

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 GREGORY L. BINGAMAN			PHONE (HM)
PHONE (WK)	CELL 541-786-1000		FAX
ADDRESS 64088 MCDONALD LANE			
CITY LA GRANDE	STATE ORE	ZIP 97850	E-MAIL*

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 GREGORY BLACKMAN		PHONE 541-963-6771	FAX
ADDRESS 126 RIDGE DRIVE		CELL 541-786-2859	
CITY LA GRANDE	STATE ORE	ZIP 97850	E-MAIL* gtblackman@yahoo.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.)

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By my signature below I confirm that I understand:

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

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


Applicant Signature

GREG L BINGAMAN, Owner 11-21-2019
Print Name and Title if applicable Date

Applicant Signature

Print Name and Title if applicable

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.

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☒ 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
WELL #1	SLIDE CREEK	2000+	-30' TO CREEK
WELL #2	SLIDE CREEK	2200'+	-50' TO CREEK
WELL #3	SLIDE CREEK	4100'+	-55' TO CREEK
WELL #4	SLIDE CREEK	2600'+	-40' TO CREEK

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials (*attach additional sheets if necessary*).

The application is for a basalt well. The casing will be sealed a minimum of 5' into solid basalt to separate the water bearing level from the alluvial and stream flows.

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 2.57 CFS BASED ON 1/60TH INSTEAD OF 1/80TH (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

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

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
WELL #1	x	☐	NOT DRILLED	☐	18"	UNKNOWN	UNKNOWN	5' INTO BASALT		BASALT AQUIFER	1200+		3.0 AF
WELL #2	x	☐	NOT DRILLED	☐	18"	UNKNOWN	UNKNOWN	5' INTO BASALT		BASALT AQUIFER	1200+		3.0 AF
WELL #3	x	☐	NOT DRILLED	☐	18"	UNKNOWN	UNKNOWN	5' INTO BASALT		BASALT AQUIFER	1200+		3.0 AF
WELL #4	x	☐	NOT DRILLED	☐	18"	UNKNOWN	UNKNOWN	5' INTO BASALT		BASALT AQUIFER	1200'		3.0 AF
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									

* 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: 6-18882

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

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

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

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

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

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

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

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

☐ Yes x No Because of the well being sealed into Basalt rock.

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 x 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

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

☐ Yes ☒ No

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

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
irrigation	March 1 through October 1	3.0 Ac. Ft.

For irrigation use only:

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

Primary: 154.32 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: 3.0 Af.

- 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

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A. Diversion and Conveyance

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

x Pump (give horsepower and type): Unknown. Possibly 70HP with turbine depending if Artesian. OWRD

☐ Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Owner anticipates drilling a Basalt Well, hopefully Artesian, installing a totalizing flow meter. The well will be sealed into at least 5' of basalt, and water will be drawn from a basalt water layer.

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 owner intends to bury PVC mainlines and use linear low pressure irrigation.

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*).

We are requesting an appropriation of 160th instead of the 1/80th for this well. The dry climate in Union County dictates that 1/80th is not enough for good crop rotations. The drilling of the well will not allow the discharge of contaminated water into any stream and will construct a retaining pond to capture the residue from the drilling operation.

SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: Oct. 2020
- b) Date construction will be completed: oct. 2025
- c) Date beneficial water use will begin: June 2026

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.

- x Water quality will be protected by preventing erosion and run-off of waste or chemical products.

Describe: The nearest creek is over a half mile away.

- x 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 will be done, as this is a basalt well. A temporary pond may be constructed to contain drilling waste on site.

- ☐ Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:
List: NONE

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*).

The proposed depth of this well is based upon the depth of the B.L. Davis well, UNIO 173 which shows a well depth into basalt at 1100'+. We are hoping that this application will be approved by the summer of 2020 so that the owner may take advantage of a NRCS program helping with irrigation equipment costs. We have also requested that this permit rate be calculated at 1/60th, instead of the standard 1/80th due to the fact that the dry climate of Eastern Oregon makes the 1/80th computation inadequate. The request has been supported by the Water Master Shad Hatten for the above reasons.

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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

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NOTE TO APPLICANTS

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

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

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

Land Use Information Form



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Applicant(s): Gregory Bingaman

Mailing Address: 64088 McDonald Lane

City: La Grande

State: Oreg

Zip Code: 97850

Daytime Phone: 541-786-1000

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>2S</u>	<u>38E</u>	<u>1</u>	_____	<u>200</u>	_____ <u>EFU</u>	☒ Diverted	☒ Conveyed	☒ Used	_____
<u>2S</u>	<u>38E</u>	<u>1</u>	_____	<u>300</u>	_____ <u>EFU</u>	☒ Diverted	☒ Conveyed	☒ Used	_____
_____	_____	_____	_____	_____	_____	☐ Diverted	☐ Conveyed	☐ Used	_____
_____	_____	_____	_____	_____	_____	☐ Diverted	☐ Conveyed	☐ Used	_____

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

UNION COUNTY

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: 2.57 ☒ 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:

Owner is applying for 4 Basalt wells, however only one will be drilled. The reasoning is so that the driller has the option of moving the site without filing a permit amendment. The property is listed under Bingaman Family trust. Both trustees have passed, and Gregory Bingaman is the sole owner. The application is for new primary water on lands having no water right.

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

See bottom of Page 3. →

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): UCZPSO Sec. 24.01
- ☐ 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

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

Name: Stacy Warren Title: Associate Planner

Signature: [Signature] Phone: 541-963-1014 Date: Nov. 19, 2019

Government Entity: Union County Planning Department

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: _____

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.

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

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Include the following additional items:

- x Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- x 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.
- x Fees - Amount enclosed: \$ 3,440.00
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- x Map that includes the following items:
 - x Permanent quality and drawn in ink
 - x Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - x North Directional Symbol
 - x Township, Range, Section, Quarter/Quarter, Tax Lots
 - x Reference corner on map
 - x Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - x Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - x Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - x 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.

BARGAIN AND SALE DEED

145336

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KNOW ALL MEN BY THESE PRESENTS, That ELWYN D. BINGAMAN and BARBARA M. BINGAMAN, hereunder called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto ELWYN D. BINGAMAN and BARBARA M. BINGAMAN, Trustees or their successors in trust under the BINGAMAN LIVING TRUST, dated February 21, 1992, and any amendments thereto, a revocable living trust, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Union, State of Oregon, described as follows, to-wit:

See Attached Exhibit "A"

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ None.

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 21st day of February, 1992; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

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. (If the signer of the above is a corporation, use the form of acknowledgement opposite.)

STATE OF OREGON)
) ss.
County of Union)

The foregoing instrument was acknowledged before me this 21st day of February, 1992, by ELWYN D. BINGAMAN and BARBARA M. BINGAMAN.

Gordon W. MacLean
Notary Public for Oregon
(SEAL)

My commission expires: 5/4/92

ELWYN D. BINGAMAN and BARBARA M. BINGAMAN
65545 Imble Road
Cove, Oregon 97824
Grantor's Name and Address

ELWYN D. BINGAMAN and BARBARA M. BINGAMAN,
65545 Imble Road Trustees
Cove, Oregon 97824
Grantee's Name and Address

After recording return to:

ELWYN D. BINGAMAN and BARBARA M. BINGAMAN
65545 Imble Road
Cove, Oregon 97824
Name, Address Zip

Until a change is requested all tax statements shall be sent to the following address:

NO CHANGE

Elwyn D. Bingham
ELWYN D. BINGAMAN

Barbara M. Bingham
BARBARA M. BINGAMAN

STATE OF OREGON, County of) ss.

The foregoing instrument was acknowledged before me this _____, 1992, by _____, president, and by _____, secretary of _____

a _____ corporation, on behalf of the corporation.

Notary Public for Oregon

(SEAL)

My commission expires: _____
(If executed by a corporation, affix corporate seal)

STATE OF OREGON) ss.

County of _____)

I certify that the within instrument was received for record on the _____ day of _____, 1992, at _____ o'clock M., and recorded in book/reel/volume No. _____, on page _____, or as fee/file/instrument/ microfilm/reception No. _____, Record of Deeds of said county. Witness my hand and seal of County affixed.

Name Title

By _____ Deputy

EXHIBIT "A"

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PARCEL I:

A parcel of land located in the Northeast quarter of Section 32, Township 1 South, Range 39, East of the Willamette Meridian, described as:

Commencing at the Southwest corner of said Northeast Quarter of Section 32, being a point in the center of the County road running in a north-south direction; thence running north along the west boundary line of said Northeast Quarter of Section 32 a distance of 684 feet; thence running East a distance of 269 feet; thence running South a distance of 684 feet, more or less, to a point in the center of the County road running in an east-west direction; thence running West a distance of 269 feet, more or less, to the point of beginning.

PARCEL II:

TAX LOTS 1300 and 1400

All of Lots (or tracts) of Lots one (1), two(2), and three (3) of RIVERSIDE ORCHARD TRACTS, Grande Ronde Valley, Oregon, Union County, Oregon, according to the recorded plat thereof and situated in Section 29, Township 1 South, Range 39 East of the Willamette Meridian, Union County, Oregon.

TAX LOT 10400

All of the northeast quarter (NE 1/4) of Section 32 and the west 16 acres of the northwest quarter of Section thirty-three (33), all in township 1 South, Range 39 East of the Willamette Meridian, Union County, Oregon; except a portion of land conveyed to Elwyn Bingaman, Union County deed book 149, Page 428, and excepting that portion of the northeast quarter of Section 32 lying northerly of the Grande Ronde River;

All of that portion of the southeast quarter of the southeast quarter (SE 1/4) (SE 1/4) of Section twenty-nine (29) and all of that portion of the southwest quarter of the southwest quarter (SW 1/4) (SW 1/4) of Section twenty-eight (28) lying southerly of the Grande Ronde River and westerly of the west line of the 16-acre parcel (described above) in the northwest quarter of Section 33 as said line is extended northerly to the said Grande Ronde River, all situated in Township 1 South, Range 39 East of the Willamette Meridian, Union County, Oregon.

PARCEL III:

An undivided one-half (1/2) interest in the following described property:

A parcel of land situated in the southwest quarter of the southeast quarter of Section 20, Township 1 South, Range 39 East of the Willamette Meridian, Union County, Oregon, more particularly described with reference to Survey No. 29-79 of Anderson-Perry and Associates Inc., as follows:

Beginning at a 5/8" x 30" steel pin set on the easterly line of the O.W.R.R. & N. Co. railroad right-of-way, said pin being North 15° 50' 50" East 604.05 feet along the said easterly right-of-way line from the intersection of the south line of said Section 20 with the said easterly right-of-way line, said intersection point being South 88° 41' 43" East 396.89 feet from the south quarter corner of said Section 20; thence from the said steel pin North 15° 50' 50" East 371.39 feet along the said easterly line of the O.W.R.R. & N. CO. railroad right-of-way to a 5/8" x 30" steel pin which is the northwest corner of Tract "E" of land conveyed to Union County Co-op deed Microfilm Document Nos. 76232 and 76233; thence at a right angle to the said railroad right-of-way, and following the north and east lines of said Co-op deeds, South 74° 09' 10" East, 158.00 feet to a 5/8" x 30" steel pin; thence South 15° 52' 22" West 371.39 feet to a 5/8" x 30" steel pin; thence North 74° 09' 10" West 157.84 feet to the point of beginning.

EXHIBIT "A"
(Continued)

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PARCEL IV: SITUATE IN the County of Union, State of Oregon.

Commencing at the northeast corner of Section 13, Township 2 South, Range 38 East of the Willamette Meridian; running thence south along the east line of said section 213 1/3 rods to a point 26 2/3 rods north of the southeast corner of the north half of southeast quarter of said Section 13; thence west parallel with and 26 2/3 rods north of the south line of said north half of southeast quarter a distance of 105 rods to a point 55 rods east of the north-south center line of said section; thence north parallel with and 55 rods east of said north-south center line a distance of 213 1/3 rods to the north line of said Section 13; thence East 105 rods to the point of beginning. Subject to roads over and across the east and north sides of said premises.

PARCEL V:

An undivided one-half (1/2) interest in the following described property:

Commencing at the northeast corner of the northeast quarter of the southwest quarter of Section 32, in Township 1 South, Range 39 East of the Willamette Meridian; running thence West 24.07 chains to the right of way of the Oregon-Washington Railroad and Navigation Company (Elgin Branch); thence in a southwesterly direction along the easterly line of said railroad right of way 19.86 chains; thence East 28.96 chains to the quarter section line running north and south through said section; thence north along said quarter section line 19.25 chains to the place of beginning. Situated in the north half of the southwest quarter of Section 32, Township 1 South, Range 39 East of the Willamette Meridian.

SITUATE in the County of Union, State of Oregon.

PARCEL VI:

An undivided one-half (1/2) interest in the following described property:

Lots 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 in IMBLER FRUIT COLONY TRACT in Union County, Oregon, according to the recorded plat thereof. Also one square acre tract in the southeast corner of the southwest quarter of Section 32, Township 1 South, Range 39 East of the Willamette Meridian, bounded as follows:

Commencing at the southeast corner of the southwest quarter of said Section 32; running thence West 208.71 feet; thence North 208.71 feet; thence East 208.71 feet; thence South 208.71 feet to the place of beginning, all of the above land being situated in the southwest quarter of Section 32, Township 1 South, Range 39 East of the Willamette Meridian.

PARCEL VII:

The north half of southeast quarter of Section 32 in Township 1 south, Range 39 East of the Willamette Meridian, SUBJECT TO roads over and across the north and west sides thereof and utility easements as same may now exist or appear of record.

SITUATE IN the County of Union, State of Oregon.

EXHIBIT "A"
(Continued)

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PARCEL VIII:

the
South half of the South half (S $\frac{1}{2}$ S $\frac{1}{2}$) of
Section 12 and the West fifty-five (55)
rods of the West half of the Northeast
quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$) of Section Thirteen (13),
the East half of the Northwest quarter
(E $\frac{1}{2}$ NW $\frac{1}{4}$) of Section Thirteen (13), and the
North two-thirds (being the North 53 1/3
rods) of the Northeast quarter of the
southwest quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of section
Thirteen (13); and also a parcel of the
land in the Northwest quarter of the South-
east quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) in Section Thirteen
(13) described as:
Beginning at the center of said Section 13
and running thence south along the north-
south center line of said Section, a distance
of 53 1/3 rods; thence at right angles east
55 rods; thence at right angles north 53 1/3
rods to the east-west center line of said
section; thence west 55 rods to the point of
beginning; all of the property herein described
being situated in Township 2 South, Range 38 East
of the Willamette Meridian, Union County, Oregon,
SUBJECT TO County road;

PARCEL IX:

The northeast quarter (NE $\frac{1}{4}$) of Section Seventeen (17) in
Township 1 North, Range 38 East of the Willamette Meridian
(\$3,000.00);

The northwest quarter of the Southeast quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of
Section Twenty-eight (28) Township 1 South, Range 38, east
of the Willamette Meridian (\$1,000.00);

The southeast quarter (SE $\frac{1}{4}$) of Section Thirty (30), Township
1 South, Range 39 East of the Willamette Meridian (\$47,500.00).
SUBJECT TO county road;

The west half of the northwest quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$) of Section
Eighteen (18), Township 2 South, Range 39 east of the Willamette
Meridian, SUBJECT TO county road, 71.12 acres, more or less
(\$21,500.00);

The south half of the southeast quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$) of Section two
(2), Township 2 South, Range 38 east of the Willamette Meridian,
SUBJECT TO county road (\$27,000.00);

PARCEL X:

An undivided one-half (1/2) interest in the following described property:

The North half of the Northeast quarter
and the North half of the northwest quarter
of Section two, Township one South, Range
thirty-nine East of the Willamette Meridian;
also the South half of Southwest quarter of
Section thirty-five, Township one North,
Range thirty-nine East of the Willamette
Meridian; also a strip of land two rods wide
off from the North side of the South half
of the southeast quarter of Section thirty-four
Township one North, Range thirty-nine East of the
Willamette Meridian, Union County, Oregon.

*Subject to a life estate in Orla J. Bingaman.

EXHIBIT "A"
(Continued)

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PARCEL XI:

TL 300
T2S R38E
Sect. 1

The South half of the Northwest quarter of Section 1, Township 2 South, Range 38 EWN, and located in Union County, Oregon.

*Subject to a life estate in Charles (Dick) End.

PARCEL XII:

TL 200
T2S R38E
Sect. 1

The North half of the Northwest quarter of Section One in Township Two South of Range Thirty-eight East of the Willamette Meridian in Union County Oregon and containing Eighty acres of land more or less.

Rec. No. 91385 Pt. \$50
STATE OF OREGON
County of Union
I certify that the within instrument was
received for recording on the 4th
day of Jan 1993
at 5:00 A.M. and was
recorded on microfilm no. 145336
Record of Deeds/Mortgages of said County
K Nellie Bogue Hibbert, County Clerk
By [Signature]

NOTICE TO WATER WELL CONTRACTOR

The original and first copy
of this report are to be
filed with the

STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

Page 1

State Well No.

15/38 E-36b

State Permit No.

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(1) OWNER:

Name **B. L. Davis**
Address **Adams, Oregon 97810**

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

CASING INSTALLED:

Threaded ☐ Welded ☒

8" Diam. from +1 ft. to 362 ft. Gage .250
12" Diam. from 0 ft. to 1026 ft. Gage .250
10" Diam. from 1026 ft. to 1394 ft. Gage .250

PERFORATIONS:

Perforated? ☒ Yes ☐ No.

Type of perforator used **Machine**
Size of perforations $\frac{1}{4}$ in. by 2 in.
4800 perforations from 1294 ft. to 1394 ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

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

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static level

Was a pump test made? ☐ Yes ☒ No If yes, by whom?

Yield: gal./min. with ft. drawdown after hrs.

" " " "

Bailer test gal./min. with ft. drawdown after hrs.

Artesian flow 1700 g.p.m.

Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

*SEE ATTACHMENT.

Well seal—Material used **Neat cement**

Well sealed from land surface to 18 ft.

Diameter of well bore to bottom of seal 26 in.

Diameter of well bore below seal 26 in.

Number of sacks of cement used in well seal 45 sacks

Number of sacks of bentonite used in well seal _____ sacks

Brand name of bentonite _____

Number of pounds of bentonite per 100 gallons

of water _____ lbs./100 gals.

Was a drive shoe used? ☐ Yes ☒ No Plugs _____ Size: location _____ ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? _____ depth of strata _____

Method of sealing strata off _____

Was well gravel packed? ☒ Yes ☐ No Size of gravel: 3/8-

Gravel placed from 18 ft. to 355 ft.

(10) LOCATION OF WELL:

County **Union** Driller's well number **OWRD**

$\frac{1}{4}$ NW $\frac{1}{4}$ Section 36 T. 15, R. 38 E. W.M.

Bearing and distance from section or subdivision corner

Center of

(11) WATER LEVEL: Completed well.

Depth at which water was first found 100 ft.

Static level _____ ft. below land surface. Date _____

Artesian pressure 32 lbs. per square inch. Date 12/11/78

(12) WELL LOG:

Cased to bottom.

Depth drilled 1394 ft. Depth of completed well 1394 ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change in
position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top soil	0	3	
Clay brown	3	73	
Clay soft brown	73	100	
Clay and sand	100	105	
Clay and sandstone	105	112	
Clay blue	112	160	
Clay and sand	160	168	
Sand and clay	168	176	
Clay blue and sandstone	176	183	
Clay and sand	183	193	
Clay blue	193	206	
Sand	206	210	
Clay and sand	210	213	
Sand	213	223	
Clay blue and sand	223	228	
Clay brown	228	257	
Sand	257	270	
Clay and sand	270	284	
Sand and gravel	284	300	

Work started 12/1 1977 Completed 12/11 1978

Date well drilling machine moved off of well 12/11 1978

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision.
Materials used and information reported above are true to my
best knowledge and belief.

[Signed] Steve Moore Date 6/11, 1979
(Drilling Machine Operator)

Drilling Machine Operator's License No. 755

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is
true to the best of my knowledge and belief.

Name Steve Moore
(Person, firm or corporation) (Type or print)

Address P. O. Drawer P, Moses Lake, Wa. 98837

[Signed] Steve Moore
(Water Well Contractor)

Contractor's License No. 628 Date 6/11, 1979

Contractor's License No. Date, 19....

SP-4505-119

WATER WELL REPORT

Page 3

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date
of well completion.

STATE OF OREGON

(Please type or print)

(Do not write above this line)

State Well No. 15/38E-36b

State Permit No. W10173

(1) OWNER:

Name B. L. Davis
Address Adams, Oregon

(2) TYPE OF WORK (check):

New Well ☐ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☐

CASING INSTALLED:

Threaded ☐ Welded ☐

" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

PERFORATIONS:

Perforated? ☐ Yes ☐ No.

Type of perforator used

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

(7) SCREENS:

Well screen installed? ☐ Yes ☐ No

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

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static level

Was a pump test made? ☐ Yes ☐ No If yes, by whom?

Yield: gal./min. with ft. drawdown after hrs.

" " " "

" " " "

Bailer test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m.

Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used

Well sealed from land surface to ft.

Diameter of well bore to bottom of seal in.

Diameter of well bore below seal in.

Number of sacks of cement used in well seal sacks

How was cement grout placed?

Was a drive shoe used? ☐ Yes ☐ No Plugs Size: location ft.

Did any strata contain unusable water? ☐ Yes ☐ No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? ☐ Yes ☐ No Size of gravel:

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Driller's well number

1/4 1/4 Section T. R. W.M.

Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found ft.

Static level ft. below land surface. Date

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing

Depth drilled ft. Depth of completed well ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change in
position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Basalt blk w/gray & grn clay	666	698	
Clay gray w/soft blk basalt	698	706	
Basalt blk broken w/clay	706	721	
Basalt black	721	724	
Basalt gray brkn w/gray clay	724	771	
Basalt black soft	771	779	
Basalt blk w/grn clay	779	820	
Clay grn hard w/blk basalt	820	830	
Basalt gray hard	830	850	
Basalt gray with tan clay	850	859	
Basalt gray & green clay	859	864	
Clay brown soft	864	865	
Clay red w/blk basalt	865	897	
Clay red	897	902	
Basalt blk w/red & grn clay	902	903	
Basalt blk hard & broken	903	910	
Basalt black w/grn clay	910	945	
Basalt blk w/gray clay soft	945	951	
Clay red w/black basalt	951	973	

Work started 19 Completed 19

Date well drilling machine moved off of well 19

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision.
Materials used and information reported above are true to my
best knowledge and belief.

[Signed] Date 19.....

(Drilling Machine Operator)

Drilling Machine Operator's License No.

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is
true to the best of my knowledge and belief.

Name (Person, firm or corporation) (Type or print)

Address

[Signed] (Water Well Contractor)

Contractor's License No. Date 19.....

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Attachment to B. L. Davis well:

Set 18" casing to 362'

18' surface seal and neat cement from 340' to 362'

Casing Set - 1026' of 12"
368' of 10"

A B & W float collar was welded in at 1284' with a cement basket at 1286' on the outside of the casing.

200 sacks of cement mixed with 5 gals. of water to the sack was pumped out through the float collar.

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JUNE 1 1979
WATER RESOURCES DIV
SELEM, OREGON