

Application for a Permit to Use Ground Water

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

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Water-Use Permit Application Processing

1. Completeness Determination

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The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 (www.oregon.gov/owrd/law). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$200. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$350.00 for the applicant and \$700.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed, the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department issues a Final Order consistent with the PFO. If the application is approved, a permit is issued that specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

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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

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Revised 2/1/2012

Ground Water/1

WR

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: \$

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

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SECTION 1: APPLICANT INFORMATION AND

SIGNATURE

Applicant Information

NAME <i>Connie Coston & Chuck Adams</i>		PHONE (HM)	
PHONE (WK)	CELL <i>503 545-7450</i>	FAX	
ADDRESS <i>4397 S. Lone Hollow Rd</i>			
CITY <i>Woodburn</i>	STATE <i>OR</i>	ZIP <i>97071</i>	E-MAIL* <i>conniemcoston@gmail.com</i>

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		PHONE		FAX
ADDRESS				CELL
CITY	STATE	ZIP	E-MAIL*	

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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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By my signature below I confirm that I understand:

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- 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.

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

Connie Coston
Applicant Signature

Connie Coston
Print Name and title if applicable

1-22-17
Date

Chuck Adams
Applicant Signature

CHUCK ADAMS
Print Name and title if applicable

1/22/17
Date

For Department Use		
App. No. _____	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).

Connie Coston Chuck Adams
4397 S Lone Hollow Rd
Woodburn, OR 97071

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	Butte Creek	44 miles	83 ft.
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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*).

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 2 cfs (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 OR NOT	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	PR				8"					Alluvial Sand Gravel	estimate 150'		60

* 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)
Nursery	Year Round	60

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: 10 Acres Supplemental: Acres

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

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

- 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: **RECEIVED BY OWRD**

SECTION 5: WATER MANAGEMENT

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A. Diversion and Conveyance

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

Pump (give horsepower and type): 10hp submersible proposed

Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion, works and conveyance of water. Delivered through pressurized pipe

B. Application Method

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

Dripline, overhead sprinklers

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. utilize best management practices, conservation measures, install totalizing flow meter, utilize drip, mulch,

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*).

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Reservoir name: Acreage inundated by reservoir:

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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):

USE OF STORED GROUND WATER	PERIOD OF USE
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SECTION 8: PROJECT SCHEDULE

Date construction will begin: *within 5 years of permit issuance*
 Date construction will be completed: *within 5 years of permit issuance*
 Date beneficial water use will begin: *within 5 years of permit issuance*

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.

Irrigation District Name	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).

For irrigation of field crops, supplemental perma culture, fruit orchard, berries, & vegetable garden nursery stock.

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:

First Connie

Last Caston

Mailing Address:

4397 S. Lone Hollow Rd
Woodburn, OR 97071
City State Zip

Daytime Phone: 503 545-7450

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:
						Diverted	Conveyed	Used	
<u>5S</u>	<u>7W</u>	<u>14</u>	<u>NESW</u>	<u>01101</u>	<u>EFU Exclusive Farm Use</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>Irrigation</u>
						Diverted	Conveyed	Used	
						Diverted	Conveyed	Used	
						Diverted	Conveyed	Used	

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

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Clackamas County

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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: 60 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: Irrigate field crops, supplemental perma culture, nursery stock, fruit orchard, berries, & vegetable garden.

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17

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. →

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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 landuse 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):

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:	
		Obtained Denied	Being Pursued Not Being Pursued
<i>None/Use permitted in ECU</i>	<i>Sec. 401 of County Zoning & Dev. Ord.</i>		<i>N/A</i>
		Obtained Denied	Being 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

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.

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Name: *Rich McIntire* Title: *Sr. Planner*
 Signature: *[Signature]* Phone: *503-742-4516* Date: *1/27/17*
 Government Entity: *Clackamas Co. Planning & Zoning Div.*

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: _____

Date _____

(For staff use only)



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

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: _____
- SECTION 9: _____

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Land Use Information Form _____

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.

Fees _____

MAP

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Permanent quality and drawn in ink

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Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)

North Directional Symbol

SALEM, OR

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 _____



Fidelity National Title Company of Oregon

471 NW Burnside Street
Gresham, OR 97030
(503)665-6151 * FAX (503)667-9336

Charles A. Adams and Constance M. Coston
4397 S. Lone Hollow Road
Woodburn, OR 97071

Title Number: 20110031569
Regarding: Adams & Coston
Property Address:
4397 S. Lone Hollow Road, Woodburn, OR
97071
County: Clackamas

Thank you for choosing Fidelity National Title Company of Oregon to provide your title insurance.
Attached, please find the following:

ALTA Owner's Policy

Thank you for allowing us the opportunity to provide for your title and escrow needs. Please let us know if there is anything more we can do.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Fidelity National Title Company of Oregon

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SCHEDULE C

File No. 20110031569-FTPOR02

Policy No. 27-031-06-247403

The Land referred to in this policy is described as follows:

A tract of land in Section 14, Township 5 South, Range 1 West of the Willamette Meridian, being a portion of Government Lot 4, in the County of Clackamas and State of Oregon, described as follows:

BEGINNING at a stone marking the Southwest corner of the William Elliott Donation Land Claim No 45, in the County of Clackamas and State of Oregon; thence East along the South line of said claim 124.15 feet to an iron rod and the true point of beginning; thence South 0° 16' 05" East, 543.96 feet to an iron rod; thence North 89° 35' 35" East 165.00 feet to an iron rod; thence South 0° 16' 05" East 165.00 feet, more or less, to the North line of a 20.00 foot road, which was dedicated to the public, as shown in Plat Clackamas, WOODBURN ORCHARD TRACTS, thence North 89° 35' 35" East along said road line 492.87 feet to an angle corner therein, and to a point on the West line of Alexander Hinckle Claim, recorded January 27, 1882 in Book "S", Page 111, Deed Records; thence North 0° 32' 45" West along said claim line to the point of intersection with the South line of said Elliott Claim; thence West along the South line of said Elliott claim to the true point of beginning.

TOGETHER WITH AND SUBJECT TO a non-exclusive easement to be used in common with others for ingress and egress and all utility purposes over a tract of land 20.00 feet in width, the West line of which is described as follows:

BEGINNING at an iron rod at the Northwest corner of the above described tract; thence South 0° 16' 05" East along the West line thereof and the Southerly extension thereof, 708.00 feet, more or less, to the Northwest corner of the angle in said 20.00 foot road, as dedicated to the public and shown in said Plat and the terminus of said easement.

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Oregon Title Insurance Rating Organization (OTIRO)

OTIRO No. PO-04

American Land Title Association

ALTA Owner's Policy (6-17-2006)



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

February 7, 2017

Connie Coston and Chuck Adams
4397 S. Lone Hollow Road
Woodburn, OR 97071

Dear Connie Coston and Chuck Adams:

The Water Resources Department has received your application for a permit to use ground water. At this time, however, we are unable to accept your application because the minimum filing requirements have not been met according to the Oregon Administrative Rules (OAR 690-310-0040 and 0050).

We are therefore returning the incomplete application and fees. You may resubmit the application with the additional required information and fees noted on the enclosed checklist.

Should you have any questions, please contact Water Right Customer Service at 503-986-0801.

Sincerely,

Tamera Smith
Customer Service

Cc: OWRD Fiscal

This review is based only on the completeness of your application(s). Any determination of water availability, compliance with basin plan rules, or any other water related issues has not been made. Fees may change.

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Application Completeness Checklist

Minimum Requirements (OAR 690-310-0040)(ORS 537.400)

- A Legal Description of all the properties involved where water is diverted, crossed, and used. The Legal description includes a metes and bounds or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or applicant may submit a lot book report prepared by a title company. Copies of tax bills are not acceptable.

- The map must meet all the minimum requirements of OAR 690-310-0050.
 - Township, Range, Section
 - Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU)
 - Place of use, ¼-¼'s and tax lot clearly identified
 - Even map scale not less than 4" = 1 mile (1"= 1320 ft.); examples: 1" = 100 ft., 1" = 200 ft.
 - Location of *each* diversion point, well or dam by reference to a recognized public land survey corner. Multiple wells shall be uniquely labeled, and identified on well logs if existing.
 - Reference corner on map
 - North Directional Symbol
 - Number of acres per ¼-¼ if for irrigation, nursery, or agriculture
 - For a standard reservoir application to store ≥ 9.2 acre feet AND having a dam height ≥ 10 feet, map must be prepared by a CWRE

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