

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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MAY 26 2016

Water-Use Permit Application Processing

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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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: \$4,300
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 _____ G-1830/

Application for a Permit to Use Ground Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
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www.wrd.state.or.us

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME BOB HARRELL		PHONE (HM) RECEIVED BY OWRD	
PHONE (WK)	CELL (541) 403-2210		FAX
ADDRESS 42590 SALMON CREEK ROAD			
CITY BAKER CITY	STATE OR	ZIP 97814	E-MAIL* BOB@HARRELLHEREFORD.COM

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Organization Information

NAME HARRELL LAND AND CATTLE		PHONE		FAX
ADDRESS 42590 SALMON CREEK ROAD				CELL (541) 403-2210
CITY BAKER CITY	STATE OR	ZIP 97814	E-MAIL*	

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

AGENT / BUSINESS NAME SARA HAYNES / FARALLON CONSULTING, LLC		PHONE (541) 523-5170		FAX (541) 523-5170
ADDRESS 1940 VALLEY AVENUE				CELL
CITY BAKER CITY	STATE OR	ZIP 97814	E-MAIL* SHAYNES@FARALLONCONSULTING.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

Bob Harrell
Print Name and title if applicable

5/23/16
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>G-18301</u>	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*).

None

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	Baldock Slough		
2	Baldock Slough		
3	Baldock Slough		

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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*).
There is not a lot of information on irrigation wells in the region. There is one well on the property (domestic, BAKE 1072, from 1984).

G-18201

SECTION 3: WELL DEVELOPMENT, CONTINUED

9-18-201

Total maximum rate requested: 6.5 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)
#1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	12-16"	0-18 ft	150-400	0-20		Alluvium and/or Bedrock	400 ft		
#2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	12-16"	0-18 ft	150-400	0-20		Alluvium and/or Bedrock	400 ft		
#3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	12-16"	0-18 ft	150-400	0-20		Alluvium and/or Bedrock	400 ft		

* 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)
Supplemental Irrigation	March 1 – October 31	1168.5

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: 389.5 Acres

List the Permit or Certificate number of the underlying primary water right(s): 73610, 73999, 80460

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 1168.5

- 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)?

MAY 26 2016

Pump (give horsepower and type): 125 HP 8" submersible pump

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Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water will be pumped from the proposed well(s) and applied to the place of use via mainline and header boxes as required.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
The existing pivots will be utilized and the other POU will be irrigated with flood irrigation and wheel lines.

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.

This landowner is currently irrigating with pivots, wheel lines and flood irrigation. With a ground water supplemental irrigation right, he may be able to upgrade his flood and wheel lines to pivots, which would allow a better use of the water application in a more efficient manner. All water from ground water wells is planned to be transported to the place of use by means of mainline, which will further reduce any water waste.

G-18501

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: _____ 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*).

Annual volume (acre-feet): _____

USE OF STORED GROUND WATER	PERIOD OF USE

SECTION 8: PROJECT SCHEDULE

Date construction will begin: Upon receipt of a permit.

Date construction will be completed: Within five years of permit issuance.

Date beneficial water use will begin: Within five years of permit issuance.

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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 Baker Valley Irrigation District	Address 3895 10 th Street	
City Baker City	State OR	Zip 97814

G-1830

SECTION 10: REMARKS

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

Note: The primary water rights underlying tax lots 900 and 200 are not shown correctly in WRIS. Please see attached email from Carrie Matthews with regards to Certificate 80460, which is not inchoate (as it is shown in WRIS).

The applicant proposes to construct one and up to three wells to obtain the maximum requested rate for supplemental irrigation. There are not a lot of wells in the region and the 1967 USGS "Ground Water of Baker Valley" hydrogeological map shows the presence of alluvium, basalt, and granite all within the Section 12. For that reason, Section 3 (Well Development), is proposing to target any acceptable water-bearing zone as long as ground water available without injury to prior water rights.

The applicant requests minimum well construction standards due to the well locations being over a mile and a half from Baldock Slough (closest surface water), confirmed by Rick Lusk, Watermaster for District 8, in the attached email. If for some reason this will result in a proposal to deny the application, the applicant will request the Department to suggest acceptable well construction standards and allow the applicant to amend this application.

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SALEM, OR

G-18301



Oregon Water Resources Department
Apply for a Permit to Appropriate Ground Water and/or Store Ground Water

- [Main](#) [Help](#)
- [Return](#) [Contact Us](#)

Today's Date: Friday, May 20, 2016

Base Application Fee for use of Ground, Surface and optionally Stored Water.		\$1,150.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	6.5	\$2,100.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	3	\$600.00
Number of Acre Feet to be stored in a reservoir/pond from Ground Water.	0	
Number of Acre Feet to be appropriated from reservoir/pond (Only Applies to reservoir/pond constructed under Ground Water Application)	0	
Number of reservoirs.	0	
Permit Recording Fee. ***		\$450.00
* the 1st Water Use is included in the base cost. ** the 1st Ground Water point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$4,300.00

OWRD Fee Schedule

Fee Calculator Version B20130709

5/23/2016

Please let me know if
 you have any questions.

Thank you!
 Sam

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SALEM, OR

Q-18301

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

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

G-18301

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: Bob Harrell, Harrell Hereford Ranch
First

Last

Mailing Address: 42590 Salmon Creek Road

Baker City
City

OR
State

97814
Zip

Daytime Phone: (541) 403-2210

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:
09S	40E	12	NW ¼, SW ¼, SE ¼, S ½ NE, NWNE	200	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
09S	40E	1	SWSW	900	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation

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

Baker	RECEIVED BY OWRD MAY 26 2016
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B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 6.5
 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:

No new construction is proposed. This application is solely for the permission to drill ground water well(s).

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.** →



G-18301

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): BCZO Chapter 410
- 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:	
<i>None</i>	<i>N/A</i>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

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Name: Kevin Berryman Title: Planning Assistant
 Signature: *[Signature]* Phone: 541-523-8200 Date: 5/23/16
 Government Entity: Baker County Planning Dept.

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: _____

G-18301

Date _____

(For staff use only)



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- SECTION 1: _____
- SECTION 2: _____
- SECTION 3: _____
- SECTION 4: _____
- SECTION 5: _____
- SECTION 6: _____
- SECTION 7: _____
- SECTION 8: _____
- SECTION 9: _____

Land Use Information Form _____

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.

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Fees _____

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MAP

SALEM, OR

- 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 _____

G-18301

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EXHIBIT "A"

MAY 26 2016

1. Land located in Baker County, Oregon, as follows:

SALEM, OR

In Twp. 9 S., R. 39 E., W.M.:

Sec. 12: All that portion of the SE ¼ lying North and East of the County Road right of way.

In Twp. 9 S., R. 40 E., W.M.:

Sec. 7: A parcel in the SW ¼ described as follows:

Beginning at the Southwest corner of said section; thence North 1367 feet, more or less, to a point; thence N. 88° 43' E., 2717 feet, more or less; thence South to the Southeast corner of said SW ¼; thence West to the point of beginning.

A parcel in the SW ¼ SE ¼ described as follows:

Beginning at the South quarter corner of said section; thence North 22 feet; thence East 1151 feet, parallel with the South line of said section; thence North 23 feet; thence East 40 feet; thence South 45 feet to the South line of said section; thence West along said South line to the point of beginning.

Sec. 18: All that portion of the NW ¼ lying North of the Northerly right of way line of the County Road,

EXCEPTING THEREFROM the following parcel:

Beginning at a point which is East 2692.67 feet and N. 0° 21' 25" E., 40 feet from the West quarter corner of said Section 18, said point being on the Northerly right of way line of Campbell Street; thence N. 01° 21' 25" E., 318 feet; thence West 664.36 feet; thence S. 01° 21' 25" W., 318 feet to a point on the Northerly right of way line of Campbell Street; thence East along said Northerly right of way line, 664.36 feet to the point of beginning. (For the purpose of this description, the East-West midsection line of Sec. 18 – the center line of Campbell Street – bears East.)

2. Land in Baker County, Oregon, as follows:

~~W.M.~~

~~Sec. 7: All that portion of the SW ¼ SW ¼ lying South of the Baker-Richland Highway right of way;~~

~~EXCEPTING THEREFROM the following parcel:~~

~~Beginning at a point N. 89° 59' W., 1017.2 feet from the South quarter corner of said section; thence S. 89° 45' 14" W., 913.6 feet along the South line of said section; thence N. 04° 53' E., 595.3 feet; thence N. 20° 43' E., 423 feet; thence N. 42° 26' E., 262.5~~

B021220344

~~feet; thence N. 42° 10' W., 105.5 feet to the Easterly right of way line of the Baker-Richland Highway; thence N. 33° 25' E., 866.8 feet along said Easterly right of way line; thence East 24.3 feet; thence South 2004.5 feet to the point of beginning.~~

SUBJECT TO rights of the public in roads, statutory powers including powers of assessment of the Baker Valley Irrigation District, easements and other matters pertaining to the Smith Ditch Company, utility easements, reservation of 50% of all minerals, oil and gas, in favor of the Federal Land Bank of Spokane, set forth in deed recorded June 7, 1951 in Book 156 at page 526, Baker County Deed Records and all other easements and rights of way of record or visible thereon.

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3. Land in Baker County, Oregon:

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In Twp. 9 S., R. 39 E., W.M.:

Sec. 4: A parcel in the W 1/2 SW 1/4 described as follows:

SALEM, OR

Commencing at a point on the Northerly right of way line of the County Road, 561 feet North and N. 62° 14' 15" E., 296.2 feet from the Southwest corner of said Section; thence N. 62° 14' 15" E., 1193.4 feet to the East line of the SW 1/4 SW 1/4; thence N. 00° 18' W., 1351.8 feet along said East line; thence West 135 feet; thence S. 08° 57' W., 1029.4 feet; thence S. 45° 17' W., 601.4 feet; thence S. 32° 49' W., 141.4 feet; thence S. 40° 49' W., 394.6 feet; thence South 50 feet to the point of beginning.

ASSESSOR'S ACCOUNT NO.: Ref. No. 08982; 5-32 93904 900

SUBJECT TO any and all additional taxes, penalties or interest accruing to said premises in the event of its disqualification from its current special assessment classification for farm use purposes, if any, which Grantee assumes and agrees to pay.

SUBJECT TO easements, right of ways, reservations, restrictions, conflicts in boundary lines and encroachments, as the same may exist or appear of record, including without limitation, utility easements to California-Pacific Utility Company, a corporation, recorded June 25, 1968, in Deeds 68 26 008; easement for roadway purposes to Herbert Kelley and Zelene Kelley recorded April 23, 1979, in Deeds 79 17 037, and recorded May 27, 1980, in Deeds 80 22 026; and any portion lying within the boundary of county roads.

4. Land in Baker County, Oregon, as follows:

The L. W. NELSON PLACER MINING CLAIM, Mineral Certificate No. 34, designated by the Surveyor General as Lot No. 43, embracing a portion of Sec. 8, Twp. 9 S., R. 39 E., W.M., as more particularly described in Patent recorded

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May 8, 1968, in Deed 68 19 022.

EXCEPTING THEREFROM the following

Parcel No. 1: Commencing at the quarter corner common to Secs. 5 and 8, Twp. 9 S., R. 39 E., W.M.;

thence West 686.40 feet to Corner No. 1 of said claim;

thence South 715.19 feet to a point;

thence N. 66° 53' E., 1389.58 feet to Corner No. 11 of said claim;

thence N. 32° 00' E., 199.98 feet to Corner No. 12 of said claim;

thence West 697.62 feet to the point of beginning.

Parcel No. 2: Commencing at a point 2058 feet West and 170 feet South of the corner common to Secs. 4, 5, 8 and 9, said twp. and rge., said point being Corner No. 11 of said claim;

thence South 640 feet;

thence N. 59° 29' E., 600.5 feet;

thence North 335 feet;

thence West 517.2 feet to the point of beginning.

Parcel No. 3: Commencing at a point 1320 feet West and 146.5 feet South of the corner common to Secs. 4, 5, 8 and 9, said twp. and rge.;

thence South 75 feet;

thence S. 37° 51' W., 358.6 feet;

thence North 335 feet;

thence N. 84° 00' E., 221.2 feet to the point of beginning.

Parcel No. 4: Commencing at corner No. 1 of said claim, said point being 1956.78 feet East of the Northwest corner of said Sec. 8;

thence S. 45° 00' W., 585.36 feet to Corner No. 2 of said claim;

thence S. 34° 45' E., 542.08 feet to Corner No. 3 of said claim;

thence N. 35° 38' E., 176.34 feet;

thence North 715.19 feet to the point of beginning.

Parcel No. 5: Commencing at Corner No. 3 of said claim, said point being approximately 858 feet South and 1854 feet East of the Northwest corner of said Sec. 8;

thence N. 35° 38' E., 176.34 feet;

thence N. 66° 53' E., 200 feet;

thence S. 27° 56' W., 391.5 feet, said point being on the line between Corners No. 3 and 4 of said claim;

thence N. 39° 45' W., 161.2 feet to the point of beginning.

Parcel No. 6: Commencing at a point East (magnetic variation 20° 30') 212.75 feet and S. 00° 40' W., 378.5 feet from the North quarter corner of Sec. 8, said twp. and rge.;

thence S. 40° 22' W., 190 feet;

thence N. 81° 48' W., 187.2 feet;

thence N. 69° 03' E., 330 feet to the point of beginning.

Parcel No. 7: All that portion of the NW ¼ NE ¼ of said Sec. 8 lying North of the existing public usage roadway and Easterly of the line between Corners No. 9 and 10 of said claim.

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5. Land in Baker County, Oregon, as follows:

In Twp. 8 S., R. 39 E., W.M.:

Sec. 31: S½SE¼, EXCEPTING THEREFROM that portion conveyed to Baker County by deed recorded April 26, 1962, in Book 172, Page 892, Deeds.

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging or otherwise appertaining.

SUBJECT TO reservations, restrictions, easements and rights of way of record or visible thereon.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE. 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 APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

6. Twp. 8 S., R. 39, E., W.M.:

Sec. 31: A parcel in the S½ of Lot 1 of the SW¼(SE¼SW½) described as follows: Beginning at the quarter corner common to Sec. 6, Twp. 9 S., R. 39, E., W.M.: thence South 89° 52' West, 497.21 feet along the South line of said section; thence North 03°23'10" East, 1073 feet to the center of Goodrich Creek; thence following the creek center line to intersect the midsection line through said section (the tangent being North 77°01'42" East, 445.63 feet distant between the two herein described points on Goodrich Creek); thence South 00°01'15" West, 1170 feet along said midsection line to the point of beginning.

7. In TOWNSHIP 9 SOUTH, RANGE 42 EAST of the Willamette Meridian, in the County of Baker and State of Oregon:

Section 26: The Southwest quarter; the South half of the Southeast quarter; the Northwest quarter of the Southeast quarter.

Section 27: The North half of the Southeast quarter; the Southeast quarter of the Southeast quarter.

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SALEM OR

Section 34: The East half of the Southeast quarter;
the Southeast quarter of the Northeast quarter.

Section 35: All.

Section 36: All.

In TOWNSHIP 10 SOUTH, RANGE 42 EAST of the Willamette Meridian, in the
County of Baker and State of Oregon:

Section 1: Lot 4;
the Southwest quarter of the Northwest quarter.

Section 2: All.

Section 3: Lot 1;
the South half of the Southeast quarter;
the Southeast quarter of the Northeast quarter;
the Southeast quarter of the Southwest quarter;
the Northeast quarter of the Southeast quarter;

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Section 10: The North half;
the Southeast quarter.

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Section 11: All.

SALEM, OR

Section 12: The Northwest quarter of the Northwest quarter.

EXCEPT the coal, oil, gas and other minerals underlying the surface of the following
land, reserved in the following patents and all rights and easements in favor of the
estate of said coal, oil, gas and other minerals:

- (a) Recorded June 29, 1927, in Deed Book 108, page 186, as to the Northwest quarter of the Southeast quarter of Section 27, T. 9 S., R. 42 E. W.M.
- (b) Recorded February 20, 1926, in Deed Book 105, page 82, as to the Southeast quarter of the Northeast quarter, the East half of the Southeast quarter of Section 34, the Southeast quarter of the Southeast quarter of Section 35 in T. 9 S., R. 32 E. W.M.; the West half of the Northwest quarter of Section 1, the North half of Section 2, and the East half of the Northeast quarter of Section 3, T. 10 S., R. 32 E. W.M.
- (c) Recorded November 12, 1942, in Deed Book 132, page 230, as to the South half of the Northeast quarter, the Northwest quarter of the

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Northwest quarter, the South half of the Northwest quarter, the Northeast quarter of the Southeast quarter of Section 10, the Northwest quarter of the Southwest quarter of Section 11, in T. 10 S., R. 42 E. W.M.

FURTHER EXCEPTING all mineral deposits pursuant to the Act of October 21, 1976 (43 U.S.C. 1719), reserved in United States Patent recorded June 4, 1993, in Deeds 93 23 025, including the terms and provisions thereof, as to the Southwest quarter of the Northeast quarter, the Southeast quarter of the Northwest quarter, the Northeast quarter of the Southwest quarter and the Northwest quarter of the Southeast quarter of Section 35, T. 9 S., R. 42 E. W.M.; the Northwest quarter of the Southwest quarter of Section 2, the Northeast quarter of the Southeast quarter of Section 3, the Northwest quarter of the Northeast quarter and the Northeast quarter of the Southeast quarter of Section 11, T. 10 S., R. 42 E. W.M.

TOGETHER WITH any and all improvements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining including without limit, any appurtenant easements and all BLM grazing and other grazing rights appurtenant thereto.

SUBJECT TO reservations in patents of the United States of America, and all terms, conditions and provisions thereof, including without limit, those relating to reservation of mineral deposits, rights for public road purposes, ditches, canals and utility line purposes and all applicable provisions of law relating to the same including the Act of October 21, 1976 (43 U.S.C. 1719); and all other covenants, conditions, restrictions, reservations and easements for all roads, ditches, road rights of way, access and utility installations as the same now exist upon said real property whether of record or apparent from an inspection of the property, and including easements and assessments, if any, pertaining thereto, including without limit, the television translator relay station with towers and antennas as now located thereon.

SUBJECT TO rights of the public in and to any portion of the above described premises lying within the boundaries of roads or highways.

SUBJECT TO rights of the public and of governmental bodies in and to any portion of the premises lying below the mean high water mark of the various streams crossing said property, including without limit, Ritter Creek, Pritchard Creek and other creeks.

SUBJECT TO additional taxes, penalties and interest, if any are imposed in the event of declassification of the property from its present classification as farm or forest lands which buyer assumes and agrees to pay and hold Seller harmless therefrom.

SUBJECT TO discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose.

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8. In Township 9 South, Range 40 E., W.M.,

Sec. 18: All that portion of the SW $\frac{1}{2}$ NE $\frac{1}{2}$ lying North of the County Road right of way.

9. Land in Baker County, Oregon, as follows:

In Township 8 South, Range 38 E., W.M.:

Sec. 36: S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

In Township 8 South, Range 39 E., W.M.:

Sec. 31: SW $\frac{1}{2}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

In Township 9 South, Range 39 E., W.M.:

Sec. 6: Lot 2 of the NE $\frac{1}{2}$ (N $\frac{1}{2}$ NE $\frac{1}{4}$), EXCEPTING THEREFROM road right of way conveyed to Baker County recorded May 2, 1962, Book 172, page 929, Deeds,
The East half of Lot 2 of the NW $\frac{1}{4}$ (NE $\frac{1}{4}$ NW $\frac{1}{4}$)

ALSO:

A right of way 16 feet in width along the North line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 31, Township 8 South, Range 39, E., W.M., as disclosed in deed recorded June 18, 1968, Deed 68 25 016.

A permanent 30 foot wide easement and right of way for a road for ingress to and egress from Parcel No. 2, hereinafter described, being 15 feet on each side of the following described center line:

Beginning on the South line of the said Sec. 31 at a point which is S. 89° 52' West, 497.2 feet from the South quarter corner of said Sec. 31;
Thence N. 03° 23' 10" E., 1399.2 feet to a point which is 134.76 feet East of the said Parcel No. 2 Southwest corner.

A permanent easement across the North 15 feet of the East 532 feet of the NW $\frac{1}{4}$ of Sec. 6, T. 9 S., R. 39 E., W.M., and the South 15 feet of the East 497.21 feet of the SW $\frac{1}{4}$ of Sec. 31, T. 8 S., R. 39 E., W.M.

TOGETHER WITH any and all water rights, ditches and ditch rights appurtenant thereto.

EXCEPTING:

A spring water pipe line easement described as follows:

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Beginning at a point of diversion of an unnamed spring, N. 38° 39' 37" W. 2359.3 feet from the South quarter corner of Section 31, T. 8 S., R. 39, E., W.M., Thence following a domestic water supply pipe line: S. 73° 44' 35" E. 681.6 feet and Thence S. 63° 36' 36" E., 301.7 feet to the West line of a 5 acre parcel designated herein as Parcel No. 2.

Parcel No. 1: A 17.23 acre parcel lying in the S½ of Lot No. 1 of the SW¼ of Sec. 31, T. 8 S. R. 39 E., W.M., and in the E ¼ of Lot 2 of the NW¼ of Sec. 6, T. 9 S., R. 39 E., W.M.:

Beginning at the quarter corner common to said Secs. 6 and 31;
Thence South 409.4 feet;
Thence S. 89° 52' W., parallel to the line between the said sections, a distance of 532 feet;
Thence N. 409.4 feet to the said section line;
Thence N. 89° 52' E., 34.79 feet along said section line;
Thence N. 03° 23' 10" E., 1073 feet to the center of Goodrich Creek;
Thence following the creek center line to intersect the midsection line through Sec. 31, (the tangent being N77° 01' 42" E., 445.63 feet distant between the two herein described points on Goodrich Creek);
Thence S. 0° 01' 15" W., 1170 feet along the said mid-section line to the point of beginning.

Parcel No. 2: a 5 acre parcel lying in the N½ of Lot 1, of the SW¼ (NE¼SW¼) of Sec. 31, T. 8 S., R. 39 E., W.M.:

Beginning at a point on the mid-section line N. 0° 01' 15" E. 1395.62 feet from the South quarter corner of said Sec. 31;
Thence West 549.83 feet;
Thence N. 0° 01' 15" E. 396.14 feet;
Thence East 549.83 feet to a point on the said mid-section line;
Thence S. 0° 01' 15" W., 396.14 feet along the said mid-section line to the point of beginning.

RESERVING ALSO:

A permanent 30 foot wide easement and right of way for a road for ingress and egress from Parcel No. 1, being the North 30 feet of the NE¼ of the said Sec. 6.

A permanent 30 foot wide easement and right of way for a road for ingress to and egress from Parcel No. 2, hereinafter described, being 15 feet on each side of the following described center line:

Beginning on the South line of the said Sec. 31 at a point which is S. 89° 52'

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West, 497.2 feet from the South quarter corner of said Sec. 31;
Thence N. 03° 23' 10" E., 1399.2 feet to a point which is 134.76 feet East of
the said Parcel No. 2 Southwest corner.

A permanent easement across the North 15 feet of the East 532 feet of the
NW¼ of Sec. 6, T. 9 S., R. 39 E., W.M., and the South 15 feet of the East
497.21 feet of the SW¼ of Sec. 31, T. 8 S., R. 39 E., W.M.

10. Township 8 South, Range 39 E., W.M.:

Section 32: Commencing at a point on the section line of Sec. 32, 835 feet
and 4 inches north of the SE corner of said Sec. 32; thence
north on said section line 484 feet and 8 inches to the NE
corner of the S½SE¼ of said Section 32; thence west 2,640
feet to the NW corner of said S½SE¼ of said Sec. 32; thence
south 484 feet 8 inches; thence east 2,640 feet to the place of
beginning.

Section 33: S½NW¼
Together with all water and water rights, ditches and ditch rights
appurtenant thereto or used in connection therewith, and subject to
rights of way for roads, highways, ditches, telephone, telegraph and
power lines.

11. In Twp. 9S. R. 39E., W.M.:

Sec. 4: A parcel in the SW ¼ described as follows:
Beginning at a point where the South right of way line of the County
Road and the West line of said section intersect;
thence Northeasterly along said South right of way line to the East line
of said SW ¼, said point also being on the West right of way line of
the County Road running North and South of said section;
thence South along said West right of way line to the South line of
said section;
thence West along the South Line of said section to a point 417 feet
East of the Southwest corner thereof;
thence North 243.4 feet;
thence West 417 feet to the West line of said SW ¼;
thence North along said West line to the point of beginning.

Sec. 8: Lots 3, 6, 7, SE ¼ SE ¼.

Sec. 9: SW ¼, S ½ NW ¼, NE ¼ NW ¼.
NW ¼ NW ¼, EXCEPTING THEREFROM the following:
Beginning at the Northwest corner of the NW ¼ NW ¼;
thence East 417 feet along the North line of said section;
thence South 279 feet;
thence West 417 feet to the West line of said NW ¼ NW ¼;
thence North 279 feet to the point of beginning.

A parcel in the NW ¼ SE ¼ described as follows:

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Beginning at the Northwest corner of the SE ¼;
thence South 528 feet;
thence East 330 feet;
thence North 528 feet;
thence West 330 feet to the point of beginning.

The JONES & CARPENTER PLACER MINING CLAIM, also known as the NEVER SWEAT PLACER MINING CLAIM, Mineral Entry No. 31, designated by the Surveyor General as Lot No. 111, as more particularly described in Patent recorded October 13, 1936, Book 122, Page 618, Deeds, embracing a portion of Sec. 8, Twp. 9S. R. 39E., W.M.

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MAY 26 2016

SALEM, OR

STATE OF OREGON

County of Baker } SS

I certify that this instrument was received and recorded in the book of records of said county.

Tamara J. Green
Baker County Clerk

by: *Karen Phillips* Deputy.

DOC#: 02120342B

RCPT: 68132 71.00

3/20/2002 3:00 PM

REFUND: *amt chg* .00

Sara Haynes

From: MATTHEWS Carrie R <carrie.r.matthews@state.or.us>
Sent: Tuesday, April 05, 2016 3:51 PM
To: Sara Haynes
Subject: RE:

I see the error. Thanks for sending Cert 80460. That should be listed on the plat card not T-10897 nor is it inchoate.

It was T-7791 (I remember that transfer well) that created the remaining right. I will send this to be corrected on the plat card.

Talk to you later.

Carrie Matthews
Water Restoration Specialist
541-523-8224 Ext 223
Fax: 1-866-214-3493
carrie.r.matthews@wrд.state.or.us

Water Resources Dept.
Eastern Region
1995 3rd Street, Suite 180
Baker City, OR 97814
www.wrd.state.or.us

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SALEM, OR

From: Sara Haynes [<mailto:shaynes@farallonconsulting.com>]
Sent: Tuesday, April 05, 2016 3:41 PM
To: MATTHEWS Carrie R
Subject: RE:

Thanks Carrie. This is perfect. I found Certs 73610 and 80460 have the POU identified and I searched the vault for the adjudication map but the one you sent me is perfect. Thank you!

Sara Haynes, Staff Environmental Scientist
Farallon Consulting, L.L.C. | 1940 Valley Avenue | Baker City, Oregon 97814
shaynes@farallonconsulting.com | Direct: 541-523-5170 | Cell: (541) 693-4053

From: MATTHEWS Carrie R [<mailto:carrie.r.matthews@state.or.us>]
Sent: Tuesday, April 05, 2016 3:31 PM
To: Sara Haynes <shaynes@farallonconsulting.com>
Subject:

G-18201

Hey Sarah;

Here is the map for you. I pulled the map for T-10897 and it doesn't match what the plat card says. The order of this transfer will need to be compared to see why it's listed here. There is something incorrect with the platcard report as you pointed out.

The map does match with what is reported for Certificate 73610.

Give me a call and we can visit further. Sorry for the delay.

Carrie Matthews

Water Restoration Specialist

541-523-8224 Ext 223

Fax: 1-866-214-3493

carrie.r.matthews@ wrd.state.or.us

Water Resources Dept.

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