

Application for a Permit to Use Ground Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME		PHONE (HM)	
PHONE (WK)	CELL		FAX
ADDRESS			
CITY	STATE	ZIP	E-MAIL

Organization Information

NAME Kregger Farming Enterprises, LLC		PHONE (509) 394-2400	FAX
ADDRESS 17232 Stateline Road		CELL (509) 520-2864	
CITY Touchet	STATE WA	ZIP 99360	E-MAIL lkregger@yahoo.com

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

AGENT / BUSINESS NAME		PHONE	FAX
ADDRESS		CELL	
CITY	STATE	ZIP	E-MAIL

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WATER RESOURCES DEPT
SALEM, OREGON

Note: Attach multiple copies as needed

By my signature below I confirm that I understand:

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



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

Chris Kregger
Applicant Signature

Chris Kregger
Print Name and title if applicable

10/21/10
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>G-17434</u>	Permit No. _____	Date _____

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- Yes
 - There are no encumbrances.
 - 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*).

Ryan and Wendi Kregger (1/3 ownership of TL 501) – use same mailing address as applicant

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Kevin Kregger (1/3 ownership of TL 501) – use same mailing address as applicant

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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
POA 1	South Ditch (GFID #13)	1,600 feet	Well 20 feet above SW
POA 2	South Ditch (GFID #13)	400 feet	Well 5 feet above SW
POA 3	South Ditch (GFID #13)	200 feet	Well 5 feet above SW

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*).

POA 1 is existing well that draws water from alluvial aquifer (no well log available).

POA 1 is approximately 200 feet deep with pump about 170 feet. Static water table is about 60 feet deep.

POAs 2 and 3 are new proposed wells (not yet constructed) that will also draw from alluvial aquifer.

G7-17434

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Alluvial (gravel) aquifer

Total maximum rate requested: **5.25 cfs** (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.

G-17434

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
POA 1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>	8-inch	N/A	N/A	N/A	60 feet	Alluvium (gravel)	200	N/A	N/A
POA 2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	8-inch	N/A	N/A	N/A	N/A	Alluvium (gravel)	200	N/A	N/A
POA 3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	8-inch	N/A	N/A	N/A	N/A	Alluvium (gravel)	200	N/A	N/A
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

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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.

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March – October	1,260 (3 ac-ft/ac)

Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).

Primary: 420.1 Acres Supplemental: N/A Acres

List the Permit or Certificate number of the underlying primary water right(s): Surplus water agreement (GFID #13)

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 1,260 acre-feet

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: _____
- If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

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SAND CREEK

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

Pump (give horsepower and type): Submersible pumps (POA 1 = 60 hp, POA 2+3 = TBD)

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Existing mainline conveys water throughout proposed place of use

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
Water will be applied using sprinklers on hand-lines and wheel-lines.

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters.

Proposed amount required to grow alfalfa and grass hay and other forage crops. Water will be applied at agronomic rates based on known sprinkler application rates and crop consumptive use rates.

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

If you would like to store ground water in a reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Reservoir name: N/A Acreage inundated by reservoir: N/A

Use(s): N/A

Volume of Reservoir (acre-feet): N/A Dam height (feet, if excavated, write "zero"): N/A

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

If you would like to use stored ground water from the reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Annual volume (acre-feet): N/A

USE OF STORED GROUND WATER	PERIOD OF USE

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SANTA ANTONIO

SECTION 8: PROJECT SCHEDULE

Date construction will begin: Some time between 2011 and 2016.

Date construction will be completed: Some time between 2011 and 2016.

Date beneficial water use will begin: Some time between 2011 and 2016.

SECTION 9: REMARKS

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

G-17434

Land Use

Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Applicant: Kregger Farming Enterprises, LLC
First Last

Mailing Address: 17232 Stateline Road

Touchet WA 99360 Daytime Phone: (509) 394-2400
City State Zip

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
6N	33E	14	Var	501	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	EFU
6N	33E	15	Var	1400	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU
6N	33E	15	Var	400	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Umatilla County

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 SALEM, OREGON

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond
 Ground Water
 Surface Water (name) _____

Estimated quantity of water needed: 5.25 cubic feet per second
 gallons per minute
 acre-feet

Intended use of water: Irrigation
 Commercial
 Industrial
 Domestic for _____ household(s)
 Municipal
 Quasi-Municipal
 Instream
 Other _____

Briefly describe:

Applying for water right to use groundwater (alluvial aquifer) to irrigate 420.1 acres.

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

6-17434

See bottom of Page 3. →

For Local Government Use Only

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

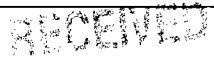
Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): UCDC 152.056(A)
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

For form use.


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 WATER RESOURCES DEPT
 500 N. 10TH ST.

Name: CAROL JOHNSON Title: Planner
 Signature: *Carol Johnson* Phone: 541-278-4250 Date: 10/25/10
 Government Entity: UMATILLA COUNTY

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



Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

G-17434

41 READ
4

2008 5450416
2009 5480022

2009-5480022 1 of 4

State of Oregon)
County of Umatilla)
This instrument was received
and recorded on
12-12-08 at 1:30
in the record of instrument
code type DE-WD

Filed for Record at the
Request of **Brock, Carpenter,
McGuire & DeWulf, P.S.**
P.O. Box 249
Davenport, Washington 99122

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FEB 26 2009

UMATILLA COUNTY
RECORDS

Instrument Number 2008-5450416
Fee 41.00
Office of County Records

John Hamilton
Records Officer

RECEIVED

DEC 12 2008

UMATILLA COUNTY
RECORDS

Re-record to correct legal
descriptions as previously
recorded in Statutory Warranty
Deed #2008-5450416.

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VALUATION SERVICES DEPT
SALMON, OREGON

STATUTORY WARRANTY DEED

THE GRANTORS, CHRISTOPHER R. KREGGER and LORALEE KREGGER,
husband and wife, whose address is 17232 Stateline Rd., Touchet, WA 99360, for and in
consideration of contribution to a limited liability company, convey and warrant to KREGGER
FARMING ENTERPRISES L.L.C., a Washington limited liability company, whose address is
17232 Stateline Rd., Touchet, WA 99360, the Grantee, the following-described real property,
situate in the County of Umatilla and State of Oregon, to wit:

See Exhibit "A" attached hereto and by this reference incorporated herein

This conveyance shall include and be subject to any and all appurtenances, tenements,
hereditaments, reversions, remainders, easements, restrictions, mortgages, reservations, rights-of-
way and water rights in anywise appertaining to the property herein described.

DATED this 21st day of November, 2008.

"GRANTORS":

Send tax statements to:
KREGGER FARMING ENTERPRISES L.L.C.
Christopher R. Kregger, Manager
17232 Stateline Rd
Touchet, WA 99360

Christopher R. Kregger
Christopher R. Kregger

Loralee Kregger
Loralee Kregger

G-77434

EXHIBIT "A"

Parcel A:

Grantors' undivided 1/3 interest in: PARCEL 2, PARTITION PLAT No. 2004-11, recorded April 5, 2004, Instrument No. 2004-4590649, Office of Country Records, Umatilla County, Oregon, located in Sections 13 and 14, Township 6 North, Range 33, E.W.M., County of Umatilla, State of Oregon.

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EXCEPTING THEREFROM any portion lying within Road rights of way.

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Parcel B:

Grantors' undivided 1/3 interest in: all that portion of land conveyed to J.L. Geyer by deed recorded in Book 272, page 500, Deed Records, Umatilla County, Oregon included within the following description:

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SALEM, OREGON

Beginning at the 17 mile rock on the Oregon-Washington State Line; thence South 89°52' West along the said State line a distance of 642.38 feet to the Northeast corner of Section 13, Township 6 North, Range 33 E.W.M.; thence South 50°36'58" West a distance of 6781.61 feet;; thence North 0°06'35" East a distance of 94.21 feet to the True Point of Beginning for this Description; thence North 54°35' East a distance of 197.27 feet; thence South 88°03' East a distance of 205.83 feet; thence North 26°26'30" East a distance of 740 feet; thence due West a distance of 810.00 feet; thence due South a distance of 740 feet, more or less to a point due West of the point of Beginning; thence due East a distance of 70.0 feet more or less to the Point of Beginning;

EXCEPTING THEREFROM that portion conveyed to Ronald Leinback, et ux, by deed recorded in Microfilm R-276, page 1335, Office of County Records, Umatilla County, Oregon;

ALSO EXCEPTING THEREFROM any portion lying within Partition Plat No. 1995-42, recorded December 28, 1995, Instrument No. 1995-213759, Office of County Records, Umatilla County, Oregon;

ALSO EXCEPTING THEREFROM any portion lying within Partition Plat No. 2004-11, recorded April 5, 2004, Instrument No. 2004-4590649, Office of County Records, Umatilla County, Oregon;

All being E.W.M., County of Umatilla, State of Oregon.

~~Parcel C:~~

~~The Southwest Quarter of the Southeast Quarter in Section 16, Township 6 North, Range 33 E.W.M., Umatilla County, Oregon.~~

~~Parcel D:~~

~~All that portion of Lots 4, 5 & 12 lying Westerly of Butler Grade Road.~~

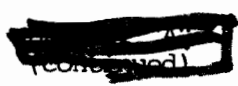
LEGAL DESCRIPTIONS CONTINUED ON NEXT PAGE

G-17434



2009-5480022 4 of 4

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORD 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER OR 197.352.



Legal description

Parcel C:

Lots 1, 2, 3 and 4 and the South Half of the South Half of Section 15; Lots 1, 2, 3 and 4 and the South Half of the South Half of Section 16; the North Half, the Southwest Quarter, and the North Half of the Southeast Quarter of Section 22, all in Township 6 North, Range 33 E.W.M., Umatilla County Oregon.

Parcel D:

All that portion of Lots 4, 5 & 12 lying Westerly of Butler Grade Road in Section 14, Township 6 North, Range 33, E.W.M., Umatilla County, Oregon.

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SALEM, OREGON

State of Oregon)
County of Umatilla)

This instrument was received
and recorded on

02-26-09 at 3:15

in the record of instrument
code type DE-CORR

Instrument Number 2009-5480022
Fee 41.00

Office of County Records

Records Officer



2009-5480022 2 of 4

STATE OF WASHINGTON)
) ss.
County of Walla Walla)

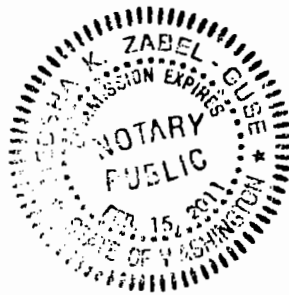
I certify that I know or have satisfactory evidence that CHRISTOPHER R. KREGGER and LORALEE KREGGER, husband and wife, signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 21 day of November, 2008.

Masha K. Zabel-Guse
NOTARY PUBLIC (Signature)
Masha K Zabel-Guse
(Printed Name)

My commission expires 2-15-11

(Seal or Stamp)



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WAIVER RECORDS DEPT
SALMON CREEK

G-7434

$\frac{420}{100} \text{ ACRES} \times \frac{1}{80} \frac{\text{CFS}}{\text{AC}} = \underline{\underline{5.25 \text{ cfs}}}$

APPLICATION FOR A WATER USE PERMIT
(OAR Chapter 690, Division 310)

I. To Appropriate Ground Water or Surface Water

Surface Water Base.....	\$ 700.00		
Ground Water Base.....	\$1000.00		
<i>PLUS:</i>			
1 st cubic foot per second (cfs) or fraction thereof.....	\$250.00		
Each additional cfs or fraction thereof.....	\$250.00	x 5	= \$1250
Each additional use, point of diversion or well after the 1 st	\$250.00	x 2	= \$500
Permit Recording Fee	See page 3		

} ⇒ \$3,000
TOTAL APP FEE

If also proposing to appropriate stored water under the same application, add the following:

Each acre foot (af) or fraction thereof up to 20 af.....	\$ 25.00
Each additional af or fraction thereof.....	\$ 1.00

II. To Appropriate Groundwater or Surface Water for STORAGE

Surface Water Base.....	\$ 700.00
Ground Water Base.....	\$1000.00
<i>PLUS:</i>	
Each af or fraction thereof up to 20 af.....	\$ 25.00
Each additional af or fraction thereof.....	\$ 1.00
Each additional storage location after the 1 st	\$100.00
Permit Recording Fee	See page 3

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III. To Appropriate ONLY Stored Surface Water

Base.....	\$400.00
<i>PLUS:</i>	
Each af or fraction thereof up to 20 af.....	\$ 25.00
Each additional af or fraction thereof.....	\$ 1.00
Permit Recording Fee	See page 3

If appropriating ground water for above ground storage, direct ground water use, and use of above ground storage under a single application, use the following fee structure:

G17434