

# SPLIT A PERMIT

## Estimate of Work

Permit #: **G-13570**

Name(s) of Applicant: **Brian Rissberger**  
**9750 Lace Leaf Lane NE**  
**Aurora, OR 97002-8738**

Other Landowners: **A & R Spada Farms, LLC,**  
**George & Lucette Wilder,**  
**Rogers Associates Oregon/George Rogers,**  
**Nursery Holdings LLC**

Action Item	Est. Time (hr.)
Review Application for Completeness	1.0
Verify mailing address of each owner of the authorized place of use	0.5
Verify deeds matches properties proposed for assignments	1.0
Verify most recent water use under the permit has been exercised within relevant terms and conditions of permit	0.5
Assess application for enlargement of the original permit and injury to other water right holders	1.5
Review and prepare draft documents	6.0
Issue, mail, and publish draft PFO	0.5
Issue, mail, and publish PFO	0.5
Issue and mail Final Order and new Permits	0.5
<b>Total</b>	<b>12.0</b>

Total Hours: 12 x \$ 65.00/hr = \$ 780.00

**TOTAL ESTIMATE DUE: \$ 780.00**

**ACCEPTED**  
8.1.16 MA



# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

[www.wrd.state.or.us](http://www.wrd.state.or.us)

July 28, 2016

Brian Rissberger  
9750 Lace Leaf Lane NE  
Aurora, OR 97002

RE: Split a Permit Application

We are in receipt of your application to Split a Permit and Request for Issuance of Replacement Permits. Our Receipt #120684 for your \$125.00 for the estimated cost to process our application is enclosed.

Also enclosed is the Applicant's Agreement which includes the estimated cost of the work to be performed. In order to commence work, the Agreement must be signed and accompanied with the full payment of the estimated maximum cost.

Please read the Agreement thoroughly and follow the instructions to proceed with the process. Please mail the signed contract and check prior to **August 28, 2016**, to:

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

If you have any questions, please call me at (503) 986-0890 or via e-mail at [Sarah.A.Henderson@ wrd.state.or.us](mailto:Sarah.A.Henderson@ wrd.state.or.us).

Sincerely,

Sarah Henderson  
Transfer and Conservation Section

Enclosures

cc: Doann Hamilton (via email at [phgdmh@gmail.com](mailto:phgdmh@gmail.com))  
Joel Plahn, District 16 Watermaster (via email)

ACCEPTED

8.1.16 *ma*



March 4, 2015

**Kelly Starnes**  
**Oregon Water Resources Department**  
**725 Summer Street NE, Suite A**  
**Salem, Oregon 97301**

Re: A&R Spada Farms, LLC - Water Right Changes on "Gillis Farm"  
(Old Loan #45897-442; New Loan No. 6011605)

Dear Mr. Starnes,

I have reviewed the proposed changes to the water rights for the farm owned by A&R Spada Farms, LLC that serves as collateral for the above referenced loan; specifically the *Application to Split a Permit and Request for Issuance of Replacement Permits*. A legal description of the farm is attached on Exhibit One. Northwest Farm Credit Services hereby provides this letter as its approval of the proposed water right change in lieu of the Department's *Affidavit of Non-Conveyance and Reading of the Permit*. If you require any additional information from us, please feel free to contact me at 503-373-3000.

Sincerely,

A handwritten signature in black ink, appearing to read "Kurt J. Wittman", with a long horizontal flourish extending to the right.

Kurt J. Wittman  
Relationship Manager/VP  
Commercial Lending Division

CC: Angelo Spada - A&R Spada Farms, LLC

Please use additional pages as needed

Part 3 of 4 – Applicant Information and Signature

**Applicant Information**

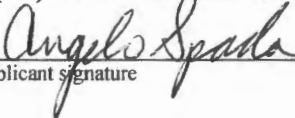
APPLICANT/BUSINESS NAME <b>A&amp;R SPADA FARMS, LLC</b> <b>ANGELO SPADA, MANAGER</b>			MAP ID (LETTER OR NUMBER) <b>A</b>	PHONE NO. <b>503-633-2941</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>PO BOX 157</b>					FAX NO.
CITY <b>ST PAUL</b>	STATE <b>OREGON</b>	ZIP <b>97137</b>	E-MAIL <b>JOANS@SPADAFARMS.COM</b>		
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER AND REPLACEMENT PERMIT DOCUMENTS WILL ALSO BE MAILED.					

**Agent Information** – This agent is authorized to represent the above applicant in all matters relating to this application

AGENT/BUSINESS NAME <b>JEANNE BOATWRIGHT</b>			PHONE NO. <b>503-363-9225</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>BOATWRIGHT ENGINEERING, INC. 2613 12TH STREET SE</b>				FAX NO. <b>503-363-1051</b>
CITY <b>SALEM</b>	STATE <b>OREGON</b>	ZIP <b>97302</b>	E-MAIL <b>JEANNE@BOATWRIGHTENGR.COM</b>	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER AND REPLACEMENT PERMIT DOCUMENTS WILL ALSO BE MAILED.				

**I (we) affirm that the most recent water use (if any) under my (our) portion of the permit has been exercised within the relevant terms and conditions of the permit.**

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

  
Applicant signature

Angelo Spada, manager  
Name (and title if applicable) (print)

3/9/2015  
Date

Applicant signature

Name (and title if applicable) (print)

Date

**Applicant Information**

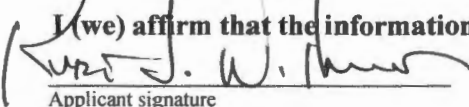
APPLICANT/BUSINESS NAME <b>NORTHWEST FARM CREDIT SERVICES, FLCA</b> <b>ATTN: KURT WITTMAN</b>			MAP ID (LETTER OR NUMBER) <b>A</b>	PHONE NO. <b>503-373-3000</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>PO BOX 13309</b>					FAX NO.
CITY <b>SALEM</b>	STATE <b>OREGON</b>	ZIP <b>97309</b>	E-MAIL <b>KURT.WITTMAN@NORTHWESTFCS.COM</b>		
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER AND REPLACEMENT PERMIT DOCUMENTS WILL ALSO BE MAILED.					

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ADDRESS <b>BOATWRIGHT ENGINEERING, INC. 2613 12TH STREET SE</b>				FAX NO. <b>503-363-1051</b>
CITY <b>SALEM</b>	STATE <b>OREGON</b>	ZIP <b>97302</b>	E-MAIL <b>JEANNE@BOATWRIGHTENGR.COM</b>	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER AND REPLACEMENT PERMIT DOCUMENTS WILL ALSO BE MAILED.				

**I (we) affirm that the most recent water use (if any) under my (our) portion of the permit has been exercised within the relevant terms and conditions of the permit.**

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

  
Applicant signature

Kurt Wittman, VP  
Name (and title if applicable) (print)

3/5/15  
Date

Applicant signature

Name (and title if applicable) (print)

Date



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

**Application to  
 Split A Permit and Request for  
 Issuance of Replacement  
 Permits**

**Affidavit of Non-Conveyance and  
 Reading of Permit G-13507**

State of Oregon )  
 ) ss  
 County of Marion )

I, Angelo Spada, as manager of A&R SPADA FARMS, LLC, mailing address PO BOX 157 ST. PAUL, OREGON 97137, telephone number (503)633-2941, being first duly sworn depose and say:

1. Permit G-13570, has not been conveyed or withheld and remains appurtenant to my land.
2. I attest that I have read Permit G-13570.

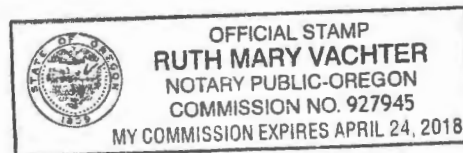
Angelo Spada  
 Signature of Affiant

3/9/2015  
 Date

Signed and sworn to (or affirmed) before me this 9 day of March, 2015.

Ruth M. Vachter  
 Notary Public for Oregon

My Commission Expires: 4/24/2018



**SPLIT A PERMIT and REQUEST FOR ISSUANCE  
OF REPLACEMENT PERMITS**

**APPLICANT'S AGREEMENT**

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Brian Rissberger** hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Contact: <b>Kelly Starnes</b>	Name: <b>Brian Rissberger</b>	Name: <b>Pacific Hydro-Geology, Inc.</b>
Title: Transfer Program Analyst	Contact:	Contact: Doann Hamilton
Address: 725 Summer Street, NE, Suite A Salem, OR 97301-1266	Address: 9750 Lace Leaf Lane NE Aurora, OR 97002	Address: 18487 S. Valley Vista Road Mulino, OR97042
Phone: 503 986-0886	Phone: 503-709-0269	Phone: 503-632-5016
Fax: 503 986-0901		Fax: 503-632-5983
Email: patrick.k.starnes@state.or.us	Email:	Email: phgdmh@gmail.com

**Purpose** The purpose of this Agreement is to process the **Split a Permit Application. (Permit Number: G-13570)**

1. **Authority** The OWRD has been authorized pursuant to ORS 537.225 to receive and review application for assignment of all or part of the water right permit and for the issuance of a replacement water right permit that reflects that assignment. In addition OAR 690-325-0010 through 0110 establishes the requirements and procedures for evaluating the application. In making this agreement, OWRD shall require the applicant to pay the full cost of evaluating the application.
2. **Restrictions.** **Brian Rissberger** and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
4. **Statement of Work.** The Statement of Work is contained in Exhibit A attached hereto and incorporated by reference into this Agreement. OWRD agrees to perform this work in accordance with the terms and conditions of this Agreement.
5. **Consideration.**
  - a. **Brian Rissberger** shall pay OWRD in advance for actual costs incurred by OWRD as specified in the Statement of work attached and incorporated as Exhibit A. The estimated maximum reimbursement payable to OWRD under this Agreement is **\$780.00**. **Brian Rissberger** agrees to pay the full amount of **\$780.00** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
  - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.

**ACCEPTED**  
8.1.16 *mt*

Exhibit A

Statement of Work

Permit Number: G-13570

Name of Applicant: **Brian Rissberger**

**Split a Permit Process  
Itemized Estimate Sheet**  
For  
Permit Application

Action Item	Est. Time (hr.)
Review Application for Completeness	1.0
Verify mailing address of each owner of the authorized place of use	0.5
Verify deed(s) match(es) properties proposed for assignment	1.0
Verify most recent water use under the permit has been exercised within relevant terms and conditions of permit	0.5
Assess application for enlargement of the original permit and injury to other water right holders	1.5
Review and prepare draft documents	6.0
Peer review, issue, mail, and publish draft PFO	0.5
Peer review, issue, mail, and publish PFO	0.5
Peer review, issue and mail Final Order	0.5
<b>Total hours</b>	<b>12.0</b>

**Total estimated cost is 12.0 hours at \$65.00\* per hour, totaling \$780.00.**

\* - This figure is representative of the average compensation for staff time, with benefits and overhead, for the staff persons working on this file. You may request a detailed accounting upon completion of this project.

Completion of Draft Proposed Final Order: **August 28, 2016**

*\*Dates are contingent on the Applicant's expeditious resolution of any deficiency and may be affected by Department's work load.*

**ACCEPTED**  
8.1.16 *ma*

# Split A Permit Application Checklist

Checked by Jeffrey Date \_\_\_\_\_

- 1. Permit #: G-13570 Permit "C Date": \_\_\_\_\_  
Has "C Date" Expired? If YES, CANNOT ACCEPT.
- 2. Permit Type of Use: Nursery If other than irrigation, nursery, temperature control, stock watering, or agriculture, CANNOT ACCEPT
- 3. Is Applicant a unit of local government, port, water authority, or a district? Yes / No If YES, CANNOT ACCEPT.

(If OK, check box to left; if not, fill in the blank)

- 4. Page 1 of application: Are the attachments listed below actually included?

		Required Attachments
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Completed application map with CWRE signature.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Completed Affidavit of Non-Conveyance and Reading of Permit.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Copy of recorded deed.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	a) Agreement as to assignment if all landowners are applicants, <u>or</u> b) Information identifying names, addresses, and proportionate interest for those not submitting the application

**RECEIVED**

JUL 27 2016

WATER RESOURCES DEPT  
SALEM, OREGON

If not, what box is not checked and/or what attachment is missing? \_\_\_\_\_

- 5. Is the **\$125.00 non-refundable** fee included? \_\_\_\_\_
- 6. Part 3 of application: Have all the applicants listed in Part 3 signed the application?  
If not, whose signature is missing? \_\_\_\_\_
- 7. Part 5 of application: Is the permit shown by WRIS as non-cancelled? Yes / No
- 8. If all #1-#7 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application and place it along with this checklist in the "split a permit" orange folder, pull the water right application file and rubber band the orange folder to the water right application file. Give the water right application file with attached orange folder to receptionist for receipting.  
If #4, #5, #6, or #7 on this checklist are deficient, the application CANNOT be accepted. It should be returned and the deficiencies should be listed in the cover letter, unless the applicant or agent can resolve the deficiencies within 2-3 days.

**ACCEPTED**  
8.1.16 mt





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

# Application to Split A Permit and Request for Issuance of Replacement Permits (ORS 537.225)

## Part 1 of 5 – Minimum Requirements Checklist

**This application will be returned if Parts 1 through 5 and all required attachments are not completed and included.**  
 For questions, please call (503) 986-0900, and ask for Transfer Section.

**Check all items included with this application.**

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Application Map Checklist.
- Part 3 – Completed Application with non-refundable \$125.00 Application Fee, Applicant(s)' Information and Signature(s).
- Part 4 – Other Landowner Information and proportionate rate(s).
- Part 5 – Water Right Permit Information. List the permit number to be assigned here: G-13570.

**Attachments:**

- Completed application map prepared by Certified Water Right Examiner (CWRE).
- Completed Affidavit(s) from the applicant(s):
  - Certifying the permit has not been conveyed or withheld, and remains appurtenant to the applicant's land.
  - Certifying the applicant has read the permit.
- Copy(s) of current recorded deed(s) showing that the applicant(s) is/are an owner of the land(s) to which the permit is appurtenant.

**INSTRUCTIONS for editing the Application Form**

Photocopy pages or tables in Part 5, ~~mark through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g., Page ~~5~~ 6 of ~~9~~ 10).

You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

RECEIVED

For Staff Accounting Purposes Only – PCA #46110 Object # \_\_\_\_\_ JUL 27 2016

ACCEPTED  
 8.1.16 MA

## Part 2 of 4 –Application Map Checklist

**This application will be returned if any of the map requirements listed below are not met.**

**Please be sure that the map you submit is based upon the original water right application map or permit amendment map and includes all the items listed below and meets the requirements of OAR 690-325-0050. Check all boxes that apply.**

**The map shall not include any unauthorized change to the authorized place of use outside of its original perimeters as exhibited on the original water right application map or approved permit amendment map nor any unauthorized change to the location of the point(s) of diversion or appropriation as exhibited on the original water right application map or approved permit amendment map.**

- Certified Water Right Examiner (CWRE) Stamp and Signature. For a list of CWRE's, see [http://apps.wrd.state.or.us/apps/wr/cwre\\_license\\_view/](http://apps.wrd.state.or.us/apps/wr/cwre_license_view/).
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one additional paper copy and an electronic copy in a .pdf, .tiff or .jpg format is required.
- A north arrow, a legend, and scale. The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- The place of use of each applicant's portion of the water right permit shall be clearly defined by outline and shaded or hachured and shall show the number of acres for each portion in each quarter-quarter section, government lot, or quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If the permit has multiple priority dates or uses, the lands to be served by each priority date and on which use is authorized, must be separately identified.
- The place of use of any part of the permit **not** being assigned shall be clearly defined by outline and shaded or hachured and shall show the number of acres for each portion in each quarter-quarter section, government lot, or quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If the permit has multiple priority dates or uses, the lands to be served by each priority date and on which use is authorized, must be separately identified.
- Each applicant's portion of the permit shall be referenced, by either alphabet letter or number, to each applicant(s) listed in the application form.
- The rate and any applicable acre-feet allowance of water use under the permit for each applicant's portion of the permit shall be clearly labeled on the map.
- The location of each authorized point of diversion or appropriation.

Please use additional pages as needed

Part 3 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME BRIAN RISSBERGER			MAP ID (LETTER OR NUMBER) A	PHONE NO. (503) 709-0269	ADDITIONAL CONTACT NO.
ADDRESS 9750 LACE LEAF LANE NE					FAX NO.
CITY AURORA	STATE OR	ZIP 97002	E-MAIL		
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER AND REPLACEMENT PERMIT DOCUMENTS WILL ALSO BE MAILED.					

Agent Information – This agent is authorized to represent the above applicant in all matters relating to this application

AGENT/BUSINESS NAME Doann Hamilton/Pacific Hydro-Geology, Inc.			PHONE NO. (503) 632-5016	ADDITIONAL CONTACT NO. (503) 349-6946 (cell)
ADDRESS 18487 S. Valley Vista Road				FAX NO. (503) 632-5983
CITY Mulino	STATE OR	ZIP 97042	E-MAIL phgdmh@gmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER AND REPLACEMENT PERMIT DOCUMENTS WILL ALSO BE MAILED.				

ORS 536.050(1)(aa) authorizes the Oregon Water Resources Department (OWRD) to collect fees based upon the actual cost of work to process an application under ORS 537.225.

I (we) understand the following:

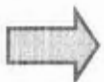
- Upon receipt of my complete application and the non-refundable application fee in the amount of \$125.00, OWRD will, within fifteen (15) days, notify me in writing of the estimate of the cost of work.
- The non-refundable \$125.00 fee covers the cost of OWRD’s staff to evaluate and provide the cost of work estimate for processing the application.
- Upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost of work in advance to initiate the processing of the application.
- If I decline to enter into a formal contract, OWRD will close my application.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- OWRD does not guarantee a favorable review of the application.

RECEIVED

JUL 27 2016

I (we) affirm that the most recent water use (if any) under my (our) portion of the water resources dept has been exercised within the relevant terms and conditions of the permit. SALEM, OREGON

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



*Brian Rissberger*  
Applicant signature

Brian Rissberger 7/22/16  
Name (and title if applicable) (print) Date

Applicant signature

Name (and title if applicable) (print)

Date

ACCEPTED  
8.1.16 MA

Please use additional pages as needed

**Part 4 of 5 – Other Landowner Information**

Please list the owner(s) of land under the permit who are not submitting the assignment and request for issuance of replacement water right permit.

**Landowner Information**

LANDOWNER/BUSINESS NAME A & R SPADA FARMS LLC		MAP ID (LETTER OR NUMBER) B	
MAILING ADDRESS PO BOX 157		CITY SAINT PAUL	STATE OR ZIP 97137
TOTAL NUMBER OF ACRES UNDER THE PERMIT (AS DEPICTED ON MAP) 114.1	PROPORTIONATE RATE 2.85 CFS SEPTEMBER 1 TO JUNE 30 0.98 CFS JULY 1 TO AUGUST 31 (WELL 4 & 5)		

**Landowner Information**

LANDOWNER/BUSINESS NAME GEORGE AND LUCETTE WILDER		MAP ID (LETTER OR NUMBER) C	
MAILING ADDRESS 19806 BUTTE VILLE ROAD NE		CITY HUBBARD	STATE OR ZIP 97032
TOTAL NUMBER OF ACRES UNDER THE PERMIT (AS DEPICTED ON MAP) 2.9	PROPORTIONATE RATE 0.07 CFS		

**Landowner Information**

LANDOWNER/BUSINESS NAME ROGERS ASSOCIATES OREGON / GEORGE ROGERS		MAP ID (LETTER OR NUMBER) D	
MAILING ADDRESS PO BOX 3789		CITY BRISTOL	STATE TN ZIP 37625
TOTAL NUMBER OF ACRES UNDER THE PERMIT (AS DEPICTED ON MAP) 22.2	PROPORTIONATE RATE 0.56 CFS SEPTEMBER 1 TO JUNE 30 0.19 CFS JULY 1 TO AUGUST 31		

**Landowner Information**

LANDOWNER/BUSINESS NAME NURSERY HOLDINGS LLC		MAP ID (LETTER OR NUMBER) E	
MAILING ADDRESS 21871 SW CHEHALIS CT		CITY TUALATIN	STATE OR ZIP 97062
TOTAL NUMBER OF ACRES UNDER THE PERMIT (AS DEPICTED ON MAP) 5.0	PROPORTIONATE RATE 0.13 CFS		

**RECEIVED**

JUL 27 2016

WATER RESOURCES DEPT  
SALEM OREGON

**ACCEPTED**

8-1-16 MA

**Part 5 of 5 – Permit Information**

**PERMIT #** 13570, T-9950

**Completion date of the permit:** OCTOBER 2026

**Name(s) currently appearing on permit:**

BRIAN RISSBERGER

A & R SPADA FARMS LLC.

GEORGE WILDER

LUCETTE WILDER

MARY SPADA LIVING TRUST

ROGERS ASSOCIATES OREGON / GEORGE ROGERS

NURSERY HOLDINGS LLC

NORTHWEST FARM CREDIT SERVICES FLCA

**Type(s) of use as listed on permit:** NURSERY OPERATIONS

Note: Type of use must be one or more of the following uses approved for assignment under ORS 537.225(1) and OAR 690-325-0010: irrigation, nursery, temperature control, stock watering, or agricultural water use.

**Table 1. Location of Authorized Point(s) of Diversion (POD) or Appropriation (POA)**

POD/POA Name or Number	If POA, OWRD Well Log ID# (or Well ID Tag # L-_____)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	MARI 869	4 S	1 W	30	NE NW	58	1,880 feet north and 1,120 feet east from the SE corner, DLC 71.
Well 2	MARI 614	4 S	1 W	19	NE SW	69	3,360 feet north and 2,040 feet east from the SE corner, DLC 71.
Well 3	MARI 630	4 S	1 W	19	NW SE	69	3,340 feet north and 2,730 feet east from the SE corner, DLC 71.
Well 4	MARI 66041	4 S	2 W	24	SE SE	81	1,230 feet north and 100 feet west from the SE corner, Section 24.
Well 5	MARI 58231	4 S	2 W	24	NW SE	81	800 feet south and 1,190 feet east from the SW corner, DLC 47.
Well 6	MARI 59835	4 S	1 W	24	NW NW	58	20 feet south and 1,180 feet east from the NW corner, Section 30.
Well 7	NA	4 S	1 W	19	NW SE	96	1,860 feet north and 3,580 feet east from the SW corner, Section 19.

**RECEIVED**

**ACCEPTED**

8.1.16 MA

JUL 27 2016

Please use additional pages of Table 2 as needed

**Table 2. Description of Permit #13570.**

List all parts of the permit (both assigned and unassigned). For the acreage or place(s) of use in each ¼ ¼, list the Map ID (letter or number from map and Parts 3 and 4) for each parcel. The acreage listed must equal the total acreage on the permit.

Description of Permitted Lands											
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	Type of Use	POD(s) or POA(s) (name or number from Table 1)	Map ID (letter or number from map and Parts 3 and 4)	
4	S	1	W	19	NE SW	400, 501	69	4.0	NU	Well 7	D
4	S	1	W	19	NE SW	1400, 1700	69	1.9	NU	Well 1, 4, & 5	B
4	S	1	W	19	NE SW	1600	69	4.9	NU	Well 2	E
4	S	1	W	19	NW SW	1400	69	1.5	NU	Well 1, 4, & 5	B
4	S	1	W	19	SW SW	1000	71	16.6	NU	Well 1, 4, & 5	B
4	S	1	W	19	SW SW	1300, 1400	69	9.7	NU	Well 1, 4, & 5	B
4	S	1	W	19	SW SW	1300	58	2.3	NU	Well 1, 4, & 5	B
4	S	1	W	19	SW SW	1100	71	12.9	NU	Well 6	A
4	S	1	W	19	SW SW	1100	58	0.3	NU	Well 6	A
4	S	1	W	19	SE SW	500, 501,	69	0.4	NU	Well 7	D
4	S	1	W	19	SE SW	1300, 1400, 1700, 1800	69	31.4	NU	Well 1, 4, & 5	B
4	S	1	W	19	SE SW	1600	69	0.1	NU	Well 2	E
4	S	1	W	19	SE SW	1300	58	1.3	NU	Well 1, 4, & 5	B
4	S	1	W	19	NW SE	400, 500, 501	69	16.9	NU	Well 7	D
4	S	1	W	19	NW SE	601	69	0.4	NU	Well 3	C
4	S	1	W	19	SW SE	500	69	0.9	NU	Well 7	D
4	S	1	W	19	SW SE	601	69	2.5	NU	Well 3	C
4	S	1	W	19	SW SE	1700, 1800	69	1.0	NU	Well 1, 4, & 5	B
4	S	1	W	30	NE NW	1300	69	1.1	NU	Well 1, 4, & 5	B
4	S	1	W	30	NE NW	100, 1300	58	12.3	NU	Well 1, 4, & 5	B
4	S	1	W	30	NW NW	100, 1300	58	19.4	NU	Well 1, 4, & 5	B
4	S	1	W	30	NW NW	1100	71	6.1	NU	Well 6	A
4	S	1	W	30	NW NW	1100	58	0.3	NU	Well 6	A

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4	S	1	W	30	SW	NW	100	58	12.2	NU	Well 1, 4, & 5	B
4	S	1	W	30	SE	NW	100	58	0.1	NU	Well 1, 4, & 5	B
4	S	2	W	24	SE	SE	1000	81	3.3	NU	Well 1, 4, & 5	B
TOTAL ACRES									163.8			

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**Check the appropriate box, if applicable:**

Check here if any portion of the permit is located within an irrigation or other water district.

IRRIGATION DISTRICT NAME NA	ADDRESS	
CITY	STATE	ZIP

Check here if water for any portion of the permit is supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME NA	ADDRESS	
CITY	STATE	ZIP

Additional Remarks: None

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8.1.16 MA





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

# Application to Split A Permit and Request for Issuance of Replacement Permits

## Affidavit of Non-Conveyance and Reading of Permit G-13570

State of Oregon )  
 ) ss  
County of Marion )

I, BRIAN RISSBERGER, mailing address 9750 LACE LEAF LANE NE, AURORA, OR 97002, telephone number (503) 709-0269, being first duly sworn depose and say:

1. Permit G-13570, has not been conveyed or withheld and remains appurtenant to my/our land.
2. I attest that I/we have read Permit G-13570.

Brian Rissberger  
Signature of Affiant

7/22/16  
Date

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Date

Signed and sworn to (or affirmed) before me this 22 day of July, 2016.

Susan J Hammond  
Notary Public for Oregon

My Commission Expires: 2-28-20



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TICOR TITLE



18-35566

After Recording Return To:  
Brian J. Rissberger  
Errin R. Rissberger  
10475 SW Tranquil Way  
Wilsonville OR 97070

Send Tax Statements To:  
Brian J. Rissberger  
Errin R. Rissberger  
10475 SW Tranquil Way  
Wilsonville OR 97070

Title Order No. 18-35566  
Escrow No. 18-35566  
Tax Account No/RADB711/ANN  
PAY BOX R58237 41W 19C 1100,  
/REBB71/141YY ABC 1100

WARRANTY DEED  
(ORS 93.850)

George H. Rogers and Lynda C. Rogers, as tenants by the entirety, Grantor, conveys and warrants to Brian J. Rissberger and Errin R. Rissberger, as tenants by the entirety, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

See Exhibit 'A' attached hereto and by reference made a part hereof.

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 INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is \$367,000.00.

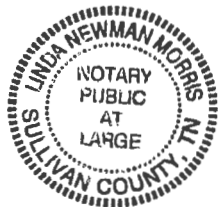
Dated this 6 day of December, 2004.  
George H. Rogers                      Lynda C. Rogers  
George H. Rogers                      Lynda C. Rogers

State of Tennessee, County of Sullivan )ss.

This instrument was acknowledged before me on December 6, 2004  
by George H. Rogers and Lynda C. Rogers.

Linda Newman Morris  
Notary Public

My commission expires: 1-16-08



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Title No. 18-35566

Escrow No. 18-35566

**EXHIBIT 'A'**

Legal Description:

**PARCEL I**

Lots Numbered 1, 2, 3, and 4, Pendleton Acres, situated in Section 25, in Township 4 South, Range 2 West of the Willamette Meridian in Marion County, Oregon, according to the duly recorded map and plat thereof, including that portion of the above said Lot 1 as originally platted lying Easterly of the Peter Gauthiers Donation Land Claim No. 71 as surveyed and platted by the General Land Office in 1862, the Easterly line of said Lot 1, Pendleton Acres as originally platted being the division line between the Peter Gauthiers Donation Land Claim No. 71 and the John A. Larrison Donation Land Claim No. 58 as surveyed in Marion County Surveys No. 5190 and 5386.

TOGETHER WITH an easement for ingress, egress, and utilities over and across a portion of those properties described as Tract II and Tract III in Reel 1270, Page 678, Deed Records of Marion County, Oregon, from Butteville road (Market Road 65) to the East line of Lot 1, Pendleton Acres, a subdivision of record in Marion County, as originally platted, said easement being located in the John Larrison Donation Land Claim No. 58, Sections 19 and 30, Township 4 South, Range 1 West, Willamette Meridian, Marion County, Oregon, and being further described as follows:

Beginning at 5/8" iron rod on the West right of way line of Butteville Road at Engineer's Station 212+28.6, said iron rod also being located South 60°00'38" East 1283.32 feet from a stone at the Southwest corner of the Amable Pettit Donation Land Claim No. 69; thence North 80°39'41" West 65.32 feet to a 5/8" iron rod; thence North 74°52'43" West 1165.93 feet to a 5/8" iron rod, said iron rod lying approximately 5 feet West of the East line of said Pendleton Acres as originally platted; thence South 15°07'17" West 24.00 feet to a 5/8" iron rod; thence South 74°52'43" East 1165.93 feet to a 5/8" iron rod; thence South 68°29'38" East 55.21 feet to a 5/8" iron rod on the West right of way of Butteville Road at Engineer's Station 212+68.6; thence along said right of way line North 30°09'00" East 40.00 feet to the point of beginning.

Subject to:

The assessment and tax rolls disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for previous years in which the farm use assessment was in effect for the land. In addition thereto, a penalty may be levied if notice of disqualification is not timely given.

The rights of the public in and to that portion of the premises herein described lying within the limits of public roads, streets and highways.

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**REEL:2410**

**PAGE: 396**

**December 07, 2004, 04:19 pm.**

CONTROL #: 129541

State of Oregon  
County of Marion

I hereby certify that the attached  
instrument was received and duly  
recorded by me in Marion County  
records:

FEE: \$ 31.00

PHIL MILES  
CHIEF DEPUTY CO. CLERK

THIS IS NOT AN INVOICE.

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8.1.16 ma