

T-10322

T-10322

PERMIT
AMENDMENT

Name Leo Gentry Wholesale Nursery
By _____
Address P.O. Box 645
Gresham, OR 97030
503 658-5181 503 658-6324 fax
Change in POA APOA
Date filed _____
Date of hearing _____
Place of hearing _____
Date of order 8-28-07 Vol. 73, page 148
Date for application of water _____
Proof mailed _____
Proof received _____
Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Wells 2+3
Trib. of Clackamas R. County of Clackamas
Use NU
Quantity of water _____ No. of acres _____
Name of ditch _____
Date of priority 6/8/2001
In name of Duncan Brinkley Old Farmhouse Nursery
_____ Adjudication, Vol. _____, page _____
App. No. G-15528 Per. No. G-15440 Cert. No. _____
G-15460
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>2/20/07</u>	<u>350.00</u>	<u>86325</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

CWRE Greg Kupillas
Agent: Pacific Hydro-Geology Inc 18487 S. Valley Vista Rd Mulino, OR 97042
503 632-5016 503 632-5983 fax
HOID
Clackamas County Dept. of Transportation & Development, Planning Division
9101 SE Sunnybrook Blvd. Clackamas OR 97015

COMMUNITY NEWSPAPERS

P.O. BOX 370 PHONE (503)684-0360
BEAVERTON, OREGON 97075Legal
Notice

Legal Notice Advertising

- Greg Kupillas
- Pacific Hydro - Geology Inc.
- 18477 S. Valley Vista Rd.
- Mulino, OR 97042
- ☒ Tearsheet Notice
- ☐ Duplicate Affidavit

NOTICE OF PERMIT
AMENDMENT T-10322

T-10322 filed by Leo Gentry Wholesale Nursery Inc., P.O. Box 645, Gresham, OR 97030, proposes a change in points of appropriation under Permit G-15460. The permit allows the use of 1.51 cfs (priority date June 8, 2001) from three wells in Sec. 6, 7 and 8, T3S, R4E, W.M. (Clackamas River Basin) for nursery use on 60.45 acres in Sec. 6, 7 and 8. The applicant proposes to change the points of appropriation to three wells located between approximately 65 and 1950 feet (Sec. 6, 7 and 8, T3S, R4E, W.M.) from the original points of appropriation. The Water Resources Department has concluded that the proposed permit amendment appears to be consistent with the requirements of ORS 537.211. The last date of newspaper publication is Aug. 1, 2007.

As published in Estacada News
on July 18 and 25 and Aug. 1, 2007.

WA

AFFIDAVIT OF PUBLICATION

STATE OF OREGON,)
COUNTY OF CLACKAMAS,) ss.

I, Clinton Vining
being first duly sworn, depose and say that I am the Advertising Director, or his principal clerk, of the Estacada News, a newspaper of general circulation as defined in ORS 193.010 and 193.020; published at Estacada in the aforesaid county and state; that the Notice of Permit Amendment T-10322 a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 3 successive and consecutive in the following issues:

July 18 & 25, and Aug. 1, 2007

Clinton Vining

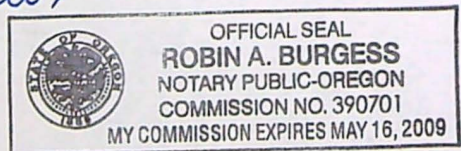
Subscribed and sworn to before me this 14th day of August 2007

Robin A. Burgess

Notary Public for Oregon

My Commission Expires:

AFFIDAVIT





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

August 29, 2007

LEO GENTRY WHOLESALE NURSERY INC.
PO BOX 645
GRESHAM OR 97030

Reference: Permit Amendment Transfer 10322

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

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

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

Sincerely,

Sarah Henderson

for

Doug Parrow
Natural Resource Specialist

DP:sh

cc: Watermaster #20
Greg Kupillas, CWRE

Enclosure

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Permit Amendment)
T-10322, Clackamas County)

**FINAL ORDER
APPROVING A CHANGE IN
POINTS OF APPROPRIATION**

Authority

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

LEO GENTRY WHOLESALE NURSERY, INC.
PO BOX 645
GRESHAM, OR 97030

Findings of Fact

Background

1. On February 20, 2007, Leo Gentry Wholesale Nursery Inc. filed an application to amend the points of appropriation under Permit G-15460. The Department assigned the application number T-10322.
2. The applicant's agent, Greg Kupillas, submitted a revised application and map on June 11, 2007, to clearly reflect the authorized points of appropriation for the lands involved in this permit amendment application.
3. The portion of the permit to be amended is as follows:

Permit: G-15460, in the names of DUNCAN W. BRINKLEY (DBA OLD FARMHOUSE NURSERY); KOMSART AND JENNIFER RATTANAPAI; and LEO GENTRY WHOLESALE NURSERY, INC.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Use: NURSERY USE ON 60.45 ACRES

Priority Date: JUNE 8, 2001

Quantity: 1.51 CUBIC FEET PER SECOND (CFS)

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

Source: THREE WELLS (Wells 1, 2 and 3), in the Clackamas River Basin

Date of Complete Application of Water: October 1, 2007

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	¼ ¼	Location
3 S	4 E	WM	7	NW NE	WELL 1 – 2090 FEET NORTH AND 1010 FEET WEST FROM THE SW CORNER OF JOHN B. CHILDS DLC 44
3 S	4 E	WM	6	SE SE	WELL 2 – 3700 FEET NORTH AND 450 FEET WEST FROM THE SW CORNER OF JOHN B. CHILDS DLC 44
3 S	4 E	WM	8	SW NW	WELL 3 – 1685 FEET NORTH AND 1355 FEET EAST FROM THE SW CORNER OF JOHN B. CHILDS DLC 44

Authorized Place of Use:

Twp	Rng	Mer	Sec	¼ ¼	DLC	Acres
3 S	4 E	WM	6	SW SE	44	4.08
3 S	4 E	WM	6	SE SE	44	4.00
3 S	4 E	WM	7	NE NE	44	24.32
3 S	4 E	WM	7	NW NE	44	3.69
3 S	4 E	WM	7	SE NE	44	11.61
3 S	4 E	WM	8	NW NW	44	5.25
3 S	4 E	WM	8	SW NW	44	7.50
Total:						60.45

4. Application T-10322 proposes to change the points of appropriation for the portion of the permit described in Finding #3 to:

Twp	Rng	Mer	Sec	¼ ¼	DLC	New Well Name and Location	Approx. Distance from Auth. Well 1	Approx. Distance from Auth. Well 2	Approx. Distance from Auth. Well 3
3 S	4 E	WM	6	SE SE	44	Gentry Well 1 – 3620 feet North and 550 feet West from the SW corner of DLC 44	1450 feet Northeast	65 feet West	1950 feet Northwest
3 S	4 E	WM	8	NW NW	44	Gentry Well 2 – 2210 feet North and 1040 feet East from the SW corner of DLC 44	1875 feet East	1850 feet Southeast	600 feet Northeast
3 S	4 E	WM	7	NE NE	44	Gentry Well 3 – 2220 feet North and 240 feet West from the SW corner of DLC 44	650 feet East	1275 feet North	1600 feet Northwest

5. Notice of the application for the permit amendment was published on February 27, 2007, in the Department's weekly notice, and in the *Estacada News* newspaper on July 18, July 25 and August 1, 2007, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
6. The Department's Ground Water Section determined on May 15, 2007, that proposed Gentry Wells #2 and #3 must be constructed so that ground water is developed from within a single aquifer in one of the following geologic formations: the Wanapum Basalt Formation of the Columbia River Basalt Group; the Grande Ronde Basalt Formation of the Columbia River Basalt Group; or the Troutdale or Rhododendron Formation.
7. The change, as conditioned, would not result in injury to other water rights.
8. The change does not enlarge the permit.
9. The change does not alter any other terms of the permit.

Conclusions of Law

The change in points of appropriation proposed by Permit Amendment Application T-10322, as conditioned, is consistent with the requirements of ORS 537.211.

Now, therefore, it is **ORDERED**:

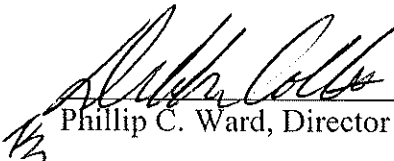
The change and subsequent use of water shall be subject to the following conditions:

1. The change in points of appropriation proposed by Permit Amendment Application T-10322 is approved.
2. The combined quantity of water diverted at the new points of appropriation (wells), together with that diverted at the old points of appropriation, shall not exceed the maximum rate and duty allowed under Permit G-15460.
3. Prior to water use from the proposed point of appropriation, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, and shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

4. Water shall be acquired from the same aquifer (ground water source) as the original points of appropriation.
5. The proposed Gentry Wells #2 and #3 shall be completed within a single aquifer in one of the following geologic formations: the Wanapum Basalt Formation of the Columbia River Basalt Group; the Grande Ronde Basalt Formation of the Columbia River Basalt Group; or the Troutdale or Rhododendron Formation.
6. All new points of appropriation proposed in this permit amendment are subject to all of the terms and conditions specified in Permit G-15460.
7. All other terms and conditions of Permit G-15460 remain the same.
8. Permit G-15460, in the names of Duncan W. Brinkley (dba Old Farmhouse Nursery); Komsart and Jennifer Rattanapai; and Leo Gentry Wholesale Nursery, Inc., is amended as described herein.

Dated at Salem, Oregon this 28th day of August, 2007.


Phillip C. Ward, Director

Mailing date: AUG 30 2007



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

February 26, 2007

LEO GENTRY WHOLESALE NURSERY INC.
PO BOX 645
GRESHAM OR 97030

Reference: Permit Amendment Transfer 10322

On February 20, 2007 we received your request for permit amendment change in point of appropriation, and an additional point of appropriation for use of water from WELLS, tributary to CLACKAMAS RIVER. The application was accompanied by \$350. Our receipt 86325 is enclosed.

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

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use, or from the new point of appropriation, until 60 days after we received your notice (application) and the permit amendment has been approved.

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

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

cc: Watermaster #16
Greg Kupillas, Agent
Groundwater

enclosure



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 02/27/07

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice.

County: CLACKAMAS
Transfer: 10322
Water Right: PERMIT G 15460
Priority Date: 06/08/2001
Name: LEO GENTRY WHOLESALE NURSERY
Address: PO BOX 645; GRESHAM OR 97030
Change: POA, APOA
Source: WELLS
Authorized POA: T3S R4E 6, 8
Proposed POA: T3S R4E 6, 7, 8

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice. Comments should be sent to the Transfers Section at the Department's Salem office.

COPY



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

Application for
**Permit Amendment
or Ground Water
Registration Modification**

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate Not Applicable. As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF APPLICATION

Please check one of the following:

☒ Permit Amendment

☐ Ground Water Registration Modification

2. APPLICANT INFORMATION

Name: Leo Gentry Wholesale Nursery Inc.

First

Last

Address: P.O. Box 645

Gresham

City

OR

State

97030

Zip

Phone: (503) 658-5181

Home

Work

Other

Fax: (503) 658-6324

E-Mail address: _____

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WATER RESOURCES DEPT
SALEM, OREGON

3. AGENT INFORMATION

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

Name: Pacific Hydro-Geology Inc. / Greg or Malia Kupillas

First

Last

Address: 18487 S. Valley Vista Road

Mulino

City

OR

State

97042

Zip

Phone: (503) 632-5016 (503) 632-5016

Home

Work

Other

Fax: (503) 632-5983

E-Mail address: phggek@bctonline.com

▪ If an agent is listed above, please check one of the following:

☐ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or

☒ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

COPY

Permit Amendments

- If you propose to amend multiple permits under this application, a separate set of pages 3 through 7 must be provided for each permit. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

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Ground Water Registration Modifications

- You may propose modification of only one ground water registration per application, in accordance with OAR 690-382-0300(2), the ground water registrations to be modified are layered. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

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SALEM, OREGON

4. TYPE OF AMENDMENT OR MODIFICATION PROPOSED

Please check **all** of the following that apply:

Point of Diversion or Appropriation	Place of Use	Character of Use
<input checked="" type="checkbox"/> Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the amendment or modification.) <input checked="" type="checkbox"/> Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the amendment or modification.) <p style="text-align: center;"><i>Not Available for Ground Water Registrations</i></p> <input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.)	<input type="checkbox"/> All of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at the current authorized location will be discontinued.) <input type="checkbox"/> Only a <u>portion</u> of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at a <u>portion</u> of the current authorized location will be discontinued.)	<p style="text-align: center;"><i>Not Available for Permit Amendments</i></p> <p>Change existing authorized use to the following proposed <u>new</u> use:</p> <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Domestic (indicate number of households): _____ <input type="checkbox"/> Other _____

- Reason(s) for amendment/modification(s): The applicant wishes to move the two authorized points of appropriation which are located on their land to different locations and add an additional point of appropriation.

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5. CURRENT PERMIT OR REGISTRATION INFORMATION

FEB 20 2007

Permit or Registration to be Amended/Modified (check and complete one of the following): WATER RESOURCES DEPT
SALEM, OREGON

<input checked="" type="checkbox"/> Permit to be Amended:	<u>G-15460</u> Permit Number	<u>October 1, 2007</u> Current Completion Date of Permit
<input type="checkbox"/> Ground Water Registration to be Modified:	 Ground Water Registration Number	NOTE: Concurrent changes to a water right must be filed separately on a transfer application.

- Name on Permit or Registration: Duncan W. Brinkley, DBA Old Farmhouse Nursery
- County: Clackamas
- Authorized Use(s) to be affected by this Amendment/Modification: Nursery Use on 60.45
out of 124.8 acres.

- Priority Date(s): June 8, 2001

If there are multiple Priority Dates identified on the Permit or Registration, any information provided on pages 4 through 7 must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- All Source(s) of Water to be affected by this Amendment/Modification: Wells 2 and 3

Tributary to: Clackamas River

If there are multiple Sources listed on the Permit or Registration, any information provided on pages 4 through 7 must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For an application proposing a Change in Place of Use or Character of Use:

- Are there any other "Layered" Water Rights, Permits, or Ground Water Registrations issued for Irrigation purposes that are appurtenant to the same place of use as the Permit or Registration being Amended/Modified? ☐ Yes ☐ No ☒ N/A -No Change in Use or Place of Use

If "Yes", pursuant to ORS 540.510, OAR 690-380-2240 and OAR 690-382-0200, the other "layered" water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5).

- Remarks: Not applicable

- The following information **must be provided only** for those points of diversion or appropriation that are involved in the permit amendment or ground water registration modification (i.e., list only the portion of the permit/registration you propose to amend/modify.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing permit or ground water registration.

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

(i.e., the allowed point(s) of diversion/appropriation that will be affected by the proposed amendment/modification, the "FROM" point(s) of diversion/appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
CLAC 59817	Well 2 6/8/01	3S	4E	W	6	SE SE	DLC 44	3700 feet north & 450 feet west from SW corner, John B. Childs DLC 44
Not yet constructed	Well 3 6/8/01	3S	4E	W	8	SW NW	DLC 44	1685 feet north & 1355 feet east from SW corner, John B. Childs DLC 44

- Does the permit/registration being amended/modified involve a ground water source?

☒ Yes ☐ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

- Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

or

- If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

- Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing permit or ground water registration.*

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WATER RESOURCES DEPT
SALEM, OREGON

(i.e., the allowed lands that will be affected by the proposed amendment/modification, the "FROM" lands)

[illegible]

6. PROPOSED PERMIT AMENDMENT OR REGISTRATION MODIFICATION

- Describe proposed changes to the permit or registration involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

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Location of Proposed Point(s) of Diversion or Appropriation: (i.e., the "TO" point(s) of diversion or appropriation)
(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Gentry Well 1	3S	4E	W	6	SE SE	DLC 44	3620 FEET NORTH AND 550 FEET WEST FROM THE SW CORNER, DLC 44
Gentry Well 2	3S	4E	W	8	NW NW	DLC 44	2210 FEET NORTH AND 1040 FEET EAST FROM THE SW CORNER, DLC 44
Gentry Well 3	3S	4E	W	7	SE NE	DLC 44	2220 FEET NORTH AND 240 FEET WEST FROM THE SW CORNER, DLC 44

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☒ Yes ☐ No ☐ N/A - No proposed well(s) listed above.

If "Yes", attach and **clearly label** the corresponding well log(s) for each proposed well, or if well log(s) are **not** available, describe the construction of the well(s) using the table below.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s):

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
Yes	Gentry Well 1 CLAC 59817	See	CLAC	59817						
No	Gentry Well 2	8"-10"*	8"-10"* steel	850*	700'-750'*	380'*	200'	700'	Per OARs	1,170'*
No	Gentry Well 3	8"-10"*	8"-10"* steel	850*	700'-750'*	380'*	200'	700'	Per OARs	1,170'*
	* See Remarks									

- Describe proposed changes to the permit or registration involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

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WATER RESOURCES DEPT
SALEM, OREGON

Location of Proposed Place of Use: (i.e., the "TO" lands)

(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

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

Remarks: This application proposes to change the well numbering system to avoid possible confusion which could result from the changes proposed in permit amendment T-9594 affecting this permit. The original authorized wells included Well 1, located on land owned by the original permit holder, and Wells 2 and 3, located on lands now owned by the applicant of this permit amendment. Permit amendment T-9594 apparently proposes to move Well 1 to a new location and add a new Well 2, both on land not owned by this applicant, without renumbering authorized Wells 2 and 3. This applicant (Gentry) proposes to move the location of authorized Wells 2 and 3, And renumber them as Gentry Wells 1 and 2, respectively. This applicant also proposes to add Gentry Well 3. The original and proposed well locations are shown on the accompanying map. Well casing diameters, casing depths, seal depths, perforated or open intervals, and total depths will be determined based on actual conditions encountered. The objective will be to construct Gentry Wells 2 and 3 similar to Gentry Well 1 (CLAC 59817). Refer to e-mail in file from Mike McCord to Herb Mosgar regarding approval of construction of CLAC 59817.

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the Permit(s) or Registration(s) proposed for amendment/modification located within or served by an irrigation or other water district? ☐ Yes ☒ No
- Will any of the Permit(s) or Registration(s) be located within or served by an irrigation or other water district after the proposed amendment/modification? ☐ Yes ☒ No
- Is water for any of the Permit(s) or Registration(s) supplied under a water service agreement or other contract for stored water with a federal agency? ☐ Yes ☒ No

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

Not Applicable

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SALEM, OREGON

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

Clackamas County Department of Transportation and Development, Planning Division, 9101 SE Sunnybrook
Bldg., Clackamas, Oregon 97015

8. PERMIT HOLDER OF RECORD

This section is to be completed only for Permit Amendment applications.

☐ *N/A – This is a Ground Water Registration Modification application.*

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

If "No", the applicant must either:

A. *Be assigned as a permit holder of record by submitting a completed **Request for Assignment** form and the required statutory fee for an assignment;*

or

B. *Submit an **Affidavit of Consent** from the permit holder of record that gives permission for the applicant to amend the permit.*

9. LAND OWNERSHIP

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If for a Permit Amendment proposing a Change in Place of Use:

- Does the permit holder of record own or control the land **TO** which the place of use is being moved? ☐ Yes ☐ No

*If "No", the owner 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.*

- Check **one** of the following:
 - ☐ The permit holder of record will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to the permit holder of record.
 - ☐ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

If for a Ground Water Registration Modification:

- Does the applicant own the lands **FROM** which the registration is being moved? ☐ Yes ☐ No

If "No", provide the following information:

Names of Current Landowner(s): _____
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the registration is being moved? ☐ Yes ☐ No

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

- Check **one** of the following:
 - ☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
 - ☐ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

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10. ATTACHMENTS

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

Map:

- ☒ A map meeting the requirements of OAR 690-380-3100 must be included but need **not** be prepared by a Certified Water Right Examiner.

Land Use Information Form:

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

Water Well Reports/Well Logs:

- ☒ The application involves a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☒ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☐ N/A. The application does **not** involve a change in point of appropriation or a change from surface water to ground water, so water well reports are **not** required.

Fees:

- ☒ Amount enclosed: \$ 350.00
See the Department's Fee Schedule at www.wrd.state.or.us/OWRD/PUBS/forms.shtml or call (503) 986-0900.

For Permit Amendments Only...

Request for Assignment:

- ☒ Enclosed. 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: www.wrd.state.or.us/OWRD/PUBS/forms.shtml ; or
- ☐ N/A. The applicant is the permit holder of record and owns or controls the proposed place of use; **OR** the applicant is **not** the permit holder of record but is supplying an Affidavit of Consent from the permit holder.

Affidavit of Consent:

- ☐ Enclosed. Because the applicant is **NOT** the permit holder of record, an Affidavit of Consent is being supplied that gives permission for the applicant to amend the permit; or
- ☐ N/A. Not required because the applicant is the permit holder of record.

Before submitting your application to the Department, be sure you have:

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

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Salem, OREGON

11. SIGNATURES

- ***For Ground Water Registration Modification Applications only, check the appropriate one and sign below, application in the signature box below:***

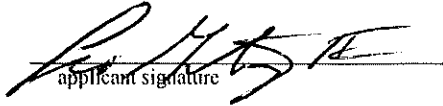

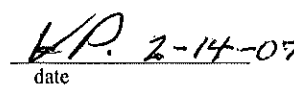
- ☐ In accordance with OAR 690-382-0400(16)(a), I (we) understand that prior to Department approval of a permanent modification and upon my receipt of a draft Preliminary Determination for the proposed modification, I (we) will be required [pursuant to OAR 690-382-0700(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the modification:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed modification provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the recorded agreement and a listing of the owner(s) of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the applicant is not both the person named on the ground water registration or the assignee *and* the owner of the lands to which the registration is appurtenant, as identified in the report of ownership and lien information, then either of the following must be provided:
- A) Notarized statements consenting to the modification by all persons, other than the applicant, who are named on the ground water registration or identified as landowners in the report of ownership and lien information or who are authorized representatives of an entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement; or
- B) Documentation demonstrating that the applicant is authorized to pursue the modification in the absence of consent of the persons named on the ground water registration or the assignee and the owner of the lands to which the registration is appurtenant.

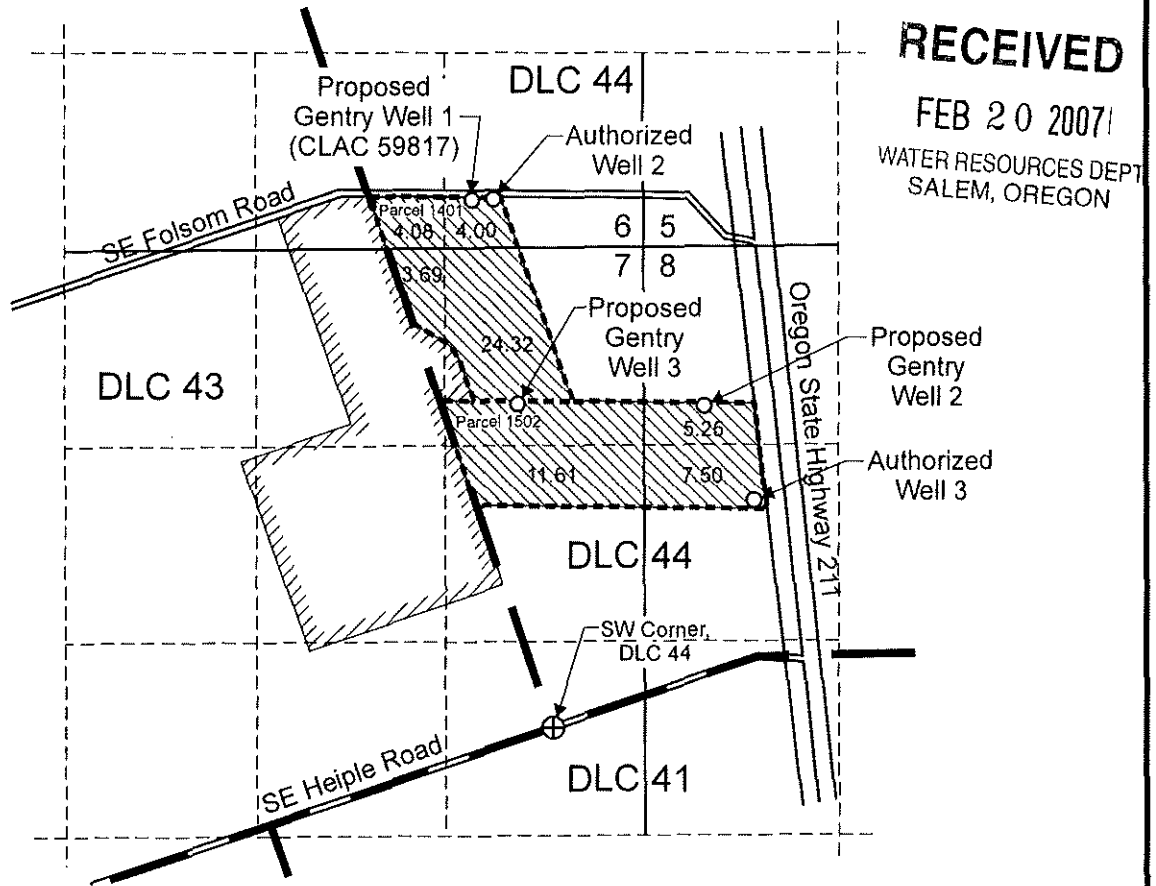
- ☐ I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-382-0400(16)(b), the applicant is NOT required to provide the above described report of ownership and lien information.

- ☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the ground water registration proposed for modification is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-382-0400(16)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for recognition of a modification under this subsection if it has filed a condemnation action to acquire the property and deposited the funds with the court as required by ORS 35.265.)

- ***For both Permit Amendment and Ground Water Registration Modification Applications, I (we) affirm that the information contained in this application is true and accurate.***

 applicant signature	 name (print)	 date
 applicant signature	 name (print)	 date

T.3S. R.4E. Sec. 6, 7 & 8, W.M.



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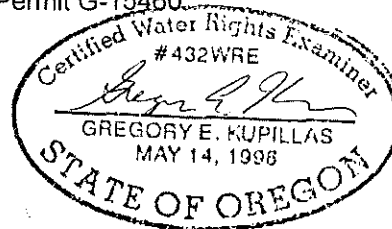
WATER RESOURCES DEPT
SALEM, OREGON

Authorized Well 2 is located 3,700 feet north and 450 feet west from the SW corner, DLC 44.
Authorized Well 3 is located 1,685 feet north and 1,355 feet east from the SE corner, DLC 43.
Proposed Gentry Well 1 (CLAC 59817) is located 3,620 feet north and 550 feet west from the SW corner, DLC 44.
Proposed Gentry Well 2 is located 2,210 feet north and 1,040 feet east from the SW corner, DLC 44.
Proposed Gentry Well 3 is located 2,220 feet north and 240 feet west from the SW corner, DLC 44.

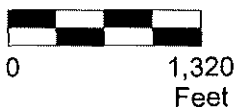
Area (60.45 Acres) under Application G-15528, Permit G-15460 affected by this permit amendment.

Remaining Area (64.34 Acres) under Application G-15528, Permit G-15460.

----- Tax lot boundary



Scale: 1" = 1,320'



EXPIRATION DATE: 6/30/07
This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.

Permit Amendment Map

Leo Gentry Wholesale Nursery Inc.
Tax Lots 3 4E 8 1401 and 3 4E 8 1502

Pacific Hydro-Geology Inc.

1/2007

1 10322

CLAC 59817
Westerberg Drilling, Inc.
36728 S. Kropf Rd.
Molalla, OR 97038

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STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)

Instructions for completing this report are on the last page of this form.

WELL I.D. # L 66761
START CARD # 161162
WATER RESOURCES DEPT
SALEM, OREGON

(1) LAND OWNER Well Number #2
Name LEO GENTRY WHOLESALE NURSERY INC.
Address PO BOX 645
City GRESHAM State OR Zip 97030

(2) TYPE OF WORK
☒ New Well ☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:
☒ Rotary Air ☒ Rotary Mud ☐ Cable ☐ Auger
☐ Other

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval ☐ Yes ☒ No Depth of Completed Well 1172 ft.
Explosives used ☐ Yes ☒ No Type Amount

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
16"	0	382	Cement	0	382	151 sacks
12"	382	847	Cement	750	847	45 sacks
8"	847	1535	Cement	1172	1535	112 sacks

How was seal placed: Method ☐ A ☒ B ☐ C ☐ D ☐ E
☐ Other

Backfill placed from ft. to ft. Material
Gravel placed from ft. to ft. Size of gravel

Diameter		From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:		12"	+1	382	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		8"	+1.5	847	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:		NONE				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used ☐ Inside ☒ Outside ☐ None
Final location of shoe(s) 12" @ 382' 8" @ 847'

(7) PERFORATIONS/SCREENS:
☒ Perforations Method HOLTE AIR PERE.
☐ Screens Type Material

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
700	725	1/4x3	960			<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"/>

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

XX Pump	<input type="checkbox"/> Bailer	<input type="checkbox"/> Air	Flowing <input type="checkbox"/> Artesian
Yield gal/min	Drawdown	Drill stem at	Time
150	550'		4-hr.
125	510'		7-hr.

Temperature of water 68° Depth Artesian Flow Found

Was a water analysis done? ☐ Yes ☒ No
Did any strata contain water not suitable for intended use? ☐ Too little

Depth of strata: FEB 06 2004

FEB 18 2004 WATER RESOURCES DEPT

(9) LOCATION OF WELL by legal description:
County CLACKAMAS Latitude Longitude
Township 3S N or S Range 4E E or W. WM.
Section 6 NW 1/4 NE 1/4
Tax Lot 1400 Lot Block Subdivision
Street Address of Well (or nearest address) 29880 SE FOLSOM RD.
EAGLE CREEK, OR 97022

(10) STATIC WATER LEVEL:
145 ft. below land surface. Date 1-20-04
Artesian pressure lb. per square inch Date

(11) WATER BEARING ZONES:
Depth at which water was first found

From	To	Estimated Flow Rate	SWL
0'	382'	DRILLED W/ MUD	
710'	725'	50-60 GPM	145'
895'	900'		145'
950'	960'	100 GPM approx	145'
1240'	1420'	<10 GPM	187'

(12) WELL LOG:
Ground Elevation

Material	From	To	SWL
cobbles & gravel large	0	35	
cemented gravel	35	40	
cobbles & gravel	40	55	
clay brown w/ gravel	55	65	
clay grey w/ gravel	65	80	
clay blue med	80	112	
clay grey	112	138	
clay green	138	195	
clay grey & green	195	220	
packed sand	220	230	
clay grey	230	242	
pumice & sand	242	247	
clay green sticky	247	280	
clay grey & grn sticky	280	318	
clay white & grn soft	318	330	
claystone green	330	343	
lava lavender	343	354	
lava grey hard	354	365	
continued on page 2			

Date started 11-21-03 Completed 1-20-04

(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.

Signed [Signature] WWC Number 1358 Date 1-27-04

(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.

Signed [Signature] WWC Number 688 Date 1-27-04

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WATER RESOURCES DEPT
SALEM, OREGON

36728 S. Kropf Rd., Molalla, OR 97038 • Phone: (503) 829-2526 FAX (503) 829-7514

Page 2

WELL ID# L 66761

OWNER: LEO GENTRY WHOLESALE NURSERY INC.

ADDRESS: PO BOX 645

CITY/STATE/ZIP: GRESHAM, OR 97030

WELL ADDRESS: 29880 SE FOLSOM RD. EAGLE CREEK, OR 97022

COUNTY CLACKAMAS

TOWNSHIP 3S

RANGE 4E

SECTION 6

NW

1/4

NE

1/4

TAX LOT 1400

MATERIAL	FROM	TO	SWL
lava grey & lavender	365	400	
lava multi-colors	400		
grey w/ brown & red		455	
lava w/ white pumice	455	480	
lava harder	480	500	
lava mostly brown & grey	500	630	
lava more grey w/ brown	630	645	
lava harder	645	665	
lava brown	665	675	
lava grey & brown	675	710	
lava softer & fractured	710		
brown & grey		725	
clay grey w/ wood	725	735	
clay blue	735	743	
claystone brown	743	750	
claystone blue	750	815	
basalt dark grey w/ green	815		
interbeds		830	
basalt grey hard	830	865	
basalt weathered softer	865		
multi-color		880	
basalt grey harder w/ green	880		
fractures		900	
basalt grey hard	900	945	
basalt fractured & porous	945	960	
basalt grey harder	960	1023	
basalt grey med w/ green	1023	1034	
basalt grey hard	1034	1065	
basalt grey w/ green porous	1065	1085	
basalt grey w/ green hard	1085	1125	
basalt harder	1125	1139	
basalt grey w/ green porous	1139	1148	
basalt grey hard	1148	1167	
continued on page 3			

Westerberg Drilling, Inc.
36728 S. Kropf Rd.
Molalla, OR 97038**RECEIVED**

FEB 06 2004

WATER RESOURCES DEPT
SALEM OREGON

1 10322



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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WATER RESOURCES DEPT
SALEM, OREGON

Request for Assignment

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

I, Duncan W. Brinkley, DBA Old Farmhouse Nursery

(Name of Applicant / Permit / Transfer Holder)

26609 SE Hereford Lane

Eagle Creek

OR

97022

(503) 630-5858

(Mailing address)

(City)

(State)

(Zip)

(Phone #)

☐ ...hereby assign all my interest in and to application/permit/transfer;

☒ ...hereby assign all my interest in and to a portion of application/permit/transfer;

(You must include a map showing the portion of the application/permit to be assigned.)

☐ ...hereby assign a portion of my interest in and to the entire application/permit/transfer;

Application # G-15528

Permit # G-15460

; Transfer # _____

-OR-

GR Statement # _____

GR Certificate of Registration # _____

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

Leo Gentry Wholesale Nursery Inc.

(Name of New Owner)

P.O. Box 645

Gresham

OR

97030

(503) 658-5181

(Mailing address)

(City)

(State)

(Zip)

(Phone #)

NOTE:

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

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 31st day of Jan, 2007.

Applicant/Permit holder Duncan W Brinkley

Applicant/Permit holder _____

DO NOT WRITE IN THIS BOX

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

The completed "Request for Assignment" form *must* be submitted to the Department along with the appropriate recording fees:

- \$25 for the first page, and
 - \$5 for each additional page.
- [as required by ORS 536.050(1)(d)]

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WATER RESOURCES DEPT
SALEM, OREGON

O. K. Sauter, P. Analyst
J. Sauter
2/2/07

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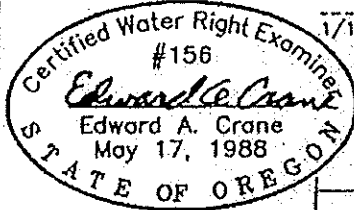
WATER RESOURCES DEPT
SALEM, OREGON

Application No. *G15528*

Permit No

G-15460

DONATION LAND CLAIM NO. 43 & 44
SW & SE OF THE SE 1/4 SECTION 6
SW NW, NE 1/4, NW SE OF SECTION 7
NW & SW OF NW 1/4 SECTION 8
T3S, R4E of the WM, CLACKAMAS CO., OR

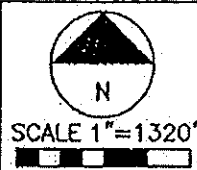


Renewal 12/31/2001
Signed *5-14-2001*

SEC.	1/4 1/4	ACRES	IRRIG.	CFS (APPROX. GPM)
6	SW SE	9.25 ACRES	0.1156 CFS (52 GPM)	
6	SE SE	4.00 ACRES	0.0500 CFS (22 GPM)	
7	NW NE	22.25 ACRES	0.2781 CFS (125 GPM)	
7	NE NE	25.25 ACRES	0.3156 CFS (142 GPM)	
7	SE NW	0.40 ACRES	0.0050 CFS (2 GPM)	
7	SW NE	33.50 ACRES	0.4188 CFS (188 GPM)	
7	SE NE	17.00 ACRES	0.2125 CFS (95 GPM)	
7	NW SE	0.40 ACRES	0.0050 CFS (2 GPM)	
8	NW NW	5.25 ACRES	0.0656 CFS (29 GPM)	
8	SW NW	7.50 ACRES	0.0908 CFS (42 GPM)	
TOTAL		125.80 ACRES	1.559 CFS (700 GPM)	

Portion of Application G-15528, Permit G-15460
Assigned to Leo Gentry Wholesale Nursery Inc
Includes Tax Lots 3 4E 8 1401
and 3 4E 8 1502 only. See
attached Tax Assessor's Map.

SURVEYED APRIL 20, 2001
BY EDWARD A. CRANE, CWRE



OLD FARMHOUSE NURSERY WELL

WELL #1 IS LOCATED 2090 FEET NORTH AND 1010 FEET EAST
OF THE SOUTHWEST CORNER OF JOHN B. CHILDS DLC NO. 44
(IN SW 1/4 NW 1/4 SEC. 8 T3S, R4E OF THE WM, CLACKAMAS CO., OR)
WELL #2 IS LOCATED 3700 FEET NORTH AND 450 FEET WEST
OF THE SOUTHWEST CORNER OF JOHN B. CHILDS DLC NO. 44
(IN SE 1/4 SE 1/4, SEC. 6, T3S, R4E OF THE WM, CLACKAMAS CO., OR)
WELL #3 IS LOCATED 1685 FEET NORTH AND 1355 FEET WEST
OF THE SOUTHEAST CORNER OF JOSEPH YOUNG DLC NO. 43
(IN NW 1/4 NE 1/4, SEC. 7, T3S, R4E OF THE WM, CLACKAMAS CO., OR)

PREPARATION OF THIS MAP WAS FOR THE PURPOSE
OF IDENTIFYING THE LOCATION OF THE WATER RIGHTS
ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS
OR LOCATION OF PROPERTY OWNERSHIP LINES.

APPLICATION FOR A GROUNDWATER PERMIT G-

PREPARED BY EDWARD A. CRANE, CWRE

DATE
APRIL 2001
PROJECT NO.
383-001



CRANE & MERSETH
Engineering/Surveying
SUITE "D"
6586 SE LAKE ROAD
MILWAUKEE, OREGON 97222
BUS: (503) 654-2005
FAX: (503) 654-2575

APPLICATION FOR PERMIT NUMBER G-
PERMIT NUMBER G- IN THE NAME OF:
DUNCAN BRINKLEY - OLD FARMHOUSE NURSERY
26609 SE HEREFORD LANE (TEL: 503-630-5858)
EAGLE CREEK, OR 97022 (FAX: 503-630-5507)

SHEET
1/2

1 10322

T-9594 APOA V 58 p 333
T-10322

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DUNCAN W. BRINKLEY, DBA OLD FARMHOUSE NURSERY
26609 SE HEREFORD LANE
EAGLE CREEK, OREGON 97023

(503) 630-5858

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

APPLICATION FILE NUMBER: G-15528

SOURCE OF WATER: THREE WELLS IN CLACKAMAS RIVER BASIN

PURPOSE OR USE: NURSERY USE ON 124.8 ACRES

MAXIMUM RATE: 3.12 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JUNE 8, 2001

WELL LOCATIONS:

WELL 1: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 7, T3S, R4E, W.M. 2090 FEET NORTH & 1010 FEET WEST FROM SW CORNER, JOHN B CHILDS DLC 44

WELL 2: SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 6, T3S, R4E, W.M. 3700 FEET NORTH & 450 FEET WEST FROM SW CORNER, JOHN B CHILDS DLC 44

WELL 3: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 8, T3S, R4E, W.M. 1685 FEET NORTH & 1355 FEET EAST FROM SW CORNER, JOHN B CHILDS DLC 44

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

its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 9.25 ACRES

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.0 ACRES

SECTION 6

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 25.25 ACRES

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 22.25 ACRES

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 33.5 ACRES

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 17.0 ACRES

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.4 ACRE

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.4 ACRE

SECTION 7

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 5.25 ACRES

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 7.5 ACRES

SECTION 8

TOWNSHIP 3 SOUTH, RANGE 4 EAST, W.M.

Measurement, recording and reporting conditions:

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

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of

the priority date of the right or as those quantities may be subsequently reduced.

- (1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:
 - (a) An average water level decline of three or more feet per year for five consecutive years; or
 - (b) A total water level decline of fifteen or more feet; or
 - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The water user shall install a meter or other measuring device suitable to the Director, and shall submit an annual report of water used to the Department by December 1 of each year.
- (3) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.
 - (a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.
 - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.
 - (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permittee/appropriator.
 - (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
 - (e) The permittee/appropriator shall submit a record of the

measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

Ground water for use under this permit shall be produced from no shallower than 100 feet below land surface.

STANDARD CONDITIONS

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

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

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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

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

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


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

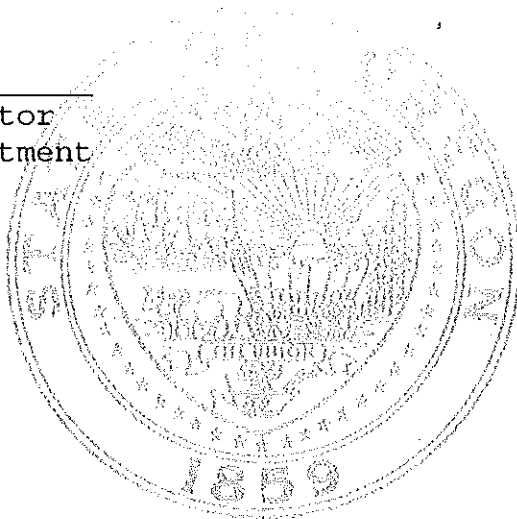
The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Complete application of the water to the use shall be made on or before October 1, 2007. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued July 10 , 2003


Paul R. Cleary, Director
Water Resources Department



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

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

Permit Amendment Checklist

Permit Amendment: T-10322

Transfer Specialist: Lisa Jaramillo

Permit Amendment Type: POA

Applicant Name/Address: Leo Gentry Wholesale Nursery Inc., PO Box 645, Gresham, OR 97030

Agent Name/Address: Pacific Hydro-Geology Inc., Attn: Greg Kupillas, 18487 S. Valley Vista Rd., Mulino, OR 97042

CWRE Name/Number: Greg Kupillas, #432

Rec Landowner Name/Address: N/A

Irr. District Name/Address:

Affected Govt's Name/Address:

Commentors Name/Address:

Permits Affected

Records Marked	Records Copied	App File No.	Permit No.
<input type="checkbox"/>	<input type="checkbox"/>	G-15528	G-15460

Key Dates & Initial Actions

Rec'd: 2-20-07	Proposed Action(s): POA	
Fees Pd: \$350	WM District: 20	ODFW District: N/A
Initial Notice: 2-27-07	WM Review sent: 2-26-07	ODFW Review sent: N/A
Acknowledgement Letter Sent: <input type="checkbox"/>		GW Review sent: 2-26-07

Processing Dates & Actions

Deficiency Contacts: N/A	Newspaper Notice Required? YES <input checked="" type="checkbox"/> OK
	Publication Affidavit Due: Rcvd 8-16-07
Affidavit of Publication Rec'd: 8-16-07	Affidavit Reminder Sent:
Last Day Published: 8-1-07	
Reminder Deadline:	

Final Order

- ☒ Electronic Files uploaded
☒ Newspaper Notice Cover letter
☒ Newspaper Notice
☐ File Assigned/ ModPod updated
☐ Fee Refund Due

Draft Order Review (Optional)	Final Order Review (Salem)
Reviewer: PKS	Reviewer: KJP
Date: 6/20/07	Date: 8/22/07
Coordinator: JSP	Coordinator: JSP
Date: 6/21/07	Date: 8/22/07

Comments/Special Issues:

POA change. GW recommended condition included in DRAFT Final Order.

- Rcvd Affidavit of Publication on 8-16-07. No Protest Period because Permit Amendment.

Special Order Volume: Vol: 73, Pages 148

Final Order Signature Date: 8-28-07

Notice of FO e-mailed to processors: Lisa



Oregon

Theodore R. Kulongoski, Governor

T-10322

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

June 22, 2007

LEO GENTRY WHOLESALE NURSERY, INC.
PO BOX 645
GRESHAM, OR 97030

REFERENCE: Permit Amendment Application T-10322

Please find the enclosed DRAFT Final Order regarding permit amendment application T-10322. The document reflects the Department's conclusion that, based on the information currently available, the permit amendment will be approved, as conditioned. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the permit amendment, and whether you agree with the proposed action.

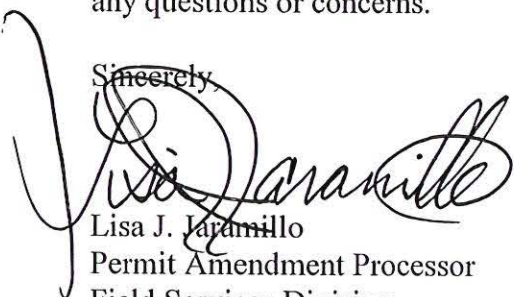
Also enclosed is a permit amendment notice which must be published in a local newspaper in the general area of the permit (*NOTE: newspapers with statewide circulation such as the Capital Press, Journal of Commerce, etc. do not qualify*). **The notice must be published at least once a week for three consecutive weeks.** Please have the newspaper insert the appropriate final date of publication in the place indicated in the notice. **Payment of the cost of publication is your responsibility; please do not send any billing to the Water Resources Department.**

Please request an **affidavit of publication** from the newspaper following publication and send it to me, Lisa Jaramillo, at the address at the top of the page **by Monday, July 23, 2007.**

Upon receipt of the affidavit of publication, processing will continue on the permit amendment application. Issuance of the Final Order for permit amendment T-10322 will **not** occur until the Department receives the affidavit of publication.

Please feel free to contact me at (503)-986-0880 or Lisa.J.Jaramillo@wrdd.state.or.us if you have any questions or concerns.

Sincerely,


Lisa J. Jaramillo
Permit Amendment Processor
Field Services Division

enc

cc: File T-10322
Sabrina White-Scarver, Dist. 20 Watermaster
Pacific Hydro-Geology Inc., Attn: Greg Kupillas, 18487 S. Valley Vista Rd., Mulino, OR 97042



**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Permit Amendment)	DRAFT FINAL ORDER
T-10322, Clackamas County)	APPROVING A CHANGE IN POINTS
)	OF APPROPRIATION

Authority

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

LEO GENTRY WHOLESALE NURSERY, INC.
PO BOX 645
GRESHAM, OR 97030

Findings of Fact

Background

1. On February 20, 2007, Leo Gentry Wholesale Nursery Inc. filed an application to amend the points of appropriation under Permit G-15460. The Department assigned the application number T-10322.
2. The applicant's agent, Greg Kupillas, submitted a revised application and map on June 11, 2007, to clearly reflect the authorized points of appropriation for the lands involved in this permit amendment application.
3. The portion of the permit to be amended is as follows:

Permit:	G-15460, in the names of DUNCAN W. BRINKLEY (DBA OLD FARMHOUSE NURSERY); KOMSART AND JENNIFER RATTANAPAI; and LEO GENTRY WHOLESALE NURSERY, INC.
Use:	NURSERY USE ON 60.45 ACRES
Priority Date:	JUNE 8, 2001
Quantity:	1.51 CUBIC FEET PER SECOND (CFS)

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

Source: THREE WELLS (Wells 1, 2 and 3), in the Clackamas River Basin

Date of Complete Application of Water: October 1, 2007

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	¼ ¼	Location
3 S	4 E	WM	7	NW NE	WELL 1 – 2090 FEET NORTH AND 1010 FEET WEST FROM THE SW CORNER OF JOHN B. CHILDS DLC 44
3 S	4 E	WM	6	SE SE	WELL 2 – 3700 FEET NORTH AND 450 FEET WEST FROM THE SW CORNER OF JOHN B. CHILDS DLC 44
3 S	4 E	WM	8	SW NW	WELL 3 – 1685 FEET NORTH AND 1355 FEET EAST FROM THE SW CORNER OF JOHN B. CHILDS DLC 44

Authorized Place of Use:

Twp	Rng	Mer	Sec	¼ ¼	DLC	Acres
3 S	4 E	WM	6	SW SE	44	4.08
3 S	4 E	WM	6	SE SE	44	4.00
3 S	4 E	WM	7	NE NE	44	24.32
3 S	4 E	WM	7	NW NE	44	3.69
3 S	4 E	WM	7	SE NE	44	11.61
3 S	4 E	WM	8	NW NW	44	5.25
3 S	4 E	WM	8	SW NW	44	7.50
Total:						60.45

4. Application T-10322 proposes to change the points of appropriation for the portion of the permit described in Finding #3 to:

Twp	Rng	Mer	Sec	¼ ¼	DLC	New Well Name and Location	Approx. Distance from Auth. Well 1	Approx. Distance from Auth. Well 2	Approx. Distance from Auth. Well 3
3 S	4 E	WM	6	SE SE	44	Gentry Well 1 – 3620 feet North and 550 feet West from the SW corner of DLC 44	1450 feet Northeast	65 feet West	1950 feet Northwest
3 S	4 E	WM	8	NW NW	44	Gentry Well 2 – 2210 feet North and 1040 feet East from the SW corner of DLC 44	1875 feet East	1850 feet Southeast	600 feet Northeast
3 S	4 E	WM	7	NE NE	44	Gentry Well 3 – 2220 feet North and 240 feet West from the SW corner of DLC 44	650 feet East	1275 feet North	1600 feet Northwest

5. Notice of the application for the permit amendment was published on February 27, 2007, in the Department's weekly notice, and in a local newspaper on _____, _____ and _____, 2007, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
6. The Department's Ground Water Section determined on May 15, 2007, that proposed Gentry Wells #2 and #3 must be constructed so that ground water is developed from within a single aquifer in one of the following geologic formations: the Wanapum Basalt Formation of the Columbia River Basalt Group; the Grande Ronde Basalt Formation of the Columbia River Basalt Group; or the Troutdale or Rhododendron Formation.
7. The change, as conditioned, would not result in injury to other water rights.
8. The change does not enlarge the permit.
9. The change does not alter any other terms of the permit.

Conclusions of Law

The change in points of appropriation proposed by Permit Amendment Application T-10322, as conditioned, is consistent with the requirements of ORS 537.211.

If application T-10354 is approved, the final order will include the following:

- The change in points of appropriation proposed by Permit Amendment Application T-10322 is approved.*

2. *The combined quantity of water diverted at the new points of appropriation (wells), together with that diverted at the old points of appropriation, shall not exceed the maximum rate and duty allowed under Permit G-15460.*
3. *Prior to water use from the proposed point of appropriation, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, and shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.*

The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

4. *Water shall be acquired from the same aquifer (ground water source) as the original points of appropriation.*
5. *The proposed Gentry Wells #2 and #3 shall be completed within a single aquifer in one of the following geologic formations: the Wanapum Basalt Formation of the Columbia River Basalt Group; the Grande Ronde Basalt Formation of the Columbia River Basalt Group; or the Troutdale or Rhododendron Formation.*
6. *All new points of appropriation proposed in this permit amendment are subject to all of the terms and conditions specified in Permit G-15460.*
7. *All other terms and conditions of Permit G-15460 remain the same.*
8. *Permit G-15460, in the names of Duncan W. Brinkley (dba Old Farmhouse Nursery); Komsart and Jennifer Rattanapai; and Leo Gentry Wholesale Nursery, Inc., is amended as described herein.*

Dated at Salem, Oregon this ____ day of _____, 2007.

DRAFT

Phillip C. Ward, Director

This DRAFT Final Order was prepared by Lisa Jaramillo. If you have questions about the information in this document, you may reach me at 503-986-0880 or Lisa.J.Jaramillo@wrdd.state.or.us.

Notice of Permit Amendment T-10322

T-10322 filed by Leo Gentry Wholesale Nursery Inc., P.O. Box 645, Gresham, OR 97030, proposes a change in points of appropriation under Permit G-15460. The permit allows the use of 1.51 cfs (priority date June 8, 2001) from three wells in Sec. 6, 7 and 8, T3S, R4E, W.M. (Clackamas River Basin) for nursery use on 60.45 acres in Sec. 6, 7 and 8. The applicant proposes to change the points of appropriation to three wells located between approximately 65 and 1950 feet (Sec. 6, 7 and 8, T3S, R4E, W.M.) from the original points of appropriation. The Water Resources Department has concluded that the proposed permit amendment appears to be consistent with the requirements of ORS 537.211. The last date of newspaper publication is ***[DATE OF LAST PUBLICATION]***.



Oregon

John A. Kitzhaber, M.D., Governor

Lisa

Water Resources Department

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

INTEROFFICE MEMO

TO: TRANSFER SECTION

DATE: 2-26-07

FROM: _____ WATERMASTER, DISTRICT # _____

X _____ GROUNDWATER SECTION

(SIGNATURE) _____

Ivan K. Ball HLN 5-13-2007
date signed 5-2-07

SUBJECT: PERMIT AMENDMENT # 10322

A change in: POU POD POA APOA of water.

In the name(s) of Leo Gentry Wholesale Nursery Inc

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

MAY BE MADE WITHOUT INJURY
right.

WOULD RESULT IN INJURY* to an existing water

*The approval of this transfer application would result in injury to other water rights because _____
* See attached memo

The existing right may not be valid because _____

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

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

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

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

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

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



Date: May 15 2007

To: Lisa Jaramillo - Water Right Transfer Section

From: Ivan Gall / Karl Wozniak , Hydrogeologists, Ground Water / Hydrology Section

Subject: Review of Transfer 10322, Leo Gentry Wholesale Nursery
03S/04E-6, 7, and 8

Water Right Summary:

Application: G-15528 Permit: G-15460

First Permit Amendment: T-9594 → Special Order 58-333 (December 10, 2003)

Certificate: N/A

Use: Year-round nursery use on 124.8 acres

*40% only
remaining lands
still have orig.
wells. - 6-12-07*

Findings

The proposed addition of three POAs to Permit G-15460 may be made without injury if:

- The Application for a Permit Amendment is corrected to show the *three* authorized POAs, as noted in the discussion section below
- The Application is revised to specify the addition of three POAs, not the replacement or change of the two authorized POAs
- All original conditions on the permit are applied to the new POAs, and
- The order approving the transfer specifies that any new wells that produce ground water from the Columbia River Basalt Group aquifer shall be limited to a single aquifer and shall not simultaneously produce water from the Troutdale or Rhododendron Formations.

Discussion:

This is the second permit amendment application for permit G-15460. The permit originally listed three authorized points of appropriation (POAs). Wells were drilled at the approximate locations of two of these POAs, CLAC 19441/57291 near the location for POA 1 and CLAC 59817 near the location for POA 2. The first amendment, filed under T-9594, resulted in special order 58-333 (December 10, 2003) which replaced the three original POAs with two new POAs (now assigned to Komsart & Jennifer Rattanapai). Unfortunately, the intent of the permit amendment was to add two POAs, as clearly specified in the Application for a Permit Amendment. The current permit amendment, T-10322 (received February 20, 2007), recognizes that only two POAs are now listed on the permit, but incorrectly identifies the authorized locations for these POAs as those specified for POA 2 and 3 on the original permit. T-10322 proposes to change the locations of these two POAs and to add a third POA. This would have the effect of incorrectly removing the only two authorized POAs on the permit, those that are specified on special order 58-333. This problem can be resolved by having the applicant submit a revised Permit Amendment Application that correctly specifies the authorized POAs and that applies for three additional POAs. If these corrections are made and this transfer is approved, the net effect will be to have 5 authorized POAs on the permit, two under the name of Komsart & Jennifer Rattanapai and three under the name of Leo Gentry Wholesale Nursery, Inc. An attached map shows POA locations as proposed on the original permit G-15460 and on permit amendment applications T-9594, and T-10322.

*for the
40% ac
involved
in
T-9594.
- The
remaining
lands
still
have
the
orig.
3
POAs.
6-12-07*

Geologic maps (Trimble, D.E., 1963, Geology of Portland, Oregon and Adjacent Areas: U.S. Geological Survey Bulletin 1119) and an analysis of drill cuttings in well CLAC 59817 (as shown on the USGS website at: http://or.water.usgs.gov/projs_dir/crbg/data/wells/clac_59817/clac_59817_geol.pdf) indicate

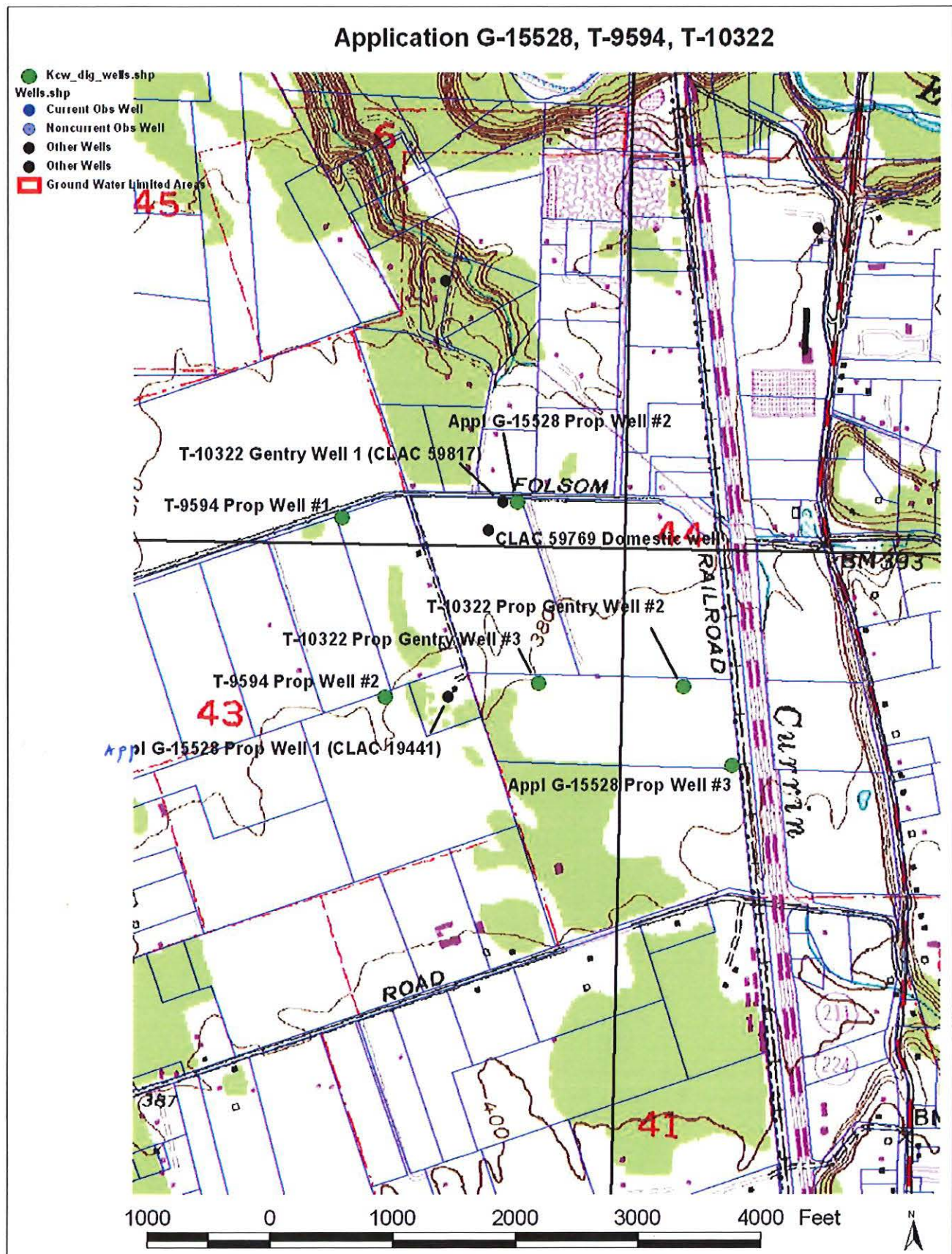
that the area is underlain progressively by the Estacada Formation, the Sandy River member of the Troutdale Formation with a thick interbed of the Rhododendron Formation, and the Columbia River Basalt Group. The well logs for CLAC 19441/57291 and CLAC 59817 show productive water-bearing zones in the shallow and deep part of the Troutdale Formation and several water-bearing zones in the Columbia River Basalt Group. For reasons that are unclear, the driller was allowed to open both the deep Troutdale (at the base of the Rhododendron Formation) and the upper part of the Columbia River Basalt Group in well CLAC 59817. This is not a recommended practice as these water-bearing zones are likely to be relatively isolated under natural conditions such that they will likely have different hydraulic heads and water chemistry. A memo in file G-15528 speaks of similar heads and conductivity in these zones but it is not clear how this could be adequately determined without packing off each zone and sampling them independently. Administrative Rules in the Willamette Basin Program (OAR 690-502) speak to the Columbia River Basalt Group as a distinct source of ground water. This is consistent with our experience in the Willamette Valley. **As such, we recommend that any new wells that produce from an aquifer in the Columbia River Basalt Group shall not be allowed to simultaneously produce water from the Troutdale or Rhododendron Formations.**

Wells drilled to date suggest that well yields are lower than expected, and multiple wells will be needed to realize the permitted rate of 3.12 cfs. The original application did not propose a specific source but proposed well depths of 400-1200 feet, which encompasses potential completions in the Troutdale, the Rhododendron Formation, or the Columbia River Basalt Group. The subsequent permit was conditioned to allow ground water production from no shallower than 100 feet below land surface to minimize the possibility of interference with nearby streams. Since a source was not specified, new wells on the permit should be allowed to produce from any of these sources as long as they do not produce from water-bearing zones that are shallower than 100 feet below land surface. However, new wells should not be allowed to produce from more than one source at the same time. Information on the well log for CLAC 59817 indicates that significantly lower heads (at least 42 feet) were found in water-bearing zones in the basal Wanapum and Grande Rhonde Basalt sections of the Columbia River Basalt Group compared to water-bearing zones in the upper Wanapum Basalt. This indicates that head differences of greater than 42 feet are likely between shallow and deep water-bearing zones in the Columbia River Basalt Group at this locality. Therefore, to prevent wasteful use of ground water (by bleeding off hydraulic head in zones with different pressures), new wells in the area that produce from the Columbia River Basalt Group should be conditioned to require production from a single Columbia River Basalt Group aquifer only.

Since the proposed wells are not significantly closer than the original permitted POAs to nearby streams, hydraulic interference with local streams is not likely to be increased by the changes proposed on this permit amendment. Therefore, nearby surface water sources should be adequately protected from substantial interference if the new wells are limited to ground water production from no shallower than 100 feet below land surface, as specified on the original permit.

Information on an Extension of Time form in file G-15528, from the Leo Gentry Wholesale Nursery, indicates that CLAC 59817 is the only well that has been used over the years to supply water for irrigated lands listed on the permit. An extension review by the Ground Water Section indicated that the owner had not submitted any of the required water levels on the permit. It is unlikely that any annual reminder letters were submitted to the nursery since 2004 as the well was no longer listed as a valid POA in the Water Rights database as of December 10, 2003, the date special order 58-333 was issued.

Conditions on the current permit require March static-water-level measurements (7I) and annual water use reports. These conditions should be applied to all three of the new POAs (as required by the Willamette Basin Program for all new permits that appropriate groundwater from Columbia River Basalt Group aquifers, OAR 690-502-0250).



Geologic Log For Site CLAC 59817

NWIS Site ID: 451937122205201

OWRD Log ID: CLAC 59817

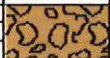

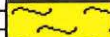
Well location: 03S/04E-08BCA

Depth drilled, in feet below land surface: 1535

Land surface altitude, in feet above Nation Geodetic Vertical Datum of 1929: 388

Logged by: T. L. Tolan

Date drilled: 11/21/2003

Depth	Symbol	Lithologic Description	Elevation	Water Bearing Zones	Geochem Sample	Remarks
0		Estacada Formation Ground Surface boulder-cobble gravel	380			Note: Composite well log derived from wells CLAC 59769 (well 1) and CLAC 59817 (well 2).
		Troutdale Formation cobble conglomerate	338			
		brown sand	317			
		gray clay				
100						
		gray-green sandstone with mica	244			
		clayey siltstone with mica	229			
200						
		gray-green claystone	179			
		cobbly sandstone (gray)	164			
		claystone	149			341 ft: Top of Rhododendron Formation; unit very deeply weathered from 341 to 490 ft; unit consists of mainly lava flows and minor tuffs interbedded with the Troutdale Formation.
		gray-brown sandstone	116			
		multi-colored claystone				
300						
		conglomerate	66			
			39			
		Rhododendron Formation deeply weathered				
400						
		dense interior	-60			
		dense interior	-110			
500						
		dense interior	-160			
		tuff	-195			
600						
		Rhododendron Formation dense interior	-220			
			-310			
700						
			-330	50-60 gpm	722	
			-350			
		Troutdale Formation gray claystone				
		conglomerate	-390			
		gray-blue claystone				
800						

Geologic Log For Site CLAC 59817

NWIS Site ID: 451937122205201

OWRD Log ID: CLAC 59817

Well location: 03S/04E-08BCA

Depth drilled, in feet below land surface: 1535

Land surface altitude, in feet above Nation Geodetic Vertical Datum of 1929: 388

Logged by: T. L. Tolan

Date drilled: 11/21/2003

Depth	Symbol	Lithologic Description	Elevation	Water Bearing Zones	Geochem Sample	Remarks
		Wanapum Basalt, Frenchman Springs Member Basalt of Sentinel Gap	-435			815 ft: Top of CRBG; uppermost flow weathered from 815 to 830 ft
		no flow top weathered dense interior	-450		845	Basalt of Sentinel Gap: very sparsely plagioclase phyric with small phenocrysts; microphyric
		dense interior - columnar	-480		875	
		Wanapum Basalt, Frenchman Springs Member Basalt of Sand Hollow flow 1	-500		900	
900		flow top breccia (weathered)			920	Basalt of Sand Hollow flow 1: sparsely plagioclase phyric with large glomerocrysts
		dense interior - columnar				flow 2: sparsely plagioclase phyric with large glomerocrysts
		flow top breccia	-570	100 gpm		
		dense interior - columnar	-585		975	
1000		Interbed - claystone	-615			1025 ft: Interbed <2 ft. thick
		Wanapum Basalt, Frenchman Springs Member Basalt of Silver Falls			1050	Basalt of Silver Falls: plagioclase phyric with large glomerocrysts; abundantly plag. microphyric
		normal flow top	-690			
		dense interior - columnar	-710			
1100		Wanapum Basalt, Frenchman Springs Member Basalt of Ginkgo flow 1				Basalt of Ginkgo flow 1: abundantly plagioclase phyric with large glomerocrysts
		flow top (weathered)				flow 2: abundantly plagioclase phyric with large glomerocrysts
		dense interior - columnar			1175	
		flow top (weathered)	-800			
		dense interior - columnar	-815		1215	
1200		pillow complex	-850			
		Interbed - claystone	-892		1250	1272 ft: Vantage Interbed approx 3 ft. thick
		Grande Ronde Basalt, Sentinel Bluffs Member flow 1	-910			Sentinel Bluffs Member flow 1: aphyric
1300		weathered flow top	-970	<10 gpm	1340	flow 2: very sparsely plagioclase phyric with small phenocrysts
		dense interior - columnar	-980			
		weathered flow top			1400	
		dense interior - columnar				
1400		Grande Ronde Basalt, Winter Water Member flow 1	-1030			Winter Water Member flow 1: plagioclase phyric with small glomerocrysts
		flow top breccia	-1065		1435	flow 2: plagioclase phyric with small glomerocrysts
		dense interior - entablature	-1075			
		dense interior - columnar	-1085			
		normal flow top	-1100			
1500		dense interior - entablature				
		TD 1535 ft	-1155		1535	
1600						

Revisions to Appl & Map

Lisa Jaramillo

From: Greg Kupillas [phggek@bctonline.com]
Sent: Monday, June 11, 2007 2:25 PM
To: Lisa Jaramillo
Subject: Leo Gentry Permit Amendment T-10322
Attachments: Gentry_Permit_Amend_Rvsd.pdf; GentryFolsomPerAmendMapRvsd.pdf



Lisa:

I've finally been able to make the revisions to this permit amendment that we discussed a while back. The attached files include the appropriately revised application pages and the revised map. The revised pages and map are intended to supersede the corresponding pages and map of the original application. Please let me know if you need anything else.

Regards,

Greg Kupillas, R.G., C.W.R.E.

Pacific Hydro-Geology Inc.
18477 S. Valley Vista Rd.
Mulino, OR 97042
503.632.5016

6/11/2007

Permit Amendments

- If you propose to amend multiple permits under this application, a separate set of pages 3 through 7 must be provided for each permit. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

Ground Water Registration Modifications

- You may propose modification of only one ground water registration per application, unless in accordance with OAR 690-382-0300(2), the ground water registrations to be modified are layered. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

4. TYPE OF AMENDMENT OR MODIFICATION PROPOSED

Please check all of the following that apply:

Point of Diversion or Appropriation	Place of Use	Character of Use
<p><input checked="" type="checkbox"/> Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the amendment or modification.)</p> <p><input type="checkbox"/> Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the amendment or modification.)</p> <p style="text-align: center;"><i>Not Available for <u>Ground Water Registrations</u></i></p> <p><input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.)</p>	<p><input type="checkbox"/> All of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at the current authorized location will be discontinued.)</p> <p><input type="checkbox"/> Only a portion of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at a <u>portion</u> of the current authorized location will be discontinued.)</p>	<p style="text-align: center;"><i>Not Available for <u>Permit Amendments</u></i></p> <p>Change existing authorized use to the following proposed <u>new</u> use:</p> <p><input type="checkbox"/> Irrigation</p> <p><input type="checkbox"/> Municipal</p> <p><input type="checkbox"/> Quasi-municipal</p> <p><input type="checkbox"/> Commercial</p> <p><input type="checkbox"/> Industrial</p> <p><input type="checkbox"/> Domestic (indicate number of households): _____</p> <p><input type="checkbox"/> Other _____</p>

- Reason(s) for amendment/modification(s): The applicant wishes to move the two authorized points of appropriation which are located on their land to different locations and add an additional point of appropriation.

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- The following information **must be provided** only for those points of diversion or appropriation that are involved in the permit amendment or ground water registration modification (i.e., list only the portion of the permit/registration you propose to amend/modify.) Attach additional pages as necessary.

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

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

(i.e., the allowed point(s) of diversion/appropriation that will be affected by the proposed amendment/modification, the "FROM" point(s) of diversion/appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
CLAC 19441/57291	Well 1 6/8/01	3S	4E	W	7	NW NE	DLC 44	2090 feet north & 1010 feet west from SW corner, John B. Childs DLC 44
CLAC 59817	Well 2 6/8/01	3S	4E	W	6	SE SE	DLC 44	3700 feet north & 450 feet west from SW corner, John B. Childs DLC 44
Not yet constructed	Well 3 6/8/01	3S	4E	W	8	SW NW	DLC 44	1685 feet north & 1355 feet east from SW corner, John B. Childs DLC 44

- Does the permit/registration being amended/modified involve a ground water source(s)?
☒ Yes ☐ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

- Supply a copy of the well log(s) for each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map.
(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)
- or
- If a well log is not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

6. PROPOSED PERMIT AMENDMENT OR REGISTRATION MODIFICATION

- Describe proposed changes to the permit or registration involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation: (i.e., the "TO" point(s) of diversion/appropriation)
(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Gentry Well 1	3S	4E	W	6	SE SE	DLC 44	3620 FEET NORTH AND 550 FEET WEST FROM THE SW CORNER, DLC 44
Gentry Well 2	3S	4E	W	8	NW NW	DLC 44	2210 FEET NORTH AND 1040 FEET EAST FROM THE SW CORNER, DLC 44
Gentry Well 3	3S	4E	W	7	NE NE	DLC 44	2220 FEET NORTH AND 240 FEET WEST FROM THE SW CORNER, DLC 44

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☒ Yes ☐ No ☐ N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s):

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
Yes	Gentry Well 1 CLAC 59817	See	CLAC	59817						
No	Gentry Well 2	8"-10"*	8"-10"* steel	850*	700'-750'*	380'*	200'	700'	Per OARs	1,170'*
No	Gentry Well 3	8"-10"*	8"-10"* steel	850*	700'-750'*	380'*	200'	700'	Per OARs	1,170'*
	* See Remarks									

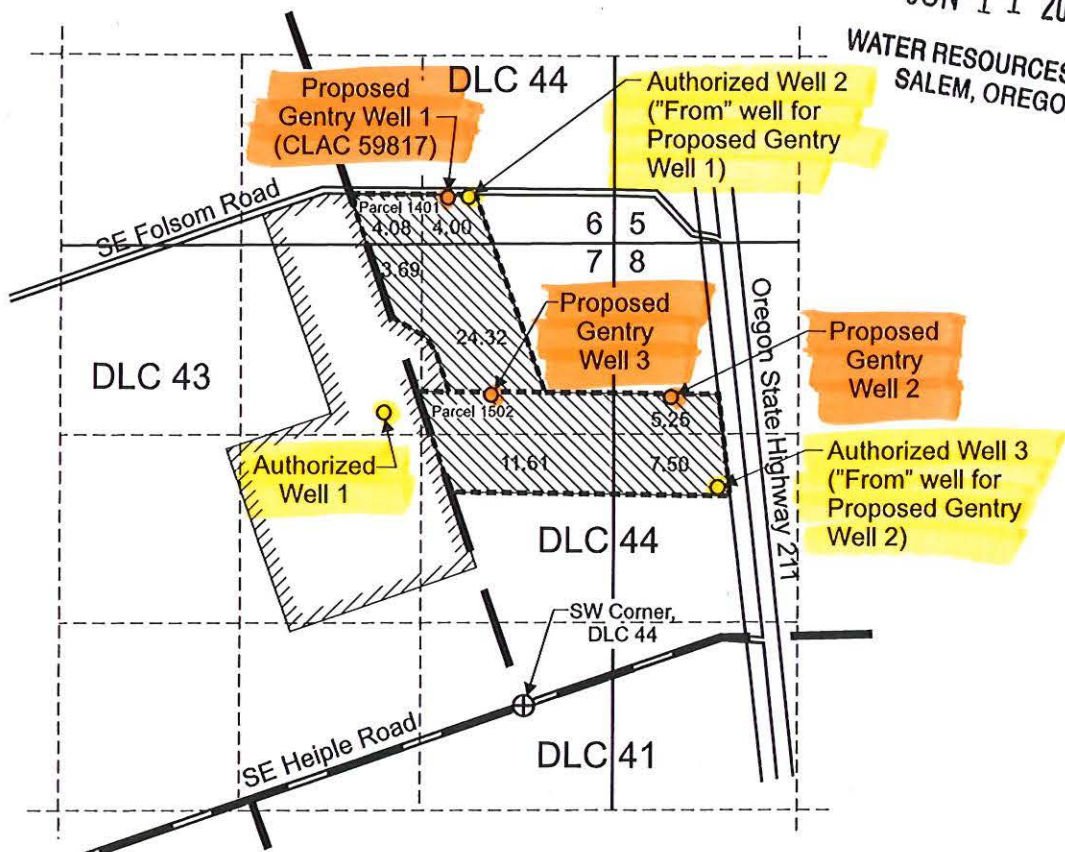
Revised Map

T.3S. R.4E. Sec. 6, 7 & 8, W.M.

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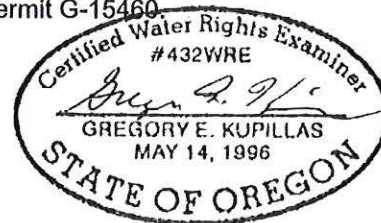


Authorized Well 1 is located 2,090 feet north and 1,010 feet west from the SW corner, DLC 44.
 Authorized Well 2 ("From" well for Proposed Gentry Well 1) is located 3,700 feet north and 450 feet west from the SW corner, DLC 44.
 Authorized Well 3 ("From" well for Proposed Gentry Well 2) is located 1,685 feet north and 1,355 feet east from the SE corner, DLC 43.
 Proposed Gentry Well 1 (CLAC 59817) is located 3,620 feet north and 550 feet west from the SW corner, DLC 44.
 Proposed Gentry Well 2 is located 2,210 feet north and 1,040 feet east from the SW corner, DLC 44.
 Proposed Gentry Well 3 is located 2,220 feet north and 240 feet west from the SW corner, DLC 44.

Area (60.45 Acres) under Application G-15528, Permit G-15460 affected by this permit amendment.

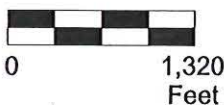
Remaining Area (64.34 Acres) under Application G-15528, Permit G-15460.

----- Tax lot boundary



EXPIRATION DATE: 6/30/09

Scale: 1" = 1,320'



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

Permit Amendment Map

Leo Gentry Wholesale Nursery Inc.
Tax Lots 3 4E 8 1401 and 3 4E 8 1502

Pacific Hydro-Geology Inc.

Rvsd 6/2007

Oregon Water Resources Department



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A, Salem, OR. 97301-1271
Phone: 503-986-0900
<http://www.wrd.state.or.us>

*faxed
5-1-07
@ 1:45*

FAX TRANSMITTAL

To: Ivan Gall
Date: 5-1-07
From: Lisa Jaramillo

Fax Number: 541-471-2876
Pages: 24, including cover sheet
Phone: 503-986-0880

Comments:

Leo Gentry Wholesale Nursery
Transfer

DIRECTOR'S OFFICE

- Water Resources Commission
- Legislation and Rules
- Public Information

FIELD SERVICES

- Regional Liaisons
- Transfers
- Hydrographics

NORTHWEST REGION

- District 16 Watermaster

ADMINISTRATIVE SERVICES

- Fiscal / Accounting
- Human Resources / Personnel
- Water Development Loan Fund
- Support Services

TECHNICAL SERVICES

- Dam Safety
- Enforcement
- Ground Water
- Information Services
- GIS/Mapping
- Water Use Reporting

Fax: 503-986-0902

WATER RIGHTS

- Water Rights Information
- Adjudications
- Hydroelectric
- Certificates / Final Proofs
- Hearings / Contested Cases

Fax: 503-986-0901

Fax: 503-986-0903 or
503-986-0904

Application for a Permit to Use Ground Water

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1. APPLICANT INFORMATION

WATER RESOURCES DEPT.
SALEM, OREGON

Ground Water/ 1

2. PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water?

☒ Yes (Skip to section 3 "Ground water Development.") ALL BUT TL303 (DAUGHTERS)

☒ No Please check the appropriate box below.

☒ I have a recorded easement or written authorization permitting access.

☐ I do not currently have written authorization or easement permitting access.

List the names and mailing addresses of all affected landowners.*

WENDY SUE ROGERS DAUENHAUER & TODD DAUENHAUER

26577 SE HEREFORD LANE

EAGLE CREEK, OR 97023

*If more than 25 landowners are involved, a list is not required. See instructions.

3. GROUND WATER DEVELOPMENT

A. Number of well(s): THREE B. Name of nearest surface water body: CLACKAMAS RIVER

C. Distance from well(s) to nearest stream or lake: 1) ABOUT 7500FT

2) ABOUT 8500 FT 3) ABOUT 9500 FT 4) _____

D. If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) ABOUT 120 FT

2) ABOUT 120 FT 3) ABOUT 120 FT 4) _____

E. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to question F in this section of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by: TED PULLIAM OF PULLIAM-OLSEN WELL DRILLING

Address: 480 SE 172ND AVENUE, BORING, OR 97009

TEL: 503-665-3353, FAX: 503-665-5285, CELL: 503-789-5764

Completion date: AUGUST 1, 2002 (DEPENDING ON PERMIT DATES).

2. Please provide a description of your well development. (Attach additional sheets if needed.)

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seat depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
1..	12" BH	8" BLK STL 1/4			18' MIN.	200-300'	200-300'	1/4" IPT	400-1200'
2.	14" BH	10" TO 8" STL			18' MIN	200-300'	200-300'	1/4" IPT	400-1200'
3.	14" BH	10" TO 8" STL			18' MIN	200-300'	200-300'	1/4" IPT	400-1200'

F. Artesian Flows

If your water well is flowing artesian, describe your water control and conservation works:

NA

4. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: 3-4
- If your proposed use is **irrigation**, please attach Form I
- If your proposed use is **mining**, attach Form R
- If your proposed use is **municipal or quasi-municipal**, attach Form M
- If your proposed use is **commercial/industrial**, attach Form Q

Application No. 715528
Permit No.

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SALEM, OREGON

B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
1.		IRRIGATION	200	70,600,000	200+/-
2.		IRRIGATION	250	88,200,000	200-300GPM
3.		IRRIGATION	250	88,200,000	200-300GPM

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 1,400 GPM
(The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: GENERAL AGRICULTURAL USES NOV.1 TO END FEB.
GENERAL NURSERY USES MAR.1 TO OCT.31
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1-October 31.)

E. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used: 125.80 AC
(This number should be consistent with you application map.)

5. WATER MANAGEMENT

A. Diversion

What equipment will you use to pump water from your well(s)?

- ☒ Pump (give horsepower and pump type) 1-50HP, 2-60HP MINIMUM
☐ Other means (describe) _____

B. Transport

How will you transport water to your place of use?

- ☐ Ditch or canal (give average width and depth)
Width _____ Depth _____
Is the ditch or canal to be lined? ☐ Yes ☐ No
- ☒ Pipe (give diameter and total length)
Diameter 4" & 6" PVC Length ABOUT 2,000 FT & 1,500 FT
- ☐ Other (describe) _____

C. Application/Distribution Method

What equipment will you use to apply water to your place of use? THREE SUBMERSIBLE PUMPS,
4" & 6" PVC TRANSMISSION & DISTRIBUTION MAINS, ROTATING RAINBIRD SPRINKLERS.

Irrigation or land application method (check all that apply):

- | | | |
|---|---|---|
| <input type="checkbox"/> Flood | <input checked="" type="checkbox"/> High-pressure sprinkler | <input type="checkbox"/> Low pressure sprinkler |
| <input type="checkbox"/> Drip | <input type="checkbox"/> Water cannons | <input type="checkbox"/> Center pivot system |
| <input checked="" type="checkbox"/> Hand lines | <input type="checkbox"/> Wheel lines | |
| <input type="checkbox"/> Siphon tubes or gated pipe with furrows | | |
| <input checked="" type="checkbox"/> Other, describe <u>MISTERS IN GREENHOUSES, DRIP IRRIGATION & SOAKER HOSES</u> | | |

Distribution method

- ☒ Direct pipe from source ☒ In-line storage (tank or pond) ☐ Open canal

D. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

USE 1" TUNA CAN TO MEASURE VOLUME OF WATER APPLIED, USE AUTOMATIC IRRIGATION
CONTROLLER TO REDUCE OVER APPLICATION OF WATER, USE DRIP LINES & SOAKER HOSES.

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin MAR. 1, 2002

Proposed date construction will be completed MAR. 1, 2003

Proposed date beneficial water use will begin MAR. 1, 2005

7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

Application No. 915528
Permit No. _____
Ground Water/5

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SALEM, OREGON

8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

9. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:

Duncan B. Bickley
Signature of Applicant

Date

3-31-01

Signature of Co-applicant

Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

Application No. 915528

Permit No

G-15460

DONATION LAND CLAIM NO. 43 & 44

SW & SE OF THE SE 1/4 SECTION 6

SW NW, NE 1/4, NW SE OF SECTION 7

NW & SW OF NW 1/4 SECTION 8

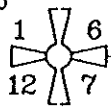
T3S, R4E of the WM, CLACKAMAS CO., OR

IRRIG. WELL #2

FOLSOM

TO BARTON

DLC NO 41
DLC NO 40
DLC NO 45
DLC NO 43



TL 303
15.72 AC GROSS

1/16

N 1/4

TL 1400

31.93 AC GROSS

EXEMPT POND

0.1-AC (66'-SQ)

1/16

NW NW

NE NW

SE NW

1/16

TL 302

5.00 AC GROSS

TL 1200

40.0 AC GROSS

C 1/4

1/16

SE COR. JOSEPH YOUNG

DLC NO. 43

1/16

NW SW

NE SW

SE SW

1/16

DLC NO 43

DLC NO 42

1/16

S 1/4

1/16

1/16

1/16

1/16

1/16

1/16

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TL 1400

31.93 AC GROSS

EXEMPT POND

0.1-AC (66'-SQ)

1/16

NW NW

NE NW

SE NW

1/16

TL 302

5.00 AC GROSS

TL 1200

40.0 AC GROSS

C 1/4

1/16

SE COR. JOSEPH YOUNG

DLC NO. 43

1/16

NW SW

NE SW

SE SW

1/16

DLC NO 43

DLC NO 42

1/16

S 1/4

1/16

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1/16

TL 1400

31.93 AC GROSS

EXEMPT POND

0.1-AC (66'-SQ)

1/16

NW NW

NE NW

SE NW

1/16

TL 302

5.00 AC GROSS

TL 1200

40.0 AC GROSS

C 1/4

1/16

SE COR. JOSEPH YOUNG

DLC NO. 43

1/16

NW SW

NE SW

SE SW

1/16

DLC NO 43

DLC NO 42

1/16

S 1/4

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TL 1400

31.93 AC GROSS

EXEMPT POND

0.1-AC (66'-SQ)

1/16

NW NW

NE NW

SE NW

1/16

TL 302

5.00 AC GROSS

TL 1200

40.0 AC GROSS

C 1/4

1/16

SE COR. JOSEPH YOUNG

DLC NO. 43

1/16

NW SW

NE SW

SE SW

1/16

DLC NO 43

DLC NO 42

1/16

S 1/4

1/16

1/16

1/16

1/16

1/16

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TL 1400

31.93 AC GROSS

EXEMPT POND

0.1-AC (66'-SQ)

1/16

NW NW

NE NW

SE NW

1/16

TL 302

5.00 AC GROSS

TL 1200

40.0 AC GROSS

C 1/4

1/16

SE COR. JOSEPH YOUNG

DLC NO. 43

1/16

NW SW

NE SW

SE SW

1/16

DLC NO 43

DLC NO 42

1/16

S 1/4

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TL 1400

31.93 AC GROSS

EXEMPT POND

0.1-AC (66'-SQ)

1/16

NW NW

NE NW

SE NW

1/16

TO: Water Rights Section

June 26, 2001 199

FROM: Groundwater/Hydrology Section Don Miller

Reviewer's Name

SUBJECT: Application G- 15528

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE Willamette Basin rules, one or more of the proposed POA's ~~is~~ is not within 1/4 feet/mile of a surface water source () and taps a groundwater source hydraulically connected to the surface water.
As conditioned, no rule trigger
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
 - a. will, or have the potential for substantial interference with the nearest
 - b. will not surface water source, namely ; or
 - c. X will if properly conditioned, adequately protect the surface water from interference:
 - i. The permit should contain condition #(s) 7I;
 - ii. The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. X The permit should be conditioned as indicated in item 4 below; or
 - d. will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
 - a. will, or likely be available in the amounts requested without injury to prior rights
 - b. will not and/or within the capacity of the resource; or
 - c. X will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
 - i. X The permit should contain condition #(s) 7I;
 - ii. The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. The permit should be conditioned as indicated in item 4 below; or
4.
 - a. THE PERMIT should allow groundwater production from no deeper than ft. below land surface;
 - b. X The permit should allow groundwater production from no shallower than 100 ft. below land surface;
 - c. The permit should allow groundwater production only from the groundwater reservoir between approximately ft. and ft. below land surface;
 - d. Well reconstruction is necessary to accomplish one or more of the above conditions.
 - e. One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS:

(Well Construction Considerations on Reverse Side)

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. ☐ review of the well log;
 - b. ☐ field inspection by _____;
 - c. ☐ report of CWRE _____;
 - d. ☐ other: (specify) _____
6. THE WELL construction deficiency:
- a. ☐ constitutes a health threat under Division 200 rules;
 - b. ☐ commingles water from more than one groundwater reservoir;
 - c. ☐ permits the loss of artesian head;
 - d. ☐ permits the de-watering of one or more groundwater reservoirs;
 - e. ☐ other: (specify) _____
7. THE WELL construction deficiency is described as follows: _____
8. THE WELL
- a. ☐ was, or constructed according to the standards in effect at the time of
 - b. ☐ was not original construction or most recent modification.
 - c. ☐ I don't know if it met standards at the time of construction.

RECOMMENDATION:

- A. ☐ I recommend including the following condition in the permit:
- "No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. ☐ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. ☐ REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit

_____, 199____
(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: _____

_____, 199____
(Signature)

Water Resources Department

MEMO

June 26, 2001

TO Application G- 15528

FROM GW: D. M. L.
(Reviewer's Name)

SUBJECT Scenic Waterway Interference Evaluation

☒ Yes

The source of appropriation is within or above a Scenic Waterway.

☐ No☒ Yes

Use the Scenic Waterway condition (Condition 7J).

☐ No

PREPONDERANCE OF EVIDENCE FINDING: (Check box only if statement is true)



At this time the Department is unable to find that there is a preponderance of evidence that the proposed use of ground water will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

FLOW REDUCTION: (To be filled out only if Preponderance of Evidence box is not checked)

Exercise of this permit is calculated to reduce monthly flows in _____ Scenic Waterway by the following amounts expressed as a proportion of the consumptive use by which surface water flow is reduced.

[illegible]

**Water Right Conditions
Tracking Slip**

Groundwater/Hydrology Section

FILE ~~no~~ G-15528

ROUTED TO: WR'S

TOWNSHIP/

RANGE-SECTION: 3S/4E-6,7,8

CONDITIONS ATTACHED? ☒ yes ☐ no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: D. M. Miller

WATER RESOURCES

TO: Groundwater/Hydrology Files

Date 6/26/01

FROM: Donn Miller

SUBJECT: Groundwater Application G- 15528

Phone:

Name: Duncan Brinkley / Old Farmhouse Nursery

Applicant(s) seek 700 gpm () from well(s) in the

Willamette R. basin

Proposed use: Nursery / Ag / Gp dm

Clackamas R. sub basin

Cummins sub basin

Pertinent 7 1/2-minute quads

Estacada

Well #1 WRD# T3S R4E S7 Qabd County Clack

Legal Description 2090' N + 1010' W of the SW Corner DCC #4

Well is 2500 ft from Cummins CK (river/stream)

Well is ft from (river/stream)

Well elevation 380 ft River/stream elevation 375 ft

Well elevation-river/stream elevation 5

Well depth 400-1200 SWL 200-300 on

Sealed to 18' + Depth first water found 200-300

Cased to Perforations/screens

Lined to Perforations/screens

Well tests and types

Confined or unconfined? Hydraulically connected?

Potential to cause substantial interference?

Well #2 WRD# T3S R4S S6 Qabd County Clack

Legal Description 3700' N + 450' W of the SW Corner DCC #4

Well is 1000 ft from Cummins CK (river/stream)

Well is ft from (river/stream)

Well elevation 375 ft River/stream elevation 370 ft

Well elevation-river/stream elevation 5

Well depth 400-1200 SWL 200-300 on

Sealed to 18' + Depth first water found 200-300

Cased to Perforations/screens

Lined to Perforations/screens

Well tests and types

Confined or unconfined? Hydraulically connected?

Potential to cause substantial interference?

Conditioned water rights in area:

Other nearby water rights of record:

Density of nearby wells of record:

Comments: Some deep target is sought. Perhaps even the CRB. This kind of water is rare around here. Condition for CRB possibility + reduce connection w/ Cummins CK.

References used: OWRD GW Rpt #29, USGS Prof Paper 1424-B

WATER RESOURCES

2 of 2

TO: Groundwater/Hydrology Files Date _____

FROM: _____

SUBJECT: Groundwater Application G- 15528 Phone: _____

Name: _____

Applicant(s) seek _____ gpm (_____ cfs) from _____ well(s) in the _____ basin

Proposed use: _____ sub basin

_____ sub basin

Pertinent 7 1/2-minute quads _____

Well #3 WRD# TV BC
BUILT T 35 R 4E S 8 Q bca County Clark

Legal Description 16 85' N + 1355' E 2 1/2 ac SE corner D4C #3

Well is 400 ft from _____ (river/stream)

Well is _____ ft from _____ (river/stream)

Well elevation 385 ft River/stream elevation 385 ft

Well elevation - river/stream elevation 0

Well depth _____ SWL _____ on _____

Sealed to _____ Depth first water found _____

Cased to _____ Perforations/screens _____

Lined to _____ Perforations/screens _____

Well tests and types _____

Confined or unconfined? _____ Hydraulically connected? _____

Potential to cause substantial interference? _____

Well _____ WRD# _____ T _____ R _____ S _____ Q _____ County _____

Legal Description _____

Well is _____ ft from _____ (river/stream)

Well is _____ ft from _____ (river/stream)

Well elevation _____ ft River/stream elevation _____ ft

Well elevation - river/stream elevation _____

Well depth _____ SWL _____ on _____

Sealed to _____ Depth first water found _____

Cased to _____ Perforations/screens _____

Lined to _____ Perforations/screens _____

Well tests and types _____

Confined or unconfined? _____ Hydraulically connected? _____

Potential to cause substantial interference? _____

Coexisting water rights in area: _____

Other nearby water rights of record: _____

Density of nearby wells of record: _____

Comments: _____

References used: _____

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

Skyles Drilling, Inc.
1169 Molalla Ave.
Oregon City, OR 97045

MAY 31 1994

(START CARD) # 64698 Page 1

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number 01
Name Tim Marcum
Address P.O. Box 312
City Eagle Creek State Or. Zip 97022

(2) TYPE OF WORK:
☒ New Well ☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:
☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger
☐ Other

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval ☐ Yes ☒ No Depth of Completed Well 182 ft.
Explosives used ☐ Yes ☒ No Type _____ Amount _____

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
10"	0	26	Hole Plug	26	0	21 sacks
6"	26	182				

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☒ Other Poured in Dry

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 6"	+1 1/2	175	250	<input checked="" type="checkbox"/>	<input 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"/>
Liner: None				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 175'

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
None						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

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

Yield gal/min	Drawdown	Drill stem at	Time
250		170	1 hr.
150		160	1/2 Hr.

Temperature of water 58° Depth Artesian Flow Found _____
Was a water analysis done? ☐ Yes By whom _____
Did any strata contain water not suitable for intended use? ☒ Too little
☐ Salty ☐ Muddy ☒ Odor ☐ Colored ☒ Other Surface Water
Depth of strata: 4' to 14', 53', 79' & 95' & 130'

(9) LOCATION OF WELL by legal description:
County Clackamas Latitude _____ Longitude _____
Township 3 South N or S Range 4 East E or W. WM.
Section 7 SW 1/4 NW 1/4
Tax Lot 301 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 27325 Samuels Rd.
Eagle Creek, Or.

(10) STATIC WATER LEVEL:
34 ft. below land surface. Date 5-20-94
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 4'

From	To	Estimated Flow Rate	SWL
53	70	Trace	34
79	89	32	34
95	103	35	34
130	142	20	34
177	182	250	34

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWL
Clay Brown Sandy	0	4	
Boulders Gravel, Sand,	4		
Med Gray		14	
Sand, Fine, Brown w/Gravel	14		
Brown Med.		20	
Clay Blue Sandy	20	53	
Sandstone Frac. w/Sand	53		
Gray & Black Fine		70	34
Clay Gray Sandy	70	79	
Sandstone Gray Frac w/	79		
Sand Fine Gray		89	34
Clay Gray Sandy	89	95	
Sandstone Gray Fractured	95	103	34
Clay Gray Gritty	103	109	
Claystone Gray & Tan, Fr.	109	122	
Clay Gray	122	130	
Sandstone Gray Fr. w/Sand	130		
Course to fine black		142	
Sand Gray w/Seams of	142		
Clay Blue Gritty		177	

Date started 5-18-94 Completed 5-20-94

(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.

Signed Shane D. Kanner WWC Number 1601 Date 5/24/94

(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.

Signed Stewart C. Bland WWC Number 1592 Date 5-25-94

(1) OWNER: Well No. L27741
Name KELLY FINERTY
Address 29770 SE HWY 212
City BORING St OR Zip 97009

(2) TYPE OF WORK: NEW WELL

(3) DRILL METHOD: ROTARY AIR

(4) PROPOSED USE: DOMESTIC

(5) BORE HOLE CONSTRUCTION:

Special Construction Approval NO Depth of Compl. Well 620 ft
Explosives used NO Type Amount
HOLE SEAL
Diam. From To Material From To Amount
10 0 65 CEMENT 12 65 42 SACKS
7 5/8 65 285 CEMENT 265 285 10 SACKS
5 1/2 285 620 BENTONITE 0 12 17 SACKS

Seal placement method C & POURED IN

Backfill: from ft to ft Material
Gravel: from ft to ft Size

(6) CASING/LINER:

Casing Diam. From To Gauge Material Connection
6 +1 285 .250 STEEL WELDED

Liner 4"PVC 20 620 200LB PLASTIC WELDED

Final Location of shoe(s) 285' 5 1/2" TUBEX

(7) PERFORATIONS/SCREENS:

[X] Perf. Method SAW
[] Screens Type Material
Slot Tele/pipe
From To Size Number Diam. Size Casing/liner
560 620 1/8X9 600 LINDER

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

Test type AIR
Yield GPM Draw-down Drill stem at Time
60 600 1 hr.
15 60 4 HR PUMP

Temperature of water 56F Depth Artesian Flow Found
Was water analysis done? NO By whom
Reason for water not suitable for use
Depth of strata

(9) LOCATION OF WELL by legal description:

County CLACK Lat. ° ' " Long. ° ' "
Township 3 S Range 4 E WM.
Section 8 NE 1/4 NW 1/4
Tax Lot 1300 Lot Block Subdivision
Street Address of Well (or nearest Address)
29770 SE HWY 212 BORING, OR 97009

(10) STATIC WATER LEVEL:

133 ft. below land surface. Date 09/22/98
Artesian pressure lb per square in. Date

(11) WATER BEARING ZONES:

Depth at which water was first found 18
From To Est Flow Rate SWL
18 42 25 GPM 14
595 620 60 GPM 133

(12) WELL LOG:

Material Ground elevation
From To SWL
BLUE CLAY 0 18
GRAVEL & BOULDERS 18 42 14
BLUE CLAY 42 265
MULTI-COLORED MEDIUM ROCK 265 620 133

RECEIVED

OCT 05 1998

WATER RESOURCES DEPT.
SALEM, OREGON

Date started 09/09/98

Completed 09/22/98

(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 my best knowledge and belief.

Signed _____ WWC Number _____
Date _____

(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.

Signed *Joe McVittan* WWC Number 616
Date 09/28/98

STATE ENGINEER
Salem, Oregon

CLAC
015798

Well Record

STATE WELL NO. 3/4-8F
COUNTY CLACKAMAS
APPLICATION NO. GR-2666

OWNER: Harvey Barnard

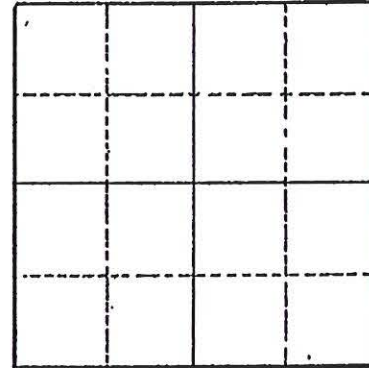
MAILING ADDRESS: Rt. 1, Box 40

LOCATION OF WELL: Owner's No.

CITY AND STATE: Estacada, Oregon

SE 1/4 NW 1/4 Sec. 8 T. 3 N. S. R. 4 E. W. W.M.

Bearing and distance from section or subdivision
corner N. 50° 54' E. 1348' from angle corner in the
South line of the John B. Chiles DLQ.



Altitude at well

TYPE OF WELL: Drilled Date Constructed 1951

Depth drilled 500 Depth cased 500

Section

CASING RECORD:

12-inch
8-inch

FINISH:

6" pipe perforated with Mills Knife perforator from 57' to 65'
Four perforations per foot 1/4" wide by 1 1/2" long.

AQUIFERS:

WATER LEVEL:

73-feet

PUMPING EQUIPMENT: Type F. M. Pomona H.P. 15
Capacity 125 G.P.M.

WELL TESTS:

Drawdown 224 ft. after hours Pumping 125 G.P.M.

Drawdown ft. after hours G.P.M.

USE OF WATER Irrigation Temp. °F. 19.

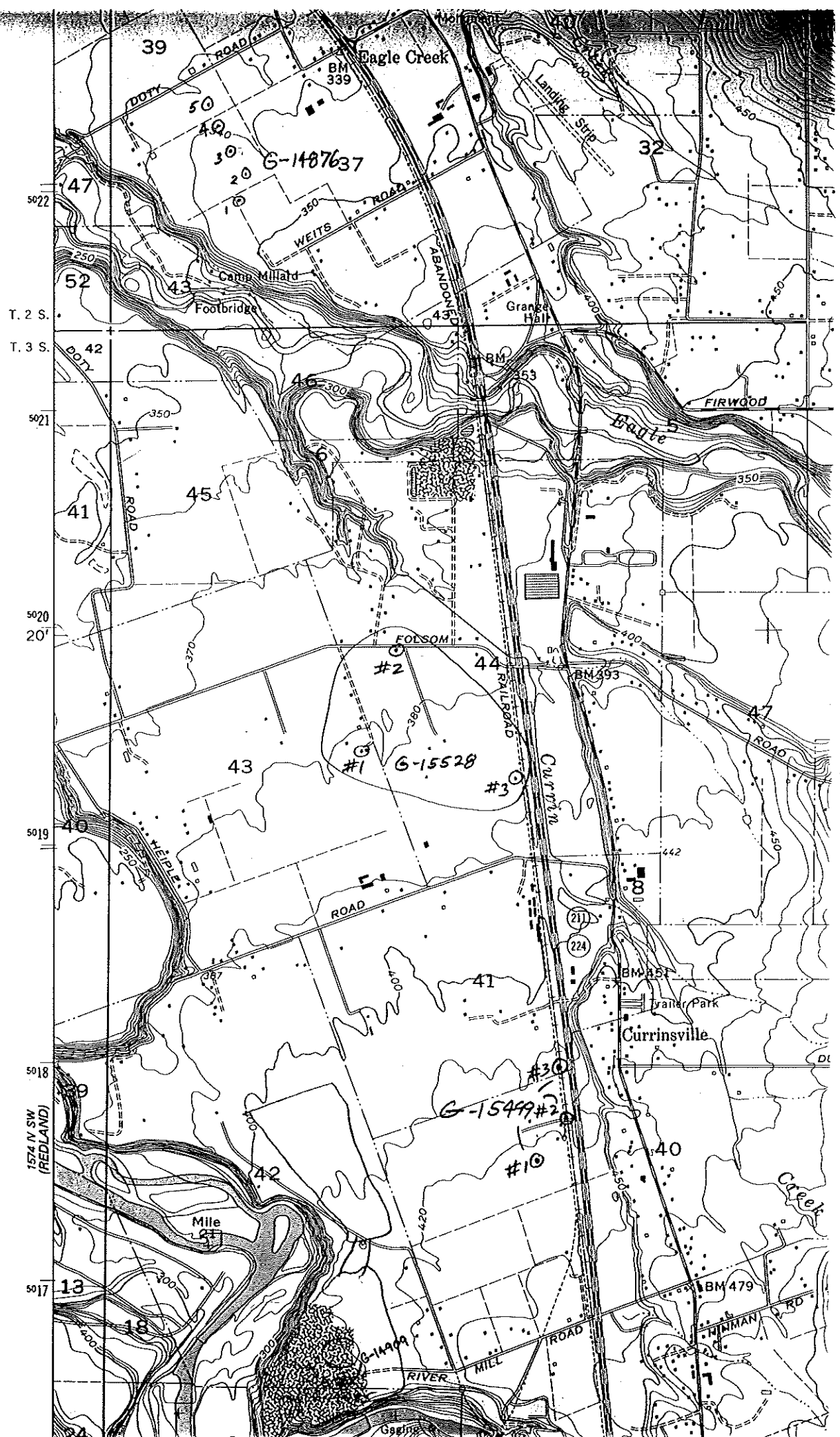
SOURCE OF INFORMATION GR-2527

DRILLER or DIGGER A. M. Jammsen, Aloha, Ore. - Steinman Bros. Reworked well

ADDITIONAL DATA:

Log Water Level Measurements Chemical Analysis Aquifer Test

REMARKS:



5022

T. 2 S.

T. 3 S.

5021

5020
20'

5019

5018

1574 N SW
(REDLAND)

5017

39

50

40

30

20

G-1487637

350

WEITS

ROAD

ABANDONED

ROAD

350

300

250

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DONATION LAND CLAIM NO. 43 & 44

SW & SE OF THE SE 1/4 SECTION 6

SW NW, NE 1/4, NW SE OF SECTION 7

NW & SW OF NW 1/4 SECTION 8

T3S, R4E of the WM, CLACKAMAS CO., OR

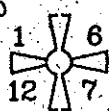
IRRIG. WELL #2

TO BARTON

OREGON STATE HWY 224
BARTON-ESTACADA HIGHWAY

DLC NO 41
DLC NO 40

DLC NO 45
DLC NO 43



TL 303
15.72 AC GROSS

1/16

N 1/4

FOLSOM ROAD

TL 1400
31.93 AC GROSS

1/16

EXEMPT POND
0.1-AC (66'-SQ)

NW NW NE NW

SW NW SE NW

1/16

IRRIG. WELL #1

TL 302

5.00 AC GROSS

TL 1200

40.0 AC GROSS

C 1/4

1/16

SE COR. JOSEPH YOUNG
DLC NO. 43

R3E

1/16

NW SW NE SW

SW SW SE SW

1/16

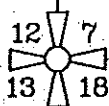
NW SE NE SE

SW SE SE SE

1/16

NW SW SW SW

DLC NO 40
DLC NO 39



S 1/4

HEIPLE ROAD

SE COR. JOHN B. CHILDS
DLC NO. 43

1/16

7 8

18 17

TO ESTACADA

CORPORATE
BOUNDARY LINE
DONATION LAND
CLAIM (DLC #)

ASSESSOR MAP SS AE 6 INDEX
7 INDEX & 8 INDEX

SEC.	1/4 1/4	ACRES IRRIG.	CFS (APPROX. GPM)
6	SW SE	9.25 ACRES	0.1156 CFS (52 GPM)
6	SE SE	4.00 ACRES	0.0500 CFS (22 GPM)
7	NW NE	22.25 ACRES	0.2781 CFS (125 GPM)
7	NE NE	25.25 ACRES	0.3156 CFS (142 GPM)
7	SE NW	0.40 ACRES	0.0050 CFS (2 GPM)
7	SW NE	33.50 ACRES	0.4188 CFS (188 GPM)
7	SE NE	17.00 ACRES	0.2125 CFS (95 GPM)
7	NW SE	0.40 ACRES	0.0050 CFS (2 GPM)
8	NW NW	5.25 ACRES	0.0656 CFS (29 GPM)
8	SW NW	7.50 ACRES	0.0908 CFS (42 GPM)
TOTAL		125.80 ACRES	1.559 CFS (700 GPM)

OLD FARMHOUSE NURSERY WELL

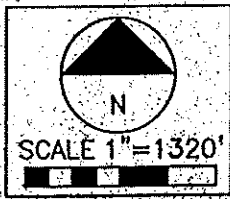
WELL #1 IS LOCATED 2090 FEET NORTH AND 1010 FEET EAST OF THE SOUTHWEST CORNER OF JOHN B. CHILDS DLC NO. 44 (IN SW 1/4 NW 1/4 SEC. 8 T3S, R4E OF THE WM, CLACKAMAS CO., OR)
WELL #2 IS LOCATED 3700 FEET NORTH AND 450 FEET WEST OF THE SOUTHWEST CORNER OF JOHN B. CHILDS DLC NO. 44 (IN SE 1/4 SE 1/4, SEC. 6, T3S, R4E OF THE WM, CLACKAMAS CO., OR)
WELL #3 IS LOCATED 1885 FEET NORTH AND 1355 FEET WEST OF THE SOUTHEAST CORNER OF JOSEPH YOUNG DLC NO. 43 (IN NW 1/4 NE 1/4, SEC. 7, T3S, R4E OF THE WM, CLACKAMAS CO., OR)

PREPARATION OF THIS MAP WAS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHTS ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

APPLICATION FOR A GROUNDWATER PERMIT G-

PREPARED BY EDWARD A. CRANE, CWRE

SURVEYED APRIL 20, 2001
BY EDWARD A. CRANE, CWRE



DATE
APRIL 2001
PROJECT NO.
383-001







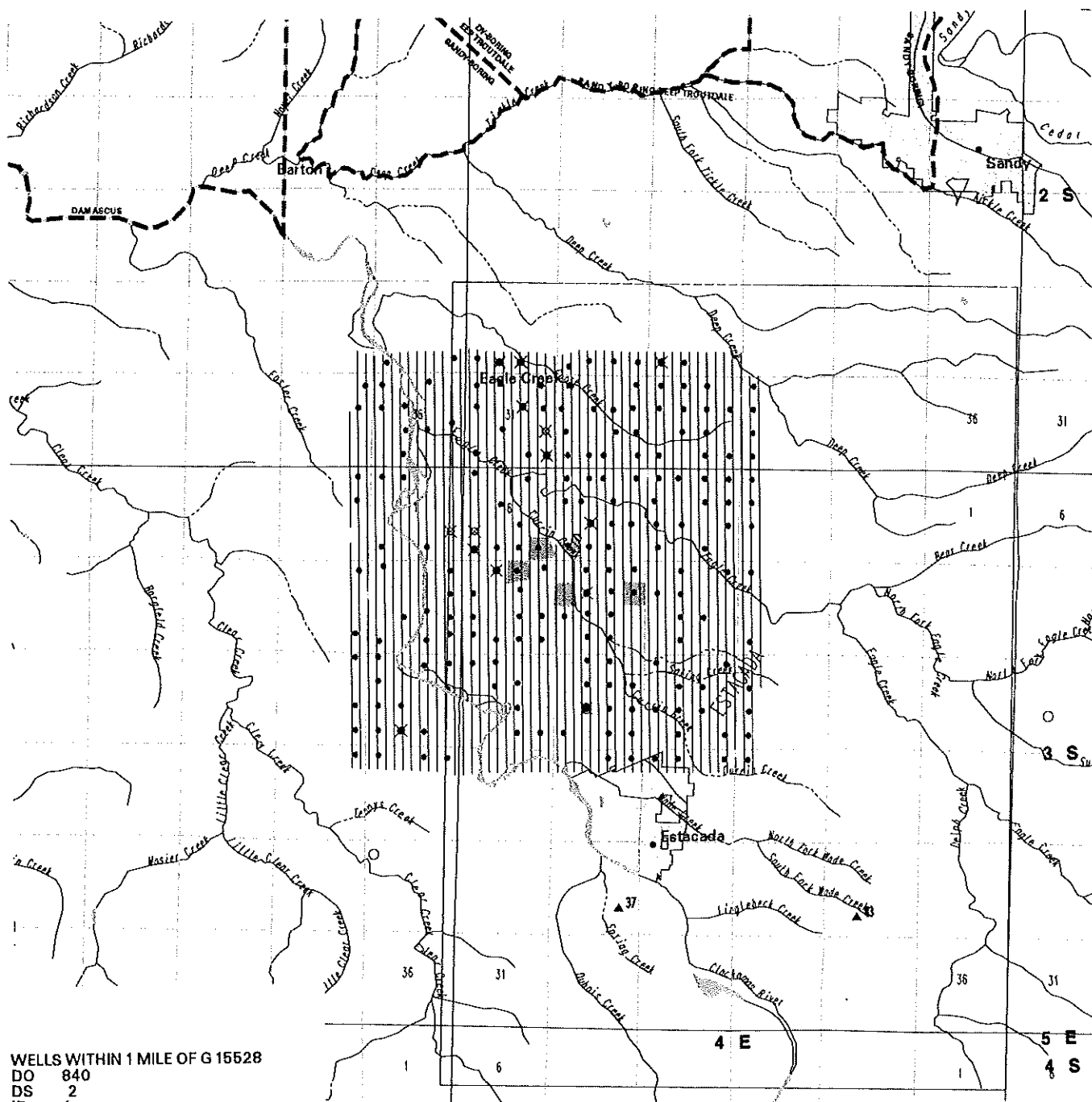
CRANE & MERSEETH
Engineering/Surveying
SUITE "D"
8586 SE LAKE ROAD
MILWAUKEE, OREGON 97222
BUS: (503) 654-2005
FAX: (503) 654-2575

APPLICATION FOR PERMIT NUMBER G-
PERMIT NUMBER G- IN THE NAME OF:
DUNCAN BRINKLEY - OLD FARMHOUSE NURSERY
26609 SE HEREFORD LANE (TEL: 503-630-5858)
EAGLE CREEK, OR 97022 (FAX: 503-630-5507)

SHEET
1/2

Wells in the vicinity of application G 15528

- | | | | | | | | |
|---|---|---|---|---|---|---|-------------------|
|  | Application well(s) in this 1/4-1/4 section | • | Well(s) identified in this 1/4-1/4 section from OWRD's well log database within 1 mi. radius of application well(s) | ○ | Conditioned, permitted well(s) in this 1/4-1/4 section within 5 mi. radius of application well(s) |  | Critical GW Area |
|  | Well(s) identified in this section from OWRD's well log database within 1 mi. radius of application well(s) | ⊗ | Permitted well(s) in this 1/4-1/4 section within 1 mi. radius of application well(s) | ▲ | OWRD Observation well and well-id within 5 mi. radius of application well(s) |  | Regulated GW Area |



WELLS WITHIN 1 MILE OF G 15528

DO	840
DS	2
ID	4
IM	2
IR	20
MU	6

PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 15528

\$RECNO	APPLICATION	PERMIT	LOC-QQ	USE	RATE	DIV-UNITS
1	G	8484	G 7936	2.00S 4.00E30SESW IR	0.5300	C
2	G	6178	G 5241	2.00S 4.00E30SWSE IR	0.0500	C
3	GR	2552	GR 3902	2.00S 4.00E28SWSW IR	20.0000	G
4	G	9011	G 8416	2.00S 4.00E31SWNE IR	0.2200	C
4	G	9011	G 8416	2.00S 4.00E31SWNE IR	0.8900	C
5	G	13275	G 11706	2.00S 4.00E31NESE AG	54.0000	G
5	G	13275	G 11706	2.00S 4.00E31NESE IR	54.0000	G
6	G	2476	G 2287	2.00S 4.00E31SESE IR	0.1000	C
7	G	12589	G 11627	3.00S 3.00E 1NESE CM	0.0100	C
7	G	12589	G 11627	3.00S 3.00E 1NESE IS	2.9300	C
7	G	12589	G 11627	3.00S 3.00E 1NESE RC	0.0100	C
8	G	13180	G 12017	3.00S 3.00E13SESW IR	0.0600	C
9	G	12589	G 11627	3.00S 4.00E 6NWSW CM	0.0100	C
9	G	12589	G 11627	3.00S 4.00E 6NWSW IS	2.9300	C
9	G	12589	G 11627	3.00S 4.00E 6NWSW RC	0.0100	C
10	G	260	G 168	3.00S 4.00E 5NESW IM	0.1000	C
11	G	12589	G 11627	3.00S 4.00E 6SWSW CM	0.0100	C
11	G	12589	G 11627	3.00S 4.00E 6SWSW IS	2.9300	C
11	G	12589	G 11627	3.00S 4.00E 6SWSW RC	0.0100	C
12	G	13672	G 12002	3.00S 4.00E 7NENW AG	0.0100	C
12	G	13672	G 12002	3.00S 4.00E 7NENW AG	0.1000	C
12	G	13672	G 12002	3.00S 4.00E 7NENW AG	0.1440	C
12	G	13672	G 12002	3.00S 4.00E 7NENW IR	0.1000	C
12	G	13672	G 12002	3.00S 4.00E 7NENW IR	0.1440	C
13	GR	2666	GR 2527	3.00S 4.00E 8SENW IR	125.0000	G
14	G	11919	G 12374	3.00S 4.00E17NESW IR	0.0600	C

CONDITIONED WELLS WITHIN 5 MILES OF APPLICATION G 15528

\$RECNO	APPLICATION	PERMIT	LOC-QQ	CONDITION-CODE
1	G	12279	G 11185	3.00S 3.00E25NWNW SS12
2	G	11919	G 12374	3.00S 4.00E17NESW 7JG
2	G	11919	G 12374	3.00S 4.00E17NESW 7JR
3	G	13928	G 12832	3.00S 5.00E18NESW 7BG
3	G	13928	G 12832	3.00S 5.00E18NESW 7BR
3	G	13928	G 12832	3.00S 5.00E18NESW 7JG
3	G	13928	G 12832	3.00S 5.00E18NESW 7JR
3	G	13928	G 12832	3.00S 5.00E18NESW 7BG
3	G	13928	G 12832	3.00S 5.00E18NESW 7BR
3	G	13928	G 12832	3.00S 5.00E18NESW 7JG
3	G	13928	G 12832	3.00S 5.00E18NESW 7JR

APPLICATION G 15528 FALLS WITHIN THESE QUAD(S)

ESTACADA

The following OWRD Groundwater Management Areas are within the map extent:

\$RECNO	NAME1	NAME2	SUB-AREA	STATUS
1	DAMASCUS			LIMI
2	SANDY-BORING			LIMI
3	SANDY-BORING	DEEP TROUTDALE		LIMI
4	SANDY-BORING			LIMI

Oregon Water Resources Department



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A, Salem, OR. 97301-1271
Phone: 503-986-0900
<http://www.wrd.state.or.us>

Faxed 4-25-07 @ 1:45 pm

FAX TRANSMITTAL

To: Ivan Gall
Date: 4-25-07
From: Lisa Jaramillo

Fax Number: 541-471-2876
Pages: 17, including cover sheet
Phone: 503-986-0880

Comments: Iran RE: T-10322

Let me know if you need anything else.

DIRECTOR'S OFFICE

- Water Resources Commission
- Legislation and Rules
- Public Information

FIELD SERVICES

- Regional Liaisons
- Transfers
- Hydrographics

NORTHWEST REGION

- District 16 Watermaster

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- Water Use Reporting

Fax: 503-986-0902

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- Adjudications
- Hydroelectric
- Certificates / Final Proofs
- Hearings / Contested Cases


Fax: 503-986-0901

Fax: 503-986-0903 or
503-986-0904

To: Herbert.L.MOSGAR@wrd.state.or.us
Subject: File: Appl. G-15528
Cc: Kristopher.R.BYRD@wrd.state.or.us

Herb, could you see that this is placed in this WR file.

On January 16, 2003, I was contacted by Steve Stadel about a well (#2) being drilled for this Permit. The well was drilled under Start Card # 161162. He had a question about perforating opposite the water bearing zone between 700' to 725'. The issue was that a cement grout seal had already been placed below that zone between 750' and 847'. Steve wanted to know if it would be legal, with regard to permit conditions and well construction standards, to take water from the basalt both below and above the sealed interval from 750' to 847'. I discussed this with both Donn Miller and Tracy Eichenlaub. Based on the information provided by Steve about the static water level and conductivity of the water above and below the sealed interval, a decision was made that the well would be constructed properly if both zones were taken and conditions of the permit pertaining to well construction would be satisfied.



STATE OF OREGON

COUNTY OF CLACKAMAS

ORDER APPROVING A CHANGE IN POINT OF APPROPRIATION

Pursuant to ORS 537.211, after notice was given and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, PERMIT AMENDMENT T-9594 submitted by

✓ DUNCAN W. BRINKLEY
26609 SE HEREFORD LANE
EAGLE CREEK, OREGON 97022.

The permit to be modified is Permit G-15460 with a date of priority of JUNE 8, 2001. The permit allows the use of THREE WELLS, in the CLACKAMAS RIVER BASIN, for NURSERY OPERATIONS ON 40.00 ACRES. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 1.00 cubic foot per second, if available at the original wells; WELL 1 - NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 7, T 3 S, R 4 E, W.M.; 2090 FEET NORTH AND 1010 FEET WEST FROM THE SW CORNER OF JOHN B CHILDS DLC 44; WELL 2 - SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 6, T 3 S, R 4 E, W.M.; 3700 FEET NORTH AND 450 FEET WEST FROM THE SW CORNER OF JOHN B CHILDS DLC 44; WELL 3 - SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 8, T 3 S, R 4 E, W.M.; 1685 FEET NORTH AND 1355 FEET EAST FROM THE SW CORNER OF JOHN B CHILDS DLC 44, or its equivalent in case of rotation, measured at the well.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

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

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is as follows:

NW¼ NE¼ 1.64 ACRES

SW¼ NE¼ 32.17 ACRES

SE¼ NE¼ 5.39 ACRES

SE (SW¼ NW¼ 0.40 ACRE

NW¼ SE¼ 0.40 ACRE

ALL AS PROJECTED WITHIN JOSEPH YOUNG DLC 43
SECTION 7

TOWNSHIP 3 SOUTH, RANGE 4 EAST, W.M.

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

The applicant proposes to change the points of appropriation to:

SW¼ SE¼, AS PROJECTED WITHIN JOSEPH YOUNG DLC 43,
SECTION 6, T 3 S, R 4 E, W.M.; 3580 FEET NORTH AND 1940 FEET WEST
FROM THE SE CORNER OF JOSEPH YOUNG DLC 43.

NW¼ NE¼, AS PROJECTED WITHIN JOSEPH YOUNG DLC 43,
SECTION 7, T 3 S, R 4 E, W.M.; 2090 FEET NORTH AND 1500 FEET WEST
FROM THE SE CORNER OF JOSEPH YOUNG DLC 43.

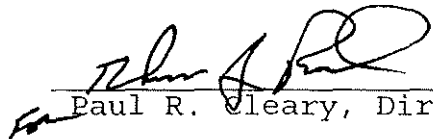
THIS CHANGE TO AN EXISTING WATER PERMIT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The combined quantity of water diverted at the new points of appropriation (wells) shall not exceed the maximum rate and duty allowed under the water right permit.
2. Water shall be acquired from the same aquifer as the original point of appropriation.
3. All other terms and conditions of the permit remain the same.

Permit G-15460, in the name of DUNCAN BRINKLEY, DBA OLD FARMHOUSE NURSERY, is amended as described herein.

WITNESS the signature of the Water Resources

Director, affixed DEC 10 2003


Paul R. Cleary, Director

CLAC 59817

Westerberg Drilling, Inc.

36728 S. Kropf Rd.

Medalla, OR 97038

STATE OF OREGON

WATER SUPPLY WELL REPORT

(as required by ORS 537.765)

Instructions for completing this report are on the last page of this form.

WELL I.D. # L 66761

START CARD # 161162

(1) LAND OWNER

Well Number #2

Name LEO GENTRY WHOLESALE NURSERY INC.

Address PO BOX 645

City GRESHAM

State OR

Zip 97030

(2) TYPE OF WORK

XX New Well ☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:

XX Rotary Air XX Rotary Mud ☐ Cable ☐ Auger☐ Other

(4) PROPOSED USE:

☐ Domestic ☐ Community ☐ Industrial XX Irrigation☐ Thermal ☐ Injection ☐ Livestock ☐ Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval ☐ Yes ☒ No Depth of Completed Well 1172'Explosives used ☐ Yes ☒ No Type Amount

HOLE

SEAL

Diameter	From	To	Material	From	To	Sacks or pounds
16"	0	382	Cement	0	382	151 sacks
12"	382	847	Cement	750	847	45 sacks
8"	847	1535	Cement	1172	1535	112 sacks

How was seal placed: Method ☐ A ☒ B ☐ C ☐ D ☐ E☐ Other

Backfill placed from ft. to ft. Material

Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 12"	+1	382	.250	XX	<input type="checkbox"/>	XX	<input type="checkbox"/>
8"	+1.5	847	.250	XX	<input type="checkbox"/>	XX	<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"/>
Liner: NONE				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used ☐ Inside ☒ Outside ☐ None

Final location of shoe(s) 12" @ 382' 8" @ 847'

(7) PERFORATIONS/SCREENS:

XX Perforations Method HOLTE AIR PERF.

☐ Screens

Type

Material

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
700	725	1/4x3	960			XX	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

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

XX Pump

☐ Bailer☐ Air☐ Flowing☐ Artesian

Yield gal/min	Drawdown	Drill stem at	Time
150	550'		1 hr.
125	510'		4-hr.
			7-hr.

Temperature of water 68° Depth Artesian Flow Found

Was a water analysis done? ☐ Yes ☒ NoDid any test contain water not suitable for intended use? ☐ Too littleSediment ☐ Cloudy ☐ Odor ☐ Colored ☐ Other

Depth of strata:

FEB 18 2004

WATER RESOURCES DEPT

ORIGINAL - WATER RESOURCES DEPT
SALEM, OREGON

FIRST COPY - CONSTRUCTOR

SECOND COPY - CUSTOMER

(9) LOCATION OF WELL by legal description:

County CLACKAMAS Latitude Longitude

Township 3S N or S Range 4E E or W. WM.

Section 6 NW 1/4 NE 1/4

Tax Lot 1400 Lot Block Subdivision

Street Address of Well (or nearest address) 29880 SE FOLSOM RD.
EAGLE CREEK, OR 97022

(10) STATIC WATER LEVEL:

145 ft. below land surface.

Date 1-20-04

Artesian pressure lb. per square inch Date

(11) WATER BEARING ZONES:

Depth at which water was first found

From	To	Estimated Flow Rate	SWL
0'	382'	DRILLED W/ MUD	
710'	725'	50-60 GPM	145'
895'	900'		145'
950'	960'	100 GPM approx	145'
1240'	1420'	<10 GPM	187'

(12) WELL LOG:

Ground Elevation

Material	From	To	SWL
cobbles & gravel large	0	35	
cemented gravel	35	40	
cobbles & gravel	40	55	
clay brown w/ gravel	55	65	
clay grey w/ gravel	65	80	
clay blue med	80	112	
clay grey	112	138	
clay green	138	195	
clay grey & green	195	220	
packed sand	220	230	
clay grey	230	242	
pumice & sand	242	247	
clay green sticky	247	280	
clay grey & grn sticky	280	318	
clay white & grn soft	318	330	
claystone green	330	343	
lava lavender	343	354	
lava grey hard	354	365	
continued on page 2			

Date started 11-21-03 Completed 1-20-04

(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.

Signed *Byron B. Stodick* WWC Number 1358 Date 1-27-04

(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.

Signed *Steven H. Stodick* WWC Number 688 Date 1-27-04

Page 3

CITY/STATE/ZIP: GRESHAM, OR 97030

SECTION 6 NW 1/4 NE 1/4 TAX LOT 1400

[illegible]

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FEB 06 2004

WATER RESOURCES DEPT
SALEM OREGON



36728 S. Kropf Rd., Molalla, OR 97038 • Phone: (503) 829-2526 FAX (503) 829-7514

Page 2

WELL ID# L 66761

OWNER: LEO GENTRY WHOLESALE NURSERY INC.

ADDRESS: PO BOX 645

CITY/STATE/ZIP: GRESHAM, OR 97030

WELL ADDRESS: 29880 SE FOLSOM RD. EAGLE CREEK, OR 97022

COUNTY CLACKAMAS

TOWNSHIP 3S

RANGE 4E

SECTION 6

NW 1/4

NE 1/4

TAX LOT 1400

MATERIAL	FROM	TO	SWL
lava grey & lavender	365	400	
lava multi-colors	400		
grey w/ brown & red		455	
lava w/ white pumice	455	480	
lava harder	480	500	
lava mostly brown & grey	500	630	
lava more grey w/ brown	630	645	
lava harder	645	665	
lava brown	665	675	
lava grey & brown	675	710	
lava softer & fractured	710		
brown & grey		725	
clay grey w/ wood	725	735	
clay blue	735	743	
claystone brown	743	750	
claystone blue	750	815	
basalt dark grey w/ green	815		
interbeds		830	
basalt grey hard	830	865	
basalt weathered softer	865		
multi-color		880	
basalt grey harder w/ green	880		
fractures		900	
basalt grey hard	900	945	
basalt fractured & porous	945	960	
basalt grey harder	960	1023	
basalt grey med w/ green	1023	1034	
basalt grey hard	1034	1065	
basalt grey w/ green porous	1065	1085	
basalt grey w/ green hard	1085	1125	
basalt harder	1125	1139	
basalt grey w/ green porous	1139	1148	
basalt grey hard	1148	1167	
continued on page 3			

Westerberg Drilling, Inc.
36728 S. Kropf Rd.
Molalla, OR 97038

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FEB 06 2004

WATER RESOURCES DEPT
SALEM OREGON

King, Inc.

Ref.

138



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

INTEROFFICE MEMO

TO: TRANSFER SECTION

DATE: 11-14-03

FROM: ✓ WATERMASTER, DISTRICT # _____
GROUNDWATER SECTION

(SIGNATURE) D. Miller date signed 11/20/03

SUBJECT: PERMIT AMENDMENT # 9594

A change in: POU POD APOA of water.

In the name(s) of Duncan W. Brinkley

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

MAY BE MADE WITHOUT INJURY
right. Duty

WOULD RESULT IN INJURY* to an existing water

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

The existing right may not be valid because _____

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

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

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

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

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

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



WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

October 29, 2003

To: Doug Woodcock, Groundwater
via Dave Jarrett

From: Kelly Starnes, NWR

cc: Tom Paul

Subject: Permit Amendment 9594

Doug -

Could I get expedited processing on this one? The property transaction mentioned in Crane's letter has an time limited escrow account that is dependent upon approval of this permit amendment application. The proposed well has not been drilled yet. A copy of Crane's letter is attached.

I believe Sarah has sent/is sending the orange form up to your section.

Thanks,

Kelly
Kelly

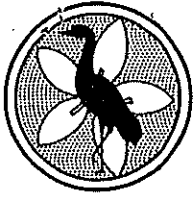
11/20/03

It appears that only well #1 authorized by Permit G-15460 has been built. The yield is modest. The new well #2 location is near that well. The new well #1 is a distance to the north. The well depth and decline conditions should help any neighbors.

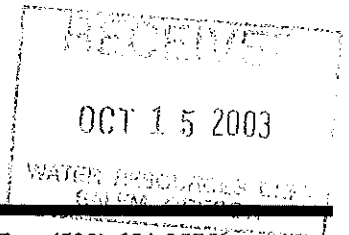
This recently issued permit has not yet had any water levels reported. Declines in the area are not identified for this aquifer.

Wells at the proposed locations should develop the same source as the existing well locations.

Don Miller



Crane & Merseth Engineering/Surveying



6566 S.E. Lake Road, Suite D • Milwaukie, OR 97222-2138 • Phone: (503) 654-2005 • Fax: (503) 654-2575

Manager Appl. & Permit Section
Oregon Water Resources Department
755 Summer Street NE, Suite "A"
Salem, OR 97310-2430

September 29, 2003

SUBJECT: Old Farmhouse Nursery Groundwater Transfer Application
OWRD Groundwater Transfer Application for 2 Wells
NEW Well #1: SW SE Sec. 6, T3S, R4E WM, Clackamas Co.
NEW Well #2: NW NE Sec. 7, T3S, R4E WM, Clackamas Co.
TRANSFER Appl. for 0.500cfs (224gpm) on 40.0 acres
For Tax Lot 1200 (bought by Ryun Sik Shin and Young Hee Shin)
Crane & Merseth Project No. 383-002

Dear Sir/Madam:

Enclosed is the "Transfer Application" from Duncan Brinkley who is doing business as (dba) "Old Farmhouse Nursery." He is selling Tax Lot 1200 and would like to add the drilling of two new wells for Irrigation Uses on this property. He is assigning this Tax Lot to the buyers, Ryan Sik Shin and Young Hee Shin.

I personally inspected on September 29, 2003 - the proposed sites of the new irrigation wells. Please contact Duncan or Phyllis Brinkley if you have any questions about the sale of part of their nursery/agricultural use property for any items.

I'd be available to answer any questions or concerns that you may have about the Transfer Application or Map and can be reached at 503-654-2005 and 503-654-2575 for facsimile.

Sincerely,
CRANE & MERSETH ENGINEERING/SURVEYING

Edward A. Crane, CWRE
Vice President

Attachments

LAWP_PROJ383-002\OWRD2.DOC

cc: Duncan & Phyllis Brinkley dba
Old Farmhouse Nursery
26609 SE Hereford Lane
Eagle Creek, OR 97023

Tel: 503-630-5858
Cell: 503-319-7175



DONATION LAND CLAIM NO. 43
 NW 1/4 & SW 1/4 of NE 1/4 of SEC. 7
 SE 1/4 of NW 1/4 of SECTION 7
 NW 1/4 of SE 1/4 of SECTION 7
 T3S, R4E WM, CLACKAMAS CO., OR

DLC NO 41
 DLC NO 40
 DLC NO 45
 DLC NO 43

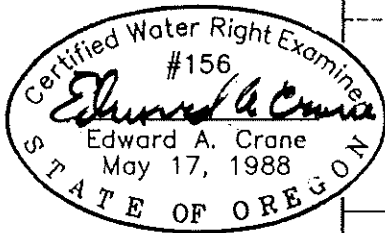
TO BARTON

OREGON STATE HWY 224
 BARTON-ESTACADA HIGHWAY

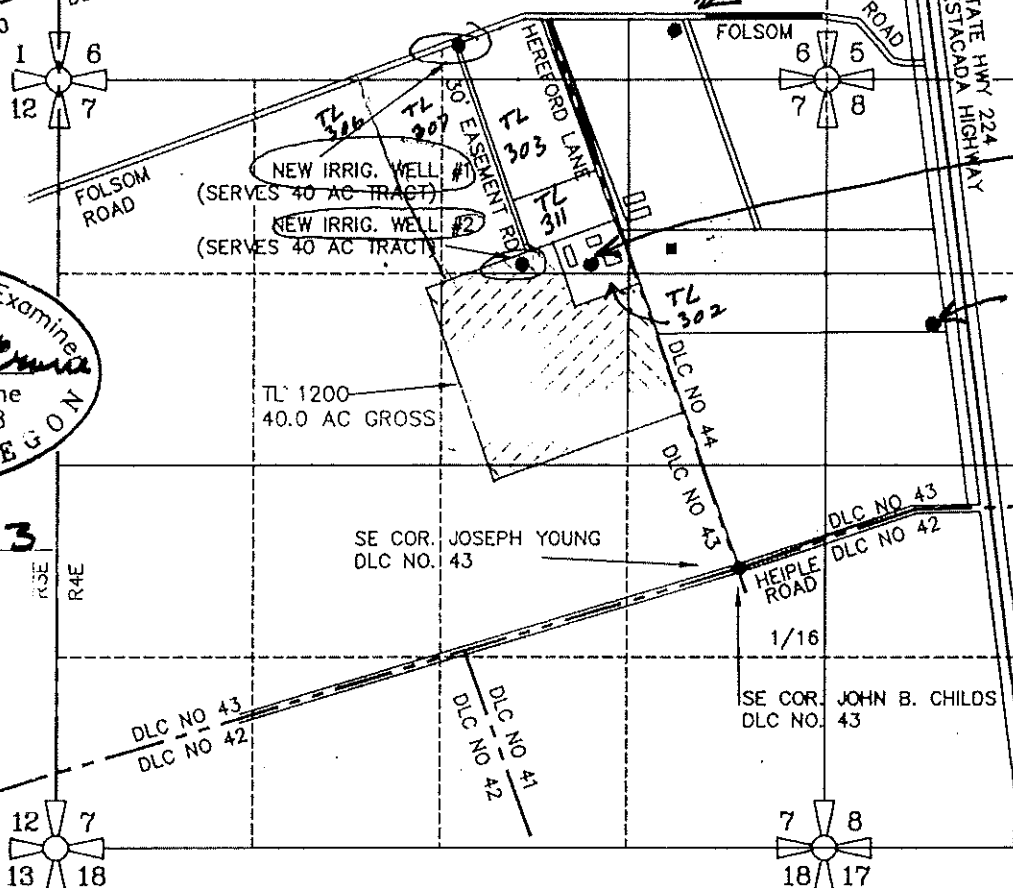
OLD #2

OLD #1

OLD #3



Renewal 12/31/2003
 Signed 10.20.2003



SEC.	1/4 1/4	ACRES IRRIG.	CFS (APPROX. GPM)
7	NW NE	1.64 ACRES	0.0205 CFS (9.2 GPM)
7	SE NW	0.40 ACRES	0.0050 CFS (2.1 GPM)
7	SW NE	32.17 ACRES	0.4021 CFS (110.6 GPM)
7	SE NE	5.38 ACRES	0.0673 CFS (30 GPM)
7	NW SE	0.40 ACRES	0.0050 CFS (2.1 GPM)
TOTAL		40.00 ACRES	0.500 CFS (224 GPM)

CORPORATE
 BOUNDARY LINE
 DONATION LAND
 CLAIM (DLC #)

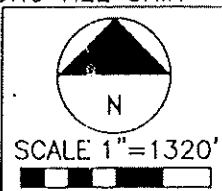
TO ESTACADA
 ASSESSOR MAP 3S 4E 6 INDEX
 7 INDEX & 8 INDEX

OLD FARMHOUSE NURSERY WELL
 ASSIGNS TAX LOT 1200 (40 AC)
 MR. & MRS. SHIN, 2 NEW WELLS

WELL #1 IS LOCATED 3580 FEET NORTH AND 1940 FEET WEST
 OF THE SOUTHWEST CORNER OF JOHN B. CHILDS DLC NO. 43
 (IN SW 1/4 of SE 1/4 SEC. 6, T3S, R4E of WM, CLACKAMAS CO.)
 WELL #2 IS LOCATED 2090 FEET NORTH AND 1500 FEET WEST
 OF THE SOUTHWEST CORNER OF JOHN B. CHILDS DLC NO. 43
 (IN NW 1/4 of NE 1/4, SEC. 7, T3S, R4E of WM, CLACKAMAS CO.)

DUNCAN BRINKLEY - OLD FARMHOUSE NURSERY
 ASSIGNED TAX LOT 1200 (40 AC) ON OCT. 1,
 2003 TO RYAN SIK SHIN & YOUNG HEE SHIN
 NOTE: DUNCAN BRINKLEY
 APPLICATION G- 15528
 26609 SE HEREFORD LANE
 EAGLE CREEK, OR 97022

SURVEYED SEPT. 29, 2003
 BY EDWARD A. CRANE, CWRE

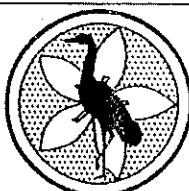


PREPARATION OF THIS MAP WAS FOR THE PURPOSE
 OF IDENTIFYING THE LOCATION OF THE WATER RIGHTS
 ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS
 OR LOCATION OF PROPERTY OWNERSHIP LINES.

TRANSFER APPLICATION
 GROUNDWATER PERMIT G-

PREPARED BY EDWARD A. CRANE, CWRE

DATE
 SEPT. 2003
 PROJECT NO.
 383-002



CRANE & MERSETH
 Engineering/Surveying
 SUITE "D"
 6566 SE LAKE ROAD
 MILWAUKIE, OREGON 97222
 BUS: (503) 654-2005
 FAX: (503) 654-2575

APPLICATION FOR PERMIT NUMBER G-15528
 PERMIT NUMBER G- IN THE NAME OF:
 DUNCAN BRINKLEY - OLD FARMHOUSE NURSERY
 (TRANSFERRED FROM) TRANSFERRED TO:
 (ASSIGNED TO): RYAN SIK & YOUNG HEE SHIN

SHEET
 1/1

16
STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

RECEIVED

AUG 12 1994

I assume
that this is
well #1
authorized by
permit G-15460
(START CARD) # 68054
3/4E/7ab

(1) OWNER:

Name Duncon Brinkley
Address 26555 SE Herford Lane
City Eagle Creek State OR. Zip 97022

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD:

☒ Rotary Air ☐ Rotary Mud ☐ Cable
☐ Other

(4) PROPOSED USE:

☒ Domestic ☐ Community ☐ Industrial ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval ☐ Yes ☒ No Depth of Completed Well 440 ft.
Explosives used ☐ Yes ☒ No Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
10	0	20	bentnite	0	20	20
6	20	440				

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☒ Other poured from top

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	6	+2	300	3/4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 300

(7) PERFORATIONS/SCREENS:

☐ Perforations Method _____
☐ Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

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

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
40	200	440	1 hr.

Temperature of Water 57 Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom _____

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata: _____

(9) LOCATION OF WELL by legal description:

County Clack. Latitude _____ Longitude _____
Township 3 N or S Range 4 E or W WM.
Section 7 NW 1/4 NE 1/4
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) Same as above

(10) STATIC WATER LEVEL:

193 ft. below land surface. Date 7/27/94
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 380

From	To	Estimated Flow Rate	SWL
380	440	40	193

(12) WELL LOG:

Ground elevation _____

Material	From	To	SWL
top soil	0	1	
clay brown	1	25	
gravel/clay gray	25	230	
sand/clay gray	230	380	
sand/gravel cemented gray	380	440	193

Date started 7/26/94 Completed 7/27/94

(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 well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed Conrad Blair WWC Number 1622
Date 8/4/94

(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 well construction standards. This report is true to the best of my knowledge and belief.

Signed Rodney C. Eil WWC Number 663
Date 8/4/94

STATE OF OREGON
WATER SUPPLY WELL REPORT

(as required by ORS 537.785)

Instructions for completing this report are on the last page of this form

WELL ID # 46724
(START CARD) # 141488(1) OWNER: Well Number: 742
Name Duncon Brinkley
Address 26555 SE Herford RD
City Eagle Creek State OR Zip 97022(2) TYPE OF WORK:
☐ New Well ☒ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment(3) DRILL METHOD:
☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger
☐ Other(4) PROPOSED USE:
☒ Domestic ☐ Community ☐ Industrial ☐ Irrigation
☐ Thermal ☐ Injection ☐ Livestock ☐ Other(5) BORE HOLE CONSTRUCTION:
Special Construction approval ☐ Yes ☒ No Depth of Completed Well 560 ft.
Explosives used ☐ Yes ☒ No Type _____ Amount _____

HOLE			SEAL			Amount	
Diameter	From	To	Material	From	To	sacks or pounds	
6	440	560					

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☐ Other
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:	4	-5	560 1/4	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:
☒ Perforations Method Saw
☐ Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Telepipe size	Casing	Liner
500	560	1/4 5		4		<input type="checkbox"/>	<input checked="" type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian
Yield gal/min 50 Drawdown _____ Drill stem at _____ Time _____
probably disappointingly lowTemperature of Water 57 Depth Artesian Flow found _____
Was a water analysis done? ☐ Yes By whom _____
Did any strata contain water not suitable for intended use? ☐ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____
Depth of strata: _____(9) LOCATION OF WELL by legal description:
County Clackamas Latitude _____ Longitude _____
Township 3-S N or S. Range 4-E E or W. of WM.
Section 7 NW 1/4 NE 1/4
Tax Lot 0302 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 26555 SE Herford RD(10) STATIC WATER LEVEL:
193 ft. below land surface. Date 8/20/01
Artesian pressure _____ lb. per square inch. Date _____(11) WATER BEARING ZONES:
Depth at which water was first found _____

From	To	Estimated Flow Rate	SWL
500	560	50	193

(12) WELL LOG:
Ground elevation _____

Material	From	To	SWL
Sand Gravel cemented gray	440	500	
Sand cemented gray	500	560	195

RECEIVED

SEP 19 2001

WATER RESOURCES DEPT.
SALEM, OREGON

AMERICAN WELL DRILLING

Date started 8/13/01 Completed 8/20/01(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 my best knowledge and belief.Signed _____ WWC Number _____
Date _____(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.
Signed Billy C. Galt WWC Number 663
Date 9/19/01



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

**Watermaster Review Form:
Water Right Transfer**

Transfer Application: T-10322

Review Due Date: March 27, 2007

Applicant Name: Leo Gentry Wholesale Nursery Inc.

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

Reviewer(s): Sabrina M. White-Scarver

Date of Review: March 14, 2007

1. Do you have information suggesting that the water rights may be subject to forfeiture?
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred: _____
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: _____
4. Are there upstream water rights that would be affected by the proposed change?
☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. 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: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
☐ Yes ☒ No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☐ No ☒ N/A If "Yes", explain: _____
8. For POU or USE changes, 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: _____
9. Are there other issues not identified through the above questions? ☐ Yes ☒ No If "Yes", explain: _____
10. What alternatives may be available for addressing any issues identified above: _____

11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No

12. What water control and measurement conditions should be included in the transfer:

Measurement Devices	<input checked="" type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.
Headgates	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 02/27/07

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice.

County: CLACKAMAS
Transfer: 10322
Water Right: PERMIT G 15460
Priority Date: 06/08/2001
Name: LEO GENTRY WHOLESALE NURSERY
Address: PO BOX 645; GRESHAM OR 97030
Change: POA, APOA
Source: WELLS
Authorized POA: T3S R4E 6, 8
Proposed POA: T3S R4E 6, 7, 8

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice. Comments should be sent to the Transfers Section at the Department's Salem office.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

February 26, 2007

LEO GENTRY WHOLESALE NURSERY INC.
PO BOX 645
GRESHAM OR 97030

Reference: Permit Amendment Transfer 10322

On February 20, 2007 we received your request for permit amendment change in point of appropriation, and an additional point of appropriation for use of water from WELLS, tributary to CLACKAMAS RIVER. The application was accompanied by \$350. Our receipt 86325 is enclosed.

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

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use, or from the new point of appropriation, until 60 days after we received your notice (application) and the permit amendment has been approved.

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

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

cc: Watermaster #16
Greg Kupillas, Agent
Groundwater

enclosure

TRANSFER CHECK OFF LIST

TRANSFER FILE #

10322

DATE RECEIVED

2-20-07

DATE MONEY SLIPPED

2-20-07

DATE RECEIPTED

2-20-07

VALID WATER RIGHT?

X Yes No

TEMP ALT AC

IRR DIST

PERM AMEND X

DIV 15

TEMP Div 15

ISWR

LETTER FROM ATTORNEY YES (PUT INFO ON FRONT COVER)

X NO

FOLDER FILLED OUT*

yes

ENTERED IN DB

yes

CONTENTS MARKED

yes

COLOR CODED

X Yes

4 COPIES MADE & STAMPED

yes

CERTIFICATE MARKED

no

CERTIFICATE COPIED

no

PULL APPLICATIONS

yes

APP FOLDER MARKED

yes

FINAL PROOF MAP COPIED

no

PERMIT MARKED

yes

PERMIT COPIED

yes

PERMIT MAP COPIED

yes

DECREE MARKED

no

DECREE COPIED

no

ADJUDICATION MAP COPIED

no

ENTRIES CHECKED

CHECKED BY INIT FOLDER

PUBLIC NOTICE DATE

2-27-07 (PREPARED & COPIED) yes

LETTER SENT

yes Irrigation District no (copy of app & map)

COPY TO WM

yes

COPY TO WM

yes

COPY TO GW

yes

COPY TO GW

yes

COPY TO CWRE

yes

LETTER TO ODFW

no

ANSWER SENT TO:

Kelly

ALL Surface water POU/USE (POD and APOD FISH SCREENS)

SW --- NCR --- SCR --- ER

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



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

Application for Permit Amendment or Ground Water Registration Modification

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate Not Applicable. As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF APPLICATION

Please check **one** of the following:

☒ Permit Amendment

☐ Ground Water Registration Modification

2. APPLICANT INFORMATION

Name: Leo Gentry Wholesale Nursery Inc.

First

Last

Address: P.O. Box 645

Gresham

City

OR

State

97030

Zip

Phone: (503) 658-5181

Home

Work

Other

Fax: (503) 658-6324

E-Mail address: _____

3. AGENT INFORMATION

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

Name: Pacific Hydro-Geology Inc. / Greg or Malia Kupillas

First

Last

Address: 18487 S. Valley Vista Road

Mulino

City

OR

State

97042

Zip

Phone: (503) 632-5016

Home

(503) 632-5016

Work

Other

Fax: (503) 632-5983

E-Mail address: phggek@bctonline.com

▪ If an agent is listed above, please check **one** of the following:

☐ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; **or**

☒ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

RECEIVED

FEB 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

Permit Amendments

- If you propose to amend multiple permits under this application, a separate set of pages 3 through 7 must be provided for each permit. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

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FEB 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

Ground Water Registration Modifications

- You may propose modification of only one ground water registration per application, unless in accordance with OAR 690-382-0300(2), the ground water registrations to be modified are layered. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

4. TYPE OF AMENDMENT OR MODIFICATION PROPOSED

Please check **all** of the following that apply:

Point of Diversion or Appropriation	Place of Use	Character of Use
<input checked="" type="checkbox"/> Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the amendment or modification.) <input checked="" type="checkbox"/> Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the amendment or modification.) <p style="text-align: center;"><u>Not Available for Ground Water Registrations</u></p> <input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.)	<input type="checkbox"/> All of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at the current authorized location will be discontinued.) <input type="checkbox"/> Only a <u>portion</u> of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at a <u>portion</u> of the current authorized location will be discontinued.)	<p style="text-align: center;"><u>Not Available for Permit Amendments</u></p> <p>Change existing authorized use to the following proposed <u>new</u> use:</p> <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Domestic (indicate number of households): _____ <input type="checkbox"/> Other _____

- Reason(s) for amendment/modification(s): The applicant wishes to move the two authorized points of appropriation which are located on their land to different locations and add an additional point of appropriation.

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FEB 20 2007

5. CURRENT PERMIT OR REGISTRATION INFORMATION

Permit or Registration to be Amended/Modified (check and complete one of the following):

WATER RESOURCES DEPT
SALEM, OREGON

<input checked="" type="checkbox"/> Permit to be Amended:	<u>G-15460</u> Permit Number	<u>October 1, 2007</u> Current Completion Date of Permit
<input type="checkbox"/> Ground Water Registration to be Modified:	 Ground Water Registration Number	NOTE: Concurrent changes to a water right must be filed separately on a transfer application.

- Name on Permit or Registration: Duncan W. Brinkley, DBA Old Farmhouse Nursery
- County: Clackamas
- Authorized Use(s) to be affected by this Amendment/Modification: Nursery Use on 60.45
out of 124.8 acres.
- Priority Date(s): June 8, 2001
If there are multiple Priority Dates identified on the Permit or Registration, any information provided on pages 4 through 7 must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.
- All Source(s) of Water to be affected by this Amendment/Modification: Wells 2 and 3

Tributary to: Clackamas River

If there are multiple Sources listed on the Permit or Registration, any information provided on pages 4 through 7 must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For an application proposing a Change in Place of Use or Character of Use:

- Are there any other "Layered" Water Rights, Permits, or Ground Water Registrations issued for Irrigation purposes that are appurtenant to the same place of use as the Permit or Registration being Amended/Modified? ☐ Yes ☐ No ☒ N/A -No Change in Use or Place of Use

If "Yes", pursuant to ORS 540.510, OAR 690-380-2240 and OAR 690-382-0200, the other "layered" water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5).

- Remarks: Not applicable

- The following information **must be provided** only for those points of diversion or appropriation that are involved in the permit amendment or ground water registration modification (i.e., list only the portion of the permit/registration you propose to amend/modify.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing permit or ground water registration.

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

(i.e., the allowed point(s) of diversion/appropriation that will be affected by the proposed amendment/modification, the "FROM" point(s) of diversion/appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
CLAC 59817	Well 2 6/8/01	3S	4E	W	6	SE SE	DLC 44	3700 feet north & 450 feet west from SW corner, John B. Childs DLC 44
Not yet constructed	Well 3 6/8/01	3S	4E	W	8	SW NW	DLC 44	1685 feet north & 1355 feet east from SW corner, John B. Childs DLC 44

- Does the permit/registration being amended/modified involve a ground water source(s)?
☒ Yes ☐ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:
 A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

or

- B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

- Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing permit or ground water registration.*

FEB 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

(i.e., the allowed lands that will be affected by the proposed amendment/modification, the "FROM" lands)

[illegible]

6. PROPOSED PERMIT AMENDMENT OR REGISTRATION MODIFICATION

- Describe proposed changes to the permit or registration involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

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Location of Proposed Point(s) of Diversion or Appropriation: (i.e., the "TO" point(s) of diversion/appropriation)

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Gentry Well 1	3S	4E	W	6	SE SE	DLC 44	3620 FEET NORTH AND 550 FEET WEST FROM THE SW CORNER, DLC 44
Gentry Well 2	3S	4E	W	8	NW NW	DLC 44	2210 FEET NORTH AND 1040 FEET EAST FROM THE SW CORNER, DLC 44
Gentry Well 3	3S	4E	W	7	SE NE	DLC 44	2220 FEET NORTH AND 240 FEET WEST FROM THE SW CORNER, DLC 44

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☒ Yes ☐ No ☐ N/A - No proposed well(s) listed above.

If "Yes", attach and **clearly label** the corresponding well log(s) for each proposed well, or if well log(s) are **not** available, describe the construction of the well(s) using the table below.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s):

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
Yes	Gentry Well 1 CLAC 59817	See	CLAC	59817						
No	Gentry Well 2	8"-10"	8"-10" steel	850*	700'- 750'*	380'*	200'	700'	Per OARs	1,170'*
No	Gentry Well 3	8"-10"	8"-10" steel	850*	700'- 750'*	380'*	200'	700'	Per OARs	1,170'*
	* See Remarks									

- Describe proposed changes to the permit or registration involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

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Location of Proposed Place of Use: (i.e., the "TO" lands)

(NOTE: Complete this table *only* if a Change in Place of Use is being proposed.)

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

Remarks: This application proposes to change the well numbering system to avoid possible confusion which could result from the changes proposed in permit amendment T-9594 affecting this permit. The original authorized wells included Well 1, located on land owned by the original permit holder, and Wells 2 and 3, located on lands now owned by the applicant of this permit amendment. Permit amendment T-9594 apparently proposes to move Well 1 to a new location and add a new Well 2, both on land not owned by this applicant, without renumbering authorized Wells 2 and 3. This applicant (Gentry) proposes to move the location of authorized Wells 2 and 3. And renumber them as Gentry Wells 1 and 2, respectively. This applicant also proposes to add Gentry Well 3. The original and proposed well locations are shown on the accompanying map. Well casing diameters, casing depths, seal depths, perforated or open intervals, and total depths will be determined based on actual conditions encountered. The objective will be to construct Gentry Wells 2 and 3 similar to Gentry Well 1 (CLAC 59817). Refer to e-mail in file from Mike McCord to Herb Mosgar regarding approval of construction of CLAC 59817.

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the Permit(s) or Registration(s) proposed for amendment/modification located within or served by an irrigation or other water district? ☐ Yes ☒ No
- Will any of the Permit(s) or Registration(s) be located within or served by an irrigation or other water district after the proposed amendment/modification? ☐ Yes ☒ No
- Is water for any of the Permit(s) or Registration(s) supplied under a water service agreement or other contract for stored water with a federal agency? ☐ Yes ☒ No

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

Not Applicable

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

Clackamas County Department of Transportation and Development, Planning Division, 9101 SE Sunnybrook

Bldg., Clackamas, Oregon 97015

8. PERMIT HOLDER OF RECORD

This section is to be completed only for Permit Amendment applications.

☐ *N/A – This is a Ground Water Registration Modification application.*

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

If "No", the applicant must either:

A. *Be assigned as a permit holder of record by submitting a completed **Request for Assignment** form and the required statutory fee for an assignment;*

or

B. *Submit an **Affidavit of Consent** from the permit holder of record that gives permission for the applicant to amend the permit.*

9. LAND OWNERSHIP

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If for a Permit Amendment proposing a Change in Place of Use:

- Does the permit holder of record own or control the land **TO** which the place of use is being moved? ☐ Yes ☐ No

If "No", the owner 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.

- Check one of the following:
 - ☐ The permit holder of record will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to the permit holder of record.
 - ☐ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

If for a Ground Water Registration Modification:

- Does the applicant own the lands **FROM** which the registration is being moved? ☐ Yes ☐ No

If "No", provide the following information:

Names of Current Landowner(s): _____
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the registration is being moved? ☐ Yes ☐ No

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

- Check one of the following:
 - ☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
 - ☐ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

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10. ATTACHMENTS

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

Map:

- ☒ A map meeting the requirements of OAR 690-380-3100 must be included but need **not** be prepared by a Certified Water Right Examiner.

Land Use Information Form:

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

Water Well Reports/Well Logs:

- ☒ The application involves a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☒ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☐ N/A. The application does **not** involve a change in point of appropriation or a change from surface water to ground water, so water well reports are **not** required.

Fees:

- ☒ Amount enclosed: \$ 350.00
See the Department's Fee Schedule at www.wrd.state.or.us/OWRD/PUBS/forms.shtml or call (503) 986-0900.

For Permit Amendments Only...

Request for Assignment:

- ☒ Enclosed. 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: www.wrd.state.or.us/OWRD/PUBS/forms.shtml ; **or***
- ☐ N/A. The applicant is the permit holder of record and owns or controls the proposed place of use; **OR** the applicant is **not** the permit holder of record but **is** supplying an Affidavit of Consent from the permit holder.

Affidavit of Consent:

- ☐ Enclosed. Because the applicant is **NOT** the permit holder of record, an Affidavit of Consent is being supplied that gives permission for the applicant to amend the permit; **or**
- ☐ N/A. Not required because the applicant is the permit holder of record.

Before submitting your application to the Department, be sure you have:

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

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CLATSOP, OREGON**

11. SIGNATURES

- **For Ground Water Registration Modification Applications only, check the appropriate one and sign the application in the signature box below:**

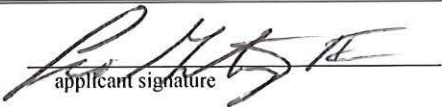

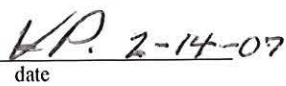
☐ In accordance with OAR 690-382-0400(16)(a), I (we) understand that prior to Department approval of a permanent modification and upon my receipt of a draft Preliminary Determination for the proposed modification, I (we) will be required [pursuant to OAR 690-382-0700(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the modification:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed modification provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the recorded agreement and a listing of the owner(s) of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the applicant is not both the person named on the ground water registration or the assignee *and* the owner of the lands to which the registration is appurtenant, as identified in the report of ownership and lien information, then either of the following must be provided:
- A) Notarized statements consenting to the modification by all persons, other than the applicant, who are named on the ground water registration or identified as landowners in the report of ownership and lien information or who are authorized representatives of an entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement; or
- B) Documentation demonstrating that the applicant is authorized to pursue the modification in the absence of consent of the persons named on the ground water registration or the assignee and the owner of the lands to which the registration is appurtenant.

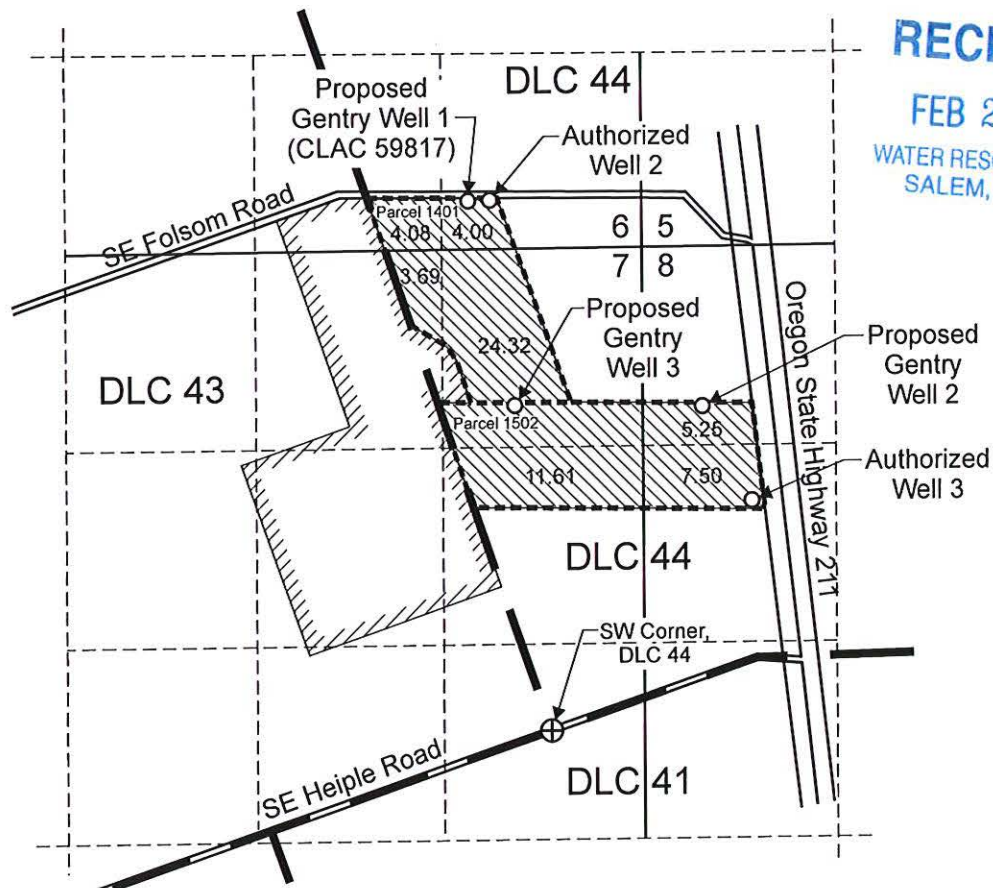
☐ I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-382-0400(16)(b), the applicant is NOT required to provide the above described report of ownership and lien information.

☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the ground water registration proposed for modification is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-382-0400(16)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for recognition of a modification under this subsection if it has filed a condemnation action to acquire the property and deposited the funds with the court as required by ORS 35.265.)

- **For both Permit Amendment and Ground Water Registration Modification Applications, I (we) affirm that the information contained in this application is true and accurate.**

 applicant signature	 name (print)	 date
_____ applicant signature	_____ name (print)	_____ date

T.3S. R.4E. Sec. 6, 7 & 8, W.M.




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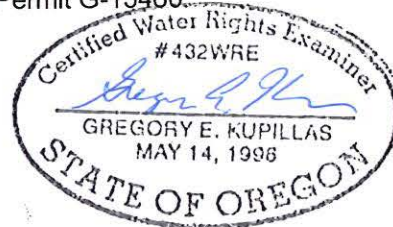
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Authorized Well 2 is located 3,700 feet north and 450 feet west from the SW corner, DLC 44.
Authorized Well 3 is located 1,685 feet north and 1,355 feet east from the SE corner, DLC 43.
Proposed Gentry Well 1 (CLAC 59817) is located 3,620 feet north and 550 feet west from the SW corner, DLC 44.
Proposed Gentry Well 2 is located 2,210 feet north and 1,040 feet east from the SW corner, DLC 44.
Proposed Gentry Well 3 is located 2,220 feet north and 240 feet west from the SW corner, DLC 44.

 Area (60.45 Acres) under Application G-15528, Permit G-15460 affected by this permit amendment.

 Remaining Area (64.34 Acres) under Application G-15528, Permit G-15460.

----- Tax lot boundary



EXPIRATION DATE: 6/30/07

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

Scale: 1" = 1,320'



Pacific Hydro-Geology Inc.

Permit Amendment Map

Leo Gentry Wholesale Nursery Inc.
Tax Lots 3 4E 8 1401 and 3 4E 8 1502

1/2007

T 10322

CLAC 59817
Westerberg Drilling, Inc.
36728 S. Kropf Rd.
Molalla, OR 97038

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WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)

Instructions for completing this report are on the last page of this form.

(1) LAND OWNER Well Number #2
Name LEO GENTRY WHOLESALE NURSERY INC.
Address PO BOX 645
City GRESHAM State OR Zip 97030

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:

☒ Rotary Air ☒ Rotary Mud ☐ Cable ☐ Auger

☐ Other

(4) PROPOSED USE:

☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation

☐ Thermal ☐ Injection ☐ Livestock ☐ Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval ☐ Yes ☒ No Depth of Completed Well 1172'

Explosives used ☐ Yes ☒ No Type Amount

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
16"	0	382	Cement	0	382	151 sacks
12"	382	847	Cement	750	847	45 sacks
8"	847	1535	Cement	1172	1535	112 sacks

How was seal placed: Method ☐ A ☒ B ☐ C ☐ D ☐ E

☐ Other

Backfill placed from ft. to ft. Material

Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 12"	+1	382	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8"	+1.5	847	.250	<input checked="" type="checkbox"/>	<input 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"/>
Liner: NONE				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used ☐ Inside ☒ Outside ☐ None

Final location of shoe(s) 12" @ 382' 8" @ 847'

(7) PERFORATIONS/SCREENS:

☒ Perforations Method HOLTE AIR PERFE

☐ Screens Type Material

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
700	725	1/4x3	960			<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"/>

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

Yield gal/min	Drawdown	Drill stem at	Time
<input checked="" type="checkbox"/> Pump <input type="checkbox"/> Bailer <input type="checkbox"/> Air <input type="checkbox"/> Artesian			1 hr.
150	550'		4-hr.
125	510'		7-hr.

Temperature of water 68° Depth Artesian Flow Found

Was a water analysis done? ☐ Yes ☒ No

Did any strata contain water not suitable for intended use? ☐ Too little

Other ☐ Odor ☐ Colored ☐ Other

Depth of strata:

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(9) LOCATION OF WELL by legal description:

County CLACKAMAS Latitude Longitude

Township 3S N or S Range 4E E or W. WM.

Section 6 NW 1/4 NE 1/4

Tax Lot 1400 Lot Block Subdivision

Street Address of Well (or nearest address) 29880 SE FOLSOM RD.
EAGLE CREEK, OR 97022

(10) STATIC WATER LEVEL:

145 ft. below land surface. Date 1-20-04

Artesian pressure lb. per square inch Date

(11) WATER BEARING ZONES:

Depth at which water was first found

From	To	Estimated Flow Rate	SWL
0'	382'	DRILLED W/ MUD	
710'	725'	50-60 GPM	145'
895'	900'		145'
950'	960'	100 GPM approx	145'
1240'	1420'	<10 GPM	187'

(12) WELL LOG:

Ground Elevation

Material	From	To	SWL
cobbles & gravel large	0	35	
cemented gravel	35	40	
cobbles & gravel	40	55	
clay brown w/ gravel	55	65	
clay grey w/ gravel	65	80	
clay blue med	80	112	
clay grey	112	138	
clay green	138	195	
clay grey & green	195	220	
packed sand	220	230	
clay grey	230	242	
pumice & sand	242	247	
clay green sticky	247	280	
clay grey & grn sticky	280	318	
clay white & grn soft	318	330	
claystone green	330	343	
lava lavender	343	354	
lava grey hard	354	365	

continued on page 2

Date started 11-21-03 Completed 1-20-04

(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.

Signed *[Signature]* WWC Number 1358 Date 1-27-04

(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.

Signed *[Signature]* WWC Number 688 Date 1-27-04

ORIGINAL - WATER RESOURCES DEPARTMENT FIRST COPY - CONSTRUCTOR SECOND COPY - CUSTOMER
SALEM, OREGON

10322

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SALEM, OREGON

36728 S. Kropf Rd., Molalla, OR 97038 • Phone: (503) 829-2526 FAX (503) 829-7514

Page 2

WELL ID# L 66761

OWNER: LEO GENTRY WHOLESALE NURSERY INC.

ADDRESS: PO BOX 645

CITY/STATE/ZIP: GRESHAM, OR 97030

WELL ADDRESS: 29880 SE FOLSOM RD. EAGLE CREEK, OR 97022

COUNTY CLACKAMAS

TOWNSHIP 3S

RANGE 4E

SECTION 6

NW 1/4

NE 1/4

TAX LOT 1400

MATERIAL	FROM	TO	SWL
lava grey & lavender	365	400	
lava multi-colors	400		
grey w/ brown & red		455	
lava w/ white pumice	455	480	
lava harder	480	500	
lava mostly brown & grey	500	630	
lava more grey w/ brown	630	645	
lava harder	645	665	
lava brown	665	675	
lava grey & brown	675	710	
lava softer & fractured	710		
brown & grey		725	
clay grey w/ wood	725	735	
clay blue	735	743	
claystone brown	743	750	
claystone blue	750	815	
basalt dark grey w/ green	815		
interbeds		830	
basalt grey hard	830	865	
basalt weathered softer	865		
multi-color		880	
basalt grey harder w/ green	880		
fractures		900	
basalt grey hard	900	945	
basalt fractured & porous	945	960	
basalt grey harder	960	1023	
basalt grey med w/ green	1023	1034	
basalt grey hard	1034	1065	
basalt grey w/ green porous	1065	1085	
basalt grey w/ green hard	1085	1125	
basalt harder	1125	1139	
basalt grey w/ green porous	1139	1148	
basalt grey hard	1148	1167	
continued on page 3			

Westerberg Drilling, Inc.
36728 S. Kropf Rd.
Molalla, OR 97038

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WATER RESOURCES DEPT
SALEM OREGON

I 10322



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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WATER RESOURCES DEPT
SALEM, OREGON

Request for

Assignment

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

I, Duncan W. Brinkley, DBA Old Farmhouse Nursery

(Name of Applicant / Permit / Transfer Holder)

26609 SE Hereford Lane

(Mailing address)

Eagle Creek

(City)

OR

(State)

97022

(Zip)

(503) 630-5858

(Phone #)

☐ ...hereby assign all my interest in and to application/permit/transfer;

☒ ...hereby assign all my interest in and to a portion of application/permit/transfer;

(You must include a map showing the portion of the application/permit to be assigned.)

☐ ...hereby assign a portion of my interest in and to the entire application/permit/transfer;

Application # G-15528

Permit # G-15460

; Transfer # _____

-OR-

GR Statement # _____

GR Certificate of Registration # _____

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

Leo Gentry Wholesale Nursery Inc.

(Name of New Owner)

P.O. Box 645

(Mailing address)

Gresham

(City)

OR

(State)

97030

(Zip)

(503) 658-5181

(Phone #)

NOTE:

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

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 31st day of Jan, 2007.

Applicant/Permit holder Duncan W Brinkley

Applicant/Permit holder _____

DO NOT WRITE IN THIS BOX

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

The completed "Request for Assignment" form must be submitted to the Department along with the appropriate recording fees:

- \$25 for the first page, and
 - \$5 for each additional page.
- [as required by ORS 536.050(1)(d)]

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SALEM, OREGON

O.K. Sauter
J. Sauter
2/08/2007

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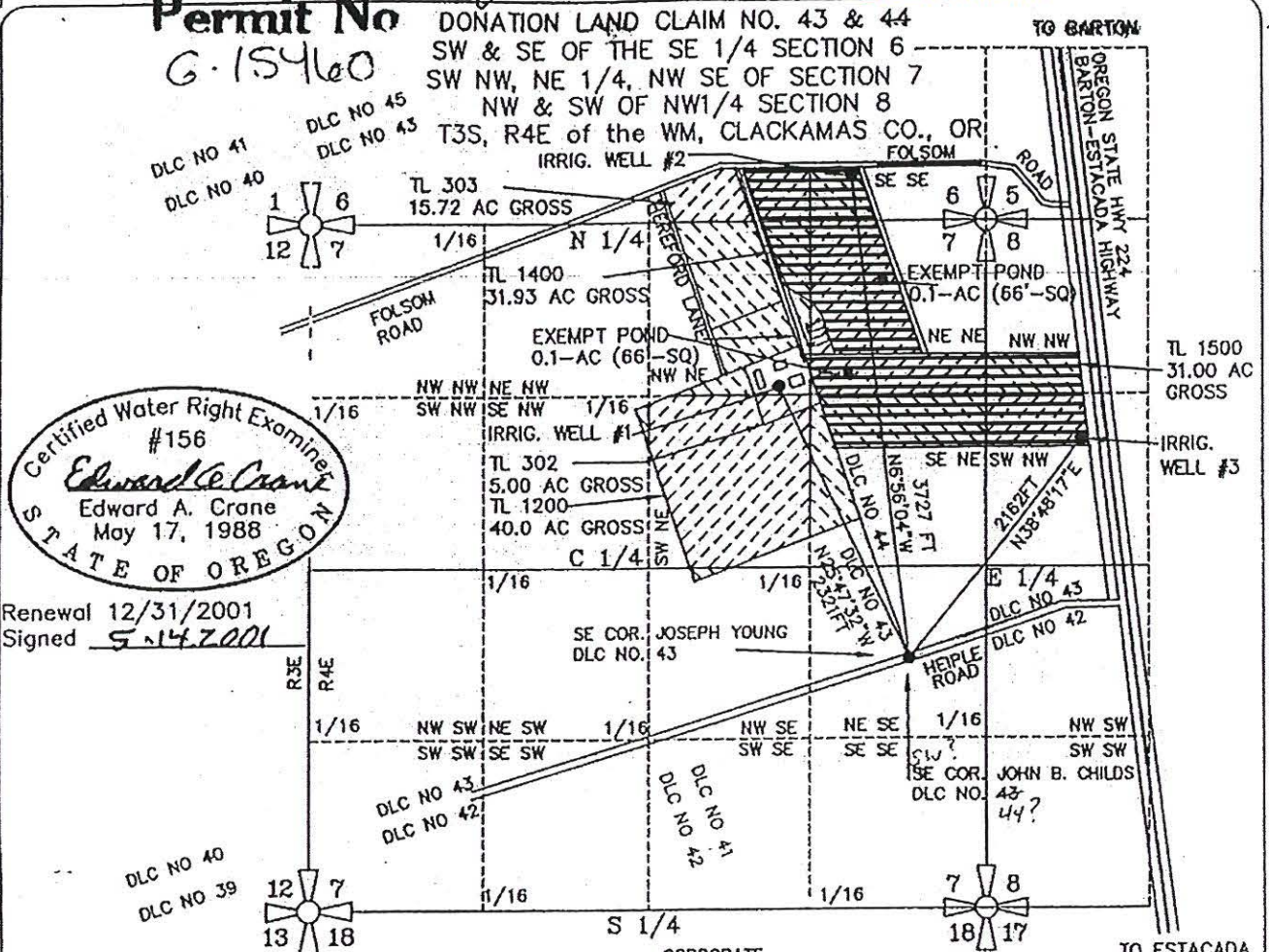
WATER RESOURCES DEPT
SALEM, OREGON

Application No. *G-15528*

Permit No

G-15460

DONATION LAND CLAIM NO. 43 & 44
SW & SE OF THE SE 1/4 SECTION 6
SW NW, NE 1/4, NW SE OF SECTION 7
NW & SW OF NW 1/4 SECTION 8
T3S, R4E of the WM, CLACKAMAS CO., OR

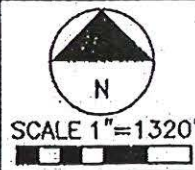


Certified Water Right Examiner
#156
Edward A. Crane
Edward A. Crane
May 17, 1988
STATE OF OREGON

Renewal 12/31/2001
Signed *5-14-2001*

SEC.	1/4 1/4	ACRES	IRRIG.	CFS (APPROX. GPM)
6	SW SE	9.25 ACRES	0.1156 CFS	(52 GPM)
6	SE SE	4.00 ACRES	0.0500 CFS	(22 GPM)
7	NW NE	22.25 ACRES	0.2781 CFS	(125 GPM)
7	NE NE	25.25 ACRES	0.3156 CFS	(142 GPM)
7	SE NW	0.40 ACRES	0.0050 CFS	(2 GPM)
7	SW NE	33.50 ACRES	0.4188 CFS	(188 GPM)
7	SE NE	17.00 ACRES	0.2125 CFS	(95 GPM)
7	NW SE	0.40 ACRES	0.0050 CFS	(2 GPM)
8	NW NW	5.25 ACRES	0.0656 CFS	(29 GPM)
8	SW NW	7.50 ACRES	0.0908 CFS	(42 GPM)
TOTAL		125.80 ACRES	1.559 CFS	(700 GPM)

Portion of Application G-15528, Permit G-15460
Assigned to Leo Gentry Wholesale Nursery Inc
Includes Tax Lots 3 4E 8 1401
and 3 4E 8 1502 only. See
attached Tax Assessor's Map.



SURVEYED APRIL 20, 2001
BY EDWARD A. CRANE, CWRE

CORPORATE
BOUNDARY LINE
DONATION LAND
CLAIM (DLC #)

TO ESTACADA

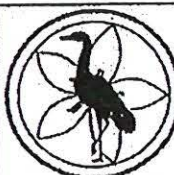
WELL #1 IS LOCATED 2090 FEET NORTH AND 1010 FEET EAST
OF THE SOUTHWEST CORNER OF JOHN B. CHILDS DLC NO. 44
(IN SW 1/4 NW 1/4 SEC. 8 T3S, R4E OF THE WM, CLACKAMAS CO., OR)
WELL #2 IS LOCATED 3700 FEET NORTH AND 450 FEET WEST
OF THE SOUTHWEST CORNER OF JOHN B. CHILDS DLC NO. 44
(IN SE 1/4 SE 1/4, SEC. 6, T3S, R4E OF THE WM, CLACKAMAS CO., OR)
WELL #3 IS LOCATED 1685 FEET NORTH AND 1355 FEET WEST
OF THE SOUTHEAST CORNER OF JOSEPH YOUNG DLC NO. 43
(IN NW 1/4 NE 1/4, SEC. 7, T3S, R4E OF THE WM, CLACKAMAS CO., OR)

PREPARATION OF THIS MAP WAS FOR THE PURPOSE
OF IDENTIFYING THE LOCATION OF THE WATER RIGHTS
ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS
OR LOCATION OF PROPERTY OWNERSHIP LINES.

APPLICATION FOR A
GROUNDWATER PERMIT G-

PREPARED BY EDWARD A. CRANE, CWRE

DATE
APRIL 2001
PROJECT NO.
383-001



CRANE & MERSEITH
Engineering/Surveying
SUITE "D"
6566 SE LAKE ROAD
MILWAUKEE, OREGON 97222
BUS: (503) 654-2005
FAX: (503) 654-2575

APPLICATION FOR PERMIT NUMBER G-
PERMIT NUMBER G- IN THE NAME OF:
DUNCAN BRINKLEY - OLD FARMHOUSE NURSERY
26609 SE HEREFORD LANE (TEL: 503-630-5858)
EAGLE CREEK, OR 97022 (FAX: 503-630-5507)

SHEET
1/2

10322

WATER RESOURCES DEPT
SALEM, OREGON

I 10322

3 4E 8



Oregon Water Resources Department Land Use Information Form

RECEIVED

FEB 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

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) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Leo Gentry Wholesale Nursery Inc.
Mailing Address: P.O. Box 645
City: Gresham State: OR Zip: 97030 Day Phone: (503) 658-5181

This application is related to a Measure 37 claim. ☐ Yes ☒ No

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. 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	1/4 1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
3S	4E	6 & 7		3 4E 8 1401	<u>Exclusive FARM</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Nursery Operations
3S	4E	7 & 8		3 4E 8 1502	<u>USE (EFU)</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Nursery Operations
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<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, or used. Clackamas 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 ☐ Exchange of Water
☐ Allocation of Conserved Water ☐ Limited Water Use License
☒ Permit Amendment or Ground Water Registration Modification

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

Estimated quantity of water needed: 1.51 ☒ 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 Operations

Briefly describe: Water will be withdrawn from as many as three ground water wells and conveyed to the places of use for irrigation of nursery stock and for other uses associated with nursery operations.

T 10322

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

RECEIVED

FEB 20 2007

WATER RESOURCES DEPT
SALEM, OREGON**For Local Government Use Only**

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 proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 401.04.

☐ Land uses to be served by 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

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: LORRAINE GONZALES Title: SENIOR PLANNER
 Signature: Lorraine Gonzales Phone: 503 853 4544 Date: 2-20-07
 Government Entity: _____

T 10322

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.