

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

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME SMOKE RANCH LLLP		PHONE (HM) (208) 642-7617	
PHONE (WK)	CELL	FAX	
ADDRESS 3990 HIGHWAY 52			
CITY PAYETTE	STATE ID	ZIP 83661	E-MAIL*

Organization

NAME SAME		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 NA		PHONE	FAX
ADDRESS			CELL
CITY	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.

 George E. Colwell 12/17/21
Applicant Signature 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.

- 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.

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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	POWDER RIVER	1500'	15'

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).*

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 4.12 (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	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	10"	+2' TO -298' BGS	-198' TO -298' BGS	0' TO -25' BGS	-30' BGS (ASSUMED)	BEDROCK (ASSUMED)	300' BGS	1790 GPM	956.4 AF
	<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.

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For Department Use: App. Number: _____

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

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

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

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

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

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

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

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.

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

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 thru October 1	483.0 AF
Supplemental Irrigation	March 1 thru October 1	506.4 AF

For irrigation use only:

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

Primary: 161.0 Acres Supplemental: 168.8 Acres Nursery Use: Acres

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

75718 & 88220

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 989.4 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)?

Pump (give horsepower and type):

Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. From the pump in the well into an existing sump/pond and pumped from their up to the proposed pivot in a buried pipeline (for the primary) or to the existing ditches (for the supplemental)

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*)

Flood Irrigation for the Supplemental & Pivot Irrigation for the Primary

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 believe that both the instantaneous and total amount of water requested is necessary for adequate irrigation of the pasture lands during the growing season. Water will be piped from the well to the existing ditch networks at the proposed places of use. Water runoff will be filtered by the existing vegetation and prevent contamination of the river.

SECTION 7: PROJECT SCHEDULE

- Date construction will begin: October 2022
- Date construction will be completed: October 2027
- Date beneficial water use will begin: March 2028

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:

The current flood irrigation system is over a well established pasture and is gently sloping terrain. A pivot will be utilized for the new primary which will not produce any erosion.

- 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 will occur near the banks of the Powder River.

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

List:

SECTION 9: WITHIN A DISTRICT

- Check here if the point of appropriation (POA) or place of use (POU) are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

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

Our intent is to irrigate some higher ground and have supplemental irrigation for some of the old surface water rights. We will drill the proposed new well and case and seal it to the required depth (if feasible) so that there won't be adverse affects on surface water.

Land Use Information Form



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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 groundwater registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land use form and return it to the WRD. If no land use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0900.

Land Use Information Form



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 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
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Applicant

NAME SMOKE RANCH LLLP		PHONE (HM) (208) 642-7617	
PHONE (WK)	CELL	FAX	
ADDRESS 3990 HWY 52			
CITY PAYETTE	STATE ID	ZIP 83661	E-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	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
6S	39E	36	NENE SENE SWNE NWNE NESE SESE SWSE NWSE	3500		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
6S	40E	31	NWNW NENW SENW SWNW	2000		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	
6S	40E	31	NWSW	2200		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	
7S	39E	1	NENE NWNE	100		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

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

Baker County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water Water Right Transfer Permit Amendment or Groundwater Registration Modification
- Limited Water Use License Allocation of Conserved Water Exchange of Water

Source of water: Reservoir/Pond Groundwater Surface Water (name) _____

Estimated quantity of water needed: 4.12 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:

Want to drill a new well to irrigate approx. 161.0 acres of dry ground and provide supplemental irrigation for approx. 168.8 acres.



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.

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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): BC70 Section 410.02(A)(i)

Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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 <u>Madison Brossett</u>	TITLE: <u>Senior Planner</u>	
SIGNATURE <u>Madison Brossett</u>	PHONE: <u>541-523-8219</u>	DATE: <u>12-9-2021</u>
GOVERNMENT ENTITY <u>Baker Co. Planning Department</u>		

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____ RECEIVED

City or County: _____ Staff contact: _____ DEC 20 2021

Signature: _____ Phone: _____ Date: _____ OWRD

B07 05 0215

(SPACE ABOVE LINE FOR RECORDER'S USE)

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

THORNTON BYRON LLP
3101 W. MAIN, SUITE 200
POST OFFICE BOX 7156
BOISE, ID 83707-1156
208-344-8600

UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS
SHALL BE ADDRESSED TO:

SMOKE RANCH L.P.
3990 HIGHWAY 52
PAYETTE, ID 83661

GRANT DEED

* * * * *

FOR VALUE RECEIVED, GEORGE E. COLWELL and CHERYL F. COLWELL, husband and wife, Grantors, do hereby grant, bargain, sell and convey to SMOKE RANCH L.P., an Idaho limited partnership, whose current address is 3990 Highway 52, Payette, Idaho 83661, Grantee, all of Grantor's right, title and interest in and to certain real property located in Baker and Union Counties, Oregon, more particularly described on Exhibit A attached hereto and made a part hereof by this reference.

TOGETHER WITH all improvements, easements, hereditaments and appurtenances thereto, and subject to such other rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee and Grantee's successors and assigns forever.

STATEMENT OF CONSIDERATION: Other Value. Transfer to Limited Partnership.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN EXHIBIT A IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, GRANTEE SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITED ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

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GRANT DEED - P. 1

B07 05 0216

IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to this instrument effective the first day of January, 2006.

GRANTORS:

George E. Colwell

GEORGE E. COLWELL

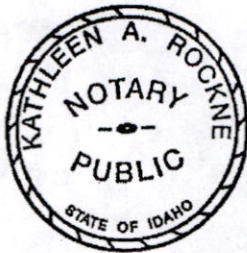
Cheryl F. Colwell

CHERYL F. COLWELL

STATE OF IDAHO)
 ss.
COUNTY OF ADA)

On this 27th day of December, 2006, before me, the undersigned Notary Public in and for said State, personally appeared GEORGE E. COLWELL and CHERYL F. COLWELL, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Kathleen A. Rockne

NOTARY PUBLIC, State of Idaho
Residing at *Boise, Idaho*
My commission expires: *2/24/2012*

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EXHIBIT A

PARCEL I:

That portion of the Northwest quarter and the West half of the Northeast quarter of Section 35, Township 6 South, Range 39 East of the Willamette Meridian, County of Baker and State of Oregon, lying Easterly of Interstate Highway I-84.

TOGETHER WITH access easement for the benefit of the above described property, as shown in Final Order entered July 17, 1972, in Case No. L-3421 in the Circuit Court of the State of Oregon for the County of Baker, being 40 feet in width, extending from the Northwest corner of said property, Northerly to County Road No. 600.

PARCEL II:

That portion of the Southwest quarter and the West half of the Southeast quarter of Section 35, Township 6 South, Range 39 East of the Willamette Meridian, County of Baker and State of Oregon, lying Easterly of Interstate Highway I-84.

PARCEL III:

IN TOWNSHIP 6 SOUTH, RANGE 39 EAST of the Willamette Meridian, County of Baker and State of Oregon:

Section 35: The East half of the East half.

Section 36: All.

IN TOWNSHIP 6 SOUTH, RANGE 40 EAST of the Willamette Meridian, County of Baker and State of Oregon:

Section 19: The Southeast quarter.

Section 20: The Southwest quarter.

Section 21: The South half of the Southwest quarter.

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Section 22: The South half of the Southwest quarter,
EXCEPTING THEREFROM the following:
Beginning at the quarter section corner between
Sections 22 and 27, said township and range;
thence South 89°35' West 350 feet;
thence North 47°35' West 400 feet;
thence North 5°05' West 490 feet;
thence North 4°40' East 385 feet;
thence North 44°33' West 340 feet;
thence South 89°15' East 910 feet;
thence South 0°33' West 1369 feet to the
point of beginning.

Section 26: Lot 3 and all that portion of Lot 4 lying within
Baker County.

Section 27: Lots 2 and 3;
the East half of the Southwest quarter;
the West half of the Southeast quarter;
the West half of the Northwest quarter, and
the Southwest quarter of the Southwest quarter;

Lot 1, EXCEPTING THEREFROM the following:
Beginning at the quarter corner between Sections
26 and 27;
thence South 0°43' East 848.9 feet;
thence North 73°38' West 358 feet;
thence North 39° West 975.3 feet;
thence South 89°27' East 956.5 feet to the
point of beginning;

A portion of the Northeast quarter of the
Northwest quarter, described as follows:
Beginning at the Northwest corner of said
Northeast quarter of the Northwest quarter;
thence North 89°14' East 825 feet;
thence South 29°32' East 515 feet;
thence South 45°16' East 200 feet;
thence South 34°41' East 189 feet;
thence South 00°01' East 590 feet;
thence South 89°29' West 1332 feet;
thence North 00°04' East 1319 feet to the
point of beginning;

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Portions of the Southeast quarter of the Northeast quarter, the Southwest quarter of the Northeast quarter, the Northwest quarter of the Northeast quarter, and the Southeast quarter of the Northwest quarter, described as follows:

Beginning at a point which is South 89°49' West a distance of 529 feet from the quarter corner common to Section 26 and 27, said township and range;

thence South 89°49' West 3436 feet;
 thence North 1320 feet;
 thence North 89°29' East 1332 feet;
 thence North 00°01' West 590 feet;
 thence South 34°41' East 111 feet;
 thence South 32°44' East 530 feet;
 thence South 23°47' East 423 feet;
 thence South 57°35' East 856 feet;
 thence South 68°50' East 270 feet;
 thence South 42°22' East 100 feet;
 thence South 08°19' East 200 feet;
 thence North 48°05' East 160 feet;
 thence South 71°28' East 140 feet;
 thence South 53°32' East 280 feet;
 thence South 28°16' East 91 feet to the point of beginning;

EXCEPTING from those portions in the Northeast quarter and the East half of the Northwest quarter of said Section 27, all uranium, thorium, and all other materials determined pursuant to Section 5(b) (1) of the Atomic Energy Act of 1946 (60 Stat. 761) to be peculiarly essential to the production of fissionable material, contained, in whatever concentration, in deposits in said lands, and all rights and easements in favor of the estate of said uranium, thorium, and other materials, reserved in deeds recorded December 1, 1950, in Baker County Deed Book 155, page 142, and recorded December 9, 1950, in Baker County Deed Book 155, page 193.

Section 28: All, EXCEPTING THEREFROM roadway conveyed to Baker County, by deed recorded March 8, 1934, in Deed Book 119, page 208, over the South half.

Section 29: The Northwest quarter, and the South half; EXCEPTING THEREFROM roadway conveyed to Baker County by deed recorded March 8, 1934, in Deed Book 119, page 208, over the Northeast quarter of the Southeast quarter.

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- Section 30: Lots 3 and 4;
the East half of the Southwest quarter, and
the East half.
- Section 31: All, EXCEPTING THEREFROM that portion included in
the patented RELOCATED PITTSBURG LODE MINING CLAIM.
- Section 32: The West half;
the West half of the East half, and
the Northeast quarter of the Northeast quarter.
- Section 33: The East half, and
the East half of the West half;
EXCEPTING THEREFROM roadway conveyed to Baker
County by deed recorded March 8, 1934, in Deed
Book 119, page 209, over the North half of the
Northeast quarter.
- Section 34: All, EXCEPTING THEREFROM roadway conveyed to
Baker County by deed recorded March 8, 1934,
in Deed Book 119, page 209, over the North
half of the North half.
FURTHER EXCEPTING THEREFROM the coal and
minerals underlying the surface of the
Southeast quarter, and all rights and
easements in favor of the estate of said
coal and minerals, reserved in U. S.
Patent recorded July 17, 1926, in Baker
County Deed Book 106, page 125.
- Section 35: Lots 2 and 3, and
that portion of Lots 1, 8, 9, 10, 11 and 12
lying in Baker County, Oregon.
EXCEPTING THEREFROM the coal and minerals
underlying the surface of Lots 8, 9, 10, 11
and 12, and all rights and easements in favor
of the estate of said coal and minerals,
reserved in United States Patent recorded
May 10, 1946, in Baker County Deed Book 139,
page 282.

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IN TOWNSHIP 7 SOUTH, RANGE 39 EAST of the Willamette Meridian, County of Baker and State of Oregon:

Section 1: The North half, and the North half of the South half; EXCEPTING THEREFROM U. S. Highway No. I-84, as shown in Final Judgment entered May 24, 1972, under Case No. L-3424 in the Circuit Court of the State of Oregon for the County of Baker, in the Northwest quarter of the Southwest quarter.

Section 2: The Northeast quarter, and Northeast quarter of the Southeast quarter; EXCEPTING THEREFROM U. S. Highway No. I-84, as shown in Final Judgment entered May 24, 1972, under Case No. L-3424 in the Circuit Court of the State of Oregon for the County of Baker, in the East half.

IN TOWNSHIP 7 SOUTH, RANGE 40 EAST of the Willamette Meridian, County of Baker and State of Oregon:

Section 2: Lots 2, 3 and 4; the Southwest quarter of the Northeast quarter, and the South half of the Northwest quarter. EXCEPTING THEREFROM the coal and minerals underlying the surface of said land and all rights and easements in favor of the estate of said coal and minerals, reserved in U. S. Patent recorded March 28, 1924, in Baker County Deed Book 101, page 193.

Section 3: Lots 1, 2, 3 and 4, and the South half of the North half; EXCEPTING THEREFROM the coal and minerals underlying the surface of Lots 1 and 2, and the South half of the Northeast quarter, and all rights and easements in favor of the estate of said coal and minerals, reserved in U. S. Patent recorded July 17, 1926, in Baker County Deed Book 106, page 125.

Section 4: The West half of Lot 2 of the Northwest quarter (Northwest quarter of the Northwest quarter); the West half of Lot 1 of the Northwest quarter (Southwest quarter of the Northwest quarter); the East half of Lot 2 of the Northeast quarter (Northeast quarter of the Northeast quarter); the South half of the South half, and the Northwest quarter of the Southwest quarter.

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- Section 5: Lot 1 of the Northeast quarter (South half of the Northeast quarter);
Lot 2 of the Northwest quarter (North half of the Northwest quarter);
the West half of Lot 2 of the Northeast quarter (Northwest quarter of the Northeast quarter);
the Southeast quarter, and
the Southeast quarter of the Southwest quarter.
- Section 6: The East half of Lot 2 of the Northeast quarter (Northeast quarter of the Northeast quarter);
Lots 5, 6, 8, 9, 12, 14, 15, 16, 17, 18, 19, 20, 21 and 22.
- Section 7: The North half of Lot 1 of the Northwest quarter (Northeast quarter of the Northwest quarter);
the North half of Lot 2 of the Northwest quarter (Northwest quarter of the Northwest quarter);
the North half of the Northeast quarter;
the Southeast quarter of the Northeast quarter, and
the Southwest quarter of the Northeast quarter;
EXCEPTING THEREFROM the following:
Beginning at the center of Section 7;
thence North 500 feet along the West line of said Southwest quarter of the Northeast quarter;
thence Southeasterly to a point on the South line of the Southwest quarter of the Northeast quarter, 800 feet East of the center of said section;
thence West 800 feet along said South line, to the point of beginning.
- Section 8: The Northwest quarter;
the Northwest quarter of the Southwest quarter, and
the North half of the Northeast quarter.
- Section 9: The West half of the Northwest quarter.

IN TOWNSHIP 6 SOUTH, RANGE 40 EAST of the Willamette Meridian, and
TOWNSHIP 7 SOUTH, RANGE 40 EAST of the Willamette Meridian, County of
Baker, State of Oregon:

The RELOCATED PITTSBURG LODE MINING CLAIM, Mineral Certificate No. 190, designated by the Surveyor General as Lot No. 386, located in Section 31 of Township 6 South, Range 40 East, and in Section 7, Township 7 South, Range 40 East of the Willamette Meridian, County of Baker and State of Oregon, described in the patent recorded February 21, 1903, in Deed Book 53, page 466, as follows:

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Beginning at Corner No. 1, a lime rock 10 x 6 x 22 inches chiseled "XRP1-386" with mound of earth, from which the North quarter corner of Section 6 in Township 7 South, Range 40 East, bears South 7°35' East 45.4 feet distant;
thence first course (magnetic variation 20°10' East) South 18°4' West, 48.3 feet intersect line between Section 31 in Township 6 South, and Section 6 in Township 7 South, Range 40 East, 1500 feet to Corner No. 2;
thence second course (magnetic variation 20°10' East) North 21°56' West 300 feet to South side of discovery shaft, 600 feet to Corner No. 3;
thence third course (magnetic variation 20° East) North 18°4' East 1246.3 feet intersection said section line, 1500 feet to Corner No. 4, a lime rock 6 x 8 x 15 inches chiseled "XRP4-386", a mound of rocks alongside, from which the Northwest corner of said Section 6 bears South 82°21' West 2028.1 feet distant;
thence fourth course South 71°56' East 600 feet to Corner No. 1, the place of beginning.

PARCEL IV

In TOWNSHIP 6 SOUTH, RANGE 40 EAST of the Willamette Meridian, in the County of Baker and State of Oregon:

- Section 7: Lot 4;
the South half of the Southeast quarter;
the Southeast quarter of the Southwest quarter;
the Northeast quarter of the Southeast quarter;
all that portion of Lot 3, the South half of the Northeast quarter, the Northeast quarter of the Southwest quarter and the Northwest quarter of the Southeast quarter lying Southerly of the Powder River.
- Section 8: The West half of the Southwest quarter;
all that portion of the South half of the Northwest quarter and the Northeast quarter of the Southwest quarter lying Southerly of the Powder River;
all that portion of the West half of the Southeast quarter lying Southerly and Westerly of the Powder River; being that portion included in Baker County.
- Section 17: The Southwest quarter;
the West half of the Northwest quarter;
the Southeast quarter of the Northwest quarter;
all that portion of the Southwest quarter of the Northeast quarter and the Southeast quarter lying Southerly and Westerly of the Powder River.

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Section 18: Lots 1, 5, 7 and 8;
the Northeast quarter; and
the Northeast quarter of the Northwest quarter;

Section 19: Lots 1, 2, 3 and 4;
the Northeast quarter; and
the East half of the West half.

Section 20: The North half; and
the Southeast quarter.

Section 21: The Northwest quarter of the Southwest quarter.

Section 29: The Northeast quarter.

ALSO the GOOD LUCK and JACK RABBIT Lode Mining Claims, designated by the Surveyor General as Lot No. 772, embracing a portion of Section 18, Township 6 South, Range 40 East of the Willamette Meridian, County of Baker and State of Oregon, described in United States Patent therefor dated October 27, 1915, recorded January 4, 1916, in Deed Book 84, page 14, as follows:

Beginning for the description of the GOOD LUCK Lode Mining Claim at Corner No. 1, a pine post 4 1/2 feet long, 4 inches square, marked G-L-1-772 in mound of earth, from which the Southeast corner of said Section 18 bears South 51°1' East 1608.8 feet distant;
thence first course, North 4°15' East 1489.34 feet to Corner No. 2 a pine post 4 1/2 feet long, 4 inches square marked G-L-2-772, in mound of earth;
thence second course, South 84°52' West 300 feet to a point from which discovery cut bears South 4°15' West 450 feet distant; 540.2 feet to Corner No. 3, a pine post 4 1/2 feet long, 4 inches square marked G-L-3-772 and J-R-2-772, in mound of earth;
thence third course, South 4°27' West 1490.22 feet to Corner No. 4, a pine post 4 1/2 feet long, 4 inches square, marked G-L-4-772 and J-R-1-772, in mound of earth;
thence fourth course, North 84°52' East 545.7 feet to Corner No. 1, the place of beginning.

Beginning for the description of the JACK RABBIT Lode Claim, at Corner No. 1, identical with Corner No. 4 of said Good Luck Lode Claim, from which said Section corner bears South 61°46' East 2036.3 feet distant;
thence first course, North 4°27' East 1490.22 feet to Corner No 2, identical with Corner No. 3 of said Good Luck Lode Claim;
thence second course, South 84°52' West 203 feet to a point from which discovery cut bears South 6°27' West 480 feet distant; 503 feet to Corner No. 3, a pine post 4 1/2 feet long, 4 inches square,

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marked J-R-3-772, in mound of earth;
thence third course, South 6°27' West 1500 feet to Corner No. 4, a
pine post 4 1/2 feet long, 4 inches square, marked J-R-4-772, in
mound of earth;
thence fourth course, North 84°52' East 556.3 feet to Corner No. 1,
the place of beginning.

EXCEPT all minerals underlying the surface of said land, and all
rights and easements in favor of the estate of said minerals, reserved
in deed from T. B. Haynes and Pearl Haynes, recorded May 11, 1943, in
Deed Book 133, page 48.

PARCEL V

IN TOWNSHIP 6 SOUTH, RANGE 40 EAST of the Willamette Meridian, County
of Baker and State of Oregon:

Section 16: All that portion of the Southwest quarter of the
Southwest quarter lying in Baker County,
EXCEPTING THEREFROM that portion conveyed to United
States of America for Thief Valley Reservoir, recorded
August 29, 1931, in Deed Book 116, page 69.

Section 21: All that portion of the Northwest quarter, the South-
east quarter, the Southeast quarter of the Northeast
quarter, and the Northeast quarter of the Southwest
quarter lying in Baker County,
EXCEPTING THEREFROM that portion conveyed to United
States of America for Thief Valley Reservoir, recorded
August 29, 1931, in Deed Book 116, page 69.

PARCEL A:

IN TOWNSHIP 6 SOUTH, RANGE 40 EAST of the Willamette Meridian, In
Union County, State of Oregon:

Section 3: All that portion of the South half of of the Northwest
quarter, and the South half lying Southerly and Westerly
of the Union County Road known as Lyons Hill Road.

Section 4: The East half of Southeast quarter, and all that portion
of the Southeast quarter of the Northeast quarter and
Government Lot one (1) lying Southerly and Westerly of the
Union County Road known as Lyons Hill Road.

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- Section 9: The East half of Northeast quarter, and the Northeast quarter of the Southeast quarter.
- Section 10: All;
EXCEPTING THEREFROM any portion lying Northerly and Easterly of the Union County Road known as Lyons Hill Road;
FURTHER EXCEPTING THEREFROM the coal and minerals underlying the surface of the land, and all rights and easements in favor of the estate of said coal and minerals, reserved in United States Patent recorded December 2, 1929, in Union County Deed Book 89, page 248, as to the Southeast quarter and the South half of the Southwest quarter.
- Section 11: All that portion of the West half lying Southerly and Westerly of the Union County Road known as Lyons Hill Road
- Section 14: The West half of the West half.
- Section 15: All;
EXCEPTING THEREFROM the coal and minerals underlying the surface of the land, and all rights and easements in favor of the estate of said coal and minerals, reserved in United States Patent, recorded December 2, 1929, in Union County Deed Book 89, page 248, as to the West half of the Northeast quarter; the Northwest quarter, the North half of the Southwest quarter, and the Northwest quarter of the Southeast quarter.
- Sections 14, 22 and 23:
All that portion of the Southeast quarter of the Southwest quarter of Section 14, and of the North half of the Northwest quarter of Section 23, and of the East half of the Northeast quarter of Section 22 lying West and North of a line described as follows:

Beginning at the Northwest corner of the Southeast quarter of Southwest quarter of said Section 14;
thence North 89°39' East 570.6 feet;
thence South 6°29' East 499.8 feet;
thence South 13°11' East 426.0 feet;

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* thence South 76 degrees 52' West 1,082.6 feet;

thence South 8°14' East 426.0 feet;
thence South 26°39' West 395.6 feet;
thence South 60°05 1/2' West 1,667.4 feet; *
thence South 23°29 1/2' West 373.0 feet,
more or less, to intersect the Northerly line of
Thief Valley Reservoir;
thence following said Northerly line North
56°20' West 448 feet;
thence North 45°43' West 322 feet to the Northwest
corner of the Southeast quarter of Northeast quarter
of said Section 22.

Section 22: The Northwest quarter of the Northeast quarter,
EXCEPTING the parcel of about 11.5 acres sold to the
United States of America described as follows:
Beginning at the Southwest corner of said Northwest
quarter of the Northeast quarter of Section 22
and running thence North 0°32' East 662 feet;
thence South 65°28' East 660 feet;
thence South 84°53' East 343 feet;
thence South 44°36' East 530 feet;
thence North 89°07' West 1321 feet to the point
of beginning.

EXCEPTING from those portions in Section 23, and 22,
all uranium, thorium, and all other materials
determined pursuant to Section 5(b)(1) of the Atomic
Energy Act of 1946 (60 Stat. 761) to be peculiarly
essential to the production of fissionable material,
contained, in whatever concentration, in deposits
in said lands, and all rights and easements in favor
of the estate of said uranium, thorium, and other
materials, reserved in deed from the United States
of America, recorded in Union County Deed Book 123,
page 192.

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IN TOWNSHIP 6 SOUTH, RANGE 40 EAST of the Willamette Meridian, County of Baker and State of Oregon:

Section 32: SE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 33: W $\frac{1}{2}$ W $\frac{1}{2}$

IN TOWNSHIP 7 SOUTH, RANGE 40 EAST of the Willamette Meridian, County of Baker and State of Oregon:

Section 5: NE $\frac{1}{4}$ NE $\frac{1}{4}$

ANDECEPTING THEREFROM that certain real property conveyed to Heritage Land & Cattle Co., a Nevada corporation, by Statutory Bargain and Sale Deed dated July 20, 2000, and recorded July 26, 2000, as Document #00300184B, Baker County, Oregon, more particularly described as follows:

IN TOWNSHIP 7 SOUTH, RANGE 40 EAST of the Willamette Meridian, County of Baker and State of Oregon:

Section 4: S $\frac{1}{2}$ S $\frac{1}{2}$

Section 5: SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 8: N $\frac{1}{2}$ NE $\frac{1}{4}$

Section 9: W $\frac{1}{2}$ NW $\frac{1}{4}$

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PARCEL B:

IN TOWNSHIP 6 SOUTH, RANGE 40 EAST of the Willamette Meridian, County of Union and State of Oregon:

Section 4: The Southeast quarter of the Southwest quarter, and the Southwest quarter of the Southeast quarter.

Section 5: The South half of the Southeast quarter.

Section 7: All that portion of the Southeast quarter of the Northwest quarter lying Southeasterly of the O.W.R. & N. Co. right of way, and Northwesterly of the Powder River;

All that portion of the Southwest quarter of the Northeast quarter, and the North half of the Southwest quarter lying Southeasterly of the O.W.R. & N. Co. right of way and Northerly of the Powder River; and

All that portion of the Northwest quarter of the Southeast quarter, and the Southeast quarter of the Northeast quarter lying Northerly of the Powder River.

EXCEPTING THEREFROM the following three parcels:

Parcel No. 1:

A parcel conveyed to Oregon-Washington Railroad and Navigation Company, recorded in Book 105 at page 239, Records of Union County, Oregon.

Parcel No. 2:

A parcel conveyed to Oregon-Washington Railroad and Navigation Company, recorded in Book 105 at page 240, Records of Union County, Oregon.

Parcel No. 3:

A parcel conveyed to Oregon-Washington Railroad and Navigation Company, recorded in Book 105 at page 636, Records of Union County, Oregon.

Section 8: The Northeast quarter; the East half of the Southeast quarter, and all that portion of the South half of the Northwest quarter, the West half of the Southeast quarter, and the Northeast quarter of the Southwest quarter lying Northeasterly of the Powder River.

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Section 9: The West half;
the West half of the Northeast quarter, and
the Northwest quarter of the Southeast quarter.

Section 17: The Northeast quarter of the Northeast quarter,
and all that portion of the South half of the
Northeast quarter and the Northeast quarter of
the Southeast quarter lying Northeasterly of
the Powder River.

PARCEL C:

All that portion of the following described property situate in Union
County, Oregon:

IN TOWNSHIP 6 SOUTH, RANGE 40 EAST of the Willamette Meridian, in
Union County, Oregon:

Section 9: The South half of the Southeast quarter.

Section 16: All.

Section 21: The East half;
the Northwest quarter, and
the Northeast quarter of the Southwest quarter.

EXCEPTING THEREFROM that portion thereof conveyed to United States of
America by Deed recorded in Deed Book 91 at page 338, Records of Union
County, Oregon and recorded in Deed Book 116 at page 69 Records of
Baker County, Oregon.

STATE OF OREGON)
COUNTY OF BAKER)
I CERTIFY THAT THIS
INSTRUMENT WAS RECEIVED
AND RECORDED IN THE BOOK
OF RECORDS OF SAID COUNTY
TAMARA J. GREEN, BAKER CO. CLERK
BY *Aaron Phillips* DEPUTY
DOC#: 07050215B
1/29/2007 10:10 AM
REFUND: .00 101.00

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

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

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

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

Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$ ~~40~~ 4,640.⁰⁰
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.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050. The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$310. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$480.00 for the applicant and \$950.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate

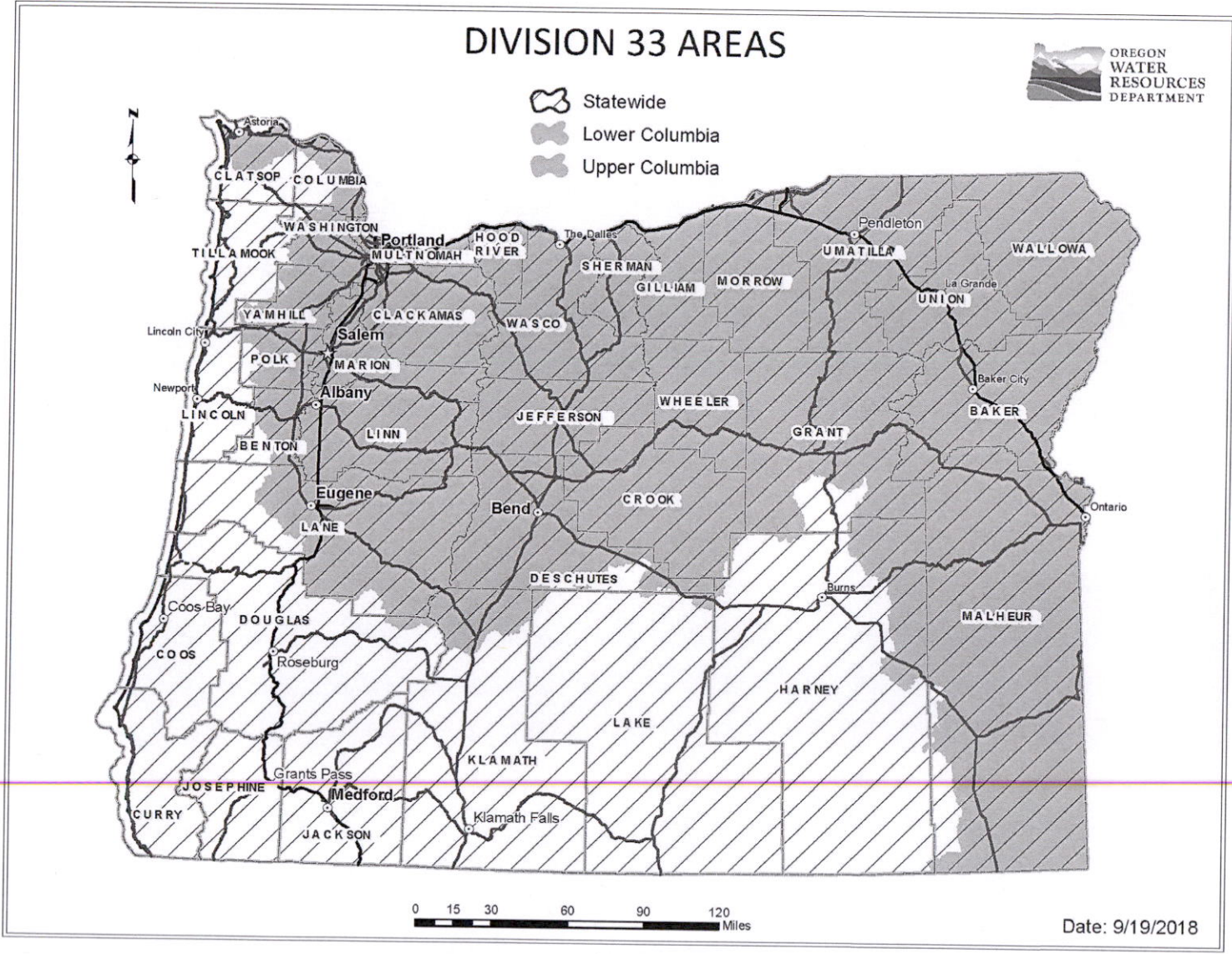
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Figure 1: Map of Division 33 Areas



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For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the Division 33 rules apply: https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

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Oregon Water Resources Department Groundwater Application

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Today's Date: Thursday, December 23, 2021

Base Application Fee.		\$1,570.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	4.12	\$2,050.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed groundwater points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	2	\$410.00
	Subtotal:	\$4,030.00
Permit Recording Fee. ***		\$610.00
<p>* the 1st Water Use is included in the base cost. ** the 1st groundwater point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.</p>		<input type="button" value="Recalculate"/>
Estimated cost of Permit Application		\$4,640.00