP 97701	E-MAIL*

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

AGENT / BUSINESS NAME JOHN A. SHORT / WATER RIGHT SERVICES, LLC		PHONE 541-389-2837	FAX
ADDRESS P.O. BOX 1830			CELL
CITY BEND	STATE OR	ZIP 97709	E-MAIL* JOHNSHORT@USA.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.)

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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.

[Signature]
Applicant Signature

Rafael Dilzon C.O.O
Print Name and title if applicable

12-11-15
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. _____	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

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	DRY RIVER	N/A	N/A

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*).

NA

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 0.5 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.

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 type="checkbox"/>	<input checked="" type="checkbox"/>	DESC 60299 L-117959	<input type="checkbox"/>	8"	2 – 100'	776 – 796'	0 – 100'	640' 06/05/2015	MEDIUM SOFT LAYERS	796'	225 GPM	365.0 AF
	<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.

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
NURSERY, COMMERCIAL	YEAR ROUND	365.0 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 match map*).

Primary: NA Acres Supplemental: NA Acres

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

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

- If the use is **municipal or quasi-municipal**, attach **Form M**
 - If the use is **domestic**, indicate the number of households: NA
- If the use is **mining**, describe what is being mined and the method(s) of extraction: NA

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): SUBMERSIBLE 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 TO BE PIPED TO NURSERY SYSTEM

B. Application Method

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

DRIP SPRINKLERS

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.

PROGRAMMED WATERING USING CONTROLLED DRIP SYSTEM

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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

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

SECTION 8: PROJECT SCHEDULE

Date construction will begin: 10-01-2015

Date construction will be completed: 10-01-2020

Date beneficial water use will begin: 10-01-2020

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SECTION 9: WITHIN A DISTRICT

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

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

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

ANY CONFLICT WITH COID RIGHTS TO BE RESOLVED PRIOR TO FINAL ORDER

Receipt for Request for Land Use Information

Applicant name: Elite Soil, LLC c/o Water Rights Services, LLC

City or County: Deschutes Staff contact: Cynthia Smidt

Signature: Cynthia Smidt Phone: 541-388-6575 Date: 9-16-15

File# 247-15-000504-FS

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10/14/15

After recording return to:
First American Title
395 SW Bluff Drive, Suite 100
Bend, OR 97702



After recording return to:
Elite Soil, LLC
6601 N, 14th St., Suite 3
Plantation, FL 33313

Until a change is requested all tax
statements shall be sent to the
following address:
Elite Soil, LLC
6601 N, 14th St., Suite 3
Plantation, FL 33313

File No.: 7061-2364452 (CS)
Date: December 19, 2014

6315

THIS SPACE RESERVED FOR RECORDER'S USE

Deschutes County Official Records **2015-001647**
D-D
Stn=3 JS **01/15/2015 01:37:42 PM**
\$15.00 \$11.00 \$10.00 \$6.00 \$21.00 **\$63.00**

I, Nancy Blankenship, County Clerk for Deschutes County, Oregon,
certify that the instrument identified herein was recorded in the Clerk
records.

Nancy Blankenship - County Clerk

STATUTORY WARRANTY DEED

Nadine Waltman Harmon, Lucinda Beth Ann Harmon Remington, and Gwen Leigh Remington, not as tenants in common, but with rights of survivorship, Grantor, conveys and warrants to Elite Soil, LLC, an Oregon limited liability company, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Deschutes, State of Oregon, described as follows:

THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (N1/2 SW1/4 SW1/4) OF SECTION TWENTY-THREE (23), TOWNSHIP SEVENTEEN (17) SOUTH, RANGE FOURTEEN (14), EAST OF THE WILLAMETTE MERIDIAN, IN DESCHUTES COUNTY, OREGON.

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

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$100,000.00**. (Here comply with requirements of ORS 93.030)

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STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

DESC 60299

WELL I.D. LABEL# L 117959
START CARD # 1026280
ORIGINAL LOG #

6/8/2015

(1) LAND OWNER

Owner Well I.D.
First Name RALF Last Name DILZER
Company
Address 62870 JOHNSON RANCH RD
City BEND State OR Zip 97701

(2) TYPE OF WORK

[X] New Well [] Deepening [] Conversion
[] Alteration (complete 2a & 10) [] Abandonment (complete 5a)

(2a) PRE-ALTERATION

Casing: Dia + From To Gauge Stl Plstc Wld Thrd
Material From To Amt sacks/lbs
Seal:

(3) DRILL METHOD

[X] Rotary Air [] Rotary Mud [] Cable [] Auger [] Cable Mud
[] Reverse Rotary [] Other

(4) PROPOSED USE

[X] Domestic [] Irrigation [] Community
[] Industrial/ Commercial [] Livestock [] Dewatering
[] Thermal [] Injection [] Other

(5) BORE HOLE CONSTRUCTION

Depth of Completed Well 796.00 ft. Special Standard [] (Attach copy)

Table with columns: Dia, From, To, Material, From, To, Amt, sacks/lbs. Includes rows for Bentonite Chips and Calculated amounts.

How was seal placed: Method [] A [] B [] C [] D [] E

[X] Other POURED DRY

Backfill placed from ft. to ft. Material

Filter pack from ft. to ft. Material Size

Explosives used: [] Yes Type Amount

(5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount Actual Amount

(6) CASING/LINER

Table with columns: Casing, Liner, Dia, +, From, To, Gauge, Stl, Plstc, Wld, Thrd. Includes rows for 8" and 6" diameters.

Shoe [] Inside [] Outside [] Other Location of shoe(s)

Temp casing [] Yes Dia From To

(7) PERFORATIONS/SCREENS

Perforations Method MACHINE

Screens Type Material

Table with columns: Perf/ Screen, Casing/ Screen, Dia, From, To, Scrn/slot width, Slot length, # of slots, Tele/ pipe size.

(8) WELL TESTS: Minimum testing time is 1 hour

[] Pump [] Bailer [X] Air [] Flowing Artesian

Table with columns: Yield gal/min, Drawdown, Drill stem/Pump depth, Duration (hr). Includes row with values 50, 736, 1.

Temperature 68 °F Lab analysis [] Yes By

Water quality concerns? [] Yes (describe below) TDS amount 182 ppm

Table with columns: From, To, Description, Amount, Units.

(9) LOCATION OF WELL (legal description)

County DESCHUTES Twp 17.00 S N/S Range 14.00 E E/W WM
Sec 23 SW 1/4 of the SW 1/4 Tax Lot 01300

Tax Map Number 1714230001300 Lot
Lat " or 44.08005556 DMS or DD
Long " or -121.02408333 DMS or DD

[X] Street address of well [] Nearest address
62870 JOHNSON RANCH RD/BEND,OR

(10) STATIC WATER LEVEL

Table with columns: Existing Well / Pre-Alteration, Date, SWL(psi), +, SWL(ft). Includes row for 6/5/2015 with SWL 640.

WATER BEARING ZONES Depth water was first found 740.00

SWL Date From To Est Flow SWL(psi) + SWL(ft)

Table with columns: Date, From, To, Est Flow, SWL(psi), +, SWL(ft). Includes row for 6/4/2015 with SWL 640.

(11) WELL LOG

Ground Elevation 3365.00

Table with columns: Material, From, To. Lists various soil types like SAND PEA GRAVELS, PUMICE SILT, LAVA, etc.

Date Started 5/28/2015 Completed 6/5/2015

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number 758 Date 6/8/2015

Signed THOMAS R PECK (E-filed)

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1720 Date 6/8/2015

Signed JACK ABBAS (E-filed)

Contact Info (optional)



District Permanent Water Right Transfer Supplemental Form D

WATER RIGHTS ISSUED IN THE NAME OF OR WITHIN THE BOUNDARIES OF A DISTRICT

The Department encourages applicants to coordinate with districts during the planning and preparation of transfer applications involving water rights issued in the name of a district or involving the transfer of water rights located within the boundaries of a district.

This form must be included with your transfer application if the transfer involves rights issued in the name of a district or within a district.

1. APPLICANT INFORMATION

Name: ELITE SOIL, LLC

Address: 62870 JOHNSON RANCH ROAD

City: BEND State: OR Zip: 97701

Home Phone: _____ Work Phone: _____ Other Phone: _____

Fax: _____ **E-Mail address: _____

2. DISTRICT INFORMATION

District Name: CENTRAL OREGON IRRIGATION DISTRICT

Address: 1055 SW LAKE COURT

City: REDMOND State: OR Zip: 97756

Home Phone: _____ Work Phone: 541-548-6047 Other Phone: 541-504-7576

Fax: _____ **E-Mail address: lesliec@coid.org

**** By providing an e-mail address, the district and the applicant consent to receive all correspondence from the Department electronically. Copies of the final order documents will also be mailed.**

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3. WATER RIGHT(S) INVOLVED IN TRANSFER

List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate
1.		-	83571
2.		-	76714
3.		-	
4.		-	
5.		-	
6.		-	

4. DISTRICT CONCURRENCE WITH PROPOSED WATER RIGHT TRANSFER

The district certifies the following:

- (1) The applicant has conferred with the district about the proposed water right transfer application;
- (2) The district has reviewed the applicant's proposed water right transfer application and maps; and
- (3) The district concurs with the proposed water right transfer application.



District Manager Signature

CRAIG HORRELL
Name (print)

JULY 9, 2015
Date

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