

Application for a Permit to Use Groundwater



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME BUTSCH PROPERTIES, LLC % LORI PAVLICEK, MEMBER MANAGER			PHONE (HM)
PHONE (WK) 503.855.2485	CELL		FAX
ADDRESS 15234 BUTSCH LANE NE			
CITY MT. ANGEL	STATE OREGON	ZIP 97362	E-MAIL* 4Bfarms@mtangel.net

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 JEANNE BOATWRIGHT		PHONE 503.363.9225	FAX
ADDRESS BOATWRIGHT ENGINEERING, INC. 2613 12TH STREET SE			CELL
CITY SALEM	STATE OREGON	ZIP 97302	E-MAIL* jeanne@boatwrightengr.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.)

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By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

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


Applicant Signature

**LORI PAVLICEK, MEMBER MANAGER
BUTSCH PROPERTIES, LLC**

Print Name and Title if applicable

January 20, 2023
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).*

NONE

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
NORTH WELL MARI 51006	UNNAMED CREEK TRIBUTARY OF PUDDING RIVER	2070'	Surface Water is 20'± below Well Head

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).*

See Attached Well Log MARI 51006

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SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 0.21 cfs (95.38 GPM) (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)
North Well	<input type="checkbox"/>	<input checked="" type="checkbox"/>	L-10512 MARI 51006	<input type="checkbox"/>	12"	+1 to 395.5	none	0 to 35 390 to 395.5	93.11 10-6-22	Basalt	566	95.38	Max 42.5 @2.5'/ac
	<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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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_trsqg_features/

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

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

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

Yes No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

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Lower Columbia - OAR 690-033-0220 thru -0230

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

Yes No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine, by reviewing

recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, you will be required to provide the following information, if applicable.

Yes No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If **yes**, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

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

Yes No

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

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	Mar 1- Oct 31	Not to exceed 42.5 AF (Max allowed at 2.5'/ac duty)

For irrigation use only:
 Please indicate the number of primary, supplemental and/or nursery acres to be irrigated (*must match map*).
 Primary: **17.0** Acres Supplemental: **0** Acres Nursery Use: **0** Acres
 If you listed supplemental acres, list 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: **42.5 (per 2.5'/ac allowed duty)**

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: (Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.)
- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*):

SECTION 6: WATER MANAGEMENT

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A. Diversion and Conveyance

What equipment will you use to pump water from your well(s)?

- Pump (give horsepower and type): **60 Hp**
 Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. **6-inch buried pipeline running north-south near west property line**

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*)

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*).

Measurement will be with a totalizing flow meter. Water waste will be prevented by limiting application to the crop demand and weather/climate conditions. Chemical and fertilizer applications are applied only as necessary and in strict compliance with best management practices.

SECTION 7: PROJECT SCHEDULE

- Date construction will begin: **Permit date, or the following IR season**
- Date construction will be completed: **Permit date + 5 yrs**
- Date beneficial water use will begin: **Permit date, or the following IR season**

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: **Irrigation water and any chemicals will be applied using BMPs to provide only what the crop requires given the weather/climate conditions and current point in the growing/harvesting cycle.**

- 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: **NA**

Describe planned actions and additional permits required for project implementation: **NA**

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

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 NA	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*).

Once the review process is complete and the issuance of a permit is imminent for this application, the underlying water rights, Certificate 58334 and Permit G-12208, will be voluntarily cancelled.

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Minimum Requirements Checklist

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

Include this checklist with the application

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

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

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

Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: **\$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:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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Water-Use Permit Application Processing

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1. Completeness Determination

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

2. Initial Review

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

3. Public Notice

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

4. Proposed Final Order Issued

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

5. Public Notice

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

6. Final Order Issued

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

Today's Date: Friday, January 13, 2023

Base Application Fee.		\$1,570.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	0.21	\$410.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed groundwater points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	1	
Subtotal:		\$1,980.00
Permit Recording Fee. ***		\$610.00
<p>* the 1st Water Use is included in the base cost. ** the 1st groundwater point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.</p>	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$2,590.00

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Corporation/Limited Liability Company - Information Change

Secretary of State - Corporation Division - 255 Capitol St. NE, Suite 151 - Salem, OR 97310-1327 - sos.oregon.gov/business - Phone: (503) 986-2200
Please Type or Print Legibly in Black Ink. Attach Additional Sheet if Necessary. Fax: (503) 378-4381

REGISTRY NUMBER: 61097680

FILED
JANUARY 6 2022

Print Form

ENTITY TYPE: DOMESTIC FOREIGN

Reset Form

OREGON SECRETARY OF STATE

In accordance with Oregon Revised Statute 192.410-192.490, the information on this application is public record. We must release this information to all parties upon request and it will be posted on our website.

For office use only

1. NAME OF CORPORATION OR LIMITED LIABILITY COMPANY:

BUTSCH PROPERTIES, LLC

2. BUSINESS ACTIVITY

Complete only the sections that you are updating.

6. ADDRESS WHERE THE DIVISION MAY MAIL NOTICES:

3. PRINCIPAL PLACE OF BUSINESS: (Street Address)

4. THE REGISTERED AGENT HAS BEEN CHANGED TO:

LORI PAVLICEK

5. REGISTERED AGENT'S PUBLICLY AVAILABLE ADDRESS:

Must be an Oregon Street Address, which is identical to the registered agent's office.

15234 BUTSCH LANE NE, MT ANGEL, OR 97362

7. THE NEW REGISTERED AGENT HAS CONSENTED TO THIS APPOINTMENT.

8. THE STREET ADDRESS OF THE NEW REGISTERED OFFICE AND THE BUSINESS ADDRESS OF THE REGISTERED AGENT ARE IDENTICAL.

The entity has been notified in writing of this change.

9. INDIVIDUAL WITH DIRECT KNOWLEDGE (Names and Addresses)

List the name and address of at least one individual who is a director, or controlling shareholder of the corporation (member or manager of the LLC) or an authorized representative with direct knowledge of the operations and business activities of the corporation or LLC.

LORI PAVLICEK

15234 BUTSCH LANE NE, MT ANGEL, OR 97362

10. NAME(S) AND ADDRESS(ES) OF CORPORATE OFFICERS OR LLC MEMBERS/MANAGERS

Corporations list the name and address of one President and one Secretary (ORS 60.787, ORS 65.787, ORS 62.455, ORS 554.315). Limited Liability Companies list the name and addresses of the managers for a manager-managed limited liability company or the name and address of at least one member for a member-managed limited liability company (ORS 63.787). Please attach a separate sheet of paper if needed. If making changes to this section, list all current names and addresses. This replaces what is currently on the record.

PRESIDENT OR OWNER(S) (MEMBERS): (Names and Addresses)

JEFFREY BUTSCH

15234 BUTSCH LANE NE, MT ANGEL, OR 97362

LORI PAVLICEK

15234 BUTSCH LANE NE, MT ANGEL, OR 97362

SECRETARY OR MANAGER(S): (Names and Addresses)

JEFFREY BUTSCH, MANAGER

15234 BUTSCH LANE NE, MT ANGEL, OR 97362

LORI PAVLICEK, MANAGER

15234 BUTSCH LANE NE, MT ANGEL, OR 97362

11. EXECUTION: I declare as an authorized signer, under penalty of perjury, that this document does not fraudulently conceal, obscure, alter, or otherwise misrepresent the identity of any person including officers, directors, employees, members, managers or agents. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

SIGNATURE:

[Handwritten Signature]

PRINTED NAME:

LORI PAVLICEK

TITLE:

MANAGER

CONTACT NAME: (To resolve questions with this filing)

LORI PAVLICEK

PHONE NUMBER: (Include area code)

503-845-2485

FEES

No Processing Fee

Free copies are available at sos.oregon.gov/business using the Business Name Search Program.

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AMENDED ANNUAL REPORT



Corporation Division
www.filinginoregon.com

E-FILED
Dec 16, 2022
OREGON SECRETARY OF STATE

REGISTRY NUMBER

61097680

REGISTRATION DATE

12/30/1997

BUSINESS NAME

BUTSCH PROPERTIES, LLC

BUSINESS

REAL ESTATE

MAILING ADDRESS

15234 BUTSCH LN NE
MOUNT ANGEL OR 97362 USA

TYPE

DOMESTIC LIMITED LIABILITY COMPANY

PRIMARY PLACE OF BUSINESS

15234 BUTSCH LN NE
MOUNT ANGEL OR 97362 USA

JURISDICTION

OREGON

REGISTERED AGENT

LORI PAVLICEK

15234 BUTSCH LANE NE
MOUNT ANGEL OR 97362 USA

If the Registered Agent has changed, the new agent has consented to the appointment.

MEMBER

JEFFREY BUTSCH

15234 BUTSCH LANE NE
MT ANGEL OR 97362 USA

MEMBER

LORI PAVLICEK

15234 BUTSCH LANE NE
MT ANGEL OR 97362 USA

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I declare, under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter or otherwise misrepresent the identity of the person or any officers, managers, members or agents of the limited liability company on behalf of which the person signs. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

By typing my name in the electronic signature field, I am agreeing to conduct business electronically with the State of Oregon. I understand that transactions and/or signatures in records may not be denied legal effect solely because they are conducted, executed, or prepared in electronic form and that if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement.

ELECTRONIC SIGNATURE

NAME

LORI PAVLICEK

TITLE

MEMBER

DATE

12-16-2022

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 BUTSCH PROPERTIES, LLC % LORI PAVLICEK, MEMBER MANAGER		PHONE (HM)	
PHONE (WK) 503.855.2485	CELL		FAX
ADDRESS 15234 BUTSCH LANE NE			
CITY MT. ANGEL	STATE OREGON	ZIP 97362	E-MAIL* 4Bfarms@mtangel.net

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
6S	1W	21	SE-SW	500	Ag/EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Farming
6S	1W	28	NE-NW	500	Ag/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
6S	1W	28	SE-NW	500	Ag/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming

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

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: **0.21** 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:

WATER WILL BE USED TO IRRIGATE 17.0 ACRES OF FARM LAND.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
McCl 17.136.020(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
		<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>Jared Bradford</u>	TITLE: <u>Associate Planner</u>
SIGNATURE:	PHONE: <u>503.588.5038</u>
GOVERNMENT ENTITY: <u>MARION COUNTY PLANNING DIVISION</u>	DATE: <u>1/17/2023</u>

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



Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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STATE OF OREGON
 WATER SUPPLY WELL REPORT
 (as required by ORS 537.765)

MAY - 7 1997

MARI 56066

ID# 512-10512

WATER RESOURCES DEPT.

(START CARD) # 89032

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

(1) OWNER:

Name 4-B Farms - Jim Butsch
 Address 15234 Butsch Lane NE
 City Mt. Angel State OR Zip 97362

(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 566 ft.
 Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds
16	0	35	Bentonite	0	35	24 SACKS
13 3/4	35	395.5	Cement	395.5	390	10 SACKS
12	395.5	542				
11	542	566				

How was seal placed: Method A B C D E

Other Upper seal: Poured Dry Lower Seal: Barber Method

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: 12"	+1	395.5	.375	<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) 395.5

(7) PERFORATIONS/SCREENS:

Perforations Method _____

Screens Type _____ Material _____

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

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

	Yield gal/min	Drawdown	Drill stem at	Flowing Time
Air	800	N/A	566	1 hr.
Pump	800	140'		1 hr.
Pump	875	146'		2 hr.

Temperature of water 56° 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 Marion Latitude _____ Longitude _____
 Township 6S N or S Range 1W E or W. WM.
 Section 28 NW 1/4 NW 1/4
 Tax Lot Unknown Lot 1500 Block _____ Subdivision _____
 Street Address of Well (or nearest address) Old Mt. Angel Hwy.

(10) STATIC WATER LEVEL:

53.4 ft. below land surface. Date 9-26-96
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 83'

From	To	Estimated Flow Rate	SWL
83	101	60 gpm	
520	533	800 gpm	

(12) WELL LOG:

Material	From	To	SWL
<u>See Attached</u>			
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Date started 9-18-96 Completed 9-26-96

(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.

Signed _____ WWC Number _____ 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.

Signed [Signature] WWC Number 1358 Date 10-4-96

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4-B Farms - Jim Butsch

(12) WELL LOG FORMATIONS

Material	From	To	
Top Soil	0	1	
Clay soft brown	1	24	
Clay soft gray	24	43	
Clay, medium gray	43	47	
Cobbles-gravels-cemented	47	54	
Cobbles-clay brown	54	57	
Clay, medium gray	57	66	
Gravels, cemented	66	83	
Gravels large & fine sand	83	101	WB60
Gravels large cemented	101	130	
Sandy silt, stone gray	130	136	
Clay medium gray	136	174	
Clay silty green	174	180	
Clay sticky brown	180	310	
Clay sticky pec-size gravel, green	310	323	
Clay sticky gray	323	388	
Basalt broken gray	388	390	
Basalt medium black	390	398	
Basalt weathered & broken	398	402	
Basalt gray, medium hard	402	406	
Basalt gray & hard	406	456	
Basalt gray & broken w/green claystone seems	456	494	
Basalt gray & hard	494	520	
Basalt green & gray	520	533	WB
Basalt brown & gray fractured	533	558	
Basalt gray, fractured & hard	558	566	

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Well No. 8 Dahl Fac

WELL TEST DATA SHEET

Stettler Supply Company ♦ 1810 Lana Avenue NE ♦ Salem, OR 97303 ♦ Phone: 585-5550 Fax: 581-6799

Owner's Name	<u>Four B Farms</u>		Well Location	<u>Mt. Angel & Dahl Rd.</u>			
Well Dia.	<u>12"</u>	Depth	<u>500'</u>	Static Level	<u>53'</u>	Cased to	<u>Perforated at</u>
Test Pump Setting	<u>350'</u>	Test Pump Size	<u> </u>	Air-Line	<u>Probe</u>	Tested By	<u>Butch</u>
Static after Test	<u> </u>	Depth after Test	<u> </u>	Drilled By	<u> </u>	Test Started	<u> </u>
Test Stopped	<u> </u>	Max GPM	<u> </u>	Pumping Level	<u> </u>	<u> </u>	

GPM	PUMPING LEVEL	TIME OF DAY	CONDITION OF WATER	GPM	PUMPING LEVEL	TIME OF DAY	CONDITION OF WATER
	53'	10:35 A			59'	3:02	OFF
200	76'	10:40	Little Color		54'	3:03	
200	78'	10:45	Dark in Color		53'	3:05	
200	78'	10:46	Clear				
325	83'	10:55	Clear				
500	104'	11:00	Clear				
600	122'	11:10	Clear				
700	144'	11:15	Clear				
800	189'	11:22	Clear				
800	192'	11:29	Clear				
800	193'	11:40	Clear				
800	193'	11:45	Clear				
800	193'	12:00 P	Clear				
800	193' 6"	12:15	Clear				
800	193' 6"	12:30	Clear				
800	193' 9"	12:45					
800	194'	1:00					
875	199'	1:10					
875	199'	1:15					
875	199'	1:30					
875	199'	2:00					
875	199' 2"	2:30					
875	199' 2"	3:00					

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SALEM OREGON

DEED

JAMES F. BUTSCH and DONNA M. BUTSCH, as tenants in common and not as tenants by the entirety, hereinafter called the Grantor, conveys to BUTSCH PROPERTIES, LLC, an Oregon limited liability company, hereinafter called the Grantee, the following described real property.

This deed is executed and delivered unto Grantee limited liability company as a contribution to the capital of such company and no monetary consideration has been paid to Grantor.

The real property is situated in the county of Marion, and state of Oregon, and is described as follows:

61W 28 500	Parcel 1: Commencing at a point in the center of the County Road 40.09 chains West and South 9°30' West 5.25 chains of the Northeast corner of the Southeast Quarter of the Southeast Quarter of Section 21, Township 6 South, Range 1 West of the Willamette Meridian; thence West 18.80 chains; thence South 34.91 chains; thence South 89° East 15.86 chains to the middle of the County Road; thence meandering said road North 3°30' East 11.30 chains; thence North 1° East 8.25 chains; thence North 9°30' East 16.41 chains to the place of beginning. (6887 Mount Angel Highway NE, Silverton, Oregon - Tax Account No. 45952-000)	2645.94 346.50 2304.06 1046.76 544.50 1083.06
------------	--	--

EXCEPTING all roads and highways.

Parcel 2: Commencing at the Northeast corner of Section 1, Township 6 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; thence running West 100 rods; thence South 160 rods; thence East 100 rods; thence North 160 rods to the place of beginning and containing 100 acres of land, more or less. The same being a part of the Northeast quarter of Section 1, Township 6 South, Range 1 West of the Willamette Meridian, Marion County, Oregon. (15234 Butsch Lane NE, Mt. Angel, Oregon - Tax Account No. 44762-000)

Parcel 3: Beginning at the intersection of Market Road No. 58 and Boone's Ferry Road (County Road No. 432) as monumented by the Marion County Surveyor in March 1966, said point being 624.94 feet North 5°53'00" West from the Northwest corner of the Charles Hubbard Donation Land Claim No. 70, as monumented by the Marion County Surveyor in March 1966, and being in Section 28, Township 4 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, and running thence North 37°27'03" East along the center line of County Road No. 432, 488.05 feet to a County Monument; thence North 36°56'00" East along the center line of County Road No. 432, 614.46 feet; thence South 55°57'10" East 159.02 feet; thence North 88°18'56" East 367.93 feet; thence North 8°37'10" West 220.44 feet to an iron rod; thence South 88°22'46" East 177.82 feet to an iron rod; thence North 54°58'17" East 218.78 feet to an iron rod; thence South 85°21'49" East 216.49 feet to an iron rod; thence North 64°51'56" East 160.49 feet to an iron rod; thence South 69°34'07" East 181.97 feet to an iron rod; thence South 44°05'28" East 103.06 feet to an iron rod; thence South 28°13'26" West 185.94 feet to an iron rod; thence South 9°07'40" West to the center of Mill Creek; thence in a Westerly and Southerly direction along

MAIL TAX STATEMENTS TO:
Butsch Properties, LLC
15234 Butsch Lane NE
Mt. Angel, OR 97362-9732

AFTER RECORDING RETURN TO:
Daniel A. Ritter, P.C.
530 Center Street NE, Suite 700
Salem, OR 97301-3740

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the center of Mill Creek to the North line of the Charles Hubbard Donation Land Claim No. 70; thence South 87°12'20" West along said North line to an iron pipe at the Northwest corner of a tract of land described in Volume 246, page 569, Deed Records for Marion County, Oregon; thence South 1°01'50" West along the West line of said tract 658.59 feet to an iron pipe; thence South 87°11'46" West 1220.76 feet to an iron pipe in Market Road No. 58; thence North 1°09'21" East 58.10 feet to a Marion County monument in the center line of Market Road No. 58; thence North 2°32' West 1224.39 feet to the point of beginning. (Tax Account No. 41070-001)

SAVE AND EXCEPT therefrom land described in a deed recorded in Volume 10, page 661, Deed Records for Marion County, Oregon.

ALSO SAVE AND EXCEPT therefrom a tract of land described in Volume 138, page 590, Deed Records of Marion County, Oregon.

ALSO SAVE AND EXCEPT therefrom all roads and rights of way.

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Parcel 4: Lots 23 and 24, CLOVERDALE, Marion County, Oregon. (Tax Account No. 70830-090)

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SUBJECT TO right of the public in and to that portion of the above described property included in the public roads on the West line of said Lot 24 and on the North line of both of said Lots.

Parcel 5: The tract of land situate in the Charles Rondeau Donation Land Claim No. 47, Sections 33 and 34, Township 5 South, Range 2 West of the Willamette Meridian, Marion County, Oregon, which is more particularly described as follows:

Beginning at a 1½ inch iron pipe marking the Northwest corner of the Charles Rondeau Donation Land Claim No. 47, in Township 5 South, Range 2 West of the Willamette Meridian, Marion County, Oregon, said 1½ inch pipe also marking the Northwest corner of that tract of land conveyed to J. and E. Carskadon by deed recorded in Volume 467, page 388, Marion County Record of Deeds; and running thence from this the true point of beginning, South 84°01'55" East 5062.81 feet along the Northerly boundary line of said Rondeau Donation Land Claim and the Northerly boundary line of said Carskadon Tract to a ¾ inch iron rod with an aluminum cap on a line parallel to that portion of the Westerly right of way line of U.S. Highway 99 East, Northerly of a 34,417.47 foot radius curve said ¾ inch iron rod being 939.85 feet Westerly (measured along the North line of said Donation Land Claim) from an iron pipe set on the Westerly line of said Highway, thence South 38°27' West 1077.74 feet parallel to said portion of the Westerly highway right of way line to a ¾ inch iron rod with an aluminum cap; thence South 83°37'58" East 937.62 feet parallel to the Southerly boundary line of said Carskadon Tract as surveyed on March 23, 1968, to a ¾ inch iron rod with an aluminum cap on said Westerly right of way line of U.S. Highway 99 East said right of way line being the arc of a 34,417.47 foot radius curve to the right; thence Southwesterly along the arc of said curve right to a ¾ inch iron rod, the long chord bears South 37°56' West 1.43 feet; thence continuing along said Westerly highway right of way line South 37°56' West 298.57 feet to a ¾ inch iron rod with an aluminum cap; thence North 83°37' West 5300.91 feet to a ¾ inch iron rod with an aluminum cap on the Westerly boundary line of said Rondeau Donation Land Claim; thence North 07°53'15" East 1133.88 feet along said Westerly boundary line to the point of beginning. (Tax Account No. 44563-000)

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SAVE AND EXCEPT a strip of land 120.00 feet in width bearing South 40°39'09" West, lying within the above described tract, said strip being the Southern Pacific Railroad, including, but not limited to, those tracts described in Deeds recorded in Volume 10, page 800; Volume 12, page 201; Volume 23, page 109; Volume 92, page 582; and Volume 127, page 570, Deed Records, Marion County, Oregon.

Parcel 6: Beginning at a County Monument marking the intersection of the North line of the Alford Hovenden Donation Land Claim No. 76 in Township 4 South, Range 1 West of the Willamette Meridian in Marion County, Oregon, with the center line of Boone's Ferry Road, and running thence South 88°26'19" East along the North line of said Hovenden Donation Land Claim 1945.68 feet to an iron rod marking the Northeast corner of said Hovenden Donation Land Claim; thence South 88°26'19" East along the North lines of Lots 3 and 2 of Section 27 in said Township and Range 1186.58 feet to a 2" x 2" steel H beam marking the most Westerly Northwest corner of James Kester Donation Land Claim No. 52 in said Township and Range; thence South 3°58'10" West along the West line of said Kester Donation Land Claim 773.52 feet to an iron rod; thence South 52°56'41" West 2097.21 feet to an iron rod on the East line of the above mentioned Hovenden Donation Land Claim, said point being 347.16 feet North 14°39'52" East from the Southeast corner of said Hovenden Donation Land Claim; thence North 14°39'52" East along the East line of said Hovenden Donation Land Claim to the center of Mill Creek; thence in a Westerly direction along the center of Mill Creek to its intersection with a ditch or intermittent creek that flows into Mill Creek from the North, the survey notes of the meander of this section of Mill Creek being filed at the Marion County Surveyor's Office; thence North 9°07'40" East to an iron rod; thence North 28°13'26" East 185.94 feet to an iron rod; thence North 44°05'28" West 103.06 feet to an iron rod; thence North 69°34'07" West 181.97 feet to an iron rod; thence South 64°51'56" West 160.49 feet to an iron rod; thence North 85°21'49" West 216.49 feet to an iron rod; thence South 54°58'17" West 218.78 feet to an iron rod; thence North 88°22'46" West 177.82 feet to an iron rod; thence South 8°37'10" East 220.44 feet; thence South 88°18'56" West 367.93 feet; thence North 55°57'10" West 159.02 feet to a railroad spike set in the center of Boone's Ferry Road; thence along the center of Boone's Ferry Road, North 36°56'00" East 239.21 feet to an iron rod; and continuing along the center of Boone's Ferry Road, North 42°48'33" East 2199.31 feet to the point of beginning. (Tax Account No. 41075-255)

SAVE AND EXCEPT therefrom lands described in Volume 10, page 661, Deed Records for Marion County, Oregon.

ALSO SAVE AND EXCEPT all roads and rights of way.

This parcel contains approximately 164 acres, including road rights of way.

Grantor covenants that Grantor is seized of an indefeasible estate in the real property described above in fee simple, that Grantor has the right to convey the property, that the property is free from encumbrances except as specifically set forth herein, and that Grantor warrants and will defend the title to the property against all persons who may lawfully claim the same by, through, or under Grantor, provided that the foregoing covenants are limited to the extent of coverage available to Grantor under any applicable standard or extended policies of title insurance, it being the intention of the Grantor to preserve any existing title insurance coverage.

The following is the notice as required by Oregon law: "THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930."

The foregoing language is included for the purpose of compliance with Oregon statutory requirements only and is not intended to affect the rights and obligations of the parties to this transaction.

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS Grantor's hand this 27 day of March, 1998.

James F. Butsch
James F. Butsch

Donna M. Butsch
Donna M. Butsch

STATE OF OREGON)
) ss.
County of Marion)

On this 27th day of March, 1998, before me personally appeared the above named JAMES F. BUTSCH and DONNA M. BUTSCH and acknowledged the foregoing instrument to be their voluntary act and deed.



Diana L. Jones
Notary Public of Oregon
My Commission Expires: 6/16/98

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REEL:1474

PAGE: 506

March 30, 1998 , 04:15P

CONTROL #: 1474506

State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$50.00

ALAN H DAVIDSON
COUNTY CLERK

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Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Butsch Properties LLC

15234 Butsch LN NE, Mt Angel OR 97362

Transaction Type: Groundwater

Fees Received: \$ 2,590

Cash Check: Check No. 2342

Name(s) on Check: Same as above

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

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

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

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

Sincerely,
OWRD Customer Service Staff

Submission received by: Corie Lavin
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.