

JUN 08 2026

OWRD

Application for an Emergency Use Permit for Groundwater (Drought)



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 Information

NAME Kandu Ranch, LLC			PHONE (HM) Contact agent
PHONE (WK) Contact agent	CELL Contact agent		FAX N/A
ADDRESS 2050 Butler Creek Road			
CITY Ashland	STATE OR	ZIP 97520	E-MAIL* Contact agent

Organization Information

NAME		PHONE	FAX
ADDRESS		CELL	
CITY	STATE	ZIP	E-MAIL*

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

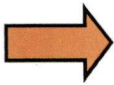
AGENT / BUSINESS NAME O'Connor West, LLC		PHONE 541-702-5350	FAX N/A
ADDRESS 670 G Street, Suite B		CELL N/A	
CITY Jacksonville	STATE OR	ZIP 97530	E-MAIL* dano@pacifiland.law / alexis@pacifiland.law

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically.
(A paper copy of the final order will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well. Acceptance of this application neither guarantees an emergency use permit will be issued nor indicates that a permanent water right may be obtained.
- 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.

Signed by:

Applicant Signature

Renee DuBois, Member of KanDu Ranch, LLC
Print Name and title if applicable

6/4/2026

Date

Applicant Signature

Print Name and title if applicable

Date

Received

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.

☐ This land is encumbered by easements, rights of way, roads or other encumbrances.

☐ No

☐ I have a recorded easement or written authorization permitting access.

☐ I do not currently have written authorization or easement permitting access.

☐ 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).

☐ Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

—— Renee DuBois, Member of KanDu Ranch, LLC: 2050 Butler Creek Road, Ashland, OR 97520

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
L142337	Butler Creek	150ft	10ft

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*).

—— Please see the Well Log for JACK64861 (Well No. L142337) included in this submittal.

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Sandstone

Total maximum rate requested: 35gpm

(each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below)

Complete the table below. If this is an existing well, the following 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.

										PROPOSED USE			
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)	SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE- FEET)
KanDu Ranch, LLC	☐	☒	L142337	☐	6"	40		0 to 38	41'-6" 6/2/21		500		
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
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	☐	☐		☐									

* 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: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Vineyard Irrigation	June - September	4.3

Rights affected by drought:

County in which use will occur: Jackson

(if the right is located in Klamath Basin/County you must complete Section 8)

Please indicate the total number of acres to be irrigated (*must match map*): 16.6 acres

List the Permit or Certificate number(s) of the water right(s) affected by drought: 79212 Primary & 83727 Supplemental

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 7.7

SECTION 5: WATER MANAGEMENT**A. Diversion and Conveyance**

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

Goulds 35gpm Liquid end model 35GS75 with a 7-1/2HP 3-phase motor.

☒ Pump (give horsepower and type): 7-1/2 HP submersible

☐ Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. A Goulds 4" submersible 7-1/2HP 35gpm pump shall be installed, and be pumped to a 15,000-gallon water storage tank. Water shall be pumped from the tank utilizing a Goulds 6" 95L07 submersible pump through a filter, and into the distribution system and vineyard.

B. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; and prevent the discharge of contaminated water to a surface stream. Highly efficient drip irrigation with virtually no run off is employed to mitigate discharge and maximize use for vineyard production.

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SECTION 6: WITHIN A DISTRICT

- ☒ Check here if any of the water rights affected by drought are located within or served by an irrigation or other water district.

Irrigation District Name Talent Irrigation District	Address 104 W. Valley View Road	
City Talent	State Oregon	Zip 97540

- ☐ Yes ☒ No Has the irrigation district transferred the primary irrigation water right to another place of use for this irrigation season?

Projected irrigation season allotment, if known: 2.6 acre-feet

SECTION 7: DROUGHT INFORMATION

Explain how drought conditions have created an inability to obtain water under your existing right(s), and any other remarks to clarify any other information (*attach additional sheets as necessary*).

_____ Talent Irrigation District (TID) has indicated they will not have sufficient water to supply the 2026 irrigation season. TID's estimate of the capacity of their reservoirs is currently enough to last into August for irrigation rotations. It is unknown at this time if irrigation will be provided beyond August, resulting in the request for emergency well use.

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SECTION 8: KLAMATH BASIN/COUNTY WELL INFORMATION

PLEASE NOTE: Due to the pervasive drought and rapidly declining groundwater levels in the Klamath Basin, the Oregon Water Resources Department is unlikely to issue Drought Emergency Use Permits for groundwater in the Klamath Basin.

A functioning, totalizing flowmeter will be required for any drought permits issued. Is there currently a flowmeter installed on each of the PODs listed in the table in Section 3 of this application? ☐ Yes ☐ No*

*Please note that watermaster staff will visit the well to confirm flowmeter presence prior to issuance of an emergency drought groundwater permit. Where possible, watermaster staff will take a static water level measurement. Alterations to the well head may be required in order to make the water level measurements and these may be conditions of the permit.

For each well, please provide a description of the flowmeter location, the serial number, the current flowmeter reading and the date the reading was taken in the table below.

OWNER'S WELL NAME OR NUMBER.	WELL TAG NUMBER (IF AVAILABLE)	WELL LOG ID (E.G., KLAM 1234)	FLOWMETER SERIAL NUMBER	FLOWMETER READING	FLOWMETER DATE	FLOWMETER LOCATION

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TOWNSHIP 38 SOUTH RANGE 1 EAST, W.M.

Oregon Water Resources Department

Permit 25915

In the Name of the U.S. Bureau of Reclamation



83727 Primary

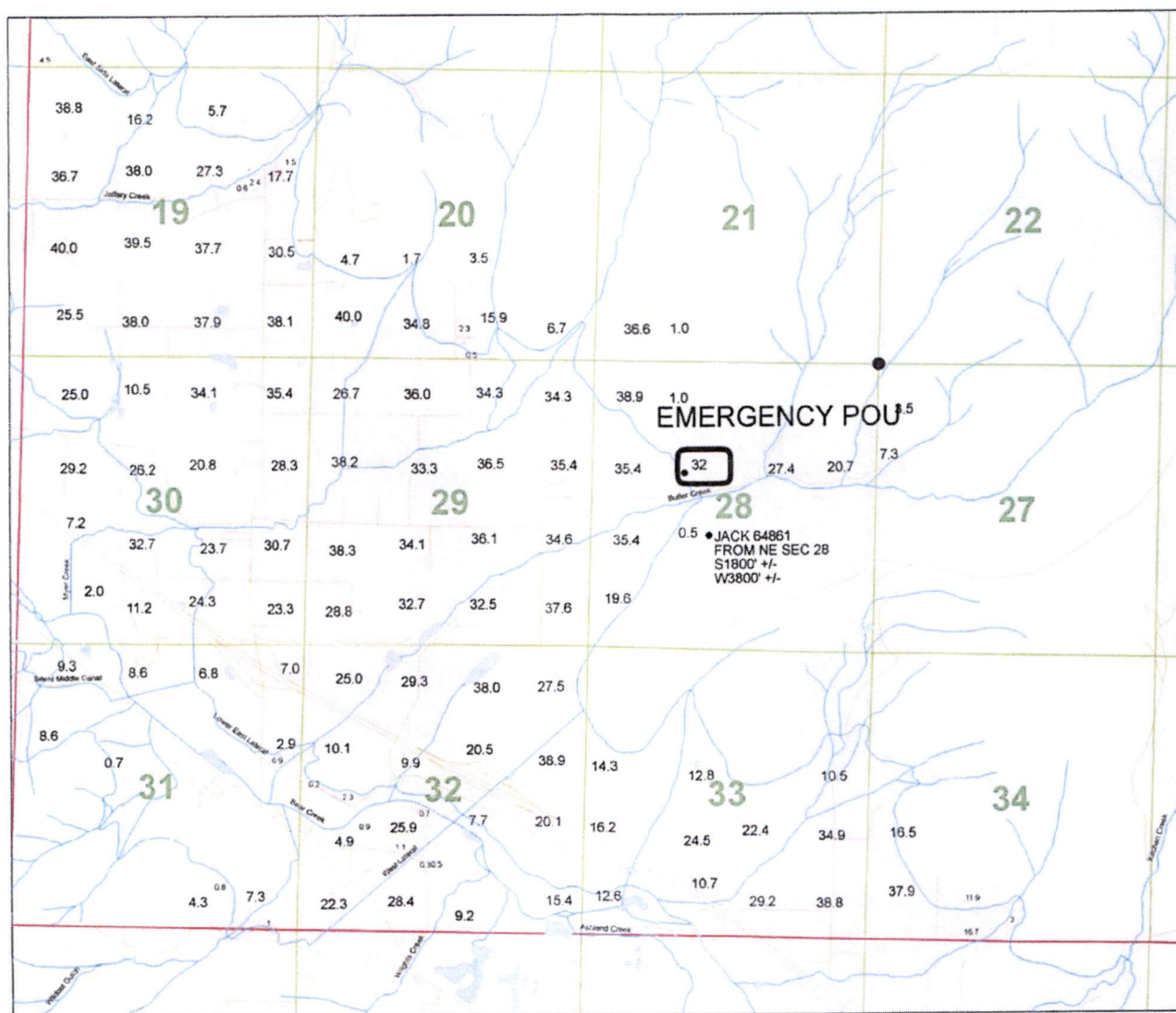
79212 Primary; 83727 Supplemental

FINAL

JANUARY 2008



SCALE: 1 INCH = 1320 FEET



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Date _____

(For staff use only)



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

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- ☐ SECTION 1: _____
- ☐ SECTION 2: _____
- ☐ SECTION 3: _____
- ☐ SECTION 4: _____
- ☐ SECTION 5: _____
- ☐ SECTION 6: _____
- ☐ SECTION 7: _____
- ☐ SECTION 8: _____
- ☐ Fees _____

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MAP

- ☐ 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 well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- ☐ Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- ☐ Number of acres per Quarter/Quarter and hatching to indicate area of use if for supplemental irrigation or nursery
- ☐ Location of main canals, ditches, pipelines or flumes
- ☐ Other _____

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WATER SUPPLY WELL REPORT - Map with location identified must be attached and shall include an approximate scale and north arrow

JACK 64861

6/10/2021

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Map of Hole

STATE OF OREGON WELL LOCATION MAP

This map is supplemental to the WATER SUPPLY WELL REPORT

Oregon Water Resources Department

725 Summer St NE, Salem OR 97301
(503)986-0900



LOCATION OF WELL

Latitude: 42.23739000 Datum: WGS84

Longitude: -122.71069000

Township/Range/Section/Quarter-Quarter Section:
WM38.00S1.00E28SENW

Address of Well:

2050 BUTLER CREEK RD. ASHLAND OR 97520

Well Label: 142337

Printed: June 9, 2021

DISCLAIMER: This map is intended to represent the approximate location the well. It is not intended to be construed as survey accurate in any manner.

Provided by well constructor



After recording return to:

Daniel B. O'Connor
823 Alder Creek Drive
Medford, OR 97504



01624648201400121680030033

I, Christine Walker, County Clerk for Jackson County, Oregon, certify
that the instrument identified herein was recorded in the Clerk
records.

Christine Walker - County Clerk

**Until a change is requested,
all tax statements shall be sent
to the following address:**

KanDu Ranch, LLC,
Attn: Don Kania/Renee Dubois
36505 SW Southwind Drive
Hillsboro, OR 97123

STATUTORY BARGAIN AND SALE DEED

Don Kania and Renee Dubois, as tenants by the entirety, as Grantors, do hereby grant, bargain, sell and convey unto **KanDu Ranch, LLC**, an Oregon limited liability company, as Grantee, the following described property:

SEE EXHIBIT "A" ATTACHED HERETO.

There is no monetary consideration involved in this transfer. The actual consideration consists of value given or promised which is the whole consideration.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSONS RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

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IN WITNESS WHEREOF, the undersigned have executed this Deed on the dates set forth below.

Date May 13, 2014

Don Kania
Don Kania

Date May 13, 2014

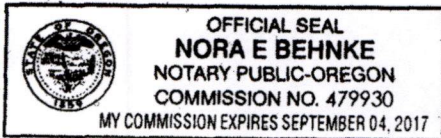
Renee Dubois
Renee Dubois

STATE OF OREGON)
County of Washington) ss.

May 13, 2014

Personally appeared the above-named Don Kania and acknowledged said instrument to be his voluntary act and deed.

Before me:



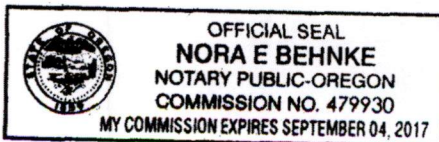
Nora E Behnke
Notary Public for Oregon
My Commission expires: Sept. 4, 2017

STATE OF OREGON)
County of Washington) ss.

May 13, 2014

Personally appeared the above-named Renee Dubois and acknowledged said instrument to be her voluntary act and deed.

Before me:



Nora E Behnke
Notary Public for Oregon
My Commission expires: Sept 4, 2017

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EXHIBIT "A"

LEGAL DESCRIPTION: Real property in the County of Jackson, State of Oregon, described as follows:

Commencing at a brass cap monument marking the quarter corner between Sections 28 and 27 in Township 38 South, Range 1 East of the Willamette Meridian in Jackson County, Oregon; thence North 543.46 feet and West 1693.63 feet to a 5/8" iron rebar with plastic cap witness monument for the true point of beginning; thence North 06°36'09" East 244.81 feet to a 5/8" iron rebar with plastic cap; thence North 78°04'45" West 334.45 feet to a 5/8" iron rebar with plastic cap; thence North 27°52'34" East 324.48 feet to a 5/8" iron rebar with plastic cap; thence North 31°16'50" West 69.05 feet to a 5/8" iron rebar with plastic cap; thence North 04°39'00" East 156.15 feet to a 5/8" rebar with plastic cap situated in an existing fence line as referred to in deed recorded as No. 00-09095 of the Official Records of Jackson County, Oregon; thence in a westerly direction, along the average meanderings of said existing fence line as follows: South 86°58'57" West 247.96 feet to a 5/8" iron rebar with plastic cap; thence South 88°22'07" West 363.66 feet to a 5/8" iron rebar with plastic cap; thence South 88°14'34" West 361.99 feet to a 5/8" iron rebar with plastic cap; thence South 88°20'27" West 1075.87 feet to a 5/8" iron rebar with plastic cap; thence South 88°20'27" West 10.0 feet, more or less, to a point situated 70.00 feet East of the west boundary of the East half of the Northwest quarter of said Section 28; thence leaving said existing fence line, Southerly along a line that is 70 foot east of and parallel with said boundary of the East half of the Northwest quarter 260.6 feet, more or less, to a point situated 70.00 feet northerly of the northern right of way of the Talent Irrigation Canal; thence along a line that is 70.00 feet northerly and easterly of and parallel with the eastern canal right of way as follows: 177.93 feet along the arc of a 180.00 foot radius curve to the right (the long chord to which bears South 59°45'32" East 170.77 feet); thence South 31°26'27" East 100.30 feet; thence 157.81 feet along the arc of a 360.00 foot radius curve to the right (the long chord to which bears South 18°52'59" East 156.55 feet); thence South 06°19'31" East 168.11 feet; thence 87.17 feet along the arc of an 75.00 foot radius curve to the left (the long chord to which bears South 39°37'23" East 82.35 feet); thence South 75°55'14" East 53.84 feet; thence 269.50 feet along the arc of a 250.00 foot radius curve to the right (the long chord to which bears South 42°02'18" East 256.64 feet); thence South 11°09'22" East 41.85 feet; thence North 80°22'08" East 111.55 feet; thence 85.86 feet along the arc of a 50.00 foot radius curve to the right (the long chord to which bears South 50°26'03" East 75.70 feet); thence South 01°14'14" East 58.98 feet to a point situated in the average centerline of Butler Creek; thence along the average meanderings of said creek centerline as follows: North 81°37'04" East 74.67 feet; thence 436.37 feet along the arc of a 1600.00 foot radius curve to the right (the long chord to which bears North 78°17'26" East 435.02 feet); thence 457.13 feet along the arc of a 700.00 foot radius curve to the left (the long chord to which bears North 67°23'43" East 449.05 feet); thence 300.48 feet along the arc of an 500.00 foot radius curve to the right (the long chord to which bears North 65°54'13" East 295.98 feet); thence 321.28 feet along the arc of an 800.00 foot radius curve to the right (the long chord to which bears South 85°22'29" East 319.12 feet) to a point situated South 06°36'09" West of the monument marking the true point of beginning; thence leaving said creek centerline, North 06°36'09" East 32.22 feet to the true point of beginning.

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O'CONNOR WEST | LLC

541.702.5350 | 670 G STREET, SUITE B, JACKSONVILLE, OR 97530

June 24, 2026

VIA USPS PRIORITY MAIL

OREGON WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE, SUITE A
SALEM, OR 97301

RE: Incomplete Application for Emergency Use Permit for Groundwater (Drought) – KanDu Ranch, LLC

Dear Oregon Water Resources Department,

An Application for Emergency Use Permit for Groundwater (Drought) (“Application”) associated to 2050 Butler Creek Road, Ashland, OR 97520 was received on June 8, 2026. We received an Incomplete Letter dated June 9, 2026, wherein the following information for the Application was requested:

An application map that must include the following elements:

1. Identification of conveyance lines from the well to the place of use.
2. Identification of quarter-quarter (QQ) lines, as the property is situated within 2 different QQ's.
3. Identification of distance between well location and a recognized public land survey corner.
4. Identification of survey corner on map.
5. Identification of the number of acres per QQ for irrigation.

In response to Item Nos. 1-5 above, please see the enclosed maps that include each of the requested items. Please note that the original submittal documents are also enclosed for review. Please contact me at the email address listed below if clean copies of the documents are needed.

As previously stated, the Applicant, KanDu Ranch, LLC (“KanDu”), was previously issued an Emergency Use Permit on May 18, 2022. Due to the Drought Declaration

for Jackson County that was issued on April 21, 2026, KanDu is requesting the issuance of an Emergency Use Permit for the 2026 irrigation season.

Please contact our firm with any questions or concerns at the contact information listed above, or you can contact me directly at the email address listed below.

Thank you,

O'CONNOR WEST, LLC

/s/ Alexis Oh

Alexis Oh, Planning Assistant
alexis@PacificLand.Law

ACO:

Application for an Emergency Use Permit for Groundwater (Drought)



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

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Emergency Use Permit Application Processing

Oregon Revised Statute (ORS) 536.700-780 and Oregon Administrative Rule (OAR) 690-019-0040(1) authorize the Director, after the Governor declares that a severe, continuing drought exists, to issue emergency-use permits to replace water not available under an existing right because of the drought. Each application must be for use in a designated drought area.

PLEASE NOTE: Due to widespread drought and decreasing groundwater levels, if a drought emergency is declared in Klamath County, it is unlikely that the Oregon Water Resources Department (Department) will issue Drought Emergency Use Permits for groundwater.

A portion of the application fees for Drought Emergency Use Permits is non-refundable. If the Department evaluates a drought permit application and determines that a permit cannot be issued, the recording fee is refunded, and the Department will retain the exam fee.

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-019-0040, OAR 690-019-0050, and OAR 690-019-0100 (www.oregon.gov/owrd/law). When an application does not contain all the information and supporting material required by the application form and these rules, the application will be declared incomplete, and the applicant notified. Additionally, the application may be returned with a request for additional information, and the applicant will have 30 days to complete the application. If the applicant fails to complete the application within 30 days, it will be rejected.

2. Public Notice

Public notice of receipt of emergency use applications and approval of such applications will be included in the Department's regular public notice of applications.

3. Final Order Issued

The Director shall approve an application for emergency water use upon findings that the proposed use will not cause injury to existing water rights and will not impair or be detrimental to the public interest. In evaluating whether the proposed use will impair or be detrimental to the public interest, the Director shall consider the factors described in OAR 690-310-0120 and OAR 690-310-0130.

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050, ORS 537.615 & OAR 690-019-0040)

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.

- ☒ SECTION 1: APPLICANT INFORMATION AND SIGNATURE
- ☒ SECTION 2: PROPERTY OWNERSHIP
- ☒ SECTION 3: WELL DEVELOPMENT
- ☒ SECTION 4: WATER USE
- ☒ SECTION 5: WATER MANAGEMENT
- ☒ SECTION 6: WITHIN A DISTRICT
- ☒ SECTION 7: DROUGHT INFORMATION
- ☐ SECTION 8: KLAMATH BASIN WELL INFORMATION

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Attachments:

- ☒ Fees - Amount enclosed: \$ 600
\$200 - Examination fee
\$400 - Recording fee for the first cubic foot per second (CFS) or fraction thereof, and \$100 for each additional CFS or fraction thereof
** one CFS equals 448.831 gallons per minute*

Provide a map and check that each of the following items is included:

- ☒ 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 well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- ☒ Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- ☒ Number of acres per Quarter/Quarter and hatching to indicate area of use if for supplemental irrigation or nursery
- ☒ Location of main canals, ditches, pipelines or flumes
- ☐ Other: _____

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