

Application for an Emergency Use Permit for Groundwater (Drought)



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

RECEIVED

MAY 24 2021

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME JOHN BOYER			PHONE (HM) OWRD		
PHONE (WK)		CELL (541) 523-4822		FAX	
ADDRESS 45850 SCHOOLHOUSE ROAD					
CITY HAINES		STATE OR	ZIP 97833	E-MAIL SLEEPINGB@CASCADEACCESS.COM	

Organization Information

NAME N/A			PHONE		FAX
ADDRESS					CELL
CITY		STATE	ZIP	E-MAIL	

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


AGENT / BUSINESS NAME CHRISTOPHER STOCKS			PHONE		FAX
ADDRESS 45801 SCHOOLHOUSE ROAD					CELL (801) 995-2124
CITY HAINES		STATE OR	ZIP 97833	E-MAIL CHRIS_STOCKS@LIVE.COM	

Note: Attach multiple copies as needed


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. Acceptance of this application neither guarantees an emergency use permit will be issued nor indicates that a permanent water right may be obtained.
- 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

John Boyer applicant 19 May, 2021
Print Name and title if applicable Date


Applicant Signature

Christopher Stocks, Agent May 19, 2021
Print Name and title if applicable Date

Nancy Boyer applicant May 19, 2021
Print Name and title if applicable Date

For Department Use		
App. No. _____	Permit No. _____	Date _____

SECTION 2: PROPERTY OWNERSHIP

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

Yes

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

No

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

RECEIVED
MAY 24 2021
OWRD

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

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
01	Rock Creek	0.67 Miles	Less than 10'

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*).

We are proposing to add a supplemental irrigation well to tax lot 100. We would use the well to our existing irrigation pond which we currently use to supply water to 240 acres of farm ground using 2 different pivots. These pivots are joined by an existing buried mainline. We have witched the proposed well site, and we are optimistic that it will have quality water. It is also in close proximity to our irrigation pond, mainline, and 480 power.

Supply water to
↓

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: sand & gravel (0'-100'), or alluvium (100'-600') [both aquifers have been used in this valley]

Total maximum rate requested: 1200 GPM (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

Complete the table below. If this is an existing well, the following information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	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)
01	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	12"	0'-100'		0'-40'		Sand and gravel/alluvium	100'-600'	1,200	3 AF/AC
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.
 ** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.
 *** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

RECEIVED
MAY 24 2021
OWRD

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Supplemental Irrigation	March 1 – October 31	3 AF/AC

Rights affected by drought:

County in which use will occur: Baker (if the right is located in Klamath Basin/County you must complete section 7)

Please indicate the total number of acres to be irrigated (must match map): 240 acres

List the Permit or Certificate number(s) of the water right(s) affected by drought: C-4053, C-73167

Indicate the maximum number of acre-feet you expect to use in an irrigation season: 3 AF/AC

SECTION 5: WATER MANAGEMENT

RECEIVED

MAY 24 2021

OWRD

A. Diversion and Conveyance

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

Pump (give horsepower and type): 100 HP, electric

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. We proposes to pump water into an existing irrigation pond. Water collected in the irrigation pond is pumped to 1 of 2 pivots via a buried mainline.

B. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; and prevent the discharge of contaminated water to a surface stream.

We have requested the right to pump 1,200 GPM. This is because both of our pivots are rated at 1,000-1,100 GPM. Anything less than this, and we could not run our pivots. Pumping up to 1,200 GPM would allow us to keep the pond full without over filling and wasting water. All of the water pumped into the pond would be moved directly through a contained, buried mainline and applied to the ground via high efficiency pivot. Our goal is always to conserve the water as much as possible.

RECEIVED

MAY 24 2021

OWRD

SECTION 6: DROUGHT INFORMATION:

Explain how drought conditions have created an inability to obtain water under your existing right(s), and any other remarks to clarify any other information (*attach additional sheets as necessary*).

In a normal year, we generally have sufficient water for a basic hay crop, and some flood irrigating of pastures. We have 480 acres, ½ in permanent pasture (flood irrigated), and the other ½ under pivots. This year, we have received less than half our normal allotted water, and near record low precipitation.

I fear that irrigation water, historically available through the end of June will dry up 2-3 weeks early. Without a well, we are going to be in a really tight spot, especially if we continue without rain. We will have to purchase costly hay, and sell some of our cattle herd. A well would supplement our right enough to get through this year, and would provide opportunities for better water usage in years to come.

Everybody needs to do their part to conserve our natural resources. Adding a well will save us this year, and we hope that it will help improve our ability to use our water resources efficiency for years to come.

SECTION 7: KLAMATH BASIN/COUNTY WELL INFORMATION

A functioning, totalizing flowmeter will be required for any drought permits issued. Is there currently a flowmeter installed on each of the PODs listed in the table in Section 3 of this application? Yes No*

*Please note that watermaster staff will visit the well to confirm flowmeter presence prior to issuance of an emergency drought groundwater permit. Where possible, watermaster staff will take a static water level measurement. Alterations to the well head may be required in order to make the water level measurements and these may be conditions of the permit.

For each well, please provide a description of the flowmeter location, the serial number, the current flowmeter reading and the date the reading was taken in the table below.

OWNER'S WELL NAME OR NUMBER.	WELL TAG NUMBER (IF AVAILABLE)	WELL LOG ID (E.G., KLAM 1234)	FLOWMETER SERIAL NUMBER	FLOWMETER READING	FLOWMETER DATE	FLOWMETER LOCATION

RECEIVED

MAY 24 2021

OWRD

Date _____

(For staff use only)



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

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- SECTION 1: _____
- SECTION 2: _____
- SECTION 3: _____
- SECTION 4: _____
- SECTION 5: _____
- SECTION 6: _____
- SECTION 7: _____
- Fees _____

RECEIVED

MAY 24 2021

OWRD

MAP

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for supplemental irrigation or nursery
- Location of main canals, ditches, pipelines or flumes
- Other _____

Oregon Water Resources Department
Location Information Lookup

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

How would you like to enter your Location?

- Latitude/Longitude in Decimal Degrees (ex: Latitude: 45.0123 degrees, Longitude: -121.5321 degrees)
- Latitude/Longitude in Decimal Minutes (ex: 45 degrees, 27.567 minutes)
- Latitude/Longitude in Degrees, Minutes, Seconds (ex: 45 degrees, 37 minutes, 28 seconds)
- By Address (ex: 725 Summer ST NE Salem, OR 97301)
- By Public Land Survey (Township 1S, Range 3E, Section 5, NE Quarter/Quarter of SW Quarter)

RECEIVED

MAY 24 2021

OWRD

Latitude: 44.904949

Longitude: -117.998134

Find Location

Location

Latitude/Longitude: 44.90495, -117.9981

OR Lambert X,Y: 1960386, 1159868

[View Location on Google Maps](#)

Public Land Survey (TRSQQ)

Meridian: WM

Township/Range/Section: 8.00S-38.00E-1

Quarter/Quarter: NE-NE

Political Features

County: Baker

OWRD Region: E

Watermaster District: 8

DEQ Region: n/a

ODFW Region: Northeast Region

ODFW District: La Grande District

Hydrologic Features

Basin: Powder

Water Availability Basin: [WILLOW CR > POWDER R - AT MOUTH \(30920328\)](#)

Priority WAB Name: Willow Cr > Powder R - at mouth (OWRD: Good, ODFW: Moderate) (30920328)

Groundwater Features

Groundwater Restricted Area: n/a

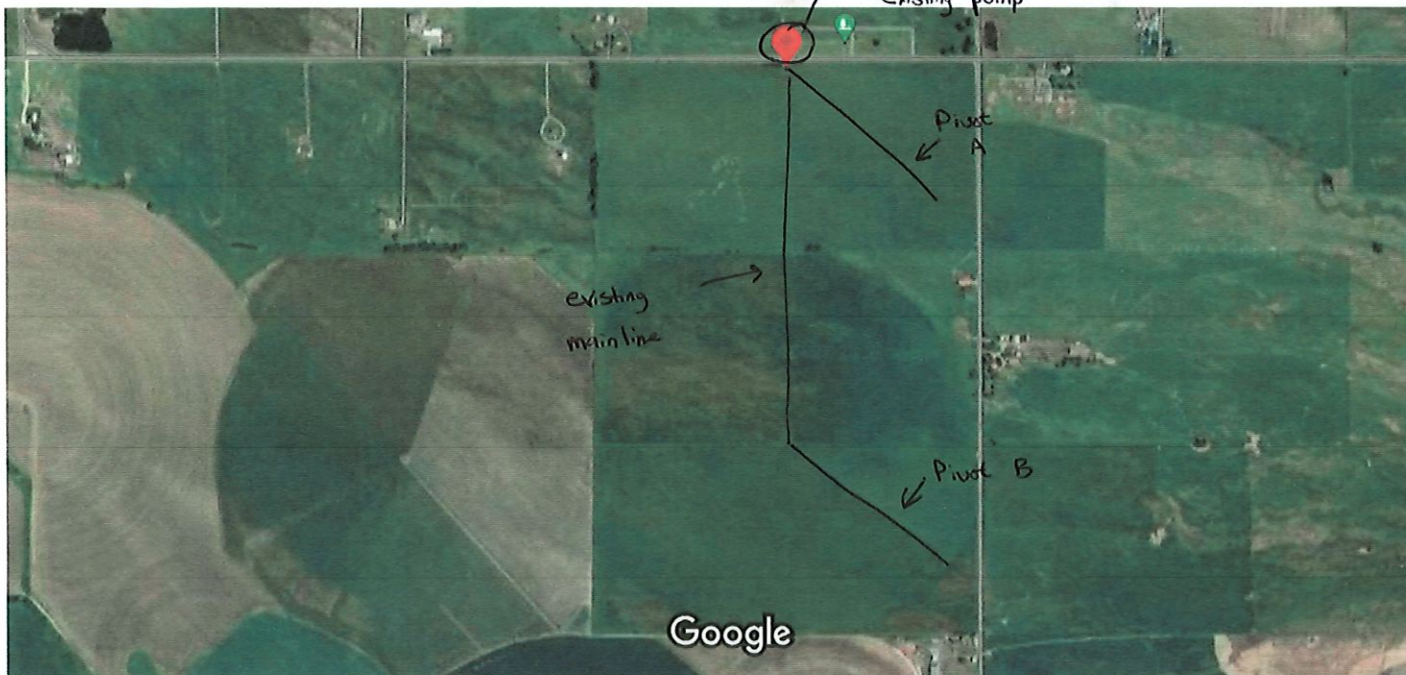
Other Features

4D Rules Apply: n/a

Division 33 Ruleset(s): Statewide; STATEWIDE

44°54'17.8"N 117°59'53.2"W

Proposed Well or location near irrigation pond } all existing electrical existing pump








Imagery ©2021 Maxar Technologies, State of Oregon, Map data ©2021 500 ft





RECEIVED
MAY 24 2021
OWRD

44°54'17.8"N 117°59'53.2"W

44.904950, -117.998100

- 
Directions
- 
Save
- 
Nearby
- 
Send to your phone
- 
Share

-  Baker School District 05j, OR
-  W232+XQ Rock Creek, Oregon

Photos

Oregon Water Resources Department
Emergency Drought Application

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

Today's Date: Tuesday, May 18, 2021

Emergency Drought Examination Fee.			\$200.00
Recording Fee. *			
	For the 1st CFS or fraction thereof	\$400.00	
	For each additional CFS or fraction thereafter	\$100.00	
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)		2.67	\$600.00
* the 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 Emergency Drought Application			\$800.00

RECEIVED

MAY 24 2021

OWRD

5/19/21
 8:05 POTENTIAL LIABILITY REAL PROPERTY INQUIRY KK
 REF # 2021 R 7307 SPLIT ACCTS - CMD-18 Last Viewd 7307 A10100
 MAP# LOT# A NUM CODE PCL MCL AP VA ZONE PAR# %.xxxx REAL# PR
 08S3801 100 518 551 551 3 EFU
 OWNER BOYER, JOHN H & NANCY K ET ALS
 CNTRCT Pg 1
 ADDR 45850 SCHOOLHOUSE RD
 CTY/ST HAINES, OR 97833
 SC DEF SITUS: COUNTY
 SITUS: 45850 SCHOOLHOUSE RD
 HOME ID: ACTION CDS MAPCODE 0518
 YR AP 2021 APPR TB TYLER BOWLING
 ACRES 5.00 SPC ASM
 RMV M5 VALUE TOTAL AV
 LAND NOTES
 IMPROV
 SUBTOT
 LESS EXEMPTIONS:
 LESS VET EXEMPT:
 NET VALUES:

1-KEY 2-IMP 3-LND 7-EOJ 8-CLR 9-BACK 10-FORWARD 17-JV/TL 22-SALES 23-TAX INQ

RECEIVED

MAY 24 2021

OWRD

Code Area	Township	Range	Section	1/4	1/8	Parcel Number	Type	Number	Page
5-3	8	38	1			100			107

Map-Number	Special Interest	History of Parcel		
Tax Lot Number		Exceptions/Additions	Date of Entry/ Acquisition	Deed Record
				Volume Page Acres Remain

History of Parcel Prior to Re-mapping		History of Parcel		
Previous Account Number	Previous Tax Lot Number	Exceptions/Additions	Date of Entry/ Acquisition	Deed Record
	838100			Volume Page Acres Remain
		Also: NY 2 NE 1/4 Sec 80.29	11-89	74-40-081 240
		Exc: Co Rd 635 2.73	11-89	— —
		Exc Co Rd 1138 1.82	11-89	— — 235
		1. As tenants in common	JV 50644 7-2-91	91-26-062 WD
		2. Boyer, John H	JV65607 12-19-97	97-51-035 PR
		3. Boyer, John H & Nancy K	JV65647 1-12-98	98-02-112 Est/Ent

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTY
SARASOTA COUNTY ASSESSOR'S OFFICE

300

255

1. Boyer, John H & Esther L

2002 10/24/97 74-40-081 10

112 557
267 968 280.39

can't read

235.85

RECEIVED
MAY 24 2021
OWRD

Remarks:

RECEIVED

MAY 24 2021

191

Fed. Land Bank of Spokane

Chas. G. Davidson, et al

WARRANT DEED

OWRD

19063- David M. Curtall

THIS INSTRUMENT, Made this 11th day of February, 1947, between THE FEDERAL LAND BANK OF SPOKANE, a corporation organized and existing under the Act of Congress known as the Federal Farm Loan Act, as amended, with its principal place of business in the City of Spokane, County of Spokane, State of Washington, the party of the first part, and Chas. G. Davidson and Mildred M. Davidson, husband and wife, parties of the second part,

WITNESSETH: That the party of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, receipt of which is hereby acknowledged, does by these presents Grant, Bargain, Sell Convey and Warrant to the parties of the second part, and to their heirs and assigns forever the following described real estate, situate in the County of Spkan, State of Oregon, to-wit:

The South Half of the Northeast Quarter, and the North Half of the Southeast Quarter, of Section 3, Township 6 South, Range 36 East of the Willamette Meridian.

Together with all the covenants, servitudes, rights, privileges and appurtenances thereto belonging and all ways and water rights, and all mining and prospecting operations and fixtures which are appurtenant to or incident to the ownership of the premises, and including herein contained shall be considered a part of the water right.

TO HAVE AND TO HOLD said premises unto the parties of the second part, their heirs and assigns forever, subject to the following:

1. Rapid taxes, assessments and water charges, including but not limited to those levied or imposed by the United States Reclamation or Indian Service or by any water or irrigation or drainage district or company, and all other rapid charges, liens or assessments imposed by or pursuant to law on the above described property, including any and all delinquent charges, bearing the date of the year 1947.
2. Any lien imposed by law by reason of the establishment, maintenance of any drainage, irrigation or other special improvement district, and any lien or assessment levied or placed on said property by, through or under the authority of any such district.
3. Any obligations and liabilities, including any and all taxes due from the United States of America or the State in which said land is situated, or is claimed from railway companies and any and all persons, rights of way for railroads, roads or highways or other easements.

The party of the first part hereby warrants that, except as hereinabove stated, it will forever defend and hold the title to said premises and the title and beneficial possession thereof unto the said parties of the second part, or their heirs, assigns, legal representatives and persons lawfully claiming under them.

IN WITNESS WHEREOF, the party of the first part has hereunto set its hand and corporate seal to be hereunto subscribed and attested, and the party of the second part has hereunto subscribed and attested, on the day and date first above written.

(SEAL)

THE FEDERAL LAND BANK OF SPOKANE
BY S. G. FINE, Vice-President

Witness my hand and corporate seal this 11th day of February, 1947, at the City of Spokane, State of Washington.
Mildred M. Davidson, wife of Chas. G. Davidson, hereby approved S. G. Fine, Vice-President of the Federal Land Bank of Spokane, as the authorized officer of said corporation, for the use and behoof of said parties of the second part.

BAKER COUNTY ASSESSOR'S OFFICE

8	38			100		5-5			
TWP. S.	RGE. E.	SEC.	1/4	1/16	TAX LOT NUMBER	TYPE	SPEC. INT. IN REAL PROP.	CODE AREA NUMBER	
MAP NUMBER				ACCOUNT NUMBER				FORMERLY PART OF T.L. NO.	CITY

INDENT EACH NEW COURSE TO THIS POINT	ADDITIONAL DESCRIPTION AND RECORD OF CHANGE	DATE OF ENTRY ON THIS CARD	DEED RECORD		ACRES REMAINING
			VOL.	PG.	
	8381 - 100				
Sec. 1 S $\frac{1}{2}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$; N $\frac{1}{2}$ NB $\frac{1}{4}$ (Gov't Lots) TBS R38EWM			141 167	467 988	240.39
Except: Co. Rd.	455				235.84
1. Boyer, John M & Esther L		18874 10/14/74	74	40-081	WD

RECEIVED
MAY 24 2021
OWRD

Application for an Emergency Use Permit for Groundwater (Drought)



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

RECEIVED

MAY 24 2021

Emergency Use Permit Application Processing

OWRD

ORS 536.700-780 and OAR 690-019-0040(1) authorize the Director, after the Governor declares that a severe, continuing drought exists, to issue emergency-use permits to replace water not available under an existing right because of the drought. Each application must be for use in a designated drought area.

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-019-0040, OAR 690-019-0050, and OAR 690-019-0100 (www.oregon.gov/owrd/law). When an application does not contain all the information and supporting material required by the application form and these rules, the application will be declared incomplete, and the applicant notified. Additionally, the application may be returned with a request for additional information, and the applicant will have 30 days to complete the application. If the applicant fails to complete the application within 30 days, it will be rejected.

2. Public Notice

Public notice of receipt of emergency use applications and approval of such applications will be included in the Department's regular public notice of applications.

3. Final Order Issued

The Director shall approve an application for emergency water use upon findings that the proposed use will not cause injury to existing water rights and will not impair or be detrimental to the public interest. In evaluating whether the proposed use will impair or be detrimental to the public interest, the Director shall consider the factors described in OAR 690-310-0120 and OAR 690-310-0130.

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050, ORS 537.615 & OAR 690-019-0040)

Include this checklist with the application

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

- SECTION 1: APPLICANT INFORMATION AND SIGNATURE
- SECTION 2: PROPERTY OWNERSHIP
- SECTION 3: WELL DEVELOPMENT
- SECTION 4: WATER USE
- SECTION 5: WATER MANAGEMENT
- SECTION 6: DROUGHT INFORMATION
- SECTION 7: KLAMATH BASIN WELL INFORMATION

RECEIVED

MAY 24 2021

OWRD

Attachments:

- Fees - Amount enclosed: \$ 800.00
\$200 Examination fee
\$400 Recording fee for the first Cubic Foot per Second (CFS) or fraction thereof, and \$100 for each additional CFS or fraction thereof
** one CFS equals 448.831 gallons per minute*

Provide a map and check that each of the following items is included:

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for supplemental irrigation or nursery
- Location of main canals, ditches, pipelines or flumes
- Other