Hunter & Woods T-9869

PERMIT
AMENDMENT

Name ~~Edmund Hunter~~ Partial ASSIGNED Beyond Green LLC

By

Address 7194 S. Barnards Rd
Canby OR 97013
503 651-2284

Change in POA

Date filed 2-23-2005

Date of hearing

Place of hearing

Date of order 12-19-05 Vol. 67, page 580

Date for application of water

Proof mailed

Proof received

Certificate issued Vol. , page
12-13-10 correcting V. 83 p. 202

T-9869

DESCRIPTION OF WATER RIGHT

Name of stream Well

Trib. of Molalla River County of Clackamas

Use Nursery

Quantity of water No. of acres

Name of ditch

Date of priority 7-24-2001

In name of Whiskey Hill Nursery

Adjudication, Vol. , page

App. No. G-15566 Per. No. G-15810 Cert. No.

Certificate cancelled

Notation made on record by

FEES PAID

Date	Amount	Receipt No.
2-23-05	350.00	72849
4-23-13	75.00	108600
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

Agent:
Scott Ashcom
P.O Box 4323
Portland, OR 97208
503-524-5174

Partially assigned to: Marrianne Landowner: ~~Mary~~ Woods: 7150 S. Barnards Rd: Canby. OR. 97013

NOID/NO CWRE

3/21/05 Marrianne Woods, 7150 S. Barnards Rd, Canby OR 97013 and 4/23/2013

4/23/07 Assigned Partial Beyond Green LLC 7194 S. Barnards Rd, Canby OR 97013 (from permit file)

LES HOTTOVY
PO BOX 290936
NASHVILLE TN 37229-0936

OREGON AGRICULTURAL ALLIANCE

PO Box 4323
Portland, OR 97208

Scott Ashcom

Executive Director

Phone: 503-524-5174
Fax: 503-524-5567
E-mail: ashcoms@msn.com

Kelly - please call
503-266-7761
done
Steve-Wagner

also assignments pks - referred in 1556
Marianne Woods not Mcf. to call Mike
owner anymore.

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

Request for Assignment

If for multiple rights, a separate form and fee for each right will be required.

I, BEYOND GREEN L.L.C.
(Name of Applicant / Permit / Transfer Holder / License Holder/GR Certificate of Registration)

7194 S. BARNARDS ROAD CANBY OR 97013 (503) 569-7653
(Mailing Address) (City) (State) (Zip) (Phone #)

☐ hereby assign *all my interest* in and to application/permit/transfer/license/GR Certificate of Registration;

☒ hereby assign *all my interest* in and to a portion of application/permit/transfer/license/GR Certificate of Registration; *(You must include a map showing the portion of the application/permit/transfer/license/GR Certificate of Registration to be assigned.)*

☐ hereby assign *a portion of my interest* in and to the *entire* application/permit/transfer/license/GR Certificate of Registration:

Application # G 15566 ; Permit # G 15810 ; Transfer # T9869
-OR-
License # _____ ; GR Statement # _____ ; GR Certificate of Registration # _____

As filed in the office of the Water Resources Director, to:

LES Hottovy
(Name of New Owner)

P.O. Box 290936 Nashville TN 37229-0936 (615) 268-5668
(Mailing Address) (City) (State) (Zip) (Phone #)

Note: If there are other owners of the property described in the Application, Permit, Transfer, License, or GR Certificate of Registration, *you must provide a list of all other owners' names and mailing addresses and attach it to this form.*

I hereby certify that I have notified all other owners of the property described in this Application, Permit, Transfer, License, or GR Certificate of Registration of this Request for Assignment

Witness my hand this 18TH day of APRIL, 2013.

Applicant/Permit Holder Steve A Hottovy former member of Beyond Green LLC

Applicant/Permit Holder ~~Les Hottovy~~ (former member of Beyond Green LLC)

ASSIGN PARTIAL 4/22/2013
BEYOND GREEN LLC
PORTION TO LOT HOTTOVY

DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.
Fee receipt # 10470
For Director by Jerry Sauter, Program Analyst in Water Rights Division

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of **$75**.

RECEIVED BY OWRD
APR 22 2013
WR SALEM, OR

Oregon
John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer St. NE, Suite A
Salem, OR 97301
Phone 503-986-0900
FAX 503-986-0904
www.wrd.state.or.us

April 23, 2013

Les Hottovy
P.O. Box 290936
Nashville, TN 37229-0936

Reference: Transfer T-9869

The partial assignment from Beyond Green LLC to Les Hottovy has been recorded in the records of the Water Resources Department.

The Departments records will now show Marriane Woods and Les Hottovy as the transfer holders of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 108600 covering the recording fee is also enclosed.

Please review the permit to be familiar with the conditions and timelines contained in the permit. These conditions and timelines will have to be met before a Certificate of Water Right can be issued.

Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Receipt 108600

cc: Watermaster 16
Marriane Woods
Data Center, OWRD (cover letter & request)
Hydrographics
File

Business Registry Business Name Search

New Search

Business Entity Data

07-03-2012
11:54

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
000548-90	DLLC	INA	OREGON	01-23-2001		
Entity Name	BEYOND GREEN LLC					
Foreign Name						

RECEIVED BY OWRD

APR 22 2013

SALEM, OR

New Search

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS				
Addr 1	7194 SOUTH BARNARDS RD					
Addr 2						
CSZ	CANBY	OR	97013		**Country**	UNITED STATES OF AMERICA

Please click here for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT		**Start Date**	01-23-2001	**Resign Date**	
Name	STEVEN	A	HOTTOVY				
Addr 1	11479 SE AMITY-DAYTON HWY						
Addr 2							
CSZ	DAYTON	OR	97114		**Country**	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS				
Addr 1	PO BOX 1045					
Addr 2						
CSZ	CANBY	OR	97013		**Country**	UNITED STATES OF AMERICA

Type	MEM	MEMBER				**Resign Date**	
Name	STEVE	A	HOTTOVY				
Addr 1	7194 S BARNARDS RD						
Addr 2							
CSZ	CANBY	OR	97013		**Country**	UNITED STATES OF AMERICA	

Type	MEM	MEMBER				**Resign Date**	
Name	LES		HOTTOVY				
Addr 1	920 WOODMONT BLVD # N-4						
Addr 2							
CSZ	NASHVILLE	TN	37204		**Country**	UNITED STATES OF AMERICA	

New Search

Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
BEYOND GREEN LLC	EN	.CUR	01-23-2001	

Please read before ordering Copies.

New Search

Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	ADMINISTRATIVE DISSOLUTION	03-26-2010		SYS		
	NOTICE LATE ANNUAL	01-29-2010		SYS		
	ANNUAL REPORT PAYMENT	02-09-2009		SYS		
	NOTICE LATE ANNUAL	01-30-2009		SYS		
	AMNDMT TO ANNUAL RPT/INFO STATEMENT	01-28-2008		FI		
	ANNUAL REPORT PAYMENT	01-24-2008		SYS		
	ANNUAL REPORT PAYMENT	12-21-2006		SYS		
	AMNDMT TO ANNUAL RPT/INFO STATEMENT	02-06-2006		FI		
	ANNUAL REPORT PAYMENT	01-25-2006	01-23-2006	SYS		
	ANNUAL REPORT PAYMENT	01-03-2005	12-31-2004	SYS		
	ANNUAL REPORT PAYMENT	02-12-2004	02-10-2004	SYS		RECEIVED BY OWRD
	NOTICE LATE ANNUAL	01-30-2004		SYS		APR 2 2 2013
	AMNDMT TO ANNUAL RPT/INFO STATEMENT	05-05-2003		FI		SALEM, OR
	ANNUAL REPORT PAYMENT	01-02-2003		SYS		
	AMENDED ANNUAL REPORT	01-17-2002		FI		
	ARTICLES OF ORGANIZATION	01-23-2001		FI	Agent	

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Oregon Water Resources Department
PERMIT CONDITION WATER-LEVEL REPORTING FORM

Your water right requires periodic static water-level measurements in your wells. **Consult your permit or certificate to determine when measurements should be made, when reports are due, and who is allowed to make the measurements.** Keep a copy of all measurement reports for your records. **All wells that have been constructed must be measured regardless of whether they are being used.** Please contact the Department if you are no longer the holder of this right or no longer have an interest in it.

Application: G 15566
Permit: G 15810
Certificate:
Transfer: T 9869
POD: 1
Userid: 29740

Location/owner
LES Hottovy
~~BEYOND GREEN LLC~~
7194 S BARNARDS RD
CANBY OR 97013

MAILING
LES Hottovy
P.O. Box 290936
Nashville, TN
37229-0936

Well History, if available:

Logid	Type Work	Date	Depth

RECEIVED BY OWRD
APR 22 2013
SALEM, OR

Identification of Measured Well (Provide as much information as possible. Correct any errors.)

Water Resources Well Log ID:
Well ID (Well Tag) on Well: L-
Well ID (Well Tag) on Well Log: L-
Start Card # on Well Log:
Date drilled:

Owner's well name: LES Hottovy
Well name on water right: WELL 1
Well drilled by:
Total depth: Casing diameter (inches):
Owner on well log: ~~Steve~~ & Leslie Hottovy

Well location on water right: In the NW quarter of the NW quarter of Section 5, Township 5.00S, Range 1.00E, 400 FEET SOUTH AND 400 FEET EAST FROM NW CORNER, SECTION 5

change to: Les Hottovy

Water-Level Measurement

Date of measurement:
Measurements should be made to at least the nearest tenth of a foot (10.2'), the nearest inch (10' 3") or the nearest pound, if using a gage.

Depth to water below measuring point:
Measuring point height above / below land surface:
Depth to water below land surface:

Airline length or transducer depth: feet
Airline pressure: psi x 2.31 = feet
Shut-in pressure: psi x 2.31 = feet

Measurement status: Static ☐ Pumping ☐ Rising ☐ Flowing ☐ Other
Measurement method: E-tape ☐ Airline ☐ Other
Length of time well was idle prior to measurement:
Measuring point description:
The measuring point is the reference point from which the measurement is made. Examples are: 1/2" access port in well cap; 1-1/2" port pipe on N side; pressure gage.

Comments:

When did water use begin for this well under this permit? Month Year

I hereby certify that the information on this report is accurate and represents the static water level in the well at the time of mesasurement.
Person making measurement (print):
Signature of measurer:
Company:
License number (Circle license type: CWRE, RG, PE, WWC, Pump Installer):
Daytime phone number: Email address:

If you have any questions about this notice, please call the Measurement & Reporting Section of the Department at 503-986-0822 or 503-986-0843. **Return this Form to: OWRD, Meas & Rept Section, 725 Summer St. NE, Suite. A, Salem, OR 97301-1266.**
Additional forms can be obtained from our web sit at: http://www.wrd.state.or.us OWRD GW/KCW 2/7/2013

Water Level Data on File at OWRD for this well (last 2 measurements only, most recent date on top) :

Date	MP Height	WL BLS	Pump Idle Time	Status	Method	Measured By	Measuring Point Description

Oregon Water Resources Department
PERMIT CONDITION WATER-LEVEL REPORTING FORM

Your water right requires periodic static water-level measurements in your wells. **Consult your permit or certificate to determine when measurements should be made, when reports are due, and who is allowed to make the measurements.** Keep a copy of all measurement reports for your records. **All wells that have been constructed must be measured regardless of whether they are being used.** Please contact the Department if you are no longer the holder of this right or no longer have an interest in it.

Application: G 15566
Permit: G 15810
Certificate:
Transfer: T 9869
POD: 2
Userid: 29740

Location/owner
LES Hottovy
~~BEYOND GREEN LLC~~
7194 S BARNARDS RD
CANBY OR 97013

Mailing
LES Hottovy
P.O. Box 290936
Nashville, TN
372290936

Well History, if available:

Logid	Type Work	Date	Depth

RECEIVED BY OWRD
APR 22 2013
SALEM, OR

Identification of Measured Well (Provide as much information as possible. Correct any errors.)

Water Resources Well Log ID:
Well ID (Well Tag) on Well: L-
Well ID (Well Tag) on Well Log: L-
Start Card # on Well Log:
Date drilled: 1-14-2011

Owner's well name: LES Hottovy
Well name on water right: ~~PROPOSED WELL~~ NEW WELL
Well drilled by: WESTERBERG DRILLING, INC.
Total depth: 172' Casing diameter (inches): 6"
Owner on well log: STEVE & LESLIE Hottovy

Well location on water right: In the NW quarter of the NW quarter of Section 5, Township 5.00S, Range 1.00E, 344 FEET SOUTH AND 692 FEET EAST FROM NW CORNER, SECTION 5

change to: Les Hottovy

Water-Level Measurement

Date of measurement:

Measurements should be made to at least the nearest tenth of a foot (10.2'), the nearest inch (10' 3") or the nearest pound, if using a gage.

Depth to water below measuring point:
Measuring point height above / below land surface:
Depth to water below land surface:

Airline length or transducer depth: feet
Airline pressure: psi x 2.31 = feet
Shut-in pressure: psi x 2.31 = feet

Measurement status: Static ☐ Pumping ☐ Rising ☐ Flowing ☐ Other
Measurement method: E-tape ☐ Airline ☐ Other
Length of time well was idle prior to measurement:

Measuring point description:
The measuring point is the reference point from which the measurement is made. Examples are: 1/2" access port in well cap; 1-1/2" port pipe on N side; pressure gage.

Comments:

When did water use begin for this well under this permit? Month Year

I hereby certify that the information on this report is accurate and represents the static water level in the well at the time of mesasurement.
Person making measurement (print):
Signature of measurer:
Company:
License number (Circle license type: CWRE, RG, PE, WWC, Pump Installer):
Daytime phone number: Email address:

If you have any questions about this notice, please call the Measurement & Reporting Section of the Department at 503-986-0822 or 503-986-0843. **Return this Form to: OWRD, Meas & Rept Section, 725 Summer St. NE, Suite. A, Salem, OR 97301-1266.**
Additional forms can be obtained from our web sit at: http://www.wrd.state.or.us OWRD GW/KCW 2/7/2013

Water Level Data on File at OWRD for this well (last 2 measurements only, most recent date on top) :

Date	MP Height	WL BLS	Pump Idle Time	Status	Method	Measured By	Measuring Point Description

Oregon
Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

December 14, 2010

Beyond Breen, LLC
7194 S Barnards Road
Canby, OR 97013

Marriane Woods
7150 S Barnards Road
Canby, OR 97013

RE: Amending Order

Enclosed is an amending final order. Please read the order carefully.

If you have any questions regarding this certificate please contact the transfer section at 503-986-0886.

Sincerely,

Sarah Henderson

Sarah Henderson
Executive Support

enclosure

cc: Watermaster #16
Data
T-9869, G-15566
Scott Ashcom, Agent

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Special Order Volume 67 Pages 580-583	))	CORRECTING FINAL ORDER

Applicants

BEYOND GREEN, LLC
7194 S BARNARDS ROAD
CANBY, OR 97013

MARRIANE WOODS
7150 S BARNARDS ROAD
CANBY, OR 97013

Findings of Fact

Background

1. On December 19, 2005, the Department issued an order approving Permit Amendment Application T-9869. The order was recorded at Special Order Volume 67, Pages 580-583.

2. The order contains a scrivener's error in the location description of the authorized place of use and the proposed point of appropriation.

3. Special Order Volume 67, Pages 580-583 describes the authorized place of use of the permit as being:

Township		Range		Meridian	Sec	¼ ¼		Acres
5	S	1	E	W.M.	27	NW	NW	5.19
5	S	1	E	W.M.	27	NW	NW	9.85
							TOTAL	15.04

4. The correct authorized place of use description (in **bold underlined**) is:

Township		Range		Meridian	Sec	¼ ¼		Acres
5	S	1	E	W.M.	**5**	NW	NW	5.19
5	S	1	E	W.M.	**5**	NW	NW	9.85
							TOTAL	15.04

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or 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.

5. Special Order Volume 67, Pages 580-583 describes the proposed point of appropriation of as being:

Township		Range		Meridian	Sec	¼ ¼		Location
5	S	1	E	W.M.	27	NW	NW	344 feet South and 692 feet East from the NW Corner of Section 5 (56 feet North and 292 feet East from Well 1).

6. The correct proposed point of appropriation description (in **bold underlined**) is:

Township		Range		Meridian	Sec	¼ ¼		Location
5	S	1	E	W.M.	**5**	NW	NW	344 feet South and 692 feet East from the NW Corner of Section 5 (56 feet North and 292 feet East from Well 1).

Now, therefore, it is ORDERED:

1. The order approving Permit Amendment Application T-9869, recorded at Special Order Volume 67, Pages 580-583 is amended to correctly describe the location of the authorized place of use and proposed point of appropriation.

2. All other provisions of the order are unchanged.

Dated at Salem, Oregon this 13 day of December, 2010.

Dwight French for
PHILLIP C. WARD, DIRECTOR

Mailing Date: DEC 14 2010

Water Right Transfer Cover Sheet

Transfer T- 9869 Transfer Specialist: PBS

Transfer Type: Permit Amendment

Applicant Name/Address: See order	Agent Name/Address:	Rec Landowner Name/Address:
CWRE Name/Number:	Irr. District Name/Address:	Affected Gov'ts Name/Address:
Commentors: Name/Address:		Current Landowner Name/Address:

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☐	☐	G-15566			☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd:	Proposed Action(s):	
Fees Pd:	WM District:	ODFW District:
Initial Notice:	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent ☐		GW Review sent:

Processing Dates & Actions

Deficiency Contacts: _____

DPD Mailed: _____

☐ ODFW contact sheet sent with DPD, or ☐ N/A

☐ WM measurement contact sheet sent, or ☐ N/A

PD Signed: _____

PD Weekly Notice: _____

Newspaper Pub Affid Due: _____

☐ not required

Affid of Pub Rec'd: _____

Last Day Published: _____

Affidavit Reminder Sent: _____

Reminder Deadline: _____

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: _____	Reviewer: _____
Date: _____	Date: _____	Date: _____
Coordinator: _____	Coordinator: _____	Coordinator: _____
Date: _____	Date: _____	Date: _____

Comments/Special Issues: Correcting order Auth POU + proposed POA listed as Sec 27. Should be Sec. 5.

Special Order Volume: Vol 83 Pages 202 Final Order Signature Date: DEC 13 2010

Notice of FO email'd to processors Kelly

correcting

Oregon
Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

December 20, 2005

Beyond Green LLC

~~EDMUND HUNTER~~
~~WHISKEY HILL NURSERY~~
7194 S BARNARDS RD
CANBY OR 97013

MARRIANE WOODS
7150 S BARNARDS RD
CANBY OR 97013

Reference: Permit Amendment Transfer 9869

Enclosed is a copy of the order approving your Permit Amendment transfer application.

YOU SHOULD GIVE PARTICULAR ATTENTION TO THE CONDITIONS OUTLINED IN THE ORDER. All other terms and conditions of the permit remain the same.

If you have any questions, please call the Transfer Section, (503)986-0900.

Sincerely,

Sarah Henderson

for Doug Parrow
Natural Resource Specialist

DP:sh

cc: Ken Wilcke, Watermaster #16
Scott Ashcom, Agent

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Permit Amendment T-9869, Clackamas County, Oregon	)))	**FINAL ORDER**

ORS 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

Applicants

Edmund D. Hunter
Whiskey Hill Nursery
7194 S. Barnards Road
Canby, Oregon 97013

Marrianne Woods
7150 S. Barnards Road
Canby, Oregon 97013

Findings of Fact

1. Edmund D. Hunter, filed an application to amend the point of appropriation of 9.85 acres under Permit G-15810. The Department assigned the application number T-9869.

2. On March 21, 2005, the applicant partially assigned Permit Amendment T-9869 and Water Right Permit G-15810 to Marrianne Woods.

3. The permit to be amended is as follows:

   Permit: G-15810, in the names of Whiskey Hill Nursery and Marianne Woods;
   Use: Nursery Use
   Priority Date: July 24, 2001
   Quantity: 0.188 cubic foot per second

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or 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.

Rate/Duty: The amount of water used for nursery use 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 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 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 use may be made at anytime during 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.

Acres: 15.04 acres

Source: A well, in the Mollala River Basin.

Date Of Complete Application of Water: October 1, 2009

Authorized Point of Appropriation:

Township		Range		Meridian	Sec	¼ ¼		Location
5	S	1	E	W.M.	5	NW	NW	400 feet South and 400 feet East from the NW Corner of Section 5.

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼		Acres
5	S	1	E	W.M.	27	NW	NW	5.19
5	S	1	E	W.M.	27	NW	NW	9.85
							TOTAL	15.04

4. On December 5, 2005, the applicant (Edward Hunter) amended the application with new location coordinates for the proposed well. The applicant states that the proposed well is 56 feet North and 292 feet East from Well 1.

5. Application T-9869 proposes to change the point of appropriation for 9.85 acres of the permit to:

Township		Range		Meridian	Sec	¼ ¼		Location
5	S	1	E	W.M.	27	NW	NW	344 feet South and 692 feet East from the NW Corner of Section 5 (56 feet North and 292 feet East from Well 1).

6. Notice of the application for permit amendment was published pursuant to ORS 540.520(5). No comments were filed in response to the notice.

7. The change would not result in injury to other water rights.

8. The change does not enlarge the permit.

9. The change does not alter all other terms of the permit.

Conclusions of Law

The change in point of appropriation for 9.85 acres proposed by Permit Amendment Application T-9869 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

The change and subsequent use of water shall be subject to the following conditions:

1. The combined quantity of water diverted at the new point of appropriation (well), together with that diverted at the old point of appropriation, shall not exceed the maximum rate and duty allowed under Permit G-15810.

2. Prior to water use from the proposed point of appropriation, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, and 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.

   The permittee 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.

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

4. All other terms and conditions of Permit G-15810 remain the same.

5. Permit G-15810, in the name of Whiskey Hill Nursery and Marianne Woods, is amended as described herein.

Dated at Salem, Oregon this 19th day of December, 2005.

Debbie Colbert

FOR Phillip C. Ward,
Director

Mailing Date: DEC 2 1 2005

Oregon
Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

March 11, 2005

EDMUND HUNTER
7194 S BARNARDS RD
CANBY OR 97013

SCOTT ASHCOM, AGENT
PO BOX 4323
PORTLAND OR 97208

Reference: Permit Amendment Transfer 9869

On 2-23-2005 we received your request for permit amendment for use of water from a Well, a tributary of the Molalla River. The application was accompanied by $350. Our receipt 72849 is enclosed.

By copy of this letter, we are asking the Watermaster for his report regarding the potential for injury to existing water rights which may be caused by the change.

You may not use water in the new place of use, or from the new point of appropriation, until 60 days after we received your notice (application) and the permit amendment has been approved.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0900.

cc: Bill Ferber, Watermaster #16
Groundwater
Mary Woods, Landowner

enclosure

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Application for Water Right

COPY Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a". Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

APPLICATION FOR:

Please check one

- ☐ Water Right Transfer
  - ☐ Historic Change in POD
  - ☐ To Instream Use
  - ☐ Other Transfer
- ☐ Temporary Transfer (number of years _____)
- ☒ Permit Amendment
- ☐ Drought Transfer
- ☐ Point of Diversion Change Due to Government Action

1. APPLICANT INFORMATION

Name: Edmund (First) Hunter (Last)

Address: 7194 S. Barnards Rd.

Canby (City) Oregon (State) 97013 (Zip)

Phone: 503-651-2284 (Home) 503-651-2749 (Work) (Other)

*Fax: 503-651-2283 *E-Mail address: whinsy @ web-ster.com

**Optional information*

2. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application)

Name: Scott (First) Ashcom (Last)

Address: P.O. Box 4323

Portland (City) Oregon (State) 97208 (Zip)

Phone: 503-524-5174 (Work)

*Fax: 503-524-5557 *E-Mail address:

**Optional information*

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3. TYPE OF CHANGE PROPOSED

Please check all that apply

Point of Diversion or Appropriation	Place of Use	Character of Use (n/a for Permit Amendments)
☒ Change (The old point of diversion or appropriation will **not** be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old and new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion (Unauthorized point of diversion used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used **instead of** the old point of diversion and not as an additional point of appropriation.)	☒ All, or a portion, of the right will be exercised at a different location than currently authorized. (Use of water at the current location will be discontinued.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	Proposed new use: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete **Supplemental Form B)** ☐ Domestic (indicate number of households) ____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.)

Reason for changes: We have sold the 5.19 acres at 7150 S. Barnards Rd. The well location will have to be on the 9.85 acres at 7194 S. Barnards Rd.

Describe the ***current*** water delivery system. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right. (Not applicable to applications for Permit Amendments.)

From in line pond storage, water is pumped into two, PVC main lines to sprinkler, overhead, on 1 inch laterals. The two main lines are 2 inch.

System capacity: 5 cubic feet per second (cfs)

*Attach one or more **Evidence of Use Affidavits** (Supplemental Form A) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years or that a presumption of forfeiture for non-use could be rebutted. (Not applicable to applications for Permit Amendments.)*

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4. CURRENT WATER RIGHT INFORMATION

*A separate page providing the information in this section must be completed for **each** certificate, permit, decree, or other right involved in the proposed transfer.*

Water Right Subject to Transfer (check and complete **one** of the following):

☐	Certificated Right	Certificate Number	Permit Number or Decree Name
☐	Adjudicated, Un-certificated Right	Name of Decree	Page Number
☐	Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted
☐	Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
☒	Permit for which an Amendment is Requested	G-15810 Permit Number	12/23/04 Completion Date of Permit

Name on Permit, Certificate, or Decree: Edmund D. Hunter

County: Clackamas Authorized Use(s): Irrigation

Are there multiple **Priority Dates** identified on the water right? ☐ Yes ☒ No

*If "**Yes**", any information provided on **Page 4 must** identify which priority date is associated with each of the proposed points of diversion/appropriation and places of use. In addition, list those priority dates:* _____

Source(s) of Water Listed on Right: Troutdale Groundwater Reservoir

Tributary to: _____

Are there other **Sources** listed on the water right? ☐ Yes ☒ No

*If "**Yes**", any information provided on **Page 4 must** identify which source is associated with each of the proposed points of diversion/appropriation and proposed places of use. In addition, list those other sources:* _____

Are there **Other Water Rights** or permits associated with this land? ☐ Yes ☒ No

*If "**Yes**", what are the Permit or Certificate Numbers?* _____

Pursuant to ORS 540.510, any right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled.

Remarks: _____

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Certificate Number or other identifying number from *Page 3*: G-15810

*A separate page providing the following information must be completed for **each** certificate, permit, decree, or other right involved in the proposed transfer.*

Is the entire water right identified on *Page 3* affected by this transfer? ☒ Yes ☐ No

*If "**Yes**", the remainder of **this page** need **not** be completed.*
*If "No", the following information **must be provided** only for those points of diversion/appropriation and places of use that are **involved in the transfer**.*

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

Location of Existing Authorized Place of Use to be Changed:

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

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5. PROPOSED CHANGES TO THE WATER RIGHT

A separate page providing the information in this section must be completed for ***each*** *certificate, permit, decree, or other right involved in the proposed transfer.*

Certificate Number or other identifying number from ***Section 4***: G-15810

Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)
5	S	I	E	W.M.	5	NW¼ NW¼		

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Location of Proposed Place of Use:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
	SAME							9.85

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks: Map is enclosed indication the relocation of new well.

T-9869

6. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☒ No

Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☒ No

Is water for any of the rights supplied under a water service agreement or other contract for stored water with a Federal agency? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district and/or agency:

List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).

None

7. LAND OWNERSHIP

Does the applicant own the lands **FROM** which the right is being transferred? ☐ Yes ☒ No

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners:

Names of Current Landowner(s): Mary (First) Woods (Last)

Address: 7150 S. Barnards Rd.

Canby (City) OR (State) 97013 (Zip)

Does the applicant own the lands **TO** which the right is being transferred? ☒ Yes ☐ No

If "No", provide the following information:

Names of Receiving Landowner(s): Edmund (First) Hunter (Last)

Address: 7194 S. Barnards Rd.

Canby (City) OR (State) 97013 (Zip)

Check one of the following:

☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.

☒ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

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8. ATTACHMENTS

Check each of the following attachments included with this application. The application will be returned if all required attachments are not included.

Form A – Evidence of Use Affidavits

☒ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original, not a copy.

Form B – Instream Water Right Transfer

☐ Required for instream transfers only.

Map

☐ Permanent Water Right Transfer
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.

☒ Permit Amendment, Temporary Transfer, or Other Application
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Evidence of Lien Holder Notification

☐ Copies of the written notification of the proposed transfer provided by the applicant to each lien holder, unless the water right has been quit claimed.

Recorded Deed

☐ Required for temporary transfers only.

Land Use Information Form:

☐ Enclosed

☐ Not Required if all of the following are met:
1. In EFU zone or irrigation district,
2. Change in place of use only,
3. No structural changes needed, including diversion works, delivery facilities, other structures, and
4. Irrigation only.

Water Well Reports/Well Logs:

☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.

☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.

☐ The application is for a surface water transfer and water well reports are not required.

Fees:

☐ Amount enclosed: $ 350
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

9. SIGNATURES

I (we) understand that prior to approval of a permanent transfer and after issuance of a draft preliminary determination by the Department, I (we) must submit:

(1) A report on ownership and lien information prepared by a title company within the last three months if required under OAR 690-380-3000(18), and

(2) If I (we) are not the landowners, proof that the landowner or entity to which the water right has been quitclaimed consents to the transfer or that ownership information is not required.

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

applicant signature	name (print)	date
E. D. Hunter	Edmund D. Hunter	1/29/05

Before submitting your application, be sure you have:

- Answered each question completely.
- Included the required attachments.
- Provided original signatures for all named deed holders or other parties with an interest in the right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

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WR 11 2 for app. 0-155 Clq

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

CLAC 02341

WATER WELL REPORT
STATE OF OREGON
(Please type or print)
(Do not write above this line)

#2? RECEIVED "From"
JUL 9 - 1976
WATER RESOURCES DEPT.
SALEM, OREGON

State Well No. .....
State Permit No. 55/16E-5

(1) OWNER:
Name Edmund D. Hunter
Address 7194 S. Barnards Rd.
Canby, Oregon

(2) TYPE OF WORK (check):
New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):
Domestic ☒ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☐

(5) CASING INSTALLED:
Threaded ☐ Welded ☒
6 " Diam. from 0 ft. to 70 ft. Gage 250
..... " Diam. from ..... ft. to ..... ft. Gage .....
..... " Diam. from ..... ft. to ..... ft. Gage .....

(6) PERFORATIONS:
Perforated? ☐ Yes ☒ No.
Type of perforator used
Size of perforations in. by in.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.

(7) SCREENS:
Well screen installed? ☐ Yes ☒ No
Manufacturer's Name .....
Type ..... Model No. .....
Diam. ..... Slot size ..... Set from ..... ft. to ..... ft.
Diam. ..... Slot size ..... Set from ..... ft. to ..... ft.

(8) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? ☐ Yes ☒ No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
" " " "
" " " "
Bailer test 35 gal./min. with 23 ft. drawdown after 1 hrs.
Artesian flow g.p.m.
Temperature of water 54 Depth artesian flow encountered ..... ft.

(9) CONSTRUCTION:
Well seal—Material used Bentonite
Well sealed from land surface to 38 ft.
Diameter of well bore to bottom of seal 10 in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal ..... sacks
Number of sacks of bentonite used in well seal 1½ sacks
Brand name of bentonite National
Number of pounds of bentonite per 100 gallons of water 200 lbs./100 gals.
Was a drive shoe used? ☒ Yes ☐ No Plugs ..... Size of perforations .....
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ..... ft. to ..... ft.

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(10) LOCATION OF WELL:
County Clackamas Driller's well number
¼ ¼ Section 5 T. 5S R. 1E W.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.
Depth at which water was first found 75
Static level 35 ft. below land surface. Date 7-1-
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:
Diameter of well below casing 6"
Depth drilled 84 ft. Depth of completed well 80

Formation: Describe color, texture, grain size and structure of materi and show thickness and nature of each stratum and aquifer penetrat with at least one entry for each change of formation. Report each change position of Static Water Level and indicate principal water-bearing stra

MATERIAL	From	To	SWL
Soil brown	0	3	
Clay brown	3	42	
Sand brown	42	60	
Clay blue	60	75	
Sand red W B	75	84	35

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SALEM, OR

Application No. 9456
Permit No.

Work started 6-30 1976 Completed 7-1 19
Date well drilling machine moved off of well 7-1 19

Drilling Machine Operator's Certification:
This well was constructed under my direct supervisi Materials used and information reported above are true to best knowledge and belief.
[Signed] Robert Stites (Drilling Machine Operator) Date 7-7, 19
Drilling Machine Operator's License No. 776

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this repor true to the best of my knowledge and belief.
Name A C Stites (Person, firm or corporation) (Type or print)
Address 28290 S. Dryland Rd. Canby, 970
[Signed] A C Stites (Water Well Contractor)
Contractor's License No. 533 Date 7-7-76, 19

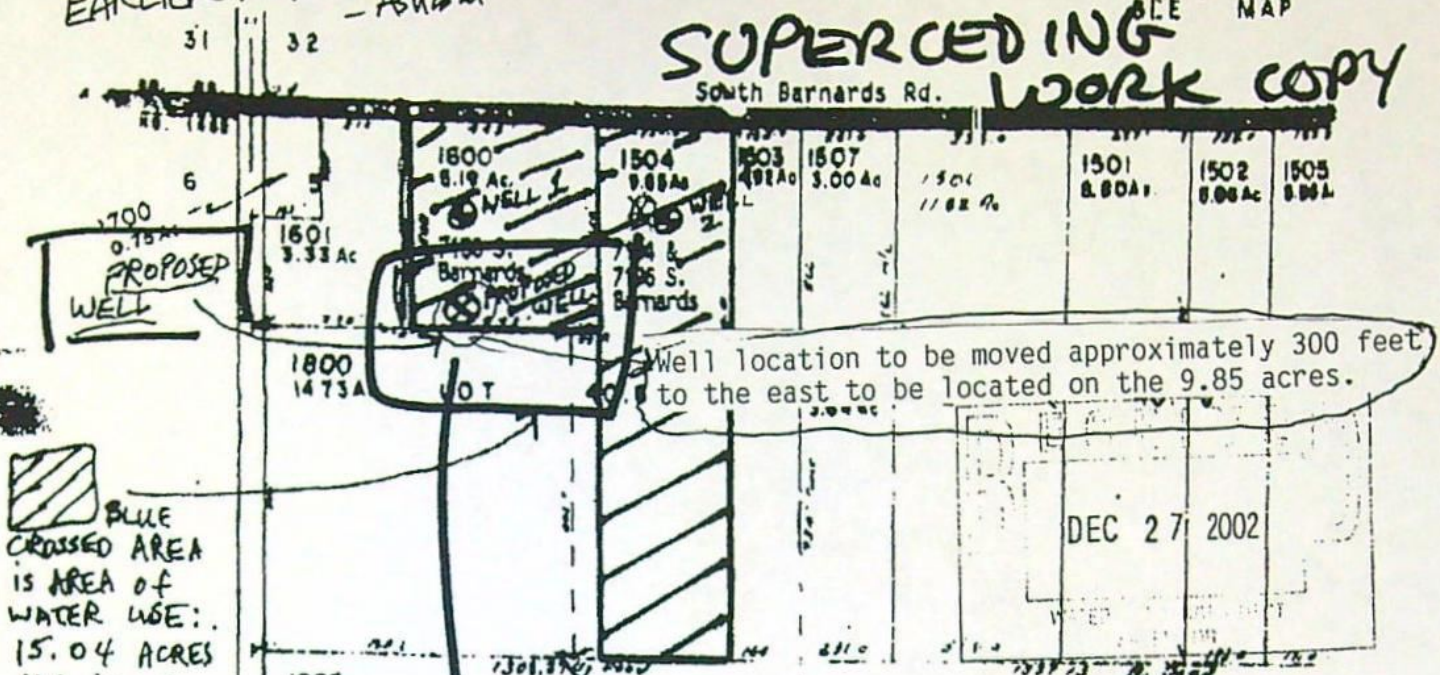
T-9869

THIS REVISED MAP REPLACES EARLIER MAPS. (12/26/02) _Ashlom

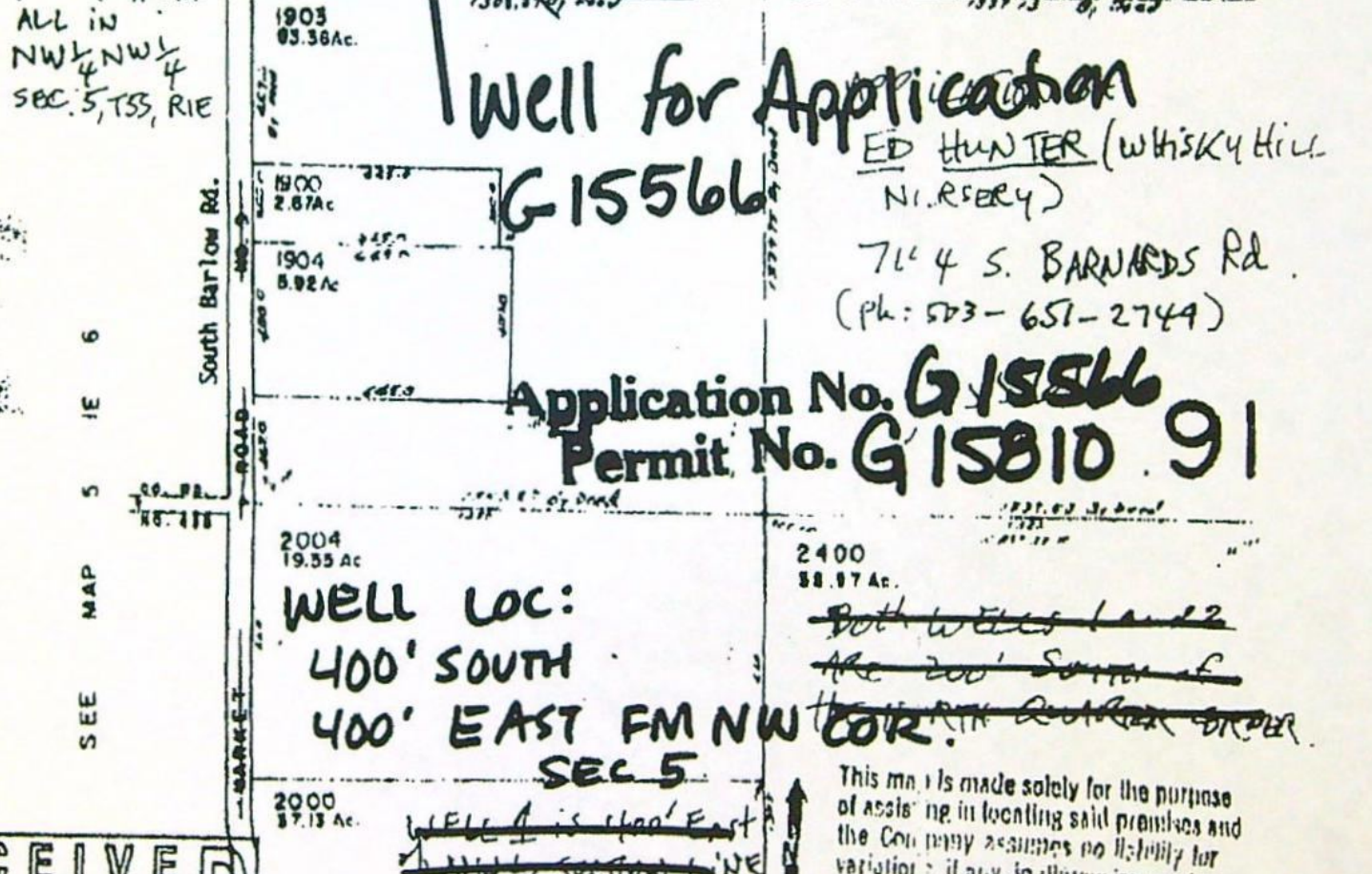
SECTION 5 T5S R1E W.M.
CLACKAMAS COUNTY

SEE MAP

SUPERCEDING WORK COPY



BLUE CROSSED AREA IS AREA OF WATER USE: 15.04 ACRES ALL IN NW1/4 NW1/4 SEC. 5, T5S, R1E



Well for Application G15566

ED HUNTER (WHISKY HILL NURSERY)

7404 S. BARNARDS Rd.

(Ph: 503-651-2744)

Application No. G15566

Permit No. G15810 91

WELL LOC:
400' SOUTH
400' EAST FM NW COR.
SEC 5

~~WELL 1 is 400' East of NW 1/4 SECTION LINE~~

~~WELL 2 is 80' EAST of NW 1/4 SECTION LINE~~

~~Both wells lay 2 are 200' South & the North boundary of~~

This map is made solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.
PIONEER NATIONAL TITLE INSURANCE CO.

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JUL 24 2001
WATER RESOURCES DEPT
SALEM, OR

RECEIVED
FEB 23 2005
WATER RESOURCES DEPT
SALEM, OREGON

T-9869

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WHISKY HILL NURSERY
7194 S BARNARDS RD (503) 651-2749
CANBY, OREGON 97013

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

APPLICATION FILE NUMBER: G-15566

SOURCE OF WATER: A WELL IN MOLALLA RIVER BASIN

PURPOSE OR USE: NURSERY USE ON 15.04 ACRES

MAXIMUM RATE: 0.188 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JULY 24, 2001

WELL LOCATION: NW ¼ NW ¼, SECTION 5, T5S, R1E, W.M.; 400 FEET SOUTH & 400 FEET EAST FROM NW CORNER, SECTION 5

The amount of water used for nursery use 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 acre 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.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW ¼ NW ¼ 15.04 ACRES
SECTION 5
TOWNSHIP 5 SOUTH, RANGE 1 EAST, W.M.

T-9869

Measurement, recording and reporting conditions:

A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device 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 permittee to report general water use information, including the place and nature of use of water under the permit.

B. The permittee 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.

The well shall allow groundwater production from no shallower than 70 feet below land surface.

The well(s) shall produce groundwater only from the Troutdale groundwater reservoir between approximately 80 and 300 feet below land surface.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make 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 submit 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

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The 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 annual water level measurements reveal any of the following events:

(A) An average water level decline of three or more feet per year for five consecutive years; or
(B) A water level decline of 15 or more feet in fewer than five consecutive years; or
(C) 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 or restricted use shall continue until the annual 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.

STANDARD CONDITIONS

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 not be valid.

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 wells 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.

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 the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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.

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 use of water shall be limited when it interferes with any prior surface or ground water rights.

Complete application of the water to the use shall be made on or before October 1, 2009. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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 (CWRE).

Issued December 23, 2004

Phillip C. Ward, Director
Water Resources Department

ASSIGNMENT OF PERMIT: Pursuant to ORS 537.220, this permit may be assigned to a party other than the permittee named hereon, if the land the permit is associated with changes ownership, or if the permittee is an organization whose name changes as a result of sale or merger. Request for Assignment forms are available from the Oregon Water Resources Department web site at http//www.wrd.state.or.us/, or may be requested from the Department at 503-986-0801 or Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

MAILING ADDRESS CHANGES: If the mailing address of the permittee named hereon changes, it is important that the Oregon Water Resources Department be informed of the change. Address changes must be submitted in writing with the permittee's signature to Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

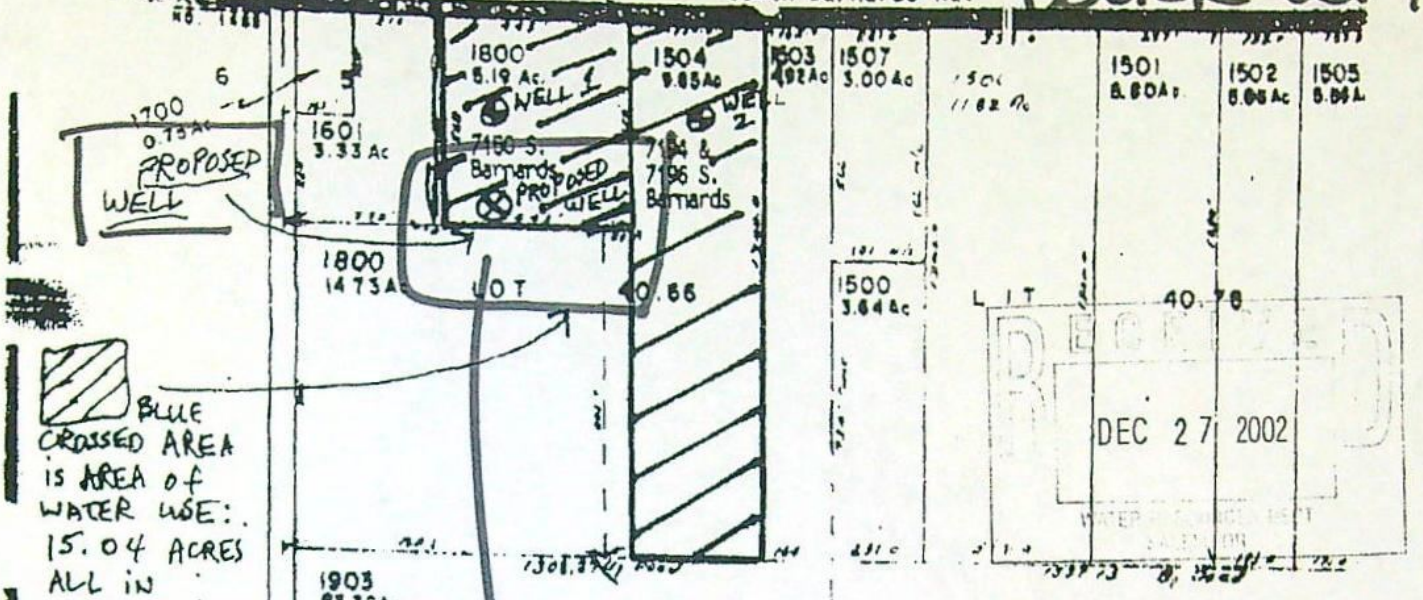
N

THIS REVISED MAP REPLACES EARLIER MAPS. (12/26/02) _Ashlom

SECTION 5 T5S R1E W.M.
CLACKAMAS COUNTY

SEE MAP

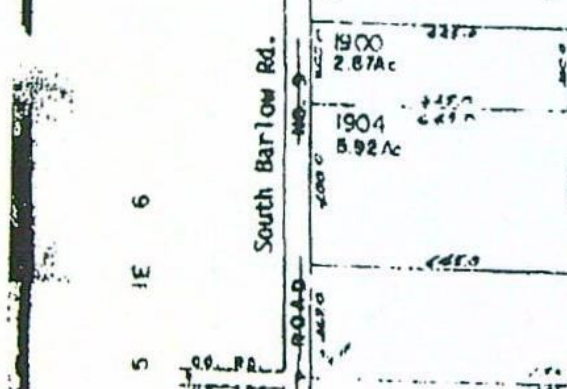
SUPERCEDING WORK COPY



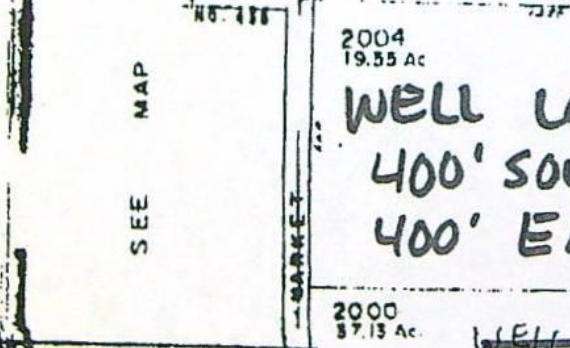
BLUE CROSSED AREA IS AREA of WATER USE: 15.04 ACRES ALL IN NW¼NW¼ SEC. 5, T5S, R1E

Well for Application G15566

ED HUNTER (WHISKY HILL NURSERY)
714 S. BARNARDS Rd.
(ph: 503-651-2744)

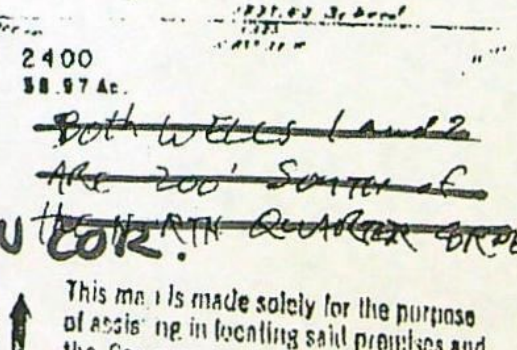


Application No. G15566
Permit No. G15810.91



WELL LOC:
400' SOUTH
400' EAST FM NW COR.
SEC 5

~~WELL 1 is 400' East of NW¼ SECTION LINE~~
~~WELL 2 is 850' EAST of NW¼ SECTION LINE~~



~~Both WELLS 1 and 2 ARE 200' SOUTH of the NORTH QUARTER CORNER~~

This map is made solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.
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Water Right Transfer Completion Checklist

T-9869 **Transfer Specialist:** pks

Water Rights Affected

App File No.	Cert or Permit No.	RR/CR Needed	RR/CR Nos.
G-15566	G-15810	☐ Yes ☐ No	
		☐ Yes ☐ No	
		☐ Yes ☐ No	

Copies Needed

Watermaster District: 16

CWRE No.: _____

Irrig Dist Name/Address: _____

Commentors Name/Address: _____

_____

_____

Preliminary Determination

- ☐ Electronic Files uploaded
  - ☐ Preliminary Determination
  - ☐ PD Cover letter
  - ☐ Public Notice
  - ☐ Remaining Rights
- ☐ File Folder updated
- ☐ Fee Refund Due
- ☐ Newspaper Notice required

Comments/Special Issues: Permit Amendment - Applicant wishes to have an authorized well on his property for his 9.85 acre portion of Permit G-15810.

Preliminary Determination Review (Salem)

Peer Reviewer: _____ Date: _____

Coordinator: dpk Date: _____

Final Order Review (Salem)

Peer Reviewer: _____ Date: _____

Coordinator: dp Date: 12-16-05

Comments/Special Issues:

Special Order Volume: 67, Pages _____ Final Order Signature Date: _____

☐ WRIS clone correction needed

COPY

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Application for Water Right
Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a". Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

APPLICATION FOR:

Please check one

- ☐ Water Right Transfer
  - ☐ Historic Change in POD
  - ☐ To Instream Use
  - ☐ Other Transfer
- ☐ Temporary Transfer (number of years _____)
- ☒ Permit Amendment
- ☐ Drought Transfer
- ☐ Point of Diversion Change Due to Government Action

1. APPLICANT INFORMATION

Name: Edmund (First) Hunter (Last)

Address: 7194 S. Barnards Rd.

Canby (City) Oregon (State) 97013 (Zip)

Phone: 503-651-2284 (Home) 503-651-2749 (Work) (Other)

*Fax: 503-651-2283 *E-Mail address: whinsy @ web-ster.com

**Optional information*

2. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application)

Name: Scott (First) Ashcom (Last)

Address: P.O. Box 4323

Portland (City) Oregon (State) 97208 (Zip)

Phone: 503-524-5174 (Work) (Home) (Other)

*Fax: 503-524-5567 *E-Mail address:

**Optional information*

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FSD

T-9869

3. TYPE OF CHANGE PROPOSED

Please check all that apply

Point of Diversion or Appropriation	Place of Use	Character of Use (n/a for Permit Amendments)
☒ Change (The old point of diversion or appropriation will not be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old and new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion (Unauthorized point of diversion used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used **instead of** the old point of diversion and not as an additional point of appropriation.)	☒ All, or a portion, of the right will be exercised at a different location than currently authorized. (Use of water at the current location will be discontinued.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	Proposed new use: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete **Supplemental Form B)** ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.)

Reason for changes: We have sold the 5.19 acres at 7150 S. Barnards Rd. The well location will have to be on the 9.85 acres at 7194 S. Barnards Rd.

Describe the ***current*** water delivery system. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right. (Not applicable to applications for Permit Amendments.)

From in line pond storage, water is pumped into two, PVC main lines to sprinkler, overhead, on 1 inch laterals. The two main lines are 2 inch.

System capacity: 5 cubic feet per second (cfs)

*Attach one or more **Evidence of Use Affidavits** (Supplemental Form A) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years or that a presumption of forfeiture for non-use could be rebutted. (Not applicable to applications for Permit Amendments.)*

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T-9869

4. CURRENT WATER RIGHT INFORMATION

*A separate page providing the information in this section must be completed for **each** certificate, permit, decree, or other right involved in the proposed transfer.*

Water Right Subject to Transfer (check and complete **one** of the following):

☐	Certificated Right	Certificate Number	Permit Number or Decree Name
☐	Adjudicated, Un-certificated Right	Name of Decree	Page Number
☐	Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted
☐	Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
☒	Permit for which an Amendment is Requested	G-15810 Permit Number	12/23/04 Completion Date of Permit

Name on Permit, Certificate, or Decree: Edmund D. Hunter

County: Clackamas Authorized Use(s): Irrigation

Are there multiple **Priority Dates** identified on the water right? ☐ Yes ☒ No

*If "**Yes**", any information provided on **Page 4 must** identify which priority date is associated with each of the proposed points of diversion/appropriation and places of use. In addition, list those priority dates:* _____

Source(s) of Water Listed on Right: Troutdale Groundwater Reservoir

Tributary to: _____

Are there other **Sources** listed on the water right? ☐ Yes ☒ No

*If "**Yes**", any information provided on **Page 4 must** identify which source is associated with each of the proposed points of diversion/appropriation and proposed places of use. In addition, list those other sources:* _____

Are there **Other Water Rights** or permits associated with this land? ☐ Yes ☒ No

*If "**Yes**", what are the Permit or Certificate Numbers?* _____

Pursuant to ORS 540.510, any right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled.

Remarks: _____

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Certificate Number or other identifying number from *Page 3*: G-15810

A separate page providing the following information must be completed for ***each*** *certificate, permit, decree, or other right involved in the proposed transfer.*

Is the entire water right identified on ***Page 3*** affected by this transfer? ☒ Yes ☐ No

*If "**Yes**", the remainder of **this page** need **not** be completed.*
*If "No", the following information **must be provided** only for those points of diversion/appropriation and places of use that are **involved in the transfer**.*

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

Location of Existing Authorized Place of Use to be Changed:

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

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SALEM, OREGON

T-9869

5. PROPOSED CHANGES TO THE WATER RIGHT

*A separate page providing the information in this section must be completed for **each** certificate, permit, decree, or other right involved in the proposed transfer.*

Certificate Number or other identifying number from ***Section 4***: G-15810

Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)
5	S	I	E	W.M.	5	NW¼ NW¼		~~400~~ 200' South & 700 ft east ~~for~~ out of map
								344' South & 692' East

Letter from applicant 12/5/05

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

proposed Well ~~#~~ - located 692' East and 56' feet North from Well 1

Location of Proposed Place of Use:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
	SAME							9.85

Well 1 = 400's +400'E from NW Corner Sec. 5.
Well 1 ~~proposed well~~
400's-56'= 344' South
400'E+292'E = 692' East

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks: Map is enclosed indication the relocation of new well.

T-9869

6. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☒ No

Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☒ No

Is water for any of the rights supplied under a water service agreement or other contract for stored water with a Federal agency? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district and/or agency:

List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).

None

7. LAND OWNERSHIP

Does the applicant own the lands **FROM** which the right is being transferred? ☐ Yes ☒ No

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners:

Names of Current Landowner(s): ~~Mary~~ Marianne (First) Woods (Last) DOP as per phone conversation 3/14/05

Address: 7150 S. Barnards Rd.

Canby (City) OR (State) 97013 (Zip)

Does the applicant own the lands **TO** which the right is being transferred? ☒ Yes ☐ No

If "No", provide the following information:

Names of Receiving Landowner(s): Edmund (First) Hunter (Last)

Address: 7194 S. Barnards Rd.

Canby (City) OR (State) 97013 (Zip)

Check one of the following:

☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.

☒ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

T-9869

8. ATTACHMENTS

Check each of the following attachments included with this application. The application will be returned if all required attachments are not included.

Form A – Evidence of Use Affidavits

☒ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original, not a copy.

Form B – Instream Water Right Transfer

☐ Required for instream transfers only.

Map

☐ Permanent Water Right Transfer
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.

☒ Permit Amendment, Temporary Transfer, or Other Application
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Evidence of Lien Holder Notification

☐ Copies of the written notification of the proposed transfer provided by the applicant to each lien holder, unless the water right has been quit claimed.

Recorded Deed

☐ Required for temporary transfers only.

Land Use Information Form:

☐ Enclosed

☐ Not Required if all of the following are met:
1. In EFU zone or irrigation district,
2. Change in place of use only,
3. No structural changes needed, including diversion works, delivery facilities, other structures, and
4. Irrigation only.

Water Well Reports/Well Logs:

☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.

☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.

☐ The application is for a surface water transfer and water well reports are not required.

Fees:

☐ Amount enclosed: $ 350
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

9. SIGNATURES

I (we) understand that prior to approval of a permanent transfer and after issuance of a draft preliminary determination by the Department, I (we) must submit:

(1) A report on ownership and lien information prepared by a title company within the last three months if required under OAR 690-380-3000(18), and

(2) If I (we) are not the landowners, proof that the landowner or entity to which the water right has been quitclaimed consents to the transfer or that ownership information is not required.

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

applicant signature	name (print)	date
Edmund D. Hunter	Edmund D. Hunter	1/29/05

Before submitting your application, be sure you have:

- Answered each question completely.
- Included the required attachments.
- Provided original signatures for all named deed holders or other parties with an interest in the right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

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SALEM, OREGON

T-9869

well # 2 for upp. 0-155 ft

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

CLAC 02341

WATER WELL REPORT
STATE OF OREGON
(Please type or print)
(Do not write above this line)

#27 RECEIVED "From"
JUL 9 - 1976
WATER RESOURCES DEPT.
SALEM, OREGON

State Well No. .....
State Permit No. 55116-5

(1) OWNER:
Name Edmund D. Hunter
Address 7194 S. Barnards Rd.
Canby, Oregon

(2) TYPE OF WORK (check):
New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):
Domestic ☒ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☐

CASING INSTALLED:
Threaded ☐ Welded ☒
6 " Diam. from 0 ft. to 70 ft. Gage 250
..... " Diam. from ..... ft. to ..... ft. Gage .....
..... " Diam. from ..... ft. to ..... ft. Gage .....

PERFORATIONS:
Perforated? ☐ Yes ☒ No
Type of perforator used
Size of perforations in. by in.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.

(7) SCREENS:
Well screen installed? ☐ Yes ☒ No
Manufacturer's Name .....
Type ..... Model No. .....
Diam. ..... Slot size ..... Set from ..... ft. to ..... ft.
Diam. ..... Slot size ..... Set from ..... ft. to ..... ft.

(8) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? ☐ Yes ☒ No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
" " " "
" " " "
Bailer test 35 gal./min. with 23 ft. drawdown after 1 hrs.
Artesian flow g.p.m.
Temperature of water 54 Depth artesian flow encountered ..... ft.

(9) CONSTRUCTION:
Well seal—Material used Bentonite
Well sealed from land surface to 38 ft.
Diameter of well bore to bottom of seal 10 in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal ..... sacks
Number of sacks of bentonite used in well seal 1½ sacks
Brand name of bentonite National
Number of pounds of bentonite per 100 gallons of water 200 lbs./100 gals.
Was a drive shoe used? ☒ Yes ☐ No Plugs ..... Size location
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ..... ft. to ..... ft.

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WATER RESOURCES DEPT
SALEM, OREGON

(10) LOCATION OF WELL:
County Clackamas Driller's well number
¼ ¼ Section 5 T. 5S R. 1E W.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.
Depth at which water was first found 75
Static level 35 ft. below land surface. Date 7-1-
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:
Diameter of well below casing 6"
Depth drilled 34 ft. Depth of completed well 30
Formation: Describe color, texture, grain size and structure of materi and show thickness and nature of each stratum and aquifer penetrat with at least one entry for each change of formation. Report each change position of Static Water Level and indicate principal water-bearing str

MATERIAL	From	To	SWI
Soil brown	0	3	
Clay brown	3	42	
Sand brown	42	60	
Clay blue	60	75	
Sand red w B	75	34	35

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WATER RESOURCES DEPT
SALEM, OR

Application No. 9456
Permit No.

Work started 6-30 1976 Completed 7-1 19
Date well drilling machine moved off of well 7-1 19

Drilling Machine Operator's Certification:
This well was constructed under my direct supervisi Materials used and information reported above are true to best knowledge and belief.
[Signed] Robert Stites (Drilling Machine Operator) Date 7-7, 19
Drilling Machine Operator's License No. 776

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this repor true to the best of my knowledge and belief.
Name A C Stites (Person, firm or corporation) (Type or print)
Address 28290 S. Dryland Rd. Canby, 970
[Signed] A. C. Stites (Water Well Contractor)
Contractor's License No. 533 Date 7-7-76, 19

T-9869

N

THIS REVISED MAP REPLACES EARLIER MAPS. (12/26/02) _Ashlom

SECTION 5 T5S R1E W.M.
CLACKAMAS COUNTY

SEE MAP

SUPERCEDING WORK COPY

South Barnards Rd.

31 32

1800 5.19 Ac. WELL 1
1504 9.85 Ac. WELL 2
1503 4.92 Ac
1507 3.00 Ac
1501 8.80 Ac
1502 8.06 Ac
1505 8.06 Ac
1601 3.33 Ac
6
5
1700 0.15 Ac
PROPOSED WELL
7400 S. Barnards
Proposed Well
714 & 736 S. Barnards
1800 14.73 Ac LOT

Well location to be moved approximately 300 feet to the east to be located on the 9.85 acres.

BLUE CROSSED AREA IS AREA of WATER USE: 15.04 ACRES ALL IN NW¼NW¼ SEC. 5, T5S, R1E

DEC 27 2002

1903 83.38 Ac.

Well for Application G15566

ED HUNTER (WHISKY HILL NURSERY)
714 S. BARNARDS Rd.
(ph: 503-651-2744)

1900 2.87 Ac
1904 8.92 Ac

South Barlow Rd.

Application No. G15566
Permit No. G15810.91

2004 19.55 Ac

WELL LOC:
400' SOUTH
400' EAST FM NW COR.
SEC 5

2400 58.97 Ac.

~~Both wells located are 200' South of the North Quarter Corner~~

2000 37.13 Ac.

~~WELL 1 is 1400' East of W¼ section line~~
~~WELL 2 is 80' East of NW¼ section line~~

This map is made solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.
PIONEER NATIONAL TITLE INSURANCE CO.

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WATER RESOURCES DEPT
SALEM, OREGON

T-9869

Oregon
Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

November 2, 2005

Edmund D. Hunter
Whiskey Hill Nursery
7194 S Barnards Road
Canby, Oregon 97013

Marrianne Woods
7150 S. Barnards Road
Canby, Oregon 97013

Reference: Permit Amendment Application 9869

Enclosed is a draft final order for your information. You should particularly check the coordinates of the proposed well. Since the coordinates were not described in the permit amendment application you submitted, I obtained the coordinates contained in the draft final order from your permit amendment application map.

Issuance of the Final Order will occur shortly after I receive your approval to proceed, or on December 1, 2005, whichever occurs first. You may provide your comments or approval to proceed in writing or via e-mail.

If you have any questions about the notice or the draft final order, please call me at (503)-986-0886 or e-mail at Patrick.K.STARNES@wrd.state.or.us.

Sincerely,

Kelly Starnes
Permit amendment processor

Cc: Scott Ashcom, Agent

encs

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Permit Amendment)
T-9869, Clackamas County, Oregon)
)

DRAFT
FINAL ORDER

ORS 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

Applicants

Edmund D. Hunter
Whiskey Hill Nursery
7194 S. Barnards Road
Canby, Oregon 97013

Marrianne Woods
7150 S. Barnards Road
Canby, Oregon 97013

Findings of Fact

1. Edmund D. Hunter, filed an application to amend the point of appropriation of 9.85 acres under Permit G-15810. The Department assigned the application number T-9869.

2. On March 21, 2005, the applicant partially assigned Permit Amendment T-9869 and Water Right Permit G-15810 to Marrianne Woods.

3. The permit to be amended is as follows:

   Permit: G-15810, in the names of Whiskey Hill Nursery and Marianne Woods;
   Use: Nursery Use
   Priority Date: July 24, 2001
   Quantity: 0.188 cubic foot per second

Rate/Duty: The amount of water used for nursery use is limited to a maximum of 5.0 acre feet per acre and a diversion of 0.15 cubic foot per second per acre.

DRAFT

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 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 use may be made at anytime during 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.

Acres: 15.04 acres

Source: A well, in the Mollala River Basin.

Date Of Complete Application of Water: October 1, 2009

Authorized Point of Appropriation:

Township		Range		Meridian	Sec	¼ ¼		Location
5	S	1	E	W.M.	5	NW	NW	400 feet South and 400 feet East from the NW Corner of Section 5.

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼		Acres
5	S	1	E	W.M.	27	NW	NW	5.19
5	S	1	E	W.M.	27	NW	NW	9.85
							TOTAL	15.04

4. Application T-9869 proposes to change the point of appropriation for 9.85 acres of the permit to:

Township		Range		Meridian	Sec	¼ ¼		Location
5	S	1	E	W.M.	27	NW	NW	200 feet South and 700 feet East from the NW Corner of Section 5.

5. Notice of the application for permit amendment was published pursuant to ORS 540.520(5). No comments were filed in response to the notice.

6. The change would not result in injury to other water rights.

DRAFT

7. The change does not enlarge the permit.

8. The change does not alter all other terms of the permit.

Conclusions of Law

The change in point of appropriation for 9.85 acres proposed by Permit Amendment Application T-9869 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

The change and subsequent use of water shall be subject to the following conditions:

1. The combined quantity of water diverted at the new point of appropriation (well), together with that diverted at the old point of appropriation, shall not exceed the maximum rate and duty allowed under Permit G-15810.

2. Prior to water use from the proposed point of appropriation, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, and 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.

   The permittee 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.

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

4. All other terms and conditions of Permit G-15810 remain the same.

5. Permit G-15810, in the name of Whiskey Hill Nursery and Marianne Woods, is amended as described herein.

DRAFT

Oregon
John A. Kitzhaber, M.D., Governor

Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

INTEROFFICE MEMO

TO: TRANSFER SECTION DATE: 3-11-05

FROM: X WATERMASTER, DISTRICT # 16
_____ GROUNDWATER SECTION

(SIGNATURE) William E Fuller date signed 2005.4.15

SUBJECT: **PERMIT AMENDMENT #** 9869

A change in: **POU** **POD** **POA** of water.

In the name(s) of Edmund Hunter.

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

*The approval of this transfer application would result in injury to other water rights because_____
_____
_____
_____
_____

The existing right may not be valid because _____
_____
_____

To my knowledge
Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s)which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) No per OWRD mapping

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

_____ (1) PRIOR to the diverting of water at the new point of diversion . . .

_____ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

X (3) Continue existing language

The enclosed copy of the transfer application and map(s) is for your records.

Platcard Report

Township 5S Range 1E Section 5

					NE				NW				SW				SE					
	App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Govt Lot	DLC
ℹ	- 12/31/1948	- -	GR2420												18.0 IR	3.5 IR						
ℹ	- 10/18/1956	G378 50889		xfr#: T4939										9.4 IR	14.8 IR							
ℹ	- 10/18/1956	G378 64331		xfr#: T4939										4.4 IR								
ℹ	G493 10/18/1956	G378 26531		CN										13.8 IR CN	14.8 IR CN							
ℹ	G1472 05/15/1959	G1351 30449															4.4 IR			37.0 IR		
ℹ	G5575 07/19/1971	G5030 43332																14.5 IR	25.5 IR			
ℹ	G9829 07/10/1980	G9500 55387												19.55 IR								
ℹ	G13835 09/28/1994	G12277 -		CN												20.29 IR CN						
ℹ	G15566 07/24/2001	G15810 -		xfr#: T9869						15.04 NU												
ℹ	G15687 02/27/2004	G15817 -									5.69 NU			13.86 NU								

Page:**1**

Return to Platcard Query Screen

Run Time: 2 seconds

Memorandum

To: File T-9869

From: Amy Kim, Ground Water section

Date: 8/23/2005

Re: Permit Amendment T-9869

The applicant is requesting to change a point of appropriation listed on Permit G-15810 to a location about 300 feet to the east of the permitted location.

The well new location is very close to the old location, and there is little or no change in elevation or proximity to other permitted wells. Therefore, the proposed transfer would not likely cause injury to other ground water rights.

Assuming the new well will be drilled in accordance with the conditions listed on Permit G-15810, it will produce water from the same aquifer as the permitted well.

Oregon
Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

March 11, 2005

EDMUND HUNTER
7194 S BARNARDS RD
CANBY OR 97013

SCOTT ASHCOM, AGENT
PO BOX 4323
PORTLAND OR 97208

Reference: Permit Amendment Transfer 9869

On 2-23-2005 we received your request for permit amendment for use of water from a Well, a tributary of the Molalla River. The application was accompanied by $350. Our receipt 72849 is enclosed.

By copy of this letter, we are asking the Watermaster for his report regarding the potential for injury to existing water rights which may be caused by the change.

You may not use water in the new place of use, or from the new point of appropriation, until 60 days after we received your notice (application) and the permit amendment has been approved.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0900.

cc: Bill Ferber, Watermaster **#16**
Groundwater
Mary Woods, Landowner

enclosure

Oregon
John A. Kitzhaber, M.D., Governor

Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

INTEROFFICE MEMO

TO: TRANSFER SECTION DATE: 3-11-05

FROM: _____ WATERMASTER, DISTRICT # _____
X GROUNDWATER SECTION

(SIGNATURE) Cindy Vinn date signed 8-25-05

SUBJECT: **PERMIT AMENDMENT #** 9869

A change in: **POU** **POD** **POA** of water.

In the name(s) of Edmund Hunter.

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

*The approval of this transfer application would result in injury to other water rights because_____
_____
_____
_____
_____

The existing right may not be valid because _____
_____
_____

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s)which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) _____

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

_____ (1) PRIOR to the diverting of water at the new point of diversion . . .

_____ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Application for Water Right
COPY Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a". Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

APPLICATION FOR:

Please check one

- ☐ Water Right Transfer
  - ☐ Historic Change in POD
  - ☐ To Instream Use
  - ☐ Other Transfer
- ☐ Temporary Transfer (number of years ____)
- ☒ Permit Amendment
- ☐ Drought Transfer
- ☐ Point of Diversion Change Due to Government Action

1. APPLICANT INFORMATION

Name: Edmund (First) Hunter (Last)

Address: 7194 S. Barnards Rd.

Canby (City) Oregon (State) 97013 (Zip)

Phone: 503-651-2284 (Home) 503-651-2749 (Work) (Other)

*Fax: 503-651-2283 *E-Mail address: whinsy @ web-ster.com

**Optional information*

2. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application)

Name: Scott (First) Ashcom (Last)

Address: P.O. Box 4323

Portland (City) Oregon (State) 97208 (Zip)

Phone: 503-524-5174 (Work)

*Fax: 503-524-5557 *E-Mail address:

**Optional information*

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SALEM, OREGON
FSD

T-9869

3. TYPE OF CHANGE PROPOSED

Please check all that apply

Point of Diversion or Appropriation	Place of Use	Character of Use (n/a for Permit Amendments)
☒ Change (The old point of diversion or appropriation will **not** be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old and new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion (Unauthorized point of diversion used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used **instead of** the old point of diversion and not as an additional point of appropriation.)	☒ All, or a portion, of the right will be exercised at a different location than currently authorized. (Use of water at the current location will be discontinued.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	Proposed new use: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete **Supplemental Form B)** ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.)

Reason for changes: We have sold the 5.19 acres at 7150 S. Barnards Rd. The well location will have to be on the 9.85 acres at 7194 S. Barnards Rd.

Describe the ***current*** water delivery system. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right. (Not applicable to applications for Permit Amendments.)

From in line pond storage, water is pumped into two, PVC main lines to sprinkler, overhead, on 1 inch laterals. The two main lines are 2 inch.

System capacity: 5 cubic feet per second (cfs)

*Attach one or more **Evidence of Use Affidavits** (Supplemental Form A) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years or that a presumption of forfeiture for non-use could be rebutted. (Not applicable to applications for Permit Amendments.)*

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SALEM, OREGON

T-9869

4. CURRENT WATER RIGHT INFORMATION

A separate page providing the information in this section must be completed for ***each*** *certificate, permit, decree, or other right involved in the proposed transfer.*

Water Right Subject to Transfer (check and complete **one** of the following):

☐	Certificated Right	Certificate Number	Permit Number or Decree Name
☐	Adjudicated, Un-certificated Right	Name of Decree	Page Number
☐	Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted
☐	Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
☒	Permit for which an Amendment is Requested	G-15810 Permit Number	12/23/04 Completion Date of Permit

Name on Permit, Certificate, or Decree: Edmund D. Hunter

County: Clackamas Authorized Use(s): Irrigation

Are there multiple **Priority Dates** identified on the water right? ☐ Yes ☒ No

*If "**Yes**", any information provided on **Page 4 must** identify which priority date is associated with each of the proposed points of diversion/appropriation and places of use. In addition, list those priority dates:* _____

Source(s) of Water Listed on Right: Troutdale Groundwater Reservoir

Tributary to: _____

Are there other **Sources** listed on the water right? ☐ Yes ☒ No

*If "**Yes**", any information provided on **Page 4 must** identify which source is associated with each of the proposed points of diversion/appropriation and proposed places of use. In addition, list those other sources:* _____

Are there **Other Water Rights** or permits associated with this land? ☐ Yes ☒ No

*If "**Yes**", what are the Permit or Certificate Numbers?* _____

Pursuant to ORS 540.510, any right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled.

Remarks: _____

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T-9869

Certificate Number or other identifying number from ***Page 3***: G-15810

A separate page providing the following information must be completed for ***each*** *certificate, permit, decree, or other right involved in the proposed transfer.*

Is the entire water right identified on ***Page 3*** affected by this transfer? ☒ Yes ☐ No

*If "**Yes**", the remainder of* ***this page*** *need* ***not*** *be completed.*
If "No", the following information ***must be provided*** *only for those points of diversion/appropriation and places of use that are* ***involved in the transfer.***

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

Location of Existing Authorized Place of Use to be Changed:

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

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SALEM, OREGON

T-9889

5. PROPOSED CHANGES TO THE WATER RIGHT

A separate page providing the information in this section must be completed for ***each*** *certificate, permit, decree, or other right involved in the proposed transfer.*

Certificate Number or other identifying number from ***Section 4***: G-15810

Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)
5	S	I	E	W.M.	5	NW¼ NW¼		

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Location of Proposed Place of Use:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
	SAME							9.85

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks: Map is enclosed indication the relocation of new well.

T-9869

6. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☒ No

Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☒ No

Is water for any of the rights supplied under a water service agreement or other contract for stored water with a Federal agency? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district and/or agency:

List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).

None

7. LAND OWNERSHIP

Does the applicant own the lands **FROM** which the right is being transferred? ☐ Yes ☒ No

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners:

Names of Current Landowner(s): Mary (First) Woods (Last)

Address: 7150 S. Barnards Rd.

Canby (City) OR (State) 97013 (Zip)

Does the applicant own the lands **TO** which the right is being transferred? ☒ Yes ☐ No

If "No", provide the following information:

Names of Receiving Landowner(s): Edmund (First) Hunter (Last)

Address: 7194 S. Barnards Rd.

Canby (City) OR (State) 97013 (Zip)

Check one of the following:

☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.

☒ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

T-9869

8. ATTACHMENTS

Check each of the following attachments included with this application. The application will be returned if all required attachments are not included.

Form A – Evidence of Use Affidavits

☒ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original, not a copy.

Form B – Instream Water Right Transfer

☐ Required for instream transfers only.

Map

☐ Permanent Water Right Transfer
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.

☒ Permit Amendment, Temporary Transfer, or Other Application
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Evidence of Lien Holder Notification

☐ Copies of the written notification of the proposed transfer provided by the applicant to each lien holder, unless the water right has been quit claimed.

Recorded Deed

☐ Required for temporary transfers only.

Land Use Information Form:

☐ Enclosed

☐ Not Required if all of the following are met:
- ❶ In EFU zone or irrigation district,
- ❷ Change in place of use only,
- ❸ No structural changes needed, including diversion works, delivery facilities, other structures, and
- ❹ Irrigation only.

Water Well Reports/Well Logs:

☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.

☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.

☐ The application is for a surface water transfer and water well reports are not required.

Fees:

☐ Amount enclosed: $ 350
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

9. SIGNATURES

I (we) understand that prior to approval of a permanent transfer and after issuance of a draft preliminary determination by the Department, I (we) must submit:

(1) A report on ownership and lien information prepared by a title company within the last three months if required under OAR 690-380-3000(18), and

(2) If I (we) are not the landowners, proof that the landowner or entity to which the water right has been quitclaimed consents to the transfer or that ownership information is not required.

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

applicant signature	name (print)	date
Edmund D. Hunter	Edmund D. Hunter	1/29/05

Before submitting your application, be sure you have:

- Answered each question completely.
- Included the required attachments.
- Provided original signatures for all named deed holders or other parties with an interest in the right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

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SALEM, OREGON

T-9869

WR 11 2nd upp. 0-155 Clk

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

CLAC 02341

WATER WELL REPORT
STATE OF OREGON
(Please type or print)
(Do not write above this line)

#27 RECEIVED JUL 9 - 1976 WATER RESOURCES DEPT. SALEM, OREGON

"From"

State Well No. .....
State Permit No. 55/1E-5

(1) OWNER:
Name Edmund D. Hunter
Address 7194 S. Barnards Rd.
Canby, Oregon

(2) TYPE OF WORK (check):
New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):
Domestic ☒ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☐

CASING INSTALLED:
Threaded ☐ Welded ☒
6 " Diam. from 0 ft. to 70 ft. Gage 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

PERFORATIONS:
Perforated? ☐ Yes ☒ No
Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:
Well screen installed? ☐ Yes ☒ No
Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? ☐ Yes ☒ No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
" " " "
" " " "
Bailer test 35 gal./min. with 23 ft. drawdown after 1 hrs.
Artesian flow g.p.m.
Temperature of water 54 Depth artesian flow encountered ft.

(9) CONSTRUCTION:
Well seal—Material used Bentonite
Well sealed from land surface to 38 ft.
Diameter of well bore to bottom of seal 10 in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal sacks
Number of sacks of bentonite used in well seal 1½ sacks
Brand name of bentonite National
Number of pounds of bentonite per 100 gallons of water 200 lbs./100 gals.
Was a drive shoe used? ☒ Yes ☐ No Plugs Size: location
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.

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(10) LOCATION OF WELL:
County Clackamas Driller's well number
¼ ¼ Section 5 T. 5S R. 1E W.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.
Depth at which water was first found 75
Static level 35 ft. below land surface. Date 7-1-
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:
Diameter of well below casing 6"
Depth drilled 84 ft. Depth of completed well 80

Formation: Describe color, texture, grain size and structure of materi and show thickness and nature of each stratum and aquifer penetrat with at least one entry for each change of formation. Report each change position of Static Water Level and indicate principal water-bearing str

MATERIAL	From	To	SWL
Soil brown	0	3	
Clay brown	3	42	
Sand brown	42	60	
Clay blue	60	75	
Sand red W B	75	84	35

RECEIVED JUL 24 2006 WATER RESOURCES DEPT SALEM, OR

Application No. 9456
Permit No.

Work started 6-30 1976 Completed 7-1 19
Date well drilling machine moved off of well 7-1 19

Drilling Machine Operator's Certification:
This well was constructed under my direct supervisi Materials used and information reported above are true to best knowledge and belief.
[Signed] Robert Stites (Drilling Machine Operator) Date 7-7, 19
Drilling Machine Operator's License No. 776

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this repor true to the best of my knowledge and belief.
Name A C Stites (Person, firm or corporation) (Type or print)
Address 28290 S. Dryland Rd. Canby, 970
[Signed] A C Stites (Water Well Contractor)
Contractor's License No. 533 Date 7-7-76, 19

T-9869

N

THIS REVISED MAP REPLACES EARLIER MAPS. (12/26/02) _Ashlom

SECTION 5 T5S R1E W.M.
CLACKAMAS COUNTY

SEE MAP

SUPERCEDING WORK COPY

South Barnards Rd.

31 32

6

1600 6.19 Ac. WELL 1
1504 9.85Ac WELL 2
1503 4.92Ac
1507 3.00 Ac
1501 8.80Ac.
1502 8.06Ac
1505 8.06Ac
1601 3.33 Ac
7100 S. Barnards PROPOSED WELL
7114 & 7126 S. Barnards
1800 14.73Ac LOT
1903 83.36Ac.
1900 2.87Ac
1904 8.92Ac
2004 19.55 Ac
2400 38.97 Ac.
2000 37.13 Ac.

PROPOSED WELL

Well location to be moved approximately 300 feet to the east to be located on the 9.85 acres.

BLUE CROSSED AREA IS AREA OF WATER USE: 15.04 ACRES ALL IN NW1/4 NW1/4 SEC. 5, T5S, R1E

DEC 27 2002

Well for Application G15566

ED HUNTER (WHISKY HILL NURSERY)
7114 S. BARNARDS Rd.
(Ph: 503-651-2744)

Application No. G15566
Permit No. G15810.91

South Barlow Rd.

SEE MAP 5 1E 6

MARKET ROAD

WELL LOC:
400' SOUTH
400' EAST FM NW COR.
SEC 5

~~Both wells located are 200' South of the North boundary of~~
~~WELL 1 is 400' East of section line~~
~~WELL 2 is 850' EAST of NW1/4 section line~~

This map is made solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.
PIONEER NATIONAL TITLE INSURANCE CO.

RECEIVED
JUL 24 2001
WATER RESOURCES DEPT
SALEM, OR

RECEIVED
FEB 23 2005
WATER RESOURCES DEPT
SALEM, OREGON

T-9869

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WHISKY HILL NURSERY
7194 S BARNARDS RD (503) 651-2749
CANBY, OREGON 97013

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

APPLICATION FILE NUMBER: G-15566

SOURCE OF WATER: A WELL IN MOLALLA RIVER BASIN

PURPOSE OR USE: NURSERY USE ON 15.04 ACRES

MAXIMUM RATE: 0.188 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JULY 24, 2001

WELL LOCATION: NW ¼ NW ¼, SECTION 5, T5S, R1E, W.M.; 400 FEET SOUTH & 400 FEET EAST FROM NW CORNER, SECTION 5

The amount of water used for nursery use 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 acre 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.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW ¼ NW ¼ 15.04 ACRES
SECTION 5
TOWNSHIP 5 SOUTH, RANGE 1 EAST, W.M.

T-9869

Measurement, recording and reporting conditions:

A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device 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 permittee to report general water use information, including the place and nature of use of water under the permit.

B. The permittee 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.

The well shall allow groundwater production from no shallower than 70 feet below land surface.

The well(s) shall produce groundwater only from the Troutdale groundwater reservoir between approximately 80 and 300 feet below land surface.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make 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 submit 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

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The 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 annual water level measurements reveal any of the following events:

(A) An average water level decline of three or more feet per year for five consecutive years; or
(B) A water level decline of 15 or more feet in fewer than five consecutive years; or
(C) 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 or restricted use shall continue until the annual 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.

STANDARD CONDITIONS

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 not be valid.

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 wells 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.

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 the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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.

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 use of water shall be limited when it interferes with any prior surface or ground water rights.

Complete application of the water to the use shall be made on or before October 1, 2009. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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 (CWRE).

Issued December 23, 2004

Phillip C. Ward, Director
Water Resources Department

ASSIGNMENT OF PERMIT: Pursuant to ORS 537.220, this permit may be assigned to a party other than the permittee named hereon, if the land the permit is associated with changes ownership, or if the permittee is an organization whose name changes as a result of sale or merger. Request for Assignment forms are available from the Oregon Water Resources Department web site at http//www.wrd.state.or.us/, or may be requested from the Department at 503-986-0801 or Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

MAILING ADDRESS CHANGES: If the mailing address of the permittee named hereon changes, it is important that the Oregon Water Resources Department be informed of the change. Address changes must be submitted in writing with the permittee's signature to Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

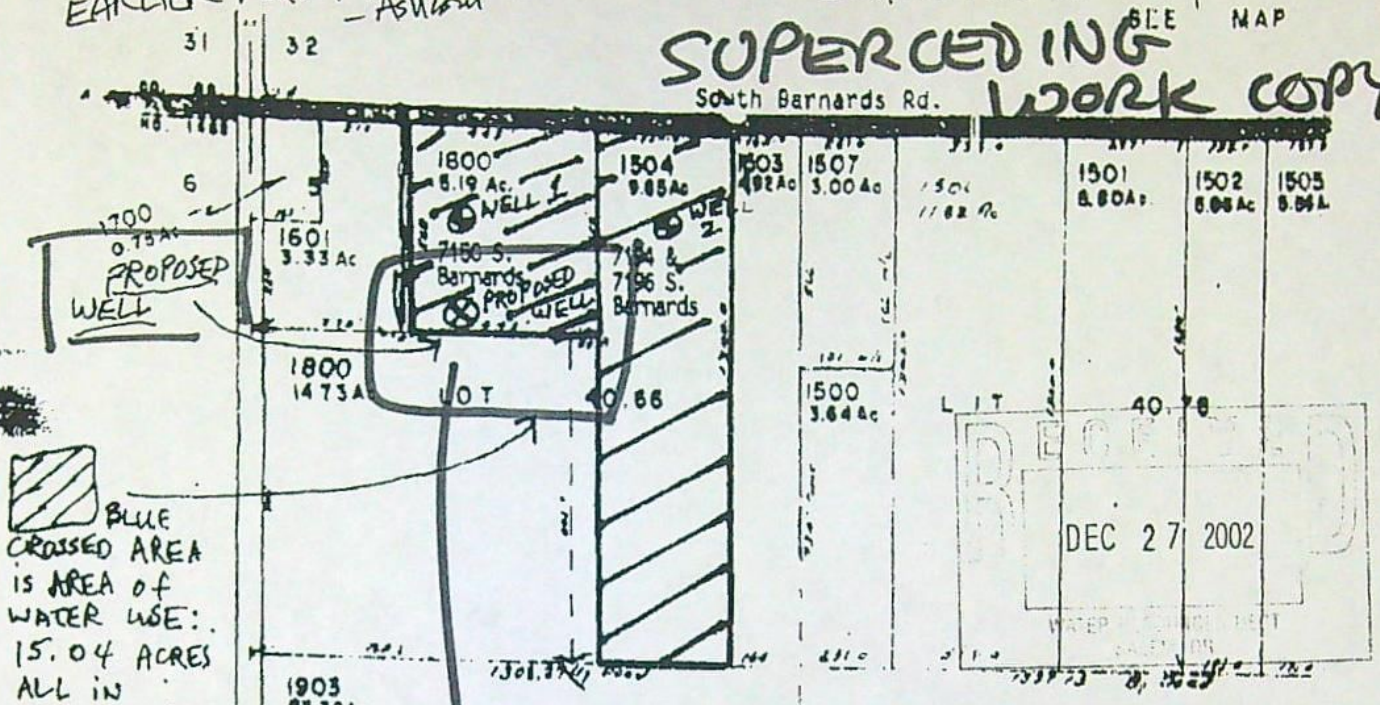
CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

THIS REVISED MAP REPLACES EARLIER MAPS. (12/26/02) -Ashlom

SECTION 5 T5S R1E W.M.
CLACKAMAS COUNTY

SEE MAP

SUPERCEDING WORK COPY



BLUE CROSSED AREA IS AREA OF WATER USE: 15.04 ACRES ALL IN NW1/4 NW1/4 SEC. 5, T5S, R1E

RECEIVED
DEC 27 2002
WATER RESOURCES DEPT

Well for Application G15566

ED HUNTER (WHISKY HILL NURSERY)
714 S. BARNARDS Rd.
(ph: 503-651-2744)

Application No. G15566
Permit No. G15810 91

WELL LOC:
400' SOUTH
400' EAST FM NW COR.
SEC 5

~~Both wells lie 2 ARE 200' South of the North Quarter Corner.~~

~~WELL 1 is 400' East of NW1/4 Section LINE~~
~~WELL 2 is 80' EAST of NW1/4 Section LINE~~

This map is made solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.
PIONEER NATIONAL TITLE INSURANCE CO.

RECEIVED
JUL 24 2001
WATER RESOURCES DEPT
SALEM, OR

To: whinsy@web-ster.com
From: Dorothy Pedersen <Dorothy.I.PEDERSEN@wrd.state.or.us>
Subject: Permit application T-9869
Cc:
Bcc:
Attached:

Mr. Hunter,

I have briefly looked over the permit amendment application you submitted in February, and have a few questions about the changes you are proposing to make to Permit G-15810.

It appears that you have sold 5.19 acres of the 15.04 acres allowed under the permit, and wish to have a new well on the 9.85 acres that you still own, east of the authorized well.

1) Will the proposed well irrigate only the eastern 9.85 acre property, or also the 5.19 acre property?

2) Will the authorized well no longer be used to irrigate any acreage under the permit?--, or will it continue to irrigate the western 5.19 acre property?

3) The application form indicates that you are proposing a change in place of use, but I cannot tell from the map what lands under the right are being moved to a new place. Please explain what you propose.

You may reply by email or by phone. My direct number is (503) 986-0890.

Thank you,
Dorothy Pedersen

Dorothy Pedersen
Transfer Specialist
Oregon Water Resources Department
(503) 986-0890
FAX (503) 986-0904
Dorothy.I.PEDERSEN@wrd.state.or.us

From: "Whisky HILL Nursery" <whinsy@web-ster.com>
To: "Dorothy Pedersen" <Dorothy.I.PEDERSEN@wrd.state.or.us>
Subject: Re: Permit application T-9869
Date: Tue, 15 Mar 2005 08:31:33 -0800
X-Mailer: Microsoft Outlook Express 6.00.2900.2180
X-Spam-Checker-Version: SpamAssassin 2.63 (2004-01-11) on
kettle.wrd.state.or.us
X-Spam-Status: No, hits=0.0 required=5.0 tests=none autolearn=ham version=2.63
X-Spam-Level:

In reply to your e-mail regarding our revision to permit application T-9869.
1. Our proposed new well will irrigate inly the 9.85 acres of the nursery stock that we own.

2. The existing well located on the 5.19 acres that we no longer own will be used by the new owner for irrigating pastures for their horses. When our new well is in , we will no longer use the well location on the 5.19 acres.

3. The location of the new well was placed on the 5.19 acres in error. When Scott Ashcom prepared the original map for the water rights application I did not see this problem. The original water rights application was for the irrigationof both the 5.19 and the 9.85 acres. The movement of the new well should be on our property and will still be withinin the same NW1/4/NW1/4 section as theoriginal plan. It requires a movement of the location to the East approximately 400 feet.

Please let me know if this does not answer all your guestions.

Sincerely,
Ed Hunter

Marrianne Woods
7150 S. Barnards Road
Canby, OR 97013

facsimile transmittal

RECEIVED
MAR 14 2005
WATER RESOURCES DEPT
SALEM, OREGON

To:	Water Resource Department	Fax:	503-986-0904
From:	Marrianne Woods	Date:	3/14/2005
Re:	Permit Amendment Transfer #9869	Pages:	1
CC:			

☑ Urgent ☑ For Review ☐ Please Comment ☑ Please Reply ☐ Please Recycle

I am responding in regards to the letter which was copied to me addressed to Edmund Hunter dated March 11, 2005. In reading this letter I am confused. The letter appears to me that Mr. Hunter is attempting to gain water rights on my property and transfer them to him. If this is the case I must inform you that I am not in any way in agreement for this to happen. On March 12, 2005 after receiving this letter, I spoke with Mr. Hunter in regards to this and he assured me that this matter is in regards to him placing a new well on his property, not trying to annex one of mine. I need to make sure that this is actually the facts. Currently Mr. Hunter is utilizing one of my wells for the irrigation of his nursery which is his livelihood. This is being done so via gentleman's agreement and with my good graces. I do not want to adversely affect Mr. Hunter's livelihood, however, under no circumstances will I allow Mr. Hunter to permanently use this well, nor will allow him to annex this well as his own as it would completely jeopardize the viability of my land and it would severely impact the value of my land as it would no longer support our irrigation and livestock needs. Please reply immediately. Please send information on legal water rights as well.

Sincerely

Marrianne Woods - Landowner

To: whinsy@web-ster.com
From: Kelly Starnes <Patrick.K.STARNES@wrd.state.or.us>
Subject: Permit Amendment T-9869
Cc: Bill Ferber, Dorothy Pedersen
Bcc:
Attached:

Mr. Hunter;

I will be processing your permit amendment application T-9869. I have reviewed your application and your subsequent correspondence with Dorothy. There is one matter that needs to be taken care of in regards to Permit G-15810.

Since the 5.19 acres of the permit is on land that has been sold to Marianne Woods, that portion of the permit needs to be assigned to her so that she can be able to use the permit. The assignment form can be found at
http://www1.wrd.state.or.us/pdfs/new_assign_form.pdf

Please mail the completed assignment form and a check for the assignment fee (made payable to the Oregon Water Resources Department) to:

Oregon Water Resources Department
Attn: Water Right Section
725 Summer Street NE Suite A
Salem OR 97301

Sincerely,

Kelly Starnes

+==========+
| Kelly Starnes e-mail:Patrick.K.STARNES@wrd.state.or.us
| Water Right Inspector
| Oregon Water Resources Dept.
| Voice: (503)-986-0886 FAX: (503)-986-0903
+==========+

MEMO

Date: March 15, 2005

To: File T-9869

From: Dorothy Pedersen

RE: Clarification of intent for Permit Amendment

I talked with Ed Hunter by phone 3/15/05 and learned the following:

- The "proposed well" for Permit G-15810 has not yet been drilled.
- T-9869 is to change the location for the proposed well, so that it will be in the 9.85 acre property still owned by the Hunters.
- The place of use is being reduced from 15.03 acres to only the 9.85 acre area on the east property. This permit will no longer apply to the 5.19 acre portion that has been sold.
- Apparently the well that is being used on the 5.19 acre property is one of the two original wells (Well #1) that was found to be improperly constructed when the permit was applied for. It has not yet been abandoned, as was stated in the proposed action submitted December 27, 2002 by Scott Ashcom. (See G-15566 file).
-

PUBLIC NOTICE
03/15/2005

COUNTY:	CLACKAMAS
TRANSFER:	9869
PERMIT:	G 15810
PRIORITY DATE:	07/24/2001
NAME:	EDMUND HUNTER
ADDRESS:	7194 S BARNARDS RD
CHANGE:	POA
SOURCE:	WELL
AUTHORIZED POA:	T5S R1E 5
PROPOSED POA:	T5S R1E 5

Oregon
Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

March 11, 2005

EDMUND HUNTER
7194 S BARNARDS RD
CANBY OR 97013

SCOTT ASHCOM, AGENT
PO BOX 4323
PORTLAND OR 97208

Reference: Permit Amendment Transfer 9869

On 2-23-2005 we received your request for permit amendment for use of water from a Well, a tributary of the Molalla River. The application was accompanied by $350. Our receipt 72849 is enclosed.

By copy of this letter, we are asking the Watermaster for his report regarding the potential for injury to existing water rights which may be caused by the change.

You may not use water in the new place of use, or from the new point of appropriation, until 60 days after we received your notice (application) and the permit amendment has been approved.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0900.

cc: Bill Ferber, Watermaster **#16**
Groundwater
Mary Woods, Landowner

enclosure

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Application for Water Right
Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a". Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

APPLICATION FOR:

Please check one

- ☐ Water Right Transfer
  - ☐ Historic Change in POD
  - ☐ To Instream Use
  - ☐ Other Transfer
- ☐ Temporary Transfer (number of years _____)
- ☒ Permit Amendment
- ☐ Drought Transfer
- ☐ Point of Diversion Change Due to Government Action

1. APPLICANT INFORMATION

Name: Edmund (First) Hunter (Last)

Address: 7194 S. Barnards Rd.

Canby (City) Oregon (State) 97013 (Zip)

Phone: 503-651-2284 (Home) 503-651-2749 (Work) (Other)

*Fax: 503-651-2283 *E-Mail address: whinsy @ web-ster.com

**Optional information*

2. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application)

Name: Scott (First) Ashcom (Last)

Address: P.O. Box 4323

Portland (City) Oregon (State) 97208 (Zip)

Phone: 503-524-5174 (Work)

*Fax: 503-524-5557 *E-Mail address:

**Optional information*

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FEB 23 2005
WATER RESOURCES DEPT
SALEM, OREGON
FSD

T-9869

3. TYPE OF CHANGE PROPOSED

Please check all that apply

Point of Diversion or Appropriation	Place of Use	Character of Use (n/a for Permit Amendments)
☒ Change (The old point of diversion or appropriation will **not** be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old and new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion (Unauthorized point of diversion used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used **instead of** the old point of diversion and not as an additional point of appropriation.)	☒ All, or a portion, of the right will be exercised at a different location than currently authorized. (Use of water at the current location will be discontinued.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	Proposed new use: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete **Supplemental Form B)** ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.)

Reason for changes: We have sold the 5.19 acres at 7150 S. Barnards Rd. The well location will have to be on the 9.85 acres at 7194 S. Barnards Rd.

Describe the ***current*** water delivery system. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right. (Not applicable to applications for Permit Amendments.)

From in line pond storage, water is pumped into two, PVC main lines to sprinkler, overhead, on 1 inch laterals. The two main lines are 2 inch.

System capacity: 5 cubic feet per second (cfs)

*Attach one or more **Evidence of Use Affidavits** (Supplemental Form A) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years or that a presumption of forfeiture for non-use could be rebutted. (Not applicable to applications for Permit Amendments.)*

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SALEM, OREGON

T-9869

4. CURRENT WATER RIGHT INFORMATION

A separate page providing the information in this section must be completed for ***each*** *certificate, permit, decree, or other right involved in the proposed transfer.*

Water Right Subject to Transfer (check and complete **one** of the following):

☐	Certificated Right	Certificate Number	Permit Number or Decree Name
☐	Adjudicated, Un-certificated Right	Name of Decree	Page Number
☐	Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted
☐	Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
☒	Permit for which an Amendment is Requested	G-15810 Permit Number	12/23/04 Completion Date of Permit

Name on Permit, Certificate, or Decree: Edmund D. Hunter

County: Clackamas Authorized Use(s): Irrigation

Are there multiple **Priority Dates** identified on the water right? ☐ Yes ☒ No
*If "**Yes**", any information provided on **Page 4 must** identify which priority date is associated with each of the proposed points of diversion/appropriation and places of use. In addition, list those priority dates:* _____

Source(s) of Water Listed on Right: Troutdale Groundwater Reservoir

Tributary to: _____

Are there other **Sources** listed on the water right? ☐ Yes ☒ No
*If "**Yes**", any information provided on **Page 4 must** identify which source is associated with each of the proposed points of diversion/appropriation and proposed places of use. In addition, list those other sources:* _____

Are there **Other Water Rights** or permits associated with this land? ☐ Yes ☒ No

*If "**Yes**", what are the Permit or Certificate Numbers?* _____
Pursuant to ORS 540.510, any right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled.

Remarks: _____

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SALEM, OREGON

T-9869

Certificate Number or other identifying number from ***Page 3***: G-15810

*A separate page providing the following information must be completed for **each** certificate, permit, decree, or other right involved in the proposed transfer.*

Is the entire water right identified on ***Page 3*** affected by this transfer? ☒ Yes ☐ No

*If "**Yes**", the remainder of **this page** need **not** be completed.*
*If "**No**", the following information **must be provided** only for those points of diversion/appropriation and places of use that are **involved in the transfer**.*

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

Location of Existing Authorized Place of Use to be Changed:

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

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FEB 23 2005
WATER RESOURCES
SALEM, OREGON

T-9889

5. PROPOSED CHANGES TO THE WATER RIGHT

A separate page providing the information in this section must be completed for ***each*** *certificate, permit, decree, or other right involved in the proposed transfer.*

Certificate Number or other identifying number from ***Section 4***: G-15810

Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)
5	S	I	E	W.M.	5	NW¼ NW¼		

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Location of Proposed Place of Use:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
	SAME							9.85

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks: Map is enclosed indication the relocation of new well.

T-9869

6. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☒ No

Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☒ No

Is water for any of the rights supplied under a water service agreement or other contract for stored water with a Federal agency? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district and/or agency:

List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).

None

7. LAND OWNERSHIP

Does the applicant own the lands **FROM** which the right is being transferred? ☐ Yes ☒ No

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners:

Names of Current Landowner(s): ~~Mary~~ Marianne (First) Woods (Last)

Address: 7150 S. Barnards Rd. DLP as per phone call 3/14/05

Canby (City) OR (State) 97013 (Zip)

Does the applicant own the lands **TO** which the right is being transferred? ☒ Yes ☐ No

If "No", provide the following information:

Names of Receiving Landowner(s): Edmund (First) Hunter (Last)

Address: 7194 S. Barnards Rd.

Canby (City) OR (State) 97013 (Zip)

Check one of the following:

☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.

☒ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

T-9869

8. ATTACHMENTS

Check each of the following attachments included with this application. The application will be returned if all required attachments are not included.

Form A – Evidence of Use Affidavits

☒ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original, not a copy.

Form B – Instream Water Right Transfer

☐ Required for instream transfers only.

Map

☐ Permanent Water Right Transfer
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.

☒ Permit Amendment, Temporary Transfer, or Other Application
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Evidence of Lien Holder Notification

☐ Copies of the written notification of the proposed transfer provided by the applicant to each lien holder, unless the water right has been quit claimed.

Recorded Deed

☐ Required for temporary transfers only.

Land Use Information Form:

☐ Enclosed

☐ Not Required if all of the following are met:
1. In EFU zone or irrigation district,
2. Change in place of use only,
3. No structural changes needed, including diversion works, delivery facilities, other structures, and
4. Irrigation only.

Water Well Reports/Well Logs:

☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.

☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.

☐ The application is for a surface water transfer and water well reports are not required.

Fees:

☐ Amount enclosed: $ 350
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

9. SIGNATURES

I (we) understand that prior to approval of a permanent transfer and after issuance of a draft preliminary determination by the Department, I (we) must submit:

(1) A report on ownership and lien information prepared by a title company within the last three months if required under OAR 690-380-3000(18), and

(2) If I (we) are not the landowners, proof that the landowner or entity to which the water right has been quitclaimed consents to the transfer or that ownership information is not required.

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

applicant signature	name (print)	date
E. D. Hunter	Edmund D. Hunter	1/29/05

Before submitting your application, be sure you have:

- Answered each question completely.
- Included the required attachments.
- Provided original signatures for all named deed holders or other parties with an interest in the right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

RECEIVED
FEB 23 2005
WATER RESOURCES DEPT
SALEM, OREGON

T-9869

Well Tag Nbr. 0155660

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

CLAC 02341

WATER WELL REPORT
STATE OF OREGON
(Please type or print)
(Do not write above this line)

#27 "From"

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JUL 9 - 1976
WATER RESOURCES DEPT.
SALEM, OREGON

State Well No. .....
State Permit No. 55/16E 5

(1) OWNER:
Name Edmund D. Hunter
Address 7194 S. Barnards Rd.
Canby, Oregon

(2) TYPE OF WORK (check):
New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):
Domestic ☒ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☐

(5) CASING INSTALLED:
Threaded ☐ Welded ☒
6" Diam. from 0 ft. to 70 ft. Gage 250
..." Diam. from ... ft. to ... ft. Gage ...
..." Diam. from ... ft. to ... ft. Gage ...

(6) PERFORATIONS:
Perforated? ☐ Yes ☒ No
Type of perforator used
Size of perforations in. by in.
... perforations from ... ft. to ... ft.
... perforations from ... ft. to ... ft.
... perforations from ... ft. to ... ft.

(7) SCREENS:
Well screen installed? ☐ Yes ☒ No
Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? ☐ Yes ☒ No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
" " " "
" " " "
Bailer test 35 gal./min. with 23 ft. drawdown after 1 hrs.
Artesian flow g.p.m.
Temperature of water 54 Depth artesian flow encountered ft.

(9) CONSTRUCTION:
Well seal—Material used Bentonite
Well sealed from land surface to 38 ft.
Diameter of well bore to bottom of seal 10 in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal sacks
Number of sacks of bentonite used in well seal 1½ sacks
Brand name of bentonite National
Number of pounds of bentonite per 100 gallons of water 200 lbs./100 gals.
Was a drive shoe used? ☒ Yes ☐ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.

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(10) LOCATION OF WELL:
County Clackamas Driller's well number
¼ ¼ Section 5 T. 5S R. 1E W.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.
Depth at which water was first found 75
Static level 35 ft. below land surface. Date 7-1-
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:
Diameter of well below casing 6"
Depth drilled 84 ft. Depth of completed well 80
Formation: Describe color, texture, grain size and structure of materi and show thickness and nature of each stratum and aquifer penetrat with at least one entry for each change of formation. *Report each change position of Static Water Level and indicate principal water-bearing str*

MATERIAL	From	To	SWI
Soil brown	0	3	
Clay brown	3	42	
Sand brown	42	60	
Clay blue	60	75	
Sand red W B	75	84	35

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SALEM, OR

Application No. 61566
Permit No.

Work started 6-30 1976 Completed 7-1 19
Date well drilling machine moved off of well 7-1 19

Drilling Machine Operator's Certification:
This well was constructed under my direct supervisi Materials used and information reported above are true to best knowledge and belief.
[Signed] Robert Stites (Drilling Machine Operator) Date 7-7, 19
Drilling Machine Operator's License No. 776

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this repor true to the best of my knowledge and belief.
Name A C Stites (Person, firm or corporation) (Type or print)
Address 28290 S. Dryland Rd. Canby, 970
[Signed] A C Stites (Water Well Contractor)
Contractor's License No. 533 Date 7-7-76, 19

T-9869

N

THIS REVISED MAP REPLACES EARLIER MAPS. (12/26/02) _Ashlom

SECTION 5 T5S R1E W.M.
CLACKAMAS COUNTY

SEE MAP

SUPERCEDING WORK COPY

South Barnards Rd.

31 32

6

1800 8.19 Ac. WELL 1
1504 9.85Ac WELL 2
1503 4.92Ac
1507 3.00 Ac
1501 8.80Ac
1502 8.06Ac
1505 8.06Ac
1601 3.33 Ac
1700 0.75Ac
PROPOSED WELL
7144 S. Barnards
7196 S. Barnards
PROPOSED WELL
1800 14.73Ac LOT

Well location to be moved approximately 300 feet to the east to be located on the 9.85 acres.

DEC 27 2002

BLUE CROSSED AREA IS AREA OF WATER USE: 15.04 ACRES ALL IN NW¼NW¼ SEC. 5, T5S, R1E

1903 03.36Ac.

Well for Application G15566

ED HUNTER (WHISKY HILL NURSERY)
7144 S. BARNARDS Rd.
(ph: 503-651-2744)

Application No. G15566
Permit No. G15810.91

1900 2.87Ac
1904 5.92Ac

South Barlow Rd.

SEE MAP 5 1E 6

2004 19.55 Ac

WELL LOC:
400' SOUTH
400' EAST FM NW COR.
SEC 5

2400 58.97 Ac.

~~Both wells lay 2 are 200' South of the NW Quarter Corner.~~

2000 37.13 Ac.

~~WELL 1 is 400' East of NW¼ section line~~
~~WELL 2 is 80' East of NW¼ section line~~

This map is made solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.
PIONEER NATIONAL TITLE INSURANCE CO.

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SALEM, OR

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WATER RESOURCES DEPT
SALEM, OREGON

T-9869

Water Right Transfer Supplemental Form A
AFFIDAVIT ATTESTING TO THE USE OF WATER

State of Oregon)
) ss
County of Clackamas)

I, Edmund D. Hunter, in my capacity as co-owner,

mailing address 7194 S. Barnards Rd. Canby, OR 97013

telephone number (503) 651-2749, being first duly sworn depose and say:

1. I attest that:

☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application, 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.

2. My knowledge of the exercise or status of the water right is based on (check one):

☒ Personal observation ☐ Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
5	S	1	E	W.M.	5	NW¼ NW¼		9.85

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SALEM, OREGON

(continues on reverse side)

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

T-9869

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

to irrigate nursery stock

5. The water delivery system used to apply water as authorized by the right is described below:

Water is pumped from a well to a pond and the to solid set irrigation system.

6. One or more of the following documentation supporting the above statements is attached:

- ☐ Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- ☐ Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- ☐ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- ☐ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- ☐ Dedicated power usage records or receipts,
- ☐ Other: _____

Signature of Affiant

2/3/05
Date

Signed and sworn to (or affirmed) before me this 2nd day of February, 2005.

Notary Public for Oregon

My Commission Expires: Dec 23, 2007

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

RECEIVED
FEB 23 2005
WATER RESOURCES DEPT
SALEM, OREGON

T-9869

Send this copy of the permit with transfer forms.

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WHISKY HILL NURSERY
7194 S BARNARDS RD (503) 651-2749
CANBY, OREGON 97013

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

APPLICATION FILE NUMBER: G-15566

SOURCE OF WATER: A WELL IN MOLALLA RIVER BASIN

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FEB 23 2005
WATER RESOURCES
SALEM, OREGON

PURPOSE OR USE: NURSERY USE ON 15.04 ACRES

MAXIMUM RATE: 0.188 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JULY 24, 2001

WELL LOCATION: NW ¼ NW ¼, SECTION 5, T5S, R1E, W.M.; 400 FEET SOUTH & 400 FEET EAST FROM NW CORNER, SECTION 5

The amount of water used for nursery use 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 acre 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.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW ¼ NW ¼ 15.04 ACRES
SECTION 5
TOWNSHIP 5 SOUTH, RANGE 1 EAST, W.M.

T-9869R

Measurement, recording and reporting conditions:

A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device 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 permittee to report general water use information, including the place and nature of use of water under the permit.

B. The permittee 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.

The well shall allow groundwater production from no shallower than 70 feet below land surface.

The well(s) shall produce groundwater only from the Troutdale groundwater reservoir between approximately 80 and 300 feet below land surface.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make 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 submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

T-9869

After Use of Water has Begun

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The 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 annual water level measurements reveal any of the following events:

(A) An average water level decline of three or more feet per year for five consecutive years; or
(B) A water level decline of 15 or more feet in fewer than five consecutive years; or
(C) 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 or restricted use shall continue until the annual 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

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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.

STANDARD CONDITIONS

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 not be valid.

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 wells 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.

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 the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of

T-9869

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 use of water shall be limited when it interferes with any prior surface or ground water rights.

Complete application of the water to the use shall be made on or before October 1, 2009. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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 (CWRE).

Issued December 23, 2004

Phillip C. Ward, Director
Water Resources Department

ASSIGNMENT OF PERMIT: Pursuant to ORS 537.220, this permit may be assigned to a party other than the permittee named hereon, if the land the permit is associated with changes ownership, or if the permittee is an organization whose name changes as a result of sale or merger. Request for Assignment forms are available from the Oregon Water Resources Department web site at http//www.wrd.state.or.us/, or may be requested from the Department at 503-986-0801 or Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

MAILING ADDRESS CHANGES: If the mailing address of the permittee named hereon changes, it is important that the Oregon Water Resources Department be informed of the change. Address changes must be submitted in writing with the permittee's signature to Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

T-9869

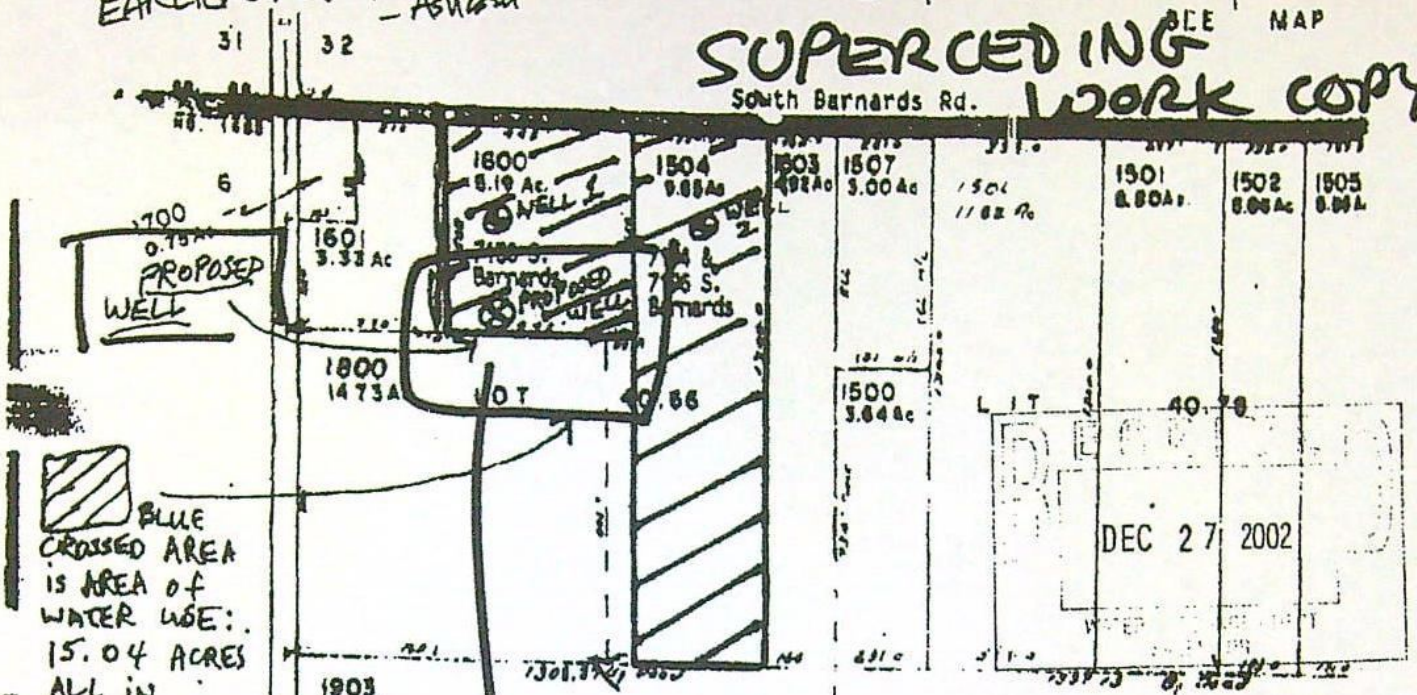
P.04

THIS REVISED MAP REPLACES EARLIER MAPS. (12/26/02) _Ashlom

SECTION 5 T5S R1E W.M.
CLACKAMAS COUNTY

SEE MAP

SUPERCEDING WORK COPY



BLUE CROSSED AREA IS AREA of WATER USE: 15.04 ACRES ALL IN NW1/4 NW1/4 SEC. 5, T5S, R1E

Well for Application G15566

ED HUNTER (WHISKY HILL NURSERY)

7144 S. BARNARDS Rd.

(Ph: 503-651-2744)

Application No. G15566
Permit No. G15810 91

WELL LOC:
400' SOUTH
400' EAST FM NW COR.
SEC 5

~~Both wells located~~
~~400' South of~~
~~the North Quarter Corner~~

~~WELL 1 is 400' East~~
~~of NW1/4 section line~~
~~WELL 2 is 800' East~~
~~of NW1/4 section line~~

This map is made solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.
PIONEER NATIONAL TITLE INSURANCE CO.

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JUL 24 2001
WATER RESOURCES DEPT
SALEM, OR

T-9869

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 72849

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Whiskey Hill Nursery

BY: _____

APPLICATION	
PERMIT	
TRANSFER	T 9869

CASH: ☐ CHECK:# ☒ 4709 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D $ 350.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES		$
_____	OTHER:	(IDENTIFY) _____	$

RECEIVED OVER THE COUNTER

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

	MISCELLANEOUS		
0407	COPY & TAPE FEES		$
0410	RESEARCH FEES		$
0408	MISC REVENUE: (IDENTIFY)	_____	$
TC162	DEPOSIT LIAB. (IDENTIFY)	_____	$
0240	EXTENSION OF TIME		$

		EXAM FEE		RECORD FEE
	WATER RIGHTS:			
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$ 350.00		

		EXAM FEE		LICENSE FEE
	WELL CONSTRUCTION			
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	$	CARD #	
0210	MONITORING WELLS	$	CARD #	

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY

		LIC NUMBER	
0233	POWER LICENSE FEE (FW/WRD)		$
0231	HYDRO LICENSE FEE (FW/WRD)		$
_____	HYDRO APPLICATION		$

____ TREASURY OTHER / RDX

FUND _____ TITLE _____ T-9869

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ $

RECEIPT: 72849 DATED: 2/23/05 BY: L Albal

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TRANSFER CHECK OFF LIST

TRANSFER FILE # 9869
DATE RECEIVED 2-23-05
DATE MONEY SLIPPED 2-23-05
DATE RECEIPTED 2-23-05
VALID WATER RIGHT? X Yes ____ No
TEMP ALT AC__(Greg) IRR DIST___(Greg) PERM AMEND X (Kelly) DIV 15___ (Bernie Assigns)
TEMP Div 15 _ _ (Bernie) ISWR ___ COPIES TO LIAISON _____

LETTER FROM ATTORNEY ____YES (PUT INFO ON FRONT COVER) X NO

FOLDER FILLED OUT* yes
INDEX CARD yes
ENTERED IN DB yes

F T #

CONTENTS MARKED yes
COLOR CODED yes Yes
4 COPIES MADE & STAMPED yes

CERTIFICATE MARKED no
CERTIFICATE COPIED no
PULL APPLICATIONS yes
APP FOLDER MARKED yes
FINAL PROOF MAP COPIED no
PERMIT MARKED yes
PERMIT COPIED yes
PERMIT MAP COPIED yes
DECREE MARKED /
DECREE COPIED /
ADJUDICATION MAP COPIED /

ENTRIES CHECKED ____ CHECKED BY _____ INIT FOLDER_____
PUBLIC NOTICE DATE 3.15.05 (PREPARED & COPIED) yes
LETTER SENT yes Irrigation District no (copy of app & map)
COPY TO WM yes
BLUE FORM TO WM yes Orange Perm Amend/Yellow Temp/Grn Dist/Lav Alt Acr/pink his
COPY TO GW yes POA, APOA, or [SW TO GW ONLY(as POD)]
BLUE FORM TO GW yes Orange Perm Amend/Yellow Temp/Grn Dist/Lav Alt Acr/pink his
COPY TO CWRE no
LETTER TO ODFW no ALL Surface water POU/USE (POD and APOD FISH SCREENS)
TRANSFER SENT TO: Kelly SW --- NCR --- SCR --- ER

*SHRINK DATA IF THERE ARE MANY FILES INVOLVED AND GLUE TO FOLDER

T-9869

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 108600

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Les Hottovy

BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-9869

CASH: ☐ CHECK:# ☒ 4059 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D $ 75.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES		$
_____	OTHER:	(IDENTIFY) _____	$

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	46111	$
0410	RESEARCH FEES		$
0408	MISC REVENUE: (IDENTIFY)	Assignment	$ 75.00
TC162	DEPOSIT LIAB. (IDENTIFY)	_____	$
0240	EXTENSION OF TIME		$

WATER RIGHTS:

		EXAM FEE		RECORD FEE
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$		

WELL CONSTRUCTION

		EXAM FEE		LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	$	CARD #	
0210	MONITORING WELLS	$	CARD #	

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FW/WRD)		$
0231	HYDRO LICENSE FEE (FW/WRD)		$
_____	HYDRO APPLICATION		$

_____ TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ $

RECEIPT: 108600 DATED: 4-22-13 BY: RBraun

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