

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 WILLIAM TENBUSCH			PHONE (HM)	
PHONE (WK)	CELL 541-409-2350		FAX	
ADDRESS 36420 HWY 228				
CITY BROWNSVILLE	STATE OR	ZIP 97327	E-MAIL* WTENBUSCH@HOTMAIL.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 WILLIAM E. MCGILL, CWRE			PHONE 503-510-3026	FAX
ADDRESS 15333 PLETZER RD. SE				CELL
CITY TURNER	STATE OR	ZIP 97392	E-MAIL* WILLMCGILL.SURVEYING@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 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

William Tenbusch
Print Name and Title if applicable

7-29-2019
Date

Applicant Signature

Print Name and Title if applicable

Date

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For Department Use: App. Number: G-18848

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).*

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
POA 1	CALAPOOIA RIVER	3,100'	3'
POA 2	CALAPOOIA RIVER	3,500'	3'

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).*

POA 1 AUTHORIZED FOR LL 1753.

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For Department Use: App. Number: G-18848

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 0.2 CFS (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the information may be found on the applicable well log. *(If a well log is available, please submit it in addition to completing the table.)* If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
POA 1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	LINN 61779	<input type="checkbox"/>	6"	1-119'	90-112'		8-19-16: -20'	CLAY & GRAVEL	200'		
POA 2	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	12"					CLAY & GRAVEL	200' +/-		
	<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"/>									

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

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

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

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SECTION 4: 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.

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

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

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Yes No

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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:

Statewide - OAR 690-033-0330 thru -0340

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

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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	Mar. 1 – Oct. 31	294.25

For irrigation use only:

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

Primary: 117.7 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: 294.25

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: (Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.)

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

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

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

- Pump (give horsepower and type): 5 HP submersible and 25HP submersibles
 Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. POA 1 & 2 submersible pumps to 6" PVC buried mainline to drip irrigation 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*)
Drip and wheel line.

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C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters(*attach additional sheets if necessary*).

The requested amount of water is needed for irrigation of crops. Equipment will be kept in good operating condition to minimize waste.

SECTION 7: PROJECT SCHEDULE

- Date construction will begin: Upon permit issuance
- Date construction will be completed: Request standard 5 year completion date
- Date beneficial water use will begin: 2019 irrigation season depending on permit issuance

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: Care will be taken in operating the system and the system will be kept in good operating condition.
- 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: No clearing will be required.
- Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:

List: _____

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	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*).

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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

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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: \$2,560
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 taxlot 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)

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.

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 WILLIAM TENBUSCH		PHONE (HM)	
PHONE (WK)	CELL 541-409-2350	FAX	
ADDRESS 36420 HWY 228			
CITY BROWNSVILLE	STATE OR	ZIP 97327	E-MAIL* WTENBUSCH@HOTMAIL.COM

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:
14S	2W	4	NESW SESW NWSE NESE SESE SWSE	1400	EFU	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farming
14S	2W	3	SWSW	1400	EFU	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farming
14S	2W	10	NWNW	1400	EFU	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farming
14S	2W	9	NENW NWNE NENE	1400	EFU	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farming

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

Linn 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 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: 0.2 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:

POA 1 & 2 are proposed to irrigate crops in tax lot 1400.

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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 landuse 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 notregulated by your comprehensive plan. Cite applicable ordinance section(s): LCC 928.310(B)(12)
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land useapprovals as listed in the table below. (Please attach documentation of applicable land use approvals which havealready been obtained. Record of Action/land use decision and accompanying findings are sufficient.)**If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

N/A

NAME <u>Alyssa Schrems</u>	TITLE: <u>Ass:stent Planner</u>
SIGNATURE <u>Alyssa Schrems</u>	PHONE: <u>541-967-3816</u>
GOVERNMENT ENTITY <u>Linn County Planning + Building</u>	DATE: <u>7/29/19</u>

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: _____

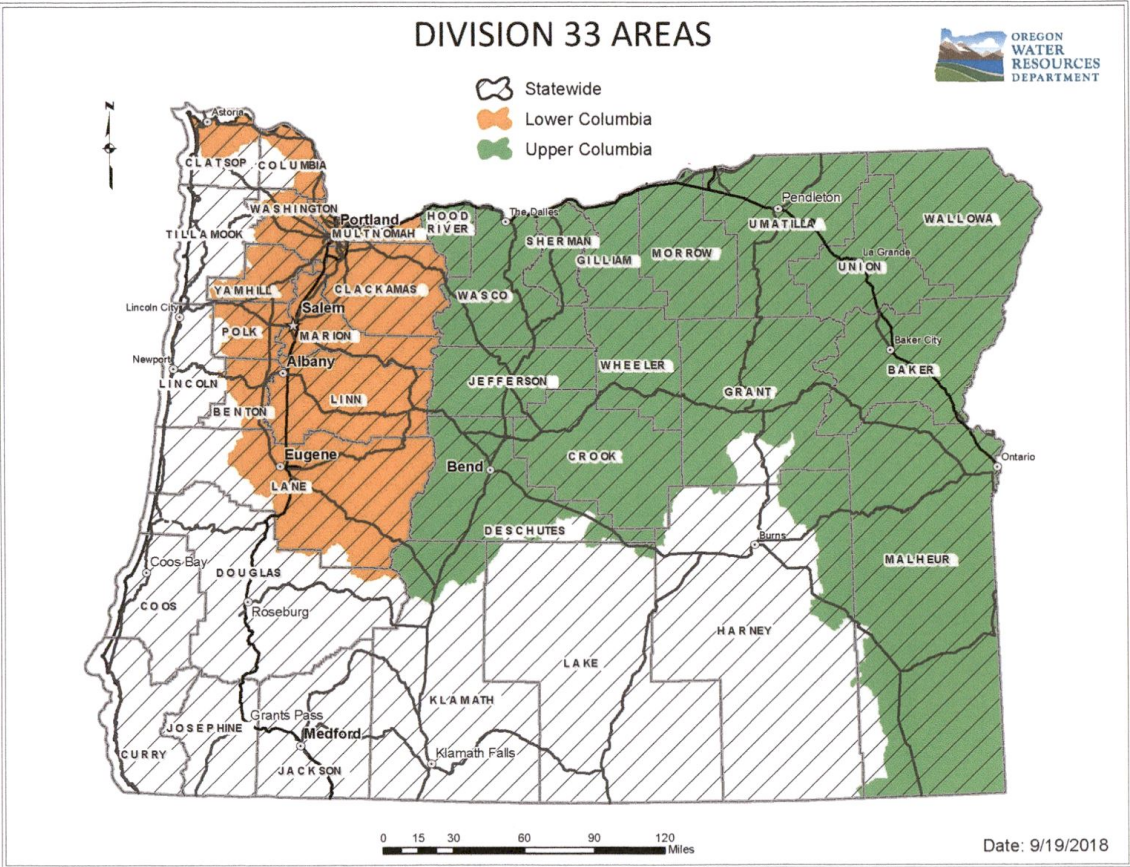
Signature: _____ Phone: _____ Date: _____

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Figure 1: Map of Division 33 Areas



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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 Division 33 rules apply: https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

G-15848

LINN COUNTY, OREGON **2015-15715**
D-WD
 Stn=8 S. WILSON 09/25/2015 02:11:32 PM
 \$20.00 \$11.00 \$10.00 \$19.00 \$20.00 **\$80.00**

I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
 Steve Druckenmiller - County Clerk

RECORDING REQUESTED BY:

GRANTOR:
 Testamentary Trust of George Alfred Wheeler
 31565 Sand Ridge Road
 Lebanon, OR 97355

GRANTEE:
 Tenbusch Farms LLC, and William L. Tenbusch
 and Molly A. Tenbusch
 110 Field Ct
 Brownsville, OR 97327

SEND TAX STATEMENTS TO:
 Tenbusch Farms LLC
 36420 Highway 228
 Brownsville, OR 97327

AFTER RECORDING RETURN TO:
 Tenbusch Farms LLC
 36420 Highway 228
 Brownsville, OR 97327

Escrow No: 471815043203-TTMIDWIL20

306023
 306023
 36420 Highway 228
 Brownsville, OR 97327

SPACE ABOVE THIS LINE FOR RECORDER'S USE

TICOR TITLE 471815043203

STATUTORY WARRANTY DEED

Betty N. Tart, Successor Trustee of the Testamentary Trust of George Alfred Wheeler , Grantor, conveys and warrants to

Tenbusch Farms LLC, and William L. Tenbusch and Molly A. Tenbusch as tenants by the entirety, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Linn, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$950,000.00. (See ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

471815043203-TTMIDWIL20
 Deed (Warranty-Statutory)

RECEIVED
 JUL 30 2019
 OWRD

G-18848

DATED: 9-17-15

Testamentary Trust of George Alfred Wheeler

BY: Betty M Tarr, Trustee
Betty M. Tarr, Successor Trustee
m BMT

State of ~~OREGON~~ ^{Utah}

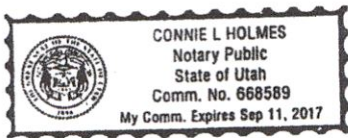
COUNTY of Davis

This instrument was acknowledged before me on 17th September, 20 15

by Betty M. Tarr

Connie L Holmes Notary Public - State of ~~Oregon~~ ^{Utah}

My commission expires: 9-11-17



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471815043203-TTMDWIL20
Deed (Warranty-Statutory)

9-18848

EXHIBIT "A"

Legal Description:

Parcel 1:

Beginning on the South boundary line of the Hugh Fields DLC Not. No. 2631, Township 14 South, Range 2 West of the Willamette Meridian, Linn County, Oregon, which is 2024.91 feet East of the Southwest corner of said DLC, and running thence East 850.41 feet to the East line of said DLC, the same being the West line of the Wm. T. Templeton and wife DLC, Claim No. 46 in said Township and Range; thence South along the West line of said Templeton DLC to the Southwest corner thereof; thence East along the South line of said DLC, 34.27 chains to a stone 5x6x8 inches, marked C.S.; thence North 48.83 chains to the center of a County Road to a stone 4x6x14 inches, marked CS.; thence along the center of said road North 83°35' West 16.10 chains to a stake; thence along the center of said road North 44°15' West 4.90 chains; thence along the center of said road North 71°41' West 15.61 chains to a stone 5x6x7 inches marked C.S. and in the West line of said Claim No. 46 and running thence Northwesterly along the center of said county road, the same being the North boundary line of a tract of land conveyed by Edgar F. Lafayette and Amy M. Lafayette, his wife, to George A. Wheeler, et al, by deed recorded in Volume 176, Page 347, Linn County Deed Records; to a point in the center of said road which is due North to the place of beginning; thence South to the place of beginning, in Linn County, Oregon.

EXCEPTING the east 18 feet as described in a deed recorded in Book 96, Page 68, Linn County Deed Records.

FURTHER EXCEPTING any portion lying Southerly of the South line and the Easterly extension thereof of the Hugh Fields DLC No. 62.

Parcel 2:

That portion of the William T. Templeton and wife Donation Land Claim No. 46 in Sections 3, 4, 9, and 10 in Township 14 South, Range 2 West, Willamette Meridian described as follows: Beginning at the Southwest corner of said Claim; thence East along the South line thereof 34.27 chain to a stone 5 x 6 x 8 inches, marked C.S.; thence North 48.83 chains to the center of a County road to a stone 4 x 6 x 14 inches, marked C.S.; thence along the center of said road North 83° 35' West 16.10 chains to a stake; thence along the center of said road North 44° 15' West 4.90 chains; thence along the center of said road North 71° 41' West 16.61 chains to a stone 5 x 6 x 7 inches, marked C.S. and in the West line of said Claim No. 46; thence along said West line South 59.17 chains to the place of beginning.

EXCEPTING THEREFROM the East 18 feet of the above described tract conveyed by Deed recorded in Book 96, Page 68 of the Linn County Deed Records, and being the same real estate conveyed to The Union Central Life Insurance Company by Sheriff's Deed dated October 24, 1933 and recorded in Volume 141, Page 57 of the Deed Records of Linn County, Oregon, except 30 foot roadway extending from this property to the South.

FURTHER EXCEPTING any portion lying Northerly of the South line and the Easterly extension thereof of the Hugh Fields DLC No. 62.

Subject to and excepting:

Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2015-2016.

Any rights, liens, claims or equities, if any, in favor of Linn Soil and Water Conservation District.

471815043203-TTMIDWIL20
Deed (Warranty-Statutory)

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A-18848

(1) LAND OWNER Owner Well I.D. DR-3214
 First Name William Last Name TENBUSCH
 Company _____
 Address 110 Fields Court
 City Brownsville State ORE Zip 97327

(2) TYPE OF WORK New Well Deepening Conversion
 Alteration (complete 2a & 10) Abandonment (complete 5a)

(2a) PRE-ALTERATION
 Dia + From To Gauge Stl Plstc Wld Thrd
 Casing: _____
 Seal: _____
 Material From To Amt sacks/lbs

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable Auger Cable 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 200 ft.
 BORE HOLE SEAL

Dia	From	To	Material	From	To	Amt	sacks/lbs
10"	0	19	BENTONITE	0	19	23	30
						Calculated	9
6"	19	200					
						Calculated	

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

(5a) ABANDONMENT USING UNHYDRATED BENTONITE
 Proposed Amount Pounds Actual Amount Pounds

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6"	+	1	119	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

 Shoe Inside Outside Other Location of shoe(s) 119'
 Temp casing Yes Dia 10" From 0 To 19'

(7) PERFORATIONS/SCREENS
 Perforations Method HOLTE
 Screens Type SLIT Material STEEL

Perf/S	Casing	Screen	Dia	From	To	Scr/slot	Slot	# of	Tele/
green	Liner	Dia				width	length	slots	pipe size
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6"	90	112	1/4"	1"	528	

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
 Yield gal/min 60 Drawdown 110' Drill stem/Pump depth 2 HRS Duration (hr)
 Temperature 54 °F Lab analysis Yes By _____
 Water quality concerns? Yes (describe below) TDS amount 258

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)
 County LINN Twp 14 N/S Range 2 E/W N/M
 Sec 4 NE 1/4 of the SW 1/4 Tax Lot 1400
 Tax Map Number _____ Lot _____
 Lat _____ " or _____ DMS or DD
 Long _____ " or _____ DMS or DD
 Street address of well Nearest address

36420 Hwy 228 Brownsville, Ore.

(10) STATIC WATER LEVEL
 Date 8-22-16 SWL(psi) _____ + SWL(ft) 20
 Existing Well / Pre-Alteration _____
 Completed Well _____
 Flowing Artesian? Dry Hole?
 WATER BEARING ZONES Depth water was first found 95'

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)
8-19-16	95	107	60 gpm		-20'

(11) WELL LOG
 Ground Elevation _____

Material	From	To
TOP SOIL	0	1
CLAY - DK BROWN	1	5
CLAY - DK BROWN w/ GRAVEL	5	15
SAND & GRAVEL w/ CLAY - HARD	15	34
CLAY - GRAY w/ GRAVEL	34	36
CLAY - GRAY - HARD	36	41
CLAY - BLUE GRAY	41	50
CONCRETE - CLAY	50	88
CLAY - GRAY - SANDY	88	91
GRAVEL w/ CLAY - GRAY	91	95
SAND & GRAVEL - BLACK	95	107
CLAY - BROWN / GRAY	107	112
CLAY - GRAY	112	121
CLAY - BROWN / GRAY	121	127
CLAY - GRAY w/ GRIT	127	136
CLAY - BROWN w/ GRIT	136	157
CLAY - GRAY w/ GRIT	157	202
CONCRETE CLAY	202	205

 Date Started 8-18-16 Completed 8-22-16
HOLE CAVED BACK 200'

(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 1974 Date 8-22-16
 Signed C.J. Nutent

(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 1064 Date 8-22-16
 Signed Chad D. Long
 Contact Info (optional) _____

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OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: William Tenbusch

36420 Highway 228 Brownsville OR 97327

Transaction Type: Application for a Permit to use Groundwater.

Fees Received: \$ 2,560.00

Cash Check: Check No. 1494

Name(s) on Check: William McGill Surveying LLC

Address on Check: 15333 Pletzer Rd SE
Turner OR 97392

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

Kim

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by:

Judy Ferrell
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.



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Sincerely,

OWRD Customer Service Staff

Submission received by: Judy Ferrell

(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
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