



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.

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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-17968**.

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 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.

For Staff Accounting Purposes Only – PCA #46110 – Object # 72881

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/.
- 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 VERNON BRUCK		MAP ID (LETTER OR NUMBER) A	PHONE NO. (503) 682-5749	ADDITIONAL CONTACT NO.
ADDRESS PO Box 2837				FAX NO.
CITY WILSONVILLE	STATE OR	ZIP 97070	E-MAIL NONE	
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.			

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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.

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.



Vernon Bruck
Applicant signature

Vernon Bruck
Name (and title if applicable) (print)

6-10-21
Date

Applicant signature

Name (and title if applicable) (print)

Date

Applicant Information


APPLICANT/BUSINESS NAME VERNON BRUCK		MAP ID (LETTER OR NUMBER) / B	PHONE NO. (503) 682-5749	ADDITIONAL CONTACT NO.
ADDRESS PO Box 2837				FAX NO.
CITY WILSONVILLE	STATE OR	ZIP 97070	E-MAIL NONE	
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 18487 S. Valley Vista Road			FAX NO. (503) 632-5983
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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.


Vernon Bruck *Vernon Bruck* *6-10-21*
 Applicant signature Name (and title if applicable) (print) Date

 Applicant signature Name (and title if applicable) (print) Date

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Applicant Information


APPLICANT/BUSINESS NAME NA		MAP ID (LETTER OR NUMBER)	PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	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.				

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AGENT/BUSINESS NAME NA		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.
CITY	STATE	ZIP	E-MAIL
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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.


NA _____ _____
 Applicant signature Name (and title if applicable) (print) Date

 Applicant signature Name (and title if applicable) (print) Date **13824**

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 VERNON BRUCK		MAP ID (LETTER OR NUMBER) A	
MAILING ADDRESS PO Box 2837		CITY WILSONVILLE	STATE OR
TOTAL NUMBER OF ACRES UNDER THE PERMIT (AS DEPICTED ON MAP) 27.8 ACERS		PROPORTIONATE RATE 0.35 CFS	

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Landowner Information

LANDOWNER/BUSINESS NAME VERNON BRUCK		MAP ID (LETTER OR NUMBER) B	
MAILING ADDRESS PO Box 2837		CITY WILSONVILLE	STATE OR
TOTAL NUMBER OF ACRES UNDER THE PERMIT (AS DEPICTED ON MAP) 41.9 ACRES		PROPORTIONATE RATE 0.52 CFS	

Landowner Information

LANDOWNER/BUSINESS NAME NA		MAP ID (LETTER OR NUMBER)	
MAILING ADDRESS		CITY	STATE
TOTAL NUMBER OF ACRES UNDER THE PERMIT (AS DEPICTED ON MAP)		PROPORTIONATE RATE	

Landowner Information

LANDOWNER/BUSINESS NAME NA		MAP ID (LETTER OR NUMBER)	
MAILING ADDRESS		CITY	STATE
TOTAL NUMBER OF ACRES UNDER THE PERMIT (AS DEPICTED ON MAP)		PROPORTIONATE RATE	

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Part 5 of 5 – Permit Information

PERMIT # 17968

Completion date of the permit: OCTOBER 1, 2024

Name(s) currently appearing on permit: VERNON BRUCK

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

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 2	CLAC 50729	3	S	1	E	17	NW	SW	801	280 feet south and 120 feet east from the W ¼ corner, Section 17.
Well 3	NA	3	S	1	E	18	NE	SE	3500	590 feet south and 1,290 feet west from the E ¼ corner, Section 18.
Well 4	CLAC 74429	3	S	1	E	18	SE	SE	Lot 1	1,640 feet south and 515 feet west from the E ¼ corner, Section 18.
Well 5	NA	3	S	1	E	17	NW	SW	801	45 feet south and 920 feet east from the W ¼ corner, Section 17.
Well 6	NA	3	S	1	E	18	SE	SE	Lot 1	1,640 feet south and 210 feet west from the E ¼ corner, Section 18.

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Please use additional pages of Table 2 as needed

Table 2. Description of Permit #17968.

List all parts of the permit (both assigned and unassigned). For the acreage or place(s) of use in each $\frac{1}{4}$, 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	$\frac{1}{4}$	$\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acreage (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)		
3	S	1	E	17	NW	SW	801	NA	22.8	Nursery	Wells 2,3,4,5 & 6	A
3	S	1	E	17	SW	SW	801	Lot 1	1.4	Nursery	Wells 2,3,4,5 & 6	A
3	S	1	E	17	SW	SW	900	Lot 1	8.9	Nursery	Wells 2,3,4,5 & 6	B
3	S	1	E	18	NE	SE	801	NA	3.6	Nursery	Wells 2,3,4,5 & 6	A
3	S	1	E	18	NE	SE	3500	NA	16.5	Nursery	Wells 2,3,4,5 & 6	B
3	S	1	E	18	SE	SE	3600	Lot 1	16.5	Nursery	Wells 2,3,4,5 & 6	B
TOTAL ACRES							69.7					

*Received 8-10-2021
DH*

Received by OWRD

AUG 10 2021

Salem, OR

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: The permit holder is in the process of selling a portion of his property and wishes to split the permit now to list the the tax lots within this sale as having their own separate water rights so that all the new owner needs to do is apply for an assignment.

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STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

VERNON BRUCK
PO BOX 2837
WILSONVILLE, OR 97070

This superseding permit is issued to describe an amendment for additional points of appropriation and a change in point of appropriation proposed under Permit Amendment Application T-12491 and approved by Special Order Vol. 107, Page 627, entered FEB 06 2018 and to describe an extension of time for complete application of water approved December 19, 2014. This permit supersedes Permit G-16661.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-17230

SOURCE OF WATER: WELLS 2, 3, 4, 5, AND 6 IN NEWLAND CREEK BASIN

PURPOSE OR USE: NURSERY USE ON 69.7 ACRES

MAXIMUM RATE: 0.87 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR-ROUND

DATE OF PRIORITY: JUNE 3, 2009

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	1 E	WM	17	NW SW	WELL 2 - 280 FEET SOUTH AND 120 FEET EAST FROM THE W $\frac{1}{4}$ CORNER OF SECTION 17
3 S	1 E	WM	18	NE SE	WELL 3 - 590 FEET SOUTH AND 1290 FEET WEST FROM THE E $\frac{1}{4}$ CORNER OF SECTION 18
3 S	1 E	WM	18	SE SE	WELL 4 - 1640 FEET SOUTH AND 515 FEET WEST FROM THE E $\frac{1}{4}$ CORNER OF SECTION 18
3 S	1 E	WM	17	NW SW	WELL 5 - 45 FEET SOUTH AND 920 FEET EAST FROM THE W $\frac{1}{4}$ CORNER OF SECTION 17
3 S	1 E	WM	18	SE SE	WELL 6 - 1640 FEET SOUTH AND 210 FEET WEST FROM THE E $\frac{1}{4}$ CORNER OF SECTION 18

The amount of water used for nursery use under this right, together with the amount secured under any other right existing for the same lands, is limited to a maximum of 5.0 acre feet per acre and a diversion of 0.15 cubic foot per second per acre. For irrigation of containerized nursery plants, the amount of water diverted is limited to one fortieth of one cubic foot per second and 5.0 acre feet per acre per year. For irrigation of in-ground nursery plants, the amount of water diverted is limited to one eightieth of one cubic foot per second and 2.5 acre feet per year. The use of water for nursery use may be made at any time, during the period of allowed use specified above, that the use is beneficial. For irrigation of any other crop, the amount of water diverted is limited to one eightieth of one cubic foot per second and 2.5 acre feet per acre during the irrigation season of each year.

Authorized Place of Use:

NURSERY USE					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 S	1 E	WM	17	NW SW	22.8
3 S	1 E	WM	17	SW SW	10.3
3 S	1 E	WM	18	NE SE	20.1
3 S	1 E	WM	18	SE SE	16.5
Total					69.7

Permit Amendment T-12491 Conditions:

The quantity of water diverted at the new points of appropriation, Wells 4, 5, and 6, shall not exceed the quantity of water lawfully available at the original point of appropriation, Well 1.

The combined quantity of water diverted at the new additional points of appropriation, Wells 4, 5, and 6, together with that diverted at the old points of appropriation, Wells 2 and 3, shall not exceed the quantity of water lawfully available at the original points of appropriation, Wells 2 and 3.

Water shall be acquired from the same aquifer as the original points of appropriation.

Extension of Time Conditions:

Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2018 and 2023.

- a. At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

- b. The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

Existing Permit Conditions:

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee 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 permittee to report general water-use information, including the place and nature of use of water under the permit.
- C. The permittee shall allow the watermaster access to the meter; provided however, where any meter is located within a private structure, the watermaster shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

The well shall produce ground water only from the alluvial ground water reservoir.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to obtain from a qualified individual (see below), and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the permittee to report an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Seven Consecutive Annual Measurements

Following the first year of water use, the user shall report seven consecutive annual static water level measurements. The first of these seven annual measurements will establish the

reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require the user to obtain and report annual static water level measurements beyond the seven year minimum reporting period. Additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- A. Identify each well with its associated measurement; and
- B. Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method used to obtain each well measurement; and
- D. Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water level measurement reveal an average water level decline of three or more feet per year for five consecutive years; or
- B. Annual water level measurements reveal a water level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water level measurements reveal a water level decline of 25 or more feet; or
- D. Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non-use or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Prior to using water from any well listed in this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level or pump test data.

STANDARD CONDITIONS

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

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The well(s) shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet state or federal water quality standards due to reduced flows.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

This permit 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.

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 original permit was issued March 11, 2010. Completion of construction and application of the water to the use was to be made on or before March 11, 2015. By Extension of Time dated December 19, 2014, the deadline for complete application of water was extended to October 1, 2024.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued FEB 06 2018



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



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-17968

State of Oregon)
)
 County of Clackamas) ss
)

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 OWRD

I, VERNON BRUCK, mailing address PO BOX 2837, telephone number (503) 682-5749, being first duly sworn depose and say:

1. Permit G-17968, has not been conveyed or withheld and remains appurtenant to my land.
2. I attest that I have read Permit G-17968.

Vernon Bruck
 Signature of Affiant

6-1-21
 Date

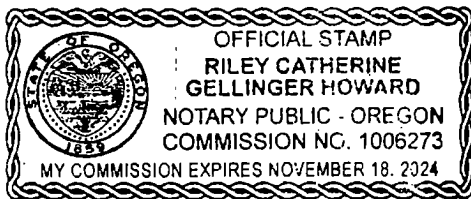
 Signature of Affiant

 Date

Signed and sworn to (or affirmed) before me this 1st day of June, 2021.

[Signature]
 Notary Public for Oregon

My Commission Expires: November 18, 2024



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RECORDING REQUESTED BY
FIDELITY NATIONAL TITLE COMPANY OF OREGON

GRANTOR'S NAME

GRANTEE'S NAME
Vernon E. Bruck and Penny L. Bruck

SEND TAX STATEMENTS TO:
Mr. and Mrs. Vernon E. Bruck
29250 SW Bruck Lane
Wilsonville, OR 97070

AFTER RECORDING RETURN TO:
Mr. and Mrs. Vernon E. Bruck
29250 SW Bruck Lane
Wilsonville, OR 97070

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SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY SPECIAL WARRANTY DEED IN FULFILLMENT OF CONTRACT

Earl R. Bruck and Louise I. Bruck, as tenants in common Grantor, conveys and specifically warrants to

Vernon E. Bruck and Penny L. Bruck, Husband and Wife, Grantee, the following described real property, free and clear of encumbrances created or suffered by the Grantor except as specifically set forth below, situated in the County of Clackamas, State of Oregon,

SEE EXHIBIT ^A ~~one~~ ATTACHED HERETO AND MADE A PART HEREOF

Subject to and excepting:

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 AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS FULFILLMENT OF THAT CERTAIN CONTRACT RECORDED March 5, 1997 AS INSTRUMENT NO. 97015976, Clackamas COUNTY, OREGON. (See ORS 93.030)

DATED: March 16, 1998

41 ac

Earl R. Bruck
Earl R. Bruck

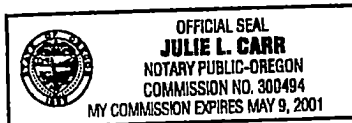
Louise I. Bruck
Louise I. Bruck

98-052587

STATE OF OREGON
COUNTY OF Clackamas

This instrument was acknowledged before me on
May 5, 1998

by Earl R. Bruck and Louise I. Bruck



Julie Carr
Notary Public for Oregon
My Commission Expires: 5/9/2001

13824

FIDELITY NATIONAL TITLE CO. 12/17/2004

RECEIVED

JUL 12 2021

EXHIBIT A

A tract of land situated in the Northeast quarter of the Southeast quarter of Section 18, T3S, R1E, and in the West half of the Southwest quarter of Section 17, T3S, R1E, of the WM, Clackamas County and State of Oregon, described as follows:

OWRD

Beginning at a stone at the West one-quarter corner of Section 17, thence South 89°55'50" East along the North line of the Southwest quarter of Section 17, 1051.53 feet to a stone set on the Division line of the William and Elizabeth Evans Claim; thence South 2°25'43" East along said Division line, 1385.90 feet to a 1 1/4" axle shaft; thence continuing along said division line, South 00°04'58" East 661.11 feet to a 3/4" rod set at the Northwest corner of the Oregon State Park tract; thence North 33°27'41" West 1757.33 feet to a 5/8" iron rod; thence North 89°36'55" West, parallel with the North line of the Southeast quarter of Section 18, 1469.50 feet to a 5/8" iron rod set on the West line of the Northeast quarter of the Southeast quarter of Section 18; thence North 00°21'19" East along said line, 250.00 feet to the Southwest corner of that tract as described as Parcel II in Fee No. 92-65336, Deed Records; thence South 89°36'55" East along the South line of said tract, 895.40 feet to the Southeast corner thereof; thence North 00°27'33" East along the East line of said tract, 330.00 feet to the Northeast corner thereof; thence South 89°36'55" East along the North line of the Southeast quarter of Section 18, 427.64 feet to the point of beginning.

Area
A

TOGETHER with a certain twenty (20.00) foot easement for road purposes described in deed recorded June 8, 1909, Book 109, Page 286, Deed Records.

SUBJECT TO a forty (40.00) foot road easement along the West line of the above described 41.00 acre tract.

41 ac

13824

2

STATE OF OREGON 98-052587
CLACKAMAS COUNTY
Received and placed in the public records of Clackamas County
RECEIPT# AND FEE: 90074138 \$40.00
DATE AND TIME: 06/12/98 11:58 AM
JOHN KAUFFMAN, COUNTY CLERK

38

Clackamas County Official Records
Sherry Hall, County Clerk

2007-100291



\$41.00

11/30/2007 10:49:31 AM

D-D Cnt=1 Str=5 LESLIE
\$15.00 \$16.00 \$10.00

After recording return to:
Vernon E. Bruck and Penny L. Bruck
PO Box 2837
Wilsonville, OR 97070

Until a change is requested all tax statements
shall be sent to the following address:
Vernon E. Bruck and Penny L. Bruck
PO Box 2837
Wilsonville, OR 97070

File No.: 7075-1116118 (DEW)
Date: November 26, 2007

STATUTORY WARRANTY DEED

Delma E. Holland, as to a 1/3 interest, Grantor, conveys and warrants to Vernon E. Bruck and Penny L. Bruck as tenants by the entirety, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

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

Subject to:

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

The true consideration for this conveyance is **\$350,000.00**. (Here comply with requirements of ORS 93.030)

Doc

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REVIEWED BY
First American Title Insurance Company of Oregon
No. 116118-C8

APN: 00767646

Statutory Warranty Deed
- continued

File No.: 7075-1116118 (DEW)
Date: 11/26/2007

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

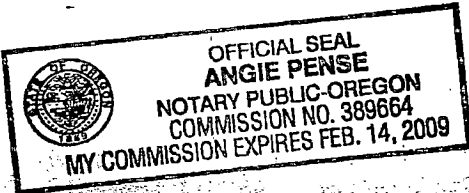
Dated this 28 day of November, 2007.

Delma E. Holland
Delma E. Holland

STATE OF Oregon)
)ss.
County of Multnomah)

This instrument was acknowledged before me on this 28th day of November, 2007 by **Delma E. Holland**.

Angie Pense
Angie Pense
Notary Public for Oregon
My commission expires: 2/14/2009



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JUL 12 2021
OWRD

2

13824

APN: 00767646

Statutory Warranty Deed
- continued

File No.: 7075-1116118 (DEW)
Date: 11/26/2007

EXHIBIT A

LEGAL DESCRIPTION:

A TRACT OF LAND LOCATED IN THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER AND LOT 1 OF SECTION 18, AND IN THE NORTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER AND LOT 4 OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH ONE-QUARTER SECTION CORNER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN; THENCE SOUTH 00° 30' 00" WEST, 2310 FEET TO AN IRON PIPE IN THE CENTER OF HOMER KRUSE ROAD; THENCE EAST, 1346.53 FEET TO A 5/8-INCH IRON ROD AT THE NORTHEAST CORNER OF DEED AS FEE NO. 99-064550; THENCE ALONG THE EAST LINE OF SAID DEED FEE, SOUTH 00° 29' 00" EAST, 897.78 FEET TO THE TRUE POINT-OF-BEGINNING; THENCE NORTH 89° 24' 22" EAST, 1478.67 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "PACIFIC SURVEYS PLS 2319"; THENCE SOUTH 34° 25' 56" EAST, 1426.58 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS ENGINEERING"; THENCE SOUTH 00° 58' 35" EAST, 1480.25 FEET TO THE WILLAMETTE RIVER; THENCE ALONG SAID RIVER THE FOLLOWING COURSES: 602.55 FEET ALONG THE ARC OF A 6652.64 FOOT RADIUS NON TANGENT CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 05° 11' 22" (THE CHORD OF WHICH BEARS NORTH 49° 16' 44" WEST, 602.34 FEET); 601.01 FEET ALONG THE ARC OF A 3225.60 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 10° 40' 32" (THE CHORD OF WHICH BEARS NORTH 57° 12' 41" WEST, 600.14 FEET); 542.75 FEET ALONG THE ARC OF A 2239.10 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 13° 53' 18" (THE CHORD OF WHICH BEARS NORTH 69° 29' 36" WEST, 541.42 FEET); 352.01 FEET ALONG THE ARC OF A 935.36 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 21° 33' 45" (THE CHORD OF WHICH BEARS NORTH 87° 13' 08" WEST, 349.94 FEET); THENCE NORTH 00° 29' 00" WEST, 424.47 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "PACIFIC SURVEYS PLS 2319"; THENCE NORTH 40° 34' 34" WEST, 742.65 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS ENGINEERING" ON THE EAST LINE OF DEED AS FEE NO. 99-064550; THENCE ALONG SAID EAST LINE, NORTH 00° 29' 00" WEST, 728.24 FEET TO THE TRUE POINT OF BEGINNING.

Area
B

TOGETHER WITH AN EASEMENT FOR ROAD PURPOSES OVER THAT TRACT OF LAND DESCRIBED IN BOOK 109, PAGES 286 AND 287, DEED RECORDS OF CLACKAMAS COUNTY, OREGON.

B102

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AFTER RECORDING RETURN TO:
Reif, Reif & Thalhofer, Attorneys
P. O. Box 729
Canby, OR 97013-0729

Clackamas County Official Records 2008-003361
Sherry Hall, County Clerk



\$41.00

01179583200800033610030035 01/16/2008 09:18:33 AM

D-D Cnt=1 Stn=9 DIANNAW
\$15.00 \$16.00 \$10.00

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JUL 12 2021

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UNTIL OTHERWISE REQUESTED,
SEND TAX STATEMENTS TO:
Vernon Bruck
P O Box 2837
Wilsonville OR 97070

BARGAIN AND SALE DEED
(Deed of Gift)

RECITALS:

1. **VERNON BRUCK** and **PENNY BRUCK** are husband and wife.
2. **EARL R. BRUCK** and **LOUISE I. BRUCK** are husband and wife.
3. **VERNON BRUCK** and **PENNY BRUCK** own an undivided one-third (1/3) interest in the real property described in the attached Exhibit A.
4. **EARL R. BRUCK** is Trustee of the **EARL R. BRUCK REVOCABLE LIVING TRUST** dated July 3, 1991, as amended and restated May 15, 1992, and is also the Trustee of the **LOUISE I. BRUCK REVOCABLE LIVING TRUST** dated July 3, 1991, as amended and restated May 15, 1992, as to an undivided two-thirds (2/3) interest.
5. It is the intent of this deed for **EARL R. BRUCK**, Individually and as the Trustee of the Trust described in Recital 4 above and **LOUISE I. BRUCK**, Individually, to transfer as a gift the real property described in Exhibit A to **VERNON BRUCK** and **PENNY BRUCK**.

NOW, THEREFORE,

KNOW ALL MEN BY THESE PRESENTS, that **EARL R. BRUCK**, Trustee of the **EARL R. BRUCK REVOCABLE LIVING TRUST** dated July 3, 1991, as amended and restated May 15, 1992, **EARL R. BRUCK**, Trustee of the **LOUISE I. BRUCK REVOCABLE TRUST**, dated July 3, 1991, as amended and restated May 15, 1992, and **EARL R. BRUCK and LOUISE I. BRUCK**, husband and wife, as individuals, hereinafter collectively called GRANTOR, for the consideration hereinafter stated, do hereby grant, bargain, sell and convey unto **VERNON BRUCK** and **PENNY BRUCK**, husband and wife, hereinafter called GRANTEE, and unto GRANTEE'S heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Clackamas, State of Oregon, described as follows, to wit:

SEE EXHIBIT A.

TO HAVE AND TO HOLD the same unto the said GRANTEE and GRANTEE'S heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$NIL. This is a Deed of Gift for which the fair market value is \$700,000.00

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER SECTIONS 2, 3 AND 5 TO 22 OF CHAPTER 424, OREGON LAWS 2007 (BALLOT MEASURE 49 (2007)). THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER SECTIONS 2, 3 AND 5 TO 22 OF CHAPTER 424, OREGON LAWS 2007 (BALLOT MEASURE 49 (2007)).

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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.

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IN WITNESS WHEREOF, the GRANTOR has executed this instrument this day of 15th day of Jan., 2008.

Earl R. Bruck
Earl R. Bruck, Trustee of the Earl R. Bruck Revocable Living Trust - Grantor

Earl R. Bruck
Earl R. Bruck, Trustee of the Louise I. Bruck Revocable Living Trust - Grantor

Earl R. Bruck
Earl R. Bruck, Individually

Louise I. Bruck
Louise I. Bruck, Individually

STATE OF OREGON)
County of Clackamas) ss.

January 15, 2008

Before me personally appeared the above named **EARL R. BRUCK**, Individually, and as Trustee of the **EARL R. BRUCK REVOCABLE LIVING TRUST** and as Trustee of the **LOUISE I. BRUCK REVOCABLE LIVING TRUST** and acknowledged the foregoing instrument to be his voluntary act and deed.



Diane R. Weirich
Notary Public for Oregon
My Commission Expires: February 2, 2010

STATE OF OREGON)
County of Clackamas) ss.

January 15, 2008

Before me personally appeared the above named **LOUISE I. BRUCK**, Individually, and acknowledged the foregoing instrument to be her voluntary act and deed.



Diane R. Weirich
Notary Public for Oregon
My Commission Expires: February 2, 2010

13824

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JUL 12 2021

Exhibit "A"

OWRD

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

A TRACT OF LAND LOCATED IN THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER AND LOT 1 OF SECTION 18, AND IN THE NORTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER AND LOT 4 OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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Area
B

TOGETHER WITH AN EASEMENT FOR ROAD PURPOSES OVER THAT TRACT OF LAND DESCRIBED IN BOOK 109, PAGES 286 AND 287, DEED RECORDS OF CLACKAMAS COUNTY, OREGON.

Tax Parcel Number: 00767646

8/10

3

13824

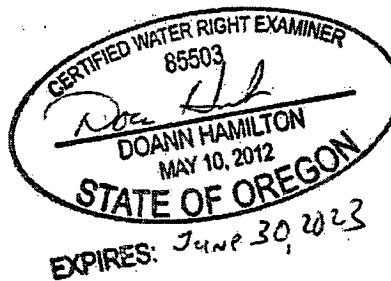
18487 S. Valley Vista Rd.
Mulino, Oregon 97042
(503) 632-5016 Phone
(503) 632-5983 Fax

Pacific Hydro-Geology Inc.

Memo

To: Oregon Water Resources Department / Arla Davis
From: Doann Hamilton, CWRE
CC:
Date: August 10, 2021
Re: Application G-17230, Permit G-17968 Split permit application.

On July 22, 2021, we received an email message from Arla Davis from OWRD concerning the application and map submitted for a split of permit for our client Vernon Bruck, Application G-17230, Permit G-17968, with respect to the proposed allocation of wells to specific acreages. Corrections have been made to the application and map to assign all of the authorized wells to both applicants. Attached are the corrected page 7 of the application and map to reflect this change.



Received by OWRD

AUG 10 2021

Salem, OR

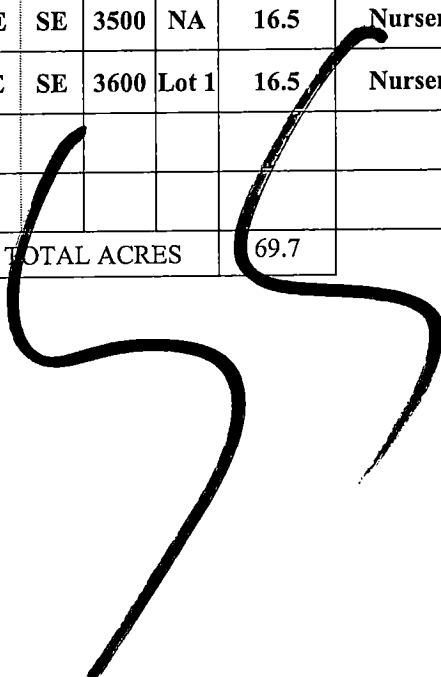
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Please use additional pages of Table 2 as needed

Table 2. Description of Permit #17968.

List all parts of the permit (both assigned and unassigned). For the acreage or place(s) of use in each 1/4, 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	1/4		Tax Lot	Gvt Lot or DLC	Acreage (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)		
3	S	1	E	17	NW	SW	801	NA	22.8	Nursery	Wells 2 & 5	A
3	S	1	E	17	SW	SW	801	Lot 1	1.4	Nursery	Wells 2 & 5	A
3	S	1	E	17	SW	SW	900	Lot 1	8.9	Nursery	Wells 3, 4, & 6	B
3	S	1	E	18	NE	SE	801	NA	3.6	Nursery	Wells 2 & 5	A
3	S	1	E	18	NE	SE	3500	NA	16.5	Nursery	Wells 3, 4, & 6	B
3	S	1	E	18	SE	SE	3600	Lot 1	16.5	Nursery	Wells 3, 4, & 6	B
TOTAL ACRES									69.7			



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JUL 12 2021

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