

Application for a Permit to Use Surface 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 <i>Jeff Phillips</i> | | PHONE (HM) | |
| PHONE (WK) | CELL <i>541-518-1011</i> | FAX | |
| ADDRESS <i>42109 Miles Bridge Rd</i> | | | |
| CITY <i>Baker City</i> | STATE <i>OR</i> | ZIP <i>97814</i> | E-MAIL * |

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

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:

SALEM, OR

- 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 packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- 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.

Jeff Phillips
Applicant Signature

JEFF PHILLIPS
Print Name and title if applicable

3-11-16
Date

Applicant Signature

Print Name and title if applicable

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*).

Walter L. Dillman
47334 Slaughterhouse Rd.
Halfway OR, 97834

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: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: Phillips Pond

Tributary to: East Pine Cr.

Source 2:

Tributary to:

Source 3:

Tributary to:

Source 4:

Tributary to:

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If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in item 3A above?

Yes.

No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

If *all* sources listed in item 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

| SOURCE | USE | PERIOD OF USE | AMOUNT |
|---------------|------------|--|---|
| Phillips Pond | Irrigation | April 1 st - Sep 30 th | .1 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af |
| | | | <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af |
| | | | <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af |
| | | | <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af |

For irrigation use only:
 Please indicate the number of primary and supplemental acres to be irrigated.
 Primary: 13.5 Acres Supplemental: 8.9 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: _____

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S-98256

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

Pump (give horsepower and type): _____

Other means (describe): Flood Irrigation

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. I currently have an 8" pipe with a sliding headgate to divert water from Phillips Pond into my lateral ditches to convey water to the irrigated ground.

B. Application Method

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

I currently use flood irrigation through lateral ditches. I use tarps to back up water to flow out of the ditches to spread it onto the ground.

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 public uses of affected surface waters.

I plan on installing a measuring device to help monitor my diverted water. I will also use the best flood irrigation practices to prevent waste, such as shorter irrigation sets, and more lateral ditches to spread the water over the ground faster and easier.

SECTION 6: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

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Diversion will be screened to prevent uptake of fish and other aquatic life.
Describe planned actions:

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: NO BANK CLEARING WILL OCCUR SO NO DAMAGE WILL OCCUR TO THE RIPARIAN OR STREAMSIDE HABITAT

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe: I WILL NOT HAVE EQUIPMENT IN PHILLIPS POND, THEREFORE NO DAMAGE WILL OCCUR TO AQUATIC LIFE

Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: THERE WILL BE NO EROSION OR RUN-OFF THAT WILL ENTER INTO THE POND, SO NO CHEMICALS WILL BE ALLOWED IN THE POND

SECTION 7: PROJECT SCHEDULE

Date construction will begin:

Date construction will be completed:

Date beneficial water use will begin: 2016

SECTION 8: 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 | N/A | Address | / |
| City | / | State | / |
| | | Zip | / |

SECTION 9: REMARKS

Use this space to clarify any information you have provided in the application.

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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: Jeff First Phillips Last

Mailing Address: 42109 Miles Bridge Rd
Baker City City OR State 97814 Zip Daytime Phone: #541-518-1011

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: |
|----------|-------|---------|-------|-----------|---|--|--|--|--------------------|
| 75 | 46E | 32 | NE,NE | #203 | | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Irrigation |
| 75 | 46E | 32 | SE,NE | #202 | | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Irrigation |
| | | | | | | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used | |
| | | | | | | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used | |

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

Baker County, Halfway

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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: .1 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:

I am applying to use water in pond for irrigation

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.

S-8826

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): 410.02(A)(1)
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

| Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.) | Cite Most Significant, Applicable Plan Policies & Ordinance Section References | Land-Use Approval: | |
|--|---|--|--|
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <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: Kara Harris Title: Planner

Signature: [Signature] Phone: 541-523-8219 Date: 3-4-2016

Government Entity: Baker City-County Planning Department

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: _____

S-08257

3/11/16

BC

8:45 POTENTIAL LIABILITY

REAL PROPERTY

INQUIRY

A10100

REF # 2016 R 18275

| MAP# | LOT# | A | NUM | CODE | PCL | MCL | AP | VA | ZONE | PAR# | %.xxxx | REAL# | PR |
|---------|------|---|-----|------|-----|-----|----|----|------|------|--------|-------|----|
| 07S4632 | 203 | | | 6106 | 550 | 550 | 5 | | EFU | | | | |

OWNER DILLMAN, WALTER L

ET ALS

CNTRCT

Pg 1

ADDR

47334 SLAUGHTERHOUSE RD

CTY/ST HALFWAY, OR 97834

SC DEF - SITUS:

SITUS:

L/LE/X/EM:

ACTION CDS MAPCODE 6106
SEGREGATION

YR AP 2011 APPR TM TROY LEPLEY

ACRES 2.00 SPC ASM

RMV M5 VALUE TOTAL AV

LAND

NOTES

IMPROV

SUBTOT

LESS EXEMPTIONS:

LESS VET EXEMPT:

NET VALUES:

1-KEY 2-IMP 3-LND 7-EOJ 8-CLR 9-BACK 10-FORWARD 17-JV/TL 22-SALES 23-TAX INQ

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MAR 23 2015

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5-88212



BASIS FOR BEARINGS
GPS Coordinates for quarter and section corners

LEGEND

- ◊ Found Section and Quarter Corners
- Found No. 8 Rebar with PLS 699, unless otherwise described
- Set 30" long No. 8 Rebar with Yellow PLS 699 Plastic Cap
- (.....) Record Distance & Bearings in Parentheses per Reference
- - - - - Section subdivision lines
- - - - - Approximate Road Centerline

REFERENCES

- R1 - Partition Plat No. 2012-008, by PLS 699, recorded September 7, 2012 as Instrument No. B12 36-0081, Baker County Records.
- R2 - Baker County Survey No. 7-48-2, by PE 2908, filed July 12, 1974.
- R3 - Baker County Survey No. 7-48-13A, by PLS 1639, filed December 11, 1979.

NARRATIVE

The purpose of this survey was to replat the Parcels of Partition Plat No. 2012-008, situated in the East Half of the Northeast Quarter of Section 32, Township 7 South, Range 48 East, Willamette Meridian, Baker County, Oregon, at the request of Walt Dillman. Monuments were found and held per said Partition Plat. Additional monuments were found and held per Survey No. 7-48-2 to define the north line of said Replat. Monuments were set to mark the boundary of Parcel 4, as shown.

No unusual conditions were encountered during the course of this survey.

CERTIFICATION

I, Leland Lee Myers, a Professional Land Surveyor registered in the State of Oregon, 587 E Auburn Street, PO Box 69, Sumpter, Oregon 97077, completed this survey on July 6, 2013, do hereby certify that I have correctly surveyed and marked with proper monuments, including the initial Point, a No. 8 rebar found at the southeast corner of Parcel 2, as shown, and do hereby certify that the information shown on this plat is in accordance with ORS Chapter 92, and is correct to the best of my knowledge.

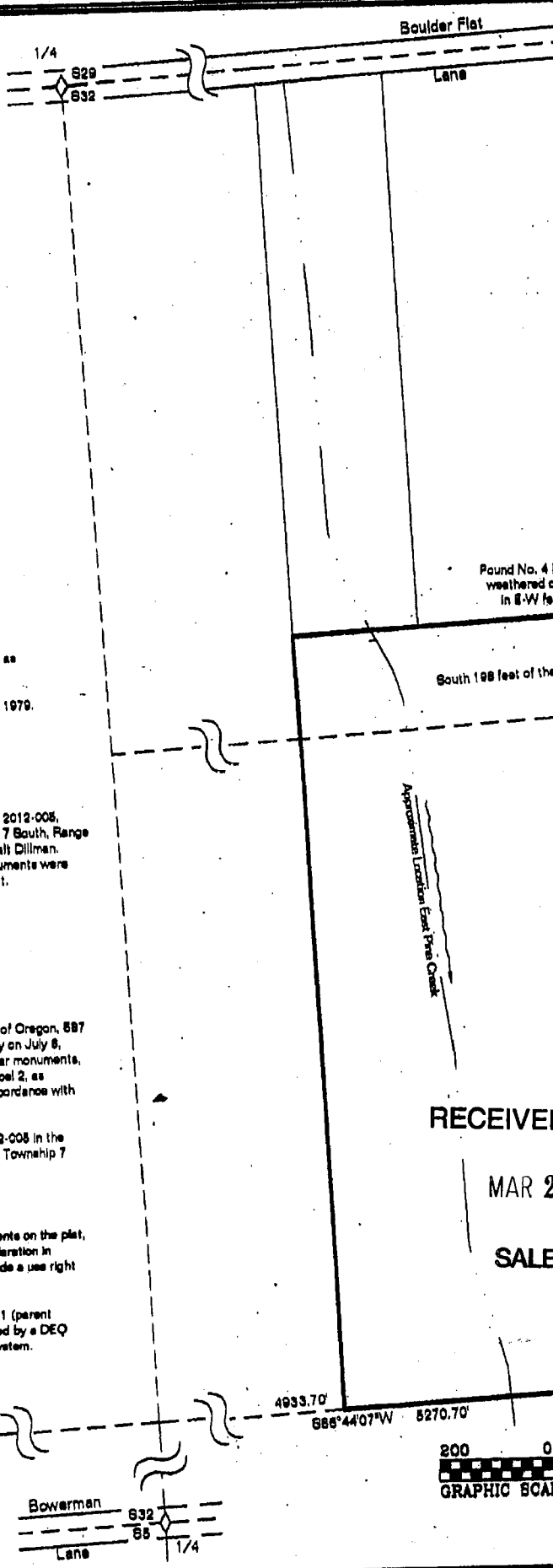
The lands being replatted are more fully described as Partition Plat No. 2012-008 in the SE1/4NE1/4 and the South 198 feet of the NE1/4NE1/4 all of Section 32, Township 7 South, Range 48 East, Willamette Meridian, Baker County, Oregon.

Note 1: There are no known easements on the plat, but language is provided in the Declaration in Partition Plat No. 2012-008 to provide a use right in the event of a future discovery.

Note 2: Sewage disposal for Parcel 1 (parent parcel) and Parcel 4 shall be provided by a DEQ approved sanitary sewer disposal system.

REGISTERED PROFESSIONAL LAND SURVEYOR
Leland Lee Myers
OREGON
JULY 9, 1983
LELAND LEE MYERS
699
Renewal Date 1/1/18

Found 5/8" Galvanized Bolt set at a fence corner from which a large Pine tree stump bears N78°W, 4 links which has chop marks on it but no visible sorbing



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SD P2013-006

Replat of Partition Plat No. 2012-005 situated in the E1/2 NE1/4 of Section 32, T7S, R46E, WM, Baker County, Oregon

DECLARATION

Know all men by these presents, that I, Walter L. Dillman, as tenant by the entirety, do hereby declare that I have caused said Partition Plat 2012-005 to be replatted, vesting Parcel 3 and creating Parcel 4, in accordance with Oregon Revised Statutes Chapter 92.

Walter L. Dillman 12-10-13
Walter L. Dillman Date

ACKNOWLEDGEMENT

This is to certify that on this 10th day of December 2013, before me a notary public, personally appeared Walter L. Dillman, to me known to be the individual who executed the foregoing Declaration and acknowledged to me that he executed the same freely and voluntarily for the purpose therein named.

STATE OF OREGON }
COUNTY OF BAKER }

Jeri L. Shaffer
Notary Signature

Jeri L. Shaffer
Printed Name

452481
Commission No.

Oct 17, 2014
My Commission Expires



APPROVALS

I have reviewed this plat under authority of ORS 92.100 and find it complies with ORS Chapter 92 and ORS 209.250.

Therese H. H. H. 12-10-2013
Baker County Surveyor Date

I have reviewed this plat and find it complies with the regulations of Baker County, Oregon.

[Signature] 12/17/2013
Baker County Planning Director Date

All ad valorem taxes and other special assessments due pursuant to law have been assessed and collected.

Alice Duvigne by Traci Thomsen Dec 18, 2013
Baker County Treasurer Date

STATE OF OREGON }
COUNTY OF BAKER }

I do hereby certify that the attached replat was received for recording on the 18 day of December, 2013, at 3:05 o'clock PM as slide No. C-184, Fee \$6.00 Instrument No. B1350.0358.

Jamie J. Green
Baker County Clerk
Loren Phillips
Deputy

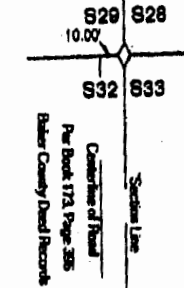
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MAR 2 2016

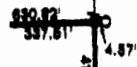
SALEM OR

FILED
BAKER COUNTY SURVEYOR
SURVEY No. 7-48

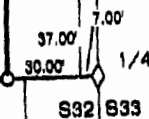
Flow Plastic
r. per R3



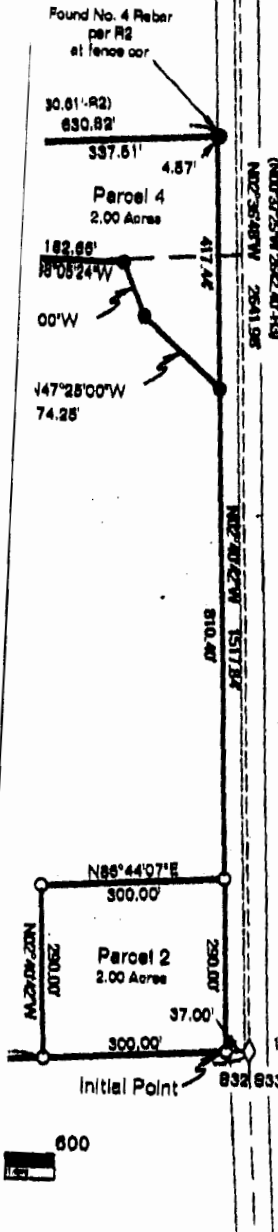
Section Corner Detail
Scale: 1"=80'



Corner Detail
Scale: 1"=50'



1/4 Corner Detail
Scale: 1"=50'



SEE DEED BOOK 173 PAGE 388 FOR THE OFFSET RIGHT-OF-WAY FOR BAKER COUNTY SAATCHI/HEWLETT HOUSE ROAD NO. 3015

600

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.
- Fees _____

MAP

- 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)
- 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 _____

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

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: source of water requested
- SECTION 4: water use
- SECTION 5: water management
- SECTION 6: resource protection
- SECTION 7: project schedule
- SECTION 8: within a district
- SECTION 9: remarks

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.
- Fees - Amount enclosed: \$
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)
- 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:

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SALEM, OR



Oregon Water Resources Department
Permit to Appropriate Only Stored Water – Expedited Secondary

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

Today's Date: Monday, March 07, 2016

| | | |
|--|--------------------|----------|
| Base Application Fee | | \$450.00 |
| Acre feet of Stored Water to be diverted. | .1 | \$30.00 |
| Permit Recording Fee. *** | | \$450.00 |
| *** 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 | | \$930.00 |

OWRD Fee Schedule

| |
|-----------------------------------|
| |
| Fee Calculator Version: B20130709 |

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