

## Permit Amendment

Name Carlton Nursery Co LLCattn: bn estesAddress PO Box 398Dayton Or 97114Change in POADate Filed 9/29/2021Initial notice date 10/13/2021

DPD issued date \_\_\_\_\_

PD issued date \_\_\_\_\_

PD notice date \_\_\_\_\_

Date of FO 3/13/2025 Vol 134 Page 104-107C-Date 10/1/27

COBU due date \_\_\_\_\_

COBU Received date \_\_\_\_\_

Certificate issued \_\_\_\_\_

Assignments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Irrigation District Palmer Creek water districtAgent GSI water solutions Ted resler

CWRE \_\_\_\_\_

CC's list Hammill County Planning☐ - Oversized map - Location \_\_\_\_\_

## DESCRIPTION OF WATER RIGHT(s)

Name of Stream WellTrib. of Palmer CreekUse Nursery Pond mx County Hammill

Quantity of water (CFS) \_\_\_\_\_ No. of Acres \_\_\_\_\_

Name of ditch \_\_\_\_\_

App# 617243 Per # 6110889 Cert # \_\_\_\_\_ PR Date 12/28/2009

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

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App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

## FEES PAID

Date	Amount	Receipt #
9-29-2021	\$2,660.00	136503

## FEES REFUNDED

Date	Amount	Receipt #
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# Oregon

Tina Kotek, 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

March 13, 2025

Carlton Nursery Co. LLC

Jon Estes

PO BOX 398

Dayton, OR 97114

REFERENCE: Permit Amendment Application T-13835

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

Also enclosed is a superseding permit that incorporates the amendments approved by the final order contained herein. Please read this document and abide by the requirements.

If you have any questions related to the approval of this permit amendment, you may contact your caseworker, Arla Davis, by telephone at (503) 979-3129 or by e-mail at [Arla.L.Davis@water.oregon.gov](mailto:Arla.L.Davis@water.oregon.gov).

Sincerely,

David V. Jones Jr

Water Rights Services Support

Transfers and Conservation Section

cc: Joel M. Plahn, Watermaster Dist. # 22 (via email)

Ted Ressler, Agent

Palmer Creek Water District Improvement Co., Irrigation District

Yamhill County Planning Department, Local Government

Enclosure



BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Permit Amendment	)	FINAL ORDER APPROVING A CHANGE IN
T-13835, Yamhill County	)	POINT OF APPROPRIATION

**Authority**

Oregon Revised Statute (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.

**Applicant**

CARLTON NURSERY COMPANY, LLC  
ATTN: JON ESTES  
PO BOX 398  
DAYTON, OR 97114

**Findings of Fact**

1. On September 29, 2021, CARLTON NURSERY CO. LLC filed an application to change the points of appropriation under Permit G-16889. The Department assigned the application number T-13835.
2. On September 9, 2016, the Department approved an extension of time for complete application of water to October 1, 2027.
3. Notice of the application for the permit amendment was published in the Department's weekly notice on October 12, 2021, pursuant to ORS 540.520(5).
4. On July 29, 2024, the agent for the applicant requested a copy of the Department's completed groundwater review. The Department provided the groundwater review to the agent via email.
5. On August 13, 2024, the Department reached out to the agent for the applicant regarding Permit Amendment T-13835. The agent requested to meet with the Department via conference call.
6. On August 19, 2024, the Department met with the agent for the applicant regarding the findings included in the groundwater review regarding interference with a surface water source if Permit Amendment T-13835 is approved.

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 137-004-0080 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.



7. On September 16 and 18, 2024, the agent for the applicant communicated with the Department's groundwater section, specifically regarding the proposed well locations of wells 2 and 3. The agent for the applicant agreed to revise the application to overcome the interference with the identified surface water source.
8. On October 14, 2024, the agent for the applicant notified the Department via email that a driller would be meeting with the applicant the following week and revised application pages and map would soon follow.
9. On November 12, 2024, the agent for the applicant notified the Department via email that the applicant is removing Wells 2 and 3 from Permit Amendment Application T-13835. The agent also provided amended application pages 8, 10, 11, and 12 and amended application map, satisfying the deficiency, allowing Permit Amendment T-13835 to be approved.
10. The permit to be amended is as follows:

**Permit:** G-16889 in the name of CARLTON NURSERY COMPANY, LLC

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

**Priority Date:** DECEMBER 28, 2009

**Quantity:** 0.56 CUBIC FOOT PER SECOND

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

**Period of Use:** YEAR ROUND

**Source:** WELLS 1, 2, AND 3 IN PALMER CREEK BASIN

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	3 W	WM	5	SW NW	42	WELL 1 - 780 FEET SOUTH FROM THE SE CORNER OF DLC 42



**Authorized Place of Use:**

NURSERY USE					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	3 W	WM	4	SW NW	3.0
5 S	3 W	WM	4	NW SW	27.4
5 S	3 W	WM	4	SW SW	10.2
5 S	3 W	WM	5	SW NE	11.5
5 S	3 W	WM	5	SE NE	7.1
5 S	3 W	WM	5	SW NW	1.3
5 S	3 W	WM	5	SE NW	29.8
5 S	3 W	WM	5	NE SW	37.7
5 S	3 W	WM	5	NW SW	3.5
5 S	3 W	WM	5	SW SW	0.5
5 S	3 W	WM	5	SE SW	6.6
5 S	3 W	WM	5	NE SE	40.0
5 S	3 W	WM	5	NW SE	37.7
5 S	3 W	WM	5	SW SE	32.7
5 S	3 W	WM	5	SE SE	12.4
5 S	3 W	WM	8	NW NE	0.2
5 S	3 W	WM	8	NE NW	0.2
Total					261.8

POND MAINTENANCE				
Twp	Rng	Mer	Sec	Q-Q
5 S	3 W	WM	5	SW NW
5 S	3 W	WM	5	SE NW
5 S	3 W	WM	5	NE SW
5 S	3 W	WM	5	NW SW

11. Permit Amendment Application T-13835 proposes to move the authorized point of appropriation for Well 1 to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approx Distance from the authorized POA
5 S	3 W	WM	5	SW NW	WELL 1 – 1360 FEET SOUTH AND 1100 FEET EAST FROM THE NW CORNER OF SECTION 5	885 FEET NW

***Permit Amendment Review Criteria***

12. The changes would not result in injury to other water rights.
13. The changes do not enlarge the permit.
14. The changes do not alter any other terms of the permit.



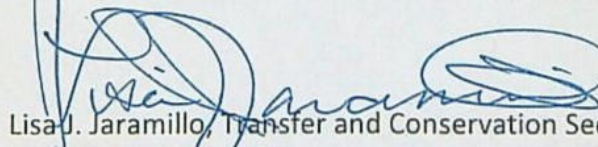
## Conclusions of Law

The change in point of appropriation proposed by Permit Amendment Application T-13835 is consistent with the requirements of ORS 537.211.

### Now, therefore, it is ORDERED:

1. The change in point of appropriation proposed by Permit Amendment Application T-13835 is approved.
2. Approval of this permit amendment application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.
3. Permit G-18943, in the name of CARLTON NURSERY COMPANY, LLC, is issued to replace Permit G-16889, and incorporates the amendments approved by this order and the extension of time. Permit G-16889, in the name of CARLTON NURSERY COMPANY, LLC, is no longer of any force or effect.
4. The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.
5. Water shall be acquired from the same aquifer as the original point of appropriation.
6. All other terms and conditions of Permit G-18943 remain the same.

Dated in Salem, Oregon on MAR 13 2025

  
Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
IVAN GALL, DIRECTOR  
Oregon Water Resources Department

Mailing Date: MAR 14 2025



STATE OF OREGON

COUNTY OF YAMHILL

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

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

This superseding permit is issued to describe a change in Point of Appropriation proposed under Permit Amendment Application T-13835 approved by Special Order Volume 134, Page 104, entered on MAR 13 2025, and an extension of time for complete application of water approved September 9, 2016. This permit supersedes Permit G-16889.

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

APPLICATION FILE NUMBER: G-17293

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

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

MAXIMUM RATE: 0.56 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: DECEMBER 28, 2009

WELL LOCATIONS:

TwP	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	3 W	WM	5	SW NW	WELL 1 - 1360 FEET SOUTH AND 1100 FEET EAST FROM THE NW CORNER OF SECTION 5
5 S	3 W	WM	5	NW SW	WELL 2 - 1690 FEET SOUTH AND 60 FEET WEST FROM THE SE CORNER OF DLC 42
5 S	3 W	WM	5	NW SE	WELL 3 - 2380 FEET SOUTH AND 2009 FEET EAST FROM THE SE CORNER OF DLC 42

The amount of water used for nursery use under this right, together with the amount secured under any other right existing for the same lands, is limited to 0.15 cubic foot per second per acre and 5.0 acre feet per acre per year. For irrigation of containerized nursery plants, the amount of water diverted under this right, together with the amount secured under any other right existing



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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NURSERY USE					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	3 W	WM	4	SW NW	3.0
5 S	3 W	WM	4	NW SW	27.4
5 S	3 W	WM	4	SW SW	10.2
5 S	3 W	WM	5	SW NE	11.5
5 S	3 W	WM	5	SE NE	7.1
5 S	3 W	WM	5	SW NW	1.3
5 S	3 W	WM	5	SE NW	29.8
5 S	3 W	WM	5	NE SW	37.7
5 S	3 W	WM	5	NW SW	3.5
5 S	3 W	WM	5	SW SW	0.5
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5 S	3 W	WM	5	SW SE	32.7
5 S	3 W	WM	5	SE SE	12.4
5 S	3 W	WM	8	NW NE	0.2
5 S	3 W	WM	8	NE NW	0.2
Total					261.8

POND MAINTENANCE				
Twp	Rng	Mer	Sec	Q-Q
5 S	3 W	WM	5	SW NW
5 S	3 W	WM	5	SE NW
5 S	3 W	WM	5	NE SW
5 S	3 W	WM	5	NW SW

**Permit Amendment T-13835 Conditions:**

The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.

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



**Extension of Time Conditions:****Checkpoint Condition**

The permit holder must submit two completed Progress Report Forms to the Department. The first is due by October 1, 2020, the second is due by October 1, 2025.

- a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

**Original Permit Conditions:**

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter(s) or measuring device(s) in good working order.
- B. The permittee shall keep a complete record of the amount of water appropriated each month, and shall submit a report which includes the recorded report water-use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- C. The permittee shall allow the watermaster access to the meter(s) or measuring device(s); provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

The well(s) shall produce ground water from no shallower than 80 feet below land surface.

The well(s) shall allow ground water production only from the alluvial ground water reservoir.

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



Measurements must be made according to the following schedule:

**Before Use of Water Takes Place**

Initial and Annual Measurements

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

**After Use of Water has Begun**

Seven Consecutive Annual Measurements

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

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

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

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

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

The period of non-use or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because



the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

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

#### STANDARD CONDITIONS

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

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

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

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

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

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



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

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

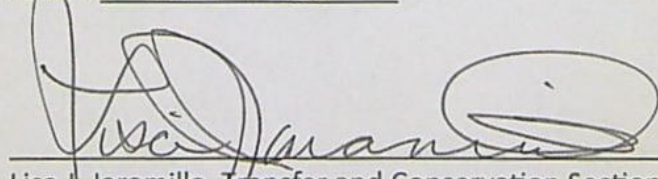
This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

Completion of construction and application of the water was to be made on or before January 5, 2017, when the permit was originally issued on January 5, 2012. By Extension of Time Final Order, the completion of construction and application of water was extended to October 1, 2027. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued MAR 13 2025



\_\_\_\_\_  
Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
IVAN GALL, DIRECTOR  
Oregon Water Resources Department



## DAVIS Arla L \* WRD

---

**From:** MARCY Phillip I \* WRD  
**Sent:** Tuesday, February 4, 2025 9:01 AM  
**To:** DAVIS Arla L \* WRD  
**Subject:** RE: Permit Amendment T-13835

Arla,

Yes it will allow it to go forward!

And...you're welcome!

Phillip Marcy, RG

Hydrogeologist  
Oregon Water Resources Department  
725 Summer Street NE, Suite A Salem, OR 97301 | Cell: 971-301-1033



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

---

**From:** DAVIS Arla L \* WRD <Arla.L.DAVIS@water.oregon.gov>  
**Sent:** Tuesday, February 4, 2025 8:49 AM  
**To:** MARCY Phillip I \* WRD <Phillip.I.MARCY@water.oregon.gov>  
**Subject:** RE: Permit Amendment T-13835

Sorry meant to finish that email with Thank you! 😊

Arla L. Davis

She/Her/Hers  
Water Rights Transfer Specialist  
Transfer and Conservation Section  
725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

Work Schedule: Mon-Th – 6:00 a.m. to 4:30 p.m.

**NOTE:** The Salem office is now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8:00 a.m. – 5:00 p.m. every day. **Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members.** Alternative methods for meeting, such as by phone or virtually via Teams, are also available.



## DAVIS Arla L \* WRD

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**From:** DAVIS Arla L \* WRD  
**Sent:** Tuesday, February 4, 2025 8:49 AM  
**To:** MARCY Phillip I \* WRD  
**Subject:** RE: Permit Amendment T-13835

Sorry meant to finish that email with Thank you! 😊

*Arla L. Davis*

She/Her/Hers

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

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**From:** MARCY Phillip I \* WRD <Phillip.I.MARCY@water.oregon.gov>  
**Sent:** Tuesday, February 4, 2025 8:40 AM  
**To:** DAVIS Arla L \* WRD <Arla.L.DAVIS@water.oregon.gov>  
**Subject:** RE: Permit Amendment T-13835

Arla,

So it looks like they decided to just remove Wells 2 and 3 from the request?

Here is the original application:



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

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L- )	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Dist (from a recog survey corne
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	YAMH 57419	5 S	3 W	5	SW NW	701	780 feet South fr corner of DLC 4
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	5 S	3 W	5	NW SW	900	1,690 feet South feet West from S corner of DLC 4
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	5 S	3 W	5	NW SE	900	2,380 feet South 2,009 feet East f corner of DLC 4
Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	YAMH 58249	5 S	3 W	5	SW NW	701	1,360 feet South 1,100 feet East f NW corner of S
Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	5 S	3 W	5	NE SW	701	2,870 feet South 2,450 feet East f NW corner of S
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	5 S	3 W	5	NE SE	1300	1,930 feet North 555 feet West fr corner of Section

And the amended application:

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

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L- )	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Dist (from a recog survey corne
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	YAMH 57419	5 S	3 W	5	SW NW	701	780 feet South fr corner of DLC 4
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	5 S	3 W	5	NW SW	900	1,690 feet South : feet West from S corner of DLC 4
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	5 S	3 W	5	NW SE	900	2,380 feet South : 2,009 feet East fr corner of DLC 4
Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	YAMH 58249	5 S	3 W	5	SW NW	701	1,360 feet South : 1,100 feet East fr NW corner of Se



I remember speaking with the applicant some time ago and telling them they could move the location of Well 3 by just a couple hundred feet. But it looks like they have opted not to do that.

If this is the case, then removal of "Well 3" is enough to overcome PSI with Palmer Creek.

Thanks,

Phillip Marcy, RG

Hydrogeologist

Oregon Water Resources Department

725 Summer Street NE, Suite A Salem, OR 97301 | Cell: 971-301-1033



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---

**From:** DAVIS Arla L \* WRD <[Arla.L.DAVIS@water.oregon.gov](mailto:Arla.L.DAVIS@water.oregon.gov)>

**Sent:** Monday, February 3, 2025 4:10 PM

**To:** MARCY Phillip I \* WRD <[Phillip.I.MARCY@water.oregon.gov](mailto:Phillip.I.MARCY@water.oregon.gov)>

**Subject:** FW: Permit Amendment T-13835

**Importance:** High

Hi Phil,

It doesn't look like you were cc'd on this email and so I just wanted to make sure you received this and check to see if this is sufficient to overcome the finding of Sig Interference with Palmer Creek. I attached the GW Review for your reference as well. Let me know if you need anything else from me. Thank you!

Arla L. Davis

She/Her/Hers

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



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Work Schedule: Mon-Th – 6:00 a.m. to 4:30 p.m.

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**From:** Leah Cogan <[lcogan@gsiws.com](mailto:lcogan@gsiws.com)>

**Sent:** Tuesday, November 12, 2024 12:54 PM



To: DAVIS Arla L \* WRD <Arla.L.DAVIS@water.oregon.gov>

Subject: RE: Permit Amendment T-13835

Hi Arla,

Too bad about the refund, but we understand. Thank you for the explanation.

On behalf of the applicant, please find attached the revised application pages 8, 10, 11, and 12, and the revised application map. Please let me know if you need anything else.

Thank you,

**Leah Cogan**

Water Resources Analyst

direct: 971.200.8529 | mobile: 541.272.9888

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From: DAVIS Arla L \* WRD <Arla.L.DAVIS@water.oregon.gov>

Sent: Tuesday, November 12, 2024 9:35 AM

To: Leah Cogan <lcogan@gsiws.com>; MARCY Phillip I \* WRD <Phillip.I.MARCY@water.oregon.gov>

Subject: RE: Permit Amendment T-13835

Good Morning Leah,

Because the Department completed the groundwater review of all of the wells included in the original application (Wells 1, 2, and 3) submitted on September 29, 2021, the Department would not refund these fees. If the applicant is proposing to remove Wells 2 and 3 from the original application, the applicant does need to provide amended application pages (pages 8,10,11,12) and an amended application map. Please let me know if there are any questions.

Arla L. Davis

She/Her/Hers

Water Rights Transfer Specialist

Transfer and Conservation Section

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---

From: Leah Cogan <lcogan@gsiws.com>

Sent: Tuesday, November 12, 2024 9:20 AM

To: DAVIS Arla L \* WRD <Arla.L.DAVIS@water.oregon.gov>; MARCY Phillip I \* WRD



<Phillip.I.MARCY@water.oregon.gov>

**Subject:** RE: Permit Amendment T-13835

Good morning,

Another quick note – the applicant is now planning to change only the location of proposed Well 1, and to leave Wells 2 and 3 in the authorized locations on the permit. We are going to update the application and map accordingly. Given that they are now only proposing to change one well location, we understand OWRD would be refunding the portion of the application fee that was for changing additional wells (\$820), correct?

Thanks,

**Leah Cogan**

**Water Resources Analyst**

direct: 971.200.8529 | mobile: 541.272.9888

---

**From:** DAVIS Arla L \* WRD <Arla.L.DAVIS@water.oregon.gov>

**Sent:** Monday, October 14, 2024 2:20 PM

**To:** Leah Cogan <lcogan@gsiws.com>; MARCY Phillip I \* WRD <Phillip.I.MARCY@water.oregon.gov>

**Subject:** RE: Permit Amendment T-13835

Hi Leah,

Thank you so much for the follow-up. Please let me know if you have any questions.

**Arla L. Davis**

She/Her/Hers

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



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**From:** Leah Cogan <lcogan@gsiws.com>

**Sent:** Monday, October 14, 2024 2:02 PM

**To:** MARCY Phillip I \* WRD <Phillip.I.MARCY@water.oregon.gov>; DAVIS Arla L \* WRD

<Arla.L.DAVIS@water.oregon.gov>

**Subject:** RE: Permit Amendment T-13835



Just a quick note, the applicant is having a driller come out this week and look at the site before he makes a decision on changing the proposed well location, so we should know very soon.  
Thanks,

**Leah Cogan**

**Water Resources Analyst**

direct: 971.200.8529 | mobile: 541.272.9888

---

**From:** Leah Cogan

**Sent:** Wednesday, September 18, 2024 9:25 AM

**To:** MARCY Phillip I \* WRD <[Phillip.I.MARCY@water.oregon.gov](mailto:Phillip.I.MARCY@water.oregon.gov)>; DAVIS Arla L \* WRD <[Arla.L.DAVIS@water.oregon.gov](mailto:Arla.L.DAVIS@water.oregon.gov)>

**Subject:** RE: Permit Amendment T-13835

Great, thank you! I will confirm with the applicant and should be sending over the revised documents soon.

**Leah Cogan**

**Water Resources Analyst**

direct: 971.200.8529 | mobile: 541.272.9888

---

**From:** MARCY Phillip I \* WRD <[Phillip.I.MARCY@water.oregon.gov](mailto:Phillip.I.MARCY@water.oregon.gov)>

**Sent:** Wednesday, September 18, 2024 9:20 AM

**To:** Leah Cogan <[lcogan@gsiws.com](mailto:lcogan@gsiws.com)>; DAVIS Arla L \* WRD <[Arla.L.DAVIS@water.oregon.gov](mailto:Arla.L.DAVIS@water.oregon.gov)>

**Subject:** RE: Permit Amendment T-13835

Leah,

You are correct. Of course I can offer no guarantees, but I do not expect any surprises either. The section you refer to would be the target of the changes, for sure.

Phillip Marcy, RG

Hydrogeologist

Oregon Water Resources Department

725 Summer Street NE, Suite A Salem, OR 97301 | Cell: 971-301-1033



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**From:** Leah Cogan <[lcogan@gsiws.com](mailto:lcogan@gsiws.com)>

**Sent:** Wednesday, September 18, 2024 9:09 AM

**To:** MARCY Phillip I \* WRD <[Phillip.I.MARCY@water.oregon.gov](mailto:Phillip.I.MARCY@water.oregon.gov)>; DAVIS Arla L \* WRD <[Arla.L.DAVIS@water.oregon.gov](mailto:Arla.L.DAVIS@water.oregon.gov)>

**Subject:** RE: Permit Amendment T-13835

Hi Phil,

Just to confirm, you are referring to this section?



5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an i in interference with **another surface water source**?

☒ Yes ☐ No Comments: The proposed location of Well 3 is somewhat closer Palmer Creek than any of the currently authorized POA locations.

- b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: Palmer Creek ☐ Minimal ☒ Significant

Stream: \_\_\_\_\_ ☐ Minimal ☐ Significant

Provide context for minimal/significant impact: At a distance of 1,200', the proposed location for Well 3 is within ¼ mile of Palmer Creek, to which it was determined to be hydraulically connected in the groundwater review (Wozniak, 2011) that resulted in issuance of Permit G-16889. Given that there was concern about interference with the during the review process, and that the proposed location would have resulted in a fir Potential to Substantially Interfere (PSI) with Palmer Creek under Division 9 rules (C 690-09-040), the proposed location for POA 3 represents a significant increase in surface water interference.

So this finding would become "No" or "Minimal" and would not be a barrier to approving that POA location?

Thank you,

**Leah Cogan**

Water Resources Analyst

direct: 971.200.8529 | mobile: 541.272.9888

---

From: MARCY Phillip I \* WRD <[Phillip.I.MARCY@water.oregon.gov](mailto:Phillip.I.MARCY@water.oregon.gov)>

Sent: Wednesday, September 18, 2024 8:57 AM

To: DAVIS Arla L \* WRD <[Arla.L.DAVIS@water.oregon.gov](mailto:Arla.L.DAVIS@water.oregon.gov)>; Leah Cogan <[lcogan@gsiws.com](mailto:lcogan@gsiws.com)>

Subject: RE: Permit Amendment T-13835

Arla and Leah,

There will be some changes made to the review, but only regarding the slight change in location. This will remove references to the well residing within ¼ mile of the creek that is the barrier to approval of that APOA. Otherwise, I don't intend to alter any previous findings.

Phillip Marcy, RG

Hydrogeologist

Oregon Water Resources Department

725 Summer Street NE, Suite A Salem, OR 97301 | Cell: 971-301-1033



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From: DAVIS Arla L \* WRD <[Arla.L.DAVIS@water.oregon.gov](mailto:Arla.L.DAVIS@water.oregon.gov)>

Sent: Tuesday, September 17, 2024 4:38 PM



To: MARCY Phillip I \* WRD <Phillip.I.MARCY@water.oregon.gov>; Leah Cogan <lcogan@gsiws.com>  
Subject: RE: Permit Amendment T-13835

Hi Leah,

Apologies for my late reply.

To answer your questions I have put my reply to each below in green:

My understanding of next steps (please let me know if any of this is incorrect):

- Confirm new well location with applicant
- Submit the following documents
  - Revised application map – Yes this will need to match Revised Table 1
  - Revised page 8 of the application (Table 1 POA location descriptions) – Yes *this will need to match the Revised Application Map*

Since the new Well 3 location is still in the same quarter-quarter and tax lot, we don't need a new land use form, correct? – Correct, the current land use form we have for this application is sufficient. Also just so everyone is on the same page, I will forward the new application materials and Phil's revised review to the watermaster. I do not anticipate that he will make changes to his review. Please keep in mind that Permit Amendment T-13835 will require a newspaper notice, data review, peer review, and policy review. If you have other questions about the processing timeline, please let me know.

Arla L. Davis

She/Her/Hers

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



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Work Schedule: Mon-Th – 6:00 a.m. to 4:30 p.m.

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From: MARCY Phillip I \* WRD <Phillip.I.MARCY@water.oregon.gov>

Sent: Monday, September 16, 2024 1:29 PM

To: Leah Cogan <lcogan@gsiws.com>; DAVIS Arla L \* WRD <Arla.L.DAVIS@water.oregon.gov>

Subject: Re: Permit Amendment T-13835

Leah,



From my perspective the simple change in location and new metes and bounds would be enough for me to re-review it.

Arla can speak to the other concerns I believe.

Thanks,

Phil

---

**From:** Leah Cogan <[lcogan@gsiws.com](mailto:lcogan@gsiws.com)>  
**Sent:** Monday, September 16, 2024 12:54:20 PM  
**To:** MARCY Phillip I \* WRD <[Phillip.I.MARCY@water.oregon.gov](mailto:Phillip.I.MARCY@water.oregon.gov)>; DAVIS Arla L \* WRD <[Arla.L.DAVIS@water.oregon.gov](mailto:Arla.L.DAVIS@water.oregon.gov)>  
**Subject:** RE: Permit Amendment T-13835

Hi Phil,

Wow, that is very close! I will discuss with the applicant, but I am nearly certain they will simply want to adjust the proposed location to the red star. Are there any other concerns with the application that I should share with him, or would that change resolve it?

My understanding of next steps (please let me know if any of this is incorrect):

- Confirm new well location with applicant
- Submit the following documents
  - Revised application map
  - Revised page 8 of the application (Table 1 POA location descriptions)

Since the new Well 3 location is still in the same quarter-quarter and tax lot, we don't need a new land use form, correct?

Thank you,

**Leah Cogan**  
**Water Resources Analyst**  
direct: 971.200.8529 | mobile: 541.272.9888

---

**From:** MARCY Phillip I \* WRD <[Phillip.I.MARCY@water.oregon.gov](mailto:Phillip.I.MARCY@water.oregon.gov)>  
**Sent:** Monday, September 16, 2024 12:45 PM  
**To:** Leah Cogan <[lcogan@gsiws.com](mailto:lcogan@gsiws.com)>; DAVIS Arla L \* WRD <[Arla.L.DAVIS@water.oregon.gov](mailto:Arla.L.DAVIS@water.oregon.gov)>  
**Subject:** RE: Permit Amendment T-13835

Leah,

That is amazingly close to the map I was about to send you! (attached)  
I plotted the location from metes and bounds given just to ensure there were no errors converting it and it very closely aligns with what you are showing. I annotated the map with where the original proposed location sits (yellow star), versus a point about 150' north of that (red star).

Check it out and let us know what you would like to do.

Regards,



Phillip Marcy, RG

Hydrogeologist

Oregon Water Resources Department

725 Summer Street NE, Suite A Salem, OR 97301 | Cell: 971-301-1033



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DEPARTMENT

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**From:** Leah Cogan <[lcogan@gsiws.com](mailto:lcogan@gsiws.com)>

**Sent:** Monday, September 16, 2024 12:25 PM

**To:** DAVIS Aria L \* WRD <[arla.l.davis@water.oregon.gov](mailto:arla.l.davis@water.oregon.gov)>

**Cc:** MARCY Phillip I \* WRD <[Phillip.I.MARCY@water.oregon.gov](mailto:Phillip.I.MARCY@water.oregon.gov)>

**Subject:** RE: Permit Amendment T-13835

You don't often get email from [lcogan@gsiws.com](mailto:lcogan@gsiws.com). [Learn why this is important](#)

Hi Arla,

No problem, thank you for following up. I just wanted to be sure I remembered this as it feels like I'm trying to finish a million things before I leave town on Friday.

This all makes sense, and I appreciate Phil reviewing. I don't know if I shared the attached map with you and/or Phil, but just wanted to clarify that the applicant understood it was close but thought it was still outside the ¼-mile buffer. (Well 3 as shown on the map is where they initially wanted to move it, and the annotation is where they selected after we told them that was too close to Palmer Creek.)

Thanks,

**Leah Cogan**

Water Resources Analyst

direct: 971.200.8529 | mobile: 541.272.9888

**From:** DAVIS Aria L \* WRD <[arla.l.davis@water.oregon.gov](mailto:arla.l.davis@water.oregon.gov)>

**Sent:** Monday, September 16, 2024 12:14 PM

**To:** Leah Cogan <[lcogan@gsiws.com](mailto:lcogan@gsiws.com)>

**Cc:** MARCY Phillip I \* WRD <[Phillip.I.MARCY@water.oregon.gov](mailto:Phillip.I.MARCY@water.oregon.gov)>

**Subject:** RE: Permit Amendment T-13835

Hi Leah,

Thank you for your email and your patience as I discussed this with a few folks. I was able to speak with Phil Marcy this morning. He is going to research this for me and check the metes and bounds locations based off of the application and he is also going to check his own measurements performed for the groundwater review. If Phil finds that one or both of those are incorrect, and the proposed POA is outside the ¼ mile perimeter of Palmer Creek, he will amend his review and remove the finding of significant interference. If the metes and bounds are correct and/or his measurements were also done correctly, and he is still finding that the proposed POA is within ¼ mile of Palmer Creek, he will provide you with a "boundary" map of Palmer Creek, which will



show the ¼ perimeter around the creek. Let me know if that is confusing or if you have any questions.

Arla L. Davis

She/Her/Hers

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



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**From:** Leah Cogan <[lcogan@gsiws.com](mailto:lcogan@gsiws.com)>

**Sent:** Monday, September 16, 2024 11:03 AM

**To:** DAVIS Arla L \* WRD <[arla.l.davis@water.oregon.gov](mailto:arla.l.davis@water.oregon.gov)>

**Subject:** RE: Permit Amendment T-13835

Hi Arla,

Please let me know if you are able to get in touch with Phil in the next few days. I will be out of the office September 20-27.

Thanks,

**Leah Cogan**

**Water Resources Analyst**

direct: 971.200.8529 | mobile: 541.272.9888

---

**From:** Leah Cogan

**Sent:** Thursday, September 5, 2024 9:10 AM

**To:** DAVIS Arla L \* WRD <[arla.l.davis@water.oregon.gov](mailto:arla.l.davis@water.oregon.gov)>

**Subject:** Permit Amendment T-13835

Good morning Arla,

I just wanted to follow up and see if you were able to talk to Phil about the groundwater review for T-13835. We are hoping to get that resolved soon or at least understand how the determination of PSI was made.

Thanks,



# Permit Amendment Checklist

Transfer: T- 13835

Transfer Specialist:

Transfer Type: Permit Amendment

Applicant Name/Address/email: CARLTON NURSERY CO. LLC PO BOX 398 DAYTON, OR 97114 JON ESTES	Agent Name/Address/email: TED RESSLER 55 SW YAMHILL ST. SUITE 300 PORTLAND, OR 97204	Rec Landowner Name/Address:
CWRE Name/Number:	Irr. District Name/Address:	Affected Gov'ts Name/Address: Yamhill County Planning Department
Commentor(s): Name/Address:	Current Landowner Name/Address (if different than applicant):	

## Permit(s) Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Superseding Permit No.
<input type="checkbox"/>	<input type="checkbox"/>	G-17293	G-16889	

## Key Dates & Initial Actions

Rec'd: September 29, 2021	Proposed Action(s): POINT OF APPROPRIATION	
Fees Pd: 2660.00	WM District:22	ODFW District:
Initial Notice: October 12, 2021	WM Review sent: Done:	ODFW Review sent: Done:
Acknowledgement Letter Sent: <input checked="" type="checkbox"/> Date:		GW Review sent: Done:

## Processing Dates & Actions

Deficiency Contact(s): \_\_\_\_\_

Newspaper: \_\_\_\_\_

☐ not required

Date quote requested: \_\_\_\_\_

Request for news \$ sent: \_\_\_\_\_

News \$ received: \_\_\_\_\_

Request to publish sent to newspaper: \_\_\_\_\_

Affidavit of publication received: \_\_\_\_\_

Dates of publication: \_\_\_\_\_

Draft Mailed: \_\_\_\_\_

If yes, date rec'd okay from agent/applicant: \_\_\_\_\_

☐ ODFW contact sheet sent; need? Yes ☐ or No ☐

☐ WM measurement sheet sent; need?

Yes ☐ or No ☐

## Final Order

<b>Draft Order &amp; Superseding Permit Review (Optional)</b>  Reviewer: _____ Date: _____ Coordinator: _____ Date: _____  Signature Bin Date: _____	<b>Final Order &amp; Superseding Permit Review (Salem)</b>  Reviewer: _____ Date: _____ Coordinator: _____ Date: _____  Signature Bin Date: _____
Comments/Special Issues: _____	

Special Order Volume: Vol: \_\_\_\_\_, Pages \_\_\_\_\_ Final Order Signature Date: \_\_\_\_\_

Notice of FO e-mailed to processors: \_\_\_\_\_



**Application****PR CW**

- ☐ ☐ The type of change is clearly indicated.
- ☐ ☐ The application is appropriately signed.
- ☐ ☐ Appropriate fees were paid. N/A ☐ If overpayment, Refund Request submitted \_\_\_\_\_
- ☐ ☐ Land use form matches affected tax lots and is signed by proper official. (from ALL affected Govt's) \_\_\_\_\_
- ☐ ☐ N/A Ditch company, district, and/or BOR, sent a copy of the application and map, if appropriate.
- ☐ ☐ All required attachments received.
- ☐ ☐ Check application file and WRIS for assignment(s) and/or extension(s). \_\_\_\_\_

**Application Map****PR CW**

- ☐ ☐ The map size and scale are accurate and appropriate per OAR 690-380-3100(1)(b)(c)(d).
- ☐ ☐ All authorized and proposed POD's/POA's and POU are properly described on the map.
- ☐ ☐ The POD/POA location description(s) on the map match the PA application and permit descriptions.
- ☐ ☐ Map acres (to, from and rr, if applicable) match Table 2 on the PA application and as applicable, on the permit
- ☐ ☐ Have permit map(s).

**Determining the "From" and "To" Lands (make working copy of application and permit(s))****PR CW**

- ☐ ☐ Only the authorized POD's/POA's and/or POU's to be transferred are listed (Tables 1 & 2).
- ☐ ☐ PA application and permit tabulations (acreage) match. (Mark on appl. and permit copies and note corrections needed)
- ☐ ☐ ALL Mark on permit the acreage and amount of water being transferred.

**Permit Ownership**

- ☐ ☐ The applicant(s) is/are the holder(s) of the permit.
- ☐ ☐ All holders of the permit have signed the application or
- ☐ ☐ N/A If necessary, there is a notarized, signed statement of consent from permit holders other than applicant.
- ☐ ☐ N/A If necessary, the permit has been assigned to permit amendment applicant.

**Evaluation Materials**

- |   |                                     |  |  |
|---|-------------------------------------|--|--|
| <input type="checkbox"/> Application complete | <input type="checkbox"/> Permit     | <input type="checkbox"/> Land Use form | <input type="checkbox"/> N/A Plat card |
| <input type="checkbox"/> Amendment Map        | <input type="checkbox"/> Permit Map | <input type="checkbox"/> Fees paid     | <input type="checkbox"/> N/A Well logs |

Reviews/comments/conditions received? ☐ ☐ Watermaster ☐ ☐ N/A ODFW ☐ ☐ N/A GWN/A Headgate ☐ When in the judgment ☐ Prior to diverting ☐ Existing and maintainN/A Measuring Devices ☐ When in the judgment ☐ Prior to diverting ☐ Existing and maintain

Type of device, if applicable: \_\_\_\_\_ totalizing flow meter: at new at existing and new

Injury: ☐ Yes ☐ NoEnlargement: ☐ Yes ☐ No

Conditions to avoid enlargement/injury –

ODFW conditions: \_\_\_\_\_

GW Conditions: \_\_\_\_\_



## Groundwater Transfer Review Summary Form

Transfer/PA # T- 13835

GW Reviewer Phillip I. Marcy Date Review Completed: 11/08/2023

### Summary of Same Source Review:

- ☐ The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

### Summary of Injury Review:

- ☒ The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

### Summary of GW-SW Transfer Similarity Review:

- ☐ The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

*This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.*





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

## Ground Water Review Form:

- ☐ Water Right Transfer  
☒ Permit Amendment  
☐ GR Modification  
☐ Other

Application: T-13835

Applicant Name: Carlton Nursery Company, LLC

Proposed Changes: ☒ POA ☐ APOA ☐ SW→GW ☐ RA  
☐ USE ☐ POU ☐ OTHER

Reviewer(s): Phillip I. Marcy

Date of Review: 11/08/2023

Date Returned to WRSD: 3/12/2024

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- ☐ The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- ☐ The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- ☐ Other \_\_\_\_\_

- 
1. Basic description of the changes proposed in this transfer: The applicant proposes to change the locations for all three Point of Appropriation (POA) wells authorized under Permit G-16889. Well 1 has been constructed, wells 2 and 3 are not yet constructed.
  2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?  
☒ Yes ☐ No Comments: The existing authorized POA and existing proposed POA both produce from sand and gravel more than 100' BLS. Proposed POAs yet to be constructed are slated to produce from greater than 100' BLS and, given their location, are anticipated to encounter the same productive lithologies.
  3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?  
☐ Yes ☒ No All wells produce from alluvium.  
b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): NA
  4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?  
☐ Yes ☒ No Comments: The proposed POA locations do not place the bulk of pumping impacts significantly closer to any other groundwater right.  
b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?



☐ Yes ☐ No If yes, explain: NA

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?

☒ Yes ☐ No Comments: The proposed location of Well 3 is somewhat closer to Palmer Creek than any of the currently authorized POA locations.

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: Palmer Creek

☐ Minimal ☒ Significant

Stream: \_\_\_\_\_

☐ Minimal ☐ Significant

Provide context for minimal/significant impact: At a distance of 1,200', the proposed location for Well 3 is within ¼ mile of Palmer Creek, to which it was determined to be hydraulically connected in the groundwater review (Wozniak, 2011) that resulted in issuance of Permit G-16889. Given that there was concern about interference with the creek during the review process, and that the proposed location would have resulted in a finding of Potential to Substantially Interfere (PSI) with Palmer Creek under Division 9 rules (OAR 690-09-040), the proposed location for POA 3 represents a significant increase in surface water interference.

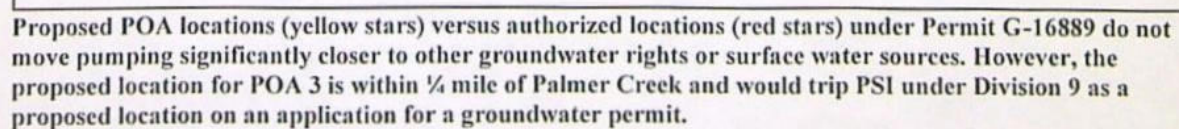
6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?

☐ Yes ☐ No Comments: NA

7. What conditions or other changes in the application are necessary to address any potential issues identified above: Any wells constructed under this authorization shall meet with conditions set forth in Permit G-16889.

8. Any additional comments: Proposed POA locations 1 and 2 do not cause concern. If the proposed location for POA 3 were greater than ¼ mile from Palmer Creek, the anticipated change in interference with Palmer Creek would be considered minimal.







## Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-13835

Review Due Date:

Applicant Name: Carlton Nursery

Proposed Changes: ☐ POU ☐ POD ☒ POA ☐ USE ☐ OTHER

Reviewer(s): Joel Plahn

Date of Review: 10/21/2021

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☒ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
3. Have headgate notices been issued for the source that serves the transferred right(s)?  
☐ Yes ☒ No ☐ Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☒ No If "Yes", explain:
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected:



6. Check here ☐ if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

☒ N/A

7. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses:

☒ N/A

8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:

☒ N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? ☐ Yes ☐ No

9. For POU changes: ☒ N/A Is it likely the original place of use would continue to receive water from the same source? ☐ Yes ☐ No If "Yes", explain:

10. For POU or USE changes: ☒ N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?

☐ Yes ☐ No If "Yes", explain:

11. For POU changes that involve micro-irrigation: ☒ N/A

- a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement?

☐ Yes ☐ No If "Yes", explain:



- b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?

☐ Yes ☐ No If "Yes", answer the following:

- i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:

- ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:

- iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:

- iv. Do you have any other observations regarding the temporary transfer?

☐ Yes ☐ No If "Yes", describe:

- v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

- c. To the best of your knowledge, if this transfer is approved, does it appear that:

- i. "Injury" will occur to other water rights that share the same source?

☐ Yes ☐ No If "Yes", explain:

- ii. "Enlargement" of the water right being transferred will occur?

☐ Yes ☐ No If "Yes", explain:



12. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?

☐ Yes ☒ No If "Yes", explain:

13. What alternatives may be available for addressing any issues identified above:

14. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? ☒ No ☐ Yes, as checked and provided below:

☐ For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement:

☐ A Headgate should be required prior to diverting water.

☐ Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of Page 4)

*a. Before water use may begin under this order, the water user shall install a **totalizing flow meter**\*, or, with prior approval of the Director, another suitable measuring device, ☐ at each point of diversion/appropriation (new and existing) OR at each new point of diversion/appropriation ☐ with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

*b. The water user shall maintain the meters or measuring devices in good working order.*

*c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*

☐ Reservoir water use measurement: (if this condition is selected, also fill in the top sections of Page 4)

*a. Before water use may begin under this order, the water user shall install **staff gages**\*, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.*

*b. Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.*

\* The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:

☐ Weir  
☐ Parshall Flume  
☐ Other: \_\_\_\_\_

☐ Submerged Orifice  
☐ Flow Restrictor



## Oregon Water Resources Department

**Measurement Condition Information for the Applicant**  
*(To be sent with the Draft Preliminary Determination or Final Order)*

Transfer #: T-

- ☐ In order to avoid enlargement of the right or injury to other rights, a \_\_\_\_\_ will  
 be required to be installed prior to diversion of water, as a condition of this transfer:
- ☐ at each point of diversion/appropriation (new and existing) **OR**  
☐ at each new point of diversion/appropriation.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name:

District:

Address:

City/State/Zip:

Phone:

Email:

**Note:** If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

\*\*\*\*\*

**Approval of an Alternate Measurement Device**      **T-**  
*(to be filled out after consultation with the applicant, or after a site visit)*

On behalf of the Director, I authorize use of the following suitable **alternate measurement device**:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Watermaster signature\_\_\_\_\_  
District\_\_\_\_\_  
Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

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



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

INVOICE # \_\_\_\_\_

APPLICATION	G-17293
PERMIT	G-16889
TRANSFER	1-13835

TOTAL REC'D	\$ 2,660.00
-------------	-------------

0407	COPIES		\$
	OTHER: (IDENTIFY)		\$

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

0201	SURFACE WATER	\$	0202	\$
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$ 2100.00		

0218	WELL DRILL CONSTRUCTOR	\$	0219	\$
	LANDOWNER'S PERMIT		0220	\$

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

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

DESCRIPTION \_\_\_\_\_

DATED: 1-27-2021 BY: Mandy Carlson

BAILEY NURSERIES, INC.

115710

COMMENT

**\$2,660.00**

\$2,660.00

\$0.00

—

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

# Application for Permit Amendment

## Part 1 of 5 – Minimum Requirements Checklist

This permit amendment application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

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

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- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator). If you have questions, call Customer Service at (503) 986-0801.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Permits to be Amended: **Number of permits to be amended: 1**  
**List the Permits here: G-16889 (Attachment A)**  
Please include a separate Part 5 for each permit. (See instructions on page 6)
- ☒ Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner). **(Attachment B)**
- ☐ ☒ N/A Request for Assignment Form and statutory fee. The request for assignment form has to be completed if the applicant is **not** the permit holder of record and needs to be assigned to the permit; **or** the landowner of the proposed place of use is **not** the permit holder of record and needs to be assigned to the permit (the Request for Assignment Form is available online at <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>). Assignment is not needed if the applicant is the permit holder of record.
- ☐ ☒ N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant **or** other permit holders of record that are not listed as applicants.
- ☒ ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone. **(Attachment C)**
- ☒ ☐ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation. **(Attachment D)**
- ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500 feet from the surface water source and more than 1000 feet upstream or downstream from the point of diversion. (ORS 540.531(2) or (3)).

(For Staff Use Only)

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

\_\_\_ Application fee not enclosed/insufficient      \_\_\_ Map not included or incomplete

\_\_\_ Land Use Form not enclosed or incomplete

\_\_\_ Additional signature(s) required      \_\_\_ Part \_\_\_ is incomplete

Other/Explanation \_\_\_\_\_

Staff: \_\_\_\_\_ 503-986-0 \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

13835



## Part 2 of 5 – Permit Amendment Map Checklist

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

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

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- ☐ ☒ N/A If **more than three** permits are involved, separate maps for each permit.
- ☒ Permanent quality printed with dark ink on good quality paper.
- ☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- ☒ A north arrow, a legend, and scale.
- ☒ The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- ☒ Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- ☒ Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- ☒ Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- ☒ Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- ☒ Existing place of use that includes separate hachuring for each water use permit, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the permit is being changed, a separate hachuring is needed for the portion of the permit left unchanged.
- ☐ ☒ N/A If you are proposing a change in place of use, show the proposed place of use with hachuring that includes separate hachuring for each permit, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- ☒ Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water use permit.
- ☒ ☐ N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).



### Part 3 of 5 – Fee Worksheet

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

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

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



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

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## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>Carlton Nursery Company, LLC, Attn: Jon Estes</b>			PHONE NO. <b>503-457-6897</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>P.O. Box 398</b>			FAX NO.	
CITY <b>Dayton</b>	STATE <b>OR</b>	ZIP <b>97114</b>	E-MAIL <b>jon.estes@baileynursery.com</b>	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME <b>GSI Water Solutions, Inc. Attn: Theodore Ressler</b>			PHONE NO. <b>971-200-8509</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>55 SW Yamhill Street, Suite 300</b>			FAX NO.	
CITY <b>Portland</b>	STATE <b>OR</b>	ZIP <b>97204</b>	E-MAIL <b>tressler@gsiws.com</b>	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this permit amendment; and why:  
The applicant is proposing to change the locations for the three points of appropriation on Permit G-16889 (Well 1 – constructed; Well 2 and Well 3 – not yet constructed).

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

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

Is the applicant the permit holder of record? ☒ Yes ☐ No

If NO, include either:

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

Has the Completion ("C") Date of the permit(s) in this application expired? ☐ Yes ☒ No

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

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

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

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SEP 29 2021

**13835 OWRD**

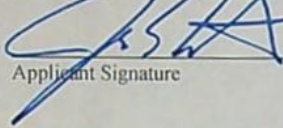


By my signature below, I confirm that I understand:

- Prior to Department approval of the permit amendment, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the permit is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: News-Register.



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

  
Applicant Signature

**Jon Estes, Water Resources Manager**  
Print Name (and Title if applicable) Date

9/14/2021

Applicant Signature

Print Name (and Title if applicable)

Date

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Check one of the following:

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

Check the appropriate box, if applicable:

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

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

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

ENTITY NAME <b>N/A</b>	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME <b>Yamhill County Planning &amp; Development Dept.</b>	ADDRESS <b>525 NE 4<sup>th</sup> Street</b>	
CITY <b>McMinnville</b>	STATE <b>OR</b>	ZIP <b>97128</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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# Part 5 of 5 – Water Use Permit Information

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

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PERMIT # G-16889

SEP 29 2021

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

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L- )	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	YAMH 57419	5 S	3 W	5	SW NW	701	780 feet South from SE corner of DLC 42
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	5 S	3 W	5	NW SW	900	1,690 feet South and 60 feet West from SE corner of DLC 42
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	5 S	3 W	5	NW SE	900	2,380 feet South and 2,009 feet East from SE corner of DLC 42
Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	YAMH 58249	5 S	3 W	5	SW NW	701	1,360 feet South and 1,100 feet East from NW corner of Section 5
Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	5 S	3 W	5	NE SW	701	2,870 feet South and 2,450 feet East from NW corner of Section 5
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	5 S	3 W	5	NE SE	1300	1,930 feet North and 555 feet West from SE corner of Section 5

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

- |   |  |
|---|--|
| <input type="checkbox"/> Place of Use (POU)                   | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA)  |
| <input type="checkbox"/> Point of Diversion (POD)             | <input type="checkbox"/> Additional Point of Appropriation (APOA)      |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Surface water POD to Ground Water POA (SW/GW) |

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

- ☒ Yes Complete only the proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- ☐ No Complete all of Table 2 to describe the portion of the permit to be changed.

For a change in place of use: N/A

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

☐ Yes ☐ No N/A

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



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

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

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pages of Table 2 as needed.

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

**as to Water Use Permit # G-16889**

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

from" or "off" lands) rtificate BEFORE PROPOSED IGES water right that will be changed.				Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date			
EXAMPLE																
	15.0	POD #1 POD #2		POU/POD	2	S	9	E	15	NW	NW	100	1	10.0	POD #5	
"	EXAMPLE	"		"	2	S	9	E	15	SW	NW	200		5.0	POD #6	
				POA	5	S	3	W	4	SW	NW	1300		3.0	Well 1 Well 2 Well 3	12/28/2009
					5	S	3	W	4	NW	SW	1300		27.4	"	12/28/2009
					5	S	3	W	4	SW	SW	1300		10.2	"	12/28/2009
					5	S	3	W	5	SW	NE	701		11.5	"	12/28/2009
					5	S	3	W	5	SE	NE	1300		7.1	"	12/28/2009
					5	S	3	W	5	SW	NW	701		1.3	"	12/28/2009
					5	S	3	W	5	SE	NW	701		29.8	"	12/28/2009
					5	S	3	W	5	NE	SW	701 702 900		37.7	"	12/28/2009
					5	S	3	W	5	NW	SW	900		3.5	"	12/28/2009

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

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

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

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

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

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

- ☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: [http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)) (Attachment D)

**AND/OR**

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

**Table 3. Construction of Point(s) of Appropriation**

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L- _____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
Well 2	No	N/A	350'	12"	Min 20'	> 80'	100-350'	30'	Alluvial	
Well 3	No	N/A	350'	12"	Min 20'	> 80'	100-350'	30'	Alluvial	

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COUNTY OF YAMHILL

SEP 29 2021

PERMIT TO APPROPRIATE THE PUBLIC WATERS

OWRD

THIS PERMIT IS HEREBY ISSUED TO

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

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

APPLICATION FILE NUMBER: G-17293

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

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

MAXIMUM RATE: 0.56 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: DECEMBER 28, 2009

WELL LOCATIONS:

WELL 1: SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , SECTION 5, T5S, R3W, W.M.; 780 FEET SOUTH FROM SE CORNER, DLC 42

WELL 2: NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , SECTION 5, T5S, R3W, W.M.; 1690 FEET SOUTH AND 60 FEET WEST FROM SE CORNER, DLC 42

WELL 3: NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SECTION 5, T5S, R3W, W.M.; 2380 FEET SOUTH AND 2009 FEET EAST FROM SE CORNER, DLC 42

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

Application G-17293 Water Resources Department

PERMIT G-16889

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specified above, that the use is beneficial. For irrigation of any other crop, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to one-eightieth of one cubic foot per second and 2.5 acre feet per acre during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  3.0 ACRES  
 NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  27.4 ACRES  
 SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  10.2 ACRES  
 SECTION 4

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SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  11.5 ACRES  
 SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  7.1 ACRES  
 SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  1.3 ACRES AND POND MAINTENANCE  
 SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  29.8 ACRES AND POND MAINTENANCE  
 NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  37.7 ACRES AND POND MAINTENANCE  
 NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  3.5 ACRES AND POND MAINTENANCE  
 SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  0.5 ACRE  
 SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  6.6 ACRES  
 NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  40.0 ACRES  
 NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  37.7 ACRES  
 SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  32.7 ACRES  
 SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  12.4 ACRES  
 SECTION 5

NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  0.2 ACRE  
 NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  0.2 ACRE  
 SECTION 8

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

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter(s) or measuring device(s) in good working order.
- B. The permittee shall keep a complete record of the amount of water appropriated each month, and shall submit a report which includes the recorded report water-use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.



- C. The permittee shall allow the watermaster access to the meter(s) or measuring device(s); provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

The well(s) shall produce ground water from no shallower than 80 feet below land surface.

The well(s) shall allow ground water production only from the alluvial ground water reservoir.

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

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

**Before Use of Water Takes Place**

Initial and Annual Measurements

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

**After Use of Water has Begun**

Seven Consecutive Annual Measurements

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



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## OWRD

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

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

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

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

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

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



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STANDARD CONDITIONS

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

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

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

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

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

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

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

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

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

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

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

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

Issued January 5, 2012

*E. Timothy Wallin*

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

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

YAMH 57419

4/14/2016

WELL I.D. LABEL# 120782

START CARD # 1030162

ORIGINAL LOG #

## (1) LAND OWNER

Owner Well I.D. 2983

First Name \_\_\_\_\_ Last Name \_\_\_\_\_  
Company CARLTON PLANTS LLC  
Address POB 398  
City DAYTON State OR Zip 97114

## (2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Conversion  
☐ Alteration (complete 2a & 10) ☐ Abandonment (complete 5a)

## (2a) PRE-ALTERATION

Casing: Dia + From To Gauge Stl Plstc Wld Thrd  
Material From To Amt sacks/lbs  
Seal: \_\_\_\_\_

## (3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud  
☐ Reverse Rotary ☐ Other \_\_\_\_\_

## (4) PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Community  
☐ Industrial/ Commercial ☐ Livestock ☐ Dewatering  
☐ Thermal ☐ Injection ☐ Other \_\_\_\_\_

## (5) BORE HOLE CONSTRUCTION

Special Standard ☐ (Attach copy)

Depth of Completed Well 200.00 ft.

BORE HOLE			SEAL			sacks/	
Dia	From	To	Material	From	To	Amt	lbs
12	0	82	Bentonite Chips	0	82	34	S
10	82	199				Calculated	23
8	199	201				Calculated	

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E☒ Other POUR/PROBE/HYDRATE

Backfill placed from 200 ft. to 201 ft. Material BENTONITE CHIPS

Filter pack from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_ Size \_\_\_\_\_

Explosives used: ☐ Yes Type \_\_\_\_\_ Amount \_\_\_\_\_

## (5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount \_\_\_\_\_ Actual Amount \_\_\_\_\_

## (6) CASING/LINER

Casing Liner Dia + From To Gauge Stl Plstc Wld Thrd  
Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) \_\_\_\_\_  
Temp casing ☒ Yes Dia 12 From 0 To 80

## (7) PERFORATIONS/SCREENS

Perforations Method drive down

Screens Type \_\_\_\_\_

Material \_\_\_\_\_

Perf/	Casing/Screen				Screen/slot	Slot	# of	Tele/
Screen	Liner	Dia	From	To	width	length	slots	pipe size
Perf/	Casing	8	185	195	2	1	300	

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

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)

200		180	6
-----	--	-----	---

Temperature 53 °F Lab analysis ☐ Yes By \_\_\_\_\_Water quality concerns? ☐ Yes (describe below) TDS amount 140 ppm

From To Description Amount Units

## (9) LOCATION OF WELL (legal description)

County YAMHILL Twp 5.00 S N/S Range 3.00 W E/W WM

Sec 5 SW 1/4 of the NW 1/4 Tax Lot 701

Tax Map Number \_\_\_\_\_ Lot \_\_\_\_\_

Lat \_\_\_\_\_ " or 45.16822241 DMS or DD

Long \_\_\_\_\_ " or -123.08894695 DMS or DD

☒ Street address of well ☐ Nearest address

13205 SE WEBFOOT RD., DAYTON

## (10) STATIC WATER LEVEL

Date SWL (psi) + SWL (ft)

Existing Well / Pre-Alteration \_\_\_\_\_

Completed Well 4/7/2016 \_\_\_\_\_ 37

Flowing Artesian? ☐ Dry Hole? ☐

## WATER BEARING ZONES

Depth water was first found 37.00

SWL Date From To Est Flow SWL (psi) + SWL (ft)

4/7/2016 37 201 200 \_\_\_\_\_ 37

## (11) WELL LOG

Ground Elevation \_\_\_\_\_

Material	From	To
top soil	0	6
clay, brown	6	24
clay, blue/gray	24	58
clay, blue/gray w/bit of sand, not much	58	64
clay, gray	64	68
clay, gray w/black sand	68	73
clay, gray w/bit of black sand	73	104
clay, blue/gray w/sand, black	104	112
clay, blue/grn w/sand, fine gravel, wood	112	121
clay, gray/green w/black sand	121	128
clay, light gray & brn w/some brown sand	128	134
clay, brown with some sand and wood	134	143
clay, blue w/some sand	143	155
coarse black sand, cleaner w/gray clay	155	170
crse blk sand/fine grav/some clay & wood	170	195
coarse black sand/more clay	195	199
gray clay w/a bit of black sand	199	201

Date Started 4/4/2016

Completed 4/7/2016

## (unbonded) Water Well Constructor Certification

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

License Number \_\_\_\_\_

Signed \_\_\_\_\_

## (bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1438

Date 4/12/2016

Signed DAVID PAYSINGER (E-filed)

Contact Info (optional) bluewaterdrilling.com 503 868 7878

ORIGINAL - WATER RESOURCES DEPARTMENT

THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK Form Version:



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

YAMH 57419

RECEIVED

SEP 29 2021

4/14/2016

OWRD

Map of Hole

# STATE OF OREGON WELL LOCATION MAP

This map is supplemental to the WATER SUPPLY WELL REPORT

Oregon Water Resources Department

725 Summer St NE, Salem OR 97301  
(503)986-0900



## LOCATION OF WELL

Latitude: 45.1682224 14 Datum: WGS84

Longitude: -123.08894694457

Township/Range/Section/Quarter-Quarter Section:

WM 5S 3W 5 SWNW

Address of Well:

13205 SE WEBFOOT RD., DAYTON

Well Label: 120782

Printed: April 9, 2016

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

Provided by well constructor





## YAMH 58249

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

Page 1 of 1

 STATE OF OREGON  
 WATER SUPPLY WELL REPORT

(as required by ORS 537.765 &amp; OAR 690-205-0210)

## (1) LAND OWNER:

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

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

## (2a) PRE-ALTERATION

 Dia + From To Gauge Sil Plstc Wld Thrd  
 Casing: Material From To Amt sacks/lbs  
 Seal: \_\_\_\_\_

## (3) DRILL METHOD:

☒ Rotary Air ☒ Rotary Mud ☒ Cable ☐ Auger ☐ Cable Mud  
☐ Reverse Rotary ☐ Other: \_\_\_\_\_

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

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

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

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

Backfill placed from ft. to ft. Material \_\_\_\_\_

Filter pack placed from ft. to ft. Material \_\_\_\_\_ Size \_\_\_\_\_

Explosives Used ☐ Yes Type \_\_\_\_\_ Amount \_\_\_\_\_

## (5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount \_\_\_\_\_ Actual Amount \_\_\_\_\_

## (6) CASING/LINER:

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

Shoe ☐ Inside ☐ Outside ☐ Other Location of Shoe(s): \_\_\_\_\_Temp casing ☒ Yes Dia: 12" From: 0 To: 105'

## (7) PERFORATIONS/SCREENS:

☐ Perforations Method: \_\_\_\_\_  
☒ Screen Type: v-wire Material: stainless

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

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

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian  
 Yield gpm Drawdown Drill Stem/pump depth Duration (hr)

air lift	75	30'	138'	7 hrs.

Temperature of water 56 ° F Lab analysis ☐ Yes By \_\_\_\_\_Water quality concerns? ☐ Yes (describe below) 138 amount 138

From	To	Description	Amount	Units

AUG 22 2019

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## (9) LOCATION OF WELL by legal description:

 County: Yamhill Twp: 5S Range: 3W  
 Sec: 05 SW 1/4 of the NW 1/4 Tax Lot: 701  
 Tax Map Number \_\_\_\_\_ Lot \_\_\_\_\_  
 Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_  
 Lat \_\_\_\_\_ " or \_\_\_\_\_ DMS or DD  
 Long \_\_\_\_\_ " or \_\_\_\_\_ DMS or DD
☒ Street Address of Well ☐ Nearest Address

13500 SE Kimsey Rd. Dayton, Oregon 97114

## (10) STATIC WATER LEVEL:

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

Flowing Artesian? ☐ Dry Hole? ☐

WATER BEARING ZONES: Depth at which water was first found 55

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

## (12) WELL LOG:

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

Date Started: 05/16/19

Completed: 08/05/19

## (unbonded) Water Well Constructor Certification:

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

License Number \_\_\_\_\_ Date \_\_\_\_\_ RECEIVED

Signed \_\_\_\_\_

## (bonded) Water Well Constructor Certification:

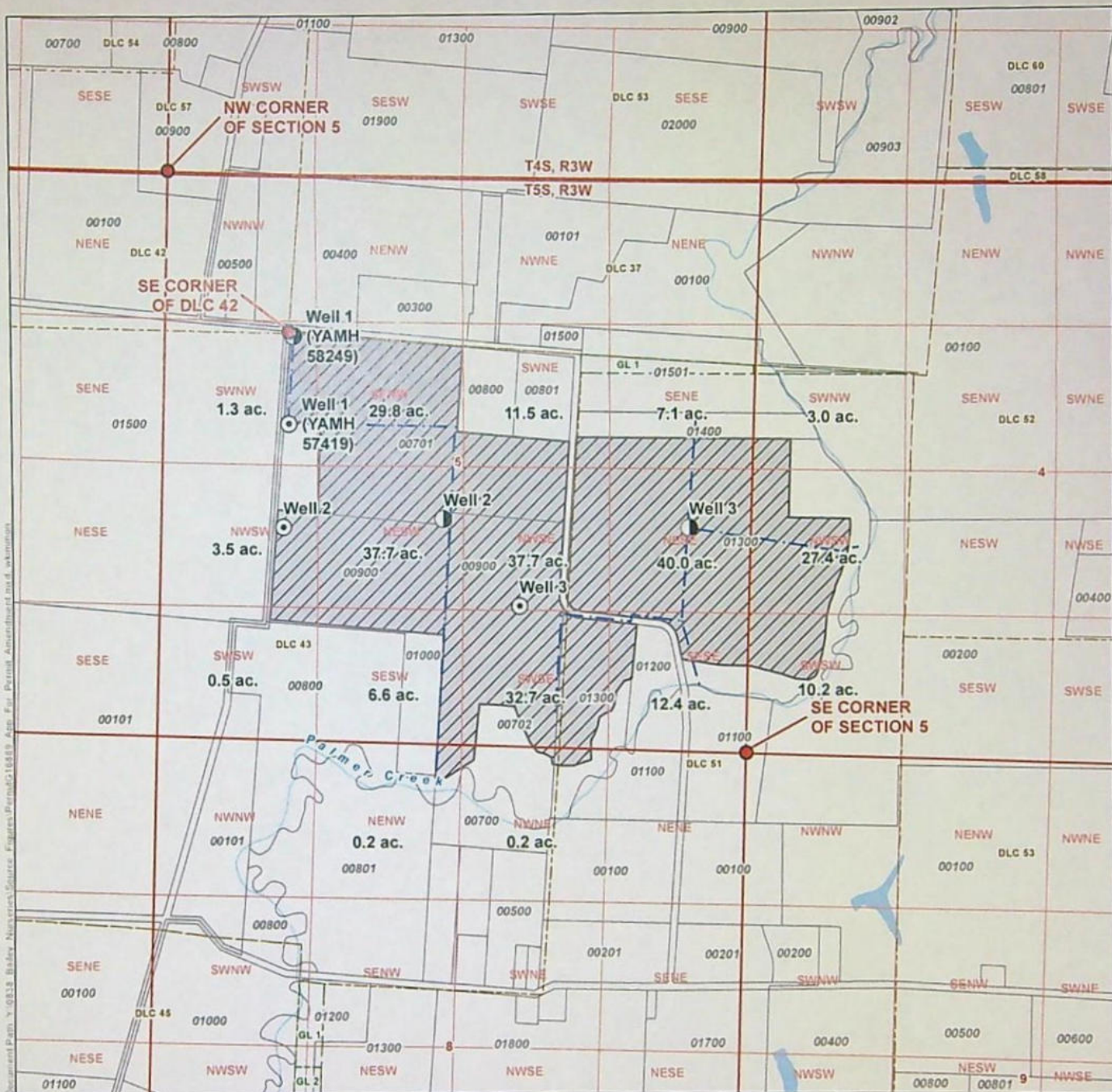
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1483 Date 08/19/19 13835

Signed \_\_\_\_\_

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





#### LEGEND

- Authorized Point of Diversion (POD)
- Proposed Point of Diversion (POD)
- ▨ Authorized Place of Use (POU)
- ▭ Tax Lot
- ▭ Government Lot (GL)
- ▭ Donation Land Claim (DLC)
- Mainline
- Railroad
- Major Road
- Watercourse
- Waterbody

#### LOCATION DESCRIPTION

##### Authorized POAs

**Well 1 (YAMH 57419)**  
780 feet South from SE corner of DLC 42,  
Section 5, Township 5 South, Range 3 West (W.M.)

**Well 2**  
1,690 feet South and 60 feet West from SE corner of DLC 42,  
Section 5, Township 5 South, Range 3 West (W.M.)

**Well 3**  
2,380 feet South and 2,009 feet East from SE corner of DLC 42,  
Section 5, Township 5 South, Range 3 West (W.M.)

##### Proposed POAs

**Well 1 (YAMH 58249)**  
1,360 feet South and 1,100 feet East from the NW corner of  
Section 5, Township 5 South, Range 3 West (W.M.)

**Well 2**  
2,870 feet South and 2,450 feet East from the NW corner of  
Section 5, Township 5 South, Range 3 West (W.M.)

**Well 3**  
1,930 feet North and 555 feet West from the SE corner of  
Section 5, Township 5 South, Range 3 West (W.M.)

#### Application for a Permit Amendment

#### Permit G-16889 (Application G-17293)

Yamhill County

Township 5 South, Range 3 West (W.M.)

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#### DISCLAIMER

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

Date: September 15, 2021

Data Sources: BLM, ESRI, OWRD, USGS

13835



0 660 1,320  
1 inch = 1,320 feet





# Land Use Information Form



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

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## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

### This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
  - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.



# Land Use Information Form



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

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SEP 29 2021

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Applicant(s): Carlton Nursery Company, LLC

Mailing Address: P.O. Box 398

City: Dayton

State: OR

Zip Code: 97114

Daytime Phone: \_\_\_\_\_

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>5S</u>	<u>3W</u>	<u>5</u>	<u>SWNW</u>	<u>701</u>	<u>EF-80</u>	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>Nursery</u>
<u>5S</u>	<u>3W</u>	<u>5</u>	<u>NESW</u>	<u>701</u>	<u>EF-80</u>	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>Nursery</u>
<u>5S</u>	<u>3W</u>	<u>5</u>	<u>NESE</u>	<u>1300</u>	<u>EF-80</u>	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>Nursery</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	_____

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Yamhill County

## B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☐ Permit to Use or Store Water ☐ Water Right Transfer ☒ Permit Amendment or Ground Water Registration Modification  
☐ Limited Water Use License ☐ Allocation of Conserved Water ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 0.56 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☐ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for \_\_\_\_\_ household(s)  
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☒ Other Nursery use

Briefly describe:

The Applicant is changing the location of three wells on Permit G-16889 (one drilled, two proposed) to provide water to the Applicant's existing nursery.

**Note to applicant:** If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

13835



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SEP 29 2021

## For Local Government Use Only

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The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

## Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Section 402 of the Y.C. Zoning Ord.
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Kenneth P. Friday Title: Planning Director  
 Signature: [Signature] Phone: 503 434-7516 Date: 9/31/2021  
 Government Entity: Yamhill County

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

## Receipt for Request for Land Use Information

Applicant name: \_\_\_\_\_  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_





Water Solutions, Inc.

September 26, 2021

RECEIVED

SEP 29 2021

OWRD

Mr. P. Kelly Starnes  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301

RE: Application for a Permit Amendment  
Permit G-16889 (Application G-17293)

Dear Kelly:

On behalf of the permit holder, please find enclosed an Application for a Permit Amendment involving Permit G-17293. Please also find enclosed a check in the amount of \$2,660 for payment of the application filing fee.

If you have any questions regarding the enclosed application, you can reach me at (971) 200-8509. Please copy me on any correspondence regarding this application.

Sincerely,

A handwritten signature in black ink, appearing to read "Theodore R. Ressler", is written over a faint, larger version of the same signature.

Theodore R. Ressler, RG, CWRE  
GSI Water Solutions, Inc.

Enclosures: Application for a Permit Amendment  
Check #115710 in the amount of \$2,660

CC: Jon Estes - Bailey Nurseries





# Oregon

Kate Brown, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

October 5, 2021

CARLTON NURSERY CO. LLC

JON ESTES

PO BOX 398

DAYTON, OR 97114

Reference: Application T-13835

On September 29, 2021, OWRD received your water right Permit Amendment Application. The application was accompanied by \$2660.00. Our receipt number 136503 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water from the new point of appropriation until a final order approving the application has been issued by the Department.

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

If you have any questions, please contact the Transfer Section at (503) 979-9931.

Cc: Watermaster Dist. #22, Joel M. Plahn (via email)  
Palmer Creek Water District  
Ted Ressler, Agent  
Yamhill County Planning Department

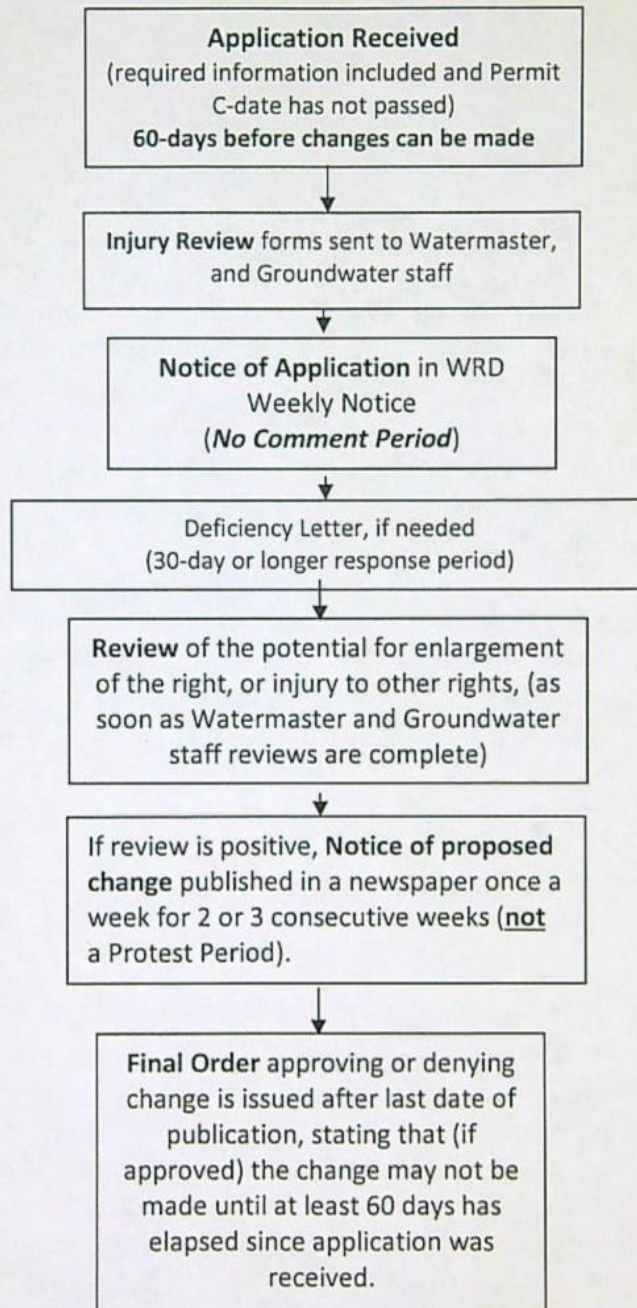
Enclosure



## Permit Amendment Process

ORS 537.211

Changes: POD/POA, Place of Use





# Permit Amendment Application Checklist

Checked by Aella

Date 10/1/21

App # G-17293

Permit # G-16889

## Permit Amendments are authorized for changes in POD/POA, APOD/APOA, or POU.

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

- ☒ 1. Is the name of the Permit Amendment applicant the same as the Water Right Permit holder(s) of record?

If not, one of the following must be included with the application:

- \_\_\_ a) An affidavit of consent from all Permit holder(s) or the other Permit holders that have not signed the Permit Amendment application form, consenting to the proposed Permit Amendment application; **OR**,  
\_\_\_ b) A completed Request for Assignment form (and statutory fee) to move all (or portion) of the permit into the Permit Amendment applicant's name.

If not, what is missing? \_\_\_\_\_

- ☒ 2. Page 1 of application: Are all attachments that have been checked actually included?

If not, what is missing? \_\_\_\_\_

- ☒ 3. Are fees included and correct? Fee Paid: 2660 -

If not, the correct fee would be: \_\_\_\_\_, so the amount missing is: \_\_\_\_\_

- ☒ 4. Part 4 of application: Have all the applicants listed at the top of the page signed at the bottom?

If not, whose signature is missing? \_\_\_\_\_

- ☒ 5. Are the Permit completion date(s) current?

If the Permit completion date has expired, we **CANNOT** accept the application.

- ☒ 6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

If #1, #2, #3, #4 or #5 on this checklist is deficient, the application **CANNOT** be accepted.

It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.