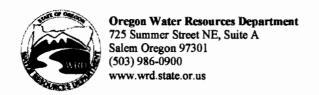
Dear Customer Service Group:

This application has received our assistance here in Watermaster District _	2_
by Michael Mattick Phone # 54/ 682-36.20 (Name)	
Please let us know if there is anything else that might be needed.	
Assistance was provided in the preparation of the: Application Map	
□ Other	

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Application for a Permit to Store Water in a Reservoir

(Alternate Review)

Alternate Review Process (ORS 537.409): You may use this form for any reservoir storing less than 9.2 acre-feet *or* with a dam less than 10 feet high.

Use a separate form for each reservoir

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply, insert "n/a". A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

	THE PROPERTY AND CHARACTERS.	•	
pplicant: STEPHEN	HA	IEY	
failing Address: PO BOX	138	Last	
LORANE	UREGON	_ 97	451
hone: (541) 255-2859	(541)505-691	(54^{1})	136-6511
ax:	E-Mail Address*: WICK	POD@ YAH	DO COM
By providing an e-mail address, con ectronically (paper copies of the fit			partment
the second of th		,	
The agent is authorized to re	2. AGENT INFORMATION epresent the applicant in all matte	rs relating to this :	application.
		3	
gent: First		Last	
failing Address:			
City	State	7:-	
hone.		Zip	
Home	Work		Other
ax: By providing an e-mail address, con	E-Mail Address*:	ndence from the de	partment
ectronically. (paper copies of the fir			F
	3. LOCATION AND SOURCE		
. Reservoir Name:			
	190 PM 190 A 100 B 100 A 100 B		
Source: Provide the name of the w			
f the stream or lake it flows into. Incource: UN NAMED STREA			m or spring.
. County in which diversion occur	s: LANE		
	For Department Use		RECEI
App. No. R-88024	Permit No.	Date	·
			OCT 22
			dw
			1 / W W

D. Reservoir Location

Technology (Nor.3)	Carry	Section		* (separater /
205	5 W	20	NE NE	302

4. WATER USE

Indicate the proposed use(s) of the stored water. NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir. Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses including: stockwater, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement. If any use will be out of reservoir use, regardless of the type of storage listed, a secondary application must be filed to appropriate the stored water.

MULTIPURPOSE: (WILDLIFE AND FISH, AESTHETICS, FIRE PROTECTION)

5. PROPERTY OWNERSHIP

Please provide a copy of the recorded deed(s).
Do you own all the land where you propose to divert, transport, and use water? Per (please check appropriate box below then skip to section 5)
There are no encumbrances
This land is encumbered by easements, right of way, roads of way, roads or other encumbrances
■ No (Please check the appropriate box below)
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 a state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040). (Do not check this box if you described your use as "Multipurpose" in #3 above.)
List the names and mailing addresses of all affected landowners:
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6. ENVIRONMENTAL IMPACT A. Channel: Is the reservoir: in-stream or off channel? **B.** Wetland: Is the project in a wetland? Yes No C. Existing: Is this an existing reservoir? Yes No If yes, how long has it been in place? 10+ years. D. Fish Habitat: Is there fish habitat upstream of the proposed structure? Yes No Don't know If yes, how much? miles. E. Partnerships: Have you been working with other agencies? Yes No Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project. 7. WITHIN A DISTRICT Check here if the point of diversion or place of use are located within or served by an irrigation or other water district. Irrigation District Name Address City Zip

8. DESCRIPTION

State

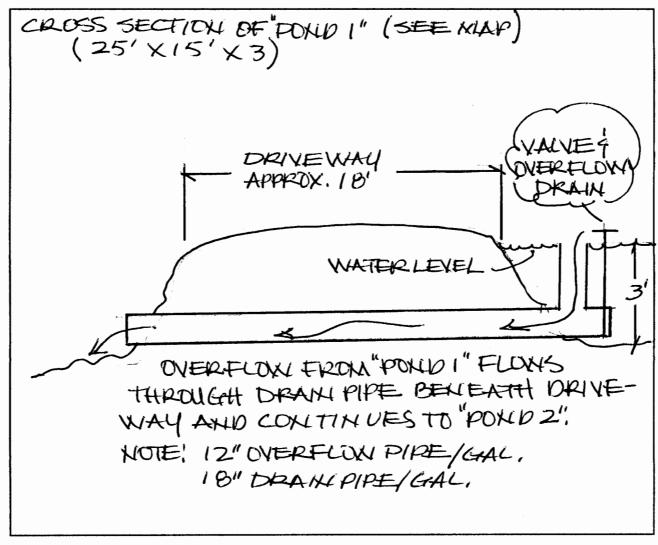
Provide a description of the design and operation of the proposed diversion, including a description of how live flow will be passed outside the authorized storage season. Use this space for narrative. You may also provide narrative and sketches on separate pages.

AN EXISTING YEAR POUND STREAM FLOWS THROUGH OUR PRO-PERTY FROM BLM FOREST LAND DUE MORTH OF OUR PROPERTY LO CATION, (SEE MAP.) A DRIVEWAY TO PROVIDE ACCESS TO THE PROPERTY WAS CONSTRUCTED A PPROXIMATELY 10 YEARS AGO. THE CONSTRUCTION OF THE DRIVE WAY AND THE DAXMING OF THE STREAM CREATED POND I'. (SEE MAP.) THE POND IS ABOUT 3 FEET DEEP AT THE DEEPEST POINT. A VALVE AND DRAIMAGE PIPE WAS INSTALLED AT TIME OF CONSTRUCTION, THE VALVE IS ALWAYS CLOSED BUT AN OVER-FLOW DRAINIPIPE AT WATER LEVEL ALLOWS DESIRED WATER LEVEL AND OVERFLOW CONTINUES FROM POND TO STREAM AND POND 2" THROUGH DRAIN PIPE BURIED AT DRIVENIAY. (SEE DRXXING) RECEIVED

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R-BORY

If the diversion involves a dam, use this space for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).



9. SIGNATURE

I swear that all statements made and information provided in this application are true and correct to the best of my knowledge / (



- Answered each question completely.
- Included a legible map that includes Township, Range, Section, quarter-quarter and tax lot number.
- The map must meet map requirements to be accepted.
- Included a land use form or receipt stub signed by a local planning official.
- Included a check payable to Oregon Water Resources Department for the appropriate amount.

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9-8-14

Date: February 10, 2004

Initials:

EXHIBIT B

ADDITIONAL TERMS, CONDITIONS, AND STIPULATIONS

RIGHT-OF-WAY MANAGEMENT BY THE HOLDER

1. The holder shall not initiate any surface disturbing activities on the right-of-way without the prior written authorization of the authorized officer. Such authorization shall be written notice to proceed issued by the authorized officer. Any notice to proceed shall authorize construction or use only as therein expressly stated and only for the particular location or use therein described.

This right-of-way grant authorizes a 12'' x 18'' x 18'' springbox and a 1½'' plastic pipeline laying on the surface of the ground.

- 2. Maintenance and repair of the pipeline shall be accomplished manually. No powered, tracked or wheeled vehicles or equipment shall be used. Physical access to the pipeline and springbox is to be accomplished only by foot traffic.
- 3. The holder shall conduct all activities associated with operation, maintenance and termination of the right-of-way within the authorized limits of the right-of-way.
- 4.) The right-of-way shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste'' means all discarded matter, including human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.

Page 1 of 5 OR 59881

RECEIVED OCT 22 2014 OWRD This paragraph applies to the existing, abandoned plastic pipe and plastic barrels currently found along the right-of-way as of the date of this Exhibit B.

RESOURCE PROTECTION

- 5. Use of pesticides shall comply with the applicable Federal and State laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the holder shall obtain from the authorized officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the authorized officer. Emergency use of pesticides shall be approved in writing by the authorized officer prior to such use.
- 6. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.
- 7. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the Authorized Officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

Page 2 of 5 OR 59881 RECEIVED
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- 8. The holder shall immediately discontinue construction activities upon written notice from the authorized officer that threatened or endangered plants or animals protected under the Endangered Species Act of 1973, as amended, may be affected by the activities, and a determination is made that consultation or re-initiation of consultation with the U.S. Fish and Wildlife Service is required concerning the species prior to continuing activities; or discontinued activities may be resumed upon receipt of written instructions and authorization from the authorized officer.
- The holder shall protect all survey monuments found within the right-of-way. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coastal and Geodetic bench marks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, the holder shall immediately report the incident, in writing, to the authorized officer and the respective installing authority, if known. Where General Land Office or Bureau of Land Management right-of-way monuments or references are obliterated during operations, the holder shall secure the services of a registered land surveyor or a Bureau cadastral surveyor to restore the disturbed monuments and references using surveying procedures found in the Manual of Surveying Instructions for the Survey of the Public Lands of the United States, latest edition. The holder shall record such survey in the appropriate county and send a copy to the authorized officer. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monument, the holder shall be responsible for the survey cost.
- 10. The holder shall comply with all applicable Federal, State and local laws and regulations, existing or hereafter enacted or promulgated, with regard to any hazardous material, as defined in this paragraph, that will be used, produced, transported or stored on or within the right-of-way area or any of the right-of-way area facilities, or used in the construction, operation, maintenance or termination of the grant or any of its

Page 3 of 5 OR 59881 RECEIVED OCT 22 2014 OWRD LAND MANAGEMENT DIVISION

Date Received: RECEIVED AUG 25 2014



LAND USE APPLICATION - ADMINISTRATIVE Land Use Compatibility Statement

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97401 Planning: 682-3577

For Office Use Only: FILE # 509-1414-05538 FEE: \$ 130
<i>≯</i> K
Applicant (print name): STEPHEN R. HANEY
Mailing address: P.O. BOX 138 LORANE, OR, 9745
Phone: 541-255-2859 Email: WICKIPOD 6 YAHOO. CON
M. A. A.
Applicant Signature:
PROPERTY LOCATION
_
20 S, 5W 20 · 20 · 30 2 Township Range Section Taxlot Subdivision/partition lot/parcel block
25811 SIUSCAXI RIVER RD., LORANE, OR., 97451 Site address
The Land Use Compatibility Statement (LUCS) is the form used when a customer needs a written
response from the Planning Program, including State permit sign-offs. It is intended to assist customers
who have a question that can not be answered in 10 minutes by the Planner at the front desk.
In the space below, write the question/request you have for the Planner. Attach additional pages if
necessary.
WATER USE PERMIT FOR 2 FONIDS ON
PRAIDERTY
10000
per owner.
Small poul = 25'+15' + ~3'deep
1
larger poul = 45' x 40' x 3' doep
A T Z = V RECEIVED ³
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For Local Government Use Only

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

Please check the appropriate box be Land uses to be served by the proposed water	er uses (including proposed construction) are	illowed outrigh	t or are not regulated by
☐ Land uses to be served by the proposed water listed in the table below. (Please attach documents)	mentation of applicable land-use approvals wompanying findings are sufficient.) If approv	lve discretiona hich have alrea	dy been obtained.
Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Lan	d-Use Approval:
portation, vivi)	,	☐ Obtained ☐ Denied	☐ Boing Pursued ☐ Not Being Pursued
	,	Obtained Denied	☐ Being Pursued ☐ Not Being Pursued
		Obtained Denied	☐ Being Pursued ☐ Not Being Pursued
		Obtained Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denled	☐ Being Pursued ☐ Not Being Pursued
	LOODHAZARD AND E	_	
eme: JERRY KENDAL gnature: J. Kendall			
enature:			P - 7/ /
	NTY (LAND MANA	EMENT	*
n the receipt, you will have 30 days from the V	se complete this form or sign the receipt belo Vater Resources Department's notice date to r	w and return it eturn the comp	to the applicant. If you eleted Land Use Informat
n the receipt, you will have 30 days from the V m or WRD may presume the land use associate	se complete this form or sign the receipt belo Vater Resources Department's notice date to a ted with the proposed use of water is compati	w and return it eturn the comp ble with local o	to the applicant. If you eleted Land Use Informate comprehensive plans.
n the receipt, you will have 30 days from the Vone or WRD may presume the land use associated REVIEWED PER OUR	se complete this form or sign the receipt belo Vater Resources Department's notice date to a ted with the proposed use of water is compati	w and return it return the comp ble with local of	to the applicant. If you eleted Land Use Informate comprehensive plans.
n the receipt, you will have 30 days from the V rm or WRD may presume the land use associat (REUIEWED PER OUR Receipt fo	se complete this form or sign the receipt belo Water Resources Department's notice date to sted with the proposed use of water is compatible. ###################################	w and return it return the comp ble with local of	to the applicant. If you eleted Land Use Information comprehensive plans.
n the receipt, you will have 30 days from the Verm or WRD may presume the land use associated the land use asociated the land use associated the land use associated the land	se complete this form or sign the receipt belo Vater Resources Department's notice date to a ted with the proposed use of water is compatible. ELE#509-PA-14- or Request for Land Use Information	w and return it return the comp ble with local of -05538 tion	to the applicant. If you eleted Land Use Information comprehensive plans.
oplicant name: ty or County: gnature:	se complete this form or sign the receipt belo Vater Resources Department's notice date to a ted with the proposed use of water is compati EILE#509-PA-IV- or Request for Land Use Informa	w and return it return the comp ble with local of -05538	to the applicant. If you eleted Land Use Informate comprehensive plans.

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	:	SIE	PHE	<u> </u>		HA	EY_			_
Mailing A	ddress:	1D.O	. 109 V	7138		-	1.489			
LOF	SAYCE	= 100		Riste	97451 D	aytime Phon	e: <u></u> Ø –	25-	A	
A 1	ony	41		2116	Δψ		-			
Please incl	d or develop	 lowing int ped. Appl	icants for mu	nicipal use, o	here water will be dive or irrigation uses within on requested below.					ted),
Township	Range	Section	44	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	<u> </u>	Water to be:	·	Proposed 1 Use:	and
203	SW	20	NENE	302		[Diverted	☐ Conveyed	Used	0.70.	
-						☐ Divorted	☐ Conveyed	☐ Uaed		
						☐ Diverted	Conveyed	☐ Used		
						Diverted	☐ Conveyed	☐ Used		
☐ Permit ☐ Limited Source of w Estimated q Intended use Briefly desc	olication to to Use or St i Water Use rater: Re uantity of v e of water:	be filed wore Water License eservoir/Po vater need Irrigi Mun	rith the Water Water Allocat and Gr led: ation Gr lcipal Gr	Right Transfer tion of Conser- round Water Commercial Quasi-Munici	☐ Permit ved Water ☐ Exchar ☐ Surface Water (n ☐ cubic feet per se	ame) Under ame) Under cond g Dome	allons per min	ute 🗌 acr household	e-feet 1(s) 5	tion
	licant: If th	e Land U	se Informatio	on Form can f the next pag	not be completed while ge and include it with th om of Page 3. →	you wait, ple	n filed with th		sources	
Ro vised 2/8/2 01	10				nformation Form - Page 2 of	3	. 0	CT 22 2 DWR	2014	₩R/FS



TRANSACTION RECEIPT

RECEIPT NO: LC14003104 TRANSACTION DATE: 08/25/2014

CASHIER: EGARLICK

LAND MANAGEMENT DIVISION

3050 N. Delta Hwy Eugene,OR 97408 541-682-4065

Imd.information@co.lane.or.us

http://www.fanecounty.org

RECORD NO: 509-PA14-05538

RECORD TYPE: Administrative Approval NA

SITE ADDRESS: 25811 SIUSLAW RIVER RD, LORANE, OR 97451

PARCEL: 2005200000302

APPLICANT: Stephen R. Haney

DESCRIPTION OF WORK: Land Use Compatibility Statement

FEE ITEMIZATION FOR 509-PA14-05538

Land Use Compatibility Simple	570-3628010-426520	\$100.00
LMD Administrative Fee (15% of applicable fees)	570-3628040-466605	\$15.00
Long Range Planning Surcharge (13% of applicable fees)	570-3628015-466606	\$13.00
LMD Technology Assessment (2% with \$100 max of applicable fees)	570-3628042-466604	\$2.00
	TOTAL PAID:	\$130.00

PAYMENT SUMMARY FOR 509-PA14-05538

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ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.
Applicant Name/Address/Phone/Email: STEPHEN R. HANTEY
P.O. BOX 138, LORANE, OR, 9745, (541) 255-2859 Reservoir Name: TOHO#19#2 Source: 21 nomed St. Volume (AF): PONIGH [
Reservoir Name: TOHD#19#2 Source: Vn nomed St. Volume (AF): Volume (AF): Volume
Twp Rng Sec QQ: 205 5W Sec 20 Basin Name: Siusla Gin-channel off-channel
Note: It is unlikely that ODFW will be able to complete this form while you wait, nevertheless we recommend making an appointment to submit the form so as to provide any necessary clarifications. See pg. 6 of Instructions for contact information.
This portion to be completed by Oregon Department of Fish and Wildlife (ODFW) District staff.
1) Is the proposed project and AO¹ off channel?
2) Is the proposed project or AO located where NMF ² are or were historically present?
3) If NMF are or were historically present: a. Is there an ODFW-approved fish-passage plan?
b. Is there an ODFW-approved fish-passage waiver or exemption?
If fish passage is required under ORS 509.580 through .910, then either 3(a) or 3(b) must be "Yes" to move forward with the application. If responses to 3(a) and 3(b) are "No", then the proposed reservoir does not meet the requirements of Oregon Fish Passage Law and shall not be constructed as proposed. 4) Would the proposed reservoir pose any other significant detrimental impact to an existing fishery
resource?
Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)
☐ Any diversion or appropriation of water for storage during the period
through poses a significant detrimental impact to existing fishery resources. (For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.) If NMF fish are present at the project site or point of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.
☐ This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area pose a significant detrimental impact to existing fishery resources during the period April 15 through September 30.
AO = Artificial Obstruction means any dam, diversion, culvert or other human-made device placed in waters ELECTRON precludes or prevents the migration of native migratory fish, ORS 509.580 (1)
precludes or prevents the migration of native migratory fish. ORS 509.580 (1)

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² NMF = Native Migratory Fish Species in Oregon as defined by OAR 635L1412L10005 (32)

Land Use Information Form



NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; OR
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and <u>all</u> of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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WR/FS

WATERMASTER ALTERNATE RESERVOIR APPLICATION REVIEW SHEET

Recommendations for Water Right Applications under the Alternate Reservoir review process (ORS 537.409)

In lieu of the water right application process set forth in ORS 537.140 to 537.211, an owner of a reservoir may submit an alternate reservoir application for a reservoir that has a storage capacity less than 9.2 acre-feet or a dam or impoundment structure less than 10 feet in height. ORS 537.409 describes the criteria used to evaluate alternate reservoir applications.

The review shall be limited to issues pertaining to: a) water availability, b) potential detrimental impact to existing fishery resources; and c) potential injury to existing water rights. (ORS 537.409 (6))

Within 60 days after the department provides public notice...any person may submit detailed, legally obtained information in writing, requesting the department to deny the application for a permit on the basis that the reservoir: (a) Would result in injury to an existing water right; or (b) Would pose a significant detrimental impact to existing fishery resources. (ORS 537.409 (5))

The review of alternate reservoirs is limited to these criteria only.

Application #: R-	Applicant's Name:	<i>21</i> . 1	11 - 11 -	v/	
Application #: K-	Applicant's Name.	Stephen	Hank	y	
1) Does the proposed	reservoir have the potent	ial to injure existing w	ater rights?	₩NO	☐ YES
Explain:					
2) Can conditions be a	applied to mitigate the po	tential injury to existi	ng water rights?	№ NO	YES
If YES, which co	But Likely	ed: if naces	sary		
	staff from another agency			NO I	YES
,				Deter	
Who: Who:		ency: ency:		Date: Date:	
Watermaster signature	While ON	methick Date	e: &-2	0-20	4
WRD Contact: Case	eworker: Water Rig	hts Division, 503-986-09	900 / Fax 503-986	-0901	

NOTE: This completed form must be returned to the applicant.

This is for 2 ponds
on 20 05 20 00 00302

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R-88024