

T-10442

Femrite

T-10442

PERMIT
AMENDMENTName Doug FemriteAddress 13193 Arndt Rd NE
Aurora, OR. 97002Change in POUDate Filed 8-14-07

Initial notice date _____

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO 3-25-08 Vol 74 Page 429

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

DESCRIPTION OF WATER RIGHT(s)

Name of Stream WellTrib. of Willamette RiverUse Nursery County Marion

Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App # G-12607 Per # G-12092 Cert # _____ PR Date 1991

App # _____ Per # _____ Cert # _____ PR Date _____

App # _____ Per # _____ Cert # _____ PR Date _____

App # _____ Per # _____ Cert # _____ PR Date _____

App # _____ Per # _____ Cert # _____ PR Date _____

FEES PAID		
Date	Amount	Receipt #
8-14-07	400.00	89165

FEES REFUNDED		
Date	Amount	Receipt#

Assignments: _____

Irrigation District NONEAgent Scott Ashcom; Po Box 4323; Portland, OR. 97208CWRE NONE

CC's list _____

☐ - Oversized map - Location _____



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

T-10442

Extension of Time Diligence Progress Reporting Form For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Doug Femrite dba Femrite Nursery

Application G-12607

Permit G-12092

Report Due no later than October 1, 2008

Diligence Progress Report for 2008

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit G-12092

DATE WORK WAS DONE	WORK ACCOMPLISHED and FINANCIAL INVESTMENT SINCE OCTOBER 1, 1998 <i>List all work done after the last authorized date for complete application of water up to the date of this Diligence Progress Reporting Form</i>	FINANCIAL INVESTMENT
1 January 2008	ALL WORK IS COMPLETED.	\$ 500 ⁰⁰

2. Compliance with terms and conditions of the permit and/or previous extension.

RECEIVED

JAN 13 2009

WATER RESOURCES DEPT
SALEM, OREGON

3. Total number of acres irrigated to date = all acres in the permitted are irrigated. (if applicable)

4. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date

Maximum rate used to date = 5 AF / acre cfs (cubic feet per second), or

Maximum rate used to date = _____ gpm (gallons per minute), or

Acre Feet Stored = _____ AF

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet – usually only specified on a reservoir water right). Do not provide daily, monthly or annual water use totals.

Signature _____

Date 12-3-08

For OWRD use only

Diligence Shown ☐ Yes ☐ No

Date Public Noticed: _____

Reviewed by: _____

Date: _____



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

March 26, 2008

RECEIVED

JAN 13 2009

WATER RESOURCES DEPT
SALEM, OREGON

DOUG FEMRITE
13193 ARNDT RD NE
AURORA OR 97002

Reference: Permit Amendment Transfer 10442

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,

for Doug Parrow
Natural Resource Specialist

DP:sh

cc: Watermaster #16
Scott Ashcom, Agent

Enclosure



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

March 26, 2008

DOUG FEMRITE
13193 ARNDT RD NE
AURORA OR 97002


Reference: Permit Amendment Transfer 10442

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,

 Doug Parrow
Natural Resource Specialist

DP:sh

cc: Watermaster #16
Scott Ashcom, Agent

Enclosure

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

In the Matter of Permit Amendment)	FINAL ORDER
T-10442, Marion County)	APPROVING A CHANGE IN PLACE
)	OF USE

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

Doug Femrite
13193 Arndt Road NE
Aurora, Oregon 97002

Findings of Fact

1. On August 14, 2007, Doug Femrite filed an application to amend the place of use of 18.17 acres under Permit G-12092. The Department assigned the application number T-10442.

2. The permit to be amended is as follows:

Permit:	G-12092, in the name of Doug Femrite dba Femrite Nursery
Use:	Nursery operations
Priority Date:	July 12, 1991
Quantity:	0.60 cubic foot 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. The period of allowed use for irrigation is March 1 through October 31.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Acres: 47.0
Source: Wells 1 and 2, in the Willamette River Basin
Date of Complete Application of Water: October 1, 2010

Authorized Points of Appropriation:

Township		Range		Meridian	Sec	¼ ¼		Location
3	S	1	W	W.M.	34	NW	SE	Well 1 – 1340 feet North and 3470 feet East from the SW Corner of Section 34.
3	S	1	W	W.M.	34	SW	SE	Well 2 – 250 feet North and 3850 feet East from the SW Corner of Section 34.

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼		Acres
3	S	1	W	W.M.	34	SE	NW	7.00
3	S	1	W	W.M.	34	NE	SW	12.70
4	S	1	W	W.M.	3	NW	NE	18.60
4	S	1	W	W.M.	3	SW	NE	8.70

3. Application T-10442 proposes to change the place of use of the permit as follows:

Township		Range		Meridian	Sec	¼ ¼		Acres
3	S	1	W	W.M.	34	SE	NW	7.00
3	S	1	W	W.M.	34	NE	SW	12.70
3	S	1	W	W.M.	34	SW	SW	18.17
4	S	1	W	W.M.	3	NW	NE	0.43
4	S	1	W	W.M.	3	SW	NE	8.70

The changed place of use is in bold type.

4. Notice of the application for the permit amendment was published in the Department's weekly notice on August 21, 2007 pursuant to ORS 540.520(5). No comments were filed in response to the notice.
5. The change would not result in injury to other water rights.
6. The proposed place of use is owned and/or controlled by the permit holder.
7. The change does not enlarge the permit.
8. The change does not alter any other terms of the permit.
9. The proposed place of use is contiguous in ownership to the authorized place of use.

Conclusions of Law

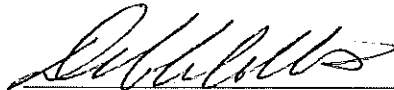
The change in place of use proposed by Permit Amendment Application T-10442 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

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

1. The former place of use shall no longer be irrigated as part of this permit.
2. All other terms and conditions of Permit G-12092 remain the same.
3. Permit G-12092, in the name of Doug Femrite dba Femrite Nursery, is amended as described herein.

Dated at Salem, Oregon this 25th day of March, 2008.

PC 
Phillip C. Ward,
Director

Mailing Date: MAR 28 2008

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DOUG FEMRITE DBA FEMRITE NURSERY
13193 ARNDT ROAD NE
AURORA, OREGON 97002

503-678-1261

to use the waters of WELLS 1 AND 2 in the WILLAMETTE RIVER BASIN for NURSERY OPERATIONS ON 47.0 ACRES.

This permit is issued approving Application G-12607. The date of priority is JULY 12, 1991. The use is limited to not more than 0.60 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

NW 1/4 SE 1/4, SW 1/4 SE 1/4, SECTION 34, T 3 S, R 1 W, W.M.; WELL 1 - 1340 FEET NORTH AND 3470 FEET EAST, WELL 2 - 250 FEET NORTH AND 3850 FEET EAST, BOTH FROM THE SW CORNER OF SECTION 34.

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 of 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 period of allowed use for irrigation is March 1 through October 31.

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

A description of the proposed place of use under this permit is as follows:

SE 1/4 NW 1/4 7.0 ACRES
NE 1/4 SW 1/4 12.7 ACRES
SECTION 34
TOWNSHIP 3 SOUTH RANGE 1 WEST W.M.
NW 1/4 NE 1/4 18.6 ACRES
SW 1/4 NE 1/4 8.7 ACRES
SECTION 3
TOWNSHIP 4 SOUTH RANGE 1 WEST, W.M.

T-10442

18.17 0.43

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.

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.

Application G-12607

Water Resources Department

PERMIT G-12092

- 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.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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.

Actual construction work shall begin on or before June 30, 1996, and shall be completed on or before October 1, 1997. Complete application of water shall be made on or before October 1, 1998.

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

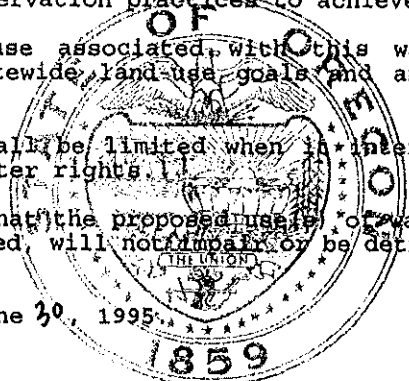
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, June 30, 1995.


for Water Resources Department
Martha O. Page
Director

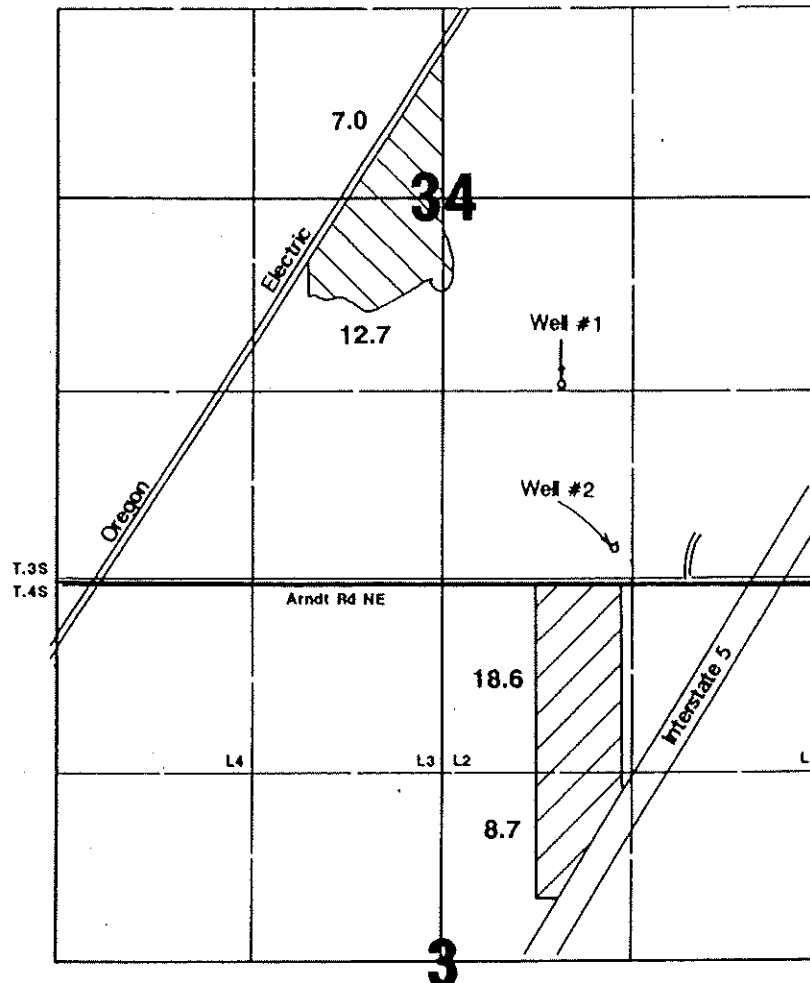


RECEIVED

SEP 16 1999

T.3 S. & 4S. R.1W., W.M.

WATER RESOURCES DEPT.
SALEM, OREGON



Well #1 is located 1340'N & 3470'E from the SW corner of Section 34.
Well #2 is located 250'N & 3850'E from the SW corner of Section 34.

Final Proof Survey

Application #: G-12607 Permit #: G-12092

In Name Of

Doug Femrite-Femrite Nursery

Surveyed on August 28, 1999 by JM Schuette

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 Checklist

Permit Amendment T-10442

Transfer Specialist: pks

Applicant Name/Address: Doug Femrite, 13193 Arndt Road NE, Aurora, OR 97002

Agent Name/Address: Scott Ashcom, P.O. Box 4323, Portland, OR 97208

CWRE Name/Number: None

Rec Landowner Name/Address: None

Irr. District Name/Address: None

Affected Govt's Name/Address: Marion Co.

Commentors Name/Address: None

Permits Affected

Records Marked	Records Copied	App File No.	Permit No.
X	X	G-12607	G-12092

Key Dates & Initial Actions

Rec'd: 8/14/2007	Proposed Action(s): POU	
Fees Pd: \$400.00	WM District: 16	ODFW District: N/A
Initial Notice: 8/21/2007	WM Review sent: 8/16/2007	ODFW Review sent: N/A
Acknowledgement Letter Sent: X		GW Review sent: N/A

Processing Dates & Actions

Deficiency Contacts:	Newspaper Pub Affid. Due: X not required
Affid of Pub Rec'd: Last Day Published:	Affidavit Reminder Sent:
Reminder Deadline:	

Final Order

☒ Electronic Files uploaded

☐ File Assigned/ ModPod updated

☐ Newspaper Notice Cover letter

☐ Fee Refund Due

☐ Newspaper Notice

<p>Draft Order Review (Optional)</p> <p>Reviewer: _____</p> <p>Date: _____</p> <p>Coordinator: _____</p> <p>Date: _____</p>	<p>Final Order Review (Salem)</p> <p>Reviewer: <u>[Signature]</u></p> <p>Date: <u>3-24-06</u></p> <p>Coordinator: <u>[Signature]</u></p> <p>Date: <u>3/24/06</u></p>
<p>Comments/Special Issues: Change in POU</p>	

Special Order Volume: Vol: 74, Pages 429

Final Order Signature Date: 3-25-08

Notice of FO e-mailed to processors: Kelly



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 23, 2007

Doug Femrite
13193 Arndt Road NE
Aurora, OR 97002

REFERENCE: File #G-12607 (Permit #G-12092)

Dear Mr. Femrite:

On August 14, 2007, the Department received your Application for Extension of Time for Permit #G-12092, along with a check in the amount of \$350.

Upon review of the extension request, it appears that full beneficial use of water was made within the time authorized under Permit #G-12092; therefore there is not good cause for an extension of time. Because full beneficial use of water has been made (as evidenced by the Claim of Beneficial Use that was received by the Department on September 16, 1999), if we were to process your Application for Extension of Time, we would have to deny your request pursuant to OAR 690-690-315-0010. Therefore, we suggest that you withdraw your Application for Extension of Time for Permit G-12092.

Upon receiving your written withdrawal, we will return your Application for Extension of Time for Permit #G-12092 and refund your fee of \$350.

After speaking to Gerry Clark, in our Certificates Section, it has been determined that you may submit a new pump test to re-establish your original Claim of Beneficial Use (COBU) and continue with Certificate issuance. If you have specific questions regarding your COBU, you may contact Gerry Clark at (503) 986-0811.

If you have any further questions concerning the extension of time, please feel free to contact me at (503) 986-0813.

Sincerely,

Kim R. French
Extensions Specialist
Water Rights Section

cc: File #G-12607 (Permit #G-12092)
Watermaster Dist #16
Gerry Clark, Certificate Section
Sarah Henderson, Transfer Section



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

June 28, 2006

Mr. Doug Fermite
13193 Arndt Road NE
Aurora, OR 97002

With regard to the pump test requirements for the following well and its associated water rights:

APP. #: G-12607 PERMIT #: G-12092 Well-ID: MARI 172

I have reviewed and rejected the pump test results you have submitted for the above well. There were insufficient drawdown data provided during the pumping period. I discussed the test results with both Don Knauer and Doug Woodcock, my manager. I therefore cannot yet approve your request for a multiple well exemption for well #2 (MARI 168).

I suggest that you pursue the multiple well exemption following completion of an acceptable test on either of the two wells authorized under this permit. If you have any questions, please contact me at 503-986-0844 or Doug Woodcock at 503-986-0847. I will be out of the office until July 24, 2006.

Sincerely,

Michael J. Zwart
Hydrogeologist

cc: Water Rights Section

Marion County Property Records - Property Search

4 properties found.

<u>Property ID</u>	<u>Owner Name</u>	<u>Map Tax Lot</u>	<u>Situs Address</u>	<u>Legal Description</u>
<u>R10128</u>	FEMRITE NURSERY CO 13193 ARNDT RD NE AURORA, OR 97002	031W34 01000	13193 ARNDT RD NE AURORA, OR 97002	ACRES 95.63
<u>R10129</u>	FEMRITE NURSERY CO 13193 ARNDT RD NE AURORA, OR 97002	031W34 01800	12813 ARNDT RD NE AURORA, OR 97002	ACRES 17.02, MS X# X00236742, Home ID 283295, PCJ NO 13148 MHX1046-P
<u>R10130</u>	FEMRITE NURSERY CO 13193 ARNDT RD NE AURORA, OR 97002	031W34 01100		ACRES 60.83, PCJ # 13148
<u>R10127</u>	FEMRITE,MELBA S C/O FEMRITE NURSERY 13193 ARNDT RD NE AURORA, OR 97002	031W34 01900		ACRES 3.23



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-10442

Review Due Date: 9/15/07

Applicant Name: Doug Femrite

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

Reviewer(s): M Mccord

Date of Review: Sep. 20, 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 type="checkbox"/> Present and should be maintained.	<input checked="" 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.

Water Right Transfer Checklist

Transfer T-10442

Transfer Specialist: Permit Amendment Drawer

Transfer Type: Permit Amendment

Applicant Name/Address: Doug Femrite, 13193 Arndt Rd NE, Aurora, OR 97002

Agent Name/Address: Scott Ashcom, PO Box 4323, Portland, OR 97208

CWRE Name/Number: NONE

Rec Landowner Name/Address: NONE

Irr. District Name/Address: NONE

Affected Gov'ts Name/Address: NONE

Commentors: Name/Address: NONE

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	G 12607	G 12092		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions

Rec'd: <u>08/14/07</u>	Proposed Action(s): POU POD HST APOD USE OTHER: POU	
Fees Pd: <u>400.00</u>	WM District: <u>16</u>	ODFW District: <u>NONE</u>
Initial Notice: <u>08/21/2007</u>	WM Review sent: <u>08/16/2007</u>	ODFW Review sent: <u>NONE</u>
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <u>NONE</u>

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper Pub Affid Due: _____

☐ not required

DPD Mailed: _____

Affid of Pub Rec'd: _____

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

Last Day Published: _____

PD Mailed: _____

Affidavit Reminder Sent: _____

PD Weekly Notice: _____

Reminder Deadline: _____

Preliminary Determination

☐ Electronic Files uploaded

☐ Preliminary Determination

☐ PD Cover letter

☐ Fee Refund Due

☐ PD Notice

☐ Remaining Rights

☐ File Assigned/ ModPod updated

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: _____	Reviewer: _____
Date: _____	Date: _____	Date: _____
Coordinator: _____	Coordinator: _____	Coordinator: _____
Date: _____	Date: _____	Date: _____
Comments/Special Issues:		

Special Order Volume: Vol _____ Pages _____ Final Order Signature Date: _____

Notice of FO email'd to processors _____

Application

- ☐ The type of change is clearly indicated.
☐ The application is appropriately signed.
☐ Appropriate fees were paid. ☐ If overpayment, Refund Request to be sent with FO
☐ Land use form matches affected tax lots and is signed by proper official. (*from ALL affected Govt's*)
☐ Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
☐ All required attachments received.

Water right subject to transfer

- ☐ Certificated right or Proof accepted "to the satisfaction...."
☐ The right been exercised according to terms & conditions of certificate.
☐ Delivery system has the capacity to fully divert the rate/duty of the right.
☐ No information in record that suggests forfeiture.
☐ No conflicts identified on the plat cards and plat card reports printed.
☐ Affidavits prepared for rights that need to be canceled or diminished.

Application Map

- ☐ The map has an original CWRE signature.
☐ The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
☐ All authorized and proposed POD's/POA's and POU's shown and clearly labeled.
☐ Metes and bounds for the POD's/POA's are properly described on the map.
☐ The POD/POA dimensions & ¼ ¼ on map match the transfer application and certificate descriptions.
☐ Map acres match the tabulation on the certificate.
☐ Have final proof maps/deed maps for the rights. ☐ Application map matches certificate FPS.
☐ Have necessary aerial photos.

Determining the "From" and "To" Lands (*make working copy of application and certificates to mark on*)

- ☐ Only the authorized POD's/POA's and POU's to be transferred are listed.
☐ Application & certificate tabulations match. (*Mark on appl. and cert. copies and note corrections needed*)
☐ Marked on certificate the acreage being transferred, cancelled and remaining by ¼ ¼.

Ownership

- ☐ The deed/ROLI matches the "from" lands. (Don't need to check "to" lands.)
☐ Have current tax lot map. (*If transfer application is several years old, contact assessor's office*)
☐ The applicant is the owner of the "from" lands.
☐ All owners on the deed/ROLI have signed the application.
☐ If necessary, there is a notarized, signed statement of consent from landowners other than applicant.
☐ If necessary, there is a copy of written notification to each lien holder identified on ROLI.
☐ Agent has authorization to make decisions.

Evaluation (materials needed for peer reviewer in bold)

- | | | | | |
|---|--------------------------------------|------------------------------------|--|--|
| <input type="checkbox"/> application complete | <input type="checkbox"/> map | <input type="checkbox"/> FPS | <input type="checkbox"/> evidence of use | <input type="checkbox"/> land-use form |
| <input type="checkbox"/> deed/ROLI | <input type="checkbox"/> certificate | <input type="checkbox"/> fees paid | <input type="checkbox"/> well logs | <input type="checkbox"/> plat card |
| <input type="checkbox"/> audit | <input type="checkbox"/> dpd | | | |

Reviews/comments/conditions received? ☐ Watermaster ☐ ODFW ☐ GW

Headgate	<input type="checkbox"/> When in the judgment	<input type="checkbox"/> Prior to diverting	<input type="checkbox"/> Existing and maintain
Measuring Devices	<input type="checkbox"/> When in the judgment	<input type="checkbox"/> Prior to diverting	<input type="checkbox"/> Existing and maintain
Fish Screen Devices	<input type="checkbox"/>		

Injury: Y N Enlargement: Y N

Conditions to avoid enlargement/injury –

**Oregon Water Resources Department
Water Rights Division**

Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit G-12092, Water Right Application G-12607)
in the name of Doug Femrite dba Femrite Nursery) **PROPOSED FINAL ORDER**

Permit Information

Application File G-12607 Permit G-12092

Basin: 2 – Willamette/ Watermaster District 16

Date of Priority: July 12, 1991

Authorized Use of Water

Source of Water: Wells 1 and 2 in the Willamette River Basin

Purpose of Use: Nursery Operations on 47.0 Acres

Maximum Rate: 0.60 Cubic Feet per Second (cfs)

**This Extension of Time request is being processed in accordance with Oregon
Administrative Rule Chapter 690, Division 315**

***Please read this Proposed Final Order in its entirety as it contains
additional conditions not included in the original permit.***

This Proposed Final Order applies only to Permit G-12092, water right Application G-12607.
A copy of Permit G-12092 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- grant an extension of time for complete construction of the water system from October 1, 1997 to October 1, 2010, and
- grant an extension of time to apply water to full beneficial use from October 1, 1998 to October 1, 2010.
- make the extension subject to certain conditions set forth below.

ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources

PFO – Proposed Final Order

Units of Measure

cfs – cubic feet per second

gpm – gallons per minute

AUTHORITY

Generally, see ORS 537.630 and OAR Chapter 690 Division 315.

ORS 537.630(1) provide in pertinent part that the Oregon Water Resources Department (Department) may, for good cause shown, order an extension of time within which: irrigation or other works shall be completed; the well or other means of developing and securing ground water shall be completed; or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

ORS 539.010(5) provides in pertinent part that the Water Resources Director, for good cause shown, may extend the time within which the full amount of the water appropriated shall be applied to a beneficial use. This statute instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefore; and the income or use that may be required to provide fair and reasonable returns upon the investment.

OAR 690-315-0040 provides in pertinent part that the Water Resources Department shall make findings to determine if an extension of time may be approved to complete construction and/or apply water to full beneficial use.

OAR 690-315-0050(6) requires the Department, for extensions exceeding five years, to establish checkpoints to determine if diligence is being exercised in the development and perfection of the

water use permit. Intervals between checkpoints will not exceed five year periods.

FINDINGS OF FACT

Background

1. Permit G-12092 was granted by the Department on June 20, 1995. The permit authorizes the use of up to 0.60 cfs of water from Wells 1 and 2, for nursery operations on 47.0 acres. The permit specified actual construction of the wells was to begin by June 20, 1996, construction of the water system was to be completed by October 1, 1997, and complete application of water was to be made on or before October 1, 1998.
2. The permit holder submitted an "Application for Extension of Time" to the Department on August 14, 2007 requesting the time to apply water to full beneficial use under the terms of Permit G-12092 be extended from October 1, 1998 to October 1, 2010. The Application for Extension of Time clearly suggests that construction is not complete. The Department, therefore, determined that the permit holder's intent was to also request the time in which to complete construction of the water system under Permit G-12092 be extended from October 1, 1997 to October 1, 2010. This is the first permit extension requested for Permit G-12092.
3. Notification of the Application for Extension of Time for Permit G-12092 was published in the Department's Public Notice dated September 25, 2007. No public comments were received regarding the extension application.

Review Criteria [OAR 690-315-0040]

The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0040. This determination shall consider the applicable requirements of ORS 537.230¹, 537.248², 537.630³ and/or 539.010(5)⁴.

Complete Extension of Time Application [OAR 690-315-0040(1)(a)]

4. On August 14, 2007, the Department received a completed Application for Extension of Time and the fee required by ORS 536.050 from the permit holder.

Start of Construction [OAR 690-315-0040(1)(b) and 690-315-0040(5)]

5. Actual construction of the wells began prior to the deadline specified in the permit, being June 20, 1996.

¹ ORS 537.230 applies to surface water permits only.

² ORS 537.248 applies to reservoir permits only.

³ ORS 537.630 applies to ground water permits only.

⁴ ORS 539.010(5) applies to surface water and ground water permits.

Duration of Extension [OAR 690-315-0040(1)(c)]

Under OAR 690-315-0040(1)(c), in order to approve an extension of time for water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.

6. As of August 14, 2007, the remaining work to be completed consists of receiving approval of permit amendment T-10442, completing construction of the water system and applying water to full beneficial use.
7. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2010, to complete construction of the water system and to accomplish the application of water to beneficial use under the terms of Permit G-12092 is both reasonable and necessary.

Good Cause [OAR 690-315-0040(1)(d)]

The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0040(2).

Reasonable Diligence of the Appropriator [OAR 690-315-0040(2)(a)]

The Department's determination of reasonable diligence shall consider the requirements set forth under OAR 690-315-0040(3)(a-d). In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:

Amount of Construction [OAR 690-315-0040(3)(a)]

8. The following construction was completed within the time allowed in the permit or previous extension:
 - a. Construction of the wells and water system began prior to the time specified in the permit, being June 20, 1996.
 - b. Work was accomplished (specified in the Application for Extension of Time) during the original development time frame under Permit G-12092.

Beneficial Use of Water [OAR 690-315-0040(3)(b)]

9. The following beneficial use was made of the water during the permit or previous extension time limits:
 - a. Since the issuance of Permit G-12092 on June 20, 1995, a maximum rate of 0.60 cfs has been appropriated from the wells for nursery operations on 47.0 acres.

Compliance with Conditions [OAR 690-315-0040(3)(c)]

10. The water right permit holder's conformance with the permit or previous extension conditions.
 - a. The Department has considered the permit holder's compliance with conditions, and did not identify any concerns.

Financial Investments [OAR 690-315-0040(3)(d)]

11. Financial investments made toward developing the beneficial water use.
 - a. As of August 14, 2007, the permit holder has invested approximately \$10,000, which is 83 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$2,000 investment is needed for the completion of this project.

Cost to Appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b)]

12. As of August 14, 2007, the permit holder has invested approximately \$10,000 which is 83 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$2,000 investment is needed for the completion of this project.

Good Faith of the Appropriator [OAR 690-315-0040(2)(c)]

13. The Department has found good faith of the appropriator under Permit G-12092.

The Market and Present Demands for Water [OAR 690-315-0040(2)(d-e)]

The Department's determinations of market and present demand for water or power to be supplied shall consider the requirements set forth under OAR 690-315-0040(4)(a-f). In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

14. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0040(4)(a-c)].
 - a. The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-12092; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined at such time that such application for a new water right is submitted. The points of appropriation for Permit G-12092, located within the Willamette River Basin, are not located within a limited or critical ground water area. Willamette River is not located within or above any state or federal scenic waterway, however it is located within an area ranked "low" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and

Wildlife. Willamette River is listed by the Department of Environmental Quality as a water quality limited stream.

15. Economic investment in the project to date [OAR 690-315-0040(4)(d)].
 - a. As of August 14, 2007, the permit holder has invested approximately \$10,000.
16. Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].
 - a. None have been identified.
17. Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0040(4)(f)].
 - a. None have been identified.
18. OAR 690-315-0050(6) requires the Department to place a checkpoint condition on this extension of time to ensure diligence is exercised in the development and perfection of the water use permit. A "Checkpoint Condition" is specified under Item 1 of the "Conditions" section of this PFO to meet this condition.

Fair Return Upon Investment [OAR 690-315-0040(2)(f)]

19. Use and income from the permitted water development results in reasonable returns upon the investment made to date.

Other Governmental Requirements [OAR 690-315-0040(2)(g)]

20. Delay in the development of this project was not caused by any other governmental requirements.

Unforeseen Events [OAR 690-315-0040(2)(h)]

21. None have been identified.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630(1).
2. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
3. The applicant complied with begin actual construction timeline requirements pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
4. Completion of construction and full application of water to beneficial use can be

accomplished by October 1, 2010⁵, as required by OAR 690-315-0040(1)(c).

5. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).
6. As required by OAR 690-315-0050(6) and as described in Finding 18 above, the Department has established, as specified in the "Conditions" section of this PFO (Item 1), progress checkpoints in order to ensure future diligence is exercised in the development and perfection of Permit G-12092.

Proposed Order

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to:

extend the time for complete construction of the water system under Permit G-12092 from October 1, 1997 to October 1, 2010.

extend the time to apply water to beneficial use under Permit G-12092 from October 1, 1998 to October 1, 2010.

Subject to the following conditions:

CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Diligence Progress Report to the Department by **October 1, 2008**. *A form will be enclosed with your Final Order.*


- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been

⁵Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use.

diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

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

DATED: October 30, 2007


Dwight French
Administrator
Water Rights & Adjudications Division

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may protest and request a contested case hearing on the proposed final order. Your request for contested case hearing must be in writing and must be received by the Water Resources Department no later than **December 14, 2007** being 45 days from the date of publication of the proposed final order in the Department's weekly public notice.
2. A written request for contested case hearing shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The protest fee required under ORS 536.050, if petitioner is other than the water right permit holder.

3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
- a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a request for contested case hearing has been submitted, and:
 - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

-
- If you have any questions about statements contained in this document, please contact Kim French at 503-986-0813.
 - If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Dwight French at 503-986-0819.
 - If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0801.
 - Address any correspondence to : Water Rights and Adjudications Division
725 Summer St NE, Suite A
Fax: 503-986-0901 Salem, OR 97301-1266
-



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 16, 2007

DOUG FEMRITE
13193 ARNDT RD NE
AURORA OR 97002

Reference: Permit Amendment T- 10442

On August 14, 2007 we received your request for permit amendment. The application was accompanied by \$400.00. Our receipt 89165 is enclosed.

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

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use, until we issue a final order approving the application.

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
Scott Ashcom, Agent

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 08/21/2007

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. 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.

County: MARION
Transfer: 10442
Water Right: PERMIT G-12092
Priority Date: 1991
Name: DOUG FEMRITE
Address: 13193 ARNDT RD NE AURORA OR 97002
Change: POU
Source: WELL
Authorized POU: T4S R1W 3
Proposed POU: T3S R1W 34

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. Comments should be sent to the Transfers Section at the Department's Salem office.



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: DOUG FEMRITE
First Last

Address: 13193 ARNDT RD NE
AURORA OR 97002
City State Zip

Phone: 503-678-1261
Home Work Other

Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

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

Name: SCOTT ASHCOM
First Last

Address: PO BOX 4323
PORTLAND OR 97208
City State Zip

Phone: 503-524-5174 503-780-0524
Home Work Other

Fax: 503-524-5567 E-Mail address: ashcoms@msn.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

Last Updated: 10/30/2006

Permit Amendment or GW Modification/1

AUG 14 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10442

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
<input 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 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 instead of the old point of diversion. The old point of diversion will <u>not</u> be used.)	<input checked="" 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 checked="" 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 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> <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): ROTATE CROP PATTERN.

5. CURRENT PERMIT OR REGISTRATION INFORMATION

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

<input checked="" type="checkbox"/> Permit to be Amended:	<u>G-12092</u> Permit Number	<u>PROOF SURVEY SUBMITTED - WITHDRAWN.</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: FEMRITE NURSERY COMPANY (DOUG FEMRITE)
- County: MARION
- Authorized Use(s) to be affected by this Amendment/Modification: NURSERY USE

- Priority Date(s): 7/12/1991
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: N/A

Tributary to: WILLAMETTE R.

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: THIS APP. TO AMEND IS FOR POK ONLY.

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Permit Amendment or GW Modification/3

FS

AUG 14 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10442

- 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)
well 2		3S	1W		34			SW ¼ SE ¼ 250' North and 3850' East from SW corner SEC. 34

- 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. **SEE ATTACHED WELL LOGS FOR WELL 1 AND WELL 2**
(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

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Last Updated: 10/30/2006

Permit Amendment or GW Modification/4

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AUG 14 2007

T 10442

WATER RESOURCES DEPT
SALEM, OREGON

- 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.*

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

8/14/87
CSA

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AUG 14 2007

FS

WATER RESOURCES DEPT
SALEM, OREGON

Last Updated: 10/30/2006

Permit Amendment or GW Modification/5

T 10442

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)

- 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

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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:

- 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 Co.

(Marion Co)

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.*

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Permit Amendment or GW Modification/8

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9. LAND OWNERSHIP

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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Permit Amendment or GW Modification/9

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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.

<p>Map:</p> <p><input checked="" type="checkbox"/> A map meeting the requirements of OAR 690-380-3100 must be included but need <u>not</u> be prepared by a Certified Water Right Examiner.</p> <p>Land Use Information Form:</p> <p><input type="checkbox"/> Enclosed; <u>or</u></p> <p><input checked="" type="checkbox"/> Not required if <u>all</u> of the following are met: ✓</p> <ul style="list-style-type: none">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; <u>and</u>❹ Irrigation only. <p>Water Well Reports/Well Logs:</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> 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.</p> <p><input checked="" type="checkbox"/> N/A. The application does <u>not</u> involve a change in point of appropriation or a change from surface water to ground water, so water well reports are <u>not</u> required.</p>	<p>Fees:</p> <p><input type="checkbox"/> Amount enclosed: \$ <u>400.⁰⁰</u> See the Department's Fee Schedule at www.wrd.state.or.us/OWRD/PUBS/forms.shtml or call (503) 986-0900.</p> <p><u>For Permit Amendments Only...</u></p> <p>Request for Assignment:</p> <p><input type="checkbox"/> Enclosed. The applicant is NOT the permit holder of record and needs to be assigned to the permit; <u>OR</u> the landowner of the proposed place of use is NOT the permit holder of record and needs to be assigned to the permit. <i>The Request for Assignment form is available online at: www.wrd.state.or.us/OWRD/PUBS/forms.shtml ; <u>or</u></i></p> <p><input type="checkbox"/> N/A. The applicant is the permit holder of record and owns or controls the proposed place of use; <u>OR</u> the applicant is <i>not</i> the permit holder of record but <u>is</u> supplying an Affidavit of Consent from the permit holder.</p> <p>Affidavit of Consent:</p> <p><input type="checkbox"/> 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; <u>or</u></p> <p><input checked="" type="checkbox"/> N/A. Not required because the applicant is the permit holder of record.</p>
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SALEM, OREGON

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Permit Amendment or GW Modification/10

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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.

11. SIGNATURES

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

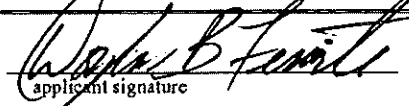
- ☐ In accordance with OAR 690-382-0400(16)(a), I (we) understand that prior to Department approval of a permanent modification and upon my receipt of a draft Preliminary Determination for the proposed modification, I (we) will be required *[pursuant to OAR 690-382-0700(5)]* to provide the following 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	Douglas B Femrite name (print)	 date
 applicant signature	 name (print)	 date

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Permit Amendment or GW Modification/11

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WATER RESOURCES DEPT
SALEM, OREGON

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

ENGINEER, SALEM, OREGON 97310, within 30 days from the date of well completion.

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JAN 31 1966

STATE ENGINEER WATER WELL REPORT

SALEM OREGON STATE OF OREGON (Please type or print)

G-3585

State Well No. 2 For Irrigation

State Permit No.

1) OWNER:

Name Norman J. & Edna McDonald
Address Rt. 2 Box 139 - Aurora, Oregon

2) LOCATION OF WELL:

County Marion Driller's well number
1/4 S.E. 1/4 Section 34 T. 3S R. 1W W.M.
Bearing and distance from section or subdivision corner
Accepted the E. 15-Chain

3) TYPE OF WORK (check):

Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐ Rotary ☐ Driven ☐
Irrigation ☒ Test Well ☐ Other ☐ Cable ☒ Jetted ☐
Dug ☐ Bored ☐

6) CASING INSTALLED:

Threaded ☐ Welded ☒
12" Diam. from 0 ft. to 210 ft. Gage 330
200 ft. to 230 ft. Gage 250
1" Diam. from ft. to ft. Gage

7) PERFORATIONS:

Perforated? ☒ Yes ☐ No
Type of perforator used Torch (liner only)
Size of perforations 3/8 in. by 6 in.
182 perforations from 206 ft. to 230 ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

8) SCREENS:

Well screen installed? ☐ Yes ☒ No
Manufacturer's Name
Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

9) CONSTRUCTION:

Well seal—Material used in seal Cement & Sand
Depth of seal 38 ft. Was a packer used? no
Diameter of well bore to bottom of seal 16 in.
Were any loose strata cemented off? ☐ Yes ☒ No Depth
Was a drive shoe used? ☒ Yes ☐ No
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.
Do strata contain unusable water? ☐ Yes ☒ No
Depth of water? depth of strata
Method of sealing strata off

10) WATER LEVELS:

Static level 48 ft. below land surface Date 12/9/65
Artesian pressure lbs. per square inch Date

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level. Bottner Drilling Co.
Was a pump test made? ☒ Yes ☐ No If yes, by whom?

Yield:	gal./min. with	ft. drawdown after	hrs.
200	110	2	
370	135	2	
535	167	12	

Baller test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m. Date

Temperature of water 53° Was a chemical analysis made? ☐ Yes ☐ No

(12) WELL LOG:

Diameter of well below casing 12
Depth drilled 240 ft. Depth of completed well to 230 ft. Backfilled

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Top soil	0	1
Clay, yellow	1	30
Clay, grey sandy	30	61
Sand, grey (fine)	61	72
Clay, grey	72	114
Clay, yellow	114	125
Clay, yellow sandy	125	127
Gravel and sand Water bearing	127	128
Clay, yellow sandy	128	190
Gravel, cemented	190	200
Gravel & sand Water Bearing	200	230
Clay, grey	230	240

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WATER RESOURCES DEPT
SALEM, OREGON

Work started 10/20/65 19 Completed 12/2/ 1965
Date well drilling machine moved off of well 12/9/ 1965

(13) PUMP:

Manufacturer's Name
Type: H.P.

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Haakon Bottner Drilling Company
(Person, firm or corporation) (Type or print)

Address 3424 S.E. 17th Avenue
Portland Oregon 97236

Drilling Machine Operator's License No. 246 L.B.

(Signed) [Signature]
(Water Well Contractor)

Contractor's License No. 109 Date Jan 10 1966

(1) OWNER:

Name Fenrit Nursery Co.
Address Rt. 2 Box 72 Aurora, Oregon

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(5) CASING INSTALLED:

Threaded ☐ Welded ☒

8" Diam. from 0 ft. to 19 1/4 ft. Gage 250
6" Diam. from 18 3/4 ft. to 206 ft. Gage 250
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☒ Yes ☐ No.

Of perforator used Porch

Size of perforations 3/2 in. by 2 in.
42 perforations from 19 1/4 ft. to 206 ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Driller
Yield: 50 gal./min. with 7 ft. drawdown after 2 hrs.

Ball test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m.

Temperature of water 54 Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Bentonite

Well sealed from land surface to 35 ft.

Diameter of well bore to bottom of seal 12 in.

Diameter of well bore below seal 8 in.

Number of sacks of cement used in well seal sacks

Number of sacks of bentonite used in well seal 2 sacks

Brand name of bentonite National

Number of pounds of bentonite per 100 gallons of water 200 lbs./100 gals.

Was a drive shoe used? ☒ Yes ☐ No Plugs Size: location ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? ☐ Yes ☒ No Size of gravel:

Gravel placed from: ft. to ft.

(10) LOCATION OF WELL:

County Marion Driller's well number
W Section 24 T. 26 R. 13 W.M.

Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 133 ft.

Static level 35 ft. below land surface. Date 3-20-76

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 3"

Depth drilled 206 ft. Depth of completed well 206 ft.

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

MATERIAL	From	To	SWL
Soil brown	0	2	
Sandy clay brown	2	19	
Sandy clay red	19	26	
Clay grey (clay 2)	26	104	
Clay sandy grey	104	126	
Sand black (fine)	126	134	
Sand & small gravel black	134	138	
Sand & small gravel red	138	141	52
Sand black (heavy)	141	166	
Clay blue	166	175	
Sand & gravel black	175	191	
Gravel black W.B.	191	206	55

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WATER RESOURCES DEPT.

Work started SALEM, OREGON 1976 Completed 8-23 1976

Date well drilling machine moved off of well 8-23 1976

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

(Signed) [Signature] Date 3-24, 1976
(Drilling Machine Operator)

Drilling Machine Operator's License No. 522

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name A.C. Stille (Person, firm or corporation) (Type or print)

Address 25220 S. Joyland Rd. 97013

(Signed) [Signature] (Water Well Contractor)

Contractor's License No. 233 Date 8-24 1976

18.67 ACRES
PERMIT AMENDMENT
TO NEW PLACE OF
USE

T 10442

(503-678-1261)

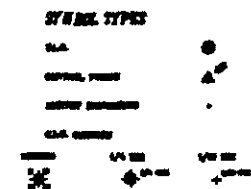
3 1W 34

WATER RESOURCES
SALEM, OREGON

18.17 AC
SW $\frac{1}{4}$ SW $\frac{1}{4}$
SEC. 34

T39 R1W, W.M.
TL 1700
MARION COUNTY

10442



REFERENCES

000 00 00 0

AMEMBANK - ALL AMERICAN BANKING
AND FINANCE TRUST CO.
TRUST CO. OF AMERICA
TRUST CO. OF NEW YORK

THE JUDGE - WITH A NEW WAY OF
VIEWING OF THE INFORMATION OF
A LAW, THE NEW INFORMATION CAN
BE THE NEW INFORMATION AND
A NEW WAY OF VIEWING OF THE
JUDGE'S WAY OF VIEW.

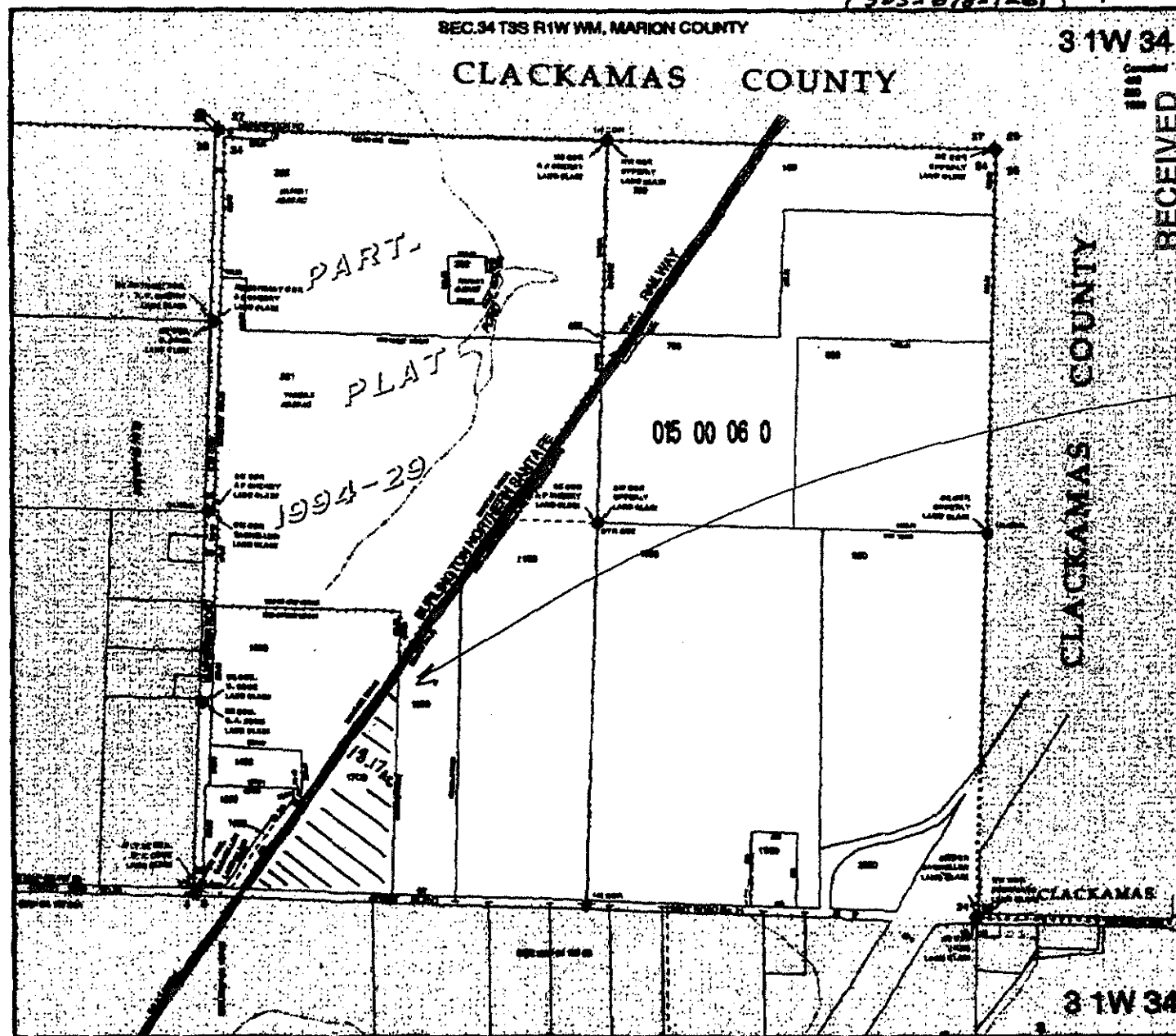
ATTORNEY FOR THE UNITED STATES
IN CHARGE OF THE DISTRICT OF COLUMBIA

NOTICE: This stamp was created for Accounting's Office use ONLY.



SCALE 1" = 400'

Plot 110 created: November 18, 2005
 terminated: 11/2005



PROPOSED PLACE OF USE.

"TO MAP"

8/14/07



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: DOUG FEMRITE
First Last
Address: 13193 ARNDT Rd NE
AURORA OR 97002
City State Zip
Phone: 503-678-1261
Home Work Other
Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

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

Name: SCOTT ASHCOM
First Last
Address: PO BOX 4323
PORTLAND OR 97208
City State Zip
Phone: 503-524-5174 503-780-0524
Home Work Other
Fax: 503-524-5567 E-Mail address: ashcoms@msn.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.

Last Updated: 10/30/2006

Permit Amendment or GW Modification/1

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WATER RESOURCES DEPT
SALEM, OREGON

T 10442

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
<input 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 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 checked="" 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> <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): ROTATE CROP PATTERN.

5. CURRENT PERMIT OR REGISTRATION INFORMATION

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

<input checked="" type="checkbox"/> Permit to be Amended:	<u>G-12092</u> Permit Number	<u>PROOF SURVEY SUBMITTED - WITHDRAWN.</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: FEMRITE NURSERY COMPANY (DOUG FEMRITE)
- County: MARION
- Authorized Use(s) to be affected by this Amendment/Modification: NURSERY USE

- Priority Date(s): 7/12/1991
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: N/A

Tributary to: WILLAMETTE R.

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: THIS APP. TO AMEND IS FOR POW ONLY.

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SALEM, OREGON

- 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)
well 2		3S	1W		34			SW ¼ SE ¼ 250 North and 3850 East from SW corner SEC. 34

- 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. **SEE ATTACHED WELL LOGS FOR WELL 1 AND WELL 2**
(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

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SALEM, OREGON**

- 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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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)

- 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

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- *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.*

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.)

[illegible]

Remarks: _____ RECEIVED

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SALEM, OREGON ES

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Permit Amendment or GW Modification/7

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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:

- 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 Co.

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.*

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Permit Amendment or GW Modification/8

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SALEM, OREGON**

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9. LAND OWNERSHIP

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: \$ 400.⁰⁰
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.

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SALEM, OREGON

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.

11. SIGNATURES

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

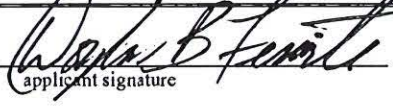
- ☐ In accordance with OAR 690-382-0400(16)(a), I (we) understand that prior to Department approval of a permanent modification and upon my receipt of a draft Preliminary Determination for the proposed modification, I (we) will be required [pursuant to OAR 690-382-0700(5)] to provide the following landownership 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	Douglas B Fenrite name (print)	 date
 applicant signature	 name (print)	 date

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Last Updated: 10/30/2006

Permit Amendment or GW Modification/11

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T 10442

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

ENGINEER, SALEM, OREGON 97310, within 30 days from the date of well completion.

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JAN 31 1966

STATE ENGINEER WATER WELL REPORT

SALEM, OREGON STATE OF OREGON (Please type or print)

G-3585

State Well No. 2 For Irrigation

State Permit No.

1) OWNER:

Name Norman J. & Edna McDonald
Address Rt. 2 Box 139 - Aurora, Oregon

2) LOCATION OF WELL:

County Marion Driller's well number
S.E. 1/4 Section 34 T. 3S R. 1W W.M.
Bearing and distance from section or subdivision corner
Accepted the E. 15-Chain

3) TYPE OF WORK (check):

Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐ Rotary ☐ Driven ☐
Irrigation ☒ Test Well ☐ Other ☐ Cable ☒ Jetted ☐
Dug ☐ Bored ☐

6) CASING INSTALLED:

Threaded ☐ Welded ☒
12" Diam. from 0 ft. to 210 ft. Gage 330
200 ft. to 230 ft. Gage 250
Diam. from ft. to ft. Gage

7) PERFORATIONS:

Perforated? ☒ Yes ☐ No
Type of perforator used Torch (liner only)
Size of perforations 3/8 in. by 6 in.
182 perforations from 206 ft. to 230 ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

8) SCREENS:

Well screen installed? ☐ Yes ☒ No
Manufacturer's Name
Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

9) CONSTRUCTION:

Well seal—Material used in seal Cement & Sand
Depth of seal 38 ft. Was a packer used? no
Diameter of well bore to bottom of seal 16 in.
Were any loose strata cemented off? ☐ Yes ☒ No Depth
Was a drive shoe used? ☒ Yes ☐ No
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.
Do strata contain unusable water? ☐ Yes ☒ No
Depth of water? depth of strata
Method of sealing strata off

10) WATER LEVELS:

Static level 48 ft. below land surface Date 12/9/65
Artesian pressure lbs. per square inch Date

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? ☒ Yes ☐ No If yes, by whom? Bottner Drilling Co.
Yield: 200 gal./min. with 110 ft. drawdown after 2 hrs.
370 " 135 " 2 "
535 " 167 " 12 "

Ballor test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m. Date

Temperature of water 53° Was a chemical analysis made? ☐ Yes ☐ No

(12) WELL LOG:

Diameter of well below casing 12
Depth drilled 240 ft. Depth of completed well to 230 ft.
Backfilled
Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Top soil	0	1
Clay, yellow	1	30
Clay, grey sandy	30	61
Sand, grey (fine)	61	72
Clay, grey	72	114
Clay, yellow	114	125
Clay, yellow sandy	125	127
Gravel and sand Water bearing	127	128
Clay, yellow sandy	128	190
Gravel, cemented	190	200
Gravel & sand Water Bearing	200	230
Clay, grey	230	240

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WATER RESOURCES DEPT
SALEM, OREGON

Work started 10/20/65 19 Completed 12/2/ 1965
Date well drilling machine moved off of well 12/9/ 1965

(13) PUMP:

Manufacturer's Name
Type: H.P.

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Haakon Bottner Drilling Company
(Type or print)

Address 3424 S.E. 17th Avenue
Portland Oregon 97236

Drilling Machine Operator's License No. 246 L.B.

(Signed) Haakon Bottner
(Water Well Contractor)

Contractor's License No. 109 Date Jan 10 1966

(USE ADDITIONAL SHEETS IF NECESSARY)

T 10442

(1) OWNER:

Name Fenrit Nursery Co.
Address Rt. 2 Box 72 Aurora, Oregon

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(5) CASING INSTALLED:

Threaded ☐ Welded ☒
8" Diam. from 0 ft. to 19.4 ft. Gage 250
6" Diam. from 18.3 ft. to 206 ft. Gage 250
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☒ Yes ☐ No.

Type of perforator used Porch

Size of perforations 3/2 in. by 2 in.
42 perforations from 19.4 ft. to 206 ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Driller
Yield: 50 gal./min. with 7 ft. drawdown after 2 hrs.

Baller test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m.

Temperature of water 54 Depth artesian flow encountered ft.

CONSTRUCTION:

Well seal—Material used Bentonite
Well sealed from land surface to 35 ft.
Diameter of well bore to bottom of seal 12 in.
Diameter of well bore below seal 8 in.
Number of sacks of cement used in well seal sacks
Number of sacks of bentonite used in well seal 2 sacks
Brand name of bentonite National
Number of pounds of bentonite per 100 gallons
of water 200 lbs./100 gals.
Was a drive shoe used? ☒ Yes ☐ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from: ft. to ft.

(10) LOCATION OF WELL:

County Marion Driller's well number
1/4 Section 34 T. 33 R. 13 W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 133 ft.
Static level 35 ft. below land surface. Date 3-20-76
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 3"

Depth drilled 206 ft. Depth of completed well 206 ft.

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

MATERIAL	From	To	SWL
Soil brown	0	2	
Sandy clay brown	2	19	
Sandy clay red	19	26	
Clay grey (stick 2)	26	104	
Clay sandy grey	104	126	
Sand black (fine)	126	134	
Sand & small gravel black	134	138	
Sand & small gravel red	138	141	52
Sand black (heavy)	141	166	
Clay blue	166	175	
Sand & gravel black	175	191	
Gravel black W.B.	191	206	55

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WATER RESOURCES DEPT

Work started SALEM, OREGON 1976 Completed 8-23 1976

Date well drilling machine moved off of well 8-23 1976

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision
Materials used and information reported above are true to my
best knowledge and belief.

(Signed) [Signature] Date 3-24, 1976
(Drilling Machine Operator)

Drilling Machine Operator's License No. 522

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is
true to the best of my knowledge and belief.

Name A.C. Shipe
(Person, firm or corporation) (Type or print)

Address 2890 S. Loyland Rd. Engr. 97013

(Signed) [Signature]
(Water Well Contractor)

Contractor's License No. 533 Date 8-24, 1976

Area Irrigated-Nursery Operations



W-1 #1



WCH #2



18.67 ACRES
PERMIT AMENDMENT
TO NEW PLACE OF
USE

"FROM MAP"
8/14/07
CSA

Femrite Nursery

Application Map



Permit #:

THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DETERMINATIONS ON LOCATION OF PROPERTY OWNERSHIP LINES.

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WATER RESOURCES DEPT
SALEM, OREGON

T 10442

APPLICANT: DOUG FEMRITE (FEMRITE NURSERY CO.) / APP # 323-678-1261

(PERMIT AMENDMENT.)

3 1W 34

SEC. 34 T3S R1W WM, MARION COUNTY

CLACKAMAS COUNTY

CLACKAMAS COUNTY

3 1W 34

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WATER RESOURCES DEPT
SALEM, OREGON

POU
18.17 AC
SW 1/4 SW 1/4
SEC. 34
T3S R1W, W.M.
TL 1700
MARION COUNTY

T 10442

LEGEND

LINE TYPES

THE AIR SURVEY	THE PROPERTY LINE
THE BOUNDARY OF A LOT	THE BOUNDARY OF A LOT
THE BOUNDARY OF A LOT	THE BOUNDARY OF A LOT
THE BOUNDARY OF A LOT	THE BOUNDARY OF A LOT
THE BOUNDARY OF A LOT	THE BOUNDARY OF A LOT
THE BOUNDARY OF A LOT	THE BOUNDARY OF A LOT
THE BOUNDARY OF A LOT	THE BOUNDARY OF A LOT
THE BOUNDARY OF A LOT	THE BOUNDARY OF A LOT

SYMBOL TYPES

THE AIR SURVEY	THE PROPERTY LINE
THE BOUNDARY OF A LOT	THE BOUNDARY OF A LOT
THE BOUNDARY OF A LOT	THE BOUNDARY OF A LOT
THE BOUNDARY OF A LOT	THE BOUNDARY OF A LOT
THE BOUNDARY OF A LOT	THE BOUNDARY OF A LOT
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THE BOUNDARY OF A LOT	THE BOUNDARY OF A LOT

NUMBERS

000 00 00 0

NOTES: ALL DISTANCES SHOWN ARE MEASURED FROM THE CORNER OF THE SECTION TO THE CORNER OF THE LOT.

THE SCALE - THIS IS THE SCALE OF THE MAP. IT IS NOT THE SCALE OF THE LAND. THE SCALE OF THE LAND IS THE SCALE OF THE SECTION.

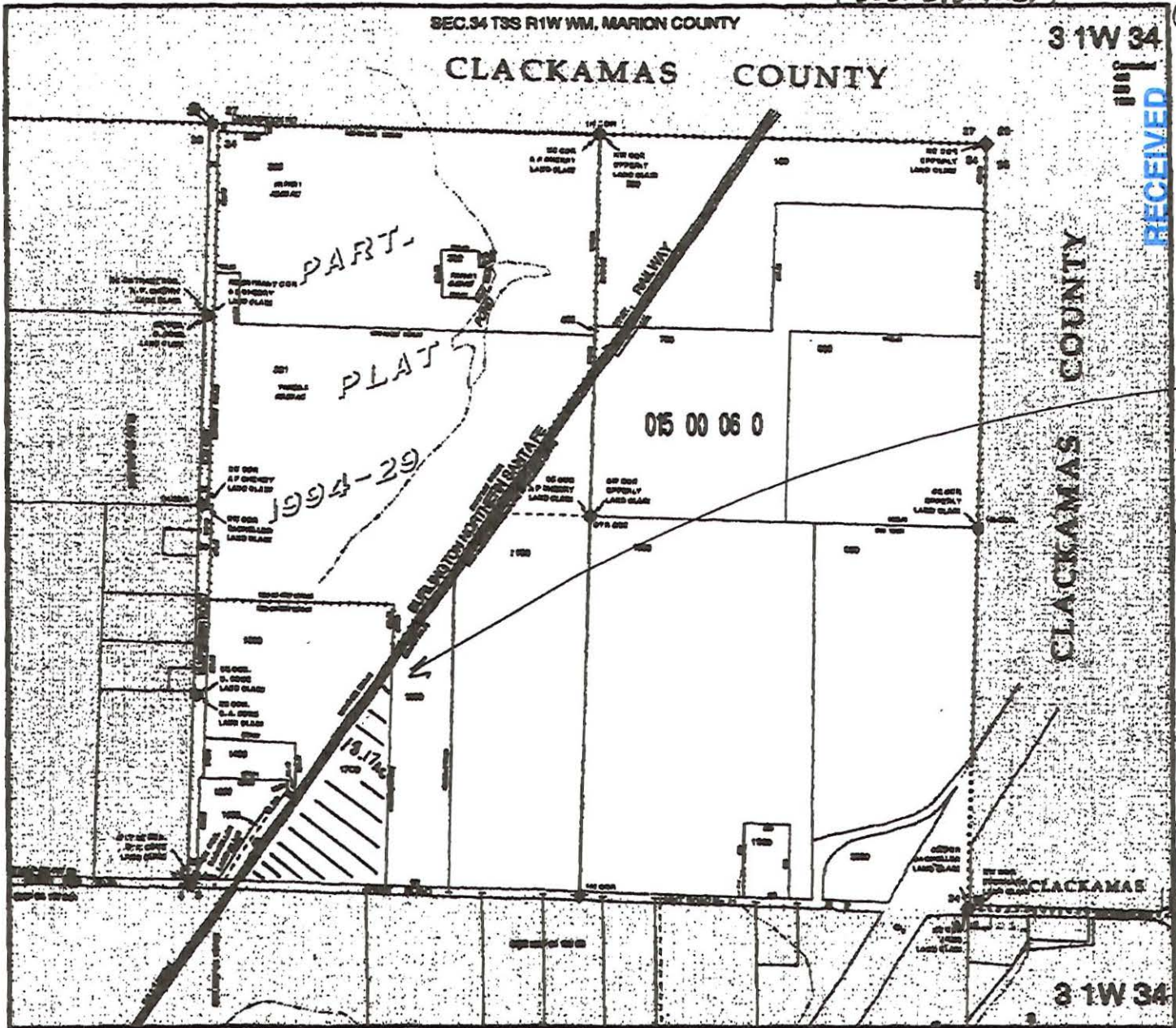
NOTES: ALL DISTANCES SHOWN ARE MEASURED FROM THE CORNER OF THE SECTION TO THE CORNER OF THE LOT.

NOTES: This map was created for the Assessor's Office use ONLY.



SCALE 1" = 400'

Plot No. created: November 10, 2007



PROPOSED PLACE OF USE.

"TO MAP"
8/14/07
CSA

COPY

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # 10442

RECEIPT # 89165

RECEIVED FROM: Fernside Nursery Company

APPLICATION	
PERMIT	
TRANSFER	10442

CASH: ☐ CHECK: # 120776 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$
OTHER: (IDENTIFY) \$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS
0407 COPY & TAPE FEES \$
0410 RESEARCH FEES \$
0408 MISC REVENUE: (IDENTIFY) \$
TC162 DEPOSIT LIAB. (IDENTIFY) \$
0240 EXTENSION OF TIME \$ 350

WATER RIGHTS:
0201 SURFACE WATER \$ EXAM FEE 0202 \$
0203 GROUND WATER \$ EXAM FEE 0204 \$
0205 TRANSFER \$ 400
WELL CONSTRUCTION
0218 WELL DRILL CONSTRUCTOR \$ EXAM FEE 0219 \$
LANDOWNER'S PERMIT 0220 \$
OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ CARD #
0210 MONITORING WELLS \$ CARD #
OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND TITLE
OBJ. CODE VENDOR #
DESCRIPTION \$

RECEIPT: 89165

DATED: 8/14/01 BY: [Signature]