

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 <i>David M. Ebner, Managing Partner, David M. Ebner Family Limited Partnership</i>		PHONE (HM) <i>775-329-5997</i>
PHONE (WK)	CELL	FAX <i>775-329-2997</i>
ADDRESS <i>2350 Barnes Circle Barnes Circle</i>		
CITY <i>Reno</i>	STATE <i>NV</i>	ZIP <i>89509</i>
E-MAIL* <i>David-ebner@JBC Global.net</i>		

Organization Information

NAME <i>Informal Partnership</i>		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:

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

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



David M Ebner, Managing Partner, David M Ebner Family Limited Partnership 11/7/2016
 Applicant Signature Print Name and title if applicable Date

David M Ebner, Managing Partner, David M Ebner Family Limited Partnership 11/28/16
 Applicant Signature Print Name and title if applicable Date

For Department Use		
App. No. <i>G-18414</i>	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).

David M. Ebner Family Limited Partnership 2350 Barnes Circk, Reno Nevada 89509
 Thomas J Ebner 468 Petersburg Road, Columbus, MISS 39702
 Stephen J Ebner, 2558 NW Obrien Ct, Bend, OR 97703-5690

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
	Mari 3090		
	Walker Ditch	930'	
	Padony River		
		30' →	

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).

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 6.0 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)
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MARI 3090	<input type="checkbox"/>	8	172		25			190		
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.
 ** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.
 *** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 - October 31	2 1/2 Acre-feet

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: 18.3 Acres ^{out}/_{map} Supplemental: _____ Acres *total of 24.7 per state map*
 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 N/A
- If the use is **domestic**, indicate the number of households: N/A
- If the use is **mining**, describe what is being mined and the method(s) of extraction: N/A

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

- Pump (give horsepower and type): 25 HP submersible
- Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

B. Application Method

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

Sprinkler system

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.

+ grow crops

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SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR *N/A*

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 *N/A*

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: _____ *Completed*

Date construction will be completed: _____ *N/A*

Date beneficial water use will begin: _____ *Spring 2017*

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.

N/A

Irrigation District Name	Address	
City	State	Zip

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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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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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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: David M. Ebner, Managing Partner David M Ebner Family Limited Partnership
First Last

Mailing Address: 2350 Barnes Circle

Reno City Nevada State 89509 Zip Daytime Phone: 775-329-5997

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>6S1W</u>		<u>SE 9</u>	<u>SWNE</u>	<u>700</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
			<u>NWSE</u>	<u>500</u>	<u>"</u>	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
			<u>SENE</u>	<u>700</u>	<u>"</u>	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
			<u>NESE</u>	<u>500</u>	<u>"</u>	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	

10 NWSE 2900

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

Marion County

B. Description of Proposed Use

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: 1.0 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:

to grow crops

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.

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See bottom of Page 3. →

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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): MCC 17.136
- 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

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: Patty Dorr Title: Assistant Planner
 Signature: Patty Dorr Phone: 503-588-5238 Date: 4/23/15
 Government Entity: Marion 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: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Marion County Planning Division
 5155 Silverton Rd. NE
 Salem, OR 97305

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: _____
- SECTION 10: _____
- 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). 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:

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>From: tjebner@earthlink.net
>Sent: Monday, November 07, 2016 1:

22 PM

>To: david_ebner@sbcglobal.net
>Cc: ebnerhansen@comcast.net
>Subject: WATER RIGHT APP

>

>DAVE- Hope the attachment helps. I put this together last year or the year
>before. the location of the well is referenced to the SE corner of the
>donation land claim (DLC 53). In the past I believe they used the well for
>the 8 acres north of the house and the area south of the well with a total
>irrigated area of 18+ acres. The area north of the house is not included in
>the 95.3 acres. I identified the areas which would receive the water by
>their tax account. The legal descriptions would be the SWNE, SENE, and NESE
>quarters, all in Section 9, township 6 south, Range 1 west of the Willamette
>Meridian. Hope this helps.

>

>Tom

>

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SALEM, OR

G-10414

11/8/2016

DEED

KNOW ALL MEN BY THESE PRESENTS, that Clement J. Ebner and Dorathy M. Ebner, husband and wife, grantors, in consideration of TEN AND NO/100ths DOLLARS, to them paid by David M. Ebner, Thomas J. Ebner and Stephen J. Ebner, grantees, do hereby grant, bargain, sell and convey to each of the said grantees, their heirs and assigns, an undivided one-sixth interest each in the following real property, with the tenements, hereditaments, and appurtenances, situated in Marion County, Oregon, described as follows:

Beginning at an iron bar in the SE corner of the Geo. Settlemeier DIC, Township 6 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, thence North 89 degrees 30' West 29.105 chains to an iron pipe; thence north 26.99 chains to the north side of a county road, thence South 89 degrees 49' east partly along the west line of said road 45.635 chains, thence South 10.174 chains, thence west 16.451 chains to a stone in the east line of Geo. Settlemeier DIC, thence South 39' west 16.882 chains to the point of beginning, also lot 12 of Block 2, Mays Addition to Mt. Angel, Marion County, Oregon.

To have and to hold the above described and granted premises to the said grantees, their heirs and assigns forever.

WITNESS our hands and seals this 3 day of February, 1965.

Clement J. Ebner (EAL)

Dorathy M. Ebner (EAL)

STATE OF OREGON)
County of Marion) ss.

February 3, 1965

On the above date, before me, the undersigned, a notary public in and for said county and state, personally appeared the within named Clement J. Ebner and Dorathy M. Ebner, who are known to me to be the identical individuals described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

In Testimony whereof, I have hereunto set my hand and affixed my official seal the day and year written above.

842745

Frank W. Spande
Notary Public for Oregon
My Commission Expires: 12-31-67

842746

STATE OF OREGON) I hereby certify that the within was received at 8:34 a.m. on the 3 day of February, 1965, and duly recorded by me in
County of Marion,) Marion County Records Book of 1659 Records Volume 652 Page 809

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Frank W. Spande
COUNTY RECORDER
Mt. Angel 97362

DEC 05 2016

G-18414

D E E D

KNOW ALL MEN BY THESE PRESENTS, that Clement J. Ebner and Dorothy M. Ebner, husband and wife, grantors, in consideration of TEN AND NO/100ths Dollars, to them paid by David M. Ebner, Thomas J. Ebner and Stephen J. Ebner, grantees, do hereby grant, bargain, sell and convey to each of said grantees, their heirs and assigns, an undivided one-sixth interest each in the following real property, with the tenements, hereditaments, and appurtenances, situated in Marion County, Oregon described as follows:

Beginning at an iron bar in the SE corner of the Geo. Settlemier DLC, T 6 S, R 1 W of the WM, Marion County Oregon; thence N 89 degrees 30' west 29.105 chains to an iron pipe; thence north 26.99 chains to the north side of a county road; thence S 89 degrees 49' east partly along the west line of said road 45.635 chains; thence S 10.174 chains; thence west 16.451 chains to a stone in the east line of Geo. Settlemier DLC; thence S 39' west 16.882 chains to the point of beginning; part of section 9, T 6 S, R 1 W, of WM, Marion County, Oregon.

CONSIDERATION LESS THAN \$100.00

To have and to hold the above described premises to the grantees, their heirs and assigns forever.

RECEIVED BY OWRD WITNESS OUR HANDS AND SEALS THIS 20th day of August, 1964.

DEC 05 2016

Clement J. Ebner (SEAL)

SALEM, OR

Dorothy M. Ebner (SEAL)

STATE OF OREGON)
County of Marion) ss.

On the above date, before me, the undersigned, a notary public in and for said county and state, personally appeared the within named Clement J. Ebner and Dorothy M. Ebner, who are known to me to be the identical individuals described in and who executed the within instrument, and acknowledged to me they executed the same freely and voluntarily.

In testimony whereof, I have hereunto set my hand and affixed my official seal the day and year last written above.

James A. Thomas
Notary Public for Oregon
My Commission Expires: May 13, 1967

732115

Document #732115 Recorded Sept. 1, 1964 at 1:37 o'clock P.M. Herman Wm. Lanke, Recorder

KNOW ALL MEN BY THESE PRESENTS, That CLEMENT J. EBNER

, hereinafter called grantor,
for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto THOMAS J.
EBNER, DAVID M. EBNER, AND STEPHEN J. EBNER, tenants in common

hereinafter called grantees, and unto grantees' heirs, successors and assigns all of that certain real property with the
tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County
of Marion, State of Oregon, described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated herein by
reference.

To Have and to Hold the same unto the said grantee and grantees' heirs, successors and assigns forever
The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ -0-
However, the actual consideration consists of or includes other property or value given or promised which is
the whole consideration (indicate which) part of the

In construing this deed the singular includes the plural as the circumstances may require
Witness grantor's hand this 27 day of August 19 70

Clement J. Ebner

STATE OF OREGON, County of Marion) ss. August 27 19 70
Personally appeared the above named Clement J. Ebner

and acknowledged the foregoing instrument to be his voluntary act and deed

Before me: *[Signature]*
Notary Public for Oregon
My commission expires 5-12-71

(OFFICIAL SEAL)

NOTE—The sentence between the symbols () if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

903778

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SALEM, OR

PARCEL I.

Beginning on the west boundary of the Donation Land Claim of Benjamin Cleaver and wife at a point where the division line between the Donations of said Cleaver and wife intersects the aforesaid west boundary; thence east on said division line, 37.253 chains to the center line of Main Street in Mount Angel, Marion County, Oregon; thence north 21° 2' east, along the center line of said street, 4.203 chains; thence north 89° 51' west, 22.473 chains; thence south 21° east, 1.118 chains; thence north 89° 35' west, 16.305 chains to the west line of said Donation Land Claim; thence south 43° west, 2.863 chains to the place of beginning, being part of the Benjamin Cleaver Donation Land Claim in Township 6 South, Range 1 West of the Willamette Meridian in Marion County, Oregon.

ALSO: Beginning at a point 8.985 chains north 89° 39' west of the northeast corner of a 4.64 acre tract of land conveyed to John Blume by Mathias Butala and Mary Butala, his wife, on September 24, 1896, recorded in Volume 73, Page 145, Deed Records for Marion County, Oregon; thence north 89° 39' west, along the north line of said 4.64 acre tract 8.725 chains to an iron bar in the northwest corner thereof; thence south 21° east, along the west line of John Blume's land, 4.213 chains to an iron pipe; thence south 89° 51' east, 9.725 chains; thence north 21° west, 4.18 chains to the point of beginning, being a part of the John Blume Estate in Township 6 South, Range 1 West of the Willamette Meridian in Marion County, Oregon.

AND EXCEPT from said above described premises three tracts described as follows: one of said tracts being described in the deed recorded in Volume 128, Page 277, Deed Records for Marion County, Oregon; one of said tracts described in deed recorded in Volume 118, Page 502, Deed Records for Marion County, Oregon; and the other tract described in deed recorded in Volume 124, Page 126, Deed Records for Marion County, Oregon.

AND EXCEPT that portion conveyed to Benedictine Sisters of Mt. Angel, Oregon, a corporation, by deed recorded January 16, 1950, in Volume 412, Page 268, Deed Records for Marion County, Oregon.

PARCEL II.

Beginning at an iron pipe at a point 17.835 chains north 89° 50' west and 20.10 chains north 1' east from the quarter section corner between Sections 9 and 10 in Township 6 South, Range 1 West of the Willamette Meridian in Marion County, Oregon; thence south 3° west, 12.755 chains to a cast iron; thence north 89° 49' west, 7.133 chains to a cast iron; thence north 34° east, 12.735 chains to a cast iron; thence south 89° 58' east, 7.035 chains to the point of beginning, and being in Benjamin Cleaver and wife's Donation Land Claim #51 in Township 6 South, Range 1 West of the Willamette Meridian in Marion County, Oregon.

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SALEM, OR

903778

Bargain and Sale Deed

TO

(DON'T USE THIS SPACE) RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

STATE OF OREGON, } ss:
County of MARION

I certify that the within instrument was received for record on the day of NOV 10 1976, 19 at 10:45 o'clock A.M., and recorded in book 693 on page 581 Record of Deeds of said County.

Witness my hand and seal of County attixed.
Alman 1000 Linke
County Recorder
By Deputy.

AFTER RECORDING RETURN TO

JAMES D. FOURNIER
ATTORNEY AT LAW
MT. ANGEL, OREGON
PH. 845-2248

723 RECEIVED 903778

G-18414

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

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

State Well No. 651W-9ac

State Permit No. _____

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97301
within 30 days from the date
of well completion.

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AUG 20 1978
M.A.P.I.

(1) OWNER:

Name D.T.S. Partnership
Address 2350 Barnes Circle
Reno, Nevada 89509

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandonment

(3) TYPE OF WELL:

Rotary Driven
Cable Jetted
Dug Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

CASING INSTALLED:

8" Diam. from 1 1/2 ft. to 172 ft. Gage .250
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

PERFORATIONS:

Type of perforator used Mills Knife Perforated? Yes No.
Size of perforations 1/4 in. by 3 in.
1180 perforations from 50 ft. to 170 ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? Yes No
Manufacturer's Name _____
Type _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level Stettler & Supply co.
Was a pump test made? Yes No If yes, by whom? Supply co.
Yield: 545 gal./min. with 72 ft. drawdown after 1/2 hrs.
400 " " 46 " " 3/4 "
250 " " 30 " " 40 mins.
Bailer test gal./min. with _____ ft. drawdown after _____ hrs.
Artesian flow g.p.m. _____
Temperature of water XX Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Well seal—Material used Cement
Well sealed from land surface to 25 ft.
Diameter of well bore to bottom of seal 12 in.
Diameter of well bore below seal _____ in.
Number of sacks of cement used in well seal 28 sacks
How was cement grout placed? Gravity Pressure
Was a drive shoe used? Yes No Size: location _____ ft.
Did any strata contain unusable water? Yes No
Type of water? _____ depth of strata _____
Method of sealing strata off _____
Was well gravel packed? Yes No Size of gravel: 3/4 crushed
Gravel placed from 25 ft. to 35 ft.

(10) LOCATION OF WELL:

County Marion Driller's well number _____
S.W. 1/4 N.E. 1/4 Section 9 T. 6 S. R. 1 W. _____ W.M. _____
Bearing and distance from section or subdivision corner _____

(11) WATER LEVEL: Completed well.

Depth at which water was first found approx. 40 ft.
Static level 35 ft. below land surface. Date 5/23/78
Artesian pressure XX lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 0
Depth drilled 190 ft. Depth of completed well 172 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top soil-brn.	0	1	
Clay-brn.-	1	27	
Clay-blue-	27	42	
Course-conglom.-brn.-	42	75	(W.B.)
Med.-conglom.-greyish-green(hd.)	75	90	"
Med.conglom.-grey- softer-	90	100	"
Med.conglom.grey- med,hd,-	100	130	"
Med.conglom.grey- hd,-	130	190	"
Clay-blue-soft-	172	190	

The well was pumped for a total of 10 1/2 hrs. in two different days & these readings were taken at the end of the second day.

Work started 4/19/78 19 Completed 5/19/78 19
Date well drilling machine moved off of well 5/19/78 19

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] Steve Decker Date 6/27 1978
(Drilling Machine Operator)
Drilling Machine Operator's License No. 1071

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name R.Stadeli & Sons, Inc.
(Person, firm or corporation) (Type or print)
Address 11364 Evergrn.Rd.N.E., Silvrtn.Or.97381
[Signed] Paul R. Stadeli
(Water Well Contractor)
Contractor's License No. 296 Date 6/26/78 1978

(USE ADDITIONAL SHEETS IF NECESSARY)

SP-4856-119

6-1844

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SALEM, OR

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

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: \$1,900.00
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

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

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use) *n/a*
- Other _____

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DEC 05 2016

SALEM, OR

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

Water-Use Permit Application Processing

1. Completeness Determination

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

2. Initial Review

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

3. Public Notice

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

4. Proposed Final Order Issued

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

5. Public Notice

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

6. Final Order Issued

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

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Water Resources Department

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

Today's Date: Thursday, April 23, 2015

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)	1	\$300.00
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) **	1	
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.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$1,900.00

[Return to Fee Calculator Options page](#)

[OWRD Fee Schedule](#)

Fee Calculator Version B20130709

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SALEM, OR

David M Ebner
2350 Barnes circle
Reno, Nevada 89509-3503

December 1, 2016

Ladies & Gentlemen

Water Resources Department

I'm enclosing our Application for a Permit to Use Ground Water for a well that was actually completed on 5/19/1978. Our Father [Clement J. Ebner] took care of such things, but was getting older, shortly became ill, and died on 12/6/1984. The 3 boys, who inherited the farm, only learned that the well was not recognized by the State when we had the farm appraised in 2014. The well has not been used since that time, and actually, had not been used for some years before 2014.

My brother Stephen and I started the paperwork, and visited the Marion County Planning Dept on April 23, 2015. They were helpful in filling out some of the sections, and, only as we were leaving, learned that we probably should have been at Water Resources to start. Anyway, we believe that they completed their section [s].

A check for \$ 1,900 is attached to the first page, along with the schedule of the various fees

We have completed pages 1 through 11 of the Application to the best of our ability.

The next 8 pages include work done by our brother Tom, and work done on our behalf by the Planning Dept last year. Hopefully in sum they meet your requirements as detailed on page 2.

Following are copies of the Deeds recorded in Vol 652 Page 869 and Vol 590 Page 549 which convey all 95.83 acres of the original family farm to the three current owners. Following that is a copy of the deed recorded in Vol 693 page 581 and following page which, in Exhibit 2, conveys the 8.54 parcel North of the House to the 3 current owners.

Lastly, we have attached a copy of the Water Well report for this well.

I will certainly be willing to respond by phone [775-329-5997] or E-Mail [david_ebner@sbcglobal.net] if there are any questions I may be able to answer.

Thanks for your consideration.

Sincerely yours



David M Ebner Managing Partner, David M. Ebner Family Limited Partnership

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SALEM, OR

G-1244