

# 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

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant

NAME MITCHELL DEAN COLLINS, TRUSTEE OF THE COLLINS FAMILY TRUST		PHONE (HM)	
PHONE (WK) 714-894-6767	CELL 714-719-4644	FAX	
ADDRESS 2306 UPPER APPLGATE RD.			
CITY JACKSONVILLE	STATE OR	ZIP 97530	E-MAIL * MITCHELL@MITCHELLDEANCOLLINS.COM

### 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.

AGENT / BUSINESS NAME HOLLIE CANNON / WATER RIGHT SOLUTIONS, LLC		PHONE 541-821-5848	FAX
ADDRESS 3246 HAMMER ST.			CELL
CITY KLAMATH FALLS	STATE OR	ZIP 97603	E-MAIL * HCANNON@WATERRIGHTSOLUTIONS.COM

Note: Attach multiple copies as needed

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

### 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 issuance of a permit, I assume all risks associated with my actions.
- If I receive 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 receive water to which they are entitled.

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



Applicant Signature

Mitchell Dean Collins  
Print Name and Title if applicable

4-11-22  
Date

Applicant Signature

Print Name and Title if applicable

Date

For Department Use: App. Number: \_\_\_\_\_



**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.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, 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).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

**Affected Landowners:** List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

**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. See attached deed.

**SECTION 3: SOURCE OF WATER**

**A. Proposed Source of Water**

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: Applegate Lake	Tributary to: Applegate River
TRSQQ of Applegate Lake outlet tower POD#1: T40S, R4W, Section 25, SE1/4 SE1/4 377.03 feet North and 822.74 feet West from SE Corner Section 25	
Source 2:	Tributary to:
TRSQQ of POD:	

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

See attached permit R-7810

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## B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in Section 3A above?

Yes.  No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file 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 the reservoir (if not 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 from the reservoir to you.

## 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.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of diversion (POD) 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 T,R,S,QQ or the Lat/Long of a POD 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\\_trsqg\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqg_features/)

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0900.

### 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 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.

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For Department Use: App. Number: \_\_\_\_\_ **OWRD**

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- 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 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  No

If **yes, you are notified** that 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 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, provide the following information** (the information must be provided with the application to be considered complete).

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 POD located in an area where the Statewide rules apply?

Yes  No

If **yes**, 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.

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For Department Use: App. Number: \_\_\_\_\_

**SECTION 5: WATER USE**

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
POD #1: Applegate Lake	Irrigation	April 1 – October 31	7.68 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated.  
 Primary: 2.06 Acres                      Supplemental: 0.5 Acres                      Nursery Use: \_\_\_\_\_ Acres  
 If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s): C 81689  
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 7.68 acre-feet

- 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:

**SECTION 6: WATER MANAGEMENT**

**A. Diversion and Conveyance**

What equipment will you use to pump water from your source?

- Pump (give horsepower and type): 10 hp centrifugal pump
- Other means (describe):

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

Applicant will use the facilities currently used for Certificate C 81689. The existing system will be used for piping the water to the place of use.

**B. Application Method**

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

**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.

Water will be applied in the amounts needed to satisfy evapotranspiration and will be applied using combination of sprinkler and drip to ensure there will be no runoff or waste of water.

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**SECTION 7: RESOURCE PROTECTION**

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the 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:

- 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: Intake pipe will be screened.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.  
**Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.**  
Describe planned actions and additional permits required for project implementation: No excavation or clearing of banks is planned.
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.  
Describe planned actions and additional permits required for project implementation: No equipment other than intake pump and fish screen will be in lake.
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.  
Describe planned actions: None anticipated.
- List other federal and state permits or contracts to be obtained, if a water right permit is granted.  
Bureau of Reclamation contract will be obtained.

**SECTION 8: PROJECT SCHEDULE**

- a) Date construction will begin: April 2023
- b) Date construction will be completed: June 2024
- c) Date beneficial water use will begin: June 2028

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**SECTION 9: WITHIN A DISTRICT**

Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

Irrigation District Name N/A	Address	
City	State	Zip

**SECTION 10: REMARKS**

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

# 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](http://www.oregon.gov/OWRD)

## 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, 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;
  - 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 503-986-0900.

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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

**Applicant**

NAME MITCHELL DEAN COLLINS, TRUSTEE OF THE COLLINS FAMILY TRUST			PHONE (HM)		
PHONE (WK) 714-894-6767		CELL 714-719-4644		FAX	
ADDRESS 2306 UPPER APPLGATE RD					
CITY JACKSONVILLE		STATE OR	ZIP 97530	E-MAIL* MITCHELL@MITCHELLDEANCOLLINS.COM	

**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:
39 S	3 W	3	SW NW	1602		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
39 S	3 W	3	SE NW	1602		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
39 S	3 W	3	NW SW	1602		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
40 S	4 W	25	SE SE	2500		<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Irrigation
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Jackson County

**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 Groundwater Registration Modification  
 Limited Water Use License   
  Allocation of Conserved Water   
  Exchange of Water

Source of water:  Reservoir/Pond   
 Groundwater   
 Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed:  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:

Water will be pumped from the Applegate River for irrigation of the described property. The source of water will be from Applegate Reservoir according to a contract with the US Bureau Reclamation.



**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.

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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 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): COO 6.4
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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.

NAME <i>Francisco M Hernandez</i>	TITLE: <i>Planner III</i>
SIGNATURE <i>Francisco M Hernandez</i>	PHONE: <i>511-774-6903</i>
GOVERNMENT ENTITY <i>Jackson County Development Services</i>	DATE: <i>05-02-2022</i>

**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: \_\_\_\_\_

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After recording return to:  
Collins Family Trust  
2306 Upper Applegate Road  
Jacksonville, OR 97530

Until a change is requested all tax  
statements shall be sent to the  
following address:  
Collins Family Trust  
2306 Upper Applegate Road  
Jacksonville, OR 97530

File No.: 7161-3897802 (EV)  
Date: February 08, 2022

Jackson County Official Records **2022-007652**  
R-WD  
Stn=62 HALLEH **03/04/2022 03:40:19 PM**  
\$15.00 \$10.00 \$11.00 \$11.00 \$60.00 **\$107.00**

THIS SPACE P

I, Christine Walker, County Clerk for Jackson County, Oregon, certify  
that the instrument identified herein was recorded in the Clerk  
records.  
Christine Walker - County Clerk

## STATUTORY WARRANTY DEED

**Martin Gueulette**, Grantor, conveys and warrants to **Mitchell Dean Collins, Trustee of the Collins Family Trust**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

**Subject to:**

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$665,000.00**. (Here comply with requirements of ORS 93.030)

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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.

Dated this 03 day of MARCH, 2022

[Signature]  
Martin Gueulette

STATE OF Oregon )  
County of Jackson )ss.  
)

This instrument was acknowledged before me on this 4<sup>th</sup> day of March, 2022  
by **Martin Gueulette**.

[Signature]  
Notary Public for Oregon  
My commission expires:



11/20/23

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**EXHIBIT A**

**LEGAL DESCRIPTION:** Real property in the County of Jackson, State of Oregon, described as follows:

**THAT TRACT OF LAND SITUATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3 IN TOWNSHIP 39 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN IN JACKSON COUNTY, OREGON, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3, THENCE SOUTH, ALONG THE WESTERLY LINE OF SAID SECTION 3, A DISTANCE OF 1624.66 FEET TO A POINT FROM WHICH A 5/8" INCH IRON PIN BEARS NORTH 78° 26' 30" EAST, THENCE NORTH 78° 26' 30" EAST 1015.71 FEET TO A 5/8" INCH IRON PIN ON THE WESTERLY LINE OF THE COUNTY ROAD, BEING ON A CURVE HAVING A RADIUS OF 848.51 FEET, THENCE ALONG SAID CURVE (LONG CHORD BEARS SOUTH 15° 07' 10" EAST 400.32 FEET) A DISTANCE OF 404.14 FEET TO AN IRON BOLT, THENCE SOUTH 28° 45' 50" EAST, ALONG THE WESTERLY LINE OF SAID ROAD, 166.31 FEET TO A POINT FROM WHICH A 1" INCH HEX GAD BEARS NORTH 59° 12' EAST (RECORD NORTH 60° 29' EAST) 6.37 FEET, THENCE CONTINUE ALONG SAID WESTERLY LINE OF THE COUNTY ROAD, SOUTH 28° 45' 50" EAST 400.0 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE SOUTH 28° 45' 50" EAST, ALONG SAID WESTERLY LINE OF THE COUNTY ROAD, 394.0 FEET; THENCE SOUTH 59° 12' WEST TO THE CENTERLINE OF THE APPLGATE RIVER; THENCE NORTHWESTERLY, BEING DOWNSTREAM, ALONG SAID CENTERLINE, TO A POINT SOUTH 59° 12' WEST FROM THE TRUE POINT OF BEGINNING; THENCE NORTH 59° 12' EAST TO THE TRUE POINT OF BEGINNING. EXCEPTING THEREFROM THAT TRACT OF LAND SITUATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3 IN TOWNSHIP 39 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN IN JACKSON COUNTY, OREGON, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3, THENCE SOUTH, ALONG THE WESTERLY LINE OF SAID SECTION 3, A DISTANCE OF 1624.66 FEET TO A POINT FROM WHICH A 5/8" INCH IRON PIN BEARS NORTH 78° 26' 30" EAST, THENCE NORTH 78° 26' 30" EAST 1015.71 FEET TO A 5/8" INCH IRON PIN ON THE WESTERLY LINE OF THE COUNTY ROAD, BEING ON A CURVE HAVING A RADIUS OF 848.51 FEET, THENCE ALONG SAID CURVE (LONG CHORD BEARS SOUTH 15° 07' 10" EAST 400.32 FEET) A DISTANCE OF 404.14 FEET TO AN IRON BOLT, THENCE SOUTH 28° 45' 50" EAST, ALONG THE WESTERLY LINE OF SAID ROAD, 166.31 FEET TO A POINT FROM WHICH A 1" INCH HEX GAD BEARS NORTH 59° 12' EAST (RECORD NORTH 60° 29' EAST) 6.37 FEET, THENCE CONTINUE ALONG SAID WESTERLY LINE OF THE COUNTY ROAD, SOUTH 28° 45' 50" EAST 630.0 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE SOUTH 28° 45' 50" EAST, ALONG SAID WESTERLY LINE OF THE COUNTY ROAD, 164.00 FEET TO A 5/8" INCH IRON PIN; THENCE SOUTH 59° 12' WEST TO THE CENTER LINE OF THE APPLGATE RIVER: THENCE NORTHWESTERLY, BEING DOWNSTREAM, ALONG SAID CENTER LINE, 180.00 FEET, MORE OR LESS, TO A POINT FROM WHICH A 5/8" INCH IRON PIN BEARS NORTH 60° 13' 25" EAST; THENCE NORTH 60° 13' 25" EAST 176.00 FEET TO A 5/8" INCH IRON PIN; THENCE CONTINUING NORTH 60° 13' 25" EAST 228.95 FEET TO A 5/8" INCH IRON PIN; THENCE NORTH 60° 47' 34" EAST 67.97 FEET TO A 5/8" INCH IRON PIN; THENCE NORTH 55° 29' 08" EAST 93.56 FEET TO THE TRUE POINT OF BEGINNING.**

**NOTE: THIS LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 01, 2008.**

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JUL 3 1978

WATER RESOURCES DEPT.  
SALEM, OREGON

\* Reservoir Permit No. R 7810

**Application for a Permit to Construct a Reservoir and to Store for Beneficial Use the Unappropriated Waters of the State of Oregon**

THE UNITED STATES OF AMERICA, Acting through the Regional Director, \_\_\_\_\_  
(Name of Applicant)  
Pacific Northwest Region, Bureau of Reclamation  
of Federal Building & U.S. Courthouse, 550 W. Fort Street, Boise \_\_\_\_\_,  
(Mailing address) (City)

State of Idaho, 83724, do hereby make application for a permit to construct the  
(Zip Code)  
following described reservoir and to store the unappropriated waters of the State of Oregon, subject to existing rights.

If the applicant is a corporation, give date and place of incorporation \_\_\_\_\_

1. The name of the proposed reservoir is Applegate Lake

2. The name of the stream from which the reservoir is to be filled and the appropriation made is  
Applegate River

tributary of Rogue River

3. The amount of water to be stored is full pool--82,000 A.F.; total multiple use--75,000 A.F.  
Irrigation storage--26,000 A.F.; total below use--75,000 A.F.  
multiple use: irrigation, water quality control

4. The use to be made of the impounded water is fishery enhancement, recreation, flood control.  
(Irrigation, power, domestic supply, etc.)

5. The location of the proposed reservoir will be in Sec. 25, 26, 35, 36 of T. 40 S., R. 4 W.; 30, 31 of T. 40 S., R. 3 W., 1, 2, 3, 4, 10, 11, 14, 17, 18 of W.M. in the county of Jackson, Oregon and Siskiyou, California, 6 of T. 41 S., R. 3 W., 17, 18 of W.M. in the county of Jackson, Oregon and Siskiyou, California, T. 48 N., R. 11 W.

(a) State whether situated in channel of running stream and give character of material at outlet  
situated in channel of Applegate River, a running stream. Erosive streambed materials  
are protected from high outlet velocities by use of a two-section stilling basin.

(b) If not in channel of running stream, state how it is to be filled. If through a feed canal, give name and dimensions \_\_\_\_\_

6. The dam will be located in SE 1/4, Sec. 25,  
40 S., R. 4 W., W.M. The maximum height will be 242 feet above stream bed or ground  
(Smallest legal subdivision)  
surface on center line of dam. The length on top will be 1,200 feet; length on  
bottom \_\_\_\_\_ feet; width on top 24 feet; slope on front  
or water side 2:1; slope on back 2:1; height of dam above water line  
(Feet horizontal to 1 vertical) (Feet horizontal to 1 vertical)  
when full 7 feet.

\* A different form of application should be used for the appropriation of stored water to beneficial use. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.

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R 7810

7. The construction of dam, the material of which it is to be built, and method of protection from waves are as follows: The embankment will be constructed of rock, and random filled with an impervious zone.

8. The location of wasteway with dimensions are as follows: The spillway structure, located on the left abutment, consists of an overflow section with two tainter gates, a concrete lined chute, a flip bucket and plunge pool. Design capacity is 93,800 c.f.s.

9. The location of outlet from the proposed reservoir, with character of construction and dimensions, are as follows: Multiple use 233-foot-high intake tower, inflow passages at five locations. Outlet capacity at full pool will be 6,100 c.f.s.

10. The area submerged by the proposed reservoir, when full, will be 988 acres, with a maximum depth of water of 232 feet; and approximate mean depth of water 110 feet.

11. The estimated cost of the proposed work is \$ 82,500,000

12. Construction work will begin on or before 1976 - Funded for construction

13. Construction work will be completed on or before 1982 (Estimated)

Red Thies  
(Signature of applicant)

STATE OF OREGON, }  
County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before, 19

WITNESS my hand this day of, 19

By STATE ENGINEER ASSISTANT

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R 7810

Remarks: The reservoir will be owned and operated by the U.S. Army Corps of Engineers. The total capacity below full pool will be 82,000 acre-feet. The multiple use pool will be 75,000 acre-feet.

It is the intent of this application to obtain a permit to store for beneficial use 26,000 acre-feet for irrigation use, to be administered by the U.S. Bureau of Reclamation.

Secondary applications for appropriation of stored water to beneficial use will be submitted by, or on behalf of, the ultimate water users.

STATE OF OREGON, }  
County of Marion, } ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions: The right herein granted is limited to the construction of Applegate Reservoir and storage of water from the Applegate River for irrigation.

The right hereunder shall be limited to the storage of 26,000 acre feet.

The priority date of this permit is July 3, 1978

Actual construction work shall begin on or before April 24, 1980 and

shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1981. Extended to Oct. 1, 1983

WITNESS my hand this 24th day of April, 1979

*James E. Seaman*  
Water Resources Director

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Application No. 257600

Reservoir Permit No. R 7810

**PERMIT**

To construct a reservoir and store for beneficial use the unappropriated waters of the State of Oregon.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 3<sup>rd</sup> day of July, 1978, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

Recorded in Book No. \_\_\_\_\_ of Reservoirs, on Page \_\_\_\_\_

State Engineer

Drainage Basin No. \_\_\_\_\_ page \_\_\_\_\_

Fees \_\_\_\_\_

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# CONTRACT DATA SHEET

# COPY



U.S. Bureau of Reclamation  
Attn: PN-3322  
1150 North Curtis Road  
Boise ID 83706-1234  
(208) 378-5223

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## 1. Applicant Information:

### A. Landowners

- 1) Name of landowner(s): Collins Family Trust Et Al
- 2) Address: 2306 Upper Applegate Rd., Jacksonville, OR 97530
- 3) Mailing Address (if different):
- 4) Taxpayer Identification Number(s): 569-04-1210  
(Social Security Number or Employer Identification Number) <sup>1</sup>
- 5) Do you own all of the land where you propose to divert and make use of water? Yes

### B. Water User Organizations (Such as Irrigation Districts, Ditch/Canal Companies, Water Control Districts, Water User Associations & Cooperatives, Irrigation Improvement Districts, and similar entities organized according to State Law)

- 1) Name of Organization: \_\_\_\_\_
- 2) Name & Title of Applicant: \_\_\_\_\_
- 3) Mailing Address of Organization: \_\_\_\_\_
- 4) Taxpayer Identification Number: \_\_\_\_\_  
(Social Security Number or Employer Identification Number)
- 5) Please provide the following information:
  - (a) A description of the area served by the organization (location, total acreage, # of water users, prominent crops, etc.)
  - (b) Copy of organization by-laws, articles of incorporation (if applicable), board resolution authorizing the applicant to represent and bind the organization under contract with the United States.

## 2. Source of Water: Applegate Lake, tributary to Applegate River

3. **Applegate Lake** point of diversion (POD#1): 377.03 ft North & 822.74 ft West Fm SE Cor Sec 25, T40S, R4W, Willamette Meridian.  
Point of diversion (POD#2): 100 ft South & 1630 ft West from the Center 1/4 Cor Section 3, Township 39S, R3W, Willamette Meridian.

4. A water right permit to divert storage water is required. Application or file number with OWRD if you have applied for a permit to divert storage water: Application has been submitted to OWRD

5. Include a map of lands and diversion points. [Same as required by Oregon Water Resources Department (OWRD) for application for surface/ground water permit].

6. Do you currently hold a right to natural flows for irrigating the property described herein? Yes on 0.5 acres as indicated on map

If yes, what is/are the priority date(s)? September 1, 1857.

Total quantity of water from storage requested: 7.68 acre-feet.

7. Location of land to be irrigated in each 40-acre tract:

TOWNSHIP	RANGE	SECTION	40-ACRE TRACT (1/4) (1/4)	NO. of ACRES	TYPE of IRRIGATED CROP
39 S	3 W	3	SW NW	1.96	Pasture
39 S	3 W	3	SE NW	0.5	Pasture
39 S	3 W	3	NW SW	0.1	Pasture

8. What is the present use of the land identified above? [*Farming; idle* (fallow cultivated land); *native* (appears never to have been tilled); *planted pasture or other* (please specify)]. Planted Pasture

9. Is the land identified above currently being irrigated? Yes If yes, what is the source? (*natural flows, wells, etc.*) natural flows

10. Diversion must be screened to prevent uptake of fish and other aquatic life.  
Describe plan(s) to comply with State/Federal fish screen standards: Both diversions already meet ODFW specifications for fish screening and bypass.

12. Telephone Number where you can be reached during the day: (714) 719-4644

Before returning the completed Contract Data Sheet to the address provided on page 1, please check that you have done the following:

- ANSWERED ALL QUESTIONS COMPLETELY
- ATTACHED AND IDENTIFIED ADDITIONAL SHEET(S) AS NECESSARY
- ATTACHED THE REQUIRED MAP
- SUBMIT PAYMENT FOR THE APPROPRIATE CONTRACT ADMINISTRATION FEE <sup>2</sup>, MAKE CHECK PAYABLE TO THE U. S. BUREAU OF RECLAMATION

<sup>1</sup> Section 31001.(i) of the Debt Collection Improvement Act of 1996 (Chapter 10 of Pub. L. 104-134) requires each contractor with an agency of the United States to furnish their taxpayer identifying number (social security number or employer identification number) and each agency to disclose to that contractor its intent to use such number for purposes of collecting and reporting on any delinquent amounts arising out of such contractor's relationship with the Government.

<sup>2</sup> The minimum contract administration fee for most applications is \$100. However, from time to time this fee may be revised to cover the costs of the United States. We recommend you contact this office to verify the current minimum contract administration fee. In the event that the costs to the United States of evaluating the application are in excess of the minimum contract administration fee, an estimate of the reimbursable costs for which advance payment is required will be provided to the applicant.

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# 439-22-00809-ZON

04/15/2022

## Land Use Compatibility

39-3W-03-1602

ZONING: Rural Residential-5

RECORD NO: 439-22-00809-ZON

PROCESS: Type I Permit

PROJECT NAME: LUCS

ASSIGNED STAFF:

RECEIVED DATE: 04/15/2022

SITE ADDRESS: 2306 UPPER APPLGATE RD

### Owners

GUEULETTE MARTIN  
7806 DENROCK AVE  
LOS ANGELES, CA 90045-1167

### Record Detail Description

OWRD

### Contacts

Mitchell Collins  
12771 Monarch St. Garden Grove, CA 92841  
mitchell@mitchelldeancollins.com  
(714) 719-4644

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# Transaction Receipt

Record ID: 439-22-00809-ZON

IVR Number: 439045323419

Receipt Number: 286601

Receipt Date: 4/15/22

Jackson County Planning Department

Development Services Planning Division

10 S Oakdale Ave, Room 100

Medford, OR 97501

541-774-6907

Fax: 541-774-6791

jcplanning@jacksoncounty.org

www.jacksoncounty.org

Worksite address: 2306 UPPER APPLGATE RD, JACKSONVILLE, OR

Parcel: 39-3W-03-1602

Fees Paid					
Transaction date	Units	Description	Account code	Fee amount	Paid amount
4/15/22	1.00 Ea	Type I Counter Permit	3701040000.45105.1300	\$72.00	\$72.00
Payment Method: Credit card authorization: 5 Transaction Comment: LUCS_NS			Payer: Mitchell Collins	Payment Amount:	\$72.00
Cashier: Nick J. Schubert				Receipt Total:	\$72.00

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Oregon Water Resources Department  
Surface Water Application

[Main](#)    [Help](#)  
[Return](#)    [Contact Us](#)

Today's Date: Monday, April 4, 2022

Base Application Fee.		\$1,090.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	0.032	\$410.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Surface Water points of diversions. **	2	\$410.00
Number of Acre Feet to be diverted from Stored Water. (if the application is appropriating water from a pond/reservoir)	7.68	\$328.00
	Subtotal:	\$2,238.00
Permit Recording Fee. ***		\$610.00
<p>* the 1st Water Use is included in the base cost.  ** the 1st Surface Water point of diversion is included in the base cost.  *** the Permit Recording Fee is not required when the application is submitted but, must be paid 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.</p>	Recalculate	
Estimated cost of Permit Application		\$2,848.00

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Oregon Water Resources Department  
Surface Water Application

Today's Date: Monday, April 4, 2022

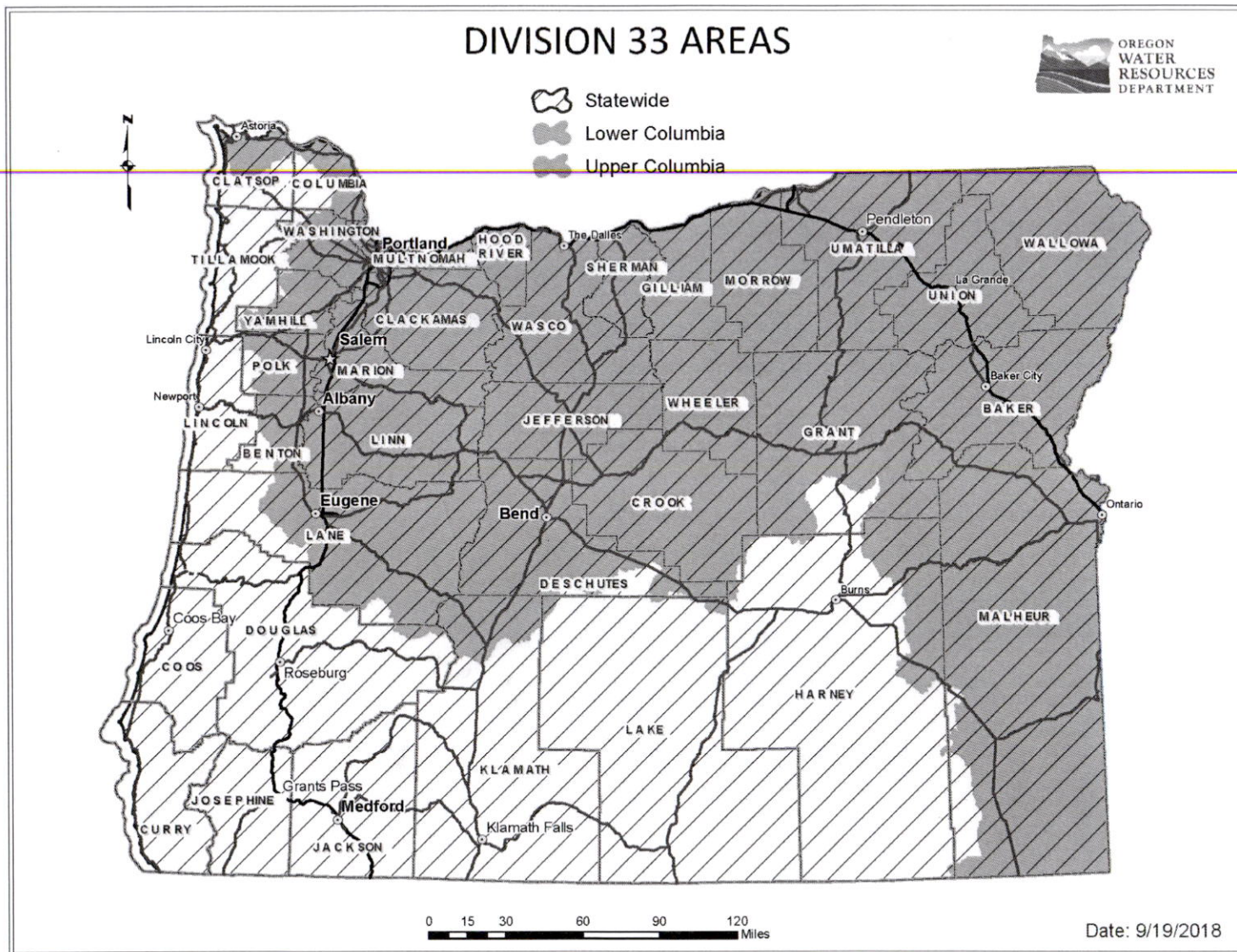
Base Application Fee.		\$1,090.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	0.032	\$410.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
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Estimated cost of Permit Application		\$2,848.00

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Figure 1: Map of Division 33 Areas



For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the Division 33 rules apply: [https://apps.wrd.state.or.us/apps/misc/lkp\\_trsqq\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/)

# 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.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Resource Protection
- SECTION 8: Project Schedule
- SECTION 9: Within a District
- SECTION 10: Remarks

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### 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: \$ 2848<sup>00</sup>  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://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)



# 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 \$310. 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](http://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 \$480.00 for the applicant and \$950.00 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

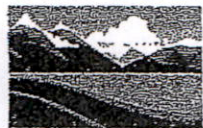
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OREGON



WATER RESOURCES  
DEPARTMENT

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Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Mitchell Dean Collins (Trustee of the Collins Family Trust)  
2306 Upper Applegate Rd Jacksonville OR 97530

Transaction Type: Permit to use Surface Water

Fees Received: \$ 2,848.00

Cash

Check:

Check No. 1001

Name(s) on Check: Collins Family Trust

Address on Check: 2306 Upper Applegate Rd  
12771 Monarch St. Garden Grove CA 92841

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: \_\_\_\_\_

(Name of OWRD staff)

### Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.