

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.

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 \$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 NA
- SECTION 7: use of stored groundwater from the reservoir NA
- 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 (SIGNED RECEIPT IS ATTACHED; LAND USE FORM SUBMITTED TO DESCHUTES COUNTY PLANNING DEPARTMENT 5 APRIL 2018).
- 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: \$2,040
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 Tumalo West Water, Inc.		PHONE (HOM) (541) 508-8678	
PHONE (WK)	CELL (541) 508-9947	FAX NA	
ADDRESS P.O. Box 5322			
CITY Bend	STATE OR	ZIP 97708	E-MAIL* tumalowestwater@outlook.com

Organization Information

NAME SAME AS ABOVE		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 Clint Pepper		PHONE (541) 508-8678		FAX NA
ADDRESS 19524 Tumalo Reservoir Road			CELL (541) 508-9947	
CITY Bend	STATE OR	ZIP 97703	E-MAIL* clipepper451@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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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.

Clint B Pepper
Applicant Signature

Clint Pepper, President
Print Name and title of applicable

21 MAY 18

Linda B Wohlers
Applicant Signature

Linda Wohlers, Vice-President
Print Name and title of applicable

5/22/18
Date

App. No. <u>G-18694</u>	Permit No. _____	Date _____
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- 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.

Applicant Signature _____ Clint Pepper, President _____ Date _____
Print Name and title if applicable

Applicant Signature _____ Linda Wohlers, Vice-President _____ Date _____
Print Name and title if applicable

App. No. <u>G-10694</u>	Permit No. _____	Date _____
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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*).

NAMES AND MAILING ADDRESSES ALL AFFECTED LANDOWNERS ARE ON ATTACHED SHEET (FOLLOWING TWO PAGES)

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. LEGAL DESCRIPTION OF PROPERTY FROM WHICH WATER IS TO BE DIVERTED: TAX LOT 1100 AND TAX LOT 1200 WITHIN THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 36, WITHIN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 16 SOUTH, RANGE 11 EAST, W.M.

LEGAL DESCRIPTION OF PROPERTY CROSSED BY WATER SYSTEM AND ANY PROPERTY ON WHICH THE WATER IS TO BE USED AS DEPICTED ON THE ACCOMPANYING MAP: TAX LOTS 200, 300, 400, 500, 600, 601, 700, 701, 801, 900, 1000, 1001, 1100, 1200, 1300, 1400, 1401, 1500, 1501, 1601, 1701, 1702; WITHIN THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 16 SOUTH, RANGE 11 EAST, W.M.

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
1	Deschutes River	Approximately 4,675 feet	Approximately 181 feet
2	Deschutes River	Approximately 4,575 feet	Approximately 178 feet

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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*). Existing Well # 1 (DESC 58261) completed in October 2007. Total depth reported at 500 feet. Static water level reported on log at 380 feet. Well log reports that first water was encountered at depth of 400 feet in "Brown Clay Hard Rock". 5 HP submersible pump set at approximate depth of 441 feet. Existing Well # 2 (DESC 4211) completed in January 1970. Total depth 391 feet. Static water level reported on well log at 382 feet. Water bearing zone reported at depth of 391 feet in "Sand and Conglomerate". Well was cleaned per Pine Ridge Pump (water system maintenance company) to 408 feet from 391 feet reported on well log. 5 HP submersible pump set at approximately 408 feet. Well logs DESC 58261 and DESC 4211 are attached to this Application.

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Tumalo West Water, Inc

T.16S., R.11E., Section 36 SW-SE

Tax Lot 900 Assessor Acres 5.00

Tax Lot 200 Assessor Acres 5.00

BARSS, ROBERT P & JERRI S
64473 COYOTE RUN LN
BEND, OR 97703

WOHLERS, LINDA B
64474 COYOTE RUN LN
BEND, OR 97703

Tax Lot 300 Assessor Acres 5.09

JONES, CURTIS L & JONES, PHILLIP C
PO BOX 8719
BEND, OR 97708
Situs Address: 64461 COYOTE RUN LN, BEND,
OR 97703

Tax Lot 400 Assessor Acres 5.13

WALSH, JOHN & CHRISTINE
64446 COYOTE RUN LN
BEND, OR 97703

Tax Lot 500 Assessor Acres 4.66

LUND, ROBERT L JR & MARY
1347 BERWYN PAOLI RD
BERWYN, PA 19312
Situs Address: 64411 COYOTE RUN LN, BEND,
OR 97703

Tax Lot 600 Assessor Acres 2.27

RUBEY, DAVID L & WAGNER, KRIS A
64420 COYOTE RUN LN
BEND, OR 97703

Tax Lot 601 Assessor Acres 2.28

HOGAN, PATRICK & TANYA
PO BOX 5128
BEND, OR 97708
Situs Address: 19496 TUMALO RESERVOIR RD,
BEND, OR 97703

Tax Lot 700 Assessor Acres 2.50

WALSH, JOHN & CHRISTINE
64446 COYOTE RUN LN
BEND, OR 97703

Tax Lot 701 Assessor Acres 2.50

SPRINGS, HAROLD V
19480 TUMALO RESERVOIR RD
BEND, OR 97703

Tax Lot 801 Assessor Acres 5.00

SCHANNAUER, PETER M ETAL
8180 E KAISER BLVD
ANAHEIM HILLS, CA 92808
Situs Address: 64458 COYOTE RUN LN, BEND,
OR 97703

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T.16S., R.11E., Section 36 SE-SE

Tax Lot 1000 Assessor Acres 2.50

SWAGGERTY, PAUL E & JAN B
64495 QUAIL DR
BEND, OR 97703

Tax Lot 1001 Assessor Acres 2.50

LUECK, JANET K
64485 QUAIL DR
BEND, OR 97703

Tax Lot 1100 Assessor Acres 5.00

PEPPER FAMILY TRUST
19524 TUMALO RESERVOIR RD
BEND, OR 97703

Tax Lot 1200 Assessor Acres 4.77

BERG, DANIEL & LINDA SUE
19500 TUMALO RES RD
BEND, OR 97703

Tax Lot 1300 Assessor Acres 4.77

PEPPER FAMILY TRUST
19524 TUMALO RESERVOIR RD
BEND, OR 97703
Situs Address: 19508 TUMALO RESERVOIR RD,
BEND, OR 97703

Tax Lot 1400 Assessor Acres 2.26

CRIGLER, DONALD J & NANCY J
64475 QUAIL DR
BEND, OR 97703

Tax Lot 1401 Assessor Acres 2.49

ADAMS, ROBERT & JANETTE
64445 QUAIL DR
BEND, OR 97703

Tax Lot 1500 Assessor Acres 2.55

KELLY, BILL H & VERONICA L
PO BOX 9172
BEND, OR 97708
Situs Address: 64480 QUAIL DR, BEND, OR 97703

Tax Lot 1501 Assessor Acres 2.56

OLIVER, CODY J & HILARY A
64460 QUAIL DR
BEND, OR 97703

Tax Lot 1601 Assessor Acres 4.93

ROBERTS, ELLEN A
64415 QUAIL DR
BEND, OR 97703

Tax Lot 1701 Assessor Acres 2.35

POST, PETER P & NORMA D
64410 QUAIL DR
BEND, OR 97703

Tax Lot 1702 Assessor Acres 2.31

TEPNER, KAREN Y
64440 QUAIL DR
BEND, OR 97703

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 35.0 gpm peak instantaneous rate (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below). THE MAXIMUM RATE COULD BE APPROPRIATED FROM ONE WELL, OR FROM BOTH WELLS, NOT TO EXCEED PEAK INSTANTANEOUS RATE OF 35.0 GPM.

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.

* 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

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)
1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	DESC 58261	<input type="checkbox"/>	8 inches	+4 to 30 feet	400 to 500 feet (in liner from 10 to 500 feet)	0 to 30 feet	380 feet (per well log)	Deschutes Formation (Clay, Hard Rock on well log)	500 feet	35.0 peak instantaneous	12.93
2	<input type="checkbox"/>	<input checked="" type="checkbox"/>	DESC 4211	<input type="checkbox"/>	8 inches	0 to 20 feet	None	0 to 20 feet	382 feet (per well log)	Deschutes Formation (sand & conglomerate)	408 feet (see note)	35.0 peak instantaneous	12.93
	<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"/>									

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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. NOTE: Well cleaned to 408 feet from 391 feet reported on well log.

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Quasi-Municipal	Year-Round	12.93

For irrigation use only:

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

Primary: _____ Acres Supplemental: _____ Acres

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

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

- If the use is **municipal or quasi-municipal**, attach **Form M** (FORM M IS ATTACHED)
- 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*): _____

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SECTION 5: WATER MANAGEMENT

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A. Diversion and Conveyance

What equipment will you use to pump water from your well(s)? Submersible pumps in each well.

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Pump (give horsepower and type): Well #1: 5 HP Red Jacket submersible pump set at approximate depth of 441 feet; Well #2: 5 HP Webtrol submersible pump set at approximate depth of 408 feet.

Other means (describe): _____

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

Water is appropriated from Well # 1 and Well # 2 by 5 HP submersible pumps which supply water to a 20,000 gallon underground cistern and to one 82 gallon pressure tank and two 60 gallon pressure tanks in a pump house near Well # 1. Totalizing flow meters are installed at both wells. Water is distributed to water users from the cistern by a 3 HP submersible pump. Water is conveyed from the three pressure tanks by a 5 HP centrifugal pump located in the pump house. Water distribution is made through a buried 2 1/2-inch diameter PVC main pipeline and through a buried 1 1/4-inch PVC main pipeline. Individual service pipes off the main pipelines range from 1-inch to 3/4-inch diameter, conveying water from the main distribution pipelines through individual tax lot meters, to each water user within the service area, for domestic and landscape irrigation water uses.

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) Irrigation is through medium to 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 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). Amount requested is needed to meet water demand for domestic and landscape irrigation uses for up to 22 rural residential homes. Waste is prevented by installed wells, distribution pumps and closed pressure-piping system which delivers water on demand. The system is maintained by a certified water system maintenance company located in Bend, Oregon and the system is registered with the Oregon Public Health Department-Drinking Water Division under registry No. OR41-01368, which also has conducted an inspection of the system. The water distribution system is fully pressurized and efficient. Landscape irrigation is done by pressure-sprinkler systems.

SECTION 6: STORAGE OF GROUNDWATER IN A RESERVOIR

If you would like to store groundwater in a reservoir, complete this section (if more than one reservoir, reproduce this section for each reservoir).

Reservoir name: NA Acreage inundated by reservoir: NA

Use(s):

Volume of Reservoir (acre-feet): NA Dam height (feet, if excavated, write "zero"): NA

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 GROUNDWATER FROM THE RESERVOIR

If you would like to use stored groundwater from the reservoir, complete this section (if more than one reservoir, reproduce this section for each reservoir).

Annual volume (acre-feet): NA

USE OF STORED GROUNDWATER	PERIOD OF USE
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SECTION 8: PROJECT SCHEDULE

Date construction will begin: System is constructed and operating since early to mid-1970's.

Date construction will be completed: System is constructed and operating.

Date beneficial water use will begin: Early to mid-1970's; rate of use for which permit is required was reached in more recent years.

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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. Points of appropriation and places of use are within Tumalo Irrigation District boundaries.

Irrigation District Name Tumalo Irrigation District	Address 64697 Cook Avenue	
City Tumalo	State Oregon	Zip 97703

SECTION 10: REMARKS

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

Tumalo West Water, Inc., has supplied water to residences within the 80-acre service area for several years. During earlier years, the rate of domestic use and the area of landscape irrigation was below the threshold at which a groundwater permit is required. In later years, as additional residences were constructed and occupied, the threshold was exceeded. Information in Tumalo West Water, Inc. files indicate a water right map relative to a possible permit application was prepared; however, no permit application has been found.

This groundwater permit application is submitted by Tumalo West Water, Inc., in order to meet the requirement to supply groundwater to water users within it's service area under the appropriate permit.

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Land Use Information Form



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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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Revised 8/4/2017

Ground Water/10

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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): Chapter 18.32 of Title 18, Deschutes County Zoning Ordinance
- 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 checked="" 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: Cynthia Smidt Title: Associate Planner
 Signature: Cynthia Smidt Phone: 541-317-3150 Date: May 15, 2018
 Government Entity: Deschutes 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.

G-18694

Oregon Water Resources Department

FORM M

FOR MUNICIPAL AND QUASI-MUNICIPAL WATER SUPPLIES

[Information needed to make findings related to ORS 537.153(3)(c)]

- Please supply the required information in the spaces provided below.
- Do not attach reference documents. If there is a need, the Department will request them.
- Your signature is certification that identified information is contained in the reference document(s).
- If adequate space is not available on this form to describe and justify your request for additional water, attach additional pages as necessary.

Water Supplier Information

Please provide the following information related to the water supplier requesting additional water. It should be noted that the name of a water supplier is often different than the service area (e.g., *City of ABC and XYZ Urban Growth Boundary*).

Cities are not the only municipal corporation; many kinds of special districts are also allowed to purvey water. Applications requesting to use water for Quasi-Municipal use may be submitted by entities including, but not limited to, the following types of governance: a water association; private water company; or (*if under the articles of incorporation*) a broader corporation such as a destination resort. Please attach a copy of the article of incorporation related to your distribution of water.

Name of Water Supplier/Entity	Name of Service Area	Governance	Contact Person
Tumalo West Water, Inc.; community water supplier under Oregon Health Dept-Drinking Water Division registry #OR41-01368	Tumalo West Water, Inc.	Private water company and its officers (president, vice-president, secretary/treasurer)	Clint Pepper, President
List any water suppliers within the same service area and/or any self-supplied industrial use (Attach an extra sheet, if necessary.)			
Tumalo Irrigation District			MAY 29 2018

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Request for Additional Water

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Briefly explain the reason(s) for your request for additional water (e.g. *loss of current supply, backup, emergency supply, peak demand, growth, or other*). Much of the information needed may be contained in your Water Management and Conservation Plan, Water System Master Plan, or Capital Improvement Plan (*as applicable*).

Reason(s) for the Request for Additional Water	Time Table for Development of the Additional Water	Justification for Water Source & Amount Requested
Request is groundwater permit for primary water supply currently being provided to existing users within the Tumalo West Water, Inc., service area. Purpose is to secure groundwater permit and conform to OWRD requirements for permit allowing Tumalo West Water, Inc., a registered community water provider, to supply groundwater to existing residential users for quasi-municipal purposes.	Water system is developed, supplying water to residents of 20 out of 22 tax lots. Remaining 2 tax lots anticipated for future residential occupancy and water supply need estimated by year 2030.	Existing documented water demand determined through totalizing meters; adjustment for future 100% tax lot occupancy based on proportionate water use per tax lot, plus allowance for additional landscape irrigation and demand variance.

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Water Management and Conservation

- Do you have an approved Water Management and Conservation Plan? Yes **No**
- List the "In-Effect" date of your most recently approved Water Management and Conservation Plan: NA
- Is your system fully metered? **Yes** No
- Do you perform annual water audits? **Yes** No
- Annual amount of water produced (MG): **2.875 Currently** *(diverted or appropriated)*
- Annual amount of water billed for (MG): **2.875 Currently** *(metered consumption)*
- Identify your system's current annual water loss: **Estimated 5% or less.**
(difference between the amount of water produced and the water billed for)
- Describe your rate structure and billing schedule: **Rate/billing structure is rate of \$35 per month up to 20,000 gallons plus \$0.30 per 100 gallons over the base rate.**
[e.g., commodity rate (uniform rate, declining or inverted block rate); fixed charge with a commodity rate; or a fixed charge and commodity rate using a seasonal differential.]

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Population

A supplier's population includes both permanent residential and transient populations. Residential population should be from census data or, if estimated, the method of estimation must be documented. Adopted comprehensive land use plans, water system master plans, or water management and conservation plans are examples of acceptable documentation. Transient populations are routine users of water by employers (*such as manufacturing or call center type facilities*) that increase the demand within a supplier's service area. Resort areas, regional airports, sea ports, areas with seasonally variable populations, and colleges/universities are also subject to this transient population test. Special events which are rare occasions (*such as parades, rodeos, festivals, etc.*) are not reasons to apply the transient population test.

Below, please indicate the current population to which you serve water, and cite the source of that information. Please also provide the historic population growth rate over the past 10 years and the projected population you anticipate serving in 20 years.

Present Population being Served 75 persons on average daily basis	Source of Information Personal communication with Applicant; Oregon Public Health-Drinking Water Division registry as community water supplier (Registry No. OR41-01368)
Historic population growth rate over the past 10 years: Population has grown up to average day population of 75 occupying 20 out of 22 tax lots in service area; present population very near anticipated maximum average day population. Population growth has plateaued over the last 10 years.	Source of Information Applicant
Projected Population to be Served in 20 Years 83 estimated on an average daily basis	Source of Estimate/Method Used 3.75 persons per tax lot; 2 remaining unoccupied tax lots for added total of 7.5 persons, added to present average day population of 75 brings to 82.5 (83).

Size of Service Area

The area/size standard includes, but is not limited to, the following: existing boundaries, city limits, urban growth boundaries, urban reserves and zoning maps. Quasi-Municipal applicants must supply a map of the intended service area with an overlay of zoning.

Present Size of Service Area (in Acres)	List Current Zones by Percent of Total (Include any special zoning, such as a shovel-ready industrial zone of more than 50 contiguous acres)	Source of Information
80 acres	Entire service area is zoned MUA10; Multiple Use Agriculture-10 AC Minimum	Deschutes County Planning Department website
Projected Size in 20 Years (in Acres)	Anticipated Zoning by Percent	Source of Estimate
80 acres	MUA10 anticipated future; 100% of service area	20 of 22 tax lots in service area developed; anticipate no zoning change

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Current Water Supply

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In the table below, please describe all of the sources of your current water supply inventory (*both active and inactive*). Identify those sources and associated water rights that are currently in use. Additionally, please identify any water sources/water rights that are not currently used, or used only on a seasonal or emergency basis, and describe the reason(s) why. If any portion of your water supply is being purchased, identify the supplying entity and, if possible, indicate the water source.

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Water Source (Include any wholesale purchases of water)	Water Right Numbers (Permit and/or Certificate)	Priority Date	Amount of Water Allowed	Actively Used? (Yes or No) If "No," explain.
Well # 1	None currently held	NA	NA	Yes
Well # 2	None currently held	NA	NA	Yes

Is this application for a new water use permit intended to be used as a primary or backup source? Explain how this right will be used to meet current demand and/or how it will be used to increase reliability and resiliency?

Application is for ground water permit for Tumalo West Water, Inc., registered with Oregon Public Health-Drinking Water Division, as community water supplier (registry No. OR41-013680. The existing 2 wells, storage, delivery system supplies domestic & landscape irrigation water for 20 homes currently existing within the 80-acre Tumalo West Water, Inc., service area with capacity to supply full development water supply (22 tax lots after full development). Reliability & resiliency are increased through pressurized water delivery system and maintenance/periodic inspection of the system by Pine Ridge Pump, Bend, Oregon, and by use of variable frequency controls which adjust pump operations to match water demand, reducing the amount of full-capacity pump operation. Tumalo West Water, Inc., conducts annual audits with totalizing meter readings at both wells and at all water users for determining leakage. The system has operated successfully for over 40 years. Growth in residences and population over time has recently increased water demand for landscape irrigation and peak domestic use to the point where a groundwater permit is required.

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Those suppliers that have prepared a WMCP may also wish to attach a copy of their water rights inventory table (typically included in the *Water Supplier Description* element of a WMCP).

Current Water Use

Describe the nature of your current demands for water, as well as the water sources used to meet those needs.

Current Demands for Water (Year: 2018)

Water Source (Including wholesale water purchases)	Water Right Numbers (Permit and/or Certificate)	Peak or Maximum Demand		Average Demand	
		Maximum Instantaneous Rate (in cfs or gpm)	Maximum Daily Demand (MG)	Average Daily Demand (MG)	Average Annual Demand (MG)
Well # 1	NA	23.9 gpm	0.0149	0.0078	2.857
Well # 2	NA	23.9 gpm	0.0149	0.0078	2.857
<ul style="list-style-type: none"> • Per-capita daily demand (in gallons): 104 <i>(Divide average annual water sales by population to arrive at consumption, and then divide by 365 to get daily values.)</i> • Peak season (by month/day): June 1 to September 1 • Peak Season number of hours diverted/pumped (if available): Not available • Peak season per-capita daily consumption (in gallons): 199 <i>(Divide total peak season demand by population and the number of days during the peak.)</i> • Peaking Factor (ratio between max day demand and average day demand): 1.91 					

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Projected Water Use

Describe your anticipated water demands for the next 20 years, and identify the sources of water (*existing and/or new*) that will be used to meet those demands. Please also describe the methodology and/or information source used to make the projected water demand estimates.

Projected Demands for Water in 20 Years (Year: 2030)

- Current average per capita demand (in gallons): 104
- Projected population served in year (2025): 83
- Projected average annual demand (MG): 4.214 (Additional 2 homes & 3 acres of landscape irrigation included)
- Projected average daily demand (MG): 0.0114 (Additional 2 homes & 3 acres of landscape irrigation included)
- Current peaking value: 1.91
- Projected maximum daily demand (MG): 0.0231 (Additional 2 homes & 3 acres of landscape irrigation included)

Water Source (Including wholesale water purchases)	Water Right Numbers (Permit and/or Certificate) If a new water source, indicate so.	Projected Peak Daily Demand		Projected Average Daily Demand	
		Maximum Instantaneous Rate (in cfs or gpm)	Maximum Daily Demand (MG)	Average Daily Demand (MG)	Average Annual Demand (MG)
Well # 1	NA	35.0	0.0231	0.0114	4.214
Well # 2	NA	35.0	0.0231	0.0114	4.214

Source or Methodology Used for Demand Projections: Source: Annual water use records recorded by Applicant for totalizing meter readings. Methodology: Adjustment of water demand for full build-out (addition of 2 residences on 2 remaining unoccupied tax lots) by calculating water use per tax lot for the occupied tax lots supplied by Tumalo West Water, Inc., allowing for development of two currently undeveloped tax lots in service area with domestic and landscape irrigation uses, allowing for additional 3 acres of landscape irrigation, allowing for potential demand variations across the fully developed tax lots, and increasing current water demand accordingly to projected future demand.

Describe any issues, deficiencies or limitations associated with your current water supply inventory contributing to the need to acquire additional water in order to satisfy your current and/or projected 20-year demands:

NA

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Annual Water Use by Type

In the table below, list the quantity of water diverted for each type of water use and the percentage of the total diversion associated with that use type:

Type	Current Use		Use In 20 Years	
	Quantity Diverted:	Percentage of Total Diversion:	Projected Quantity to be Diverted:	Percentage of Total Diversion:
Residential:	1,813,080 gallons	63.5	2,193,852 gallons	52.1
Commercial:				
Institutional:				
Agricultural:				
Industrial:				
Other: (specify use) Landscape Irrigation	1,044,260 gallons	36.5	2,020,139 gallons	47.9
Non-revenue water:				
Total Diverted:	2,857,340 gallons	100.0	4,213,991 gallons	100.0

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Receipt for Request for Land Use Information

Applicant name: Newton Consultants Inc.

City or County: Deschutes

Staff contact: Cynthia Smith

Signature: C. La R. H.

Phone: 541-317-3150

Date: Apr. 5 2018

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Revised 8/4/2017

Ground Water/13

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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: TUMALO WEST WATER, INC
First Last

Mailing Address: P.O. Box 5322

BEND OR 97708 Daytime Phone: (541) 508-9947
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.

NOTE: SEE ATTACHED TABLE LISTING ALL TAX LOTS IN SERVICE AREA & ALSO SHOWING WHERE WATER IS TO BE DIVERTED, CONVEYED AND/OR USED.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

NOTE:

Application is for Quasi-Municipal water use within existing service area boundaries of Tumalo West Water, Inc., enclosing all tax lots where water is and will be used, as shown on the attached water right application map.

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

DESCHUTES COUNTY

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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: 23.98 35 AW
 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:

Existing rural residential development supplied with water by Tumalo West Water, Inc., registered community water supplier (Oregon Health Dept-Drinking Water Section; registry No. OR41-01368). Use is domestic and landscape irrigation to be under quasi-municipal water right. Supply is from two wells. Applicant seeks a groundwater permit for quasi-municipal use authorizing its use of groundwater as required by the Oregon Administrative Rules and Revised Statutes.

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. →

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Township	Range	Section	¼-¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:					Proposed Land Use	
						<input type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>		Used
16S	11E	36	SW-SE	200	MUA10	<input type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
16S	11E	36	SW-SE	300	MUA10	<input type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
16S	11E	36	SW-SE	400	MUA10	<input type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
16S	11E	36	SW-SE	500	MUA10	<input type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
16S	11E	36	SW-SE	600	MUA10	<input type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
16S	11E	36	SW-SE	601	MUA10	<input type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
16S	11E	36	SW-SE	700	MUA10	<input type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
16S	11E	36	SW-SE	701	MUA10	<input type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
16S	11E	36	SW-SE	801	MUA10	<input type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
16S	11E	36	SW-SE	900	MUA10	<input type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
16S	11E	36	SE-SE	1000	MUA10	<input type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
16S	11E	36	SE-SE	1001	MUA10	<input type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
16S	11E	36	SE-SE	1100	MUA10	<input checked="" type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
16S	11E	36	SE-SE	1200	MUA10	<input checked="" type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
16S	11E	36	SE-SE	1300	MUA10	<input type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
16S	11E	36	SE-SE	1400	MUA10	<input type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
16S	11E	36	SE-SE	1401	MUA10	<input type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
16S	11E	36	SE-SE	1500	MUA10	<input type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
16S	11E	36	SE-SE	1501	MUA10	<input type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
16S	11E	36	SE-SE	1601	MUA10	<input type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
16S	11E	36	SE-SE	1701	MUA10	<input type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
16S	11E	36	SE-SE	1702	MUA10	<input type="checkbox"/>	Diverted	<input checked="" type="checkbox"/>	Conveyed	<input checked="" type="checkbox"/>	Used	Residential/Ag
						<input type="checkbox"/>	Diverted	<input type="checkbox"/>	Conveyed	<input type="checkbox"/>	Used	

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Date _____

(For staff use only)



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

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- SECTION 1: _____
- SECTION 2: _____
- SECTION 3: _____
- SECTION 4: _____
- SECTION 5: _____
- SECTION 6: _____
- SECTION 7: _____
- SECTION 8: _____
- SECTION 9: _____
- Land Use Information Form _____
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees _____

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MAP

- 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 _____



**Department of Commerce
Corporation Division**

Certificate of Incorporation

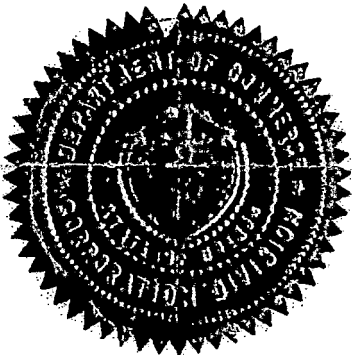
OF

TUMALO WEST WATER, INC.

The undersigned, as Corporation Commissioner of the State of Oregon, hereby certifies that duplicate originals of Articles of Incorporation, duly signed and verified pursuant to the provisions of the Oregon Nonprofit Corporation Act, have been received in this office and are found to conform to law.

Accordingly, the undersigned, as such Corporation Commissioner, and by virtue of the authority vested in him by law, hereby issues this Certificate of Incorporation and attaches hereto a duplicate original of the Articles of Incorporation.

In Testimony Whereof, I have hereunto set my hand and affixed hereto the seal of the Corporation Division of the Department of Commerce of the State of Oregon this 28th day of May, 1970.



G-11-B/N/C
11-68

Frank J. Healy
Corporation Commissioner

By William H. King
Chief Clerk

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G-18674



Nonprofit

FILED
IN THE OFFICE OF THE CORPORATION
COMMISSIONER OF THE STATE OF OREGON
MAY 28 1970
FRANK J. HEALY
CORPORATION COMMISSIONER

Articles of Incorporation

OF

TUMALO WEST WATER, INC.

The undersigned natural person(s) of the age of twenty-one years or more, acting as incorporators under the Oregon Nonprofit Corporation Law, adopt the following Articles of Incorporation:

ARTICLE I The name of this corporation is Tumalo West Water, Inc.

(The corporate name cannot contain any word or phrase which indicates or implies that it is organized for any purpose other than one or more of the purposes contained in its articles of incorporation; and cannot contain the word "cooperative". See ORS. 61.071.)

and its duration shall be perpetual

ARTICLE II The purpose or purposes for which the corporation is organized are:

The storage and distribution of domestic water and related activities.

(It is not necessary to set forth in the articles any of the corporate powers enumerated in ORS 61.061. It is sufficient to state, either alone or with other purposes, "That the corporation may engage in any lawful activity, none of which is for profit, for which corporations may be organized under ORS Chapter 61"; however, it is desirable to state the primary purpose of the corporation in conjunction with such statement.)

ARTICLE III The address of the initial registered office of the corporation is 1044 Bond Street,

Bend, Oregon 97701

(Street and Number)

(City and State)

(Zip)

and the name of its initial registered agent at such address is James V. Hurley

ARTICLE IV The number of directors constituting the initial board of directors of the corporation is

three

(At least three)

and the names and addresses of the persons who are to serve as directors until the first

annual meeting or until their successors are elected and shall qualify are:

<u>Name</u>	<u>Address</u> (Street and Number)	<u>Address</u> (City and State)	<u>(Zip)</u>
<u>Folmer N. Bodtker</u>	<u>Route 2 Box 1445,</u>	<u>Bend, Oregon</u>	<u>97701</u>
<u>Bernice M. Bodtker</u>	<u>Route 2 Box 1445,</u>	<u>Bend, Oregon</u>	<u>97701</u>
<u>Allen Waterman</u>	<u>464 E. DeKalb,</u>	<u>Bend, Oregon</u>	<u>97701</u>

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ARTICLE V The name and address of each incorporator is:

<u>Name</u>	<u>Address</u> (Street and Number)	<u>Address</u> (City and State)	<u>(Zip)</u>
Folmer N. Bodtker	Route 2 Box 1445,	Bend, Oregon	97701
Bernice M. Bodtker	Route 2 Box 1445,	Bend, Oregon	97701
Allen Waterman	464 E. DeKalb,	Bend, Oregon	97701

ARTICLE VI The provisions for the distribution of assets on dissolution or final liquidation are:
pro rata distribution to members

ARTICLE VII (Optional provisions for the regulation of the internal affairs of the corporation as may be appropriate. If none, leave blank.)

The owner or owners of each parcel of approximately 2½ acres of the land in Tumalo West shall be entitled to one vote.

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STATE OF OREGON
County of Deschutes ss.

We, the undersigned incorporators, herewith execute the foregoing and, being first duly sworn, declare the statements contained therein are true.

Folmer N. Bodtker
Bernice M. Bodtker
Allen Waterman

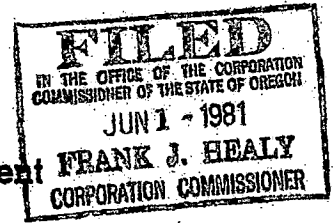
Folmer N. Bodtker
Bernice M. Bodtker
Allen Waterman

Subscribed and sworn to before me this 22nd day of May, 1970.

Frederick Leiders
Notary Public

G-18694

NOTARY PUBLIC



Articles of Amendment

of

TUMALO WEST WATER, INC.

Pursuant to ORS 61.370 these Articles of Amendment were adopted by the undersigned corporation:

1. The present (not new) corporate name is TUMALO WEST WATER, INC.

2. The following amendment of the Articles of Incorporation was adopted in the manner prescribed by the Oregon Nonprofit Corporation Act:

(Set forth article(s) in full as will be amended to read.)

ARTICLE II

The corporation is organized for the purpose of providing and owning domestic and irrigation water pumping and distribution systems to property located in the South Half of the Southwest Quarter of Section 36, Township 16 South, Range 11, East of the Willamette Meridian, Deschutes County, Oregon. The corporation is also organized for the purposes of obtaining a tax exemption.

ARTICLE VI

No part of the net earnings of the corporation shall inure to the benefit of any member, trustee, officer or private individual, except that reasonable compensation may be paid for services rendered to or for the corporation affecting one or more of its purposes, and no member, trustee, officer or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the corporation. If the corporation should be dissolved, said system shall revert to the owners of the property being served by this system as tenants in common.

ARTICLE VII

The members of this corporation shall be owners of land located within the following described property: The South Half of the Southwest Quarter of Section 36, Township 16 South, Range 11 East of the Willamette Meridian, Deschutes County, Oregon. The membership shall be pertinent to the land within said property.

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MAY 28 1981

3. (Check below the statement which is appropriate:)

- The amendment was adopted at a meeting of the Board of Directors on _____, 19____, and received the vote of a majority of the directors in office, there being no members having voting rights in respect thereof.
- The amendment was adopted at a meeting of the members on May 18, 1981, at which a quorum was present, and the amendment received at least two-thirds of the votes which members present or represented by proxy at such meeting were entitled to cast.
- The amendment was adopted by a consent in writing signed by all members entitled to vote with respect thereto.

We, the undersigned, declare under penalties of perjury that we have examined the foregoing and to the best of our knowledge and belief, it is true, correct and complete.

TUMALO WEST WATER, INC.
Present (not new) Corporate Name

By _____ and S. Grönne Drury
Its [Signature] President Its _____ Secretary

Dated April, 1981

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STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

10-16-2007

WELL LABEL # L 90419

START CARD # 1002366

Elmended Well # 1

(1) LAND OWNER Owner Well I.D. 1439
 First Name: Daniel & Linda Last Name: HOGAN Berg
 Company: TUMALO WEST WATER INC.
 Address: P.O. BOX 5129 19500 Tumalo Reservoir Rd
 City: BEND State: OR Zip: 97708 97701

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

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable Auger Cables Mud
 Reverse Rotary Other

(4) PROPOSED USE Domestic Irrigation Community
 Industrial/Commercial Livestock Dewatering
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy)
 Depth of Completed Well 500.00 ft.

BORE HOLE

Dia	From	To	Material	SEAL From	To	Am't	socks/lbs
12	0	30	Bentonite	0	30	15	S
8	30	500					

How was seal placed: Method A B C D E
 Other POURED IN DRY
 Backfill placed from _____ ft. to _____ ft. Material _____
 Filter pack from _____ ft. to _____ ft. Material _____ Size _____
 Explosives used: Yes Type _____ Amount _____

(6) CASING/LINER

Casing	Liner	Dia	From	To	Gauge	Stl	Plts	Wld	Thrd
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	8	4	30	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	6	10	500	.188	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Shoe Inside Outside Other Location of shoe(s) _____
 Temp casing Yes Dia _____ From _____ To _____

(7) PERFORATIONS/SCREENS
 Perforations Method FACTORY
 Screens Type _____ Material _____

Perf's Casing/Screen

Perf	Liner	Dia	From	To	Serm/slot width	Slot length	# of slots	Tele pipe size
		6	100	500	.09	3	1.200	

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailor Air Flowing Artesian
 Yield gal/min _____ Drawdown _____ Drill stem/Pump depth _____ Duration (hr) _____
 Temperature 57 F Lab analysis Yes By _____
 Water quality concerns? Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)
 County Deschutes Twp 16.00 S N-S Range 11.00 E E-W W/M
 Sec 36 SE 1/4 of the SE 1/4 Tax Lot 1200
 Tax Map Number _____ Lot _____
 Lat _____ or _____ DNS or DP
 Long _____ or _____ DNS or DP
 Street address of well Nearest address

BEND, OREGON DESCHUTES COUNTY

(10) STATIC WATER LEVEL
 Date _____ SWL (psi) + SWL (ft)
 Existing Well / Pre-deepening _____
 Completed Well 10-11-2007 _____ 380
 Flowing Artesian? Dry Hole?

WATER BEARING ZONES Depth water was first found 400

SWL Date	From	To	Est. Flow	SWL (psi)	+ SWL (ft)
10-11-2007	400	500	25		380

(11) WELL LOG Ground Elevation _____

Material	From	To
SANDY TOP SOIL	0	1
PUMICE	1	200
RED CLAY	200	300
BROWN CLAY SOFT ROCK	300	360
TAN CLAY HARD ROCK	360	380
HARD GRAY ROCK	380	390
BROWN CLAY HARD ROCK	390	410
BROWN CLAY	410	460
HARD BROWN ROCK	460	500

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 MAY 29 2018 JAN 22 2008
 WATER RESOURCES DEPT
 SALEM, OREGON

Date Started 10-05-2007 Completed 10-11-2007

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

License Number 1866 Date 10-16-2007
 Electronically Filed
 Signed STEVENO WHEELER (E-filed)

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

License Number 584 Date 10-16-2007
 Electronically Filed
 Signed DARRELL MAPLET (E-filed)
 Contact Info (optional)

G-18694

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 ENGINEER, SALEM, OREGON 97311 within 30 days from the date of well completion.

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DESC 4/21/11

East well 16/11-36 d

State Well No.

State Permit No.

WELL #2

(1) OWNER:

STATE ENGINEER

Name Palmer Bostner SALEM, OREGON Address BRAL, ORE

(2) TYPE OF WORK (check):

New Well [x] Deepening [] Reconditioning [] Abandon []

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary [] Driven [] Cable [] Jetted [] Dug [] Bored []

(4) PROPOSED USE (check):

Domestic [] Industrial [x] Municipal [] Irrigation [] Test Well [] Other []

CASING INSTALLED:

Threaded [] Welded []

2" Diam. from 0 ft. to 20 ft. Gage 250

PERFORATIONS:

Perforated? [] Yes [x] No

Size of perforations in. by in. perforations from ft. to ft.

SCREENS:

Well screen installed? [] Yes [x] No

Manufacturer's Name Type Model No. Diam. Slot size Set from ft. to ft.

(8) WATER LEVEL: Completed well.

Static level 382 ft. below land surface Date 1-15-70

(9) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? [] Yes [x] No If yes, by whom? Bailor test 20 gal./min. with 0 ft. drawdown after 2 hrs.

(10) CONSTRUCTION:

Well seal—Material used CEMENT Depth of seal 20' Diameter of well bore to bottom of seal 12 in.

(11) LOCATION OF WELL:

County Deschutes Driller's well number S & SE 1/4 Section 36 T. 16 R. 11 E W.M.

(12) WELL LOG:

Diameter of well below casing 8"

Depth drilled 408 ft. Depth of completed well 408 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated.

Table with columns: MATERIAL, From, To, SWL. Rows include: OVERBURDEN, SANDSTONE & CONG., Pumice & "V", Pumice, Clay & Cong - Br., Clay & Cong - Pink, Mild Lava, Sandstone - Red, Med. Lava, Sandstone & Cong - Red, Med. Hard Lava, Sandstone - Br., Med. Hard Lava, Wtr. Bear. Sand & Cong. Water

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MAY 29 2018

OWRD

Work started 12-15-1969 Completed 1-15-1970 Date well drilling machine moved off of well 1-15-1970

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] [Signature] Date 1-15, 1970 (Drilling Machine Operator)

Drilling Machine Operator's License No. 685

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 WERNER DRILLING SERVICE (Person, firm or corporation) (Type or print)

Address [Address]

[Signed] [Signature] (Water Well Contractor)

Contractor's License No. 499 Date 1-15, 1970

G-18694

May 29, 2018
Project No. 1186.101



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266

GROUNDWATER PERMIT APPLICATION; TUMALO WEST WATER, INC., BEND, OREGON

Ladies and Gentlemen:

Enclosed is an application for a groundwater permit submitted to the Oregon Water Resources Department on behalf of Tumalo West Water, Inc. (Applicant). The Applicant is a private community water supplier registered with the Oregon Public Health-Drinking Water Division under registry No. OR41-01368. The Applicant presently supplies water for residential and landscape irrigation needs of 20 homes in a rural subdivision within the 80-acre service area of the Applicant. The enclosed application is for quasi-municipal water use. Specifically, the enclosed application includes the following items:

1. Application fee check by Newton Consultants, Inc. for the amount of \$2,040.00;
2. Land Use Information Form Receipt signed by Deschutes County Planning Department representative;
3. Land Use Information Form signed by Deschutes County Planning Department representative;
4. Application for a permit to use groundwater;
5. List of Tax Lot owners within the Applicant service area and their addresses;
6. Application map;
7. Form M (application is for quasi-municipal water use);
8. Copy of Department of Commerce, Certificate of Incorporation of Tumalo West Water, Inc.; and
9. Tumalo West Water, Inc. letter authorizing David Newton as its agent in connection with this permit application.

Please contact me at (541) 325-3905, or by e-mail at dnewton@newtonconsultants.com if there are any questions regarding this application.

Sincerely,

NEWTON CONSULTANTS, INC.
David J. Newton, P.E., C.W.R.E., C.E.G.
President
STATE OF OREGON
JAN 16 1993

cc: Tumalo West Water, Inc.

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MAY 29 2018

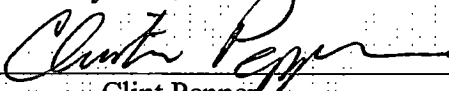
OWRD

April 12, 2018

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266

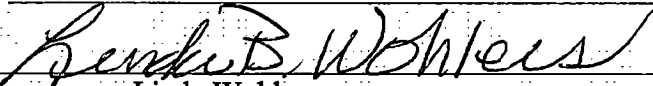
**TUMALO WEST GROUNDWATER PERMIT APPLICATION; AGENT
AUTHORIZATION**

This letter authorizes David Newton, P.E., C.W.R.E., C.E.G., to serve as agent for Tumalo West Water, Inc., in connection with its application for a groundwater permit to allow quasi-municipal use of water by homeowners within its service area.

By 
Clint Pepper

Title PRESIDENT

Date 23 APR 18

By 
Linda Wohlers

Title Vice President

Date 4/23/18

Tumalo West Water, Inc.
P.O. Box 5322
Bend, Oregon 97708

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MAY 29 2018

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

- [Main](#) [Help](#)
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Today's Date: Tuesday, May 29, 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)	1	\$350.00
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) **	2	\$350.00
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		\$2,560.00

OWRD Fee Schedule

Fee Calculator Version B20170117