# Application for a Permit to Use

For Department Use: App. Number:

# **Surface Water**



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

Rev. 07/21

pplicant					<del> </del>
NAME Saul Javier Gonsales Herrera				PHONE (HM)	
PHONE (WK) (503) 989-5513	CEL (503	) 989-5513		FAX	
MAILING ADDRESS 17146 Edwin Rd NE					
CITY Woodburn	STATE OR	ZIP 97071	E-MAIL * javiergonsales@gmail.com		
rganization			· · · · · · · · · · · · · · · · · · ·		-
NAME			PHONE	FAX	
MAILING ADDRESS				CELL	
CITY	STATE	ZIP	E-MAIL*		
gent – The agent is authorized to	represent the appli	cant in all r	matters relating to this app	lication.	
AGENT / BUSINESS NAME Alfredo Gonzalez-Cruz			PHONE (503) 989-9787	FAX	
MAILING ADDRESS 6015 S Virginia Ave Apt 106				CELL	
55.55 Yilgilia / Ht / Ht / Ht				(503) 989-9787	
CITY Portland ote: Attach multiple copies as r		ZIP 97239 to receive	E-MAIL * alfredogcruz.94@gmail.com		t by O
Portland ote: Attach multiple copies as r By providing an e-mail address electronically. (Paper copies of y my signature below I confirm  I am asking to use water sp Evaluation of this applicatio I cannot legally use water u  The Department encourage proposed diversion. Accept If I begin construction prior If I receive a permit, I must If development of the wate The water use must be con Even if the Department issues	oneeded  c, consent is given  f the proposed an  that I understan  pecifically as describ  on will be based on  until the Water Resc  es all applicants to a  tance of this applica  r to the issuance of  not waste water.  er use is not accordi  npatible with local of  ues a permit, I may	97239  to receive d final ord  d: ed in this a informatio ources Depwait for a pation does a permit, I	alfredogcruz.94@gmail.com e all correspondence from the documents will also be application. In provided in the application artment issues a permit. Intermit to be issued before mot guarantee a permit will assume all risks associated erms of the permit, the pensive land use plans.	on the Department be mailed. Received FEE on. Sale beginning construction of the issued. I with my actions.	9 <b>% 4</b> 202 <b>em, O</b> F
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SECTION 2: PROPERTY OWNERSHIP	
Please indicate if you own all the lands associated with the conveyed, and used.	e project from which the water is to be diverted,
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 authoriza	tion permitting access.
NO, I do not currently have written authorization or e	
	essary, because the only affected lands I do not own are is for irrigation and/or domestic use only (ORS 274.040). or used only on federal lands.
Affected Landowners: List the names and mailing address the applicant and that are crossed by the proposed ditch written authorization or an easement from the owner. (A	, canal or other work, even if the applicant has obtained
<b>Legal Description:</b> You must provide the legal description diverted, 2. Any property crossed by the proposed ditch, water is to be used as depicted on the map.	
SECTION 3: SOURCE OF WATER	
SECTION 3. SOUNCE OF WATER	
A. Proposed Source of Water	
Provide the commonly used name of the water body from stream or lake it flows into (if unnamed, say so), and the	
Source 1: Unnamed Reservoir	Tributary to: Mill Creek
TRSQQ of POD:5S-1W-6-SE/NW	
Source 2:	Tributary to:
TRSQQ of POD:	
If any source listed above is stored water that is authorize attach a copy of the document or list the document num name).	
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B. Applica	tions to Use Stored Water	
Do you, o	will you, own the reservoir(s) described in Section 3A above?	
X Yes.	No. (Enclose a copy of your written notification to the operator of the file this application, which should have been mailed or delivered to the	<del>-</del>
expedited	es listed in Section 3A are stored water, the Department will review your process provided in ORS 537.147, unless you check the box below. Pleas aformation.	,=
proce	cking this box, you are requesting that the Department process your appears outlined in ORS 537.150 and 537.153, rather than the expedited proce an application under the standard process, you must enclose the following	ss provided by ORS 537.147.
•	A copy of a signed non-expired contract or other agreement with the o you) to impound the volume of water you propose to use in this applic	
•	A copy of your written agreement with the party (if any) delivering the you.	water from the reservoir to
SECTION INFORM	4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLATION	IC INTEREST
Departme	nation must be provided for your application to be accepted as complete nt will determine whether the proposed use will impair or be detrimenta sensitive, threatened or endangered fish species.	
whethe	er the following questions, use the map provided in <u>Attachment 3</u> or the the proposed point of diversion (POD) is located in an area where the Ua, and/or the Statewide public interest rules apply.	
click on	e detailed information, click on the following link and enter the T,R,S,QQ "Submit" to retrieve a report that will show which section, if any, of the rapps.wrd.state.or.us/apps/misc/lkp_trsqq_features/	
•	eed help to determine in which area the proposed POD is located, please 503) 986-0900.	call the customer service
Upper Co	umbia - OAR 690-033-0115 thru -0130	ĺ
Is the POD	located in an area where the Upper Columbia Rules apply?	Ì
Yes Yes	] No	
and tribal River Basi protection	are notified that the Water Resources Department will consult with nur governmental entities so it may determine whether the proposed use is a Fish and Wildlife Program" adopted by the Northwest Power Planning ( and recovery of listed fish species. The application may be denied, heav te, mitigation for impacts may be needed to obtain approval for the prop	consistent with the "Columbia Council in 1994 for the ily conditioned, or if
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#### If yes,

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- I understand that the proposed use does <u>not</u> involve appropriation of direct streamflow during the time period April 15 to September 30, <u>except as provided in OAR 690-033-0140</u>.
- 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.

requirements.	THE CONDITION
<u>Lower Columbia - OAR 690-033-0220 thru -0230</u> Is the POD located in an area where the Lower Columbia rules apply?	1
X Yes No	!
If yes, you are notified that that the Water Resources Department will determine, by review the Columbia River Basin Fish and Wildlife Program, and regional restoration programs appor endangered fish species, in coordination with state and federal agencies, as appropriate, proposed use is detrimental to the protection or recovery of a threatened or endangered fiwhether the use can be conditioned or mitigated to avoid the detriment.	licable to threatened , whether the
If a permit is issued, it will likely contain conditions to ensure the water use complies with e federal water quality standards; and water use measurement, recording and reporting requescures Department. The application may be denied, or if appropriate, mitigation for implication approval of the proposed use.	ired by the Water
If yes, provide the following information (the information must be provided with the appliconsidered complete).	cation to be
Yes No The proposed use is for more than <b>one</b> cubic foot per second (448.8 gpm) at the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).	and is not subject to
If yes, provide a description of the measures to be taken to assure reasonably efficiuse:	ient water
Statewide - OAR 690-033-0330 thru -0340	
Is the POD located in an area where the Statewide rules apply?	•
X Yes No	
If yes, the Water Resources Department will determine whether the proposed use will occue and angered, threatened or sensitive fish species are located. If so, the Water Resources De Department of Fish and Wildlife, Department of Environmental Quality, and the Department recommend conditions required to achieve "no loss of essential habitat of threatened and fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions of that meet the standards of no loss of essential T & E fish habitat or no net loss of essential sagencies will recommend denial of the application unless they conclude that the proposed the species.	partment, nt of Agriculture will endangered (T&E) annot be identified S fish habitat, the

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SE	CTION 5: WATER USE			
	gallons-per-minute (gpn	n). If the proposed use is f	m each source, for each use, from storage, provide the am 325,851 gallons or 43,560 cu	
	SOURCE	USE	PERIOD OF USE	AMOUNT
U	nnamed Reservoir	Nursery Irrigation	April through November	1.28 ☐ cfs ☐ gpm ■ af
				☐ cfs ☐ gpm ☐ af
				☐ cfs ☐ gpm ☐ af
				☐ cfs ☐ gpm ☐ af
L		<u> </u>	<u></u>	
Ple	ase indicate the numbe	r of primary, supplementa	al and/or nursery acres to be	
Pri	mary: Acres	Supplemental:	_ Acres Nursery	Use: <u>8.25</u> Acres
If s	upplemental acres are l	isted, provide the Permit	or Certificate number of the	underlying primary water
rig	ht(s):			·
Ind	licate the maximum tota	al number of acre-feet you	a expect to use in an irrigatio	n season: <u>1.28</u>
• •	If the use is domestic,			ction:
A.	Diversion and Conveys What equipment will y	ance ou use to pump water fro	m your source?	
	Pump (give horsep  Other means (desc		sepower centrifugal purr	p, 100gpm at 80 PSI
	Provide a description of works and conveyance		diversion, construction, and	operation of the diversion
	Description provid	ded in supplemental s	heets.	
В.	Application Method What equipment and r	method of application will	be used? (e.g., drip, wheel li	ne, high-pressure sprinkler)
	Drip lines and high	n pressure sprinklers		
C.		_	sted is needed and measures verted; prevent damage to p	• •
	Description provid	ed in supplemental sh	neets.	by OWRD Surface Water — Page !
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SECTION 7: RESOURCE PROTECTION		
In granting permission to use water from a stream or lab careful control of activities that may affect the waterwa possible permit requirements from other agencies. Plea protect water resources:	y or streamside area. See ins	truction guide for a list of
<ul> <li>Diversion will be screened per ODFW specifications fish and other aquatic life.</li> <li>Describe planned actions:</li> </ul>	in ORS 498.301 through 498.	346 to prevent uptake of
Excavation or clearing of banks will be kept to a min Note: If disturbed area is more than one acre, applie Quality to determine if a 1200C permit is required. Describe planned actions and additional permits recommendations.	cant should contact the Depa	rtment of Environmental
Operating equipment in a water body will be managed Describe planned actions and additional permits recommendations.		
Water quality will be protected by preventing erosic Describe planned actions:	on and run-off of waste or ch	emical products.
List other federal and state permits or contracts to be	pe obtained, if a water right p	permit is granted.
SECTION 8: PROJECT SCHEDULE		
a) Date construction will begin: June 2026 b) Date construction will be completed: June 20 c) Date beneficial water use will begin: April 202		
SECTION 9: WITHIN A DISTRICT		
Check here if the point of diversion or place of use water district.	are located within or are ser	ved by an irrigation or other
Irrigation District Name	Address	
City	State	Zip
SECTION 10: REMARKS		
Use this space to clarify any information you have provi	ded in the application. (Attac	h additional sheets if
necessary).	Received by C	NWRD
See sheets attached.	FEB 24 20	
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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.

X	SECTION 1:	Applicant Information and Signature
X	SECTION 2:	Property Ownership
X	SECTION 3:	Source of Water
X	SECTION 4:	Sensitive, Threatened or Endangered Fish Species Public Interest Information
X	SECTION 5:	Water Use
X	SECTION 6:	Water Management
X	SECTION 7:	Resource Protection
X	SECTION 8:	Project Schedule
X	SECTION 9:	Within a District
X	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: \$1,302.00
  See the Department's Fee Schedule at <a href="https://www.oregon.gov/owrd">www.oregon.gov/owrd</a> or call (503) 986-0900.
- Map that includes the following items:
  - Permanent quality and drawn in ink
  - $\overline{X}$  Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
  - X North Directional Symbol
  - Township, Range, Section, Quarter/Quarter, Tax Lots
  - |X| 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
  - [X] Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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#### Section 2: Property Ownership

#### Permit to Use Surface Water Application - Legal Description

The following is the legal description for the property 17146 Edwin Rd NE Woodburn OR, 97071, Marion County, for the purpose of obtaining rights to use surface water from unnamed reservoir (water rights obtained under permit R-89654)

BEGINNING AT THE SOUTHEAST CORNER OF LOT 11, WHITNEY ACRES, MARION COUNTY, OREGON (PLAT VOLUME 8, PAGE 114); THENCE SOUTH 89° 30' EAST ALONG THE SOUTH LINE OF LOTS 12 AND 13 OF SAID WHITNEY ACRES, A DISTANCE OF 254.55 FEET; THENCE NORTH 0° 03' EAST PARALLEL WITH THE WEST LINE OF SAID LOT 11, A DISTANCE OF 1315.30 FEET TOA POINT ON THE NORTH LINE OF SAID LOT 13; THENCE NORTH 89° 30' WEST ALONG THE NORTH LINE OF SAID LOT 13, A DISTANCE OF 52.30 FEET TO A POINT ON THE EASTERLY LINE OF THE PORTLAND-SALEM EXPRESSWAY; THENCE SOUTH 35° 11' WEST ALONG THE EASTERLY LINE OF SAID LOT 11; THENCE SOUTH 0° 03' WEST ALONG THE WEST LINE OF SAID LOT 11; THENCE SOUTH 0° 03' WEST ALONG THE WEST LINE OF SAID LOT 11, A DISTANCE OF 683.40 FEET TO A POINT WHICH IS 110.00 FEET NORTH 0° 03' EAST FROM THE SOUTHWEST CORNER OF SAID LOT 11; THENCE SOUTH 89° 30' EAST PARALLEL WITH SOUTH LINE OF SAID LOT 11, A DISTANCE OF 163.00 FEET TO A POINT ON THE EAST LINE THEREOF; THENCE SOUTH 0° 03' WEST 110.00 FEET TO THE PLACE OF BEGINNING.

Thank you, Saul Javier Gonsales Herrera

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#### Section 3: Source of Water

Unnamed reservoir approved in permit R-15651, Permit to Store Public Waters, Water District #16.

#### Section 6: Water Management

Description of means of diversion, construction and operation of the diversion works and conveyance of water:

Property surface water will be diverted to reservoir with trench drain. Water will be pumped out using a Berkeley 10 horsepower centrifugal pump (100 gpm at 80 psi), into underground PVC pipes that will serve as the main lines. Trenches will be dug out using shovels and gas powered trenchers. Drip lines and additional PVC pipes (for sprinklers) will be laid above ground to irrigate nursery plants during the dry season as needed. French drain will also be installed prior to pipelines to direct storm run-off towards unnamed reservoir.

#### Conservation:

The amount of water requested is needed to be to irrigate plants during the dry season for my nursery business.

To prevent waste, all water used for irrigation will be redirected back to the unnamed reservoir to prevent waste. Unnamed reservoir will be kept clear from waste/pollution as required by Permit Specific Conditions in permit R-15651.

A flow meter will be installed by the unnamed reservoir to measure the amount of diverted water that will be used for irrigation. Water will be allowed to pass through as live flow when reservoir is at capacity and during times outside the approved appropriation period (under permit R-15651).

The use of heavy machinery, such as tractors, and chemical control products (ie. herbicides) are the main sources of potential surface water contamination. Measures to prevent the possible contamination of water includes: Heavy machinery will not be used in areas where runoff will be diverted, if any oil/fuel/transmission or any other fluids are found to be leaking. The use of herbicides and other chemical conrols will be limited to when necessary for the health of nursery plants and when its dry to prevent rain/runoff from washing away (weather forecast will be monitored). Herbicide label instructions will also be strictly followed as well as any additional conditions required if a permit is granted. Nursery crops will also be rotated to promote water infiltration and further limit the use of chemical control on crops. Other methods of minimizing chemical controls include: properly storing and disposing of leftover/unused products as well as containers, manually removing weeds when possible and selecting the appropriate product to use that will have the least impact on water quality.

#### Section 7: Resource Protection

Water being diverted is not from a stream or lake, and will not need to be screened. Water being diverted is all storm runoff form property.

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No excavation or clearing of banks will be performed.

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Equipment will not be operated in any body of water.

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All trenches for irrigation lines will be less than 3'-0" to 4'-0" deep and will be infilled with dirt and gravel to prevent erosion. Trenches for french drains will be 2'-0' deep. The cleaning and refueling of machine equipment will be done on-site away from the area of work and away from areas where water will be diverted.

#### Section 7: Resource Protection (continued):

No additional federal or state permits/contracts need to be obtained.

#### Section 9: Within A District

Point of diversion or place of use is not located within or served by an irrigation or other water district.

#### Section 10: Remarks

The construction schedule provided in section 8 is only for installing pipelines from the unnamed reservoir. The reservoir will be constructed prior to the installation of pipes.

# Land Use Information Form



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

Salem, Oregon 97301-1266 (503) 986-0900 www.oregon.gov/OWRD

NAME								PH	ONE	<del></del>
Saul Javie	er Gonsales	Herrera								1
MAILING	ADDRESS		<del></del>					I .		
17146 Edi	win Rd NE									
CITY				STATE	ZIP	EMAIL				
]										
			•							
A. Land a	nd Locati	<u>ion</u>								
(transport	ed), and/o	or used or	developed.	Applicants	for municipa	al use, or	oe diverted ( irrigation us nformation r	ses within i	rigation di	
Township	Range	Section	<b>%</b> %	Tax Lot #	Plan Designati Rural Residenti			Water to be:		Proposed Land Use:
			NENW				Diverted	☐ Conveyed	Used	Horticulture/ Irrigation
							Diverted	Сопуеуе	I ⊠ Used	Horticulture/ Irrigation
							Diverted	☐ Conveye	Used	
				1			☐ Diverted	Conveyed	□ Used	1
		l	<del></del>				L			1
List all cou	inties and	cities whe	re water is	proposed to	o be diverte	d, convey	yed, and/or	used or dev	eloped:	
										<del> </del>
NOTE: A :					1 - 4 -					
NOTE: A S	eparate La	ina Use ini	formation F	orm must t	oe complete	a ana sui	omitted for g	eacn county	and city,	as applicable.
B. <u>Descri</u>	ntion of F	roposed	Use							
Type of ap		o be filed Store Wate	with the Or	egon Wate ter Right Tra hange of Wa		Permit			ater Registr	ation Modification
Source of	water:	Reservo	ir/Pond	Ground	Water	Surfac	e Water (nam	ne)		<del></del>
Estimated	quantity o	of water n	eeded: 1	.28	cubic fee	t per seco	ond 🗌 ga	llons per mir	ute 🛚	acre-feet
Intended (	use of wat	==	Irrigation Municipal	=	mercial I-Municipal	=	ustrial tream		tic for	household(s)
Briefly des	scribe:									
Will be	installin ved in p						onnect to will be us			servoir ints for my
complete	d while y	ou wait, ¡	olease hav	e a local g	overnment	represe	nd Use Info entative sign ater Resour	n the recei	pt on the	
F-00 . 01			appu		See Page			cco is opur		
										4
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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 be	elow and provide the requested info	<u>rmation</u>	
Land uses to be served by the proposed regulated by your comprehensive plan.	water use(s), including proposed constructic Cite applicable ordinance section(s): <u>/ チ. / 3</u>	on, are allowed 6.020(A)	outright or are not Farm USE
approvals as listed in the table below. (P	water use(s), including proposed construction lease attach documentation of applicable land Iland-use decision and accompanying finding we not ended, check "Being Pursued."	nd-use approv	als which have
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:
		Obtained Denled	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		Obtained Denied	☐ Being Pursued ☐ Not Being Pursued
		Obtained Denled	☐ Being Pursued ☐ Not Being Pursued
	pecial land use concerns or make recommend osed use of water in the box below or on a se		Oregon Water
			,
Name: John Speckman	Title: Assoc	vare Pla	aner
Name: John Speckman Signature: Slm Speckman	Date: 2/2	0/2024	
Governmental Entity: Marion	Title: Assoc Date: 2/2 County Phone: 503	-566-41	173
<b>P</b>			,
<del></del>	owledging Request for Land Use Info	rmation	
this form while the applicant waits, you may have 30 days from the date of OWRD's Publi Oregon Water Resources Department. Pleas	ne applicant. For new water right applications or complete this receipt and return it to the application to submit the complication to submit the complete note while OWRD can accept a signed receip impleted Land Use Information Form is required	licant. If you sig deted Land Use t as part of inta	n the receipt, you will Information Form to ke for an application
Staff Name:	Title:		
Staff Signature:	Date:		1
Governmental Entity:	Phone:		

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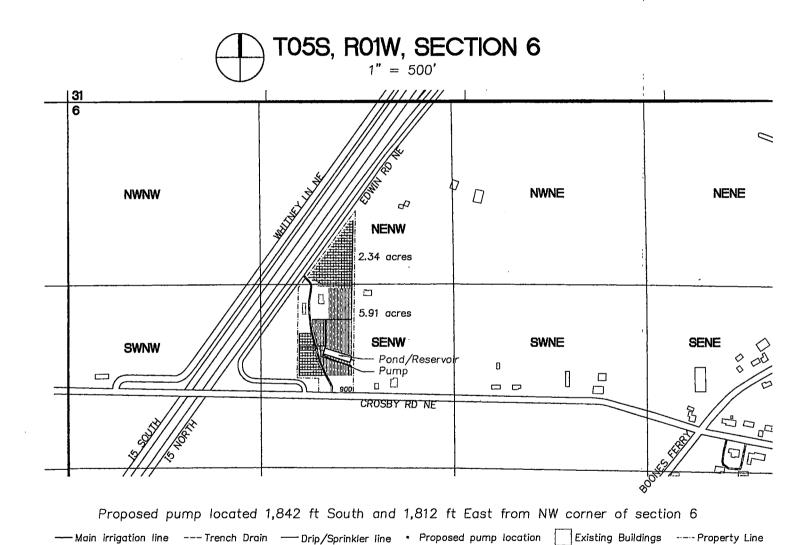
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Date Received (Date Stamp Here)-

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Saw Javier Gron Sales Herrer
17146 Edwin Rd NE Woodbirn or 97071.
Transaction Type: Surface Water
Fees Received: \$1302.00
□ Cash , Check: Check No. 6544
Name(s) on Check: Sume as applicar
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: OWI ON
(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



Received by OWRD FEB 24 2025 Salem, OR