

# 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 <b>David Elbel</b>        |                 | PHONE (HM) <b>503 974 1644</b> |                                      |
| PHONE (WK) <b>503 974 1644</b> | CELL            |                                | FAX                                  |
| ADDRESS <b>PO BOX 2023</b>     |                 |                                |                                      |
| CITY <b>Cave Junction</b>      | STATE <b>OR</b> | ZIP <b>97523</b>               | E-MAIL* <b>David.Elbel@gmail.com</b> |

### 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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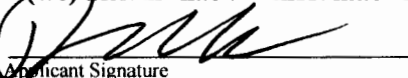
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### By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

SALEM, OR

I (we) affirm that the information contained in this application is true and accurate.

  
Applicant Signature

**David Elbel**  
Print Name and title if applicable

**8/19/16**  
Date

Applicant Signature

Print Name and title if applicable

Date

|                         |                  |            |
|-------------------------|------------------|------------|
| For Department Use      |                  |            |
| App. No. <b>G-18373</b> | 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.

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☒ Yes

☒ There are no encumbrances.

☐ This land is encumbered by easements, rights of way, roads or other encumbrances.

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☐ No

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☐ 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*).

*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 |
| 105E<br>55408 | unnamed                       | 2301                              | 101                                                          |
|               |                               |                                   |                                                              |
|               |                               |                                   |                                                              |
|               |                               |                                   |                                                              |
|               |                               |                                   |                                                              |
|               |                               |                                   |                                                              |
|               |                               |                                   |                                                              |

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 ID tag matches well on maplot  
★ Well output is 10gpm test by owner 707  
when flushing out after new pump install  
May 2016

STATE OF OREGON  
WATER SUPPLY WELL REPORT  
(as required by ORS 537.765)

Instructions for completing this report are on the last page of this form.

(WELL I.D.)# L 64273

(START CARD) # 157711

(1) OWNER: Well Number \_\_\_\_\_  
Name **DAVID MAHONEY**

Address **5345 WEST SIDE ROAD**

City **CAVE JUNCTION** State **OR** Zip **97526**

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:

☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger

☐ Other

(4) PROPOSED USE:

☒ Domestic ☐ Community ☐ Industrial ☐ Irrigation

☐ Thermal ☐ Injection ☐ Livestock ☐ Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval ☐ Yes ☒ No Depth of Completed Well **350** ft.

Explosives used ☐ Yes ☒ No Type \_\_\_\_\_ Amount \_\_\_\_\_

| HOLE     |      |     | SEAL      |      |    | Sacks or pounds |
|----------|------|-----|-----------|------|----|-----------------|
| Diameter | From | To  | Material  | From | To |                 |
| 10"      | 0    | 18  | BENTONITE | 0    | 18 | 8 SACKS         |
| 6"       | 18   | 350 |           |      |    |                 |

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E

☒ Other **POURED**

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_

Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

|            | Diameter | From | To  | Gauge | Steel                               | Plastic                             | Welded                              | Threaded                 |
|------------|----------|------|-----|-------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| Casing: 6" |          | +2   | 18  | .250  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|            |          |      |     |       | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
|            |          |      |     |       | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| Liner: 4"  |          | 0    | 319 |       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
|            |          |      |     |       | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |

Final location of shoe(s) **18'**

(7) PERFORATIONS/SCREENS:

☒ Perforations Method **SAWN**

|      |     | Type      |        | Material |                | Casing                   | Liner                               |
|------|-----|-----------|--------|----------|----------------|--------------------------|-------------------------------------|
| From | To  | Slot size | Number | Diameter | Tele/pipe size |                          |                                     |
| 299  | 319 | 6"        | 60     | 1/4"     | 4"             | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|      |     |           |        |          |                | <input type="checkbox"/> | <input type="checkbox"/>            |
|      |     |           |        |          |                | <input type="checkbox"/> | <input type="checkbox"/>            |
|      |     |           |        |          |                | <input type="checkbox"/> | <input type="checkbox"/>            |

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

|                               |                                 | Flowing                                 |                                   |
|-------------------------------|---------------------------------|-----------------------------------------|-----------------------------------|
| <input type="checkbox"/> Pump | <input type="checkbox"/> Bailer | <input checked="" type="checkbox"/> Air | <input type="checkbox"/> Artesian |
| Yield gal/min                 | Drawdown                        | Drill stem at                           | Time                              |
| 3 GPM                         |                                 | 300'                                    | 1 hr.                             |

Temperature of water **56** Depth Artesian Flow Found \_\_\_\_\_

Was a water analysis done? ☐ Yes By whom \_\_\_\_\_

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other \_\_\_\_\_

Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:

County **JOSEPHINE** Latitude \_\_\_\_\_ Longitude \_\_\_\_\_

Township **39** S Range **08** W WM.

Section **29** NW 1/4 NW 1/4

Tax Lot **700** Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Street Address of Well (or nearest address) **5345 WEST SIDE ROAD**

(10) STATIC WATER LEVEL:

**11** ft. below land surface. Date **8/01/03**

Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:

Depth at which water was first found **179'**

| From | To  | Estimated Flow Rate | SWL |
|------|-----|---------------------|-----|
| 179  | 315 | 3 GPM               | 11  |
|      |     |                     |     |
|      |     |                     |     |

(12) WELL LOG:

Ground Elevation \_\_\_\_\_

| Material                              | From | To  | SWL |
|---------------------------------------|------|-----|-----|
| BROWN CLAY (UNC)                      | 0    | 6   |     |
| SHALE (CON)                           | 6    | 350 | 11  |
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| SALEM, OR                             |      |     |     |
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| SEP 04 2003                           |      |     |     |
| WATER RESOURCES DEPT<br>SALEM, OREGON |      |     |     |

Date started **7/31/03**

Completed **8/1/03**

(unbonded) Water Well Constructor Certification:

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

Signed *Steven L. Lacey* WWC Number **1659**  
Date **8/1/03**

(bonded) Water Well Constructor Certification:

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

Signed *Bob Quinn* WWC Number **675**  
Date **8/1/03**

ORIGINAL & FIRST COPY-WATER RESOURCES DEPARTMENT SECOND COPY-CONSTRUCTOR THIRD COPY-CUSTOMER

61-18373

STATE OF OREGON  
WATER SUPPLY WELL REPORT  
(as required by ORS 537.765)

WELL I.D. # L 64273

START CARD # 180593

Instructions for completing this report are on the last page of this form.

(1) LAND OWNER Well Number \_\_\_\_\_  
Name **DAVID MAHONEY**  
Address **5345 WEST SIDE RD.**  
City **CAVE JUNCTION** State **OR** Zip **97523**

(2) TYPE OF WORK ☐ New Well  
☐ Deepening ☒ Alteration (repair/recondition) ☐ Abandonment ☐ Conversion

(3) DRILL METHOD  
☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud  
☐ Other \_\_\_\_\_

(4) PROPOSED USE  
☒ Domestic ☐ Community ☐ Industrial ☐ Irrigation  
☐ Thermal ☐ Injection ☐ Livestock ☐ Other \_\_\_\_\_

(5) BORE HOLE CONSTRUCTION Special Construction: ☐ Yes ☒ No  
Depth of Completed Well **288** ft.  
Explosives used: ☐ Yes ☒ No Type \_\_\_\_\_ Amount \_\_\_\_\_

| BORE HOLE |      |    | SEAL     |      |    | Sacks or Pounds |
|-----------|------|----|----------|------|----|-----------------|
| Diameter  | From | To | Material | From | To |                 |
|           |      |    |          |      |    |                 |
|           |      |    |          |      |    |                 |
|           |      |    |          |      |    |                 |

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E  
☐ Other \_\_\_\_\_

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

| (6) CASING/LINER |          |          |            |                          |                                     |                          |                          |
|------------------|----------|----------|------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| Diameter         | From     | To       | Gauge      | Steel                    | Plastic                             | Welded                   | Threaded                 |
| Casing:          |          |          |            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
|                  |          |          |            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
|                  |          |          |            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| Liner:           | <b>4</b> | <b>0</b> | <b>288</b> | <b>.160</b>              | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                  |          |          |            |                          | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |

Drive Shoe used ☐ Inside ☐ Outside ☐ None  
Final location of shoe(s) \_\_\_\_\_

(7) PERFORATIONS/SCREENS  
☒ Perforations Method **SAWN**  
☐ Screens Type \_\_\_\_\_ Material \_\_\_\_\_

| From       | To         | Slot Size    | Number    | Diameter | Tele/pipe size | Casing                   | Liner                               |
|------------|------------|--------------|-----------|----------|----------------|--------------------------|-------------------------------------|
| <b>268</b> | <b>288</b> | <b>1/4X6</b> | <b>60</b> | <b>4</b> | <b>4</b>       | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|            |            |              |           |          |                | <input type="checkbox"/> | <input type="checkbox"/>            |
|            |            |              |           |          |                | <input type="checkbox"/> | <input type="checkbox"/>            |
|            |            |              |           |          |                | <input type="checkbox"/> | <input type="checkbox"/>            |

(8) WELL TESTS: Minimum testing time is 1 hour  
☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

| Yield gal/min | Drawdown | Drill stem at | Time         |
|---------------|----------|---------------|--------------|
| <b>3 GPM</b>  |          | <b>265</b>    | <b>1 HR.</b> |
|               |          |               |              |
|               |          |               |              |

Temperature of water **56** Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done? ☐ Yes By whom \_\_\_\_\_  
Did any strata contain water not suitable for intended use? ☐ Too little  
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other \_\_\_\_\_  
Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL (legal description)  
County **JOSEPHINE**  
Tax Lot **707** Lot \_\_\_\_\_  
Township **39** S Range **8** W WM  
Section **29** SW 1/4 SW 1/4  
Lat \_\_\_\_\_ " or \_\_\_\_\_ (degrees or decimal)  
Long \_\_\_\_\_ " or \_\_\_\_\_ (degrees or decimal)  
Street Address of Well (or nearest address) **5345 WEST SIDE RD**

(10) STATIC WATER LEVEL  
**0** ft. below land surface. Date **2-6-06**  
**-1** ft. below land surface. Date **2-8-06**  
Artesian pressure \_\_\_\_\_ lb. per square inch Date \_\_\_\_\_

| (11) WATER BEARING ZONES |    |                     |     |
|--------------------------|----|---------------------|-----|
| From                     | To | Estimated Flow Rate | SWL |
|                          |    |                     |     |
|                          |    |                     |     |
|                          |    |                     |     |

| (12) WELL LOG                                                                 |      |    |     |
|-------------------------------------------------------------------------------|------|----|-----|
| Material                                                                      | From | To | SWL |
| <b>DRILLED OUT LINER. COULD NOT DRILL PAST 290 FT. DUE TO AN OBSTRUCTION.</b> |      |    |     |
| <b>RELINED WELL TO 288 FT.</b>                                                |      |    |     |

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WATER RESOURCES DEPT  
SALEM, OREGONDate Started **2-6-06** Completed **2-8-06**

## (unbonded) Water Well Constructor Certification

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

WWC Number **1659** Date **2-8-06**

Signed \_\_\_\_\_

## (bonded) Water Well Constructor Certification

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

WWC Number **675** Date **2-8-06**Signed **Bob Quinn**

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SECTION 3: WELL DEVELOPMENT, CONTINUED

SALEM, OR

6-18373

Total maximum rate requested: \_\_\_\_\_ (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<br>WELL<br>NAME OR<br>NO. | PROPOSED                 | EXISTING                            | WELL ID<br>(WELL TAG)<br>NO.*<br>OR<br>WELL LOG<br>ID** | FLOWING<br>ARTESIAN      | CASING<br>DIAMETER | CASING<br>INTERVALS<br>(IN FEET) | PERFORATED<br>OR SCREENED<br>INTERVALS<br>(IN FEET) | SEAL<br>INTERVALS<br>(IN FEET) | MOST RECENT<br>STATIC WATER<br>LEVEL & DATE<br>(IN FEET) | PROPOSED USE      |                        |                                    |                                 |
|-----------------------------------|--------------------------|-------------------------------------|---------------------------------------------------------|--------------------------|--------------------|----------------------------------|-----------------------------------------------------|--------------------------------|----------------------------------------------------------|-------------------|------------------------|------------------------------------|---------------------------------|
|                                   |                          |                                     |                                                         |                          |                    |                                  |                                                     |                                |                                                          | SOURCE AQUIFER*** | TOTAL<br>WELL<br>DEPTH | WELL-<br>SPECIFIC<br>RATE<br>(GPM) | ANNUAL<br>VOLUME<br>(ACRE-FEET) |
| JOSE<br>53408                     | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 264273                                                  | <input type="checkbox"/> | 6"                 | +2-<br>18                        | 299-<br>319                                         | 0-18                           | 11'<br>8-1-03                                            | Shale             | 350                    | 10                                 | 1.5                             |
|                                   | <input type="checkbox"/> | <input type="checkbox"/>            |                                                         | <input type="checkbox"/> |                    |                                  |                                                     |                                |                                                          |                   |                        |                                    |                                 |
|                                   | <input type="checkbox"/> | <input type="checkbox"/>            |                                                         | <input type="checkbox"/> |                    |                                  |                                                     |                                |                                                          |                   |                        |                                    |                                 |
|                                   | <input type="checkbox"/> | <input type="checkbox"/>            |                                                         | <input type="checkbox"/> |                    |                                  |                                                     |                                |                                                          |                   |                        |                                    |                                 |
|                                   | <input type="checkbox"/> | <input type="checkbox"/>            |                                                         | <input type="checkbox"/> |                    |                                  |                                                     |                                |                                                          | RECEIVED BY OWRD  |                        |                                    |                                 |
|                                   | <input type="checkbox"/> | <input type="checkbox"/>            |                                                         | <input type="checkbox"/> |                    |                                  |                                                     |                                |                                                          | AUG 23 2016       |                        |                                    |                                 |
|                                   | <input type="checkbox"/> | <input type="checkbox"/>            |                                                         | <input type="checkbox"/> |                    |                                  |                                                     |                                |                                                          | SALEM, OR         |                        |                                    |                                 |
|                                   | <input type="checkbox"/> | <input type="checkbox"/>            |                                                         | <input type="checkbox"/> |                    |                                  |                                                     |                                |                                                          |                   |                        |                                    |                                 |

\* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

\*\* A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

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

## SECTION 4: WATER USE

| USE     | PERIOD OF USE | ANNUAL VOLUME (ACRE-FEET) |
|---------|---------------|---------------------------|
| nursery | year round    | 0.5                       |
|         |               |                           |
|         |               |                           |
|         |               |                           |

**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: 3 Acres

Supplemental:        Acres

*includes green houses*

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: 0.5

- If the use is **municipal or quasi-municipal**, attach **Form M**

- If the use is **domestic**, indicate the number of households:

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

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## SECTION 5: WATER MANAGEMENT

SALEM, OR

### A. Diversion and Conveyance

What equipment will you use to pump water from your well(s)?

☒ Pump (give horsepower and type): Submersible, Red Lion, 3/4 hp

☐ Other means (describe):       

☒ Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Pump to standard pressure tank then to drip irrigation and/or hand wand

### B. Application Method

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

### 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.

Use of Growbags and drip irrigation. a meter will be installed

## SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

*NA* 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: \_\_\_\_\_

SEP 31, 2016

Date construction will be completed: \_\_\_\_\_

NOV 1, 2016

or immediate after construction

Date beneficial water use will begin: \_\_\_\_\_

OCT 1ST or \_\_\_\_\_

when permit issued

**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).

\_\_\_\_\_

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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 \_\_\_\_\_

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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 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SMITH Kathy A**

---

**From:** THOMA Michael J  
**Sent:** Tuesday, June 07, 2016 8:17 AM  
**To:** SMITH Kathy A  
**Subject:** RE: 5433 westside rd

Good Morning Kathy,

I looked at this area a bit more and I think the little valley that this creek occupies has more of a structural origin than fluvial (formed by faulting and uplift of the mountains rather than incision of the creek). So I would bet that it's like we talked about – most of the valley flow is probably lined with cobbles and the creek merely is washing the vegetation away. That being the assessment however, there are a few surface water rights downstream from the site and I think we would be forced to consider the creek a "surface water source" in a Division 9 Review. The point where hydraulic connection is found would then be based on the water level in the well, and the distance to the nearest SW POA (which appears to be about ¼ mile from the house). If they wanted to pursue a groundwater right they would need to provide an accurate location of the well, and a well log.

Have a great day,  
- Mike

---

Michael J Thoma, Ph.D.  
Hydrogeologist  
Oregon Water Resources Department  
725 Summer St. NE, Suite A  
Salem, OR 97301  
ph. 503-986-0845

**From:** SMITH Kathy A  
**Sent:** Wednesday, June 01, 2016 3:40 PM  
**To:** THOMA Michael J  
**Subject:** FW: 5433 westside rd

Hi Mike,

I just got this photo from an applicant, wanting to know if a new gw right would be issued with this being the creek within a ¼ mile.

Kathy

**From:** David Elbel [<mailto:david.elbel@gmail.com>]  
**Sent:** Wednesday, June 01, 2016 2:15 PM  
**To:** SMITH Kathy A  
**Subject:** Re: 5433 westside rd

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Kathy, this is a picture. Do you think it's a no?

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On Jun 1, 2016 12:07 PM, "David Elbel" <[david.elbel@gmail.com](mailto:david.elbel@gmail.com)> wrote:

Hi Kathy,

My name is David and I live in Cave Junction. I spoke with you in January about getting my water rights. After we correctly identified my well log (email correspondence below), you directed me to wait until June and/or when my creek dried up to get my water rights.

My creek is no longer flowing (there's some small one foot puddles), and its June. Whats the best possible way to move forward with getting my water rights?

My address is:  
5433 westside rd  
Cave Junction, OR

Thanks  
David  
503-974-1644

On Mon, Jan 25, 2016 at 3:40 PM, David Elbel <[david.elbel@gmail.com](mailto:david.elbel@gmail.com)> wrote:  
Hi Kathy,

This is David Elbel on 5433 westside rd. We spoke over the phone a few weeks ago about me applying for water rights for my well.

You mentioned you could not find the Well Log for my well and you needed it. I have been looking for it and doing research into the tax lot IDs and

My property (tax lot #707) was split from tax lot id 705 in the year 2005. Before 705, it was tax lot 700. Before 700, there are no records available.

So I looked for Wells Logs for tax lot ID 705 and Tax Lot 700.

I was able to find a "Well Supply Well Report" for New Well, on Tax lot 700 that has the same Well ID as mine and matches the general information.

Sepecifically it matches the same Well ID: Well ID 64273 on my tax lot 707 and Well ID 64273 on tax lot 700.

However, my "Water Supply Well Report" section lists SW1/4 SW1/4, and this Well Supply Report lists NW1/4 NW/14. I believe the second Section "NW/NW" should be "SW/SW" and is an error.

Because the Well ID matches the same number. Or is it possible that the same well ID is can be used for different wells? That is my question.

I have included both PDF in this email and will try to call you this week. If this is my well log, is this the information you need for me to apply for water rights?

503-974-1644  
or 541-254-1654

Thanks, David

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SALEM, OR

G-18773

[http://apps.wrd.state.or.us/apps/misc/vault/vault.aspx?wl\\_county\\_code=JOSE&wl\\_nbr=55408](http://apps.wrd.state.or.us/apps/misc/vault/vault.aspx?wl_county_code=JOSE&wl_nbr=55408)

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SALEM, OR

TICOR TITLE  
20120056753  
TO

JOSEPHINE COUNTY OFFICIAL RECORDS  
ART HARVEY, COUNTY CLERK 2012-017234  
DED-WRD  
Cnt=1 Pgs=2 Str=4 THORRIS 12/21/2012 11 31 AM  
\$10.00 \$11.00 \$15.00 \$8.00 \$5.00 Total \$49.00



00203737201200172340020027

I, Art Harvey, County Clerk, certify that the within document was received and duly recorded in the official records of Josephine County.

RECORDING REQUESTED BY:  
Fidelity National Title Company of Oregon

GRANTOR:  
DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE OF INDYMAC  
RESIDENTIAL MORTGAGE-BACKED TRUST,  
SERIES 2006-L1, RESIDENTIAL  
MORTGAGE-BACKED CERTIFICATES, SERIES  
2006-L1  
2375 N Glenville Drive  
Richardson, TX 75082

GRANTEE:  
David Elbel  
1957 W Burnside #1717  
Portland, OR 97209

SEND TAX STATEMENTS TO:  
David Elbel  
1957 W Burnside #1717  
Portland, OR 97209

AFTER RECORDING RETURN TO:  
David Elbel  
1957 W Burnside #1717  
Portland, OR 97209

Escrow No: 20120056753-FTPOR03

5433 West Side Rd  
Cave Junction, OR 97523

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**SPECIAL WARRANTY DEED - STATUTORY FORM**  
(INDIVIDUAL or CORPORATION)

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE OF INDYMAC RESIDENTIAL  
MORTGAGE-BACKED TRUST, SERIES 2006-L1, RESIDENTIAL MORTGAGE-BACKED  
CERTIFICATES, SERIES 2006-L1 Grantor, conveys and specially warrants to David Elbel

Grantee, the following described real property free and clear of encumbrances and claims created or  
suffered by the grantor or by any predecessor in interest to grantor as beneficiary, assignee, or nominee,  
or the trustee or successor trustee under that certain trust deed recorded in Josephine County, Instrument  
No. 2006-004187, except as specifically set forth below.

PARCEL 1 OF PARTITION PLAT NO. 2006-002, LOCATED IN THE WEST HALF OF THE WEST  
HALF OF SECTION 29, TOWNSHIP 39 SOUTH, RANGE 8 WEST OF THE WILLAMETTE  
MERIDIAN, JOSEPHINE COUNTY, OREGON.

The true consideration for this conveyance is \$37,500.00.

ENCUMBRANCES: Save and Except: Taxes, covenants, conditions, restrictions, easements, rights of  
way, homeowners association assessments, if any, and other matters of record.

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

20120056753-FTPOR03  
Deed (Special Warranty - Statutory Form)

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SALEM, OR

LSI Title Agency 120264467

G-18393

2

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 \_\_\_\_\_, if a corporate grantor, it has caused its name to be signed by order of its board of directors.

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE OF INDYMAC  
RESIDENTIAL MORTGAGE-BACKED TRUST,  
SERIES 2006-L1, RESIDENTIAL  
MORTGAGE-BACKED CERTIFICATES, SERIES  
2006-L1

BY: \_\_\_\_\_  
OneWest Services, LLC as Attorney In Fact  
Louise Chavez

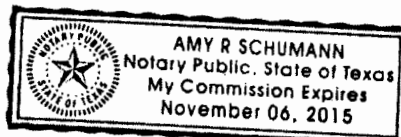
NAME: AVP

TITLE: \_\_\_\_\_

State of TEXAS  
County of TRAVIS

This instrument was acknowledged before me on DEC 11 2012, 20\_\_ by  
as Louise Chavez AVP/REG of \_\_\_\_\_

[Signature]  
Notary Public - State of  
My commission expires:



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SALEM, OR

# 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: \_\_\_\_\_ First David Last Elbel  
Mailing Address: \_\_\_\_\_ PO Box 2023  
Cave Junction OR 97523 Daytime Phone: 503 974 1644  
City State Zip

## 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: |
|------------|-----------|-----------|-------------|------------|-------------------------------------------------|----------------------------------------------|-----------------------------------|------------------------------------------|--------------------|
| <u>39S</u> | <u>8W</u> | <u>29</u> | <u>SWSW</u> | <u>707</u> |                                                 | <input checked="" type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>nursery</u>     |
|            |           |           |             |            |                                                 | <input type="checkbox"/> Diverted            | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used            |                    |
|            |           |           |             |            |                                                 | <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:

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## B. Description of Proposed Use

SALEM, OR

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: 25 ☐ 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 nursery

Briefly describe:

OLCC Tier 2 Producer

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. →

## 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): RLUC, SECTION 67.020, D
- ☐ 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<br>(e.g., plan amendments, rezones,<br>conditional-use permits, etc.) | Cite Most Significant, Applicable Plan<br>Policies & Ordinance Section References | Land-Use Approval:                                                   |                                                                                      |
|--------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|----------------------------------------------------------------------|--------------------------------------------------------------------------------------|
|                                                                                                        |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                        |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                        |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                        |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                        |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><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.

|  |                                                                           |
|--|---------------------------------------------------------------------------|
|  | <b>RECEIVED BY OWRD</b><br><br><b>AUG 23 2016</b><br><br><b>SALEM, OR</b> |
|--|---------------------------------------------------------------------------|

Name: GRACE M. ZILVERBERG Title: PLANNER III

Signature: Grace M. Zilverberg Phone: 541-474-5427 Date: 6/10/16

Government Entity: JOSEPHINE COUNTY

**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: DAVID ELBEL

City or County: JOSEPHINE COUNTY Staff contact: GRACE M. ZILVERBERG

Signature: Grace M. Zilverberg Phone: 541-474-5427 Date: 6/8/16

# 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
- n/a ☐ SECTION 6: storage of groundwater in a reservoir
- n/a ☐ SECTION 7: use of stored groundwater from the reservoir
- ☒ SECTION 8: project schedule
- n/a ☐ 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: \$ 1900

See the Department's Fee Schedule at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) or call (503) 986-0900.

Deed, Emails, Well Logs

### 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 \_\_\_\_\_