

**Oregon Water Resources Department
Ground Water Application**[Main](#) [Help](#)
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Today's Date: Friday, November 16, 2018

Base Application Fee.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	2.72	\$1,050.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	1	
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		\$2,910.00

OWRD Fee Schedule

Fee Calculator Version B20170117

G-18761

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.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME DAVID LOWE, JORDAN CREEK RANCH, LLC, (ATTENTION: KIRK FENLEY)			PHONE (HM)	
PHONE (WK) KIRK FENLEY: 541-805-0974		CELL		FAX
ADDRESS 55503 HWY 244				
CITY LAGRANDE	STATE OR	ZIP 97850	E-MAIL* KIRKNTONYA7779@YAHOO.COM	

Organization

NAME		PHONE		FAX
ADDRESS				CELL
CITY	STATE	ZIP	E-MAIL*	

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

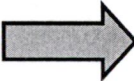
AGENT / BUSINESS NAME NANCY RORICK CONSULTING		PHONE 541-519-3644		FAX
ADDRESS 645 L LOOP				CELL
CITY BAKER CITY	STATE OR	ZIP 97814	E-MAIL* NRORICK@NLR-WATER.COM	

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 proposed and final order documents will also be mailed.)

By my signature below I confirm that I understand:

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

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

Applicant Signature

Print Name and Title if applicable

Date

Applicant Signature

Print Name and Title if applicable

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.
- ☐ YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- ☐ NO, I have a recorded easement or written authorization permitting access.
- ☐ NO, I do not currently have written authorization or easement permitting access.
- ☐ NO, 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).
- ☐ NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. (*Attach additional sheets if necessary*).

n/a

Legal Description: 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 1	WHISKEY CREEK	0.43 MILES	185 FEET

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 only well near the proposed well is UNIO 52096. It is a domestic well located about 0.4 miles southeast of the proposed well. The existing well is roughly the same elevation as the proposed well. UNIO 52096, drilled to a depth of 545 feet, shows that water was first encountered in fractured basalt at a depth of 480 feet. This fractured basalt is listed on the well log as the water-bearing unit.

Based on well log UNIO 52096, we estimate that the depth of the proposed well will be between 400 and 600 feet and that it will draw water from a fracture basalt aquifer. The proposed well will be cased and sealed per permit conditions set by the Department.

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SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 2.72 CFS (1221 GPM) (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 1	☒	☐	N/A	☐	12 INCHES	TO BE DETERMINED	TO BE DETERMINED	20 FT + (AS CONDITIONED BY THE DEPT.)	N/A	BASALT	ESTIMATE 400 -600 FT	1221 GPM	488.7
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									

* 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.

For Department Use: App. Number: _____

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in Attachment 3 or the link below to determine whether the proposed point of appropriation (POA) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POA is located, please call the customer service desk at (503) 986-0801.

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Upper Columbia - OAR 690-033-0115 thru -0130

Is the well or proposed well located in an area where the Upper Columbia Rules apply?

☒ Yes ☐ No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the well or proposed well located in an area where the Lower Columbia rules apply?

☐ Yes ☒ No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as

appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, you will be required to provide the following information, if applicable.

☐ Yes ☐ No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

n/a

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Statewide - OAR 690-033-0330 thru -0340

Is the well or proposed well located in an area where the Statewide rules apply?

☒ Yes ☐ No

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If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 – October 31	488.7 acre-feet (3 acre-feet per acre)

For irrigation use only:

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

Primary: 162.9 Acres Supplemental: Acres

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

n/a

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 488.7 acre-feet

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: n/a (**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.)

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- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*): n/a

SECTION 6: WATER MANAGEMENT

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A. Diversion and Conveyance

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

- ☒ Pump (give horsepower and type): to be determined
☐ Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water will be pumped from the well to the irrigation pivot and wheel lines.

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 property will be irrigated with a pivot, with wheel lines or other methods used in the corners.

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 pivots nozzles will be sized to produce large water droplets. This reduces the amount of evaporation. Soil moisture will be monitored, and the field will only be irrigated as needed.

SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: March 2019 or as soon as the Department issues a permit
- b) Date construction will be completed: May 2019
- c) Date beneficial water use will begin: May 2019

SECTION 8: RESOURCE PROTECTION

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

- ☒ Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: Using a pivot or other sprinkler system will insure that the water infiltrates the soil rather than running off.

- ☐ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation: n/a

- ☐ Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:
List: n/a

SECTION 9: WITHIN A DISTRICT

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

Irrigation District Name n/a	Address	
City	State	Zip

SECTION 10: REMARKS

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

The applicant is requesting a rate of 1/60th cfs per acre. This rate is needed to run the pivot which would use 6.5 to 7 gpm per acre.

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Minimum Requirements Checklist

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

Include this checklist with the application

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

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- ☒ SECTION 1: Applicant Information and Signature
- ☒ SECTION 2: Property Ownership
- ☒ SECTION 3: Well Development
- ☒ SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- ☒ SECTION 5: Water Use
- ☒ SECTION 6: Water Management
- ☒ SECTION 7: Project Schedule
- ☒ SECTION 8: Resource Protection
- ☒ SECTION 9: Within a District
- ☒ SECTION 10: Remarks

Include the following additional items:

- ☒ 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.
- ☒ Fees - Amount enclosed: **\$ 2,910**
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- ☒ Map that includes the following items:
 - ☒ 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 diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - ☒ Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - ☒ 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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Note: In addition to a groundwater application, a standard reservoir application is required to store groundwater in a reservoir. If an applicant proposes to divert water from a reservoir, a surface water application is also required.

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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. 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 \$410.00 for the applicant and \$810.00 for non-applicants. Protests are filed on approximately 10 percent 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 can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate

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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.oregon.gov/OWRD

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 groundwater registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land use form and return it to the WRD. If no land use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

Applicant

NAME DAVID LOWE, JORDAN CREEK RANCH LLC (ATTENTION KIRK FENLEY)			PHONE (HM)		
PHONE (WK) 541-805-0974 (KIRK FENLEY)		CELL		FAX	
ADDRESS 55503 HIGHWAY 244					
CITY LAGRANDE		STATE OR	ZIP 97850	E-MAIL* KIRKNTONYA7779@YAHOO.COM (KIRK FENLEY)	

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:
T4S	R37E	5,6,7,8		500	550 FARM USE/EFU/VACANT	☒ Diverted	☒ Conveyed	☒ Used	EFU
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Union 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 ☒ Groundwater ☐ Surface Water (name) _____

Estimated quantity of water needed: 2.72 ☒ 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:

Applying for a groundwater permit for a primary irrigation water right.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.



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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): _____
- ☐ 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:	
Ministerial Decision	UC 2950 Sec. 24.01	☒ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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 Stacy Warren		TITLE: Associate Planner
SIGNATURE Stacy Warren	PHONE: 511-963-1014	DATE: Nov. 13, 2018
GOVERNMENT ENTITY Union County Planning Dept.		

QWRD

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: _____

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03-19711

After recording return to:
Eastern Oregon Title, Inc.
1601 Adams Avenue
La Grande, Oregon 97850

Until a change is requested all tax statements
shall be sent to the following address:
Jordan Creek Ranch LLC
%David Lowe
485 El Alamo
Danville, CA 94526

20085035

STATUTORY WARRANTY DEED

H. RICHARD SNOW, AKA DICK SNOW, AS TO AN UNDIVIDED $\frac{1}{2}$ INTEREST, AND H. RICHARD SNOW, TRUSTEE OF THE SHIRLEY SNOW FAMILY TRUST, AS TO AN UNDIVIDED $\frac{1}{2}$ INTEREST, Grantor, conveys and warrants to JORDAN CREEK RANCH LLC, an Oregon limited liability company Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

The true consideration for this conveyance is \$8,000,000.00, of which a portion or all is paid to an accommodator pursuant to an IRC 1031 Tax Deferred Exchange on behalf of the Grantor. (Here comply with requirements of ORS 93.030)

IN TOWNSHIP 3 SOUTH, RANGE 36 EAST OF THE WILLAMETTE MERIDIAN, IN UNION COUNTY OREGON

Section 34:

The entire East half.

Section 35:

The entire section.

Section 36:

The entire North half, the Southeast quarter, and the West half of the Southwest quarter.

IN TOWNSHIP 3 SOUTH, RANGE 37 EAST OF THE WILLAMETTE MERIDIAN, IN UNION COUNTY OREGON

Section 31:

Government Lot One (1) (commonly called the Northwest quarter of the Northwest quarter), and the Southeast quarter of the Southeast quarter.

Section 32:

The South half of the Southwest quarter and the Northeast quarter of the Southwest quarter.

IN TOWNSHIP 4 SOUTH, RANGE 36 EAST OF THE WILLAMETTE MERIDIAN, IN UNION COUNTY, OREGON

Section 1:

Government Lots Two (2), Three (3), and Four (4), the South half of the North half and the entire South half.

Section 2:

Government Lots One (1), Two (2), Three (3), and Four (4), the South half of the North half and the entire South half.

Section 3:

Government Lots One (1) and Two (2), the South half of the Northeast quarter and the entire Southeast quarter.

Section 10:

The entire East half.

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Section 11:

The entire section.

Section 12:

The entire section.

Section 13:

The entire section.

Section 14:

The entire section.

Section 15:

The Northeast quarter.

IN TOWNSHIP 4 SOUTH, RANGE 37 EAST OF THE WILLAMETTE MERIDIAN IN UNION
COUNTY, OREGON

Section 3:

Government Lot Four (4), the Southwest quarter of the Northwest quarter and the West half of the Southwest quarter.

Section 4:

Government Lot One (1), the South half of the North half, the entire Southwest quarter and the North half of the Southeast quarter.

Section 5:

The entire South half, the Southeast quarter of the Northeast quarter and the Southwest quarter of the Northwest quarter.

Section 6:

The East half of the Southwest quarter, the entire Southeast quarter, the South half of the Northeast quarter and Government Lots One (1), Two (2), Six (6) and Seven (7).

Section 7:

Government Lots One (1), Two (2), Three (3) and Four (4), the East half of the West half, and the entire East half.

Section 8:

The entire section.

Section 9:

The entire East half, the entire Northwest quarter, the North half of the Southwest quarter, and the Southeast quarter of the Southwest quarter.

Section 10:

The Southwest quarter of the Northwest quarter and the Northwest quarter of the Southwest quarter.

Section 15:

The West half of the Southwest quarter.

Section 16:

The entire section.

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Section 17:

The entire East half, the East half of the West half, the Southwest quarter of the Southwest quarter, and the Northwest quarter of the Northwest quarter.

Section 18:

Government Lots One (1), Two (2), Three (3) and Four (4), the East half of the West half, and the East half;

EXCEPTING "standing timber" as reserved from parts of Sections 7, 8 and 18, in deed, recorded July 8, 1915, in Book 64, Page 316, Records of Union County, Oregon; AND ALSO EXCEPTING the strip of land 20 feet in width conveyed to the City of La Grande, for the Beaver Creek pipeline, by deed, recorded February 25, 1911, in Book 53, Page 226, Records of Union County, Oregon.

ALSO, appurtenant to all the above, the following:

A nonexclusive, perpetual easement for a roadway for personal, commercial, agricultural, and logging purposes, granted by Homer Abell and Dean Stone, to H. Richard Snow and Shirley Snow, husband and wife, by Easement, dated July 7, 1994, and July 14, 1994, and recorded July 14, 1994 as Microfilm Document No. 154704, Records of Union County, Oregon.

The above Easement is also given as an implied easement by stipulated judgment and decree arising out of the Circuit Court of the State of Oregon for Union County, Case No. 93-04-35549 signed by the Judge July 14, 1994, and recorded in the Union County Deed Records July 14, 1994, as Microfilm Document No. 154703, Records of Union County, Oregon.

This property is free from liens and encumbrances, EXCEPT:

1. The assessment roll and the tax roll disclosed that the within described premises were specially assessed as farm land. If the land has become or becomes disqualified for the special assessment under the statute, an additional tax and interest may be levied for the years in which the land was subject to the special land use assessment.
2. Rights of the public in and to that portion of this property lying below the high water mark of creeks as they cross these properties.
3. The easement appurtenant to this property (recorded July 14, 1994, as Microfilm Document No. 154704, Deed Records of Union County, Oregon) is subject to the following:
 - (a) Subject to a right-of-way for a logging railroad, including the terms and provisions thereof, across the Northeast quarter of the Southwest quarter and the Northwest quarter of the Southwest quarter of Section 15 in Township 3 South, Range 36 East of the Willamette Meridian, in Union County, Oregon, given by Fred B. Taal and Emma M. Taal to Mount Emily Lumber Co., recorded December 14, 1927 in Book 86, Page 208, Deed Records of Union County, Oregon.
 - (b) Right-of-Way Easement, including the terms and provisions thereof, granted to California-Pacific Utilities Company, a corporation, dated October 14, 1972, recorded October 16, 1972, as Microfilm Document No. 41014, Deed Records of Union County, Oregon. Said easement was re-recorded July 11, 1973, as Microfilm Document No. 45088, Deed Records of Union County, Oregon.
 - (c) Right-of-Way Easement, including the terms and provisions thereof, granted to C P National Corporation, a corporation, dated May 21, 1985, recorded June 5, 1985, as Microfilm Document No. 115735, Deed Records of Union County, Oregon.
 - (d) Easement, including the terms and provisions thereof, dated June 10, 1993, recorded June 15, 1993, as Microfilm Document No. 147743, Records of Union County, Oregon; wherein Homer Abell granted to Wapiti Outfitters, Inc., an Oregon corporation and Barbara Seeger, individually and as Conservator, for Casey Ann Seeger, Cody Robert Seeger for a continual access easement.
 - (e) Subject to the terms, covenants, conditions, restrictions and provisions contained in that certain Easement from Homer Abell and Dean Stone, grantors, to H. Richard Snow and Shirley Snow, husband and wife, grantees, recorded July 14, 1994, as Microfilm Document No. 154704, Records of Union County, Oregon.

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4. Easement For Road Purposes, including the terms and provisions of said easement, dated July 7, 1994, and July 14, 1994, and recorded July 14, 1994, as Microfilm Document No. 154704, Records of Union County, Oregon.
5. A nonexclusive, perpetual easement for a roadway for personal, commercial, agricultural, and logging purposes, including the terms and provisions thereof, granted by H. Richard Snow and Shirley Snow, husband and wife, to Homer Abell and Dean Stone by Easement, dated July 7, 1994, and July 14, 1994, and recorded July 14, 1994, as Microfilm Document No. 154705, Records of Union County, Oregon.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER SECTIONS 2, 3 AND 5 TO 22 OF CHAPTER 424, OREGON LAWS 2007 (MEASURE 49 (2007)). 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 SECTIONS 2, 3 AND 5 TO 22 OF CHAPTER 424, OREGON LAWS 2007 (MEASURE 49 (2007)).

Dated this 12th day of November, 2008.

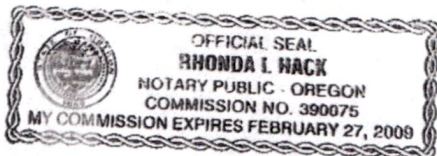
H. Richard Snow
H. Richard Snow

H. Richard Snow, Trustee
H. Richard Snow, Trustee

STATE OF OREGON)
COUNTY OF UNION Umatilla) ss.

Signed or attested before me on this 12th day of November, 2008 by H. Richard Snow, individually and as Trustee of The Shirley Snow Family Trust.

Rhonda L. Hack
Notary Public for the State of Oregon
My commission expires: September 15, 2009 2/21/09



STATE OF OREGON }
County of Union } SS

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

Union County Clerk

by: R. Churra Deputy.

DOC#: 20085035

RCPT: 137099

42.00

11/13/2008 2:13 PM

REFUND:

.00

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Oregon Water Resources Department
Ground Water Application

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Today's Date: Friday, November 2, 2018

Base Application Fee.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	2.72	\$1,050.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	1	
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		\$2,910.00

OWRD Fee Schedule

Fee Calculator Version B20170117

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