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owrd

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 ANDREW AND ABIGAIL HENEVELD			PHONE (HM)		
PHONE (WK)	CEI 503	LL 3-580-8690) FAX		
ADDRESS					
6140 STATE STREET					
CITY	STATE	ZIP	E-MAIL*		
SALEM	OR	97317	7 ANDREW@PREMIUMNW.COM		

Organization

NAME			PHONE	FAX	
ADDRESS			I	CELL	
СІТҮ	STATE	ZIP	E-MAIL*		

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

		PHONE	FAX		
ogy, Inc.	(503) 632-5016	(503) 632-5983			
			CELL		
		(503) 349-6946			
STATE	ZIP	E-MAIL*			
OR	97042	phgdmh@gmail.com			
		STATE ZIP	ogy, Inc. (503) 632-5016 STATE ZIP E-MAIL*	ogy, Inc. (503) 632-5016 (503) 632-5983 CELL (503) 349-6946 STATE ZIP E-MAIL*	

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 Signatur Applicant Signature

04.15.21 Andrew Heneveld Print Name and Title if applicable

Abicail Henevelo Print Name and Title if applicable

04-15-21 Date

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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*).

NA

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

		IF LESS 7	THAN 1 MILE:
WELL NO.	NAME OF NEAREST SURFACE WATER	DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
Well 1	WILLA LAKE AND UNNAMED INTERMITTENT TRIBUTARY TO FRUITLAND CREEK	1,000 FEET	10 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).

Well specifications provided in the table below are estimates and subject to change based on actual conditions encountered in the field. The objective will be to construct the well to develop water from the alluvial aquifer.

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SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 0.10 CFS (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

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

										PRO	POSED U	JSE	
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)	SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL- SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
WELL 1	\boxtimes		NA		6 INCH	0 то 120	TBD	0 то 25	NA	ALLUVIAL	120 FEET	44.88 GPM	20.0 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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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 <u>Attachment 3</u> or the link below to determine whether the proposed point of appropriation (POA) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

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

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

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

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.

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.

 \Box Yes \boxtimes 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: <u>NA</u>

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Statewide - OAR 690-033-0330 thru -0340

Is the well or proposed well located in an area where the Statewide 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 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)
Nursery	Year round	20.0 AF

For irrigation use only:

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

Primary: <u>4.0</u> Acres Supplemental: <u>0</u> Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):

<u>NA</u>

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 20.0 AF

- If the use is municipal or quasi-municipal, attach Form M
- If the use is **domestic**, indicate the number of households: <u>NA</u> (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*): <u>NA</u>

For Department Use: App. Number:

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): <u>5 Hp submersible pump</u> Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. <u>Water will be pumped from the well through buried mainlines to supply drip and/or impact sprinklers</u>

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (*attach additional sheets if necessary*) drip and/or impact sprinklers

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*).

Water will be applied to nursery stock, trees and shrubs when needed. The most water-efficient method of irrigation will be used for the crop being irrigated.

SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: Within three years after the permit is issued
- b) Date construction will be completed: Within five years after the permit has been issued
- c) Date beneficial water use will begin: Within five years after the permit has been issued

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: Water will be applied at rate and duration to avoid excess watering

 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: There are no streams located near Proposed Well 1 or any other location requiring ground disturbance; therefore, no banks will need clearing.

Other state and federal permits or contracts required and to be obtained, if a water right permit is granted: List: NA

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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	
NA		
City	State	Zip

SECTION 10: REMARKS

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

None

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Land Use Information Form



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

Applicant				PHONE (HM)	OWRD
NAME Andrew and Abigail Heneveld					
PHONE (WK)	CBL 503	L -580-8690)	FAX	
ADDRESS 6140 STATE STREET			١		
CITY SALEM	STATE OR	ZIP 97317	B-MAIL*		

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	Rango	Section	44	Tax Lot #	Plan Designation (o.g., Rural Residential/RR-5)		Water to be:		Proposed Land Use:
78	2W	33A		3000	SA (Contact Local Jurisdiction)	Diverted Diverted	Conveyed	🛛 Used	Nursery
						Diverted	Conveyed	🗍 Used	
	,					Diverted	Convoyed	🗖 Used	
						Diverted	Conveyed	Used [

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

Marion County

B. Description of Proposed Use

Type of application to be file Permit to Use or Store Water Limited Water Use License	er 🗌 Water I	ter Resources Depa Right Transfer tion of Conserved Wa	Permit Amendi	nent or Groundwater Registra ater	tion Modification,		
Source of water: Reservoi	oir/Pond 🛛	Groundwater	Surface Water (name	e)			
Estimated quantity of water i			🛛 oubio feet per second	gallons per minute	acre-feet		
Intended use of water:	Irrigation	_ Commercial _ Quasi-Municipal	 Industrial Instream 	Domestic for hous Other <u>Nursery</u>	ehold(s)		
Briefly describe: <u>New groundwater permi</u>	it application	1 for nursery use	for cultivation of n	ursery stock: trees and	<u>l shrubs.</u>		
					Po		
Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government							

Note to applicant: If the Land Use Information Form cannot be completed while you wan, 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.



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Land Use Information Form Page 2 of 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): 7/37.020.

□ 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 Uso Approval Needed (o.g., plan amondments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Scotion References	Land Use Approval:		
conditional-use permits, etc.,		Denfed	D Boing Pursued	
		Donied	 Being Pursued Not Being Pursued 	
3		Denied	D Boing Pursued	
		Dobtained Denled	Boing Pursued Not Being Pursued	
		Denled	Deing 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 AUSTIN Barnes		Asst Planner
SIGNATURE UNATION	PHONE: 503-588-5038	DATE: 6/15/2021
GOVERNMENT ENTITY Marion Count	y Planhing	

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

I will and warman

Applicant name;				
City or County:			Staff contact:	
Signature:		Phone:	Date;	
JUN 15 2021			RECEIVED	Land Use Information Form Page 1 of 3
			JUN 1 8 2021	
Ma	rion County Planning		OWRD	

7.

RECORDING REQUESTED BY: Fidelity National Title Company of Oregon

GRANTOR: Vinh Van Vo

GRANTEE: Andrew Heneveld

SEND TAX STATEMENTS TO: Andrew Heneveld 6140 State Street Salem, OR 97317

AFTER RECORDING RETURN TO: Andrew Heneveld 6140 State Street Salem, OR 97317

Escrow No: FT130042618-FTMWV01

R24539; R335019 6140 State Street Salem, OR 97317

READ & APPROVED

BY	
BY	

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Vinh Van Vo, Grantor, conveys and warrants to

Andrew Heneveld, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Marion, State of Oregon:

Beginning at the Northwest corner of the Nicholas Schrum Donation Land Claim No. 44 in Township 7 South, Range 2 West of the Willamette Meridian in Marion County, Oregon; and running thence South 00° 12' East along the West line of said Schrum Claim, 612.28 feet to a point; thence South 89° 48' West 299.53 feet to a point in the West line of that certain tract of land conveyed to Harold W. Nelson and Dorothy E. Nelson by deed recorded in Volume 497, Page 241, Marion County Deed Records; thence North 00° 12' West along the West line of said Nelson tract, 812.54 feet to the Northwest corner thereof; thence South 56° 26' East along the North line of said Nelson tract, 360.31 feet to the point of beginning.

SAVE AND EXCEPT that portion of the above described tract of land lying within Market Road No. 22 and that portion lying East of the West line of County Road No. 746 (62nd Avenue S.E.)

ALSO SAVE AND EXCEPT that portion which lie East of the East line of the Jos. Rickley Donation Land Claim No. 81.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$225,000.00. (See ORS 93.030)

Subject to and excepting:

Current taxes, assessments, reservations in patents, and all agreements, easements, right-of-way, encumbrances, liens, setback lines, reservations, powers of special districts, covenants, conditions and restrictions as may appear of record.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND DESCRIBED IN THIS INSTRUMENT IN OR ACCEPTING THIS INSTRUMENT, THE PERSON REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON

FT130042618-FTMWV01 Deed (Warranty-Statutory) RECEIVED

ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. JUN 1 8 2021 OWRD

DATED: May ____, 2014

Vinh Van Vo

State of OREGON COUNTY of Marion

This instrument was acknowledged before me on May ____, 2014 by Vinh Van Vo.

Notary Public - State of Oregon

My commission expires:

FT130042618-FTMWV01 Deed (Warranty-Statutory)

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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.

- Applicant Information and Signature SECTION 1:
- SECTION 2: Property Ownership
- XXXXXXXXX Well Development SECTION 3:
- Sensitive, Threatened or Endangered Fish Species Public Interest Information SECTION 4:
- Water Use SECTION 5:
- Water Management SECTION 6:
- **Project Schedule SECTION 7:**
- **Resource** Protection SECTION 8:
- Within a District SECTION 9:
- \boxtimes 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: \$ 1,690.00 See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4'' = 1 mile (example: 1'' = 400 ft, 1'' = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly. \boxtimes
 - 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)