

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 Spencer Mullen			PHONE (HM)		
PHONE (WK)		CELL 530-826-6802		FAX	
ADDRESS 12896 Perry Road					
CITY Central Point		STATE OR	ZIP 97502	E-MAIL* spencer@pharmtotableor.com	

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 Megan LaNier - Mullenhall Investments, LLC			PHONE		FAX
ADDRESS 355 Industrial Circle, Suite C					CELL 541-292-4493
CITY White City		STATE OR	ZIP 97503	E-MAIL* megan@mullenhallinvestments.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. SALEM, OR
- 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

Print Name and title if applicable

Date

Applicant Signature

Spencer Mullen
Print Name and title if applicable

Date

For Department Use

App. No. G-18203

Permit No. _____

Date _____

Application for a Permit to Use Ground Water



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ADDRESS 12896 Perry Road			
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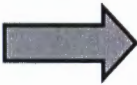
AGENT / BUSINESS NAME Megan LaNier - Richard Stevens & Associ., Inc.		PHONE 541-773-2646	FAX
ADDRESS PO Box 4368		CELL 541-292-4493	
CITY Medford	STATE OR	ZIP 97504	E-MAIL* meganrsa@mind.net

Note: Attach multiple copies as needed

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Print Name and title if applicable

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Spencer Mullen
Print Name and title if applicable

Date

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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.

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☐ 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.

SALEM, OR

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

Only the applicant

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
1	Molby Creek	1,864 feet	~-20 feet'
2	Unnamed Tributary of Snider Creek	1,990 feet	~-100 feet

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 log attached

6-18203

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.

[illegible]

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

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Nursery	Year Round	80.5

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: _____ 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: _____
- If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

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): 2hp 220 volt submersible

☐ Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. a separate one inch PVC line from the pump to the production area will be used exclusively for irrigation.

B. Application Method

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

It's the amount necessary for the method of cultivation being practiced. Contaminated water will not be created as all soil additives are OMRI certified organic, no chemicals, nitrates, salts or pesticides will be used. The drip irrigation systems is very efficient and all water will be actively used by the plants themselves and any potential run off will be absorbed by ground cover plants such as clover and sunflowers.

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: T1 Acreage inundated by reservoir: 0.11

Use(s): Nursery

Volume of Reservoir (acre-feet): 0.1 Dam height (feet, if excavated, write "zero"): 0

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): 0.1

USE OF STORED GROUND WATER	PERIOD OF USE
Nursery	year round

SECTION 8: PROJECT SCHEDULE

Date construction will begin: ASAP

Date construction will be completed: ASAP

Date beneficial water use will begin: ASAP

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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*).

We have provided the well log, and deed. Please don't hesitate to call with questions.

Land Use

Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
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(503) 986-0900
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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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SALEM, OR



Transaction Receipt

Record Number: 439-16-00340-ZON

Receipt Number: 234101

JACKSON COUNTY DEVELOPMENT SERVICES

10 S Oakdale Ave, Room 100

Medford, OR 97501

Phone: 541-774-6927

<http://www.co.jackson.or.us/>

Address: 12896 PERRY RD, CENTRAL POINT, OR

Parcel Number: 35-2W-21-1100

JCBuilding@jacksoncounty.org

Receipt Date: 2/18/16

Fee Items Paid

DESCRIPTION	ACCOUNT CODE	AMOUNT PAID
Type I Counter Permit	3701040000.45105.1300	\$118.00

\$118.00

Payment Summary

PAYMENT METHOD	PAYER	COMMENTS	AMOUNT PAID
Check- Check Nbr: 6262	Richard Stevens & Associates, Inc.	LUCS JR	\$118.00

\$118.00

Receipt for Request for Land Use Information

Applicant name: Spencer Mullen

City or County: Jackson County Staff contact: Jacob Ripper

Signature: [Signature] Phone: 541-774-6907 Date: 02-18-2016

Revised 3/4/2010

Ground Water/11

WR

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SALEM, OR



After recording return to:

12896 Perry Road
Central Point, OR 97502

Until a change is requested all tax
statements shall be sent to the
following address:

Spender J. Mullen
12702 Merritt Horning road
Chico, Ca 95928

File No.: 7161-2303025 (PS)

Date: February 17, 2015

Jackson County Official Records **2015-008861**
R-WD
Stn=12 BARROWCK 03/27/2015 12:41:34 PM
\$10.00 \$11.00 \$10.00 \$8.00 \$20.00 **\$59.00**

I, Christine Walker, County Clerk for Jackson County, Oregon, certify
that the instrument identified herein was recorded in the Clerk
records.

Christine Walker - County Clerk

THIS SPACE RESERVED FOR RECORDER'S USE

10

STATUTORY WARRANTY DEED

Carolyn Eskridge and Arlene Williams, Grantor, conveys and warrants to **Spencer J. Mullen**,
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 Jackson, State of Oregon, described as follows:

Beginning at the corner common to Sections 21, 22, 27 and 28 in Township 35 South, Range
2 West of the Willamette Meridian in Jackson County, Oregon; thence North 89° 53' 15"
West 1329.08 feet, along the South line of said Section 21, to a 5/8 inch steel pin at the
Southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 21;
thence North 0° 01' 10" East 328.04 feet, along the West line thereof, to a 5/8 inch steel pin;
thence South 89° 52' 43" East 1328.51 feet to a 5/8 inch steel pin on the East line of said
Section 21; thence continue South 89° 52' 43" East 330.00 feet, more or less, to the East line
of the West Half of the West Half of the Southwest Quarter of the Southwest Quarter of
Section 22 in said Township and Range; thence South, along the said East line, 328.00 feet
to a point on the South line of said Section 22 which is South 89° 53' 15" East of the true
point of beginning; thence North 89° 53' 15" West 330.00 feet, more or less, along said
South line of Section 22, to the true point of beginning.

NOTE: This Legal Description was created prior to January 01, 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 **\$195,000.00**. (Here comply with requirements of ORS 93.030)

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SALEM, OR

G-18203

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 20 day of March, 2015.

Carolyn Eskridge
Carolyn Eskridge

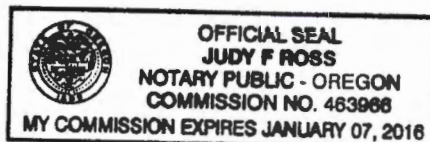
Arlene D. Williams
Arlene Williams

STATE OF Oregon)
County of Clackamas) ss.

This instrument was acknowledged before me on this 20th day of March, 2015
by Carolyn Eskridge and Arlene Williams.

Judy FK

Notary Public for Oregon
My commission expires: 1/7/2016



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SALEM, OR

G-18205

WATER WELL REPORT
STATE OF OREGON

RECEIVED

OCT 2 1 1982

State Well No. 355/2W-21

WATER RESOURCES DEPT.
SALEM, OREGON

State Permit No.

(1) OWNER:

Name John Stout
Address 12896 Perry Road
City Central Point State Oregon

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Air ☒ Driven ☐ Domestic ☒ Industrial ☐ Municipal ☐
Rotary Mud ☐ Dug ☐ Irrigation ☐ Test Well ☐ Other ☐
Well ☐ Bored ☐ Thermal: Withdrawal ☐ Reinjection ☐

(4) PROPOSED USE (check):

(5) CASING INSTALLED: Steel ☒ Plastic ☐
Threaded ☐ Welded ☒
6" Diam. from +2 ft. to 18 ft. Gauge 250
" Diam. from ft. to ft. Gauge

LINER INSTALLED:

4" Diam. from 0 ft. to 240 ft. Gauge 250

(6) PERFORATIONS:

Perforated? ☒ Yes ☐ No
Type of perforator used skill saw
Size of perforations 1/8 in. by 7 in.
160 perforations from 160 ft. to 240 ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No
Manufacturer's Name
Type Model No.
Diam. Slot Size Set from ft. to ft.
Diam. Slot Size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? ☐ Yes ☒ No If yes, by whom?
d: gal./min. with ft. drawdown after hrs.
Air test 100+ gal./min. with drill stem at 238 ft. 1 hrs.
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Special standards: Yes ☐ No ☒
Well seal—Material used Portland Cement
Well sealed from land surface to 18 ft.
Diameter of well bore to bottom of seal 10 in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal 6 sacks
How was cement grout placed? pressure grout tremie pipe
Was pump installed? no Type HP Depth ft.
Was a drive shoe used? ☐ Yes ☒ No Plug Size: location ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of Water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☒ No Size of gravel: ft.
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Jackson Driller's well number 82-61
1/4 1/4 Section 21 T. 35 R. 2W W.M.
Tax Lot # 1100 Lot Blk Subdivision
Address at well location: 12896 Perry Road

(11) WATER LEVEL: Completed well.

Depth at which water was first found 218 ft.
Static level 85 ft. below land surface. Date 9-18-82
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 6 inch
Depth drilled 240 ft. Depth of completed well 240 ft.
Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
soil--brown	0	1	
clay--yellow	1	10	
claystone--dark grey	10	100	
--light grey	100	142	
--brown	142	154	
--grey	154	162	
sandstone--grey	162	218	
--light grey	218	219	
claystone--grey	219	236	
sandstone--fractured	236	238	
claystone--light grey	238	240	

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Work started 9-17 1982 Completed 9-18 1982
Date well drilling machine moved off of well 9-18 1982

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] John Studelaker Date 10-15, 1982
(Drilling Machine Operator)

Drilling Machine Operator's License No. 1008

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name Studebaker Well Drilling
(Person, firm or corporation) (Type or print)
Address 4876 Highway 66 Ashland, Oregon 97520

[Signed] John Studebaker
(Water Well Contractor)
Contractor's License No. 679 Date 10-15-82, 1982

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report
to be filed with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date of well completion.

SP*12858-690

G-18203

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Water-Use Permit Application Processing

FEB 29 2016

SALEM, OR

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.

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.615)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

- ☒ SECTION 1: applicant information and signature
- ☒ SECTION 2: property ownership
- ☒ SECTION 3: well development
- ☒ SECTION 4: water use
- ☒ SECTION 5: water management
- ☐ SECTION 6: storage of groundwater in a reservoir
- ☒ SECTION 7: use of stored groundwater from the reservoir
- ☒ SECTION 8: project schedule
- ☐ SECTION 9: within a district
- ☒ SECTION 10: remarks

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SALEM, OR

Attachments:

- ☒ Land Use Information Form with approval and signature (*must be an original*) or signed receipt
- ☒ 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. Example: A copy of the deed, land sales contract or title insurance policy.
- ☒ Fees - Amount enclosed: \$2,085.00
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

Provide a map and check that each of the following items is included:

- ☒ 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 _____