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Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Willamette Valley Land, LLC  
ATTN: Paul Kuehne PO Box 99 Lafayette OR 97127  
Transaction Type: Groundwater Application  
Fees Received: \$ 3,100<sup>00</sup>

Cash  Check: Check No. 13527

Name(s) on Check: Creekside Valley Farms LLC

Address on Check: PO Box 99 Lafayette OR 97127

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.

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: J. Pierceall (c/o Dwight French)  
(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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# Aspen

Rural Land Consulting

Water Resources, Water Rights, Land  
Surveying, Engineering, Land Use Planning

ERICURSTADT@HOTMAIL.COM  
971-250-1520 (MOBILE)

Water Resources Department  
Attn: New Water Right Applications  
725 Summer Street NE, Ste. A  
Salem, OR, 97301

Sep 9, 2019

**Subject: New Groundwater Application**

To Whom It May Concern,

Enclosed is an application for a temporary transfer together with the following attachments:

- A. Land Use Compatibility Statement
- B. Application Map
- C. Current Deeds
- D. WRD Fee calculator
- E. A check made out to "Oregon Water Resources Department" for \$3610.

Please let me know if there are any concerns or you need any more information.

Respectfully,  
*Aspen Rural Land Consulting*

Eric Urstadt, PE, PLS

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G-10071



**Oregon**  
Kate Brown, Governor

**Water Resources Department**  
725 Summer St NE, Suite A  
Salem, OR 97301  
(503) 986-0900  
Fax (503) 986-0904

October 9, 2019

Dear Applicant:

The Oregon Water Resources Department has received your groundwater application for a water use permit. Your application has been assigned file number **G-18871**. Please refer to this number when contacting the Department. Should you have any questions about your application, please contact the following Water Rights Specialist assigned to your application:

Lisa Graham, Water Rights Specialist	Phone: 503-986-0808
	Email: <a href="mailto:elisabeth.a.graham@oregon.gov">elisabeth.a.graham@oregon.gov</a>

A description of the steps that are used for processing a water right application are shown on the reverse side of this letter.

The first step in the water rights process is the completion of a groundwater review by the Department. This review can take approximately 6-9 months to complete, sometimes longer. Once the groundwater review is completed, you will receive a copy of an Initial Review that summarizes the Department's preliminary determinations. Copies of the Proposed Final Order and Final Order will also be mailed to you.

Please note that your application is subject to review and comment from other state agencies and interested parties.

Sincerely,

**COPY**

Judy Ferrell  
Customer Service Representative  
Oregon Water Resources Department

cc: File  
Aspen Rural Land Consulting c/o Eric Urstadt



## **Water-Use Permit Application Processing Steps**

### **Oregon Water Resources Department**

#### **1. 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.

#### **2. 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](http://www.oregon.gov/owrd). The public comment period is 30 days from publication in the weekly notice.

#### **3. 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 Initial Review, 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.

#### **4. 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.

#### **5. 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 will specify the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

# 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 <b>Willamette Valley Land, LLC c/o Paul Kuehne</b>			PHONE (HM) <b>N/A</b>
PHONE (WK) <b>(503) 864-4422</b>	CELL <b>(503) 864-4422</b>		FAX <b>N/A</b>
ADDRESS <b>PO BOX 99</b>			
CITY <b>Lafayette</b>	STATE <b>OR</b>	ZIP <b>97127</b>	E-MAIL* <b>see Section 10, Remarks</b>

### Organization

NAME <b>Same as above</b>			PHONE	FAX <b>N/A</b>
ADDRESS			CELL	
CITY	STATE	ZIP	E-MAIL*	

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

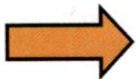
AGENT / BUSINESS NAME <b>Aspen Rural Land Consulting c/o Eric Urstadt</b>			PHONE <b>503.647.1919</b>	FAX
ADDRESS <b>39290 NW Murtaugh Road</b>			CELL <b>971.250.1520</b>	
CITY <b>North Plains</b>	STATE <b>OR</b>	ZIP <b>97133</b>	E-MAIL* <b>see Section 10, Remarks</b>	

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

**Paul Kuehne, President**  
Print Name and Title if applicable

**9-21-09**  
Date

For Department Use: App. Number: 6-10071

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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).*

Currently the applicant farms the subject property, and the following entity owns the lands.

MCPHILLIPS FARMS INC  
365 NE BAKER CREEK RD  
MCMINNVILLE OR 97128

**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. See attachment C.

## SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER (FEET)	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
1	UNNAMED TRIB TO COZINE CREEK	2190' NNW'LY	13 FEET
2	UNNAMED TRIB TO COZINE CREEK	1770' NNW'LY	14 FEET
3	UNNAMED TRIB TO COZINE CREEK	3140' NNW'LY	11 FEET
4	SOUTH YAMHILL RIVER	3190' SSE'LY	49 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).*

See Section 10 - Remarks.

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For Department Use: App. Number: 6-10071



**SECTION 3: WELL DEVELOPMENT, continued**

**Total maximum rate requested: 800 GPM FROM ALL WELLS IN COMBINATION.** (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)
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	10"	THESE ITEMS WILL DEPEND ON THE WELL CONDITIONS FOUND			N/A	SAND/GRAVEL	125	800	245
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	10"	THESE ITEMS WILL DEPEND ON THE WELL CONDITIONS FOUND			N/A	SAND/GRAVEL	125	800	245
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	10"	THESE ITEMS WILL DEPEND ON THE WELL CONDITIONS FOUND			N/A	SAND/GRAVEL	125	800	245
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	10"	THESE ITEMS WILL DEPEND ON THE WELL CONDITIONS FOUND			N/A	SAND/GRAVEL	125	800	245

\* 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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For Department Use: App. Number: 6-10071

**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/](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**

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.

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**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

**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?

OCT 08 2019

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	Irrigation Season	245*

\*Note: when the irrigation system changes to drip, the annual volume will be much less.

**For irrigation use only:**

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

Primary: 244.9 Acres                      Supplemental: 0.0 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: 245

- 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.)
- 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

### A. Diversion and Conveyance

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

- Pump (give horsepower and type): 90 horsepower submersible  
 Other means (describe): \_\_\_\_\_

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Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. The water will be conveyed via buried mainline from the well(s) to the irrigated land.

### 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 applicant will likely use Big Guns for normal crops, but plans to convert to drip irrigation for a Hazelnut Orchard.

### 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 applicant is a well-experienced farmer and does not waste water. The project will not affect a riparian habitat. No contaminated waters will be on the property. No water will runoff to nearby surface water.

## SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: Spring 2020, or when permit is obtained.
- b) Date construction will be completed: Spring 2025, or 5 years from when permit is obtained.
- c) Date beneficial water use will begin: Spring 2025, or 5 years from when permit is obtained.

## 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: No run-off of waste or chemical products has previously occurred with this type of operation and none is foreseen.
- 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 excavation or clearing of banks is expected for this operation.
- Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:  
List: No other state or federal permits are known to be required for this operation.



**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 <b>None known</b>	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*).

Please send correspondence by email ([ericurstadt@hotmail.com](mailto:ericurstadt@hotmail.com) & [paul@creeksidevalleyfarms.com](mailto:paul@creeksidevalleyfarms.com)) and US mail, because email has not been reliable.

The applicant is applying for 800 gallons per minute (GPM) in four wells. However, the applicant does not plan to utilize more than 800 GPM from all wells combined. The applicant has chosen the four location in case a well is dry or in the case Groundwater Section (GWS) only approves certain locations.

The applicant could utilize up to 800 GPM, but also would benefit from as little as 25 GPM because the plans is to convert to drip irrigation for Hazelnut trees in a few years or so. Therefore, the applicant requests that the GWS consider lower rates from any and all of the four wells if that would enable the GWS review to be favorable.

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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: \$ 3610.00  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://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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# Land Use Information Form



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

Applicant(s): Willamette Valley Land, LLC c/o Paul Kuehne

Mailing Address: PO BOX 99

City: LAFAYETTE

State: OR

Zip Code: 97127

Daytime Phone: (503) 864-4422

## 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:
<u>4S</u>	<u>4W</u>	<u>31</u>	<u>NA</u>	<u>803</u>	<u>EF80</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>farming</u>
<u>5S</u>	<u>4W</u>	<u>6</u>	<u>NA</u>	<u>401</u>	<u>EF80</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>farming</u>

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

Yamhill 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: 800   
 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:

The applicant is asking for a permanent ground water right to irrigate crops on farm lands.

**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): SECTION 402.02(A) of the YCZO.
- 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.

Name: LANCE WOODS Title: ASSOCIATE PLANNER  
 Signature: [Signature] Phone: (503) 434-7516 Date: 9/19/2019  
 Government Entity: YAMHILL 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: \_\_\_\_\_

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BARGAIN AND SALE DEED - STATUTORY FORM

THIS SPACE RESERVED FOR RECORDER'S USE

Grantor: McPhillips Farms, Inc  
Grantee: McPhillips Farms, Inc. An Oregon Corporation

Until a change is requested, all tax statements shall be sent to the following address:  
McPhillips Farms Inc.  
P.O. Box 2059  
Carmichael Ca 95698

After Recording return to:  
McPhillips Farms Inc  
P.O. Box 2059  
Carmichael Ca 95698

Escrow No. 794726  
Title No. 794726

TL401

OFFICIAL YAMHILL COUNTY RECORDS  
CHARLES STERN, COUNTY CLERK

200318971



\$41.00

00135353200300189710040047

07/31/2003 10:18:35 AM

DMR-DDMR Cnt=1 Stn=2 ANITA  
\$20.00 \$10.00 \$11.00

TICOR Title Insurance Company

MCPHILLIPS FARMS, INC, AN OREGON CORPORATION, Grantor, conveys to MCPHILLIPS FARMS INC. AN OREGON CORPORATION, AN OREGON CORPORATION, Grantee, the following described real property situated in Yamhill County, Oregon, to wit:

See Attached Legal Description

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true and actual consideration paid for this transfer is other value given or promised. (Here comply with the requirements of ORS 93.030).

Dated this 31 day of July, 2003.

McPhillips Farms, Inc

*[Signature]*

As President

McPhillips Farms, Inc

*[Signature]*

As Vice President

McPhillips Farms, Inc

SIGNATURE NOT NEEDED

As \_\_\_\_\_

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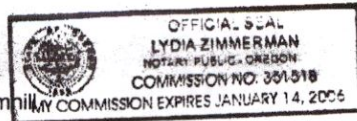
OCT 08 2019

OWRD

State: OR  
County: Yamhill

The foregoing instrument was acknowledged before me this 31 day of July, 2003 by:

Jack McPhillips As President of McPhillips Farms, Inc



*[Signature]*  
Notary Public  
My Commission Expires: Jan 14 2006

State: OR  
County: Yamhill

The foregoing instrument was acknowledged before me this 31 day of July, 2003 by:

Ramsey McPhillips As Vice President of McPhillips Farms, Inc

CI-2/4

*Lydia Zimmerman*



My Commission Expires: *Jan 14 2005*

State: OR  
County: Yamhill

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by:

\_\_\_\_\_ As \_\_\_\_\_ of *McPhillips Farms, Inc*

\_\_\_\_\_  
My Commission Expires: // \_\_\_\_\_  
/ Notary Public

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OCT 08 2019  
OWRD

G-10071



Matt Dunckel & Assoc.  
3765 Riverside Drive  
McMinnville, OR 97128  
Phone: 503-472-7904  
Fax : 503-472-0367  
Email: Dunckel@viclink.com

Date: 13 May 2003

McPhillips Farms, Inc. - Legal description of Parcel E  
206 acre tract.

A tract of land in Section 31 of Township 4 South, Range 4 West, and Section 36 of Township 4 South, Range 5 West, and Section 6 & 7 of Township 5 South, Range 4 West, and Section 1 & 12 of Township 5 South, Range 5 West, Willamette Meridian, Yamhill County, Oregon, being a portion of Parcel 1, Parcel 2 and Parcel 5 of that tract of land described by deed from B.A. McPHILLIPS & JOY J. McPHILLIPS to McPHILLIPS FARMS, INC. and recorded in Volume 27, Page 323, Yamhill County Deed Records, and being more particularly described as follows:

Beginning at a large stone held in CSP-3165 that bears South 54°05'35" West 4164.50 feet from the northeast corner of the J.A. Cornwall Donation Land Claim, said large stone held as being an angle point in the west line of said Parcel 5; thence South 24°14'17" East 364.65 feet along the west line of said Parcel 5 to an iron rod and the TRUE POINT OF BEGINNING; thence South 24°14'17" East 2702.52 feet, more or less, along the west line of said Parcel 5 to the southerly most corner of said Parcel 5; thence North 49°45'00" East 2418.28 feet, more or less, along the east line of said Parcel 5 to the northwest corner of Parcel 3 of said McPhillips Farms, Inc. tract recorded in Volume 27, Page 323, thence North 88°54'44" East 2327.09 feet, more or less, along the north line of said Parcel 3 to the southeast corner of that tract of land described by deed from YAMHILL COUNTY to McPHILLIPS FARMS, INC. and recorded in Volume 53, Page 702; thence North 0°05'23" East 310.70 feet, more or less, to the northeast corner of said tract recorded in Volume 53, Page 702, and also being on the southerly line of that tract of land conveyed by Alfred F. Thompson to David W. McCall by Deed recorded August 9, 1871 in Book "K", Page 675, thence North 89°54'37" West 706.20 feet to the westerly most southwest corner of said McCALL tract;

Page 2 of 2  
3/4

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thence North 0°05'23" East 6162.42 feet to the northwest corner of said McCALL tract, said point also being the northeast corner of said Parcel 1 and on the centerline of Durham Lane; thence South 89°55'59" West 310.00 feet to a point on the centerline of Durham Lane; thence South 0°05'23" West 199.24 feet, parallel with the east line of said Parcel 1; thence North 89°55'59" East 250.00 feet, parallel with the north line of said Parcel 1, to a point that is 60.00 feet westerly of the east line of said Parcel 1 (when measured at right angles); thence South 0°05'23" West 4393.75 feet to a point that is 60.00 feet westerly of the east line of said Parcel 1 (when measured at right angles); thence South 79°24'15" West to a point that bears North 89°26'21" East 683.02 feet from an iron rod; thence South 89°26'21" West 683.02 feet to an iron rod; thence South 89°26'21" West 1031.69 feet to an iron rod; thence South 0°12'57" East 777.01 feet to an iron rod; thence North 89°41'07" West 1533.61 feet to the TRUE POINT OF BEGINNING.

page 2 of 2  
4/4

G-10071

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**BARGAIN AND SALE DEED - STATUTORY FORM**

THIS SPACE RESERVED FOR RECORDER'S USE

Grantor: McPhillips Farms, Inc  
Grantee: McPhillips Farms, Inc. An Oregon Corporation

Until a change is requested, all tax statements shall be sent to the following address:  
McPhillips Farms Inc.  
P.O. Box 2059  
Carmichael, Ca. 95698.

TL 8014  
803

After Recording return to:  
McPhillips Farms Inc  
P.O. Box 2059  
Carmichael Ca 95698

OFFICIAL YAMHILL COUNTY RECORDS  
CHARLES STERN, COUNTY CLERK

200318970



\$36.00

07/31/2003 10:18:35 AM

DMR-DDMR Cnt=1 Stn=2 ANITA  
\$15.00 \$10.00 \$11.00

TICOR Title Insurance Company

Escrow No. 794726  
Title No. 794726

MCPHILLIPS FARMS, INC, AN OREGON CORPORATION, Grantor, conveys to MCPHILLIPS FARMS INC. AN OREGON CORPORATION, AN OREGON CORPORATION, Grantee, the following described real property situated in Yamhill County, Oregon, to wit:

**See Attached Legal Description!**

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true and actual consideration paid for this transfer is other value given or promised. (Here comply with the requirements of ORS 93.030).

Dated this 31 day of July, 2003.

McPhillips Farms, Inc

*[Signature]*  
As President

McPhillips Farms, Inc

*[Signature]*  
As Vice President

McPhillips Farms, Inc

SIGNATURE NOT NEEDED

As \_\_\_\_\_

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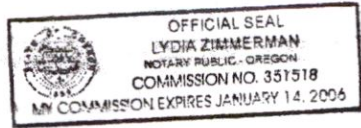
OWRD

State: OR  
County: Yamhill

The foregoing instrument was acknowledged before me this 31 day of July, 2003 by:

Jack McPhillips As President of McPhillips Farms, Inc.

*[Signature]*  
Notary Public  
My Commission Expires: Jan 14 2006



State: OR  
County: Yamhill

The foregoing instrument was acknowledged before me this 31 day of July, 2003 by:

Ramsey McPhillips As Vice President of McPhillips Farms, Inc.

*[Signature]*

Matt Dunckel & Assoc.  
 3765 Riverside Drive  
 McMinnville, OR 97128  
 Phone: 503-472-7904  
 Fax : 503-472-0367  
 Email: Dunckel@viclink.com

Date: 13 May 2003

McPhillips Farms, Inc. - Legal description of Parcel D  
 205 acre tract.

A tract of land in Section 31 of Township 4 South, Range 4 West, and Section 6 of Township 5 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon, being a portion of Parcel 1, Parcel 2 and Parcel 5 of that tract of land described by deed from B.A. McPHILLIPS & JOY J. McPHILLIPS to McPHILLIPS FARMS, INC. and recorded in Volume 27, Page 323, Yamhill County Deed Records, and being more particularly described as follows:

Beginning at an iron rod that bears South 18°19'28" West 2102.82 feet from the northwest corner of the J.A. Cornwall Donation Land Claim; thence North 0°05'23" East 4383.83 feet to an iron rod; thence North 43°27'37" West 54.27 feet to an iron rod on the southerly margin of Highway 18 (50 feet from centerline); thence North 46°32'23" East 30.00 feet to an iron rod on said southerly margin; thence North 89°55'59" East 787.87 feet to an iron rod; thence North 0°04'01" West 391.71 feet to the centerline of Durham Lane; thence North 89°55'59" East 934.75 feet, more or less, along the centerline of Durham Lane to a point that is 310.00 feet westerly of the northeast corner of said Parcel 1; thence South 0°05'23" West 199.24 feet, parallel with the east line of said Parcel 1; thence North 89°55'59" East 250.00 feet, parallel with the north line of said Parcel 1, to a point that is 60.00 feet westerly of the east line of said Parcel 1 (when measured at right angles); thence South 0°05'23" West 4393.75 feet to a point that is 60.00 feet westerly of the east line of said Parcel 1 (when measured at right angles); thence South 79°24'15" West 1295.38 feet to a point that bears North 89°26'21" East 683.02 feet from the point of beginning; thence South 89°26'21" West 683.02 feet to the POINT OF BEGINNING.

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ATTACH D-1/1



# Oregon Water Resources Department Ground Water Application

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

Today's Date: Sunday, September 29, 2019

Base Application Fee.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	1.78	\$700.00
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) **	4	\$1,050.00
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		\$3,610.00

### OWRD Fee Schedule

Fee Calculator Version B20170117

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