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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 DALLAS RAY HICKMAN		PHONE (HM) 541-263-2797	
PHONE (WK)	CELL	FAX	
ADDRESS 603 EAST WALLOWA AVE.			
CITY JOSEPH	STATE OR	ZIP 97847	E-MAIL * RAYHICKMAN0@GMAIL.COM

**Organization**

NAME		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		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 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**


Dallas Ray Hickman
5-28-2022  
 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.

**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).*  
 Wallowa Lake Irrigation District

**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: Wallowa Lake Reservoir	Tributary to: Wallowa River
TRSQQ of POD: T3SR45E Sec5 NENW	
Source 2:	Tributary to:
TRSQQ of POD:	

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).

Permit R347, Certificate 9310

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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/](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.

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:

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



**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
R347	Irrigation	May1 – Sep30	0.13 <input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
	RECEIVED		<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
	JUL 11 2022		<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
	OWARD		<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: 7.8 Acres                      Supplemental: \_\_\_\_\_ Acres                      Nursery Use: \_\_\_\_\_ 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: 23.4

- 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):
- Other means (describe): Water Released from Wallowa Lake Dam into Farmers Ditch, gravity pipeline to property

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

Pipeline and sprinklers already installed

**B. Application Method**

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)  
 High pressure handlines and buried 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 public uses of affected surface waters. 1/60 rate is approx. 7 gpm/ac which is what my nozzles are sized to.

**SECTION 7: RESOURCE PROTECTION**

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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: Local ODWF office review
- 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: no disturbance will occur as system has been in place for many decades
- 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: N/A
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.  
Describe planned actions: N/A
- List other federal and state permits or contracts to be obtained, if a water right permit is granted.  
N/A

**SECTION 8: PROJECT SCHEDULE**

- a) Date construction will begin: already completed
- b) Date construction will be completed: already completed
- c) Date beneficial water use will begin: once permit is issued

**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 Wallowa Lake Irrigation District	Address 65196 Dobbin Rd	
City Joseph	State OR	Zip 97846

**SECTION 10: REMARKS**

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

Local Watermaster approached us and said we did not have a water right on part of our property. Local Watermaster assisted with this application. WLID has been supplying us water for many decades, and we didn't know we needed a water right.



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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

### Applicant

NAME WALLOWA COUNTY PLANNING			PHONE (HM)		
PHONE (WK)		CELL		FAX	
ADDRESS 101 SOUTH RIVER STREET					
CITY ENTERPRISE		STATE OR	ZIP 97828	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	¼¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
2	45	29	SESW	500 & 502	R1	<input 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:

Wallowa

### 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: 0.13  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:

Application to cover a field that was found to not have a water right.



**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): \_\_\_\_\_.
- 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:	
<b>RECEIVED</b>		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
<b>JUL 11 2022</b>		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
<b>OWRD</b>		<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: <i>Franz Goebel</i>	TITLE: <i>Planning Director</i>
SIGNATURE: <i>[Signature]</i>	PHONE: <i>541-426-4543</i>
GOVERNMENT ENTITY: <i>Wallowa County Planning</i>	DATE: <i>5/31/2022</i>

**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: \_\_\_\_\_



073900

EXHIBIT A

BEGINNING at a point 30 feet North of the Northeast corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 29, Township 2 South, Range 45 East of the Willamette Meridian, Wallowa County, Oregon; thence Southerly along the subdivision line approximately 449 feet to the North line of the County Road; thence North 86°34' West, approximately 1215 feet to the Southeast corner of the William L. Lay tract as shown by instrument recorded in Book 20 of Deeds, Page 600; thence Northerly along the East line of said tract to the Northeast corner thereof; thence continuing along said line to a point 30 feet North the 1/16 section line intersecting the NE $\frac{1}{4}$  and the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 29; thence Easterly and parallel with the North line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  to the point of beginning.

ALSO: BEGINNING at the Southeast corner of Bellevue Addition (now vacated) to the Town of Joseph, Wallowa County, Oregon; thence North 88°56' West along the Southerly boundary line of said Addition a distance of 1214.34 feet to the Southeast corner of Lot 3, Block 29 of said Addition; thence North 0°38'30" West a distance of 39.95 feet to the Northeast corner of said Lot 3; thence North 89°21'30" East a distance of 463 feet to the Northeast corner of Lot 8 of Block 30 of said vacated Bellevue Addition; thence continuing North 89°21'30" East across the Big Bend Ditch, a distance of 42 feet to the Southeasterly right of way line of said ditch; thence in a Northeasterly direction along said right way line to the Easterly boundary line of Bellevue Addition; thence South 1°08'30" East along said boundary line a distance of 546 feet to the point of beginning.

EXCEPTING THEREFROM the following described tracts of land:

- 1) BEGINNING at a point North 1°08'30" West, 30 feet from the Northeast corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 29, T2S, R45 EWM; thence North 1°08'30" West, 546 feet to the Southerly right of way line of the Big Bend Ditch; thence South 80°59'20" West, 221.29 feet along said right of way line; thence South 1°30" East, 929.54 feet to the North right of way line of the Little Sheep Creek Highway; thence South 85°23'15" East, 221 feet along said North right of way line; thence North 1°08'30" West, 436 feet to the place of beginning.
- 2) All that portion conveyed to State of Oregon, by and through the State Highway Commission by instrument recorded in Book 64 of Deeds, Page 470.
- 3) BEGINNING at a point North 1°08'30" West, 30 feet from the Northeast corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 29, T2S, R45 EWM; thence North 1°08'30" West, 546 feet to the Southerly right of way line of the Big Bend Ditch; thence South 80°59'20" West, 221.29 feet along said right of way line; thence South 1°08'30" East, 929.54 feet to the North right of way line of the Little Sheep Creek Highway; thence South 85°23'15" East, 221 feet along said North right of way line; thence North 1°08'30" West, 436 feet to the place of beginning.
- 4) All of Lot 8 and a portion of alley in Block 29 vacated, a portion of Hambelton Street vacated, Lots 3 and 8 and a portion of alley in Block 30 vacated, a portion of Morgan Street vacated, all lying within BELLEVUE ADDITION to the Town of Joseph, Wallowa County Oregon, TOGETHER WITH a portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 29, Township 2 South, Range 45 East of the Willamette Meridian, Wallowa County, Oregon, as shown on map of survey by Jack W. Burris, LS 1668, on file the Office of the County Surveyor, Wallowa County, Oregon, and more particularly described as follows: BEGINNING at the Northeast corner of Lot 3, Block 29, Bellevue Addition, to Joseph; thence East 465.42 feet to a set iron pin on the Northwesterly bank of the Big Bend Ditch; thence along said bank South 40°06'06" West 119.21 feet to a set iron pin on the Northwesterly bank of said ditch; thence crossing said ditch South 40°08'52" East 38.34 feet to a set iron pin; thence South 44°10'03" West 18.37 feet to a set iron pin; thence South 59°15'13" West 167.11 feet to set iron pin; thence North 88°48'42" West 96.55 feet to set iron pin; thence South 84°54'10" West 134.64 feet to a set iron pin; thence South 1°13'52" East 209.0 feet to a point on the North right of way line of Little Sheep Creek Highway, said point being on the arc of a 2904.79 foot radius curve concave Southerly from which a radial line bears South 2°38'29" East (said point being referenced on the ground by an iron pin which bears North 1°13'52" West 8.11 feet); thence Westerly along the arc of said curve through a central angle of 00°36'55" a distance of 31.19 feet to a point from which a radial line bears South 3°15'24" East (said point being referenced on the ground by an iron pin which bears North 9.52 feet); thence from said point North 439.62 feet to the POINT OF BEGINNING.

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COUNTY OF WALLOWA

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CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, That the Dobbin Ditch Company and assignees -- Silver Lake Ditch Company, Big Bend Water Ditch Company, McCubbin-Craig Ditch Company, Wrehn and Dobbin Ditch Company, Farmers Ditch Company and Croighton Ditch Company, of Joseph, State of Oregon, have made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to store the waters of Wallowa River for the purposes of irrigation, domestic and supplemental irrigation, to be appropriated under Permit No. 2696, under Reservoir Permit No. 347 of the State Engineer, and that said right to store said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from January 3, 1915; that the amount of water entitled to be stored each year under such right, for the purposes aforesaid, shall not exceed 44,000 acre-feet, and to be apportioned as follows:

Dobbin Ditch Company	8,018	acre-feet
Croighton Ditch Company	1,503	acre-feet
Silver Lake Ditch Company	10,023	acre-feet
Big Bend Water Ditch Company	8,018	acre-feet
McCubbin-Craig Ditch Company	401	acre-feet
Wrehn & Dobbin Ditch Company	6,014	acre-feet
Farmers Ditch Company	10,023	acre-feet

The reservoir is located in Sections 4, 5, 8, 9, 16, 17, 20 and 21, Township 3 South, Range 45 East, W. M.

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of Section 47-508, Oregon Code 1930.

WITNESS the signature of the State Engineer,  
affixed this 28th day of October, 1931.

\_\_\_\_\_  
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 9, page 2310.



1-1-74

Jack R. Duggan, et ux to Glenda McPetridge ) 7460  
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That JACK R. DUGGAN and NADINE L. DUGGAN, husband and wife,

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by GLENDA MCFETRIDGE, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Wallowa and State of Oregon, described as follows, to-wit:

All of Lot 8 and a portion of alley in Block 29 vacated, a portion of Hambleton Street vacated, Lots 3 and 8 and a portion of alley in Block 30 vacated, a portion of Morgan Street vacated, all lying within Bellevue Addition to the Town of Joseph, together with a portion of the Southeast one-quarter of the Southwest one-quarter of Section 29, Township 2 South, Range 45 East of the Willamette Meridian, as shown on Map of Survey by Jack W. Burris LS 1668, for Gary McPetridge on file in the office of the County Surveyor, Wallowa County, Oregon, and more particularly described as follows: BEGINNING at the Northeast corner of Lot 3 of said Block 29; thence East 465.42 feet to a set iron pin on the Northwesterly bank of the Big Bend Ditch; thence along said bank South 40°06'06" West

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

CONTINUE DESCRIPTION ON REVERSE SIDE

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$30,000.00

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 7th day of April, 1984; If a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

(If executed by a corporation, affix corporate seal)

Jack R. Duggan  
NADINE L. DUGGAN  
Attorney-in-Fact

STATE OF OREGON,  
County of Wallowa } ss.  
April 7, 1984

STATE OF OREGON, County of Wallowa } ss.  
Personally appeared \_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of \_\_\_\_\_, a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Personally appeared the above named JACK R. DUGGAN, individually and as Attorney-in-fact for NADINE L. DUGGAN, and acknowledged the foregoing instrument to be their voluntary act and deed.

Notary Public for Oregon  
My commission expires: 11-18-84

Notary Public for Oregon  
My commission expires:

GRANTOR'S NAME AND ADDRESS  
Jack R. Duggan, et ux.  
P.O. Box 205  
Joseph, OR 97846

GRANTEE'S NAME AND ADDRESS  
Glenda McPetridge  
P.O. Box H  
Enterprise, OR 97828

WALLOWA TITLE CO.  
NAME, ADDRESS, ZIP

Until a change is requested all for statements shall be sent to the following address:  
Glenda McPetridge  
P.O. Box H  
Enterprise, OR 97828  
NAME, ADDRESS, ZIP

STATE OF OREGON,  
County of Wallowa } ss.  
INDEXED  
I certify that the within instrument was received for record on the 5th day of April, 1984, at 10:03 o'clock A.M., and recorded in book/reel/volume No. 25 on page 297 or as document/file/instrument/microfilm No. 7460. Record of Deeds of said county.  
Witness my hand and seal of County affixed.  
County Clerk  
By \_\_\_\_\_ Deputy

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Pg 297

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JUL 11 2022

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Date 5/27/2022

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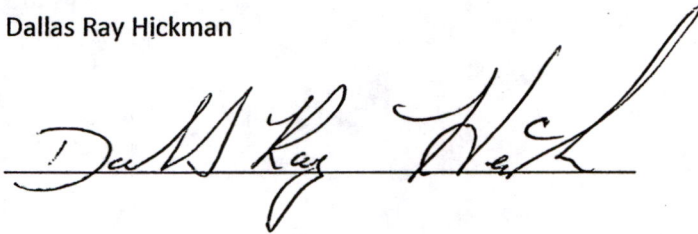
OWRD

Reference: Stored Water Application from Wallowa Lake

Dear WLID Board, this letter is to inform you of my intention to file an application for the use of stored water for Irrigation on my land.


Sincerely,

Dallas Ray Hickman

A handwritten signature in cursive script that reads "Dallas Ray Hickman". The signature is written over a horizontal line.

WLID Representative Signature:

---

Signed   
Joseph Deuser, Secretary



continued

That part of Lot 1 and the Southeast quarter of the Northeast quarter of Section 4, Township 2 South, Range 44 East, of the Willamette Meridian, Wallowa County, Oregon, described as follows:

Beginning at a point on the South line of said Southeast quarter of the Northeast quarter which point is South 89° 06' West 396.7 feet from the Southeast corner of said Southeast quarter of the Northeast quarter; thence running due North 2185.1 feet, more or less, to the South line of the right of way of the Oregon Railroad and Navigation Company railroad; thence in a Northeasterly direction along the South and West line of said railroad right of way to a point on the North line of said Lot 1 where said South and West line of the railroad right of way intersects the North line of said Lot 1; thence westerly along the North line of said Lot 1 to the Northwest corner thereof; thence South along the West line of Lot 1 and the Southeast quarter of the Northeast quarter to the Southwest corner of said Southeast quarter of the Northeast quarter; thence Easterly along the South line of said Southeast quarter of the Northeast quarter to the point of beginning. SUBJECT to a 60 foot right of way for a public road, described in deed recorded in Book 21 of Deeds, at page 147;

And SUBJECT to right of way to Pacific Power & Light Company as shown by deed recorded in Book 64 of Deeds at page 435.

TOGETHER with all water rights adjudicated or appurtenant to said real property.

TO HAVE AND TO HOLD the above described and granted premises unto the said grantees their heirs and assigns forever.

And we the grantors do covenant that we are lawfully seized in fee simple of the above granted premises free from all encumbrances, and that we will and our heirs, executors and administrators shall warrant and forever defend the above granted premises, and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

WITNESS our hands and seals this 10th day of June, 1963.

Paul C. Zollman (SEAL)

Winifred F. Zollman (SEAL)

L.R.S. #13,20 cancelled

STATE OF OREGON )  
COUNTY OF WALLOWA ) SS

On this 10th day of June, 1963, before me the undersigned, a Notary Public in and for said County and State, personally appeared the within named Paul C. Zollman and Winifred F. Zollman, who are known to me to be the identical individuals described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

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

R. A. Fox  
Notary Public for Oregon  
My commission expires: 8/10/66

seal

Recorded June 10th, 1963 at 4:25 p. m., Marjorie Martin, County Clerk

By Marjorie Martin Clerk

Earl Conrad, et ux ) 62683  
to )  
Pacific Power & Light Co. )

RIGHT OF WAY EASEMENT  
(INDIVIDUAL)

For value received the undersigned Grantor, Earl Conrad and Alice Conrad (Husband and wife) do hereby grant to PACIFIC POWER & LIGHT COMPANY, a corporation, its successors and assigns, the Grantee, an easement or right of way for an electric transmission and distribution line of one or more wires and all necessary or desirable appurtenances (including telephone and telegraph wires, towers, poles, props, guys and other supports and the right to place all or any part of such line in underground conduits) at or near the location and along the general course now located and staked out by the Grantee over, across and upon the following described real property in Wallowa County, State of Oregon to-wit:

A piece of land 400 feet wide on the west end of that certain parcel of land in the Southwest quarter (SW 1/4) of Section 29, Township 2 South, Range 45 East, Willamette Meridian, designated as Tax Lot #400 in Code

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continued

Area 6-1 and Tax Lot #500 in Code Area 6-5.

Together with the right of ingress and egress over the adjacent lands of the Grantor for the purpose of constructing, reconstructing, stringing new wires on, maintaining and removing such line and appurtenances, and exercising other rights hereby granted.

All such rights hereunder shall cease if and when such line shall have been abandoned.

Dated this 28th day of May, 1963.

Barl Conrad (Seal) Alice Conrad (Seal)

STATE OF Oregon }
COUNTY OF Wallowa } ss

On this 28th day of May, personally appeared before me, a notary public in and for said State, the within named Barl Conrad and Alice Conrad to me known to be the identical persons described therein and who executed the foregoing instrument, and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

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

Richard M. Gosney
Notary Public for Oregon
residing at Enterprise therein
My commission expires June 15, 1965

seal

Recorded June 11th, 1963 at 3:20 p. m., Marjorie Martin, County Clerk

By \_\_\_\_\_ Clerk

Etta Roupe } 62691
to }
Glenn L. Shaw } W.D.

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That I, Etta Roupe, an unmarried woman, grantor, in consideration of One Dollar and other valuable considerations, to me paid by Glenn L. Shaw, grantee, do hereby grant, bargain, sell and convey unto the said grantee, his heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Wallowa and State of Oregon, bounded and described as follows:

The northwest quarter of the northwest quarter, of Section 36, Township 2 South, Range 44 East, of the Willamette Meridian, Wallowa County, Oregon.

EXCEPTING THEREFROM the following described tract conveyed to Hurricane Creek Grange #608 by deed recorded in Book 39 of Deeds, at page 482: Beginning at the southwest corner of said northwest quarter of the northwest quarter; running thence east 322 feet along the subdivision line to a peg set in the ground; thence north 60 feet to the center line of the county road; thence bearing north and westerly along said center line of said county road 464 feet to a point where said center line of said county road crosses the west line of Section 36; thence south along said west line of Section 36 a distance of 350 feet to the point of beginning.

ALSO EXCEPTING THEREFROM the following described tract conveyed to Edna Hanlon and Allen H. Hanlon, wife and husband by deed recorded in Book 68 of Deeds at page 558: Beginning at a point which bears south 13° 33' east from the northwest corner of said Section 36 a distance of 1138.3 feet; thence north 23° 28' east 106.7 feet; thence south 40° 03' east 61.8 feet; thence south 70° 18' east 64.9 feet; thence south 59° 34' east 61.9 feet to the west bank of Hurricane Creek; thence south 13° 07' west up and along the west bank of Hurricane Creek a distance of 133.9 feet to a point on the north right of way line of Hurricane Creek Highway; thence north 51° 56' west along the north right of way line of said Hurricane Creek Highway a distance of 214.3 feet to the point of beginning.

SUBJECT to Right of Way Deed to Wallowa County, recorded in Book 51 of Deeds, at page 411.

TOGETHER with all water rights appurtenant thereto.

TO HAVE AND TO HOLD the above described and granted premises unto the said grantee, his heirs and assigns forever.

And the grantor does covenant that she is lawfully seized in fee simple of the above granted premises free from all encumbrances and that she will and her heirs, executors and administrators, shall warrant and forever

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continued

Richard A. Bain <sup>421</sup>

Grace Lou Bain <sup>421</sup>

STATE OF OREGON, }  
County of Wallowa } ss.

On this 28th day of April, 1953, personally came before me, a Notary Public in and for said county and state, the within named Rex Payne, also known as Rex C. Payne and Thelma L. Payne, his wife, to me personally known to be the identical persons described in, and who executed, the within instrument, and who each personally acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein named,

Witness my hand and official seal the day and year last above written.

Max Wilson  
Notary Public for Oregon  
My commission expires Sept. 19, 1955

seal

STATE OF OREGON, }  
County of Wallowa. } ss.

On this 28th day of April, 1953, personally came before me, a Notary Public in and for said county and state, the within named Richard A. Bain and Grace Lou Bain, his wife, to me personally known to be the identical persons described in, and who executed, the within instrument, and who each personally acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein named.

Witness my hand and official seal the day and year last above written.

Max Wilson  
Notary Public for Oregon  
My commission expires Sept. 19, 1955

seal

Recorded May 1st, 1953 at 10:45 a. m., Marjorie Martin, County Clerk

By Marjorie Martin Clerk

Earl Conrad, et ux } 42175  
to }  
State of Oregon } W.D. File No. 19849

WARRANTY DEED  
(Individual)

This Indenture Witnesseth, That we, Earl Conrad, also known as Earl E. Conrad and Alice Conrad, husband and wife grantors, for the consideration of the sum of Two Hundred Forty-Nine and 00/100 (\$249.00) DOLLARS to us paid, have bargained and sold and by these presents do bargain, sell and convey unto the STATE OF OREGON by and through its STATE HIGHWAY COMMISSION, the following described premises, to wit:

A parcel of land lying in the Southeast quarter of the Southwest quarter (SE 1/4 SW 1/4) of Section 29, Township 2 South, Range 45 East, W. M., Wallowa County, Oregon, and being a portion of that property described in that deed to Earl Conrad et ux, recorded in Book 56, Page 513, of Wallowa County, Records of Deeds. The said parcel being that portion of said property included in a strip of land 40 feet in width, lying on the North side of the center line of the Little Sheep Creek Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station 1248.03, said Station being 1,018.17 feet North and 4,222.27 feet West of the Southeast corner of said Section 29; thence on a spiral curve right (the long chord of which bears North 83° 54' 45" East) 200 feet; thence on a 2,864.79 foot radius curve right (the long chord of which bears North 88° 55' 45" East) 368.33 feet; thence on a spiral curve right (the long chord of which bears South 86° 03' 15" East) 200 feet; thence South 85° 23' 15" East 572.01 feet; thence on a spiral curve right (the long chord of which bears South 84° 43' 15" East) 400 feet to Engineer's center line Station 2948.37. The North line of said strip of land intersects the South line of said property and the North line of the existing highway approximately opposite Station 164-65.

The parcel of land to which this description applies contains 0.24 acre.

TO HAVE AND TO HOLD the said premises with their appurtenances, in fee simple, unto the said State of Oregon, by and through its State Highway Commission, its successors and assigns forever.

And we the said grantors do hereby covenant to and with the said State of Oregon, by and through its State Highway Commission, its successors and assigns, that we are the owners in fee simple of said premises; that they are free from all incumbrances and that we will warrant and defend the same from all lawful claims

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whatsoever.

IN WITNESS WHEREOF, We have hereunto set our hands and seals this 27 day of April, 1953.

Earl E. Conrad (SEAL)

Alice Conrad (SEAL)

STATE OF OREGON, }  
County of Willows. } SS.

On this 27th day of April, 1953, personally came before me, a Notary Public in and for said county and state, the within named Earl Conrad also known as Earl E. Conrad and Alice Conrad, his wife, to me personally known to be the identical persons described in, and who executed, the within instrument, and who each personally acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein named,

Witness my hand and official seal the day and year last above written.

Max Wilson  
Notary Public for Oregon  
My commission expires Sept. 19, 1955

seal

Recorded May 1st, 1953 at 10:46 a. m., Marjorie Martin, County Clerk

By Marjorie Martin Clerk

Bruce Fisher, et ux } 42185  
to }  
Arda A. Bennett, et ux } W.D.

KNOW ALL MEN BY THESE PRESENTS, That Bruce Fisher and Verna Fisher, husband and wife, in consideration of Ten Dollars, to them paid by Arda A. Bennett and Eunice M. Bennett, husband and wife, do hereby grant, bargain, sell and convey unto said Arda A. Bennett and Eunice M. Bennett, husband and wife, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Willows and State of Oregon, bounded and described as follows, to-wit:

A tract situate in Lot 3 of Section 2, Township 2 South, Range 44 East, of the Willamette Meridian, Willows County, Oregon, and described as follows:

Beginning at a point 578.5 feet West and 104.6 feet North 0° 41' East of the Southwest corner of the Northwest quarter of the Northeast quarter of said Section 2; thence East along the South line of Greenwood Street a distance of 50 feet; thence South 109 feet; thence West 50 feet; thence North 109 feet to the point of beginning.

I. R. S. 55 cents cancelled

To Have and to Hold the above described and granted premises unto the said Arda A. Bennett and Eunice M. Bennett, husband and wife, their heirs and assigns forever.

And Bruce Fisher and Verna Fisher, husband and wife, the grantors above named do covenant to and with the above named grantees, their heirs and assigns that they are lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all encumbrances, and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever,

Witness their hands and seals this 30 day of April, 1953.

Bruce Fisher (SEAL)

Verna Fisher (SEAL)

STATE OF OREGON, }  
County of Willows. } SS.

BE IT REMEMBERED, That on this 30 day of April, 1953, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Bruce Fisher and Verna Fisher, husband and wife, known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

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

Robert V. Chrisman  
Notary Public for Oregon  
My Commission expires March 4, 1955

seal

Recorded May 4, 1953 at 10:12 a. m., Marjorie Martin, County Clerk

By Marjorie Martin Clerk

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STATE OF OREGON }  
COUNTY OF WALLOWA }

AFTER RECORDING, RETURN TO:  
WALLOWA TITLE COMPANY - 26049  
109 SE First Street  
Enterprise, OR 97828

I certify that this instrument was  
received and recorded in the book  
of records of said county.

SEND TAX STATEMENTS TO:  
DALLAS R. HICKMAN et ux  
603 E. WALLOWA AVE.  
JOSEPH, OR 97846

Wallowa County Clerk  
by: *[Signature]* Deputy

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DOC#: 00073900  
RCPT: 85166 55.00  
12/11/2015 1:57 PM  
REFUND: .00

STATUTORY WARRANTY DEED

KELLY KINNEY and THOMAS MILLER, Grantor, convey(s) and warrant(s) to DALLAS R. HICKMAN and TRACIE L. HICKMAN, Husband and Wife, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

SEE ATTACHED AND INCORPORATED EXHIBIT A

This property is free of liens and encumbrances, EXCEPT:

- (1) Easement recorded in Book 71 of Deeds, Page 132; (2) Easement recorded in Book 96 of Deeds, Page 297

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND 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 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

The true consideration for this conveyance is \$110,000.00.

DATED: December 9, 2015.

//  
//

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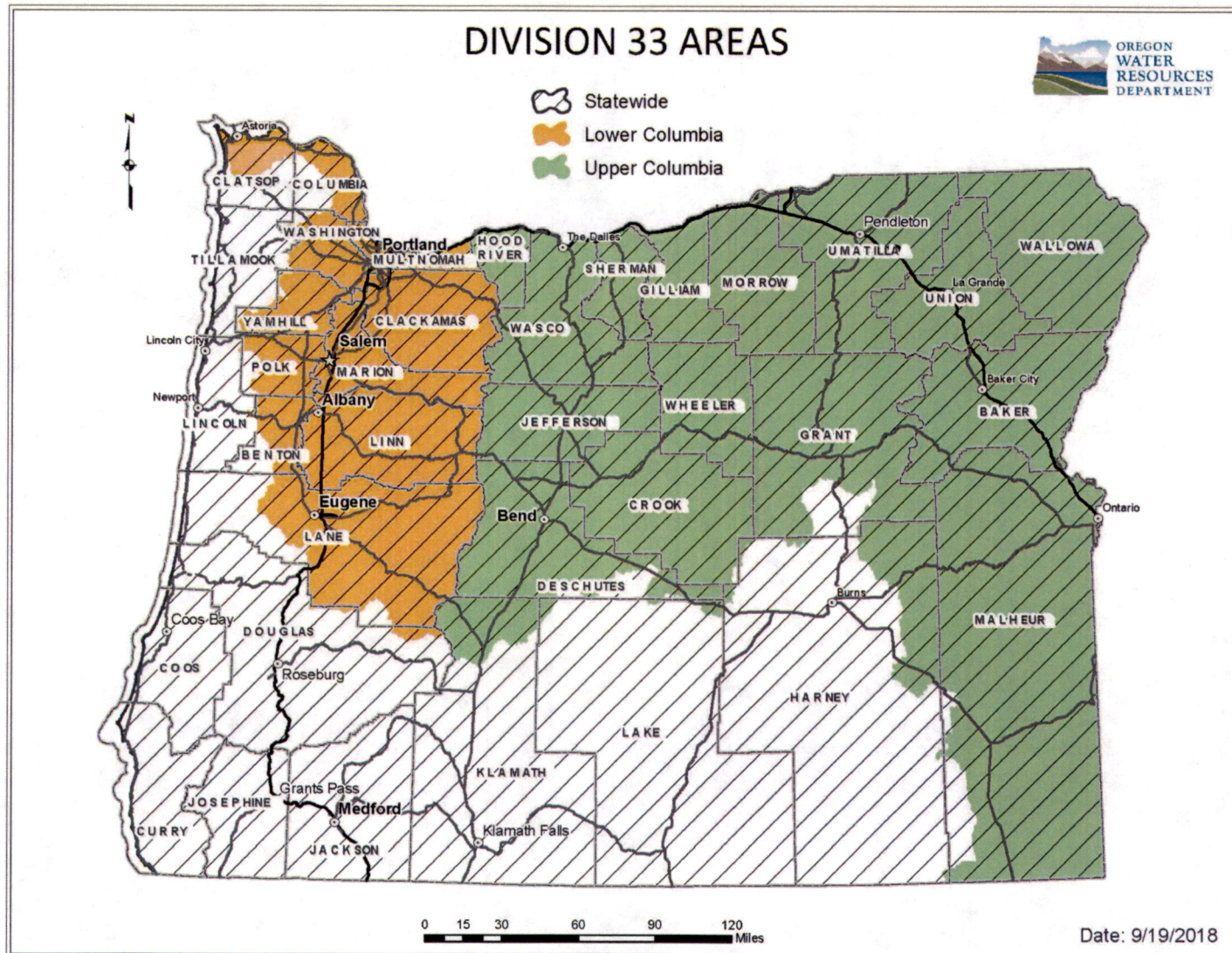
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Figure 1: Map of Division 33 Areas



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For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a 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\\_trsgg\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsgg_features/)

Today's Date: Friday, May 27, 2022

Base Application Fee.		\$610.00
Acre feet of Stored Water to be diverted.	23.4	\$825.60
Subtotal:		\$1,435.60
Permit Recording Fee. ***		\$610.00
*** 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.	Recalculate	
Estimated cost of Permit Application		\$2,045.60

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*Oregon*



## 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

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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.
- 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: \$ 2045.60  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://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)



# 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](http://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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For Department Use: App. Number: \_\_\_\_\_