Application for a Permit to Use

Surface Water



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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OWRD SECTION 1: APPLICANT INFORMATION AND SIGNATURE Applicant PHONE (HM) 541-625-3975 NAME Joanne Navickas CELL PHONE (WK) FAX Same Same **ADDRESS** 2060 Mill Creek Dr. E-MAIL * navickasdesign@gmail.com CITY STATE Prospect 97536 OR Organization NAME PHONE FAX **ADDRESS** CELL CITY STATE ZIP E-MAIL * Agent – The agent is authorized to represent the applicant in all matters relating to this application PHONE 541-613-6351 AGENT / BUSINESS NAME FAX Eric Navickas ADDRESS 27 1/2 N. Main Apt. B CHLL \$ame Ashland ZIP 97520 E-MAIL * STATE navickasdesign@gmail.com OR

Note: Attach multiple copies as needed

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any
 proposed diversion. Acceptance of this application does not guarantee a permit will be issued.

 If I begin construction prior to the issue If I receive a permit, I must not waste v If development of the water use is not a The water use must be compatible with 	according to the terms of the permit, the permi	with my actions. t can be cancelled.
I (we) affirm that the information co	Joanne Navickas Print Name and Title if applicable	accurate
Applicant Signature	Print Name and Title if applicable	Date Surface Water Page 1
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^{*} By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

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SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with th conveyed, and used.	e project from which the water	s to be diverted,	OWRD
YES, there are no encumbrances. YES, the land is encumbered by easements, rights of	way, roads or other encumbranc	es.	
X NO, I have a recorded easement or written authorization or e NO, I do not currently have written authorization or e NO, written authorization or an easement is not neces state-owned submersible lands, and this application is NO, because water is to be diverted, conveyed, and/or	asement permitting access. sary, because the only affected a for irrigation and/or domestic used only on federal lands.	se only (ORS 274.040).
Affected Landowners: List the names and mailing address the applicant and that are crossed by the proposed ditch, convirted authorization or an easement from the owner. (Attack)	anal or other work, even if the a	pplicant has obtained	
Legal Description: You must provide the legal description diverted, 2. Any property crossed by the proposed ditch, conster is to be used as depicted on the map.			
SECTION 3: SOURCE OF WATER			
A. Proposed Source of Water			
Provide the commonly used name of the water body from stream or lake it flows into (if unnamed, say so), and the l			
Source 1: Nye Ditch	Tributary to: Lost Creek Res	ervoir	
TRSQQ of POD: 325-3E-28-NE/SW 1860' North a	and 2690' East from SW co	rner of Section 28	
Source 2:	Tributary to:		
TRSQQ of POD:			
If any source listed above is stored water that is authorized a copy of the document or list the document number (for or			eh
B. Applications to Use Stored Water			
Do you, or will you, own the reservoir(s) described in Sec	tion 3A above?		
Yes. No. (Enclose a copy of your written not to file this application, which should have			nt
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 If all sources listed in Section 3A are stored water, the Department will review your applie expedited process provided in ORS 537.147, unless you check the box below. Please see to for more information. By checking this box, you are requesting that the Department process your application process outlined in ORS 537.150 and 537.153, rather than the expedited process provided an application under the standard process, you must enclose the following: A copy of a signed non-expired contract or other agreement with the owner of you) to impound the volume of water you propose to use in this application. A copy of your written agreement with the party (if any) delivering the water you. 	the instruction booklet under the standard ded by ORS 537.147.	OWRD
SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECINTEREST INFORMATION	TIES PUBLIC	
This information must be provided for your application to be accepted as complete. The V Department will determine whether the proposed use will impair or be detrimental to the pregard to sensitive, threatened or endangered fish species.		
To answer the following questions, use the map provided in Attachment 3 or the link be whether the proposed point of diversion (POD) is located in an area where the Upper Co Columbia, and/or the Statewide public interest rules apply. For more detailed information, click on the following link and enter the T,R,S,QQ or the and click on "Submit" to retrieve a report that will show which section, if any, of the rul https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/	lumbia, the Lower Lat/Long of a POD es apply:	
If you need help to determine in which area the proposed POD is located, please call the at (503) 986-0801.	customer service des	k
Upper Columbia - OAR 690-033-0115 thru -0130 Is the POD located in an area where the Upper Columbia Rules apply? ☐ Yes ☒ No If yes, you are notified that the Water Resources Department will consult with numerous	federal, state, local ar	nd
tribal governmental entities so it may determine whether the proposed use is consistent wi Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1 and recovery of listed fish species. The application may be denied, heavily conditioned, or mitigation for impacts may be needed to obtain approval for the proposed use. If yes,	th the "Columbia Rive 994 for the protection	er
 I understand that the proposed use does <u>not</u> involve appropriation of direct stream period April 15 to September 30, <u>except as provided in OAR 690-033-0140</u>. 		
 I understand that I will install, operate and maintain a fish screen and fish passage 498.301 through 498.346, and 509.580 through 509.910, to the specifications and Oregon Department of Fish and Wildlife, prior to diversion of water under any pe this application. 	extent required by	0

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I understand that the Oregon 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 recording and comply with re the Water Resources Department, and comply with recording and reporting permit condition

requirements.	
Lower Columbia - OAR 690-033-0220 thru -0230 Is the POD located in an area where the Lower Columbia rules apply?	
Yes X No	
If yes, you are notified that that the Water Resources Department will determine, by reviet the Columbia River Basin Fish and Wildlife Program, and regional restoration programs are or endangered fish species, in coordination with state and federal agencies, as appropriate, use is detrimental to the protection or recovery of a threatened or endangered fish species are conditioned or mitigated to avoid the detriment.	oplicable to threatened whether the proposed
If a permit is issued, it will likely contain conditions to ensure the water use complies with federal water quality standards; and water use measurement, recording and reporting require Resources Department. The application may be denied, or if appropriate, mitigation for important approval of the proposed use.	ed by the Water
If yes, provide the following information (the information must be provided with the appropriate complete).	lication to be
Yes No The proposed use is for more than one cubic foot per second (448.8 gpm) the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).	and is not subject to
If yes, provide a description of the measures to be taken to assure reasonably efficient	ent water use:
Statewide - OAR 690-033-0330 thru -0340 Is the POD located in an area where the Statewide rules apply? X Yes No	i s
If yes, the Water Resources Department will determine whether the proposed use will occuendangered, threatened or sensitive fish species are located. If so, the Water Resources Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agricu conditions required to achieve "no loss of essential habitat of threatened and endangered (1 "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identistandards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, recommend denial of the application unless they conclude that the proposed use would not	artment, Department ture will recommend &E) fish species," or fied that meet the the agencies will

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SECTION 5: WATER USE

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Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):

(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE		AMOUNT	
Nye Ditch	Domestic	12 Months/Year	.01	☑ cfs ☐ gpm ☐ af	
				cfs gpm af	
				cfs gpm af	
				cfs gpm af	
	,				
Please indicate the numb	er of primary and suppl	emental acres to be irrigated.			
Primary: Acres	Supplemental: _	Acres			
If supplemental acres are	listed, provide the Pern	nit or Certificate number of the	underlying	primary water right(s):	
	, 1			primary water right(s).	
Indicate the maximum to	tal number of agra fact	you expect to use in an irrigation			
malcate the maximum to	tal littlibel of acte-feet	you expect to use in an irrigation	n season: _		
• If the use is municin	al or quasi-municipal,	attach Form M			
• If the use is domesti	c, indicate the number o	f households:1_			
• If the use is mining ,	describe what is being r	mined and the method(s) of extra	action:	_	
SECTION 6: WATER	R MANAGEMENT				
A Disconian and Com-					
A. Diversion and Conv What equipment will	you use to pump water	from your source?			
Pump (give hors Other means (de	epower and type): scribe): Gravity	fed from ditch.			
Provide a description and conveyance of w		of diversion, construction, and	operation o	f the diversion works	
B. Application Method What equipment and Domestic U	method of application v	will be used? (e.g., drip, wheel li	ne, high-p	ressure 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 public uses of affected surface waters.					
Domestic	vation me	asures.			
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SECTION 7: RESOURCE PROTECTION

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In granting permission to use water from a stream or lake careful control of activities that may affect the waterway possible permit requirements from other agencies. Please protect water resources: N/A see Section 10	or streamside area. See instruction	guide for a list of			
Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life. Describe planned actions:					
Excavation or clearing of banks will be kept to a min Note: If disturbed area is more than one acre, applica Quality to determine if a 1200C permit is required. Describe planned actions and additional permits required.	ant should contact the Department				
Operating equipment in a water body will be manage planned actions and additional permits required for p		aquatic life. Describe			
Water quality will be protected by preventing erosion Describe planned actions:	n and run-off of waste or chemical	products.			
List other federal and state permits or contracts to be	obtained, if a water right permit is	granted.			
SECTION 8: PROJECT SCHEDULE					
 a) Date construction will begin: May 1, 2022 b) Date construction will be completed: June 30, 2 c) Date beneficial water use will begin: July 1, 20 					
SECTION 9: WITHIN A DISTRICT					
☐ Check here if the point of diversion or place of use a water district.	are located within or are served by	an irrigation or other			
Irrigation District Name Nye Ditch Users Improvement District	Address 772 Mather Rd.				
City Prospect	State Zip	7536			
SECTION 10: REMARKS					
Use this space to clarify any information you have provid Our intention is to utilize an existing irrigation box a pipeline to our existing well house where we will in	at the Nye Ditch and existing pi	peline. We will connect the			
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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

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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, and all 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;
 - 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.

Land Use Information Form



Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1266

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IAME Er	ic/Ryan	Navickas	3					I	9HONE 541-	(HM) 842-0828	OV
HONE (WI	Same			CEL	L Same			F	AX		
DDRESS	2060 Mi	ll Creek	Dr								
TY Pros	pect			STATE OR	ZIP 97536	E-MAIL*	kasdesign(@gmail	.com		
A. Land	and Lo	cation									
lease inc	lude the fo	ollowing in r used or d	nformation fo eveloped. Ap ed service-are	plicants f	for municip	al use, or i	rrigation use	s within	irriga	tion distric	
Γownship	Range	Section	1/4 1/4	Tax Lot #	Plan Design Rural Reside			Water t	o be:		Proposed Land Use:
33	2E	10		#807	WR		M Diverted	X Con	veyed	Used	
33	2E	10		#100	EFU		☐ Diverted	X Con	veyed	Used	
33	2E	10	#2500	,#2600,	#101 R	R-5	Diverted	Con	veyed	Used	
33	2E	10		#2602	RR-5		Diverted	☐ Con	veyed	Used	
ype of ap Permit of Limited	oplication to Use or Si Water Use	to be filed tore Water		Right Tran	sfer nserved Wate	Perr Exc	mit Amendme hange of Wate Water (name)	er			tion Modificatio
		of water ne	_	omestic			t per second				☐ acre-feet
	ise of water	er: 🗌 Irr	igation [Comme	ercial	☐ Industr	rial 🛚 🖸	10, 100 N TO	- 1	1 house	
	l collaps	sed. We i	ntend to ut	ilize an ır well h	existing i	install a	box and p	ipeline and UV	treat	tment sys	stem.
	tive sign t		Use Informa	tion Forr	n cannot be	complete	d while you	wait, ple	ase ha	ve a local	government 'ater Resources

2022

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 being	ow and provide the requested	intorm.	<u>ation</u>	
Land use to be served by the proposed water regulated by your comprehensive plan. Cite a	uses (including proposed construction pplicable ordinance section(s): _()	n) are allow	ved 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 here.)	attach documentation of applicable la use decision and accompanying findi	nd use app ngs are su	provals which have	RECEIVE
Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	ı	and Use Approval:	OWRD
		☐ Obtained	☐ Being Pursued ☐ Not Being Pursued	OWALD
	PECEIVED	☐ Obtained	☐ Being Pursued ☐ Not Being Pursued	
	SED 1.6.2021	☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued	
	SEF 10 2021	☐ Obtained	☐ Being Pursued ☐ Not Being Pursued	
	OWRD	☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued	
Department regarding this proposed use of water	below, or on a separate sheet.			
Francisco W Hernand		TITLE	Planner III	
SIGNATURE SIGNATURE SIGNATURES	PHONE: 541.774.6907	DATE	: 09·13·2021	
GOVERNMENT ENTITY Jackson Couns	to Sevelopment Ser	دن عن		
Note to local government representative: Pleas 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 no	tice date to d use of wa	return the completed	Land
Receipt for R	equest for Land Use Inforn		- Carlo	
Applicant name:				
City or County:	Staff contact:			
Signature:	Phone:	D	Date:	

Order No. 731921-LS

Exhibit 'A'

A parcel in the Southeast quarter of the Northeast quarter of Section 10, Township 33 South, Range 2 East, Willamette Meridian in Jackson County, Oregon, lying Southerly of the relocated Crater Lake Highway 62, described as follows:

Beginning at a point 759.0 feet West of the Southeast corner of the Northeast quarter of Section 10 in Township 33 South, of Range 2 East of the Willamette Meridian in Jackson County, Oregon, run thence West 300.0 feet; thence North 1452.0 feet; thence East 300.0 feet; and thence South 1452.0 feet, more or less, to the point of beginning.

ALSO beginning at a point 674.0 feet West of the Southeast corner of the Northeast Quarter of Section 10 in Township 33 South, of Range 2 East of the Willamette Meridian in Jackson County, Oregon, run thence West 85.0 feet; thence North 1320.0 feet; thence East 330.0 feet; thence South 1070.0 feet; thence West 245.0 feet; and thence South 250.0 feet to the point of beginning.

LESS AND EXCEPTING THEREFROM: Commencing at the quarter section corner common to Sections 10 and 11 of said Township and Range; thence North 89°36'55" West, along the East-West centerline of said Section 10, 1088.2 feet to a 5/8" iron pin, which is the Southeast corner of the parcel described in deed recorded March 1, 1973 in Document No. 73-02954, and which point is the true point of beginning of the parcel to be described herein; thence North 1°00'02" East along the East boundary of said parcel described in said Document No. 73-02954, a distance of 1092.02 feet, more or less, to a point on the Southerly boundary of relocated Oregon State Highway No. 62; thence North 80°18' East along the said Southerly boundary of Highway No. 62, 195.47 feet, more or less, to the North point of the line described in Instrument recorded June 6, 1972 as Document No. 72-07182; thence South along said line described in Document No. 72-07182, 1128.21 feet, more or less, to a point on the aforesaid East-West centerline of Section 10; thence North 89°36'55" West 211.70 feet to the true point of beginning.

Less any portion lying within the boundaries of Mill Creek Drive.

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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 to keep a copy of the completed app	Applicants are encouraged	
X SECTION 1: Applicant Inform SECTION 2: Property Owners SECTION 3: Source of Water SECTION 4: Sensitive, Threat SECTION 5: Water Use X SECTION 6: Water Managem SECTION 7: Resource Protect SECTION 8: Project Schedulet SECTION 9: Within a District SECTION 10: Remarks	mation and Signature ship tened or Endangered Fish Species Public Interest Informent tion et	nation JAN 1 2 20 OWRD
Include the following additional it	tems:	
A Land Use Information Form w or signed receipt.	ith approval and signature of local planning department	(must be an original)
Provide the legal description of: crossed by the proposed ditch, c depicted on the map.	(1) the property from which the water is to be diverted canal or other work, and (3) any property on which the v	, (2) any property vater is to be used as
X Fees - Amount enclosed: \$ 1	1,500 dule at <u>www.oregon.gov/owrd</u> or call (503) 986-0900	
Map that includes the following	g items:	
□	d drawn in ink ess than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, mbol ction, Quarter/Quarter, Tax Lots map ersion, by reference to a recognized public land survey covest) se by Quarter/Quarter and tax lot identified clearly. Quarter/Quarter and hatching to indicate area of use if for	orner (distances or primary irrigation,

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Water-Use Permit Application Processing

JAN 1 2 2022

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. 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 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 \$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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Eric Navickas

27 ½ N. Main Apt B Ashland OR 97520 541-613-6351 navickasdesign@gmail.com

January 10, 2022

Oregon Water Resources Dept.

775 Summer St. NE, Suite A Salem, OR 97301-1266

Oregon Water Resources Department,

I have enclosed an application for a permit to use surface water along with a check for application fee in an amount of \$1500.

Our farm recently lost our domestic well due to an internal collapse. We would like to utilize our irrigation water in conjunction with an onsite filtration system for domestic use. The longevity and predictability of wells in our region is poor due to the local geology and many in our community have opted to utilize filtered surface water as a viable option.

This is our second application and we believe to have now met the requirements. The page titled, "For Local Government Use Only", was part of our previous packet and does include a stamp of receipt from your office from the prior application.

Please let us know if anything else will be required or if there are any questions for us.

Sincerely

Eric Navickas

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