# CLAIM OF BENEFICIAL USE for Surface Water Permits claiming more than 0.1 cfs



# OREGON Oregon Water Resources Department 725 Summer Street NE, Suite A

725 Summer Street NE, Suite A Salem, Oregon 97301-1266 (503) 986-0900

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A fee of \$230 must accompany this form for <u>permits</u> with priority dates of July 9, 1987, or later.

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#### 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: <a href="https://www.oregon.gov/OWRD/Forms/Pages/default.aspx">https://www.oregon.gov/OWRD/Forms/Pages/default.aspx</a>

Go to "Resources for Water Right Examiners (CWRE)" Page

https://www.oregon.gov/OWRD/programs/WaterRights/COBU/Pages/default.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 503-979-9103.

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

https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx

#### **SECTION 1**

#### GENERAL INFORMATION

#### 1. File Information:

APPLICATION #	PERMIT#	PERMIT AMENDMENT #
S-88398	S-55124	T-

2. Property Owner (current owner)	er information):				
APPLICANT/BUSINESS NAME		PHONE No.		ADDITIONAL CONTACT NO.	
ACMPC Oregon 3, LLC		(541) 327-7	853		
Address					
PO Box 717					
CITY	STATE	ZIP	E-MAIL		
Jefferson	OR	97352			

If the current property owner is not the permit holder of record, it is recommended that an assignment be filed with the Department. <u>Each</u> permit holder of record must sign this form.

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

PERMIT HOLDER OF RECORD		y not, be the current prope	RECEIVED
ACMPC Oregon 3, LLC			
Address			MAR 1 7 2023
PO Box 717			OWDD
Сіту	STATE	ZIP	OWRD
Jefferson	OR	97352	

Additional Permit Holder of Record						
ADDRESS	ADDRESS					
Сіту	STATE	ZIP				

#### 4. Date of Site Inspection:

12/21/2022

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

Name	DATE	ASSOCIATION WITH THE PROJECT
Rick Poot	12/21/2022	General Manager, NW Division

#### 6. County:

Yamhill

7. If any property described in the place of use of the permit final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

		, (
Owner of Record		
Address		
CITY	STATE	ZIP
	SIAIL	ZIF

Add additional tables for owners of record as needed

# SECTION 2 SIGNATURES

#### **CWRE Statement, Seal and Signature**

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



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CWRE NAME William E. McGill		PHONE NO. (503) 510-3	3026	ADDITIONAL CONTACT NO. (503) 931-0210
Address				
15333 Pletzer Rd. SE				
Сіту	STATE	ZIP	E-MAIL	
Turner	OR	97392	willmcgill.s	urveying@gmail.com

## Permit Holder of Record Signature or Acknowledgement

**<u>Each</u>** permit 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
Tomes Care	Thomas E. Annelo	General Jarma	3/17/23

#### **SECTION 3**

#### **CLAIM DESCRIPTION**

1. Point of diversion name or number:

POINT OF DIVERSION
(POD) NAME OR NUMBER
(CORRESPOND TO MAP)
POD 3

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2. Point of diversion source and tributary:

POD Name or Number	Source	TRIBUTARY
POD 3	Willamette Basin Project Reservoirs constructed	Willamette River
	under Permits R-1625 & R-5363	

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

POD 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)
POD 3	Irrigation	Blueberries, Grass, Hazelnuts, Grapes	March 1 – October 31	741.0 AF
<b>Total Quantity of</b>	Water Used			741 AF

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

Water is pumped from the Willamette River at POD 3 by two 100 HP centrifugal pumps to a central filter station. From the filter station, water is pumped by a 125 HP centrifugal pump to the POU through 15" down to 2" buried PVC mainline. The crops are irrigated by hose reel guns, micro-sprinklers, and drip.

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).

#### 5. Variations:

Was the use developed differently from what was authorized by the permit, or permit amendment 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.")

#### 6. Claim Summary:

POD NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POD 3	N/A (stored water)	5.02 cfs	System not operating at time of onsite inspection.	Irrigation	296.26	296.26

#### **SECTION 4**

#### SYSTEM DESCRIPTION

Are there multiple PODs?

YES

NO

If "YES" you will need to copy and complete a separate Section 4 for each POD.

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

POD 3

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#### A. Place of Use

#### 1. Is the right for municipal use?

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YES



If "YES" the table below may be deleted.

Тwр	RNG	Mer	SEC	QQ	GLOT	DLC	USE	If Irrigation, # Primary Acres	IF IRRIGATION, # SUPPLEMENTAL ACRES
35	3W	WM	35	SESW		71	Irrigation	5.49	
35	3W	WM	35	SWSE		71	Irrigation	16.75	
45	3W	WM	1	SENW		72	Irrigation	1.58	
45	3W	WM	1	SWSW		71	Irrigation	14.21	
45	3W	WM	1	SESW		71/72	Irrigation	17.52	
45	3W	WM	1	SWSE		72	Irrigation	3.82	
45	3W	WM	2	NENE		72	Irrigation	6.53	
45	3W	WM	2	NWNE		72/73	Irrigation	32.3	
45	3W	WM	2	SWNE		72/73	Irrigation	14.54	
45	3W	WM	2	NENW		73	Irrigation	9.32	
45	3W	WM	2	SENW		73	Irrigation	4.39	
45	3W	WM	2	NESW	3	73	Irrigation	3.8	
45	3W	WM	2	NWSW	2		Irrigation	19.71	
45	3W	WM	2	SWSW			Irrigation	11.87	
45	3W	WM	2	SESW	6	71	Irrigation	4.48	
45	3W	WM	2	NESE		72	Irrigation	0.81	
45	3W	WM	2	NWSE		72	Irrigation	0.18	
45	3W	WM	2	SWSE		71	Irrigation	14.37	
45	3W	WM	3	NESE			Irrigation	2.46	
45	3W	WM	3	SESE			Irrigation	1.89	
45	3W	WM	10	NENE			Irrigation	0.28	****
45	3W	WM	11	NWNE		71	Irrigation	15.23	
45	3W	WM	11	SENE		71	Irrigation	0.11	
45	3W	WM	11	NENW	10	71	Irrigation	3.94	
45	3W	WM	11	NWNW			Irrigation	3.96	
45	3W	WM	11	SENW	9	71	Irrigation	2.96	
45	3W	WM	11	NESW	3	71	Irrigation	19.21	
45	3W	WM	11	NWSW	4		Irrigation	4.7	
45	3W	WM	11	NWSE		71	Irrigation	3.12	
<b>4S</b>	3W	WM	12	NWNE		71	Irrigation	5.05	
45	3W	WM	12	NENW		71	Irrigation	15.16	
45	3W	WM	12	NWNW		71	Irrigation	29.13	_
<b>4</b> S	3W	WM	12	SWNW		71	Irrigation	4.73	
45	3W	WM	12	SENW		71	Irrigation	2.66	
Total Ac	res Irrig	ated			-			296.26	

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 <u>and</u> apply the water from the point of diversion 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.

2. Pump Information:

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MANUFACTURER	MODEL	SERIAL NUMBER	Type (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Cornell	5YB100-2	20104	Centrifugal	6.5" O.D.	5" O.D.
Cornell	5YB-CC-100-2	137043	Centrifugal	6.5" O.D.	5" O.D.
Pump tag not legible.			Centrifugal	8" O.D.	6" O.D.

#### 3. Motor Information:

MANUFACTURER	HORSEPOWER
Baldor	100
Baldor	100
Baldor	125

4. Theoretical Pump Capacity:

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
100	70	7'	79'	2.51
100	70	7'	79'	2.51
125	70	79'	-17.5'	3.45

#### 5. Provide pump calculations:

Q = (100\*6.61) / (177.8+7+79) = 661/263.8 = 2.51 cfs x 2 pumps = 5.02 cfs Q = (125\*6.61) / (177.8+79-17.5) = 826.25/239.3 = 3.45 cfs

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)
System not operating a	nt time of onsite inspection	n.	

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 13 may be deleted.

#### 8. Mainline Information:

Mainline Size	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
2"	5,220'	PVC	Buried
3"	4,220'	PVC	Buried
4"	7,170′	PVC	Buried
6"	4,790'	PVC	Buried
8"	4,840'	PVC	Buried
10"	1,330'	PVC	Buried DECENTED
12"	14,230'	PVC	Buried RECEIVED
15"	6,450'	PVC	Buried MAR 17 2023

#### 9. Lateral or Handline Information:

1		M	Beech	100
U	V	V	K	

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
N/A			

#### 10. Sprinkler Information:

Size	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
Hose reel w/ Nelson 1" nozzle (grass)	90	400	3	3	2.67
Echo 125 hose reel w/ 1" nozzle (grapes)	120	290	1	1	0.65
Microsprinklers 1.43 mm (hazelnuts)	22-58	0.22	9,442	See notes (item F.)	4.63

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

#### 11. Drip Emitter Information:

Size	OPERATING PSI	EMITTER OUTPUT (GPM)	TOTAL NUMBER OF EMITTERS	MAXIMUM NUMBER USED	TOTAL EMITTER OUTPUT (CFS)
0.5 gph (blueberries)	40	0.0083	243,408	See notes (item F.)	4.50

#### 12. Drip Tape Information:

DRIPPER SPACING IN INCHES	GPM PER 100 FEET	TOTAL LENGTH OF TAPE	MAXIMUM LENGTH OF TAPE USED	TOTAL TAPE OUTPUT (CFS)	Additional Information
N/A					

#### 13. Pivot Information:

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

#### C. Storage

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

YES

NO

#### D. 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

#### E. 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

#### F. Additional notes or comments related to the system:

Due to the size of the farm and the fact that this water right is filling in irregular gaps in previous water right coverage, the drip and micro-sprinkler information is an approximation based on the acreage of each crop involved in this claim and the ratings of the respective irrigation equipment. All irrigation is done in blocks as necessary to meet the authorized volume.

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#### **SECTION 5**

#### **CONDITIONS**

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

#### 1. Time Limits:

Permits 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 or permit extension of time:

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	3/16/2018		
BEGIN CONSTRUCTION (A)	3/16/2023	June 2016	This application was made on an existing irrigation system.
COMPLETE CONSTRUCTION (B)	3/16/2023	May 2017	This application was made on an existing irrigation system.
COMPLETE APPLICATION OF WATER (C)	3/16/2023	3/5/2023	Completed irrigation of grape crops.

<sup>\*</sup> MUST BE WITHIN PERIOD BETWEEN PERMIT OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

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

YES



#### 3. Measurement Conditions:

a. Does the permit, permit amendment, or any extension final order require the installation of a meter or approved measuring device?

If "NO", items b through f 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.

b. Has a meter been installed?



NO

#### c. Meter Information

POD NAME OR#	MANUFACTURER	SERIAL#	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POD 3	Seametrics	0620150 62580	Working	*	May 2017
*System not	operating at time o		ection and electroni	c meter needed pow	ver to be read.

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- 4. Recording and reporting conditions:
- a. Is the water user required to report the water use to the Department?

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- 5. Fish Screening:
- a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion?

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

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

b. Has the fish screening been installed?

YES

NO

c. When was the fish screening installed?

DATE	Ву Wном
3/1/2018	Angel – Farm irrigation manager. Purchased from Ernst Irrigation.

Reminder: If the permit was issued <u>on or after February 1, 2011</u>, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.

- d. If the diversion **involves a pump** <u>and</u> the **total** diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs) and the permit was issued prior to February 1, 2011:
  - Has the self-certification form previously been submitted to the Department? NA YES NO

If not, go to <a href="https://www.oregon.gov/OWRD/Forms/Pages/default.aspx">https://www.oregon.gov/OWRD/Forms/Pages/default.aspx</a> complete and attach a copy of the 'ODFW Small Pump Screen Self Certification' form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

- e. If the diversion does **not involve a pump** or the **total** diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:
  - Has the ODFW approval been previously submitted?

NA YES\*

NO

\*An approval letter for this same pump site was submitted for Transfer T-12835.

If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at: <a href="https://www.oregon.gov/OWRD/Forms/Pages/default.aspx">https://www.oregon.gov/OWRD/Forms/Pages/default.aspx</a>

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

- 6. 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

#### 7. Other conditions required by permit, permit amendment final order, or extension final order:

a. Was the water user required to restore the riparian area if it was disturbed?
b. Was a fishway required?
c. Was submittal of a water management and conservation plan required?
d. Other conditions?
YES
NO
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):

a. This permit S-55124 was issued on an existing pump site, so no riparian areas were disturbed.

#### **SECTION 6**

#### **ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION		
<b>ODFW Letter</b>	Fish screen approval letter.		
24 photos	16 taken 10/26/2020 at onsite inspection for T-12835 COBU, 5 taken at 12/21/2022 at onsite inspection for S-55124 COBU, and 3 submitted by Agricare (farm management)		

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#### **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.

	rey method used was aerial photo provided by Maxar Technologies. The Date: 2/11/2022				
Map	p Checklist	RECEIV			
Pleas	se be sure that the map you submit includes ALL the items listed below.	MAR 17 20			
(Reminder: Incomplete maps and/or claims may be returned.)		OWRD			
$\boxtimes$	Map on polyester film				
$\boxtimes$	Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale cassessor map)	scale of the county			
$\boxtimes$	Township, Range, Section, Donation Land Claims, and Government Lots				
$\boxtimes$	rrigation, number of acres irrigated within each projected Donation Land Claims, overnment Lots, Quarter-Quarters				
$\boxtimes$	Locations of fish screens and/or fish by-pass devices in relationship to point of	eens and/or fish by-pass devices in relationship to point of diversion			
$\boxtimes$	Locations of meters and/or measuring devices in relationship to point of diver appropriation	sion or			
$\boxtimes$	Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)				
$\boxtimes$	Point(s) of diversion or appropriation (illustrated and coordinates)				
$\boxtimes$	Tax lot boundaries and numbers				
$\boxtimes$	Source illustrated if surface water				
	Disclaimer ("This map is not intended to provide legal dimensions or locations ownership lines")	of property			
$\boxtimes$	Application and permit number or transfer number				
$\boxtimes$	North arrow				
$\boxtimes$	Legend				
$\boxtimes$	CWRE stamp and signature				



Department of Fish and Wildlife
The Dalles Screen Shop
3561 Klindt Drive
The Dalles, OR 97058
(541) 296-8026
Fax (541) 296-7889

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odfw.com

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March 14, 2023

ACMPC Oregon 3, LLC PO Box 717 Jefferson, Or 97352

RE: OWRD Permit S-55124

To Whom it May Concern,

This letter is regarding fish screening requirements set forth by Oregon Water Resources Department for permit S-55124. This permit is a Bureau of Reclamation stored water contract No. 189E10957. The permit allocates water from Willamette River, approximately 3.6 miles northeast of Dayton, Or.

At this POD, two identical 100 HP pumps with two self-cleaning Clemons CW1000 fish screens are used for irrigation. The use of both CW1000 screens at this POD provides National Marine Fisheries Service criteria protection for all age classes of anadromous and resident salmonoids for water withdrawal rates up to 4.97 cfs. With the proper use, care and maintenance of the CW1000 fish screens, the fish screening requirements for Permit S-55124 are satisfied.

If you have any questions regarding this letter, please contact me at 541-296-8026

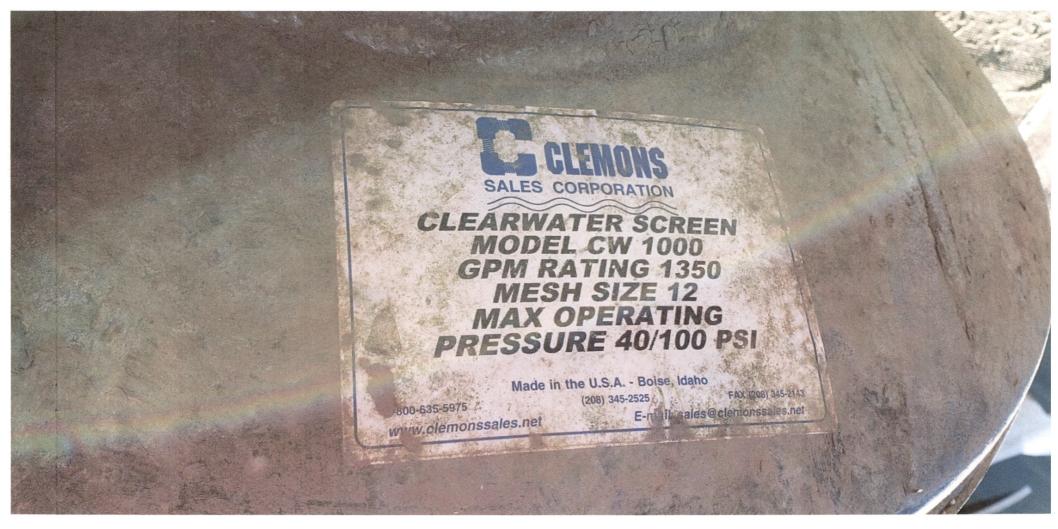
3/14/2023

Sincerely,

Toby Schuyler

NW Region Fish Screen and Passage Coordinator

CC: Will McGill McGill Water Rights



10/26/2020 Smith Form

APOD3 Fish screen tay (some on both 100 HP pumps)



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10/26/2020 Smith Farm APOD3 Fish sween



10/26/2020 Smith Farm All Fish screens



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10/26/2020 Smith Farm APOD 3 y connect both pumps to mainline



10/26/2020 Snira Fara APOD 3 Pump site



10/26/2020 Smith Farm Concrete Paul @ APOD 3



10/26/2020 Swith Farm APOD 3 power meter



10/26/2020 Smith Form Booster pump tags

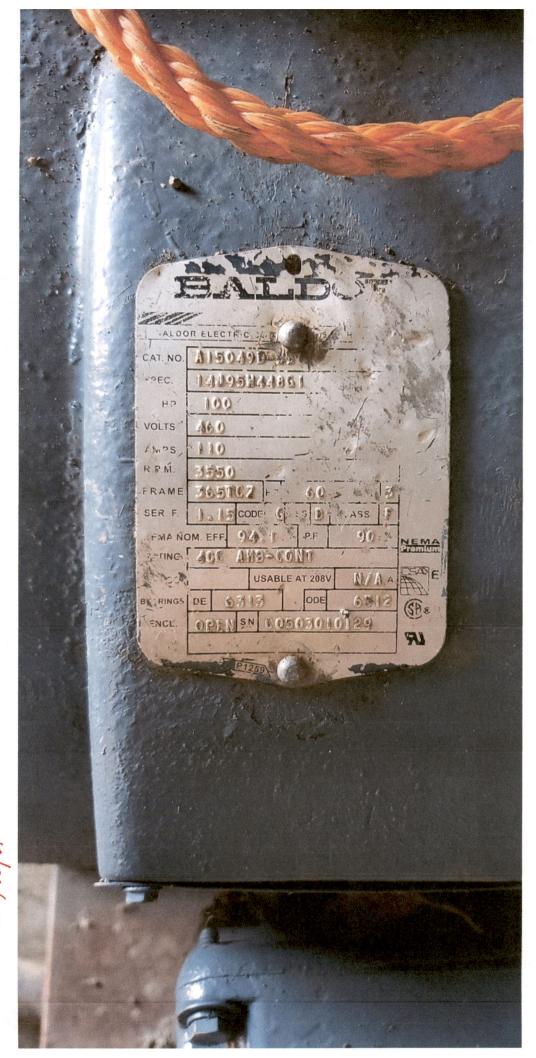


60/26/2020 Smith fam Boogter fump



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10/26/2020 Snitz Farm Booster Site and F: Italien



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#1 [00] He pump motor tay

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10/26/2020 Smith farm #1 las HP pump

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10/26/2020 Smith Farm

#1 100 HP proop tag

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60/26/2020 Smith Farm #2 100 HP pump



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10/26/2020 Smith Farm 42 100HP pump tag



12/21/22 Smith Farm COBU - Flow meter s/n and model



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12/21/22

Smith Farm COBU

Flow meter on 12" steel line into filtration



12/21/22 Smith Farm COBU - Bluebernies W/ dual drip lines



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12/21/22 Smith farm CoBU - Microsprinkless en hazelnuts



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12/21/22 Smith Farm CoBU - Netation microspanklers

# 3-5-23 Smith Farm COBU - Echo 125 Hose Reel (75 HP) W/1" Nozzle



Smith Farm COBU - Echo 125 Hose Reel (75 HP) W/ 1" Nozzle

