Application for a Permit to Use

Groundwater

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DEC 0 9 2019



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

OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

NAME KENNETH MARTIN PHONE (WK) ADDRESS	,			PHONE (HM)	
PHONE (WK)					
				541-705-5082	
DDRESS	CEI	LL	1	FAX	
	1				
2709 HIGHWAY 216					
CITY	STATE	ZIP	E-MAIL*		
YGH VALLEY	OR	97063	KENNETHMARTIN@CEN	TURYTEL.NET	
rganization					
IAME			PHONE	FAX	
DDRESS				CELL	
ITY	STATE	ZIP	E-MAIL*		
			AND STREAMS COLL		
cant The agent is authorized to m	anrecent the anni	icant in all	matters relating to this one	lication	
gent – The agent is authorized to referred to referr	epresent the appn	icani in all	PHONE	FAX	
OSH THOMPSON / WASCO COUNTY	SWCD		541-296-6178 x116	541-296-7868	
DDRESS	SWCD		J41-290-0176 X110	CELL	
325 RIVER RD. STE. 3				541-993-3419	
ITY	STATE	ZIP	E-MAIL*	341-773-3417	
HE DALLES	OR	97063	JOSH.THOMPSON@OR.NACDNET.NET		
te: Attach multiple copies as neede					
By providing an e-mail address, con		eceive all	correspondence from the D	Department electronically. (Page	
pies of the proposed and final orde					
y my signature below I confirm	n that I unders	tand:			
I am asking to use water spe			application.		
• Evaluation of this applicatio				tion.	
I cannot use water legally ur					
				proposed well, unless the use is	
exempt. Acceptance of this	application does i	not guarant	ee a permit will be issued.		
If I get a permit, I must not y					
• If development of the water		ing to the t	erms of the permit, the per	mit can be cancelled.	
• The water use must be comp	patible with local	compreher	sive land-use plans.		
• Even if the Department issue	es a permit, I may	have to st	op using water to allow ser	nior water-right holders to get	
water to which they are entit	tled.				
I (we) affirm that the infor	mation contain	ed in thi	s application is true an	d accurate.	
N AN MI			N 11 11	-1/-	
Jones K March	m he	nneth	U. Wartin	12/05/2019	
Applicant Signature	Prir	nt Name an	d Title if applicable	Date	
	Drir	nt Name an	d Title if applicable	D	
Applicant Signature			o Tine ii appiicable	Date	

Groundwater — Page 1 Rev. 08-18

For Department Use: App. Number: 6-10091

SECTION 2: PROPERTY OWNERSHIP

conveyed, and used.	,
YES, there are no encumbrances.	RECEIVED
YES, the land is encumbered by easements, rights of way, roads or other encumbrances.	DEC 0 9 2019
NO, I have a recorded easement or written authorization permitting access. NO, I do not currently have written authorization or easement permitting access.	OWRD
NO, written authorization or an easement is not necessary, because the only affected lands I do r state-owned submersible lands, and this application is for irrigation and/or domestic use only (O NO, because water is to be diverted, conveyed, and/or used only on federal lands.	not own are RS 274.040).
Affected Landowners: List the names and mailing addresses of all owners of any lands that are not the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has written authorization or an easement from the owner. (Attach additional sheets if necessary).	
NOT ARRIVE ARE	

Please indicate if you own all the lands associated with the project from which the water is to be diverted

NOT APPLICABLE

Legal Description: 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

		IF LESS THAN 1 MILE:				
WELL NO.	NAME OF NEAREST SURFACE WATER	DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD			
KM1	TYGH CREEK	1,950	+50 FT PER LIDAR SURVEY			

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).

The proposed new well and water right is part of the Highline Ditch and Diversion Elimination project. The project is funded through USDA NRCS, Oregon Watershed Enhancement Board and Wasco County Soil and Water Conservation District. The project will eliminate a 9-mile-long open ditch serving 7 users. Mr. Cubic is one of four users proposing to transfer their surface water rights instream and convert to groundwater rights. Their transfer of surface water may be considered mitigation if needed under division 9 review. Three other users are applying concurrently for ground water right under with like scenarios. The major user of the Highline Ditch will be applying for a Point of Diversion Transfer downstream. The proposed point of diversion transfer will involve 5 CFS and be taken out of White River. Which is currently a not overallocated and requiring regulation by the local water master. Tygh Creek Is Highly overallocated, regulated, and frequently dewatered by irrigation withdraws. The Cumulative effect of the projects is expected to maintain perennial flow throughout Tygh Creek in the Lower Tygh Valley Basin.

The project will also remove 3 out of 4 fish passage barriers with plans to address the 4th as funding becomes available.

For Department Use: App. Number: 6-10091

Rev. 08-18

^{*}Legal Description attached in Map and current Deed

Kenneth Martin's Surface Water Right is included in Certificate 3733, 5491 and 8545

Well Inspector will be consulted on all aspect of well construction.

Legal Description of the Property is NW1/4 of NE1/4, Section 4, NW1/4 of NW1/4 & SE1/4 of NW1/4 Section 3, Township 4 South, Range 13 East, Willamette Meridian.

Wasco County Taxlot: 4S 13E 3b 1600, Account # 16253

Property Address: 82709 HWY 216, Tygh Valley, OR 97063

For Department Use: App. Number: 6-10091

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Rev. 08-18

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 22.4GPM (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.

	1									PRO	PROPOSED USE		
OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING	DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL- SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
км1					6"	TBD	TBD	TBD		TYGH VALLEY FORMATION	150	41.5	22.6 AF

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.

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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: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in <u>Attachment 3</u> or the link below to determine whether the proposed point of appropriation (POA) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply: https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POA is located, please call the customer service desk at (503) 986-0801.

Upper Columbia	- OAR 69	0-033-011	5 thru -0130
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Is the well or proposed well located in an area where the Upper Columbia Rules apply?

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Yes No

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If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the well or proposed well loca	ated in an area	where the Low	er Columbia rules appl	ly?
Yes No				

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as

For Department Use: App. Number: 6-18091 Rev. 08-18

appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, you will be required to provide the following information, if applicable.
Yes No The proposed use is for more than one cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).
If yes, provide a description of the measures to be taken to assure reasonably efficient water use:
Statewide - OAR 690-033-0330 thru -0340
Is the well or proposed well located in an area where the Statewide rules apply?
☐ Yes ☐ No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	April 15 th to October 15 th	22.26 Acre Feet

For irrigation use only: Please indicate the number of primary and supplemental acres to be irrigated (<i>must match map</i>).
Primary: 7.42 Acres Supplemental:Acres
If you listed 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: 12.0 Acre Feet

If the use is municipa	l or quasi-municipal,	, attach	Form N	
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If the use is domestic , indicate the number of households:	(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.)	

•	If the use is mining,	describe what is	s being mined	and the met	hod(s) of ext	raction (a	ttach addition	nal sheets in	f
	necessary):								

Groundwater — Page 6

SE	CTION 6: WATER MANAGEMENT	RECEIVED			
A.	Diversion and Conveyance What equipment will you use to pump water from your well(s)?	DEC 0 9 2019			
	☐ Pump (give horsepower and type): 5hp, Submerged turbine.☐ Other means (describe):	OWRD			
	Provide a description of the proposed means of diversion, construction, and and conveyance of water.	operation of the diversion works			
	Well will be constructed to Oregon Standards, conveyance System will be designed NRCS Quality criteria. Conveyance System will be a pressurized, on demand system minimize friction loss.				
B.	Application Method What equipment and method of application will be used? (e.g., drip, wheel (attach additional sheets if necessary) Application System will be POD style utilizing rotator sprinklers.	line, high-pressure sprinkler)			
C	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 (attach additional sheets if necessary). The amount of water requested is 5gpm / acre, and is needed to maintain adequate soil moisture during peak evapotranspiration rates. The pressurized, on demand system will have 100% conveyance efficiency compared to the open ditch system that is estimated at 40% efficient. The instream transfers and POD changes associated with this project will have a profound beneficial impact on aquatic life and riparian habitat. Tygh Creek wil be converted from a seasonally dewatered stream, back to perennial flow. The decommissioning of the highline ditch will also eliminate blowouts that frequently flood out adjacent crop fields. The additional water in Tygh Creek will have a beneficial impact on the recreational uses in and around Tygh Creek. Benefits include the potential for a robust healthy natural fishery for native redband trout. Surface water rights associated with this property to be converted in-stream is Certificates 3733, 5491 and 8545.				
SE	CTION 7: PROJECT SCHEDULE				
	 a) Date construction will begin: <u>Pending Approval</u> b) Date construction will be completed: <u>6 months from approval</u> c) Date beneficial water use will begin: <u>Spring following completion</u> 				
SE	SECTION 8: RESOURCE PROTECTION				
act	In granting permission to use water the state encourages, and in some instances requires, careful control of activities that may affect adjacent waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.				
	Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe:				

For Department Use: App. Number: 6-18091

Groundwater — Page 7 Rev. 08-18

Excavation or clearing of banks will be kept to a r	minimum to protect rip	arian or streamside areas.				
Note: If disturbed area is greater than one acre, applicant should contact the Oregon Department of						
Environmental Quality to determine if a 1200C permit is required.						
Describe planned actions and additional permits required for project implementation:						
Other state and federal permits or contracts requir	ed and to be obtained,	if a water right permit is granted:				
SECTION 9: WITHIN A DISTRICT						
Check here if the point of appropriation (POA) or irrigation or other water district.	place of use (POU) are	e located within or served by an				
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).

Funding for this project is provided by OWEB GRANT #214-4008, USDA NRCS via White River RCPP funding Pool and Wasco County Soil and Water Conservation District.

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Groundwater — Page 8 Rev. 08-18

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

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.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

7	SECTION 1:	Applicant Information and Signature	
X	SECTION 2:	Property Ownership	
X	SECTION 3:	Well Development	
X	SECTION 4:	Sensitive, Threatened or Endangered Fish Species Public Interest Informatio	n
X	SECTION 5:	Water Use	
X	SECTION 6:	Water Management	RECEIVED
×	SECTION 7:	Project Schedule	
\mathbf{x}	SECTION 8:	Resource Protection	DEC 0 9 2019
MA	SECTION 9:	Within a District	920
	SECTION 10:	Remarks	OWRD

Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*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.
- Fees Amount enclosed: \$2,000 See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - 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 diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - 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)

Note: In addition to a groundwater application, a standard reservoir application is required to store groundwater in a reservoir. If an applicant proposes to divert water from a reservoir, a surface water application is also required.

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Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD
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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 groundwater registration modification, <u>and 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.

Water-Use Permit Application Processing

1. Completeness Determination

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. 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 \$260. 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 <u>public notice</u> of the application in the weekly notice published by the Department at <u>www.oregon.gov/owrd</u>. 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 \$410.00 for the applicant and \$810.00 for non-applicants. Protests are filed on approximately 10 percent 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 can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate

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Land Use

Information Form



Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1266 (503) 986-0900

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Applicant:	Wasco	County	SW	CD
				Circt

www.wrd.state.or.us

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Mailing Address: 2325 River Rd. Ste. 3

OWRD

The Dalles

OR

97058 Daytime Phone: 541-296-6178 x116

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	1/4 1/4	Tax Lot#	Plan Designation (e.g., Rural Residential/RR-5)		Water to be:		Proposed Land Use:
4S	13E	4	nene	4 400	TV-R & A160	Diverted	⊠ Conveyed	⊠ Used	
4S	13E	3	swnw	3b 1600	TV-R	Diverted	□ Conveyed	⊠ Used	
4S	13E	3	nwnw	3b 1600	TV-R	☑ Diverted	□ Conveyed	⊠ Used	
			,			Diverted	☐ Conveyed	☐ Used	

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

Wasco County	
waste sealing	RECEIVE
	JUL 25 20
B. Description of Proposed Use Type of application to be filed with the Water Resources Department: ☑ Permit to Use or Store Water ☐ Limited Water Use License ☐ Allocation of Conserved Water ☐ Exchange of Water	OWRD ation Modification
Source of water: Reservoir/Pond Ground Water Surface Water (name)	
Estimated quantity of water needed: 41.5	acre-feet
Intended use of water:	ehold(s)
Briefly describe:	
Project to eliminate highline ditch, abandon surface water right and convert to Ground water POD.	
	" Formit Po

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

Ground Water/11

See bottom of Page 3. \rightarrow Department.

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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 wat regulated by your comprehensive plan. Cite	er uses (including proposed construction	n) are allowe	
☐ Land uses to be served by the proposed wat approvals as listed in the table below. (Plea already been obtained. Record of Action/la have been obtained but all appeal period	se attach documentation of applicable land-use decision and accompanying find	and-use appro lings are suff	ovals which have
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:
		☐ 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
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
AEOBS			ECEIVED EC 0 9 2019 OWRD
Name: Title:			RECEIVE
Signature:	Phone: Date	e:	JUL 25 20
Government Entity:			OWRD
Note to local government representative: Plyou sign the receipt, you will have 30 days fro Use Information Form or WRD may presume comprehensive plans.	m the Water Resources Department's no the land use associated with the propose	ed use of water	return the completed Land er is compatible with local
	Request for Land Use Inform		
Applicant name:		25	
City or County:	Staff contact:	de de	
Signature:	Phone:	Date:	

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 bel	ow and provide the requested	d informat	<u>ion</u>	:
☐ Land uses to be served by the proposed water regulated by your comprehensive plan. Cite a			d outright or are not	
☐ Land uses to be served by the proposed water approvals as listed in the table below. (Please already been obtained. Record of Action/land have been obtained but all appeal periods be a served by the proposed water approvals as a served by the proposed water approvals.)	attach documentation of applicable la d-use decision and accompanying find	and-use appro lings are suff	ovals which have	
Type of Land-Use Approval Needed (e.g., plan amendments, rezones,	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Lan	d-Use Approval:	
conditional-use permits, etc.)	Policies & Ordinance Section References	☐ 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	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued	
Department regarding this proposed use of water		DEC	CEIVED C 0 9 2019 OWRD	
Name: Title:			RI	ECEIV
Signature:	Phone: Date);	JU	25 2
Government Entity:				OWRD
Note to local government representative: Plea you sign the receipt, you will have 30 days from Use Information Form or WRD may presume the comprehensive plans.	the Water Resources Department's no	tice date to re	eturn the completed L	and
Receipt for R	equest for Land Use Inforn	nation		
Applicant name: Wasco County	SWCD		 	
City or County: Wasco County			ev	
Signature: Hyling	Phone (541) 506-254	4 Date: 7	23/19	

WR

DEC 0 9 2019

For Local Government Use Only

OWRD

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	ow and provide the requested	d informat	ion	
Land uses to be served by the proposed water regulated by your comprehensive plan. Cite a	uses (including proposed construction pplicable ordinance section(s):	n) are allowed ion 3, 21	d outright or are not 2. Vasco County	Lude
☐ Land uses to be served by the proposed water approvals as listed in the table below. (Please already been obtained. Record of Action/land have been obtained but all appeal periods have been obtained but all appeal but all appeal periods have been obtained but all appeal but all app	attach documentation of applicable la d-use decision and accompanying find	ind-use approings are suff	ovals which have	
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:	
		☐ 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	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued	
Name: Bybel Title: Associate Plan Signature:	nner (541)506-25	7/09	loald	_
Government Entity: Wasco Count	Y Planning	:_// & /	<u>/20</u> 11	
Note to local government representative: Please you sign the receipt, you will have 30 days from the Use Information Form or WRD may presume the comprehensive plans.	the Water Resources Department's not	ice date to re	eturn the completed Lar	nd
Receipt for R	equest for Land Use Inform	nation		
Applicant name: Wasco Count	Y SWCD			
City or County: Wasco Count	Staff contact: Sten	AT By	bel	
Signature: 79%	Phone: (541)506-254	Date: 7	/23/19	



Wasco County Planning Department

2705 East 2nd Street

The Dalles, OR 97058 541-506-2560 Fax: 541-506-2651 wcplanning@co.wasco.or.us

Invoice: 63734

921-19-000111-PLNG

www.co.wasco.or.us/departments/planning/index.php

Invoice Date: 7/23/19 10:52 am

Project Name: Ministerial Non-Structural

Worksite address: 82709 HIGHWAY 216, DUFUR, OR 97021

Parcel: 4S 13E 3 B 1600

Owner: MARTIN KENNETH D & WENDY S, 82709 HWY 216, TYGH VALLEY, Oregon 97063

Units	Description	Fee Amount	Balance Due
1.00 Ea	Type I - Ministerial - Non-Structural sign-off - MNN	\$90.00	\$90.00
		\$90.00	\$90.00

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After recording return to:

Kenneth D. Martin and Wendy S. Martin 82709 Hwy 216

Tygh Valley, OR 97063

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

Kenneth D. Martin and Wendy S. Martin

82709 Hwy 216

Tygh Valley, OR 97063

Escrow No.

Title No.

20428AM 20428AM Wasco County Official Records 2014-003549

DEED-D

Cnt=1 Stn=1 WASCO COUNTY 11/07/2014 01:28 PM

\$66.00

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STATUTORY WARRANTY DEED

Marjorie Gayle Pimley, also known as Gayle Pimley, individually and as Trustee of the Edwin R. and Sylvia H. Merrell Revocable Living Trust dated March 14, 1991, and Marjorie Gayle Pimley, also known as Gayle Pimley, as affiant and claiming successor to the estate of Sylvia H. Merrell

Grantor(s), hereby convey and warrant to

Kenneth D. Martin and Wendy S. Martin, , as tenants by the entirety,

Grantee(s), the following described real property in the County of Wasco and State of Oregon free of encumbrances except as specifically set forth herein:

A parcel of land located in a portion of the Northwest quarter of the Northwest quarter and a portion of the Southwest quarter of the Northwest quarter in Section 3, Township 4 South, Range 13 East of the Willamette Meridian, Wasco County, State of Oregon, described as follows:

Beginning at the Northwest corner of said Section 3;

Thence South 12°15' East 1437.94 feet to the true point of beginning;

Thence North 82°28'47" West 154.32 feet;

Thence North 48°25'28" West 63.32 feet;

Thence North 6°48'26" East 83.32 feet;

Thence Northwesterly in a straight line projected to the Northwest corner of Section 3, 496 feet more or less to the center of Highline Ditch;

Thence Northeasterly along said centerline of Highline Ditch to the Southwest corner of Partition Plat 96-0018, recorded June 25, 1996 as Microfilm No. 962808;

Thence South 47°39'46" East 101.65 feet;

Thence South 24°31'24" East 112.23 feet;

Thence South 55°31'39" East 102.16 feet;

Thence South 77°40'42" East 107.68 feet;

Thence South to the North line of Sherar's Bridge Highway Right of Way;

Thence Westerly along said North line to a point that lies South of the true point of beginning.

Thence North to the true point of beginning.

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

4S13E3B-1600 16253

The true and actual consideration for this conveyance is \$35,000.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

8-20

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JUL **25** 2019

OWRD

AMERITITLE 20428 Am

Page 2 - Statutory Warranty Deed - Signature/Notary Page Esérow No. ~A:ES-NO~

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

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Dated this Hay of November, 3014

Marjorie Gayle Pimley, also known as Gayle Pimley, Trustee of the Edwin R. and Sylvia H. Merrell Revocable Living Trust dated March 14, 1991

BY: Marjores to an les

Marjorie Gayle Pimley, also known as Gayle Pimley, affiant and claiming successor to the estate of Sylvia H. Merrell

State of Oregon) ss. County of Wasco)

On this 6th day of October, 2014, before me, Sheila Weed, a Notary Public in and for said state, personally appeared Marjorie Gayle Pimley known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the, and acknowledged to me that he/she/they executed the same as Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above

written

Sheila Weed (Notary Public for the State of Oregon)

Residing at: The Dalles, OR

Commission Expires: October 21, 2017

OFFICIAL STAMP
SHEILA L. WEED
NOTARY PUBLIC-OREGON
COMMISSION NO. 921365
ATY COMMISSION EXPRES OCTOBER 21, 2017

STATE OF OREGON COUNTY OF WASCO

On this 6TH day of October, 2014, personally appeared the above named Marjorie Gayle Pimley, also known as Gayle Pimley, individually and as affiiant and claiming successor to the estate of Sylvia H. Merrell and acknowledged the foregoing instrument to be her voluntary act.

Before me:

Notary Public for

My commission expires 10/21/201

OFFICIAL STAMP
SHEILA L. WEED
NOTARY PUBLIC-OREGON
COMMISSION NO. 921365
MY COMMISSION EXPIRES OCTOBER 21, 2017

JUL 25 2019 OWRD

	Wasco County Official Records 2014-002750 DEED-D Cnt=1 Stn=1 WASCO COUNTY 08/29/2014 11:24 AM
RECORDING COVER SHEET (Please Print or Type) This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the of Oregon, ORS 205.234, and does NOT affect the instrument	\$25.00 \$11.00 \$20.00 \$10.00 \$15.00 \$81.00 00065367201400027500050059 I. Linds Brown, County, Clerk for Wasco County, Charles a south State S
AFTER RECORDING RETURN TO: Kenneth & Wendy Martin 82709 Hwy 1216 146H Va / ley, OR 97063	RECEIVED DEC 0 9 2019
1) TITLE(S) OF THE TRANSACTION(S) ORS 20	05.234(a) OWRD
2) DIRECT PARTY / GRANTOR(S) ORS 205.1250 Edwin R. Merrell and Sylvia The Edwin R. Merrell and Sylvia March 14, 1991 3) INDIRECT PARTY / GRANTEE(S) ORS 205.12 Kenne th D. Martin and Wen	H Merrell Trustees of H. Merrell Trust detel
4) TRUE AND ACTUAL CONSIDERATION ORS 93.030(5) – Amount in dollars or other \$ 140,020 92 Other	5) SEND TAX STATEMENTS TO: Kenneth & Wenky Martin 82709 Hwy 216 Tright Valley, OR 97063
6) SATISFACTION of ORDER or WARRANT ORS 205.125(1)(e) CHECK ONE: FULL (If applicable) PARTIAL	7) The amount of the monetary obligation imposed by the order or warrant. ORS 205.125(1)(c)
8) If this instrument is being Re-Recorded, comp accordance with ORS 205.244: "RERECORDE	
PREVIOUSLY RECORDED IN BOOK"	AND PAGE, OR AS FEE RECEIVE

JUL 25 2019
OWRD

	1 11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
2	Until a change is requested, all Tax statements should be sent to: After recording return to:
3	
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6	WARRANTY DEED
7	Windawi Zaza
8	The true consideration for this transfer is \$140,020.00.
9	TRUSTEES OF THE EDWIN R. MERRI Edwin R. Merrell and Sylvia H. Merrell, husband knyky kita kanaky xxxxxxx
10	SYLVIA H. MERRELL TRUST DATED MARCH 14, 1991, convey and warran
10	warrant to Kenneth D. Martin and Wendy S. Martin, Tryshes KING FXKYNKRX MENZ
11	husband and wife, ************************************
12	Sylving Meren Revocable Maring Trust dated Wardin 11, 1991; Chances, the follow
13	described real property in the County of Wasco, State of Oregon, free of encumbrance
14	except as specifically set forth herein:
15	The Northeast quarter of the Northeast quarter of Section 4, and that portion
	Northwest quarter of the Northwest quarter of Section 3, Township 4 South, Range
16	of the Willamette Meridian, Wasco County, State of Oregon; lying West of the Wes Parcels 1 and 2 as established in Partition Plat 960018, recorded June 25, 1996 as M
17	No. 962808; EXCEPTING THEREFROM those portions in Sections 3 and 4, Tow
18	South, Range 13 East of the Willamette Meridian, conveyed in deed recorded Ma 1991 as Microfilm No. 910869; ALSO EXCEPTING the following described
19	Section 3, Township 4 South, Range 13 East of the Willamette Meridian: Beginnin
	Northwest corner of said Section 3; thence South 12°15' East 1437.94 feet to the tr
20	of beginning; thence North 82°28'47" West 154.32 feet; thence North 48°25'28" We
21	feet; thence North 6°48'26" East 83.32 feet; thence Northwesterly in a straight line p to the Northwest corner of Section 3, 496 feet more or less to the center of Highlin
22	thence Northeasterly along said centerline of Highline Ditch to the Southwest co
	Partition Plat 96-0018, recorded June 25, 1996 as Microfilm No. 962808; thence
23	47°39'46" East 101.65 feet; thence South 24°31'24" East 112.23 feet; thence
24	55°31'39" East 102.16 feet; thence South 77°40'42" East 107.68 feet; thence South North line of Sherar's Bridge Highway Right of Way; thence Westerly along said No.
25	to a point that lies South of the true point of beginning; thence North to the

OF THE EDWIN R. MERRELL AND NAKAWA BEY XXDEROROR BEY XXXXXXXEYXERXKXXXX 91, convey and warrant AS NOT THE FYNAMERY XVIEW PLYSTAL

tion 4, and that portion of the Township 4 South, Range 13 East on; lying West of the West line of orded June 25, 1996 as Microfilm in Sections 3 and 4, Township 4 yed in deed recorded March 14, the following described land in mette Meridian: Beginning at the ast 1437.94 feet to the true point ence North 48°25'28" West 63.32 esterly in a straight line projected s to the center of Highline Ditch; oitch to the Southwest corner of ofilm No. 962808; thence South East 112.23 feet; thence South 107.68 feet; thence South to the ce Westerly along said North line g; thence North to the point of beginning.

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SUBJECT TO:

- rights, interest, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
- 2. Easements, encumbrances, or claims thereof, not shown by the public records, unpatented mining claims, reservations or exceptions in patents or in acts authorizing the issuance thereof, water rights, claims or title to water.
- 3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose.
- 4. Existing rights of way for roads, highways, irrigation ditches, canals, and pole lines.
- 5. Any liens and assessments that may result from the herein described property being within the boundaries of the Tygh Valley Water District.
- 6. An Easement created by instrument, subject to the terms and provisions thereof:

Recorded

: May 4, 1948

Book/Page No.

: Book 113 of Deeds at page 351 (Records of Wasco

County, Oregon

In Favor of

: Tygh Valley Water District

Purpose

: Water Pipeline

7. An Easement created by instrument, subject to the terms and provisions thereof:

Recorded

: October 2, 1958

Book/Page No.

: Book 138 of Deeds at page 51 (Records of Wasco

County, Oregon

In Favor of

: Tygh Valley Water District

Purpose

: Water Pipeline

8. An Easement created by instrument, subject to the terms and provisions thereof:

Recorded

: November 2, 1971

Microfilm No.

: 712026 (Records of Wasco County, Oregon)

In Favor of

: Pacific Power & Light Company, a corporation, its

successors and/or assigns

Purpose

: Electric transmission and distribution line together

with necessary appurtenances

Affects

: This and other property

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J. THOMAS COATS
ATTORNEY AT LAW
113 "B" E. SECOND STREET
THE DALLES, OREGON 97058
(541) 298-2680 18 19

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22 23

24 25

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9. An Easement created by instrument, subject to the terms and provisions thereof:

Recorded

: February 20, 1980

Microfilm No.

: 800456 (Records of Wasco County, Oregon)

In Favor of

: Telephone Utilities

10. An Easement created by instrument, subject to the terms and provisions thereof:

Recorded

: November 15, 1993

Microfilm No. In Favor of

: 935281 (Records of Wasco County, Oregon) : James D. Martin and Patricia M. Martin, husband

and wife

Purpose

: Ingress and Egress

11. Liens or encumbrances permitted or suffered by or through Grantees.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. 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 AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS

3 – WARRANTY DEED

RECEIVED JUL 25 2019 **OWRD**

	1		
	2	INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY	
	3	SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING	
	4	DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS	
	5	ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS	3
	6	30.930.	
	7	Dated this, day of, 2003.	
	8	, , , , , , , , , , , , , , , , , , , ,	
	9	Eclivin R. merrell	
	10	EDWIN R. MERRELL, TRUSTEE	
	11	Sul - & merroll	
	12	SYLVIA H. MERRELL, TRUSTEE	
	13	STATE OF OREGON)	
	14	County of Was W)	
	15		
	16	The foregoing instrument was acknowledged before me this <u>(</u> day of <u>Newley</u> 2003, by Edwin R. Merrell and Sylvia H. Merrell, Trustees.	5
588	17	OFFICIAL SEAL OF ON	
J. THOMAS COATS ATTORNEY AT LAW "B" E. SECOND STREET DALLES, OREGON 9705((541) 298-2680	18	NOTARY PUBLIC - OREGON NOTARY PUBLIC - OREGON NOTARY Public for Oregon	-
THOMAS COATS TORNEY AT LAW 3" E. SECOND STR LLES, OREGON 9 (541) 298-2680	19	COMMISSION NO. 366011 My COMMISSION EXPIRES FEB. 25, 2007 My Commission Expires:	-
.1 A1 113 "1 THE DA	20	RECEIVED)
	21	DEC 0 9 2019)
	22	OWRD	
	23		
	24		
	2526		
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4 – WARRANTY DEED

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JUL 25 2019
OWRD

Main G Help

Return Contact Us

Today's Date: Tuesday, July 23, 2019

Base Application Fee.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	0.1	\$350.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	0	
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st Ground Water point of appropriation is included in the base cost.		
*** the Permit Recording Fee is not required when the application is submitted but, must be paid Recalcula		
before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.		
Estimated cost of Permit Application		\$2,210.00

01	M	RD) Fee	Sch	ned	ul	6

Fee Calculator Version	B20170117

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