

Application for a Permit to Use Surface Water



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME LEE BISCHOFF		PHONE (HM)	
PHONE (WK)	CELL 713-829-4118	FAX	
ADDRESS 7695 BLANCHARD ROAD			
CITY SHERIDAN	STATE OR	97378	E-MAIL * LEE.BISCHOFF@GMAIL.COM

Organization Information

NAME N/A		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 STEVEN P. APPLGATE CONSULTING		PHONE 503-362-4040		FAX	
ADDRESS 3395 HUCKLEBERRY CT S				CELL	
CITY SALEM	STATE OR	ZIP 97302	E-MAIL * STEVE.APPLGSP@GMAIL.COM		

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.
- I have not provided my social security number in any of the materials submitted to the Department.

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

Applicant Signature

Lee Bischoff
Print Name and title if applicable

4/20/17
Date

Applicant Signature

Print Name and title if applicable

RECEIVED
Date

App. No. <u>S-88396</u>	For Department Use Permit No. _____	Date <u>APR 24 2017</u>
-------------------------	--	-------------------------

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*).

Brian Crowe, 17200 Pleasant Hill Rd., Sheridan, OR 97378

You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

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

Source 1: <u>Crowe Reservoir #2</u>	Tributary to: <u>Unnamed Stream/ So. Yamhill River</u>
Source 2: _____	Tributary to: _____
Source 3: _____	Tributary to: _____
Source 4: _____	Tributary to: _____

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

B. Applications to Use Stored Water

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

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

RECEIVED

APR 24 2017

OWRD

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

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

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

SECTION 4: WATER USE

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

SOURCE	USE	PERIOD OF USE	AMOUNT
Crowe Reservoir #2	Irrigation	Irrigation Season	5.0 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

For irrigation use only:
 Please indicate the number of primary and supplemental acres to be irrigated.
 Primary: 5.0 Acres Supplemental: Acres
 List the Permit or Certificate number of the underlying primary water right(s): N/A
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 5.0

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: _____
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

RECEIVED

APR 24 2017

OWRD
WR

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

Pump (give horsepower and type): 5 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.

Water to be pumped from reservoir via 4 " portable main line to field approximately 3,000'. Portable 2" pipe laterals w/ Rain Bird heads for irrigation of field.

B. Application Method

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

High pressure sprinklers

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

Expected volume of use for season to be 1.0 AF/acre, as needed for crop. A meter to be used on mainline to track rate and volume of use, as per agreement with reservoir owner. Application rates to avoid excessive use and runoff.

SECTION 6: RESOURCE PROTECTION

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

- Diversion will be screened to prevent uptake of fish and other aquatic life.
Describe planned actions: Pump foot valve to be screened. There are no known native fish species in reservoir.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: Existing reservoir. No disturbance necessary
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe: N/A
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: As noted above, rates of application monitored to prevent waste and efficient use of water and chemical applications.

RECEIVED

APR 24 2017

OWRD
WR

SECTION 7: PROJECT SCHEDULE

Date construction will begin: Upon approval

Date construction will be completed: within 5 years

Date beneficial water use will begin: within 5 years

SECTION 8: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name N/A	Address	
City	State	Zip

SECTION 9: REMARKS

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

Applicant and reservoir owner have a written agreement for use . Copy attached. Applicant also intends to develop additional storage capacities on his own property if permits can be obtained.

RECEIVED

APR 24 2017

OWRD
WR

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: Lee _____
First

Bischoff _____
Last

Mailing Address: 7695 Blanchard Road _____

Sheridan _____
City

OR _____ 97378 _____
State Zip

Daytime Phone: 713-829-4118 _____

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:
6 S	6 W	14	NWN W	500		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Irrigati on
			NWS E	700		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigati on
						<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:

Polk 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: 5 AF _____
 acre-feet cubic feet per second gallons per minut

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

Water to be pumped, when available, from Crowe Reservoir under an existing agreement for use on approx-
 imately 5 acres of land of Lee Bischoff for irrigation of pasture or other crops.

RECEIVED

APR 24 2017

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): 126.020(A)

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.

Name: Mark Brando Title: Senior Planner

Signature: [Signature] Phone: _____ Date: 4/2/17

Government Entity: Polk 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

RECEIVED

Applicant name: _____ APR 24 2017

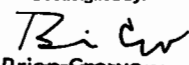
City or County: _____ Staff contact: _____


April 11, 2017

Contract -- Water Use Permit

I, Brian Crowe (17208 Pleasant Hill Rd., Sheridan OR 97378), grant Lee Bischoff (7695 Blanchard Road, Sheridan OR 97378) access to the reservoir and water in my reservoir on my property for irrigation on his property. I also approve Lee Bischoff to file a new application for water use on my reservoir (Certificate of Water Right 36431). I limit the use of the water in my reservoir to 5 acre-feet.

Thanks in advance,

DocuSigned by:
 4/14/2017
Brian Crowe

DocuSigned by:
 4/14/2017
Lee Bischoff

RECEIVED

APR 24 2017

OWRD

S-88376



After recording return to:
Princess Properties LLC
7695 Blanchard Road
Sheridan, OR 97378

Until a change is requested all tax
statements shall be sent to the
following address:
Princess Properties LLC
7695 Blanchard Road
Sheridan, OR 97378

File No.: 1031-2660096 (LZ)
Date: May 20, 2016

THIS SPACE RESERVED FOR RECORDER'S USE

RECORDED IN POLK COUNTY **2016-005986**
Valerie Unger, County Clerk
06/07/2016 01:01:56 PM
REC-WD Cnt=1 Stn=11 K. WILLIAMS
\$15.00 \$11.00 \$10.00 \$5.00 \$20.00 **\$61.00**

FIRST AMERICAN TITLE 2-660096-4C

STATUTORY WARRANTY DEED

Morris Engle Bart, III and Pamela F. Bart, as tenants by the entirety, Vincent Jude Bart and Lydia Bart, as tenants by the entirety and Anthony Benjamin Bart, Jr., Grantor, conveys and warrants to **Princess Properties LLC**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Polk, State of Oregon, described as follows:

Parcel 1 of Partition Plat 2012-0004, recorded April 03, 2012, in Book of Partition Plats and in Book 2012, Page 04, Deed Records, Polk County, Oregon.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.
2. The assessment roll and the tax roll disclose that the premises herein described were specially assessed as Forest Land pursuant to O.R.S. 321.358 to 321.372. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last five (5) or lesser number of years in which the land was subject to the special land assessment.
3. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.

The true consideration for this conveyance is **\$700,000.00**. (Here comply with requirements of ORS 93.030)

RECEIVED

APR 24 2017

OWRD

5-8896

CROWE FARMS, LLC

EXHIBIT A

PARCEL 1

The South half of the East Half along with a strip 40 feet in width along the East side of the North half of the East half of the following: beginning at a state North 90 55' East 100.36 feet from the quarter section corner common to Sections 14 and 15 in Township 6 South, Range 6 West of the Willamette Meridian; thence north 89 57' 32" East 3620.48 feet to a stone at the Southeast corner of the Donation Land claim of Wm. J. Andrews No. 58; thence North 00 25' 47" West 3530.67 feet to point in the County Road; thence South 89 37' 31" West 43.22 feet to a stone in the Southeast corner of Mrs. Dodson's lands; thence South 89 37' 31" West 2214.75 feet to a stone at the angle corner on the North boundary of said Wm. J. Andrews D.L.C.; thence South 89 42' 17" West 1341.08 feet to the Northwest corner; thence South 02' 42" West 2710.22 feet to a stake at the Northeast corner of J.M. Taber place; thence South 0 30' 38" East 801.31 feet to a place of beginning, containing 146 acres, more or less, situated in Polk County, Oregon. The above parcel containing 74.62 acres more or less.

EXCEPTING THERE FROM: That certain real property conveyed to Bridget K. Taylor as recorded March 28, 2002 in the County of Polk, State of Oregon as Document No. 2002-004729.

PARCEL 2

The North half of the East half excepting a 40 foot strip along East side of the East half of the following: Beginning at a stake North 89°55' East 100.36 feet from the quarter section corner common to Sections 14 and 15 in township 6 South, Range 6 West of the Willamette Meridian, Polk County, Oregon; thence North 89°57'32" East 3620.48 feet to a stone at the Southeast corner of the Donation Land Claim of Wm. J. Andrews No. 58; thence North 00°25'47" West 3530.67 feet to a point in the County Road; thence South 89°37'31" West 43.22 feet to a stone in the Southeast corner of Mrs. Dodson's lands; thence South 89°37'31" West 2214.75 feet to a stone at the angle corner on the North boundary of said Wm. J. Andrews Donation Land Claim; thence South 89°42'17" West 1341.08 feet to the Northwest corner; thence South 0°02'45" West 2710.22 feet to a stake at the Northeast corner of J. M. Taber place; thence South 0°30'38" East 801.31 feet to place of beginning.

SUBJECT TO: All liens, encumbrances, easements and restrictions of record.

PARCEL 3

(TAX LOT 500)

The West one-half of the following described property: Beginning at a stake North 89°55' East 100.36 feet from the quarter section corner common to Section 14 and 15 in Township 6 South, Range 6 West of the Willamette Meridian; thence North 89°57'32" East 3620.48 feet to a stone at the Southeast corner of the Donation Land Claim of William J. Andrews No. 58; thence North 00°25'47" West 3530.67 feet to a point in the County Road; thence South 89°37'31" West 43.22 feet to a stone in the Southeast corner of Mrs. Dodson's lands; thence South 89°37'31" West 2214.75 feet to a stone at the angle corner on the North boundary of said William J. Andrew D.L.C.; thence South 89°42'17" West 1341.08 feet to the Northwest corner; thence South 02'45" West 2710.22 feet to a stake at the Northeast corner of J. M. Taber place; thence South 0°30'38" East 801.31 feet to a place of beginning, situated in Polk County, Oregon.

SUBJECT TO:

1. Right of the public in and to that portion of the herein described tract lying within the boundaries of roads and roadways.
2. The assessment roll and the tax roll disclose that the within described premises were specially assessed as farm land. If the land has become disqualified for the special assessment under the statute, an additional tax may be levied for ten years, or a lesser number of year in which the land was subject to the special land use assessment.
3. Any improvement located upon the insured property which is described or defined as a manufactured structure under the provisions of Chapter 481, Oregon Revised Statutes, and is subject to registration as therein provided.
4. Easement, including the terms and provisions thereof, conveyed to Northwest Natural Gas Company, a corporation, by instrument recorded August 26, 1965, in Book 197, Page 78, Deed Records for Polk County, Oregon.
5. The life estate of Mary Alice Crowe, including the terms and provisions thereof, created by instrument recorded December 26, 1986, in Book 199, Page 1927, re-recorded March 12, 1987, in Book 201, Page 1373, and re-recorded December 26, 1986, in Book 199, Page 1934, Book of Records for Polk County, Oregon.
6. All liens, encumbrances, easements and restrictions of record not otherwise described.

RECEIVED

APR 24 2017

OWRD

Minimum Requirements Checklist

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

Include this checklist with the application

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

- SECTION 1: applicant information and signature
- SECTION 2: property ownership
- SECTION 3: source of water requested
- SECTION 4: water use
- SECTION 5: water management
- SECTION 6: resource protection
- SECTION 7: project schedule
- N/A SECTION 8: within a district
- SECTION 9: remarks

Attachments:

-
- Land Use Information Form with approval and signature (*must be an original*) or signed receipt
 - Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
 - Fees - Amount enclosed: \$ \$1,050
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

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

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

RECEIVED

APR 24 2017

OWRD