

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist



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

This transfer 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.

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Check all items included with this application. (N/A = Not Applicable)

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- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 90079**
 Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Evidence of Use Form not enclosed or incomplete
<input type="checkbox"/> Additional signature(s) required	<input type="checkbox"/> Part _____ is incomplete
Other/Explanation _____	
Staff: _____ 503-986-0_____	Date: ____/____/____

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Part 2 of 5 – Transfer Application Map

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

Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.
- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- 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, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy 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 Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), 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.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Bailey Nurseries, Inc.		PHONE NO. 503-662-3244	ADDITIONAL CONTACT NO.
ADDRESS 9855 NW Pike Road		FAX NO.	
CITY Yamhill	STATE OR	ZIP 97148	E-MAIL jon.estes@baileynursery.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME Stuntzner Engineering & Forestry		PHONE NO. 503-357-5717	ADDITIONAL CONTACT NO. 503-939-8381
ADDRESS 2318-B Pacific Avenue		FAX NO.	
CITY Forest Grove	STATE OR	ZIP 97116	E-MAIL billflatz@stuntzner.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why: Bailey Nurseries is transferring 8.2 acres of certified area of nursery operations out from under a recently constructed recovery pond and moving it to available area in the nursery. The pond was constructed to comply with current state rules to prevent any runoff from entering the waters of the state during the irrigation season.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

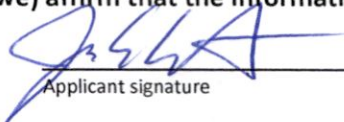
Check One Box

- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: _____.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).

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


Applicant signature

Jon Estes - Water Resources Mgr.
Print Name (and Title if applicable)

5/20/2020
Date

Applicant signature

Print Name (and Title if applicable)

Date

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Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No *If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*

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Check the following boxes that apply:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? Yes No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

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Describe any special ownership circumstances here: _____

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- Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME	ADDRESS		
CITY	STATE	ZIP	

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

ENTITY NAME	ADDRESS		
CITY	STATE	ZIP	



To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME Yamhill County	ADDRESS 535 NE 5th Street		
CITY McMinnville	STATE OR	ZIP 97128	

ENTITY NAME	ADDRESS		
CITY	STATE	ZIP	

Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 90079

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Description of Water Delivery System

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System capacity: 2.23 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **The water is pumped into Fidel Reservoir from Salt Creek with a 60 hp pump. From Fidel Reservoir the water is pumped with three 100 hp pumps through a series of 12" buried mainlines. The mainlines feed buried 10" mainlines. The 10" mainlines feed 2" buried lines within beds spaced at 65' on center and risers with rainbird impact sprinklers with 3/16" nozzels spaced at 40'. The 10" lines also feet above ground 2" hand lines spaced at 65'. The hand lines are set with risers and impact sprinklers at 40' spacing.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
 (Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	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)
1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	2 S	4 W	31	NE	NE	TL 200 DLC 55	1265' N. AND 1360' W. OF THE SE. CORNER OF PERKINS DLC 55.
2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	2 S	4 W	31	NE	NE	TL 200 DLC 55	1255' N. AND 1330' W. OF THE SE. CORNER OF PERKINS DLC 55.
3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	2 S	4 W	31	SE	NE	TL 200 DLC 55	675' N. AND 1330' W. OF THE SE. CORNER OF PERKINS DLC 55.
4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	2 S	4 W	31	SE	NE	TL 200 DLC 55	220' N. AND 1380' W. OF THE SE. CORNER OF PERKINS DLC 55.
5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	2 S	4 W	31	SE	SE	TL 2100 DLC 54	1950' S. AND 2180' W. OF THE SE. CORNER OF PERKINS DLC 55.

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed (“to” or “on” lands) section of Table 2 on the next page. Use the “CODES” listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

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For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: 42579, 44240.



Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department's web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

- Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right

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Application for Water Right Transfer

Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State of Oregon)
) ss
 County of WASHINGTON)

I, JON ESTES, in my capacity as BAILEY NURSERY, WATER RESOURCE MANGER,
 mailing address 9855 NW PIKE ROAD, YAMHILL OR 97148
 telephone number (503) 662-3244, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):
- Personal observation Professional expertise

2. I attest that:

Water was used during the previous five years on the **entire** place of use for Certificate # 90079; **OR**

My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

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OR

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- Confirming Certificate # ____ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: ____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # ____ (For Historic POD/POA Transfers)

(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.): NURSERY
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

[Signature]
 Signature of Affiant

5/12/2020
 Date

Signed and sworn to (or affirmed) before me this 12 day of May, 2020.



[Signature]
 Notary Public for Oregon

My Commission Expires: December 02, 2022

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input checked="" type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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Portland General Electric

Service Address:

BAILEY NURSERIES INC
10670 NW OAK RIDGE RD
YAMHILL, OR 97148

(503)228-6322 or 1-800-542-8818
PortlandGeneral.com

Cycle: 0605
Feeder Line Code: YM2

Account # 0006 27844-714534 0

Previous Amount Due 3,239.10
Payments/Adjustments 3,239.10^{CR}
Balance Forward 0.00
Current Charges 3,795.92

AMOUNT DUE \$ 3,795.92
Due date for current bill 10/06/15

Your energy use

Meter # AB09782157
Schedule 49
Service Period 09/09/15
08/07/15
33 days of service
Meter Reading 89328 (Estimated)
56916
32412 kWh

This month's charges (turn over for details)

Meter # AB09782157, Schedule 49
Energy Charges (32412 kWh) 3,757.31
Adjustments 84.92^{CR}
3,672.39
123.53

Taxes and Fees 3,795.92
Current Charges

Thank you for your payment. It's a privilege to provide your electric service.
Point of Delivery Identification (PODID) number for meter number
AB09782157 is 183687969.

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Period Ending	Avg Daily Temperature	Avg kWh Per Day	Avg Cost Per Day
Sep 2015	N/A	982.1	111.28
Sep 2014	N/A	1001.2	102.07

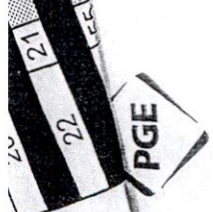
9/21/21

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22 21
(503)228-6322 or 1-800-542-8818
PortlandGeneral.com

Account # 0006 27844-714534 0

Previous Amount Due 3,731.35
Payments/Adjustments 3,731.35cr
Balance Forward 0.00
Current Charges 3,239.10

Portland General Electric

Service Address:
BAILEY NURSERIES INC
10670 NW OAK RIDGE RD
YAMHILL, OR 97148

Cycle: 0605
Feeder Line Code: YM2

AMOUNT DUE \$ 3,239.10
Due date for current bill 09/15/15

Your energy use

Meter # AB09782157
Schedule 49
Service Period 08/07/15
07/09/15
29 days of service
Meter Reading 56916 (Estimated)
29372
27544 kWh

This month's charges (turn over for details)

Meter # AB09782157, Schedule 49
Energy Charges (27544 kWh) 3,205.91
Adjustments 72.17cr
3,133.74
105.36

Taxes and Fees 3,239.10
Current Charges

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Thank you for your payment. It's a privilege to provide your electric service.
Thank you for your excellent bill payment record. We appreciate having you as a customer and we look forward to serving your energy needs in the years ahead.
Point of Delivery Identification (PODID) number for meter number AB09782157 is 183687969.

70121

Period Ending	Avg Daily Temperature*	Avg kWh Per Day	Avg Cost Per Day
Aug 2015	N/A	949.7	108.06

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Portland General Electric

Service Address:
BAILEY NURSERIES INC
10670 NW OAK RIDGE RD
YAMHILL, OR 97148

(303)228-6322 or 1-800-542-8818
PortlandGeneral.com

Handwritten signature

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Cycle: 0605
Feeder Line Code: YMZ

Account # 0006-27844-714534 0

Previous Amount Due 2,736.04
Payments/Adjustments 2,736.04^{CR}
Balance Forward 0.00
Current Charges 3,731.35

AMOUNT DUE \$ 3,731.35
Due date for current bill 08/07/15

Your energy use

Meter # AB09782157
Schedule 49
Service Period 07/09/15
06/09/15
30 days of service 31907 kWh
Meter Reading 29372 (Estimated)
97465

This month's charges (turn over for details)
Meter # AB09782157, Schedule 49
Energy Charges (31907 kWh) 3,701.10
Adjustments 91.19^{CR}
3,609.91
121.44

3,731.35

Current Charges

Taxes and Fees

Thank you for your payment. It's a privilege to provide your electric service.

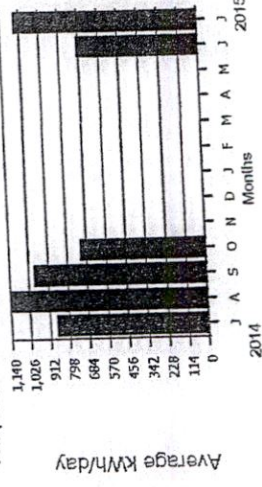
A price change took effect during this billing period. Part of your bill was calculated at the old rate and the remainder was calculated at the new rate.

Point of Delivery Identification (PODID) number for meter number AB09782157 is 183687969.

Handwritten: \$29/21

Period	Avg Daily Temperature*	Avg kWh Per Day	Avg Cost Per Day
Ending Jul 2015	N/A	1063.5	120.33
Jul 2014	N/A	878.8	90.39

*Temperature source: N/A



02-02-21-000-501510 \$ 3731.35

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Portland General Electric

Service Address:

BAILEY NURSERIES INC
10670 NW OAK RIDGE RD
YAMHILL, OR 97148

(503)228-6322 or 1-800-542-8818
PortlandGeneral.com

Account # 0006 27844-714534 0

Previous Amount Due 41.20
Payments/Adjustments 41.20 CR
Balance Forward 0.00
Current Charges 2,736.04

AMOUNT DUE \$ 2,736.04
Due date for current bill 07/01/15

[Handwritten signature]
Cycle: 0605
Feeder Line Code: YM2

Your energy use

Meter # AB09782157
Schedule 49
Service Period Meter Reading
06/09/15 97465
05/07/15 74266
33 days of service 23199 kWh

This month's charges (turn over for details)

Meter # AB09782157, Schedule 49
Energy Charges (23199 kWh) 2,715.75
Adjustments 68.67 CR
2,647.08
88.96

Taxes and Fees
Current Charges 2,736.04

Thank you for your payment. It's a privilege to provide your electric service.
Point of Delivery Identification (PODID) number for meter number
AB09782157 is 183687969.

[Handwritten signature]

Period Ending	Avg Daily Temperature*	Avg kWh Per Day	Avg Cost Per Day
Jun 2015	N/A	703.0	80.21
Jun 2014	N/A	695.0	71.84

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Portland General Electric

Service Address:
BAILEY NURSERIES INC
9855 NW PIKE RD
YAMHILL, OR 97148

(503)228-6322 or 1-800-542-8818
PortlandGeneral.com

RECEIVED SEP 14 2015

Cycle: 0601
Feeder Line Code: YM1

Account # 0003 38266-625416 1

Previous Amount Due 10,315.67
Payments/Adjustments 10,315.67^{CR}
Balance Forward 0.00
Current Charges 8,551.45

AMOUNT DUE \$ 8,551.45
Due date for current bill 09/28/15

Your energy use

Meter # AB09833354
Schedule 49
Meter Multiplier 80
Service Period 09/09/15
08/07/15
33 days of service
Meter Reading 34038
33145
71440 kWh

This month's charges (turn over for details)

Meter # AB09833354, Schedule 49
Energy Charges (71440 kWh) 8,461.01
Adjustments 187.18^{CR}
8,273.83
277.62
Taxes and Fees 8,551.45
Current Charges

Thank you for your payment. It's a privilege to provide your electric service.
Point of Delivery Identification (PODID) number for meter number
AB09833354 is 183243100.

22/21

Period Ending	Avg Daily Temperature*	Avg kWh Per Day	Avg Cost Per Day
Sep 2015	67	2164.8	250.72
Sep 2014	70	2923.6	301.57

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Portland General Electric

Service Address:
BAILEY NURSERIES INC
9855 NW PIKE RD
YAMHILL, OR 97148

(503)228-6322 or 1-800-542-8818
PortlandGeneral.com

Cycle: 0601
Feeder Line Code: YMI

Account # 0003 382666-625416 1

Previous Amount Due 10,716.25
Payments/Adjustments 10,635.75^{CR}
Balance Forward 80.50
Current Charges 10,235.17

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AMOUNT DUE \$ 10,315.67
Due date for current bill 08/26/15

This month's charges (turn over for details)

Meter # AB09833354, Schedule 49
Energy Charges (86160 kWh)
Adjustments
Taxes and Fees
Current Charges
10,235.17

Your energy use

Meter # AB09833354
Schedule 49
Meter Multiplier 80
Service Period 08/07/15
07/09/15
29 days of service
Meter Reading 33145
32068
86160 kWh

This bill includes a previously billed amount.

Thank you for your payment.

Thank you for your excellent bill payment record. We appreciate having you as a customer and we look forward to serving your energy needs in the years ahead.

Point of Delivery Identification (PODID) number for meter number AB09833354 is 183243100.

Period Ending	Avg Daily Temperature*	Avg kWh Per Day	Avg Cost Per Day
Aug 2015	70	2971.0	341.46
Aug 2014	71	3086.8	310.42

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Portland General Electric

Service Address:
BAILEY NURSERIES INC
9855 NW PIKE RD
YAMHILL, OR 97148

(503)228-6322 or 1-800-542-8818
PortlandGeneral.com

Cycle: 0601
Feeder Line Code: YM1

Account # 0003 38266-625416 1

Previous Amount Due 6,389.72
Payments/Adjustments 6,389.72^{CR}
Balance Forward 0.00
Current Charges 10,716.25

AMOUNT DUE \$ 10,716.25
Due date for current bill 07/28/15

Your energy use

Meter # AB09833354
Schedule 49
Meter Multiplier 80
Service Period 07/09/15
06/09/15
30 days of service
Meter Reading 32068
30936
90560 kWh

This month's charges (turn over for details)

Meter # AB09833354, Schedule 49
Energy Charges (90560 kWh) 10,626.73
Adjustments 258.82^{CR}
10,367.91
348.34
Taxes and Fees 10,716.25
Current Charges 10,716.25

Thank you for your payment. It's a privilege to provide your electric service.

A price change took effect during this billing period. Part of your bill was calculated at the old rate and the remainder was calculated at the new rate.

Point of Delivery Identification (PODID) number for meter number AB09833354 is 183243100.

Period Ending	Avg Daily Temperature*	Avg kWh Per Day	Avg Cost Per Day
Jul 2015	70.00	3018.6	345.59
Jul 2014	66.00	2500.0	271.20

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72/21

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Portland General Electric

Service Address:
BAILEY NURSERIES INC
9855 NW PIKE RD
YAMHILL, OR 97148

(503)228-6322 or 1-800-542-8818
PortlandGeneral.com

Account # 0003 38266-625416 1

Previous Amount Due 3,852.64
Payments/Adjustments 3,852.64^{CR}
Balance Forward 0.00
Current Charges 6,389.72

AMOUNT DUE \$ 6,389.72
Due date for current bill 06/26/15

Cycle: 0601
Feeder Line Code: YM1

Your energy use
Meter # AB09833354
Schedule 49
Meter Multiplier 80
Service Period Meter Reading
06/09/15 30936
06/08/15 30277
32 days of service 52720 kWh

This month's charges (turn over for details)
Meter # AB09833354, Schedule 49
Energy Charges (52720 kWh) 6,338.59
Adjustments 156.05^{CR}
6,182.54
Taxes and Fees 207.18
6,389.72

Current Charges

Thank you for your payment. It's a privilege to provide your electric service.
Point of Delivery Identification (PODID) number for meter number
AB09833354 is 183243100.

02/21

Period Ending	Avg Daily Temperature*	Avg kWh Per Day	Avg Cost Per Day
Jun 2015	61	1647.6	193.20
Jun 2014	60	1818.1	192.20

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Portland General Electric

Service Address:
BAILEY NURSERIES INC
9855 NW PIKE RD
YAMHILL, OR 97148

(503)228-6322 or 1-800-542-8818
PortlandGeneral.com

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Cycle: 0609
Feeder Line Code: YM1

Account # 0003 38266-263368 1

Previous Amount Due 830.88
Payments/Adjustments 830.88CR
Balance Forward 0.00
Current Charges 847.28

AMOUNT DUE \$ 847.28
Due date for current bill 09/28/15

Your energy use

Meter # AB09625972
Schedule 47
Service Period Meter Reading
09/09/15 79436
08/07/15 73799
33 days of service 5637 kWh

This month's charges (turn over for details)

Meter # AB09625972, Schedule 47
Energy Charges (5637 kWh) 827.38
Adjustments 6.84CR

820.54
26.74

Taxes and Fees **847.28**

Current Charges

Thank you for your payment. It's a privilege to provide your electric service.

Point of Delivery Identification (PODID) number for meter number
AB09625972 is 183237367.

41/55

Period Ending	Avg Daily Temperature*	Avg kWh Per Day	Avg Cost Per Day
Sep 2015	67	170.8	24.86
Sep 2014	70	185.8	24.28

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Portland General Electric

Service Address:
BAILEY NURSERIES INC
9855 NW PIKE RD
YAMHILL, OR 97148

(503)228-6322 or 1-800-542-8818
PortlandGeneral.com

Cycle: 0609
Feeder Line Code: YM1

Account # 0003 38266-263368 1

Previous Amount Due 860.06
Payments/Adjustments 860.06CR
Balance Forward 0.00
Current Charges 830.88

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AMOUNT DUE \$ 830.88
Due date for current bill 08/26/15

This month's charges (turn over for details)

Meter # AB09625972, Schedule 47
Energy Charges (5543 kWh) 811.38
Adjustments 6.71CR

804.67
26.21

Taxes and Fees
Current Charges 830.88

Your energy use

Meter # AB09625972
Schedule 47
Service Period Meter Reading
08/07/15 73799
07/09/15 68256
29 days of service 5543 kWh

Thank you for your payment. It's a privilege to provide your electric service.

Thank you for your excellent bill payment record. We appreciate having you as a customer and we look forward to serving your energy needs in the years ahead.

Point of Delivery Identification (PODID) number for meter number
AB09625972 is 183237367.

Period Ending	Avg Daily Temperature*	Avg kWh Per Day	Avg Cost Per Day
Aug 2015	70	191.1	27.74
Aug 2014	71	103.3	25.37

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Portland General Electric

Service Address:
BAILEY NURSERIES INC
9855 NW PIKE RD
YAMHILL, OR 97148

(503)228-6322 or 1-800-542-8818
PortlandGeneral.com

Cycle: 0609
Feeder Line Code: YM1

Account # 0003.38266-263368 1

Previous Amount Due 689.17
Payments/Adjustments 689.17 CR
Balance Forward 0.00
Current Charges 860.06

AMOUNT DUE \$ 860.06
Due date for current bill 07/28/15

Your energy use

Meter # AB09625972
Schedule 47
Service Period 07/09/15
06/09/15
30 days of service
Meter Reading 68256
62497
5759 kWh

This month's charges (turn over for details)

Meter # AB09625972, Schedule 47
Energy Charges (5759 kWh) 841.24
Adjustments 8.32 CR
832.92
27.14

Taxes and Fees 860.06

Current Charges

Thank you for your payment. It's a privilege to provide your electric service.

A price change took effect during this billing period. Part of your bill was calculated at the old rate and the remainder was calculated at the new rate.

Point of Delivery Identification (PODID) number for meter number AB09625972 is 183237367.

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Period Ending	Avg Daily Temperature*	Avg kWh Per Day	Avg Cost Per Day
Jul 2015	70	191.9	27.76
Jul 2014	65	182.3	24.01

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Portland General Electric

Service Address:
BAILEY NURSERIES INC
9855 NW PIKE RD
YAMHILL, OR 97148

(503)228-6322 or 1-800-542-8818
PortlandGeneral.com

Cycle: 0609
Feeder Line Code: YM1

Account # 0003 38266-263368 1

Previous Amount Due 457.35
Payments/Adjustments 457.35CR
Balance Forward 0.00
Current Charges 689.17

AMOUNT DUE \$ 689.17
Due date for current bill 06/26/15

Your energy use

Meter # AB09625972

Schedule 47

Service Period	Meter Reading
06/09/15	62497
05/08/15	57944
32 days of service	4553 kWh

This month's charges (turn over for details)

Meter # AB09625972, Schedule 47

Energy Charges (4553 kWh)	674.49
Adjustments	7.06CR
	<u>667.43</u>
	21.74

Taxes and Fees

Current Charges

689.17

Thank you for your payment. It's a privilege to provide your electric service.
Point of Delivery Identification (PODID) number for meter number
AB09625972 is 183237367.

Period Ending	Avg Daily Temperature*	Avg kWh Per Day	Avg Cost Per Day
Jun 2015	61	142.2	20.85
11.00.001.4	61	147.6	21.00

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Portland General Electric

Service Address:
BAILEY NURSERIES INC
9855 NW PIKE RD
YAMHILL, OR 97148

RECEIVED SEP 14 2015

Cycle: 0605
Feeder Line Code: YM1

Account # 0006 27844-755203 2

Previous Amount Due 1,840.50
Payments/Adjustments 1,840.50CR
Balance Forward 0.00
Current Charges 1,615.01

AMOUNT DUE \$ 1,615.01
Due date for current bill 09/28/15

This month's charges (turn over for details)

Meter # AB09669442, Schedule 49
Energy Charges (13408 kWh)
Adjustments

1,597.73
35.13CR

1,562.60
52.41

Taxes and Fees

Current Charges

1,615.01

Your energy use

Meter # AB09669442

Schedule 49

Service Period Meter Reading
09/09/15 32162
08/07/15 18754
33 days of service 13408 kWh

Thank you for your payment. It's a privilege to provide your electric service.

Point of Delivery Identification (PODID) number for meter number
AB09669442 is 865171714.

31/24

Period Ending	Avg Daily Temperature*	Avg kWh Per Day	Avg Cost Per Day
Sep 2015	67	406.3	47.35
Sep 2014	70	276.1	35.57

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Portland General Electric

Service Address:
BAILEY NURSERIES INC
9855 NW PIKE RD
YAMHILL, OR 97148

(503)228-6322 or 1-800-542-8818
PortlandGeneral.com

Cycle: 0605
Feeder Line Code: YM1

Account # 0006 27844-755203 2

Previous Amount Due 1,144.03
Payments/Adjustments 1,144.03^{CR}
Balance Forward 0.00
Current Charges 1,840.50

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AMOUNT DUE \$ 1,840.50
Due date for current bill 08/26/15

This month's charges (turn over for details)

Meter # AB09669442, Schedule 47

Energy Charges (12465 kWh) 1,797.41
Adjustments 15.08^{CR}

1,782.33

58.17

Taxes and Fees

Current Charges

1,840.50

Your energy use

Meter # AB09669442

Schedule 47

Service Period Meter Reading
08/07/15 18754
07/09/15 6289
29 days of service 12465 kWh

Thank you for your payment. It's a privilege to provide your electric service.

Thank you for your excellent bill payment record. We appreciate having you as a customer and we look forward to serving your energy needs in the years ahead.

Point of Delivery Identification (PODID) number for meter number
AB09669442 is 865171714.

Period	Avg Daily Temperature*	Avg kWh Per Day	Avg Cost Per Day
Ending Aug 2015	70	429.8	61.45
Aug 2014	71	275.2	35.63

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Portland General Electric

Service Address:
BAILEY NURSERIES INC
9855 NW PIKE RD
YAMHILL, OR 97148

(503)228-6322 or 1-800-542-8818
PortlandGeneral.com

Account # 0006 27844-755203 2

Previous Amount Due 959.68
Payments/Adjustments 959.68^{CR}
Balance Forward 0.00
Current Charges 1,144.03

Cycle: 0605
Feeder Line Code: YM1

AMOUNT DUE \$ 1,144.03
Due date for current bill 07/28/15

This month's charges (turn over for details)

Meter # AB09669442, Schedule 47
Energy Charges (7747 kWh) 1,119.10
Adjustments 11.22^{CR}
1,107.88
36.15
1,144.03

Taxes and Fees
Current Charges 1,144.03

Your energy use

Meter # AB09669442
Schedule 47
Service Period 07/09/15 Meter Reading 6289
06/09/15 98542
30 days of service 7747 kWh

Thank you for your payment. It's a privilege to provide your electric service.

A price change took effect during this billing period. Part of your bill was calculated at the old rate and the remainder was calculated at the new rate.

Point of Delivery Identification (PODID) number for meter number AB09669442 is 865171714.

21/71

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Period Ending	Avg Daily Temperature*	Avg kWh Per Day	Avg Cost Per Day
Jul 2015	70.65	258.2	36.92
1.1.2014		227.6	29.00

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Portland General Electric

Service Address:
BAILEY NURSERIES INC
9855 NW PIKE RD
YAMHILL, OR 97148

(503)228-6322 or 1-800-542-8818
PortlandGeneral.com

Cycle: 0605
Feeder Line Code: YM1

Account # 0006 27844-755203 2

Previous Amount Due 790.09
Payments/Adjustments 790.09cr
Balance Forward 0.00
Current Charges 959.68

AMOUNT DUE \$ 959.68
Due date for current bill 06/26/15

Your energy use

Meter # AB09669442
Schedule 47
Service Period Meter Reading
06/09/15 98542
05/08/15 92095
32 days of service 6447 kWh

This month's charges (turn over for details)

Meter # AB09669442, Schedule 47
Energy Charges (6447 kWh) 939.37
Adjustments 9.99cr

929.38
30.30

Taxes and Fees 959.68
Current Charges

Thank you for your payment. It's a privilege to provide your electric service.
Point of Delivery Identification (PODID) number for meter number
AB09669442 is 865171714.

Handwritten signature

Period	Avg Daily Temperature*	Avg kWh Per Day	Avg Cost Per Day
Ending Jun 2015	61	201.4	29.04
Jun 2014	60	173.6	22.94

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STATE OF OREGON
 COUNTY OF YAMHILL
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BAILEY NURSERIES, INC.
 1325 BAILEY RD
 ST PAUL, MN 55119

confirms the right to use the waters of SALT CREEK AND FIDEL BROTHERS RESERVOIR, TRIBUTARY TO THE NORTH YAMHILL RIVER, for AGRICULTURE USE (NURSERY OPERATIONS) on 259.9 ACRES.

This right was perfected under Permit S-51934. The date of priority is MARCH 2, 1990. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 2.23 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The period of allowed use is NOVEMBER 1 THROUGH APRIL 30 FROM LIVE FLOW AND STORED WATER; MAY 1 THROUGH OCTOBER 31 FROM STORED WATER ONLY.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	4 W	WM	31	NE NE	55	DIVERSION POINT A - 1265 FEET NORTH AND 1360 FEET WEST FROM SE CORNER, DLC 55
2 S	4 W	WM	31	NE NE	55	DIVERSION POINT B - 1255 FEET NORTH AND 1330 FEET WEST FROM SE CORNER, DLC 55
2 S	4 W	WM	31	SE NE	55	DIVERSION POINT C - 675 FEET NORTH AND 1330 FEET WEST FROM SE CORNER, DLC 55
2 S	4 W	WM	31	SE NE	55	DIVERSION POINT D - 220 FEET NORTH AND 1380 FEET WEST FROM SE CORNER, DLC 55
2 S	4 W	WM	31	SE SE	54	DIVERSION POINT E - 660 FEET NORTH AND 2780 FEET WEST FROM SE CORNER, DLC 61

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

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A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 S	4 W	WM	29	SW SW	53	3.3
2 S	4 W	WM	29	SW SW	55	9.5
2 S	4 W	WM	30	SE SE	55	8.8
2 S	4 W	WM	31	NE NE	55	19.6
2 S	4 W	WM	31	SE NE	55	7.9
2 S	4 W	WM	31	NE SW	54	1.1
2 S	4 W	WM	31	SE SW	54	3.0
2 S	4 W	WM	31	NE SE	54	13.3
2 S	4 W	WM	31	NW SE	54	15.8
2 S	4 W	WM	31	SW SE	54	23.3
2 S	4 W	WM	31	SE SE	54	21.7
2 S	4 W	WM	32	NW NW	53	9.3
2 S	4 W	WM	32	NW NW	55	29.2
2 S	4 W	WM	32	SW NW	53	4.1
2 S	4 W	WM	32	SW NW	55	23.0
2 S	4 W	WM	32	NW SW	54	36.8
2 S	4 W	WM	32	SW SW	54	30.2

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

The water user shall maintain and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

The right is limited to any deficiency in the available supply of any prior right existing for the same land.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued APR 17 2015



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

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Revised Certificate Areas 90079												
T	R	Sec	Q	Q	GL/DLC	AC	AC FROM	AC REMAINING	AC TO	AC RESULT	AC BY	
1	2S	4W	29	SW	53	3.3		3.3		3.3		
2	2S	4W	29	SW	55	9.5		9.5		9.5	12.8	
3	2S	4W	30	SE	55	8.8		8.8		8.8		
4	2S	4W	31	NE	55	19.6		19.6		19.6		
5	2S	4W	31	SE	54	1.2		1.2		1.2		
6	2S	4W	31	SE	55	6.7		6.7		6.7	7.9	
7	2S	4W	31	NE	54	1.1		1.1		1.1		
8	2S	4W	31	SE	54	3.0		3.0		3.0		
9	2S	4W	31	NE	54	13.3	5.8	7.5	3.0	10.5		
10	2S	4W	31	NW	54	15.8	3.6	12.2		12.2		
11	2S	4W	31	SW	54	23.3	2.0	21.3		21.3		
12	2S	4W	31	SE	54	21.7	0.5	21.2	1.8	23.0		
13	2S	4W	32	NW	53	9.3		9.3		9.3		
14	2S	4W	32	NW	55	29.2		29.2		29.2	38.5	
15	2S	4W	32	SW	53	4.1		4.1		4.1		
16	2S	4W	32	SW	54	2.3		2.3	5.0	7.3		
17	2S	4W	32	SW	55	20.7		20.7		20.7	32.1	
18	2S	4W	32	NW	54	36.8		36.8	2.1	38.9		
19	2S	4W	32	SW	54	30.2		30.2		30.2		
						SUMS =	259.9	11.9	248.0	11.9	259.9	

NOTE: Certificate 90079 was found to have a latent error. The areas shown for DLC 55 in Q/Qs; SE/NE sec. 31 (lines 5 & 6) and SW/NW sec. 32 (lines 15-17) included area in DLC 54 South of NW Pike Road. This table distributes those areas to DLC 54.

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'FROM' place of use by Q/Q, DLC and TL, Certificate 90079

T	R	Sec	Q	Q	TL	DLC	AC	Use	POD	Priority
2S	4W	31	NE	SE	2100	54	5.8	Nursery	1-5	1990
2S	4W	31	NW	SE	2100	54	3.6	Nursery	1-5	1990
2S	4W	31	SW	SE	2100	54	2.0	Nursery	1-5	1990
2S	4W	31	SE	SE	2100	54	0.5	Nursery	1-5	1990
Total From = 11.9										

'TO' place of use by Q/Q, DLC and TL, Certificate 90079

T	R	Sec	Q	Q	TL	DLC	AC	Use	POD	Priority
2S	4W	31	NE	SE	2100	54	3.0	Nursery	1-5	1990
2S	4W	31	SE	SE	2100	54	1.8	Nursery	1-5	1990
2S	4W	32	NW	SW	1900	54	1.9	Nursery	1-5	1990
2S	4W	32	NW	SW	2000	54	0.2	Nursery	1-5	1990
2S	4W	32	SW	NW	1900	54	3.5	Nursery	1-5	1990
2S	4W	32	SW	NW	2000	54	1.5	Nursery	1-5	1990
Total To = 11.9										

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2020 TRANSFER CALCULATIONS.

CERT	AC	CFS	CFS/AC	FROM AC	cfs trans
90079	259.9	2.23	0.00858	11.90	0.1021

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First American

First American Title Insurance Company

825 NE Evans Street
McMinnville, OR 97128
Phn - (503)376-7363
Fax - (866)800-7294

YAMHILL COUNTY TITLE UNIT

FAX (866)800-7294

Title Officer: Larry Ball
(503)376-7363
lball@firstam.com

LOT BOOK SERVICE

BAILEY NURSERIES INC
9855 NW PIKE RD
YAMHILL, OR 97148

Order No.: 1039-3398460
February 18, 2020

Attn: JON ESTES
Phone No.: (503)457-6897 - Fax No.: (503)662-3778
Email: JON.ESTES@BAILEYNURSERY.COM

Re:

Fee: \$125.00

We have searched our Tract Indices as to the following described property:

The land referred to in this report is described in Exhibit A attached hereto.

and as of February 13, 2020 at 8:00 a.m.

We find that the last deed of record runs to

Bailey Nurseries, Inc., a Minnesota corporation

We find the following apparent encumbrances within ten (10) years prior to the effective date hereof:

NONE

1. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
2. The county tax roll discloses a mobile home on the herein described premises which is not included in title insurance coverage. Subject to requirements and provisions of O.R.S. 311.280 pertaining to mobile home taxes becoming liens on real property.
3. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.

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4. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Yamhill River.
5. Governmental rights in connection with flood control and propagation of anadromous fish and public rights of fishing and recreational navigation in and to the water, bed and shoreline of the Yamhill River.
6. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Yamhill River or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
7. An easement reserved in a deed, including the terms and provisions thereof;

Recorded:	November 03, 1903
Recording Information:	Book 43, Page 373, Deed Records
Affects:	Exact location not specified
8. Easement, including terms and conditions contained therein:

Granted to:	The City of Yamhill, a Municipal corporation
Recorded:	February 21, 1966
Recording Information:	Film Volume 50, Page 980, Deed and Mortgage Records
9. Easement, including terms and conditions contained therein:

Granted to:	The City of Yamhill, a Municipal corporation
Recorded:	February 21, 1966
Recording Information:	Film Volume 50, Page 983, Deed and Mortgage Records
10. Easement, including terms and conditions contained therein:

Granted to:	The City of Yamhill, a Municipal corporation
Recorded:	February 21, 1966
Recording Information:	Film Volume 50, Page 986, Deed and Mortgage Records
11. Easement, including terms and conditions contained therein:

Granted to:	Bailey Nurseries, Inc., a Minnesota corporation
Recorded:	December 8, 1976
Recording Information:	Film Volume 116, Page 1101, Deed and Mortgage Records
12. Easement, including terms and conditions contained therein:

Granted to:	Portland General Electric Company, an Oregon corporation, and its successors and assigns
Recorded:	May 24, 2012
Recording Information:	Instrument No. 2012-06848, Deed and Mortgage Records
13. Unrecorded leases or periodic tenancies, if any.

We have also searched our General Index for Judgments and State and Federal Liens against the Grantee(s) named above and find:

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We find the following unpaid taxes and city liens:

NOTE: Taxes for the year 2019-2020 PAID IN FULL

Tax Amount:	\$4,934.26
Map No.:	R2431-02000
Property ID:	16271
Tax Code No.:	16.2

NOTE: Taxes for the year 2019-2020 PAID IN FULL

Tax Amount:	\$118.05
Map No.:	M00285746
Property ID:	507679
Tax Code No.:	16.2

NOTE: Taxes for the year 2019-2020 PAID IN FULL

Tax Amount:	\$151.63
Map No.:	M00269379
Property ID:	488038
Tax Code No.:	16.2

NOTE: Taxes for the year 2019-2020 PAID IN FULL

Tax Amount:	\$1,733.18
Map No.:	P2489
Property ID:	287335
Tax Code No.:	16.2

NOTE: Taxes for the year 2019-2020 PAID IN FULL

Tax Amount:	\$1,341.17
Map No.:	R2431-02100
Property ID:	16280
Tax Code No.:	16.2

NOTE: Taxes for the year 2019-2020 PAID IN FULL

Tax Amount:	\$5.36
Map No.:	R3406-00590
Property ID:	88844
Tax Code No.:	16.2

THIS IS NOT a title report since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Lot Book Service and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.

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Exhibit "A"

Real property in the County of Yamhill, State of Oregon, described as follows:

A tract of land located in the East 1/2 of Section 31 and the West 1/2 of Section 32 and a portion of the Thomas Harris D.L.C., Township 2 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at a 1 inch iron pipe on the westerly right-of-way of County Road No. 243, which bears South 2667.76 feet and East 303.73 feet from the Southeast corner of the John Perkins D.L.C.; thence along an existing fence North 88° 47' 25" West, 4096.06 feet to a 5/8" iron rod (said fence being on the South line of the Thomas Harris DLC No. 54); thence South 1° 12' 38" West, 25.00 feet to a 5/8" iron rod; thence North 88° 47' 25" West, 425.00 feet to the center of the Yamhill River; thence along the center of said Yamhill River North 1° 12' 38" East, 25.00 feet; thence South 88° 47' 25" East, 400.00 feet to a 1 inch iron pipe at a fence corner; thence along an existing fence North 00° 18' 20" West, 1546.15 feet to a 5/8" iron rod at a fence corner; thence along an existing fence North 89° 56' 39" East, 2723.99 feet to a 3/4" iron pipe being the Southwest corner of a tract of land as deeded to Fidel Bros. in Film Volume 108, Page 1371, Yamhill County deed of records; thence along said tract North 89° 06' 40" East, 638.35 feet to a 3/4" iron pipe being the Southeast corner of said tract; thence North 2° 26' 45" East, 563.54 feet to a tack and lead in concrete; thence North 41° 11' 52" East, 201.67 feet to a 3/4" iron pipe; thence North 64° 27' 57" East, 28.88 feet to a tack and lead in concrete; thence North 00° 45' 18" East, 267.50 feet to a 3/4" iron pipe on the South right-of-way of Market Road Number 20; thence along said South right-of-way South 89° 30' 00" East, 269.56 feet to a 5/8" iron rod; thence South 56° 37' 12" East, 346.96 feet to a 5/8" iron rod on the West right-of-way of County Road Number 243; thence along said West right-of-way South 00° 38' 39" West, 2447.23 feet to the point of beginning.

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Also Order 16 & 17 Dec 31 TZR4

ARB 4 Sec 6 354W

FORM No. 633—WARRANTY DEED (Individual or Corporate)

3
WARRANTY DEED

STEVENSON-BREWER ENGINEERING CO. OF OREGON
FILM 116 PAGE 1097

KNOW ALL MEN BY THESE PRESENTS, That FIDEL BROS., a co-partnership,
hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by BAILEY NURSERIES, INC., a Minnesota corporation,

the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Yamhill and State of Oregon, described as follows, to-wit:

A tract of land located in the East 1/2 of Section 31 and the West 1/2 of Section 32 and a portion of the Thomas Harris D.L.C., Township 2 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at a 1 inch iron pipe on the westerly right-of-way of County Road No. 243, which bears South 2667.76 feet and East 303.73 feet from the Southeast corner of the John Perkins D.L.C.;

Thence along an existing fence North 88°47'25" West, 4096.06 feet to a 5/8" iron rod (said fence being on the South line of the Thomas Harris DLC No. 54);

Thence South 1°12'38" West, 25.00 feet to a 5/8" iron rod;

Thence North 88°47'25" West, 425.00 feet to the center of the Yamhill River;

Thence along the center of said Yamhill River North 1°12'38" East, (over)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 331,360.00.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 3 day of December, 1976; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

FIDEL BROS. CO-PARTNERSHIP
[Signatures]

STATE OF OREGON,
County of Yamhill,
December 3, 1976.

STATE OF OREGON, County of _____, ss.
Personally appeared _____, 19____

Personally appeared the above named Fidel Bros., a co-partnership by Fred Fidel, Marcus Fidel & Arno Fidel and acknowledged the foregoing instrument to be their voluntary act and deed.

_____ who, being duly sworn, each for himself and not one for the other, did say that the former is the _____ president and that the latter is the _____ secretary of _____ a corporation,

Notary Public for Oregon
My commission expires: 4/2/80

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.
Before me:
Notary Public for Oregon
My commission expires: _____
(OFFICIAL SEAL)

Fidel Bros., a co-partnership
Rt. 1
Yamhill, OR 97148
GRANTOR'S NAME AND ADDRESS

Bailey Nurseries, Inc., a Minnesota corporation,
1325 Bailey Road
Saint Paul, Minnesota 55119
GRANTEE'S NAME AND ADDRESS

After recording return to:
Bailey Nurseries, Inc., a Minnesota corporation,
Same as above
NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address:
Bailey Nurseries, Inc., a Minnesota corporation,
as above
NAME, ADDRESS, ZIP

47770 STATE OF OREGON,
County of Yamhill, ss.

I certify that the within instrument was received for record on the 8 day of Dec, 1976, at 2:44 o'clock P.M., and recorded in book 116 on page 1097, or as file/reel number _____ Record of Deeds of said county.

Witness my hand and seal of County affixed.
WANDA CATT, COUNTY CLERK
Recording Officer
By *[Signature]* Deputy

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25.00 feet;
 Thence South 88°47'25" East, 400.00 feet to a 1 inch iron pipe at a fence corner;
 Thence along an existing fence North 00°18'20" West, 1546.15 feet to a 5/8" iron rod at a fence corner;
 Thence along an existing fence North 89°56'39" East, 2723.99 feet to a 3/4" iron pipe being the Southwest corner of a tract of land as deeded to Fidel Bros. in Book 108, Page 1371, Yamhill County deed of records;
 Thence along said tract North 89°06'40" East, 638.35 feet to a 3/4" iron pipe being the Southeast corner of said tract;
 Thence North 2°26'45" East, 563.54 feet to a tack and lead in concrete;
 Thence North 41°11'52" East, 201.67 feet to a 3/4" iron pipe;
 Thence North 64°27'57" East, 28.88 feet to a tack and lead in concrete;
 Thence North 00°45'18" East, 267.50 feet to a 3/4" iron pipe on the South right-of-way of Market Road Number 20;
 Thence along said South right-of-way South 89°30'00" East, 269.56 feet to a 5/8" iron rod;
 Thence South 56°37'12" East, 346.96 feet to a 5/8" iron rod on the West right-of-way of County Road Number 243;
 Thence along said West right-of-way South 00°38'39" West, 2447.23 feet to the point of beginning.
 Containing 165.68 acres therein.

SUBJECT TO:

1. As disclosed by the tax roll, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use the property will be subject to additional taxes or penalties and interest.
2. Rights of the public in streets, roads and highways.
3. Right of Way conveyed by deed from Robert Hanning to Portland Trust Company, recorded November 3, 1903 in Book 43, Page 373, Deed Records.
4. Water line easement, including the terms and provisions thereof, given by Charles N. Teegarden and Doris P. Teegarden and Orrin D. Williams and Margaret W. Williams, husband and wife, to The city of Yamhill, a municipal corporation, dated December 16, 1965 and recorded February 21, 1966, in Film Volume 50, Page 983, Deed and Mortgage Records.
5. Water line easement, including the terms and provisions thereof, given by Charles N. Teegarden and Doris P. Teegarden, husband and wife, and Orrin D. Williams and Margaret W. Williams, husband and wife, to the City of Yamhill, a municipal corporation, dated February 16, 1965, and recorded February 21, 1966, in Film Volume 50, Page 980, Deed and Mortgage Records.
6. Water line easement, including the terms and provisions thereof, given by Charles N. Teegarden and Doris P. Teegarden, husband and wife, and Orrin D. Williams and Margaret W. Williams, husband and wife, to City of Yamhill, a municipal corporation, dated December 16, 1965, and recorded February 21, 1966, in Film Volume 50, Page 986, Deed and Mortgage Records.

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WICMINNIVILLE



TELEPHONE (503) 357-5717
CELL (503) 939-8381
FAX (503) 357-5698
billflatz@stuntzner.com

2318-B Pacific Avenue
FOREST GROVE, OREGON 97116

COOS BAY – JUNCTION CITY - FOREST GROVE - DALLAS

TO: Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

SUBJECT: Permanent Transfer Application, on behalf of Bailey Nursery, Inc.

5-26-20

To whom it may concern:

Please find enclosed:

- A check for the amount of \$1,160.
- The completed and signed permanent transfer application.
- The OWRD land use information form filled out by Yamhill County Planning.
- The completed and signed water use affidavit with power use records.
- A copy of the Certificate and map, 90079.
- A copy of the calculations and resolution of a latent error in the certificate.
- First American Lot Book Service report.
- The transfer application map.

Please call if you have any questions or need any further information.

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Sincerely,

Stuntzner Engineering & Forestry, LLC



Bill Flatz, PE, CWRE

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