

T-10434

T-10434

RA

Name Cascadian Nurseries, Inc

Address 8900 NW Dick Rd
Hillsboro, OR 97124
503 645-3300 503 647-9494

Change in APOA

Date Filed 7-19-07

Initial notice date 7-24-07

DPD issued date

PD issued date

PD notice date

Date of FO 5-16-08 Vol 74 Page 902

C-Date

COBU due date 10/1/2015

COBU Received date

Certificate issued

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Well

Trib. of Tualatin River

Use Nursery County Washington

Quantity of water (CFS) No. of Acres

Name of ditch

App # 611845 Per # 6-11038 Cert # 68714 PR Date 1988

App # 615298 Per # 615127 Cert # 83929 PR Date 2001

App # Per # Cert # PR Date

App # Per # Cert # PR Date

App # Per # Cert # PR Date

FEES PAID		
Date	Amount	Receipt #
7-19-07	600.00	88794
5-4-12	500.00	105639
6/19/14	125.00	112431
7/1/14	860.00	112606

FEES REFUNDED		
Date	Amount	Receipt #

Assignments:

COBU MAP # 838 folder

Irrigation District NA

Agent NA

CWRE W. Richard Verboort #135

CC's list Washington Co. Dept of Land use & Transportation 155 N. First Ave Suite 350

Hillsboro, OR 97124

Contractor: PWM

- Oversized map - Location

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **105639**

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

INVOICE # _____

RECEIVED FROM: <u>Cascadian Nurseries</u>	APPLICATION
BY: _____	PERMIT
CASH: <input type="checkbox"/> CHECK:# <u>2559</u> OTHER: (IDENTIFY) _____	TRANSFER <u>T-1043A</u>
<input type="checkbox"/>	TOTAL REC'D \$ <u>500.00</u>

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 46110

0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY) _____	\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____	\$
0240 EXTENSION OF TIME <u>x fee</u>	\$ <u>500.00</u>

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

WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$
OTHER (IDENTIFY) _____			

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **105639** DATED: 5-4-12 BY: QR

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Application #

Permit #

Transfer # T-10434

Applicant's Name: RA#
Cascadian Nurseries Inc. R12201-11

Reimbursement Authority Process
Itemized Estimate Sheet
for
Certificates

	Est. Time (hr)	Individual	Est. Cost	Date	Act. Time (hr)
1. Review Claim of Beneficial Use report and map	1.00	Craig	\$95	8/10 0.5 hr	
2. Conflict Check		Craig	\$0	8/27 0.5 hr	
3. Preparation of deficiency letter	0.50	Craig	\$47	8/23 1 hr	
4. Preparation of proposed certificates	2.50	Craig	\$236	8/27 1.5 hr 9/1 1.5 hr	
5a. Peer review			\$0		
5b. Peer review	0.20	Dwight	\$24	9/29 0.2 hr	
5c. Peer review	0.75	Ann	\$65	9-12 1.5	
6. Project Management	3.00	Craig	\$284	7/2 0.5 hr 9/10 1 hr 9/20 0.5 hr 9/22 0.5 hr 9/25 0.5 hr	
7a. Water right data record update	0.40	Connie	\$23	9/29	
7b. Water right data record update	1.50	Data Tech	\$87	9/26 0.9 hr 1 hr	
8. Pump test (if applicable)	0.00	Mike Z	\$0		
Total	9.85		\$860		

#47.50

#95.5

#251.75

#24

#138

#218.50

#23

#78.30

<#868.05>

more checked estimates
#805

STATE OF OREGON
 COUNTY OF WASHINGTON
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CASCADIAN NURSERIES INC.
 8900 NW DICK RD
 HILLSBORO OR 97124-8512

confirms the right to use the waters of TWO WELLS in the ROCK CREEK BASIN for NURSERY OPERATION on 18.7 ACRES.

This right was perfected under Permit G-11038. The date of priority is AUGUST 25, 1988 – FOR 0.40 CUBIC FOOT PER SECOND (CFS), AND OCTOBER 17, 1988 – FOR 0.10 CUBIC FOOT PER SECOND. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.50 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	2 W	WM	11	NW SE	WELL 2 (WASH 5213) - 1880 FEET NORTH AND 2280 FEET WEST FROM SE CORNER, SECTION 11
1 N	2 W	WM	11	SW SE	WELL 4 (WASH 66930) - 620 FEET NORTH AND 2630 FEET WEST FROM SE CORNER, SECTION 11

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 any time 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.

USE OF WATER UNDER THIS RIGHT SHALL BE REGULATED IF THE WELL DISPLAYS:

- A. AN AVERAGE WATER LEVEL DECLINE OF THREE (3) OR MORE FEET PER YEAR FOR FIVE CONSECUTIVE YEARS, OR
- B. A WATER LEVEL DECLINE OF FIFTEEN (15) OR MORE FEET IN FEWER THAN FIVE (5) CONSECUTIVE YEARS, OR
- C. A WATER LEVEL DECLINE OF TWENTY-FIVE (25) OR MORE FEET, OR
- D. AN HYDRAULIC INTERFERENCE DECLINE OF TWENTY-FIVE (25) OR MORE FEET IN ANY NEIGHBORING WELL PROVIDING WATER FOR USES EXEMPT FROM PERMIT REQUIREMENTS OR A WELL COVERED BY PRIOR RIGHTS.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

THE WATER RESOIRCES DEPARTMENT HAS DETERMINED THAT THE INITIAL WATER LEVEL IN **WELL 2 (WASH 5213)** WAS 92 FEET BELOW LAND SURFACE ON MARCH 2, 1990. THAT IS THE LEVEL FROM WHICH PREVIOUSLY CITED DECLINES WILL BE REFERENCED. AS MUCH AS POSSIBLE, FUTURE LEVELS SHALL REFLECT ANNUAL HIGH LEVLES WHAICH ARE USUALLY FOUND IN THE SPRING OF EACH YEAR. THE REFERENCE LEVEL FOR WELL 4 (WASH 66390) IS 93.95 FEET BELOW LAND SURFACE.

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

A description of the place of use to which this right is appurtenant is as follows:

NURSERY OPERATION						
Twp	Rng	Mer	Sec	Q-Q	Glots	Acres
1 N	2 W	WM	11	NE SW	2	3.0
1 N	2 W	WM	11	NE SE		5.2
1 N	2 W	WM	11	NW SE		10.5

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device for Well 2 (WASH 5213) in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The water user shall maintain and operate, for Well 4 (WASH 66930), the in-line flow meter or other suitable measuring device as required by the Department.

Water shall be acquired from the same aquifer as the original point of appropriation. (Well 2 WASH 5213)

The quantity of water diverted at the new point of appropriation Well 4 (WASH 66930), together with that diverted at the original point of appropriation Well 2 (WASH 5213), shall not exceed the quantity of water available from the original point of appropriation Well 2 (WASH 5213).

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	2 W	WM	11	NW SE	Well 2 (WASH 5213) - 1880 FEET NORTH AND 2280 FEET WEST FROM SE CORNER, SECTION 11

The Director may require water level or pump test results every ten years.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior right, including rights for maintaining instream flows.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

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

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

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

This certificate is issued to confirm an ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered May 16, 2008, at Special Order Volume 74, Page 902, approving Transfer Application T-10434, and supersedes Certificate 68714, State Record of Water Right Certificates.

Issued _____

Dwight French
Water Right Services Administrator, *for*
Director
Oregon Water Resources Department

DRAFT

STATE OF OREGON
 COUNTY OF WASHINGTON
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CASCADIAN NURSERIES INC.
 8900 NW DICK RD
 HILLSBORO OR 97124-8512

confirms the right to use the waters of TWO WELLS in HOLCOMB CREEK BASIN for NURSERY OPERATIONS on 13.95 ACRES.

This right was perfected under Permit G-15217. The date of priority is JANUARY 16, 2001. The maximum rate is 0.668 CUBIC FOOT PER SECOND measured at the wells.

The period of use is year round.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	2 W	WM	11	NW SE	WELL 2 (WASH 5213) - 1880 FEET NORTH AND 2280 FEET WEST FROM SE CORNER, SECTION 11
1 N	2 W	WM	11	SW SE	WELL 4 (WASH 66930) - 620 FEET NORTH AND 2630 FEET WEST FROM SE CORNER, SECTION 11

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 any time, during the period of allowed use specified above, that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

The place of use is located as follows:

Nursery Operations						
Twp	Rng	Mer	Sec	Q-Q	Glots	Acres
1 N	2 W	WM	11	NE SW	2	2.0
1 N	2 W	WM	11	NE SE		4.4
1 N	2 W	WM	11	NW SE		7.55

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

Measurement, recording and reporting conditions:

- A. The water user shall operate and maintain the flow meters or other suitable measuring devices in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.
 - B. The water user 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.
- (1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:
 - (a) An average water level decline of three or more feet per year for five consecutive years; or
 - (b) A total water level decline of fifteen or more feet; or
 - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
 - (2) The water user shall submit an annual report of water used to the Department by December 1 of each year.
 - (3) The water user shall be responsible for complying with each of the following requirements for measuring water levels in the well.
 - (a) The reference water level for Well 2 (WASH 5213) right shall be 92 feet below ground surface as specified in Certificate XXXXX, which confirms the transfer of Certificate 68714 (Permit #G-11038, Application #G-11845). The reference water level for Well 4 (WASH 66930) is 93.95 feet below ground surface.
 - (b) A water level measurement shall be made each year during the period March 1 through March 31.
 - (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the water user.
 - (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
 - (e) The water user shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

Water shall be acquired from the same aquifer (water source) as the original point of appropriation Well 2 (WASH 5213).

The quantity of water diverted at the new point of appropriation Well 4 (WASH 66930), together with that diverted at the original point of appropriation Well 2 (WASH 5213), shall not exceed the quantity of water available from the original point of appropriation Well 2 (WASH 5213).

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	2 W	WM	11	NW SE	WELL 2 (WASH 5213) - 1880 FEET NORTH AND 2280 FEET WEST FROM SE CORNER, SECTION 11

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

The wells shall be maintained 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 to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

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

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

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

The right to the use of the water is restricted to beneficial use at the place of use described.

This certificate is issued to confirm an ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered May 16, 2008, at Special Order Volume 74, Page 902, approving Transfer Application T-10434, and supersedes Certificate 83329, State Record of Water Right Certificates.

Issued _____

 Dwight French
 Water Right Services Administrator, *for*
 Director
 Oregon Water Resources Department

KOHANEK Craig

From: Bill Flatz <billflatz@stuntzner.com>
Sent: Thursday, September 25, 2014 2:49 PM
To: 'KOHANEK Craig'
Subject: RE: Draft certificates for RA project R12201-11 for Cascadian Nurseries Inc.; T-10434

Craig:

I spoke with the owner and he asked me to review the draft certificates and respond to you.

The only issue I saw was the fact that I had missed the Government Lot #2 on the areas of irrigation, you had already remedied that, thank you.

I did find one other issue, once again it is my mistake. I transposed the old certificate number on the map legend, #68741 on the legend should read #68714, hopefully you could just note that on the drawing before it is scanned into the records.

With that one issue addressed, we ask you to issue the certificates at your earliest convenience.

Thank you again.

Sincerely,
Bill Flatz, PE, CWRE

Stuntzner Engineering & Forestry
2137 19th Avenue
Forest Grove, OR 97116
office 503-357-5717
fax 503-357-5698
cell 503-939-8381

From: KOHANEK Craig [<mailto:ron.c.kohanek@state.or.us>]
Sent: Monday, September 22, 2014 1:27 PM
To: billflatz@stuntzner.com
Subject: Draft certificates for RA project R12201-11 for Cascadian Nurseries Inc.; T-10434

Bill,

Attached are the draft certificates for RA project R12201-11 for Cascadian Nurseries Inc.; T-10434. Please review them for accuracy and completeness and provide me your edits or comments. If you are good with the documents, reply to this email to that effect and I will continue with the processing of the document toward certification.

I receive the polyester map, copies of the map, and new COBU pages.

R. Craig Kohanek
Water Rights Specialist
Reimbursement Authority
Oregon Water Resources Department
Phone: 503-986-0823

KOHANEK Craig

From: KOHANEK Craig
Sent: Monday, September 22, 2014 1:27 PM
To: billflatz@stuntzner.com
Subject: Draft certificates for RA project R12201-11 for Cascadian Nurseries Inc.; T-10434
Attachments: 10434-or-prop-cf-68714.pdf; 10434-op-prop-cf-83329.pdf

Bill,

Attached are the draft certificates for RA project R12201-11 for Cascadian Nurseries Inc.; T-10434. Please review them for accuracy and completeness and provide me your edits or comments. If you are good with the documents, reply to this email to that effect and I will continue with the processing of the document toward certification.

I receive the polyester map, copies of the map, and new COBU pages.

R. Craig Kohanek
Water Rights Specialist
Reimbursement Authority
Oregon Water Resources Department
Phone: 503-986-0823
Fax: 503-986-0901
Ron.C.Kohanek@wrd.state.or.us

RA Mailing List for Transfer Certificate

Mailing Date:

Application: T- 10434

Certificate:

Certificate/Transfer Holder: (include copy of map)

CASCADIAN NURSERIES INC.
8900 NW DICK RD
HILLSBORO OR 97124-8412 ✓

Copies Mailed

By:
(SUPPORT STAFF)

on:
(DATE)

Copies of final Certificate to be sent to:

1. Data Center
2. Water Availability
3. Vault
4. File

Persons to receive via e-mail draft/proposed copies (completed by RA staff)

- 1.

Other Persons to receive copies (proposed and/or final certificate:(Include map)

1. Jake Constans, Watermaster #18
2. Bill Flatz, CWRE ✓

Record Marking(s):

1. Original Application# G-15298 ✓
2. Old Certificate# 83329 ✓

S:\groups\wr\certs\Resource Center\Forms_Checklists_Mailing
Instructions\Transfer_CertMailingList for RA.doc

KOHANEK Craig

From: KOHANEK Craig
Sent: Wednesday, September 10, 2014 1:13 PM
To: 'billflatz@stuntzner.com'
Subject: RE: Reimbursement Authority project R12201-11 for Cascadian Nurseries Inc.; T-10434

Bill,

No worries. I'll be on vacation next week salmon fishing down on the Siletz River. The due date on the project is October 30th and we're going to beat that by a couple of weeks; as I will have both certificates associated with this transfer ready for peer review by the end of this week.

Craig

From: Bill Flatz [<mailto:billflatz@stuntzner.com>]
Sent: Wednesday, September 10, 2014 1:09 PM
To: 'KOHANEK Craig'
Subject: RE: Reimbursement Authority project R12201-11 for Cascadian Nurseries Inc.; T-10434

Craig:

I will try to get it done in the next 24 hours, otherwise I will do it next week, my son gets married in our back yard on Saturday and I have a couple days worth of urgent chores to do, I plan on taking half of Thursday and all of Friday off.

Sincerely,
Bill Flatz, PE, CWRE

Stuntzner Engineering & Forestry
2137 19th Avenue
Forest Grove, OR 97116
office 503-357-5717
fax 503-357-5698
cell 503-939-8381

From: KOHANEK Craig [<mailto:ron.c.kohaneke@state.or.us>]
Sent: Wednesday, September 10, 2014 10:20 AM
To: billflatz@stuntzner.com
Subject: RE: Reimbursement Authority project R12201-11 for Cascadian Nurseries Inc.; T-10434

Bill,

The map looks correct. I look forward to receiving it. In addition, will you please submit new Claim of Beneficial Use pages 7 of 21 and 12 of 21 to correspond with the changes you made to the Final Proof Map? Please stamp and sign these pages, as they will supersede the current ones.

Craig

From: Bill Flatz [<mailto:billflatz@stuntzner.com>]
Sent: Wednesday, September 10, 2014 9:50 AM

To: 'KOHANEK Craig'

Subject: RE: Reimbursement Authority project R12201-11 for Cascadian Nurseries Inc.; T-10434

Craig:

Please find attached a pdf format file with the revised map for the Cascadian Transfer.

I will have Carol mail the mylar copy with two paper copies today.

Sorry I could not get this done sooner but this is a very busy time for our office.

Let me know if you have any questions.

Sincerely,
Bill Flatz, PE, CWRE

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Forest Grove, OR 97116
office 503-357-5717
fax 503-357-5698
cell 503-939-8381

From: KOHANEK Craig [<mailto:ron.c.kohanek@state.or.us>]

Sent: Wednesday, September 03, 2014 8:18 AM

To: billflatz@stuntzner.com

Subject: Reimbursement Authority project R12201-11 for Cascadian Nurseries Inc.; T-10434

Bill,

Attached are the maps that accompanied the transfer application that became T-10434 and the Final Proof map submitted with the Claim of Beneficial Use (COBU). Transfer T-10434 allowed an additional point of appropriation, Well 4, for certificates 68714 & 83329. However, based on the attached maps and the COBU that you submitted a change of the Place of Use (POU) has occurred, which is not allowed. The transfer only contemplated and allowed an additional point of appropriation. Please provide a new Final Proof map with a Place of Use for each of the aforementioned certificates that is consistent with the Final Order approving the transfer.

http://apps.wrd.state.or.us/apps/misc/vault/vault.aspx?Type=Order&volume_nbr=74&page_nbr=902&page_char=&order_origin=SPC

I understand that either well is capable of serving the combined 32.95 acres allowed under these two rights, but the Department can only certificate what was allowed under the transfer Final Order.

I will be out of the office starting today at 2pm, attending the NW Hydroelectric Association meeting, and will not return till next Monday at 7am.

R. Craig Kohanek
Water Rights Specialist
Reimbursement Authority
Oregon Water Resources Department
Phone: 503-986-0823
Fax: 503-986-0901

KOHANEK Craig

From: Bill Flatz <billflatz@stuntzner.com>
Sent: Wednesday, September 10, 2014 1:09 PM
To: 'KOHANEK Craig'
Subject: RE: Reimbursement Authority project R12201-11 for Cascadian Nurseries Inc.; T-10434

Craig:

I will try to get it done in the next 24 hours, otherwise I will do it next week, my son gets married in our back yard on Saturday and I have a couple days worth of urgent chores to do, I plan on taking half of Thursday and all of Friday off.

Sincerely,
Bill Flatz, PE, CWRE

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2137 19th Avenue
Forest Grove, OR 97116
office 503-357-5717
fax 503-357-5698
cell 503-939-8381

From: KOHANEK Craig [<mailto:ron.c.kohaneck@state.or.us>]
Sent: Wednesday, September 10, 2014 10:20 AM
To: billflatz@stuntzner.com
Subject: RE: Reimbursement Authority project R12201-11 for Cascadian Nurseries Inc.; T-10434

Bill,

The map looks correct. I look forward to receiving it. In addition, will you please submit new Claim of Beneficial Use pages 7 of 21 and 12 of 21 to correspond with the changes you made to the Final Proof Map? Please stamp and sign these pages, as they will supersede the current ones.

Craig

From: Bill Flatz [<mailto:billflatz@stuntzner.com>]
Sent: Wednesday, September 10, 2014 9:50 AM
To: 'KOHANEK Craig'
Subject: RE: Reimbursement Authority project R12201-11 for Cascadian Nurseries Inc.; T-10434

Craig:

Please find attached a pdf format file with the revised map for the Cascadian Transfer.

I will have Carol mail the mylar copy with two paper copies today.

Sorry I could not get this done sooner but this is a very busy time for our office.

Let me know if you have any questions.

Sincerely,
Bill Flatz, PE, CWRE

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Forest Grove, OR 97116
office 503-357-5717
fax 503-357-5698
cell 503-939-8381

From: KOHANEK Craig [<mailto:ron.c.kohanek@state.or.us>]
Sent: Wednesday, September 03, 2014 8:18 AM
To: billflatz@stuntzner.com
Subject: Reimbursement Authority project R12201-11 for Cascadian Nurseries Inc.; T-10434

Bill,

Attached are the maps that accompanied the transfer application that became T-10434 and the Final Proof map submitted with the Claim of Beneficial Use (COBU). Transfer T-10434 allowed an additional point of appropriation, Well 4, for certificates 68714 & 83329. However, based on the attached maps and the COBU that you submitted a change of the Place of Use (POU) has occurred, which is not allowed. The transfer only contemplated and allowed an additional point of appropriation. Please provide a new Final Proof map with a Place of Use for each of the aforementioned certificates that is consistent with the Final Order approving the transfer.

http://apps.wrd.state.or.us/apps/misc/vault/vault.aspx?Type=Order&volume_nbr=74&page_nbr=902&page_char=&order_origin=SPC

I understand that either well is capable of serving the combined 32.95 acres allowed under these two rights, but the Department can only certificate what was allowed under the transfer Final Order.

I will be out of the office starting today at 2pm, attending the NW Hydroelectric Association meeting, and will not return till next Monday at 7am.

R. Craig Kohanek
Water Rights Specialist
Reimbursement Authority
Oregon Water Resources Department
Phone: 503-986-0823
Fax: 503-986-0901
Ron.C.Kohanek@ wrd.state.or.us

KOHANEK Craig

From: KOHANEK Craig
Sent: Wednesday, September 10, 2014 10:20 AM
To: 'billflatz@stuntzner.com'
Subject: RE: Reimbursement Authority project R12201-11 for Cascadian Nurseries Inc.; T-10434

Bill,

The map looks correct. I look forward to receiving it. In addition, will you please submit new Claim of Beneficial Use pages 7 of 21 and 12 of 21 to correspond with the changes you made to the Final Proof Map? Please stamp and sign these pages, as they will supersede the current ones.

Craig

From: Bill Flatz [<mailto:billflatz@stuntzner.com>]
Sent: Wednesday, September 10, 2014 9:50 AM
To: 'KOHANEK Craig'
Subject: RE: Reimbursement Authority project R12201-11 for Cascadian Nurseries Inc.; T-10434

Craig:

Please find attached a pdf format file with the revised map for the Cascadian Transfer.

I will have Carol mail the mylar copy with two paper copies today.

Sorry I could not get this done sooner but this is a very busy time for our office.

Let me know if you have any questions.

Sincerely,
Bill Flatz, PE, CWRE

Stuntzner Engineering & Forestry
2137 19th Avenue
Forest Grove, OR 97116
office 503-357-5717
fax 503-357-5698
cell 503-939-8381

From: KOHANEK Craig [<mailto:ron.c.kohaneke@state.or.us>]
Sent: Wednesday, September 03, 2014 8:18 AM
To: billflatz@stuntzner.com
Subject: Reimbursement Authority project R12201-11 for Cascadian Nurseries Inc.; T-10434

Bill,

Attached are the maps that accompanied the transfer application that became T-10434 and the Final Proof map submitted with the Claim of Beneficial Use (COBU). Transfer T-10434 allowed an additional point of appropriation, Well 4, for certificates 68714 & 83329. However, based on the attached maps and the COBU that you submitted a change of

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Reimbursement Authority
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Phone: 503-986-0823
Fax: 503-986-0901
Ron.C.Kohanek@wrdd.state.or.us

KOHANEK Craig

From: Bill Flatz <billflatz@stuntzner.com>
Sent: Wednesday, September 10, 2014 9:50 AM
To: 'KOHANEK Craig'
Subject: RE: Reimbursement Authority project R12201-11 for Cascadian Nurseries Inc.; T-10434
Attachments: Cascadian Nursery COBU map Sept 14.pdf

Craig:

Please find attached a pdf format file with the revised map for the Cascadian Transfer.

I will have Carol mail the mylar copy with two paper copies today.

Sorry I could not get this done sooner but this is a very busy time for our office.

Let me know if you have any questions.

Sincerely,
Bill Flatz, PE, CWRE

Stuntzner Engineering & Forestry
2137 19th Avenue
Forest Grove, OR 97116
office 503-357-5717
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From: KOHANEK Craig [<mailto:ron.c.kohanek@state.or.us>]
Sent: Wednesday, September 03, 2014 8:18 AM
To: billflatz@stuntzner.com
Subject: Reimbursement Authority project R12201-11 for Cascadian Nurseries Inc.; T-10434

Bill,

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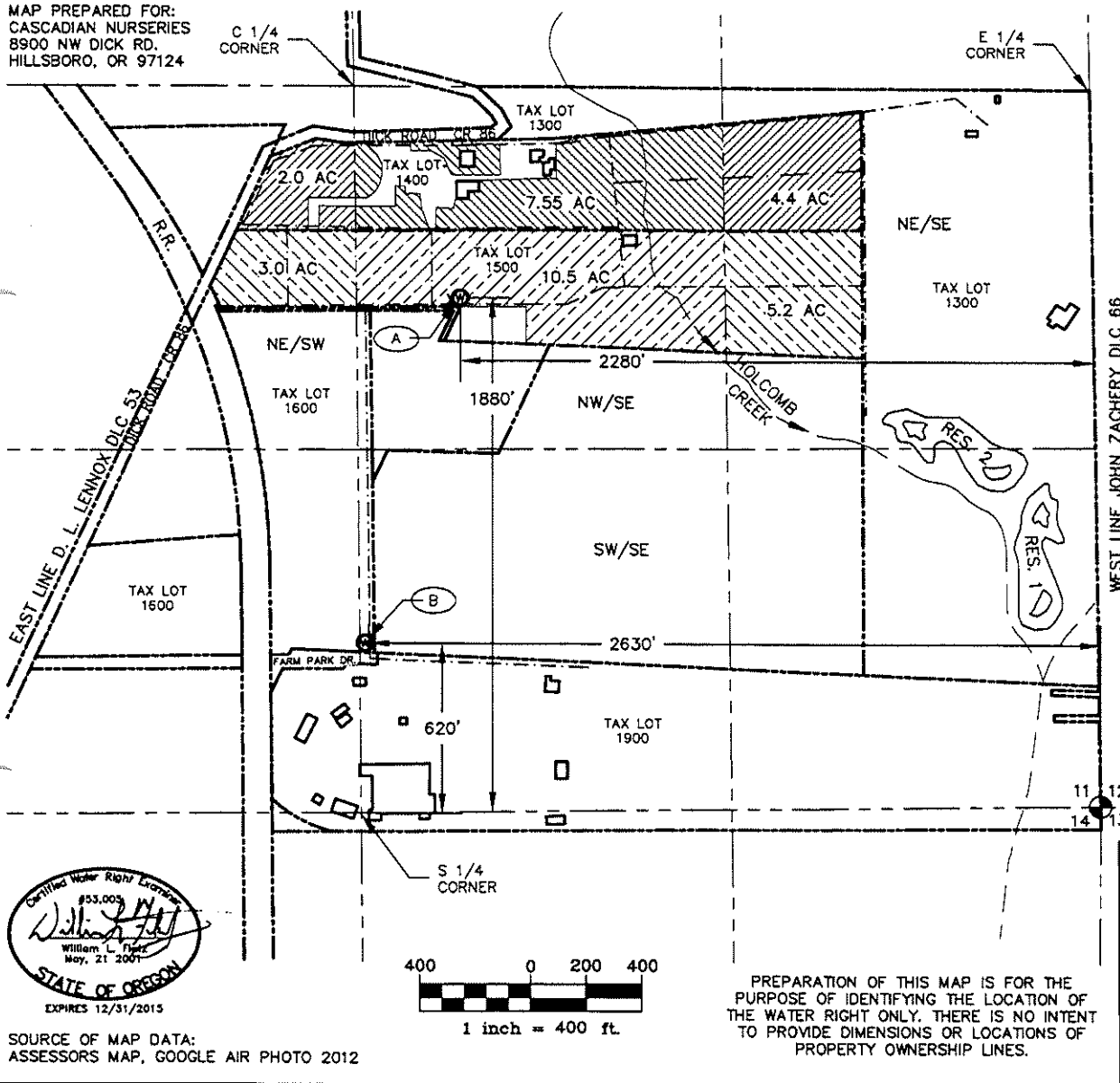
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I will be out of the office starting today at 2pm, attending the NW Hydroelectric Association meeting, and will not return till next Monday at 7am.

MAP PREPARED FOR:
CASCADIAN NURSERIES
8900 NW DICK RD.
HILLSBORO, OR 97124

C 1/4
CORNER

E 1/4
CORNER



CLAIM OF BENEFICIAL USE MAP

SECTION 11 T1N R2W W.M.
WASHINGTON COUNTY, OREGON



CLAIM OF BENEFICIAL USE FOR T-10434

LEGEND

- POA, WELL #2, WASH 5213, START CARD 1432, WITH METER IN PUMP HOUSE, 1,880'N. AND 2,280'W. FROM SE COR. SEC. 11. ADDITIONAL WATER RIGHTS: APP. G-14626, APP. G-15664
- POA, WELL #4, WASH 66930, START CARD 198398, L-95435, WITH METER IN PUMP HOUSE, 620'N. AND 2,630'W. FROM SE COR. SEC. 11
- BUILDINGS, TYPICAL
- SECTION AND QUARTER-QUARTER LINES
- PROPERTY LINES
- 4" & 3" BURIED PVC MAINLINE, APPROX. TOTAL LENGTH 8,700 FT.
- AREA OF IRRIGATION FOR THIS CLAIM OF BENEFICIAL USE FROM CERT. #83329, TOTAL AREA FROM CERT. 13.95 AC.
- AREA OF IRRIGATION FOR THIS CLAIM OF BENEFICIAL USE FROM CERT. # 68741, TOTAL AREA FROM CERT. 18.70 AC.
- LAND OWNED BY CASCADIAN NURSERY INC. AND FARM HORTICULTURAL PARKPLACE, LLC.: TL 1300, TL 1400, TL 1500, TL 1600, TL 1900.



SOURCE OF MAP DATA:
ASSESSORS MAP, GOOGLE AIR PHOTO 2012



PREPARATION OF THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

Stuntzner Engineering & Forestry, LLC
ENGINEERING • LAND SURVEYING • FORESTRY
PLANNING • WATER RIGHTS

Stuntzner Engineering & Forestry, LLC
ENGINEERING • LAND SURVEYING • FORESTRY
PLANNING • WATER RIGHTS

2137 19TH AVENUE
FOREST GROVE, OREGON 97116

TEL: (503) 357-5717
FAX: (503) 357-5698
E-MAIL: INFO@STUNTZNER.COM

PROJECT: CASCADIAN NURSERY COBU
DRAWING No.: 312019 Cascadian COBU T-10434

DATE: 9-9-14
DRAWN BY: W.L. FLATZ

KOHANEK Craig

From: Bill Flatz <billflatz@stuntzner.com>
Sent: Wednesday, September 03, 2014 10:57 AM
To: 'KOHANEK Craig'
Subject: RE: Reimbursement Authority project R12201-11 for Cascadian Nurseries Inc.; T-10434

Craig:

Sorry I missed separating the certificates.

I will revise the map and send you an electronic copy while the mylar copy goes through the mail.

I will try to get that done this week.

Hope all is well in the capital.

Sincerely,
Bill Flatz, PE, CWRE

Stuntzner Engineering & Forestry
2137 19th Avenue
Forest Grove, OR 97116
office 503-357-5717
fax 503-357-5698
cell 503-939-8381

From: KOHANEK Craig [<mailto:ron.c.kohanek@state.or.us>]
Sent: Wednesday, September 03, 2014 8:18 AM
To: billflatz@stuntzner.com
Subject: Reimbursement Authority project R12201-11 for Cascadian Nurseries Inc.; T-10434

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KOHANEK Craig

From: KOHANEK Craig
Sent: Wednesday, September 03, 2014 8:18 AM
To: billflatz@stuntzner.com
Subject: Reimbursement Authority project R12201-11 for Cascadian Nurseries Inc.; T-10434
Attachments: scan_20140903_065128.pdf; scan_20140903_065224.pdf

Bill,

Attached are the maps that accompanied the transfer application that became T-10434 and the Final Proof map submitted with the Claim of Beneficial Use (COBU). Transfer T-10434 allowed an additional point of appropriation, Well 4, for certificates 68714 & 83329. However, based on the attached maps and the COBU that you submitted a change of the Place of Use (POU) has occurred, which is not allowed. The transfer only contemplated and allowed an additional point of appropriation. Please provide a new Final Proof map with a Place of Use for each of the aforementioned certificates that is consistent with the Final Order approving the transfer.

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R. Craig Kohanek
Water Rights Specialist
Reimbursement Authority
Oregon Water Resources Department
Phone: 503-986-0823
Fax: 503-986-0901
Ron.C.Kohanek@wrdd.state.or.us

KOHANEK Craig

From: KOHANEK Craig
Sent: Wednesday, July 02, 2014 10:20 AM
To: billflatz@stuntzner.com
Subject: RA Agreement for Cascadian Nurseries Inc.; R12201-11 involving transfer # T-10434
Attachments: RA contract executed.pdf; RA contract receipt.pdf

Bill,

Attached are copies of the fully executed Applicant's Agreement signed by the required parties and a receipt for the monies paid for these expedited services. The agreement details the terms and conditions that a work order was issued for the expedited services you requested.

If you have any questions concerning the agreements or the program, please contact me.

R. Craig Kohanek
Water Rights Specialist
Reimbursement Authority
Oregon Water Resources Department
Phone: 503-986-0823
Fax: 503-986-0901
Ron.C.Kohanek@wrд.state.or.us

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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

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

RECEIPT # **112606**

INVOICE # _____

RECEIVED FROM: Cascadian Nurseries Inc
 BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>7-10434</u>

CASH: CHECK:# 29240 OTHER: (IDENTIFY)

TOTAL REC'D \$ 860.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	<u>47126 R/2201-11</u>	\$
<u>0408</u> OTHER:	(IDENTIFY) <u>Reimbursement Authority</u>	\$ <u>860.00</u>

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		\$

WATER RIGHTS:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD)		\$
0231 HYDRO LICENSE FEE (FWWRD)		\$
HYDRO APPLICATION		\$

TREASURY OTHER / RDX

FUND _____ TITLE _____
 OBJ. CODE _____ VENDOR # _____
 DESCRIPTION _____ \$ _____

RECEIPT: **112606** DATED: 7/1/14 BY: Changste



OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT

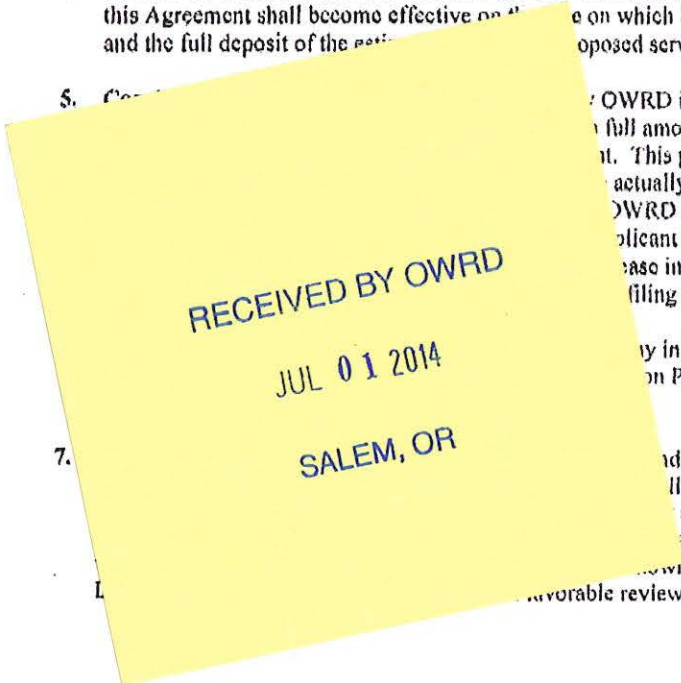


Contract Number: R12201-11

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Cascadian Nurseries Inc. hereafter Applicants, hereafter known together as the parties.


OWRD Information	Applicant's Information	Applicant's Representative
Project Contact: R. Craig Kohanek	Name: Alfred Meisner	Name: Bill Flatz
Reimbursement Authority	Title: Owner	Title: Representative
Oregon Water Resources Department	Company: Cascadian Nurseries Inc.	Company: Stuntzner Engineering
725 Summer Street, NE	Address: 8900 NW Dick Road	Address: 2137 19th Avenue
Salem, OR 97301-1271	Hillsboro, OR 97124	Forest Grove, OR 97116
Phone: 503-986-0823	Phone: 503-647-9290	Phone: 503-357-5717
Email: Ron.c.kohanek@state.or.us	Email:	Email: billflatz@stuntzner.com


- Purpose.** The purpose of this Agreement is to expedite the processing of the Claim of Beneficial Use. (Application Number: T-10434)
- Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions.** Cascadian Nurseries Inc. and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
- Costs.** The Applicant shall pay OWRD in advance for actual costs incurred by OWRD in full amount of \$860 to OWRD prior to the start of the expedited process. This payment will be placed in an account with OWRD. This payment will be used for actual costs incurred. If the actual cost of the expedited process is less than the amount paid, OWRD will refund the unspent balance. If the actual cost is more than the amount paid, the Applicant can either elect to terminate this Agreement or pay the balance. The costs stated in this Agreement are estimates and may increase or decrease in cost. The costs stated in this Agreement include filing fees.
- Information.** All information provided to or acquired by OWRD shall be maintained in accordance with the Oregon Public Records Law and shall be available for public review.
- Indemnification.** The Applicant shall indemnify the State of Oregon, OWRD, and its employees from all claims, suits, actions, losses, damages, and expenses, including reasonable attorneys' fees, arising out of, or relating to the activities of the Applicant, its employees, agents, or agents under this Agreement or the regulatory process.
- Waiver.** The Applicant acknowledges that the Oregon Water Resources Department is providing a favorable review under the subject regulatory process.



PCA 47126

- 8. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
- 9. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certifies that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
- 10. **Duration of Estimate.** The Estimate of Time to complete the work is no later than one hundred and twenty days (120) days once this Agreement has been fully executed and payment of the estimated cost deposited. However, this estimate is contingent on the Applicant's expeditious resolution of any deficiency and may be affected by the Department's work load. This Estimate of Time may become null and void after thirty (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate.
- 11. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
- 12. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
- 13. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
- 14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: 
 Name: Alfred Meisner
 Title: Owner
 Company: Cascadian Nurseries Inc.
 Date: July 1-2014

For OWRD: 
 Name: R. Craig Kohanek
 Water Rights and Adjudication Division
 Date: July 2, 2014

Mail signed Agreement to:

Craig Kohanek
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

PCA 47126

KOHANEK Craig

From: KOHANEK Craig
Sent: Monday, June 23, 2014 8:35 AM
To: billflatz@stuntzner.com
Subject: RA Certificate Estimate for Cascadian Nurseries Inc.; R12201-11 involving transfer T-10434
Attachments: RA contract.pdf

Bill,

Please find the attached estimate and agreement to process your clients transfer into a certificates. If the proposed agreement is acceptable to you and your client, please return a signed copy to our office along with the payment of the estimated cost to process the transfer into a certificates.

If you have any questions, please call me.

R. Craig Kohanek
Water Rights Specialist
Reimbursement Authority
Oregon Water Resources Department
Phone: 503-986-0823
Fax: 503-986-0901
Ron.C.Kohanek@wrд.state.or.us

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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

RECEIPT # 112431

INVOICE # _____

RECEIVED FROM: Cascadian Nurseries
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-10434

CASH: CHECK:# 27175 OTHER: (IDENTIFY)

TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	47126 R12201-11	\$
0408 OTHER:	(IDENTIFY) Reimbursement Authority	\$ 125.00
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	\$

WATER RIGHTS:

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

WELL CONSTRUCTION

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

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: 112431

DATED: 6.18.14

BY: Chungate

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal



**OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT**



Contract Number: **R12201-11**

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Cascadian Nurseries Inc.** hereafter Applicants, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Project Contact: R. Craig Kohanek Reimbursement Authority Oregon Water Resources Department 725 Summer Street, NE Salem, OR 97301-1271 Phone: 503-986-0823 Email: Ron.c.kohanek@state.or.us	Name: Alfred Meisner Title: Owner Company: Cascadian Nurseries Inc. Address: 8900 NW Dick Road Hillsboro, OR 97124 Phone: 503-647-9290 Email:	Name: Bill Flatz Title: Representative Company: Stuntzner Engineering Address: 2137 19th Avenue Forest Grove, OR 97116 Phone: 503-357-5717 Email: billflatz@stuntzner.com

- Purpose.** The purpose of this Agreement is to expedite the processing of the **Claim of Beneficial Use**. (Application Number: T-10434)
- Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions.** Cascadian Nurseries Inc. and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
- Consideration.** Cascadian Nurseries Inc. shall pay OWRD in advance for actual costs incurred by OWRD. Cascadian Nurseries Inc. agrees to pay the full amount of **\$860** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.
- Confidentiality.** Cascadian Nurseries Inc. agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

PCA 47126

8. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
9. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certifies that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
10. **Duration of Estimate.** The Estimate of Time to complete the work is no later than one hundred and twenty days (120) days once this Agreement has been fully executed and payment of the estimated cost deposited. However, this estimate is contingent on the Applicant's expeditious resolution of any deficiency and may be affected by the Department's work load. This Estimate of Time may become null and void after thirty (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate.
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14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: _____
 Name: Alfred Meisner
 Title: Owner
 Company: Cascadian Nurseries Inc.
 Date: _____

For OWRD: _____
 Name: R. Craig Kohanek
 Water Rights and Adjudication Division
 Date: _____

Mail signed Agreement to:

Craig Kohanek
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

PCA 47126



**OREGON WATER RESOURCES DEPARTMENT
TRANSFER REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION**



ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

The purpose of this application is to obtain estimates of the cost and time required to process a Transfer Application Request. There is a non-refundable application fee of \$125.00 per request.

<u>TYPE</u>	<u>FILE NUMBER</u>
Transfer Application	Transfer Number T-10434

	Applicant Information	Applicant's Representative/Contact
Name:	Cascadian Nurseries Inc., Alfred Meisner	Stuntzner Engineering, Bill Flatz
Address:	8900 NW Dick Road Hillsboro, OR 97124	2137 19 th Avenue Forest Grove, OR 97116
Phone:	503-647-9290	503-357-5717
Fax:		503-357-5698
E-Mail Address:		billflatz@stuntzner.com

I understand the following:

- There is a non-refundable application fee of \$ 125.00 per request.
- That upon receipt of my non-refundable application fee of \$ 125.00, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
- That this fee covers the copying, the mailing cost, as well as the cost for the contractor to evaluate and provide the estimate for processing of the request.
- That OWRD will provide all pertinent information to the assigned contractor within one (1) business day.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

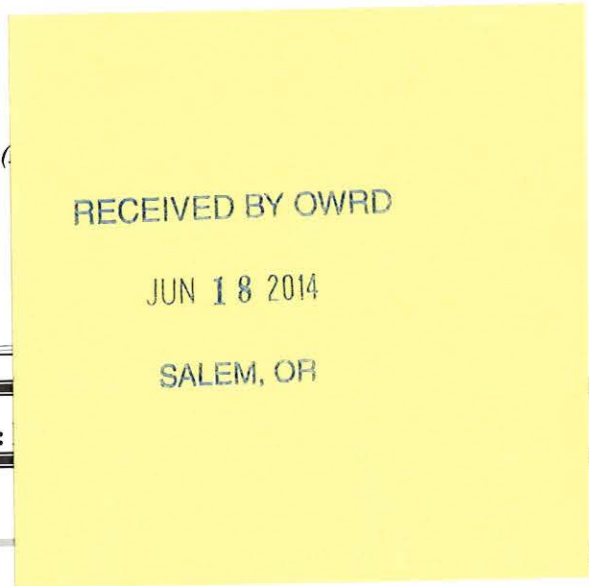
**Oregon Water Resources Department
Transfer Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1271**

I certify that I am the (check one):

Applicant Applicant's Representative Other ()

Name: Alfred Meisner

Signature:



OWRD USE ONLY: Reimbursement Authority Number:

KOHANEK Craig

From: TODD Sandra K
Sent: Thursday, June 19, 2014 7:49 AM
To: SUMPTION Mishelle K; HUNGATE Cammi R
Cc: OPEIFA Salem B; BLAKELY Lanaya F; HENDERSON Sarah A; KOHANEK Craig; REECE Ann L
Subject: RE: Transfer Request

This is not a transfer request. Should be assigned a certificate number. Please use R12201 11 PCA 47126 making correction on receipts.

Thank you.
Sandy

From: SUMPTION Mishelle K
Sent: Wednesday, June 18, 2014 3:51 PM
To: HUNGATE Cammi R; TODD Sandra K
Cc: OPEIFA Salem B; BLAKELY Lanaya F; HENDERSON Sarah A
Subject: RE: Transfer Request

Cammi,

The project number is R11097-11 and the PCA you will use is 47124.

Have a good evening!

Mishelle

From: HUNGATE Cammi R
Sent: Wednesday, June 18, 2014 3:44 PM
To: TODD Sandra K
Cc: OPEIFA Salem B; SUMPTION Mishelle K; BLAKELY Lanaya F; HENDERSON Sarah A
Subject: Transfer Request

Hello,

Applicant: Cascadian Nurseries Inc., Alfred Meisner

Related to Application #: T-10434

Receipt #: 112431

Ann is currently pulling this file.

Thank you,

Cammi Hungate
Reception
Oregon Water Resources Department
P: 503-986-0900

STATE OF OREGON
COUNTY OF WASHINGTON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CASCADIAN NURSERIES INC.
8900 NW DICK RD
HILLSBORO OR 97124-8512

confirms the right to use the waters of TWO WELLS in the ROCK CREEK BASIN for NURSERY OPERATION on 18.7 ACRES.

This right was perfected under Permit G-11038. The date of priority is AUGUST 25, 1988 – FOR 0.40 CUBIC FOOT PER SECOND (CFS), AND OCTOBER 17, 1988 – FOR 0.10 CUBIC FOOT PER SECOND. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.50 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	2 W	WM	11	NW SE	WELL 2 (WASH 5213) - 1880 FEET NORTH AND 2280 FEET WEST FROM SE CORNER, SECTION 11
1 N	2 W	WM	11	SW SE	WELL 4 (WASH 66930) - 620 FEET NORTH AND 2630 FEET WEST FROM SE CORNER, SECTION 11

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 any time 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.

USE OF WATER UNDER THIS RIGHT SHALL BE REGULATED IF THE WELL DISPLAYS:

- A. AN AVERAGE WATER LEVEL DECLINE OF THREE (3) OR MORE FEET PER YEAR FOR FIVE CONSECUTIVE YEARS, OR
- B. A WATER LEVEL DECLINE OF FIFTEEN (15) OR MORE FEET IN FEWER THAN FIVE (5) CONSECUTIVE YEARS, OR
- C. A WATER LEVEL DECLINE OF TWENTY-FIVE (25) OR MORE FEET, OR
- D. AN HYDRAULIC INTERFERENCE DECLINE OF TWENTY-FIVE (25) OR MORE FEET IN ANY NEIGHBORING WELL PROVIDING WATER FOR USES EXEMPT FROM PERMIT REQUIREMENTS OR A WELL COVERED BY PRIOR RIGHTS.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

THE WATER RESOIRCES DEPARTMENT HAS DETERMINED THAT THE INITIAL WATER LEVEL IN WELL 2 (WASH 5213) WAS 92 FEET BELOW LAND SURFACE ON MARCH 2, 1990. THAT IS THE LEVEL FROM WHICH PREVIOUSLY CITED DECLINES WILL BE REFERENCED. AS MUCH AS POSSIBLE, FUTURE LEVELS SHALL REFLECT ANNUAL HIGH LEVLES WHAICH ARE USUALLY FOUND IN THE SPRING OF EACH YEAR. THE REFERENCE LEVEL FOR WELL 4 (WASH 66390) IS 93.95 FEET BELOW LAND SURFACE.

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

A description of the place of use to which this right is appurtenant is as follows:

NURSERY OPERATION						
Twp	Rng	Mer	Sec	Q-Q	Glots	Acres
1 N	2 W	WM	11	NE SW	2	3.0
1 N	2 W	WM	11	NE SE		5.2
1 N	2 W	WM	11	NW SE		10.5

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device for Well 2 (WASH 5213) in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The water user shall maintain and operate, for Well 4 (WASH 66930), the in-line flow meter or other suitable measuring device as required by the Department.

Water shall be acquired from the same aquifer as the original point of appropriation. (Well 2 WASH 5213)

The quantity of water diverted at the new point of appropriation Well 4 (WASH 66930), together with that diverted at the original point of appropriation Well 2 (WASH 5213), shall not exceed the quantity of water available from the original point of appropriation Well 2 (WASH 5213).

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	2 W	WM	11	NW SE	Well 2 (WASH 5213) - 1880 FEET NORTH AND 2280 FEET WEST FROM SE CORNER, SECTION 11

The Director may require water level or pump test results every ten years.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior right, including rights for maintaining instream flows.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.


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

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

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

This certificate is issued to confirm an ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered May 16, 2008, at Special Order Volume 74, Page 902, approving Transfer Application T-10434, and supersedes Certificate 68714, State Record of Water Right Certificates.

Issued SEP 30 2014



Dwight French
Water Right Services Administrator, *for*
Director
Oregon Water Resources Department

RA Mailing List for Transfer Certificate

Mailing Date:

Application: T- 10434

Certificate: 89544

Certificate/Transfer Holder: (include copy of map)

CASCADIAN NURSERIES INC.
8900 NW DICK RD
HILLSBORO OR 97124-8412

Copies Mailed

By: *EAL*
(SUPPORT STAFF)

on: 9/30/14
(DATE)

Copies of final Certificate to be sent to:

1. Data Center
2. Water Availability
3. Vault
4. File

Persons to receive via e-mail draft/proposed copies (completed by RA staff)

- 1.

Other Persons to receive copies (proposed and/or final certificate:(Include map)

1. Jake Constans, Watermaster #18
2. Bill Flatz, CWRE

Record Marking(s):

1. Original Application# G-11845
2. Old Certificate# 68714

S:\groups\wr\certs\Resource Center\Forms_Checklists_Mailing
Instructions\Transfer_CertMailingList for RA.doc

STATE OF OREGON
 COUNTY OF WASHINGTON
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CASCADIAN NURSERIES INC.
 8900 NW DICK RD
 HILLSBORO OR 97124-8512

confirms the right to use the waters of TWO WELLS in HOLCOMB CREEK BASIN for NURSERY OPERATIONS on 13.95 ACRES.

This right was perfected under Permit G-15217. The date of priority is JANUARY 16, 2001. The maximum rate is 0.668 CUBIC FOOT PER SECOND measured at the wells.

The period of use is year round.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	2 W	WM	11	NW SE	WELL 2 (WASH 5213) - 1880 FEET NORTH AND 2280 FEET WEST FROM SE CORNER, SECTION 11
1 N	2 W	WM	11	SW SE	WELL 4 (WASH 66930) - 620 FEET NORTH AND 2630 FEET WEST FROM SE CORNER, SECTION 11

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 any time, during the period of allowed use specified above, that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

The place of use is located as follows:

Nursery Operations						
Twp	Rng	Mer	Sec	Q-Q	Glots	Acres
1 N	2 W	WM	11	NE SW	2	2.0
1 N	2 W	WM	11	NE SE		4.4
1 N	2 W	WM	11	NW SE		7.55

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

Measurement, recording and reporting conditions:

- A. The water user shall operate and maintain the flow meters or other suitable measuring devices in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.
 - B. The water user 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.
- (1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:
 - (a) An average water level decline of three or more feet per year for five consecutive years; or
 - (b) A total water level decline of fifteen or more feet; or
 - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
 - (2) The water user shall submit an annual report of water used to the Department by December 1 of each year.
 - (3) The water user shall be responsible for complying with each of the following requirements for measuring water levels in the well.
 - (a) The reference water level for Well 2 (WASH 5213) right shall be 92 feet below ground surface as specified in Certificate XXXXX, which confirms the transfer of Certificate 68714 (Permit #G-11038, Application #G-11845). The reference water level for Well 4 (WASH 66930) is 93.95 feet below ground surface.
 - (b) A water level measurement shall be made each year during the period March 1 through March 31.
 - (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the water user.
 - (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
 - (e) The water user shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

Water shall be acquired from the same aquifer (water source) as the original point of appropriation Well 2 (WASH 5213).

The quantity of water diverted at the new point of appropriation Well 4 (WASH 66930), together with that diverted at the original point of appropriation Well 2 (WASH 5213), shall not exceed the quantity of water available from the original point of appropriation Well 2 (WASH 5213).

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	2 W	WM	11	NW SE	WELL 2 (WASH 5213) - 1880 FEET NORTH AND 2280 FEET WEST FROM SE CORNER, SECTION 11

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

The wells shall be maintained 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 to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

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

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


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

The right to the use of the water is restricted to beneficial use at the place of use described.

This certificate is issued to confirm an ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered May 16, 2008, at Special Order Volume 74, Page 902, approving Transfer Application T-10434, and supersedes Certificate 83329, State Record of Water Right Certificates.

SEP 30 2014

Issued _____



 Dwight French
 Water Right Services Administrator, for
 Director
 Oregon Water Resources Department

RA Mailing List for Transfer Certificate

Mailing Date:

Application: T- 10434

Certificate: 89545

Certificate/Transfer Holder: (include copy of map)

**CASCADIAN NURSERIES INC.
8900 NW DICK RD
HILLSBORO OR 97124-8412**

Copies Mailed
By: EAL (SUPPORT STAFF)
on: 9/30/14 (DATE)

Copies of final Certificate to be sent to:

1. Data Center
2. Water Availability
3. Vault
4. File

Persons to receive via e-mail draft/proposed copies (completed by RA staff)

- 1.

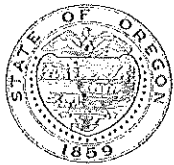
Other Persons to receive copies (proposed and/or final certificate:(Include map)

1. Jake Constans, Watermaster #18
2. Bill Flatz, CWRE

Record Marking(s):

1. Original Application# G-15298
2. Old Certificate# 83329

S:\groups\wr\certs\Resource Center\Forms_Checklists_Mailing
Instructions\Transfer_CertMailingList for RA.doc



Oregon

John A. Kitzhaber, MD, Governor

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

Date Mailed: September 30, 2014

NOTICE OF CERTIFICATE ISSUANCE

Attached are certificates that confirm the water rights established under the terms of a transfer order issued by this Department.

These certificates are orders in other than a contested case. These orders are subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of these orders. 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.

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If you have any questions please contact Craig Kohanek at 503-986-0823.

Completion Checklist for Claims of Beneficial Use

Application # _____
 Date Received 6/18/2014
 CWRE Name William Floty
 File Marked _____
 Oversized Map # _____
 Reviewer RCK

Transfer # T-10434
 Claim Logged _____

Transfer Issued 5/16/2008
"C" Date: 10/1/2010
Extended "C" Date: 10/1/2015

*Two certificates
 are to be issued.*

Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320' (1" = 400') or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
- Source illustrated if surface water (OAR 690-014-0170(3))
- Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- Point(s) of diversion or appropriation (coordinates) (OAR 690-014(4) & 690-310-0050)
- Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
- Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014-0170(4))
- Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

Report Review:

- On form or format provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- Source(s) of water (OAR 690-014-0100) - *well #2 WASH 5213, well #4 WASH 606930-*
- Place of use location (OAR 690-014-0100)
- Type of use (OAR 690-014-0100) *Nursery op's -*
- Extent of use (OAR 690-014-0100) *year round*
- Rate and Duty (OAR 690-014-0100)
- Diversion rate for each use (OAR 690-014-0100)
- Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- System capacity (OAR 690-014-0100)
- Calculated capacity of system (required) *1.2 cfs: 540 gpm*
- Measured amount of use (optional)
- Permit/Transfer Final Order Conditions (OAR 690-014-0100)
 - Time limits
 - Initial water level measurements
 - Annual static water level measurements *Reference level established as 92' b1s - in certificate 68744*
 - Measurement, recording, and reporting
 - Meter/measuring device
 - Water use reporting
 - Fish screening and/or by-pass
 - Pump test (ground water) *not a condition of the transfer*
 - Other conditions
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of permittee of transfer holder (OAR 690-014-0100)

DEF = deficient
 N/A = Not Applicable

- Map and COBU reviewed
- Conflict check Any Conflicts? _____
- Check for ownership

Check Area of Interest YES NO
 Identified Party _____

Staff Recommendations:

- Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.
- Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: _____
- Proof to the Satisfaction has not been established for the following reasons: _____
Proposed Actions:
 Send letter requesting the following items/information: _____
 Send letter recommending extension to cure deficiencies: _____

Can certificate be processed further?
 Yes

If "Yes": Proposed *Courtesy*
 Final Certificate # _____

Mailing list:

Proposed:

Final:

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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

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

RECEIPT # **112443**

INVOICE # _____

RECEIVED FROM: Cascadian Nurseries, Inc

APPLICATION	
PERMIT	
TRANSFER	T-10434

BY: _____

CASH: CHECK:# 29194 OTHER: (IDENTIFY)

TOTAL REC'D \$ 175.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$
OTHER: (IDENTIFY)	\$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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

WELL CONSTRUCTION

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

0200 OTHER (IDENTIFY) Claim of Beneficial Use \$175.00

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 (FWWRD)		\$
0231 HYDRO LICENSE FEE (FWWRD)		\$
HYDRO APPLICATION		\$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **112443**

DATED: 6-18-14

BY: [Signature]

CLAIM OF BENEFICIAL USE for Permits claiming more than 0.1 cfs and All Transfers



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

RECEIVED BY OWRD

JUN 18 2014

SALEM, OR

A fee of \$175 must accompany this form for permits with priority dates after July 8, 1987.

A fee of \$175 must accompany this form for any Transfer final orders including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at: http://www.oregon.gov/owrd/pages/wr/cwre_info.aspx

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see http://www.oregon.gov/owrd/pages/mgmt_reimbursement_authority.aspx

SECTION 1 GENERAL INFORMATION

1. File Information

APPLICATION # (G, R, S OR T) T-10434	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
--	--------------------------	------------------------------------

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Cascadian Nurseries Inc., Alfred Meisner		PHONE NO. 503-647-92920	ADDITIONAL CONTACT NO.
ADDRESS 8900 NW Dick Road			
CITY Hillsboro	STATE OR	ZIP 97124	E-MAIL JUN 18 2014

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SALEM, OR

If the current property owner is not the permit or transfer holder of record, it is recommended that an assignment be filed with the Department. *Each permit or transfer holder of record must sign this form.*

3. Permit or transfer holder of record (this may, or may not, be the current property owner)

PERMIT OR TRANSFER HOLDER OF RECORD Cascadian Nurseries, Inc., Alfred Meisner		
ADDRESS 8900 NW Dick Road		
CITY Hillsboro	STATE OR	ZIP 97124

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD N/A		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection: **5-1-14, 6-13-14**

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Ed Meisner	5-1-14	Nursery Manager

6. County: **Washington**

7. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

OWNER OF RECORD N/A		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

SECTION 2

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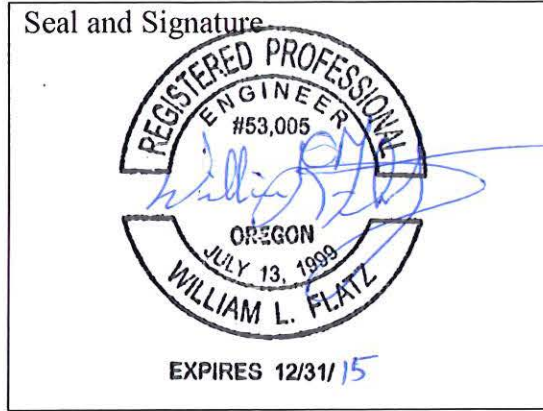
SIGNATURES

JUN 18 2014

CWRE Statement, Seal and Signature

SALEM, OR

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME William L. Flatz		PHONE NO. 503-357-5717	ADDITIONAL CONTACT NO. 503-939-8381
ADDRESS 2137 19th Avenue			
CITY Forest Grove	STATE OR	ZIP 97116	E-MAIL billflatz@stuntzner.com

Permit or Transfer Holder's of Record Signature or Acknowledgement

Each permit or transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Alfred Meisner	Owner	JUNE 9-14

SECTION 3

JUN 18 2014

CLAIM DESCRIPTION

SALEM, OR

1. Point of diversion/appropriation name or number:

POINT OF DIVERSION/APPROPRIATION (POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
Well #2	Wash 5213, Start card 1432	N/A
Well #4	Wash 66930, Start card 198398	L-95435

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

2. Point of diversion/appropriation source and, if from surface water, the tributary:

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY
Well #2	Ground water	Holcomb Creek, Willamette River
Well #4	Ground water	Holcomb Creek, Willamette River

3. Developed use(s), period of use, and rate for each use:

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
Well #2	Nursery	Nursery	Year around	0.99 cfs, 444 gpm
Well #4	Nursery	Nursery	Year around	0.63 cfs, 282 gpm
Total Quantity of Water Used				0.99 cfs, 444 gpm Max.

4. Provide a general narrative description of the distribution works. This description must trace the water system from each point of diversion or appropriation to the place of use:

The water is either pumped from either well into the main nursery distribution system, or pumped from either well into a 10,000 gallon holding tank where the irrigation is pumped into the underground distribution system from the tank.

The system for this permit is comprised of approximately 6,000 linear feet of 4" buried PVC pipe and 2,700 linear feet of 3" buried PVC pipe. The buried pipe has stand pipes with valves that allow distribution and control.

All of the in ground nursery is irrigated with 3" and 2" aluminum hand lines using rain bird brass impact sprinklers. Most sprinklers are 11/64" by 3/32" back spray impacts, there is a variety although all are brass rain birds.

The sales yard is irrigated using a mix of rain bird maxi-bird plastic impacts, drip irrigation and overhead spinners in the greenhouses. All of these areas are run with valves controlling the flow through 2" pvc hand lines.

This transfer covers 32.65 acres of irrigation out of the total nursery area of 141 acres. The same delivery system and sprinklers are used throughout the nursery. This is an older and well established nursery in this area.



One portion of the sales yard using pvc hand line and drip irrigation, drip lines visible.



Air photo of the North end of the Cascadian Nurseries from Washington County web site. The red outline is tax lot 1500, tax lot 1400 is above 1500, these 2 lots are irrigated under this transfer.

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

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5. Variations:

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below.

YES

NO

(e.g. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

N/A

6. Claim Summary:

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
Well #2	1.168 cfs	1.20 cfs	N/A	Nursery	32.65	32.65
Well #4	1.168 cfs	0.63 cfs	N/A	Nursery	32.65	32.65

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SALEM, OR

**SECTION 4
SYSTEM DESCRIPTION**

Are there multiple PODs or POAs?

YES NO

If "YES" you will need to copy and complete Sections 4B through 4G for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

Well #2, WASH 5213, start card 5213

A. Place of Use

1. Is the right for municipal use?

YES **NO**

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
								Certificate	83329
1N	2W	W.M.	11	NE/SW			Nursery	2.00	
1N	2W	W.M.	11	NW/SE			Nursery	7.55	
1N	2W	W.M.	11	NE/SE			Nursery	4.40	
								Certificate	68741
1N	2W	W.M.	11	NE/SW			Nursery	3.00	
1N	2W	W.M.	11	NW/SE			Nursery	10.50	
1N	2W	W.M.	11	NE/SE			Nursery	5.20	
Total Acres Irrigated								32.65	

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLOT, and QQ.

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

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YES NO

If "NO" items 2 through item 6 may be deleted.

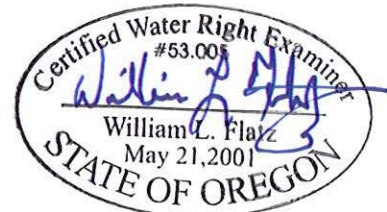
SEP 15 2014

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Berkeley	6T50-25	Unknown	Submersible	N/A	4"

3. Motor Information

MANUFACTURER	HORSEPOWER
Hitachi	50 hp



4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
50	70	115	0	1.20 cfs

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5. Provide pump calculations:

Cascadian Nurseries <u>Well #2</u> theoretical pump calculations HP = _____ 50 Efficiency = _____ 7.04 Lift = _____ 115 PSI = _____ 70	JUN 18 2014 SALEM, OR
<p>Results Calculated</p> <hr/> <p style="text-align: center;"> (hp)(efficiency) = 352 Head based on psi = 177.8 Total dynamic head = 292.8 (head + lift) </p> <p style="text-align: center;"> Pump Capacity = 1.20 cubic feet per second Pump Capacity = 539.49 gallons per minute </p>	

Note: The calculations above were done using the OWRD pump calculator.

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
N/A			

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES NO

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
4"	6,000 ft (est.)	PVC	Buried
3"	2,700 ft (est.)	PVC	Buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
3"	1,200 ft (est.)	Aluminum	Above Ground
2"	2,100 ft (est.)	Aluminum	Above Ground
1-1/2 and 2"	3,000 ft (est.)	PVC	Above Ground

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
11/64" x 3/32"	30	6.0	137 +/-	74	0.99 cfs, 444 gpm
9/64	30	2.9	100 +/-	50	0.32 cfs, 145 gpm
emitters	constant	0.03 +/-	thousands	unknown	Not max flow

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
N/A				

12. Additional notes or comments related to the system:

The owner uses several different types and sizes of sprinklers. Size used in calculations is typical and the most common. Not all sprinklers are operated at the same time. The owner has more than enough equipment to deliver the amount of water that can be pumped from either well.



Picture inside the pump house showing Well #2 in the background, the meter in the foreground.

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JUN 18 2014

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C. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)?

JUN 18 2014

YES NO

If "NO", items 2 through 8 relating to this section may be deleted.

SALEM, OR

2. Describe the access port (type and location) or other means to measure the water level in the well:

Vent hole on top of Well Cap.

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY

Note: See attached Well Log.

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

N/A

5. Is the appropriation from a dug well (sump)?

YES NO

If "NO", items 6 through 8 relating to this section may be deleted.

Note: Items 6-8 were deleted.

Reminder: Construction standards for sumps can be found in OAR 690-210-0400.

D. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)

YES NO

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank

YES NO

Bulge in System / Reservoir

YES NO

Complete appropriate table(s), unused table may be deleted.

2. Storage Tank:

MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED
Fiberglass	10,000	Above ground

3. Bulge in System / Reservoir:

RESERVOIR NAME OR NUMBER (CORRESPOND TO MAP)	APPROXIMATE DAM HEIGHT	APPROXIMATE CAPACITY (IN ACRE FEET)
N/A		

E. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

RECEIVED BY OWRD **YES** **NO**

If "NO", items 2 through 4 relating to this section may be deleted.

Note: Items 2-4 were deleted.

JUN 18 2014

F. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

YES **NO**

If "NO", items 2 through 4 relating to this section may be deleted.

Note: Items 2-4 were deleted.

SALEM, OR

G. Reservoir

1. Does the claim involve a reservoir modified through a transfer?

YES **NO**

Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

If "NO", items 2 through 9 relating to this section may be deleted.

Note: Items 2-9 were deleted.

SECTION 4 SYSTEM DESCRIPTION

Are there multiple PODs or POAs?

YES **NO**

If "YES" you will need to copy and complete Sections 4B through 4G for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

Well #4, WASH 66930, start card 198398

A. Place of Use

1. Is the right for municipal use?

YES **NO**

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
								Certificate	83329
1N	2W	W.M.	11	NE/SW			Nursery	2.00	
1N	2W	W.M.	11	NW/SE			Nursery	7.55	
1N	2W	W.M.	11	NE/SE			Nursery	4.40	
								Certificate	68741
1N	2W	W.M.	11	NE/SW			Nursery	3.00	
1N	2W	W.M.	11	NW/SE			Nursery	10.50	
1N	2W	W.M.	11	NE/SE			Nursery	5.20	
Total Acres Irrigated								32.65	

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLOT, and QQ.

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

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YES **NO**

If "NO" items 2 through item 6 may be deleted.

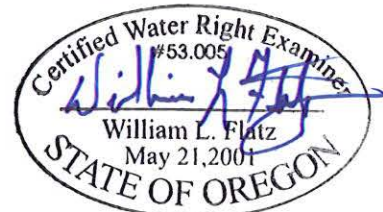
SEP 15 2014

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Franklin Electric	2366149020	Unknown	Submersible	N/A	3"

3. Motor Information

MANUFACTURER	HORSEPOWER
Fraklin Electric	20 hp



4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
20	45	110	0	0.63 cfs

5. Provide pump calculations:

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SALEM, OR

Cascadian Nurseries Well #4 theoretical pump calculations

HP = 20

Efficiency = 7.04

Lift = 110

PSI = 45

Results Calculated

(hp)(efficiency) = 140.8

Head based on psi = 114.3

Total dynamic head = 224.3
(head + lift)

Pump Capacity = 0.63 cubic feet per second

Pump Capacity = 281.70 gallons per minute

Note: The calculations above were done using the OWRD pump calculator.

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
N/A			

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES NO

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
4"	6,000 ft (est.)	PVC	Buried
3"	2,700 ft (est.)	PVC	Buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
3"	1,200 ft (est.)	Aluminum	Above Ground
2"	2,100 ft (est.)	Aluminum	Above Ground
1-1/2 and 2"	3,000 ft (est.)	PVC	Above Ground

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
11/64" x 3/32"	30	6.0	137 +/-	47	0.63 cfs, 282 gpm
9/64	30	2.9	100 +/-	50	0.32 cfs, 145 gpm
emitters	constant	0.03 +/-	thousands	unknown	Not max flow

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
N/A				

12. Additional notes or comments related to the system:

The owner uses several different types and sizes of sprinklers. Size used in calculations is typical and the most common. Not all sprinklers are operated at the same time. The owner has more than enough equipment to deliver the amount of water that can be pumped from either well.



Picture of Well #4, in background in doghouse, meter is shown in front of pressure tank.

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JUN 18 2014

SALEM, OR

C. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)?

YES NO

If "NO", items 2 through 8 relating to this section may be deleted.

2. Describe the access port (type and location) or other means to measure the water level in the well:

Vent hole on top of Well Cap.

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JUN 18 2014

SALEM, OR

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY

Note: See attached Well Log.

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

N/A

5. Is the appropriation from a dug well (sump)?

YES **NO**

If "NO", items 6 through 8 relating to this section may be deleted.

Note: Items 6-8 were deleted.

Reminder: Construction standards for sumps can be found in OAR 690-210-0400.

D. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)

YES NO

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank

YES NO

Bulge in System / Reservoir

YES **NO**

Complete appropriate table(s), unused table may be deleted.

2. Storage Tank:

MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED
Fiberglass	10,000	Above ground

3. Bulge in System / Reservoir:

RESERVOIR NAME OR NUMBER (CORRESPOND TO MAP)	APPROXIMATE DAM HEIGHT	APPROXIMATE CAPACITY (IN ACRE FEET)
N/A		

E. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

YES NO
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If "NO", items 2 through 4 relating to this section may be deleted.

Note: Items 2-4 were deleted.

JUN 18 2014

F. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

YES NO

If "NO", items 2 through 4 relating to this section may be deleted.

Note: Items 2-4 were deleted.

SALEM, OR

G. Reservoir

1. Does the claim involve a reservoir modified through a transfer?

YES NO

Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

If "NO", items 2 through 9 relating to this section may be deleted.

Note: Items 2-9 were deleted.

SECTION 5 CONDITIONS

All conditions contained in the permit, permit amendment, transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits, transfer final orders, and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit, extension or transfer final order:

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	5-16-08		
BEGIN CONSTRUCTION (A)	N/A	N/A	Owner complied with time limits.
COMPLETE CONSTRUCTION (B)	N/A	N/A	Owner complied with time limits.
COMPLETE APPLICATION OF WATER (C)	10-1-10, transf. 10-1-15, EOT.	10-1-2013	Owner complied with time limits.

* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

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2. Is there an extension final order(s)?

If "NO", you may delete item 3 in this section.

JUN 18 2014

YES NO

3. If for a transfer extension order, provide the following information:

SALEM, OR

VOLUME	PAGE	DATE EXTENDED TO
87	780	10-1-15

4. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement?

YES NO

If "NO", items 4b through 4d relating to this section may be deleted.

b. What month was the initial measurement to be taken in?

March

c. Was the measurement submitted to the Department?

YES NO

d. If the initial measurement was not submitted, provide that measurement now, if available:

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT
3-24-09	CWRE; W.Flatz	e-tape	104.3

5. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements? YES NO

If "NO", items 5b through 5e relating to this section may be deleted.

b. Provide the month, or months, the static water level measurement(s) were to be made:

c. Were the static water level measurements taken in the month(s) required? YES NO

d. If "YES", were those measurements submitted to the Department? YES NO

e. If the annual measurements were not submitted, provide the measurements now:

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT
N/A			

6. Pump Test (Required for most ground water permits prior to issuance of a certificate)

a. Did the permit require the submittal of a pump test? YES NO

If "NO", items 6b through 6e relating to this section may be deleted.

b. Has the pump test been previously submitted to the Department? YES NO

c. Is the pump test attached to this claim? YES NO

d. Has the pump test been approved by the Department? YES NO

e. Has a pump test exemption been approved by the Department? YES NO

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JUN 18 2014

SALEM, OR

**** Claims will not be reviewed until a pump test or exemption has been approved by the Department**

Note: See attached OWRD letter granting multiple well exemption for this transfer.

7. Measurement Conditions:

a. Does the permit, permit amendment, transfer final order, or any extension final order require the installation of a meter or approved measuring device? YES NO

If "NO", items 7b through 7f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

b. Has a meter been installed? YES NO

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Well #2	McCrometer	04-01226-4	Working	805290 gal x 100	2004
Well #4	McCrometer	11-03731-03	Working	632376 gal x 10	2012

If a meter has been installed, items 7d through 7f relating to this section may be deleted.

Note: Meter was installed, items 7d through 7f were deleted.

8. Recording and reporting conditions

a. Is the water user required to report the water use to the Department?

YES NO

If "NO", item 8b relating to this section may be deleted.

b. Have the reports been submitted?

YES NO

METHOD OF SUBMITTING REPORT (PAPER OR ELECTRONIC)	WATER USER REPORTING ID
Electronic	10851

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If the reports have not been submitted, attach a copy of the reports if available.

Note: Last reported on 12-24-13 at 8:47 AM.

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9. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion?

YES NO

If "NO", items 9b through 9e relating to this section may be deleted.

Note: Items 9b-9e were deleted.

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

10. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion?

YES NO

If "NO", items 10b and 10c relating to this section may be deleted.

Note: Items 10b-10c were deleted.

Reminder: If by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order:

a. Were there special well construction standards?

YES NO

b. Was submittal of a ground water monitoring plan required?

YES NO

c. Was the water user required to restore the riparian area if it was disturbed?

YES NO

d. Was a fishway required?

YES NO

e. Was submittal of a letter from an engineer required prior to storage of water?

YES NO

f. Was submittal of a water management and conservation plan required?

YES NO

g. Other conditions?

YES NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

The new well was required to limit the water to one aquifer, see attached well log.

The owner was required to show that the new and old wells are more likely than not, producing water from the same aquifer. This was demonstrated by the driller and evidence of this was sent to OWRD. See attached copy of letter.

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SECTION 6 ATTACHMENTS

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Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Paper map	Reduced scale paper map for reference
Transfer	Copy of transfer for reference
Well Logs	Copy of Well logs
Static well measurements	Copy of well measurements
Well Drillers letter	Copy of well driller's document testifying to both wells in the same aquifer.
OWRD pump test exemption	Copy of ODWR approval of well pump test exemption.

SECTION 7 CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

The Claim map for this transfer is a combination of the tax map, the certificate maps and the USGS maps inserted into AutoCad and scaled to match tax map dimensions. An air photo was downloaded from google and inserted into the AutoCad drawing and scaled over the tax map to establish scale and rotation. The well locations and irrigated areas were established using the best information from all the above.

Map Checklist

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Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

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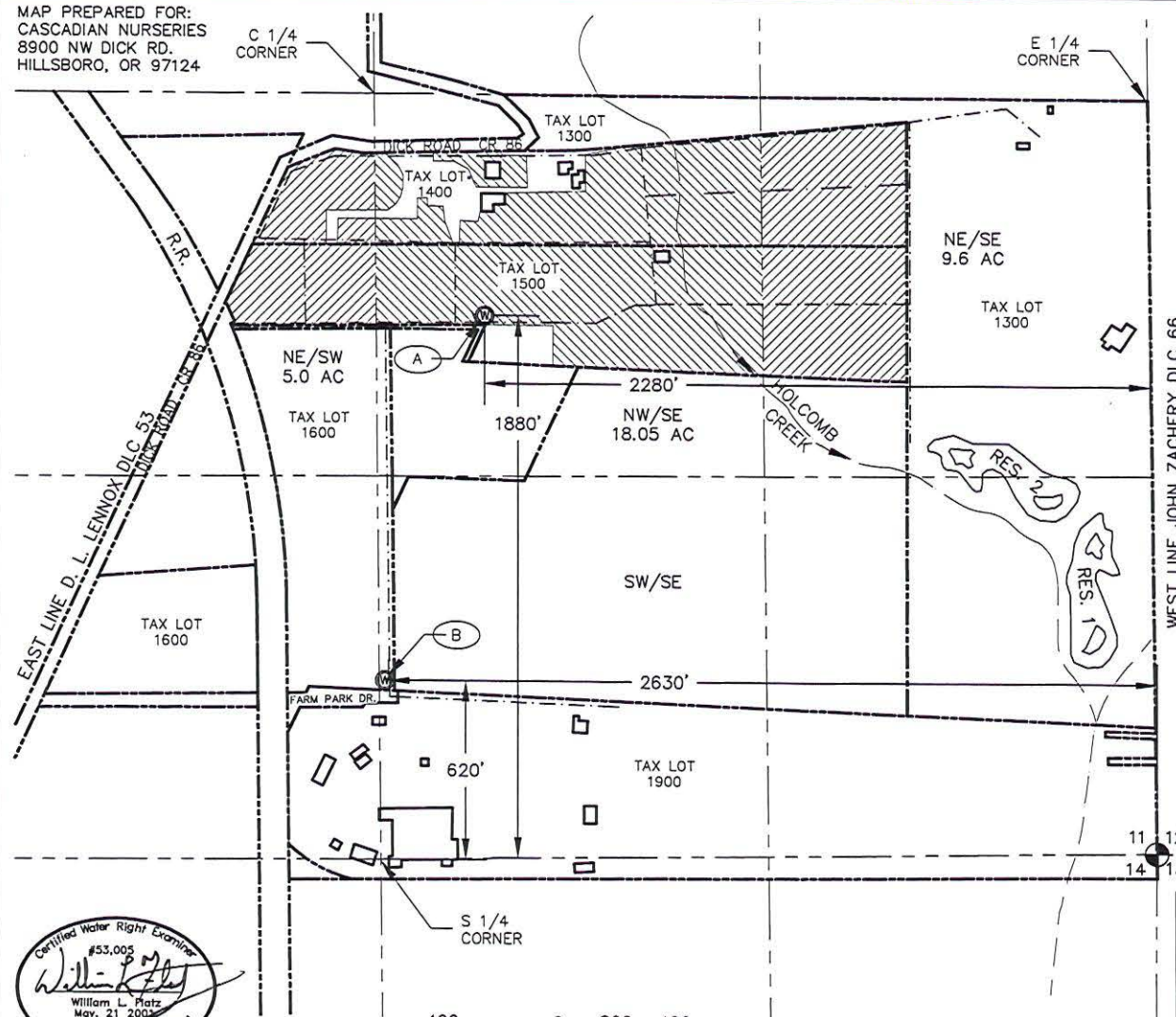
- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Source illustrated if surface water
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

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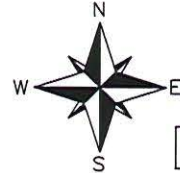
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MAP PREPARED FOR:
CASCADIAN NURSERIES
8900 NW DICK RD.
HILLSBORO, OR 97124



CLAIM OF BENEFICIAL USE MAP

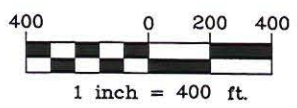
SECTION 11 T1N R2W W.M.
WASHINGTON COUNTY, OREGON



CLAIM OF BENEFICIAL USE FOR T-10434

LEGEND

- POA, WELL #2, WASH 5213, START CARD 1432, WITH METER IN PUMP HOUSE, 1,880'N. AND 2,280'W. FROM SE COR. SEC. 11. ADDITIONAL WATER RIGHTS: APP. G-14626, APP. G-15664
- POA, WELL #4, WASH 66930, START CARD 198398, L-95435, WITH METER IN PUMP HOUSE, 620'N. AND 2,630'W. FROM SE COR. SEC. 11
- BUILDINGS, TYPICAL
- SECTION AND QUARTER-QUARTER LINES
- PROPERTY LINES
- 4" & 3" BURIED PVC MAINLINE, APPROX. TOTAL LENGTH 8,700 FT.
- AREA OF IRRIGATION FOR THIS CLAIM OF BENEFICIAL USE
- LAND OWNED BY CASCADIAN NURSERY INC. AND FARM HORTICULTURAL PARKPLACE, LLC.: TL 1300, TL 1400, TL 1500, TL 1600, TL 1900.



PREPARATION OF THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

SOURCE OF MAP DATA:
ASSESSORS MAP, GOOGLE AIR PHOTO 2012

Stuntzner Engineering & Forestry, LLC
ENGINEERING • LAND SURVEYING • FORESTRY
PLANNING • WATER RIGHTS

2137 19TH AVENUE
FOREST GROVE, OREGON 97116
TEL: (503) 357-5717
FAX: (503) 357-5698
E-MAIL: INFO@STUNTZNER.COM

PROJECT: CASCADIAN NURSERY COBU
DRAWING No.: 312019 Cascadian COBU T-10434
DATE: 6-13-14
DRAWN BY: W.L. FLATZ

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Source: A WELL in the ROCK CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1 N	2 W	WM	11	NW SE	1870 FEET NORTH AND 2275 FEET WEST FROM SE CORNER OF SECTION 11.

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	2 W	WM	11	NE SW	3.00
1 N	2 W	WM	11	NE SE	5.20
1 N	2 W	WM	11	NW SE	10.50

3. Application T-10434 proposes to add an ADDITIONAL authorized point of appropriation approximately 0.24 mile from the existing point of appropriation, to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1 N	2W	WM	11	SW SE	WELL 4: 622 FEET NORTH AND 2620 FEET WEST FROM THE SE CORNER OF SECTION 11.

4. The second right to be transferred is as follows:

Certificate: 83329 in the name of CASCADIAN NURSERIES INC.; ALFRED MEISNER (perfected under Permit G-15127)

Use: NURSERY OPERATIONS on 13.95 ACRES

Priority Date: JANUARY 16, 2001

Rate: 0.668 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cfs per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH cfs per acre, not to exceed 5.0 acre-feet per acre per year. For the irrigation of in-ground nursery plants or any other crop, the amount of water is limited to ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year.

Source: A WELL in the HOLCOMB CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1 N	2 W	WM	11	NW SE	1870 FEET NORTH AND 2275 FEET WEST FROM SE CORNER OF SECTION 11.

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	2 W	WM	11	NE SW	2.00
1 N	2 W	WM	11	NE SE	4.40
1 N	2 W	WM	11	NW SE	7.55

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5. Application T-10434 proposes to add an additional authorized point of appropriation approximately 0.24 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1 N	2W	WM	11	SW SE	WELL 4: 622 FEET NORTH AND 2620 FEET WEST FROM THE SE CORNER OF SECTION 11.

6. Notice of the application for transfer was published on July 24, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
7. The transfer application map did not clearly describe the location of the existing and proposed points of appropriation, and the application also required some clarifications.
8. On November 6, 2007, the Department notified the applicant that the application and map contained errors, which must be corrected before processing of their application could continue. The Department requested that the errors be corrected by December 10, 2007. On November 14, 2007 applicant submitted a corrected application along with a revised map.
9. On February 27, 2008, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10434 to the applicant. The draft Preliminary Determination set forth a deadline of March 28, 2008, for the applicant to respond. On March 6, 2008 the applicant responded to clarify some of the statements in the draft Preliminary Determination and asked the Department to extend the date for completion of the changes to October 1, 2010. The applicant also requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
10. The authorized point of appropriation for Certificates 83329 and 68714 is identified as WASH 5213. The applicant proposed that the new well will have 250 feet of casing and seal and a total depth of 630 feet, a construction similar to WASH 5213. Based on construction of WASH 5213, this design may allow commingling of several water bearing zones or aquifers that have poor natural connections. Therefore, conditions are necessary to avoid injury to other water rights, enlargement of the right and to ensure that the new well develops water from the same aquifer as the original well.
11. On March 6, 2008, the applicant proposed the following conditions to avoid enlargement of the right or injury to other water rights:
- i) The new well shall be limited to a single aquifer and shall have an open interval that is no greater than 100 feet except as noted below. Open interval means the total length of borehole that is not behind sealed casing. The borehole above the open interval shall be continuously cased and continuously sealed to land surface. A larger open interval may be approved by the Department if the applicant can conclusively demonstrate, using packer tests or other suitable methods, that the hydraulic heads of

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water-bearing zones in the proposed open interval are similar enough to prevent loss of artesian pressure between zones. SALEM, OR

- ii) The reference level at the new well shall reflect the change in water level (decline or rise) that has occurred at the original well (WASH 5213) since that reference level was established. (For example, if the original well shows a ten-foot decline from its reference level, then the reference level for the new well would be set equal to the first March water level at the new well, minus 10 feet.)
- iii) Prior to using the well under this transfer, the applicant shall demonstrate that the new and old wells are, more likely than not, producing water from the same aquifer. Evidence in support of a common aquifer shall include hydraulic testing that shows the mutual interference, if any, between the wells or documentation of similar water levels in the wells and the analysis of drill cuttings, geologic cross-sections or other hydrogeologic data that indicates whether hydraulic continuity exists between wells.
- iv) If the evidence does not demonstrate that the new well produces water from the same aquifer as the original point of appropriation, the change cannot be completed to the satisfaction of the Director. In that case, the Department shall issue an order reverting the point of appropriation to the authorized point of appropriation prior to the transfer pursuant to OAR 690-380-610(6).

12. On April 11, 2008, the Department issued a Preliminary Determination proposing to approve Transfer T-10434 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on April 15, 2008, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria (OAR 690-380-4010)

13. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
14. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Application T-10434.
15. The proposed change, as conditioned, would not result in enlargement of the rights.
16. The proposed change, as conditioned, would not result in injury to other water rights.

Conclusions of Law

The additional point of appropriation proposed in application T-10434 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

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Now, therefore, it is ORDERED:

1. The additional point of appropriation proposed in application T-10434 is approved.
2. Water right certificates 68714 and 83329 are cancelled.
3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 68714 and 83329 and any related decree.
4. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
5. The quantity of water diverted at the additional point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
6. Prior to diverting water, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.
7. The new well shall be limited to a single aquifer and shall have an open interval that is no greater than 100 feet except as noted below. Open interval means the total length of borehole that is not behind sealed casing. The borehole above the open interval shall be continuously cased and continuously sealed to land surface. A larger open interval may be approved by the Department if the applicant can conclusively demonstrate, using packer tests or other suitable methods, that the hydraulic heads of water-bearing zones in the proposed open interval are similar enough to prevent loss of artesian pressure between zones.
8. The reference level at the new well shall reflect the change in water level (decline or rise) that has occurred at the original well (WASH 5213) since that reference level was established. (For example, if the original well shows a ten foot decline from its reference level, then the reference level for the new well would be set equal to the first March water level at the new well, minus 10 feet.)
9. Prior to using the well under this transfer, the applicant shall demonstrate that the new and old wells are, more likely than not, producing water from the same aquifer. Evidence in support of a common aquifer shall include hydraulic testing that shows mutual interference between the wells or documentation of similar water levels in the wells and the analysis of drill cuttings, geologic cross-sections, or other hydrogeologic data that indicates whether hydraulic continuity exists between wells.

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10. If the evidence does not demonstrate that the new well produces water from the same aquifer as the original point of appropriation, the change cannot be completed to the satisfaction of the Director. In that case, the Department shall issue an order reverting the point of appropriation to the authorized point of appropriation prior to the transfer pursuant to OAR 690-380-610(6). SALEM, OR
11. The approved change shall be completed and full beneficial use of the water shall be made on or before October 1, 2010. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
12. When satisfactory proof of the completed change is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 16th day of May 2008.


Phillip C. Ward, Director

Mailing date: MAY 23 2008

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

CASCADIAN WELL #2
 WASH
 5213

RECEIVED

AUG 25 1988

IN/W/11 6d
 1432 Pg. 1

(1) OWNER: Well Number: WA 1432
 Name Cascadian Nurseries
 Address 13495 N. W. Thompson
 City Portland State OR Zip 97229

(2) TYPE OF WORK:
 New Well Deepen Recondition Abandon

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable
 Other

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

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes No Depth of Completed Well 605 ft.
 Explosives used Type _____ Amount _____

HOLE		SEAL		Amount sacks or pounds
Diameter	From To	Material	From To	
12 1/2	0 218	Cement/gel	0 50	20 sacks
		Puddled clay	50 178	
		Cement/gel	178 218	15 sacks
7-7/8	218 605			

How was seal placed: Method A B KXC D E
 Other _____
 Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Casing/Liner	Diameter	From	To	Gauge	Material			
					Steel	Plastic	Welded	Threaded
Casing	8"	+1	218	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

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

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

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
700		300	1 hr.
235		200	1 1/2 hr.
240		150	2 hrs.

Temperature of water _____ Depth Artesian Flow Found _____
 Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
 Depth of strata: _____

(9) LOCATION OF WELL by legal description:
 SALEM, Washington
 County _____ Latitude _____ Longitude _____
 Township 1 N Nor S. Range 2 W E or W, WM. _____
 Section 11 NW 1/4 SE 1/4
 Tax Lot _____ Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) _____

(10) STATIC WATER LEVEL:
103 ft. below land surface. Date 8/22/88
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 238

From	To	Estimated Flow Rate	SWL
238	244	10 gpm	103
278	282	20 gpm	"
530	596	20 gpm	"
596	605	650 gpm	"

(12) WELL LOG: Ground elevation _____

Material	From	To	SWL
Topsoil	0	1	
Firm light brown clay	1	6	
Sticky light brown clay	6	39	
Sticky red-brown clay	39	112	
Firm decomposed brown basalt	112	179	
Firm decomp. gray-brown basalt	179	201	
Firm brown basalt	201	203	
Firm gray-brown basalt	203	211	
Soft brown basalt	211	217	
Hard gray basalt	217	238	
Soft brown basalt	238	244	103
Firm gray-brown basalt	244	272	
Firm gray-brown claystone	272	278'	
Soft brown basalt	278	282	
Firm gray-black basalt	282	296	
Hard gray basalt	296	308	
Soft black basalt	308	316	
Hard gray basalt	316	407	
Soft black basalt	407	412	
Firm gray-black basalt	412	440	
Hard gray basalt	440	501	
Soft brown basalt	501	505	
Firm gray-black basalt	505	530	

Date started 8/15/88 Completed 8/22/88

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

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
 WWC Number 1266
 Signed [Signature] Date 8/23/88

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WASH 66930

CN WELL #4

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

WELL LABEL # L 95435 START CARD # 198398

(1) LAND OWNER Owner Well I.D. First Name Last Name Company Cascadian Nurseries Address 8900 NW Dick Rd. City Hillsboro State OR Zip 97124

(2) TYPE OF WORK [X] New Well [] Deepening [] Conversion [] Alteration (repair/recondition) [] Abandonment

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

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

(5) BORE HOLE CONSTRUCTION Special Standard [] Attach copy Depth of Completed Well 647 ft.

Table with columns: Dia, From, To, Material, SEAL, From, To, Amt, sacks/lbs. Rows show cement seal at 0-425 ft and 425-535 ft.

How was seal placed: Method [] A [X] B [X] C [] D [] E Backfill placed from 0 ft to 647 ft. Material Cement. Filter pack from 0 ft to 647 ft. Material 1/4" Size. Explosives used: [] Yes Type Amount

(6) CASING/LINER Casing Liner Dia From To Gauge Sil Plstc Wld Thrd. Includes a diagram of casing sections.

Shoe [] Inside [] Outside [] Other Location of shoe(s) Temp casing [] Yes Dia From To

(7) PERFORATIONS/SCREENS Perf/ Casing/ Screen Screen Liner Dia From To Scm/slot width Slot length # of slots Tele/ pipe size

(8) WELL TESTS: Minimum testing time is 1 hour [] Pump [] Bailor [X] Air [] Flowing Artesian Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)

Temperature 60 F Lab analysis [] Yes By Water quality concerns? [] Yes (describe below) From To Description Units

(9) LOCATION OF WELL (legal description) County WASHINGT Twp 1 N N/S Range 2 W E/W WM Sec 11 NW 1/4 of the SE 1/4 Tax Lot 1400 Tax Map Number Lot Lat Long [X] Street address of well [] Nearest address 8900 NW Dick Rd.

(10) STATIC WATER LEVEL Date SWL(psi) + SWL(ft) Existing Well / Predeepening Completed Well 06-10-2008 118

WATER BEARING ZONES Depth water was first found 322 SWL Date From To Est Flow SWL(psi) + SWL(ft) 05-07-2008 322 358 30 102 05-07-2008 387 396 30 102 05-08-2008 445 450 30 105 05-13-2008 504 520 30 107 06-10-2008 642 647 525 118

(11) WELL LOG Ground Elevation Material From To Soft brown clay 0 12 Sticky lite brown clay 12 96 Sticky red clay 96 139 Sticky brown clay 139 217 Soft decomp gray basalt 217 230 Soft decomp brown basalt 230 273 Soft decomp gray basalt 273 310 Soft brown basalt 310 322 Firm gray-brown basalt 322 353 Firm gray, gray-black basalt 353 387 Soft lite brown basalt 387 396 Firm brown basalt 396 399 Firm gray-brown basalt 399 403 Firm gray basalt 403 443 Soft black basalt 443 451 Firm to hard gray, gray-black basalt 451 504 Broken gray-brown basalt, some green claystone 504 528 Firm to hard gray-black basalt 528 641 Soft black basalt 641 647 Date Started 04-29-2008 Completed 06-10-2008

(unbonded) Water Well Constructor Certification I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. License Number Date Password: (if filing electronically) Signed

(bonded) Water Well Constructor Certification I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. License Number 1266 Date 06-11-2008 Password: (if filing electronically) Signed Contact Info (optional)

ORIGINAL REPORT TO BE FILED IN THE DIVISION OF WATER RESOURCES DEPARTMENT THIS REPORT MUST BE SUBMITTED TO WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK SALEM, OREGON Form Version 9.88

RECEIVED JUN 13 2008

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SALEM, OR

**Oregon Water Resources Department
PERMIT CONDITION WATER-LEVEL REPORTING FORM**

Well owner:

Name	Cascadian Nurseries, Inc.		
Address	8900 NW Dick Road		
City/State/Zip	Hillsboro	OR	97124
Phone/Fax/Cell			
Email			

Application:	G-14626
Permit:	G-13531
Certificate:	
Userid:	10851
Transfer	

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

Complete one form for each well.

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Other water rights that list this well:

Application number(s):	G-11845	G-15298	G-15664	G-15765	
Permit number(s):	G-11038	G-15127	G-15334	G-15372	
Certificate number(s):					

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Identification of measured well (Provide as much information as possible.)

Water Resources Well Log ID:	WASH 5213	Owner's well name:	Dick Road Well; Art's Well; Well 2		
Well ID (Well Tag) on Well: L-		Well drilled by:	AM Janssen Drilling		
Well ID (Well Tag) on Well Log: L-		Total depth	605'	Casing diameter (inches):	8"
Start Card # on Well Log:	1432	Owner on well log:	Cascadian Nurseries		
Date drilled:	8/22/1988				

Water-Level Measurement

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

Depth to water below measuring point:	<input type="text" value="103.5'"/>	Airline length or transducer depth:	<input type="text"/>	feet
Measuring point height <u>above</u> /below land surface:	<input type="text" value="2.9'"/>	Airline pressure:	<input type="text"/>	psi x 2.31= feet
Depth to water below land surface:	<input type="text" value="100.6'"/>	Shut-in pressure:	<input type="text"/>	psi x 2.31= feet

Measurement Status: Static Pumping Rising Flowing Other

Measurement Method: E-tape Airline Other

Length of time well was idle prior to measurement:

Measuring point description:

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

Comments:

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

I hereby certify that the information on this report is accurate and represents the static water level in the well at the time of measurement.

Person making measurement (print): Bill Flatz

Signature of measurer:

Company: Stuntzner Engineering & Forestry

Licensed number (circle license type: **CWRE**, RG, **PE**, WWC, Pump Installer): 53005

Daytime phone number: 503-357-5717

Email address: billflatz@stuntzner.com

If you have any questions about this notice, please call the Measurement & Reporting Section of the Department at 503-986-0822 or 503-986-0843. **Return this Form to: OWRD, Meas & Rept Section, 725 Summer St. NE, Suite. A, Salem, OR 97301-1266.**

Additional forms can be obtained from our web sit at: <http://www.wrd.state.or.us>

OWRD GW/KCW 1/13/2009

A. M. JANNSEN WELL DRILLING CO. INC.

21075 S.W. Tualatin Valley Highway

ALOHA, OREGON 97006

June 28th, 2008

Water Resources Department
Attn: Dorothy Pederson

RECEIVED BY OWRD

Cc: Cascadian Nurseries

JUN 18 2014

Re: Cascadian Nurseries

SALEM, OR

In May/June 2008 our firm constructed an irrigation well for Cascadian Nurseries in accordance to WRD specifications. Prior to well completion, an eight inch test hole was constructed to evaluate geologic formations and aquifer boundaries. The resulting test hole conclusively demonstrated that this well produced from the same aquifer as Cascadian's previous well.

Bore hole formations and the occurrence of aquifers were similar in the two wells, although somewhat deeper in the newly constructed well. As conditioned in the water right application, the new well produces from a single aquifer- 642'-647'. All other aquifers were cased and sealed off. In addition, a common aquifer test was run that indicated mutual interference between the two wells. This test was run on May 15th. Water levels were monitored in the new well while the first irrigation well was pumped. Within 15 minutes, the static level in well #2 began to drop and continued to drop for 4 hours. Total decline was 6 inches (111.5'-112.5'). As pumping was discontinued, recover in the well (well #2) followed at a similar rate.

**

I would certainly hope that meeting these construction standards would prove verifiably beneficial to my customer. Meeting these standards doubled the expected costs of this well and expanded construction schedule from 2 weeks to 5 weeks.

Please feel free to contact me if you have any further questions or comments.

Respectfully,



Roy N Janssen

Cc: Cascadian Nurseries



Oregon

John A. Kitzhaber, MD, Governor

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

May 19, 2014

ALFRED MEISNER
CASCADIAN NURSERIES INC
8900 NW DICK RD
HILLSBORO OR 97124-8512

GW
RECEIVED BY OWRD

JUN 18 2014

SALEM, OR

The Department has accepted the pump test results for the following permitted well(s):

Application	Water Right	Permitted Well	Tested Well	Test Date	Test Status	Exemption	Owner's Well Name
G 11845	Inchoate: T 10434 CF (REG)	WASH 5213	WASH 5213	06/29/1993	Approved	None	WELL #2 (DICK RD; WASH 5213)
G 11845	Inchoate: T 10434 CF (REG)	WASH 66930	WASH 5213	06/29/1993	Exempted	Multiple Well	WELL 4 (WASH 66930)
G 15298	Inchoate: T 10434 CF (REG)	WASH 66930	WASH 5213	06/29/1993	Exempted	Multiple Well	WELL 4 (WASH 66930)
G 15298	Inchoate: T 10434 CF (REG)	WASH 5213	WASH 5213	06/29/1993	Approved	None	WELL #2 (DICK RD; WASH 5213)

Please contact me if you have any questions.

Sincerely,

Karl Wozniak
Ground Water/Hydrology Section

cc: GW Pump Test File

**SECTION 4
SYSTEM DESCRIPTION**

Are there multiple PODs or POAs?

YES NO

If "YES" you will need to copy and complete Sections 4B through 4G for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

RECEIVED BY OWRD

Well #2, WASH 5213, start card 5213

JUN 18 2014

A. Place of Use

1. Is the right for municipal use?

YES **NO**

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLot	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
1N	2W	W.M.	11	NE/SW			Nursery	5.00	
1N	2W	W.M.	11	NW/SE			Nursery	18.05	
1N	2W	W.M.	11	NE/SE			Nursery	9.60	
Total Acres Irrigated								32.65	

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLot), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLot, and QQ.

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES NO

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Berkeley	6T50-25	Unknown	Submersible	N/A	4"

3. Motor Information

MANUFACTURER	HORSEPOWER
Hitachi	50 hp

SECTION 4 SYSTEM DESCRIPTION

Are there multiple PODs or POAs?

YES NO

If "YES" you will need to copy and complete Sections 4B through 4G for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one)

RECEIVED BY OWRD

Well #4, WASH 66930, start card 198398

JUN 18 2014

A. Place of Use

1. Is the right for municipal use?

SALEM, OR
 YES NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
1N	2W	W.M.	11	NE/SW			Nursery	5.00	
1N	2W	W.M.	11	NW/SE			Nursery	18.05	
1N	2W	W.M.	11	NE/SE			Nursery	9.60	
Total Acres Irrigated								32.65	

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLOT, and QQ.

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES NO

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Franklin Electric	2366149020	Unknown	Submersible	N/A	3"

3. Motor Information

MANUFACTURER	HORSEPOWER
Fraklin Electric	20 hp

Oregon Water Resources Department Permit Condition Water Level Report

OWRD Logid	Main aq	Max depth	LSD Elev	Township	Range	S	QQ	Q
WASH.....66930	WASH.....	.....647	.....260	.....1.00 N/	.....2.00 W-	.....11	SW	SE
Well Tag Log	Well Tag Field	Csg Diam Field						
.....95435	.....95435	.....8						
Well Location 662 FT. N. & 2620 FT. W. FR. SE. COR. S.11								
Well Address								
Owner Well Names WELL 4 (L-95435)								

<p>Owner:</p> <p>Name ALFRED.....MEISNER.....</p> <p>Other Name CASCADIAN NURSERIES INC.....</p> <p>Contact</p> <p>Address</p> <p>City / St / Zip HILLSBORO.....OR.....97124-8512</p>	<p>Well History:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Logid</th> <th>Type Work</th> <th>Depth</th> <th>Compl Date</th> <th>Owner on Log</th> </tr> </thead> <tbody> <tr> <td>WASH</td> <td>NEW WELL</td> <td>647</td> <td>06/10/200</td> <td>CASCADIAN</td> </tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	Logid	Type Work	Depth	Compl Date	Owner on Log	WASH	NEW WELL	647	06/10/200	CASCADIAN																															<p>Water Rights with reporting conditions that list this well:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Permit</th> <th>Certificate</th> <th>pod</th> <th>Reference level</th> <th>Trigger activated?</th> </tr> </thead> <tbody> <tr> <td>G.....15127</td> <td>.....2</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	Permit	Certificate	pod	Reference level	Trigger activated?	G.....151272																														
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Date	Time	MP Hght	WL BLS	WL Elev	Method Code	Status Code	Measured By	Pump Idle Time	MP Description	WIComments
06/10/2008		118.00	142.00		R	U	DRILLER			WASH 66930 New well 647 ft TD
03/24/2009		1.67	102.63	157.37	T	S	BILL FLATZ	>24 hrs	TOC @ 20" > original ground surface	
03/17/2010		1.67	104.23	155.77	T	S	BILL FLATZ	>24 hrs		
03/23/2011		1.2	80.00	180.00	T	S	BILL FLATZ	>12 HRS	HOLE IN WELL CAP	
03/26/2012		1.2	90.50	169.50	T	S	BILL FLATZ	12+ HR	HOLE IN WELL CAP	
03/26/2013		1.2	85.00	175.00	T	S	BILL FLATZ	12+ HR	HOLE IN WELL CAP	
03/27/2014		1.2	86.90	173.10	T	S	BILL FLATZ	12 HR +/-	HOLE IN WELL CAP	

Static water level reference level is 102.63 - 8.0 = 94.63 ft BLS

Method Codes: A = Airline, T = Etape, V = Calibrated Etape, G = Uncalibrated Gage, H = Calibrated Gage, N - Not Measured, O = Observed, RA = Recorder Analog, RS = Recorder Shaft Encoder, RT = Recorder Transducer, R = Reported, S = Steel Tape, U = Unknown

Status Codes: D = Dry, A = Falling, F = Flowing, P = Pumping, R = Rising, S = Static, U = Unknown

Oregon Water Resources Department Permit Condition Water Level Report

OWRD Logid	Main aq	Max depth	LSD Elev	Township	Range	S	QQ	Q
WASH.....5213	WASH.....	.....605	.....268	.....1.00...N/	.....2.00...W-	.....11	NW	SE
Well Tag Log	Well Tag Field	Csg Diam Field	8					
Well Location 1870.FT.N.&2275.FT.W.FR.SE.COR.S11.....								
Well Address								
Owner Well Names WELL 2/DICK RD.....								

Water Rights with reporting conditions that list this well:

Well History:

Logid	Type Work	Depth	Compl Date	Owner on Log
WASH 5213	NEW WELL	605	8/22/1988	CASCADIAN

Permit	Certificate	pod	Reference level	Trigger activated?
G.....11038	.....68714	.....1	.....92.00	.....YES
G.....13531	.....	.....1	.....92.00	.....YES
G.....15127	.....	.....1	.....92.00	.....YES
G.....15334	.....	.....1	.....92.00	.....YES
G.....15372	.....	.....1	.....92.00	.....YES
G.....15127	.....83329	.....1	.....	.....
G.....15127	.....	.....1	.....	.....
G.....15372	.....88631	.....1	.....	.....

Owner:

Name ALFRED.....MEISNER.....

Other Name CASCADIAN NURSERIES INC.....

Contact

Address

8900.NW.DICK.RD

City / St / Zip HILLSBORO.....OR.....97124-8512

Date	Time	MP Hght	WL BLS	WL Elev	Method Code	Status Code	Measured By	Pump Idle Time	MP Description	WIComments
08/22/1988			103.00	165.00	R	U	ROY JANNSEN			WASH 5213 New well 605 ft TD
03/02/1990		0.7	92.15	175.85	T	S	Dann Miller		1-1/4" pipe plug in access port S side	SAM ALLISON
04/07/1992			100.33	167.67	T	S	ROBERT MEISNER			
03/19/1994		5	99.00	169.00	T	S	ROBERT MEISNER			
04/08/1997		0	99.00	169.00	T	S	ROBERT MEISNER	6 months		
03/23/1998		1.33	91.97	176.03	T	S	W.R. VERBOORT	>24 hrs	TOC @ 16" > ground level	
03/16/1999		1.33	100.97	167.03	T	S	W.R. VERBOORT	>24 hrs	TOC @ 16" > ground level	
03/10/2000		1.33	103.17	164.83	T	S	W.R. VERBOORT	>24 hrs	TOC @ 16" > ground level	
03/13/2001		1.33	105.07	162.93	T	S	W.R. VERBOORT	>24 hrs	TOC @ 16" > ground level	
03/11/2002		1.33	105.77	162.23	T	S	W.R. VERBOORT	>24 hrs	TOC @ 16" > ground level	
03/13/2003		1.33	109.17	158.83	T	S	W.R. VERBOORT	>24 hrs	TOC @ 16" > ground level	
03/09/2004		1.33	112.97	155.03	T	S	W.R. VERBOORT	>24 hrs	TOC @ 16" > ground level	
03/07/2005		3	119.40	148.60	T	S	W.R. VERBOORT	23 hrs	TOC @ 16" > ground level	
03/27/2006		3	115.00	153.00	Z	S	BILL FLATZ	12 hrs	New mp Csg extended to 3 ft > land surface	
03/27/2007		3	116.70	151.30	Z	S	BILL FLATZ	<24 hrs	TOC @ 36" > ground level	
03/27/2008		3	119.40	148.60	Z	S	BILL FLATZ	>24 hrs	TOC @ 36" > ground level	
03/24/2009		3	116.80	151.20	T	S	BILL FLATZ	>24 hrs	TOC @ 36" > ground level	
03/17/2010		3	118.40	149.60	T	S	BILL FLATZ	>24 hrs	TOC @ 36" > ground level	
03/23/2011		2.9	93.90	174.10	T	S	BILL FLATZ	>12 HRS	VENT IN WELL CAP	
03/27/2012		2.9	104.40	163.60	T	S	BILL FLATZ	UNKNOWN	VENT IN WELL CAP	WELL CYC TO SUPPLY TANK
03/26/2013		2.9	98.80	169.20	T	S	BILL FLATZ	UNKNOWN	VENT IN WELL CAP	WELL CYCLING TO SUPPLY TANK

Method Codes: A = Airline, T = Etape, V = Calibrated Etape, G = Uncalibrated Gage, H = Calibrated Gage, N - Not Measured, O = Observed, RA = Recorder Analog, RS = Recorder Shaft Encoder, RT = Recorder Transducer, R = Reported, S = Steel Tape, U = Unknown

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Oregon Water Resources Department Permit Condition Water Level Report

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03/26/2014		2.9	100.60	167.40	T	S	BILL FLATZ		VENT IN WELL CAP	WELL CYCLING TO SUPPLY TANK

Method Codes: A = Airline, T = Etape, V = Calibrated Etape, G = Uncalibrated Gage, H = Calibrated Gage, N - Not Measured, O = Observed, RA = Recorder Analog, RS = Recorder Shaft Encoder, RT = Recorder Transducer, R = Reported, S = Steel Tape, U = Unknown

Status Codes: D = Dry, A = Falling, F = Flowing, P = Pumping, R = Rising, S = Static, U = Unknown



TELEPHONE (503) 357-5717
CELL (503) 939-8381
FAX (503) 357-5698
billflatz@stuntzner.com

2137 19TH Avenue
FOREST GROVE, OREGON 97116

COOS BAY - FOREST GROVE - DALLAS

RECEIVED BY OWRD

JUN 18 2014

SALEM, OR June 16, 2014

TO: Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

SUBJECT: Claim of Beneficial Use,
Cascadian Nurseries, Inc. Transfer T-10434.

To Whom it May Concern:

Please find enclosed:

- The completed claim of beneficial use form,
- The mylar claim of beneficial use map,
- Attached various supporting information,
- A check for \$175 for the review fee,
- The completed reimbursement authority estimate application,
- A check for \$125 for the reimbursement authority application fee.

Please call if you have any questions or need any further information. I am available on my cell phone at most any time, 503-939-8381.

Sincerely,

Stuntzner Engineering & Forestry, LLC

Bill Flatz, PE, CWRE

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

In the Matter of Extension of Time) FINAL ORDER APPROVING AN
Application for Transfer Application) EXTENSION OF TIME
T-10434, Washington County, Oregon)

Authority

OAR 690-380-6020 establishes an application process and criteria for the review of extensions of time for the completion of changes authorized under water right transfers.

Applicant

CASCADIAN NURSERIES, INC.
ALFRED MEISNER
8900 NW DICK RD
HILLSBORO, OR 97124-8512

Findings of Fact

Background

1. On May 4, 2012, the Department received an application for extension of time for water right transfer T-10434 from Alfred Meisner; Cascadian Nurseries Inc., the applicant.
2. The Water Resources Department issued an order approving Transfer Application T-10434, in the name of Cascadian Nurseries Inc, Alfred Meisner, on May 16, 2008. The order was recorded in Special Order Volume 74, at Pages 902-907. The order set a transfer completion date of October 1, 2010.
3. The applicant has completed drilling the well, installation and grouting of the casing, as well as construction of the well your and part of the underground mainline pipe, but has been unable to fully complete the changes by the deadline because of reduced nursery income due to the downturn in the economy.
4. To fully complete the changes, it will be necessary for the applicant to purchase and install a pump, controller, meter and piping for the irrigation system, and then make beneficial use of the well water under the water right.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2015.

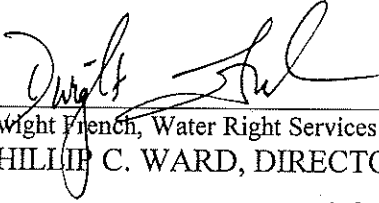
Conclusions of Law

Pursuant to OAR 690-380-6020, the Director of the Water Resources Department concludes the applicant has shown reasonable diligence to complete the transfer within the time period established by the order approving Transfer Application T-10434 and the requested time is reasonable.

Now, therefore, it is ORDERED:

The time for completion of beneficial use authorized by T-10434 shall be extended to October 1, 2015.

Dated at Salem, Oregon this 6 day of June, 2012.



Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

Mailing date: JUN 18 2012

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CASCADIAN NURSERIES INC.; ALFRED MEISNER
8900 NW DICK ROAD
HILLSBORO, OREGON 97124

This Certificate confirms the right to use the waters perfected under the terms of the Permit. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed the amount described, or its equivalent in case of rotation, measured at the point of diversion from the source. The specific limits and conditions of this right are listed below.

APPLICATION FILE NUMBER: G-15298

PERMIT NUMBER: G-15127

SOURCE OF WATER: A WELL IN HOLCOMB CREEK BASIN

PURPOSE OR USE: NURSERY OPERATIONS ON 13.95 ACRES

MAXIMUM RATE: 0.668 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JANUARY 16, 2001

G-15298.RA

Certificate Number 83329

T 104.34

The well is located as follows:

NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 11, T 1 N, R 2 W, W.M.; 1870 FEET NORTH & 2275 FEET WEST FROM SE CORNER, SECTION 11.

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

Lot 2 (NE $\frac{1}{4}$ SW $\frac{1}{4}$) 2.00 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.40 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 7.55 ACRES
SECTION 11
TOWNSHIP 1 NORTH, RANGE 2 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under this water right.
 - B. The water user 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.
- (1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:
- (a) An average water level decline of three or more feet per year for five consecutive years; or

- (b) A total water level decline of fifteen or more feet; or
 - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The water user shall submit an annual report of water used to the Department by December 1 of each year.
- (3) The water user shall be responsible for complying with each of the following requirements for measuring water levels in the well.
- (a) The reference water level for this right shall be 92 feet below ground surface as specified in Certificate 68714 (Permit #G-11038, Application #G-11845).
 - (b) A water level measurement shall be made each year during the period March 1 through March 31.
 - (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the water user.
 - (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
 - (e) The water user shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

STANDARD CONDITIONS

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this water right, then use of water from the well(s) shall be discontinued or reduced and/or the

schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

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

The Director may require water level or pump test results every ten years thereafter.


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

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

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

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

Issued MAY 10 2007.

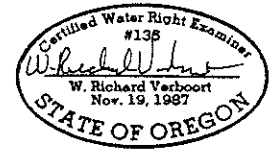
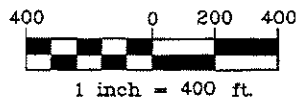
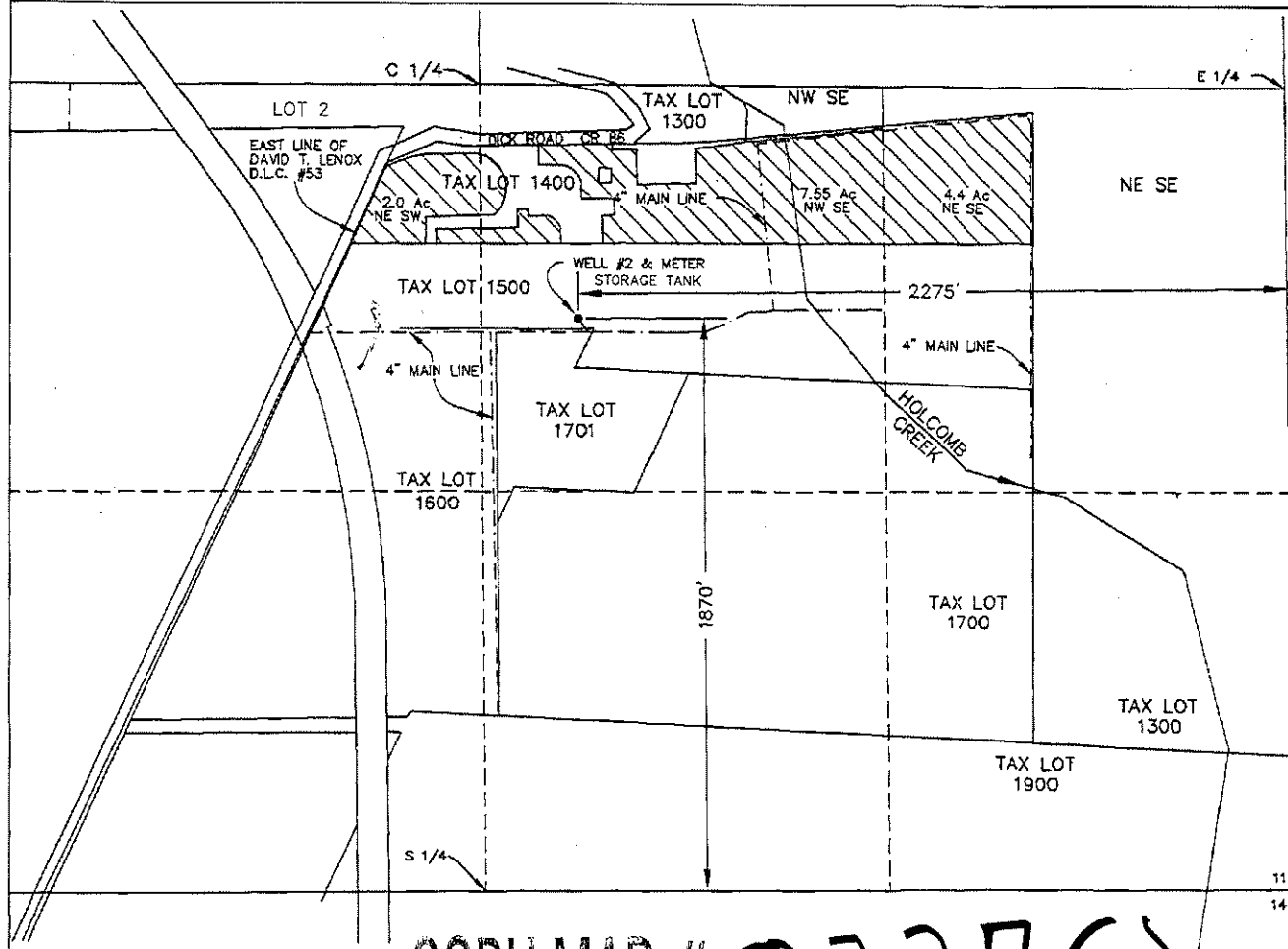

Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 83329.

G-15298.RA

FINAL PROOF SURVEY

UNDER APPLICATION No. G-15298, PERMIT No. G-15127
 LOCATED IN THE SOUTH 1/2 OF SECTION 11, T1N, R2W, WM.
 WASHINGTON COUNTY, OREGON
 SURVEY DATE: NOVEMBER 30, 2006



REVISED 1-31-07 WRV

COBU MAP # 0227 (B)

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.

MAP BASE:
 ASSESSOR MAP
 2006 FSA AERIAL PHOTO

RECEIVED

FEB 02 2007

WATER RESOURCES DEPT
 SALEM, OREGON



Stuntzner Engineering & Forestry, LLC
 ENGINEERING • LAND SURVEYING • FORESTRY
 PLANNING • WATER RIGHTS

COOS BAY • FOREST GROVE • BROOKINGS

2137 19TH AVENUE
 FOREST GROVE, OREGON 97116

PROJECT: CASCADIAN NURSERIES, INC
 DRAWING No.: 3052029CascadianNursery

TEL: (503) 357-5717
 FAX: (503) 357-5698
 E-MAIL: INFO@STUNTZNER.COM

DATE: Dec. 12, 2006
 DRAWN BY: J. ROSSETTI



Transfer T-10434

APPLICATION FOR EXTENSION OF TIME FOR TRANSFER OF WATER RIGHT

A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

RECEIVED

To the WATER RESOURCES DIRECTOR OF OREGON: I/We, Fred Meisner, Cascadian Nurseries, Inc.

MAY 02 2012

(Name of Applicant) of 8900 NW Dick Road, Hillsboro, Oregon, 97124, 503-647-9292
(Mailing Address) (City) (State) (Zip Code) (Phone Number)

WATER RESOURCES DEPT SALEM, OREGON

do hereby make application for an extension of time within which to complete a change in: point of diversion/appropriation place of use character of use of water under the terms of an order of the Water Resources Director entered on May 16, 2008, approving Transfer T-10434, in the name of Fred Meisner, Cascadian Nurseries Inc. for Nursery operations on 32.65 acres located at 8900 NW Dick Rd. Hillsboro Oregon. Also located as; T1N, R2W, Section 11, NE/SW, NE/SE, NW/SE Quarter-Quarters.
(Give location of your property, as shown on the order approving the transfer)

THE FOLLOWING HAS BEEN accomplished toward completion of the change within the time allowed, which expired on October 1, 2010: Drilling of the well, installation of the casing, grouting of the casing, construction of the well house and installation of part of the underground mainline pipe.

(If for irrigation, how many acres total are now irrigated)

TO FULLY COMPLETE the change, it will be necessary to accomplish the following: Purchase and install pump, controler, meter and piping to connect to irrigation system. Use of the water from this well.

I AM UNABLE TO COMPLETE the change under the terms of the order, within the time allowed, because The downturn in the economy has temporarily cut the demand for the nursery plants and reduced income required for the puchase and installation of the well pump, meter and associated piping.

And request that the time for completion be extended to October 1, 2015.

[Signature]
(Signature of applicant)

In order for an application to be complete, it must be accompanied by the required fee. See the Department's fee schedule at www.wrd.state.or.us or call (503) 986-0900.

MAIL COMPLETED APPLICATION AND FEE TO:

Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

A. M. JANNSEN WELL DRILLING CO. INC.

RECEIVED

JUL 01 2008

WATER RESOURCES DEPT.
SALEM, OREGON

21075 S.W. Tualatin Valley Highway

ALOHA, OREGON 97006

June 28th, 2008

Water Resources Department
Attn: Dorothy Pederson

Cc: Cascadian Nurseries

Re: Cascadian Nurseries

In May/June 2008 our firm constructed an irrigation well for Cascadian Nurseries in accordance to WRD specifications. Prior to well completion, an eight inch test hole was constructed to evaluate geologic formations and aquifer boundaries. The resulting test hole conclusively demonstrated that this well produced from the same aquifer as Cascadian's previous well.

Bore hole formations and the occurrence of aquifers were similar in the two wells, although somewhat deeper in the newly constructed well. As conditioned in the water right application, the new well produces from a single aquifer- 642'-647'. All other aquifers were cased and sealed off. In addition, a common aquifer test was run that indicated mutual interference between the two wells. This test was run on May 15th. Water levels were monitored in the new well while the first irrigation well was pumped. Within 15 minutes, the static level in well #2 began to drop and continued to drop for 4 hours. Total decline was 6 inches (111.5'-112.5'). As pumping was discontinued, recover in the well (well #2) followed at a similar rate.

I would certainly hope that meeting these construction standards would prove verifiably beneficial to my customer. Meeting these standards doubled the expected costs of this well and expanded construction schedule from 2 weeks to 5 weeks.

Please feel free to contact me if you have any further questions or comments.

Respectfully,



Roy N Janssen

Cc: Cascadian Nurseries



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

May 22, 2008

CASCADIAN NURSERIES, INC.
ALFRED MEISNER
8900 NW DICK RD
HILLSBORO OR 97124-8512

Reference: District Temporary Transfer T- 10434

Enclosed is a copy of the order approving your temporary District transfer.

Sincerely,

Sarah Henderson
Executive Support

cc: Watermaster #18

Enclosure



Source: A WELL in the ROCK CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1 N	2 W	WM	11	NW SE	1870 FEET NORTH AND 2275 FEET WEST FROM SE CORNER OF SECTION 11.

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	2 W	WM	11	NE SW	3.00
1 N	2 W	WM	11	NE SE	5.20
1 N	2 W	WM	11	NW SE	10.50

3. Application T-10434 proposes to add an ADDITIONAL authorized point of appropriation approximately 0.24 mile from the existing point of appropriation, to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1 N	2W	WM	11	SW SE	WELL 4: 622 FEET NORTH AND 2620 FEET WEST FROM THE SE CORNER OF SECTION 11.

4. The second right to be transferred is as follows:

Certificate: 83329 in the name of CASCADIAN NURSERIES INC.; ALFRED MEISNER (perfected under Permit G-15127)

Use: NURSERY OPERATIONS on 13.95 ACRES

Priority Date: JANUARY 16, 2001

Rate: 0.668 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cfs per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH cfs per acre, not to exceed 5.0 acre-feet per acre per year. For the irrigation of in-ground nursery plants or any other crop, the amount of water is limited to ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year.

Source: A WELL in the HOLCOMB CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1 N	2 W	WM	11	NW SE	1870 FEET NORTH AND 2275 FEET WEST FROM SE CORNER OF SECTION 11.

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	2 W	WM	11	NE SW	2.00
1 N	2 W	WM	11	NE SE	4.40
1 N	2 W	WM	11	NW SE	7.55

5. Application T-10434 proposes to add an additional authorized point of appropriation approximately 0.24 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1 N	2W	WM	11	SW SE	WELL 4: 622 FEET NORTH AND 2620 FEET WEST FROM THE SE CORNER OF SECTION 11.

6. Notice of the application for transfer was published on July 24, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
7. The transfer application map did not clearly describe the location of the existing and proposed points of appropriation, and the application also required some clarifications.
8. On November 6, 2007, the Department notified the applicant that the application and map contained errors, which must be corrected before processing of their application could continue. The Department requested that the errors be corrected by December 10, 2007. On November 14, 2007 applicant submitted a corrected application along with a revised map.
9. On February 27, 2008, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10434 to the applicant. The draft Preliminary Determination set forth a deadline of March 28, 2008, for the applicant to respond. On March 6, 2008 the applicant responded to clarify some of the statements in the draft Preliminary Determination and asked the Department to extend the date for completion of the changes to October 1, 2010. The applicant also requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
10. The authorized point of appropriation for Certificates 83329 and 68714 is identified as WASH 5213. The applicant proposed that the new well will have 250 feet of casing and seal and a total depth of 630 feet, a construction similar to WASH 5213. Based on construction of WASH 5213, this design may allow commingling of several water bearing zones or aquifers that have poor natural connections. Therefore, conditions are necessary to avoid injury to other water rights, enlargement of the right and to ensure that the new well develops water from the same aquifer as the original well.
11. On March 6, 2008, the applicant proposed the following conditions to avoid enlargement of the right or injury to other water rights:
- i) The new well shall be limited to a single aquifer and shall have an open interval that is no greater than 100 feet except as noted below. Open interval means the total length of borehole that is not behind sealed casing. The borehole above the open interval shall be continuously cased and continuously sealed to land surface. A larger open interval may be approved by the Department if the applicant can conclusively demonstrate, using packer tests or other suitable methods, that the hydraulic heads of

water-bearing zones in the proposed open interval are similar enough to prevent loss of artesian pressure between zones.

- ii) The reference level at the new well shall reflect the change in water level (decline or rise) that has occurred at the original well (WASH 5213) since that reference level was established. (For example, if the original well shows a ten-foot decline from its reference level, then the reference level for the new well would be set equal to the first March water level at the new well, minus 10 feet.)
- iii) Prior to using the well under this transfer, the applicant shall demonstrate that the new and old wells are, more likely than not, producing water from the same aquifer. Evidence in support of a common aquifer shall include hydraulic testing that shows the mutual interference, if any, between the wells or documentation of similar water levels in the wells and the analysis of drill cuttings, geologic cross-sections or other hydrogeologic data that indicates whether hydraulic continuity exists between wells.
- iv) If the evidence does not demonstrate that the new well produces water from the same aquifer as the original point of appropriation, the change cannot be completed to the satisfaction of the Director. In that case, the Department shall issue an order reverting the point of appropriation to the authorized point of appropriation prior to the transfer pursuant to OAR 690-380-610(6).

12. On April 11, 2008, the Department issued a Preliminary Determination proposing to approve Transfer T-10434 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on April 15, 2008, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria (OAR 690-380-4010)

13. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
14. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Application T-10434.
15. The proposed change, as conditioned, would not result in enlargement of the rights.
16. The proposed change, as conditioned, would not result in injury to other water rights.

Conclusions of Law

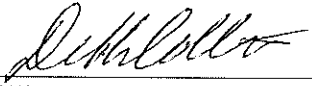
The additional point of appropriation proposed in application T-10434 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The additional point of appropriation proposed in application T-10434 is approved.
2. Water right certificates 68714 and 83329 are cancelled.
3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 68714 and 83329 and any related decree.
4. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
5. The quantity of water diverted at the additional point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
6. Prior to diverting water, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.
7. The new well shall be limited to a single aquifer and shall have an open interval that is no greater than 100 feet except as noted below. Open interval means the total length of borehole that is not behind sealed casing. The borehole above the open interval shall be continuously cased and continuously sealed to land surface. A larger open interval may be approved by the Department if the applicant can conclusively demonstrate, using packer tests or other suitable methods, that the hydraulic heads of water-bearing zones in the proposed open interval are similar enough to prevent loss of artesian pressure between zones.
8. The reference level at the new well shall reflect the change in water level (decline or rise) that has occurred at the original well (WASH 5213) since that reference level was established. (For example, if the original well shows a ten foot decline from its reference level, then the reference level for the new well would be set equal to the first March water level at the new well, minus 10 feet.)
9. Prior to using the well under this transfer, the applicant shall demonstrate that the new and old wells are, more likely than not, producing water from the same aquifer. Evidence in support of a common aquifer shall include hydraulic testing that shows mutual interference between the wells or documentation of similar water levels in the wells and the analysis of drill cuttings, geologic cross-sections, or other hydrogeologic data that indicates whether hydraulic continuity exists between wells.

10. If the evidence does not demonstrate that the new well produces water from the same aquifer as the original point of appropriation, the change cannot be completed to the satisfaction of the Director. In that case, the Department shall issue an order reverting the point of appropriation to the authorized point of appropriation prior to the transfer pursuant to OAR 690-380-610(6).
11. The approved change shall be completed and full beneficial use of the water shall be made on or before October 1, 2010. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
12. When satisfactory proof of the completed change is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 16th day of May 2008.


Phillip C. Ward, Director *PCW*

Mailing date: MAY 23 2008

Water Right Transfer Checklist

Transfer T-10434

Transfer Specialist: NW Region Drawer

Transfer Type: Regular

Applicant Name/Address: Cascadian Nurseries Inc., 8900 NW Dick Road, Hillsboro, Oregon 97124

Agent Name/Address: NONE

CWRE Name/Number: Richard Verboort #135

Rec Landowner Name/Address: NONE

Irr. District Name/Address: NONE

Affected Gov'ts Name/Address: Washington Co. Dept. of Land Use & Transportation, 155 N. First Ave, Suite 350, Hillsboro, Oregon 97124

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 11845	G 11038	68714	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	G 15298	G 15127	83329	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions

Rec'd: <u>07/19/07</u>	Proposed Action(s): POU POD HST APOD USE OTHER: APOA	
Fees Pd: <u>600.00</u>	WM District: <u>18</u>	ODFW District: <u>NONE</u>
Initial Notice: <u>07/24/07</u>	WM Review sent: <u>08/01/07</u>	ODFW Review sent: <u>NONE</u>
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <u>08/01/07</u>

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper Pub Affid Due: _____

not required

DPD Mailed: 3/27/08

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: <u>JD</u>	Reviewer: _____
Date: _____	Date: <u>3/13</u>	Date: _____
Coordinator: _____	Coordinator: <u>JBP</u>	Coordinator: _____
Date: _____	Date: <u>4/14/08</u>	Date: _____

Comments/Special Issues:

Reimbursement Authority special well conditions to prevent injury/enlargement, applicant agreed to

Special Order Volume: Vol 79 Pages 902

Final Order Signature Date: 5-16-08

Notice of FO email'd to processors Dorothy

Review Checklist

T- 10434

Processor: _____

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 & 1/4 1/4 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 1/4 1/4.

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)

- application complete map FPS evidence of use land-use form
- deed/ROLI certificate fees paid well logs plat card
- audit dpd

- Reviews/comments/conditions received? Watermaster ODFW GW
- Headgate When in the judgment Prior to diverting Existing and maintain
- Measuring Devices When in the judgment Prior to diverting Existing and maintain
- Fish Screen Devices

Injury: Y N Enlargement: Y N

Conditions to avoid enlargement/injury –



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

April 14, 2008

Cascadian Nurseries, Inc.
8900 NW Dick Road
Hillsboro, OR 97124-8512

SUBJECT: Transfer Application T-10434

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10434. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication simultaneously with issuance of the Preliminary Determination. The notice initiates a 30-day period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Sincerely,

Dorothy I. Pedersen
Field Services Division

cc: Darrell Hadin, District 18 Watermaster
W. Richard Verboort, CWRE

enclosures

fd Noticed

4-15-08

FO due 5/15

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

In the Matter of Transfer Application) PRELIMINARY DETERMINATION
T-10434, Washington County) PROPOSING APPROVAL OF AN
) ADDITIONAL POINT OF
) APPROPRIATION

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

CASCADIAN NURSERIES, INC.
ALFRED MEISNER
8900 NW DICK RD
HILLSBORO OR 97124-8512

Findings of Fact

Background

1. On July 19, 2007, Alfred Meisner of Cascadian Nurseries, Inc., filed an application to add an additional point of appropriation under Certificates 68714 and 83329. The Department assigned the application number T-10434.
2. The first right to be transferred is as follows:

Certificate: 68714 in the name of ALFRED MEISNER, CASCADIAN NURSERIES, INC., (perfected under Permit G-11038)

Use: NURSERY OPERATIONS on 18.7 ACRES

Priority Date: AUGUST 25, 1988 FOR 0.40 CFS, OCTOBER 17, 1988 FOR 0.10 CFS

Rate: 0.50 CUBIC FOOT PER SECOND (CFS)

Limit/Duty: The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cfs per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH cfs per acre, not to exceed 5.0 acre-feet per acre per year. For the irrigation of in-ground nursery plants or any other crop, the amount of water is limited to ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year.

Source: A WELL in the ROCK CREEK BASIN

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1 N	2 W	WM	11	NW SE	1870 FEET NORTH AND 2275 FEET WEST FROM SE CORNER OF SECTION 11.

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	2 W	WM	11	NE SW	3.00
1 N	2 W	WM	11	NE SE	5.20
1 N	2 W	WM	11	NW SE	10.50

3. Application T-10434 proposes to add an ADDITIONAL authorized point of appropriation approximately 0.24 mile from the existing point of appropriation, to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1 N	2W	WM	11	SW SE	WELL 4: 622 FEET NORTH AND 2620 FEET WEST FROM THE SE CORNER OF SECTION 11.

4. The second right to be transferred is as follows:

Certificate: 83329 in the name of CASCADIAN NURSERIES INC.; ALFRED MEISNER (perfected under Permit G-15127)

Use: NURSERY OPERATIONS on 13.95 ACRES

Priority Date: JANUARY 16, 2001

Rate: 0.668 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cfs per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH cfs per acre, not to exceed 5.0 acre-feet per acre per year. For the irrigation of in-ground nursery plants or any other crop, the amount of water is limited to ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year.

Source: A WELL in the HOLCOMB CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1 N	2 W	WM	11	NW SE	1870 FEET NORTH AND 2275 FEET WEST FROM SE CORNER OF SECTION 11.

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	2 W	WM	11	NE SW	2.00
1 N	2 W	WM	11	NE SE	4.40
1 N	2 W	WM	11	NW SE	7.55

5. Application T-10434 proposes to add an additional authorized point of appropriation approximately 0.24 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1 N	2W	WM	11	SW SE	WELL 4: 622 FEET NORTH AND 2620 FEET WEST FROM THE SE CORNER OF SECTION 11.

6. Notice of the application for transfer was published on July 24, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
7. The transfer application map did not clearly describe the location of the existing and proposed points of appropriation, and the application also required some clarifications.
8. On November 6, 2007, the Department notified the applicant that the application and map contained errors, which must be corrected before processing of their application could continue. The Department requested that the errors be corrected by December 10, 2007. On November 14, 2007 applicant submitted a corrected application along with a revised map.
9. On February 27, 2008, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10434 to the applicant. The draft Preliminary Determination set forth a deadline of March 28, 2008, for the applicant to respond. On March 6, 2008 the applicant responded to clarify some of the statements in the draft Preliminary Determination and asked the Department to extend the date for completion of the changes to October 1, 2010. The applicant also requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
10. The authorized point of appropriation for Certificates 83329 and 68714 is identified as WASH 5213. The applicant proposed that the new well that will have 250 feet of casing and seal and a total depth of 630 feet, a construction similar to WASH 5213. Based on construction of WASH 5213, this design may allow commingling of several water bearing zones or aquifers that have poor natural connections. Therefore, conditions are necessary to avoid injury to other water rights, enlargement of the right and to ensure that the new well develops water from the same aquifer as the original well.
11. On March 6, 2008, the applicant proposed the following conditions to avoid enlargement of the right or injury to other water rights:
 - i) The new well shall be limited to a single aquifer and shall have an open interval that is no greater than 100 feet except as noted below. Open interval means the total length of borehole that is not behind sealed casing. The borehole above the open interval shall be continuously cased and continuously sealed to land surface. A larger open interval may be approved by the Department if the applicant can conclusively demonstrate, using packer tests or other suitable methods, that the hydraulic heads of

water-bearing zones in the proposed open interval are similar enough to prevent loss of artesian pressure between zones.

- ii) The reference level at the new well shall reflect the change in water level (decline or rise) that has occurred at the original well (WASH 5213) since that reference level was established. (For example, if the original well shows a ten-foot decline from its reference level, then the reference level for the new well would be the first March water level, at the new well, minus 10 feet.)
- iii) Prior to using the well under this transfer, the applicant shall demonstrate that the new and old wells are, more likely than not, producing water from the same aquifer. Evidence in support of a common aquifer shall include hydraulic testing that shows the mutual interference, if any, between the wells or documentation of similar water levels in the wells and the analysis of drill cuttings, geologic cross-sections or other hydrogeologic data that indicates whether hydraulic continuity exists between wells.
- iv) If the evidence does not demonstrate that the new well produces water from the same aquifer as the original point of appropriation, the change cannot be completed to the satisfaction of the Director. In that case, the Department shall issue an order reverting the point of appropriation to the authorized point of appropriation prior to the transfer pursuant to OAR 690-380-610(6).

Transfer Review Criteria (OAR 690-380-4010)

12. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
13. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Application T-10434.
14. The proposed change, as conditioned, would not result in enlargement of the right.
15. The proposed change, as conditioned, would not result in injury to other water rights.

Determination and Proposed Action

The additional point of appropriation proposed in application T-10434 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If application T-10434 is approved, the final order will include the following:

1. *The additional point of appropriation proposed in application T-10434 is approved.*
2. *Water right certificates 68714 and 83329 are cancelled.*

3. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 68714 and 83329 and any related decree.*
4. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
5. *The quantity of water diverted at the additional point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.*
6. *Prior to diverting water, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.*
7. *The new well shall be limited to a single aquifer and shall have an open interval that is no greater than 100 feet except as noted below. Open interval means the total length of borehole that is not behind sealed casing. The borehole above the open interval shall be continuously cased and continuously sealed to land surface. A larger open interval may be approved by the Department if the applicant can conclusively demonstrate, using packer tests or other suitable methods, that the hydraulic heads of water-bearing zones in the proposed open interval are similar enough to prevent loss of artesian pressure between zones.*
8. *The reference level at the new well shall reflect the change in water level (decline or rise) that has occurred at the original well (WASH 5213) since that reference level was established. (For example, if the original well shows a ten foot decline from its reference level, then the reference level for the new well would be the first March water level, at the new well, minus 10 feet.)*
9. *Prior to using the well under this transfer, the applicant shall demonstrate that the new and old wells are, more likely than not, producing water from the same aquifer. Evidence in support of a common aquifer shall include hydraulic testing that shows mutual interference between the wells or documentation of similar water levels in the wells and the analysis of drill cuttings, geologic cross-sections, or other hydrogeologic data that indicates whether hydraulic continuity exists between wells.*
10. *If the evidence does not demonstrate that the new well produces water from the same aquifer as the original point of appropriation, the change cannot be completed to the satisfaction of the Director. In that case, the Department shall issue an order reverting the point of appropriation to the authorized point of appropriation prior to the transfer pursuant to OAR 690-380-610(6).*

11. *The approved changes shall be completed and full beneficial use of the water shall be made on or before October 1, 2010. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
12. *When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this 11th day of April 2008.



Phillip C. Ward, Director

FCA

This Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrp.state.or.us.

Protests should be addressed to the attention of Field Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

**Notice of Preliminary Determination for
Water Right Transfer T-10434**

T-10434 filed by Cascadian Nurseries, Inc., 8900 NW Dick Rd., Hillsboro, OR, proposes a change in point of appropriation under Certificates 68714 and 83329. Certificate 68714 allows the use of 0.50 cfs (priority date August 25, 1988) from a well in Sec. 11, T1N, R2W, W.M. (Rock Creek Basin) for Nursery Operations in Sec. 11. The applicant proposes to add a point of appropriation to a well approximately 0.24 miles south (Sec. 11, T1N, R2W, W.M.). Certificate 83329 allows the use of 0.668 cfs (priority date January 16, 2001) from a well in Sec. 11, T1N, R2W, W.M. (Holcomb Creek Basin) for Nursery Operations in Sec. 11. The applicant proposes to add a point of appropriation to a well approximately 0.24 miles south (Sec. 11, T1N, R2W, W.M.). The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. The last date of newspaper publication is [DATE OF LAST PUBLICATION]. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.



8900 NW Dick Rd • Hillsboro, Oregon 97124
(503) 647-9292 • Fax (503) 647-9494

April 7, 2008

RECEIVED

APR 09 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

Dorothy Pederson
OREGON WATER RESOURCES DEPT.
725 Summer Street, NE, Suite A
Salem, OR 97301-1271

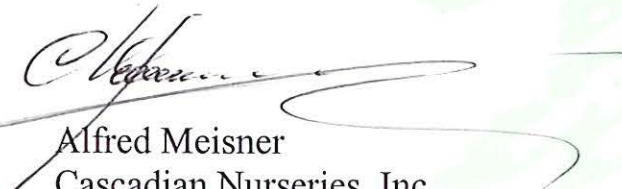
RE: Certificate 83329
Application T10434

Dear Ms. Pederson:

Sorry for our delayed response. My wife has been ill for a week and has not been able to leave the house for a few weeks. She now is on the mend and had the affidavit notarized this morning (4-7-08).

Thank you for your patronage. I enclose a copy of your fax transmittal of 3-24-08.

Sincerely,



Alfred Meisner
Cascadian Nurseries, Inc.
AM:mg

AFFIDAVIT CONSENTING TO PROPOSED WATER RIGHT TRANSFER

State of Oregon)
County of WASHINGTON)
)ss

RECEIVED

APR 09 2008

WATER RESOURCES DEPT
SALEM, OREGON

I/We ALFRED and CARLA MEISNER in my
capacity as owners of the personal property and CASCADIAN NURSERIES, INC.
mailing address 8900 NW Dick Road, Hillsboro, OR 97124,
telephone number (503) 647-9292, duly sworn depose and say that I/We
consent to the proposed change(s) to Water Right Certificate Number 83329 as
described in Transfer Application T-10434, on the property located on tax lot
number 01400, Section 11, Township 1N (north or south),
Range 2W (east or west), W.M.

[Signature]
Signature of Affiant ALFRED MEISNER

April 7 2008
Date

[Signature]
Signature of Affiant CARLA MEISNER

4-7-08
Date

Subscribed and Sworn to before me this 7th day of April, 2008.

[Signature]
Notary Public for Oregon

My commission expires July 4, 2010.



Oregon Water Resources Department

RECEIVED

APR 09 2008



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

WATER RESOURCES DEPT
SALEM, OREGON

FAX TRANSMITTAL

To: Alfred Meisner
Date: 3/24/08
From: Dorothy Pedersen

Fax Number: (503) 647-9494
Pages: 2, including cover sheet
Phone: 503-986-0890

Comments:

Since the LotBook report for T-10434 shows that Parcel I (tax lot 1N211-01400) is owned by you and Carla Meisner, and Carla is not an applicant in T-10434, we need documentation that she consents to the change. I'm sending an example of a simple affidavit of consent that would be satisfactory. We'll need the original of

DIRECTOR'S OFFICE

- Water Resources Commission
- Legislation and Rules
- Public Information

FIELD SERVICES

- Regional Liaisons
- Transfers
- Hydrographics

NORTHWEST REGION

- District 16 Watermaster

ADMINISTRATIVE SERVICES

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

TECHNICAL SERVICES

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

Fax: 503-986-0902

WATER RIGHTS *the signed consent.*

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

Fax: 503-986-0901

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

Oregon Water Resources Department



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

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

Fax: 503-986-0901

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

AFFIDAVIT CONSENTING TO PROPOSED WATER RIGHT TRANSFER

State of Oregon)
)ss
County of _____)

I/We _____ in my
capacity as _____,
mailing address _____,
telephone number _____, duly sworn depose and say that I/We
consent to the proposed change(s) to Water Right Certificate Number _____ as
described in Transfer Application T- _____, on the property located on tax lot
number _____, Section _____, Township _____ (north or south),
Range _____ (east or west), W.M.

Signature of Affiant

Date

Signature of Affiant

Date

Subscribed and Sworn to before me this _____ day of _____, 200__.

Notary Public for Oregon

My commission expires _____.



8900 NW Dick Rd • Hillsboro, Oregon 97124
(503) 647-9292 • Fax (503) 647-9494

03/06/08

O.W.R.D.
North Hall Office Building
NE 725 Summer Street Suite A
Salem, OR 97301-1266

ATT: Dorothy Pederson

RE: Application T10434

Dear Ms. Pederson,

- 1) Received the draft of our new well transfer application, I reviewed the preliminary determination and discussed this with Dick Verboort, Civil Engineer, CWRE. You received correspondence with his letter dated 03/05/08, there is a copy of that enclosed.
- 2) I hereby accept the conditions of your findings as per your letter of February 27th, 2008 and the draft of the preliminary transfer application.
- 3) We feel very comfortable this new well, No. 4 will be producing water from the same aquifer. We consulted with our well driller A.M. Janssen and our technical pump company, Hershell Haly that this aquifer is North and South direction of our existing well. For several miles, for instances when Liberty High School which is two miles South of our nursery, used large amounts of water our wells' static level dropped by 10' in the summer months only.
- 4) I include per the request in your letter a report of first American title insurance company of Oregon, proving report of ownership of the proposed well location property, this was dated January 18th, 2008.
- 5) A comment in which you requested in your letter was for us to suggest an alternative way to avoid injury to other rights, Item 12D of Mr. Verboort addresses this question: Would ODWR approve a new ground water appropriation application, for a new well with of course a 2008 priority date? Wwe will proceed at this time with this well as per this transfer application if as per Item 14 #2, the water rights on 68714-83329 will not change the priority dates.
- 6) Item 11 I am in agreement with Mr. Verboort's request, can this be approved by OWRD?

Thank you for your help,
your letter is very helpful,
and responding to my phone calls.
Sincerely,


Alfred Meisner

RECEIVED

MAR 10 2008

WATER RESOURCES DEPT
SALEM, OREGON

Trees with European Artistry

www.cascadiannurseries.com • sales@cascadiannurseries.com

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Monday, March 10, 2008 5:38 PM
To: 'dick verboort'
Cc: 'Alfred Meisner'
Subject: RE: Application T-10434

Dick,

I apologize for the delay in responding. Here are answers to your questions:

Item 12d) If the well does not produce water from the same aquifer as the original well, you would not be able to prove up on use of it under this right. However, you could apply for a new water right to use the well. The Water Rights Division of the Department would review the application and make a determination at that time on whether a permit could be issued. What the Department's decision would be is a question I cannot answer at this point.

Item 14 #2) By statute, when an order is issued approving a transfer of a certificated right, the certificate is cancelled, however, the water right retains all original terms and conditions not specifically changed by the transfer. A transfer does not change the priority date of the right. Any superseding certificates would carry the original priority date.

Item 11) We will change the date of completion to October 1, 2010.

I'll look for the report of ownership and lien information.

Thank you,
Dorothy

From: dick verboort [mailto:dickverboort@stuntzner.com]
Sent: Wednesday, March 05, 2008 2:10 PM
To: Dorothy Pedersen
Cc: 'Alfred Meisner'
Subject: Application T-10434

Ms. Pedersen:

Fred Meisner, owner of Cascadian Nurseries, Inc. has asked me to respond to your February 27, 2008 letter regarding the subject transfer. I am copying Fred at the noted email address and we would like you to respond to both of us by email.

The following comments are numbered as the items in your letter.

Item 12. d)

After well #4 is drilled, if the evidence does not support that it produces from the same aquifer as the original well (well #2) will ODWR approve a new groundwater application on the new well #4 ? The proposed well #4 is not located within any published groundwater limited areas. Construction would be as noted in Item 12. a).

Item 14. #2

This states that water right certificates 68714 and 83329 will be cancelled. We would like assurance that new certificate numbers that maintain the original priority dates will be issued.

3/10/2008

Item 11.

We would like to have the date for changes and completion of full beneficial use changed from October 1, 2009 to October 1, 2010. This is to allow time for the well to be drilled, pumps and meters installed and the necessary hookup to the mainline system completed.

Cover Letter, paragraph 3.

Mr Meisner will send you the report of ownership under separate cover, to your attention.

We hope that you can respond to the above comments before March 28, to keep this application on track. Mr. Meisner would like to get the well drilling started as soon as he is assured of the transfer approval.

I will be in the office on Tuesday, March 11. You can reach me by phone or email.

Sincerely,

Dick Verboort, P.E.
Civil Engineer/CWRE

Mr. Meisner's email is j.larson@cascadiannurseries.com

Dorothy Pedersen

From: dick verboort [dickverboort@stuntzner.com]
Sent: Wednesday, March 05, 2008 2:10 PM
To: Dorothy Pedersen
Cc: 'Alfred Meisner'
Subject: Application T-10434

Ms. Pedersen:

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Sincerely,

Dick Verboort, P.E.
Civil Engineer/CWRE

Mr. Meisner's email is j.larson@cascadiannurseries.com

3/5/2008

Dorothy Pedersen

From: dick verboort [dickverboort@stuntzner.com]
Sent: Wednesday, March 05, 2008 2:51 PM
To: Dorothy Pedersen
Subject: Cascadian Nursery

Dorothy,

The correct email address for Cascadian Nursery (Fred Meisner) is jarson@cascadiannurseries.com, no period between the j and i. my oops!!

Also, I wanted to let you know the letter to Mr. Meisner indicated a CC to me at Stuntzner Engineering. It never got here - just wanted to let you know.

Thanks,

Dick



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

February 27, 2008

Cascadian Nurseries, Inc.
13495 NW Thompson Road
Portland, OR 97229

SUBJECT: Application T-10434

Enclosed find a draft of our Preliminary Determination regarding transfer application T-10434. The draft Preliminary Determination reflects the Department's conclusion that, based on the information currently available, the transfer could be approved **if well construction conditions for the new well are added to the right**. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and whether you agree with the proposed action.

Finding #12 has been drafted to suggest conditions which would be acceptable to the Department, which would prevent enlargement or injury to existing water rights. If you wish to condition the right in this way, please state so in writing. You may suggest an alternative way to avoid injury to other rights and enlargement of the right for the Department to consider.

At this time, you must submit a report of ownership and lien information prepared by a title company within the last three months, as required by OAR 690-380-4010(5). If there are additional lien holders identified in the report that have not previously been notified of the transfer, you must send notice of the transfer to them, and submit copies of each such notice to the Department to document that each lien holder has been informed of the transfer.

Issuance of the Preliminary Determination will occur shortly after we receive both your response and the report of ownership and lien information. If we do not receive your response and the report **by March 28, 2008**, a Preliminary Determination may be issued denying the application. You may provide your response in writing or via e-mail.

Please do not hesitate to contact me at 503-986-0890 or Dorothy.I.Pedersen@ wrd.state.or.us if you have questions.

Sincerely,

Dorothy I. Pedersen
Field Services Division

cc: Darrell Hedin, District 18 Watermaster
Stuntzner Engineering & Forestry, LLC

enc

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

In the Matter of Transfer Application)
T-10434, Washington County)

D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF AN
ADDITIONAL POINT OF
APPROPRIATION

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

CASCADIAN NURSERIES, INC.; ALFRED MEISNER
8900 NW DICK RD
HILLSBORO OR 97124-8512

Findings of Fact

Background

1. On July 19, 2007, Cascadian Nurseries, Inc.; Alfred Meisner, filed an application to add an additional point of appropriation under Certificates 68714 and 83329. The Department assigned the application number T-10434.
2. The first right to be transferred is as follows:

Certificate: 68714 in the name of ALFRED MEISNER, CASCADIAN NURSERIES, INC., (perfected under Permit G-11038)

Use: NURSERY OPERATIONS on 18.7 ACRES

Priority Date: AUGUST 25, 1988 FOR 0.40 CFS, OCTOBER 17, 1988 FOR 0.10 CFS

Rate: 0.50 CUBIC FOOT PER SECOND

Limit/Duty: ONE-FORTIETH cfs per acre, not to exceed 5.0 acre-feet per acre per year for IRRIGATION OF CONTAINERIZED NURSERY PLANTS and ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year for IRRIGATION OF IN GROUND NURSERY PLANTS OR ANY OTHER CROP.

Source: A WELL in the ROCK CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1 N	2 W	WM	11	NW SE	1870 FEET NORTH AND 2275 FEET WEST FROM SE CORNER OF SECTION 11

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	2 W	WM	11	NE SW	3.00
1 N	2 W	WM	11	NE SE	5.20
1 N	2 W	WM	11	NW SE	10.50

3. Application T-10434 proposes to add an ADDITIONAL authorized point of appropriation approximately 0.24 mile from the existing point of appropriation, to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1 N	2W	WM	11	SW/SE	WELL 4: 622 FEET NORTH AND 2620 FEET WEST FROM THE SE CORNER OF SECTION 11

4. The second right to be transferred is as follows:

Certificate: 83329 in the name of CASCADIAN NURSERIES INC.; ALFRED MEISNER (perfected under Permit G-15127)

Use: NURSERY OPERATIONS on 13.95 ACRES

Priority Date: JANUARY 16, 2001

Rate: 0.668 CUBIC FOOT PER SECOND

Limit/Duty: ONE-FORTIETH cfs per acre, not to exceed 5.0 acre-feet per acre per year FOR IRRIGATION OF CONTAINERIZED NURSERY PLANTS and ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year for IRRIGATION OF IN GROUND NURSERY PLANTS OR ANY OTHER CROP.

Source: A WELL in the HOLCOMB CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1 N	2 W	WM	11	NW SE	1870 FEET NORTH AND 2275 FEET WEST FROM SE CORNER OF SECTION 11

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1 N	2 W	WM	11	NE SW	2	2.00
1 N	2 W	WM	11	NE SE		4.40
1 N	2 W	WM	11	NW SE		7.55

5. Application T-10434 proposes to add an additional authorized point of appropriation approximately 0.24 mile from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1 N	2W	WM	11	SW/SE	WELL 4: 622 FEET NORTH AND 2620 FEET WEST FROM THE SE CORNER OF SECTION 11

6. Notice of the application for transfer was published on July 24, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
7. The transfer application map did not clearly describe the location of the existing and proposed points of appropriation, and the application also required some clarifications.
8. On November 6, 2007, the Department contacted Cascadian Nurseries, Inc., by written correspondence to notify the applicant and applicant's CWRE of the deficiencies in the application and map. The Department requested that the deficiencies be resolved by December 10, 2007. A satisfactory response was received from the applicants CWRE on November 14, 2007 along with a revised map.

Transfer Review Criteria (OAR 690-380-4010)

9. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Application T-10434.
11. The authorized point of appropriation for the existing rights is WASH 5213. The applicant proposes an additional well that will have 250 feet of casing and seal and a total depth of 630 feet, a construction similar to WASH 5213. Based on construction of WASH 5213, this design may allow commingling of several water bearing zones or aquifers that have poor natural connections. To this end, conditions are necessary to avoid injury to other water rights, enlargement of the right and to ensure that the new well develops water from the same aquifer as the original well.

12. On _____ the applicant proposed the following conditions to avoid enlargement of the right or injury to other water rights:

- a) The new well shall be limited to a single aquifer and shall have an open interval that is no greater than 100 feet except as noted below. Open interval means the total length of borehole that is not behind sealed casing. The borehole above the open interval shall be continuously cased and continuously sealed to land surface. A larger open interval may be approved by the Department if the applicant can conclusively demonstrate, using packer tests or other suitable methods, that the hydraulic heads of water-bearing ones in the proposed open interval are similar enough to prevent loss of artesian pressure from one zone to the other.
- b) The reference level at the new well shall reflect the change in water level (decline or rise) that has occurred at the original well (WASH 5213) since that reference level was established. (For example, if the original well shows a ten foot decline from its reference level, then the reference level for the new well would be the first March water level, at the new well, minus 10 feet.)
- c) Prior to using the well under this transfer, the applicant shall demonstrate that the new and old wells are likely producing water from the same aquifer. Evidence in support of a common aquifer shall include hydraulic testing that shows mutual interference between the wells or documentation of similar water levels in the wells and the analysis of drill cuttings, geologic cross-sections, or other hydrogeologic data that indicate that hydraulic continuity is likely between wells.
- d) If the evidence does not demonstrate that the new well produces water from the same aquifer as the original point of appropriation, the change cannot be completed to the satisfaction of the Director. In that case, the Department shall issue an order reverting the point of appropriation to the authorized point of appropriation prior to the transfer pursuant to OAR 690-380-610(6).

13. The proposed change, as conditioned, would not result in enlargement of the right.

14. The proposed change, as conditioned, would not result in injury to other water rights.

Determination and Proposed Action

The additional point of appropriation proposed in application T-10434 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If application T-10434 is approved, the final order will include the following:

1. *The additional point of appropriation proposed in application T-10434 is approved.*
2. *Water right certificates 68714 and 83329 are cancelled.*

3. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 68714 and 83329 and any related decree.*
4. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
5. *The quantity of water diverted at the additional point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.*
6. *Prior to diverting water, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.*
7. *The new well shall be limited to a single aquifer and shall have an open interval that is no greater than 100 feet except as noted below. Open interval means the total length of borehole that is not behind sealed casing. The borehole above the open interval shall be continuously cased and continuously sealed to land surface. A larger open interval may be approved by the Department if the applicant can conclusively demonstrate, using packer tests or other suitable methods, that the hydraulic heads of water-bearing ones in the proposed open interval are similar enough to prevent loss of artesian pressure from one zone to the other.*
8. *The reference level at the new well shall reflect the change in water level (decline or rise) that has occurred at the original well (WASH 5213) since that reference level was established. (For example, if the original well shows a ten foot decline from its reference level, then the reference level for the new well would be the first March water level, at the new well, minus 10 feet.)*
9. *Prior to using the well under this transfer, the applicant shall demonstrate that the new and old wells are likely producing water from the same aquifer. Evidence in support of a common aquifer shall include hydraulic testing that shows mutual interference between the wells or documentation of similar water levels in the wells and the analysis of drill cuttings, geologic cross-sections, or other hydrogeologic data that indicate that hydraulic continuity is likely between wells.*
10. *If the evidence does not demonstrate that the new well produces water from the same aquifer as the original point of appropriation, the change cannot be completed to the satisfaction of the Director. In that case, the Department shall issue an order reverting the point of appropriation to the authorized point of appropriation prior to the transfer pursuant to OAR 690-380-610(6).*

11. *The approved changes shall be completed and full beneficial use of the water shall be made on or before October 1, 2009. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
12. *When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.*

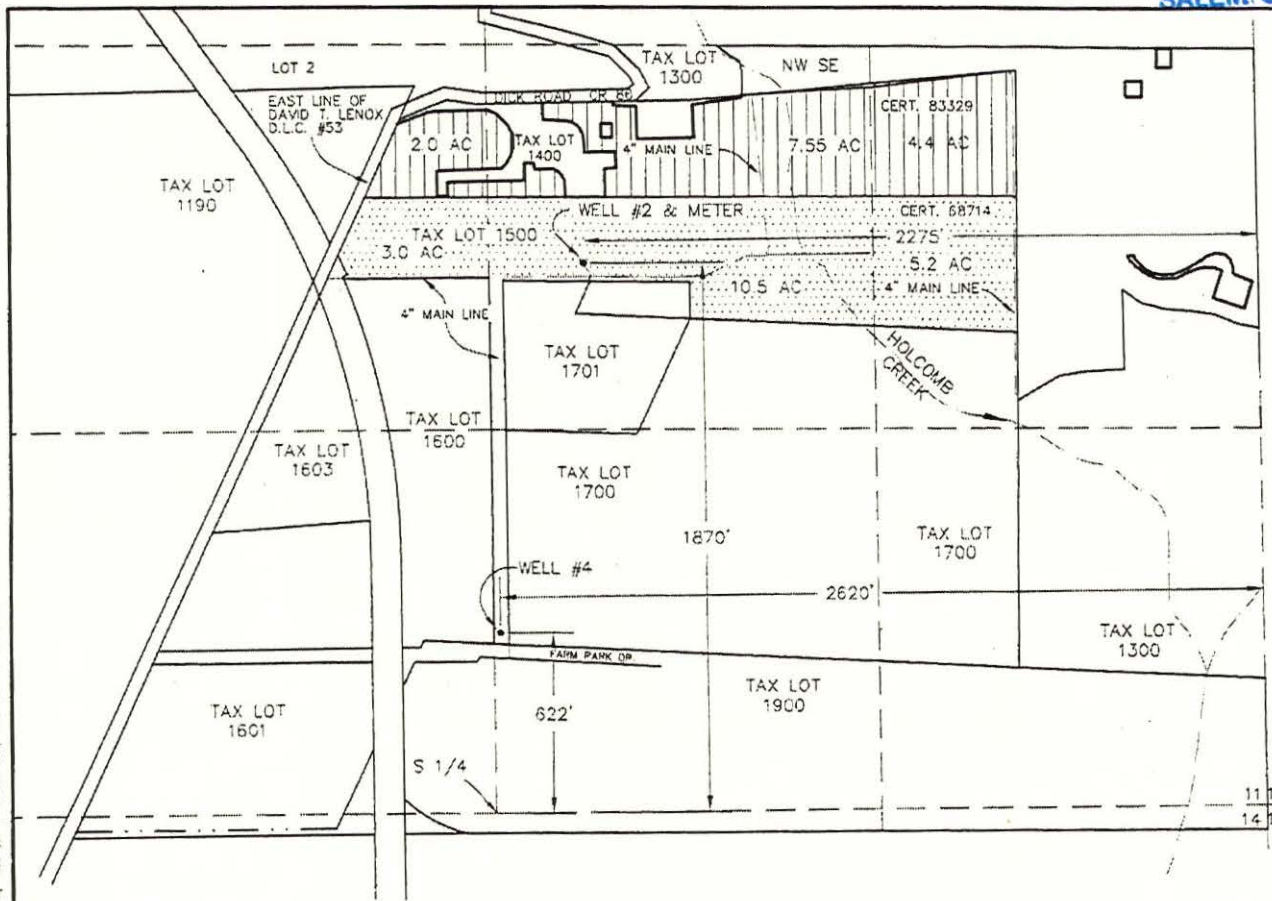
Dated at Salem, Oregon this ____ day of _____ 2008.

D R A F T

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@ wrd.state.or.us.

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FEB 25 2008
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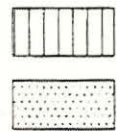


**WATER RIGHT
TRANSFER MAP**
SECTION 11 T1N R2W W.M.
WASHINGTON COUNTY, OREGON

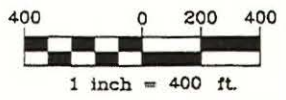


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NOV 14 2007

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CERTIFICATE # 83329
CERTIFICATE # 68714



PREPARATION OF THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

SOURCE OF MAP DATA IS FINAL PROOF SURVEY FOR CERTIFICATES, AND ASSESSORS MAP.

FOR:
CASCADIAN NURSERY
8900 NW DICK RD.
HILLSBORO, OR 97124

Stuntzner Engineering & Forestry, LLC
ENGINEERING • LAND SURVEYING • FORESTRY
PLANNING • WATER RIGHTS

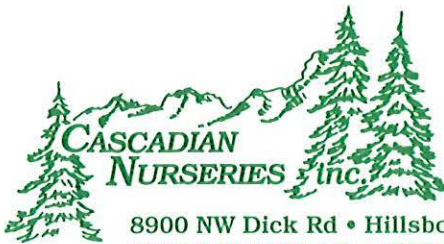
2137 19TH AVENUE
FOREST GROVE, OREGON 97116

TEL: (503) 357-5717
FAX: (503) 357-5698
E-MAIL: INFO@STUNTZNER.COM

PROJECT: 3052029CASCADIANNURSERY
DRAWING No.: 3052029 Well 2&4 WR

DATE: JULY 12, 2007
DRAWN BY: C. VAN BUREN

Drawing: 3052029 Well 2&4 WR Date: 07/12/07



8900 NW Dick Rd • Hillsboro, Oregon 97124
(503) 647-9292 • Fax (503) 647-9494

G-15298
T-10434

1/08/08

Oregon Water Resources Dept
725 NE Sumner Street
Suite A
Salem, Oregon 97301-1266

ATT: Gerry Clark – Water right specialist

RE: Contract R 09-12

I have two questions. I have also included some correspondence and the time it took to this date and no answers.

First Question: We applied for a backup well to take over for our existing main well and possible failure of our pump, which is scheduled for either repairs or replacement this year. We have a large nursery with container grown plants, we cannot afford to be out of water for more than 24 hours this coming spring. To this date: Can we expect an answer within days or weeks, please advise.

Second Question: Assuming your approval: Because we are not asking for additional water we are asking for a backup water well to compensate if our pump fails, can we proceed to contract with a well driller to go ahead. They also will need one to two months lead-time. The correct papers can follow its course and proceed with a letter from your department to go ahead?

Here is my required paper record since the middle of 2006:

County: Washington
Transfer: 10434
Water Right: Cert 68714, 83329
Priority Date: 1988, 2001
Name: Cascadian Nurseries
Address: 8900 NW Dick Road
Hillsboro, Or 97124
Change: APOA
Source: Well
Authorized POA: T1N R2W 11
Proposed APOA: T1N R2W 11
File G 15298 the certificate request

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8900 NW Dick Rd • Hillsboro, Oregon 97124
(503) 647-9292 • Fax (503) 647-9494

We contacted Dick Verboord of Stuntzer engineering in the middle of 2006 after much research and communication with OWRD and our nursery.

- A) The claim for beneficial use (COBU) for the reference ground water was completed File G 15298 dated December 20, 2006 and a check for \$125 was included for a hurry up review.
- B) We received an agreement to expedite the process on File 15298. We mailed a signed agreement dated January 17, 2007, this included a check for \$780.
- C) July 17, 2007 Application of water right the transfer was submitted and a check dated July 17th for \$600 was included.
- D) August 14, 2007 a reimbursement authority estimate application File T10434. We signed this agreement and mailed a check for \$125.
- E) Received request to expedite the transfer application October 5, with a signed check for \$960, which was also dated October 5, 2007.
- F) October 29, 2007 a letter from the loan servicing special list Salem OPEIFA approving the expediting process.
- G) Received a letter from Dorothy Pederson the water rights transfer specialist regarding some problems; this was dated November 6, 2007.
- H) I wrote Stunzter Engineering about this problem they assured that it was minor your contractor used or we pointed to a wrong survey point. This application was for a permanent backup well not a temporary well.
- I) From the middle of 2006 to date we have spent much time, record preparations, and communication with OWDR and \$2590 in fees. To date the engineering exceeds \$5000, and we possibly could have major damage from pump failure this spring. If we cannot count on backup water, **could you please help us!**

Anxious and a little discouraged,



Alfred Meisner

CC: Eric Urstadt – Stunzter Engineering

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WATER RESOURCES DEPT
SALEM, OREGON

Trees with European Artistry

www.cascadiannurseries.com • sales@cascadiannurseries.com

A

*Copy
Review with
Chief \$125
ORD 12-27-16*

**WATER RESOURCES DEPARTMENT
REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION**

House Bill 2551 (2003 Oregon Laws) authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement. The voluntary agreement can be entered into with any person requesting services and agreeing to pay the Department's costs of providing the service.

The Department has established a pool of qualified contractors to perform expedited services for water right transfers, water right permits extensions, and water right certificates.

The purpose of this application is to obtain an estimate from the next qualified contractor in the appropriate pool. There is a non-refundable application fee of \$125.00 per request. The contractor will provide an estimate of the cost and of the time required to process and develop a recommendation on the request of a: (check one):

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input type="checkbox"/>	Transfer Application	_____
<input checked="" type="checkbox"/>	Certificate Request	G-15298
<input type="checkbox"/>	Extension of Time Request	_____

<u>Applicant Information</u>		<u>Applicant's Representative/Contact</u>
Name: (Please Print)	Cascadian Nursery, Inc.	Alfred Meisner
Address:	8900 NW Dick Road	
	Hillsboro, OR 97124	
Phone:	503-645-3350	
Fax	503-647-9494	
E-Mail Address:		

I understand the following:

- There is a non-refundable application fee of \$125.00 per request.
- That upon receipt of my non-refundable application fee in the amount of **\$ 125.00**, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
- That this fee covers the copying, the mailing cost, as well as the cost for the contractor to evaluate and provide the estimate for processing of the request.
- That OWRD will provide all pertinent information to the assigned contractor within three (3) business days.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimates I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

**OWRD – Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1266.**

I certify that I am the (check one) Applicant Applicant's Representative Other (Please specify) _____

Signature: _____ Name: _____

OWRD USE ONLY

Contractor Assigned:	Total Amount Paid: \$
OWRD Approval:	

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT**

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Cascadian Nursery Inc. hereafter Applicants, hereafter known together as the parties.

OWRD Information

Project Contact: Gerry Clark
 Title: Water Rights Specialist
 Address: 725 Summer Street, NE
 Salem, OR 97301-1271
 Phone: 503 986-0811
 Fax: 503 986-0901
 Email: Gerald.E.CLARK@wrdr.state.or.us

Applicant's Information

Cascadian Nursery Inc.
 Contact: Alfred Meisner
 Address: 8900 NW Dick Road
 Hillsboro, OR 97124
 Phone Number: 503-645-3350
 Fax Number: 503-647-9494
 Email Address:

Applicant's Representative

Name:
 Project Contact:
 Address:
 Phone Number:
 Fax Number:
 Email:

1. **Purpose** The purpose of this Agreement is to expedite the processing of the Certificate Request. (Application Number: G-15298)
2. **Authority** The OWRD has been authorized pursuant to EB 2551(2003 Oregon Laws) to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
3. **Restrictions.** Cascadian Nursery Inc. and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
4. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
5. **Statement of Work.** The Statement of Work is contained in Exhibit A attached hereto and incorporated by reference into this Agreement. OWRD agrees to perform this work in accordance with the terms and conditions of this Agreement.
6. **Consideration.**
 - a. Cascadian Nursery Inc. shall pay OWRD in advance for actual costs incurred by OWRD as specified in the Statement of work attached and incorporated as Exhibit A. The estimated maximum reimbursement payable to OWRD under this Agreement is \$780.00. Cascadian Nursery Inc. agrees to pay the full amount of \$780.00 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
 - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
7. **Subcontracts.** OWRD intends to undertake the work described in this Agreement by assigning the work to a contractor from its established pre-qualified contractor pool

R07-201

Applicant's Agreement

1 of 3

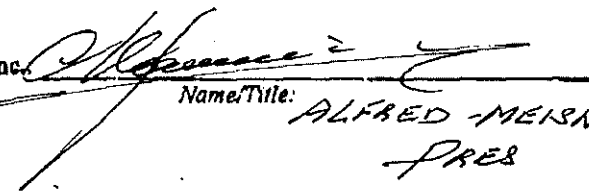
RECEIVED

App Revised: 8/14/06

JAN 11 2008

WATER RESOURCES DEPT
SALEM, OREGON

- 8. **Contract Documents.** This Agreement consists of the following documents which are listed in descending order of precedence: this Agreement and the attached Exhibit A. All attached Exhibits are incorporated into this Agreement by reference.
- 9. **Confidentiality.** Cascadian Nursery Inc. agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- 10. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, Public Works Management Inc. (Contractor) and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.
- 11. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by the Contractor up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant and appropriately notifying the Contractor, will refund any unspent balance after paying the contractor for the work done.
- 12. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
- 13. **Duration of Estimate.** The Estimate of Time to complete the work in Exhibit A (Statement of Work) becomes null and void after thirty (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant must re-apply for a new estimate.
- 14. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
- 15. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
- 16. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
- 17. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

For Cascadian Nursery Inc. 
 Name/Title: ALFRED MEISNER
 PRES

JAN-17-07
 Date

For OWRD: Mike Auman - Administrator _____ Date

Mail signed Agreement to:
 Salem Office
 Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, OR 97301-1271



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

Application for Water Right
Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" 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 TRANSFER APPLICATION

Please check one
[] Permanent Transfer
[] Temporary Transfer
total number of years:
(begin year:)
(end year:)
[] Instream Transfer
[] Permanent
[] Time-Limited
[] Drought Transfer
[X] Other

2. APPLICANT INFORMATION

Name: CASCADIAN NURSERIES, INC.
Address: 8900 NW Dick Road
HILLSBORO OR 97124
Phone: 503-645-3350
Fax: 503-647-9494 E-Mail address:

3. AGENT INFORMATION

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

Name: N/A
Address:
City State Zip
Phone:
Home Work Other
Fax: E-Mail address:

- 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

JAN 11 2008

WATER RESOURCES DEPT
SALEM OREGON

Aug-14-07

WATER RESOURCES DEPARTMENT REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION

House Bill 2551 (2003 Oregon Laws) authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement. The voluntary agreement can be entered into with any person requesting services and agreeing to pay the Department's costs of providing the service.

The Department has established a pool of qualified contractors to perform expedited services for water right transfers, water right permits extensions, and water right certificates

The purpose of this application is to obtain an estimate from the next qualified contractor in the appropriate pool. There is a non-refundable application fee of \$125.00 per request. The contractor will provide an estimate of the cost and of the time required to process and develop a recommendation on the request of an (check one)

REQUEST	TYPE	FILE NUMBER
<input checked="" type="checkbox"/>	Transfer Application	T-10434
<input type="checkbox"/>	Certificate Request	
<input type="checkbox"/>	Extension of Time Request	

Applicant Information		Applicant's Representative/Contact
Name: (Please Print)	CASCADIAN NURSERIES, INC.	ALFRED MEISNER
Address:	8900 NW Dick Road	same
	Hillsboro, OR 97124-8522	
Phone:	503-647-3330 647-9292	same
Fax:	503-647-9494	same
E-Mail Address:		

I understand the following:

- There is a non-refundable application fee of \$125.00 per request.
- That upon receipt of my non-refundable application fee in the amount of \$125.00, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
- That this fee covers the copying, the mailing cost, as well as the cost for the contractor to evaluate and provide the estimate for processing of the request.
- That OWRD will provide all pertinent information to the assigned contractor within three (3) business days.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimates I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

OWRD - Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1266.

I certify that I am the (check one) Applicant Applicant's Representative Other: (Please specify) _____

Signature: [Handwritten Signature] Name: ALFRED MEISNER

OWRD USE ONLY	
Contractor Assigned:	Total Amount Paid: \$
OWRD Approval:	

Printed Name:

This bill is response to my question.

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT**

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Cascadian Nursery Inc. hereafter Applicants, hereafter known together as the parties.

OWRD Information

Project Contact: Gerry Clark
Title: Water Rights Specialist
Address: 725 Summer Street, NE
 Salem, OR 97301-1271
Phone: 503 986-0890
Fax: 503 986-0903
Email: Dorothy.I.Pedersen@wr.d.state.or.us

Applicant's Information

Cascadian Nursery Inc.
Contact: Alfred Meisner
Address: 8900 NW Dick Road
 Hillsboro, OR 97124
Phone Number: 503-645-3350
Fax Number: 503-647-9494
Email Address:

Applicant's Representative

Name:
Project Contact:
Address:
Phone Number:
Fax Number:
Email:

1. **Purpose** The purpose of this Agreement is to expedite the processing of the Transfer Application. (Application Number: T-10434)
2. **Authority** The OWRD has been authorized pursuant to HB 2551(2003 Oregon Laws) to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
3. **Restrictions.** Cascadian Nursery Inc. and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
4. **Effective Date and Duration.** Unless otherwise terminated, by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
5. **Statement of Work.** The Statement of Work is contained in Exhibit A attached hereto and incorporated by reference into this Agreement. OWRD agrees to perform this work in accordance with the terms and conditions of this Agreement.
6. **Consideration.**
 - a. Cascadian Nursery Inc. shall pay OWRD in advance for actual costs incurred by OWRD as specified in the Statement of work attached and incorporated as Exhibit A. The estimated maximum reimbursement payable to OWRD under this Agreement is \$960.00. Cascadian Nursery Inc. agrees to pay the full amount of \$960.00 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
 - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
7. **Subcontracts.** OWRD intends to undertake the work described in this Agreement by assigning the work to a contractor from its established pre-qualified contractor pool

- 8. **Contract Documents.** This Agreement consists of the following documents which are listed in descending order of precedence: this Agreement and the attached Exhibit A. All attached Exhibits are incorporated into this Agreement by reference.
- 9. **Confidentiality.** Cascadian Nursery Inc. agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- 10. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, Public Works Management Inc. (Contractor) and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.
- 11. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by the Contractor up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant and appropriately notifying the Contractor, will refund any unspent balance after paying the contractor for the work done.
- 12. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
- 13. **Duration of Estimate.** The Estimate of Time to complete the work in Exhibit A (Statement of Work) becomes null and void after thirty- (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant must re-apply for a new estimate.
- 14. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
- 15. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
- 16. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
- 17. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

For Cascadian Nursery Inc.: *Alexis MERS*
 Name/Title:

02/15/07
 Date

For OWRD: _____
 Mike Auman - Administrator Date

Mail signed Agreement to:
 Salem Opelka
 Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, OR 97301-1271



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

October 29, 2007

Cascadian Nurseries
8900 NW Dick Road
Hillsboro, OR 97124

RE: Contract # R09-012

Dear Applicant:

Enclosed is a copy of the fully executed Applicant's Agreement signed by the required parties. The agreement details the terms and conditions under which a Work Order was issued for the expedited services that you requested.

If you have any questions concerning the agreement or the program, please contact me at (503) 986-0929.

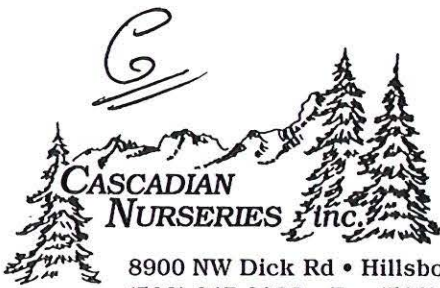
Sincerely,

Salem Opeifa
Loan Servicing Specialist
Phone: (503) 986-0929
Fax: (503) 986-0904

RECEIVED

JAN 11 2008

WATER RESOURCES DEPT
SALEM OREGON



8900 NW Dick Rd • Hillsboro, Oregon 97124
(503) 647-9292 • Fax (503) 647-9494

Stuntzner Engineering
Att: Eriq Urstant
2137 19th Ave
Forest Grove, OR 97116

RE: W R D Nov 6 Correspondence

Dear Eriq,

Per our fax and telephone conversation on November 8, 2007, I have enclosed the letter we received dated November 6, 2007.

1. The permit process was started with Dick Verboort in the fall of 2006. With a required claim of beneficial use which needed to be completed prior to digging an additional well.
2. We assumed the digging of a well could proceed by late summer of 2007
-----WRONG-----We spent a large sum of money expediting this process.
3. Finally the application was submitted July 16, 2007 again a lot of money was spent fast tracking four months later to be advised November 6, 2007. There are problems with the application as submitted by Dick Verboort!
4. I would appreciate your immediate attention to this matter, (now Dick is retired.) I hope this will be reviewed soon and not wait until December 10, 2007 as a target date per this November 6 letter.
5. Digging an additional well this winter assures us uninterrupted water service for our Nursery for the summer of 2008, please keep me informed with copies of your correspondence to W.R.D.

Thank you,

Alfred Meisner

RECEIVED

JAN 11 2008

WATER RESOURCES DEPT
SALEM OREGON

Trees with European Artistry

www.cascadiannurseries.com • sales@cascadiannurseries.com



Oregon

Theodore R. Kulongoski, Governor

November 6, 2007

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

Cascadian Nurseries, Inc.
8900 NW Dick Road
Hillsboro, OR 97124

REFERENCE: Transfer 10434

We are examining your water right transfer application. There are some problems that need to be resolved before we can continue processing your application.

1. It appears that your transfer map does not match the transfer application. The transfer map is missing east west coordinates for existing well number 2 and north south coordinates for proposed well number 4. The transfer application lists well number 4 as being 690 feet north from the SE corner of section 11, however, the scaled distance on the map appears to measure about 620 feet. The coordinates for well number 2 should match the certificates being transferred. You need to have your CWRE revise the transfer map to show both north-south and east-west coordinates for existing well number 2 and proposed well number 4. These coordinates should be accurately scaled from the SE corner of section 11. Then submit to the Department an original print of the revised map with the CWRE's seal and signature. We will use the revised map coordinates for well number 4 in preparing the Draft Preliminary Determination, should they be different from those listed in the application.
2. The transfer application lists the type of transfer on page one as "Other". The transfer application appears to be for a "Permanent Transfer" to add an additional point of appropriation. Therefore we will process T-10434 as a Permanent Transfer.
3. Supplemental Form A, page 4, for certificate 83329, lists 7.75 acres for the existing place of use in the NW/SE, Section 11, however Certificate 83329 lists only 7.55 acres within the NW/SE, Section 11. The Draft Preliminary Determination will reflect 7.55 acres as listed on the certificate. The Affidavit Attesting To The Use Of Water also incorrectly lists "7.75" acres in the NW/SE Section 11, but does not need not be corrected as it is clear that the 7.55 acres shown in the certificate have been irrigated.

Please submit the revised map by **December 10, 2007**, to Dorothy Pedersen, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you have any questions, please call me at 503-986-0890.

Sincerely,

Dorothy I. Pedersen

Dorothy I. Pedersen
Water Rights Transfer Specialist

cc: Darrell Hadin, Watermaster, District 18
W.Richard Verboort, CWRE

enclosures

RECEIVED
JAN 11 2008
WATER RESOURCES DEPT
SALEM OREGON

TALKED WITH ERIC HIRSTAD
WEDNESDAY NOV-7-
HE MAILED THE RESPONSE
TO OWRD
THEY USED OWRD A WRONG
SURVEY POINT
ALSO
THIS WAS A PERMANENT
WATER APPROPRIATION WELL
NOT TEMP

Dorothy Pedersen

From: Marc Norton
Sent: Wednesday, January 02, 2008 10:59 AM
To: Dorothy Pedersen
Subject: RE: T-10434 question

Dorothy,

The current well under this transfer develops ground water from an aquifer that is not hydraulically connected to nearby streams (within one mile). Constructing a new well that is located in a different sub-basin from the original well will not change impacts to surface waters from pumping the well or wells.

Marc

From: Dorothy Pedersen
Sent: Wednesday, January 02, 2008 9:08 AM
To: Marc Norton
Subject: RE: T-10434 question

Marc,

We will need to describe in the finding how these differences relate to the determination of whether the wells access the same source, and whether or not there is the potential to change the effects on surface water sources.

Thanks,
Dorothy

From: Marc Norton
Sent: Monday, December 31, 2007 4:15 PM
To: Dorothy Pedersen
Subject: RE: T-10434 question

Dorothy,

I checked the map and the well is in Holcomb Creek which is tributary to Rock Creek. The new well is located in an un-named tributary to Waible Gulch, a tributary to McKay Creek. Does this confuse the issue?

Marc

From: Dorothy Pedersen
Sent: Friday, December 28, 2007 1:40 PM
To: Marc Norton
Subject: T-10434 question

Marc,

The RA contractor working on T-10434 noticed the following in relation to the authorized well for the two water rights involved in the transfer:

The well (#2) for certificate 68714 and 83329 is the same well,(WASH 5213), however C-68714 indicates it's in the Rock

1/2/2008

Creek Basin while C-83329 indicates it's in the Holcomb Creek Basin. Might be a good idea to get a clarification from the ground water folks and make a finding for one or the other of the certificates to identify the correct basin.

Which would you say is the correct basin?

Thanks,

Dorothy



Oregon

Theodore R. Kulongoski, Governor

November 6, 2007

Water Resources Department

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

Cascadian Nurseries, Inc.
8900 NW Dick Road
Hillsboro, OR 97124

REFERENCE: Transfer 10434

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Sincerely,

Dorothy I. Pedersen
Water Rights Transfer Specialist

cc: Darrell Hadin, Watermaster, District 18
W.Richard Verboort, CWRE

enclosures



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

INTEROFFICE MEMO

FORWARD TO: Sarah Henderson (NW reg)
FIELD PROCESSOR WORKING ON THIS TRANSFER

DATE: 8-3-07

FROM: _____ WATERMASTER, DISTRICT # _____
X _____ GROUNDWATER SECTION

(SIGNATURE) _____ date signed _____
signed by injury reviewer

SUBJECT: WATER RIGHT TRANSFER # 10434

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

In the name(s) of Cascadian Nurseries Inc.

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

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

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

The existing right may not be valid because _____

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

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

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

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

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

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

WATER RESOURCES DEPARTMENT

MEMO

February 15, 2008

TO: Dorothy Pedersen, Transfers
FROM: Marc Norton, Ground Water Section
SUBJECT: Transfer T-10434, Cascadian Nurseries.

The authorized POA on the existing rights is WASH 5213. The applicant proposes an additional POA that will have 250 feet of casing and seal and a total depth of about 630 feet, a construction similar to WASH 5213. Based on WASH 5213, this design may allow commingling of several water bearing zones or aquifers that have poor natural connections. To this end the following conditions are recommended to avoid injury to other water rights, enlargement of the right, and to ensure that the new well develops water from the same aquifer as the original well.

Recommended Conditions

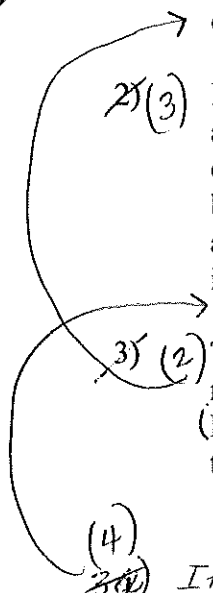
1) The new well shall be limited to a single aquifer and shall have an open interval that is no greater than 100 feet except as noted below. Open interval means the total length of borehole that is not behind sealed casing. The borehole above the open interval shall be continuously cased and continuously sealed to land surface. A larger open interval may be approved by the Department if the applicant can conclusively demonstrate, using packer tests or other suitable methods, that the hydraulic heads of water-bearing zones in the proposed open interval are similar enough to prevent loss of artesian pressure from one zone to the other.

2) (3) Prior to using the well under this transfer, the applicant shall demonstrate that the new and old wells are likely producing from the same aquifer. Evidence in support of a common aquifer shall include hydraulic testing that shows mutual interference between the wells or documentation of similar water levels in the wells and the analysis of drill cuttings, geologic cross-sections, or other hydrogeologic data that indicate that hydraulic continuity is likely between the wells.

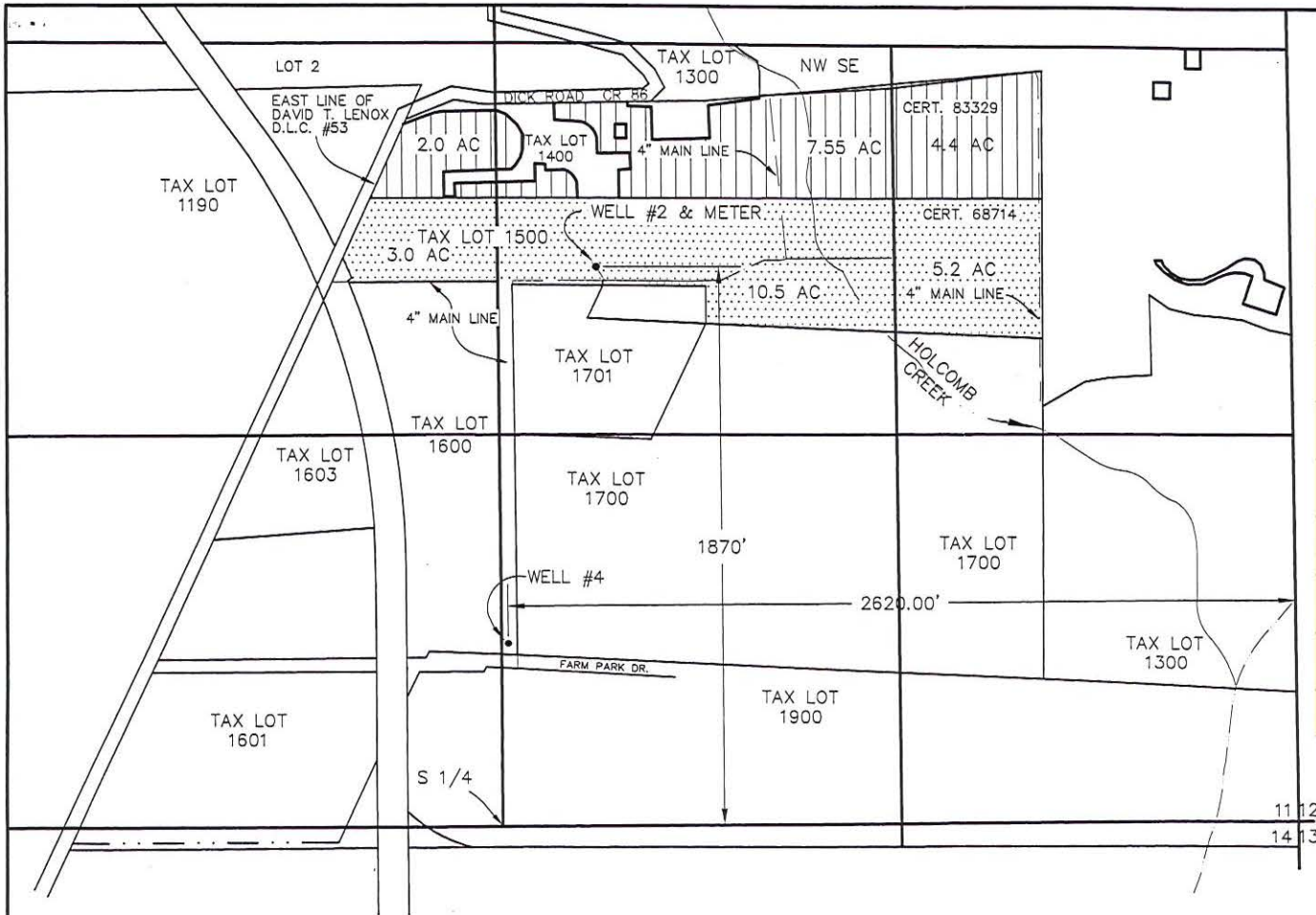
3) (2) The reference level at the new well will reflect the change in water level (decline or rise) that has occurred at the original well since that reference level was established. (For example, if the original well shows a ten foot decline from its reference level, then the reference level for the new well would be the first March water level at the new well minus 10 feet.)

4) (3) If the evidence does not demonstrate that the new well produces water from the same aquifer as the original point of appropriation, the change cannot be completed to the satisfaction of the Director, and the point of appropriation shall revert to the authorized point of appropriation prior to the transfer, pursuant to OAR 690-380-6010(c).

Make this a finding, ~~adding~~ prior to the statement "The change, as conditioned, would not result in enlargement, and the change, as conditioned, would not result in injury..."

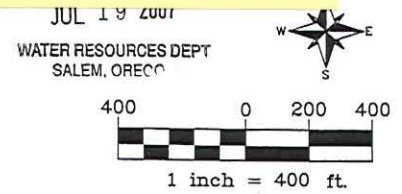


WATER RIGHT
TRANSFER MAP
SECTION 11 T1N R2W W.M.
WASHINGTON COUNTY, OREGON



*Well #2 location
only shows North/South distance
not east/west.*

*Proposed location only,
shows East/West distance,
not north/South.*



PREPARATION OF THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

SOURCE OF MAP DATA IS FINAL PROOF SURVEY FOR CERTIFICATES, AND ASSESSORS MAP.

FOR:
CASCADIAN NURSERY
8900 NW DICK RD.
HILLSBORO, OR 97124

Stuntzner Engineering & Forestry, LLC
ENGINEERING • LAND SURVEYING • FORESTRY PLANNING • WATER RIGHTS

2137 19TH AVENUE
FOREST GROVE, OREGON 97116

TEL: (503) 357-5717
FAX: (503) 357-5698
E-MAIL: INFO@STUNTZNER.COM

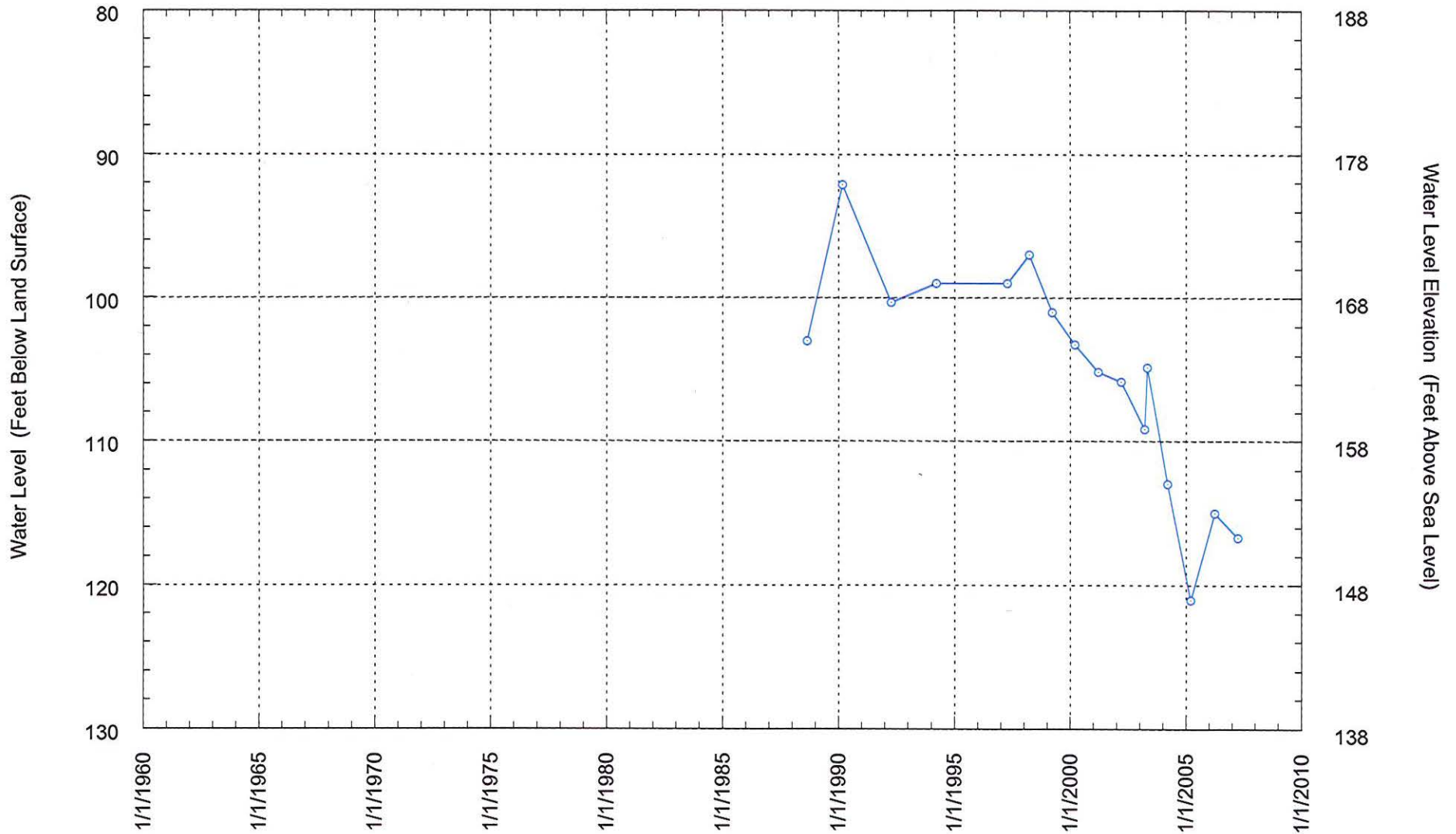
PROJECT: CASCADIAN NURSERY
DRAWING No.: 3052029CascadianNursery

DATE: JULY 12, 2007
DRAWN BY: C. VAN BUREN

10434

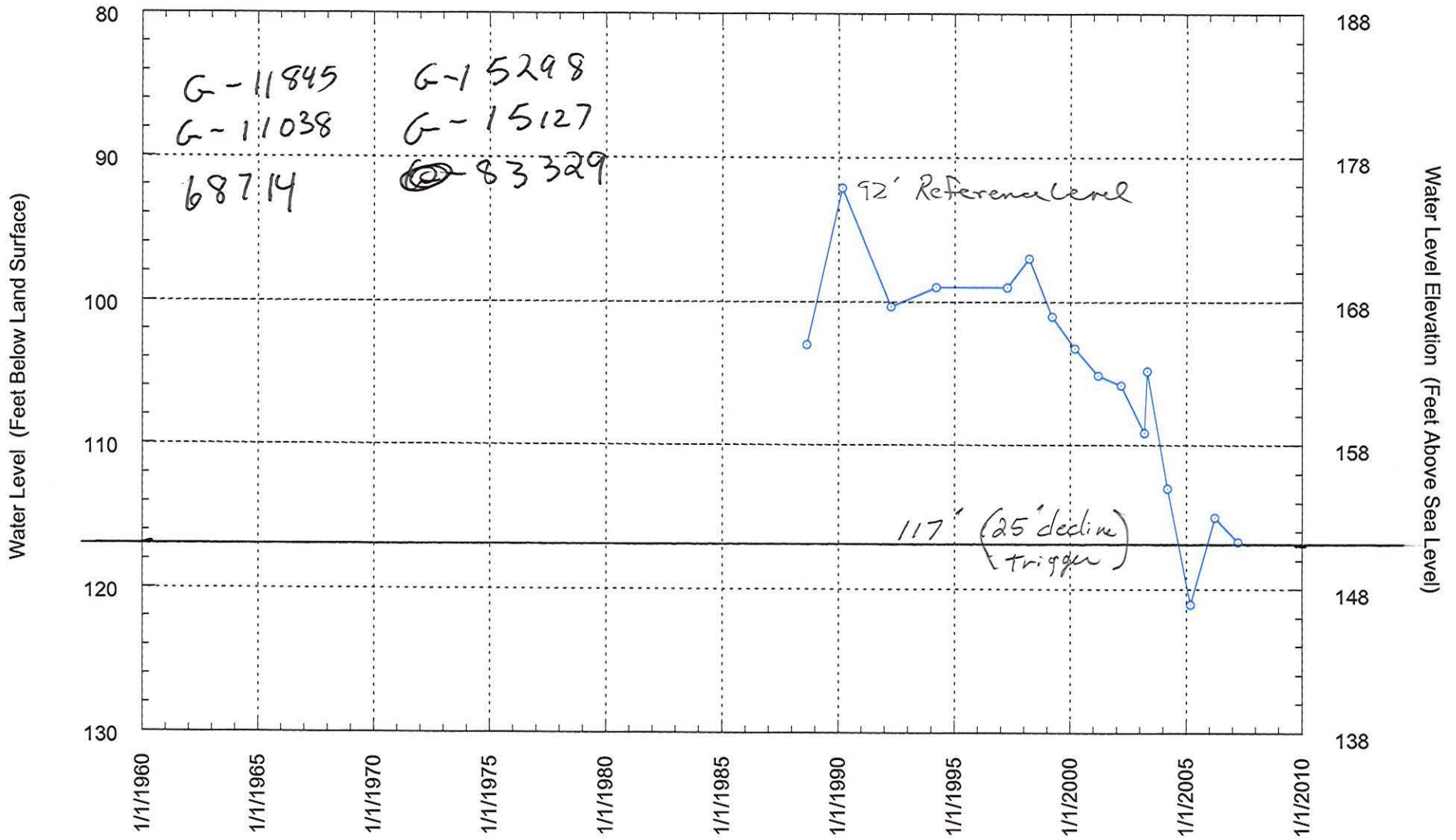
Cascadian Nurseries, Inc.
Lithology: Basalt
Aquifer: Columbia River Basalts
Land surface elevation: 268'
Well Depth: 605'

WASHINGTON COUNTY OWRD LOGID WASH 5213 01N/02W-11DB



Cascadian Nurseries, Inc.
 Lithology: Basalt
 Aquifer: Columbia River Basalts
 Land surface elevation: 268'
 Well Depth: 605'

WASHINGTON COUNTY OWRD LOGID WASH 5213 01N/02W-11DB



OWRD Water Level Report

USGS Site ID		Logid WASH..... 5213		TRS .....1.00 N./ 2.00 W. - 11 DB.....	
State Obs Well		Well Tag Log		Csg Diam Field	
Num / Status		Well Tag Field		County WASHINGTON.....	
Owner Well Name DICK ROAD WELL: ART'S WELL: WELL 2.....		Max Depth .....605		Quad24 HILLSBORO.....	
Owner CASCADIAN NURSERIES INC.....		Lsd Elev .....268		LsdAccuracy .....5	
				Contact	

Sow Num	Logid	Date	Time	MP Hght	Rptd WL BLS	Verified WL BLS	Export WL BLS	WL Elev	Method Code	Status Code	Measured By	Source Org	Comments
.....	WASH	5213	08/22/1988	.....	103.00	.....	103.00	165.00	U	U	ROY, JANNSEN	DRILLER	.....
.....	WASH	5213	03/02/1990	.....	0.7	.....	92.15	92.15	T	S	DONN, MILLER	QWRD	SAM ALLISON
.....	WASH	5213	04/07/1992	.....	100.33	.....	100.33	167.67	T	S	ROBERT, MEISNER	OWNER	.....
.....	WASH	5213	03/19/1994	.....	.5	.....	99.00	99.00	T	S	ROBERT, MEISNER	OWNER	.....
.....	WASH	5213	04/08/1997	.....	0	.....	99.00	99.00	T	S	ROBERT, MEISNER	OWNER	IDLE 6 MONTHS
.....	WASH	5213	03/23/1998	.....	1.3	.....	97.00	97.00	T	S	W, RICHARD, VERBOORT	CWRE	.....
.....	WASH	5213	03/16/1999	.....	1.3	.....	101.00	101.00	T	S	W, RICHARD, VERBOORT	CWRE	.....
.....	WASH	5213	03/10/2000	.....	1.25	.....	103.25	103.25	T	S	W, RICHARD, VERBOORT	CWRE	.....
.....	WASH	5213	03/13/2001	.....	1.25	.....	105.15	105.15	T	S	W, RICHARD, VERBOORT	CWRE	.....
.....	WASH	5213	03/11/2002	.....	1.25	.....	105.85	105.85	T	S	W, RICHARD, VERBOORT	CWRE	IDLE >24 HOURS
.....	WASH	5213	03/13/2003	.....	1.33	.....	109.17	109.17	T	S	W, RICHARD, VERBOORT	CWRE	IDLE >24 HOURS
.....	WASH	5213	04/25/2003	.....	1.25	.....	104.85	104.85	T	S	W, RICHARD, VERBOORT	CWRE	IDLE >24 HOURS
.....	WASH	5213	03/09/2004	.....	1.33	.....	112.97	112.97	T	S	W, RICHARD, VERBOORT	CWRE	IDLE >24 HOURS
.....	WASH	5213	03/07/2005	.....	1.33	.....	121.07	121.07	T	U	W, RICHARD, VERBOORT	CWRE	IDLE 23 HRS
.....	WASH	5213	03/27/2006	.....	.3	.....	115.00	115.00	Z	U	BILL, FLATZ	CWRE	IDLE 23.12 HOURS
.....	WASH	5213	03/27/2007	.....	.3	.....	116.70	116.70	Z	S	BILL, FLATZ	CWRE	IDLE UNKNOWN

App. G-11845

Total Decline of 25' allowed under Permit G-11038

Reference level set at 92 feet below land surface

Method Codes: A = Airline, T = Etape, V = Calibrated Etape, G = Uncalibrated Gage, H = Calibrated Gage, O = Observed (for flowing wells), RA = Recorder Analog, RS = Recorder Shaft Encoder, RT = Recorder Transducer, R = Reported, S = Steel Tape, U = Unknown, N = Not Measured

Status Codes: D = Dry, A = Falling, F = Flowing, P = Pumping, R = Rising, S = Static, U = Unknown

Report Date: 11/07/2007

Application	Permit	Certificate	Claim ch / nbr / cert	Transfer	pod nbr	Pod loc_id	pod_name	source	Logid	T
G.....	11845 G.....	11038	68714		1	133565		A WELL	WASH	5213
G.....	14626 G.....	13531			1	10786		WELL 2	WASH	5213
G.....	15298 G.....	15127			1	12095		WELL 2	WASH	5213
G.....	15664				1	12555		A WELL	WASH	5213
G.....	15765				1	12717	WELL 2	A WELL	WASH	5213
G.....	15664 G.....	15334			1	162853		A WELL	WASH	5213
G.....	15765 G.....	15372			1	164037	WELL 2	A WELL	WASH	5213
G.....	15298 G.....	15127	83329		1	213716		A WELL	WASH	5213

STATE OF OREGON
WATER WELL REPORT
 (as required by ORS 587.785)

WASH
 5213

RECEIVED

AUG 25 1988

IN/2W/11 6d
 1432 Pg. 1

(1) OWNER:

Name Cascadian Nurseries
 Address 13495 N. W. Thompson
 City Portland State OR Zip 97229

Well Number: WA 19

(2) TYPE OF WORK:

New Well Deepen Recondition Abandon

(3) DRILL METHOD

Rotary Air Rotary Mud Cable
 Other

(4) PROPOSED USE:

Domestic Community Industrial Irrigation
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes No Depth of Completed Well 605 ft.

Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
12 1/2"	0	218	Cement/gel	0	50	20 sacks
			Puddled clay	50	178	
			Cement/gel	178	218	15 sacks
7-7/8"	218	605				

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

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

(6) CASING/LINER:

Casing/Liner	Diameter	From	To	Gauge	Material			
					Steel	Plastic	Welded	Threaded
Casing: 8"		+1	218	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

Perforations Method _____
 Screens Type _____ Material _____

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

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

Pump Bailor Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
700		300	1 hr.
235		200	1 1/2 hr.
240		150	2 hrs.

Temperature of water _____ Depth Artesian Flow Found _____

Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
 Depth of strata: _____

(9) LOCATION OF WELL by legal description:

County Washington Latitude _____ Longitude _____
 Township 1 N Nor S. Range 2 W E or W, WM. _____
 Section 11 NW SE _____
 Tax Lot _____ Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) _____

(10) STATIC WATER LEVEL:

103 ft. below land surface. Date 8/22/88
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 238

From	To	Estimated Flow Rate	SWL
238	244	10 gpm	103
278	282	20 gpm	"
530	596	20 gpm	"
596	605	650 gpm	"

(12) WELL LOG:

Ground elevation _____

Material	From	To	SWL
Topsoil	0	1	
Firm light brown clay	1	6	
Sticky light brown clay	6	39	
Sticky red-brown clay	39	112	
Firm decomposed brown basalt	112	179	
Firm decomp. gray-brown basalt	179	201	
Firm brown basalt	201	203	
Firm gray-brown basalt	203	211	
Soft brown basalt	211	217	
Hard gray basalt	217	238	
Soft brown basalt	238	244	103
Firm gray-brown basalt	244	272	
Firm gray-brown claystone	272	278	
Soft brown basalt	278	282	
Firm gray-black basalt	282	296	
Hard gray basalt	296	308	
Soft black basalt	308	316	
Hard gray basalt	316	407	
Soft black basalt	407	412	
Firm gray-black basalt	412	440	
Hard gray basalt	440	501	
Soft brown basalt	501	505	
Firm gray-black basalt	505	530	

Date started 8/15/88 Completed 8/22/88

(unbonded) Water Well Constructor Certification:

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

WWC Number _____
 Signed _____ Date _____

(bonded) Water Well Constructor Certification:

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

WWC Number 1266
 Signed [Signature] Date 8/23/88

WATER RESOURCES DEPARTMENT

MEMO

January 2, 2008

TO: Dorothy Pedersen, Transfers
FROM: Marc Norton, Ground Water Section
SUBJECT: Transfer T-10434, Cascadian Nurseries.

The applicant proposes well construction similar to WASH 5213; it includes a 630' deep well with 250 feet of casing and seal. Based on WASH 5213, this design may allow commingling of several water bearing zones or aquifers. To this end the following condition has been drafted to avoid injury to other water rights or enlargement of the right and to ensure that the new well develops water from the same aquifer as the original well.

" The well shall be completed with a ^{limited to a single aquifer and shall be} ~~minimum~~ ^{maximum} of 100 feet of open hole. The borehole above the 100 foot open interval shall be continuously cased and continuously sealed to land surface. "

An exception may be approved with a demonstration, such as packer testing, for alternate construction.

" Prior to using the well under the transfer, a constant discharge rate aquifer test will be conducted and analyzed by a licensed engineer or registered geologist. The purpose of the test is to ^{demonstrate} ~~prove~~ that the two wells are ^{developing} ~~tapping~~ the same aquifer. Data collection will include, but not be limited to, drawdown and recovery at both wells similar to the data collection outlined in the pump test program. To meet the requirements of the pump test program, the test should be a minimum of four hours of pumping. "

In addition, the following condition should be added to explain how the reference level will be calculated. The new well does not get a reference level based on the water level reported for the first March measurement.

The reference water level for the new well will be determined by comparing the water level at WASH 5213 for the first March with both wells constructed to the reference level for WASH 5213; (92 feet below land surface). The water level for March 2007 was 116.7 feet. Therefore, water level has declined 24.7 feet. The amount of decline at WASH 5213 will be ^{added} ~~subtracted~~ from the water level at the new well to determine the reference level. In the example given; if the water level in the new well is 135 feet below land surface, the reference level would be 135' - 24.7' or 110.3 feet. The Department will confirm the water level measurement at both wells to determine the reference level.

What if we don't? We will if we can.

The reference level at the new well will reflect the change in water level that has occurred at WASH 5213 since that reference level was established. For example, if WASH 5213 showed a 10-foot decline from its reference level, then the reference level for the new well will also reflect a 10-foot decline.

(decline or) rise

Marc Norton

From: Dorothy Pedersen
Sent: Friday, December 28, 2007 12:15 PM
To: Darrell Hedin; Marc Norton
Subject: FW: Transfer T-10434

Hi Darrell,

1. I noticed Marc's questions regarding how to ensure that water from the new well (Well 4), once it goes into a shared distribution system, does not contribute water to the places of use of the other permits that take water from the original well (Well 2). Do you consider that a regulation problem? If so, would we need to ask them to either tell us how their distribution system is designed to prevent that from happening, or submit permit amendments to add Well 4 to the other permits?
2. Do you think enlargement will be avoided as long as the transfer order is conditioned to limit use of water based on water level declines from the initial water level in the original well?
3. Mark, please suggest a condition for ensuring that the new well will take water from the same aquifer.

Thanks,

Dorothy

From: Marc Norton
Sent: Wednesday, November 07, 2007 2:17 PM
To: Dorothy Pedersen
Subject: Transfer T-10434

Dorothy,

In my review of T-10434 for Cascadian Nurseries, I came across three additional permits that have been issued from this well. They are:

Application	Permit
G-14626	G-13531
G-15664	G-15334
G-15765	G-15372

Concerns:

- 1) Since both wells will be tied to the same irrigation system, how do we make sure that the water from well #4 is only applied to the permits listed in the Transfer application?
- 2) Also, the permits/certificates have decline conditions. The water level has been declining since the mid 1990s and is at the 25 foot decline limit. Allowing an additional point of appropriation will exacerbate the rate of decline if the owner can and does pump more water.
- 3) If the Department is going to approve the new POA, a very tight well construction condition will need to be crafted to make sure that the new well is completed in the same aquifer as the original POA.

When you get a chance, lets talk.

Marc

1/2/2008

Dorothy Pedersen

From: Marc Norton
Sent: Wednesday, November 07, 2007 2:17 PM
To: Dorothy Pedersen
Subject: Transfer T-10434

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- 3) If the Department is going to approve the new POA, a very tight well construction condition will need to be crafted to make sure that the new well is completed in the same aquifer as the original POA.

When you get a chance, lets talk.

Marc

12/28/2007



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-10434

Review Due Date: 9-1-07

Applicant Name: Cascadian Nurseries

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): Darrell Hedin

Date of Review: Aug. 14, 2007

1. Do you have information suggesting that the water rights may be subject to forfeiture?
 Yes No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? Yes No Generally characterize the frequency of any regulation or explain why regulation has not occurred:

3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: NA
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: NA
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: NA
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: NA
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: NA
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: NA
9. Are there other issues not identified through the above questions? Yes No If "Yes", explain: NA
10. What alternatives may be available for addressing any issues identified above: NA
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.



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 2, 2007

CASCADIAN NURSERIES INC
8900 NW DICK RD
HILLSBORO OR 97124-8512

Reference: Transfer 10434

On July 19, 2007 we received your water right transfer application. The application was accompanied by \$600.00. Our receipt 88794 is enclosed.

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

Your application will be examined to determine if additional information is needed. You will be contacted following this examination. A number of other transfer applications are also awaiting review. As a result, it may be some time before we are able to process your application. If you wish to have your application processed more quickly, you may want to consider use of the Department's reimbursement authority. Under this authority an applicant may receive expedited review by paying the full cost for a pre-qualified contractor to process the applications. For more information on the Reimbursement Authority program, see our website at http://www.wrd.state.or.us/OWRD/mgmt_reimbursement.shtml or call the transfer section.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, the buyer's consent to the transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

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)986-0883.

cc: Watermaster #18
Richard Verboort, CWRE
Washington Co. Dept. of Land Use & Transportation
Groundwater

enclosure



Oregon

Theodore R. Kulongoski, Governor

COPY

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 07/24/07

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. 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: WASHINGTON
Transfer: 10434
Water Right: CERT 68714,83329
Priority Date: 1988,2001
Name: CASCADIAN NURSERIES INC
Address: 8900 NW DICK RD; HILLSBORO OR 97124
Change: APOA
Source: WELL
Authorized POA: T1N R2W 11
Proposed APOA: T1N R2W 11

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.

00wr



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

Application for Water Right
Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" 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 TRANSFER APPLICATION

Please check one
[] Permanent Transfer
[] Temporary Transfer
total number of years:
(begin year:)
(end year:)
[] Instream Transfer
[] Permanent
[] Time-Limited
[] Drought Transfer
[X] Other

2. APPLICANT INFORMATION

Name: CASCADIAN NURSERIES, INC.
Address: 8900 NW Dick Road
HILLSBORO OR 97124
Phone: 503-645-3350
Fax: 503-647-9494 E-Mail address:

3. AGENT INFORMATION

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

Name: N/A
Address:
City State Zip
Phone: Home Work Other
Fax: E-Mail address:

RECEIVED

JUL 19 2007

WATER RESOURCES DEPT
SALEM, OREGON

- 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.

ORIGINALS

Transfer Application and Map

Amendments/Revisions to Appl & Map

Receipt

Deed or Lot Book Report

Notarized Consent

Evidence of Use Affidavit

Land Use Information Form

Lien Holder Notification *(if applicable)*

Report of Ownership and Lien Info *(if applicable)*

&

Other Supporting Documentation

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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

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

RECEIPT # **88794**

INVOICE # _____

RECEIVED FROM: <u>Cascadian Nurseries</u>	APPLICATION	
BY: _____	PERMIT	
	TRANSFER	<u>7-10434</u>
CASH: <input type="checkbox"/>	CHECK:# <input checked="" type="checkbox"/> <u>19483</u>	OTHER: (IDENTIFY) <input type="checkbox"/>
TOTAL REC'D		\$ <u>600.00</u>

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		\$	
WATER RIGHTS:		EXAM FEE	RECORD FEE
0201 SURFACE WATER		\$	0202 \$
0203 GROUND WATER		\$	0204 \$
0205 TRANSFER		\$ <u>600.00</u>	
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR		\$	0219 \$
LANDOWNER'S PERMIT			0220 \$
OTHER (IDENTIFY)			

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **88794** DATED: 7/19/07 BY: [Signature]

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

00WR



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

Application for Water Right
Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" 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 TRANSFER APPLICATION

Please check one
[] Permanent Transfer
[] Temporary Transfer
total number of years:
(begin year:)
(end year:)
[] Instream Transfer
[] Permanent
[] Time-Limited
[] Drought Transfer
[X] Other

2. APPLICANT INFORMATION

Name: CASCADIAN NURSERIES, INC.
Address: 8900 NW Dick Road
HILLSBORO OR 97124
Phone: 503-645-3350
Fax: 503-647-9494
E-Mail address:

3. AGENT INFORMATION

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

Name: N/A
Address:
City State Zip
Phone:
Home Work Other
Fax:
E-Mail address:

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JUL 19 2007

WATER RESOURCES DEPT
SALEM, OREGON

- 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.

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.	G-11845	G-11038	68714
2.	G-15298	G-15127	83329
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
 - Place of Use Point of Diversion Additional Point of Diversion
 - Character of Use Point of Appropriation Additional Point of Appropriation
 - Instream Transfer Surface Water source to Ground Water source
- Reason(s) for change(s): To provide a backup well and pump should problems develop with
the existing well and pump.

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system **or** the system that **was in place** at some time **within the last 5 years**. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

See Cert. 83329 issued May 10, 2007

See Cert. 68714 issued Dec. 18, 1995, same well and system as Cert. 83329, including
pump increase from 20 to 50 hp.

- System capacity: 1.0 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

Same system for both certificates.

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WATER RESOURCES DEPT
SALEM, OREGON

10434

6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? Yes No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? Yes No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity? Yes No

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

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

Washington Co. Dept. of Land Use & Transportation

155 N. First Ave., Suite 350

Hillsboro, OR 97124-3072

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**WATER RESOURCES DEPT
SALEM, OREGON**

10434

9. ATTACHMENTS

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

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

- A **separate** Supplemental Form A is enclosed for **each** water right to be affected by this transfer.

Supplemental Form B –

Evidence of Use Affidavit(s)

- At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), **and**
- The Evidence of Use Affidavit **must** be accompanied by **supporting documentation**.

Map

- Water Right Transfer*
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.
- Temporary Transfer or Historical POD Change*
A map meeting the requirements of OAR 690-380-3100 must be included but need **not** be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- 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.)

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.

Fees:

- Amount enclosed: \$ 600.00
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

- Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

- The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

- If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

10434

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JUL 19 2007

**WATER RESOURCES DEPT
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.

10. SIGNATURES

▪ Check one of the following, as appropriate, and sign the application in the signature box below:


In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:

- (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 transfer 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 agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is **not** the applicant, a **notarized statement consenting to the transfer** (*attached*) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.

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 690-380-3000(13)(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 water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(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 a transfer under this subsection if it has filed a condemnation action to acquire the property.*)

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

 applicant signature	<u>ALFRED MEKNER</u> name (print)	<u>JULY 17 07</u> date
 applicant signature	 name (print)	 date

RECEIVED

10434

JUL 19 2007

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

State of Oregon)
) ss
 County of WASHINGTON)

I, ALFRED MEISNER, in my capacity as OWNER,
 mailing address 8900 NW DICK ROAD, HILLSBORO, OREGON 97124
 telephone number (503) 647-9494, being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**
- The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; **or**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

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

- Personal observation
- Professional expertise

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

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
1	N	2	W	W	11	NE SW	Lot 2	2.00
1	N	2	W	W	11	NE SE	TL 1400	4.4
1	N	2	W	W	11	NW SE	TL 1400	7.75

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WATER RESOURCES DEPT
SALEM, OREGON

(continues on reverse side)

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

1 10434

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

5. The water delivery system used to apply water as authorized by the right is described below:
50 hp electric submersible turbine pump. Semi solid set irrigation in container area. Portable system (hand carry) for in-ground areas.

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

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

Alfred Merner
Signature of Affiant
ALFRED MERNER
PAR

July-17-07
Date

Signed and sworn to (or affirmed) before me this 17th day of July, 2007.

Danielle Parmelee
Notary Public for Oregon



My Commission Expires: May 21, 2010

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SALEM, OREGON

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

Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

■ Certificate Number or other identifying number: _____ 83329 _____

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* 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 transfer.) <input checked="" type="checkbox"/> Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) <input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used <u>instead</u> of the old point of diversion. The old point of diversion will <u>not</u> be used.) <input type="checkbox"/> Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) <input type="checkbox"/> Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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 SALEM, OREGON

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2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/> Certificated Right	83329	G-15127
	Certificate Number	Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right		
	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved		
	Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed		
	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Cascadian Nurseries, Inc., Alfred Meisner
- County: Washington
- Authorized Use(s) to be Affected by Transfer: Nursery operations
- Priority Date(s): January 16, 2001

*If there are **multiple Priority Dates** identified on the water right, any information provided on pages 3 through 6 of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: A well in Holcomb Creek drainage

Tributary to: Tualatin River

*If there are **multiple Sources** listed on the water right, any information provided on pages 3 through 6 of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?
 - Yes No N/A – No Change in Place of Use or Character of Use

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

*Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled**, except as provided in OAR 690-380-2240(5).*

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SALEM, OREGON

T 10434

▪ Certificate Number or other identifying number: 83329

The following information **must be provided only** for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) 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 water right.

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

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or 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)
WASH 5213	Well 2 1-16-2001	1N	2W	W	11	NW SE	TL 1400	2275' W & 1870' N from SE Cor Sec 11

- Does the water right being transferred involve a ground water source(s)?
 - Yes No (Surface water source only.)

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

- A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://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	Interval s 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
WASH 5213	WELL	LOG	ATTACHED						

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WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 83329

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right 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 or appropriation) N/A – Instream Water Right Transfer

(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)
Well 4	1N	2W	W	11	SW SE	1600	2620' W & 690' N from SE Cor Sec 11

- 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 web page at: <http://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
NO	---	12"	8" Steel	250	---	250	125'	620'	Port	630

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WATER RESOURCES DEPT
SALEM, OREGON

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

5. The water delivery system used to apply water as authorized by the right is described below:
50 hp electric submersible pump. Semi-solid set irrigation in container area. Portable (hand carry) system for in-ground areas.

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

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**WATER RESOURCES DEPT
SALEM, OREGON**

Alfred Mewner
Signature of Affiant
*ALFRED MEWNER
PAES*

July-17-07
Date

Signed and sworn to (or affirmed) before me this 17th day of July, 2007.



Danielle Parmelee
Notary Public for Oregon

My Commission Expires: May 21, 2010

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

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

WASH
 5213

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AUG 25 1988

IN/20/11 6d
 1432 Pg. 1

(START CARD) #

(1) OWNER: Well Number: WAT 1432
 Name Cascadian Nurseries
 Address 13495 N. W. Thompson
 City Portland, State OR Zip 97229

(2) TYPE OF WORK:
 New Well Deepen Recondition Abandon

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable
 Other _____

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Other _____

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes No Depth of Completed Well 605 ft.
 Explosives used Type _____ Amount _____

HOLE		SEAL		Amount	
Diameter	From To	Material	From To	sacks or pounds	
12 1/4	0 218	Cement/gel	0 50	20 sacks	
		Puddled clay	50 178		
		Cement/gel	178 218	15 sacks	
7-7/8	218 605				

How was seal placed: Method A B C D E
 Other _____
 Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
8"	+1	218	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Liner: _____

Final location of shoe(s) _____

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

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

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
700		300	1 hr.
235		200	1 1/2 hr.
240		150	2 hrs.

Temperature of water _____ Depth Artesian Flow Found _____
 Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
 Depth of strata: _____

(9) LOCATION OF WELL by legal description:
 County Washington Latitude _____ Longitude _____
 Township 1 N Nor S. Range 2 W E or W, WM. _____
 Section 11 NW 1/4 SE 1/4
 Tax Lot _____ Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) _____

(10) STATIC WATER LEVEL:
103 ft. below land surface. Date 8/22/88
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
 Depth at which water was first found 238

From	To	Estimated Flow Rate	SWL
238	244	10 gpm	103
278	282	20 gpm	"
530	596	20 gpm	"
596	605	650 gpm	"

(12) WELL LOG: Ground elevation _____

Material	From	To	SWL
Topsoil	0	1	
Firm light brown clay	1	6	
Sticky light brown clay	6	39	
Sticky red-brown clay	39	112	
Firm decomposed brown basalt	112	179	
Firm decomp. gray-brown basalt	179	201	
Firm brown basalt	201	203	
Firm gray-brown basalt	203	211	
Soft brown basalt	211	217	
Hard gray basalt	217	238	
Soft brown basalt	238	244	103
Firm gray-brown basalt	244	272	
Firm gray-brown claystone	272	278	
Soft brown basalt	278	282	
Firm gray-black basalt	282	296	
Hard gray basalt	296	308	
Soft black basalt	308	316	
Hard gray basalt	316	407	
Soft black basalt	407	412	
Firm gray-black basalt	412	440	
Hard gray basalt	440	501	
Soft brown basalt	501	505	
Firm gray-black basalt	505	530	

Date started 8/15/88 Completed 8/22/88

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

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
 WWC Number 1266
 Signed [Signature] Date 8/23/88

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WATER RESOURCES DEPT
 SALEM, OREGON

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1N/2W/11bd

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

MIG 25 1988 (START CARD) #

1432

Pg. 2

(1) OWNER: Name Cascadian Nurseries Well Number: Page 2
Address _____
City _____ State _____ Zip _____

(2) TYPE OF WORK:
 New Well Deepen Recondition Abandon

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable
 Other _____

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Other _____

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

HOLE SEAL Amount
Diameter From To Material From To sacks or pounds

How was seal placed: Method A B C D E
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:
Diameter From To Gauge Steel Plastic Welded Threaded
Casing: _____
Liner: _____

Final location of shoe(s) _____

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

From To Slot size Number Diameter Tele/pipe size Casing Liner

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Baller Air Flowing Artesian
Yield gal/min Drawdown Drill stem at Time

Temperature of water _____ Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County _____ Latitude _____ Longitude _____
Township _____ N or S, Range _____ E or W, WM. _____
Section _____ 1/4 _____ 1/4 _____
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) _____

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

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

(12) WELL LOG: Ground elevation _____

Material From To SWL
Hard gray basalt 530 596
Broken vesicular gray-brown basalt 596 603
Firm gray basalt 603 605

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WATER RESOURCES DEPT
SALEM, OREGON

Date started _____ Completed _____

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

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief. *Janusz*
Signed _____ Date _____ WWC Number _____

0434

STATE OF OREGON
COUNTY OF WASHINGTON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ALFRED MEISNER
CASCADIAN NURSERIES, INC.
13495 NW THOMPSON ROAD
PORTLAND, OR 97229

confirms the right to use the waters of ONE WELL in the ROCK CREEK BASIN for NURSERY OPERATION ON 18.7 ACRES.

This right was perfected under Permit G-11038. The date of priority is AUGUST 25, 1988 - FOR 0.40 CUBIC FOOT PER SECOND, AND OCTOBER 17, 1988 - FOR 0.10 CFS. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.50 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The well is located as follows:

NW 1/4 SE 1/4, SECTION 11, T 1 N, R 2 W, W.M.; 1870 FEET NORTH AND 2275 FEET WEST FROM THE SE CORNER OF SECTION 11.

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.

USE OF WATER UNDER THIS RIGHT SHALL BE REGULATED IF THE WELL DISPLAYS:

- A. AN AVERAGE WATER LEVEL DECLINE OF THREE (3) OR MORE FEET PER YEAR FOR FIVE (5) CONSECUTIVE YEARS, OR
- B. A WATER LEVEL DECLINE OF FIFTEEN (15) OR MORE FEET IN FEWER THAN FIVE (5) CONSECUTIVE YEARS, OR
- C. A WATER LEVEL DECLINE OF TWENTY-FIVE (25) OR MORE FEET, OR
- D. AN HYDRAULIC INTERFERENCE DECLINE OF TWENTY-FIVE (25) OR MORE FEET IN ANY NEIGHBORING WELL PROVIDING WATER FOR USES EXEMPT FROM PERMIT REQUIREMENTS OR A WELL COVERED BY PRIOR RIGHTS.

THE WATER RESOURCES DEPARTMENT HAS DETERMINED THAT THE INITIAL WATER LEVEL IN THE WELL WAS 92 FEET BELOW LAND SURFACE ON MARCH 2, 1990. THAT IS THE LEVEL FROM WHICH PREVIOUSLY CITED DECLINES WILL BE REFERENCED. AS MUCH AS POSSIBLE, FUTURE LEVELS SHALL REFLECT ANNUAL HIGH LEVELS WHICH ARE USUALLY FOUND IN THE SPRING OF EACH YEAR.

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

A description of the place of use to which this right is appurtenant is as follows:

SEE NEXT PAGE

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SALEM, OREGON

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NE 1/4 SW 1/4	3.0 ACRES
NE 1/4 SE 1/4	5.2 ACRES
NW 1/4 SE 1/4	10.5 ACRES

SECTION 11
TOWNSHIP 1 NORTH, RANGE 2 WEST, W.M.

When required by the department, the user shall install and maintain a weir, meter or other suitable measuring device and shall keep a complete record of the amount of ground water withdrawn.

The Director may require water level or pump test results every ten years.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

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

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

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

WITNESS the signature of the Water Resources Director, affixed DECEMBER 18, 1995.

/s/ MARTHA O. PAGEL

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 68714

G-11845.JT

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WATER RESOURCES DEPT
SALEM, OREGON

Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only **one** water right per page. A **separate Supplemental Form A** must be completed for **each** certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

■ Certificate Number or other identifying number: <u> 68714 </u>
--

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* 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 not be used for the portion of the water right affected by the transfer.) <input checked="" type="checkbox"/> Additional (Both the old and new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) <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 not be used.) <input type="checkbox"/> Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) <input type="checkbox"/> Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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WATER RESOURCES DEPT
SALEM, OREGON

1 10434

2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/> Certificated Right	68714	G-11038
	Certificate Number	Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right		
	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved		
	Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed		
	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Alfred Meisner, Cascadian Nurseries, Inc.
- County: Washington
- Authorized Use(s) to be Affected by Transfer: Nursery operations
- Priority Date(s): Aug. 25, 1988 for 0.40 cfs and Oct. 17, 1988 for 0.10 cfs

*If there are **multiple Priority Dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: One well in the Rock Creek Basin.

Tributary to: Tualatin River

*If there are **multiple Sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?
 - Yes No N/A – No Change in Place of Use or Character of Use

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

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

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WATER RESOURCES DEPT
SALEM, OREGON

10434

▪ Certificate Number or other identifying number: 68714

The following information **must be provided only** for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) 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 water right.

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

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or 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)
WASH 5213	Well 2 8-25-1988	1N	2W	W	11	NW SE	1500	1870' N & 2275' W from SE Cor Sec 11
WASH 5213	Well 2 10-17-1988	1N	2W	W	11	NW SE	1500	1870' N & 2275' W from SE Cor Sec 11

- Does the water right being transferred involve a ground water source(s)?
 - Yes
 - No (Surface water source only.)

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

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://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.

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SALEM, OREGON

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
WASH 5213	WELL	LOG	ATTACHED						

▪ Certificate Number or other identifying number: 68714

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right 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 or appropriation) N/A – Instream Water Right Transfer

(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)
Well 4	1N	2W	W	11	SW SE	1600	2620' W & 690' N from SE Cor Sec 11

- 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 web page at: <http://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
NO	---	12"	8" Steel	250	---	250	125'	620	Port	630

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WATER RESOURCES DEPT
SALEM, OREGON

1 10434

2005/06 FSA PHOTO 1" = 400'

55 20000 400'

2.0 AC
2.0 AC
2.0 AC

4.4 AC

10454

2.0

EAST LINE OF DAVID T. LENOX D.L.C. #53

C 1/4

E 1/4

TAX LOT 1300

NW SE 1.67 Ac

DICK ROAD GR 86

TAX LOT 1400

4" MAIN LINE

NE SE 19.21 Ac

WELL #2 & METER

TAX LOT 1500

2275'

4" MAIN LINE

4" MAIN LINE

TAX LOT 1701

HOLCOMB CREEK

TAX LOT 1600

1870'

TAX LOT 1700

TAX LOT 1300

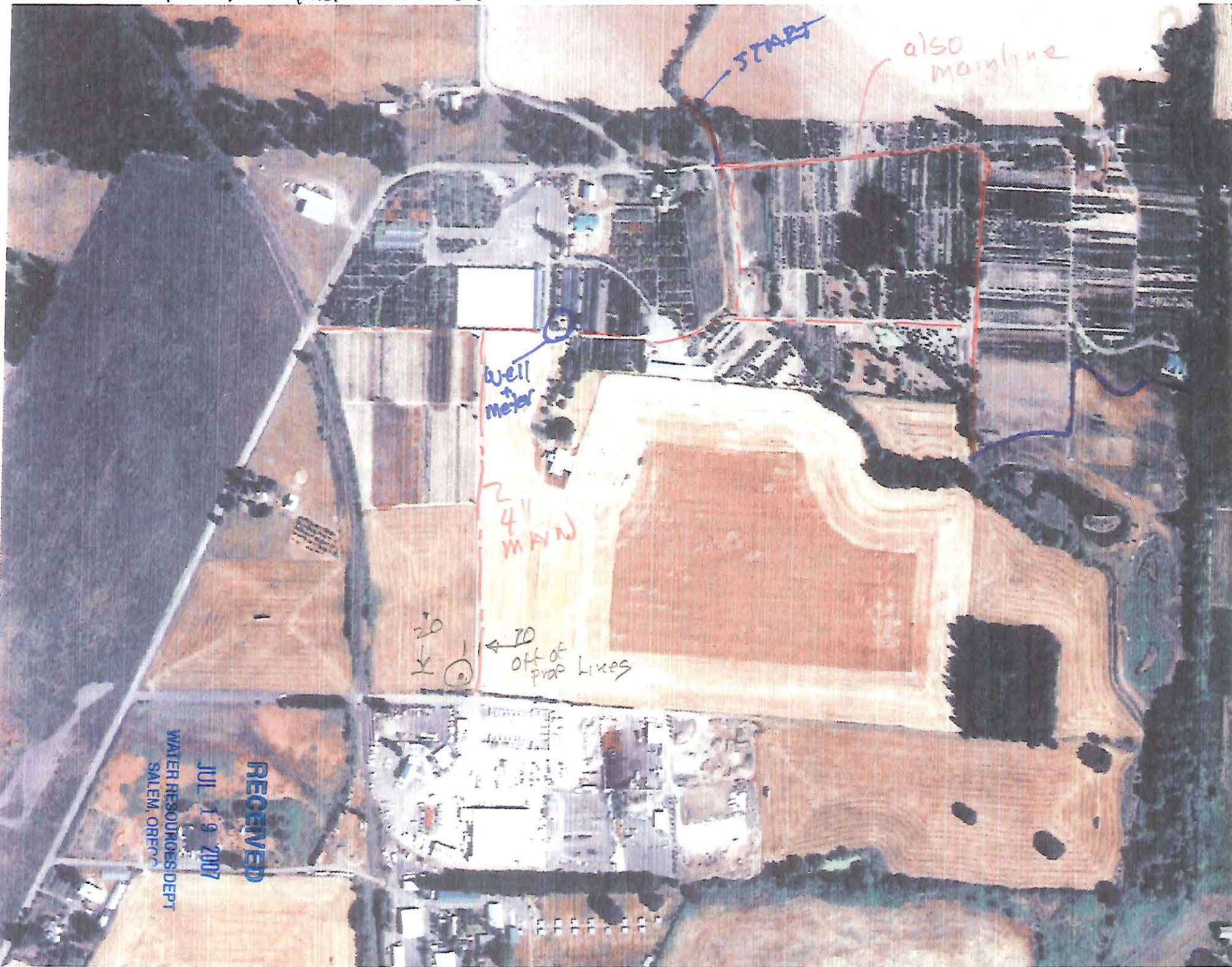
TAX LOT 1900

S 1/4

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JUL 19 2007
WATER RESOURCES DEPT.
SALEM, OREGON

11 12
14 13

2005/06 FSA PHOTO 1" = 400'



START

also mainline

well meter

4" MAIN

20

1

off of priv Lines

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JUL 19 2007

WATER RESOURCES DEPT
SALEM, OREGON

1 10434004 3.1



TELEPHONE (503) 357-5717
FAX (503) 357-5698
EMAIL:
firstnamelastname@stuntzner.com
2137 19th Avenue
Forest Grove, OR 97116

COOS BAY - FOREST GROVE - DALLAS - BROOKINGS

November 12, 2007

Attn: Dorothy Pedersen
Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266

RECEIVED

NOV 14 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

Dear Dorothy,

Subject: Transfer Application T-10434

This letter is in response to you letter dated Nov 6, 2007 that indicated a few minor questions regarding the application prepared by Dick Verboort of our firm. I have responded to the three items in order as you mention them in that letter.

1. The coordinates for the wells have been added as requested. The north-south coordinates of both wells has been checked. The 70 feet difference appears to have been caused by the fact the property line on the south does not match the section line. I have checked our scaling and the tax maps and believe the shown coordinates are the most accurate. The revised map is enclosed.
2. I have not been able to ask Dick Verboort why he checked the "Other" box. Cascadian wanted to get these edits in as fast as possible to help speed the transfer process. I believe that Dick probably picked "other" because the application is not for a transfer of place of use or transfer of point of appropriation, and instead adds a new additional point of appropriation. The application is to be permanent, so if that is the correct category for the transfer work then please use that.
3. I also tried to contact Dick Verboort about the "7.75" acres. I reviewed the T-fer and also believe that no change in Place of Use (or acres of use) was intended. Therefore, the "7.75" acres in those two places in the application was a typo and should be 7.55 as you mentioned.

If you have any questions whatsoever, please call me at 1-503-357-5717.

Sincerely,
Stuntzner Engineering & Forestry, LLC

Eric Urstadt, PE, PLS

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

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

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)
If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
NA	201-2.4	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

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

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JUL 19 2007

WATER RESOURCES DEPT
SALEM, OREGON

Name: Dyani Valentine Title: Assistant Planner

Signature: [Signature] Phone: 846-3821 Date: 7-16-07

Government Entity: Washington County

1 10434

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Last updated 12/22/06 WR

List all counties and cities where water is proposed to be diverted, conveyed, or used. WASHINGTON CO.

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 300 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-municipal Instream Other Nursery use

Briefly describe: APPLICANT PROPOSES TO DRILL A SECOND WELL FOR BACKUP USE SHOULD
THE PRIMARY WELL/PUMP GO OUT OF SERVICE. NO INCREASE IN WATER TO EXISTING
2 CERTIFICATES.

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

Receipt for Request for Land Use Information

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



Geographic Information Systems

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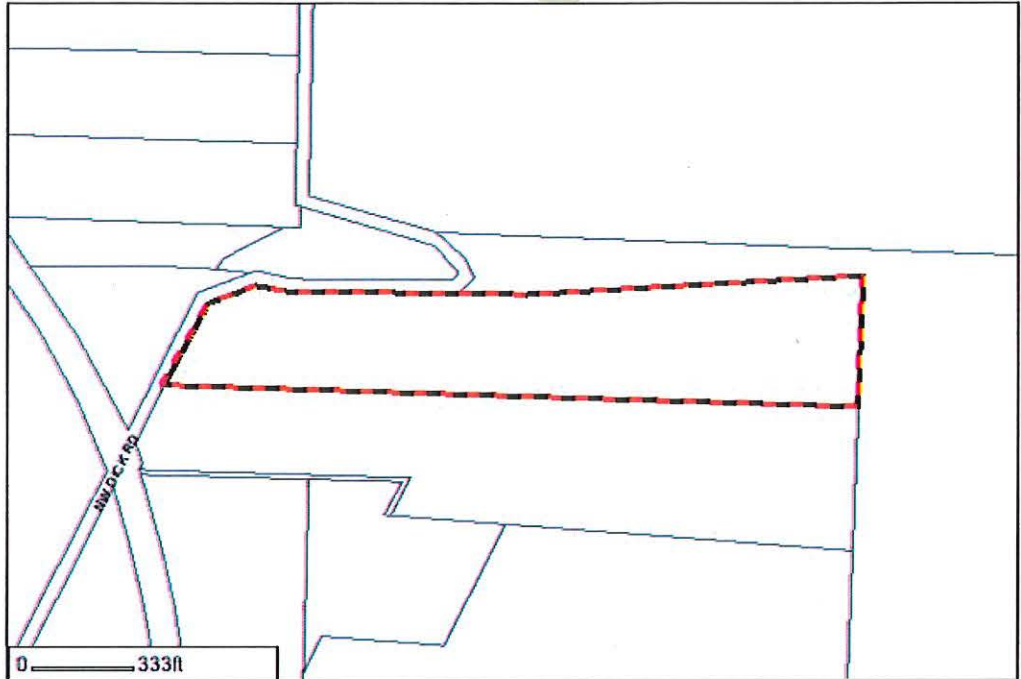
Property Search

Survey Search

Land Services

Building Services

Parcel Report for Taxlot: 1N2110001400



General Property Information

Map & Taxlot ID #:	1N2110001400
Real Property Account #:	R655320
Site Address:	8954 NW DICK RD. HILLSBORO OR, 97124
City/State/Zip:	
Legal:	ACRES 17.82, ZONED FARMLAND- POTENTIAL ADDITIONAL TAX LIABILITY
Sub Reports:	District Overlay Information Assessment & Taxation Information Scanned Tax Maps Permits & Projects
Ownership Information:	Information Withheld - why?
Interactive Mapping:	InterMap
Other Resources:	Link to External Site Virtual Earth Viewer

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Dorothy,
The contractor was correct.
the title report (attached hereto)
is for Tax lot 1600; however, only
tax lots 1400 + 1500
are involved in this transfer.



Geographic Information Systems

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- [frequently asked questions](#)

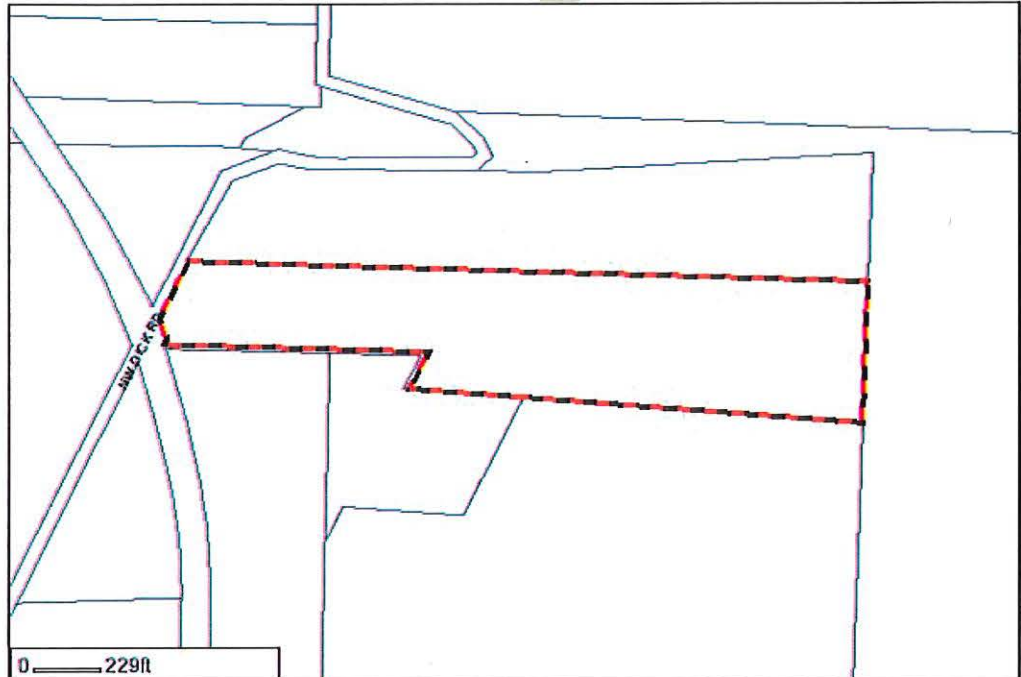
Property Search

Survey Search

Land Services

Building Services

Parcel Report for Taxlot: 1N2110001500



General Property Information

Map & Taxlot ID #:	1N2110001500
Real Property Account #:	R655339
Site Address:	No Address Found
City/State/Zip:	
Legal:	ACRES 19.96, ZONED FARMLAND- POTENTIAL ADDITIONAL TAX LIABILITY
Sub Reports:	District Overlay Information Assessment & Taxation Information Scanned Tax Maps Permits & Projects
Ownership Information:	Information Withheld - why?
Interactive Mapping:	InterMap
Other Resources:	Link to External Site: Virtual Earth Viewer

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- [other gis links](#)
- [gis introduction](#)
- [frequently asked questions](#)

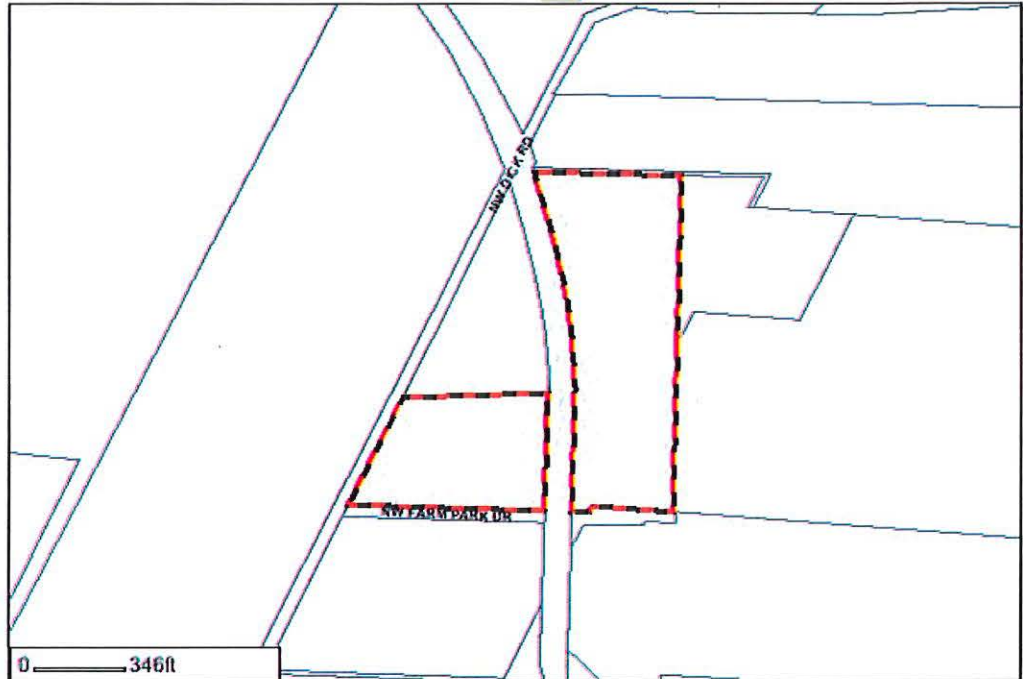
Property Search

Survey Search

Land Services

Building Services

Parcel Report for Taxlot: 1N2110001600



General Property Information	
Map & Taxlot ID #:	1N2110001600
Real Property Account #:	R655348
Site Address:	No Address Found
City/State/Zip:	
Legal:	ACRES 18.95, ZONED FARMLAND- POTENTIAL ADDITIONAL TAX LIABILITY
Sub Reports:	District Overlay Information Assessment & Taxation Information Scanned Tax Maps Permits & Projects
Ownership Information:	Information Withheld - why?
Interactive Mapping:	InterMap
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First American

First American Title Insurance Company of Oregon
222 SW Columbia Street, Suite 400
Portland, OR 97201
Phn - (503)222-3651 (800)929-3651
Fax - (503)790-7858

MULTNOMAH COUNTY TITLE UNIT

FAX (503)790-7858

Title Officer: **Michelle Johnson**

(503)222-3651

mjohnson@firstam.com

LIMITED LOT BOOK SERVICE

First American Title Insurance Company
19075 N.W. Tanasbourne Drive #100
Hillsboro, OR 97124

Order No.: 7019-1168045

January 18, 2008

Attn: Cathy Beaman
Phone No.: (503)645-0320 - Fax No.: (503)645-6351
Email: cbeaman@firstam.com

Re:

Fee: \$150.00

We have searched our Tract Indices as to the following described property:

The land referred to in this report is described in Exhibit A attached hereto.

and as of January 14, 2008 at 8:00 a.m.

We find that the last deed of record runs to

Cascadian Nurseries, Inc., an Oregon Corporation

We also find the following apparent encumbrances within ten (10) years prior to the effective date hereof:

We have also searched our General Index for Judgments and State and Federal Liens against the Grantee(s) named above and find:

NONE

We also find the following taxes and city liens:

1. City liens, county assessments, special assessments, homeowners assessment liens, if any.

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount: \$143.32
Map No.: 1N2W11-01600
Property ID: R0655348
Tax Code No.: 001-23

THIS IS NOT a title report since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Lot Book Service and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.

Exhibit "A"

Real property in the County of Washington, State of Oregon, described as follows:

PARCEL I:

All that certain tract of land in the Southwest quarter of Section 11, Township 1 North, Range 2 West, of the Willamette Meridian, in the County of Washington and State of Oregon, described in Deed to John H. Teters, et ux, recorded in Book 323, page 443, Washington County, Oregon, Deed Records, said tract being more particularly described as follows:

Beginning at a point on the Northerly line of said Teters Tract, where said Northerly line intersects the Easterly right of way line of the Oregon Electric Railroad, and which point bears South 26°00' West 726.00 feet and South 89°25' East 60.00 feet from the Northeast corner of the David Lennox Donation Land Claim No. 53, and running thence, along the Easterly right of way line of said Oregon Electric Railroad on the arc of a 2914.79 foot radius curve to the right (the long chord of which bears South 11°13'07" East 799.16 feet) 801.68 feet to a point; thence South 03°10' East 487.72 feet to a point on the Northerly line of that certain tract of land described in Deed to L.W. Hembre Investment Co., recorded in Book 730, page 639, said Deed Records; thence South 89°25' East 76.88 feet to the most Northeasterly corner of said Hembre Investment Tract; thence along the Easterly line of said Teters Tract North 26°00' East, 1404.93 feet to the most Northeasterly corner thereof; thence North 89°25' West 875.22 feet to the point of beginning.

EXCEPTING THEREFROM the following:

A portion of that tract of land in Section 11, Township 1 North, Range 2 West, of the Willamette Meridian, in the County of Washington and State of Oregon, described in Deed to John H. Teters, et ux, recorded in Book 323, page 443, Deed Records, Washington County, Oregon, more particularly described as follows:

Commencing at a point on the Northerly line of said Teters Tract, where said Northerly line intersects the Easterly right of way line of the Oregon Electric Railroad, and which point bears South 26° West 726.00 feet and South 89°25' East 60.00 feet from the Northeast corner of the David Lennox Donation Land Claim No. 53; thence South 89°25' East 875.22 feet along the North line of said Teters Tract to the most Northeasterly corner which is the true point of beginning; thence North 89°25' West along the North line of said Teters Tract 300 feet to a point; thence Southerly 630.7 feet to a point of intersection on the Easterly line of said Teters Tract; thence North 26° East 698 feet along the Easterly line of said Teters Tract to the point of beginning.

PARCEL II:

Beginning at a point on the Westerly line of said Teters Tract, on the Easterly line of the David T. Lennox Donation Land Claim No. 53, which bears South 26°00' West, 1665.80 feet from the Northeast corner of said Lennox Donation Land Claim, and running thence, along the Westerly line of said Teters Tract South 26°00' West 465.12 feet to the Northwesterly corner of that certain tract of land described in Deed to the L.W. Hembre Investment Co., recorded in Book 730, page 639, said Deed Records; thence along the Northerly line thereof South 89°25' East, 758.13 feet to a point on the Westerly right of way line of the Oregon Electric Railroad; thence North 03°10' West 455.73 feet to a point; thence South 86°50' West 529.83 feet to the point of beginning.

PARCEL III:**RECEIVED**

MAR 10 2008

WATER RESOURCES DEPT
SALEM, OREGON

A portion of that tract of land in Section 11, Township 1 North, Range 2 West, of the Willamette Meridian, in the County of Washington and State of Oregon, conveyed to Susie Ryser in Book 90, page 533, Deed Records, Washington County, Oregon, more particularly described as follows:

Commencing at a point South 26° West 13 chains and East 14.17 chains of the Northeast corner of the David Lennox Donation Land Claim in said Section 11, said commencing point being 2.00 chains South 26° West of the Northeast corner of the tract of land conveyed by John Brooks to Helen M. Whitten by Deed dated December 27, 1878, and recorded in Book N, page 434, Deed Records, Washington County, Oregon; thence South 26° West 1,256.4 feet to the true point of beginning; thence South 85°15' East along the South line of said Ryser Tract, 297.5 feet to a point; thence Northerly 641.58 feet to a point of intersection with the Easterly line of that tract conveyed to John H. Teters, et ux, recorded in Book 323, page 443, Deed Records, Washington County, Oregon; thence South 26° West along the East line of said Teters Tract 690.33 feet to the point of beginning.

Tax Parcel Number: R0655348

RECEIVED

MAR 10 2008

WATER RESOURCES DEPT
SALEM, OREGON

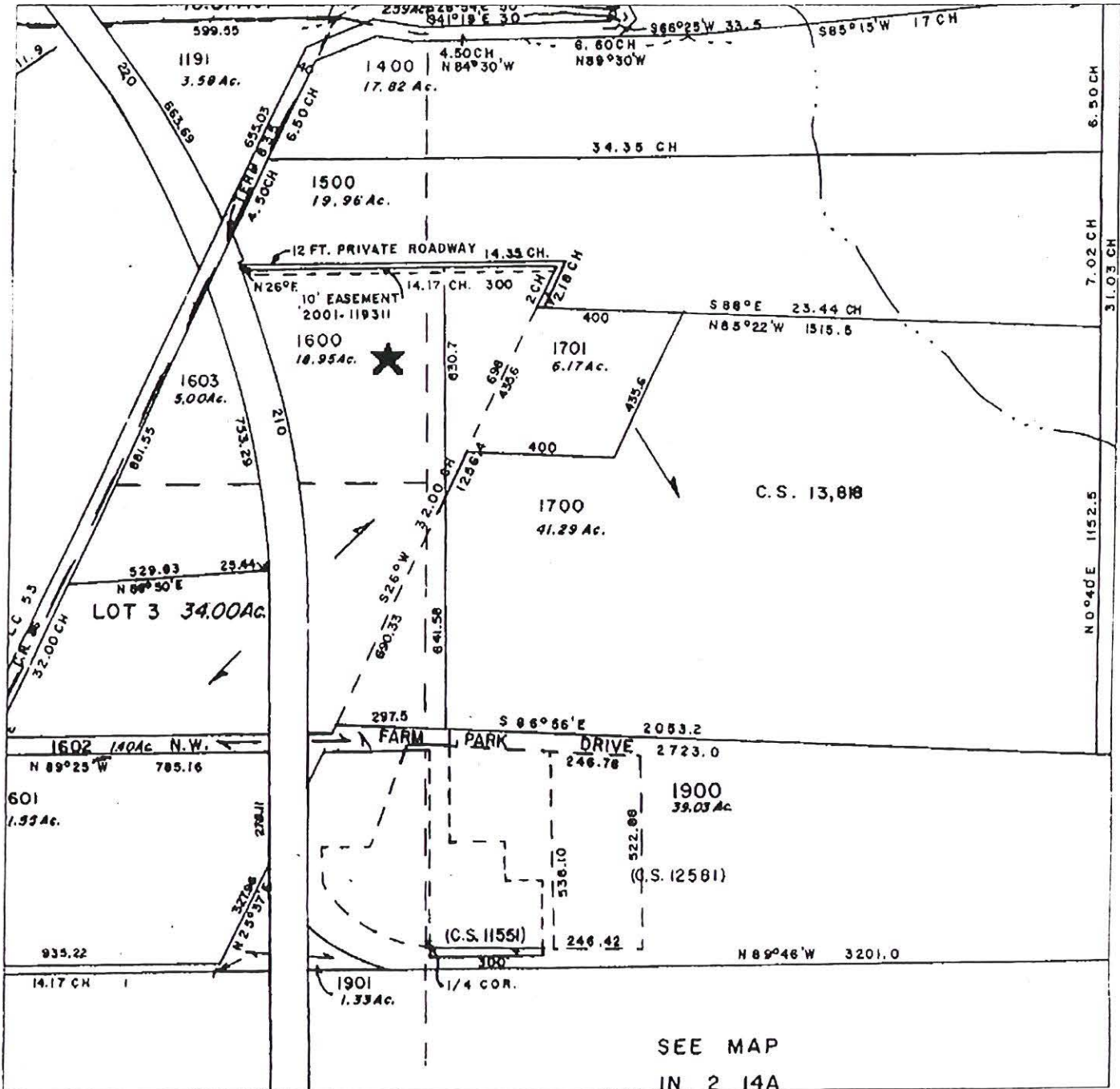


First American Title Insurance Company of Oregon

An assumed business name of TITLE INSURANCE COMPANY OF OREGON

This map is provided as a convenience in locating property
First American Title Insurance Company assumes no liability for any variations as may be disclosed by an actual survey

Reference Parcel Number 1N21100 01600



RECEIVED

MAR 10 2008

WATER RESOURCES DEPT
SALEM, OREGON



First American

First American Title Insurance Company of Oregon
222 SW Columbia Street, Suite 400
Portland, OR 97201
Ph - (503)222-2651 : (800)529-2651
Fax - (503)790-7858

MULTNOMAH COUNTY TITLE UNIT
FAX (503)790-7858

Title Officer: **Sandra Goffin**
(503)222-3651
sgoffin@firstam.com

LOT BOOK SERVICE

Cascade Nursery
8900 NW Dick Road
Hillsboro, OR 97124

Order No.: 7019-1202710
March 19, 2008

Attn:
Phone No.: - Fax No.:
Email:

Re:

Fee: \$275.00

We have searched our Tract Indices as to the following described property:

The land referred to in this report is described in Exhibit A attached hereto.

and as of March 13, 2008 at 8:00 a.m.

We find that the last deed of record runs to

Alfred Meisner and Carla Meisner as tenants by the entirety, as to Parcel I and Cascadian Nurseries, Inc., an Oregon corporation, as to Parcel II

We also find the following apparent encumbrances within ten (10) years prior to the effective date hereof:

1. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
2. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of unnamed creek.
3. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.

Lot Book Service

Certificate No.: 7019-1202710

Page 2 of 3

4. An easement for outlet purposes over a strip of land 12 feet wide on the South and West side of said land as disclosed by various deeds but more particularly reserved in deed recorded December 14, 1960 in Book 438, Page 721, Washington County Records.
5. Unrecorded leases or periodic tenancies, if any.

We have also searched our General Index for Judgments and State and Federal Liens against the Grantee(s) named above and find:

NONE

We also find the following paid taxes and city liens:

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount: \$6,070.84
Map No.: 1N211-01400
Property ID: R655320
Tax Code No.: 001.23
Affects: Parcel I

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount: \$772.73
Map No.: 1N211-01500
Property ID: R655339
Tax Code No.: 001.23
Affects: Parcel II

THIS IS NOT a title report since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Lot Book Service and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.

Lot Book Service

Certificate No.: 7019-1202710

Page 3 of 3

Exhibit "A"

Real property in the County of Washington, State of Oregon, described as follows:

PARCEL I:

COMMENCING AT THE NORTHEAST CORNER OF THE DONATION LAND CLAIM OF DAVID LENOX IN SECTION 11, TOWNSHIP 1 NORTH, RANGE 2 WEST, OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF WASHINGTON AND STATE OF OREGON; RUNNING THENCE SOUTH 26° WEST 6.50 CHAINS WITH ROAD IN LINE TO A STAKE AT THE NORTHWEST CORNER OF THE BELLAMY TRACT AS DESCRIBED IN BOOK 438, PAGE 721, DEED RECORDS OF WASHINGTON COUNTY, OREGON; THENCE EASTERLY ALONG THE NORTH LINE OF SAID BELLAMY TRACT 34.35 CHAINS TO A STAKE ON THE WEST LINE OF THE OWEN TRACT AS DESCRIBED IN MORTGAGE RECORDED IN BOOK 264, PAGE 311, MORTGAGE RECORDS OF SAID COUNTY; THENCE NORTH ALONG SAID WEST LINE 6.50 CHAINS TO A STAKE ON THE DIVISION LINE AS ESTABLISHED BY DECREE IN CIRCUIT COURT OF WASHINGTON COUNTY, OREGON, SUIT NO. 3680; THENCE FOLLOWING SAID DIVISION LINE SOUTH 85° 15' WEST 17.00 CHAINS, NORTH 89° 30' WEST 6.60 CHAINS, NORTH 84° 30' WEST 4.50 CHAINS, NORTH 87° 15' WEST 3.16 CHAINS TO THE PLACE OF BEGINNING, EXCEPT PART DESCRIBED IN BOOK 240, PAGE 31.

PARCEL II:

COMMENCING AT 6.50 CHAINS SOUTH 26° WEST FROM THE NORTHEAST CORNER OF THE DONATION LAND CLAIM OF DAVID LENOX IN SECTION 11, TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN; THENCE SOUTH 26° WEST 4.50 CHAINS TO ANDREW JOHNSON'S NORTHWEST CORNER; THENCE EAST ON HIS NORTH LINE TO HIS NORTHEAST CORNER 14.14 CHAINS; THENCE SOUTH 26° WEST 2.00 CHAINS ALONG THE EAST LINE OF ANDREW JOHNSON LAND TO A STAKE; THENCE SOUTH 38° EAST 23.44 CHAINS TO A STAKE ON THE EAST LINE OF A CERTAIN TRACT DEEDED TO WILLIAM SATTLER AND FRIEDA SATTLER BY DEED RECORDED IN BOOK 221 AS FEE NO. 4518; THENCE NORTH ON SATTLER WEST LINE 7.02 CHAINS TO A STAKE; THENCE NORTHERLY 34.35 CHAINS TO THE POINT OF BEGINNING, EXCEPTING THEREFROM A PORTION OF ABOVE DESCRIBED TRACT CONVEYED TO THE OREGON ELECTRIC RAILROAD COMPANY AS SHOWN BY INSTRUMENT RECORDED FEBRUARY 24, 1913 IN BOOK 95, PAGE 406.

NOTE: THESE LEGAL DESCRIPTIONS WERE CREATED PRIOR TO JANUARY 01, 2008.

Tax Parcel Number: R655320 and R655339

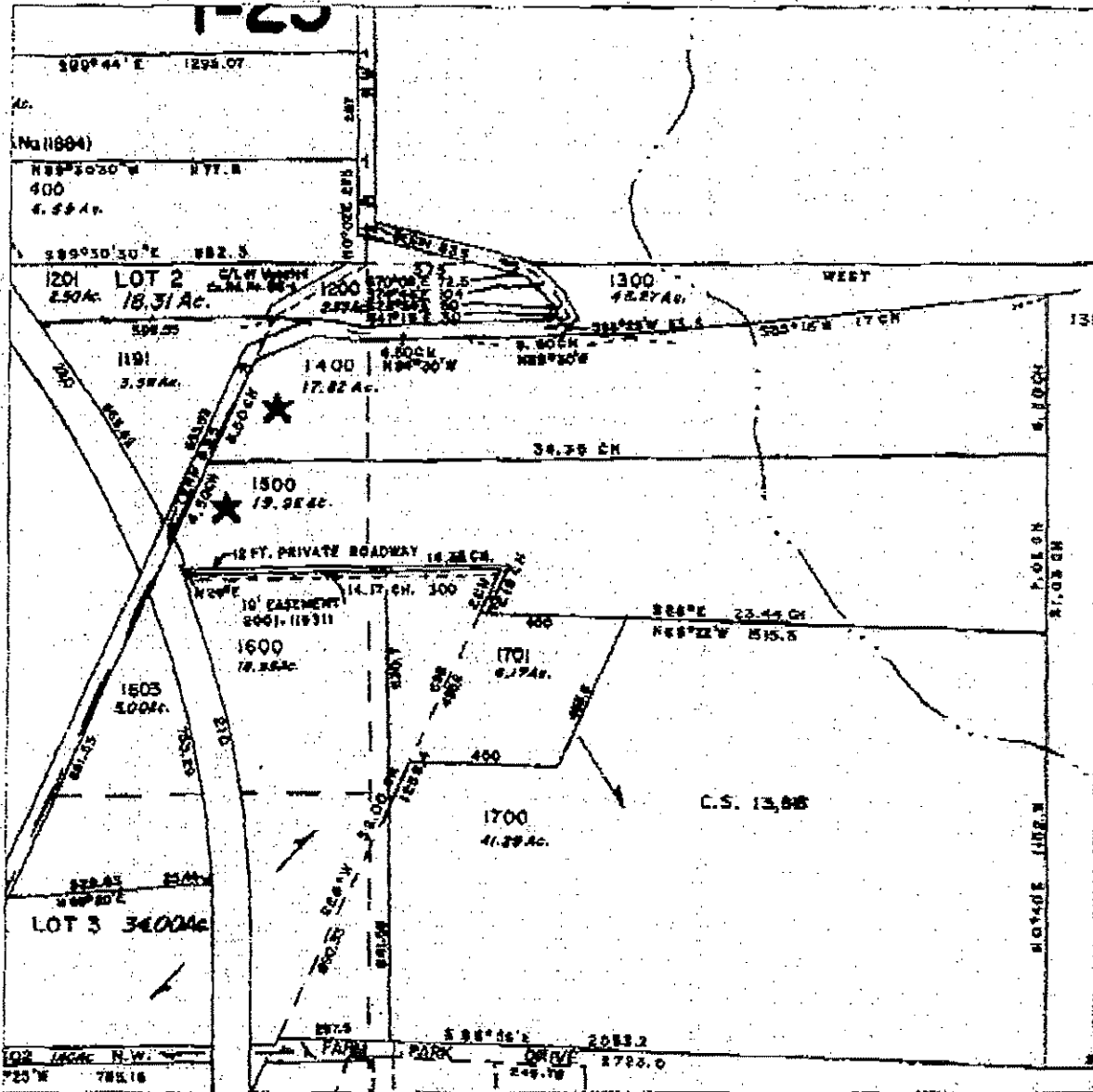


First American Title Insurance Company of Oregon

An associated business name of TITLE INSURANCE COMPANY OF OREGON

This map is provided as a convenience in locating property.
First American Title Insurance Company assumes no liability for any variations as may be disclosed by an actual survey.

Reference Parcel Number IN21100 01400



Review Checklist

T- 10434

Processor: RA-dip

Application

- The type of change is clearly indicated. *other is marked. Should be permanent*
- The application is appropriately signed.
- Appropriate fees were paid. \$600 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 Gov't'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. *Capacity of system listed at 1.0 cfs Certificates total 1.168 cfs*
- 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. *No chg pl use, but conflict see platcards*
- 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. *E/W coordinate - existing well missing*
- Metes and bounds for the POD's/POA's are properly described on the map. *- N/S coordinate for proposed POA MISSING*
- The POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions. *App - distance North from skip cor may be off 70'*
- 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) - C-83329 - App Lists 7.75 Ac New SE - should be 7.55 Ac.*
- Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4. *NO Rem. Rt.*

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 When in the judgment Prior to diverting Existing and maintain
- Measuring Devices When in the judgment Prior to diverting Existing and maintain
- Fish Screen Devices

Injury: Y (N) Enlargement: Y (N)

Conditions to avoid enlargement/injury -

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FEB 25 2008

WATER RESOURCES DEPT SALEM, OREGON

00wre



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

Application for Water Right
Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable."

CWRB Revised 11/12/2007

1. TYPE OF TRANSFER APPLICATION

Please check one
Permanent Transfer
Temporary Transfer
Instream Transfer
Drought Transfer
Other

2. APPLICANT INFORMATION

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FEB 25 2008

WATER RESOURCES DEPT SALEM OREGON

Name: CASCADIAN NURSERIES, INC.
Address: 8900 NW Dick Road
HILLSBORO OR 97124
Phone: 503-645-3350
Fax: 503-647-9494

3. AGENT INFORMATION

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

Name: N/A
Address:
City State Zip
Phone:
Home Work Other
Fax: E-Mail address:

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JUL 19 2007

WATER RESOURCES DEPT SALEM, OREGON

- If an agent is listed above, please check one of the following:
Please send all correspondence to Agent.
Please send all correspondence to Applicant.



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

COPY

**Notice of Application for
Water Right Transfer, Temporary Transfer, or Permit Amendment
07/24/07**

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. 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: WASHINGTON
Transfer: 10434
Water Right: CERT 68714,83329
Priority Date: 1988,2001
Name: CASCADIAN NURSERIES INC
Address: 8900 NW DICK RD; HILLSBORO OR 97124
Change: APOA
Source: WELL
Authorized POA: T1N R2W 11
Proposed APOA: T1N R2W 11

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.

▪ Certificate Number or other identifying number: 68714

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right 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.

CWRE Revised 11/12/2007 622'

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

(i.e., the "TO" point(s) of diversion or appropriation) N/A - Instream Water Right Transfer

(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)
Well 4	1N	2W	W	11	SW SE	1600	2620' W & 690' N from SE Cor Sec 11

No coordinate given on map but measures to 620'

- 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 web page at: <http://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
NO	---	12"	8" Steel	250	---	250	125'	620	Port	630

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WATER RESOURCES DEPT SALEM, OREGON

▪ Certificate Number or other identifying number: 83329

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right 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 or appropriation)

N/A - Instream Water Right Transfer

(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)
Well 4	1N	2W	W	11	SW SE	1600	2620' W & 690' N from SE Cor Sec 11

CWRE Revised 11/12/2007 622'

map looks like about 620' coordinate not given on map may have measured from wrong line on map

▪ 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 web page at: <http://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.

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NO	---	12"	8" Steel	250	---	250	125'	620'	Port	630

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WATER RESOURCES DEPT SALEM, OREGON

Water Rights Platcard Report

Meridian: WILLAMETTE - Township: 1 North - Range: 2 West - Section: 11 - Records per Page: 10

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): NE NW SW SE NE NW SW SE	NE SW	NW SW	SW SW	SE SW	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	Unkown QQ	
Select Cert:47450 OR * Additional Info: L W HEMBREE App: R49683 Permit: R6040 Cert: 47450		9/5/1972	FISH CULTURE													*	*
Select Cert:47451 OR * Additional Info: L W HEMBREE App: S49798 Permit: S37268 Cert: 47451		10/12/1972	FISH CULTURE													*	*
Select Permit:S 49240 * Additional Info: TUALATIN VALLEY WATER DISTRICT App: S50693 Permit: S49240	T10477	6/19/1973	INDUSTRIAL/MANUFACTURING USES				*	*	*	*	*	*	*	*	*	*	*
Select Cert:24636 OR * Additional Info: CARL/MATILDA E DICK App: S29267 Permit: S23016 Cert: 24636		6/17/1954	IRRIGATION				0.2	24.8									
Select Cert:33294 OR * Additional Info: CARL J BERG App: G2378 Permit: G2189 Cert: 33294		7/9/1962	IRRIGATION					4.8									
Select Cert:48488 OR * Additional Info: RAYMOND M MUNSON App: G6393 Permit: G5225 Cert: 48488		12/27/1973	IRRIGATION						13.4		21.3						
Select App:P 75091 * Additional Info: RAYMOND M MUNSON App: P75091		10/3/1994	LIVESTOCK								*						
Select Cert:73698 CR * Additional Info: RAYMOND M MUNSON App: R75091		1/1/1993	LIVESTOCK								*						

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WATER RESOURCES DEPT
SALEM, OREGON

Water Right Platcard Report

Cert: 73698

Select **App:S 71651 *** 6/3/1991 MUNICIPAL USES

Additional Info:
TUALATIN VALLEY WATER DISTRICT
App: S71651

Select **Permit:S 49240 *** T10477 6/19/1973 MUNICIPAL USES

Additional Info:
TUALATIN VALLEY WATER DISTRICT
App: S50693
Permit: S49240

*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	

1 2 3

Acreage Legend: 12.25 Regular acreage ~~12.25~~ Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended * Acreage is not specified

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FEB 25 2008
WATER RESOURCES DEPT
SALEM, OREGON

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 1 North Range: 2 West Section: 11 Records per Page: 10 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): NE NW SW SE NE NW SW SE NE NW SW SE NE NW SW SE NE NW SW SE	Unkown QQ
Select Permit:G 13531 * Additional Info: ALFRED MEISNER App: G14626 Permit: G13531		10/21/1997	NURSERY USES					25.9 3.2 16.1
Select Permit:S 53680 * Additional Info: ALFRED N MEISNER App: S84097 Permit: S53680		3/22/1999	NURSERY USES				3 30.12 14.94 14	
Select Cert:68714 OR * Additional Info: ALFRED MEISNER App: G11845 Permit: G11038 Cert: 68714	T10434		NURSERY USES				3 5.2 10.5	
Select Permit:G 15334 * Additional Info: ALFRED MEISNER App: G15664 Permit: G15334		12/7/2001	NURSERY USES				5.2 12.5 0.6 0.95	
Select Permit:G 15372 * Additional Info: ALFRED MEISNER App: G15765 Permit: G15372		5/17/2002	NURSERY USES				3.7 16.2 11.5	
Select Cert:83329 OR * Additional Info: ALFRED MEISNER App: G15298 Permit: G15127 Cert: 83329	T10434	1/16/2001	NURSERY USES				4.4 7.55	
Select Cert:83329 OR * Additional Info: ALFRED MEISNER App: G15298	T10434	1/16/2001	NURSERY USES			2	2	

NO conflict

Conflict with C-68714

8-25-88

No conflict but uses same well (#2) as T-10434

No conflict but uses same well (#2) as T-10434

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WATER RESOURCES DEPT
SALEM, OREGON

T-10434 Cascadian Nurseries

Map:

CWRE amended
11/12/2007

Well #4 No N/S coordinate
Well #2 No E/W coordinate
Only NW/SE Labeled

App states 690' N of
S1/4 cor but map
measures about 620'

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WATER RESOURCES DEPT
SALEM, OREGON

Application

CWRE Revised
to permanent
transfer 11/12/2007

Page 1 - other checked rather than
permanent transfer

CWRE indicated
typo 11/12/2007

Page 4 Supp Form A C-83329
7.75 ac NW/SE Listed rather
than 7.55 ac.

Allegation of use lists 7.75 ac.
NW/SE rather than 7.55
(C-83329)

* Need Ground Water Section Review

* Note DECLINE LEVEL EXCEEDED per Reporting

Enlargement // Capacity of system (current) does not appear
ISSUE

adequate for both certificates -

Capacity listed	1 cfs (trans off)	Q Cert. 68714	0.50 cfs
		Q Cert. 83329	0.668 cfs
			<hr/>
			1.168

COB4 for 83329 lists measured pumping rate
@ 350 gpm \approx 0.78 CFS - owner indicated
this is maximum rate pumped

WATER RESOURCES DEPARTMENT

MEMO

February 15, 2008

TO: Dorothy Pedersen, Transfers
FROM: Marc Norton, Ground Water Section
SUBJECT: Transfer T-10434, Cascadian Nurseries.

RECEIVED
FEB 25 2008
WATER RESOURCES DEPT
SALEM, OREGON

The authorized POA on the existing rights is WASH 5213. The applicant proposes an additional POA that will have 250 feet of casing and seal and a total depth of about 630 feet, a construction similar to WASH 5213. Based on WASH 5213, this design may allow commingling of several water bearing zones or aquifers that have poor natural connections. To this end the following conditions are recommended to avoid injury to other water rights, enlargement of the right, and to ensure that the new well develops water from the same aquifer as the original well.

Make this a finding, ~~finding~~ prior to the statement "The change, as conditioned, would not result in enlargement and the change, as conditioned, would not result in injury..."

Recommended Conditions

1) The new well shall be limited to a single aquifer and shall have an open interval that is no greater than 100 feet except as noted below. Open interval means the total length of borehole that is not behind sealed casing. The borehole above the open interval shall be continuously cased and continuously sealed to land surface. A larger open interval may be approved by the Department if the applicant can conclusively demonstrate, using packer tests or other suitable methods, that the hydraulic heads of water-bearing zones in the proposed open interval are similar enough to prevent loss of artesian pressure from one zone to the other.

2) (3) Prior to using the well under this transfer, the applicant shall demonstrate that the new and old wells are likely producing from the same aquifer. Evidence in support of a common aquifer shall include hydraulic testing that shows mutual interference between the wells or documentation of similar water levels in the wells and the analysis of drill cuttings, geologic cross-sections, or other hydrogeologic data that indicate that hydraulic continuity is likely between the wells.

3) (2) The reference level at the new well will reflect the change in water level (decline or rise) that has occurred at the original well ^(WASH 5213) since that reference level was established. (For example, if the original well shows a ten foot decline from its reference level, then the reference level for the new well would be the first March water level ^{at the new well} minus 10 feet.)

(4) ~~3)~~ If the ^{evidence does not demonstrate that the} new well produces water from the same aquifer ^{as the original} as the original point of appropriation, the change cannot be completed to the satisfaction of the Director, ^{in that case, the department shall issue an order} and the ~~point of appropriation shall revert to the authorized~~ ^{point of appropriation} point of appropriation prior to the transfer, pursuant to OAR 690-380-6019(6).

STATE OF OREGON
COUNTY OF WASHINGTON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ALFRED MEISNER
CASCADIAN NURSERIES, INC.
13495 NW THOMPSON ROAD
PORTLAND, OR 97229

confirms the right to use the waters of ONE WELL in the ROCK CREEK BASIN for NURSERY OPERATION ON 18.7 ACRES.

This right was perfected under Permit G-11038. The date of priority is AUGUST 25, 1988 - FOR 0.40 CUBIC FOOT PER SECOND, AND OCTOBER 17, 1988 - FOR 0.10 CFS. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.50 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The well is located as follows:

NW 1/4 SE 1/4, SECTION 11, T 1 N, R 2 W, W.M.; 1870 FEET NORTH AND 2275 FEET WEST FROM THE SE CORNER OF SECTION 11.

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.

USE OF WATER UNDER THIS RIGHT SHALL BE REGULATED IF THE WELL DISPLAYS:

- A. AN AVERAGE WATER LEVEL DECLINE OF THREE (3) OR MORE FEET PER YEAR FOR FIVE (5) CONSECUTIVE YEARS, OR
- B. A WATER LEVEL DECLINE OF FIFTEEN (15) OR MORE FEET IN FEWER THAN FIVE (5) CONSECUTIVE YEARS, OR
- C. A WATER LEVEL DECLINE OF TWENTY-FIVE (25) OR MORE FEET, OR
- D. AN HYDRAULIC INTERFERENCE DECLINE OF TWENTY-FIVE (25) OR MORE FEET IN ANY NEIGHBORING WELL PROVIDING WATER FOR USES EXEMPT FROM PERMIT REQUIREMENTS OR A WELL COVERED BY PRIOR RIGHTS.

THE WATER RESOURCES DEPARTMENT HAS DETERMINED THAT THE INITIAL WATER LEVEL IN THE WELL WAS 92 FEET BELOW LAND SURFACE ON MARCH 2, 1990. THAT IS THE LEVEL FROM WHICH PREVIOUSLY CITED DECLINES WILL BE REFERENCED. AS MUCH AS POSSIBLE, FUTURE LEVELS SHALL REFLECT ANNUAL HIGH LEVELS WHICH ARE USUALLY FOUND IN THE SPRING OF EACH YEAR.

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

A description of the place of use to which this right is appurtenant is as follows:

SEE NEXT PAGE

G-11845.JT

T-10434 68714

NE 1/4 SW 1/4 3.0 ACRES
NE 1/4 SE 1/4 5.2 ACRES
NW 1/4 SE 1/4 10.5 ACRES

SECTION 11
TOWNSHIP 1 NORTH, RANGE 2 WEST, W.M.

When required by the department, the user shall install and maintain a weir, meter or other suitable measuring device and shall keep a complete record of the amount of ground water withdrawn.

The Director may require water level or pump test results every ten years.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

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

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

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

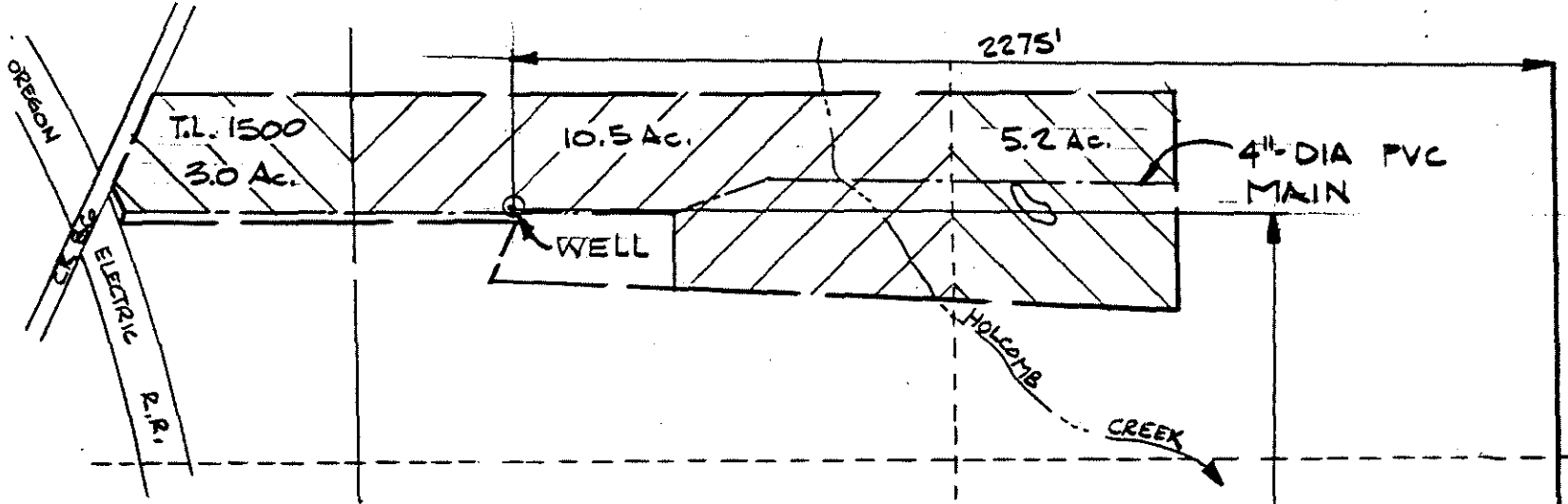
WITNESS the signature of the Water Resources Director, affixed DECEMBER 18 ,
1995.

/s/ MARTHA O. PAGEL

Martha O. Pagel

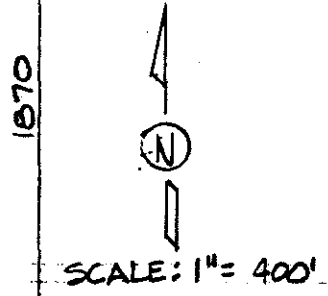
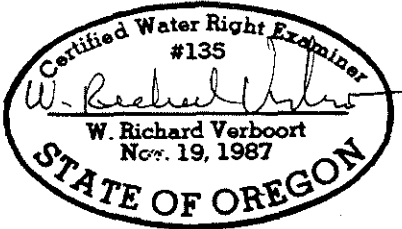
Recorded in State Record of Water Right Certificates numbered 68714.

SECTION 11 T.1N., R.2 W., W.M., WASHINGTON CO., OREGON



FINAL PROOF SURVEY
 UNDER
 APPLICATION G-11845, PERMIT G-11038
 SURVEYED 8.15.91

PREPARATION OF THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

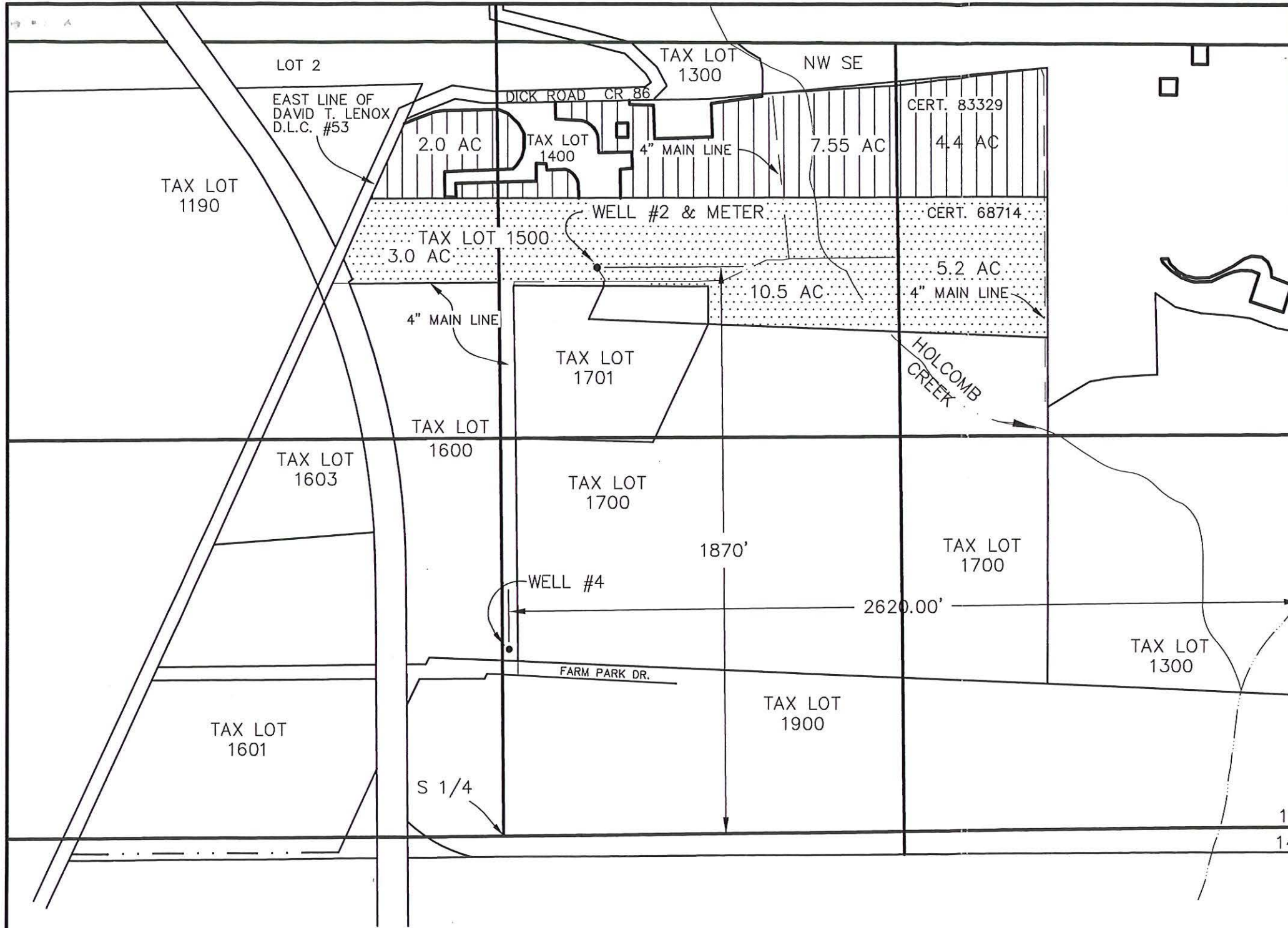


11	12
14	13

CASCADIAN NURSERIES, INC.
 ALFRED MEISNER, OWNER
 13495 N.W. THOMPSON ROAD
 PORTLAND, OR 97229

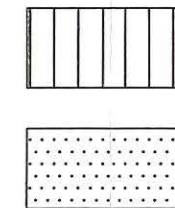
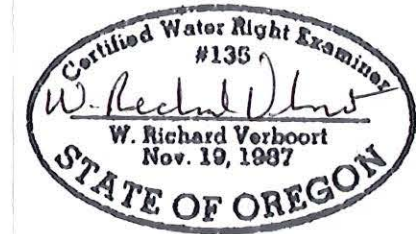
designed by W.R.V. 8.91
 drawn by J.E.R. 8.91
 checked by W.R.V. 9.91
 drawing no. 91-A-K
 sheet no. 1/1

VERBOORT ENGINEERING
 AGRICULTURE - CIVIL - WATER RESOURCES
 HILLSBORO, OREGON



WATER RIGHT
TRANSFER MAP
SECTION 11 T1N R2W W.M.
WASHINGTON COUNTY, OREGON

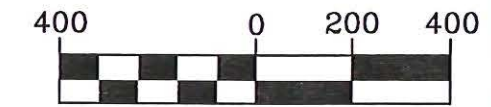
*Superseded
by map received
11/14/07*



CERTIFICATE # 83329

CERTIFICATE # 68714

RECEIVED
JUL 19 2007
WATER RESOURCES DEPT
SALEM, OREGON



1 inch = 400 ft.

PREPARATION OF THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

SOURCE OF MAP DATA IS FINAL PROOF SURVEY FOR CERTIFICATES, AND ASSESSORS MAP.

FOR:
CASCADIAN NURSERY
8900 NW DICK RD.
HILLSBORO, OR 97124



Stuntzner Engineering & Forestry, LLC
ENGINEERING * LAND SURVEYING * FORESTRY
PLANNING * WATER RIGHTS

2137 19TH AVENUE
FOREST GROVE, OREGON 97116

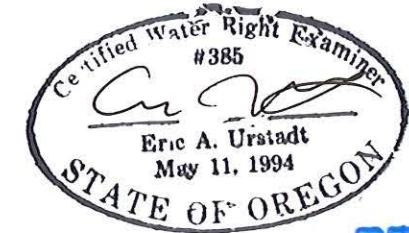
TEL: (503) 357-5717
FAX: (503) 357-5698
E-MAIL: INFO@STUNTZNER.COM

PROJECT: CASCADIAN NURSERY
DRAWING No.: 3052029CascadianNursery

DATE: JULY 12, 2007
DRAWN BY: C. VAN BUREN

10434

WATER RIGHT
TRANSFER MAP
SECTION 11 T1N R2W W.M.
WASHINGTON COUNTY, OREGON



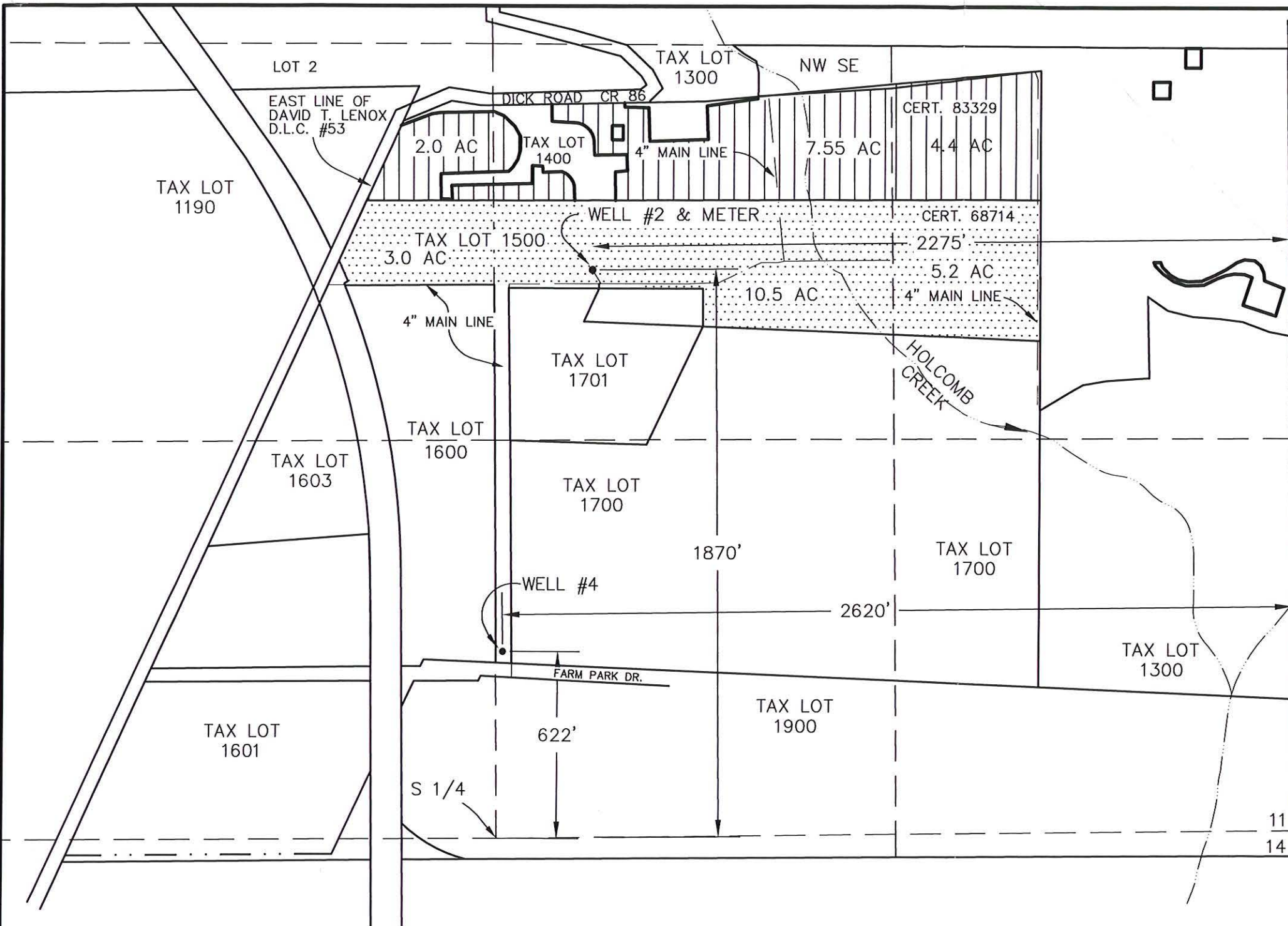
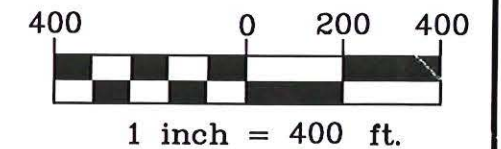
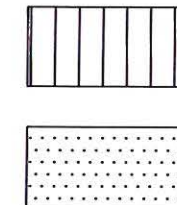
RECEIVED

NOV 14 2007

WATER RESOURCES DEPT
SALEM, OREGON

CERTIFICATE # 83329

CERTIFICATE # 68714



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FOR:
CASCADIAN NURSERY
8900 NW DICK RD.
HILLSBORO, OR 97124

Stuntzner Engineering & Forestry, LLC
ENGINEERING * LAND SURVEYING * FORESTRY PLANNING * WATER RIGHTS

2137 19TH AVENUE
FOREST GROVE, OREGON 97116
TEL: (503) 357-5717
FAX: (503) 357-5698
E-MAIL: INFO@STUNTZNER.COM

PROJECT: 3052029CASCADIANNURSERY
DRAWING No.: 3052029 Well 2&4 WR
DATE: JULY 12, 2007
DRAWN BY: C. VAN BUREN

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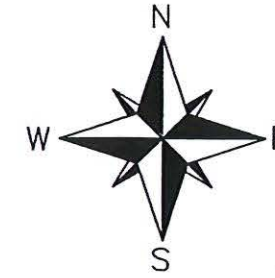
MAP PREPARED FOR:
 CASCADIAN NURSERIES
 8900 NW DICK RD.
 HILLSBORO, OR 97124

Superseded

CLAIM OF BENEFICIAL USE MAP

SECTION 11 T1N R2W W.M.
 WASHINGTON COUNTY, OREGON

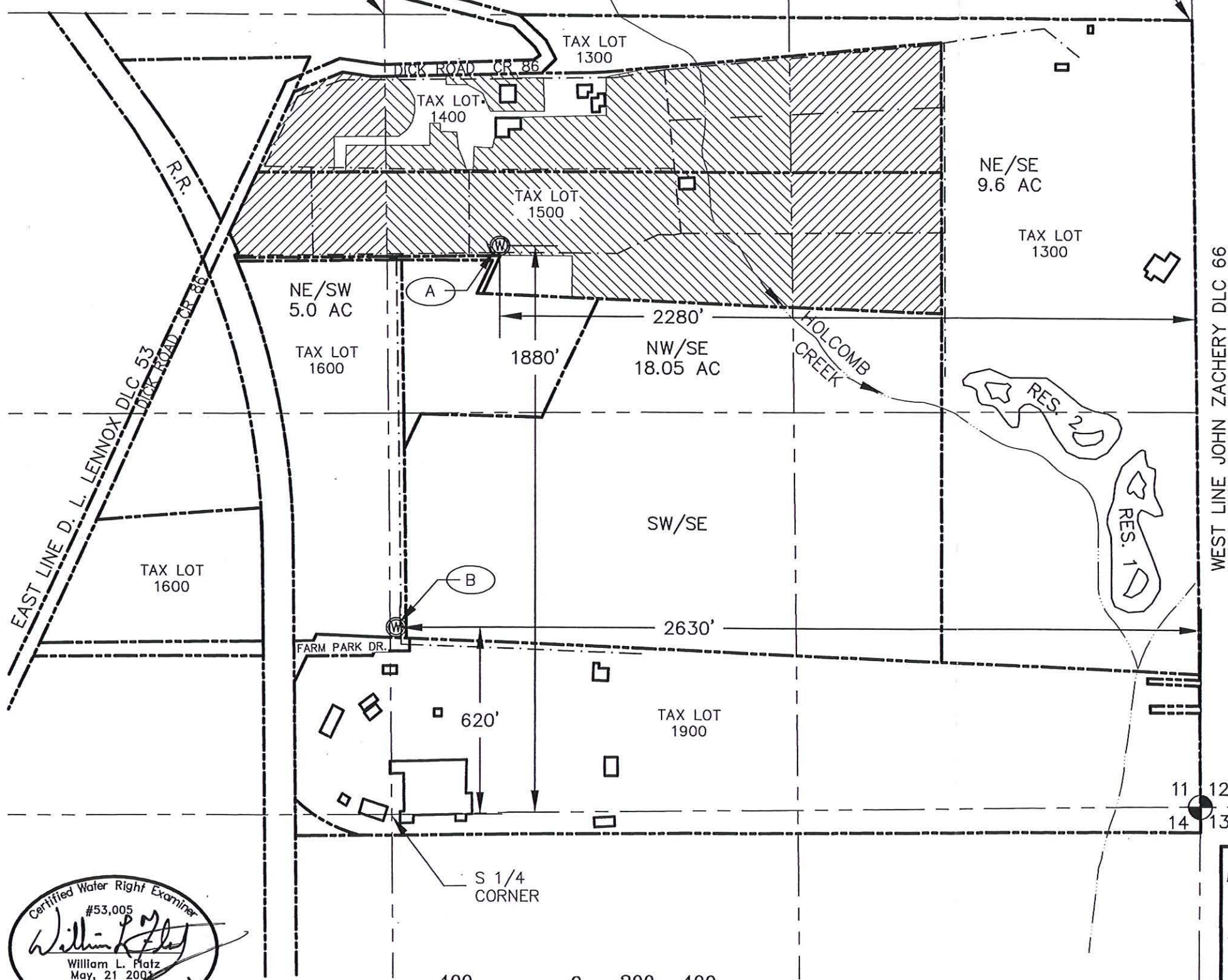
CLAIM OF BENEFICIAL USE FOR T-10434



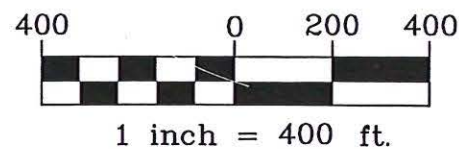
LEGEND

- POA, WELL #2, WASH 5213, START CARD 1432, WITH METER IN PUMP HOUSE, 1,880'N. AND 2,280'W. FROM SE COR. SEC. 11. ADDITIONAL WATER RIGHTS: APP. G-14626, APP. G-15664
- POA, WELL #4, WASH 66930, START CARD 198398, L-95435; WITH METER IN PUMP HOUSE, 620'N. AND 2,630'W. FROM SE COR. SEC. 11
- BUILDINGS, TYPICAL
- SECTION AND QUARTER-QUARTER LINES
- PROPERTY LINES
- 4" & 3" BURIED PVC MAINLINE, APPROX. TOTAL LENGTH 8,700 FT.
- AREA OF IRRIGATION FOR THIS CLAIM OF BENEFICIAL USE
- LAND OWNED BY CASCADIAN NURSERY INC. AND FARM HORTICULTURAL PARKPLACE, LLC.: TL 1300, TL 1400, TL 1500, TL 1600, TL 1900.

RECEIVED BY OWRD
 JUN 18 2014
 SALEM, OR



Certified Water Right Examiner
 #53,005
William L. Platz
 William L. Platz
 May, 21 2002
 STATE OF OREGON
 EXPIRES 12/31/2015



PREPARATION OF THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

SOURCE OF MAP DATA:
 ASSESSORS MAP, GOOGLE AIR PHOTO 2012

Stuntzner Engineering & Forestry, LLC
 COOS BAY * FOREST GROVE * DALLAS

Stuntzner Engineering & Forestry, LLC
 ENGINEERING * LAND SURVEYING * FORESTRY
 PLANNING * WATER RIGHTS

2137 19TH AVENUE
 FOREST GROVE, OREGON 97116

TEL: (503) 357-5717
 FAX: (503) 357-5698
 E-MAIL: INFO@STUNTZNER.COM

PROJECT: CASCADIAN NURSERY COBU
 DRAWING No.: 312019 Cascadian COBU T-10434

DATE: 6-13-14
 DRAWN BY: W.L. FLATZ

Superseded

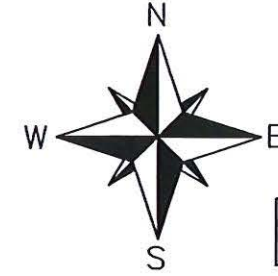
MAP PREPARED FOR:
CASCADIAN NURSERIES
8900 NW DICK RD.
HILLSBORO, OR 97124

C 1/4
CORNER

E 1/4
CORNER

CLAIM OF BENEFICIAL USE MAP

SECTION 11 T1N R2W W.M.
WASHINGTON COUNTY, OREGON

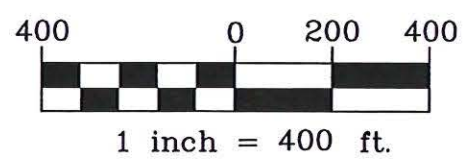
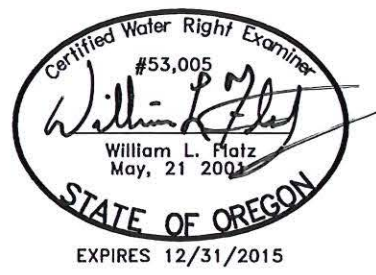
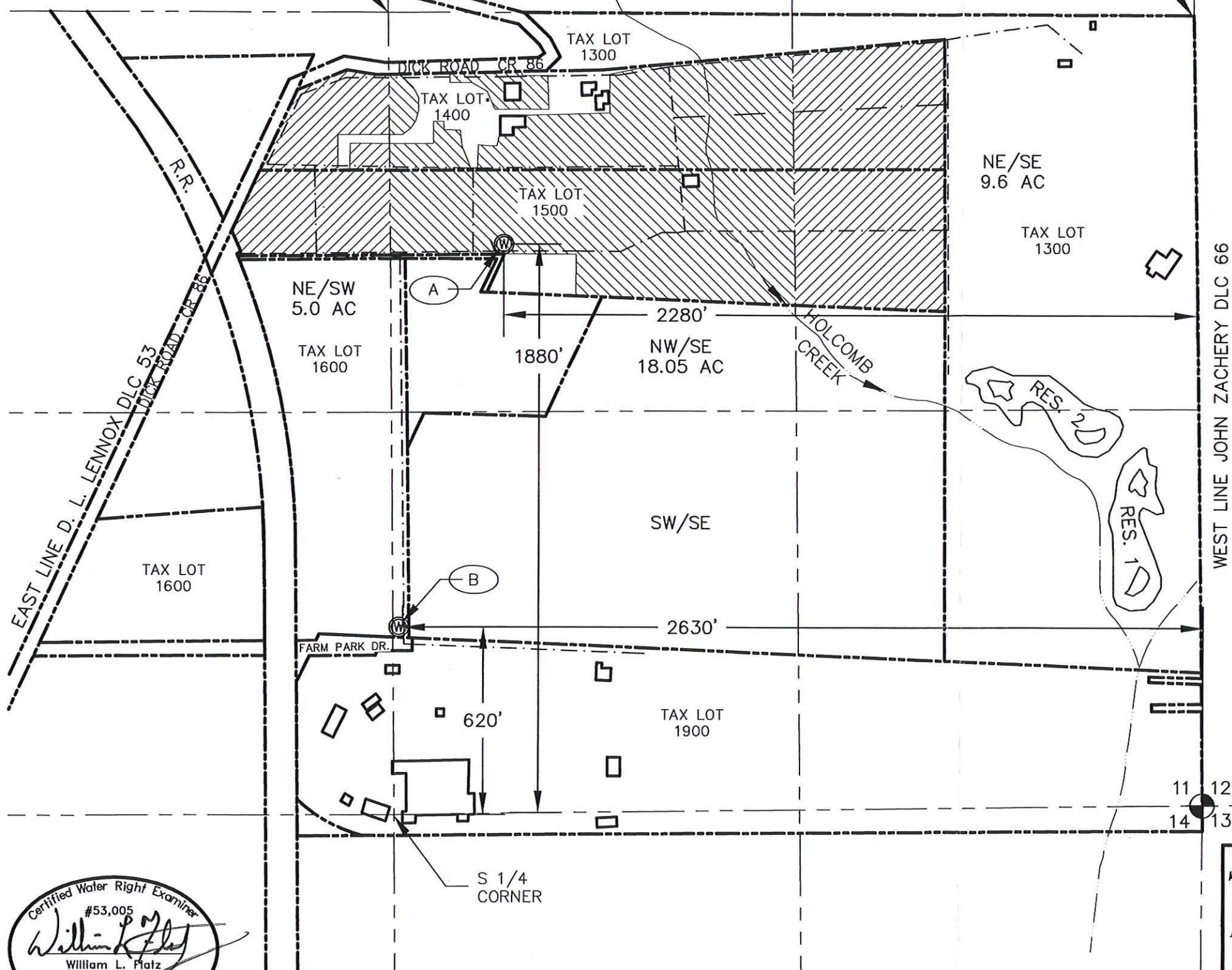


CLAIM OF BENEFICIAL USE FOR T-10434

LEGEND

- POA, WELL #2, WASH 5213, START CARD 1432, WITH METER IN PUMP HOUSE, 1,880'N. AND 2,280'W. FROM SE COR. SEC. 11. ADDITIONAL WATER RIGHTS: APP. G-14626, APP. G-15664
- POA, WELL #4, WASH 66930, START CARD 198398, L-95435; WITH METER IN PUMP HOUSE, 620'N. AND 2,630'W. FROM SE COR. SEC. 11
- BUILDINGS, TYPICAL
- SECTION AND QUARTER-QUARTER LINES
- PROPERTY LINES
-
- AREA OF IRRIGATION FOR THIS CLAIM OF BENEFICIAL USE
- LAND OWNED BY CASCADIAN NURSERY INC. AND FARM HORTICULTURAL PARKPLACE, LLC.: TL 1300, TL 1400, TL 1500, TL 1600, TL 1900.

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SALEM, OR



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SOURCE OF MAP DATA:
ASSESSORS MAP, GOOGLE AIR PHOTO 2012

Stuntzner Engineering & Forestry, LLC
ENGINEERING * LAND SURVEYING * FORESTRY
PLANNING * WATER RIGHTS

2137 19TH AVENUE
FOREST GROVE, OREGON 97116
TEL: (503) 357-5717
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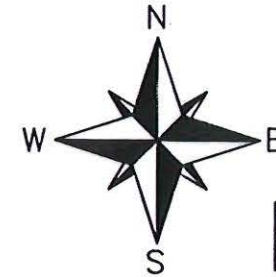
PROJECT: CASCADIAN NURSERY COBU
DRAWING No.: 312019 Cascadian COBU T-10434

DATE: 6-13-14
DRAWN BY: W.L. FLATZ

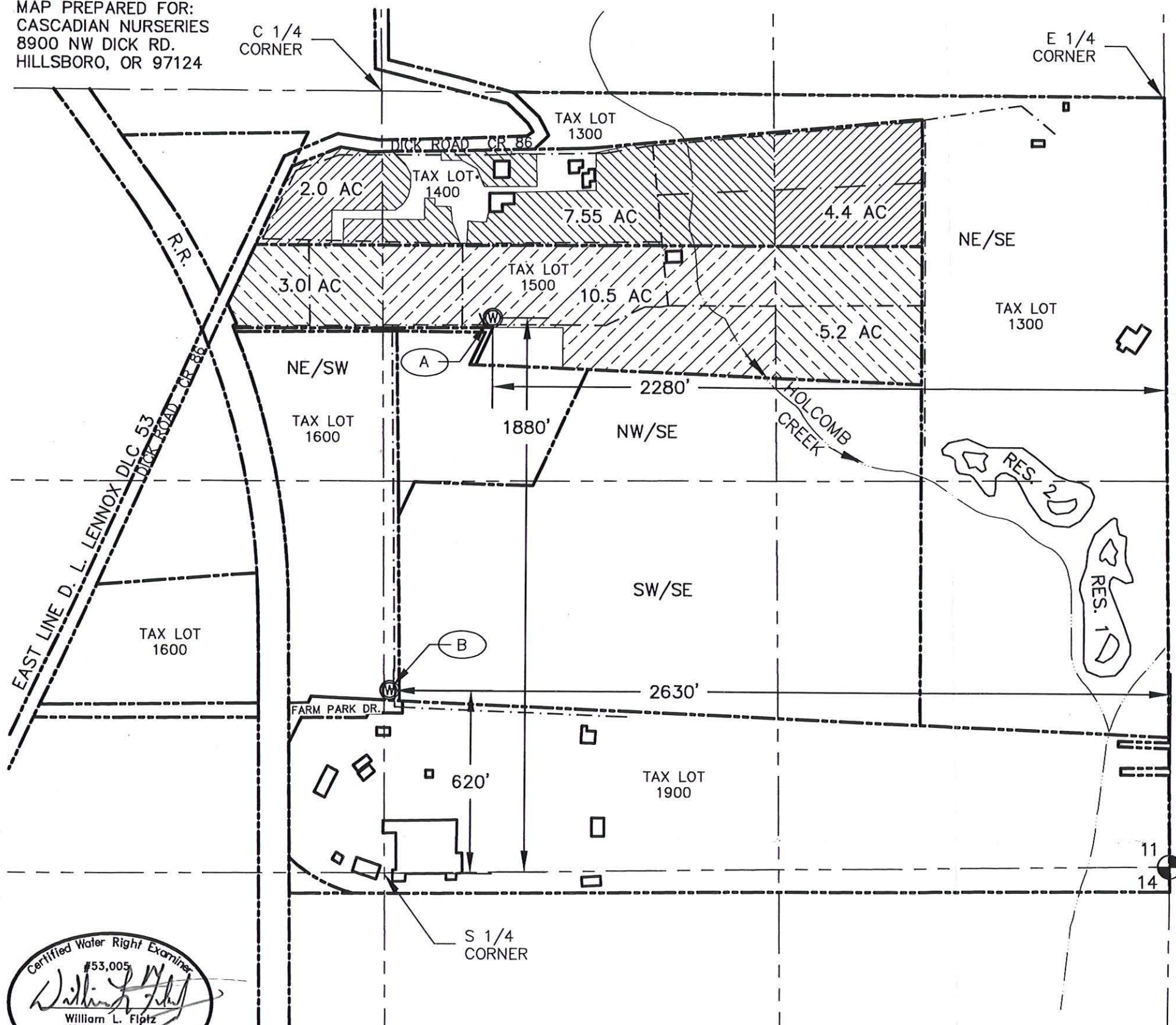
MAP PREPARED FOR:
 CASCADIAN NURSERIES
 8900 NW DICK RD.
 HILLSBORO, OR 97124

CLAIM OF BENEFICIAL USE MAP

SECTION 11 T1N R2W W.M.
 WASHINGTON COUNTY, OREGON

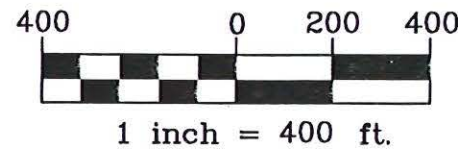


CLAIM OF BENEFICIAL USE FOR T-10434



LEGEND	
	POA, WELL #2, WASH 5213, START CARD 1432, WITH METER IN PUMP HOUSE, 1,880'N. AND 2,280'W. FROM SE COR. SEC. 11. ADDITIONAL WATER RIGHTS: APP. G-14626, APP. G-15664
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	BUILDINGS, TYPICAL
	SECTION AND QUARTER-QUARTER LINES
	PROPERTY LINES
	4" & 3" BURIED PVC MAINLINE, APPROX. TOTAL LENGTH 8,700 FT.
	AREA OF IRRIGATION FOR THIS CLAIM OF BENEFICIAL USE FROM CERT. #83329, TOTAL AREA FROM CERT. 13.95 AC.
	AREA OF IRRIGATION FOR THIS CLAIM OF BENEFICIAL USE FROM CERT. # 68741, TOTAL AREA FROM CERT. 18.70 AC.
	LAND OWNED BY CASCADIAN NURSERY INC. AND FARM HORTICULTURAL PARKPLACE, LLC.: TL 1300, TL 1400, TL 1500, TL 1600, TL 1900.

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 Stuntzner Engineering & Forestry, LLC COOS BAY * FOREST GROVE * DALLAS	Stuntzner Engineering & Forestry, LLC ENGINEERING * LAND SURVEYING * FORESTRY PLANNING * WATER RIGHTS
	2137 19TH AVENUE FOREST GROVE, OREGON 97116 TEL: (503) 357-5717 FAX: (503) 357-5698 E-MAIL: INFO@STUNTZNER.COM
PROJECT: CASCADIAN NURSERY COBU DRAWING No.: 312019 Cascadian COBU T-10434	DATE: 9-9-14 DRAWN BY: W.L. FLATZ

SOURCE OF MAP DATA:
 ASSESSORS MAP, GOOGLE AIR PHOTO 2012

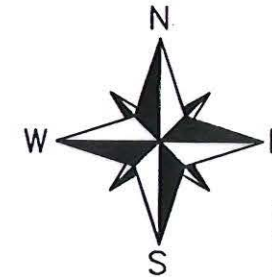
MAP PREPARED FOR:
 CASCADIAN NURSERIES
 8900 NW DICK RD.
 HILLSBORO, OR 97124

C 1/4
 CORNER

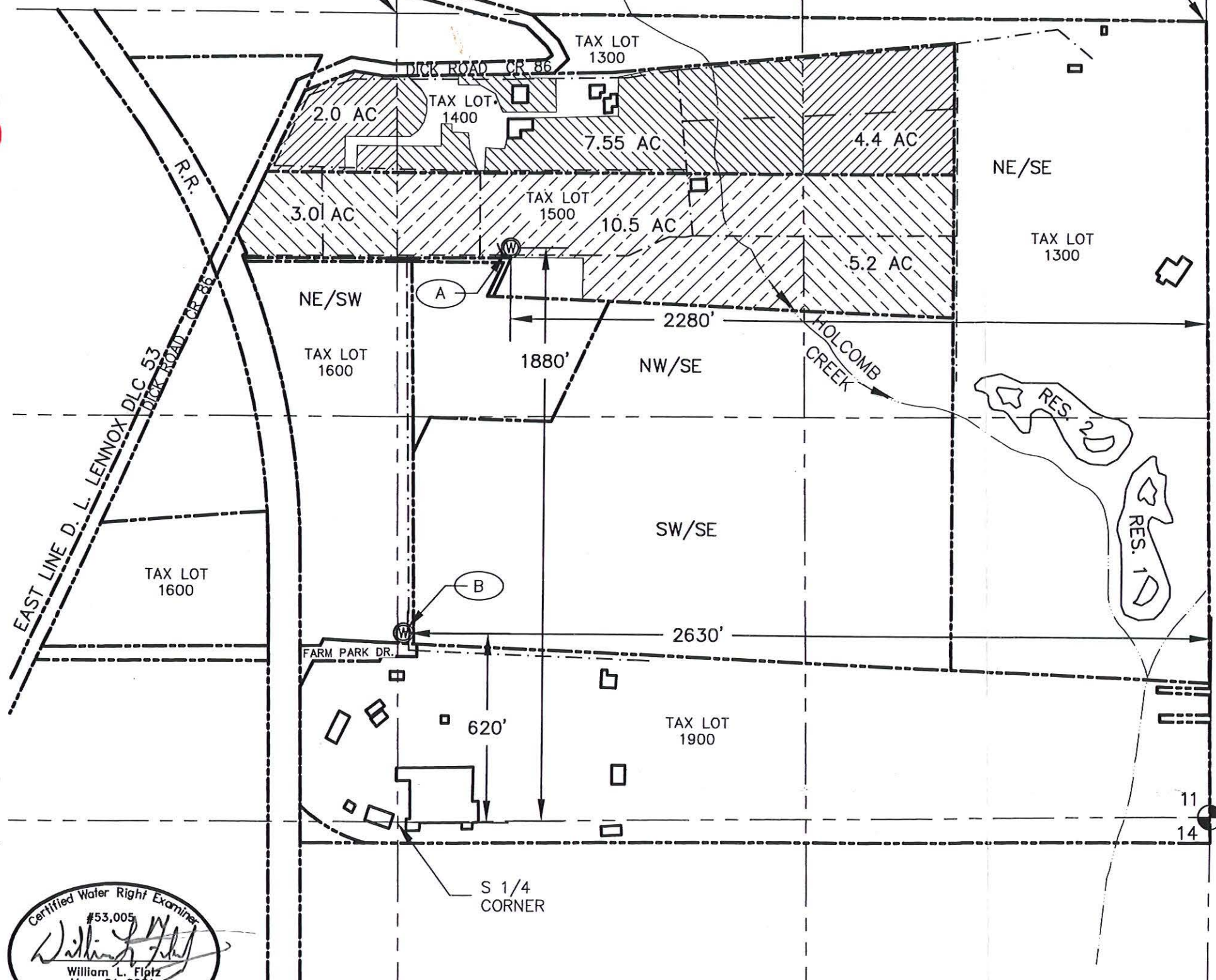
E 1/4
 CORNER

CLAIM OF BENEFICIAL USE MAP

SECTION 11 T1N R2W W.M.
 WASHINGTON COUNTY, OREGON

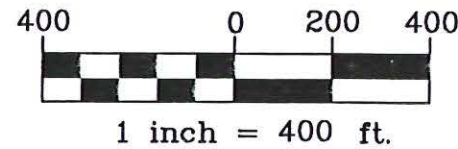


CLAIM OF BENEFICIAL USE FOR T-10434



LEGEND	
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Stuntzner Engineering & Forestry, LLC
 ENGINEERING * LAND SURVEYING * FORESTRY PLANNING * WATER RIGHTS

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SOURCE OF MAP DATA:
 ASSESSORS MAP, GOOGLE AIR PHOTO 2012