

Application for a Permit to Use Groundwater



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 \$260. 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.

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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.

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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 \$410 for the applicant and \$810 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed, the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

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

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.615)

Include this checklist with the application

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

- SECTION 1: applicant information and signature
 - SECTION 2: property ownership
 - SECTION 3: well development
 - SECTION 4: water use
 - SECTION 5: water management
 - SECTION 6: storage of groundwater in a reservoir
 - SECTION 7: use of stored groundwater from the reservoir
 - SECTION 8: project schedule
 - SECTION 9: within a district
 - SECTION 10: remarks
-

Attachments:

- Land Use Information Form with approval and signature of local Planning Department (*must be an original*) or signed receipt
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map. Example: **A copy of the deed, land sales contract or title insurance policy.**
- Fees - Amount enclosed: \$ 4,660
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)

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME John Wilson, Zach Wilson			PHONE (HM)
PHONE (WK) 541-898-2288	CELL	FAX	
ADDRESS 65799 North Powder River Lane			
CITY North Powder	STAT E OR	ZIP 97867	E-MAIL* <u>john@beefnw.com, zach@beefnw.com</u>

Organization Information

NAME Catlan Co., L.L.C.			PHONE 541-898-2288	FAX
ADDRESS PO Box 209			CELL	
CITY North Powder	STAT E OR	ZIP 97867	E-MAIL* <u>john@beefnw.com, zach@beefnw.com</u>	

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

AGENT / BUSINESS NAME Sara Haynes / Farallon Consulting			PHONE 541-523-5170	FAX 541-523-5170
ADDRESS 1705 Main Street, Suite 101			CELL	
CITY Baker City	STATE OR	ZIP 97814	E-MAIL* <u>shaynes@farallonconsulting.com</u> <u>ioehillfarming@gmail.com</u>	

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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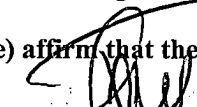
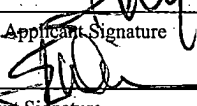
By my signature below I confirm that I understand:

- 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.
- 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.

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



 Applicant Signature	John Wilson Print Name and title if applicable	3/7/18 Date
 Applicant Signature	Zach Wilson Print Name and title if applicable	3/7/18 Date

For Department Use		
App. No. <u>618670</u>	Permit No. _____	Date _____

SECTION 2: PROPERTY OWNERSHIP

Application for a Permit to Use Groundwater



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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

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PHONE (WK) 541-898-2288	CELL		FAX
ADDRESS 65799 North Powder River Lane			
CITY North Powder	STATE OR	ZIP 97867	E-MAIL* john@beefnw.com , zach@beefnw.com

Organization Information

NAME Catlan Co., L.L.C.			PHONE 541-898-2288	FAX
ADDRESS PO Box 209			CELL	
CITY North Powder	STATE OR	ZIP 97867	E-MAIL* john@beefnw.com , zach@beefnw.com	

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AGENT / BUSINESS NAME Sara Haynes / Farallon Consulting			PHONE 541-523-5170	FAX 541-523-5170
ADDRESS 1705 Main Street, Suite 101			CELL	
CITY Baker City	STATE OR	ZIP 97814	E-MAIL* shaynes@farallonconsulting.com joehillfarming@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.)

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- 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.

OWRD



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

Applicant Signature _____	<u>John Wilson</u> Print Name and title if applicable	_____ Date
Applicant Signature _____	<u>Zach Wilson</u> Print Name and title if applicable	_____ Date

For Department Use		
App. No. <u>6-18620</u>	Permit No. _____	Date _____

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- Yes
 - There are no encumbrances.
 - This land is encumbered by easements, rights of way, roads or other encumbrances.
- No
 - I have a recorded easement or written authorization permitting access.
 - I do not currently have written authorization or easement permitting access.
 - Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
 - Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

John Sexton, Sexton Land LLC
47307 ANTHONY LAKES HWY
Haines, Oregon 97833

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
Well Location 1	Little Muddy Creek tributary	0.39 mile	Approximately 1 foot
Well Location 2	Little Muddy Creek tributary	0.31 mile	Approximately 9 feet
Well Location 3	Mansfield Ditch	0.25 mile	Approximately 1 foot

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*).

The proposed well locations are proximate to the following existing wells: BAKE 52481 drilled under Permit G-17457 (approximately 0.19 mile WNW of Location 1), BAKE 52368 and BAKE 52407 (L114087) drilled under Permit G-17095 (approximately 0.44 mile NE of Location 3), and BAKE 52382 drilled under Permit G-17198 (approximately 0.37 mile E of Location 3).

An additional well drilled in 1974 proximate to the Site is BAKE 84 (approximately 0.45 mile NE of Location 3). There are no existing wells at the Site besides BAKE 90, which is a domestic well.

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6-18-20

SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 4.99 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)
Well Location 1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	12 in.	3-500	230-300 380-460	0-215	-3.31 ft 3/1/2017	Alluvium (Glacial Outwash)	500 ft	NA	NA
Well Location 2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	12 in.	3-500	230-300 380-460	0-215	-3.31 ft 3/1/2017	Alluvium (Glacial Outwash)	500 ft	NA	NA
Well Location 3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	12 in.	3-500	230-300 380-460	0-215	-3.31 ft 3/1/2017	Alluvium (Glacial Outwash)	500 ft	NA	NA

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

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Supplemental Irrigation	March 1 – October 1	2,124
Primary Irrigation	October 1 – October 31	296

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).

Primary: 522.2 Acres Supplemental: 555.9 Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):

Certificate 83734, Certificate 83738, and Certificate 83760

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 2,421

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

SECTION 5: WATER MANAGEMENT

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A. Diversion and Conveyance

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

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Pump (give horsepower and type): 100 HP line drive turbine pump **OWRD**

Other means (describe): _____

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

The groundwater will be extracted from one and up to three wells and distributed via 6-inch, 10-inch, and 12-inch diameter mainline pipe to five proposed pivots that cover a total of approximately 400 acres. The remaining land will be irrigated using flood irrigation, hand lines, big gun sprinklers, and/or wheel line, as needed.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (*attach additional sheets if necessary*)

The groundwater will be piped to five proposed pivots that cover a total of approximately 400 acres and water will applied via sprinkler application. The remaining land will be irrigated using flood irrigation, hand lines, big gun sprinklers, and/or wheel line, as needed.

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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 (*attach additional sheets if necessary*).

The requested rate and duty will supplement existing primary water rights from surface water. Irrigation from groundwater will be used only if the primary surface water rights are unavailable due to seasonal drought. The proposed supplemental water will be applied efficiently via low-flow sprinklers on pivots, thus reducing water waste and soil runoff that is common with flood irrigation.

SECTION 6: STORAGE OF GROUNDWATER IN A RESERVOIR - NA

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SECTION 7: USE OF STORED GROUNDWATER FROM THE RESERVOIR - NA

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SECTION 8: PROJECT SCHEDULE

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Date construction will begin: Well construction will begin when the permit is issued.

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

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

SECTION 9: WITHIN A DISTRICT

Check here if the point of appropriation (POD) or place of use (POU) are located within or served by an irrigation or other water district.

Irrigation District Name Baker Valley Irrigation District	Address 3830 17 th Street	
City Baker City	State OR	Zip 97814

SECTION 10: REMARKS

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

In addition to the required attachments, there are also attachments with water right coverage information provided by the local Watermaster's office and a map showing quarter mile buffer to surface water provided by Phil Marcy as a cursory review in guiding locations for the proposed wells.

This application requests permission to drill one and up to three wells to meet the requested rate and duty outlined in this application for supplemental use from March 1 through October 1 and for primary use from October 1 through October 31 annually as needed.

G-18620

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.

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NOTE TO LOCAL GOVERNMENTS

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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.

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

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Applicant: Catlan Co., L.L.C., c/o John Wilson and Zach Wilson MAR 12 2018
First Last

Mailing Address: P.O. Box 209 OWRD

North Powder, OR 97867 Daytime Phone: (541) 898-2288
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:
07S	39E	7	SWSW SESW	1600 601	Ag	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Supp/Prim Irrigation
07S	39E	17	SWNW NWSW	3100	Ag	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Supp/Prim Irrigation
07S	39E	18	N ½ N ½ SW N ½ SE	1600 3100	Ag	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Supp/Prim Irrigation

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

Baker

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 Groundwater 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: 4.99 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:

Supplemental irrigation.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department. **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): BLZO Chapter 510.3A 3.
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

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Name: Kevin Berryman Title: Assistant
 Signature: [Signature] Phone: 541-523-8220 Date: 3/9/18
 Government Entity: Baker 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: _____

Date _____

(For staff use only)



Oregon Water Resources Department
725 Summer Street NE, Suite A
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(503) 986-0900
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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

- 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 _____

March 6, 2018

TO: OWRD

FR: ~~Dick Sexton~~ for Sexton Land LLC

John R Sexton

I have property adjacent to property owned by Catlan Co, LLC in Baker County. The specific property that this pertains to is in T07S R39E Sec07. It consists of approximately 8 acres of Baker County Tax Lot 601 in the SW1/4 of the SW1/4 that is mostly south of the ditch emanating from the Blume Zilke Ditch that runs from Roger Smith's property to the west across the north end of the land. The line would be a perpendicular line from Anthony Lakes Hwy and connect with the existing property line between Catlan Co, LLC and Sexton Land LLC.

Catlan Co, LLC is making an application for a well permit on their property. I hereby give permission for Catlan Co to include the above described land in their well permit application.



Dick Sexton for Sexton Land LLC

John R Sexton

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RECORDED ELECTRONICALLY
0815320022 County Baker
simplify www.simplify.com 800.460.5657

AFTER RECORDING RETURN TO: 8-6-15 Time 3:46 pm
Elkhorn Title Company
1725 Main Street
Baker City, Oregon 97814

SEND TAX STATEMENTS TO:
Catlan Co., L.L.C.
P.O. BOX 209
North Powder, OR 97847

Elkhorn Title Co. #15-20898

WARRANTY DEED

SEXTON LAND, LLC, an Oregon limited liability company, Grantor, warrants and conveys to CATLAN CO., L.L.C., an Oregon limited liability company, Grantee, all of Grantor's right, title and interest in and to that certain real property situate in Baker County, Oregon, which is herein referred to as the "Property" or "Premises" and more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

TOGETHER WITH all the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including without limit, all mineral, ditch, water and other surface and sub-surface right, if any, appurtenant thereto.

SUBJECT TO easements, covenants, conditions, restrictions, reservations and rights-of-way of record or visible upon inspection, including without limit, those matters of record.

SUBJECT TO rights of the public in and to any portion of the herein described premises lying within the boundaries of roads or highways or lying below the mean high water mark of various creeks crossing said property.

SUBJECT TO the classification of the property as farm use land for tax assessment purposes which may have resulted in a deferral of property taxes. Grantee shall be responsible for any additional taxes or interest resulting from any disqualification of the property from such classification which arise as a consequence of actions of Grantee during Grantee's ownership; provided, Grantor shall be responsible for any such additional taxes or interest resulting from any such disqualification which arise as a consequence of actions of Grantor during Grantor's ownership.

The true consideration for this conveyance is \$1,875,000.00.

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, AND 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 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED THIS 10 day of August, 2015.

SEXTON LAND, LLC

by:

John Richard Sexton
JOHN RICHARD SEXTON, Manager

STATE OF OREGON

County of Baker

} ss:

The foregoing instrument was acknowledged before me this 10 day of August, 2015, by John Richard Sexton, on behalf of Sexton Land, LLC as its Manager.



Heidi Louann Jones
Notary Public for Oregon
My Commission Expires: February 22, 2017

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OWRD

EXHIBIT "A"

IN TOWNSHIP 7 SOUTH, RANGE 39 EAST of the Willamette Meridian, in the County of Baker and State of Oregon, as follows:

Section 7: The Southwest quarter of the Southeast quarter;
All that portion of the South half of the Southwest quarter described as follows:

Beginning at a point 283.6 feet South of the Southwest corner of the Northwest quarter of the Southeast quarter;
thence South 89°50' West 570.3 feet;
thence North 70°04' West 207.4 feet;
thence South 88°42' West 154.4 feet;
thence South 47°48' West 193.7 feet;
thence North 72°41' West 432.0 feet;
thence South 88°11' West 124.7 feet;
thence North 55°05' West 265.3 feet;
thence South 88°52' West 109.3 feet;
thence South 08°58' East 178.3 feet;
thence South 66°51' West 258.9 feet;
thence North 84°14' West 139.8 feet;
thence South 89°48' West 214.3 feet;
thence South 15°49' West 80.5 feet
thence South 29°52' East 93.9 feet;
thence South 55°30' East 158.7 feet;
thence South 21°58' East 500.0 feet;
thence South 19°08' East 224.1 feet;
thence East, along the section line between Sections 7 and 18 of said township and range, 2,069 feet to the Southwest corner of the Southwest quarter of the Southeast quarter of said Section 7
thence North 1,036.4 feet to the Point of Beginning.

All that portion of the Southeast quarter of the Southeast quarter lying West of the Oregon Railway & Navigation Company right of way, described as follows:

Commencing at a point 979 feet West of the Northeast corner of Section 18, said township and range;
thence West 345 feet;
thence North 1,320 feet;
thence East 32 feet to the intersection with the Oregon Railway & Navigation Company right of way;
thence in a Southeasterly direction, along said right of way, to the Point of Beginning.

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Section 17: All that portion of the Northwest quarter of the Southwest quarter, and the Southwest quarter of the Northwest quarter, described as follows:

Commencing at a point 1,320 feet, more or less, due North of the Southwest corner of said Section 17;
thence East 1,003 feet, more or less, to the West line of the Oregon Railroad and Navigation Company's right of way;
thence in a Northwesterly direction, along said right of way, to the West line of said Section 17;
thence South 1,948 feet, more or less, to the Place of Beginning.

Section 18: The Northwest quarter;
The North half of the South half;
That portion of the Northeast quarter lying West of the Oregon Railway and Navigation Company's right of way;

EXCEPTING THEREFROM that portion conveyed to the State of Oregon by and through its State Highway Commission, by deed recorded August 7, 1959, in Deed Book 169, Page 1039, Records of Baker County, Oregon.

EXCEPTING THEREFROM the following (10-acre parcel) :

IN TOWNSHIP 7 SOUTH, RANGE 39 EAST of the Willamette Meridian, in the County of Baker and State of Oregon, as follows:

A tract of land being a portion of the Northwest quarter of the Southwest quarter of Section 17 and a portion of the Northeast quarter of the Southeast quarter of Section 18, more particularly described as follows:

Beginning at a point which lies 1764.18 feet North and 4996.56 feet East of the Southwest Corner of said Section 18;
thence South 417.23 feet, more or less, to the South line of said Northeast quarter of the Southeast quarter of Section 18;
thence North 89°59'50" East 1241.07 feet, more or less, along the South line of the Northeast quarter of the Southeast quarter of Section 18, and along the South line of the Northwest quarter of the Southwest quarter of Section 17, to the Westerly right of way line of the Union Pacific Railroad;
thence along said railroad right of way line, North 27°22'52" West 469.80 feet, more or less, to a 5/8" iron pin with attached yellow plastic cap marked "Benchmark Surveying";
thence leaving said railroad right of way line, West 1025.00 feet to the Point of Beginning.

All according to Map of Survey No. 7-39-72 on file and of record in the Baker County Surveyor's office.

(518 07S39 1600 and a portion of 3100; Ref. Nos. 7198 and 7217)

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MAR 12 2018
OWRD

AFTER RECORDING RETURN TO:
Elkhorn Title Company
1725 Main Street
Baker City, Oregon 97814

SEND TAX STATEMENTS TO:
Catlan Co., L.L.C.
P.O. Box 209
North Powder, OR 97867

WARRANTY DEED

Elkhorn Title Co. #15-20898

SEXTON LAND, LLC, an Oregon limited liability company, Grantor, warrants and conveys to CATLAN CO., L.L.C., an Oregon limited liability company, Grantee, all of Grantor's right, title and interest in and to that certain real property situate in Baker County, Oregon, which is herein referred to as the "Property" or "Premises" and more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

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SUBJECT TO easements, covenants, conditions, restrictions, reservations and rights-of-way of record or visible upon inspection, including without limit, those matters of record.

SUBJECT TO rights of the public in and to any portion of the herein described premises lying within the boundaries of roads or highways or lying below the mean high water mark of various creeks crossing said property.

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DATED THIS 6 day of August, 2015.

SEXTON LAND, LLC

by:

John Richard Sexton
JOHN RICHARD SEXTON, Manager

STATE OF OREGON

County of Baker

} ss:

The foregoing instrument was acknowledged before me this 6 day of August, 2015, by John Richard Sexton, on behalf of Sexton Land, LLC as its Manager.



Heidi Louann Jones
Notary Public for Oregon
My Commission Expires: February 22, 2017

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thence North 84°14' West 139.8 feet;
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thence South 21°58' East 500.0 feet;
thence South 19°08' East 224.1 feet;
thence East, along the section line between Sections 7 and 18 of said township and range, 2,069 feet to the Southwest corner of the Southwest quarter of the Southeast quarter of said Section 7
thence North 1,036.4 feet to the Point of Beginning.

All that portion of the Southeast quarter of the Southeast quarter lying West of the Oregon Railway & Navigation Company right of way, described as follows:

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thence along said railroad right of way line, North 27°22'52" West 469.80 feet, more or less, to a 5/8" iron pin with attached yellow plastic cap marked "Benchmark Surveying";
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All according to Map of Survey No. 7-39-72 on file and of record in the Baker County Surveyor's office.

(518 07S39 1600 and a portion of 3100; Ref. Nos. 7198 and 7217)

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STATE OF OREGON }
County of Baker } SS

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

Cindy Carpenter
Baker County Clerk

by: *Karen Phillips* Deputy.

DOC#: B15320022
56.00
8/06/2015 3:46 PM
REFUND:

.00



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

- Main
- Help
- Return
- Contact Us

Today's Date: Friday, March 2, 2018.

Base Application Fee for use of Ground, Surface and optionally Stored Water.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	4.99	\$1,750.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	2	\$350.00
Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	3	\$700.00
Number of Acre Feet to be stored in a reservoir/pond from Ground Water.	0	
Number of Acre Feet to be appropriated from reservoir/pond (Only Applies to reservoir/pond constructed under Ground Water Application)	0	
Number of reservoirs.	0	
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st Ground Water point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$4,660.00

OWRD Fee Schedule

Fee Calculator Version B20170117

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MAR 12 2018

OWRD



Washington
Issaquah | Bellingham | Seattle
Oregon
Portland | Bend | Baker City
California
Oakland | Sacramento | Irvine

March 9, 2018

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

BY MAIL ONLY

**RE: APPLICATION FOR A PERMIT TO USE GROUNDWATER
CATLAN CO., L.L.C.
P.O. BOX 209
NORTH POWDER, OREGON
FARALLON PN: 1953-001**

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MAR 12 2018

OWRD

Farallon Consulting, L.L.C. (Farallon) has prepared this application for a permit to use groundwater for Baker County Tax Lots 1600 and 3100 in Township 7 South, Range 39 East, Western Meridian. Farallon prepared this application on behalf of John and Zach Wilson of Catlan Co., L.L.C. This application includes a small portion of Tax Lot 601, owned by Sexton Land, LLC, which was included in this application under permission by John Sexton of Sexton Land, LLC.

Farallon appreciates the opportunity to submit this application on behalf of Catlan Co., L.L.C. Please contact Sara Haynes at (541) 523-5170 if you have questions or comments regarding this application.

Sincerely,

Farallon Consulting, L.L.C.

Sara Haynes
Project Environmental Scientist/Engineer



Sara Haynes
Project Environmental Scientist/Engineer
shaynes@farallonconsulting.com

direct (541) 523-5170
cell (541) 693-4053
fax (425) 295-0850

Farallon Consulting, L.L.C.
1705 Main Street, Suite 101 | Baker City, Oregon 97814



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

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

Today's Date: Tuesday, March 13, 2018

Base Application Fee for use of Ground, Surface and optionally Stored Water.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	5	\$1,750.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	2	\$350.00
Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	3	\$700.00
Number of Acre Feet to be stored in a reservoir/pond from Ground Water.	0	
Number of Acre Feet to be appropriated from reservoir/pond (Only Applies to reservoir/pond constructed under Ground Water Application)	0	
Number of reservoirs.	0	
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st Ground Water point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$4,660.00

OWRD Fee Schedule

Fee Calculator Version B20170117

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*).

**John Sexton, Sexton Land LLC
47307 ANTHONY LAKES HWY
Haines, Oregon 97833**

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
Well Location 1	Little Muddy Creek tributary	0.39 mile	Approximately 1 foot
Well Location 2	Little Muddy Creek tributary	0.31 mile	Approximately 9 feet
Well Location 3	Mansfield Ditch	0.25 mile	Approximately 1 foot

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*).

The proposed well locations are proximate to the following existing wells: BAKE 52481 drilled under Permit G-17457 (approximately 0.19 mile WNW of Location 1), BAKE 52368 and BAKE 52407 (L114087) drilled under Permit G-17095 (approximately 0.44 mile NE of Location 3), and BAKE 52382 drilled under Permit G-17198 (approximately 0.37 mile E of Location 3).

An additional well drilled in 1974 proximate to the Site is BAKE 84 (approximately 0.45 mile NE of Location 3). There are no existing wells at the Site besides BAKE 90, which is a domestic well.

As-191077
2-7-17

SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 4.99 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)
Well Location 1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	12 in.	3-500	230-300 380-460	0-215	-3.31 ft 3/1/2017	Alluvium (Glacial Outwash)	500 ft	NA	NA
Well Location 2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	12 in.	3-500	230-300 380-460	0-215	-3.31 ft 3/1/2017	Alluvium (Glacial Outwash)	500 ft	NA	NA
Well Location 3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	12 in.	3-500	230-300 380-460	0-215	-3.31 ft 3/1/2017	Alluvium (Glacial Outwash)	500 ft	NA	NA

* 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)
Supplemental Irrigation	March 1 – October 1	2,124
Primary Irrigation	October 2 – October 31	296

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).

Primary: 522.1 Acres Supplemental: 555.8 Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):

Certificate 83734, Certificate 83738, and Certificate 83760

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 2,421

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

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): 100 HP line drive turbine pump

Other means (describe): _____

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

The groundwater will be extracted from one and up to three wells and distributed via 6-inch, 10-inch, and 12-inch diameter mainline pipe to five proposed pivots that cover a total of approximately 400 acres. The remaining land will be irrigated using flood irrigation, hand lines, big gun sprinklers, and/or wheel line, as needed.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (*attach additional sheets if necessary*)

The groundwater will be piped to five proposed pivots that cover a total of approximately 400 acres and water will applied via sprinkler application. The remaining land will be irrigated using flood irrigation, hand lines, big gun sprinklers, and/or wheel line, as needed.

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 (*attach additional sheets if necessary*).

The requested rate and duty will supplement existing primary water rights from surface water. Irrigation from groundwater will be used only if the primary surface water rights are unavailable due to seasonal drought. The proposed supplemental water will be applied efficiently via low-flow sprinklers on pivots, thus reducing water waste and soil runoff that is common with flood irrigation.

SECTION 6: STORAGE OF GROUNDWATER IN A RESERVOIR - NA

SECTION 7: USE OF STORED GROUNDWATER FROM THE RESERVOIR - NA

SECTION 8: PROJECT SCHEDULE

Date construction will begin: Well construction will begin when the permit is issued.

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

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

SECTION 9: WITHIN A DISTRICT

Check here if the point of appropriation (POD) or place of use (POU) are located within or served by an irrigation or other water district.

Irrigation District Name Baker Valley Irrigation District	Address 3830 17 th Street	
City Baker City	State OR	Zip 97814

SECTION 10: REMARKS

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

In addition to the required attachments, there are also attachments with water right coverage information provided by the local Watermaster's office and a map showing quarter mile buffer to surface water provided by Phil Marcy as a cursory review in guiding locations for the proposed wells.

This application requests permission to drill one and up to three wells to meet the requested rate and duty outlined in this application for supplemental use from March 1 through October 1 and for primary use from October 1 through October 31 annually as needed.