

**CLAIM OF
BENEFICIAL USE
for Reservoir Permits by
CWRE's (not self-certified)**



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

**A fee of \$230 must accompany this form for permits
with priority dates of July 9, 1987, or later.**
Claims received without the correct fee of \$200 will be returned.

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:

<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

SECTION 1

GENERAL INFORMATION

1. File Information

APPLICATION # R- 87490	PERMIT # (IF APPLICABLE) R- 15407	PERMIT AMENDMENT # (IF APPLICABLE) NA
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2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME JASPER COUNTY, LLC		PHONE NO. (541) 480-2662	ADDITIONAL CONTACT NO.
ADDRESS 2544 NW OVERTON STREET			
CITY PORTLAND	STATE OREGON	ZIP 97210	E-MAIL dtomseth@LsLegacy.com

If the current property owner is not the permit holder of record, it is recommended that an assignment be filed with the Department. ***Each permit holder of record must sign this form.***

3. Permit holder of record (this may, or may not, be the current property owner)

PERMIT HOLDER OF RECORD JACKSON COUNTY, LLC		
ADDRESS 2544 NW OVERTON STREET		
CITY PORTLAND	STATE OREGON	ZIP 97210

ADDITIONAL PERMIT HOLDER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:**JULY 16, 2025; SEPTEMBER 5, 2025****5. Person(s) interviewed and description of their association with the project:**

NAME	DATE	ASSOCIATION WITH THE PROJECT
MIKE TOWELL	JULY 16, 2025	RANCH MANAGER

6. County**WHEELER****7. If any property described in the place of use of the permit final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):**

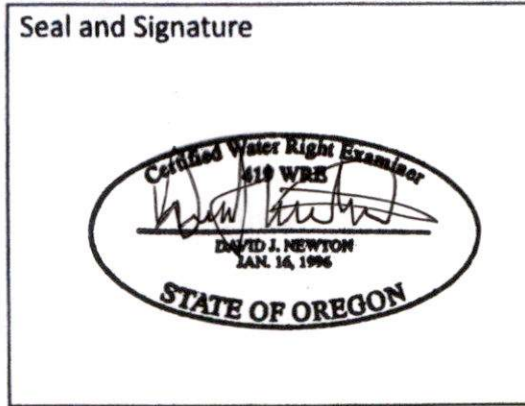
OWNER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME DAVID NEWTON	PHONE No. (541) 325-3905	ADDITIONAL CONTACT No.
ADDRESS 2083 MOUNTAIN VIEW COURT		
CITY WEST LINN	STATE OREGON	ZIP 97068
E-MAIL dnewton@newtonconsultants.com		

Permit Holder's of Record Signature or Acknowledgement

Each permit or transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	DANE TOMSETH	OWNER	9/26/25

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SECTION 3

CLAIM DESCRIPTION

1. Reservoir source and, if from surface water, the tributary:

RESERVOIR NAME OR NUMBER	SOURCE	TRIBUTARY
POND C	UNNAMED SPRINGS (PRIMARY SOURCE); LOCAL WATERSHED RUNOFF	TRIBUTARIES OF SQUAW CREEK (GOOSE CREEK), & JOHN DAY RIVER

2. Developed use(s), period of use, and acre foot (af) for each use:

RESERVOIR NAME OR NUMBER	USES	SEASON OR MONTHS WHEN WATER WAS APPROPRIATED FOR STORAGE	VOLUME STORED (AF)
POND C	STORAGE	DEC 1 THRU APRIL 14	24
Total Quantity of Water Stored			24

3. Provide a general narrative description of the distribution works. This description must trace the water system from each point of diversion to the reservoir:

Primary water source is springs approximately 620 feet upslope (northwest) from Pond C. A 1-inch diameter PVC pipe and small ditch helps convey spring water to the pond, through an otherwise diffused spring flow through aquatic vegetation. Other waters from local overland runoff flow can drain into the Pond C. The pond is off the Indian Creek channel; storage supply is primarily from springs with some potential overland runoff flow. Indian Creek flows do not enter the pond such that no water for storage in the pond is from Indian Creek flows. (See Appendix A, Photographs). The original outlet pipe for the pond has been grouted full due to damage and related inoperable condition. If necessary to drain the pond, a pump will be used. Grouting of the outlet pipe was done under coordination with and approval of the OWRD-Dam Safety Section resulting in waiver of pipe requirement. Permit R-15407 was issued after outlet pipe work was completed (see Appendix B, e-mail correspondence with OWRD-DS and permit caseworker).

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

4. Variations:

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below. NO

(e.g. "The permit allowed the development of three reservoirs. The permit holder only developed one of the reservoirs." or "The permit allowed for the storage of 9 acre feet of water. The reservoir was developed to hold 5.2 acre feet.")

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5. Claim Summary:

RESERVOIR NAME OR #	MAXIMUM STORAGE AUTHORIZED BY PERMIT (AF)	MAXIMUM STORAGE DEVELOPED (AF)
POND C	24	24

SECTION 4

SYSTEM DESCRIPTION

Are there multiple reservoirs?

NO

If "YES" you will need to copy and complete Sections A through E for each reservoir.

Reservoir Name or Number this section describes (only needed if there is more than one):

A. Reservoir Location**1. Is the reservoir on-channel?****NO****2. Provide dam outlet location and/or point of diversion(s).**

TWP	RNG	MER	SEC	QQ	GLOT	DLC	MEASURED DISTANCES
11 SOUTH	24 EAST	WM	13	NWSE			Dam Center Point 1910' West, 50' North from SE Corner, NESE, of Section 13, T11S, R24E, WM

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), and Quarter-Quarters (QQ).

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport the water from the point(s) of diversion to the reservoir.

1. Is a pump used?**NO***If "NO" items 2 through item 5 may be deleted.***2. Pump Information NA**

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)

3. Theoretical Pump Capacity NA

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a well, the water level DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)

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4. Provide pump calculations: **NA**

5. Measured Pump Capacity (using meter if meter was present and system was operating) **NA**

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)

Reminder: For pump calculations use the reference information at the end of this document.

6. Additional notes or comments related to the system:

THE OUTLET PIPE FOR POND C WAS GROUTED FULL DUE TO DAMAGE AND RELATED INOPERABLE CONDITION. GROUTING WAS DONE UNDER AND WITH COORDINATION AND APPROVAL OF OWRD-DAM SAFETY SECTION, WAIVING PIPE REQUIREMENT. IF POND NEEDS DRAINED, A PUMP FOR THIS SPECIFIC PURPOSE WOULD BE BROUGHT TO THE POND. PERMIT R-15407 WAS ISSUED UPON SATISFYING OUTLET PIPE GROUTING NEED.

C. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

YES

If "NO", items 2 through 4 relating to this section may be deleted.

2. Complete the table:

PIPE SIZE	PIPE TYPE	"C" FACTOR	AMOUNT OF FALL	LENGTH OF PIPE	SLOPE	COMPUTED RATE OF WATER FLOW (IN CFS)
1 INCH	PVC	150	4 Feet	60 Feet (Estimated)	0.06	0.024

3. Provide calculations:

PVC PIPE FLOWING FULL: Velocity $V = 1.31(C)(r^{.63})(s^{.54})$

C = 150, Pipe Diameter (D) = 1" = 0.083, Pipe Cross-Section Area A = 0.005ft,² Pipe Slope (s) = 0.06,
Hydraulic Radius r = D/4 = 0.0208

Velocity $V = 1.31(150)(0.0208^{.63})(0.06^{.54}) = (196.5)(0.087)(0.219) = 3.74 \text{ ft/sec}$

Water Flow Rate $Q = AV = (0.005)(3.74) = 0.019 \text{ cfs}$

4. If an actual measurement was taken, provide the following:

NA

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)

Attach measurement notes.

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D. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

YES

If "NO", items 2 through 4 relating to this section may be deleted.

2. Complete the table:

CANAL OR DITCH TYPE (MATERIAL)	TOP WIDTH OF CANAL OR DITCH	BOTTOM WIDTH OF CANAL OR DITCH	DEPTH	"N" FACTOR	AMOUNT OF FALL	LENGTH OF CANAL / DITCH	SLOPE	COMPUTED RATE (IN CFS)
CLAYEY GRAVELLY SILTY SANDS	0.67 FEET	0.67 FEET	0.04 FEET	0.025	3 FEET	50 FEET	0.06	0.0295

3. Provide calculations:

$V = 1.486(r^{0.67})(s^{0.5})/n$ $r = 0.0357$ $s = 0.06$ $n = 0.025$ (unlined, earth channel, relatively straight, uniform)

$V = 1.486(0.0357^{0.67})(0.06^{0.5})/0.025 = 1.486(0.107)(0.245)/0.025 = 1.56 \text{ ft/sec}$

Flow Area $A = 0.67 \text{ ft} \times 0.04 \text{ ft} = 0.027 \text{ ft}^2$

Approximate Flow Rate $Q = AV = 0.027 \text{ ft}^2 \times 1.56 \text{ ft/sec} = 0.042 \text{ cfs}$

4. If an actual measurement was taken, provide the following:

NA

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)

Attach measurement notes.

E. Reservoir

1. Does the reservoir require the submittal of as-built plans and specifications?

YES

NOTE: POND C WAS EXISTING, UN-PERMITTED POND BUILT BETWEEN 1994 AND 2001, PRIOR TO OWNERSHIP OF CURRENT OWNER AND OWNER PRIOR TO CURRENT OWNER. SITE SUITABILITY/GEOTECHNICAL REPORT; SPILLWAY CAPACITY ANALYSIS; DAM STABILITY ANALYSIS & AS-BUILT DRAWINGS WERE PREPARED BY NEWTON CONSULTANTS, INC., SEPTEMBER 2015, ALL APPROVED BY OWRD-DAM SAFETY SECTION. PERMIT R-15407 WAS ISSUED AUGUST 28, 2019 AFTER OWRD-DAM SAFETY APPROVAL OF ORIGINAL OUTLET PIPE GROUTING COMPLETED IN JULY 2019, WAIVING THE PIPE REQUIREMENT (SEE APPENDIX B, OWRD-DAM SAFETY CORRESPONDENCE).

If "YES", answer item 2; items 3 through 8 relating to this section may be deleted.

If "NO", skip items 2; answer items 3 through 8.

2. Complete the table:

HAVE THE DOCUMENTS BEEN SUBMITTED? YES OR NO	WHEN WERE THE DOCUMENTS SUBMITTED?	HAVE THEY BEEN APPROVED BY THE DEPARTMENT?	NUMBER OF ACRE FEET STORED
YES	SEPTEMBER 2, 2015	YES	24

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3. If the reservoir stores less than 9.2 acre-feet of water or if the dam is less than 10 feet in height, and as-built plans and specifications are not required, complete the table and items 4 through 8. NA

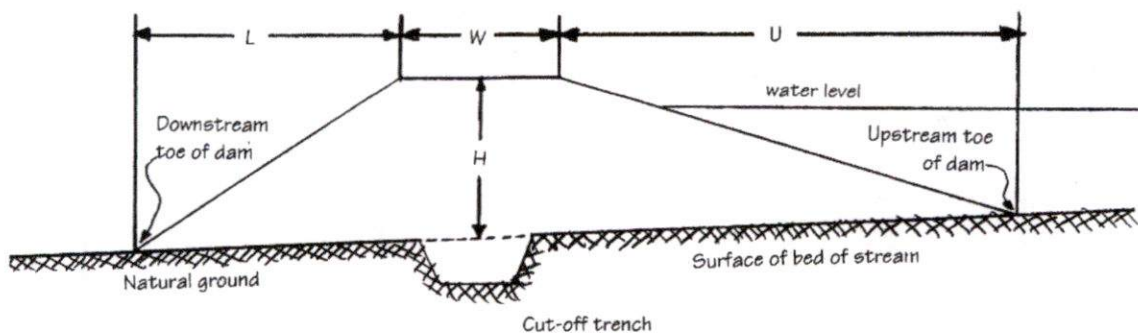
MAXIMUM DEPTH	AVERAGE DEPTH	SURFACE AREA (IN ACRES)	VOLUME (IN ACRE FEET)

4. Provide reservoir volume calculations: NA

5. Provide the following information concerning the physical characteristics of the dam: NA

CREST WIDTH (W)	DAM HEIGHT AT CENTERLINE (H)	DISTANCE FROM DOWNSTREAM TOP OF DAM TO DOWNSTREAM TOE (L)	DISTANCE FROM UPSTREAM TOP OF DAM TO UPSTREAM TOE (U)	WATER LEVEL AT INSPECTION	DOWN-STREAM SLOPE	UP-STREAM SLOPE

Example Dam Profile *This box may be deleted from the form*



6. Provide a drawing showing the cross section of the dam at the maximum section indicating details and dimensions. The drawing should be drawn at a standard even scale. NA

7. Describe the outlet works (size and type of the outlet conduit and location): NA

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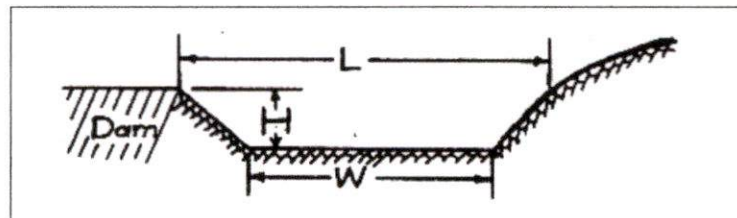
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8. Describe the emergency spillway (dimensions and location):

NA

BOTTOM WIDTH (W)	TOP WIDTH (L)	SPILLWAY DEPTH (H)



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SECTION 5

CONDITIONS

All conditions contained in the permit, permit amendment, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits and any extension final orders contain any or all of the following dates; the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or extension final order:

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	AUG 28, 2019		
BEGIN CONSTRUCTION (A)	DATE UNSPECIFIED		
COMPLETE CONSTRUCTION (B)	AUG 28, 2024	EXISTING RESERVOIR THAT HELD FULL STORAGE VOLUME (DATING FROM APPROXIMATELY 2001 (BASED ON GOOGLE EARTH) PRIOR TO NEW OWNER AND OWNER PRECEDING CURRENT NEW OWNER. NO CONSTRUCTION REQUIRED, OTHER THAN GROUTING OF OUTLET PIPE, COMPLETED ON JULY 29, 2019, AFTER WHICH PERMIT WAS ISSUED ON AUGUST 28, 2019.	ANNUAL WATER USE REPORTING. STAFF GAGE INSTALLATION
COMPLETE APPLICATION OF WATER (C)	AUGUST 28, 2024	COMPLETE APPLICATION OF WATER HAD OFFICIALLY BEEN MADE UNDER THE PERMIT PRIOR TO AND ON AUGUST 28, 2019	COMPLETE APPLICATION OF WATER UNDER PERMIT R-15407 HAD OFFICIALLY BEEN MADE BY LATEST NEW OWNER (CURRENT PERMIT HOLDER) ON AUGUST 28, 2024 (FULL STORAGE OCCURRED PRIOR TO THIS DATE)

* must be within period between permit or any extension final order issuance and the date to completely apply water **NOTE: THE FIRST NEW OWNER (SAFRENO) REFERENCED ABOVE SOLD THE RANCH TO THE LATEST NEW OWNER (TOMSETH) WHO CURRENTLY OWNS THE RANCH. WATER RIGHT ASSIGNMENTS HAVE BEEN DONE AND THIS APPLICATION IS MADE BY THE CURRENT NEW OWNER.**

2. Is there an extension final order(s)?

NO

3. Measurement Conditions:

a. Does the permit, permit amendment, or any extension final order require the installation of a meter or approved measuring device?

NO

If "NO", items b through f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

b. Has a meter been installed?

NA

c. Meter Information

NA

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED

If a meter has been installed, items d through f relating to this section may be deleted.

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department?

NA

e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

NA

NAME	TITLE	APPROXIMATE DATE

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED

4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department?

YES

If "NO", item b relating to this section may be deleted.

b. Have the reports been submitted?

YES

Report for 2024 inadvertently not submitted by permit holder. Report for 2024 Submitted August 29, 2025 by David Newton based on 2023-2024 personal observations during consulting activities. Pond C fills every year to maximum storage volume as observed by David Newton since preparing storage permit application (R-87490) in 2009 and preparing site suitability/geotechnical reports for Pond C in 2015 and latest observations in 2025. Google Earth imagery dating from 2001 (Appendix A, Photographs) show reservoir storage at and near-full based on water surface area estimations. New permit holder has been schooled on filing annual reports as required by permit. Attested to by David Newton, CWRE 419.

*If the reports have not been submitted, attach a copy of the reports if available. **REPORT FOR 2023-2024 ENCLOSED IN APPENDIX C (REPORT WAS SUBMITTED TO OWRD AUGUST 29, 2025).***

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5. Outlet Pipe

a. Is the water user required to install a minimum 8" outlet pipe/conduit?

YES

If "NO", items b through c relating to this section may be deleted.

b. Has the outlet pipe been installed?

YES

INSTALLED DURING ORIGINAL CONSTRUCTION BY PRIOR OWNER AROUND THE YEAR 2001 AS INDICATED BY GOOGLE EARTH IMAGERY. PIPE WAS DAMAGED YEARS BEFORE CURRENT OWNER PURCHASED RANCH AND VALVE BECAME INOPERABLE. OWNER JUST PRIOR TO CURRENT OWNER, UNDER COORDINATION WITH AND UNDER APPROVAL OF OWRD-DAM SAFETY EVALUATED PIPE REPAIR OPTIONS INCLUDING GROUTING THE PIPE FULL AND WAIVING THE PIPE REQUIREMENT. THE GROUTING OPTION WAS SELECTED AND THE PIPE WAS GROUTED FULL ON JULY 29, 2019. DRAINING THE RESERVOIR, IF NECESSARY, WOULD BE DONE WITH A PUMP.

If "YES", items c relating to this section may be deleted.

c. Does the water user have other means to evacuate the reservoir?

YES

DESCRIBE HOW THE WATER USER PLANS TO EVACUATE THE RESERVOIR	HAS THIS PLAN BEEN APPROVED BY THE DEPARTMENT?	BY WHOM?
PUMP	YES	OWRD-DAM SAFETY (KEITH MILLS)

6. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion?

NO

If "NO", items b through e relating to this section may be deleted.

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Has the fish screening been installed?

NA

c. When was the fish screening installed?

NA

DATE	BY WHOM

Reminder: If the permit or transfer final order was issued on or after February 1, 2011, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.

d. If the diversion **involves a pump** *and* the **total** diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs):

Has the self-certification form previously been submitted to the Department?

NA

- If not, go to <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx> (search for ODFW Small Pump Screen Self Certification), complete and attach a copy of the self-certification form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

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e. If the diversion does **not involve a pump** or the **total** diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted? **NA**
- If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

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7. By-pass Devices

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a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion?

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No

If "NO", items b and c relating to this section may be deleted.

Reminder: If by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Have by-pass device been installed?

NA

c. Describe the diversion works as related to whether a by-pass device is installed or unnecessary:

(Provide a letter from ODFW indicating the device is approved or is unnecessary. If there is no letter from ODFW, explain whether or not a by-pass device is necessary.)

DESCRIPTION (E.G. "ODFW HAS APPROVED THE BY-PASS DEVICE" OR "NO BY-PASS DEVICE IS NECESSARY BECAUSE THERE IS A DIRECT DIVERSION FROM THE STREAM VIA A PUMP ON RIVER LEFT STREAM BANK WITH FOOT VALVE DESCENDING DIRECTLY INTO NATURAL POOL.") IN ADDITION, YOU MAY ATTACH PHOTOS TO THIS CLAIM.	IF INSTALLED (DATE)	IF INSTALLED, BY WHOM

8. Other conditions required by permit, permit amendment final order, or extension final order

- a. Was the water user required to restore the riparian area if it was disturbed? **NO**
- b. Was a fishway required? **NO**
- c. Was submittal of a letter from an engineer required prior to storage of water? **NO**
- d. Was submittal of a water management and conservation plan required? **NO**
- e. Other conditions? **YES**

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

CONDITION: Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage shall be installed in the reservoir. If no dead-pool, the gage must measure the full depth of the reservoir. The permittee shall maintain the device in good working order.

The Pond C is and has been operating in a full dead-pool condition and is equipped with a staff gage in 0.10-foot elevation increments. The gage measures the dead-pool stage for seasonal water level fluctuations. Storage in the pond is authorized by Permit 15407 for irrigation and livestock use. There is no secondary permit to allow discharge of pond water for irrigation;

therefore it operates in a full dead-pool condition.

Under the prior owner, the outlet pipe was grouted full due to damage and its inoperable condition. This was done under and with coordination and approval of the OWRD-Dam Safety Section in 2019. As for the prior owner, including time before the outlet pipe grouting, and for the current owner, the pond operates under a full dead-pool condition.

SECTION 6

ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
APPENDIX A	PHOTOGRAPHS
APPENDIX B	OWRD-DAM SAFETY CORRESPONDENCE REGARDING OUTLET PIPE GROUTING
APPENDIX C	2024 WATER USE REPORT

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SECTION 7

CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

Map was initially prepared for permit application R-87490 using USGS quadrangle map topography and Google Earth aerial imagery (August 2005 based on historic dates). Map for COBU was generated from updated map prepared for "Site Suitability Evaluation Report and Record Drawings," dated September 1, 2015. This map was generated from field measurements of dam, overflow spillway and other features with tape and hand level, and Google Earth imagery (July 2013). COBU map was further generated from use of Google Earth imagery dated April 26, 2025.

Map Checklist

Please be sure that the map you submit includes ALL the items listed below.

(Reminder: Incomplete maps and/or claims may be returned.)

- ☒ Map on polyester film.
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- ☐ *NA* If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- ☐ *NA* Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- ☐ *NA* Locations of meters and/or measuring devices in relationship to point of diversion
- ☒ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- ☒ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☒ Tax lot boundaries and numbers
- ☒ Source illustrated if surface water
- ☒ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- ☒ Application and permit number or transfer number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature

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APPENDIX A

PHOTOGRAPHS

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POND C STORAGE STATUS - 2001

Write a description for your map.

Legend

INDIAN
CREEK

Google Earth

Image U.S. Geological Survey

N

600 ft

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POND C STORAGE STATUS - 2005

Write a description for your map.

Legend

INDIAN
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Google Earth

Image USDA/FFAC/GEO



500 ft

POND C STORAGE STATUS - 2011

Write a description for your map.

Legend

INDIAN
CREEK

POND OVERFLOW
CHANNEL TO
INDIAN CREEK

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Stoughton, OR

Google Earth

Image USDA/FFAC/GEO



500 ft

POND C STORAGE STATUS - 2016

Write a description for your map.

Legend



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Google Earth



500 ft

POND C STORAGE STATUS - 2020

Write a description for your map.

Legend

Google Earth

Image © 2025 CNES / Airbus



500 ft

POND C STORAGE STATUS - 2022

Write a description for your map.

Legend

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Google Earth

500 ft



POND C STORAGE STATUS 7/16/25
SPRING INFLOW AREA IN CATTAILS
VIEW NE FROM SW CORNER

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POND C STORAGE
STATUS 9/5/2025
WATER LEVEL 1.6
BELOW FULL-TYPICAL
FOR LATE SUMMER
CONDITION. VIEW N
FROM SOUTHSIDE



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OCT 01 2025

5:00 PM

APPENDIX B

OWRD CORRESPONDENCE

Received by OWRD

OCT 01 2025

Salem, OR

D. Newton

From: D. Newton
Sent: Monday, August 12, 2019 10:33 AM
To: 'casey safreno'
Subject: Update; Well Letter to OWRD; Pond C Pipe Grouting Submittal to OWRD

Casey, no further word on the letter about the well plan. Jeffrey at OWRD said the letter was fine.

I called Keith Mills this morning about the information I sent him yesterday on grouting the outlet pipe through Pond C. He said that all was done as we agreed and he will contact Kim French in the OWRD water rights section and let her know that the pipe issue is resolved. I expect her to then issue the storage permit.

David

David Newton, P.E., C.E.G, C.W.R.E.

H.A. McCoy Engineering & Surveying, LLC



H.A. M^cCOY
ENGINEERING
& SURVEYING, LLC

1180 SW Lake Road, #201

Redmond, Oregon 97756

541 325-3905 *cell*

541 923-7554 *office*

dnewton@newtonconsultants.com for H. A. McCoy Engineering & Surveying, LLC

From: casey safreno [mailto:dcsafreno@hotmail.com]
Sent: Thursday, August 8, 2019 8:47 AM
To: D. Newton <dnewton@newtonconsultants.com>
Subject: Re: IMG_0316.jpeg

sounds good--thank you
any further word on letter re wells?

From: D. Newton <dnewton@newtonconsultants.com>
Sent: Thursday, August 8, 2019 5:06 AM
To: casey safreno <dcsafreno@hotmail.com>
Subject: RE: IMG_0316.jpeg

Thank you Casey.

All info going to the OWRD.

David

Received by OWRD

OCT 01 2025

Salem, OR

David Newton, P.E., C.E.G, C.W.R.E.
H.A. McCoy Engineering & Surveying, LLC

1180 SW Lake Road, #201
Redmond, Oregon 97756
541 325-3905 cell
541 923-7554 office
david@ham-engr.com

-----Original Message-----

From: casey safreno [<mailto:dcsafreno@hotmail.com>]
Sent: Wednesday, August 7, 2019 10:07 PM
To: D. Newton <dnewton@newtonconsultants.com>
Subject: IMG_0316.jpeg

Cement that came out of downstream valve at pond

Received by OWRD
OCT 01 2025
Salem, OR

D. Newton

Received by OWRD
OCT 01 2025
Salem, OR

From: D. Newton
Sent: Sunday, August 11, 2019 9:44 PM
To: MILLS Keith A * WRD
Cc: 'casey safreno'
Subject: Application R-87490; Grouting of Pond C Outlet Pipe
Attachments: Feeding Pumped Grout Into Outlet Pipe; IMG_0271.jpeg; Grout & Pumper Truck with Boom to Outlet Pipe; IMG_0272.jpeg; IMG_0270.jpeg; IMG_0248.jpeg; Grout that Exited Discharge End of Outlet Pipe During Filling Pipe with Grout from Upstream End in Reservoir.jpeg; Fwd: 4DSD ; Response Letter; Applications R-87490, 87491.pdf

Keith, you will recall the outlet pipe issue for Pond C, Application R-87490, at the 4 DSD, LLC Ranch in the Waterman area, Wheeler County. In discussions between you and me, considering the relatively small size of the pond and its remote location, we settled on proper abandonment of the outlet pipe and use of a generator-powered pump to vacate the pond if this is necessary in the future.

Below is a summary of the complete filling of the outlet pipe through the existing Pond C earth dam. This work was completed by the 4 DSD, LLC Ranch through its contractor.

BACKGROUND INFORMATION

Background information that provides the basis for grouting full the outlet pipe is provided in the attached letter (Response Letter, Applications R-87490, 87491) to Kayleen Warner of the OWRD dated September 8 2018. This letter explains the work plan objective, background, and the work plan for grouting the outlet pipe.

Once the work is completed and the proper information is submitted to the OWRD-Dam Safety Division, the storage permit under Application R-87490 would be issued. We trust that the information included with this e-mail is sufficient for the storage permit to be issued.

OUTLET PIPE WORK

The 4 DSD, LLC, through a California irrigation construction company, conducted investigations of the outlet pipe during summer and fall 2018. The outlet pipe is steel with a diameter of 8 inches and wall thickness of 1/4-inch. The pipe was equipped with a valve on the downstream end of the pipe such that it performed as a pressure conduit. The valve's location to make the pipe a pressure conduit is undesirable; therefore, options investigated by 4 DSD, LLC for responding to the situation included 1) installing a new valve on the upstream end of the outlet pipe and removing the existing valve on the downstream end of the pipe; and 2) grouting full the outlet pipe.

Upon completion of the investigative work, the decision was made to grout full the outlet pipe. Weather conditions limited the construction crew's access and ability to complete this work during the winter/spring of 2018/2019 and work resumed this summer 2019, when the pipe grouting was successfully completed.

A new valve on the outlet pipe was added. In addition, divers added pipe on the upstream end of the outlet pipe to enable the grout to flow fully through the pipe. Five cubic yards of grout were supplied by Knife River to the site on July 29, 2019. This volume is more than sufficient to fully fill the pipe. The grout was transferred from the supply truck to a concrete pumper truck. The grout was pumped through a hose contained within a long boom that delivered the grout to the upstream end of the outlet pipe. The construction team connected the grout hose

to the inlet of the outlet pipe. Grouting continued until it was observed to discharge from the downstream end of the outlet pipe.

Photographs are attached that help illustrate the grouting operation. The grout batch mix is also attached (e-mail, FWD 4DSD).

STORAGE PERMIT

The grouting of the outlet pipe completes the requirements for obtaining the storage permit for the Pond C. The recording fee of \$520.00 has been paid by 4 DSD, LLC. We trust that the above summary information is sufficient for the storage permit to be issued.

Thank you for all your help with this project Keith. Please contact me if you have any questions.

David

David Newton, P.E., C.E.G, C.W.R.E.

H.A. McCoy Engineering & Surveying, LLC



1180 SW Lake Road, #201

Redmond, Oregon 97756

541 325-3905 *cell*

541 923-7554 *office*

david@ham-engr.com

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OCT 01 2025

Salem, OR

D. Newton

From: D. Newton
Sent: Monday, September 24, 2018 9:12 AM
To: 'casey safreno'
Subject: Pond C; Outlet Pipe Grout Mix and Plan

Casey, I reviewed the grout mix proposed for filling the outlet pipe at Pond C. My comments are below.

1. In review of grout mix information for abandonment of conduits through dams, I find a recommended water to cement ratio of approximately 0.7:1.0, to 0.5:1.0. The water to cement ratio for the proposed mix is 0.48:1.0. Not to be nit picking, is there a reason based on experience for the proposed water-cement ratio?
2. Glenium 7500 is included in the proposed mix at 15 to 22 oz. The grout should have sufficient fluidity to completely fill the outlet pipe. I see that Glenium 7500 is recommended for use in concrete where high flowability, increased stability, high early and ultimate strengths, and improved durability are needed. Has the proposer used Glenium 7500 in grouting to fill pipes? What is the basis for the proposer's inclusion of Glenium 7500 in the grout mix?
3. The proposer also includes 4 oz of MB-AE 90 in the grout mix. I understand that this is an air-entraining admixture, which I also understand brings improved plasticity and workability, reduced permeability/water tightness, reduced segregation and bleeding of the grout mix. These appear to be desirable qualities of a grout mix to fill the outlet pipe. What experience and reasoning has the proposer in including this admixture in the proposed grout mix?
4. Will the proposer flush out the outlet pipe to clean any potential sediment out before grouting?
5. Will the grout be applied at the pipe inlet under pressure, and how much pressure will be applied to the grout?
6. What measures will be used by the proposer to ensure that the outlet pipe is completely filled with grout with no voids?

Casey, it appears that the proposed grout mix is suitable; I appreciate getting the proposers response to my questions so that I can make a complete documentation of the mix for the Oregon Water Resources Department - Dam Safety Division.

David

David Newton, P.E., C.E.G, C.W.R.E.
H.A. McCoy Engineering & Surveying, LLC

1180 SW Lake Road, #201
Redmond, Oregon 97756
541 325-3905 cell
541 923-7554 office
david@ham-engr.com

Received by OWRD
OCT 01 2025
Salem, OR

-----Original Message-----

From: casey safreno [mailto:dcsafreno@hotmail.com]

Sent: Wednesday, September 12, 2018 9:53 PM
To: D. Newton <dnewton@newtonconsultants.com>
Subject:

This is the grout mix a large cement contractor recommends for the outlet pipe I want to confirm that it is adequate for your report

Received by OWRD
OCT 01 2025
Salem, OR

D. Newton

From: D. Newton
Sent: Monday, November 12, 2018 10:03 AM
To: dcsafreno@hotmail.com
Subject: Fwd: R-87490; Pond C Outlet Pipe; 4-DSD, LLC Ranch

Casey, see response below from Keith Mills, Oregon Water Resources Department, Dam Safety Engineer, regarding Pond C outlet pipe. I met with him and discussed; however, he holds position and gives 2 options below. I am just back from being away.

David

Sent from my iPhone

Begin forwarded message:

From: MILLS Keith A * WRD <Keith.A.Mills@oregon.gov>
Date: November 2, 2018 at 7:49:52 AM PDT
To: "D. Newton" <dnewton@newtonconsultants.com>
Cc: MILLS Keith A * WRD <Keith.A.Mills@oregon.gov>
Subject: RE: R-87490; Pond C Outlet Pipe; 4-DSD, LLC Ranch

Dave,

Very good meeting with you last week.

In regards to your question about the pipe, I see the best options as:

1. Repair or installation of a new gate at the upstream end preferred over downstream unless the steel pipe is also encased, or unless scoping shows the steel has not deteriorated.
2. Grouting or filling with an alternate material, at least the end of the pipe near the gate. Probably no reason for the entire pipe to be grouted or otherwise blocked. Then having a pump or siphon for normal use and emergency draining.

Keith

Keith Mills, P.E., G.E., State Engineer for Water Resources
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301
Phone: (503) 986-0840
Cell: (541) 706-0849

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OCT 01 2025
Salem, OR

From: D. Newton [<mailto:dnewton@newtonconsultants.com>]
Sent: Sunday, October 14, 2018 12:35 PM

To: MILLS Keith A * WRD
Cc: casey safireno
Subject: R-87490; Pond C Outlet Pipe; 4-DSD, LLC Ranch

Keith, 4-DSD, LLC has been investigating the outlet pipe in the existing Pond C for which a Final Order was issued authorizing storage. This is an update on the outlet pipe investigation.

I submitted the attached Work Plan for Application 87490 dated September 8, 2018 for investigating and filling the existing outlet pipe for Pond C with grout, considering that the initial field investigation revealed a 10-inch diameter corrugated metal outlet pipe, electric power is available at the pond, and that it would be drained, if necessary by a generator-powered pump. The Work Plan included field investigations of the outlet pipe and valve by a crew from a California construction company experienced with water infrastructure and included pipe excavation with a backhoe and work to gain access to the pipe inlet on the reservoir side of the dam. The construction company then coordinated with a large irrigation and water infrastructure construction firm (AlSCO Irrigation), operating in California and Oregon to develop an approach for abandoning the outlet pipe on the condition that the pond would be drained, when necessary, by a generator-powered pump.

Substantial investigative work has been completed to determine the condition of the pipe and finalize a plan to fill the pipe with grout. This additional work revealed that a short piece of corrugated metal pipe is attached to the end of the main outlet pipe extending through the Pond C dam, which is composed of steel with a diameter of 8 inches and wall thickness of 1/4-inch. The wall thickness determination was made at the upstream end of the pipe by construction company representatives. The investigative work indicates that the pipe is not corroded and in good condition where exposed on the upstream and downstream ends. Additionally, no water was observed on the pipe, or within the soils surrounding the pipe, suggested that no seepage from the reservoir is occurring along the pipe-soil interface. It also suggests that leakage is likely not occurring through joints on the pipe.

Attached are two photographs of the outlet end of the pipe. A larger, 10-inch diameter corrugated metal pipe (CMP) is attached to the end of the steel pipe by a flange as shown in the photographs. The outlet control valve is attached to the CMP.

Considering the additional field work reveals that the main outlet pipe is in good condition with no observed water leakage around the pipe, it is proposed that the pipe and outlet control valve are left in place, without filling it with grout. The outlet valve is in the closed position and was not opened because it is possible it might not close and the pond would be drained. In this case, the Applicant is prepared to drain the pond with a generator-powered pump in the event that pond draining is ever required.

The exposed CMP will be left in an open, uncovered position for observation and monitoring. Although the CMP is in relatively good condition, it is more susceptible to corrosion and deterioration than the steel pipe; therefore, that ability to observe and monitor the pipe is incorporated into this proposal.

We trust that this proposal is reasonable considering the small size of the pond, its very remote location, the observed conditions of the steel outlet pipe and the attached CMP extension, and the ability to observe and monitor the condition of the CMP pipe.

Please contact me with any questions you have.

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Salem, OR

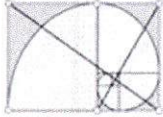
Thank you for your assistance in this matter.

David

David

Newton, P.E., C.E.G, C.W.R.E.

H.A. McCoy Engineering & Surveying, LLC



H.A. M^cCOY
ENGINEERING
& SURVEYING, LLC

1180 SW Lake Road, #201

Redmond, Oregon 97756

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david@ham-engr.com

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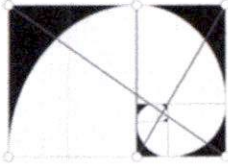


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OCT 01 2025
Salem, OR

APPENDIX C

WATER USE REPORT - 2024

Received by OWRD
OCT 01 2025
Salem, OR



H.A. McCOY
ENGINEERING & SURVEYING, LLC

1180 SW Lake Road, Redmond, OR 541-923-7554 www.ham-engr.com

August 28, 2025

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

Ladies and Gentlemen,

This letter transmits a Water Use Recording and Reporting Form for storage permit R-15407. This report is for water year 2023-2024 and is inadvertently late in its submittal to the Oregon Water Resources Department and is filed by me, David Newton, on behalf of the permit holder.

Permit R-15407 allows up to 24 acre-feet of storage in Pond C, located on the Jasper County, LLC Ranch in Wheeler County. The pond is filled to the maximum authorized storage volume primarily by spring inflows. A full pond condition occurred in 2024 as noted in water resource consulting activities performed for the Jasper County, LLC Ranch. The pond fills to its maximum volume of 24 acre-feet in most years of my consulting experience relative to the pond since 2009 when I prepared the storage permit application (Application R-87490).

The enclosed Water Use Recording and Reporting Form reflects use of water at the maximum storage volume of 24 acre-feet based on the full pond condition. The lesser "shoulder" storage volumes off the peak storage volume are based on estimates considering lowered pond water surface elevations due to evaporation and decreased inflows.

A staff gage will be installed in the pond in September 2025. The gage will improve accuracy of storage volume determinations.

The Jasper County, LLC is the new owner of the ranch and alerts regarding permit conditions have and are being provided to the owner, including needs to timely submit Water Use Recording and Reporting Forms.

Please contact me at (541) 325-3905, or by e-mail at dnewton@newtonconsultants.com with any questions.

Respectfully,

H.A. McCoy Engineering & Surveying, LLC

David J. Newton, P.E., C.W.R.E., C.E.G.
Senior Engineer & Engineering Geologist

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OCT 01 2025 OCT 01 2025
Salem, OR Salem, OR

2023

Water Use Recording and Reporting Form

2024

Water Right Holder's Name DANE TOMSETH		Water Right Holder's Business Name or Entity Name JASPER COUNTY, LLC		User ID#	
Water Right Holder's Email danetomseth@gmail.com		Water Right Holder's Complete Mailing Address 2544 NW OVERTON STREET, PORTLAND, OREGON 97210		Phone Number (541) 480-2662	
Well or POD name					
→ Report ID number	Permit: R - 15407 Other:	Permit: - Other:	Permit: - Other:	Permit: - Other:	
Describe the units of measurement as AF (acre-feet), G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), or MCF (million cubic feet)					
OCTOBER 2023	19				Received by OWRD OCT 01 2025 Salem, OR
NOVEMBER 2023	19	NOTES: Surface area of pond is	Volume estimates less than 24 AF		
DECEMBER 2023	18	2.14 acres. Pond fills primarily by	are conservatively low		
JANUARY 2024	18	spring inflow. Continuous spring			
FEBRUARY 2024	19	inflow offsets some evaporation in	Staff gage to be installed in		
MARCH 2024	21	summer. Permit allows maximum	September 2025; will improve		
APRIL 2024	24	storage of 24 acre-feet. Water use	accuracy of storage volumes		
MAY 2024	24	is estimated by amount water level			
JUNE 2024	23	drops in summer times estimated			
JULY 2024	21	surface area. This report is an			
AUGUST 2024	20	estimate based on personal			
SEPTEMBER 2024	21	observations during consulting trips			
OCTOBER 2024	20	to Jasper Co., LLC Ranch. At full			
NOVEMBER 2024	19	pond, volume is 24 acre-feet.			
DECEMBER 2024	18				
TOTAL					
Unit of Measurement (Volume)	☐ G ☒ AF ☐ KG ☐ CF ☐ MG ☐ MCF	☐ G ☐ AF ☐ KG ☐ CF ☐ MG ☐ MCF	☐ G ☐ AF ☐ KG ☐ CF ☐ MG ☐ MCF	☐ G ☐ AF ☐ KG ☐ CF ☐ MG ☐ MCF	☐ G ☐ AF ☐ KG ☐ CF ☐ MG ☐ MCF
Measurement Method (meter, staff gage, rate x time, etc.)	Estimated; surface area; elev				
Number of acres irrigated from this well or POD, if applicable					

I certify this information is true and accurate to the best of my knowledge.

Signature x _____ Date 08/28/2025 Phone Number (541) 325-3905
 Name and Title (print) David Newton, CWRE 419 Company H. A. McCoy Engineering & Surveying, LLC

Please complete and mail to: OWRD; Water Use Reporting Program; 725 Summer Street NE, Ste A: Salem, OR 97301

**PERMIT R-15407 (APPLICATION R-87490)
CLAIM OF BENEFICIAL USE – JASPER COUNTY, LLC RANCH**

SEPTEMBER 30, 2025

HAND-DELIVERED ON BEHALF OF PERMIT HOLDER BY DAVID NEWTON

FOR: GERRY CLARK

Gerry, please contact me with any questions you have. Thank you for your help with this COBU.

David Newton, C.W.R.E.

**(541) 325-3905
dnewton@newtonconsultants.com**

Received by OWRD

OCT 01 2025

Salem, OR



Received by OWRD

OCT 01 2025

Salem, OR

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Jasper County LLC
2544 NW Overton St. Portland OR 97210

Transaction Type: Claim

Fees Received: \$ 345.00

☐ Cash

☒ Check:

Check No. 1241 / 671

Name(s) on Check: Dave Townsend

Newton Revocable Living Trust

Olivia Brewer

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 Louven
(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.