

Application for a Permit to Use Surface Water



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 WK & K LAND LLC ATTN: TINA GALLOWAY			PHONE (HM)
PHONE (WK) 541-757-1497	CELL	FAX	
ADDRESS 3122 SE STAHLBUSH ISLAND RD			
CITY CORVALLIS	STATE OR	ZIP 97333	E-MAIL * TINA@STAHLBUSH.COM; SIF@STAHLBUSH.COM

Organization

NAME WK & K LAND LLC			PHONE 541-757-1497	FAX
ADDRESS 3122 SE STAHLBUSH ISLAND RD			CELL	
CITY CORVALLIS	STATE OR	ZIP 97333	E-MAIL * SIF@STAHLBUSH.COM	

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

AGENT / BUSINESS NAME WK & K LAND LLC			PHONE 541-757-1497	FAX
ADDRESS 3122 SE STAHLBUSH ISLAND RD			CELL	
CITY CORVALLIS	STATE OR	ZIP 97333	E-MAIL * SIF@STAHLBUSH.COM	

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

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 legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive 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 receive water to which they are entitled.

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

WK&K LAND LLC by William Chambers manager WILLIAM D CHAMBERS 3-8-2022
Applicant Signature Print Name and Title if applicable Date

Applicant Signature Print Name and Title if applicable Date

For Department Use: App. Number: _____

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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).*

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: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: Willamette Basin Project Reservoirs (BOR) via Willamette River	Tributary to: Columbia River
TRSQQ of POD: SW 1/4 NE 1/4, T12S R5W Sec 13 (Rail Pump)	
Source 2: Willamette Basin Project Reservoirs (BOR) via Willamette River	Tributary to: Columbia River
TRSQQ of POD: SE 1/4 NE 1/4, T12S R5W Sec 13 (Beach Pump)	

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

Water authorized through BOR Contract: 149E101851; this contract and these PODs are also already in use under Permit S-54951.

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B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in Section 3A above?

Yes. No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

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.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of diversion (POD) 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 T,R,S,QQ or the Lat/Long of a POD 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_trsqg_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0900.

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

Is the POD 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.

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For Department Use: App. Number: _____

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon 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 POD located in an area where the Lower Columbia rules apply?

Yes No

If yes, you are notified that 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, provide the following information (the information must be provided with the application to be considered complete).

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:

ODFW approved fish screens will be used at POD to ensure protection of species; in addition, irrigation water will be applied using efficient linear irrigation distribution, with minimal use of handline.

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

Yes No

If yes, 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

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agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

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SECTION 5: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
Willamette Basin Proj via Willamette River	Irrigation	3/1-10/31	201 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated.

Primary: 80.4 Acres Supplemental: 0 Acres Nursery Use: 0 Acres

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

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 201

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households:
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

- Pump (give horsepower and type): 50-100 HP Centrifugal
- Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

50-100 HP centrifugal pump will divert water through a properly protected intake to an 8" mainline, running approximately 2000 ft to feed the irrigation system for the 80+ acres this water right addresses.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
 Water will be pumped through a centrifugal pump into mainline and distributed primarily through linear irrigation systems with some handlines, using high pressure sprinklers for final application.

C. Conservation

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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 public uses of affected surface waters.

The amount of water requested is needed to allow production of crops on the farmland at our Main Farm. We employ crop-water-use modeling in conjunction with actual weather data to schedule all irrigations and have existing methods to document daily irrigation quantities and locations to increase water use efficiency.

SECTION 7: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the 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:

- Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.
Describe planned actions: Intake for the pumps (which are currently in use for S-54951) are already screened using ODFW inspected and approved fish screen to minimize impact on local fisheries.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.
Describe planned actions and additional permits required for project implementation: Pump sites are already developed for use with a current water right certificate (S-54951), therefore NO additional permitting, excavation, or construction is required.
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe planned actions and additional permits required for project implementation: Other than pump intakes, no equipment will be in the water body.
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions: Best Agricultural Practices are always standard operating procedure in order to maintain and protect the sites on which the farming is conducted.
- List other federal and state permits or contracts to be obtained, if a water right permit is granted.
Bureau of Reclamation Contract 149E101851 is already in place.

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: Pump sites already complete (for Permit S-54951)
- b) Date construction will be completed: Pump sites already complete (for Permit S-54951)
- c) Date beneficial water use will begin: 3/1/2022

SECTION 9: WITHIN A DISTRICT

- Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

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SECTION 10: REMARKS

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

This water right is being developed to replace previous primary water rights (GR2727) that are being modified. The stored water for this surface water right application is already under contract with the Bureau of Reclamation (BOR) because these POD sites were previously used to cover the mapped acreage as supplemental rights. BOR contracts do not differentiate between primary and supplemental water right usage, so we were required to keep the water on our contract even though it was not previously used.

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Land Use Information Form



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

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.

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Land Use Information Form



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

NAME WK & K LAND LLC ATTN: TINA GALLOWAY			PHONE (HM)	
PHONE (WK) 541-757-1497		CELL	FAX	
ADDRESS 3122 SE STAHLBUSH ISLAND RD				
CITY CORVALLIS	STATE OR	ZIP 97333	E-MAIL* TINA@STAHLBUSH.COM; SIF@STAHLBUSH.COM	

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:
12S	5W	13	SW NE	100	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	No change
12S	5W	13	SE NE	100	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	No change
12S	5W	12	SE SE SW SE NW SE	100	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	No change
12S	5W	12	NE SW SE SW	100	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	No change

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

Linn County, OR.

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) BOR Willamette Project via Willamette River

Estimated quantity of water needed: 201 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:

This water right is being developed to replace a previous primary water right (GR2727) that is being modified. The stored water for this surface water right application is already under contract with the Bureau of Reclamation (BOR Contract 149E101851), and these POD sites are already operational, so no construction is required. The POD sites are previously developed to divert water for other irrigation water rights.

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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): LCC 928310(B)(1)

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.

PLN-2022-00792

NAME <u>Alyssa Bolas</u>	TITLE: <u>Planning Mgr.</u>
SIGNATURE <u>Alyssa Bolas</u>	PHONE: <u>511-9167-3816</u>
GOVERNMENT ENTITY <u>Linn County</u>	DATE: <u>3/14/22</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: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

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**EXHIBIT A
PROPERTY DESCRIPTION**

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 12 IN TOWNSHIP 12 SOUTH, RANGE 5 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON; AND RUNNING THENCE NORTH 0°51'30" EAST, 1,999.44 FEET TO THE NORTHEAST CORNER OF THE SOUTH HALF OF GOVERNMENT LOT 3 IN SAID SECTION; THENCE SOUTH 89°36' WEST, 2,482.31 FEET ALONG THE NORTH LINE OF SAID SOUTH HALF OF GOVERNMENT LOT 3 AND ALONG THE NORTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 12 TO A POINT; THENCE SOUTH 39°02'20" WEST, 314.55 FEET TO A POINT; THENCE SOUTH 44°36'40" WEST, 838.64 FEET TO A POINT; THENCE SOUTH 43°49'45" WEST, 433.51 FEET TO A POINT THENCE SOUTH 18°38'10" WEST, 360.29 FEET TO A POINT; THENCE SOUTH 3°50'30" WEST, 736.13 FEET TO A POINT; THENCE SOUTH 3°17'10" EAST, 604.12 FEET TO A POINT; THENCE SOUTH 24°05'45" EAST, 360.05 FEET TO A POINT; THENCE SOUTH 5°01'15" EAST, 523.13 FEET TO A POINT; THENCE SOUTH 0°30'15" WEST, 701.92 FEET TO A POINT; THENCE SOUTH 13°05'25" EAST, 255.93 FEET TO A POINT ON THE RIGHT BANK OF THE WILLAMETTE RIVER; THENCE FOLLOWING THE RIGHT BANK UPSTREAM SOUTH 85°59'40" EAST, 73.29 FEET TO A POINT; THENCE NORTH 54°43'20" EAST, 695.06 FEET TO A POINT; THENCE NORTH 64°55' EAST, 498.49 FEET TO A POINT; THENCE NORTH 76°51' EAST, 170.16 FEET TO A POINT; THENCE SOUTH 89°14'55" EAST, 224.80 FEET TO A POINT; THENCE SOUTH 82°18' EAST, 306.05 FEET TO A POINT ; THENCE SOUTH 39°32'10" EAST, 495.78 FEET TO A POINT; THENCE SOUTH 46°34'13" EAST, 300.07 FEET TO A POINT; THENCE LEAVING SAID RIGHT BANK ON THE MONUMENTED EAST-WEST QUARTER LINE OF SECTION 13 IN SAID TOWNSHIP AND RANGE NORTH 89°43'10" EAST, 1,069.49 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 13; THENCE NORTH 0°47'06" EAST, 2,633.44 FEET TO THE POINT OF BEGINNING, BEING ALL IN SAID SECTIONS 12 AND 13, LINN COUNTY, OREGON.

Tax Parcel Numbers: 894982 and 894990

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Legal Description

Real property in the County of Linn, State of Oregon, described as follows:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 12 IN TOWNSHIP 12 SOUTH, RANGE 5 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON; AND RUNNING THENCE NORTH 0°51'30" EAST, 1,999.44 FEET TO THE NORTHEAST CORNER OF THE SOUTH HALF OF GOVERNMENT LOT 3 IN SAID SECTION;
THENCE SOUTH 89°36' WEST, 2,482.31 FEET ALONG THE NORTH LINE OF SAID SOUTH HALF OF GOVERNMENT LOT 3 AND ALONG THE NORTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 12 TO A POINT;
THENCE SOUTH 39°02'20" WEST, 314.55 FEET TO A POINT;
THENCE SOUTH 44°36'40" WEST, 838.84 FEET TO A POINT;
THENCE SOUTH 43°49'45" WEST, 433.51 FEET TO A POINT;
THENCE SOUTH 18°38'10" WEST, 360.29 FEET TO A POINT;
THENCE SOUTH 3°50'30" WEST, 736.13 FEET TO A POINT;
THENCE SOUTH 3°17'10" EAST, 804.12 FEET TO A POINT;
THENCE SOUTH 24°05'45" EAST, 360.05 FEET TO A POINT;
THENCE SOUTH 5°01'15" EAST, 523.13 FEET TO A POINT;
THENCE SOUTH 0°30'15" WEST, 701.92 FEET TO A POINT;
THENCE SOUTH 13°05'25" EAST, 255.93 FEET TO A POINT ON THE RIGHT BANK OF THE WILLAMETTE RIVER;
THENCE FOLLOWING THE RIGHT BANK UPSTREAM SOUTH 85°59'40" EAST, 73.29 FEET TO A POINT;
THENCE NORTH 54°43'20" EAST, 695.06 FEET TO A POINT;
THENCE NORTH 64°55' EAST, 498.49 FEET TO A POINT;
THENCE NORTH 76°51' EAST, 170.16 FEET TO A POINT;
THENCE SOUTH 89°14'55" EAST, 224.80 FEET TO A POINT;
THENCE SOUTH 82°18' EAST, 306.05 FEET TO A POINT;
THENCE SOUTH 39°32'10" EAST, 495.78 FEET TO A POINT;
THENCE SOUTH 46°34'13" EAST, 300.07 FEET TO A POINT;
THENCE LEAVING SAID RIGHT BANK ON THE MONUMENTED EAST-WEST QUARTER LINE OF SECTION 13 IN SAID TOWNSHIP AND RANGE NORTH 89°43'10" EAST, 1,069.49 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 13;
THENCE NORTH 0°47'06" EAST, 2,633.44 FEET TO THE POINT OF BEGINNING,
BEING ALL IN SAID SECTIONS 12 AND 13, LINN COUNTY, OREGON.

Tax Parcel Number: 894982 and 894990

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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: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Resource Protection
- SECTION 8: Project Schedule
- 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: \$_____ 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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For Department Use: App. Number: _____

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

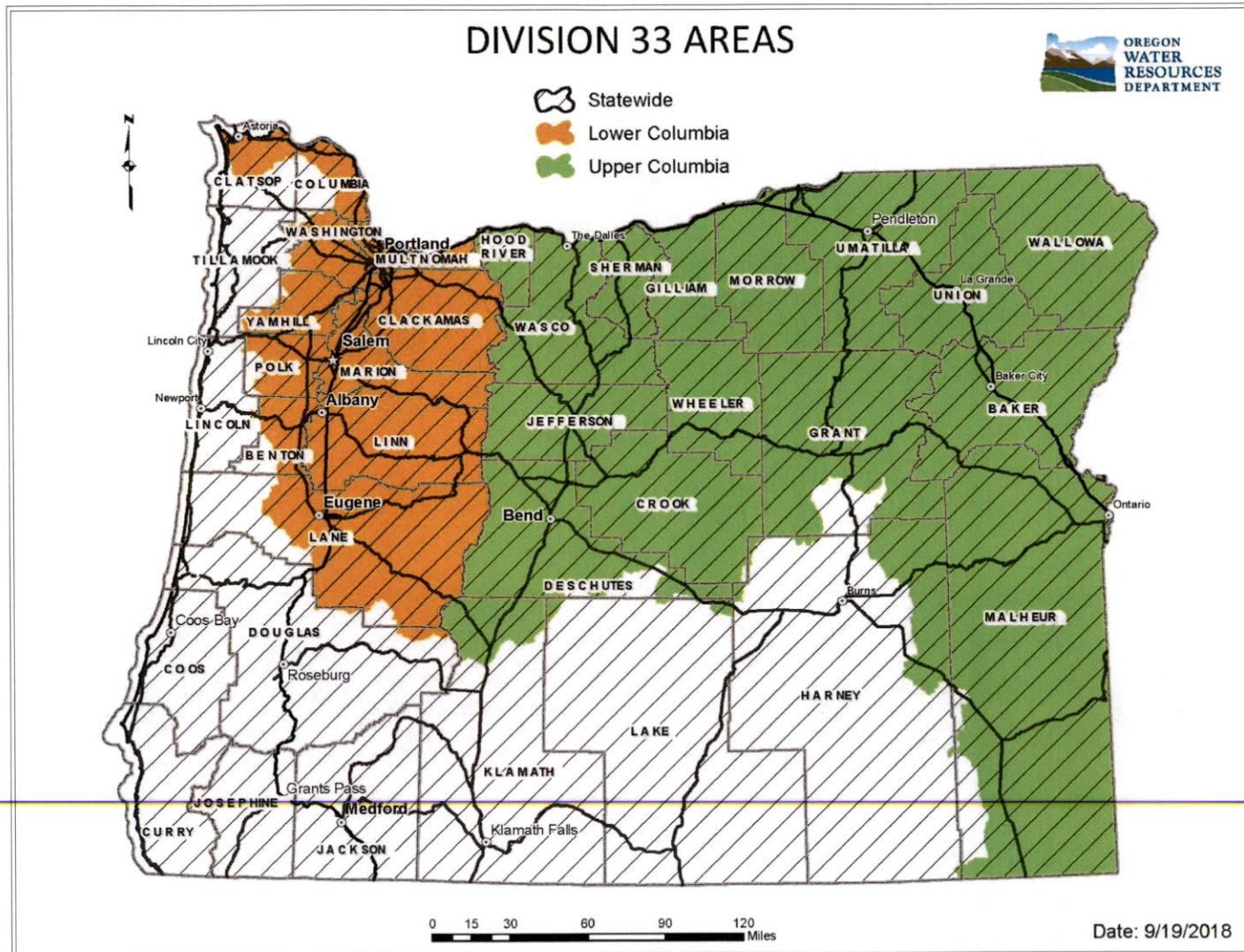
For Department Use: App. Number: _____

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Figure 1: Map of Division 33 Areas



For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POD 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_trsqg_features/

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Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: WK+K Land LLC Attn Tina Galloway
3122 SE Stahlbush Island Rd Corvallis OR 97333

Transaction Type: SW Application

Fees Received: \$ 4,003.40

Cash

Check:

Check No. 147161

Name(s) on Check: Stahlbush Island Farms

Address on Check: 3122 SE Stahlbush Island Rd
Corvallis OR 97333

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: Judy Zuvod

(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.



3122 Stahlbush Island Rd., Corvallis, OR 97333-2709, (541) 757-1497, FAX (541) 754-1847

TO: Oregon Water Resources Department
FROM: Tina Galloway, Director of Quality & Environmental Compliance
DATE: March 21, 2022
RE: Submission of two water right applications

Please find enclosed two water right applications:

- GR-2727 modification application to change the type and place of use
 - Cover Letter
 - Application & Map
 - Land-Use compatibility Statement
 - Check for \$1,250.00
 - Well Log BENT 5180
 - Well Log BENT 761
- Surface water right application for BOR stored water for irrigation
 - Cover Letter
 - Application & Map
 - Land-use Compatibility Statement
 - Check for \$4,003.40

Should you have any questions or need additional information, please feel free to contact me at 541-760-3127 or tina@stahlbush.com.

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3122 Stahlbush Island Rd., Corvallis, OR 97333-2709, (541) 757-1497, FAX (541) 754-1847

Oregon Water Resources Department
725 Summer Street, NE Suite A
Salem, OR 97301-1271

March 14, 2022

RE: GR-2727 Modification / New Stored Surface Water Right /S-54951

To Whom It May Concern:

We are concurrently submitting two water right applications that address the same sections of land. We are including this cover letter to identify and help explain the situation in case review of the actions might overlap and cause confusion.

The two water right applications for the same acreage are:

- GR-2727 modification application to change the type and place of use
- Surface water right application for BOR stored water for irrigation

Additionally, at this time, supplementary water rights for this parcel are established in S-54951, using stored water held under a current contract with the Bureau of Reclamation. The contract does not differentiate between primary and supplemental water, so we anticipate maintaining continuous coverage of these acres (regardless of primary or supplemental usage) on our current BOR water contract (149E101851). At an appropriate time, the 80.4 supplemental acres will be removed from S-54951, for which a Claim of Beneficial Use was submitted in August 2021.

Should you have any questions or need additional information, please feel free to contact me at 541-760-3127 or tina@stahlbush.com.

Regards,

Tina Galloway
Director of Quality & Environmental Compliance

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Oregon Water Resources Department
Surface Water Application

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Today's Date: Wednesday, March 9, 2022

Base Application Fee.		\$1,090.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	1.005	\$820.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Surface Water points of diversions. **	2	\$410.00
Number of Acre Feet to be diverted from Stored Water. (if the application is appropriating water from a pond/reservoir)	201	\$1,073.40
	Subtotal:	\$3,393.40
Permit Recording Fee. ***		\$610.00
* the 1st Water Use is included in the base cost. ** the 1st Surface Water point of diversion 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.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$4,003.40

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