

Application for a Permit to Use
Groundwater

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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME MATTHEW YOUNG (OWNER MANAGER OF YM ENTERPRISES, LLC)			PHONE (HM)
PHONE (WK) (503) 515 - 8651	CELL		FAX
ADDRESS 15788 S SPANGLER ROAD			
CITY OREGON CITY	STATE OR	ZIP 97045	E-MAIL* BOB.LONG@CWMH2O.COM (CWRE AGENT)

Organization

NAME YM ENTERPRISES, LLC			PHONE (503) 515 - 8651	FAX
ADDRESS 15788 S SPANGLER ROAD			CELL	
CITY OREGON CITY	STATE OR	ZIP 97045	E-MAIL* BOB.LONG@CWMH2O.COM (CWRE AGENT)	

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

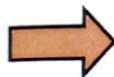
AGENT / BUSINESS NAME BOB LONG, CWRE (CWM-H2O, LLC)			PHONE (503) 954-1326	FAX
ADDRESS 1319 SE MARTIN LUTHER KING JR BLVD			CELL	
CITY PORTLAND	STATE OR	ZIP 97214	E-MAIL* BOB.LONG@CWMH2O.COM	

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.



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

Applicant Signature

Matthew Young
Print Name and Title if applicable

9/19/22
Date

Applicant Signature

Print Name and Title if applicable

Date

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

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- ☒ YES, there are no encumbrances.
- ☐ YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- ☐ NO, I have a recorded easement or written authorization permitting access.
- ☐ NO, I do not currently have written authorization or easement permitting access.
- ☐ NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- ☐ NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

NA – Land in question is owned solely by the applying organization.

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

Proof of ownership and a legal description of the property are included in Attachment 1.

The property from which the water is to be diverted and the property on which the water is to be used are the same. The following description is based on the county taxlot map:

- The 10.75-acre Taxlot 203 is in the NENE and NWNE quarter-quarters of T4S, R2E, Section 3. Starting 907.5 ft west of the NE corner of Section 3, at the NE corner of Taxlot 203, the taxlot boundaries runs along S 00°00'04"E for 1005.48 ft, then west along S 89°55'32"E for 470.32 ft, then running north along S 00°02'40"E for 986.18 ft, then running east along S 89°55'32"E for 470.01 ft to return to the NE corner of the Taxlot.*

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
Well 1 (proposed)	Unnamed tributary of Bruckner Creek	1,450 ft SE	Approx. 60-80 ft

**Distances shown is the closest distance to each surface water within a mile of the proposed well. The range of elevations includes the entire surface water reach within a one-mile radius of the proposed well.*

-Proposed Well-1 is located in the northern section of Taxlot 0203 at an elevation of approximately 680 ft. The unnamed tributary of Bruckner Creek runs NE to SW in a channel SE of Taxlot 0203. At its nearest location, the creek is at an elevation of approximately 600-620 ft. The creek reaches a minimum elevation of approximately 280 ft at a distance of 1-mile from the proposed well.

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 0.045 cfs (20 gpm) (each well will be evaluated at the max rate unless you indicate well-specific rates and annual volumes).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the information may be found on the applicable well log. *(If a well log is available, please submit it in addition to completing the table.)* If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID NO. WELL LOG ID	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL- SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
Well 1	☒	☐	NA	☐	8-10"	Approx. 0-420 ft	Approx. 420-550 ft	From surface to bottom of casing	Unk.	Troutdale Formation Aquifer	Approx. 450-550 ft	20 gpm	20 AF

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

*** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

Hydrogeology Details:

- Fine-grained deposits assigned to the Troutdale Formation extend up to 1,200 ft below the Boring volcanics in the area of the Site (Gannett and Caldwell, 1998; Madin, 2009). The Troutdale Formation in this region is comprised primarily of claystone, siltstone, and thin sandy or sand and gravel layers that are water-bearing. The water-bearing zones tapped by most wells near the Site are thin sandy lenses at roughly 100 and 300 ft below ground surface (bgs) in the Troutdale Formation.
- An unnamed tributary of Bruckner Creek flows southwest in a channel about 1,100-1,200 ft south of the proposed well. This creek flows through an incised channel which reaches an elevation of approx. 280 ft within 1 mile of the proposed well.
- The elevation of the proposed well site is approximately 680 ft. The proposed well design targets water-bearing zones of the Troutdale Formation that are below approx. 260 ft elevation to avoid connection to surface water. This corresponds to a casing and seal depth of 420 ft. The well may extend deeper into the Troutdale Formation to find a viable water-bearing zone.

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SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of appropriation (POA) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POA is located, please call the customer service desk at (503) 986-0801.

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Upper Columbia - OAR 690-033-0115 thru -0130

Is the well or proposed well located in an area where the Upper Columbia Rules apply?

☐ Yes ☒ No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the well or proposed well located in an area where the Lower Columbia rules apply?

☒ Yes ☐ No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as

appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, you will be required to provide the following information, if applicable.

☐ Yes ☒ No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use: **NA**

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Statewide - OAR 690-033-0330 thru -0340

Is the well or proposed well located in an area where the Statewide rules apply?

☒ Yes ☐ No

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If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Nursery (Indoor and Outdoor Cultivation of Crops)	Year-round	20 acre-feet

For irrigation use only:

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated (*must match map*).

Primary: **0 Acres** Supplemental: **0 Acres** Nursery: **8.9 acres**

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right: **NA**

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: **20 AF annually**

- If the use is **municipal or quasi-municipal**, attach **Form M: NA**
- If the use is **domestic**, indicate the number of households: **NA** (**Exempt Uses:** Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.)
- If the use is **mining**, describe what is being mined and the method(s) of extraction: **NA**

SECTION 6: WATER MANAGEMENT

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A. Diversion and Conveyance

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

- ☒ Pump (give horsepower and type): *TBD – based on well driller recommendations*
☐ Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

Water will be pumped from the proposed well into one or more above-ground storage tanks. The tanks will be used to provide irrigation flow to the indoor nursery facility and outdoor nursery areas developed within the proposed area of use. Water production from the well will be metered.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (attach additional sheets if necessary)

The applicant intends to use high-efficiency drip lines or overhead sprinklers for irrigation of the proposed indoor and outdoor nursery areas.

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters (attach additional sheets if necessary).

The low proposed rate of use and the intended use of high-efficiency irrigation equipment and application methods, along with the use of indoor nursery facilities, will prevent soil erosion and runoff of irrigation water. All water usage will be metered and controlled.

SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: *Winter 2022 (for water distribution and irrigation systems)*
- b) Date construction will be completed: *Spring 2023 (for water distribution and irrigation systems)*
- c) Date beneficial water use will begin: *Summer 2023 (for water distribution and irrigation systems)*

*This project schedule is estimated and dependent upon factors such as application review time, availability of well drilling contractors, and the timeline of nursery facility development.

SECTION 8: RESOURCE PROTECTION

In granting permission to use water the state encourages, and in some instances requires, careful control of activities that may affect adjacent waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

☒ Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe:
Nursery irrigation water will be applied using methods and managed rates to avoid overwatering and prevent runoff to surface water.

☒ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

No excavation along riparian areas is proposed for this use.

Note: If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation:

There is no excavation or clearing of riparian areas planned as part of the proposed water use.

☒ Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:
List: **NA**

SECTION 9: WITHIN A DISTRICT

☐ Check here if the point of appropriation (POA) or place of use (POU) are located within or served by an irrigation or other water district. **NA**

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application (*attach additional sheets if necessary*).

-The proposed groundwater use is for year-round nursery irrigation on Taxlot 0203. The nursery operation will primarily consist of a greenhouse facility, but may include the development of outdoor nursery areas within the proposed place of use. The water will be applied using high-efficiency methods to reduce water usage.

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- | | | | |
|-------------------------------------|-------------|--|--------------------|
| ☒ | SECTION 1: | Applicant Information and Signature | |
| ☒ | SECTION 2: | Property Ownership | |
| ☒ | SECTION 3: | Well Development | |
| ☒ | SECTION 4: | Sensitive, Threatened or Endangered Fish Species Public Interest Information | |
| ☒ | SECTION 5: | Water Use | RECEIVED |
| ☒ | SECTION 6: | Water Management | |
| ☒ | SECTION 7: | Project Schedule | OCT 03 2022 |
| ☒ | SECTION 8: | Resource Protection | |
| ☒ | SECTION 9: | Within a District | |
| ☒ | SECTION 10: | Remarks | OWRD |

Include the following additional items:

- ☒ Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- ☒ Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- ☒ Fees - Amount enclosed: **\$ 2,590**
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- ☒ Map that includes the following items:
 - ☒ Permanent quality and drawn in ink
 - ☒ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - ☒ North Directional Symbol
 - ☒ Township, Range, Section, Quarter/Quarter, Tax Lots
 - ☒ Reference corner on map
 - ☒ Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - ☒ Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - ☒ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - ☒ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

Land Use Information Form



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

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NOTE TO APPLICANTS

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

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land use form and return it to the WRD. If no land use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0900.

Land Use Information Form



Oregon Water Resources Department

725 Summer Street NE, Suite A

Salem, Oregon 97301-1266

503-986-0900

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Applicant

NAME MATTHEW YOUNG (OWNER MANAGER OF YM ENTERPRISES, LLC)			PHONE (HM)		
PHONE (WK) (503) 515 - 8651		CELL		FAX	
ADDRESS 15788 S SPANGLER ROAD					
CITY OREGON CITY		STATE OR	ZIP 97045	E-MAIL* BOB.LONG@CWMH2O.COM (CWRE AGENT)	

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
4S	2E	3	NE NE, NW NE	0203	AG/F	☒ Diverted	☒ Conveyed	☒ Used	AG/F
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

- Clackamas County
- Outside of any UGB

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 0.045 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☐ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☒ Other (Nursery)

Briefly describe:

The water will be applied for indoor/outdoor nursery stock irrigation.

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

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.

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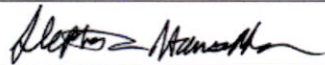
Please check the appropriate box below and provide the requested information

☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Ordinance Section 407

☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

NAME Steve Hanschka		TITLE: Sr. Planner
SIGNATURE 	PHONE: (503) 742-4500	DATE: 09/21/2022
GOVERNMENT ENTITY Clackamas County		

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

ATTACHMENT 1
PROOF OF OWNERSHIP
and LEGAL DESCRIPTION

Lawyers Title of Oregon, LLC
6000 Meadows Rd, Ste 100, Lake Oswego, OR 97035
Phone: (503)968-1082 | Fax: (503)968-1852

FINAL BUYER'S STATEMENT

Settlement Date: September 2, 2020
Disbursement Date: September 2, 2020

Escrow Number: 872003927
Escrow Officer: Jenny Dunaway
Email: JDunaway@ltic.com

Buyer: YM Enterprises, LLC, an Oregon limited liability company
12547 SW Canvasback Way
Beaverton, OR 97007

Seller: Roberta R. Evans
15788 S. Spangler Road
Oregon City, OR 97045

Property: 15788 S. Spangler Road
Oregon City, OR 97045

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	\$	DEBITS	\$	CREDITS
FINANCIAL CONSIDERATION				
Sale Price of Property		540,000.00		
Deposit or earnest money			10,000.00	
Buyer's funds to close			20,665.69	
Buyer's funds to close			27,000.00	
Buyer's funds to close			155,000.00	
Buyer's funds to close			81,000.00	
Buyer's funds to close			47,000.00	
PRORATIONS/ADJUSTMENTS				
Co Taxes- MH #01206386 at \$514.77 07/01/20 to 09/02/20 (\$514.77 / 365 X 63 days)			88.85	
County Taxes #01023029 at \$3,472.63 07/01/20 to 09/02/20 (\$3,472.63 / 365 X 63 days)			599.39	
TITLE & ESCROW CHARGES				
Title - Addit Work Charge (Escrow)-MH Lawyers Title of Oregon, LLC		250.00		
Title - Escrow Fee Lawyers Title of Oregon, LLC		870.00		
Title - Recording Service Fee to Simplifile Lawyers Title of Oregon, LLC		5.00		
GOVERNMENT CHARGES				
Recording Fees Lawyers Title of Oregon, LLC		108.00		
MISCELLANEOUS CHARGES				
Co Tax Cert Fee Clackamas County Tax Assessor		25.00		
#224338				
Ownership Doc Fee Department of Consumer and Business Services		55.00		
#224338				
Subtotals		541,313.00		341,353.93
Balance Due FROM Buyer				199,959.07
TOTALS		541,313.00		541,313.00

To the best of my knowledge, the Settlement Statement which I have prepared is a true and accurate account of the funds which were received and have been or will be disbursed by the undersigned as part of the settlement of this transaction.

Jennifer Paulsen

Lawyers Title of Oregon, LLC
Settlement Agent

THIS IS A CERTIFIED COPY OF THE ORIGINAL DOCUMENT(S) BY
LAWYERS TITLE OF OREGON, LLC

Jennifer Paulsen

Lawyers Title of Oregon, LLC, Settlement Agent

SAVE THIS STATEMENT FOR INCOME TAX PURPOSES



**STATEMENT OF ESCROW AGENT
ACTING AS QUALIFIED SUBSTITUTE**

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Escrow No.: 872003927-JD
Escrow Agent: Lawyers Title of Oregon, LLC
Buyer(s): YM Enterprises, LLC, an Oregon limited liability company
Seller(s): Roberta R. Evans
Property: 15788 S. Spangler Road, Oregon City, OR 97045

The undersigned states under penalties of perjury that:

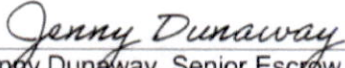
1. The above named ESCROW AGENT is the escrow agent that is responsible for closing the above referenced transaction.
2. I am an escrow officer employed by ESCROW AGENT, and I am authorized to sign this Statement.
3. Of all of the above named sellers, each of the following named sellers has furnished to ESCROW AGENT a completed, signed Certification of Non-Foreign Status, as provided for in the Foreign Investment in Real Property Tax Act, Internal Revenue Code Section 1445 and its related regulations:

Roberta R. Evans

Any seller not named in this paragraph has not furnished a Certification of Non-Foreign Status.

4. ESCROW AGENT will retain electronically a copy of each Certification of Non-Foreign Status for a period of six (6) years from the closing date.
5. ESCROW AGENT will provide a copy of Seller's Certification of Non-Foreign Status to the Internal Revenue Service if requested by Buyer or by the IRS.
6. ESCROW AGENT makes no representations regarding Buyer's obligations under Internal Revenue Code Section 1445.
7. ESCROW AGENT makes no representations regarding the truth or validity of the statements on any Seller's Certification of Non-Foreign Status.
8. ESCROW AGENT has caused a copy of this statement to be delivered to all of the sellers and buyers in this transaction.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.


Jenny Dunaway, Senior Escrow Officer

9/2/2020

Date

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That Duane F. Gunderson and

Carol Ann Gunderson

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by David L. Evans

and Roberta R. Evans, husband and wife

the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Clackamas and State of Oregon, described as follows, to-wit:

A tract of land in the Northeast quarter of Section 3, T.4S., R.2E., of the W.M., in the County of Clackamas and State of Oregon, described as follows:

Beginning at the Northeast corner of that tract of land conveyed to Duane F. Gunderson, et ux, by Deed recorded August 17, 1960 in Book 575, page 678, Deed Records, being a point on the North line of said Northeast quarter which bears North 89°58'40" West 907.5 feet from the Northeast corner of Section 3; thence North 89°58'40" West along the North line of said Gunderson tract 470.01 feet; thence South parallel with the East line of said tract 1016.18 feet to a point of tangent curve; thence on a curve to the right with a radius of 483.77 feet an arc distance of 19.06 feet; thence South 89°56'55" East 470.32 feet to the East line of the Gunderson tract; thence North 1035.48 feet to the point of beginning.

EXCEPT that portion conveyed to Clackamas County by deed recorded December 8, 1976 as Recorder's Fee No. 76-43830, Film 79 1729S Records.

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*construed as of date of said contract.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except: this deed is given in fulfillment of contract between the parties hereto dated November 15, 1976, recorded December 9, 1976, as Recorder's Fee No. 76-43936, Film Records; and the warranties hereof shall be *see above and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 24,500.00

~~Other than the above stated consideration, the grantor has received from the grantee, or from any other person, any other consideration, in money or in kind, for the purpose of this deed.~~ (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 26 day of January, 19 79; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

x *Duane F. Gunderson*
Duane F. Gunderson

x *Carol Ann Gunderson*
Carol Ann Gunderson

(If executed by a corporation,
affix corporate seal)

STATE OF OREGON,)
County of Clackamas) ss.
January 26, 19 79.

STATE OF OREGON, County of) ss.
January 26, 19 79.

Personally appeared _____ and
_____ who, being duly sworn,
each for himself and not one for the other, did say that the former is the
president and that the latter is the
secretary of

_____, a corporation,
and that the seal affixed to the foregoing instrument is the corporate seal
of said corporation and that said instrument was signed and sealed in be-
half of said corporation by authority of its board of directors; and each of
them acknowledged said instrument to be its voluntary act and deed.

Before me:

(OFFICIAL
SEAL)

Personally appeared the above named
Duane F. Gunderson and
Carol Ann Gunderson

Notary Public for Oregon
My commission expires: June 12, 1979

Notary Public for Oregon
My commission expires: June 12, 1979

Gunderson

GRANTOR'S NAME AND ADDRESS

Evans

GRANTEE'S NAME AND ADDRESS

After recording return to:

Title Ins. Co. of Oregon
16220 SE McLoughlin
Milwaukie, Or. 97131

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address

Mr. and Mrs. David L. Evans
15788 S. Spangler Road
Oregon City Oregon 97045

NAME, ADDRESS, ZIP

STATE OF OREGON)
County of Clackamas) ss.

I, George D. Poppen, County Clerk, Es-Office
Recorder of the Circuit Court of the State of Oregon, for
the County of Clackamas, do hereby certify that
the within instrument of writing was received for
and recorded in the records of said county at

79 APR 30 AM 8:26



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Document Transmittal Form

Date:	09/30/2022
Project Name:	YM Enterprises GW Application



Client Name:	Matthew Young
Address:	15788 South Spangler Road, Oregon City, OR 97045
Staff sending document:	IAG/REL

Document Type:	Letter	Report	Other: GW Application
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These are transmitted as checked below:

For Review/Approval	As requested	Approved as noted
For your Use	Approved as submitted	Resubmit copies for approval
Returned for Corrections	Submittal to OWRD	

Comments:

Package contains:

- A cover letter to the OWRD (signed September 20, 2022),
- The permit application form (signed by Applicant on Sep 19, 2022),
- An approved LUCS form (signed Sep 21, 2022),
- An application map,
- A proof of ownership attachment (Attachment 1 in application),
- A check for the \$2,590 fee (check #1021, dated September 19, 2022).

Packaged and mailed to OWRD on Sep 30, 2022.

Copy of this package placed in CwM-H2O files for the record.

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September 30, 2022

Oregon Water Resources Department
Attn: Water Rights Services Division
725 Summer St. NE Ste A
Salem, Oregon 97301

RE: SUBMITTAL OF AN APPLICATION FOR A PERMIT TO USE GROUNDWATER

Dear OWRD Staff,

Please find accompanying this letter an application package for a permit to use groundwater. The package includes the application form, an application map, an approved land use form from Clackamas County, and proof of ownership documentation, and a check for \$2,590 for the review fee (check #1021). The Applicant, Mr. Matthew Young with YM Enterprises, LLC, is proposing the use of groundwater from the lower Troutdale Formation aquifer for nursery irrigation on a property southeast of Oregon City, Oregon (Taxlot 0203, T4S, R2E, Section 3). The point of appropriation is a proposed new well on this property.

Please let us know if there are any issues with processing this application or questions regarding the information included therein. Thank you for your assistance.

Sincerely,

CwM H2O, L.L.C.

Robert Long, CWRE

Enclosed:

- Application for a Permit to Use Groundwater (Matthew Young, Applicant)
 - Application form
 - Application map
 - Land use compatibility form
 - Proof of ownership documentation (Attachment 1)
- Check #1021 for \$2,590

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