



State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Application for Permit Amendment

Part 1 of 5 – Minimum Requirements Checklist

This permit amendment 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 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 Permits to be Amended: **Number of permits to be amended: 1**
List the Permits here: G-16889 (Attachment A)
 Please include a separate Part 5 for each permit. (See instructions on page 6)
- Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner). **(Attachment B)**
- N/A Request for Assignment Form and statutory fee. The request for assignment form has to be completed if the applicant is **not** the permit holder of record and needs to be assigned to the permit; **or** the landowner of the proposed place of use is **not** the permit holder of record and needs to be assigned to the permit (the Request for Assignment Form is available online at <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>). Assignment is not needed if the applicant is the permit holder of record.
- N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant **or** other permit holders of record that are not listed as applicants.
- 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. **(Attachment C)**
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation. **(Attachment D)**
- 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 feet from the surface water source and more than 1000 feet upstream or downstream from the point of diversion. (ORS 540.531(2) or (3)).

(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"/> Part _____ is incomplete
<input type="checkbox"/> Additional signature(s) required	
Other/Explanation _____	
Staff: _____ 503-986-0 _____	Date: ____/____/____

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Part 2 of 5 – Permit Amendment Map Checklist

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

Please be sure that the map you submit includes all the items listed below and meets the requirements of OAR 690-380-3100, however, the map does not have to be prepared by a Certified Water Right Examiner. Check all boxes that apply.

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- N/A If **more than three** permits are involved, separate maps for each permit.
- 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 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 use permit, 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 permit is being changed, a separate hachuring is needed for the portion of the permit left unchanged.
- N/A If you are proposing a change in place of use, show the proposed place of use with hachuring that includes separate hachuring for each permit, 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 use 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°).

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMIT AMENDMENT			
1	Base Fee (includes one type of change to one permit for up to 1 cfs)	1	\$1,360
2	Types of change proposed: <input type="checkbox"/> Place of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>1</u> (2a) Subtract 1 from the number in line 2a = <u>0</u> (2b) <i>If only one change, this will be 0</i> Multiply line 2b by \$1090 and enter » » » » » » » » » » » » » » »	RECEIVED SEP 29 2021 OWRD 2 0	
3	Number of permits included in Permit Amendment <u>1</u> (3a) Subtract 1 from the number in 3a: <u>0</u> (3b) <i>If only one permit this will be 0</i> Multiply line 3b by \$610 and enter » » » » » » » » » » » » » » »	3	0
4	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: enter \$480 for the 1 st well to be added or changed \$480 (4a) Do you propose to add or change additional wells? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: multiply the number of additional wells by \$410 \$820 (4b) Add line 4a to line 4b and enter » » » » » » » » » »	4	\$1,300
5	Do you propose to change the place of use? <input checked="" type="checkbox"/> No: enter 0 on line 5 » <input type="checkbox"/> Yes: enter the cfs for the portions of the permits to be amended (see example below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 » » » » » » » » » » »	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$2,660
7	Is this permit amendment: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » »	7	0
8	Subtract line 7 from line 6 » » » » » » » » » » Permit Amendment Fee:	8	\$2,660

*Example for Line 5a calculation to transfer 45.0 acres of Primary Permit S-12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Permit S-87654 (1/80 cfs per acre) on the same land:

1. For irrigation calculate cfs for each permit involved as follows:
 - a. Divide total authorized cfs by total acres in the permit (*for S-12345, 1.25 cfs ÷ 100 ac*); then multiply by the number of acres to be changed to get the application cfs ($x 45 ac = 0.56 cfs$).
 - b. If the water right permit does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (*For S-87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs*)
2. Add cfs for the portions of permits on all the land included in the application; however **do not count cfs for supplemental permits on acreage for which you have already calculated the cfs fee for**

the primary permit on the same land. The fee should be assessed only once for each “on the ground” acre included in the application. *(In this example, blank 5a would be only 0.56 cfs, since both permits serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).*

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Carlton Nursery Company, LLC, Attn: Jon Estes			PHONE NO. 503-457-6897	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 398				FAX NO.
CITY Dayton	STATE OR	ZIP 97114	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 GSI Water Solutions, Inc. Attn: Theodore Ressler			PHONE NO. 971-200-8509	ADDITIONAL CONTACT NO.
ADDRESS 55 SW Yamhill Street, Suite 300				FAX NO.
CITY Portland	STATE OR	ZIP 97204	E-MAIL tressler@gsiws.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 permit amendment; and why:
The applicant is proposing to change the locations for the three points of appropriation on Permit G-16889 (Well 1 – constructed; Well 2 and Well 3 – not yet constructed).

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

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Is the applicant the permit holder of record? Yes No

If NO, include either:

- A completed assignment form (with required statutory assignment fee), assigning all or a portion of the permit to the applicant(s), **OR**
- An affidavit of consent from the permit holder(s) of record that gives permission for the applicant to amend the permit.

Has the Completion (“C”) Date of the permit(s) in this application expired? Yes No

If YES, this application will not be accepted by the Department.

If NO, what are the completion dates of the permit(s)? 10/1/2027

- If the permit completion date expires while the Permit Amendment Application is pending, the Department will not approve the Permit Amendment Application until an Extension of Time Application is approved for the permit.
- You may consider using the Reimbursement Authority process to expedite the processing of this Permit Amendment Application if the completion date of the permit expires within 6 months of the date of filing this application.

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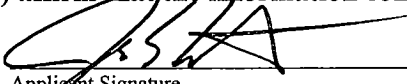
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By my signature below, I confirm that I understand:

- Prior to Department approval of the permit amendment, 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 permit 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: News-Register.



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



 Applicant Signature

Jon Estes, Water Resources Manager

 Print Name (and Title if applicable) Date

9/14/2021

 Date

Applicant Signature

Print Name (and Title if applicable)

Date

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Check one of the following:

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

Check the appropriate box, if applicable:

- Check here if any of the permits proposed for amendment are or will be located within or served by an irrigation or other water district. **(Note: Although the authorized place of use falls within the service area boundaries of Palmer Creek Water District Improvement Company, this groundwater right is neither held nor served by the District.)**

IRRIGATION DISTRICT NAME Palmer Creek Water District Improvement Company	ADDRESS 14395 SE Wallace Road	
CITY Dayton	STATE OR	ZIP 97114

- Check here if water for any of the permits supplied under a water service agreement or other contract for stored water with a federal agency or other entity. **N/A**

ENTITY NAME N/A	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Yamhill County Planning & Development Dept.	ADDRESS 525 NE 4th Street	
CITY McMinnville	STATE OR	ZIP 97128

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Use Permit Information

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

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PERMIT # G-16889

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

POD/POA Name or Number	Is this POD/POA Authorized by the permit 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)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	YAMH 57419	5	S	3	W	5	SW	NW	701	780 feet South from SE corner of DLC 42
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	5	S	3	W	5	NW	SW	900	1,690 feet South and 60 feet West from SE corner of DLC 42
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	5	S	3	W	5	NW	SE	900	2,380 feet South and 2,009 feet East from SE corner of DLC 42
Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	YAMH 58249	5	S	3	W	5	SW	NW	701	1,360 feet South and 1,100 feet East from NW corner of Section 5
Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	5	S	3	W	5	NE	SW	701	2,870 feet South and 2,450 feet East from NW corner of Section 5
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	5	S	3	W	5	NE	SE	1300	1,930 feet North and 555 feet West from SE corner of Section 5

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

- | | |
|---|--|
| <input type="checkbox"/> Place of Use (POU) | <input checked="" 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"/> Surface water POD to Ground Water POA (SW/GW) |

Will all of the proposed changes affect the entire water use permit?

- Yes Complete only the proposed ("to" 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 permit to be changed.

For a change in place of use: N/A

Does the permit holder of record own or control the land TO which the place of use is being moved?

Yes No N/A

If NO, the landowner of the land TO which the place of use is being moved **must be assigned to the permit as a permit holder of record** by submitting a completed Request for Assignment form and the required statutory fee for an assignment.

Is the proposed place of use contiguous to the authorized place of use? Yes No N/A

The permitted place of use can be moved only to lands that are contiguous to the authorized place of use **unless** the change to non-contiguous lands is in furtherance of mitigation or conservation efforts undertaken for the purposes of benefiting a species listed as sensitive, threatened, or endangered under ORS 496.171 to 496.192 or the federal Endangered Species Act of 1973 (16 U.S.C. 1531 to 1544), as determined by the listing agency. Contiguous land being either adjacent land or land separated from the land to which a permit is authorized by roads, utility corridors, irrigation ditches or publicly owned rights of way.

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pages of Table 2 as needed.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

as to Water Use Permit # G-16889

acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
A involved in the proposed changes, specify the acreage associated with each POD/POA.

from" or "off" lands) rtificate BEFORE PROPOSED [GES water right that will be changed.				Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date		
EXAMPLE															
	15.0	POD #1 POD #2		POU/POD	2	S	9	E	15	NW	NW	100	1	10.0	POD #5
"	EXAMPLE	"		"	2	S	9	E	15	SW	NW	200		5.0	POD #6
				POA	5	S	3	W	4	SW	NW	1300		3.0	Well 1 Well 2 Well 3
					5	S	3	W	4	NW	SW	1300		27.4	"
					5	S	3	W	4	SW	SW	1300		10.2	"
					5	S	3	W	5	SW	NE	701		11.5	"
					5	S	3	W	5	SE	NE	1300		7.1	"
					5	S	3	W	5	SW	NW	701		1.3	"
					5	S	3	W	5	SE	NW	701		29.8	"
					5	S	3	W	5	NE	SW	701 702 900		37.7	"
					5	S	3	W	5	NW	SW	900		3.5	"

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					5	S	3	W	5	SW	SW	900		0.5	"	12/28/2009	
					5	S	3	W	5	SE	SW	702 900		6.6	"	12/28/2009	
					5	S	3	W	5	NE	SE	1300		40.0	"	12/28/2009	
					5	S	3	W	5	NW	SE	701 900 1300		37.7	"	12/28/2009	
					5	S	3	W	5	SW	SE	702		32.7	"	12/28/2009	
					5	S	3	W	5	SE	SE	702 1300		12.4	"	12/28/2009	
					5	S	3	W	8	NW	NE	702		0.2	"	12/28/2009	
					5	S	3	W	8	NE	NW	702		0.2	"	12/28/2009	
ES					TOTAL ACRES									261.8			

ant is proposing to change the locations of Wells 1, 2, and 3. No change to the place of use is proposed.

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

If YES, list the other certificate, permit, or ground water registration numbers: GR-22, 22515, 35707, 40068, S-54741 (Note: Permit G-16889 authorizes the use of water for nursery uses, so water rights are not "layered.")



If the permit(s) are for irrigation or supplemental irrigation use, other water rights existing on the same land for irrigation that are subject to transfer must either change concurrently or be cancelled. Any change to a water right certificate or ground water registration must be filed separately in a water right transfer application or ground water registration modification application, respectively.

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) **(Attachment D)**

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
Well 2	No	N/A	350'	12"	Min 20'	> 80'	100-350'	30'	Alluvial	
Well 3	No	N/A	350'	12"	Min 20'	> 80'	100-350'	30'	Alluvial	

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Attachment A
Permit G-16889

Application for a Permit Amendment – Carlton Nursey Company, LLC

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COUNTY OF YAMHILL

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PERMIT TO APPROPRIATE THE PUBLIC WATERS

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THIS PERMIT IS HEREBY ISSUED TO

CARLTON NURSERY COMPANY, LLC.
PO BOX 398
DAYTON, OR 97114

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

APPLICATION FILE NUMBER: G-17293

SOURCE OF WATER: WELLS 1, 2, AND 3 IN PALMER CREEK BASIN

PURPOSE OR USE: NURSERY USE ON 261.8 ACRES AND POND MAINTENANCE OF GORDON FARM IRRIGATION RESERVOIR, CONSTRUCTED UNDER PERMIT R-14933

MAXIMUM RATE: 0.56 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: DECEMBER 28, 2009

WELL LOCATIONS:

WELL 1: SW ¼ NW ¼, SECTION 5, T5S, R3W, W.M.; 780 FEET SOUTH FROM SE CORNER, DLC 42

WELL 2: NW ¼ SW ¼, SECTION 5, T5S, R3W, W.M.; 1690 FEET SOUTH AND 60 FEET WEST FROM SE CORNER, DLC 42

WELL 3: NW ¼ SE ¼, SECTION 5, T5S, R3W, W.M.; 2380 FEET SOUTH AND 2009 FEET EAST FROM SE CORNER, DLC 42

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 0.15 cubic foot per second per acre and 5.0 acre feet per acre per year. For irrigation of containerized nursery plants, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, 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 under this right, together with the amount secured under any other right existing for the same lands, is limited to one-eightieth of one cubic foot per second and 2.5 acre feet per acre per year. The use of water for nursery use may be made at any time, during the period of allowed use

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PERMIT G-16889

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specified above, that the use is beneficial. For irrigation of any other crop, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, 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.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW ¼ NW ¼ 3.0 ACRES
 NW ¼ SW ¼ 27.4 ACRES
 SW ¼ SW ¼ 10.2 ACRES
 SECTION 4

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SW ¼ NE ¼ 11.5 ACRES
 SE ¼ NE ¼ 7.1 ACRES
 SW ¼ NW ¼ 1.3 ACRES AND POND MAINTENANCE
 SE ¼ NW ¼ 29.8 ACRES AND POND MAINTENANCE
 NE ¼ SW ¼ 37.7 ACRES AND POND MAINTENANCE
 NW ¼ SW ¼ 3.5 ACRES AND POND MAINTENANCE
 SW ¼ SW ¼ 0.5 ACRE
 SE ¼ SW ¼ 6.6 ACRES
 NE ¼ SE ¼ 40.0 ACRES
 NW ¼ SE ¼ 37.7 ACRES
 SW ¼ SE ¼ 32.7 ACRES
 SE ¼ SE ¼ 12.4 ACRES
 SECTION 5

NW ¼ NE ¼ 0.2 ACRE
 NE ¼ NW ¼ 0.2 ACRE
 SECTION 8

TOWNSHIP 5 SOUTH, RANGE 3 WEST, W.M.

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(s) or measuring device(s) in good working order.
- B. The permittee shall keep a complete record of the amount of water appropriated each month, and shall submit a report which includes the recorded report 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(s) or measuring device(s); provided however, where any meter or measuring device 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(s) shall produce ground water from no shallower than 80 feet below land surface.

The well(s) shall allow ground water production 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.

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Measurements must be made according to the following schedule: SEP. 29 2021

Before Use of Water Takes Place

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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 additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

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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 reported 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 measurements 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 leads 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 on 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

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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.

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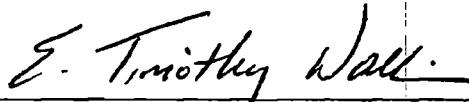
This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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.

Completion of construction and application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued January 5, 2012



E. Timothy Wallin, Water Rights Program Manager
for Phillip C. Ward, Director
Water Resources Department

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Attachment B
Application Map

Application for a Permit Amendment – Carlton Nursey Company, LLC

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Well 1 (authorized): YAMH 57419
Well 1 (proposed): YAMH 58249

Attachment D
Well Logs

Application for a Permit Amendment – Carlton Nursey Company, LLC

13835

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

YAMH 57419

WELL I.D. LABEL# 120782
START CARD # 1030162
ORIGINAL LOG #

4/14/2016

(1) LAND OWNER

Owner Well I.D. 2983
First Name Last Name
Company CARLTON PLANTS LLC
Address POB 398
City DAYTON State OR Zip 97114

(2) TYPE OF WORK
New Well Deepening Conversion
Alteration (complete 2a & 10) Abandonment (complete 5a)

(2a) PRE-ALTERATION
Dia + From To Gauge Stl Plstc Wld Thrd
Casing:
Material From To Amt sacks/lbs
Seal:

(3) DRILL METHOD
Rotary Air Rotary Mud Cable Auger Cable Mud
Reverse Rotary Other

(4) PROPOSED USE
Domestic Irrigation Community
Industrial/ Commercial Livestock Dewatering
Thermal Injection Other

(5) BORE HOLE CONSTRUCTION
Special Standard (Attach copy)
Depth of Completed Well 200.00 ft.

Table with columns: Dia, From, To, Material, SEAL, Amt, sacks/lbs. Rows include Bentonite Chips and Calculated values.

How was seal placed: Method A B C D E
Other POUR/PROBE/HYDRATE
Backfill placed from 200 ft. to 201 ft. Material BENTONITE CHIPS
Filter pack from ft. to ft. Material Size
Explosives used: Yes Type Amount

(5a) ABANDONMENT USING UNHYDRATED BENTONITE
Proposed Amount Actual Amount

(6) CASING/LINER

Table with columns: Casing, Liner, Dia, From, To, Gauge, Stl, Plstc, Wld, Thrd. Includes shoe location and temp casing info.

(7) PERFORATIONS/SCREENS
Perforations Method drive down

Table with columns: Perf, Casing/Screen, Dia, From, To, Scrm/slot width, Slot length, # of slots, Tel/pipe size.

(8) WELL TESTS: Minimum testing time is 1 hour

Table with columns: Pump/Bailer/Air/Flowing Artesian, Yield gal/min, Drawdown, Drill stem/Pump depth, Duration (hr).

Temperature 53 °F Lab analysis Yes By
Water quality concerns? Yes (describe below) TDS amount 140 ppm
From To Description Amount Units

(9) LOCATION OF WELL (legal description)

County YAMHILL Twp 5.00 S N/S Range 3.00 W E/W WM
Sec 5 SW 1/4 of the NW 1/4 Tax Lot 701
Tax Map Number Lot
Lat " or 45.16822241 DMS or DD
Long " or -123.08894695 DMS or DD
Street address of well Nearest address
13205 SE WEBFOOT RD., DAYTON

(10) STATIC WATER LEVEL

Table with columns: Existing Well / Pre-Alteration, Completed Well, Date, SWL(psi), + SWL(ft).

Table with columns: SWL Date, From, To, Est Flow, SWL(psi), + SWL(ft). Includes WATER BEARING ZONES info.

(11) WELL LOG

Table with columns: Material, From, To. Lists soil types and depths from 0 to 201 ft.

Date Started 4/4/2016 Completed 4/7/2016

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
License Number SEP 29 2021
Signed SEP 29 2021

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
License Number 1438 Date 4/12/2016
Signed DAVID PAYSINGER (E-filed)
Contact Info (optional) bluewaterdrilling.com 503 868 7878

WATER SUPPLY WELL REPORT - Map with location identified must be attached and shall include an approximate scale and north arrow

YAMH 57419

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4/14/2016

SEP 29 2021

Map of Hole

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STATE OF OREGON
WELL LOCATION MAP

Oregon Water Resources Department
725 Summer St NE, Salem OR 97301
(503)986-0900



This map is supplemental to the WATER SUPPLY WELL REPORT

LOCATION OF WELL

Latitude: 45.1682224 14 Datum: WGS84

Longitude: -123.08894694457

Township/Range/Section/Quarter-Quarter Section:

WM 5S 3W 5 SWNW

Address of Well:

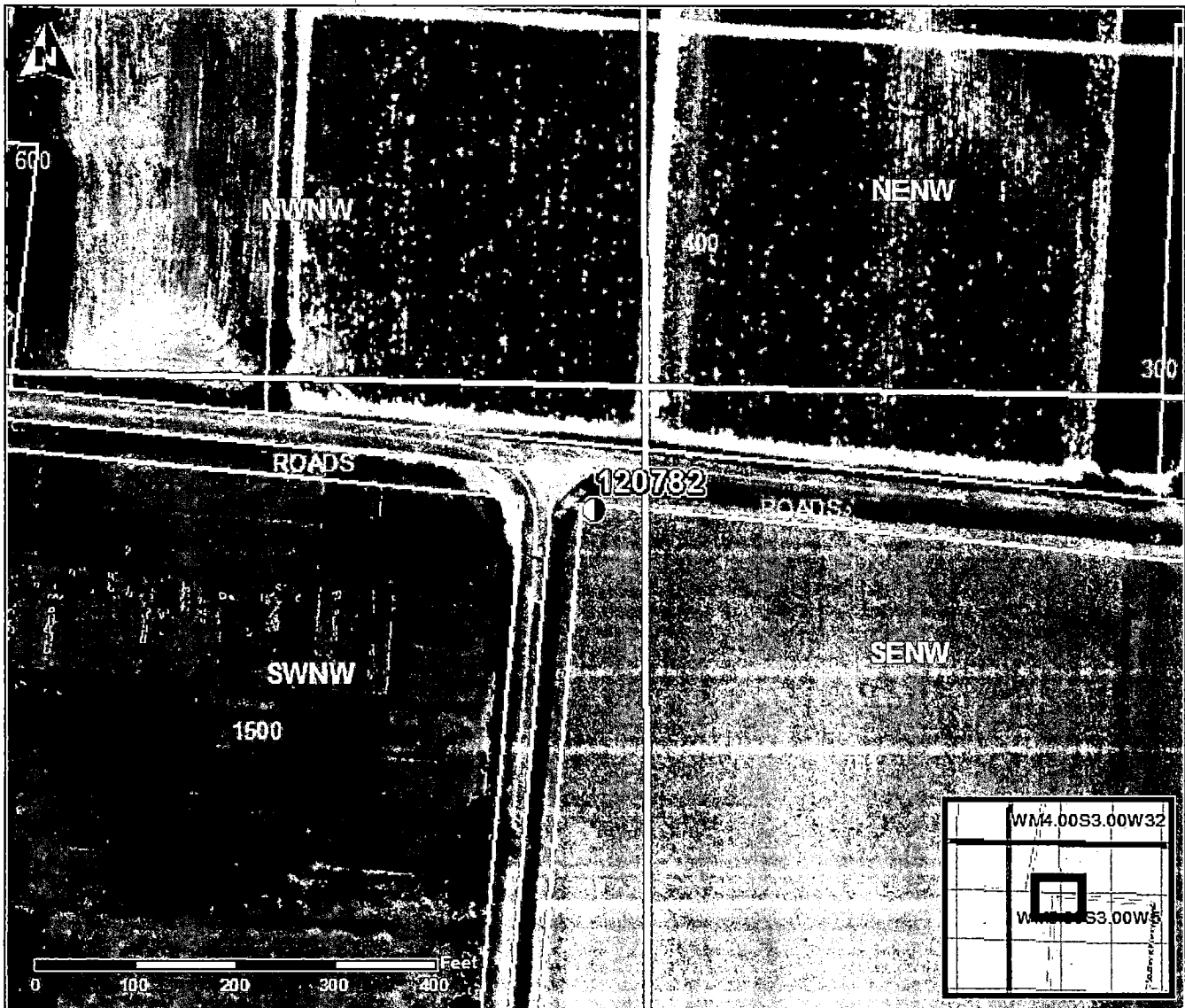
13205 SE WEBFOOT RD., DAYTON

Well Label: 120782

Printed: April 9, 2016

DISCLAIMER: This map is intended to represent the approximate location of the well. It is not intended to be construed as survey accurate in any manner.

Provided by well constructor



YAMH 58249

STATE OF OREGON
WATER SUPPLY WELL REPORT
 (as required by ORS 537.765 & OAR 690-205-0210)

Arrow 19-16

WELL I.D. LABEL# L 133783
 START CARD # 1042864
 ORIGINAL LOG #

Page 1 of 1

YAMH 58249

(1) LAND OWNER:

Owner Well I.D. _____
 First Name: _____ Last Name: _____
 Company Bailey Nurseries Inc. Carlton Division
 Address: PO Box 398
 City: Dayton State: OR Zip: 97114

(9) LOCATION OF WELL by legal description:

County: Yamhill Twp: SS Range: 3W
 Sec: 05 SW 1/4 of the NW 1/4 Tax Lot: 701
 Tax Map Number _____ Lot _____
 Block: _____ Subdivision: _____
 Lat _____ " or _____ DMS or DD
 Long _____ " or _____ DMS or DD

(2) TYPE OF WORK: New Well Deepening Conversion
 Alteration (complete 2a & 10) Abandonment (complete 5a)

Street Address of Well Nearest Address
 13500 SE Kimsey Rd. Dayton, Oregon 97114

(2a) PRE-ALTERATION

Dia + From To Gauge Stil Plstc Wld Thrld
 Casing: _____
 Material From To Amt sacks/lbs
 Seal: _____

(10) STATIC WATER LEVEL:

Description	Date	SWL(psi)	+	SWL (ft)
sat over weekend	08/05/19		<input type="checkbox"/>	43'6"

(3) DRILL METHOD:

Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other: _____

Flowing Artesian? Dry Hole?
WATER BEARING ZONES: Depth at which water was first found 55

(4) PROPOSED USE: Domestic Irrigation Community
 Industrial/Commercial Livestock Dewatering
 Thermal Injection Other _____

SWL Date	From	To	Est. Flow	SWL(psi)	+	SWL(ft)
05/17/19	55	60	+/-25			5'
08/05/19	172	188	275			43'6"
08/05/19	198	201	25			43'6"

(5) BORE HOLE CONSTRUCTION: Special Standard (attach copy)
 Depth of Completed Well 217 ft.

BOREHOLE			SEAL			sacks/
Dia	From	To	Material	From	To	lbs
12"	0	217	bent chps	0	18	16 sacks
					Calculated	10 sacks
			cement w/	18	82'	72 sacks
			3% bent		Calculated	20 sacks

(12) WELL LOG:

Material	Ground Elevation:		SWL
	From	To	
gravel fill	0	1	
top soil	1	4	
clay brwn silty	4	29	
clay gray silty	29	34	
clay gray stiff	34	48	
clay dark gray silty/sandy	48	55	
sand blk fine w/silt gray	55	60	
clay dark gray stiff	60	72	
clay dark gray sandy	72	76	
clay blue/gray stiff/sticky	76	87	
clay brwn stiff	87	104	
clay gray sandy/silty	104	126	
sand cemented w/clay	126	131	
clay brwn silty	131	141	
clay gray med to olive green	141	157	
clay gray med to stiff	157	166	
clay gray soft sandy	166	172	
sand blk fine some pebbles	172	181	
gravel up to 1" clean w/sand	181	184	
sand blk w/gravel	184	188	
clay gray soft sandy	188	189	
clay gray med	189	198	
clay gray w/gravel and sand	198	201	
clay gray med sandy	201	217	

How was seal placed: Method A B C D E
 Other bent-poured-probed-hydrated

Backfill placed from _____ ft. to _____ ft. Material _____
 Filter pack placed from _____ ft. to _____ ft. Material _____ Size _____
 Explosives Used Yes Type _____ Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount _____ Actual Amount _____

(6) CASING/LINER:

Casing Liner	Dia	+	From	To	Gauge	Stil Plstc	Wld	Thrd
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8"	<input checked="" type="checkbox"/>	2'	170'	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8"	<input type="checkbox"/>	190'	197'	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8"	<input type="checkbox"/>	202'	217'	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>

Shoe Inside Outside Other Location of Shoe(s): _____
 Temp casing Yes Dia: 12" From: 0 To: 105'

(7) PERFORATIONS/SCREENS:

Perforations Method: _____
 Screen Type: v-wire Material: stainless

Perf/ Screen	Casing/ Liner	Screen Dia	From	To	Scm/slot width	Slot length	#of slots	Tele/ pipe size
S	C	8"	170	190	.040			P
S	C	8"	197	202	.040			P

(8) WELL TESTS: Minimum testing time is 1 hour

Pump Bailer Air Flowing Artesian

Yield gpm	Drawdown	Drill Stem/pump depth	Duration (hr)
air lift 75	30'	138'	7 hrs.

Temperature of water 56 ° F Lab analysis Yes By _____
 Water quality concerns? Yes (see table below) TDS amount 138

From	To	Description	Amount	Units

Date Started: 05/16/19 Completed: 08/05/19

(unbonded) Water Well Constructor Certification:
 I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number _____ Date _____ **RECEIVED**

Signed _____ **SEP 29 2021**

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report was prepared to the best of my knowledge and belief.

License Number 1483 Date 08/19/19

Signed *John R. [Signature]*

Contact info (optional) ARROW DRILLING 503-538-4422

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