

Application for a Permit to Use Ground Water



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

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**WATER RESOURCES DEPT
 SALEM, OREGON**

NAME BO THORENFELDT		PHONE (HM)
PHONE (WK)	650-333-0594 (CELL)	FAX
885 HILLSBOROUGH BLVD.		
HILLSBOROUGH	CA	94010
SUSANTHORENFELDT@GMAIL.COM		

Organization Information

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

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

AGENT / BUSINESS NAME STEVEN P. APPLGATE CONSULTING		PHONE (503)362-4040	FAX (503)362-4434 (CALL)
ADDRESS 3395 HUCKLEBERRY Ct S		CELL (503)999-4049	
CITY SALEM	STATE OR	ZIP 97302	E-MAIL* STEVE.APPLGSP@GMAIL.COM


Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- 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

Bo Thorenfeldt
 Print Name and title if applicable

6/6/12
 Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>G-17562</u>	Permit No. _____	Date _____

SECTION 2: PROPERTY OWNERSHIP

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

Yes

- There are no encumbrances.
- This land is encumbered by easements, rights of way, roads or other encumbrances.

No

- I have a recorded easement or written authorization permitting access.
- I do not currently have written authorization or easement permitting access.
- Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- Water is to be diverted, conveyed, and/or used only on federal lands.

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

None

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
3	Rock Creek	620'	10'
4	"	950'	20'
5	"	1500'	20'
6	"	N/A	
7	"	N/A	
8	"	4,150'	40'
9	"	N/A	
10	"	4,600'	20'
11	"	2,200'	20'
12	"	N/A	
13	"	N/A	
14	"	2,800'	0'
15	"	1,400'	20'

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*).

All wells are proposed, and are to be constructed to eliminate connection to surface water, to the extent possible. See Section 3, below.

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Harney Valley sediments, below confining clay/rock layers

Total maximum rate requested: 20 cfs total from all wells, being approximately 600 GPM/well (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

Complete the table below. If this is an existing well, the following 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.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	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)
ALL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	12-14"	100-150'	None	100'+	Unk.	Valley Sediments	400-800'	8980 from all.

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

*** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation/Supplemental	Irrigation Season	7,000

Exempt Uses: Please note that 15,000 gallons per day for single or group domestic purposes and 5,000 gallons per day for a single industrial or commercial purpose are exempt from permitting requirements.

For irrigation use only:

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

Primary: 1808.9 Acres Supplemental: 507.1 Acres

List the Permit or Certificate number of the underlying primary water right(s): 49303, 49304, 49305, 49306, 1818, 67674 & 67684. NOTE: see "remarks" for disposition of certificate 15529.

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 7,000

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: _____

If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

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SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

Pump (give horsepower and type): 50-100 for each well.

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. 50-100 Hp turbines in each well, pumping into common buried mainlines throughout the farm to wheel lines, linears and pivots.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) Wheel lines, linears and/or pivots with low-pressure (3-5 GPM/Hd) drop tubes and spray nozzles.

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.

Efficient. Leak-proof PVC mainlines w/ pivots and low-pressure heads. Irrigation scheduling/monitoring.

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

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

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR N/A

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

SECTION 8: PROJECT SCHEDULE

Date construction will begin: Upon approval

Date construction will be completed: Within 5 years from approval

Date beneficial water use will begin: Within 5 years from approval.

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SECTION 9: WITHIN A DISTRICT N/A

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

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SECTION 10: REMARKS

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

We will be searching for higher production wells, but it is possible that wells in this area, based upon well logs for neighboring wells, may be limited to 400+/- GPM per well. If higher production rates can be found, potentially fewer wells would be necessary.

Upon approval for permit of this application, we will authorize cancellation of the portion of Certificate 15529 that is located on our property in the SW1/4 of Section 31 (Tract 2 on the certificate). It is of no value to us and the source may no longer exist to any degree.

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Land Use Information Form



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NOTE TO APPLICANTS

WATER RESOURCES DEPT
SALEM, OREGON

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

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

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Land Use Information Form



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**WATER RESOURCES DEPT
SALEM, OREGON**

Applicant: Bo
First

Thorenfeldt
Last

Mailing Address: 885 Hillsborough Blvd.

Hillsborough
City

CA
State

94010
Zip

Daytime Phone: 650-333-0594

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:
22 S.	33 E.	20,21, 28,29, 30,31, 32	Misc.	900, 1700	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farmin g/ Irr.

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

Harney County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond Ground Water Surface Water (name) _____

Estimated quantity of water needed: 20 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:

Up to 13 new wells to be constructed to provide reliable source to irrigate about 1800 acres of new land and to supplement surface water sources (Rock Creek & reservoir) on 507.1 acres.

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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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:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

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SALEM, OREGON

Name: _____ Title: Brandon McMiller - Planning Director

Signature: [Signature] Phone: (503) 573-6655 Date: 5/30/2012

Government Entity: Harris County Planning Dept.

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: _____

EXHIBIT "A"

Land in Harney County, Oregon, as follows:

In Twp. 21 S., R. 33 E., W.M.:

Sec. 31: Lots 1, 2, 3 and 4, E $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$.

Sec. 32: W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$.

In Twp. 22 S., R. 33 E., W.M.:

Sec. 5: Lots 2, 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$.

Sec. 6: Lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$.

Sec. 16: S $\frac{1}{2}$ SW $\frac{1}{4}$.

Sec. 17: E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

Sec. 20: E $\frac{1}{2}$ E $\frac{1}{2}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$.

Sec. 21: All.

Sec. 28: W $\frac{1}{2}$.

Sec. 29: All.

Sec. 30: E $\frac{1}{2}$, W $\frac{1}{2}$.

Sec. 31: Lots 1, 2, 3 and 4, E $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$, SAVE & EXCEPT highway right of way conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded July 12, 1937, in Book 37, Page 547, Deed Records. ALSO, SAVE & EXCEPT that parcel conveyed to the State of Oregon, by and through its State Highway Commission by deed recorded March 8, 1945, in Book 41, Page 608, Deed Records.

Sec. 32: All, SAVE & EXCEPT highway right of way conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded February 9, 1937, in Book 37, Page 413, Deed Records. ALSO, SAVE & EXCEPT highway right of way conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded February 16, 1937, in Book 37, Page 421, Deed Records.

Sec. 33: Beginning at the Southwest corner of said Sec. 33;
thence N. 01°35'06" E. along the West line of said Sec. 33, 1328.04 feet;
thence N. 01°35'48" E. and continuing along said West line of Sec. 33,
1428.42 feet to a fence line;
thence S. 56°20'45" E. along said fence line 140.49 feet;
thence S. 00°57'27" W. along said fence line 1143.97 feet to a fence corner
on the North side of State Highway 20 right of way;
thence S. S. 04°01'09" E. 101.01 feet to a fence corner on the South right of
way line of said State Highway 20 right of way;
thence S. 00°44'31" W. along said fence line 1433.28 feet to the South line
of said Sec. 33;
thence N. 89°56" W. 162.88 feet to the Point of Beginning. Save & Except
Highway 20 right of way.

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SALEM, OREGON

G-17562

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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SALEM, OREGON

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 _____

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 N/A
- SECTION 7: use of stored groundwater from the reservoir N/A
- SECTION 8: project schedule
- SECTION 9: within a district N/A
- SECTION 10: remarks

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SALEM, OREGON

Attachments:

- Land Use Information Form with approval and signature (*must be an original*) or signed receipt
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map. Example: A copy of the deed, land sales contract or title insurance policy.
- Fees - Amount enclosed: \$ ~~9,400.00~~ *9650⁰⁰*
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) TBD
- Other _____

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Water-Use Permit Application Processing

WATER RESOURCES DEPT
SALEM, OREGON

1. Completeness Determination

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

2. Initial Review

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

3. Public Notice

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

4. Proposed Final Order Issued

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

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$300.00 for the applicant and \$600.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed, the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

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

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