

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

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NAME HARRY BITHER		PHONE (HM)	
PHONE (WK)	CELL (541) 314-0367		FAX
ADDRESS 35773 CUNNINGHAM ROAD			
CITY ECHO	STATE OR	ZIP 97826	E-MAIL* HBITHER@RDOFFUTT.COM

Organization

NAME N/A		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 MOLLY REID, GEOENGINEERS, INC.		PHONE (509) 209-2846		FAX
ADDRESS 8019 W. QUINAULT AVENUE, SUITE 201			CELL (541) 310-7264	
CITY KENNEWICK	STATE WA	ZIP 99336	E-MAIL* MREID@GEOENGINEERS.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 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.

Harry Bither
Applicant Signature

Harry Bither
Print Name and Title if applicable

01-12-2022
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).*

N/A

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
1	UMATILLA RIVER	730 FEET	53 FEET

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

THE EXISTING WELL WAS CONSTRUCTED IN 1996 (UMAT 50321). THE FORMER OWNER HAD FILED A GROUNDWATER APPLICATION AND WAS ISSUED A PERMIT (G-13462). THE PERMIT WAS CANCELLED FOR FAILURE TO SUBMIT A CLAIM OF BENEFICIAL USE AND FINAL PROOF SURVEY MAP THOUGH USE HAD BEEN ESTABLISHED.

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 0.09 cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

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

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)
1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UMAT 50321	<input type="checkbox"/>	6 INCH	SEE	WELL	LOG		BASALT	300'	34 GPM	18 ACFT
	<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

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

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Yes No

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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:
N/A – Use is less than 1 cfs.

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Statewide - OAR 690-033-0330 thru -0340

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

Yes No

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

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1-October 31	18

For irrigation use only:

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

Primary: 6.0 Acres Supplemental: 0 Acres

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

N/A

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 21

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: N/A (**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*): N/A

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): 15 hp Submersible
 Other means (describe): _____

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Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water will be pumped from the well into existing PVC mainline and then to pressurized Rainbird impact sprinklers.

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*)
Pressurized Rainbird impact sprinklers.

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters (*attach additional sheets if necessary*).

I will install a water scheduling timer and monitor soil moisture to establish uniform water distribution and prevent overwatering.

SECTION 7: PROJECT SCHEDULE

- Date construction will begin: Well already drilled
- Date construction will be completed: Well has been completed
- Date beneficial water use will begin: April 15, 2023

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: I will not perform any chemigation or apply any waste. It will be pasture and nature habitat (there's a section that we will irrigate to make better habitat for deer, elk, pheasants, and other wildlife.)
- 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: N/A
- Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:
 List: N/A

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 Non-Applicable	Address	
City	State	Zip

SECTION 10: REMARKS

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

The former owner had applied for and received a groundwater permit (G-13462.) The well and infrastructure are already in place. The applicant's intent is to use the existing infrastructure and system, thereby not disturbing the ground other than to plant pasture grass.

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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

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Applicant

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NAME HARRY BITHER		PHONE (HM)	
PHONE (WK)	CELL (541) 314-0367	FAX	
ADDRESS 35773 CUNNINGHAM ROAD			
CITY ECHO	STATE OR	ZIP 97826	E-MAIL* HBITHER@RDOFFUTT.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:
2N	30E	6	SWNE	600	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<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:

Umatilla 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: 0.075 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:

Applicant proposes to use existing well to irrigate small yard, garden, and pasture for animals and wildlife habitat.

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.

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): UCDC 152.056(A)
- 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
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	FEB 03 2022	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<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>CAROL JOHNSON</u>	TITLE: <u>Planner</u>
SIGNATURE:	PHONE: <u>511-278-6252</u> DATE: <u>01/11/2022</u>
GOVERNMENT ENTITY: _____	

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: _____

EXHIBIT 'A'

LEGAL DESCRIPTION:

Beginning at the center of Section 6, Township 2 North, Range 30, East of the Willamette Meridian, Umatilla County, Oregon; thence Easterly along the East-West centerline of said Section 6, a distance of 528 feet; thence Northerly, parallel with and 528 feet distant Easterly from the North-South centerline of said Section 6, a distance of 1,296.90 feet to a point in the center of the Umatilla River in its present course; thence South 74° West down the center of the present channel of said Umatilla River, a distance of 551.10 feet to its intersection with the North-South centerline of said Section 6; thence Southerly along the North-South centerline of said Section 6, a distance of 1,145.10 feet to the point of beginning;

Excepting therefrom any portion lying within the County Road right-of-way.

SUBJECT TO THE FOLLOWING PERMITTED EXCEPTIONS

1. 2021-2022 Taxes, which are a lien on July 1, 2021, but not yet payable.
(First 1/3 due and payable November 15, 2021. Amounts not yet available)
2. ~~Water rights, claims to water or title to water, whether or not such~~
rights are a matter of public record.
3. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the mean high water mark of the Umatilla River and any adverse claim based upon the assertion that some portion of said lands have been removed from or brought within the boundaries thereof by an avulsive movement of the Umatilla River or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
4. Conditions and restrictions, including the terms and provisions thereof, contained in Deed,
Grantee : Thomas Kerr
Recorded : December 13, 1911, Book 74, Page 433, Deed Records.
5. Easement, including the terms and provision thereof,
Grantee : Umatilla Electric Cooperative Association
Recorded : July 3, 1939, Book 120, Page 590, Deed Records.
6. Easement, including the terms and provisions thereof,
Grantee : Umatilla Electric Cooperative
Recorded : April 18, 2014, Instrument No. 2014-6160282, Office of Umatilla County Records.

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STATE OF OREGON
WATER SUPPLY WELL REPORT

(as required by ORS 537.765)

UMAT 50321

OCT 31 1996

2N 30E 6 AC
WELL I.D.# L08579

WATER RESOURCES DEPT.
SALEM, OREGON

(START CARD) # 89816

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number _____
Name Clayton & Susan Briscoe
Address 35773 Cunningham Rd.
City Echo State OR Zip 97826

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 300 ft.
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
10"	0	46	Cement	0	46	18 sacks
6"	46	300				

How was seal placed: Method A B C D E
 Other

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 6"	+1	46	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 46

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Material	Tele/pipe size	Casing	Liner
							<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Time
<u>60+</u>		<u>300</u>	1 hr.

Temperature of water 60° Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County Umatilla Latitude _____ Longitude _____
Township 2N N or S Range 30E E or W. WM.
Section 6 SW 1/4 NE 1/4
Tax Lot 1800 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 35773 Cunningham Rd Echo, OR 97826

(10) STATIC WATER LEVEL:
_____ ft. below land surface. Date 10-8-96
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 256

From	To	Estimated Flow Rate	SWL
<u>256</u>	<u>290</u>	<u>20</u>	<u>1</u>
<u>296</u>	<u>300</u>	<u>40+</u>	<u>1</u>

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL
<u>Sandy soil</u>	<u>0</u>	<u>22</u>	
<u>Gravel with clay</u>	<u>22</u>	<u>29</u>	
<u>Brown basalt, broken</u>	<u>29</u>	<u>33</u>	
<u>Brown clay</u>	<u>33</u>	<u>41</u>	
<u>Gray basalt</u>	<u>41</u>	<u>87</u>	
<u>Brown & black basalt</u>	<u>87</u>	<u>102</u>	
<u>Gray basalt</u>	<u>102</u>	<u>256</u>	
<u>Black basalt</u>	<u>256</u>	<u>290</u>	<u>WB</u>
<u>Gray basalt</u>	<u>290</u>	<u>296</u>	
<u>Brown & black basalt</u>	<u>296</u>	<u>300</u>	<u>WB</u>

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Date started 10-7-96 Completed 10-8-96
(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
WWC Number _____
Signed _____ Date _____

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
WWC Number 1218
Signed Patrick Wallace Date 10-22-96

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Attachment C

Well Log

Ground Water Application for Harry Bither

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

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Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt. **ATTACHMENT B**
- 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. **ATTACHMENT A**
- Fees - Amount enclosed: \$ 2,590.00
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items: **ATTACHMENT A**
 - 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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Attachment A
Groundwater Application Map
Ground Water Application for Harry Bither

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Attachment B
Land Use Information Form
Ground Water Application for Harry Bither



8019 West Quinault Avenue, Suite 201
Kennewick, Washington 99336
509.209-2846

February 1, 2022

RECEIVED

FEB 03 2022

OWRD

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

RE: Groundwater Application for Harry Bither

To Whom It May Concern:

On behalf of our client, Harry Bither, please find enclosed a groundwater application with supporting documents. A check in the amount of \$2,590.00 for application fees is also enclosed.

Should you have any questions regarding this application packet, please do not hesitate to contact me.

Sincerely,

Molly Reid
Senior Water Resources Consultant
(509) 209-2846 Direct Line
(541) 310-7264 Cell

Enclosures: Groundwater application, map, supporting documents

Cc: Harry Bither
File





8019 West Quinault Avenue, Suite 201
Kennewick, Washington 99336
509.209-2846

February 14, 2022

Judith Ferrell, Water Rights Services Division
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Groundwater Application for Harry Bither

To Whom It May Concern:

On behalf of our client, Harry Bither, please find enclosed a copy of the property warranty deed with legal description per your request.

Should you have any questions regarding this document, please do not hesitate to contact me.

Sincerely,

Molly Reid
Senior Water Resources Consultant
(509) 209-2846 Direct Line
(541) 310-7264 Cell

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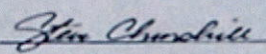
Enclosures: Property Warranty Deed for Bither

Cc: Harry Bither
File

After recording return to grantee herein.
Until a change is requested send all tax
statements to grantee herein.

GRANTEE'S NAME AND ADDRESS:
HARRY EBER BITHER V
35773 CUNNINGHAM ROAD
ECHO, OR 97826

GRANTOR'S NAME AND ADDRESS:
CLAYTON M. BRISCOE
35773 CUNNINGHAM ROAD
ECHO, OR 97826

State of Oregon County of Umatilla	
Instrument received and recorded on 08/31/2021 03:40:27 PM	
in the record of instrument code type DE	
Instrument number 2021-7270629 \$101.00	
Office of County Records	
 Records Officer P2	

WARRANTY DEED -- STATUTORY FORM

(INDIVIDUAL or CORPORATION)

CLAYTON M. BRISCOE and DEBRA L. BRISCOE, as tenants by the entirety, Grantor, conveys and warrants to: HARRY EBER BITHER V and REBECCA JO BITHER, as tenants by the entirety, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

Encumbrances: SEE ATTACHED EXHIBIT 'A' FOR PERMITTED EXCEPTION

The true consideration for this conveyance is \$780,000.00. However, if the actual consideration consists of or includes other property or other value given or promised, such other property or value is the whole of the consideration.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 (Definitions for ORS 92.010 to 92.192) OR 215.010 (Definitions), TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930 (Definitions for ORS 30.930 to 30.947), AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

If grantor is a corporation, this has been signed by authority of the Board of Directors.

Dated this 27th day of August, 2021.

GRANTOR(S):


CLAYTON M. BRISCOE

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EXHIBIT 'A'

LEGAL DESCRIPTION:

Beginning at the center of Section 6, Township 2 North, Range 30, East of the Willamette Meridian, Umatilla County, Oregon; thence Easterly along the East-West centerline of said Section 6, a distance of 528 feet; thence Northerly, parallel with and 528 feet distant Easterly from the North-South centerline of said Section 6, a distance of 1,296.90 feet to a point in the center of the Umatilla River in its present course; thence South 74° West down the center of the present channel of said Umatilla River, a distance of 551.10 feet to its intersection with the North-South centerline of said Section 6; thence Southerly along the North-South centerline of said Section 6, a distance of 1,145.10 feet to the point of beginning;

Excepting therefrom any portion lying within the County Road right-of-way.

SUBJECT TO THE FOLLOWING PERMITTED EXCEPTIONS

1. 2021-2022 Taxes, which are a lien on July 1, 2021, but not yet paid (First 1/3 due and payable November 15, 2021. Amounts not yet available)
2. ~~Water rights, claims to water or title to water, whether or not~~ rights are a matter of public record.
3. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the mean high water mark of the Umatilla River and any adverse claim based upon the assertion that some portion of said lands have been removed from or brought within the boundaries thereof by an avulsive movement of the Umatilla River or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
4. Conditions and restrictions, including the terms and provisions thereof, contained in Deed,
Grantee : Thomas Kerr
Recorded : December 13, 1911, Book 74, Page 433, Deed Records.
5. Easement, including the terms and provision thereof,
Grantee : Umatilla Electric Cooperative Association
Recorded : July 3, 1939, Book 120, Page 590, Deed Records.
6. Easement, including the terms and provisions thereof,
Grantee : Umatilla Electric Cooperative
Recorded : April 18, 2014, Instrument No. 2014-6160282, Office of Umatilla County Records.

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