

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 James Nasset & Kelsey Bigelow		PHONE (HM) 541-899-3269	
PHONE (WK)	CELL	FAX	
ADDRESS 2267 Forest Creek Rd.			
CITY Jacksonville	STATE OR	ZIP 97530	E-MAIL* kelseynara@gmail.com

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 Scott Fein Water, CWRE		PHONE 541-842-0795	FAX
ADDRESS 600 Tyler Creek Rd			CELL
CITY Ashland	STATE OR	ZIP 97520	E-MAIL* sfeinsurveyor@gmail.com

Note: Attach multiple copies as needed

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

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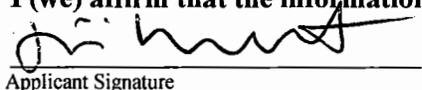
JAN 13 2017

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.

SALEM, OR

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


Applicant Signature

James Nasset
Print Name and title if applicable

11/20/16
Date


Applicant Signature

Kelsey Bigelow
Print Name and title if applicable

11/20/16
Date

For Department Use		
App. No. G-18476	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*).

You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

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
1	Forest Creek	400	220

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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*).
 Well Log for Jack 16985 attached and certificate 67799 which issued a supplemental water right associated with certificate 20637 for those lands lying easterly of Forest Creek. Water user also has T-12521 under review. Review remarks in section 10 and throughout this application.

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 20.0 GPM (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the 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 to obtain the necessary information.

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)
1	<input type="checkbox"/>	<input type="checkbox"/>	JACK 16985	<input type="checkbox"/>	6 Inch	34 Feet of Welded Casing	None	Cement to 25 feet per well log	7 feet at time of drilling per well log	Foliate material defined as Schist per well log in water bearing zone. Most likely an unconfined metamorphic rock aquifer.	120	20.0 GPM	17.0
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
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	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	April 2 to October 31 as needed to supplement rate and duty of Forest Creek water under cert. 20637	17.0

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: _____ Acres Supplemental: 6.50 Acres

List the Permit or Certificate number of the underlying primary water right(s): 20637

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 17.0

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: N/A

If the use is **mining**, describe what is being mined and the method(s) of extraction: N/A

SECTION 5: WATER MANAGEMENT

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A. Diversion and Conveyance

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

Pump (give horsepower and type): 2 HP Submersible Pump

Other means (describe): See below.

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Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water will be pumped into a 5,000 gallon bulge in system and gravity fed to the place of use for the irrigation of crops via drip irrigation and overhead sprinkling. A booster pump may be used as needed to boost pressure of gravity feed system.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

Drip & High Pressure Sprinkler

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.

Forest creek typically struggles to flow in late July to August and flows intermitently from that point forward going above and below the visible ground surface. To obtain access to this present day non perrenial stream under cert. 20637 a water user would have to dig along side the channel of Forest Creek to consistently encounter water at the elevation where flow occurs at certain time of the year. Past practice of the use of Forest Creek waters under cert. 20637

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was flood irrigation. Water user has switched to the use of drip irrigation and high pressure sprinkler. The objective of this application is to conserve surface water of Forest Creek by supplementing any deficiency in rate or duty of Forest Creek water under cert. 20637. Approval of this application will improve riparian habitat by enabling the water user to access water of Jack 16985 which are hydraulically connected under OAR 690-009-0040, as proposed primarily during the latter half of the irrigation season which requires consistent adjustment of the pump in Forest Creek. Water user will install a totalizing flow meter and comply with all monitoring and reporting requirements as dictated by OWRD.

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: _____

Use(s): _____

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

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

SECTION 8: PROJECT SCHEDULE

Date construction will begin: Upon approval

Date construction will be completed: Within 1 year of approval

Date beneficial water use will begin: Upon completion of construction

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SECTION 9: 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.

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Irrigation District Name N/A	Address	
City	State	Zip

SECTION 10: REMARKS

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

Water user only intends to pump from Jack 16985 to supplement any deficiency in rate and duty at times when Forest Creek flows are consistently impractical to sustain the rate and duty under cert. 20637. It is important to note that certificate 67799 was issued on 6.2 Acres of supplement ground water rights to certificate 20637. Precedent has been set that this is a practical application of the use of supplemental water rights from a well as requested from Jack 16985 in this quarter-quarter section as evidenced by certificate 67799 being issued.

Water User has submitted T-12521 which is under review. Said transfer application has requested a character of use change and place of use change of the waters of Winningham Spring under cert. 20637 which overlap with the place of use of the waters of Forest Creek for 4.5 acres; however with a character of use of nursery. Under this application the waters of Jack 16985 will only be appropriated on this coincident 4.5 acres during irrigation season as a supplement only to Forest Creek. Water user is attempting to diversify their sources of water in order to reliably irrigate in the most efficient and environmentally sensitive manner possible.

If requested as a part of the review of this application, the water user is willing to obtain a flow test and static draw down test (Pump Test) by a Certified Water Rights Examiner should the department deem it necessary to assess the present day production of Jack 16985. Water user may be willing to accepted a lower rate and lesser duty than requested as an alternative to outward denial of this application. Water user is ready willing and able to work with the department to satisfy any concerns in order to obtain the supplemental water rights being requested for beneficial use in this application.

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The original and first copy of this report are to be filed with the

WATER RESOURCES DEPARTMENT, SALEM, OREGON 97310 within 30 days from the date of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

Jack 16985

State Well No. 385/3W-10bc

State Permit No.

(1) OWNER:

Name C. L. JONES Address 2267 FOREST CR Skillee OR

(2) TYPE OF WORK (check):

New Well [X] Deepening [] Reconditioning [] Abandon [] If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary [X] Cable [] Driven [] Jetted [] Bored []

(4) PROPOSED USE (check):

Domestic [X] Industrial [] Municipal [] Irrigation [] Test Well [] Other []

(5) CASING INSTALLED:

6" Diam. from 0 ft. to 34 ft. Gage 250

PERFORATIONS:

Perforated? [] Yes [X] No

Type of perforator used Size of perforations in. by in. perforations from ft. to ft.

(7) SCREENS:

Well screen installed? [] Yes [X] No

Manufacturer's Name Type Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Is a pump test made? [] Yes [X] No If yes, by whom? Bailer test 20 gal./min. with 5 ft. drawdown after 1 hrs.

(9) CONSTRUCTION:

Well seal—Material used CEMENT Well sealed from land surface to 23 ft. Diameter of well bore to bottom of seal 6 1/2 in. Number of sacks of cement used in well seal 8 sacks How was cement grout placed? PUMPED DOWN

(10) LOCATION OF WELL:

County JACKSON Driller's well number 14-80 SW 1/4 NW 1/4 Section 10 T. 38S R. 3W W.M. Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 80 ft. Static level 7 ft. below land surface. Date 4-16-80 Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 6 Depth drilled 120 ft. Depth of completed well 120 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

Table with columns: MATERIAL, From, To, SWL. Rows: CLAY, CLAYSTONE, SCHIST.

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Work started 4-16 1980 Completed 4-17 1980 Date well drilling machine moved off of well 4-17 1980

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Rex Cook Date 5-11, 1980 (Drilling Machine Operator)

Drilling Machine Operator's License No. 997

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name BOB CARTER WELL DRILLING (Person, firm or corporation) (Type or print)

Address 240 JOHNSON RD

[Signed] Rex Cook (Water Well Contractor)

Contractor's License No. 599 Date 5-11, 1980

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STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LEE RICKORDS
2124 FOREST CREEK ROAD
JACKSONVILLE, OREGON 97530

confirms the right to use the waters of A WELL in the FOREST CREEK BASIN for SUPPLEMENTAL IRRIGATION OF 6.2 ACRES.

This right was perfected under Permit G-9901. The dates of priority are JANUARY 4, 1982, FOR 0.0125 CFS AND AUGUST 23, 1982, FOR 0.0575 CFS. This right is limited to 0.07 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SE 1/4 NW 1/4, SECTION 10, T 38 S, R 3 W, W.M.; 670 FEET NORTH AND 300 FEET WEST FROM THE CENTER 1/4 CORNER OF SECTION 10.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year. The right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

SE 1/4 NW 1/4 6.2 ACRES
SECTION 10
TOWNSHIP 38 SOUTH, RANGE 3 WEST, W.M.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed SEPTEMBER 30, 1992.

/s/ MARTHA O. PAGEL
Martha O. Pagel

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Recorded in State Record of Water Right Certificates numbered 67799.

G-10621.LMS

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: James Nasset and Kelsey Bigelow
First Last

Mailing Address: 2267 Forest Creek Rd.

Jacksonville
City

OR
State

97530
Zip

Daytime Phone: 541-849-3269

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:
<u>38S</u>	<u>03W</u>	<u>10</u>	<u>SE1W</u>	<u>300</u>	<u>WR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>irrigation</u>
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<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:

Jackson

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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: 17.0 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:

Application to obtain supplemental groundwater rights to Forest Creek water rights

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. 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): Table 4.3-1 of the LDO
- 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.

Growing produce is allowed outright in the Woodland Resource (WR) zone. Proposal not in conjunction with marijuana production.

Name: _____ Title: Dawn Nall, Planner II 541-774-6922
 Signature: [Signature] Phone: _____ Date: 11/22/2016
 Government Entity: Sackson 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.

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Minimum Requirements Checklist

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

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: storage of groundwater in a reservoir
- SECTION 7: use of stored groundwater from the reservoir
- SECTION 8: project schedule
- SECTION 9: within a district
- SECTION 10: remarks

Attachments:

- Land Use Information Form with approval and signature (*must be an original*) or signed receipt
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map. Example: A copy of the deed, land sales contract or title insurance policy.
- Fees - Amount enclosed: \$1900
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

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 primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- Other Rights Under Cert. 20637/ Pending Transfer T-12521

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Scott Fein Water Rights
Scott D. Fein
Professional Land Surveyor
Certified Water Rights Examiner
Certified Federal Surveyor
Oregon Certificate & Idaho Certificate
600 Tyler Creek Rd.
Ashland, OR 97520
541-842-0795
sfeinsurveyor@gmail.com

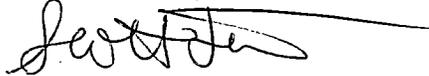
To: Oregon Department of Water Resources
c/o Mike Thoma
725 Summer St, Suite A
Salem, OR 97301

Dear Mr. Thoma,

Attached is an application for supplemental groundwater rights to the surface water rights of Forest Creek under certificate 20637. Please note that T-12521 is presently under review; this transfer only affects the water of Winningham Spring. I have worked with the applicant to ascertain their intent of this application and combined this information with relevant evidence to hopefully support approval. Please contact me should you have any questions.

Thank you.

Sincerely,



Scott Fein
Certified Water Rights Examiner

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