

**CLAIM OF
BENEFICIAL USE
for Groundwater Permits
claiming more than 0.1 cfs**



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

**This COBU is for a permit with a priority date of March 16, 2001; the
referenced \$230 fee is applicable and is included**

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:
<https://www.oregon.gov/OWRD/Forms/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.

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

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 # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
G-15349	G-15155	T-

2. Property Owner (current owner information):

APPLICANT/BUSINESS NAME T.H. Belcher Nursery Inc. Attn: Royce and Karen Belcher		PHONE NO. 503-663-3593	ADDITIONAL CONTACT NO.
ADDRESS 33755 SE Bluff Road			
CITY Boring	STATE OR	ZIP 97009	E-MAIL karenb2@frontier.com

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

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

PERMIT HOLDER OF RECORD T.H. Belcher Nursery Inc.		
ADDRESS 33755 SE Bluff Road		
CITY Boring	STATE OR	ZIP 97009

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

4. Date of Site Inspection:**2/28/2024****5. Person(s) interviewed and description of their association with the project:**

NAME	DATE	ASSOCIATION WITH THE PROJECT
Royce Belcher	2/28/2024	President

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

OWNER OF RECORD N/A		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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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.



CWRE NAME Theodore R Ressler	PHONE NO. 503-701-4535	ADDITIONAL CONTACT NO.
ADDRESS Summit Water Resources, LLC; 4784 SE 17th Avenue		
CITY Portland	STATE OR	ZIP 97202
E-MAIL tressler@summitwr.com		

Permit Holder of Record Signature or Acknowledgement

Each 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
	Royce D. Belcher	President	4/17/24
	Karen A. Belcher	Sec. - Treas.	4/17/24

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SECTION 3
CLAIM DESCRIPTION

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1. Point of appropriation name or number:

POINT OF APPROPRIATION (POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
Well 1	CLAC 56617	L-44585

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 appropriation source, if indicated on permit:

POA NAME OR NUMBER	SOURCE BASIN LOCATED WITHIN	TRIBUTARY
Well 1	Johnson Creek Basin	

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

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 1	NU	Nursery stock	Year round	0.414 cfs (186 gpm)
Total Quantity of Water Used				0.414 cfs (186 gpm)

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

Groundwater is appropriated from Well 1 using a submersible pump and conveyed by closed pipe to the place of use. Water is applied for nursery uses by a variety of methods, including water taps, sprinklers, and drip emitters.

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, permit amendment final order, or extension final order? If yes, describe below. YES

(e.g. "The permit allowed three points of appropriation. 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.")

Point of Appropriation. Only one of the two POAs authorized under the permit has been constructed, Well 1 (CLAC 56617). The location of the POA has been re-described slightly from that stated on the permit to more accurately locate the well.

Place of Use. The permittee has developed only 20.39 of the 21.47 acres allowed by the permit. In addition, the distribution of developed acres differs slightly from that stated on the permit as a portion of the developed acreage is within the SENE of Section 28.

Rate of Use. Although less acres of nursery operations have been developed, the developed rate of use is within the rate limit allowed by the permit for the acres of nursery operations developed (0.15 cfs/ac for 20.39 acres = 3.06 cfs).

6. Claim Summary:

POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
Well 1	0.668 cfs	0.414 cfs	Not measured	Nursery Use	21.47	20.39

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C. Groundwater Source Information (Sump)

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NO

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

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

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

D. 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 appropriation to the place of use.

1. Is a pump used?

YES

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
Goulds	5CH02564C	Not available	Submersible	--	4-inch

3. Motor Information:

MANUFACTURER	HORSEPOWER
Not available	25

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)
25	55 ^A	285 ^B	Component of measured pressure	0.414 cfs

Notes

^A Pressure in mainline just downstream of wellhead

^B Estimated based on reported static water level (279 ft, 3/15/2006) and specific capacity measured at a nearby well (CLAC 12302).

5. Provide pump calculations:

$$Q_{\text{pump}} = \frac{(\text{Hp})(\text{conversion factor})}{(\text{lift} + \text{pressure}) \text{ total head in feet}} = \text{cfs}$$

Conversion factor: Turbine & Submersible Pumps, 80% eff. $\frac{(550 \text{ ft lb/sec/Hp})(.80)}{(62.4 \text{ lb/cu ft})} = 7.04 \text{ ft}^4/\text{sec/Hp}$

$$Q_{\text{pump}} = \frac{(25)(7.04)}{(285 + 55 \times 2.54)} = 0.414 \text{ cfs (186 gpm)}$$

Note: minor frictional losses upstream of the pressure gauge (pump column, etc.) accounted for by the 2.45 ft H₂O/psi conversion factor (versus 2.31 ft H₂O/psi).

SECTION 4
SYSTEM DESCRIPTION

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NO

Are there multiple POAs?

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

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

A. Place of Use

1. Is the right for municipal use?

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
1 S	4 E	WM	28	NENE			NU	20.17	--
1 S	4 E	WM	28	SENE			NU	0.22	--
Total Acres Irrigated								20.39	N/A

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. Groundwater Source Information (Well)

1. Is the appropriation from a well?

YES

If "NO", items 2 through 4 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:

¾-inch access tube on west side of sanitary seal.

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
--------------------	-----------------	----------------	--	---------------------------------------	---------------------------------	-----------------

Well log provided in Attachment 3

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.

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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)
Not measured			

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

7. Is the distribution system piped?**YES**

If "NO" items 8 through item 13 may be deleted.

8. Mainline Information:

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
4-inch	1560 ft	PVC	Buried
4-inch	varies	Aluminum	Above ground

9. Lateral or Handline Information:

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
1-inch	varies	Plastic	Above ground

10. Sprinkler Information:

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
Nelson Big Gun 0.75" nozzle	40	98	4	2	0.44 cfs (196 gpm)

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)
Spray Stake	25	0.12 to 0.22	Varies	Up to 1630 with 0.12 gpm emitters	0.44 cfs (196 gpm)

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 – not used					

13. Pivot Information:

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
N/A – not used				

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E. Storage

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

YES

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

If "YES" is it a:

Storage Tank

YES

Bulge in System / Reservoir

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
Metal (pressure tank)	85 gallons	Above ground

F. 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?

NO

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

G. 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?

NO

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

H. Additional notes or comments related to the system:

Water is applied for irrigation of nursery plants by using up to 2 big gun sprinklers, or 1 big gun sprinklers and drip irrigation, or by drip irrigation alone (multiple zones of drip).

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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 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 order:

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	8/20/2002		
BEGIN CONSTRUCTION (A)	Not specified	N/A	N/A
COMPLETE CONSTRUCTION (B)	Not specified	N/A	N/A
COMPLETE APPLICATION OF WATER (C)	10/1/2006	2003	Water used for nursery operations

* 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)?

NO

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

3. Initial Water Level Measurements:

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

YES

If "NO", items b through d 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

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

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT
See GWIS entry for CLAC 56617			

4. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements?

YES

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

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

March

c. Were the static water level measurements taken in the month(s) required?

YES

d. If "YES", were those measurements submitted to the Department?

YES

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

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT
See GWIS entry for CLAC 56617			

5. Pump Test:

a. Did the permit require the submittal of a pump test? **YES**

Ground water permits with priority dates on or after **December 20, 1988**, require the submittal of a pump test prior to issuance of a certificate. In some cases, the permit holder may qualify for a multiple well exemption or an unreasonable burden exemption.

For additional information regarding pump tests see:

<https://www.oregon.gov/OWRD/programs/GWWL/GW/Pages/PumpTestProgram.aspx>

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

b. Has the pump test been previously submitted to the Department? **YES**

c. Is the pump test attached to this claim? **YES**

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

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

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

6. Measurement Conditions:

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

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 or appropriation.

b. Has a meter been installed? **YES**

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Well 1	McCrometer	01-02212-3	Working	929642 x 10 gallons	April 2002

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

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department? **N/A**

e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

NAME	TITLE	APPROXIMATE DATE
N/A		

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED
N/A		Received

7. Recording and reporting conditions:

a. Is the water user required to report the water use to the Department? **NO**

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

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

a. Were there special well construction standards? **YES**

b. Was submittal of a ground water monitoring plan required? **NO**

c. Was submittal of a water management and conservation plan required? **NO**

d. Was a Well Identification Number (Well ID tag) assigned and attached to the well? **Not required, but completed**

WELL ID #	DATE ATTACHED TO WELL
L-44585	At construction

e. Other conditions? **NO**

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

8(a) The well(s) shall produce groundwater from the Deep Troutdale groundwater reservoir between approximately 200 and 500 below land surface. IN COMPLIANCE. The well was drilled and completed to a depth of 480 feet, within the authorized aquifer.

**SECTION 6
ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
Attachment 1	Maps
Attachment 2	Water Right Information
Attachment 3	State Water Well Report
Attachment 4	Supporting Documentation of Beneficial Use
Attachment 5	Pump Test Report

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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.

The point of appropriation and visible system components were visited during the site inspection. The location of the point of appropriation was obtained from a field survey completed during the site inspection and aerial imagery of the property (City of Portland, Summer 2006). The map was created using Geographic Information System (GIS) software and spatial datasets obtained from City of Portland, Oregon Geospatial Enterprise Office (OGEO), Oregon Water Resources Department (OWRD), Oregon Department of Transportation (ODOT), United States Geological Survey (USGS), and Clackamas County. Additional data and information specific to the use water of under the water right described in this Claim of Beneficial Use report were obtained from the water user.

Map Checklist

Please be sure that the map you submit includes ALL the items listed below.

(Reminder: Incomplete maps and/or claims may be returned.)

- ☒ 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
- N/A** 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
- N/A** 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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Attachment 1 Maps

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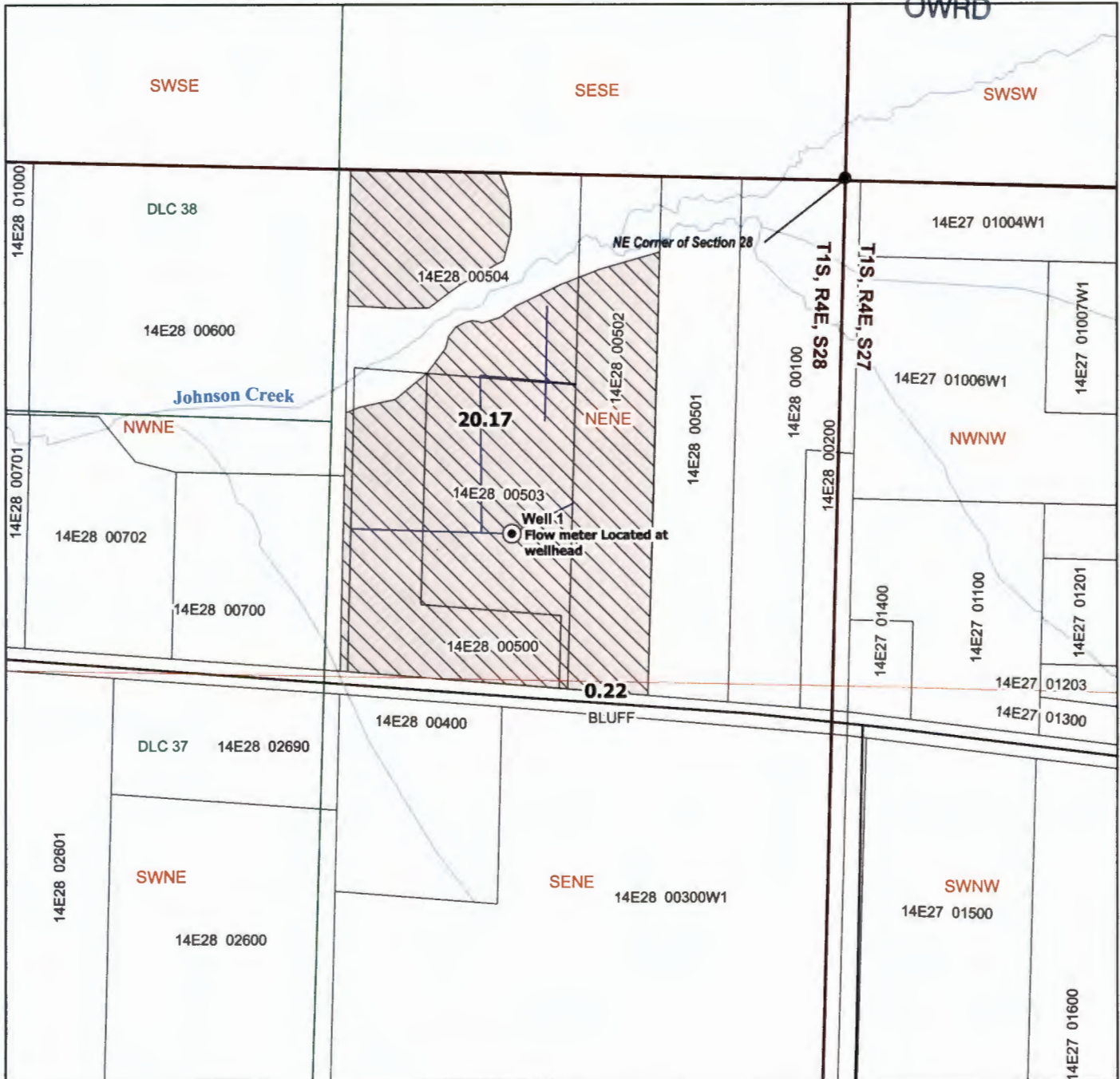
Claim of Beneficial Use
Permit G-15155, Application G-15349

A Water Right held by T. H. Belcher Nursery Inc.
Clackamas County

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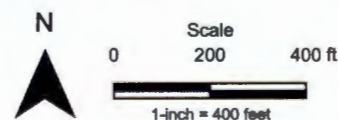
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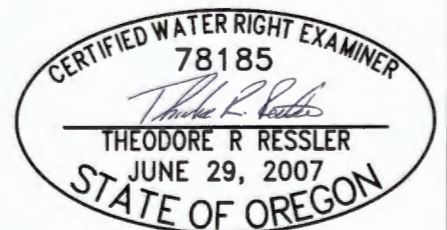
LEGEND

- POA (Point of Appropriation)
- ▨ POU (Place of Use)
- DLC
- ▭ Sections
- ▭ QQ
- ▭ Taxlots
- Streams
- Mainlines



POA Location Description

Well 1 (CLAC 56617)
Located 916 feet South and 844 feet West from NE corner
of Section 28 (NENE), Township 1 South, Range 4 East, W.M.



RENEWS: 12-31-2024

Date: 3/13/2024
Data Sources: City of Portland, OGEO, OWRD, ODOT, USGS,
Clackamas County.
Disclaimer: This map is not intended to provide legal dimensions
or property ownership lines.



Attachment 2

Water Right Information

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STATE OF OREGON

COUNTY OF CLACKAMAS

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PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

T H BELCHER NURSERY INC.
ROYCE AND KAREN BELCHER
33755 SE BLUFF RD
BORING, OREGON 97009

(503) 663-3593

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

APPLICATION FILE NUMBER: G-15349

SOURCE OF WATER: TWO WELLS IN JOHNSON CREEK BASIN

PURPOSE OR USE: NURSERY USE ON 21.47 ACRES

MAXIMUM RATE: 0.668 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MARCH 16, 2001

WELL LOCATIONS:

WELL #1: NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 28, T1S, R4E, W.M.; 980 FEET SOUTH & 890
FEET WEST FROM NE CORNER, SECTION 28

WELL #2: NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 28, T1S, R4E, W.M.; 980 FEET SOUTH & 750
FEET WEST FROM NE CORNER, SECTION 28

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:

NE ¼ NE ¼ 21.47 ACRES
SECTION 28
TOWNSHIP 1 SOUTH, RANGE 4 EAST, W.M.

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Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The use of water under terms of this permit or certificate is subject to regulation concurrent with or prior to regulation of a senior right competing for water from the same source when regulation is the result of water level declines that exceed limits specified in the senior right.

The well(s) shall produce groundwater from the Deep Troutdale groundwater reservoir between approximately 200 and 500 below land surface.

- (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

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- (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 be responsible for complying with each of the following requirements for measuring water levels in the well.
- (a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.
- (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.
- (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well driller, licensed pump installer, or the permittee / appropriator.
- (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
- (e) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in this section.

STANDARD CONDITIONS

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

appropriators to jointly develop plans to mitigate interferences.

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

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

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

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

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

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

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

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

Complete application of the water to the use shall be made on or before October 1, 2006. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

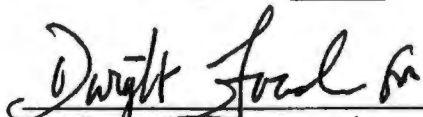
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Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued August 20, 2002



Paul R. Cleary, Director
Water Resources Department

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

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

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Application G-15349

Basin 02

gaineyjw- WEEK 346

Water Resources Department

Volume 18B JOHNSON CR MISC

PERMIT G-15155

District 20

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Attachment 3
State Water Well Reports

(1) OWNER: Well No. L44585
Name T.H. BELCHER NURSERY
Address 33755 SE BLUFF ROAD
City BORING St OR Zip 97009

(2) TYPE OF WORK: NEW WELL

(3) DRILL METHOD: ROTARY AIR

(4) PROPOSED USE: DOMESTIC&IRRIGA

(5) BORE HOLE CONSTRUCTION:

Special Construction Approval NO Depth of Compl. Well 480 ft
Explosives used NO Type Amount

HOLE			SEAL			
Diam.	From	To	Material	From	To	Amount
14	0	70	BENTONITE	0	18	17 SACKS
10	70	280	CEMENT	18	70	26 SACKS
7 1/2	280	480	CEMENT	240	280	22 SACKS

Seal placement method C & POURED IN

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

(6) CASING/LINER:

	Diam.	From	To	Gauge	Material	Connection
Casing	8	+1	280	.250	STEEL	WELDED
Liner	6	240	480	.250	STEEL	WELDED

Final Location of shoe(s) 280' 7 1/2" TUBEX

(7) PERFORATIONS/SCREENS:

☒ Perf. Method AIR KNIFE

☐ Screens Type

From	To	Slot Size	Number	Diam.	Tele/pipe Size	Casing/liner
360	480	1/8X2	2000			LINER

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

Test type AIR

Yield GPM	Draw-down	Drill stem at	Time
250		460	1 hr.

Temperature of water 51F Depth Artesian Flow Found
Was water analysis done? NO By whom
Reason for water not suitable for use
Depth of strata

(9) LOCATION OF WELL by legal description:

County CLACK Lat. ° ' " Long. ° ' "
Township 1 S Range 4 E WM.
Section 27 NW 1/4 NW 1/4
Tax Lot 503 Lot Block Subdivision
Street Address of Well (or nearest Address)
33755 SE BLUFF ROAD BORING, OR 97009

(10) STATIC WATER LEVEL:

279 ft. below land surface. Date 3/21/01
Artesian pressure ___ lb per square in. Date

(11) WATER BEARING ZONES:

Depth at which water was first found 45		Est Flow Rate	SWL
From	To		
45	55	10 GPM	45
290	480	250 GPM	279

(12) WELL LOG:

Material	Ground elevation		SWL
	From	To	
TOP SOIL	0	2	
BROWN CLAY	2	39	
BROWN CLAY & GRAVEL	39	57	45
LIGHTLY CEMENT GRAVEL & BOULDERS	57	195	
LIGHTLY CEMENTED FINE GRAVEL	195	290	
LIGHTLY CEMENTED COARSE GRAVEL	290	356	279
LIGHTLY CEMENTED FINE GRAVEL	356	430	279
LIGHTLY CEMENTED FINE GRAVEL WITH SEAM	430		
OF BLUE CLAY		470	279
BLUE CLAY	470	480	279

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WATER RESOURCES DEPT
SALEM, OREGON

Date started 3/15/01

Completed 3/21/01

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

Signed _____ WWC Number _____
Date _____

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed *[Signature]* WWC Number 616
Date 4/1/01

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Attachment 4
Supporting Documentation of Beneficial Use

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Exhibit 1
Map Showing Extent of Water Use

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Affidavit Attesting to Use of Water
under Permit G-15155

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**AFFIDAVIT ATTESTING TO USE OF WATER UNDER
PERMIT G-15155, APPLICATION G-15349**

OWRD

State of Oregon)
) ss
County of Clackamas

I, Royce Belcher, in my capacity as President of Belcher Nursery., mailing address
33755 SE Bluff Road, Boring, Oregon 97009, telephone number 503-663-3593,
being first duly sworn depose and say:

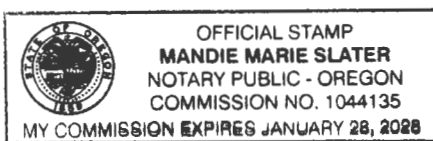
1. My knowledge of the use of the water under Permit G-15155 is based on personal observation and use of water from the water system associated with the permit.
2. The water system described in the Claim of Beneficial Use report is representative of the water system that was in place to supply water for the nursery operations associated with Permit G-15155 prior to October 1, 2006.
3. The water use described in the Claim of Beneficial Use report is representative of the water use that was occurring prior to October 1, 2006.
4. Water was used under Permit G-15155 for nursery use on the lands shown on Exhibit 1.

Royce D. Belcher
Signature of Affiant

04-17-24
Date

Signed and sworn to (or affirmed) before me this 17th day of April, 2024.

Mandie Marie Slater
Notary Public for Oregon



My Commission Expires: 1-28-28

Claim of Beneficial Use Permit G-15155, Application G-15349

A Water Right held by T. H. Belcher Nursery Inc.
Clackamas County



LEGEND

- POA (Point of Appropriation)
- ▨ POU (Place of Use)
- DLC
- ▭ Sections
- ▭ QQ
- ▭ Taxlots
- Streams
- Mainlines



Scale
0 200 400 ft
1-Inch = 400 feet

POA Location Description

Well 1 (CLAC 56617)

Located 916 feet South and 844 feet West from NE corner of Section 28 (NENE), Township 1 South, Range 4 East, W.M.

Aerial Photo Taken Summer of 2006

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Date: 4/18/2024
Data Sources: City of Portland, OGEO, OWRD, ODOT, USGS, Clackamas County.
Disclaimer: This map is not intended to provide legal dimensions or property ownership lines.



Attachment 5
Pump Test Report

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PUMP TEST FORM
COVER SHEET

Owner Information:

OWNER NAME/BUSINESS NAME: <u>T H Beldner Nursery</u>		PHONE No.: <u>503-663-2673</u>	ADDITIONAL CONTACT No.:
ADDRESS: <u>33755 SE Bluff Rd</u>			
CITY: <u>Boring</u>	STATE: <u>OR</u>	ZIP: <u>97009</u>	E-MAIL:

Pump Test Conducted By (If Different From Owner):

TEST CONDUCTED BY NAME: <u>Adam Brooks</u>	QUALIFICATION: (SELECT) <u>WMC</u>	LICENSE #: <u>1870</u>
COMPANY: <u>Olsen Well Drilling & Pump</u>	PHONE No.: <u>503-665-3353</u>	ADDITIONAL CONTACT No.:
ADDRESS: <u>PO Box 505</u>		
CITY: <u>Gresham</u>	STATE: <u>OR</u>	ZIP: <u>97030</u>
E-MAIL: <u>olsenwelldrillingandpump@yahoo.com</u>		

Tested Well Information (please attach well log(s) if available):

WELL LOG # (EX: MARI 99999)	WELL TAG # (EX: L-999999)	WELL NAME OR #	WELL DEPTH	ORIGINAL OWNER	DATE DRILLED	TEST DATE
<u>CLAL56617</u>	<u>L-44585</u>	<u>Well 1</u>	<u>480</u>	<u>Same</u>	<u>3/2001</u>	<u>4/3/24</u>

(CONTINUED)

TWP (EX: 25S)	RNG (EX: 31E)	SEC (EX: 12)	QQ (EX: SE/SW)	SURVEYED LOCATION (EX: 100 ft N & 735 ft E fr SE cor, sec 5)	LATITUDE (EX: 44.94473859)	LONGITUDE (EX: -123.02787000)
<u>1S</u>	<u>4E</u>	<u>28</u>	<u>NENE</u>	<u>980 ft S & 890 ft W fr NE cor sec 28</u>		

List all water rights for which you are submitting this test. Please indicate if the tested well is listed as an authorized source of water on each water right. If not, you may also need to fill out a multiple well exemption (MWE) request form.

APPLICATION	PERMIT	TRANSFER	CERTIFICATE	IS THE TESTED WELL AN AUTHORIZED POA ON THIS RIGHT?
<u>G- 15349</u>	<u>G- 15155</u>	<u>T-</u>		☒ Yes ☐ No (Need MWE Form)
<u>G-</u>	<u>G-</u>	<u>T-</u>		☐ Yes ☐ No (Need MWE Form)
<u>G-</u>	<u>G-</u>	<u>T-</u>		☐ Yes ☐ No (Need MWE Form)

Nearby Wells and Streams: Please check yes or no. Do not leave blank.

☒ Are there any wells, other than domestic or stock wells, within 1000 feet of the tested well?
If yes, identify the well by OWRD log number or attach a copy of the well log. Note the approximate distance to each well from the tested well and the approximate pumping rate of each.
If possible, indicate if they were turned on or off during the test or within 24 hours prior to the test (Indicate Not Pumped, if applicable).

WELL LOG # (EX: MARI 99999)	BEARING & DISTANCE FROM PUMPED WELL (FT)	DATE & TIME PUMP ON	DATE & TIME PUMP OFF	PUMPING RATE (GPM)

☒ Is there a lake, stream or other surface water body within 1/4 mile of the tested well?
If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head.
Well elevation is above the surface water body. Approximate distance: _____ ft.
Approximate elevation difference: _____ ft.

☒ Was the test conducted during normal use of the well?
Please indicate where pumped water was discharged: Big Creek
How far from the pumped well was water discharged? 175 feet ft.

Additional forms can be found at: <https://www.oregon.gov/owrd/Forms/Pages/default.aspx>.



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PUMP TEST FORM
COVER SHEET

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Water-Level Measurement Method: E-Tape

Length of air line (if used): _____

*Verify here:

{ Airline: _____ psi _____ feet.
E-Tape: _____ feet.

*Airline measurements must be verified by an E-Tape measurement

Pressure transducer (if used):

Manufacturer: _____ Serial #: _____

Date Last Calibrated: _____ Units: _____

Discharge Measurement Method: Flow Meter

Flowmeter (if used):

Manufacturer: MicroMeter Serial #: 01-02212-3

Date Last Calibrated: 2001 Units: GPM

Pump Type: Submersible Turbine

HP: 25 Pump set at: 352 feet.

Pump idle time: 1 week

Note: Well must be idle for at least 16 hours prior to the test. Additional forms can be obtained from our web site at:
<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

Measuring Point (MP): Measuring point distance above land surface 2.3 feet.

Description (e.g., top port of 1 inch port pipe, west side) 3/4" Souder tube

Time pump turned on: Date 4/3/24 Time 10:00 AM

Time pump turned off: Date 4/3/24 Time 2:00 PM

Total pumping time: 4 hours 0 minutes.

Remember, your pump test may not be approved unless it meets the following criteria*:

- ☒ The discharge rate was held constant for the entire pumping phase.
- ☒ The pump was on during the entire pumping phase (≥ 4 hours).
- ☒ The discharge was measured at the start of pumping and at least once every hour during the test.
- ☒ Water levels were measured to an accuracy of 0.1 feet or 0.5 percent.
- ☒ Pre-test static water levels were measured at least three times in the hour before pumping began at no less than 20 minutes apart.
- ☒ Water levels were measured at the specified intervals during the pumping phase of the test for at least four hours (≤ 2 min for the first 10 minutes, ≤ 5 min for 10 – 30 minutes, and ≤ 15 min for the remainder of the test)
- ☒ Water levels were measured at the specified intervals (see above) during the recovery phase of the test for four hours or until 90 percent of the maximum drawdown has recovered.
- ☒ If using an airline, measurements were calibrated with an E-Tape and the depth to water was ≥ 300 feet.
- ☒ The pump test cover sheet was completely filled out and signed.
- ☒ The pumping rate was as close as reasonably possible to the (anticipated) pumping rate during normal use of the well.
- ☒ The well was idle for at least 16 hours prior to the test.
- ☒ The pump test was completed by an acceptably qualified person (Oregon licensed water well constructors; Oregon registered professional geologists or certified engineering geologists; certified water rights examiners; Oregon registered professional engineers; and individuals whose primary occupation involves, wholly or in significant part, pump installation, service, or testing).

*This checklist is intended for information purposes only and does not guarantee a pump test approval. The Department reserves all authority pertaining to the implementation of the rules under OAR 690-217.

Pump tests are intended to provide aquifer and well information for ground water resource characterization and to help solve well problems (OAR 690-217-0015(9)).

Pump test requirements for OAR 690-217 can be found online at:

https://secure.sos.state.or.us/oard/displayDivisionRules.action;JSESSIONID_OARD=1BdwLymYAPNSQtW330ZjSFZuMscp4Hfil-1ftsDAAEsMC2_ROSS!-277278532?selectedDivision=3186.

Submit forms to:

Attn: Certificates Section, Oregon Water Resources Department
725 Summer St NE Suite A, Salem, OR 97301

Forms may additionally be sent to WRD_DL_pumptestsupport@oregon.gov

I hereby certify that this test has been conducted in accordance with OAR 690-217:

OPERATOR SIGNATURE: Adam E. [Signature]

DATE: 4/3/24

OWNER SIGNATURE: Royce D. Belcher

DATE: 4/17/24

Additional forms can be found at: <https://www.oregon.gov/owrd/Forms/Pages/default.aspx>.

OWRD 20200115



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PUMP TEST FORM
DATA SHEET

Page 1 of 2

WELL LOG # (EX: MARI 99999)	WELL TAG # (EX: L-999999)	WELL NAME OR #	WELL DEPTH	ORIGINAL OWNER	DATE DRILLED	TEST DATE
CLAL56617	L-44505	Well #1	480'	T.H. Becker	3/2001	4/3/24

Date	Time	Time Since Pumping Started (min)	Depth to Water Below MP	Discharge Rate (gpm, cfs, GPM)	Phase (Pre- Test, Pumping, Recovery)	Airline or Shut-in Pressure (psi)	Total Flowmeter Reading (if available)	Comments
4/3/24	9:00	0	293.4	0	Pre-test		0	
4/3/24	9:20	0	293.4	0	Pre-test		0	
	9:40	0	293.4	0	Pre-test		0	
	10:00	0	293.4	115	Pumping		933772 x10	Pumping
	10:02	2	294.1	115				
	10:04	4	294.2	115				
	10:06	6	294.2	115				
	10:08	8	294.3	115				
	10:10	10	294.3	115				
	10:15	15	294.3	115				
	10:20	20	294.3	115				
	10:25	25	294.3	115				
	10:30	30	294.3	115				
	10:45	45	294.3	115				
	11:00	60	294.3	115				
	11:15	75	294.3	115				
	11:30	90	294.3	115				
	11:45	105	294.3	115				
	12:00	120	294.3	115				
	12:15	135	294.4	115				
	12:30	150	294.4	115				
	12:45	165	294.4	115				
	1:00	180	294.4	115				
	1:15	195	294.4	115				
	1:30	210	294.4	115				
	1:45	225	294.4	115				
	2:00	240	294.4	115			936556 x10	
		Pump Turned Off						
	2:02	243.7	2	0	Recovery			Recovery
	2:04	243.7	4	0				
	2:06	243.6	6	0				
	2:08	243.6	8	0				
	2:10	243.6	10	0				
	2:15	243.6	15	0				
	2:20	243.5	20	0				
	2:25	243.5	25	0				
	2:30	243.5	30	0				
	2:45	243.4	45	0				



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April 19, 2024

Mr. Gerry Clark
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

Subject: Claim of Beneficial Use for Permit G-15155 (Application G-15349)

Mr. Clark:

On behalf of the permittee, please find enclosed Claim of Beneficial Use (COBU) report for Permit G-15155 accompanied by a check in the amount of \$230 for payment of the COBU submittal fee. Please do not hesitate to contact me at 503-701-4535 with questions about the enclosed COBU.

Respectfully submitted,

Theodore Ressler, RG, CWRE
Summit Water Resources LLC.

Enclosures:

Claim of Beneficial Use for Permit G-15155
Check #52850 in the amount of \$230

Cc: Royce Belcher – T.H. Belcher Nursery