

Partially ASSIGNED

FILE#: G 15106

CHRIS YOUNGBLOOD
YOUNGBLOOD, DIANE
26810 S BOLLARD RD
CANBY, OR 97013

Application No. G15106
Permit No. 913885
Certificate No. _____

Stream Index, Page No. _____

FEEES PAID

Date	Amount	Receipt No.
3-6-00	\$400.00	36163
3-8-01	175.00	43525
1-10-02	30.00	50357
10/28/02	30.00	56596
2-18-04	25.00	65596
(Ext.) 9-21-05	256.00	77727
FEEES REFUNDED		
Date	Amount	Check No.

c24

Date filed _____
Priority 3-16-2000
Action suspended until CIS
"On ext. db"
Return to applicant _____
Date of approval 3-22-2001

CONSTRUCTION

Date for beginning _____
Date for completion _____
Extended to _____
Date for application of water 10/1/05
Extended to 10-1-2015
10/1/2024

PROSECUTION OF WORK

Form "A" filed _____
Form "B" filed _____
Form "C" filed _____

FINAL PROOF

Blank mailed _____
Proof received _____
Date certificate issued _____

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
1/10/02	<i>partially</i> Northwest Farm Credit Services, P.A.	Salem, OR 97309	9	112
10/28/02	Chris + Diane Youngblood	26810 S. Bollard Rd, Canby, OR 97013		
2/18/04	Randy + Marcie Harris	1864 N Teakwood Circle , Canby, OR 97013		

REMARKS

Date	Amount	Receipt
10-2-15	575.00	117591

G13805

CLARK Gerald E * WRD

From: CLARK Gerald E * WRD <Gerald.E.Clark@state.or.us>
Sent: Wednesday, May 22, 2024 7:04 AM
To: Doann Hamilton
Subject: RE: App G-15106 Permit G-13885 part COBU

Doann,

There is nothing that would prevent you from preparing a Claim for the Harris portion of the permit, however, the Department would not be able to begin any review of the Claim until at one year and three months after the "C" Date of October 1, 2024, in order to provide the other permit holder(s) the opportunity to complete their beneficial use and submit a Claim.

In this case, Reimbursement Authority would not available for use until at least 1 year and three months after the "C" Date. At that time, if we have not received a Claim from the other permit holder(s) of record, we would provide certified notice to them indicating that they are being excluded and have 60 days to intervene (submit a Claim or an Extension).

There is no set way that the Claim(s) need to be submitted for this permit. They can all work together and submit a single claim that covers all permit holders, or each permit holder can submit their own claim.

In the event that the Claim does not include all permit holders, only the permit holder(s) for which the claim is being prepared for needs to sign the Claim. The excluded landowners need only be identified in the Claim (their signature is not required).

Please let me know if you have any additional questions.

Gerry

Gerry Clark
He/Him/His
Oregon Water Resources Department
Program Analyst, Certificate Section, Water Right Services Division
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-979-9103

From: Doann Hamilton <phgdmh@gmail.com>
Sent: Wednesday, May 22, 2024 6:17 AM
To: CLARK Gerald E * WRD <Gerald.E.Clark@state.or.us>
Subject: App G-15106 Permit G-13885 part COBU

Hi Gerry

We have a new client
Marcie Harris
App G-15106 Permit G-13885
completion date October 1, 2024
who wants us to do the COBU for them

The water right is also under Youngblood
But those properties have been sold to two new individuals

one is an LLC of whom she has no way of contacting.

From my understanding
the well in on Harris's property and the others do not have access
and have not used the water right recently

It is too late to do a split of permit
So I will do only her portion of this water right

My question is
If we process this through the reimbursement authority program
Will OWRD contact the other landowners and let them know we are proceeding
and if they do not reply - can this process proceed.

Or do we have to wait several years until OWRD send the letter saying to prove up or loose

Thank you
Doann

--

Pacific Hydro-Geology, Inc.
18487 S. Valley Vista Rd.
Mulino, OR 97042
(503) 349-6946
Fax: (503) 632-5983
email: phgdmh@gmail.com

Extension PFO Checklist for Other than Muni or Quasi-Municipal

Water Use Permits

(OAR 690-315-0010 through OAR 690-315-0060)

Application: 6-15100 Permit: 6-13885 Permit Amendment? No Yes T- pending approved

Permit Holder's Name: Randy & Marice Harris 26758 S Bolland Rd Canby OR 97013
Chris & Diane Youngblood

Permit Holder's Mailing Address: _____ email _____
26810 S Bolland Rd Canby OR 97013

Phone Number: _____

POD Location: Township _____ Range _____ Section _____ 1/4 1/4 _____

Drainage Basin: 2 County: Clack Watermaster District: 16 Watermaster: Joe I

Date Permit was issued: 3-22-2001 Priority Date: 3-16-2000 Date of PN: 10-6-2015

Source: A well in Giblee creek BNSN

Use: Nursery use on 26.0 A

"Q": 1.0 cfs

Orig "A" Date: _____

Orig "B" Date: 10/1/_____

Orig "C" Date: 10/1/2005

Extension request rec'd: 10-2-2015

Last Authorized "B" Date: 10/1/_____

Last Authorized "C" Date: 10/1/2015

Request Number (1, 2, 3...): 2nd Proposed "B" Date: 10/1/_____

Proposed C Date: 10/1/2024

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
<input checked="" type="checkbox"/>	<input type="checkbox"/>	meter Clack 55589 4-15-94 4-23-94
<input checked="" type="checkbox"/>	<input type="checkbox"/>	SWL March 2004-2015
<input checked="" type="checkbox"/>	<input type="checkbox"/>	extension added 7 consecutive Ref. 31.75
<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Progress report received 10/3/2011

Factors to consider in determining "Reasonable Diligence" [OAR 690-315-0040(3)]:

Yes No

- Work was accomplished within the time allowed in the permit or previous extension
- Water right permit holder conformed with the permit or previous extension conditions
- Financial investments were made toward developing the beneficial water use.

• Amount Invested to date: \$ 48,912 Estimated Remaining Cost: \$ 27,36

- Beneficial use made of the water during the permit or previous extension time limits

• Permit holder has beneficially used 0.12 cfs gpm af of the total permitted quantity of water on 7 acres

GW REVIEW: Y N MR
 MITIGATION REVIEW: Y N

Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes No

Assignments

Determination of the market and the present demand for water or power to be supplied:

Identify the closest surface water or localized water basin. _____

Ground Water Permits: Is the POA located...

Surface Water Permits: Is the POD located...

Yes No

- above a state scenic waterway? Name _____ Source: OWRD "Areas Above State Scenic Waterways" Map
- within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html
- within a sensitive, threatened or endangered species area Source: "/gisdata/dev/projects/salmon/div33map.aml"
- within a critical or limited Ground Water Area? Name of area _____
- within a Withdrawn Area? Name of area _____
- in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list _____
- within an area ranking low / moderate / high / highest for stream flow restoration needs Source: OWRD "Streamflow Restoration Needs" Maps (by region)

Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

Yes... "Good Cause" can be found. Approval of Extension Request

No ... "Good Cause" cannot be found. Denial of Extension Request

Conditions to be included in Extension PFO (if applicable)? Yes No

(NOTE: Check the file record for documentation to add a condition(s) at the extension stage.)

5-year Progress Report Checkpoints (Years: _____)

LAST EXTENSION

Other: _____

Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:

COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987

"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."

COBU Requirement - Surface Water - post July 9, 1987

"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

COBU Requirement - Ground Water - post July 9, 1987

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

NOTES:

Extension "PFO" Dates

Mailing / Issuance Date: _____ Protest Deadline Date: _____

Reviewer's Name: _____ Date: _____

Application # 6-15106

Permit # 6-13885

Public Notice Route Slip ... New Application Extension of Time
per Division 315 Rules... (Extensions received on July 1, 2001 or after)

◆ **WRIG...**

Money Received on: 10-2-15

◆ **Extension Specialist ...**

- Added to tracking spreadsheet

After fee is receipted and app is added to spreadsheet, route to...

◆ **Kate Fitzgerald...**

Publish on Public Notice (initial 30-day comment): Date of notice 10-6-15

Update WRIS Database

In the "PNotice Date" field... Enter the date the Extension Application was published on the Public Notice.

In the "Ext Filed" field... Enter the date the Extension Application was received.

Yes or No: Return file to Extension Specialist after PN MAB

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

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

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

RECEIPT # **117591**

INVOICE # _____

RECEIVED FROM: Harris Glen Farm
BY: _____

APPLICATION	G-15106
PERMIT	
TRANSFER	

CASH: CHECK:# 2174 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 575.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) _____ \$ _____
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS 46111

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME \$ 575.00

WATER RIGHTS:

EXAM FEE
\$ _____
\$ _____
\$ _____

0201 SURFACE WATER 0202 \$ _____
0203 GROUND WATER 0204 \$ _____
0205 TRANSFER \$ _____

WELL CONSTRUCTION

EXAM FEE
\$ _____

0218 WELL DRILL CONSTRUCTOR 0219 \$ _____
LANDOWNER'S PERMIT 0220 \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **117591** DATED: 10-2-15 BY: Mani Arshad



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

October 5, 2015

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Right Services Division has received your application for an extension of time for **APPLICATION FILE #: G-15106 (Permit G-13885)**. Your application will be reviewed in the future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

You may continue the use of water under your water right until the Water Resources Department formally takes action on your extension application. If your permit includes conditions, water use reporting, water level measurement reporting, etc., you are required to comply with the conditions.

Any additional development that occurs after the expired completion date, identified on the permit or an extension order, can only be claimed upon an approved extension application.

If you have questions concerning your extension of time application, please contact Machel Bamberger at (503) 986-0802. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's website at: www.wrd.state.or.us.



**Application for Extension of Time for a Water Right Permit
(NON-Municipal/NON Quasi-Municipal water Use)**



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

Criteria for a Permit Extension of Time

The Department can accept requests for an extension of time on permits to (1) complete construction, and/or to (2) apply water to beneficial use.

In order to approve a permit extension request the Department must be able to find:

1) Construction has begun:

A. For Groundwater Permits

Construction of the well began within 5 years of the date the permit was issued or by the actual construction date specified in the permit.

B. For Surface Water or Reservoir Permits

Construction of the water system began within 5 years of the date the permit was issued or by the actual construction date specified in the permit.

The Department will also confirm that:

- 2) A required fish screen, fish passage or fish by-pass device was installed before or prior to diversion of any water. An exception to the need to confirm installation prior to diversion of any water would be a waiver submitted to the Department from ODFW stating that a fish screen, fish passage or fish by-pass device was not required, provided your permit allows for a waiver.**

If you have questions, please call the Department at (503)-986-0900 and ask to speak with a permit extension specialist.

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OCT 02 2015

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Instructions are in Attachment A.

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT
*A separate extension application must be submitted for each permit as per
OAR 690-315-0020(2).*

I, Randy & Marcie Harris

NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

26758 S Bolland RD
ADDRESS

Canby
CITY

OR
STATE

97013
ZIP

503.263.4697
PHONE

randy@harrisglenfarms.com
E-MAIL ADDRESS

the permit holder of: Application Number G-15106
~~S-85063~~
Permit Number g-13885
[OAR 690-315-0020(3)(b)]

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do hereby request that the time in which to:

- complete construction (of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water), which time now expires on Month: Day: Year: , be extended to October 1, , [OAR 690-315-0020(3)(i)]
- N/A (Check this box if the permit does not specify a date by when construction must be completed.)

and/or the time in which to:

- X apply water to full beneficial use under the terms and conditions of the permit, which time now expires on Month:10 Day: 01 Year: 2015, be extended to October 1, 2024.
[OAR 690-315-0020(3)(i)]

I am the permit holder, or have written authorization from the permit holder (attached to this Application for Extension of Time), to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for OWRD to suspend processing of the request and/or reason to deny the extension.


Signature _____ Date 9.28.15
Randy Harris Owner
Printed Name Title

Before submitting your Application for Extension of Time, make sure the following items are included:

- This completed Application for Extension of Time.
- Statutory fee of \$575.
- Signature page (Second page of this Application for Extension of Time).
- All supporting documentation and/or evidence referenced in the Application for Extension of Time.

MAIL COMPLETED APPLICATION
along with the Supporting documents and/ or evidence

\$575 STATUTORY FEE TO:

Water Resources Department
Attn: Water Right Permit Extensions
725 Summer Street NE, Suite A
Salem, Oregon 97301

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GENERAL TIPS:

- Permit holders of **municipal or quasi-municipal water use permits DO NOT use this form**. The correct form is APPLICATION FOR EXTENSION OF TIME FOR MUNICIPAL AND QUASI-MUNICIPAL WATER USE PERMITS, available at the following link:
http://www.oregon.gov/owrd/PUBS/docs/forms/fillable_muni_quasi_ext_app_form_2014.doc
- Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate APPLICATION FOR EXTENSION OF TIME must be submitted for each permit. OAR 690-315-0020(2).
- An instruction sheet, INSTRUCTIONS FOR COMPLETING AN APPLICATION FOR EXTENSION OF TIME FOR A WATER RIGHT PERMIT (Attachment A), provides details that will help you answer each question on the application. Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at:
http://arcweb.sos.state.or.us/pages/rules/oars_600/oar_690/690_315.html
- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 315-0020(3)(n).

- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights Services Division.
- An Application for an Extension of Time will be reviewed for completeness. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

Reference Materials Needed to Complete this Application:

- **The water right permit.** If needed, a copy of the water right permit can be downloaded from the Department's Website at <http://apps.wrd.state.or.us/apps/wr/wrinfo/> (using the link to the Water Rights Information System (WRIS). Or, a copy of the permit (or other documents) may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- **Documentation which demonstrates compliance with permit conditions** (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Questions to complete this application for an Extension of Time

Please see the instruction sheet to help you answer these questions.

1. Beginning Construction within required deadlines. OAR 690-315-0020(3)(d)

For Groundwater Permits

Has construction of the well begun? Yes No

Date construction began Month: 4 Day: 23 Year: 1994

Details of construction and attach documentation:

For Surface/Reservoir Permit

Has construction of the water system begun? Yes No

Date construction began Month: Day: Year:

Details of construction and attach documentation:

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2. Permits typically contain standard or special conditions that must be fully satisfied to lawfully develop and use permitted water. Review the permit subject to this extension to identify which of the conditions listed in the 2nd column are contained within it. Using the extra row labeled "other" to specify any other additional conditions specified in a final order approving a permit amendment or prior extension of time. In the 1st column check the box for each condition (row) identified as relevant. In the 3rd column check "Yes" if you have completed or met the permit condition. Check "No" if the condition is not yet satisfied. In the 4th column, give the date when the condition was satisfied or will be satisfied. Attach any pertinent documentation. Note: a pump test condition does not need to be addressed here however; you must submit the results of the test to the Department for approval prior to certification.

CHART-A

Permit Conditions in this Permit		Have Completed or Met?	Date satisfied/ or will be satisfied
Checkbox	Ground water Check those included on this permit		
<input checked="" type="checkbox"/>	Installation of a meter/totalizing flow meter	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of annual water usage report	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of initial static water level measurement	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	Submittal of annual static water level measurements in the month required	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	Submittal of Seven consecutive static water level measurements in the month required	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Special well construction standards	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a monitoring plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Surface Water or Reservoir			
<input type="checkbox"/>	Installation of a meter/ totalizing flow meter/ in-line meter	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation a staff gauge	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish screen	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish by-pass device	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish passage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of an outlet gate/pipe/ conduit	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from ODFW that fish screen, fish by-pass device, and or fish passage is not required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submit as-built plans and specification	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from an engineer prior to storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	

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If you have NOT complied with Permit conditions, explain the reasons why and indicate a date certain, when you will be in compliance.

[OAR 690-315-0020(3)(e)]

3. Provide evidence of physical work made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-B); and if applicable, within the time period of the most recent extension granted (CHART-C). CHART-B (below) must be completed for all Application for Extension of Time requests. Use *chronological order*. (this does NOT include planning, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land, or planting crops)

CHART-B

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
4.23.1994	Well Drilled – Well was installed by previous owner	NA
DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED <i>and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER</i> <i>List work/actions done during the permitted time period.</i>	COST*
3.22.2001	Date the permit was signed - find date above signature on last page of permit.	
2.16.2012	Power to pump, Water Meter, Pressure Gauge, Pressure Tanks / Well House, Sand Filter	\$35,000
2006-2011	Installation of drip, general repairs and maintenance	\$5,284
2012-2015	Expansion of drip, in ground main vs above, repairs and maintenance	\$8,628
10.1.2015	Date the permit specified complete application of water to the use shall be made- all permits contain this date.	
DATE	WORK ACCOMPLISHED AFTER the date the permit specified complete application of water <i>COMPLETE ONLY IF THIS IS YOUR 1st APPLICATION FOR AN EXTENSION OF TIME: List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
Total Cost for Chart-B		\$48,912

* If exact cost is not known, you must provide your best estimate.

4. If this is not your 1st Application for Extension of Time request, fill out CHART-C below in addition to CHART-B above. Use *chronological order*.

CHART-C

DATE	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
	"Extended From" date for complete application of water used in the 1 st (or the most recent) Application for Extension of Time.	
2012-2015	Expansion of drip, in ground main vs above, repairs and maintenance	\$8,628
2015	"Extended To" date for complete application of water resulting from the 1 st (or the most recent) Application for Extension of Time.	\$8,628
DATE	WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
Total Cost of Chart-C		

* If exact cost is not known, you must provide your best estimate. [OAR 690-315-0020(3)(f)]

5. Cost of project to date: **\$48,912**

(The total combined cost from CHART-B and CHART-C) [OAR 690-315-0020(f)]

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[OAR 690-315-0020(3)(e)(B)]

Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit and/or prior extensions of time (if any) made to date.

TIP: Report the rate used to date. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.

6. For Surface Water Permit Extensions (e.g. S-XXXX or R-XXXX):

TIP: Report the rate in the same units of measurement as specified in the permit.

Maximum rate used to date = _____ cfs (cubic feet per second) or,

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

Acre-feet stored to date = _____ AF

7. For Ground Water Permit Extensions (e.g. G-XXXX):

TIP: Include information from ALL wells that pertain to this permit, including drilled wells not currently used.

CHART-D

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					If yes, provide the Permit, Certificate, or Transfer No.
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment? (See 8 below)	Maximum instantaneous rate used to date from this well - - under <u>this permit</u> only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	
g-13885	#1	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	CLAC 55589	NA	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	55GPM	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
Total instantaneous rate from all wells utilized under this permit						55 GPM		

8. If the drilled location of a well is not authorized on this permit, please specify its location below, or provide a map showing its location.

Has or will a Permit Amendment Application been/be filed? Yes No

If a Permit Amendment Application has been filed: Transfer No. T-_____

Well # _____ Actual location: _____

Well # _____ Actual location: _____

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[OAR 690-315-0020(3)(e)(C)]

9. Provide the total number of acres irrigated to date under this permit (if applicable).

Total acres irrigated to date: 7

Ground Water Permits: Please specify which wells are being utilized for this irrigation.

Well #1 Acres 7 Well # _____ Acres _____

Well # _____ Acres _____ Well # _____ Acres _____

[OAR 690-315-0020(3)(i)(j)]

10. Provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
TBD	Expansion of drip and in-ground as the nursery business grows	\$18,000
TBD	Installation of Variable speed pump	\$9,300
Year: 2024	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
	Total Cost	\$27,300

[OAR 690-315-0020(3)(g)]

11. Estimated remaining cost to complete the project: \$27,000

(The total cost from CHART-E)

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[OAR 690-315-0020(3)(h)]

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12. Describe the reasons why the construction was not completed, and/or water was not beneficially used within permit time limits. Provide supporting information for the reason(s) that best fits your circumstances. Include any additional unforeseen events and/or other governmental regulation or requirements.

Our business since 10/2011 extension has progressed nicely, although our initial plan was to grow nursery stock exclusively in ground has shifted to 70% above ground container thus total available acreage (16) hasn't come to fruition as quickly as expected. Note permit states 26.0.

[OAR 690-315-0020(3)(k)]

13. Justify the time requested to complete the project and/or apply the water to full beneficial use.

We expect our family owned nursery to continue growing and expand but will take more time than initially planned.

[OAR 690-315-0020(3)(m)(n)]

14. Provide any other information you wish OWRD to consider while evaluating your Application for Extension of Time.

We have limited resources and are family owned Ag business. Sales of nursery stock will finance subsequent expansion.

We anticipate continued expansion & growth as our gross sales have increased 25% each of the last two years as we are now contract growing for four large out of state customers.

Attach permit, and documentation to the application.

Attached:

One page summary of gallons used, expenses, acres and irrigation type.

Well Construction document 4.23.94

Well enhancement Feb 2012

Permit information

Plat map showing 16 acre owned

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9.26.15

Permit # G-13885

Asking for extension of time to fully use available acreage before receiving water rights on all 16 acres.

Progress report:

Our business since 10/2011 extension has progressed nicely, although our initial plan was to grow nursery stock exclusively in ground has shifted to 70% above ground container thus total available acreage (16) hasn't come to fruition as quickly as expected. **Note permit states 26.0.**

- a. Scope of construction has been the additional purchase and installation of drip, repairs and maintenance.
- b. Amount of beneficial use :
 - Volume 8,509,100 gallons 6.20.2006 - 9.26.15
 - Types - 95% Drip, overhead used at time of planting
 - Acres - 7
- c. Annual static water levels measured (March) and submitted to the department
- d. Financial investment \$13,912

<u>Year</u>	<u>Gallons</u>	<u>Financial</u>	<u>Acres</u>	<u>Type</u>
06	396,850	\$240	1	overhead
07	792,746	\$652	4	overhead
08	1,053,438	\$645	4	overhead
09	540,900	\$1,580	5	overhead/drip
10	773,080	\$557	5	overhead/drip
11	520,200	\$1,610	5	overhead/drip
Extension granted	4,077,214	\$5,284		
12	1,005,830	\$1,013	5.5	overhead/drip
13	1,109,703	\$250	6	overhead/drip
14	1,097,584	\$3,290	6	drip
15	1,218,769	\$4,075	7	drip
12-15 Sub Total	4,431,886	\$8,628		95% Drip
Total	8,509,100	\$13,912		

Regards
Randy Harris
Harris Glen Farms
503.263.4697

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SALEM, OR

OREGON
WATER WELL REPORT
(as required by ORS 537.765)

NOTES: No original report. This copy was
CLAG submitted with Appl. G-15764
55589 overwritten for readability. (START CARD) # 31518
-Dunn Miller

(1) OWNER: Well Number _____
Name Chris Youngblood
Address 26810 S. Ballard
City Canby State OR Zip _____

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

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable
 Other _____

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

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

HOLE		SEAL		Amount	
Diameter	From To	Material	From To	Stacks	Pounds
12"	0-124'	Cement	0-124'	46	

How was seal placed: Method A B C D E
 Other _____

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From To	Gauge	Steel	Plastic	Welded	Threaded
8"	1/2-182'	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

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

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
150	165	1/4"	300			<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Yield gal/min	Drawdown	Drill stem at	Time
250		165	1 hr.

Temperature of Water 54 Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____

(9) LOCATION OF WELL by legal description:
County Clatsop Latitude _____ Longitude _____
Township T4S N or S. Range 1E E or W. WM. _____
Section 16 SW SW SE per appl. map
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address): same

(10) STATIC WATER LEVEL:
28 ft. below land surface. Date 4-23-94
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found _____

From	To	Estimated Flow Rate	SWL
150	165	250	28

(12) WELL LOG: Ground elevation _____

Material	From	To	SWL
Soil	0	1	
clay sandy	1	29	
gravel	28	29	
clay gray	28	150	
sand, fine to medium	150	165	28
clay, blue	165	182	

Date started 4-15 Completed 4-23-94

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

WVC Number _____
Signed _____ Date _____

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
WVC Number 728

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SALEM, OR
WATER RESOURCES DEPT.
SALEM, OREGON

WESTERBERG DRILLING INC.

PUMP INSTALLATION RECORD

TOWN: CANBY 97013

STREET/ROAD: 26778 S. BOLLAND RD.

DATE INSTALLED: 4-6-04 INSTALLED FOR: RANDY HARRIS

PHONE: 503-263-4697 WELL DEPTH: _____ DIAMETER: 6"

STATIC LEVEL: _____ PUMP: BERKELEY (existing) H.P.: 5

SERIAL NO.: _____ MODEL NO.: _____

GALLONS PER MINUTE: 50 LENGTH OF DROP PIPE: N/A

DIAMETER OF DROP PIPE: 2" WIRE SIZE/TYPE: _____

PRESSURE TANK/BRAND: CHALLENGER PC-366 SIZE: 119-GAL TYPE: DIAPHRAGM (3 tanks)

WELL SEAL TYPE: CONVENTIONAT.

OTHER INFORMATION: (3) PC-366 installed. Did not install pump. Plumbing is 2" Sch80 pvc. Flowmeter installed W-120 1.5" turbo meter S/N 62395911

INSTALLED BY: ERIC

UPDATED INFORMATION: Also installed sand separator supplied by Randy & 2" 100 mesh filter. Also supplied Randy with 2" Wilkins A-600 pressure reducing valve.

Well drilled by DAN Merrill Drilling on 4/23/1994

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SALEM, OH

Oregon Water Resources Department
Water Rights Division

Application for Extension of Time

In the Matter of the Application)
for an Extension of Time for)
Permit #G-13885, Water Right) PROPOSED FINAL ORDER
Application #G-15106)
(Randy and Marcie Harris and)
Chris and Diane Youngblood))

Permit Information

Application File #G-15106 / Permit #G-13885

Basin: #02 - Willamette Basin / Watermaster District: #20

Date of Priority: March 16, 2000

Authorized Use of Water

Source of Water: A Well in Gribble Creek Basin
Purpose or Use: Nursery Use on 26.0 Acres
Maximum Rate: 1.0 cubic foot per second (cfs)

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

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

This Proposed Final Order applies only to Permit #G-13885, water right Application #G-15106. A copy of Permit #G-13885 is enclosed as Attachment 1.

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Proposed Final Order: Permit #G-13885

Page 1 of 12

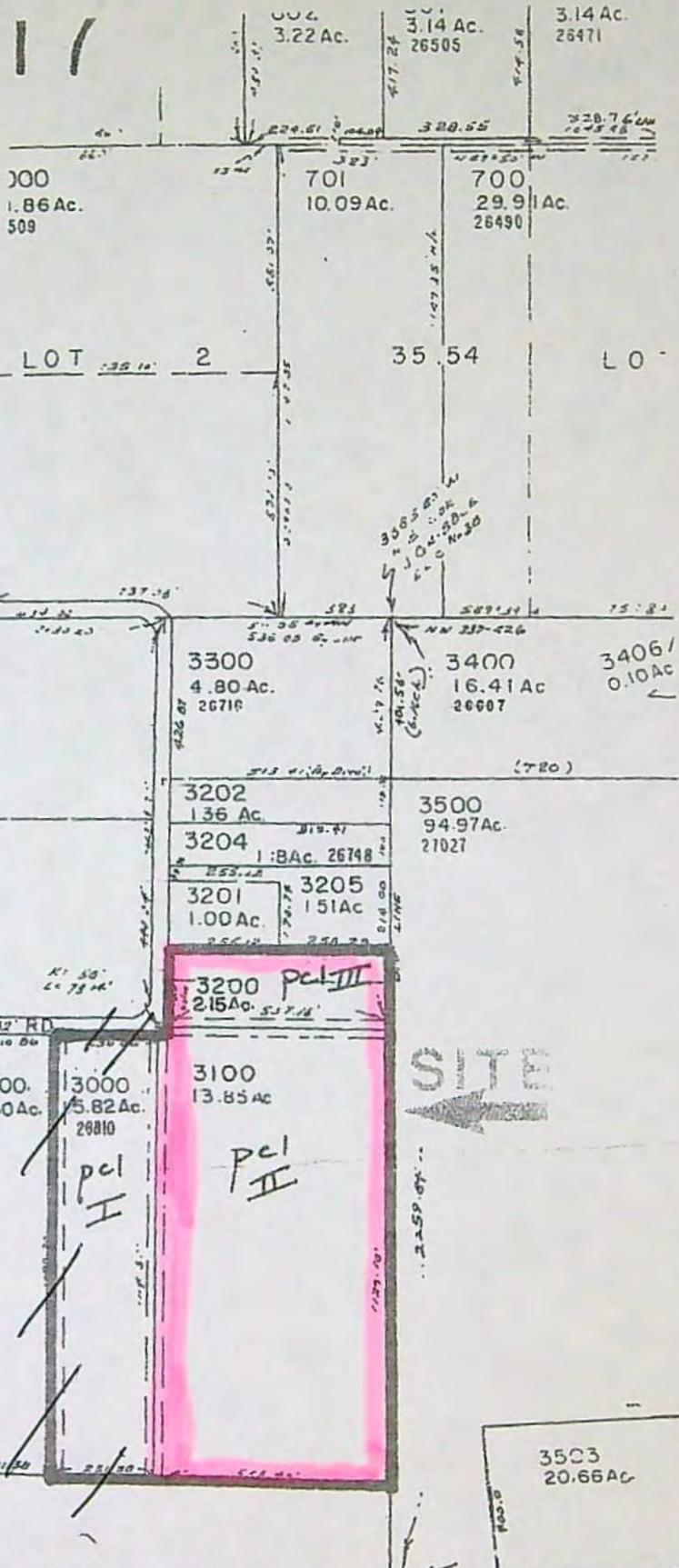
SALEM, OR

CHICAGO TITLE INSURANCE COMPANY

N



Map number 41E 16
 This plat is for your aid in locating your land with reference to streets and others parcels. While this plat is believed to be correct, the company assumes no liability for any loss occurring by reason of reliance thereon.



F.U.

LOT 3

35.54

LOT 2

35.54

LOT

2501
18.36 Ac.
26951

2800
12.08 Ac.
26713

3300
4.80 Ac.
26719

3400
16.41 Ac.
26607

3406
0.10 Ac

2801
11.83 Ac.
26878

3202
1.36 Ac

3500
94.97 Ac.
21027

3204
1.8 Ac. 26748

3201
1.00 Ac.

3205
1.51 Ac

3200
2.15 Ac. Parcel III

3100
13.85 Ac.
Parcel II

2600
11.07 Ac.
26940

2701
5.14 Ac.
26882
26884

2700
5.16 Ac

2702
5.18 Ac.
26866

2900
5.30 Ac.

3000
5.82 Ac.
28810

2601
2.00 Ac
26840

3503
20.66 Ac

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SEE MAP 4 1E 21

OCT 02 2015

ASSIGNMENT OF INTEREST IN PARCEL II & III

SALEM, OR

Oregon Water Resources Department
Water Right Services Division

Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit G-13885, Water Right Application G-15106,) PROPOSED FINAL ORDER
in the name of Randy and Marcie Harris; and)
Chris and Diane Youngblood)

Permit Information

Application:	G-15106
Permit:	G-13885
Basin:	2 – Middle Willamette / Watermaster District 16
Date of Priority:	March 16, 2000
Source of Water:	A well in Gribble Creek Basin
Purpose of Use:	Nursery use on 26.0 Acres
Maximum Rate:	1.0 cubic foot per second (cfs)

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

In Summary, the Department proposes to:

- Grant an extension of time to apply water to full beneficial use from October 1, 2015 to October 1, 2024¹.
- Make the extension subject to certain conditions set forth below.

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.

¹Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources

PFO – Proposed Final Order

cfs – cubic feet per second

AUTHORITY

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

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

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

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

OAR 690-315-0050(5) states that extension orders may include, but are not limited to, any condition or provision needed to: ensure future diligence; mitigate the effects of the subsequent development on competing demands on the resource; and periodically document the continued need for the permit.

OAR 690-315-0050(6) requires the Department, for extensions exceeding five years, to establish checkpoints to determine if diligence is being exercised in the development and perfection of the water use permit. Intervals between checkpoints will not exceed five year periods.

FINDINGS OF FACT

Background

1. Permit G-13885 was issued by the Department on March 22, 2001. The permit authorizes the use of up to 1.0 cfs of water from a well in Gribble Creek Basin for

nursery use on 26.0 acres. The permit specified complete application of water was to be made on or before October 1, 2005.

2. On January 10, 2002, a partial assignment of Permit G-13885 recorded in the records of the Water Resources Department was assigned by the Department from Chris and Diane Youngblood to Chris and Diane Youngblood and Northwest Farm Credit Services, PCA.
3. On October 29, 2002, the assignment from Northwest Farm Credit Services, PCA back to Chris and Diane Youngblood was recorded in the records of the Department.
4. On February 19, 2004 a partial assignment of Permit G-13885 was assigned by the Department by Chris and Diane Youngblood to Chris and Diane Youngblood and Randy and Marcie Harris by proof of ownership.
5. One prior permit extension has been granted for Permit G-13885. The most recent extension request resulted in the completion date for full application of water being extended from October 1, 2005 to October 1, 2015.
6. The permit holders, Randy and Marcie Harris submitted an "Application for Extension of Time" to the Department on October 2, 2015, requesting the time to apply water to full beneficial use under the terms and conditions of Permit G-13885 be extended from October 1, 2015 to October 1, 2024.
7. The application stated that the place of use was in taxlots 41 E 16 2900, 41 E 16 3000, 41 E 16 3100 and 41 E 16 3200. According to the current Clackamas Assessors office Randal and Marcie Harris own taxlots 41 E 16 3100 and 41 E 16 3200, which is approximately 16.0 acres.
8. Notification of the Application for Extension of Time for Permit G-13885 was published in the Department's Public Notice dated October 6, 2015. No public comments were received regarding the extension application.

Review Criteria [OAR 690-315-0040]

The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0040. This determination shall consider the applicable requirements of ORS 537.230², 537.248³, 537.630⁴ and/or 539.010(5)⁵.

²ORS 537.230 applies to surface water permits only.

³ORS 537.248 applies to reservoir permits only.

⁴ORS 537.630 applies to ground water permits only.

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

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

9. On October 2, 2015, the Department received a completed Application for Extension of Time and the fee specified in ORS 536.050 from the permit holder.

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

10. Construction of the well began within 5 years of permit issuance, as specified in the permit as being March 22, 2006. The permit holder states, construction of Well (CLAC 55589) began on April 15, 1994.

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

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

11. As of October 2, 2015, the permit holder states the remaining work to be completed consists of expanding of irrigation system and applying water to full beneficial use on the remaining 9.0 acres.
12. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2024, to accomplish the application of water to beneficial use under the terms and conditions of Permit G-13885 is both reasonable and necessary.

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

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

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

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

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

13. According to the permit holder, work was accomplished within the time allowed in the permit or previous extension as follows:
 - a. Construction of the well was completed prior to October 1, 2005. Construction of Well (CLAC 55589) began April 14, 1994 and was completed on April 24, 1994.
 - b. Work was completed during the original development time frame under Permit G-13885. According to the applicant installation of a pump, meter, pressure gauge, pressure tanks, well house, and a sand filter was completed.

- c. During the most recent extension period, being from October 1, 2005, to October 1, 2015, the following was accomplished:
- Expansion of the irrigation system; and
 - Repairs and maintenance of the system.

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

14. According to the water user a maximum rate of 0.12 cfs of water has been appropriated from the well for irrigation of 7.0 acres.
15. According to the permit holder, delay of full beneficial use of water under Permit G-13885 was due, in part, to business plan shifting from growing nursery stock exclusively in ground to 70% above ground containers. Also being a family owned nursery having limited resources. The permit holders needs more time in which to expand as sales increase.

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

16. The Department has considered the permit holder's compliance with conditions, and did not identify any concerns.
17. Since March of 2004, the permit holder has installed a water meter, and submitted the static water level measurements required under Permit G-13885.

Financial Investments to Appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b),(3)(d),(4)(d)]

18. As of October 2, 2015, the permit holder states they have invested approximately \$48,912, which is approximately 64 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$27,300 investment is needed for the completion of this project.

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

19. The Department has found good faith of the appropriator under Permit G-13885.

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

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

20. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers,

serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0040(4)(a-c)].

The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-13885; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined when an application for a new water right is submitted. The point of appropriation for Permit G-13885, located within the Gribble Creek Basin, is not located within a limited or critical ground water area. Gribble Creek is not located within or above any state or federal scenic waterway, however, it is located within an area ranked "moderate" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. The point of appropriation is not in an area listed by the Department of Environmental Quality as a water quality limited stream.

Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].

21. None have been identified.

Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0040(4)(f)].

22. None have been identified.

23. OAR 690-315-0050(5) provides for extension orders to include, but are not limited to, any condition or provision needed to ensure future diligence, and/or mitigate the effects of the subsequent development on competing demands on the resource. The Department determined the need to place a "Last Extension Condition" on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. This condition, specified under Item 1 of the "Conditions" section of this PFO, was determined to be necessary due to the length of time to develop this project, with the approval of this extension the length of time will be 23 years.

24. OAR 690-315-0050(6) requires the Department to place a checkpoint condition on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. A "Checkpoint Condition" is specified under Item 2 of the "Conditions" section of this PFO to meet this condition.

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

25. Use and income from the permitted water development will likely result in reasonable returns upon the investment made to date.

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

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

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

27. None have been identified.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630(1).
2. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
3. The applicant complied with beginning construction timeline requirements pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
4. Full application of water to beneficial use can be accomplished by October 1, 2024, as required by OAR 690-315-0040(1)(c).
5. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).
6. As authorized in OAR 690-315-0050(5) and as described in Finding 23 above, the Department has established, as specified in the "Conditions" section of this PFO (Item 1), a "Last Extension Condition" in order to ensure future diligence is exercised in the development and perfection of Permit G-13885.
7. As required by OAR 690-315-0050(6) and as described in Finding 24 above, the Department has established, as specified in the "Conditions" section of this PFO (Item 2), progress checkpoints in order to ensure future diligence is exercised in the development and perfection of Permit G-13885.

PROPOSED ORDER

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

Extend the time to apply water to beneficial use under Permit G-13885 from October 1, 2015 to October 1, 2024.

Subject to the following conditions:

CONDITIONS

1. Last Extension Condition

This is to be the last extension of time granted for Permit G-13885. Any future extensions of time requests will be denied.

2. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2020. A form will be enclosed with your Final Order.**

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

DATED: November 10, 2015


Dwight French, Administrator,
Water Right Services Division

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **December 25, 2015**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The applicant or non-applicant protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
 - a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a protest has been submitted, and:
 - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

NOTICE TO ACTIVE DUTY SERVICE MEMBERS: Active Duty Service members have a right to stay these proceedings under federal Service members Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 800-452-7500 or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.of.mil>

Mailing List for Extension PFO Copies

PFO Date: November 10, 2015

Copies Mailed

Application: G-15106

By: KF

Permit: G-13885

On: 11/10/15

Original mailed to Applicant:

Randy and Marcie Harris
26758 S Bolland Road
Canby, OR 97013

Chris and Diane Youngblood
26810 S Bolland Road
Canby, OR 97013

Copies sent to:

1. WRD - App. File G-15106/ Permit G-13885
2. Current Landowner of Taxlot: 41 E 16 03000
Michael D and Kim L Holleman
26810 S Bolland Road
Canby, OR 97013
3. Current Landowner of Taxlot 41 E 16 02900
Mack A Woods
11677 S Macksburg Road
Canby, OR 97013

Fee paid as specified under ORS 536.050 to receive copy:

4. None

Receiving via e-mail (10 AM Tuesday of signature date)
(DONE BY EXTENSION SPECIALIST)

5. WRD - Watermaster District 16, Joel Plahn

CASEWORKER: MAB

Proposed Final Order: Permit G-13885

Page 1 of 1

Oregon Water Resources Department
Water Right Services Division

Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit G-13885, Water Right Application G-15106,) FINAL ORDER
in the name of Randy and Marcie Harris; and)
Chris and Diane Youngblood)

Permit Information

Application:	G-15106
Permit:	G-13885
Basin:	2 – Middle Willamette / Watermaster District 16
Date of Priority:	March 16, 2000
Source of Water:	A well in Gribble Creek Basin
Purpose of Use:	Nursery use on 26.0 Acres
Maximum Rate:	1.0 cubic foot per second (cfs)

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315

Appeal Rights

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. A request for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either file for judicial review, or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Application History

Permit G-13885 was issued by the Department on March 22, 2001. The permit specified for complete application of water to beneficial use by October 1, 2005. The most recent extension authorized complete application of water to beneficial use by October 1, 2015. On October 2, 2015, Randy and Marcie Harris submitted to the Department an Application for Extension of Time for Permit G-13885. In accordance with OAR 690-315-0050(2), on November 10, 2015, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2024. The protest period closed December 25, 2015, in accordance with OAR 690-315-0060(1). No protest was filed.

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated November 10, 2015.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, any comments received, and information within the file, the permit may be extended subject to the following conditions:

CONDITIONS

1. **Last Extension Condition**

This is to be the last extension of time granted for Permit G-13885. Any future extensions of time requests will be denied.

2. **Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2020**. ***A form will be enclosed with your Final Order.***

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

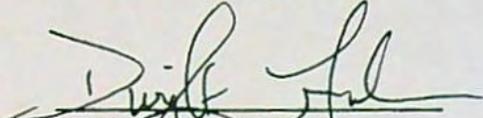
CONCLUSION OF LAW

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

ORDER

The extension of time for Application G-15106, Permit G-13885, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2015 to October 1, 2024.

DATED: January 8, 2016



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

-
- If you have any questions about statements contained in this document, please contact the Permit Extension Specialist at (503) 986-0802.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-

Mailing List for Extension FO Copies

FO Date: January 8, 2016

Copies Mailed

Application: G-15106

By: KF

Permit: G-13885

On: 1/8/16

Original mailed to Applicant:

Randy and Marcie Harris Chris and Diane Youngblood
26758 S Bolland Road
Canby, OR 97013

Chris and Diane Youngblood
26810 S Bolland Road
Canby, OR 97013

Copies sent to:

1. WRD - App. File G-15106/ Permit G-13885
2. Current Landowner of Taxlot: 41 E 16 03000
Michael D and Kim L Holleman
26810 S Bolland Road
Canby, OR 97013
3. Current Landowner of Taxlot 41 E 16 02900
Mack A Woods
11677 S Macksburg Road
Canby, OR 97013

Fee paid as specified under ORS 536.050 to receive copy:

4. None

Receiving notification via e-mail - FO available in WRIS for review
(DONE BY EXTENSION SPECIALIST)

5. WRD - Watermaster District 16, Joel Plahn

If Progress Reports are included:

(DONE BY EXTENSION SPECIALIST)

Add record to Progress Report tracking sheet.xls Done: by ce Date 1-7-16

CASEWORKER: MAB

OWRD Water Level Report

Logid	CLAC 55589	State Obs Nbr		Well Tag: On Log		Tag On Well		TRS	4.00S / 1.00E - 16DCC		
Site Name	YOUNGBLOOD			Hm Phone		Max Csg Diam	8	Tax Map	04S-10E-16	Tax Lot	04S-10E-16
Owner				Wrk Phone		Max Depth	182	Quad24	YODER		
Contact				Cell Phone		Repeat Visits OK		Lat / Long	WGS1984	45.2160078	-122.690111
Address				FAX		Stop By House		Call Prior to Visit		OK if not home	
City / St / Zip				Owner Comments							
Well Address				Well Location Comments	FR TL MAP IN FILE G-15106: 35 FT N & 2150 FT W FR SE COR, SEC 16. PROB +- 250						
Directions to Well											
General Well Comments											

Date	Time	MP Hght	WL BLS	WL Elev	Method Code	Status Code	Measured By	Source Org	SourceOWRD	WComments
04/23/1994		28.00	146.00		R	U	DRILLER	DRILLER	WELL LOG	CLAC 55589. New well. 182 ft TD.
04/05/2002		66	31.75	142.25	T	S	ANDREW HETTWER	PUMP INSTALLER	PERMIT COND PRGRM	
03/24/2004		1	36.33	137.67	T	S	ERIC ROSS	PUMP INSTALLER	PERMIT COND PRGRM	
03/23/2005		1	40.00	134.00	T	S	ERIC ROSS	PUMP INSTALLER	PERMIT COND PRGRM	
03/24/2006		1	33.67	140.33	T	S	ERIC ROSS	PUMP INSTALLER	PERMIT COND PRGRM	
03/22/2007		1	37.08	136.92	T	S	DANIEL D. STADEL	DRILLER	PERMIT COND PRGRM	CYCLES FOR DOMESTIC USE
03/26/2008		1	36.55	137.45	T	S	DANIEL D. STADEL	DRILLER	PERMIT COND PRGRM	CYCLES FOR DOMESTIC USE
03/20/2009		1.0	38.35	135.65	T	S	DANIEL D. STADEL	DRILLER	PERMIT COND PRGRM	CYCLES FOR DOMESTIC USE
03/17/2010		1	39.35	134.65	T	S	DANIEL D. STADEL	DRILLER	PERMIT COND PRGRM	CYCLES FOR DOMESTIC USE
03/17/2011		1	35.65	138.35	T	S	DANIEL D. STADEL	DRILLER	PERMIT COND PRGRM	Cycles for domestic use
03/07/2012		1	37.95	136.05	T	S	DANIEL D. STADEL	DRILLER	PERMIT COND PRGRM	
03/13/2013		1	39.20	134.80	T	S	DANIEL D. STADEL	DRILLER	PERMIT COND PRGRM	WELL CYCLES FOR DOMESTIC USE
03/11/2014		1	40.00	134.00	T	S	DANIEL D. STADEL	DRILLER	PERMIT COND PRGRM	WELL CYCLES FOR DOMESTIC USE
03/16/2015		1	40.25	133.75	T	S	DANIEL D. STADEL	DRILLER	PERMIT COND PRGRM	WELL CYCLES FOR DOMESTIC USE

Method Codes: A = Airline, T = Etape, V = Calibrated Etape, G = Uncalibrated Gage, H = Calibrated Gage, N = Not Measured, O = Observed, RA = Recorder Analog, RS = Recorder Shaft Encoder, RT = Recorder Transducer, R = Reported, S = Steel Tape, U = Unknown
 Status Codes: D = Dry, A = Falling, F = Flowing, P = Pumping, R = Rising, S = Static, U = Unknown

Final Order
Extension of Time for Permit Number G-13885

Appeal Rights

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Application History

On September 29, 2005, Randy and Marcie Harris submitted an application to the Department for an extension of time for Permit G-13885. The Department issued Permit G-13885 on March 22, 2001. The permit called for complete application of water to beneficial use by October 1, 2005. In accordance with OAR 690-315-0050(2), on June 20, 2006, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2015. The protest period closed August 4, 2006, in accordance with OAR 690-315-0060(1). No protest was filed.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

CONDITIONS

1. In accordance with OAR 690-315-0050(6), the permit holder must submit a written progress report to the Department by October 1, 2011. The report must be received by the Department not sooner than 90 days prior to the due date. The permit holder's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include:
 - a) The amount of construction completed;
 - b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;

- c) A review of the permit holder's compliance with terms and conditions of the permit and/or previous extension; and
- d) Financial investments made toward developing the beneficial water use.

The Department will review the progress report to determine whether the permit holder is exercising diligence towards completion of the project and complying with the terms and conditions of the permit and extension.

Failure to submit a progress report by the due date above may jeopardize continued development under the permit.

The Department will take into consideration annual reports submitted under OAR Chapter 690, Division 86 or ORS 537.099, and any other report that demonstrates diligence.

Other reports, however, are not a substitute for the progress reports and anything submitted must clearly show that diligence towards perfecting the water right permit is being attempted.

If the Department finds that diligence is questionable, the Department may:

- a) request the permit holder to submit additional information with which to evaluate diligence; or
- b) apply additional conditions and performance criteria for perfection of the right; or
- c) cancel the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410 to 537.450. The Department will grant the permit holder a hearing on the cancellation, if one is requested.

In determining whether the permit holder has been diligent, the Department will consider any information submitted to the Department by the permit holder and any information submitted during the 30-day public comment period following public notice of submittal of the progress report.

If information is received through the public notice process indicating that the applicant has not been diligent toward completing the project, and if the director determines there are significant disputes related to the use of water, the Department will conduct a hearing.

2. To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of **March**. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Seven Consecutive Annual Measurements

Beginning in March of 2007, the user shall submit seven consecutive annual reports of static water level measurements. The reference level against which future annual measurements will be compared is 31.75 feet below land surface, established by an April 5, 2002 measurement provided by the permit holder. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static

water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner; registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- A. Identify each well with its associated measurement; and
- B. Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method used to obtain each well measurement; and
- D. Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water level measurements reveal an average water level decline of three or more feet per year for five consecutive years; or
- B. Annual water level measurements reveal a water level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water level measurements reveal a water level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

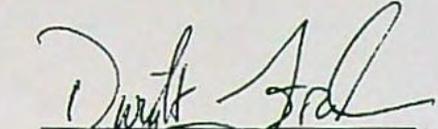
The period of non or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the permit holder's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

Order

The extension of time for Application G-15106, Permit G-13885, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use is extended to October 1, 2015.

DATED: August 18, 2006.


Dwight French, Administrator of
Water Rights and Adjudications
for
Phillip C. Ward, Director

If you have any questions about statements contained in this document, please contact Ann L. Reece at (503) 986-0808.

If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900

Choose a water right:

	Contacts	Application	Permit	Certificate	Claim	Decree	Transfers	Status
	OWNER: CHRIS YOUNGBLOOD ▷ 26810 S BOLLAND RD CANBY, OR 97013							
	OWNER: DIANE YOUNGBLOOD ▷ 26810 S BOLLAND RD CANBY, OR 97013							
Select	OWNER: RANDY HARRIS ▷ 26758 S BOLLAND RD CANBY, OR 97013	G15106	G13885					NC
	OWNER: MARCIE HARRIS ▷ 26758 S BOLLAND RD CANBY, OR 97013							

[Return to WRIS Query](#)

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CHRIS & DIANE YOUNGBLOOD
26810 S BOLLAND ROAD
CANBY, OREGON 97013

(503)266-8187

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

APPLICATION FILE NUMBER: G-15106

SOURCE OF WATER: A WELL IN GRIBBLE CREEK BASIN

PURPOSE OR USE: NURSERY USE ON 26.0 ACRES

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MARCH 16, 2000

POINT OF DIVERSION LOCATION: SW 1/4 SE 1/4, SECTION 16, T4S, R1E, W.M.;
35 FEET NORTH & 2150 FEET WEST FROM SE CORNER, SECTION 16

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:

SW 1/4 SE 1/4 11.4 ACRES
SECTION 16

Application G-15106 Water Resources Department

PERMIT G-13885

NW 1/4 NE 1/4 14.6 ACRES
SECTION 21
TOWNSHIP 4 SOUTH, RANGE 1 EAST, W.M.

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.

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.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place
Initial and Annual Measurements

Application G-15106 Water Resources Department

PERMIT G-13885

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement, and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the

aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

STANDARD CONDITIONS

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.

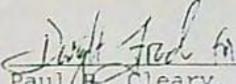
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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, 2005. 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 March 22 , 2001


Paul H. Cleary, Director
Water Resources Department

NOTE: 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.

Application G-15106 Water Resources Department
Basin 2 Volume 16A DOVE CR
AMH MGMT.CODE 7BG 7BR 7EG 7ER

PERMIT G-13885
District 16

T.4S, R.1E, W.M.

JOHN GRIBBLE D.L.C. NO.38

AS of 10-5-2015

SCALE
1" = 400'

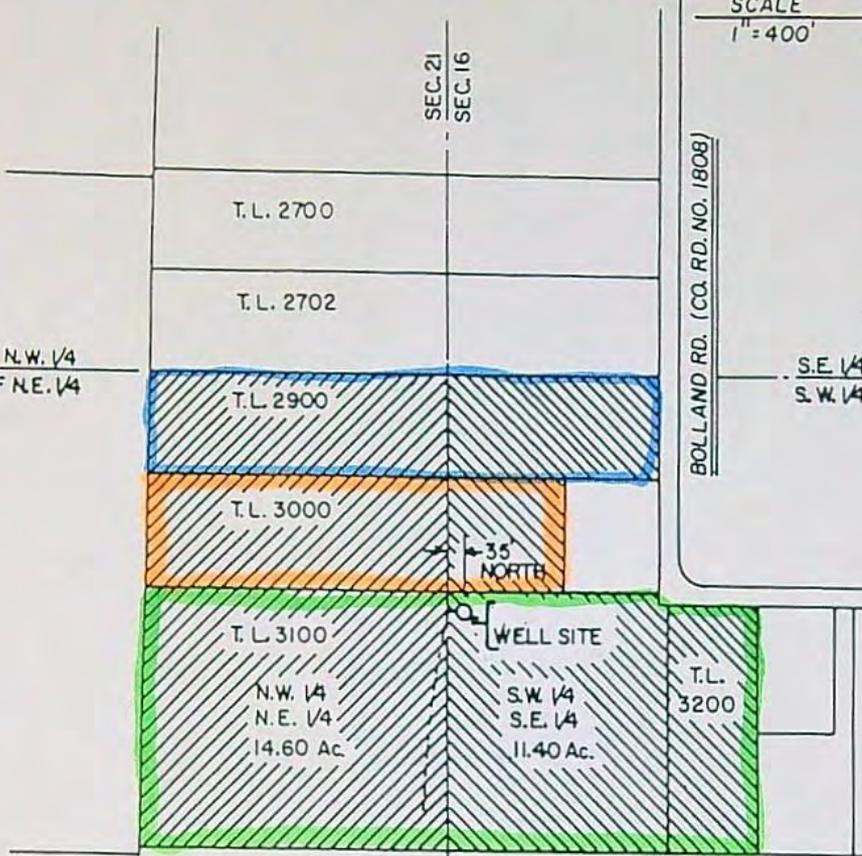


RECEIVED

MAR 6 2000

WATER RESOURCES DEPT.
SALEM, OREGON

N.E. 1/4 OF N.W. 1/4
N.W. 1/4 OF N.E. 1/4



BOLLAND RD. (CO. RD. NO. 1808)

S.E. 1/4 OF S.W. 1/4
S.W. 1/4 OF S.E. 1/4

NORTH LINE JOHN GRIBBLE D.L.C. NO. 38

Total 27.2 A

16.1 A

N.W. 1/4 OF N.E. 1/4
N.E. 1/4 OF N.E. 1/4
Randal & Marcie Harris
26758 S Bolland Rd
Canby, OR 97013
TAX lot 41E16 03100
41E16 03200

5.8 A

Michael D and Kim L
Holtzman
26810 S Bolland Rd
Canby, OR 97013
TAX lot 41E16 03000

5.3 A

MACK A. Woods
11677 S Macksburg Rd
Canby, OR 97013
TAX lot 41E16 02900

NOTE:

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

WEST 2150

SEC. 21
SEC. 16

21 16
22 15

BASALT STONE
S.E. COR. SEC. 16

**APPLICATION MAP FOR
CHRIS YOUNGBLOOD**

26810 S. BOLLAND ROAD, CANBY OR. 97013
PH: (503) 266-8189

Application No. G-15106
Permit No. 213885



Oregon

John A. Kitzhaber, MD, Governor

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

January 13, 2012

RANDY AND MARCIE HARRIS
26758 S BOLLAND RD
CANBY, OR 97013

CHRIS AND DIANE YOUNGBLOOD
26810 S BOLLAND RD
CANBY, OR 97013

REFERENCE: Application G-15106 / Permit G-13885

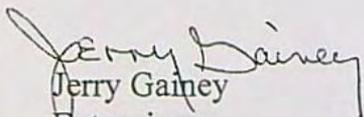
Dear Permit Holder:

The Water Right Services Division received your written progress report for Permit G-13885. Receipt of the progress report was published on the Department's weekly Public Notice, dated November 22, 2011. The Department did not receive any public comment on the progress report.

After reviewing your Progress Report, the Department determined that diligence toward completion of the project and compliance with the terms and conditions of the permit and extension has been demonstrated.

If you have any questions, please feel free to contact me by telephone at (503) 986-0812.

Sincerely,


Jerry Gaaney
Extensions
Water Right Services Division

Enclosure

cc: Application G-15106
Watermaster District 20 -



Oregon

John A. Kitzhaber, MD, Governor

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

January 13, 2012

RANDY AND MARCIE HARRIS
26758 S BOLLAND RD
CANBY, OR 97013

CHRIS AND DIANE YOUNGBLOOD
26810 S BOLLAND RD
CANBY, OR 97013

REFERENCE: Application G-15106 / Permit G-13885

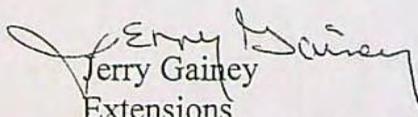
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After reviewing your Progress Report, the Department determined that diligence toward completion of the project and compliance with the terms and conditions of the permit and extension has been demonstrated.

If you have any questions, please feel free to contact me by telephone at (503) 986-0812.

Sincerely,


Jerry Gainey
Extensions
Water Right Services Division

Enclosure

cc: Application G-15106
Watermaster District 20 -

Route Slip.....Extension of Time Progress Report

1. Extension Specialist: Progress Report Review

WRIS) Date Report was Due: 10/1/2011 (= "Deadline Date" for the corresponding ECP work flow record in

Date Report Received: 10/3/2011

Report Complete: YES

NO – Send letter requesting missing information.

letter mailed on: _____

2. Support Staff: Publish on the Department's Public Notice

315 320 OAR Division under which Progress Report was required

Publish on Public Notice Date: 11.22.11

Update workflow in WRIS

(Fill in Extension Checkpoint 'Completed Date' in appropriate "ECP" work flow record and

add record for Checkpoint Public Notice ("EP2) Begin = Date Report was due

~~add record for Check Point Received~~

Return file to Jerry Gainey.

3. Extension Specialist: Prepare Progress Report Confirmation Letter

See progress report procedures.doc

(date / mail out after 30 day comment period)

Date Confirmation Letter Needed: _____

Update Progress Report Worksheet.xls

Send to permit holder + anyone who made comments after 30 day public notice

CC: Watermaster _____

File _____

PUBLIC NOTICE INFORMATION

Permit Holder's Name: Randy & Marcie Harris Attn: _____

Application: G- 15106

Permit: G- 13885

County: Clackamas

Source: A well in Gribble Creek Basin

Use: Nursery use on 26.0 acres

G-15106

9.23.11
Permit # G-13885

Progress report for file:

Our progress to 2005 submitted plan has been delayed due to the recession and our ties to the residential building/landscaping market. Expansion of used acres and consequent irrigation was not a sound business decision. We are now experienced increased activity and anticipate 2012 we will be expanding our growing areas to accommodate pent up demand.

- a. Scope of construction has been the purchase of and installation of drip, general repairs and maintenance.
- b. Amount of beneficial use:
 - Volume 4,077,214 gallons 6.20.2006 – 9.22.2011
 - Types – overhead and drip.
 - Acres – 5
- c. Annual static water levels measured (March) and submitted to the department.
- d. Financial investment \$5284.00

<u>Year</u>	<u>Gallons</u>	<u>Financial</u>	<u>Acres</u>	<u>Type</u>
06	396,850	\$ 240	1	overhead
07	792,746	\$ 652	4	overhead
08	1,053,438	\$ 645	4	overhead
09	540,900	\$ 1,580	5	overhead/drip
10	773,080	\$ 557	5	overhead/drip
11	520,200	\$ 1,610	5	overhead/drip
	4,077,214	\$ 5,284		

Regards,
Randy Harris
Harris Glen Farms
503.263.4697

RECEIVED
OCT 03 2011
WATER RESOURCES DEPT
SALEM, OREGON

NOTE: Include a copy of the "Important Notice" document along with the original copy of the Final Order being sent to the permit holder

Mailing List for Extension FO Copies

Application G-15106
Permit G-13885

FO Date: August 17, 2006

Original mailed to permit holder:

Randy and Marcie Harris
26758 S Bolland Rd
Canby, OR 97013

Copies Mailed
By: <i>JMS</i> (SUPPORT STAFF)
on: <i>8/17/06</i> (DATE)

For Extension PFO's - Copies sent to:

1. WRD - Appl. File G-15106/ Permit G-13885
2. WRD - Watermaster District 20, Sabrina White, Oregon City
3. WRD- Ken Starr
4. WRD - Support Staff, Salem...*Permit record update*

Other interested parties:

5. Chris and Diane Youngblood
26810 S Bolland Rd
Canby, OR 97013 (original permit holders; partial assignment)

CASEWORKER: ALR

S:\groups\wr\extensions\F O\Done\2006 final orders\g15106-ext-ord-approve_harris.doc

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CHRIS & DIANE YOUNGBLOOD
26810 S BOLLAND ROAD
CANBY, OREGON 97013

(503)266-8187

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

APPLICATION FILE NUMBER: G-15106

SOURCE OF WATER: A WELL IN GRIBBLE CREEK BASIN

PURPOSE OR USE: NURSERY USE ON 26.0 ACRES

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MARCH 16, 2000

POINT OF DIVERSION LOCATION: SW 1/4 SE 1/4, SECTION 16, T4S, R1E, W.M.;
35 FEET NORTH & 2150 FEET WEST FROM SE CORNER, SECTION 16

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:

SW 1/4 SE 1/4 11.4 ACRES
SECTION 16

Application G-15106 Water Resources Department

PERMIT G-13885

NW 1/4 NE 1/4 14.6 ACRES
SECTION 21
TOWNSHIP 4 SOUTH, RANGE 1 EAST, W.M.

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.

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.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place
Initial and Annual Measurements

Application G-15106 Water Resources Department

PERMIT G-13885

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the

aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

STANDARD CONDITIONS

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.

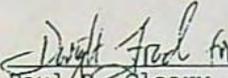
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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, 2005. 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 March 22 , 2001


Paul R. Cleary, Director
Water Resources Department

NOTE: 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.

Application G-15106
Basin 2
AMH

Water Resources Department
Volume 16A DOVE CR
MGMT.CODE 7BG 7BR 7EG 7ER

PERMIT G-13885
District 16

T.4S, R.1E, W.M.

JOHN GRIBBLE D.L.C. NO.38

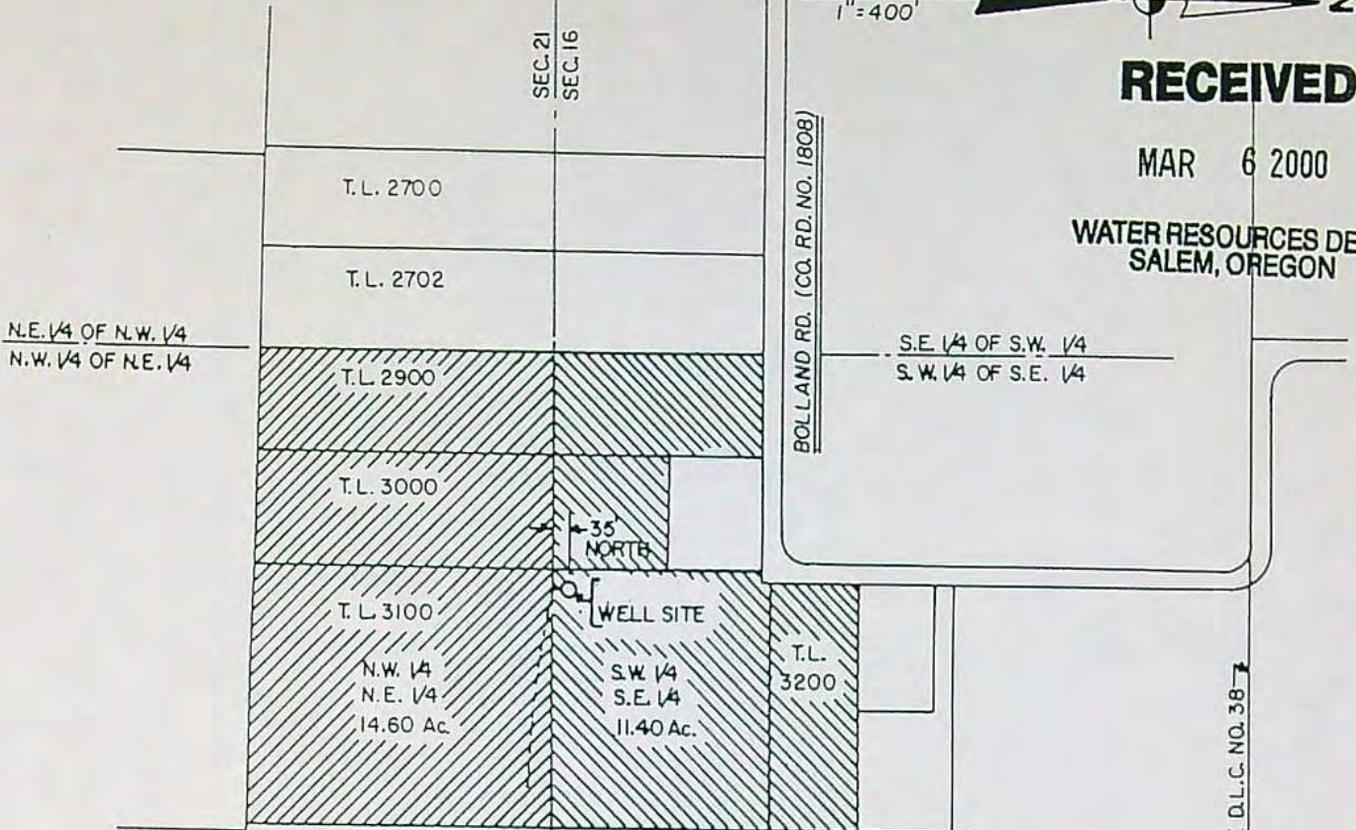
SCALE
1" = 400'



RECEIVED

MAR 6 2000

WATER RESOURCES DEPT.
SALEM, OREGON

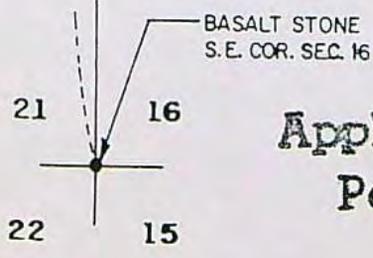


APPLICATION MAP FOR CHRIS YOUNGBLOOD

26810 S. BOLLAND ROAD, CANBY OR. 97013
PH: (503) 266-8189

NOTE:

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



Application No. *G-15106*
Permit No. *913885*

Final Order
Extension of Time for Permit Number G-13885

Appeal Rights

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Application History

On September 29, 2005, Randy and Marcie Harris submitted an application to the Department for an extension of time for Permit G-13885. The Department issued Permit G-13885 on March 22, 2001. The permit called for complete application of water to beneficial use by October 1, 2005. In accordance with OAR 690-315-0050(2), on June 20, 2006, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2015. The protest period closed August 4, 2006, in accordance with OAR 690-315-0060(1). No protest was filed.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

CONDITIONS

1. In accordance with OAR 690-315-0050(6), the permit holder must submit a written progress report to the Department by October 1, 2011. The report must be received by the Department not sooner than 90 days prior to the due date. The permit holder's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include:
 - a) The amount of construction completed;
 - b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;

- c) A review of the permit holder's compliance with terms and conditions of the permit and/or previous extension; and
- d) Financial investments made toward developing the beneficial water use.

The Department will review the progress report to determine whether the permit holder is exercising diligence towards completion of the project and complying with the terms and conditions of the permit and extension.

Failure to submit a progress report by the due date above may jeopardize continued development under the permit.

The Department will take into consideration annual reports submitted under OAR Chapter 690, Division 86 or ORS 537.099, and any other report that demonstrates diligence.

Other reports, however, are not a substitute for the progress reports and anything submitted must clearly show that diligence towards perfecting the water right permit is being attempted.

If the Department finds that diligence is questionable, the Department may:

- a) request the permit holder to submit additional information with which to evaluate diligence; or
- b) apply additional conditions and performance criteria for perfection of the right; or
- c) cancel the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410 to 537.450. The Department will grant the permit holder a hearing on the cancellation, if one is requested.

In determining whether the permit holder has been diligent, the Department will consider any information submitted to the Department by the permit holder and any information submitted during the 30-day public comment period following public notice of submittal of the progress report.

If information is received through the public notice process indicating that the applicant has not been diligent toward completing the project, and if the director determines there are significant disputes related to the use of water, the Department will conduct a hearing.

2. To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of **March**. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Seven Consecutive Annual Measurements

Beginning in March of 2007, the user shall submit seven consecutive annual reports of static water level measurements. The reference level against which future annual measurements will be compared is 31.75 feet below land surface, established by an April 5, 2002 measurement provided by the permit holder. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static

water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner; registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- A. Identify each well with its associated measurement; and
- B. Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method used to obtain each well measurement; and
- D. Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water level measurements reveal an average water level decline of three or more feet per year for five consecutive years; or
- B. Annual water level measurements reveal a water level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water level measurements reveal a water level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

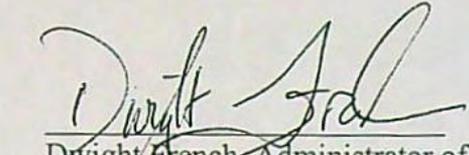
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The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

Order

The extension of time for Application G-15106, Permit G-13885, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use is extended to October 1, 2015.

DATED: August 18, 2006


Dwight French, Administrator of
Water Rights and Adjudications
for
Phillip C. Ward, Director

If you have any questions about statements contained in this document, please contact Ann L. Reece at (503) 986-0808.

If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900

**Oregon Water Resources Department
Water Rights Division**

Application for Extension of Time

In the Matter of the Application)
for an Extension of Time for)
Permit #G-13885, Water Right)
Application #G-15106)
(Randy and Marcie Harris and)
Chris and Diane Youngblood))

PROPOSED FINAL ORDER

Permit Information

Application File #G-15106 / Permit #G-13885
Basin: #02 - Willamette Basin / Watermaster District: #20
Date of Priority: March 16, 2000

Authorized Use of Water

Source of Water:	A Well in Gribble Creek Basin
Purpose or Use:	Nursery Use on 26.0 Acres
Maximum Rate:	1.0 cubic foot per second (cfs)

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

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

This Proposed Final Order applies only to Permit #G-13885, water right Application #G-15106.
A copy of Permit #G-13885 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- grant the extension for complete application of water from October 1, 2005, to October 1, 2015; and
- make the extension subject to certain conditions set forth below.

AUTHORITY

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

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

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

OAR 690-315-0050(5) states that extension orders may include, but are not limited to, any condition or provision needed to: ensure future diligence; mitigate the effects of the subsequent development on competing demands on the resource; and periodically document the continued need for the permit.

OAR 690-315-0050(6) allows the Department, for extensions exceeding five years, to establish checkpoints to determine if diligence is being exercised in the development and perfection of the water use permit. Intervals between checkpoints will not exceed five year periods.

FINDINGS OF FACT

Background

1. Permit #G-13885 was granted by the Water Resources Department on March 22, 2001. The permit authorizes the use of up to 1.0 cfs of water from one well in Gribble Creek Basin for nursery use on 26.0 acres. The permit specified that complete application of water was to be made on or before October 1, 2005.

2. The permit holder submitted an "Application for Extension of Time" to the Department on September 29, 2005, requesting the time in which to accomplish beneficial use of water to the full extent under the terms of Permit #G-13885 be extended from October 1, 2005, to October 1, 2015. This is the first permit extension requested for Permit #G-13885.
3. Notification of the permit holder's extension of time request for Permit #G-13885 was published on the Department's Public Notice dated October 4, 2005. No public comment on the extension application was received.

Review Criteria [OAR 690-315-0040(1)(2)]

As set forth under OAR 690-315-0040(1)(2), the time limits to complete construction and/or to apply the water to a beneficial use may be extended upon showing of good cause for the untimely completion. This determination shall consider the applicable requirements of ORS 537.230¹, 537.248², 537.630³ and/or 539.010(5)⁴.

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

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

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

5. Senate Bill 300 (1999 legislation) eliminates the requirement that holders of new surface water and ground water permits start construction on water projects within one year after the Water Resources Department issues the permit. Senate Bill 300 applies to any application for a permit filed after October 23, 1999. Permit G-13885 was filed on March 6, 2000, and therefore does not require the permit holder to begin construction on or before a date certain.

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

6. As of September 29, 2005, the permit holder had invested a total of \$40,000 into the project, consisting of construction of one well, the pump house, the pump system, and part of the irrigation system. An additional \$35,000 investment is anticipated for the completion of this project.

Reasonable Diligence and Good Faith of the Appropriator [OAR 690-315-0040(3)]

Reasonable diligence during the permit period constitutes a continuing test of whether and under what conditions to grant an extension [OAR 690-315-0040(3)].

-
- 1 ORS 537.230 applies to surface water permits only.
 - 2 ORS 537.248 applies to reservoir permits only.
 - 3 ORS 537.630 applies to ground water permits only.
 - 4 ORS 539.010(5) applies to surface water and ground water permits.

In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:

7. Amount of Construction
The following construction was completed within the time allowed in the permit or previous extension:
 - a. As of September 29, 2005, the work accomplished thus far consists of complete construction of one well, the pump house, the pump system, and part of the irrigation system.

8. Beneficial Use of Water
The following beneficial use was made of the water during the permit or previous extension time limits:
 - a. Since the issuance of Permit #G-13885 on March 22, 2001, a maximum rate of 0.122 cfs of the permitted 1.0 cfs has been appropriated for the nursery use on 2 of the permitted 26 acres.
 - b. Delay of full beneficial use of water under Permit #G-13885 was due to the current owner purchasing the property on February 1, 2004, which is four years into the permit process, as well as the need to improve well production hampered by excess sand being produced by the well. The current owner operates the nursery on a part-time basis, which limits their time available to plant nursery stock. Lastly, limited financial resources have delayed the completion of the irrigation system and planting of the remainder of acreage necessary to fully appropriate water.

9. Compliance with Conditions
The water right permit holder's conformance with the permit or previous extension conditions.
 - a. The record does not raise concerns about the permit holder's compliance with conditions.
 - b. In order to monitor the effect of water use from the well authorized under this permit, the Department determined on October 7, 2005 the permit holder shall be required to restart the water level measurements outlined in Permit G-13633. The permit holder shall be required to make and report seven consecutive annual static water level measurements at the permitted well. These shall begin March 2007.

10. Financial Investments
Financial investments made toward developing the beneficial water use.
 - a. As of September 29, 2005, the permit holder had invested approximately 53 percent of the total projected cost for complete development of this project. A total of \$40,000 has been invested into the project, consisting of construction of one well, the pump house and system, and part of the irrigation system. An additional \$35,000 investment is anticipated for the completion of this project.

The Market and Present Demands for Water [OAR 690-315-0040(4)]

In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

11. The amount of water available to satisfy other affected water rights and scenic waterway flows.
 - a. The Department determined on April 21, 2000, that this use of ground water will, if properly conditioned, adequately protect the surface water from interference. Because of this determination, this application does not raise concerns about surface water impact. Conditions were placed upon Permit #G-13885 in order to avoid injury to existing rights or to the ground water resource.
 - b. The permitted point of appropriation (the well), authorized under Permit #G-13885, is not located within the boundaries of any designated ground water limited area.
 - c. The permitted point of appropriation, authorized under Permit G-13885, is not located within or above the designated boundaries of any state scenic waterway.
12. Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d).
 - a. The permitted point of appropriation, authorized under Permit #G-13885, is located within the Gribble Creek Basin, which has been identified by the Oregon Department of Fish and Wildlife as a "moderate" needs ranking area for stream flow restoration for fish. Additionally, Gribble Creek has not been designated by the Oregon Department of Environmental Quality as a water quality limited stream.
 - b. The permitted point of appropriation, authorized under Permit #G-13885, is not located within a designated segment of a federal wild and scenic river.
13. The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife.
 - a. The permitted well is located within a designated sensitive, threatened or endangered species area for aquatic species utilizing surface water resources, as identified on the Division 33 map furnished by the Oregon Department of Fish and Wildlife. The Department determined on April 21, 2000, that this use of ground water will, if properly conditioned, adequately protect the surface water from interference. Because of this determination, this application does not raise concerns about surface water impact. Conditions were placed upon Permit #G-13885 in order to avoid injury to existing rights or to the ground water resource.
14. Economic investment in the project to date.
 - a. As of September 29, 2005, the permit holder had invested approximately 53 percent of the total projected cost for complete development of this project. A total

of \$40,000 has been invested into the project, consisting of construction of one well, the pump house, and the pump system, and partial construction of the irrigation system. An additional \$35,000 investment is anticipated for the completion of this project.

15. Other economic interests dependent on completion of the project.
 - a. None have been identified.
16. Other factors relevant to the determination of the market and present demand for water and power.
 - a. None have been identified.

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

17. Use and income from the permitted water development will result in reasonable returns upon the investment made to date.

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

As set forth under OAR 690-315-0040(1)(c), time extensions granted shall be for the reasonable time period necessary to complete construction and application of water to beneficial use.

18. As of September 29, 2005, the remaining work to be completed consists of professional upgrades to the well to reduce sand output and increase water production, completion of the irrigation system, planting of nursery stock on 14 additional acres, and the complete application of water to beneficial use.
19. Delay of full beneficial use of water under Permit #G-13885 was due to the current owner purchasing the property on February 1, 2004, which is four years into the permit process, as well as the need to improve well production hampered by excess sand being produced by the well. The current owner operates the nursery on a part-time basis, which limits their time available to plant nursery stock. Lastly, limited financial resources have delayed the completion of the irrigation system and planting of the remainder of acreage necessary to fully appropriate water.
20. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2015, to complete the application of water to beneficial use under the terms of Permit #G-13885 is both reasonable and necessary.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630.
2. The applicant has submitted a complete extension application form and the fee specified under ORS 536.050(1), as required by OAR 690-315-0040(1)(a).
3. Consistent with ORS 537.630 (as amended by Senate Bill 300, 1999 legislation), Permit #G-13885 does not require construction to begin on or before a date certain. [OAR 690-315-0040(1)(b)].
4. Full application of water to beneficial use can be completed by October 1, 2015⁵, as required by OAR 690-315-0040(1)(c).
5. The Department has considered the requirements of other governmental agencies, the financial investment made, the reasonable diligence and good faith of the appropriator, the market and present demands for water and the fair return upon the investment, and has determined that the applicant has shown good cause exists for an extension to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).
6. In order to ensure future diligence is exercised in the development and perfection of Permit #G-13885, the Department shall establish progress checkpoints in accordance with OAR 690-315-0050(6). (See Item #1 of the "Conditions" section contained in this Proposed Final Order for an Extension of Time.)
7. Pursuant to OAR 690-315-0050(5) and as noted in Finding 8(b) above, the Department shall require the permit holder to restart water level measurements. The permit holder shall be required to make and report seven consecutive annual static water level measurements at the permitted well. (See Item #2 of the "Conditions" section of this Proposed Final Order for an Extension of Time.)

Proposed Order

Based upon the foregoing findings of fact and conclusions of law, the Department proposes to issue an order to:

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

Extend the time for complete application of water to beneficial use under Permit #G-13885 from October 1, 2005 to October 1, 2015.

Subject to the following conditions:

CONDITIONS

1. In accordance with OAR 690-315-0050(6), the permit holder must submit a written progress report to the Department by October 1, 2011. The report must be received by the Department not sooner than 90 days prior to the due date. The permit holder's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include:
 - a) The amount of construction completed;
 - b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;
 - c) A review of the permit holder's compliance with terms and conditions of the permit and/or previous extension; and
 - d) Financial investments made toward developing the beneficial water use.

The Department will review the progress report to determine whether the permit holder is exercising diligence towards completion of the project and complying with the terms and conditions of the permit and extension.

Failure to submit a progress report by the due date above may jeopardize continued development under the permit.

The Department will take into consideration annual reports submitted under OAR Chapter 690, Division 86 or ORS 537.099, and any other report that demonstrates diligence.

Other reports, however, are not a substitute for the progress reports and anything submitted must clearly show that diligence towards perfecting the water right permit is being attempted.

If the Department finds that diligence is questionable, the Department may:

- a) request the permit holder to submit additional information with which to evaluate diligence; or
- b) apply additional conditions and performance criteria for perfection of the right; or

- c) cancel the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410 to 537.450. The Department will grant the permit holder a hearing on the cancellation, if one is requested.

In determining whether the permit holder has been diligent, the Department will consider any information submitted to the Department by the permit holder and any information submitted during the 30-day public comment period following public notice of submittal of the progress report.

If information is received through the public notice process indicating that the applicant has not been diligent toward completing the project, and if the director determines there are significant disputes related to the use of water, the Department will conduct a hearing.

- 2. To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of **March**. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Seven Consecutive Annual Measurements

Beginning in March of 2007, the user shall submit seven consecutive annual reports of static water level measurements. The reference level against which future annual measurements will be compared is 31.75 feet below land surface, established by an April 5, 2002 measurement provided by the permit holder. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner; registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- A. Identify each well with its associated measurement; and
- B. Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method used to obtain each well measurement; and
- D. Certify the accuracy of all measurements and calculations submitted to the Department.

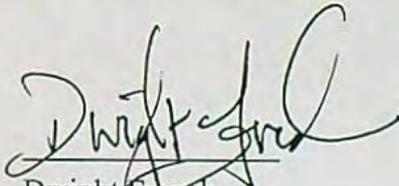
The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water level measurements reveal an average water level decline of three or more feet per year for five consecutive years; or
- B. Annual water level measurements reveal a water level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water level measurements reveal a water level decline of 25 or more feet; or

- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the permit holder's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

DATED: June 20, 2006



Dwight French
Administrator

Water Rights & Adjudications Division

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may request a contested case hearing on the proposed final order. Your request for contested case hearing must be in writing and must be received by the Water Resources Department no later than **August 4, 2006**, being 45 days from the date of publication of the proposed final order in the Department's weekly public notice.
2. A written request for contested case hearing shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the petition upon the water right permit holder, if petitioner is other than the water right permit holder; and

- g. The protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
- a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a request for contested case hearing has been submitted, and:
 - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - 2) The applicant submitted a timely request for a contested case hearing.

If you have any questions about statements contained in this document, please contact Ann Reece at (503)986-0808.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Mike Reynolds. His telephone number is (503)986-0820.

If you have other questions about the Department, or any of its programs, please contact our Water Resources Customer Service Group at (503)986-0801.

**Address any correspondence to: Water Rights Section
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Fax #: (503)986-0901**

Mailing List for Extension PFO Copies

Application #G-15106
Permit #G-13885

PFO Date: June 20, 2006

Original mailed to applicant:

Randy and Marcie Harris
26758 S Bolland Road
Canby, OR 97013

Copies Mailed
By: <u>ALS</u> (SUPPORT STAFF)
on: <u>6/19/06</u> (DATE)

For Extension PFO's - Copies sent to:

1. WRD - Appl. File #G-15106/ Permit #G-13885
2. WRD - Watermaster District: #20 - Sabrina White, Oregon City

- **Static Water Level Decline Levels Triggered** (or close to triggering) YES NO
If YES.....

In addition to the PFO copy (sent via e-mail for NW Region WM's) remember to send an e-mail to the watermaster identifying the extent of static water level decline.

* Ann → 3. WRD - Salem & Geroy Clark - R.A. - e-mail notice that ~~e-copy~~ it is sent + ready for F.O. on Aug 4, 2006
Done

Other interested parties:

Chris and Diane Youngblood
26810 S Bolland Road
Canby, OR 97013 (original permit holders; partial assignment)

CASEWORKER: alr

S:\groups\wr\extensions\PF O\Done\2006 pfos\June\g13885_harris.wpd



Oregon

Theodore R. Kulongoski, Governor

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

February 19, 2004

Randy and Marcie Harris
1864 N. Teakwood Circle
Canby, Oregon 97013

Reference: Application G-15106, Permit G-13885

The partial assignment from Chris and Diane Youngblood to Randy and Marcie Harris, has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 65596 covering the recording fee of \$25.00 is also enclosed.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure: receipt 65596

cc: Watermaster 16
Chris and Diane Youngblood
Data Center, OWRD
Mary Rohling
File

REQUEST FOR ASSIGNMENT

I, CHRIS AND DIANE YOUNGBLOOD
(Name of Applicant / Permit / Transfer Holder)

26810 S. BOLLARD RD CANBY OR 97013 (503) 266-8189
(mailing address) (City) (State) (Zip) (Phone #)

CHECK ONE

- ...hereby assign **all my interest** in and to application/permit/transfer;
- ...hereby assign **all my interest** in and to a **portion** of application/permit/transfer;
(You must include a map showing the portion of the application/permit to be assigned.)
- ...hereby assign **a portion of my interest** in and to the **entire** application/permit/transfer;

Application # G15106, Permit # G13885, Transfer # _____

-OR-

GR Statement # _____, GR Certificate of Registration # _____

as filed in the office of the Water Resources Director, to:

RANDY AND MARCIE HARRIS
(Name of New Owner)

1864 N. TEAKWOOD CIRCLE CANBY OR 97013 (503) 266-8405
(mailing address) (City) (State) (Zip) (Phone #)

NOTE: If there are other owners of the property described in this Application, Permit, Transfer or Certificate of Ground Water Registration, **you must**

attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 14 day of Feb, 2004.

Applicant/Permit holder [Signature]

Applicant/Permit holder Diane M. Youngblood

OK ALL/64
DUAL 2/19/04

DO NOT WRITE IN THIS BOX

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
- Fee receipt # 65596
- For Director by Jerry Spahr, Program Analyst in Water Rights Division [Signature]

must be submitted to the Department along with the appropriate recording fees:

\$25 for the first page, and
\$5 for each additional page.
[as required by ORS 536.050(1)(d)]

WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE, SUITE A
SALEM, OREGON 97301-1271

RECEIVED

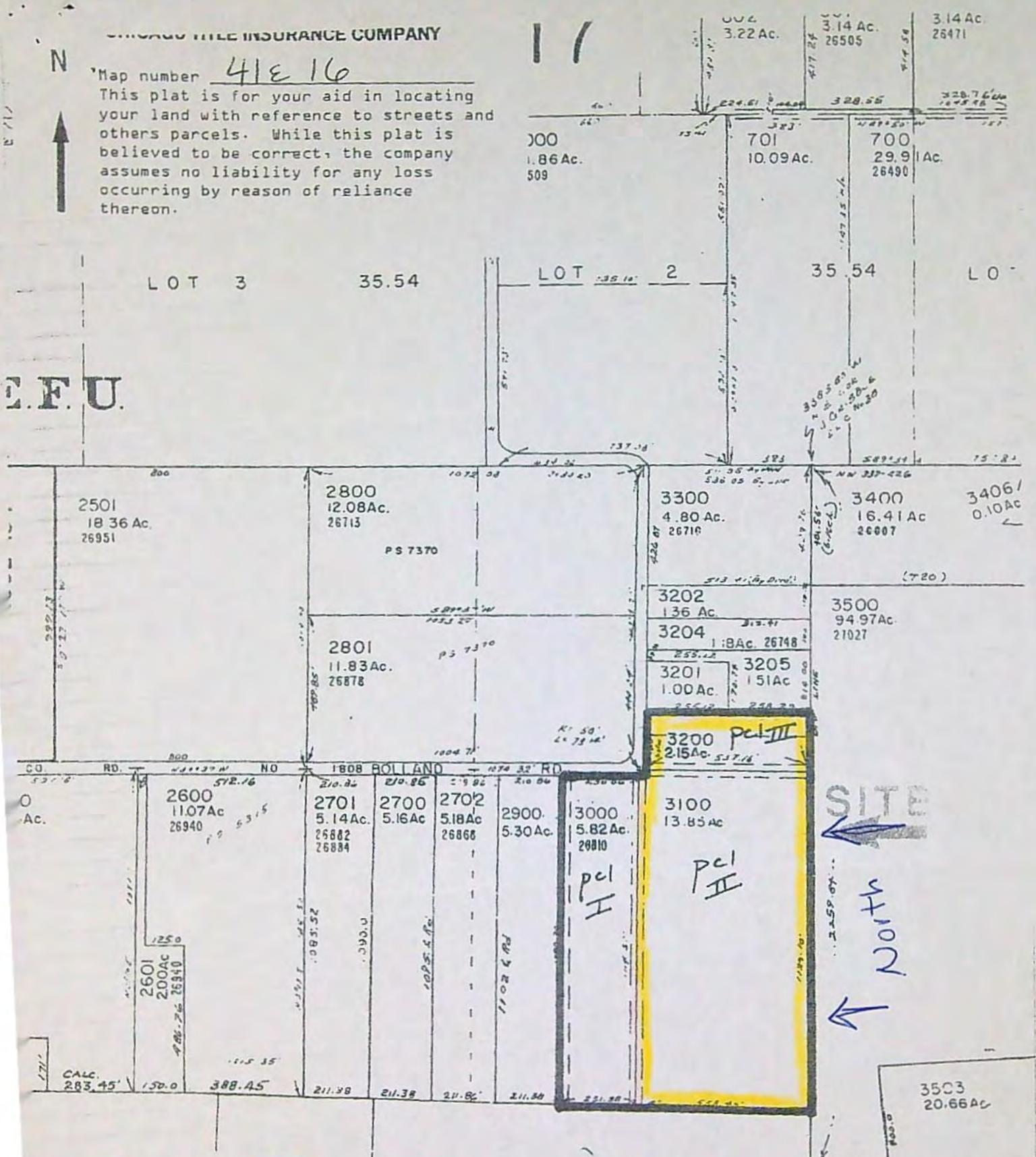
FEB 18 2004

WATER RESOURCES DEPT
SALEM, OREGON

INSURANCE COMPANY

Map number 41E 16
This plat is for your aid in locating your land with reference to streets and others parcels. While this plat is believed to be correct, the company assumes no liability for any loss occurring by reason of reliance thereon.

E.F.U.



RECEIVED

FEB 18 2004

WATER RESOURCES DEPT
SALEM, OREGON

SEE MAP 4 IE 21

* ASSIGNMENT OF INTEREST IN PARCEL II & III
(TAX LOTS 3100 & 3200)

YOUNGBLOOD
26810 S. BALDWIN RD
CANBY OR 97013



Water Resources Dept.
725 Summer St. NE, Suite A
SALEM, OR 97301-1271

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **65596**

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

INVOICE # _____

RECEIVED FROM: Myrice Harris
 BY: _____

APPLICATION	615106
PERMIT	
TRANSFER	

CASH: CHECK:# 1282 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 25.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
 _____ OTHER: (IDENTIFY) _____ \$ _____
 0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____
 0410 RESEARCH FEES \$ _____
 0408 MISC REVENUE: (IDENTIFY) Assign \$ 25.00
 TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
 0240 EXTENSION OF TIME _____ \$ _____

WATER RIGHTS:

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

WELL CONSTRUCTION

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

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **65596**

DATED: 2/18/04 BY: Leona Albin



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

March 13, 2002

NW FARM CREDIT SERVICES, PCA
PO BOX 13309
SALEM, OR 97309

REFERENCE: File G-15106

The partial assignment of Permit G-13885 from Chris and Diane Youngblood to you has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original is enclosed along with our receipt number 50357 covering the recording fee of \$30 you submitted.

Sincerely,

JERRY SAUTER
Water Rights Program Analyst

JS: jf

Enclosure

cc: Watermaster # 16
Data Center, OWRD
Chris & Diane Youngblood, 26810 S Bolland RD, Canby, OR 97013

REQUEST FOR ASSIGNMENT

I, (permit holder, applicant) Chris & Diane Youngblood
26810 S. Bolland Rd. Canby, OR 97013 503-266-8189
(mailing address) (City, State, Zip) (Phone)

CHECK ONE

- hereby assign all my interest in and to application/permit;
- hereby assign all my interest in and to a portion of application/permit (include a map showing portion of application assigned);
- hereby assign a portion of my interest in and to the entire application/permit;

Application #G-15106, Permit #G-13885;

OR GR Statement # _____, GR Certificate of Registration # _____ as filed in the office of the Water Resources Director. IO:

Chris & Diane Youngblood and Northwest Farm Credit Services, PCA 503-266-8189 & 503-373-3001
(name of new owner) (phone #)
26810 S. Bolland Rd. Canby, OR 97013 (Youngblood)
PO Box 13309 Salem, OR 97309 (NWFCs, PCA)
(address) (city, state, zip)

(Note: If there are other owners of the property described in this Application, Permit or Certificate of Groundwater Registration you must attach a list of their names and addresses to this form.)

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 28th day of December, 2001

*OK All done / Permit
ADD Farm Credit Services
1/11/2002
/KS*

applicant/permit holder *Chris Youngblood*
Chris Youngblood
applicant/permit holder *Diane Youngblood*
Diane Youngblood

PLEASE DO NOT WRITE IN THIS BOX

STATE OF OREGON, }
 } ss
County of Marion. }
I certify that the within was
received by me on the 10 day of
Jan, 2002 at 8 o'clock
Am., and was recorded in the
Miscellaneous Records, Vol. 9
Page 12
Water Resources Director

The completed assignment must be submitted to the Water Resources Department together with a recording fee of \$25. Additional pages will cost \$5 per page.

WATER RESOURCES DEPARTMENT
158 12TH STREET NE
SALEM, OREGON 97310-0210

RECEIVED
JAN 10 2002
WATER RESOURCES DEPT.
SALEM, OREGON



Farm Credit Services

Credit Division
650 Hawthorne Ave. SE - Suite 210
P.O. Box 13309
Salem, Oregon 97301
503/373-3001 FAX 503/373-3004

January 9, 2002

Water Resources Department
158 12th Street NE
Salem, OR 97310-0210

RE: Request for Assignment
FCS Loan No. 40737-141

Dear Sirs:

Please find enclosed a Request for Assignment and our check for \$30.00 for recording costs.
Please record the original assignment and return it to me at the following address.

Farm Credit Services
Attn: Joe Meeuwsen
PO Box 13309
Salem, OR 97309

If you have questions please contact me at 503-373-3001. Thank you.

Respectfully yours,

Joe Meeuwsen
Branch Manager-Credit

Enclosures

RECEIVED
JAN 10 2002
WATER RESOURCES DEPT.
SALEM, OREGON



Farm Credit Services

650 Hawthorne Ave. SE, Suite 210
P.O. Box 13309
Salem, OR 97309



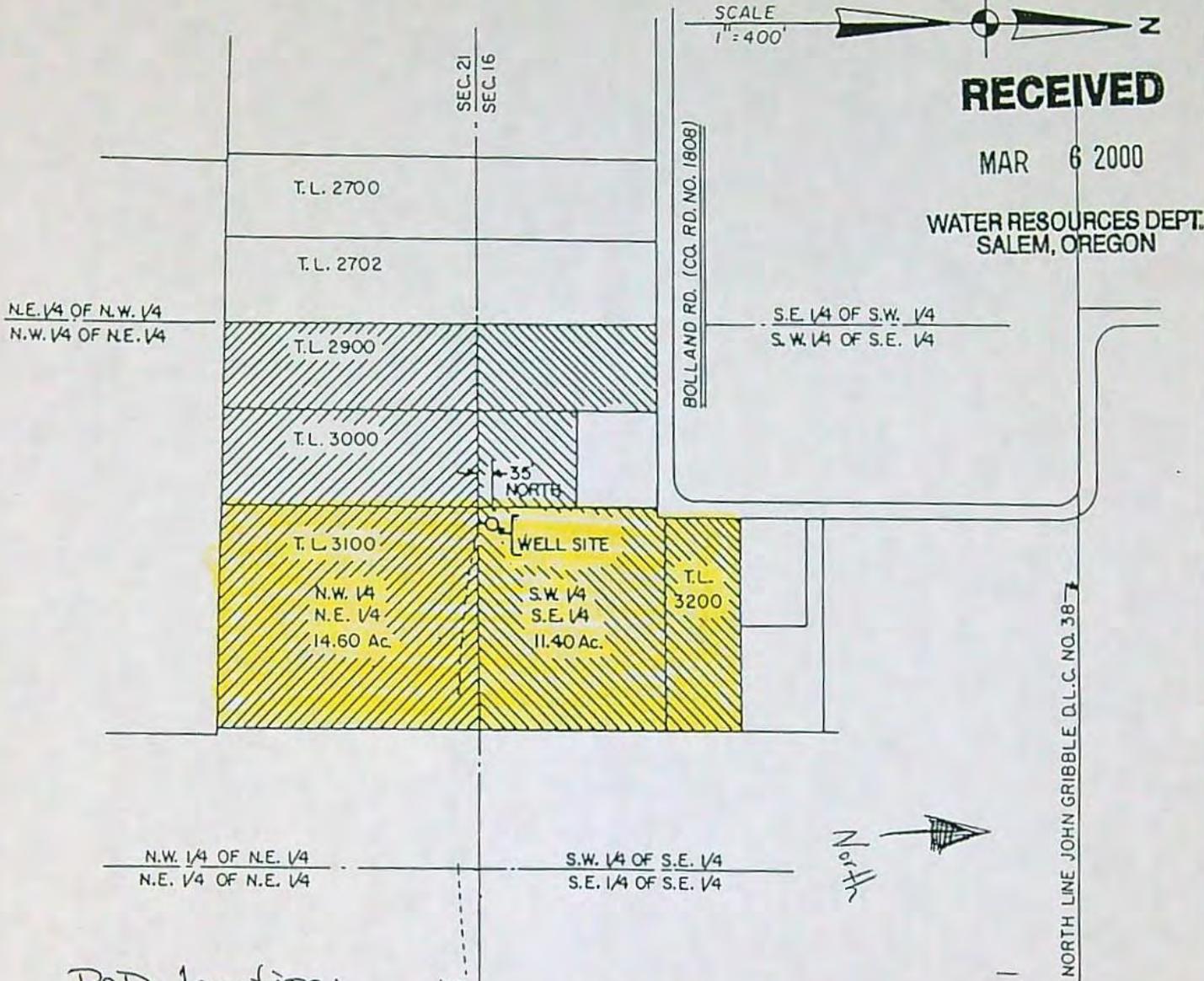
Water Resources Department
158 12th Street NE
Salem, OR 97310-0210

97301+4172



[4S, R.1E, W.M.

JOHN GRIBBLE D.L.C. NO.38



RECEIVED

MAR 6 2000

WATER RESOURCES DEPT.
SALEM, OREGON

POD location:
35 ft. north &
2150 ft. west
from the SE
Corner of Section 16.

**APPLICATION MAP FOR
CHRIS YOUNGBLOOD**
26810 S. BOLLAND ROAD, CANBY, OR 97013
PH: (503) 266-8189

RECEIVED

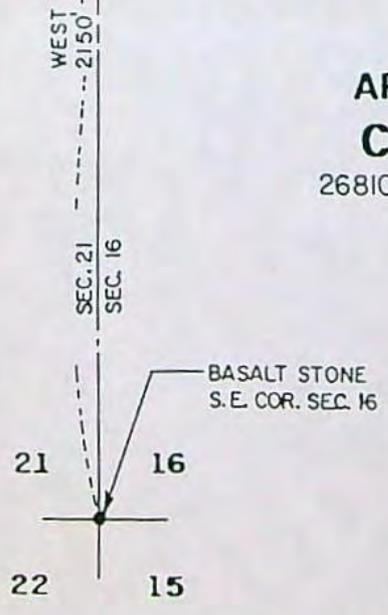
JAN 10 2002

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. *G15106*
Permit No.

NOTE:

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



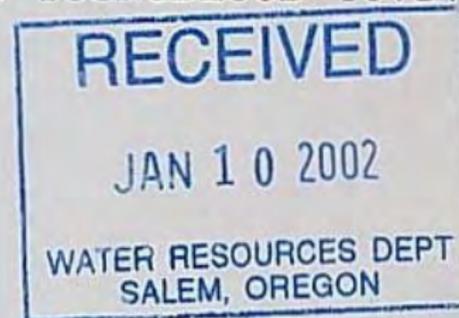
Control No. 37004369

Paid To:

WATER RESOURCES DEPARTMENT
158 12TH STREET N.E.
SALEM, OR 97310-0210

Comments:

FEEES TO COVER RECORDING COSTS FOR
REQUEST FOR ASSIGNMENT ON OUR
CUSTOMER CHRIS YOUNGBLOOD 40737-141



Mail To:

CHRIS O YOUNGBLOOD
26810 S BOLLAND RD
CANBY OR

97013

Date

01/09/02

Amount

\$30.00

Cust No.

Account No.



MEMO:

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **50357**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: <u>Farm Credit Services</u>	APPLICATION: <u>G15106</u>
BY: _____	PERMIT: _____
	TRANSFER: _____

CASH: <input type="checkbox"/>	CHECK: # <input checked="" type="checkbox"/> <u>66-798</u>	OTHER: (IDENTIFY) <input type="checkbox"/>	TOTAL REC'D: <u>\$ 30.00</u>
--------------------------------	--	--	------------------------------

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
------------	----

PCA AND OBJECT CLASS	VOUCHER #
----------------------	-----------

0427 WRD OPERATING ACCT

66111

0407 MISCELLANEOUS COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY) <u>Assign.</u>	\$ <u>30.00</u>
(New) TC162 DEPOSIT LIAB. (IDENTIFY)	\$

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202 RECORD FEE
0203 GROUND WATER	\$	\$
0205 TRANSFER	\$	\$
0218 WELL DRILL CONSTRUCTOR	EXAM FEE	LICENSE FEE
LANDOWNER'S PERMIT	\$	\$
OTHER (IDENTIFY)		\$

0437 WELL CONST. START FEE

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

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS	\$
-----------------------	----

0467 HYDRO ACTIVITY

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

RECEIPT # **50357**

DATED: 1/10/02 BY: C. Vance



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

November 26, 2002

Chris and Diane Youngblood
26810 S. Bolland Road
Canby, Oregon 97013

Reference: Application G-15106, Permit G-13885

The assignment from FarmCredit Services PCA back to Chris and Diane Youngblood, has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 56596 covering the recording fee of \$30.00 is also enclosed.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure: receipt 56596

cc: Watermaster 16
Northwest Farm Credit Services, PCA
Data Center, OWRD
File

RECEIVED

OCT 28 2002

REQUEST FOR ASSIGNMENT

WATER RESOURCES DEPT.
SALEM, OREGON

I, (permit holder, applicant) Chris & Diane Youngblood and Northwest Farm Credit Services, PCA

26810 S. Bolland Rd. Canby, OR 97013 (Youngblood) 503-266-8189

P.O. Box 13309 Salem, OR 97309 (NWFCFS, PCA) 503-373-3001
(mailing address) (City, State, Zip) (Phone)

CHECK ONE

- hereby assign all my interest in and to application/permit;
- hereby assign all my interest in and to a portion of application/permit (include a map showing portion of application assigned);
- hereby assign a portion of my interest in and to the entire application/permit;

Application #G-15106, Permit #G-13885;

OR GR Statement # _____, GR Certificate of Registration # _____ as filed in the office of the Water Resources Director. TO:

Chris & Diane Youngblood 503-266-8189
(name of new owner) (phone #)

26810 S. Bolland Road Canby, OR 97013
(address) (city, state, zip)

(Note: If there are other owners of the property described in this Application, Permit of Certificate or Groundwater Registration you must attach a list of their names and addresses to this form.)

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 10th day of October, 2002

applicant/permit holder Chris Youngblood

applicant/permit holder Diane M. Youngblood
Diane Youngblood

additional permit holder Ellis J. Meeuwsen

Ellis J. Meeuwsen, Authorized Agent

Northwest Farm Credit Services, PCA

OK. ASSIGN BACK TO Chris & Diane Youngblood 10/29/2002

PLEASE DO NOT WRITE IN THIS BOX

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
- Fee receipt # 56596
- For Director by Jerry Sauter, Program Analyst in Water Rights Division Jerry Sauter

The completed assignment must be submitted to the Water Resources Department together with a recording fee of \$25. Additional pages will cost \$5 per page.

WATER RESOURCES DEPARTMENT
158 12TH STREET NE
SALEM, OREGON 97310-0210

C. S. R.I.E., W.M.
JOHN GRIBBLE D.L.C. NO. 38

RECEIVED

OCT 28 2002

WATER RESOURCES DEPT.
 SALEM, OREGON

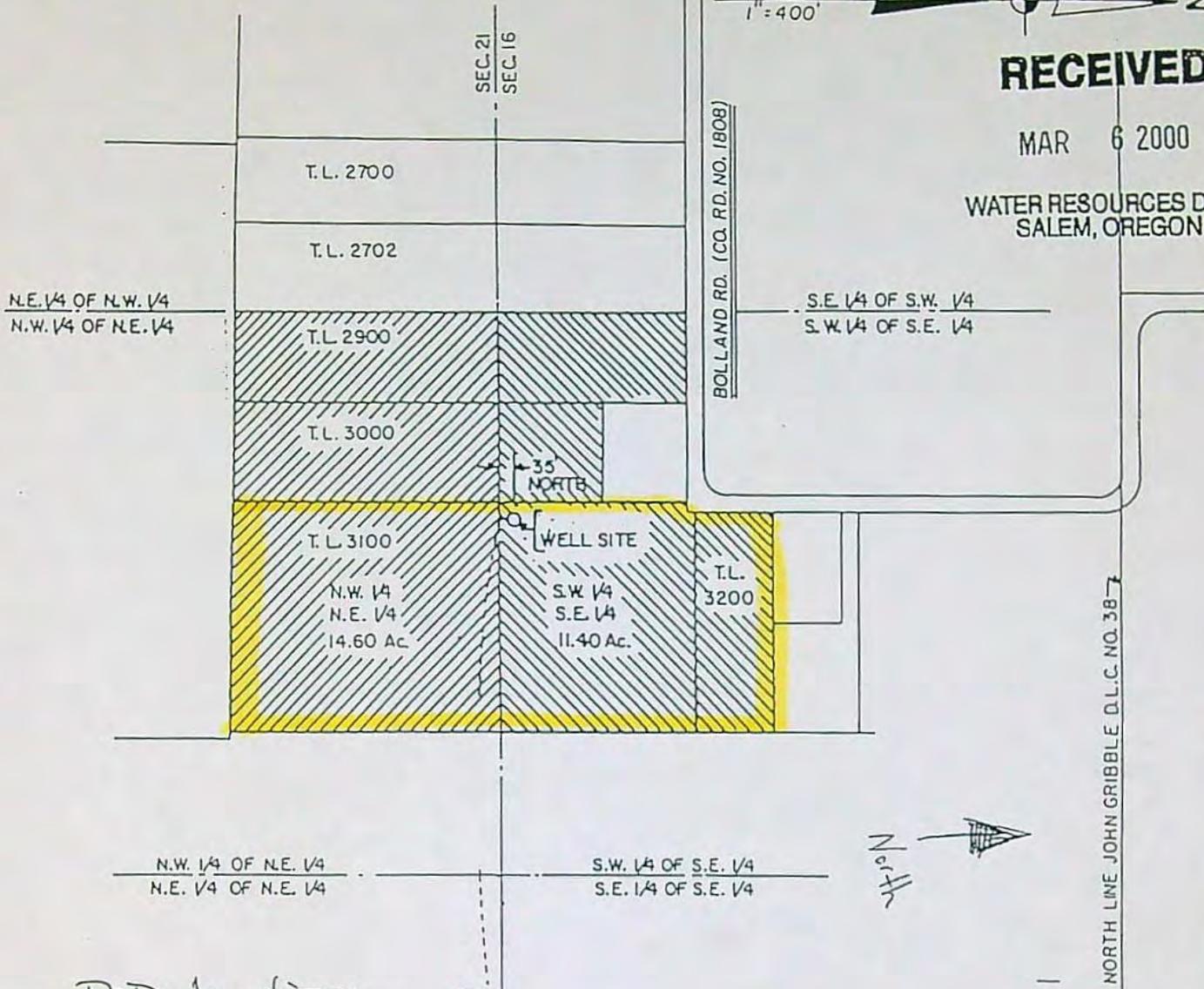
SCALE
 1" = 400'



RECEIVED

MAR 6 2000

WATER RESOURCES DEPT.
 SALEM, OREGON



N.W. 1/4 OF N.E. 1/4
 N.E. 1/4 OF N.E. 1/4

S.W. 1/4 OF S.E. 1/4
 S.E. 1/4 OF S.E. 1/4



NORTH LINE JOHN GRIBBLE D.L.C. NO. 38

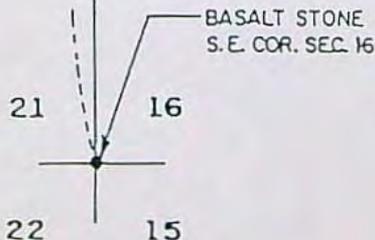
POD location:
 35 ft. north &
 2150 ft. west
 from the SE
 corner of Section 16.

WEST
 2150
 SEC. 21
 SEC. 16

**APPLICATION MAP FOR
 CHRIS YOUNGBLOOD**
 26810 S. BOLLAND ROAD, CANBY OR. 97013
 PH: (503) 266-8189

NOTE:

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



Application No. G15106
 Permit No.

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **56596**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Waterbrook Nursery
BY: _____

APPLICATION	G-15106
PERMIT	
TRANSFER	

CASH: CHECK: # 24-201 OTHER: (IDENTIFY)

TOTAL REC'D \$ 30.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
VOUCHER #	

0427 WRD OPERATING ACCT

MISCELLANEOUS			
0407	COPY & TAPE FEES		\$
0410	RESEARCH FEES		\$
0408	MISC REVENUE: (IDENTIFY)	<u>Assign</u>	\$ <u>30.00</u>
(New) TC162	DEPOSIT LIAB. (IDENTIFY)		\$
WATER RIGHTS:		EXAM FEE	RECORD FEE
0201	SURFACE WATER	\$	0202 \$
0203	GROUND WATER	\$	0204 \$
0205	TRANSFER	\$	0206 \$
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	\$	0219 \$
	LANDOWNER'S PERMIT		0220 \$
	OTHER (IDENTIFY)		

0437 WELL CONST. START FEE

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

0539 LOTTERY PROCEEDS

1302	LOTTERY PROCEEDS	\$
------	------------------	----

0467 HYDRO ACTIVITY

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

RECEIPT # **56596**

DATED: 10/28/02 BY: K. Wall

D. Youngblood
26810 S. Bolland Rd.
Canby, OR 97013



Water Resources Dept.
158 12th St. N.E.
Salem, OR 97310-0210

Oregon

Water Resources Department
725 Summer St NE Suite A
Salem, OR 97301-1266

WR&ADJ

ADDRESS SERVICE REQUESTED

File G-15106



02 1A
0004602067 JUN 20 2006
MAILED FROM ZIP CODE 97301

\$ 00.63⁰

RECEIVED

JUN 30 2006

WATER RESOURCES DEPT
SALEM, OREGON

G-15106
CHRIS & DIANE YOUNGBLOOD
26810 S BOLLAND RD
CANBY OR 97013

NIXIE

2021 1 13 06/28/06

NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD
RETURN TO SENDER

Oregon Water Resources Department
Water Rights Division

Application for Extension of Time

In the Matter of the Application)	
for an Extension of Time for)	
Permit #G-13885, Water Right)	PROPOSED FINAL ORDER
Application #G-15106)	
(Randy and Marcie Harris and)	
Chris and Diane Youngblood))	

Permit Information	
<p>Application File #G-15106 / Permit #G-13885 Basin: #02 - Willamette Basin / Watermaster District: #20 Date of Priority: March 16, 2000</p>	
<u>Authorized Use of Water</u>	
Source of Water:	A Well in Gribble Creek Basin
Purpose or Use:	Nursery Use on 26.0 Acres
Maximum Rate:	1.0 cubic foot per second (cfs)

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

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

This Proposed Final Order applies only to Permit #G-13885, water right Application #G-15106. A copy of Permit #G-13885 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- grant the extension for complete application of water from October 1, 2005, to October 1, 2015; and
- make the extension subject to certain conditions set forth below.

AUTHORITY

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

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

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

OAR 690-315-0050(5) states that extension orders may include, but are not limited to, any condition or provision needed to: ensure future diligence; mitigate the effects of the subsequent development on competing demands on the resource; and periodically document the continued need for the permit.

OAR 690-315-0050(6) allows the Department, for extensions exceeding five years, to establish checkpoints to determine if diligence is being exercised in the development and perfection of the water use permit. Intervals between checkpoints will not exceed five year periods.

FINDINGS OF FACT

Background

1. Permit #G-13885 was granted by the Water Resources Department on March 22, 2001. The permit authorizes the use of up to 1.0 cfs of water from one well in Gribble Creek Basin for nursery use on 26.0 acres. The permit specified that complete application of water was to be made on or before October 1, 2005.

2. The permit holder submitted an "Application for Extension of Time" to the Department on September 29, 2005, requesting the time in which to accomplish beneficial use of water to the full extent under the terms of Permit #G-13885 be extended from October 1, 2005, to October 1, 2015. This is the first permit extension requested for Permit #G-13885.
3. Notification of the permit holder's extension of time request for Permit #G-13885 was published on the Department's Public Notice dated October 4, 2005. No public comment on the extension application was received.

Review Criteria [OAR 690-315-0040(1)(2)]

As set forth under OAR 690-315-0040(1)(2), the time limits to complete construction and/or to apply the water to a beneficial use may be extended upon showing of good cause for the untimely completion. This determination shall consider the applicable requirements of ORS 537.230¹, 537.248², 537.630³ and/or 539.010(5)⁴.

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

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

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

5. Senate Bill 300 (1999 legislation) eliminates the requirement that holders of new surface water and ground water permits start construction on water projects within one year after the Water Resources Department issues the permit. Senate Bill 300 applies to any application for a permit filed after October 23, 1999. Permit G-13885 was filed on March 6, 2000, and therefore does not require the permit holder to begin construction on or before a date certain.

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

6. As of September 29, 2005, the permit holder had invested a total of \$40,000 into the project, consisting of construction of one well, the pump house, the pump system, and part of the irrigation system. An additional \$35,000 investment is anticipated for the completion of this project.

Reasonable Diligence and Good Faith of the Appropriator [OAR 690-315-0040(3)]

Reasonable diligence during the permit period constitutes a continuing test of whether and under what conditions to grant an extension [OAR 690-315-0040(3)].

¹ ORS 537.230 applies to surface water permits only.

² ORS 537.248 applies to reservoir permits only.

³ ORS 537.630 applies to ground water permits only.

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

In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:

Amount of Construction

7. The following construction was completed within the time allowed in the permit or previous extension:

- a. As of September 29, 2005, the work accomplished thus far consists of complete construction of one well, the pump house, the pump system, and part of the irrigation system.

Beneficial Use of Water

8. The following beneficial use was made of the water during the permit or previous extension time limits:

- a. Since the issuance of Permit #G-13885 on March 22, 2001, a maximum rate of 0.122 cfs of the permitted 1.0 cfs has been appropriated for the nursery use on 2 of the permitted 26 acres.
- b. Delay of full beneficial use of water under Permit #G-13885 was due to the current owner purchasing the property on February 1, 2004, which is four years into the permit process, as well as the need to improve well production hampered by excess sand being produced by the well. The current owner operates the nursery on a part-time basis, which limits their time available to plant nursery stock. Lastly, limited financial resources have delayed the completion of the irrigation system and planting of the remainder of acreage necessary to fully appropriate water.

Compliance with Conditions

9. The water right permit holder's conformance with the permit or previous extension conditions.

- a. The record does not raise concerns about the permit holder's compliance with conditions.
- b. In order to monitor the effect of water use from the well authorized under this permit, the Department determined on October 7, 2005 the permit holder shall be required to restart the water level measurements outlined in Permit G-13633. The permit holder shall be required to make and report seven consecutive annual static water level measurements at the permitted well. These shall begin March 2007.

Financial Investments

10. Financial investments made toward developing the beneficial water use.

- a. As of September 29, 2005, the permit holder had invested approximately 53 percent of the total projected cost for complete development of this project. A total of \$40,000 has been invested into the project, consisting of construction of one well, the pump house and system, and part of the irrigation system. An additional \$35,000 investment is anticipated for the completion of this project.

The Market and Present Demands for Water [OAR 690-315-0040(4)]

In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

11. The amount of water available to satisfy other affected water rights and scenic waterway flows.
 - a. The Department determined on April 21, 2000, that this use of ground water will, if properly conditioned, adequately protect the surface water from interference. Because of this determination, this application does not raise concerns about surface water impact. Conditions were placed upon Permit #G-13885 in order to avoid injury to existing rights or to the ground water resource.
 - b. The permitted point of appropriation (the well), authorized under Permit #G-13885, is not located within the boundaries of any designated ground water limited area.
 - c. The permitted point of appropriation, authorized under Permit G-13885, is not located within or above the designated boundaries of any state scenic waterway.
12. Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d).
 - a. The permitted point of appropriation, authorized under Permit #G-13885, is located within the Gribble Creek Basin, which has been identified by the Oregon Department of Fish and Wildlife as a "moderate" needs ranking area for stream flow restoration for fish. Additionally, Gribble Creek has not been designated by the Oregon Department of Environmental Quality as a water quality limited stream.
 - b. The permitted point of appropriation, authorized under Permit #G-13885, is not located within a designated segment of a federal wild and scenic river.
13. The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife.
 - a. The permitted well is located within a designated sensitive, threatened or endangered species area for aquatic species utilizing surface water resources, as identified on the Division 33 map furnished by the Oregon Department of Fish and Wildlife. The Department determined on April 21, 2000, that this use of ground water will, if properly conditioned, adequately protect the surface water from interference. Because of this determination, this application does not raise concerns about surface water impact. Conditions were placed upon Permit #G-13885 in order to avoid injury to existing rights or to the ground water resource.
14. Economic investment in the project to date.
 - a. As of September 29, 2005, the permit holder had invested approximately 53 percent of the total projected cost for complete development of this project. A total

of \$40,000 has been invested into the project, consisting of construction of one well, the pump house, and the pump system, and partial construction of the irrigation system. An additional \$35,000 investment is anticipated for the completion of this project.

15. Other economic interests dependent on completion of the project.
 - a. None have been identified.
16. Other factors relevant to the determination of the market and present demand for water and power.
 - a. None have been identified.

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

17. Use and income from the permitted water development will result in reasonable returns upon the investment made to date.

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

As set forth under OAR 690-315-0040(1)(c), time extensions granted shall be for the reasonable time period necessary to complete construction and application of water to beneficial use.

18. As of September 29, 2005, the remaining work to be completed consists of professional upgrades to the well to reduce sand output and increase water production, completion of the irrigation system, planting of nursery stock on 14 additional acres, and the complete application of water to beneficial use.
19. Delay of full beneficial use of water under Permit #G-13885 was due to the current owner purchasing the property on February 1, 2004, which is four years into the permit process, as well as the need to improve well production hampered by excess sand being produced by the well. The current owner operates the nursery on a part-time basis, which limits their time available to plant nursery stock. Lastly, limited financial resources have delayed the completion of the irrigation system and planting of the remainder of acreage necessary to fully appropriate water.
20. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2015, to complete the application of water to beneficial use under the terms of Permit #G-13885 is both reasonable and necessary.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630.
2. The applicant has submitted a complete extension application form and the fee specified under ORS 536.050(1), as required by OAR 690-315-0040(1)(a).
3. Consistent with ORS 537.630 (as amended by Senate Bill 300, 1999 legislation), Permit #G-13885 does not require construction to begin on or before a date certain. [OAR 690-315-0040(1)(b)].
4. Full application of water to beneficial use can be completed by October 1, 2015⁵, as required by OAR 690-315-0040(1)(c).
5. The Department has considered the requirements of other governmental agencies, the financial investment made, the reasonable diligence and good faith of the appropriator, the market and present demands for water and the fair return upon the investment, and has determined that the applicant has shown good cause exists for an extension to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).
6. In order to ensure future diligence is exercised in the development and perfection of Permit #G-13885, the Department shall establish progress checkpoints in accordance with OAR 690-315-0050(6). (See Item #1 of the "Conditions" section contained in this Proposed Final Order for an Extension of Time.)
7. Pursuant to OAR 690-315-0050(5) and as noted in Finding 8(b) above, the Department shall require the permit holder to restart water level measurements. The permit holder shall be required to make and report seven consecutive annual static water level measurements at the permitted well. (See Item #2 of the "Conditions" section of this Proposed Final Order for an Extension of Time.)

Proposed Order

Based upon the foregoing findings of fact and conclusions of law, the Department proposes to issue an order to:

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

Extend the time for complete application of water to beneficial use under Permit #G-13885 from October 1, 2005 to October 1, 2015.

Subject to the following conditions:

CONDITIONS

1. In accordance with OAR 690-315-0050(6), the permit holder must submit a written progress report to the Department by October 1, 2011. The report must be received by the Department not sooner than 90 days prior to the due date. The permit holder's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include:
 - a) The amount of construction completed;
 - b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;
 - c) A review of the permit holder's compliance with terms and conditions of the permit and/or previous extension; and
 - d) Financial investments made toward developing the beneficial water use.

The Department will review the progress report to determine whether the permit holder is exercising diligence towards completion of the project and complying with the terms and conditions of the permit and extension.

Failure to submit a progress report by the due date above may jeopardize continued development under the permit.

The Department will take into consideration annual reports submitted under OAR Chapter 690, Division 86 or ORS 537.099, and any other report that demonstrates diligence.

Other reports, however, are not a substitute for the progress reports and anything submitted must clearly show that diligence towards perfecting the water right permit is being attempted.

If the Department finds that diligence is questionable, the Department may:

- a) request the permit holder to submit additional information with which to evaluate diligence; or
- b) apply additional conditions and performance criteria for perfection of the right; or

- c) cancel the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410 to 537.450. The Department will grant the permit holder a hearing on the cancellation, if one is requested.

In determining whether the permit holder has been diligent, the Department will consider any information submitted to the Department by the permit holder and any information submitted during the 30-day public comment period following public notice of submittal of the progress report.

If information is received through the public notice process indicating that the applicant has not been diligent toward completing the project, and if the director determines there are significant disputes related to the use of water, the Department will conduct a hearing.

2. To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of **March**. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Seven Consecutive Annual Measurements

Beginning in March of 2007, the user shall submit seven consecutive annual reports of static water level measurements. The reference level against which future annual measurements will be compared is 31.75 feet below land surface, established by an April 5, 2002 measurement provided by the permit holder. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner; registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- A. Identify each well with its associated measurement; and
- B. Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method used to obtain each well measurement; and
- D. Certify the accuracy of all measurements and calculations submitted to the Department.

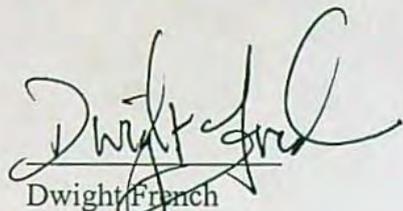
The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water level measurements reveal an average water level decline of three or more feet per year for five consecutive years; or
- B. Annual water level measurements reveal a water level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water level measurements reveal a water level decline of 25 or more feet; or

- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the permit holder's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

DATED: June 20, 2006



Dwight French
Administrator

Water Rights & Adjudications Division

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may request a contested case hearing on the proposed final order. Your request for contested case hearing must be in writing and must be received by the Water Resources Department no later than August 4, 2006, being 45 days from the date of publication of the proposed final order in the Department's weekly public notice.
2. A written request for contested case hearing shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the petition upon the water right permit holder, if petitioner is other than the water right permit holder; and

- g. The protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
- a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a request for contested case hearing has been submitted, and:
 - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - 2) The applicant submitted a timely request for a contested case hearing.

If you have any questions about statements contained in this document, please contact Ann Reece at (503)986-0808.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Mike Reynolds. His telephone number is (503)986-0820.

If you have other questions about the Department, or any of its programs, please contact our Water Resources Customer Service Group at (503)986-0801.

**Address any correspondence to: Water Rights Section
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Fax #: (503)986-0901**

TO: Water Rights Section April 21, 2008
199
 FROM: Groundwater/Hydrology Section _____
 SUBJECT: Application G-15106 _____
Reviewer's Name

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE Willamette Basin rules, one or more of the proposed POA's is/is not within _____ feet/mile of a surface water source (_____) and taps a groundwater source hydraulically connected to the surface water.
 → Not triggered as well >> 1/4 mile from SW
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
 - a. _____ will, or _____ have the potential for substantial interference with the nearest
 - b. X will not surface water source, namely Gribble CK.; or
 - c. _____ will if properly conditioned, adequately protect the surface water from interference:
 - i. _____ The permit should contain condition #(s) _____;
 - ii. _____ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. _____ The permit should be conditioned as indicated in item 4 below; or
 - d. _____ will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
 - a. _____ will, or _____ likely be available in the amounts requested without injury to prior rights
 - b. _____ will not and/or within the capacity of the resource; or
 - c. X will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
 - i. X The permit should contain condition #(s) 7E; March must
 - ii. _____ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. _____ The permit should be conditioned as indicated in item 4 below; or
4.
 - a. _____ THE PERMIT should allow groundwater production from no deeper than _____ ft. below land surface;
 - b. _____ The permit should allow groundwater production from no shallower than _____ ft. below land surface;
 - c. _____ The permit should allow groundwater production only from the _____ groundwater reservoir between approximately _____ ft. and _____ ft. below land surface;
 - d. _____ Well reconstruction is necessary to accomplish one or more of the above conditions.
 - e. _____ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

6-15106

REMARKS: _____

(Well Construction Considerations on Reverse Side)

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. review of the well log;
 - b. field inspection by _____;
 - c. report of CWRE _____;
 - d. other: (specify) _____

6. THE WELL construction deficiency:
- a. constitutes a health threat under Division 200 rules;
 - b. commingles water from more than one groundwater reservoir;
 - c. permits the loss of artesian head;
 - d. permits the de-watering of one or more groundwater reservoirs;
 - e. other: (specify) _____

7. THE WELL construction deficiency is described as follows: _____

8. THE WELL
- a. was, or constructed according to the standards in effect at the time of
 - b. was not original construction or most recent modification.
 - c. I don't know if it met standards at the time of construction.

RECOMMENDATION:

- A. I recommend including the following condition in the permit:
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit
_____, 199__

(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: _____

_____, 199__
(Signature)

Water Right Conditions
Tracking Slip

Groundwater/Hydrology Section

FILE # G-15106

ROUTED TO: wr's

TOWNSHIP/

RANGE-SECTION: 4S/1E-16 dc

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Don Miller

WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Groundwater/Hydrology Files

Date 4/21/2000

FROM: Donn Miller

SUBJECT: Groundwater Application G- 15106 Phone: _____

Name: Chris Youngblood

Applicant(s) seek _____ gpm (1) cfs from one well(s) in the _____ basin

Proposed use: nursery _____ Malalla R sub basin

26 AC

_____ Gribble CK sub basin

Pertinent 7 1/2 - minute quads Yoder

Well WRD# CLAC 55589 T 4S R 1E S 16 Q 00 d CL County Clackamas

Legal Description 2150' West + 35' North from SE corner Section 16

Well is 2400 ft from Dove CK (1) (river/stream)

Well is 2300 ft from Gribble CK (2) (river/stream)

Well elevation 17.5 ft River/stream elevation (1) 175 (2) 160 ft

Well elevation - river/stream elevation (1) 0 (2) 15

Well depth 182 SWL 28 on 4/23/94

Sealed to 124 Depth first water found _____

Cased to 182 Perforations/screens 150-165

Lined to _____ Perforations/screens _____

Well tests and types 250 gpm / 1 hr air test _____

Confined or unconfined? confined Hydraulically connected? NO ?

Potential to cause substantial interference? NO

Well _____ WRD# _____ T _____ R _____ S _____ Q _____ County _____

Legal Description _____

Well is _____ ft from _____ (river/stream)

Well is _____ ft from _____ (river/stream)

Well elevation _____ ft River/stream elevation _____ ft

Well elevation - river/stream elevation _____

Well depth _____ SWL _____ on _____

Sealed to _____ Depth first water found _____

Cased to _____ Perforations/screens _____

Lined to _____ Perforations/screens _____

Well tests and types _____

Confined or unconfined? _____ Hydraulically connected? _____

Potential to cause substantial interference? _____

Conditioned water rights in area: yes

Other nearby water rights of record: yes

Density of nearby wells of record: _____

Comments At present, this seems to be an active, unpermitted system.

The USGS report pegs the WT @ 150' msl at the well site.

The proximity to domestic wells is a concern for interference.

References used: USGS WSP-1997, well reports

OREGON
WATER WELL REPORT
 (as required by ORS 537.765)

(START CARD) # 31518

(1) OWNER: Well Number _____
 Name Chris Youngblood
 Address 227 S. 1st
 City Comp State OR Zip _____

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

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable
 Other _____

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

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

HOLE		SEAL		Amount sacks or pounds
Diameter	From To	Material	From To	
12"	0 124	concrete	0 124	46

How was seal placed: Method A B C D E
 Other _____

Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 6	1 1/2	132	25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

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

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
	1 1/2	4x1/2	300			<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Yield gal/min	Drawdown	Drill stem at	Time
25		165	1 hr.

Temperature of Water 54 Depth Artesian Flow Found _____
 Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
 Depth of strata: _____

(9) LOCATION OF WELL by legal description:
 County Clatsop Latitude _____ Longitude _____
 Township T4S N or S. Range 11E E or W. WM. _____
 Section 16 S1 W1
 Tax Lot _____ Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) S. 2nd

(10) STATIC WATER LEVEL:
29 ft. below land surface. Date 4-23-14
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
 Depth at which water was first found _____

From	To	Estimated Flow Rate	SWL
150	165	250	20

(12) WELL LOG: Ground elevation _____

Material	From	To	SWL
soil	0	1	
clay sand	1	29	
gravel	29	29	
clay gravel	28	150	
sand, silt & gravel	150	165	20
clay silt	165	192	

RECEIVED

MAR 6 2000

WATER RESOURCES DEPT
 SALEM, OREGON

Date started 4-15 Completed 4-23-14

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

Signed _____ 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 well construction standards. This report is true to the best of my knowledge and belief.

Signed Daniel P. Howell WWC Number 728
 Date 4-24-14

T.4S, R.1E, W.M.

JOHN GRIBBLE D.L.C. NO.38

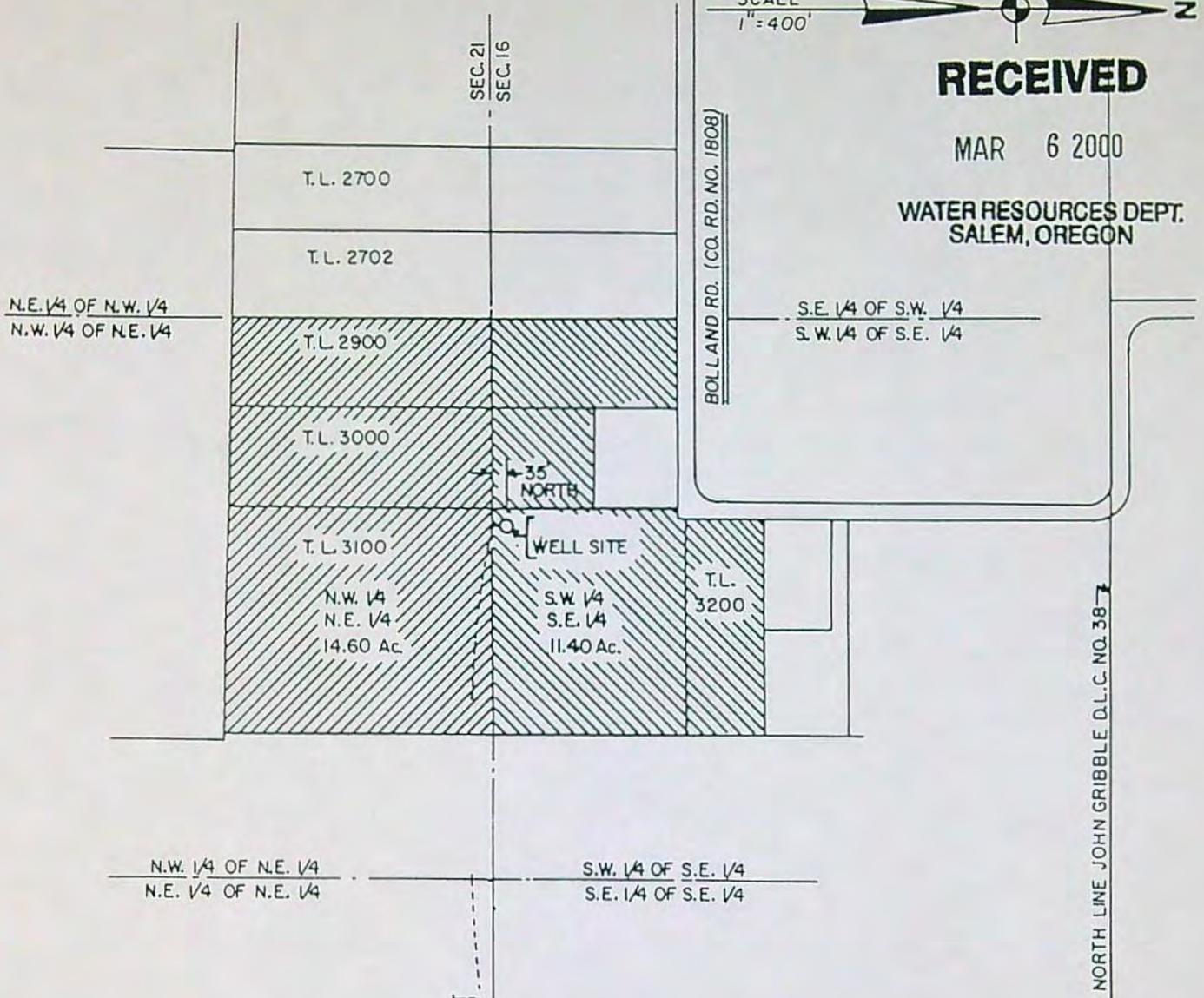
SCALE
1" = 400'



RECEIVED

MAR 6 2000

WATER RESOURCES DEPT.
SALEM, OREGON



N.W. 1/4 OF N.E. 1/4
N.E. 1/4 OF N.E. 1/4

S.W. 1/4 OF S.E. 1/4
S.E. 1/4 OF S.E. 1/4

WEST
2150'

NORTH LINE JOHN GRIBBLE D.L.C. NO. 38

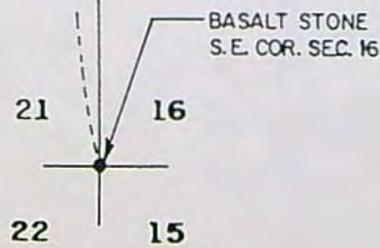
APPLICATION MAP FOR CHRIS YOUNGBLOOD

26810 S. BOLLAND ROAD, CANBY OR. 97013

PH: (503) 266-8189

NOTE:

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



PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 15106

\$RECNO	APPLICATION	PERMIT	LOC-QQ	USE	RATE	DIV-UNITS
1	GR	2959	GR 2776	4.00S 1.00E 4SWSW IR	100.0000	G
2	G	2928	G 2717	4.00S 1.00E 4SESW IR	0.0500	C
3	G	5629	G 4921	4.00S 1.00E 3SESW IS	0.4600	C
4	G	1854	G 1696	4.00S 1.00E 7NENE IR	0.3300	C
5	GR	3691	GR 3381	4.00S 1.00E 8NWNW IR	150.0000	G
6	GR	1658	GR 1609	4.00S 1.00E 9SWNW IR	92.0000	G
7	GR	3996	GR 3603	4.00S 1.00E 9SESW IR	40.0000	G
8	G	8223	G 7572	4.00S 1.00E 9SENE IR	0.1400	C
9	G	12740	G 11828	4.00S 1.00E10SWNW IR	55.0000	G
9	G	12740	G 11828	4.00S 1.00E10SWNW NU	5.0000	G
9	G	13585	G 12407	4.00S 1.00E10SWNW AG	0.1100	C
9	G	13585	G 12407	4.00S 1.00E10SWNW IR	0.1100	C
10	G	4748	G 4467	4.00S 1.00E10SESW IR	0.4700	C
11	G	252	G 162	4.00S 1.00E 7NESE IR	0.1700	C
11	G	6805	G 6310	4.00S 1.00E 7NESE IS	0.1200	C
11	G	9975	G 9099	4.00S 1.00E 7NESE IC	0.2400	C
12	G	12384	G 11994	4.00S 1.00E 8NESW NU	0.5100	C
13	G	2065	G 1903	4.00S 1.00E 8NWSE IR	0.7100	C
14	G	4226	G 3990	4.00S 1.00E 9NWSE IR	0.3300	C
14	G	7731	G 8532	4.00S 1.00E 9NWSE IR	0.3200	C
15	G	8482	G 7935	4.00S 1.00E 7SESE IR	0.4400	C
16	G	2323	G 2130	4.00S 1.00E 8SWSW IS	1.2000	C
17	G	13195	G 12095	4.00S 1.00E 8SESE AG	1.0125	C
17	G	13195	G 12095	4.00S 1.00E 8SESE IC	1.0125	C
18	G	7731	G 8532	4.00S 1.00E 9SWSE IR	0.3200	C
18	G	13325	G 11962	4.00S 1.00E 9SWSE CM	1.0000	C
18	GR	2242	GR 2143	4.00S 1.00E 9SWSE IR	150.0000	G
19	G	13325	G 11962	4.00S 1.00E 9SESE CM	1.0000	C
20	G	2362	G 2178	4.00S 1.00E10SESE IR	0.2300	C
20	G	12667	G 11461	4.00S 1.00E10SESE IR	0.0600	C
21	G	7345	G 6776	4.00S 1.00E18NENE IR	0.4100	C
22	G	13043	G 12282	4.00S 1.00E17NENW IR	3.0000	C
22	G	13043	G 12282	4.00S 1.00E17NENW NU	4.0000	C
23	G	11879	G 11000	4.00S 1.00E16NENE NU	0.5600	C
23	GR	4269	GR 4120	4.00S 1.00E16NENE IR	150.0000	G
24	G	7811	G 7379	4.00S 1.00E16NENE IR	0.0200	C
24	G	9721	G 8831	4.00S 1.00E16NENE IR	0.0340	C
24	GR	573	GR 543	4.00S 1.00E16NENE IR	70.0000	G
24	GR	1459	GR 1408	4.00S 1.00E16NENE IR	50.0000	G
24	GR	2567	GR 2426	4.00S 1.00E16NENE IR	100.0000	G
25	GR	3720	GR 3435	4.00S 1.00E15NENW IR	225.0000	G
26	G	7346	G 6777	4.00S 1.00E18SENE IR	0.4900	C
27	G	1882	G 1723	4.00S 1.00E16SENE IR	0.1000	C
27	G	2276	G 2104	4.00S 1.00E16SENE IR	0.4000	C
27	G	2276	G 2104	4.00S 1.00E16SENE IR	0.4200	C
27	G	8214	G 7673	4.00S 1.00E16SENE IR	0.1200	C
27	GR	2568	GR 2427	4.00S 1.00E16SENE IR	100.0000	G
28	GR	2480	GR 2348	4.00S 1.00E15SWNW IR	125.0000	G
29	G	11646	G 10793	4.00S 1.00E15SESW IR	0.2300	C
29	GR	2481	GR 2349	4.00S 1.00E15SESW IR	150.0000	G
30	G	13321	G 11846	4.00S 1.00E15SWNE IR	0.4800	C
31	G	5887	G 5037	4.00S 1.00E15SENE IR	0.0100	C
31	G	5887	G 5037	4.00S 1.00E15SENE IR	0.1300	C
32	G	3077	G 2864	4.00S 1.00E17NWSE IR	0.7800	C
32	G	3223	G 2921	4.00S 1.00E17NWSE IR	0.7800	C
32	G	13043	G 12282	4.00S 1.00E17NWSE IR	3.0000	C

32	G	13043	G	12282	4.00S	1.00E17NWSE	NU	4.0000	C
33	GR	3301	GR	3063	4.00S	1.00E16NESE	IR	60.0000	G
34	G	4227	G	3991	4.00S	1.00E14NWSW	IR	0.4500	C
35	G	3223	G	2921	4.00S	1.00E17SESW	IR	0.4700	C
35	G	13043	G	12282	4.00S	1.00E17SESW	IR	3.0000	C
35	G	13043	G	12282	4.00S	1.00E17SESW	NU	4.0000	C
36	G	9767	G	9800	4.00S	1.00E15SWSW	GH	75.0000	G
36	G	9767	G	9800	4.00S	1.00E15SWSW	IC	500.0000	G
36	G	9767	G	9800	4.00S	1.00E15SWSW	NU	95.0000	G
36	G	9767	G	9800	4.00S	1.00E15SWSW	NU	500.0000	G
36	G	12587	G	11342	4.00S	1.00E15SWSW	NU	0.2300	C
37	G	12884	G	11633	4.00S	1.00E15SESW	NU	0.7410	C
38	G	1784	G	1636	4.00S	1.00E20NENW	IR	0.4500	C
38	G	3215	G	2923	4.00S	1.00E20NENW	IR	0.4500	C
38	G	3573	G	3103	4.00S	1.00E20NENW	IR	0.4000	C
39	G	13091	G	12338	4.00S	1.00E22NENW	AG	0.4360	C
39	G	13091	G	12338	4.00S	1.00E22NENW	IR	0.4360	C
40	G	4266	G	4018	4.00S	1.00E22NENE	IR	0.0500	C
40	G	6016	G	5177	4.00S	1.00E22NENE	IR	0.1900	C
40	G	10754	G	9859	4.00S	1.00E22NENE	IR	0.0500	C
41	G	376	G	252	4.00S	1.00E23NWNW	IR	0.0200	C
41	G	12194	G	11465	4.00S	1.00E23NWNW	IR	0.0700	C
41	G	12194	G	11465	4.00S	1.00E23NWNW	NU	0.0300	C
41	G	12194	G	11465	4.00S	1.00E23NWNW	NU	0.3700	C
42	G	1698	G	1558	4.00S	1.00E20SWNE	IR	0.2200	C
43	G	3855	G	3634	4.00S	1.00E21SWNW	FI	0.0450	C
43	G	8380	G	7561	4.00S	1.00E21SWNW	IS	0.0300	C
44	G	8041	G	7577	4.00S	1.00E21SENW	IR	0.2500	C
45	GR	3721	GR	3397	4.00S	1.00E23SWNW	IR	200.0000	G
46	G	1198	G	1004	4.00S	1.00E21NWSW	IR	0.2100	C
46	G	3870	G	3643	4.00S	1.00E21NWSW	IR	0.0500	C
47	G	2092	G	1960	4.00S	1.00E21NESW	IR	0.3200	C
47	G	2708	G	2516	4.00S	1.00E21NESW	IR	1.0400	C
47	G	7750	G	7198	4.00S	1.00E21NESW	IR	0.5300	C
47	GR	2074	GR	1993	4.00S	1.00E21NESW	IR	180.0000	G
48	G	14093	G	12872	4.00S	1.00E22NESW	DO	0.1200	C
48	G	14093	G	12872	4.00S	1.00E22NESW	IR	0.3000	C
49	G	14093	G	12872	4.00S	1.00E22NWSE	DO	0.1200	C
49	G	14093	G	12872	4.00S	1.00E22NWSE	IR	0.3000	C
50	G	6496	G	6113	4.00S	1.00E20SWSE	IR	0.0800	C
51	G	5550	G	5427	4.00S	1.00E21SWSE	IS	0.8000	C
51	G	7750	G	7198	4.00S	1.00E21SWSE	IR	0.5300	C
52	G	10218	G	9368	4.00S	1.00E22SWSW	IR	0.4600	C
52	G	10733	G	9798	4.00S	1.00E22SWSW	IR	0.3200	C
52	G	13265	G	11923	4.00S	1.00E22SWSW	IR	0.1800	C
52	GR	2365	GR	2246	4.00S	1.00E22SWSW	IR	144.0000	G
53	G	2728	G	2532	4.00S	1.00E23SWSW	IR	0.1100	C
53	G	8429	G	7896	4.00S	1.00E23SWSW	IS	0.1400	C
54	G	3967	G	3725	4.00S	1.00E29NWNW	IR	0.1100	C
54	G	11748	G	10848	4.00S	1.00E29NWNW	NU	150.0000	G
54	G	12894	G	12136	4.00S	1.00E29NWNW	IR	1.5300	C
55	GR	3352	GR	3871	4.00S	1.00E28NWNW	IR	125.0000	G
56	G	2330	G	2153	4.00S	1.00E28NENW	IR	0.2400	C
56	G	3972	G	3729	4.00S	1.00E28NENW	IR	0.9800	C
57	G	12265	G	11256	4.00S	1.00E27NWNW	IR	243.6000	G

CONDITIONED WELLS WITHIN 5 MILES OF APPLICATION G 15106

\$RECNO	APPLICATION	PERMIT	LOC-QQ	CONDITION-CODE
1	G	13356	G 11751	3.00S 1.00E30SESW 4GG
2	G	13144	G 12013	4.00S 1.00W27NENE 4LG
2	G	13144	G 12013	4.00S 1.00W27NENE 4LW
3	G	13893	G 12425	4.00S 1.00W35SESW 7BG
3	G	13893	G 12425	4.00S 1.00W35SESW 7BR
4	G	13195	G 12095	4.00S 1.00E 8SESE 4IG
4	G	13195	G 12095	4.00S 1.00E 8SESE 4IR
4	G	13195	G 12095	4.00S 1.00E 8SESE 4IG
4	G	13195	G 12095	4.00S 1.00E 8SESE 4IR
5	G	13325	G 11962	4.00S 1.00E 9SESE 4K
6	G	12884	G 11633	4.00S 1.00E15SESW 4GG
7	G	13279	G 11778	4.00S 1.00E23SESW 4IG
7	G	13279	G 11778	4.00S 1.00E23SESW 4IR
8	G	12998	G 11741	4.00S 1.00E26NESE 4GG
9	G	13886	G 12609	4.00S 1.00E28SWSW 7BG
9	G	13886	G 12609	4.00S 1.00E28SWSW 7BR
9	G	13886	G 12609	4.00S 1.00E28SWSW 7BG
9	G	13886	G 12609	4.00S 1.00E28SWSW 7BR
10	G	13449	G 12126	4.00S 1.00E26SESE 7BG
10	G	13449	G 12126	4.00S 1.00E26SESE 7BR
11	G	13235	G 12084	4.00S 1.00E33SESW 4IG
11	G	13235	G 12084	4.00S 1.00E33SESW 4IR
11	G	13235	G 12084	4.00S 1.00E33SESW 4KG
11	G	13235	G 12084	4.00S 1.00E33SESW 4IG
11	G	13235	G 12084	4.00S 1.00E33SESW 4IR
11	G	13235	G 12084	4.00S 1.00E33SESW 4KG
12	G	11939	G 11443	4.00S 1.00E35SESE 4H
12	G	11939	G 11443	4.00S 1.00E35SESE 4I
13	G	13538	G 11870	4.00S 2.00E18SWSW 4IG
13	G	13538	G 11870	4.00S 2.00E18SWSW 4IR
13	G	13538	G 11870	4.00S 2.00E18SWSW 4JG
13	G	13538	G 11870	4.00S 2.00E18SWSW 4JR
14	G	12315	G 11205	4.00S 2.00E29NENE 13C
14	G	12315	G 11205	4.00S 2.00E29NENE 13D
15	G	13079	G 12161	5.00S 1.00E11SWNW 7DG
15	G	13079	G 12161	5.00S 1.00E11SWNW 7DR
15	G	13079	G 12161	5.00S 1.00E11SWNW 7DG
15	G	13079	G 12161	5.00S 1.00E11SWNW 7DR
16	G	13079	G 12161	5.00S 1.00E11SESW 7DG
16	G	13079	G 12161	5.00S 1.00E11SESW 7DR
16	G	13079	G 12161	5.00S 1.00E11SESW 7DG
16	G	13079	G 12161	5.00S 1.00E11SESW 7DR
17	G	12985	G 11958	5.00S 1.00E 8NESE 4K
17	G	12985	G 11958	5.00S 1.00E 8NESE 4K
18	G	13123	G 11843	5.00S 2.00E 5SWNE 4IG
18	G	13123	G 11843	5.00S 2.00E 5SWNE 4IR

APPLICATION G 15106 FALLS WITHIN THESE QUAD(S)

YODER

The following OWRD Groundwater Management Areas are within the map extent:

\$RECNO	NAME1	NAME2	SUB-AREA	STATUS
1	SHERWOOD-WILSONVILLE			LIMI

Permit Extension Ground Water Review

Date: Oct. 5, 2005
To: Doug Woodcock, Ground Water Section Manager
From: Lisa Jaramillo, Permit Extension Review
Subject: Ground Water Review for File #G- 15106 / Permit #G- 13885

The above referenced permit is currently being reviewed for an extension of time. Before I can determine whether or not an extension of time should be granted, a Ground Water review for this file is necessary. Special designations affecting this permit are as follows:

NOTE: Original Division 9 review completed by: Donn Miller

- Located within a **Critical** Ground Water Area
- Located within a Ground Water **Limited** Area
- Located within a Ground Water **Study** Area
- 5-Year Limited Permit NO
- Other: _____
- None (no special designations)

For Ground Water / Hydrology Staff Use:
Please answer the following questions. If necessary, attach an additional sheet.

1. Should any additional conditions be added to this permit? (NO)
2. Should the extension of time request be further conditioned or **DENIED** due to ground water supply concerns? yes. Continue to require March SWL measurement and submittal.
3. Should the Department establish a new reference level for water level declines due to the failure of permittee to submit annual measurements? (NO) the 4/5/02 measurement of 31.75 ft bgl should suffice.
4. Other issues or concerns? (NO)

10/7/05
Donn Miller

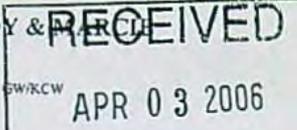
Oregon Water Resources Department
PERMIT CONDITION WATER-LEVEL REPORTING FORM

RE: Required Water Level Report for a Well on: Application G 15106 Permit G 13885 Certificate Transfer
Listed on water right as: Pod 1 Priority date: 3/16/2000

Well Identification (if any, from our records): Log ID: CLAC 55589 Well Tag: L

Well location: In the SW quarter of the SE quarter of Section 16, Township 4.00S, Range 1.00E
35 FEET NORTH & 2150 FEET WEST FROM SE CORNER, SECTION 16

26758 CHRIS YOUNGBLOOD
YOUNGBLOOD, DIANE; HARRIS, RANDY &
26810 S BOLLAND RD
CANBY OR 97013



Well History table with columns: Logid, Type Work, Date, Depth. Row 1: CLAC 55589, NEW WELL, 04/23/1994

Our records indicate that you are the holder of a ground water resource permit that you periodically measure and report static water levels in your well(s). If you are no longer the holder of this permit or no longer have an interest in it, please contact our department. Consult your permit to determine the required times for measuring and reporting, as well as any requirements regarding who may make the measurements. We recommend that you keep a copy of all measurement reports for your records. All measurements should be made to at least the nearest tenth of a foot or the nearest inch (e.g. 10.2 feet or 10 feet 3 inches). All wells that have been constructed must be measured regardless of whether they are being used, in accordance with your permit.

MEASUREMENT REPORT
(Complete one form for each well.)

Well Identification (Please provide a well id (next line) or as much information about the well as possible; correct any errors listed):
Well Log ID: CLAC 55589 Well Tag: L Startcard #: 31518

Well not yet drilled as of date:
Original owner on well log: CHRIS YOUNGBLOOD
Well depth: 182 (ft) Casing diameter: (in) Date drilled: 4/23/1994
Owner's well name: Drilled by:

When did water use begin under this permit from this well? Date: Month/Yr
Show all water rights listing this well:
Application number(s):
Permit number(s):
Certificate number(s):

Date of measurement: 3-24-06
Description of measuring point (e.g. 1 1/4" port pipe on north side): 1/2" port on west side of well seal

Static water level above/below (circle one) measuring point: 34'8" feet, or airline pressure psi
Measuring point distance above/below (circle one) land surface: 12" feet, or airline length feet
Static water level above/below (circle one) land surface: 33'8" feet

Shut-in pressure (if flowing artesian well): psi
Method of measurement: E-tape [X] Airline Pumping Rising Flowing Other
Water-level status when measured: Static [X] Pumping Rising Flowing Other

Length of time well was idle before measurement: several months
Comments (use back or extra sheet if necessary):

I hereby certify that, to the best of my ability, the information on this report is accurate and, at the time of measurement, representative of the static water level in the aquifer.

Person making measurement (print): Eric Ross
Signature of measurer: Eric Ross [Signature]
Company: Westerberg Drilling Inc.
License number (CWRE, RG, PE, WWC/Pump Installer): 492 CPI
Daytime phone number: 503-829-2526 Email address: wdi@molalla.net

If you have any questions about this notice, please call the Measurement & Reporting Section of the Department at 503-986-0834 or 503-986-0831. Return this Form to: OWRD, Meas & Rept Section, 725 Summer St. NE, Suite. A, Salem, OR 97301-1271.

Additional forms can be obtained from our web sit at: http://www.wrd.state.or.us OWRD 2/14/2006 GW/KCW

Water Level Data on File at OWRD for this well (last 3 measurements only, most recent date on top):
Table with columns: DATE, STATUS, METHOD, MP Height, WL, BLS, MEASURED BY, COMMENTS. Rows include dates 03/23/2005, 03/24/2004, 04/05/2002.

CLAC 55589

Oregon Water Resources Department
PERMIT CONDITION WATER-LEVEL REPORTING FORM

RECEIVED
APR 29 2005
WATER RESOURCES DEPT
SALEM, OREGON

Well Owner:

Name: RANDY AND MARCIE HARRIS
Address: 26778 S. BOLLARD RD
City: CANBY State: OR Zip: 97013
Phone: 503-263-4697 Fax: 503-263-4698
RE: Required Water-Level Report for Well(s) on Permit: G 13885 Certificate: _____

Our records indicate that you are the holder of a ground water permit that requires that you periodically measure and report static water levels in your well(s). If you are no longer the holder of this permit or no longer have an interest in it, please contact our department. **Consult your permit to determine the required times for measuring and reporting, as well as any requirements regarding who may make the measurements.** We recommend that you keep a copy of all measurement reports for your records. All measurements should be made to at least the nearest tenth of a foot or to the nearest inch (e.g. 10.2 feet or 10 feet 3 inches).

MEASUREMENT REPORT
(Complete one form for each well)

Well Identification (provide as much of the following information as possible):

Original Owner of Well (owner name on well log): CHRIS YOUNGBLOOD
Owner's Well Name or Number (if any): _____
Well ID (number on tag attached to well casing, if present): L
Well Log Startcard Number (if listed on well log): 31518
Well Depth: 182 (ft) Casing Diameter: _____ inches
Date Drilled: 4/23/1994 Driller: _____

When did water use begin under this permit from this well? Date: Month/YR. _____

Show all water rights listing this well:

Application Number(s): _____
Permit Number(s): G 13885
Certificate Number(s): _____

Date of measurement: 3-23-05

Description of measuring point (e.g. 3/4 inch access port in sanitary seal): 1/2" port in well seal

Static water level below measuring point: 41 feet, or airline pressure _____ psi
Measuring point distance above land surface: 12" feet, or airline length _____ feet
Static Water Level below land surface: 40 feet
Shut-in pressure (if a flowing artesian well): _____ psi

Method of measurement: E-tape Airline Other (specify)
Water-level status when measured: Static Pumping Recovering Flowing
Length of time well was idle before measurement: 2 weeks

Calculations / Comments (show all work): _____

I hereby certify that, to the best of my ability, the information on this report is accurate and, at the time of the measurement representative of the static water level in the aquifer.

Person making measurement (print): Eric Ross

Signature of measurer: Eric Ross

Company: Westerberg Drilling Inc.

License number (CWRE, RG, WWC, PE, CONS. BOARD #): 492 CPI

Daytime phone number: 503-829-2526 Email address: _____

If you have questions about this notice, please call the Ground Water / Hydrology Section of the Department at 503-986-0823. Return Form to 725 Summer St NE, Suite A; Salem, OR 97301-1271.

Oregon Water Resources Department
PERMIT CONDITION WATER-LEVEL REPORTING FORM

RE: Required Water Level Report for a Well on: Application G 15106 Permit G 13885 Certificate
Listed on water right as: A WELL Pod 1 Priority date: 3/16/2000
Well log ID (if any, in our records): CLAC 55589
Well location: In the SW quarter of the SE quarter of Section 16, Township 4.00S, Range 1.00E
35 FEET NORTH & 2150 FEET WEST FROM SE CORNER, SECTION 16

CHRIS YOUNGBLOOD
YOUNGBLOOD, DIANE
26810 S BOLLAND RD
CANBY OR 97013

RECEIVED

APR 09 2 1

WATER RESOURCES DEPT
SALEM, OREGON

Our records indicate that you are the holder of a groundwater permit that requires that you periodically measure and report static water levels in your well(s). If you are no longer the holder of this permit or no longer have an interest in it, please contact our department. Consult your permit to determine the required times for measuring and reporting, as well as any requirements regarding who may make the measurements. We recommend that you keep a copy of all measurement reports for your records. All measurements should be made to at least the nearest tenth of a foot or the nearest inch (e.g. 10.2 feet or 10 feet 3 inches). All wells that have been constructed must be measured regardless of whether they are being used, in accordance with your permit.

MEASUREMENT REPORT
(Complete one form for each well.)

Well Identification (Provide as much of the following information as possible; correct any errors from our files):

Well not yet drilled as of date:
Original owner on well log: CHRIS YOUNGBLOOD
Well ID # (on tag attached to casing): L Startcard number (if listed on well log): 31518
Well depth: 182.00 (ft) Casing diameter: (in) Date drilled: 4/23/1994
Owner's well name: Drilled by:

When did water use begin under this permit from this well? Date: Month/Yr

Show all water rights listing this well:

Application number(s):
Permit number(s):
Certificate number(s):

Date of measurement: 3-24-04

Description of measuring point (e.g. 1 1/4" port pipe on north side): 1/2" port in well seal

Static water level above (below) measuring point: 37'4" feet, or airline pressure psi
Measuring point distance (above) below land surface: 12" feet, or airline length feet
Static water level above (below) land surface: 36'4" feet
Shut-in pressure (if flowing artesian well): psi

Method of measurement: E-tape [X] Airline Other(specify):

Water-level status when measured: Static [X] Pumping Rising Flowing Other

Length of time well was idle before measurement: one week

Comments (use back or extra sheet if necessary):

I hereby certify that, to the best of my ability, the information on this report is accurate and, at the time of measurement, representative of the static water level in the aquifer.

Person making measurement (print): Eric Ross

Signature of measurer: Eric Ross ems

Company: Westerberg Drilling Inc.

License number (CWRE, RG, PE, WWC, Pump Installer): 492 CPI

Daytime phone number: 503-829-2526 Email address:

If you have any questions about this notice, please call the Measurement & Reporting Section of the Department at 503-986-0834 or 503-986-0831. Return this Form to: OWRD, Meas & Rept Section, 725 Summer St. NE, Suite. A, Salem, OR 97301-1271.

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

OWRD 2/09/2004

GW/KCW

Water Level Data on File at OWRD for this well (last 3 measurements only, most recent date on top):

Table with columns: DATE, STATUS, METHOD, MP Height, WL BLS, MEASURED BY, COMMENTS. Row 1: 04/05/2002, STATIC, ETAPE, 0.66, 31.75, ANDREW HETTWER, IDLE SUMMER 2001

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

RE: Required Water Level Report for a Well on Permit G 13885 Certificate 0 Pod 1 Application G 15106
 Listed on water right as: A WELL Well log ID (if any, in our records): CLAC 55589 Priority date: 3/16/2000
 Well location: In the SW quarter of the SE quarter of Section 16, Township 4S, Range 1E
 35 FEET NORTH & 2150 FEET WEST FROM SE CORNER, SECTION 16

CHRIS YOUNGBLOOD
 YOUNGBLOOD, DIANE
 26810 S BOLLAND RD
 CANBY OR 97013

RECEIVED

APR 10 2002

WATER RESOURCES DEPT.
 SALEM, OREGON

Our records indicate that you are the holder of a groundwater permit that requires that you periodically measure and report static water levels in your well(s). If you are no longer the holder of this permit or no longer have an interest in it, please contact our department. Consult your permit to determine the required times for measuring and reporting, as well as any requirements regarding who may make the measurements. We recommend that you keep a copy of all measurement reports for your records. All measurements should be made to at least the nearest tenth of a foot or the nearest inch (e.g. 10.2 feet or 10 feet 3 inches). All wells that have been constructed must be measured regardless of whether they are being used, in accordance with your permit.

MEASUREMENT REPORT
 (Complete one form for each well)

Well Identification (provide as much of the following information as possible):

Well not yet drilled as of date: _____
 Original owner on well log: _____
 Well ID # (on tag attached to casing): L _____ Startcard number (if listed on well log): _____
 Well depth: 182' Casing diameter: 8 Date drilled: 4-23-94
 Owner's well name: YOUNGBLOOD Drilled by: DAN MERRILL

When did water use begin under this permit from this well? Date: Month/Yr MARCH 2001

Show all water rights listing this well:

Application number(s): G 15106
 Permit number(s): G 13885
 Certificate number(s): _____

Measurement Details:

Date of measurement: 4-9-02

Description of measuring point (e.g. 1 1/4" port pipe on north side): 1/2" VENT HOLE IN NORTH SIDE OF WELL SEAL

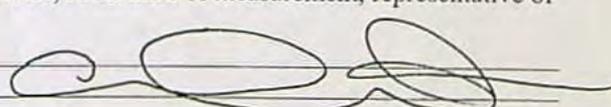
Static water level above / below (circle one) measuring point: 32' 9" feet of airline pressure _____ psi
 Measuring point distance above / below (circle one) land surface: + 8" feet of airline length _____ feet
 Static water level above below (circle one) land surface: 31' 9" _____ feet
 Shut-in pressure (if flowing artesian well): N/A _____ psi

Method of measurement: E-tape Airline _____ Other(specify): _____
 Water-level status when measured: Static Pumping _____ Rising _____ Flowing _____ Other _____

Length of time well was idle before measurement: SUMMER 2001

Comments (use back or extra sheet if necessary): _____

I hereby certify that, to the best of my ability, the information on this report is accurate and, at the time of measurement, representative of the static water level in the aquifer.

Person making measurement (print): ANDREW HETWER
 Signature of measurer: 
 Company: WESTERBERG DALLING INC.
 License number (CWRE, RG, PE, WWC, Pump Installer): 492 CPI
 Daytime phone number: 503-829-2926 Email address: _____

If you have any questions about this notice, please call the Ground Water/Hydrology Section of the Department at 503- 378-8455 ext. 267.
 Return this Form to: OWRD, Ground Water/Hydrology Section, 158 12th St. NE, Salem, OR 97310-4172.

Additional forms can be obtained from our web sit at: <http://www.wrd.state.or.us> OWRD 02/08/2002 GW/KCW

Water Level Data on File at OWRD for this well (last 3 measurements only, most recent date on top):

DATE	STATUS	METHOD	MP Height	WL BLS	MEASURED BY	COMMENTS

Application # G-15106 / Permit # G-13885

Route Slip ... Extension of Time

per Division 315 Rules... (Extensions received on July 1, 2001 or after)

◆ **WRIG...**
Money Received on: \$250.⁰⁰ on 9-29-05

◆ **Lisa Juul...**
Extension Completeness: OK
(If NOT complete, send certified letter requesting add'l information.)

If Extension Appl complete and \$250 fee submitted, route to...

◆ **Jonnine Fuss...**
 Publish on Public Notice (initial 30-day comment): 10/4/05 JIS

Update "cdatewext.DB" Database:

In the "PNotice Date" field... Enter the date the Extension Application was published on the Public Notice.

In the "Ext Filed" field... Enter the date the Extension Application was received.

At the close of the Initial 30-day Comment Period...

◆ **Lisa Juul...**
Pull files for Ext PFO review: _____
Extension PFO completed: _____

Once Extension PFO signed by Dwight French...

◆ **Jonnine Fuss...**
Prepare Ext PFO for mailing to applicant: _____
Mail to those who commented *and* paid copy fee: _____
Include Ext PFO on weekly Public Notice: _____

EXTENSION REVIEW CHECKLIST for PFO... Div. 315 - Regular

Application #: G-15106 / Permit #: G-13885

Permittee's Name: Randy & Marcie Harris PCA
1864 North Teakwood Circle NW Farm Credit Serv.
PO Box 13309

Permittee's Mailing Address: Canby, OR 97013 Salem, OR 97309

POD Location: Township 4-S Range 1-E Section 16 $\frac{1}{4}$ $\frac{1}{4}$ SW SE

Drainage Basin: #2-Willamette County: Clackamas Watermaster District #: 20

- ✓ 1. Has the applicant submitted the appropriate fees? Yes / No \$250 paid 9-29-05
***If "No"..... STOP. (Extension of Time cannot be processed if insufficient fees submitted.)
***NOTE: Any missing Extension information that is needed before an Extension PFO can be completed???
- ✓ 2. Has the applicant completely filled out the Extension Application form? Yes / No
***If "No"..... List the shortcomings below and send a letter requesting the additional/missing information that is needed before the Extension of Time can be processed.
- ✓ 3. Date Permit was issued: 3-22-2001 Priority Date: 3-16-2000
- ✓ 4. Source: One Well in Gribble Creek Basin
- ✓ 5. Use: Nursery Use on 26.0[±] Ac
- ✓ 6. "Q": 1.0[±] cfs
- ✓ 7. Orig "A" Date: -N/A- Orig "B" Date: -N/A- Orig "C" Date: 10-1-2005
- ✓ 8. Conditions of Permit:
• Before Use begins → shall install meter or other suitable meas. device.
• Before Use begins → shall obtain initial March SWL & submit to WRD & annually thereafter until use begins.
• Once Use begins → shall submit one March SWL meas.
- ✓ 9. Extension request received: 9-29-05 Request Number (...1st 2nd, 3rd): 1st
- ✓ 10. Last Authorized "B" Date: _____ Last Authorized "C" Date: 10-1-2005
- ✓ 11. Proposed "B" Date: _____ Proposed C Date: 10-1-2015
- ✓ 12. Amount Invested to date: \$40,000.⁵⁰ Estimated Total Cost: \$75,000.⁵⁰
(***Estimated Remaining Cost: \$35,000.⁵⁰)

___13. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit. Yes / No ***If "No"..... What permit terms and/or conditions have not been met?

___14. Work on the water development project completed to date includes: _____

___15. The work remaining to be completed consists of: _____

___16. Progress in perfecting the permit is being held up by: _____

___17. Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes / No

Some Factors that may be considered in determining "Reasonable Diligence" [OAR 690-315-040(3)]

- a. The amount of construction completed within the time allowed in the permit or previous extension;
- b. The amount of beneficial use made of the water during the permit or previous extension time limits;
- c. Water right permit holder conformance with the permit or previous extension conditions; and
- d. Financial investments made toward developing the beneficial water use.

- Permit holder has completed approximately _____% of the construction.
- Permit holder has beneficially used _____% of the total permitted quantity of water.
- Has the permit holder complied with conditions? Yes / No
—If No, reasons why not? _____
- Permit holder has invested approximately _____% of the total estimated cost to complete the project.
- Other: _____

___18. Determination of the market and the present demand for water or power to be supplied: _____

Some factors to consider in determining the Market and the Present Demand for water or power [OAR 690-315-040(4)]:

- a. The amount of water available to satisfy other affected water rights and scenic waterway flows;
- b. Special water use designations established since permit issuance (such as...state scenic waterways, federal wild and scenic rivers, serious water management problem areas, water quality limited sources, etc.);
- c. The habitat needs of sensitive, threatened or endangered species, in consultation with ODFW;
- d. Economic investment in the project to date;
- e. Other economic interests dependent on completion of the project; and
- f. Other factors relevant to the determination of the market and the present demand for water or power.

Is the POD/POA located.....

- If a GW permit, is GW hydraulically connected to SW (see original Div. 09 GW review)? _____
- within or above a state scenic waterway? _____
- within a ground water limited/critical area? _____
- within or above a segment that has been identified as a federal wild and scenic river? _____
- within an area that ODFW has identified as an ST&E Area? _____
- within an area that ODFW has identified as a _____ Needs Ranking Area for streamflow restoration for fish?
- within an area that DEQ has identified as being water quality limited? _____
- Other: _____

19. Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

Yes... "Good Cause" can be found. → Approval of Extension Request

No ... "Good Cause" cannot be found. → Denial of Extension Request

20. Conditions to be included in Extension PFO (if applicable)? Yes / No
(NOTE: Check the file record for documentation to add a condition(s) at the extension stage.)

5-year Progress Report Checkpoints

Other: _____

21. Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:

COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987

"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."

COBU Requirement - Surface Water - post July 9, 1987

"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use."

COBU Requirement - Ground Water - post July 9, 1987

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

NOTES:

Extension "PFO" Dates

Checklist Last Revised: 7/19/ 2005

Mailing / Issuance Date: _____ WRD Ext. Caseworker: _____

Protest Deadline Date: _____ Date: _____

APPLICATION FOR EXTENSION OF TIME TO THE WATER RESOURCES DIRECTOR OF OREGON

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

I, RANDY AND MARCIE HARRIS
NAME

1864 N. TEAKWOOD CIR. CANBY OR 97013
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. G15106, Permit No. G13885,
do hereby request that the time in which to:

complete the construction of diversion/appropriation works and/or purchase and installation of
the equipment necessary to the use of water, which time now expires on October 1, _____,
be extended to October 1, _____,

and/or the time in which to:

accomplish beneficial use of water to the full extent under the terms of the permit, which time
now expires on October 1, 2005, be extended to October 1, 2015.

NOTE:

The extension of time requested should be long enough to finish the project. Should
this request be approved, it will be the Department's expectation that you will
complete your project within the new time period allowed. Future extensions may
not be granted.

Attached is an instruction sheet to assist you in completing the information on the
permit extension application form. Oregon Water Law and Administrative Rules
requires this information to be considered by the Water Resources Department
when reviewing a permit extension application. All items must be completed or the
application will be returned. Please feel free to provide the Department with any
additional information that would aid us in making our decision. Please use
additional sheets of paper as needed to fully respond to the questions.

After reviewing the application form and the instruction sheet, if you have any
questions, you may contact the Department at (503) 986-0900, and request
assistance from the Water Rights Division, permit extensions personnel.

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WATER RESOURCES DEPT
SALEM, OREGON

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SEP 22 2005
WATER RESOURCES DEPT
SALEM, OREGON

1. Did water system construction/well drilling begin within the time specified in the permit [yes/no]?

YES - COMPLETED APRIL 23, 1994

2. Has construction of diversion/appropriation works, distribution system, and use of water, if any, been accomplished consistent with the limitations and conditions of this permit [yes/no]?

YES

A) Please describe how you have complied with each applicable permit condition (*NOTE: the instruction sheet for permit extension applications provides some direction as to what is an "applicable" condition at time of permit extension review*).

1) WATER METER HAS BEEN INSTALLED
2) ANNUAL STATIC WATER LEVELS REPORTED

B) If you have not complied with all applicable conditions, please explain the reasons why and indicate a date certain, in the near future, by which time you will be in compliance with applicable conditions.

1) NO PUMP TEST - WILL COMPLY WITH PUMP TEST BY OCT 1, 2006
2) ALL 16 ACRES ARE NOT CURRENTLY PLANTED W/ NURSERY STOCK - WILL COMPLY WITH FULL PLANTING BY OCT 1, 2015

3. I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit:

A) Within the past year or, if a prior extension was authorized, during the last permit extension period:

1) EXPANDED PRODUCTION AND PLANTING -
2) PROMOTED BUSINESS THROUGH A BOOTH AT THE FAR WEST SHOW, NUMEROUS MAILINGS, HIRING A BROKER, ESTABLISHING A WEB SITE

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SEP 29 2005

WATER RESOURCES DEPT
Page 2 of 5 SALEM, OREGON

RECEIVED

SEP 22 2005

WATER RESOURCES DEPT
SALEM, OREGON

B) Prior to the past year or, if a prior extension was authorized, prior to the last extension period:

- 1) TRENCHED APPROX 300' TO BRING POWER TO WELL
- 2) CONSTRUCTED PUMP HOUSE
- 3) PURCHASED PUMP HOUSE COMPONENTS: WATER METER, PRESSURE EVAUGE, PRESSURE TANKS, SAND FILTER
- 4) PURCHASED AND LAID IRRIGATION PIPES
- 5) WORKED LAND, AMENDED SOIL TO PREPARE FOR PLANTING
- 6) HIRED PROPAGATORS, PLANTED SEEDLINGS
- 7) PURCHASED ADDITIONAL TRACTOR EQUIPMENT, BEGAN MARKETING

4. I have accomplished beneficial use of water under the permit to the extent of (amount of water used and acres irrigated):

A) Quantity of Water Used [in cubic feet per second (cfs) or gallons per minute (gpm) if using surface water or ground water.....and/or..... in acre-feet (af) if using stored water]:

55 GPM

B) Number of Acres Irrigated (if an irrigation permit):

APPROX 2 ACRES ARE PLANTED & BEING IRRIGATED AT THIS TIME FOR NURSERY USE.

5. Cost of project to date 40,000. Estimated remaining cost to complete the project \$ 35,000.

6. Please list the reasons why the project was not constructed, and/or water not beneficially used within permit time limits under the appropriate categories below. Please provide supporting information for each reason identified:

A) The project is of a size and scope that the original intent was to phase it in over a period longer than the timeframes allowed in the permit.

1) PURCHASED PROPERTY FROM THE ORIGINAL PERMIT HOLDER 2/1/04, FOUR YEARS INTO PERMIT PROCESS.

2) WE NEED ADDITIONAL TIME TO SHOW BENEFICIAL USE ON ALL 16 ACRES WE PURCHASED - THIS INCLUDES PROFESSIONAL IMPROVEMENTS ON WELL TO REDUCE CURRENT HIGH OUTPUT OF SAND AND TO INCREASE GPM OUTPUT.

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Page 3 of 9

WATER RESOURCES DEPT
SALEM, OREGON

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SEP 22 2005

WATER RESOURCES DEPT
SALEM, OREGON

- B) Financing and/or cash-flow needs to develop the project precluded completion of the project within authorized timeframes.

WE ARE A PART-TIME FAMILY OWNED BUSINESS - HOPING TO MAKE THIS OUR FULLTIME BUSINESS. WE HAVE LIMITED FINANCES TO HIRE OUT THE PLANTING OF THE ENTIRE 16 ACRES AND MUST DO THE WORK OURSELVES. SALES OF NURSERY STOCK GO DIRECTLY BACK INTO THE BUSINESS TO PURCHASE AND PLANT ADDITIONAL PLANT MATERIAL.

- C) Good faith attempts to comply with permit conditions and/or to acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project.

- D) Acts of God or other unforeseen events delayed full development of the water system and use of water.

I am the permittee, or have authorization from the permittee, to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.

Bill _____ *Marie Harris* _____
Signature

9-19-05 _____
Date

For an application to be complete, it must be accompanied with the required fee. See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

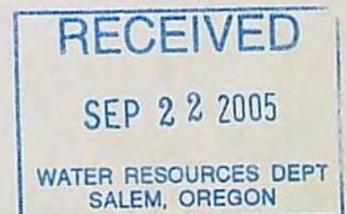
MAIL COMPLETED APPLICATION and FEE TO:

WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE, SUITE A
SALEM, OREGON 97301-1271

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SEP 29 2005

WATER RESOURCES DEPT
SALEM, OREGON



**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **77727**

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

INVOICE # _____

RECEIVED FROM: Harris Glen Farms

APPLICATION	915106
PERMIT	6-13885
TRANSFER	

BY: _____

CASH: CHECK: # 372 OTHER: (IDENTIFY)

TOTAL REC'D \$ 250.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$
OTHER: (IDENTIFY) \$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS 46111

0407 COPY & TAPE FEES \$
0410 RESEARCH FEES \$
0408 MISC REVENUE: (IDENTIFY) \$
TC162 DEPOSIT LIAB. (IDENTIFY) \$
0240 EXTENSION OF TIME \$ 250.00

WATER RIGHTS:

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

WELL CONSTRUCTION

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

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **77727**

DATED: 9/29/05 BY: Joan Smith

Fax

TO: Salem Openfa 4/20/06 (503) 986-0904
 FROM: Terry S 1 page

Application # G15106Permit # G 13885Name of Permit Holder: Randy + Marcie Harris

**Reimbursement Authority Process
 Itemized Estimate Sheet
 for
Permit Extension of Time Applications**

(Indicate the estimated amount of time, in ½ hour increments, needed to complete each item listed below.)

	Item	Estimated Time
1	Completion of the Extension of Time Application Completeness Checklist	1
2	Completion of the Extension of Time Proposed Final Order Checklist (*Regular Ext: approx 2 hrs. to 6 hrs. // Muni/Quasi-Muni Ext: approx 4 hrs. to 24 hrs.)	4
3	Preparation of the Extension of Time Proposed Final Order document (*Regular Ext: approx 2 hrs. to 5 hrs. // Muni/Quasi-Muni Ext: approx 4 hrs. to 12 hrs.)	3
4	Preparation of the Extension of Time Final Order document	2
Total Estimated Time:		10

***NOTE:** Items #2 and #3 will take a greater amount of time for Municipal and Quasi-Municipal water use permits.

Estimated calendar days needed to complete work once a Work Order has been Executed 10
 (Typical turn around should not exceed Ten (10) business days.)

Name of Contractor: Terry SDate: 4/20/06

Instructions for completing the Reimbursement Authority Process Itemized Estimate Sheet:

To determine the estimated amount of time required to perform the project:

- Review the Permit;
- Review the Extension of Time Application; and
- Review the file record.

**WATER RESOURCES DEPARTMENT
REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION**

House Bill 2551 (2003 Oregon Laws) authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement. The voluntary agreement can be entered into with any person requesting services and agreeing to pay the Department's costs of providing the service.

The Department has established a pool of qualified contractors to perform expedited services for water right transfers, water right permits extensions, and water right certificates.

The purpose of this application is to obtain an estimate from the next qualified contractor in the appropriate pool. There is a non-refundable application fee of \$125.00 per request. The contractor will provide an estimate of the cost and of the time required to process and develop a recommendation on the request of a: (check one):

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input type="checkbox"/>	Transfer Application	_____
<input type="checkbox"/>	Certificate Request	_____
<input checked="" type="checkbox"/>	Extension of Time Request	G-15106 ^{PERMIT} #G-13885

New

Applicant Information		Applicant's Representative/Contact
Name: (Please Print)	RANDY & MARCIE HARRIS	Marcie's cell 503.341.2333
Address:	26758 S. BOLLARD RD CANBY, OR 97013	
Email Address	RMKM4@CANBY.COM	
Phone:	503.266-8405	

I understand the following:

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

I certify that I am the (check one) Applicant Applicant's Representative Other (Please specify) _____

Signature: Marcie Harris Name: MARCIE HARRIS

OWRD USE ONLY

Contractor Assigned:	RECEIVED <i>[Signature]</i>	Total Amount Paid: \$ <u>125</u>
OWRD Approval:		

31 Copies
4/19/2006
C.U.

APR 17 2006
WATER RESOURCES DEPT
SALEM, OREGON

Final Deliverables Cover Sheet for Permit Extension of Time Applications

Application #: G 15106 Permit #: G 13885

Name of Permit Holder: Chris & Diane Youngblood - partially assigned to Rowdy & Marcie Harris. Harris are requesting the extension.

The following items are enclosed:

- The completed Extension of Time Completeness Checklist;
- The completed Extension of Time Proposed Final Order Checklist;
- All background information and notes used to make the extension determination;
The only information used is already contained in the file. No notes other than on checklists.
- A hard copy of the Extension of Time documents:
 - a. *NA* Letter(s) requesting additional/missing information (if applicable)
 - b. Proposed Final Order and Mailing List
 - c. Final Order and Mailing List
- An electronic copy of the Extension of Time documents* *emailed separately to Gerry Clark*
 - a. *NA* Letter(s) requesting additional/missing information (if applicable)
 - b. Proposed Final Order and Mailing List
 - c. Final Order and Mailing List

***NOTE:** WRD will only accept electronic copies in the following programs:
 a. WordPerfect, or
 b. MS Word - "rich text" format only

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 JUN 14 2006
 WATER RESOURCES DEPT
 SALEM, OREGON

For WRD use only:
 WRD approval by: _____ Date: _____

Signature of Contractor:  Date: 6/10/06

Other Than Muni or Quasi-Muni

Extension PFO Checklist for Other Than Muni or Quasi-Muni water use permits (OAR 690-315-0010 through OAR 690-315-0060)

Application #: G - 15106 / Permit #: G - 13885

Permittee's Name: Randy & Marcie Harris ~~1440 Farm Credit Services~~ Chris / Diane
Youngblood

Permittee's Mailing Address: 2675B S. Ballard Rd Canby OR 97013

POD Location: Township 45 Range 1E Section 16 $\frac{1}{4}$ SW of SE

Drainage Basin: Gribble Creek Basin County: Clackamas Watermaster District #: 20
Mike McLeod

1. Has the applicant submitted the appropriate fee? Yes / No
***If "No"..... STOP. (Extension of Time cannot be processed if insufficient fees submitted.) Sabrina white
2. Has the applicant completely filled out the Extension Application form? Yes / No
***If "No"..... List the shortcomings below and send a letter requesting the additional/missing information that is needed before the Extension of Time can be processed.
3. Date Permit was issued: 3/22/2001 Priority Date: 3/16/2000
4. Source: A well in Gribble Creek Basin
5. Use: Nursery use on 26.0 acres
6. "Q": 1.0 cfs
7. Orig "A" Date: NA Orig "B" Date: NA Orig "C" Date: 10/1/2005
8. Conditions of Permit:
 Before use begins - shall install a meter or other suitable measuring device
 Before use begins - obtain initial water level in March ²⁰⁰² & submit ²⁰⁰² to Dept
 measure annually in March & submit to dept.
 Once use begins - ~~submit~~ obtain March water level & submit to dept.
 All measurements to be made by PE, RE, CWRE, licensed well constructor or pump installer to the nearest .1 ft by method stated & calculation provided
9. Extension request received: 9/29/05 Request Number (...1st, 2nd, 3rd): 1st
10. Last Authorized "B" Date: NA Last Authorized "C" Date: 10/1/2005
11. Proposed "B" Date: NA Proposed C Date: 10/1/2015
12. Amount Invested to date: 40,000 Estimated Total Cost: 75,000

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(***Estimated Remaining Cost: 35,000)

JUN 14 2005

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13. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit. Yes/No ***If "No"..... What permit terms and/or conditions have not been met?

GW - additional condition: continue to require March SWL measurement & submittal

14. Work on the water development project completed to date includes:

Purchased property on 2/1/04 well drilled ~~irrigation system~~
expanded production & planting trenched 3m' to bring power to well
purchased additional farming equip. constructed pump house, purchased components like water meter, pressure tank, laid irrigation pipes
began marketing

15. The work remaining to be completed consists of: approximately 2 acres are planted & under irrigation

- > professional well upgrades to reduce sand output & increase gpm output
- > plant additional acreage; expand irrigation system
- > put water to full beneficial use

16. Progress in perfecting the permit is being held up by:

- bought property on 2/1/04 - 4 years into permit process
- need to improve well production
- part-time nature of business limits time available to plant nursery stock
- limited financial resources

17. Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes/No

Some Factors that may be considered in determining "Reasonable Diligence" [OAR 690-315-040(3)]
a. The amount of construction completed within the time allowed in the permit or previous extension;
b. The amount of beneficial use made of the water during the permit or previous extension time limits;
c. Water right permit holder conformance with the permit or previous extension conditions; and
d. Financial investments made toward developing the beneficial water use.

2 out of 26 ac = 7.6% ~~12%~~ [fraction of 16 acres]

reported 55 gpm => .122 cfs
permitted 1 cfs

- Permit holder has completed approximately 7.6% of the construction.
- Permit holder has beneficially used 12% of the total permitted quantity of water.
- Has the permit holder complied with conditions? Yes/No
----If No, reasons why not? _____
- Permit holder has invested approximately 5.3% of the total estimated cost to complete the project.
- Other: _____

18. Determination of the market and the present demand for water or power to be supplied:

Some factors to consider in determining the Market and the Present Demand for water or power [OAR 690-315-040(4)]:
a. The amount of water available to satisfy other affected water rights and scenic waterway flows;
b. Special water use designations established since permit issuance (such as...state scenic waterways, federal wild and scenic rivers, serious water management problem areas, water quality limited sources, etc.);
c. The habitat needs of sensitive, threatened or endangered species, in consultation with ODFW;
d. Economic investment in the project to date;
e. Other economic interests dependent on completion of the project; and
f. Other factors relevant to the determination of the market and the present demand for water or power.

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Is the POD/POA located.....

- If a GW permit, is GW hydraulically connected to SW (see original Div. 09 GW review)? NO
- within or above a state scenic waterway? NO (per WRD map 3/30/2004)
- within a ground water limited/critical area? NO
- within or above a segment that has been identified as a federal wild and scenic river? NO
- within an area that ODFW has identified as an ST&E Area? Yes
- within an area that ODFW has identified as a moderate Needs Ranking Area for streamflow restoration for fish?
- within an area that DEQ has identified as being water quality limited? NO
- Other: NO GW section comment ~ decline trigger

✓ 19. Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

Yes... "Good Cause" can be found. → Approval of Extension Request

No ... "Good Cause" cannot be found. → Denial of Extension Request

___ 20. Conditions to be included in Extension PFO (if applicable)? Yes / No
(NOTE: Check the file record for documentation to add a condition(s) at the extension stage.)

5-year Progress Report Checkpoints

Other: GW Section request see #13 above

✓ 21. Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:

COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987
"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."

COBU Requirement - Surface Water - post July 9, 1987
"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use."

COBU Requirement - Ground Water - post July 9, 1987
"Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use."

NOTES:

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WATER RESOURCES DEPT
SALEM, OREGON

Extension "PFO" Dates

Checklist Last Revised: 11/30/ 2005

Mailing / Issuance Date: _____

WRD R. A. Project Staff: _____

Protest Deadline Date: _____

Date: _____

Place a (✓) in the box if the item is satisfied	<p align="center">Division 315 - Other Than Muni or Quasi-Muni Extension of Time Application - Completeness Checklist OAR 690-315-0020</p>	
✓	The appropriate extension of time fee (as specified in ORS 536.050). \$100 - applications received prior to October 1, 2003 \$250 applications received on or after October 1, 2003	[OAR 690-315-0020(3)]
✓	The name and mailing address of the water right permit holder(s);	[OAR 690-315-0020(3)(a)]
✓	The application number and the permit number for which an extension is requested;	[OAR 690-315-0020(3)(b)]
NA	If the water right permit holder receives delivery of the subject water right permit from a municipality, municipal corporation, or other special district, the applicant shall provide the name of the entity and evidence that a copy of the application for extension of time has been provided to the entity responsible for delivering the water;	[OAR 690-315-0020(3)(c)]
NA - no "A" date in permit	<p>Evidence of the actions taken to begin actual construction within the time period in the permit or previous extension:</p> <ul style="list-style-type: none"> • "Actual construction" means physical work performed towards completion of the water system, which demonstrates both the present good faith of the water right permit holder and the water right permit holder's intention to complete the project with reasonable diligence; • "Actual construction" <u>does not</u> include planning a diversion system, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, or surveying. 	[OAR 690-315-0020(3)(d)]
✓	<p>Evidence of progress made toward completion of the water development and application to full beneficial use, which includes but is not limited to:</p> <ul style="list-style-type: none"> • The annual accomplishments toward perfecting the water right under the terms and conditions of the permit, including the dates on which each condition contained in the relevant permit and any previous extension(s) was satisfied or the reason the condition was not satisfied; • The maximum rate of diversion, if any, made to date; and • If for irrigation, a listing by year of the number of acres irrigated each year since permit issuance, the total number of acres irrigated to date under the permit or previous extension, and a copy of the application map showing the acres irrigated. 	[OAR 690-315-0020(3)(e)]
✓	A description of financial expenditures made toward completion of the water development;	[OAR 690-315-0020(3)(f)]
✓	An estimate of the cost to complete the water development;	[OAR 690-315-0020(3)(g)]
✓	A summary of any additional unforeseen events which delayed completion of the water development or application of water to full beneficial use, including other governmental requirements, if any, relating to the project which have significantly delayed completion of construction or perfection of the right;	[OAR 690-315-0020(3)(h)]
✓	The date by which the water development will be completed and water put to full beneficial use;	[OAR 690-315-0020(3)(i)]
✓	A summary of the applicant's plan and schedule to complete construction and/or perfect the water right;	[OAR 690-315-0020(3)(j)]
✓	Justification of why the requested time is needed to complete the project and/or apply the water to full beneficial use;	[OAR 690-315-0020(3)(k)]
✓	<p>A description of any undue hardship to the applicant which will result from denial of the extension, and that there are no other reasonable alternatives for meeting water use needs;</p> <p><i>(NOTE: The permit holder is not asked to answer this specific question when filling out the Extension of Time Application. The Department decided this was a finding that should be determined by staff. In order to make this determination, review the Extension of Time Application and documentation in the file record. Generally, a denied extension of time may result in possible loss of investments made in the project, loss of future property value, and/or loss of future income.</i></p>	[OAR 690-315-0020(3)(l)]
✓	Any other information the applicant determines is relevant to evaluate the application in accordance with applicable statutes and these rules;	[OAR 690-315-0020(3)(m)]
✓	Any other information required in the application form that is necessary to evaluate the application in accordance with applicable statutory requirements; and	[OAR 690-315-0020(3)(n)]
✓	Signature(s) of the water right permit holder(s). <i>Partially assigned & new owner-share signed</i>	

Name of Reviewer: Terry Sprecher, PBS Engineering and Environment Date: 6/10/06

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Oregon Water Resources Department
Water Rights Division

Application for Extension of Time

DRAFT
from R.A.

In the Matter of the Application)
for an Extension of Time for)
Permit #G-13885, Water Right) PROPOSED FINAL ORDER
Application #G-15106)
(Randy and Marcie Harris)

Permit Information

Application File #G-15106 / Permit #G-13885
Basin: #02 - Willamette Basin / Watermaster District: #20
Date of Priority: March 16, 2000

Authorized Use of Water

Source of Water: A Well in Gribble Creek Basin
Purpose or Use: Nursery Use on 26.0 Acres
Maximum Rate: 1.0 cubic foot per second (cfs)

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

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

This Proposed Final Order applies only to Permit #G-13885, water right Application #G-15106.
A copy of Permit #G-13885 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- grant the extension for complete application of water from October 1, 2005, to October 1, 2015; and
- make the extension subject to certain conditions set forth below.

AUTHORITY

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

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

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

OAR 690-315-0050(6) allows the Department, for extensions exceeding five years, to establish checkpoints to determine if diligence is being exercised in the development and perfection of the water use permit. Intervals between checkpoints will not exceed five year periods.

FINDINGS OF FACT

Background

1. Permit #G-13885 was granted by the Water Resources Department on March 22, 2001. The permit authorizes the use of up to 1.0 cfs of water from one well in Gribble Creek Basin for nursery use on 26.0 acres. The permit specified that complete application of water was to be made on or before October 1, 2005.
2. The permit holder submitted an "Application for Extension of Time" to the Department on September 29, 2005, requesting the time in which to accomplish beneficial use of water to the full extent under the terms of Permit #G-13885 be extended from October 1,

2005, to October 1, 2015. This is the first permit extension requested for Permit #G-13885.

3. Notification of the permit holder's extension of time request for Permit #G-13885 was published on the Department's Public Notice dated **, 200*. No public comment on the extension application was received.

Review Criteria [OAR 690-315-0040(1)(2)]

As set forth under OAR 690-315-0040(1)(2), the time limits to complete construction and/or to apply the water to a beneficial use may be extended upon showing of good cause for the untimely completion. This determination shall consider the applicable requirements of ORS 537.230¹, 537.248², 537.630³ and/or 539.010(5)⁴.

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

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

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

5. Senate Bill 300 (1999 legislation) eliminates the requirement that holders of new surface water and ground water permits start construction on water projects within one year after the Water Resources Department issues the permit. Senate Bill 300 applies to any application for a permit filed after October 23, 1999. Permit G-13885 was filed on March 6, 2000, and therefore does not require the permit holder to begin construction on or before a date certain.

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

6. As of September 29, 2005, the permit holder had invested a total of \$40,000 into the project, consisting of construction of one well, the pump house, the pump system, and part of the irrigation system. An additional \$35,000 investment is anticipated for the completion of this project.

Reasonable Diligence and Good Faith of the Appropriator [OAR 690-315-0040(3)]

Reasonable diligence during the permit period constitutes a continuing test of whether and under

¹ ORS 537.230 applies to surface water permits only.

² ORS 537.248 applies to reservoir permits only.

³ ORS 537.630 applies to ground water permits only.

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

what conditions to grant an extension [OAR 690-315-0040(3)].

In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:

7. Amount of Construction
The following construction was completed within the time allowed in the permit or previous extension:
 - a. As of September 29, 2005, the work accomplished thus far consists of complete construction of one well, the pump house, the pump system, and part of the irrigation system.
8. Beneficial Use of Water
The following beneficial use was made of the water during the permit or previous extension time limits:
 - a. Since the issuance of Permit #G-13885 on March 22, 2001, a maximum rate of 0.122 cfs of the permitted 1.0 cfs has been appropriated for the nursery use on 26 acres.
 - b. Delay of full beneficial use of water under Permit #G-13885 was due to the current owner purchasing the property on February 1, 2004, which is four years into the permit process, as well as the need to improve well production hampered by excess sand being produced by the well. The current owner operates the nursery on a part-time basis, which limits their time available to plant nursery stock. Lastly, limited financial resources have delayed the completion of the irrigation system and planting of the remainder of acreage necessary to fully appropriate water.
9. Compliance with Conditions
The water right permit holder's conformance with the permit or previous extension conditions.
 - a. The record does not raise concerns about the permit holder's compliance with conditions.
10. Financial Investments
Financial investments made toward developing the beneficial water use.
 - a. As of **September 29, 2005**, the permit holder had invested approximately 53 percent of the total projected cost for complete development of this project. A total of \$40,000 has been invested into the project, consisting of construction of one well, the pump house and system, and part of the irrigation system. An additional \$35,000 investment is anticipated for the completion of this project.

The Market and Present Demands for Water [OAR 690-315-0040(4)]

In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

11. The amount of water available to satisfy other affected water rights and scenic waterway flows.
 - a. The Department determined on April 21, 2000, that this use of ground water will, if properly conditioned, adequately protect the surface water from interference. Because of this determination, this application does not raise concerns about surface water impact. Conditions were placed upon Permit #G-13885 in order to avoid injury to existing rights or to the ground water resource.
 - b. The permitted point of appropriation (the well), authorized under Permit #G-13885, is not located within the boundaries of any designated ground water limited area.
 - c. The permitted point of appropriation, authorized under Permit G-13885, is not located within or above the designated boundaries of any state scenic waterway.
12. Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d).
 - a. The permitted point of appropriation, authorized under Permit #G-13885, is located within the Gribble Creek Basin, which has been identified by the Oregon Department of Fish and Wildlife as a "moderate" needs ranking area for streamflow restoration for fish. Additionally, Gribble Creek has not been designated by the Oregon Department of Environmental Quality as a water quality limited stream.
 - b. The permitted point of appropriation, authorized under Permit #G-13885, is not located within a designated segment of a federal wild and scenic river.
13. The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife.
 - a. The permitted well is located within a designated sensitive, threatened or endangered species area for aquatic species utilizing surface water resources, as identified on the Division 33 map furnished by the Oregon Department of Fish and Wildlife. The Department determined on April 21, 2000, that this use of ground water will, if properly conditioned, adequately protect the surface water from interference. Because of this determination, this application does not raise concerns about surface water impact. Conditions were placed upon Permit #G-13885 in order to avoid injury to existing rights or to the ground water resource.
14. Economic investment in the project to date.
 - a. As of **September 29, 2005**, the permit holder had invested approximately 53 percent of the total projected cost for complete development of this project. A total of \$40,000 has been invested into the project, consisting of construction of one well, the pump house, and the pump system, and partial construction of the irrigation system. An additional \$35,000 investment is anticipated for the completion of this project.

15. Other economic interests dependent on completion of the project.
 - a. None have been identified.
16. Other factors relevant to the determination of the market and present demand for water and power.
 - a. None have been identified.

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

17. Use and income from the permitted water development will result in reasonable returns upon the investment made to date.

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

As set forth under OAR 690-315-0040(1)(c), time extensions granted shall be for the reasonable time period necessary to complete construction and application of water to beneficial use.

18. As of September 29, 2005, the remaining work to be completed consists of professional upgrades to the well to reduce sand output and increase water production, completion of the irrigation system, planting of nursery stock on 14 additional acres, and the complete application of water to beneficial use.
19. Delay of full beneficial use of water under Permit #G-13885 was due to the current owner purchasing the property on February 1, 2004, which is four years into the permit process, as well as the need to improve well production hampered by excess sand being produced by the well. The current owner operates the nursery on a part-time basis, which limits their time available to plant nursery stock. Lastly, limited financial resources have delayed the completion of the irrigation system and planting of the remainder of acreage necessary to fully appropriate water.
20. Given the amount of development left to occur, the Department has determined that the permittee's request to have until October 1, 2015, to complete the application of water to beneficial use under the terms of Permit #G-13885 is both reasonable and necessary.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630.
2. The applicant has submitted a complete extension application form and the fee specified under ORS 536.050(1), as required by OAR 690-315-0040(1)(a).
3. Consistent with ORS 537.630 (as amended by Senate Bill 300, 1999 legislation), Permit #G-13885 does not require construction to begin on or before a date certain. [OAR 690-315-0040(1)(b)].

4. Full application of water to beneficial use can be completed by October 1, 2015⁵, as required by OAR 690-315-0040(1)(c).
5. The Department has considered the requirements of other governmental agencies, the financial investment made, the reasonable diligence and good faith of the appropriator, the market and present demands for water and the fair return upon the investment, and has determined that the applicant has shown good cause exists for an extension to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).
6. In order to ensure future diligence is exercised in the development and perfection of Permit #G-13885, the Department shall establish progress checkpoints in accordance with OAR 690-315-0050(6). (See Item #1 of the "Conditions" section contained in this Proposed Final Order for an Extension of Time.)

Proposed Order

Based upon the foregoing findings of fact and conclusions of law, the Department proposes to issue an order to:

Extend the time for complete application of water to beneficial use under Permit #G-13885 from October 1, 2005, to October 1, 2015.

Subject to the following conditions:

CONDITIONS

1. In accordance with OAR 690-315-0050(6), the permittee must submit a written progress report to the Department by October 1, 2011. The report must be received by the Department not sooner than 90 days prior to the due date. The permittee's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include:
 - a) The amount of construction completed;
 - b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;
 - c) A review of the permittee's compliance with terms and conditions of the permit and/or previous extension; and
 - d) Financial investments made toward developing the beneficial water use.

The Department will review the progress report to determine whether the permittee is exercising diligence towards completion of the project and complying with the terms and conditions of the permit and extension.

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

Failure to submit a progress report by the due date above may jeopardize continued development under the permit.

The Department will take into consideration annual reports submitted under OAR Chapter 690, Division 86 or ORS 537.099, and any other report that demonstrates diligence.

Other reports, however, are not a substitute for the progress reports and anything submitted must clearly show that diligence towards perfecting the water right permit is being attempted.

If the Department finds that diligence is questionable, the Department may:

- a) request the permittee to submit additional information with which to evaluate diligence; or
- b) apply additional conditions and performance criteria for perfection of the right; or
- c) cancel the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410 to 537.450. The Department will grant the permittee a hearing on the cancellation, if one is requested.

In determining whether the permittee has been diligent, the Department will consider any information submitted to the Department by the permittee and any information submitted during the 30-day public comment period following public notice of submittal of the progress report.

If information is received through the public notice process indicating that the applicant has not been diligent toward completing the project, and if the director determines there are significant disputes related to the use of water, the Department will conduct a hearing.

2. The Department determined on October 5, 2005, that the following additional condition was necessary due to groundwater supply concerns. The user shall continue to obtain a static water level measurement in March of each year and to submit the water level measurement to the Department within 30 days of measurement.

DATED: June **, 2006

Dwight French
Administrator
Water Rights & Adjudications Division

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may request a contested case hearing on the proposed final order. Your request for contested case hearing must be in writing and must be received by the Water Resources Department no later than day, month *, 2006, being 45 days from the date of publication of the proposed final order in the Department's weekly public notice.

Proposed Final Order: Permit #G-13885

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WATER RESOURCES DEPT
SALEM, OREGON

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2. A written request for contested case hearing shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the petition upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The protest fee required under ORS 536.050.

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

If you have any questions about statements contained in this document, please contact Lisa Jaramillo at (503)986-0808.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Mike Reynolds. His telephone number is (503)986-0820.

If you have other questions about the Department, or any of its programs, please contact our Water Resources Customer Service Group at (503)986-0801.

**Address any correspondence to: Water Rights Section
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Fax #: (503)986-0901**

Mailing List for Extension PFO Copies

Application #G-15106
Permit #G-13885

PFO Date: June **, 2006

Original mailed to applicant:

Randy and Marcie Harris
26758 S Bolland Road
Canby, OR 97013

Copies Mailed
By: _____ (SUPPORT STAFF)
on: _____ (DATE)

For Extension PFO's - Copies sent to:

1. WRD - Appl. File #G-15106/ Permit #G-13885
2. WRD - Watermaster District: #20 - Mike McCord, Oregon City
 - **Static Water Level Decline Levels Triggered** (or close to triggering) ~~YES~~ x **NO**
If YES..... In addition to the PFO copy (*sent via e-mail for NW Region WM's*) remember to send an e-mail to the watermaster identifying the extent of static water level decline.
 - **NW Region WM PFO copy sent by e-mail.....** Done by: _____
Date: _____

Other interested parties:

Chris and Diane Youngblood
26810 S Bolland Road
Canby, OR 97013 (original permit holders, partial assignment)

CASEWORKER:

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**WATER RESOURCES DEPT
SALEM, OREGON**

DRAFT
FROM
R.A.

**Final Order
Extension of Time for Permit Number G-13885**

Appeal Rights

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Application History

On September 29, 2005, Randy and Marcie Harris submitted an application to the Department for an extension of time for permit number G-13885. The Department issued permit number G-13885 on March 22, 2001. The permit called for complete application of water to beneficial use by October 1, 2005. In accordance with OAR 690-315-0050(2), on PFO DATE, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2015. The protest period closed PROTEST DATE, in accordance with OAR 690-315-0060(1). No protest was filed.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

1. In accordance with OAR 690-315-0050(6), the permittee must submit a written progress report to the Department by October 1, 2011. The report must be received by the Department not sooner than 90 days prior to the due date. The permittee's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include:
 - a) The amount of construction completed;
 - b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;
 - c) A review of the permittee's compliance with terms and conditions of the permit and/or previous extension; and
 - d) Financial investments made toward developing the beneficial water use.

The Department will review the progress report to determine whether the permittee is exercising diligence towards completion of the project and complying with the terms and conditions of the permit and extension.

Failure to submit a progress report by the due date above may jeopardize continued development under the permit.

The Department will take into consideration annual reports submitted under OAR Chapter 690, Division 86 or ORS 537.099, and any other report that demonstrates diligence.

Other reports, however, are not a substitute for the progress reports and anything submitted must clearly show that diligence towards perfecting the water right permit is being attempted.

If the Department finds that diligence is questionable, the Department may:

- a) request the permittee to submit additional information with which to evaluate diligence; or
- b) apply additional conditions and performance criteria for perfection of the right; or
- c) cancel the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410 to 537.450. The Department will grant the permittee a hearing on the cancellation, if one is requested.

In determining whether the permittee has been diligent, the Department will consider any information submitted to the Department by the permittee and any information submitted during the 30-day public comment period following public notice of submittal of the progress report.

If information is received through the public notice process indicating that the applicant has not been diligent toward completing the project, and if the director determines there are significant disputes related to the use of water, the Department will conduct a hearing.

2. The Department determined on October 5, 2005, that the following additional condition was necessary due to groundwater supply concerns. The user shall continue to obtain a static water level measurement in March of each year and to submit the water level measurement to the Department within 30 days of measurement.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

Order

The extension of time for Application Number G-15106, Permit Number G-13885, therefore, is approved. The deadline for applying water to full beneficial use is extended to October 1, 2015.

DATED: *****, 2006

Phillip C. Ward, Director

Final Order: Permit # G-13885

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If you have any questions about statements contained in this document, please contact Lisa Jaramillo at (503) 986-0808.

If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900.

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NOTE: Include a copy of the "Important Notice" document along with the original copy of the Final Order being sent to the permit holder.

Mailing List for Extension FO Copies

Application #G-15106
Permit #G-13885

FO Date: *****, 2006

Original mailed to permit holder:

Randy and Marcie Harris
26758 S Bolland Road
Canby, OR 97013

Copies Mailed

By: _____
(SUPPORT STAFF)

on: _____
(DATE)

For Extension PFO's - Copies sent to:

1. WRD - Appl. File #G-15106/ Permit #G-13885
2. WRD - Watermaster District: #20 - Mike McCord, Oregon City
3. WRD - Support Staff, Salem...*Permit record update*

Other interested parties:

Chris and Diane Youngblood
26810 S Bolland Road
Canby, OR 97013 (original permit holders, partial assignment)

CASEWORKER: ***

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SALEM, OREGON



Oregon

Theodore R. Kulongoski, Governor

File # G-15106

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

September 26, 2005

Randy and Marcie Harris
1864 North Teakwood Circle
Canby, OR 97013

REFERENCE: Water Right Application #G-15106 (Permit #G-13885)

Dear Mr. and Mrs. Harris:

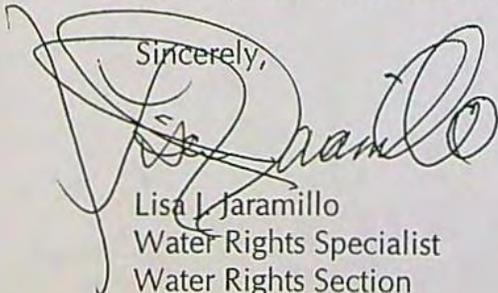
On September 22, 2005, the Department received your application for an extension of time for Permit #G-13885 and your check in the amount of \$250. The Department's review of the extension of time application, however, revealed that the application is not complete. Pursuant to OAR 690-315-0040(1)(a), the Department shall return any incomplete or deficient application for extension of time to the applicant, and shall specify the deficiency. The Department has determined that the following information must be provided in order to complete your extension of time application:

1. Your extension application does not identify the number of acres to which water has been applied for Nursery Use under Permit #G-13885 (See Question #4-b of the extension application). This information is a necessary part of the extension review process. **Please identify the number of acres (out of the permitted 26.0 acres) that have received water for beneficial Nursery Use under Permit #G-13287.**

Due to insufficient information in the extension application, therefore, the Department is returning your check in the amount of \$250 and your extension of time application for Permit #G-13885.

If you have any questions or concerns regarding this matter, please feel free to contact me by telephone at (503) 986-0808.

Sincerely,



Lisa J. Jaramillo
Water Rights Specialist
Water Rights Section

enclosure(s)

cc: Appl #G-15106 (Permit #G-13885)
Mike McCord, Watermaster Dist. #20
Fiscal



APPLICATION FOR EXTENSION OF TIME TO THE WATER RESOURCES DIRECTOR OF OREGON

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

I, RANDY AND MARCIE HARRIS
NAME

1864 N. TEAKWOOD CIR. CANBY OR 97013
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. 615106, Permit No. 613885,
do hereby request that the time in which to:

complete the construction of diversion/appropriation works and/or purchase and installation of
the equipment necessary to the use of water, which time now expires on October 1, _____,
be extended to October 1, _____,

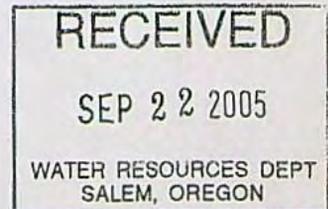
and/or the time in which to:

accomplish beneficial use of water to the full extent under the terms of the permit, which time
now expires on October 1, 2005, be extended to October 1, 2015.

NOTE: The extension of time requested should be long enough to finish the project. Should
this request be approved, it will be the Department's expectation that you will
complete your project within the new time period allowed. Future extensions may
not be granted.

Attached is an instruction sheet to assist you in completing the information on the
permit extension application form. Oregon Water Law and Administrative Rules
requires this information to be considered by the Water Resources Department
when reviewing a permit extension application. All items must be completed or the
application will be returned. Please feel free to provide the Department with any
additional information that would aid us in making our decision. Please use
additional sheets of paper as needed to fully respond to the questions.

After reviewing the application form and the instruction sheet, if you have any
questions, you may contact the Department at (503) 986-0900, and request
assistance from the Water Rights Division, permit extensions personnel.



1. Did water system construction/well drilling begin within the time specified in the permit [yes/no]? YES - COMPLETED APRIL 23, 1994

2. Has construction of diversion/appropriation works, distribution system, and use of water, if any, been accomplished consistent with the limitations and conditions of this permit [yes/no]? YES

A) Please describe how you have complied with each applicable permit condition (NOTE: the instruction sheet for permit extension applications provides some direction as to what is an "applicable" condition at time of permit extension review).

- 1) WATER METER HAS BEEN INSTALLED
- 2) ANNUAL STATIC WATER LEVELS REPORTED

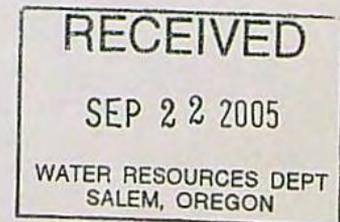
B) If you have not complied with all applicable conditions, please explain the reasons why and indicate a date certain, in the near future, by which time you will be in compliance with applicable conditions.

- 1) NO PUMP TEST - WILL COMPLY WITH PUMP TEST BY OCT 1, 2006
- 2) ALL 16 ACRES ARE NOT CURRENTLY PLANTED W/ NURSERY STOCK - WILL COMPLY WITH FULL PLANTING BY OCT 1, 2015

3. I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit:

A) Within the past year or, if a prior extension was authorized, during the last permit extension period:

- 1) EXPANDED PRODUCTION AND PLANTING -
- 2) PROMOTED BUSINESS THROUGH A BOOTH AT THE FAR WEST SHOW, NUMEROUS MAILINGS, HIRING A BROKER, ESTABLISHING A WEB SITE



B) Prior to the past year or, if a prior extension was authorized, prior to the last extension period:

- 1) TRENCHED APPROX 300' TO BRING POWER TO WELL
- 2) CONSTRUCTED PUMP HOUSE
- 3) PURCHASED PUMP HOUSE COMPONENTS: WATER METER, PRESSURE GAUGE, PRESSURE TANKS, SAND FILTER
- 4) PURCHASED AND LAID IRRIGATION PIPES
- 5) WORKED LAND, AMENDED SOIL TO PREPARE FOR PLANTING
- 6) HIRED PROPAGATORS, PLANTED SEEDLINGS
- 7) PURCHASED ADDITIONAL TRACTOR EQUIPMENT, BEGAN MARKETING

4. I have accomplished beneficial use of water under the permit to the extent of (amount of water used and acres irrigated):

A) Quantity of Water Used [in cubic feet per second (cfs) or gallons per minute (gpm) if using surface water or ground water.....and/or..... in acre-feet (af) if using stored water]:

55 GPM

B) Number of Acres Irrigated (if an irrigation permit):

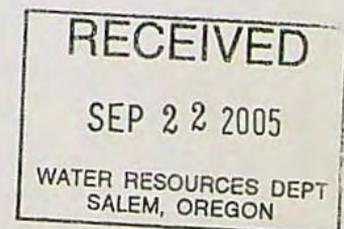
5. Cost of project to date 40,000. Estimated remaining cost to complete the project \$ 35,000.

6. Please list the reasons why the project was not constructed, and/or water not beneficially used within permit time limits under the appropriate categories below. Please provide supporting information for each reason identified:

A) The project is of a size and scope that the original intent was to phase it in over a period longer than the timeframes allowed in the permit.

1) PURCHASED PROPERTY FROM THE ORIGINAL PERMIT HOLDER 2/1/04, FOUR YEARS INTO PERMIT PROCESS,

2) WE NEED ADDITIONAL TIME TO SHOW BENEFICIAL USE ON ALL 16 ACRES WE PURCHASED - THIS INCLUDES PROFESSIONAL IMPROVEMENTS ON WELL TO REDUCE CURRENT HIGH OUTPUT OF SAND AND TO INCREASE GPM OUTPUT.



- B) Financing and/or cash-flow needs to develop the project precluded completion of the project within authorized timeframes.

WE ARE A PART-TIME FAMILY OWNED BUSINESS - HOPING TO MAKE THIS OUR FULLTIME BUSINESS. WE HAVE LIMITED FINANCES TO HIRE OUT THE PLANTING OF THE ENTIRE 16 ACRES AND MUST DO THE WORK OURSELVES. SALES OF NURSERY STOCK GO DIRECTLY BACK INTO THE BUSINESS TO PURCHASE AND PLANT ADDITIONAL PLANT MATERIAL.

- C) Good faith attempts to comply with permit conditions and/or to acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project.

- D) Acts of God or other unforeseen events delayed full development of the water system and use of water.

I am the permittee, or have authorization from the permittee, to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.


Signature

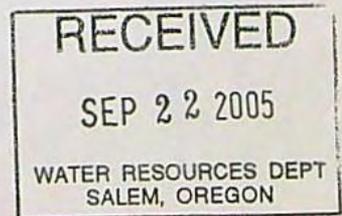
Marcie Harris

9-19-05
Date

For an application to be complete, it must be accompanied with the required fee. See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

MAIL COMPLETED APPLICATION and FEE TO:

WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE, SUITE A
SALEM, OREGON 97301-1271



Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-15106

Final Order

Application History

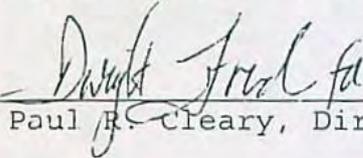
On March 16, 2000, CHRIS YOUNGBLOOD and DIANE YOUNGBLOOD submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on September 5, 2000. The protest period closed October 20, 2000, and no protest was filed.

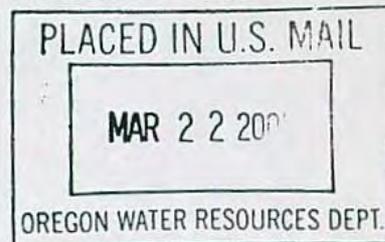
The proposed use would not impair or be detrimental to the public interest.

Order

Application G-15106 therefore is approved as proposed by the Proposed Final Order, and Permit G-13885 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED March 22, 2001


Paul R. Cleary, Director



This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of this order must be filed within the 60 day time period specified by ORS 183.484(2).

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law. Where no changes have been made to a Proposed Final Order on a water right application and no protests have been filed during the protest period, the final order is not subject to judicial review.

This document was prepared by Anita Huffman. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me toll free within Oregon at 1-800-624-3199 extension 229. Outside of Oregon you can dial 1-503-378-8455.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her extension number is 239.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301-4172, Fax: (503)378-2496

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CHRIS & DIANE YOUNGBLOOD
26810 S BOLLAND ROAD
CANBY, OREGON 97013

(503)266-8187

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

APPLICATION FILE NUMBER: G-15106

SOURCE OF WATER: A WELL IN GRIBBLE CREEK BASIN

PURPOSE OR USE: NURSERY USE ON 26.0 ACRES

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MARCH 16, 2000

POINT OF DIVERSION LOCATION: SW 1/4 SE 1/4, SECTION 16, T4S, R1E, W.M.;
35 FEET NORTH & 2150 FEET WEST FROM SE CORNER, SECTION 16

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:

SW 1/4 SE 1/4 11.4 ACRES
SECTION 16

NW 1/4 NE 1/4 14.6 ACRES
SECTION 21
TOWNSHIP 4 SOUTH, RANGE 1 EAST, W.M.

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.

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.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place
Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the

aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

STANDARD CONDITIONS

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.

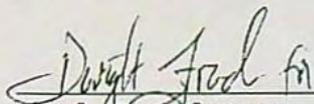
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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, 2005. 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 March 22 , 2001


Paul R. Cleary, Director
Water Resources Department

NOTE: 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.

Application G-15106
Basin 2
AMH

Water Resources Department
Volume 16A DOVE CR
MGMT.CODE 7BG 7BR 7EG 7ER

PERMIT G-13885
District 16

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CHRIS & DIANE YOUNGBLOOD
26810 S BOLLAND ROAD
CANBY, OREGON 97013

(503)266-8187

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

APPLICATION FILE NUMBER: G-15106

SOURCE OF WATER: A WELL IN GRIBBLE CREEK BASIN

PURPOSE OR USE: NURSERY USE ON 26.0 ACRES

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MARCH 16, 2000

POINT OF DIVERSION LOCATION: SW 1/4 SE 1/4, SECTION 16, T4S, R1E, W.M.;
35 FEET NORTH & 2150 FEET WEST FROM SE CORNER, SECTION 16

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:

SW 1/4 SE 1/4 11.4 ACRES
SECTION 16

Application G-15106 Water Resources Department

PERMIT G-13885

NW 1/4 NE 1/4 14.6 ACRES
SECTION 21
TOWNSHIP 4 SOUTH, RANGE 1 EAST, W.M.

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.

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.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place
Initial and Annual Measurements

Application G-15106 Water Resources Department

PERMIT G-13885

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement, and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the

aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

STANDARD CONDITIONS

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.

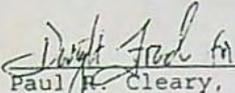
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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, 2005. 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 March 22 , 2001


Paul R. Cleary, Director
Water Resources Department

NOTE: 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.

Application G-15106
Basin 2
AMH

Water Resources Department
Volume 16A DOVE CR
MGMT.CODE 7BG 7BR 7EG 7ER

PERMIT G-13885
District 16

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-15106

Proposed Final Order

Summary of Recommendation: The Department recommends that the attached draft permit be issued with conditions.

Application History

On March 16, 2000, CHRIS & DIANE YOUNGBLOOD submitted an application to the Department for the following water use permit:

- Amount of Water: 1.0 CUBIC FOOT PER SECOND
- Use of Water: NURSERY USE ON 26.0 ACRES
- Source of Water: A WELL IN GRIBBLE CREEK BASIN
- Area of Proposed Use: CLACKAMAS County within SECTION 16, SECTION 21, TOWNSHIP 4 SOUTH, RANGE 1 EAST, W.M.

On 6/30/00, the Department mailed the applicant notice of its Initial Review, determining that "The use of 1.0 cubic foot per second of water from a well, within the Gribble Creek Basin, for Nursery Operations on 26.0 acres may be allowable Year Round." The applicant did not notify the Department to stop processing the application within 14 days of that date.

On 7/18/00, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.

No written comments were received within 30 days.

In reviewing applications, the Department may consider any relevant sources of information, including the following:

- comments by or consultation with another state agency
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance

- the amount of water available
- the rate and duty for the proposed use
- pending senior applications and existing water rights of record
- designations of any critical groundwater areas
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any general basin-wide standard for flow rate and duty of water allowed
- the need for a flow rate and duty higher than the general standard
- any comments received

Findings of Fact

The Willamette Basin Program allows the following uses: NURSERY USE.

A well in Gribble Creek basin is not within or above a State Scenic Waterway.

An assessment of water availability has been completed by the Department's groundwater section. A copy of this assessment is in the file. This assessment determined that water is available for further appropriation year round.

The Department finds that the amount of water requested, 1.0 cfs, is an acceptable rate.

The proposed well is not within a designated critical ground water area.

The Department determined, based upon OAR 690-09, that the proposed groundwater use will not have the potential for substantial interference with surface water, namely Gribble Creek.

The Groundwater Section finds, per OAR 390.835(9), there is not a preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

Conclusions of Law

Under the provisions of ORS 537.621, the Department must presume that a proposed use will ensure the preservation of the public welfare, safety and health if the proposed use is allowed in the applicable basin program established pursuant to ORS 536.300 and 536.340 or given a preference under ORS 536.310(12), if water is available, if the proposed use will not injure other water rights and if the proposed use complies with rules of the Water Resources Commission.

The proposed use requested in this application is allowed in the Willamette Basin Plan.

No preference for this use is granted under the provisions of ORS 536.310(12).

Water is available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with other rules of the Water Resources Commission not otherwise described above.

The proposed use complies with the State Agency Agreement for land use.

No proposed flow rate and duty of water higher than the general basin-wide standard is needed.

For these reasons, the required presumption has been established.

Under the provisions of ORS 537.621, once the presumption has been established, it may be overcome by a preponderance of evidence that either:

- (a) One or more of the criteria for establishing the presumption are not satisfied; or
- (b) The proposed use would not ensure the preservation of the public welfare, safety and health as demonstrated in comments, in a protest . . . or in a finding of the department that shows:
 - (A) The specific aspect of the public welfare, safety and health under ORS 537.525 that would be impaired or detrimentally affected; and
 - (B) Specifically how the identified aspect of the public welfare, safety and health under ORS 537.525 would be impaired or be adversely affected.

In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in injury to existing water rights; and the proposed use would ensure the preservation of the public welfare, safety and health as described in ORS 537.525.

participating in any contested case proceeding on the proposed final order or for judicial review of a final order. A request for standing shall be in writing, include a statement that the requester supports the proposed final order, and a statement of how the requester would be harmed if the proposed final order is modified. The fee required at the time of submitting this request is \$50.00. If a hearing is scheduled, an additional fee of \$150.00 must be submitted along with a request for intervention. Forms to request standing are available from the Department.

Your protest or request for standing must be received in the Water Resources Department no later than October 20, 2000.

After the protest period has ended, the Director will either issue a final order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been submitted and if

- upon review of the issues, the director finds that there are significant disputes related to the proposed use of water, or
- the applicant requests a contested case hearing within 30 days after the close of the protest period.

This document was prepared by Russell W. Klassen. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me toll free within Oregon at 1-800-624-3199 extension 266. Outside of Oregon you can dial 1-503-378-8455.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her extension number is 239.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201.

Address all other correspondence to:

Water Rights Section, Oregon Water Resources Department, 158 12th ST NE SALEM, OR 97310
Fax: (503)378-2496 .

DRAFT

This is not a permit!!!

DRAFT

STATE OF OREGON

COUNTY OF CLACKAMAS

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

CHRIS & DIANE YOUNGBLOOD
26810 S BOLLAND ROAD
CANBY, OREGON 97013

(503)266-8187

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

APPLICATION FILE NUMBER: G-15106

SOURCE OF WATER: A WELL IN GRIBBLE CREEK BASIN

PURPOSE OR USE: NURSERY USE ON 26.0 ACRES

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MARCH 16, 2000

POINT OF DIVERSION LOCATION: SW 1/4 SE 1/4, SECTION 16, T4S, R1E, W.M.;
35 FEET NORTH & 2150 FEET WEST FROM SE CORNER, SECTION 16

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:

SW 1/4 SE 1/4 11.4 ACRES
SECTION 16

NW 1/4 NE 1/4 14.6 ACRES
SECTION 21
TOWNSHIP 4 SOUTH, RANGE 1 EAST, W.M.

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.

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.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

STANDARD CONDITIONS

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, 2004. 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 _____, 2000

DRAFT - THIS IS NOT A PERMIT

Paul R. Cleary, Director
Water Resources Department

FO CHECKLIST

FILE # G15106
 PFO WEEK # 267
 FO WEEK # 281

PFO TO FO CONVERSION

REVIEW DATE: 3/12/01
 INITIALS: AK
 WM District 16
 Region Mgr —
 ODFW Bio —

Applicant Name and Mailing

Address: Chris & Diane Youngblood, 26810 S. Bolland Rd, Canby, OR 97013

In preparing to create the FO, you should check the following:

1. Y N Were comments or protests received? If so, **from whom and when?** _____
 _____ Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)
2. On the PFO CC list, verify names and mailing addresses of **ALL** commentors (regardless of comment date, **affected landowners**, and **those who paid the \$10 feet**.

3. Y / N NA Have affected land owners been notified?
4. Y / N NA Has ODFW asked for self certification of screening condition?
 If so, write "ODFW CERT" in the permit black on the front of the file.
6. Y N Is water use prohibited for one or more months of the normal use period?
 If yes, is short season letter on file? _____. If short season letter is lacking, see item #10 below. Give applicant 60 days to submit required information.
7. Y N Do the PFO conclusions require modification? Why? _____
 (If YES, circle FOMOD and one other type below)
8. Correct PFO errors (such as POD or POU location (verify from map)
9. Include or exclude permit conditions and management codes.
10. Y N Is further processing possible? If not state reason: _____
11. Verify Payment of recording fees (*circle the appropriate option*)

(1) Issue FO w/permit if fees are paid — Prepare refund request for excess fees, **including standing fees if no protest is filed and no modifications are being made to the PFO.**

(2) Issue FO w/o permit if fees are lacking.	Exam Fee Paid	<u>250</u>
	Q fee	<u>150</u>
	Subtotal	<u>400</u>
1 st CFS/AF _____	Recording Fee	<u>175</u>
Addnl. _____	Total	<u>575</u>
TOTAL Q _____	Amount Paid	<u>575</u>
	Amount due/refund	<u>2</u>

12. Assign permit numbers to files with oaths, fees, and no protests or other issues.

FO Type: (circle types) DENIAL FO w/o PERMIT (REASON: Lacks Fees Lacks Easement Map Other

FO & PERMIT (Permit # 613885) FOMOD MGMT CODES:: 7B, 7E

Once FO document is completed:

15. Save WordPerfect document in M:\GROUPS\WR\FO\WEEK 281 & delete duplicates.

16. Print final draft of document and submit to team leader for review

17. Y / N Team leader review completed

18. Route to Dwight for signature

20. Update folders, E-mail data center, send copy to HTML

21. To support for mailing



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

June 30, 2000

CHRIS YOUNGBLOOD
DIANE YOUNGBLOOD
26810 SOUTH BOLLAND ROAD
CANBY, OREGON 97013

(503)266-8187

Reference: File G-15106

Dear Applicant:

**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the favorable preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The proposed use is not prohibited by law or rule.
2. The use of 1.0 CUBIC FOOT PER SECOND of water from A WELL, within the Gribble Creek Basin, for NURSERY OPERATIONS on 26.0 ACRES **is allowable** under OAR 690-502-160(2), the Willamette Basin Program.
3. The Department has determined, based upon OAR 690-09, that the proposed groundwater use **will not have** the potential for substantial interference with the nearest surface water source, namely Gribble Creek.
4. Based upon available data, the Department has also determined that groundwater for the proposed use **will, if properly conditioned, avoid injury** to existing rights or to the groundwater resource.



Summary of Initial Determinations

The use of 1.0 cubic foot per second of water from a well, within the Gribble Creek Basin, for Nursery Operations on 26.0 acres may be allowable Year Round.

Because of these favorable determinations, the Department can now move your application to the next phase of the water rights application review process. This phase is where public interest factors will be evaluated.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, July 14, 2000**. For your convenience you may use the enclosed "STOP PROCESSING" form.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. 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.
2. To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

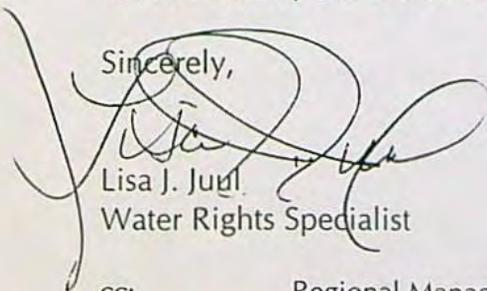
The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

3. The priority date for this application is March 16, 2000.

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at (800) 624-3199 or (503) 378-8455, extension 201. Feel free to call me at (800) 624-3199 or (503) 378-8455, extension 264, if you have any questions regarding the contents of this letter. Please have your application number available if you call. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301-4172, Fax: (503)378-2496.

Sincerely,


Lisa J. Juul
Water Rights Specialist

cc: Regional Manager, Watermaster District 16, Water Availability Section
enclosures: Flow Chart of Water Right Process
Stop Processing Form

G-15106
wab 02-n/a
pou 02-n/a
gw B

PFO CHECKLIST

Application #: G 15106

County CLACKAMAS Basin: WILLAMETTE 2

Township 45 Range 1E Section 16 1/4 1/4 SU SE

1. Shortcomings preventing PFO, FO, or permit? Y/N N Should process continue Y/N Y

2. Groundwater Review A B C D River/Stream Name Grady Cr

a. Groundwater Availability A B C C

b. Is second groundwater review complete? Y/N necessary? Y/N N

c. Is the well located in a GWLA or CA? Y/N N (If Y or close include map of POD) Area _____

3. Is use from BOR / Doug Co. project? Y/N N Contract in file? N / Contract # _____

4. Is the use allowed by the Basin Program? Y/N Y Limited? Y/N N

5. Water Availability Data OK / REDONE / NA NA (80% live flow & 50% storage) _____

6. Is the source withdrawn or limited by statute or Department order? Y/N N

7. Is the Proposed Use located in or above a SWW? Y/N N

8. Division 33: Y/N/NA NA Above Bonn (after July 17, 1992) Y/N

Below Bonn (after April 8, 1994; June 3, 1994) Y/N

Statewide - (in shaded areas on T, E, and S Map - after June 3, 1994) Y/N

9. IR identifies as on DEQ 303d List? Y/N/NA NA Comments received? Y/N

10. Have conflicts been addressed? Y/N/NA NA

11. Rate Nurs Duty max Season: Normal YR RND Req _____ Allowed _____

12. Rate: Max 26 x .025 = .65 Req 1.0
26 x .15 = 3.9

13. Small (≤ 0.1 cfs, ≤ 9.2 AF), Medium (> 0.1 or < 1.5 cfs, > 9.2 or < 100 AF) or Large (≥ 1.5 cfs, ≥ 100 AF) condition 7I and municipal use ≤ 0.1 cfs require the Large condition

14. Conditions 7B, 7E (max) New River Basin or Bonanza? Y/N/NA (see M:\groups\wr\pfo\findings & other lang)

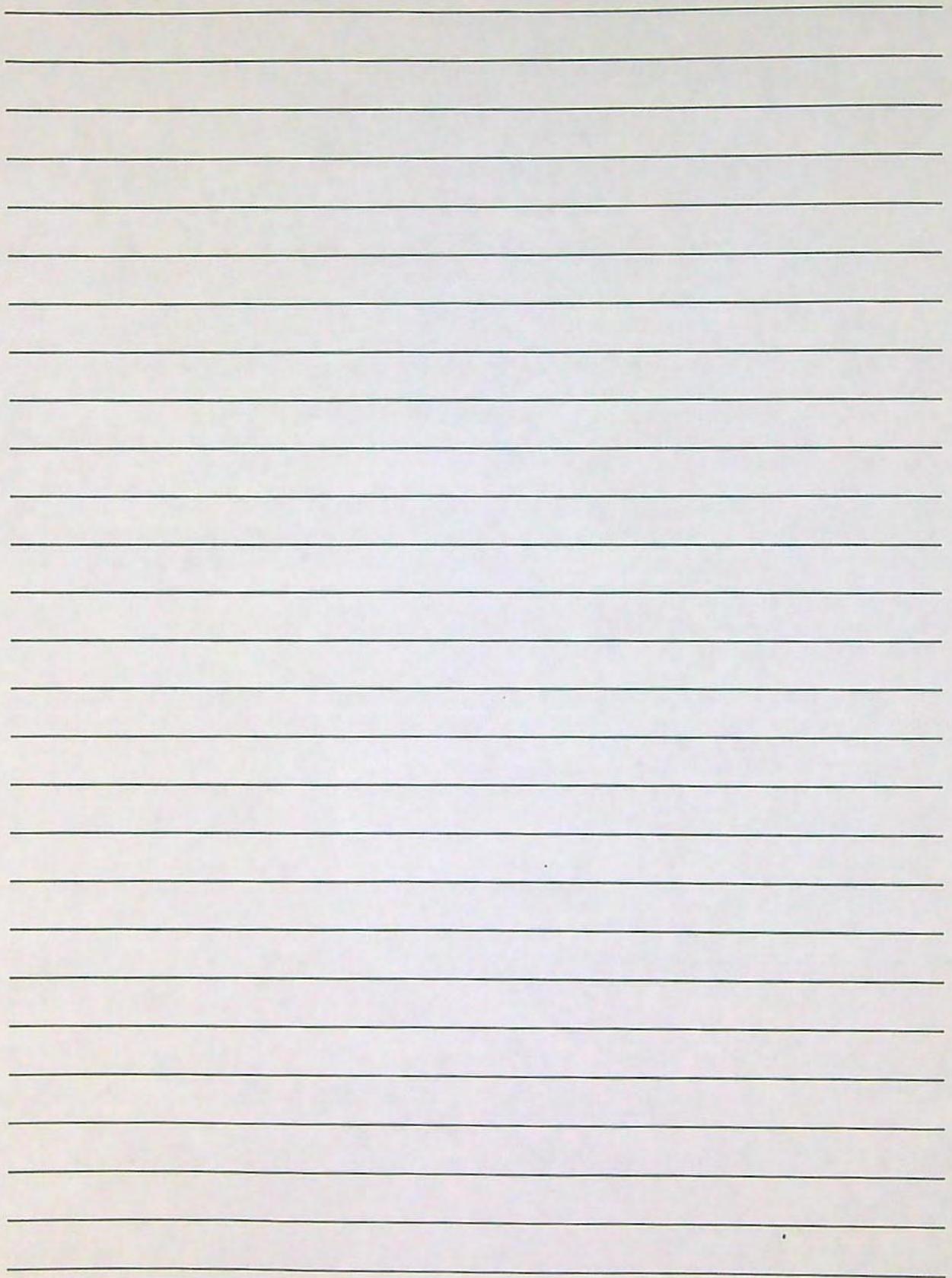
15. IR Date 6/30/00 Public Notice Date 7/18/00 Comment Rec'd _____

16. Filed after 10/23/99? Y/N Y (if Y A date should be removed) _____

17. CWRE, representatives or Property owners to notify? Y/N _____

summary: _____

Initials: RNK Date: 7/28/00



IR CHECKLIST

Application # G-15106 Priority Date: 3-16-2000
Basin: 2-Willamette County: Clackamas
Township 4 south Range 1 east Section 16 & 21 1/4 1/4 POD - 16 - SWSE
WAB #: N/A POU WAB #: N/A POU - 16 - SWSE
21 - NWNE

✓ 1. Complete by Minimum Requirements checklist? Yes No _____
Items still required: _____

✓ 2. Basin Maps checked? Yes No well near Gribble Cr ^{> Dove Cr >} Molalla R (mile 5) >
Pudding R (mile 2) > Willamette R (mile 36)

✓ 3. Within or above a Scenic Waterway? Yes No _____
If Yes.....cc: State Parks Dept. Conditions/Restrictions? Yes No _____

✓ 4. Within Oregon Streamflow Restoration Area? Yes No If Yes, include Streamflow Restoration Block

✓ 5. Groundwater Review: A B C D River/Stream Name Gribble Creek
Conditions? FE - March msut Water Availability: A B C

✓ 6. Is the well located in a groundwater limited area? Yes No Name _____

✓ 7. Is the well located in T. 1N, R. 3E, Sec. 20, 21, 28, 29? Yes No If Yes...call, E-mail and send cc of IR to DEQ

✓ 8. Requested Use & Rate: 1 well - 1.0 cfs/ Nursery Operations on 26.0 ac

✓ 9. Season requested by applicant: Year Round

✓ 10. Allowed under Basin Program? Yes No BAR 690-502-160(2)
Limitations? Yes No

✓ 11. Withdrawn? Yes No Season Allowed: _____

N/A 12. Water Availability: 80% _____ 50% _____ N/A

✓ 13. For Irrigation: Rate 1/80 Duty 2 1/2 Season Mar. 1 - Oct 31

✓ 14. For Nursery or Cranberry: Rate 1/40 Duty 5 Season Year Round

✓ 15. Conflict? Yes (No)

N/A 16. BOR project? Yes No Contract # and Duty: _____

✓ 17. Conditions (BOR, GW, other)? (Yes) No FE-March, 3E

✓ 18. Land use approval: (OK'd) Needs Approval County Notified N/A

Max Q - Nursery
 $26.0 \div 40 = 0.65 \text{ cfs}$
 $* 26.0 \times 0.15 = 3.9 \text{ cfs}$

✓ 19. Measuring condition: Small Medium Large

N/A 20. Subject to Division 33: Yes No (N/A) - well NOT hydraul. connected

★ Upper Columbia Div 33 Rules (Above Bonneville)? Yes No

If Yes..... NO WATER USE ALLOWED from APRIL 15 thru SEPTEMBER 30 of each year

- cc: ODFW District Biologist _____ NMFS.....Marc Liverman
- Columbia River Intertribal Fish Commission Dept. Of Agriculture.....Steve Applegate
- US Fish & Wildlife DEQ Headquarters.....Tom Rosetta
- NW Power Planning Council

★ Statewide Div 33 Rules (Blue anywhere in state & Cross-Hatching OUTSIDE the Columbia Basin)? Yes No

- If Yes.....cc: ODFW District Biologist _____ ★ DIVISION 33 CONDITIONS ★
- Steve Applegate.....Dept. of Agriculture Above Bonneville: "B54B"
- Tom Rosetta.....DEQ Headquarters Below Bonneville: "PISPC"

✓ 21. On DEQ 303d (Water Quality Limited) list? Yes (No) If Yes.....cc: Tom Melville - DEQ Headquarters

✓ 22. Within Dept. of Ag Water Quality Management Area? Yes (No) If Yes.....cc: Mike Wolf - Dept. of Ag
TUALATIN _____ BEAR CREEK(ROGUE) _____ UMATILLA _____ UPPER GRANDE RONDE _____

DRAFT: LOWER COLUMBIA-CLATSKANIE _____ LOWER COLUMBIA _____ YAMHILL _____
NECANICUM _____ NEHALEM _____ WILSON-TRASK-NESTUCCA _____ UMPQUA _____
NORTH UMPQUA _____ SOUTH UMPQUA _____ LOWER DESCHUTES _____

✓ 23. WM Dist: (NWR) 1 2 (16) 18 20 NCR: 3 4 5 ER: 6 8 9 10 SCR: 11 12 17 SWR: 13 14 15 19

✓ 24. Proposed Allowed Use & Rate: 1.0 cfs from 1 well/Nursery Oper. on 26.0 ac
Proposed Allowed Period of Use: Year Round

✓ 25. Letter will be: (GOOD) LIMITED BAD BAD W/IR SHORT BAD W/HC EXCEPT

Name: [Signature] Date: 6-22-2000

fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses.

(3) Multnomah Channel and drainage waters originating within drainage districts are classified for domestic, livestock, municipal, industrial, irrigation, commercial, agricultural, mining, power, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses.

(4) Except as specified in subsections (1)(a), (b) and (c) of this rule, all stream systems in the Columbia Subbasin and Columbia Slough are classified year-round only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses.

Stat. Auth.: ORS 536.300 & 536.340
Hist.: WRD 4-1992, f. & cert. ef. 3-13-92

Groundwater Classifications and Conditions

690-502-160 (1) Use of groundwater from the basalt aquifer within the Cooper-Bull Mountain Critical Groundwater Area shall be as described in the State Engineer's order designating the Cooper-Bull Mountain Critical Groundwater Area dated May 17, 1974.

(2) **Groundwater Classification:** The ground-water resources of the Willamette Basin are classified for domestic, livestock, irrigation, municipal, industrial, agricultural, commercial, power, mining, recreation, fish life, wildlife, pollution abatement, wetland enhancement and statutorily exempt groundwater uses with the following exceptions:

(a) Groundwater from the *shallow* Troutdale aquifer and the specially designated portion of the *deep* Troutdale aquifer in the Sandy-Boring area is classified for exempt uses only. The Sandy-Boring Groundwater Limited Area is as described and shown in Exhibit 1. Groundwater applications pending on October 4, 1991 shall be processed according to the classifications in effect on the date the application was filed and shall contain the Special Permit Conditions specified in section (4) of this rule. Applications may be rejected if the aquifer displays any of the adverse impacts defined in OAR 690-08. Applications submitted after October 4, 1991 shall be processed according to the requirements of these rules and classifications;

(b) Groundwater from the basalt aquifers in the Damascus, Gladdings, Kingston, Mt. Angel, Parrett Mountain, and Stayton-Sublimity areas, and the Troutdale aquifer in the Damascus area is classified for exempt uses only:

(A) The Damascus Groundwater Limited Area is as described and shown in Exhibit 2. The Gladdings Groundwater Limited Area is as described and shown in Exhibit 3. The Kingston Groundwater Limited Area is as described and shown in Exhibit 4. The Mt. Angel Groundwater Limited Area is as described and shown in Exhibit 5. The Parrett Mountain Groundwater Limited Area is as described and shown in Exhibit 9. The Stayton-Sublimity Groundwater Limited Area is as described and shown in Exhibit 7;

(B) Groundwater applications pending on October 4, 1991 shall be processed according to the classifications in effect on the date the application was filed. Permits may be issued for a period not to exceed five years and shall contain the Special Permit Conditions specified in section (3) of this rule. Permits may be extended for additional five-year periods if the Director finds that the groundwater resource can probably support the extended use. Applications may be rejected or permit or certificate extensions may be denied if the aquifer displays any of the adverse impacts defined in OAR 690-08. Applications submitted after October 4, 1991 shall be processed according to the requirements of these rules and classifications. Within two years of permit issuance, the applicant shall prepare a plan for the Water

Resources Commission which shall indicate the steps for obtaining an alternate long-term water supply.

(c)(A) Except as provided in paragraph (B) of this subsection, groundwater from the basalt aquifers in the Sherwood-Dammasch-Wilsonville Groundwater Limited Area as described and shown in Exhibit 6 is classified for exempt uses only;

(B) Groundwater applications G-12155 (City of Sherwood) and G-13353 (Manke Lumber Co.) shall be processed according to the classifications in effect on the date the application was filed. Permits shall contain the Special Permit Conditions specified in Section (3) of this rule.

(d) Groundwater in the basalt aquifers in the Chehalem Mountain, Eola Hills and South Salem Hills Groundwater Limited Areas is classified for exempt uses, irrigation and rural residential fire protection systems only. Permits may be issued, for a period not to exceed five years, for fire protection and for drip or equally efficient irrigation provided the Director finds the proposed use and amount do not pose a threat to the groundwater resource or existing permit holders. The amount of water used for irrigation shall be further limited to one acre-foot per acre per year. Permits may be extended for additional five-year periods if the Director finds that the groundwater resource can probably support the extended use. Applications may be rejected or permit or certificate extensions may be denied if the aquifer displays any of the adverse impacts defined in OAR 690-08:

(A) The Chehalem Mountain Groundwater Limited Area is as described and shown in Exhibit 8. The Eola Hills Groundwater Limited Area is as described and shown in Exhibit 10. The South Salem Hills Groundwater Limited Area is as described and shown in Exhibit 11;

(B) Groundwater applications pending on October 4, 1991 shall be processed according to the classifications in effect on the date the application was filed. Permits may be issued for a period not to exceed five years and shall contain the Special Permit Conditions specified in section (3) of this rule. Permits may be extended for additional five-year periods if the Director finds that the groundwater resource can probably support the extended use. Applications submitted after October 4, 1991 shall be processed according to the requirements of these rules and classifications. Within two years of permit issuance, the applicant shall prepare a plan for the Water Resources Commission which shall indicate the steps for obtaining an alternate long-term water supply;

N/A → (e) Groundwater — Surface water hydraulic connection: These rules are in addition to the requirements of OAR 690-09. Groundwater in unconfined alluvium within 1/4 mile of the banks of a stream or surface water source is presumed to be in hydraulic connection with the surface water source, unless the applicant or appropriator provides satisfactory information or demonstration to the contrary. This hydraulically connected groundwater shall be classified the same as the surface source. This section shall not apply to those groundwater uses exempted by ORS 537.545. Notwithstanding such classification, permits may be issued for the use of water from a well in an unconfined aquifer that is hydraulically connected to groundwater, within a quarter mile of a stream, provided that surface water impacts are mitigated through storage releases.

(3) Special Columbia River Basalt Group Aquifer Permit Conditions: New permits issued to appropriate groundwater from Columbia River Basalt Group aquifers shall be specially conditioned. The conditions shall specify:

(a) A static water level measurement be made and submitted before any use of water may commence at the well;

(b) The permittee/appropriator install a meter or other suitable measuring device approved by the Director and submit an annual report of water used to the Department;

(c) Limits on acceptable amounts of depletion and interference with other users;

(d) Use of water from the well be controlled or shut off if limits specified in the permit to protect the resource from depletion, and prior appropriators from interference, are exceeded;

(e) The Department shall determine, from measurements submitted by the permittee/ appropriator, or other data on file in the department, the initial and subsequent water levels from which the previously cited declines are referenced;

(f) Following the issuance of a permit, the permittee/appropriator shall measure the water levels in the permitted well each year between March 1 and March 31 (spring high-water level) and submit the data to the Department within 90 days of measurement. Water level measurements shall be made by a certified water rights examiner, licensed water well driller, licensed pump installer, registered geologist, licensed land surveyor, registered professional engineer or the permittee/ appropriator;

(g) Any other conditions derived from OAR 690-08 as deemed necessary to protect the groundwater resource.

(4) Special Permit Conditions: New permits issued to appropriate groundwater from aquifers within the Sandy-Boring Groundwater Limited Area and the Troutdale aquifer in the Damascus Groundwater Limited Area shall be specially conditioned. The conditions shall specify:

(a) A static water level measurement be made and submitted before any use of water may commence at the well;

(b) Limits on acceptable amounts of depletion and interference with other users;

(c) Use of water from the well be controlled or shut off if limits specified in the permit to protect the resource from depletion, and prior appropriators from interference, are exceeded;

(d) The Department shall determine, from measurements submitted by the permittee/ appropriator, or other data on file in the department, the initial and subsequent water levels from which the previously cited declines are referenced;

(e) Following the issuance of a permit, the permittee/appropriator shall measure the water levels in the permitted well each year between March 1 and March 31 (spring high-water level) and submit the data to the Department within 90 days of measurement. Water level measurements shall be made by a certified water rights examiner, licensed water well driller, licensed pump installer, registered geologist, licensed land surveyor, registered professional engineer or the permittee/ appropriator;

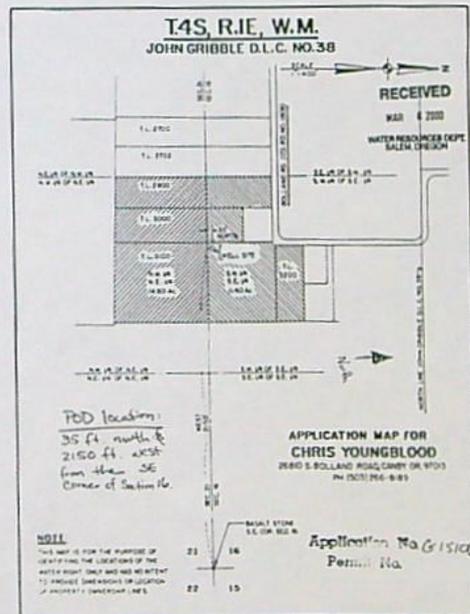
(f) Any other conditions as specified in OAR 690-08 as deemed necessary to protect the groundwater resource.

[ED. NOTE: The Exhibit(s) referenced in this rule is not printed in the OAR Compilation. Copies are available from the Water Resources Department.]

Stat. Auth.: ORS Ch. 536 & 537

Hist.: WRD 4-1992, f. & cert. ef. 3-13-92; WRD 12-1993, f. & cert. ef. 9-9-92; WRD 3-1994, f. & cert. ef. 3-10-94, WRD _ - 1994, f. & cert. ef. 11-7-94

J. Zuel
6-22-2000
WORK COPY
1" = 1320'



NORTH

Application	Permit	Certificate	Status	NE				NW				SW				SE				Govt Lot	DLC
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
GR 573	G 543			9.000 IR																	
	7/1/1947																				
GR 1459	G 1408			9.200 IR																	
	12/31/1954																				
G 1882	G 1723	34113				5.500 IR	2.400 IR														
	1/21/1960																				
G 2276	G 2104	32513	Cncl'd	7.600 IR cncl'd	17.200 IR cncl'd	6.800 IR cncl'd	2.800 IR cncl'd														
	3/29/1962																				
G 2276	G 2104	44928		6.300 IR	17.200 IR	6.800 IR	2.800 IR														
	3/29/1962																				
GR 2567	G 2426			9.360 IR																	
	9/30/1950																				
GR 2568	G 2427						19.150 IR														
	12/31/1948																				
GR 3301	G 3063																15.000 IR				
	7/20/1955																				
T 3732	S 27794	49154						33.200 IR				34.600 IR									
	1/16/1962																				
GR 4269	G 4120				10.000 IR	5.000 IR															
	7/31/1946																				

Notes: Primary is to be assumed. (s) indicates supplemental Rights assumed non-canceled.

Type of Use >

Acres
<input type="checkbox"/> <input type="checkbox"/>
Status

 < Supplemental indicator

Application	Permit	Certificate	Status	NE				NW				SW				SE				Govt Lot	DLC
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
G 7811	G 7379	50077		1.300																	
		2/23/1977		IR																	
G 8214	G 7673	58345				6.540	3.300														
		6/14/1977		IR		IR															
G 9721	G 8831	61099		2.700																	
		5/8/1980		IR																	
G 9767	G 9800	65874																		22.800	
		6/4/1980																		IR	
		6/4/1980																		4.700	8.600
																				IR	IR (s)
G 11879	G 11000			9.890																	
		12/19/1988		NU																	
G 14420	G 13378														3.610	1.740					
		12/6/1996													NU	NU					
G 15106																				11.400	
		3/16/2000																		IR	
		3/16/2000																		11.400	
																				NU	
G 15120																				4.400	1.600
		4/6/2000													IR	IR				IR	IR
		4/6/2000													4.400	1.600				1.500	3.900
															NU	NU				NU	NU

38
✓ NCR
38

- Subject
File

✓ NCR

Notes: Primary is to be assumed. (s) indicates supplemental Rights assumed non-canceled.

Type of Use >

Acres
Status

 < Supplemental indicator

Application	Permit	Certificate	Status	NE				NW				SW				SE				Govt Lot	DLC
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
S 20392	S 15902	15640										0.400									
		DLC:										IR									
8/12/1944		Gov't Lot: 5																			
			37									1.400									
8/12/1944												IR									
S 21768	S 17124	16945										1.400									
		DLC:										IR									
7/1/1946		Gov't Lot: 5																			
			37									1.200									
7/1/1946												IR									
S 26306	S 20648	20553		9.200																	
				IR																	
8/13/1951																					
S 27655	S 21780	22436																	8.600		
			38																IR		
9/16/1952																					
S 29407	S 23161	26649										1.200									
			38									IR									
8/19/1954																					
S 34483	S 27080	32522																	8.600		
			38																IR (s)		
11/30/1960																					
S 37290	S 27774	33044										26.800									
		DLC:										IR									
		Gov't Lot: 3																			
		DLC:																			
		Gov't Lot: 4																			
								0.400	1.600												
								IR	IR												

Notes: Primary is to be assumed. (s) indicates supplemental Rights assumed non-canceled.

Type of Use > Acres < Supplemental indicator
 Status

Application	Permit	Certificate	Status	NE				NW				SW				SE				Govt Lot	DLC	
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
G 8380	G 7561	58662	38							2.000												
8/16/1977										IR (s)												
G 9767	G 9800	65874	23.700																			
6/4/1980			38																			
6/4/1980			38	1.400	7.200																	
				IR (s)	IR																	
G 13265	G 11923															4.800					2.200	
1/22/1993																IR					IR	
G 14420	G 13378							2.300	3.700													
12/6/1996								NU	NU													
G 14821	G 13635			8.000	5.000	10.000	20.000									2.500	1.500					
8/12/1998				IR	IR	IR	IR									IR	IR					
G 15059						4.000															1.000	
11/3/1999						ID															ID	
G 15106					14.600																	
3/16/2000					IR																	
					14.600																	
3/16/2000					NU																	
S 20392	S 15902	15640								0.400												
8/12/1944										IR												
										2.400												
8/12/1944			37							IR												

✓ NCR

✓ NCR

- Subject File

Notes: Primary is to be assumed. (s) indicates supplemental Rights assumed non-canceled.

Type of Use >

Acres
Status

< Supplemental indicator

Application	Permit	Certificate	Status	NE				NW				SW				SE				Govt Lot	DLC		
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
S 55415	S 41812	61705	41											16.800			14.000	5.700	34.500	34.900	5.900		
														IR (s)			IR (s)	IR (s)	IR (s)	IR (s)	IR (s)		
3/3/1977																							
R 56371	R 6696	50777	38						0														
8/8/1977									FI														
R 56432	R 6661	58663	38						0														
8/16/1977									IR														
S 56433	S 42013	58664	38						2.000														
8/16/1977									IR														
S 56740	S 42311	50778	38						0														
10/10/1977									FI														
P 82720																							
1/16/1997																							
P 82782																							
1/23/1997																							

Notes: Primary is to be assumed. (s) indicates supplemental Rights assumed non-canceled.

Type of Use >

Acres
Status

 < Supplemental indicator

Water Right Conditions
Tracking Slip

Groundwater/Hydrology Section

FILE # G-15106

ROUTED TO: wr's

TOWNSHIP/

RANGE-SECTION: 4S/1E-16 dc

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Don Miller

TO: Water Rights Section

April 21, 2008
199

FROM: Groundwater/Hydrology Section

Reviewer's Name

SUBJECT: Application G-15106

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE Willamette Basin rules, one or more of the proposed POA's is/is not within _____ feet/mile of a surface water source (_____) and taps a groundwater source hydraulically connected to the surface water.
→ Not triggered as well >> 1/4 mile from SW
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
a. ___ will, or have the potential for substantial interference with the nearest
(b) will not surface water source, namely Gribble CK.; or
c. ___ will if properly conditioned, adequately protect the surface water from interference:
i. ___ The permit should contain condition #(s) _____;
ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
iii. ___ The permit should be conditioned as indicated in item 4 below; or
d. ___ will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
a. ___ will, or likely be available in the amounts requested without injury to prior rights
b. ___ will not and/or within the capacity of the resource; or
(c) will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
i. The permit should contain condition #(s) 7E; March must
ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
iii. ___ The permit should be conditioned as indicated in item 4 below; or
4. a. ___ THE PERMIT should allow groundwater production from no deeper than _____ ft. below land surface;
b. ___ The permit should allow groundwater production from no shallower than _____ ft. below land surface;
c. ___ The permit should allow groundwater production only from the _____ groundwater reservoir between approximately _____ ft. and _____ ft. below land surface;
d. ___ Well reconstruction is necessary to accomplish one or more of the above conditions.
e. ___ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS:

(Well Construction Considerations on Reverse Side)

APPLICATION FACT SHEET

Mail to: Applicant, Watermaster, District Biologist (ODFW)
If necessary, also mail to : Regional Water quality manager (DEQ), and DOA

Application File Number: G-15106

Applicant: CHRIS YOUNGBLOOD YOUNGBLOOD, DIANE

County: CLACKAMAS

Watermaster: District 16

Priority Date: March 16, 2000

Source: A WELL IN GRIBBLE CREEK BASIN

Use: IRRIGATION OF 26.0 ACRES AND NURSERY USE

Quantity: 1.0 CUBIC FOOT PER SECOND

Basin Name & Number: Willamette, #02

Stream Index Reference: Volume 16A DOVE CR

Point of Diversion Location: SWSE, SECTION 16, T 4S, R1E, W.M.; 35 FEET NORTH &
2150 FEET WEST FROM SE CORNER, SECTION 16

Place of Use: SWSE 11.4 ACRES SWSE 11.4 ACRES, SECTION 16 NWNE 14.6 ACRES
NWNE 14.6 ACRES, SECTION 21, TOWNSHIP 4 SOUTH, RANGE 1 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, July 14, 2000

PUBLIC NOTICE DATE: Tuesday, July 18, 2000

30 DAY COMMENT DEADLINE DATE: Thursday, August 17, 2000



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

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March 13, 2000

MAR 16 2000

WATER RESOURCES DEPT.
SALEM, OREGON

Chris Youngblood
Diane Youngblood
26810 South Bolland Road
Canby, Oregon 97013

Application No. G15106
Permit No. -

REFERENCE FILE: H-1149

Dear Applicant:

I have received the above listed application for a Permit to Use Water and have assigned it the temporary file number referenced above. Please refer to that number when corresponding with the Department.

The application is being held pending further information. Once the additional information is submitted, your application may be accepted for filing. Please provide the following:

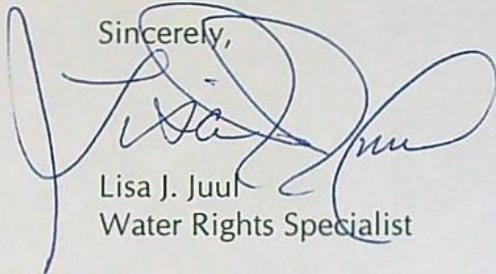
- **Please complete Items #3-B thru D, under Ground Water Development.** You must provide: 1) the name of the nearest surface water body to your well; 2) the distance from the well to that nearest surface water body; and 3) if the distance from surface water to the well is less than one mile, you must indicate the elevation difference between the nearest surface water and the well head.
- **Please complete Item #4-B, Amount of Water.** Since you provided a well log, you do not need to provide "source" information. You must, however, complete the other portion of that section. **You must indicate:** 1) the well number; 2) the Type of Use; 3) total rate of water requested in gpm; 4) total annual quantity in gallons; and 5) the production rate of the well in gpm.
- **Period of Use.** On your application form, you have indicated that you wish to use water from March 1 through October 31 of each year. You have not listed a type of use on your application form, however, from looking at your Land Use Information Form it appears that you are applying for Nursery Operations. **Please note that a standard season of use for Nursery Operations is Year Round.** If you wish to pursue to full season, you must amend your application.
- Please complete Item #6, Project Schedule. **You must provide the date when beneficial water use will begin.** Spring of 2001

As per our conversation on 3-15-00.



Please submit the requested information by **Monday, March 27, 2000**, or the application and supporting documents will be returned, and any fees paid will be returned. If you have any questions, please contact me at (503)378-8455, extension 264, or toll-free in Oregon at 1-800-624-3199, extension 264.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lisa J. Juul", written over a printed name and title.

Lisa J. Juul
Water Rights Specialist

cc: FILE
WM DIST 16



State of Oregon
Water Resources Department
 158 12th Street NE, Salem, OR 97310
 (503)378-8455 • (800)624-3199
 www.wrd.state.or.us

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. Thank you.

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MAR 6 2000

**WATER RESOURCES DEPT.
 SALEM, OREGON**

1. APPLICANT INFORMATION

A. Individuals

Applicant: Chris Youngblood
First Last

Co-applicant: Diane Youngblood
First Last

Mailing address: 26810 S. Bolland Rd.
Canby OR 97013
City State Zip

Phone: 503-266-8189 503-266-6279
Home Work Other

*Fax: 503-266-2583 *E-Mail address: _____

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: NA

Name and title of person applying: _____

Mailing address of organization: _____

City State Zip

Phone: _____
Day Evening

*Fax: _____ *E-Mail address: _____

*Optional information

For Department Use		
App. No. <u>G-15106</u>	Permit No. _____	Date <u>3-16-2000</u>

2. PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water?

- Yes (Skip to section 3 "Ground water Development.")
- No Please check the appropriate box below.
- I have a recorded easement or written authorization permitting access.
 - I do not currently have written authorization or easement permitting access.

List the names and mailing addresses of all affected landowners.*

*If more than 25 landowners are involved, a list is not required. See instructions.

3. GROUND WATER DEVELOPMENT

A. Number of well(s): 1 B. Name of nearest surface water body: _____

C. Distance from well(s) to nearest stream or lake: 1) _____

2) _____ 3) _____ 4) _____

D. If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) _____

2) _____ 3) _____ 4) _____

E. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to question F in this section of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by: _____

Address: _____

Completion date: _____

2. PROPERTY OWNERSHIP

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WATER RESOURCES DEPT.
SALEM, OREGON

Do you own all the land where you propose to divert, transport, and use water?

- Yes (Skip to section 3 "Ground water Development.")
- No Please check the appropriate box below.
 - I have a recorded easement or written authorization permitting access.
 - I do not currently have written authorization or easement permitting access.

List the names and mailing addresses of all affected landowners.*

*If more than 25 landowners are involved, a list is not required. See instructions.

3. GROUND WATER DEVELOPMENT

A. Number of well(s): 1 B. Name of nearest surface water body: Gribble Creek

C. Distance from well(s) to nearest stream or lake: 1) Gribble Creek - 1/4 mile

2) _____ 3) _____ 4) _____

D. If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) 10 feet

2) _____ 3) _____ 4) _____

E. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to question F in this section of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by: _____

Address: _____

Completion date: _____

MAR 6 2000

2. Please provide a description of your well development. (Attach additional sheets if needed.)

**WATER RESOURCES DEPT.
SALEM, OREGON**

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
1	12"	Steel 8"	183 1/2'	150'-165'	10'	150'	150'		185'
Please see attached copy of well log.									

F. Artesian Flows

If your water well is flowing artesian, describe your water control and conservation works:

NA

4. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____
- * If your proposed use is **irrigation**, please attach Form I
- If your proposed use is **mining**, attach Form R
- If your proposed use is **municipal or quasi-municipal**, attach Form M
- If your proposed use is **commercial/industrial**, attach Form Q

B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)

** See updated info*

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 1 CFS
 (The fees for your application will be based on this amount.)

** See updated info*

D. Period of Use

Indicate the time of year you propose to use the water: March 1 - October 31
 (For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

E. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used: 26
 (This number should be consistent with you application map.)

5. WATER MANAGEMENT

A. Diversion

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

- Pump (give horsepower and pump type) at this time 5 hp Redjacket submergable
- Other means (describe) _____

B. Transport

How will you transport water to your place of use?

- Ditch or canal (give average width and depth)
 Width NA Depth _____
 Is the ditch or canal to be lined? Yes No
- Pipe (give diameter and total length)
 Diameter NA Length _____
- Other (describe) NA

B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
1		NURSERY IRRIGATION	1 CFS 450 gal. per min.	34,560,000	250 gpm (from flow test)

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 1 CFS
 (The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: April - October 31 Year Round
 (For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1 - October 31.)

E. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used: 26
 (This number should be consistent with you application map.)

5. WATER MANAGEMENT

A. Diversion

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

- Pump (give horsepower and pump type) at this time 5 hp Redjacket submergable
- Other means (describe) _____

B. Transport

How will you transport water to your place of use?

- Ditch or canal (give average width and depth)
 Width NA Depth _____
 Is the ditch or canal to be lined? Yes No
- Pipe (give diameter and total length)
 Diameter NA Length _____
- Other (describe) NA

Item #6 - Project Schedule - Date when beneficial water use will begin - Ground Water/4 Spring of 2000

C. Application/Distribution Method

What equipment will you use to apply water to your place of use? irrigation well.

Irrigation or land application method (check all that apply):

- Flood
- Drip
- Hand lines
- Siphon tubes or gated pipe with furrows
- Other, describe _____
- High-pressure sprinkler
- Water cannons
- Wheel lines
- Low pressure sprinkler
- Center pivot system

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Distribution method

- Direct pipe from source
- In-line storage (tank or pond)
- Open canal

**WATER RESOURCES DEPT.
SALEM, OREGON**

D. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

Wherever we can, we will use drip. Permanent stock plants will be set up on drip. B+B stock will be overhead. Containers will be overhead + drip. Overhead is most practical. Drip is more economical energy + water usage.

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin system is already in place. 4-24-94

Proposed date construction will be completed we plan a larger pump in 2 yrs.

Proposed date beneficial water use will begin _____

7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

8. MAP REQUIREMENTS

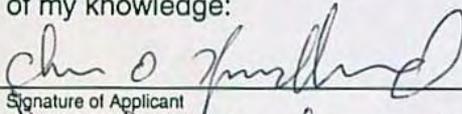
The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

9. SIGNATURE

By my signature below I confirm that I understand:

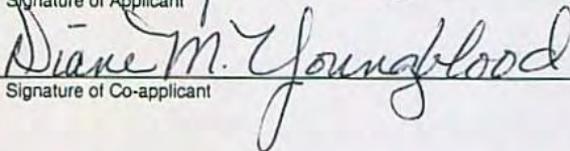
- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:



Signature of Applicant

3/1/00
Date



Signature of Co-applicant

3-1-00
Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

OREGON
WATER WELL REPORT
 (as required by ORS 537.765)

G15106

(START CARD) # 31518

(1) OWNER: Well Number _____
 Name Chris Youngblood
 Address 267 S. P. 1
 City Camp State OR Zip _____

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

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable
 Other _____

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

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

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
12"	0	124'	concrete	0	124'	96

How was seal placed: Method A B C D E
 Other _____

Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 2	1 1/2	137	25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

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

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
12"	1 1/2	4x12	300			<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Yield gal/min	Drawdown	Drill stem at	Time
25		165	1 hr.

Temperature of Water 54 Depth Artesian Flow Found _____
 Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
 Depth of strata: _____

(9) LOCATION OF WELL by legal description:
 County Clatsop Latitude _____ Longitude _____
 Township T9S N or S. Range 11E E or W. WM. _____
 Section 16 S1 W1
 Tax Lot _____ Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) same

(10) STATIC WATER LEVEL:
29 ft. below land surface. Date 4-23-14
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found _____

From	To	Estimated Flow Rate	SWL
15	165	250	29

(12) WELL LOG: Ground elevation _____

Material	From	To	SWL
soil	0	1	
clay gravel	1	29	
gravel	29	29	
clay gravel	28	157	
sand, shells, & rubble	157	165	29
clay, silt	165	192	

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WATER RESOURCES DEPT
 SALEM, OREGON

Date started 4-15 Completed 4-23-14

(unbonded) Water Well Constructor Certification:
 I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.
 Signed _____ 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 well construction standards. This report is true to the best of my knowledge and belief.
 Signed Daniel P. Howell WWC Number 728
 Date 4-24-14

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Application No. G15106

MAR 6 2000

Permit No.

WATER RESOURCES DEPT.
SALEM, OREGON

SPECIAL WARRANTY DEED (Continued)

Assessor Number C21295 90975	County Tax Account Number 01010024 R; 01010033 R; 01010042 R; 01010051 R
---------------------------------	---

LEGAL DESCRIPTION: Continued

thence North 0°3'44" East, 1,108.30 feet to an iron bar in the center of County Road No. 1808; thence North 89°37' East along the center of said road, 230.86 feet to the Northeast corner of the herein described tract, which is also the Northwest corner of a tract described in Deed recorded December 12, 1947 in Book 400, Page 479, Deed Records; thence South 0°04' West, 1,114.57 feet to an iron pipe on the South line of said Mary Rueck Tract; thence North 88°50' West along the South line of said Rueck Tract, 231.38 feet to the point of beginning; EXCEPTING that portion lying within public roads; PARCEL III: A part of the John Gribble Donation Land Claim in Section 16 and Section 21, Township 4 South, Range 1 East of the Willamette Meridian in the County of Clackamas and State of Oregon, described as follows: Beginning at an iron pipe driven in the South boundary of that certain tract of land conveyed to Mary Rueck by Deed recorded in Book 56, Page 402, Records of Deeds of Clackamas County, Oregon, which point is South 0°23' West, 2,061.65 feet distant and South 88°50' East 2,692.25 feet distant from the Northwest corner of the John Gribble Donation Land Claim No. 38, in Township 4 South, Range 1 East of the Willamette Meridian; running thence South 88°50' East tracing the South boundary of the Mary Rueck Tract aforesaid 558.45 feet to an iron pipe driven at the Southeast corner of said tract, a point in the division line of the John Gribble Donation Land Claim; thence North tracing the division line of said claim, 1,129.10 feet to an iron shaft; thence South 89°37' West 557.16 feet to an iron pipe; thence South 0°04' West, 1,114.57 feet to the place of beginning; EXCEPTING that portion lying within public roads; PARCEL IV: A part of the John Gribble Donation Land Claim in Section 16, Township 4 South, Range 1 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows: Beginning at the Northwest corner of said John Gribble Donation Land Claim; thence South 0°23' West, 2,061.65 feet to a point; thence South 88°50' East, 3,250.70 feet to a point on the division line of said John Gribble Donation Land Claim; thence North along said division line, 1,129.10 feet to a point which is the Northeast corner of a tract described in Deed recorded December 12, 1947 in Book 400, Page 479 Deed Records, said point also being the point of beginning of the tract described herein; thence South 89°37' West 557.16 feet to the Northwest corner of the tract described in Book 400, Page 479, Deed Records; thence North by 165 feet, more or less, to the Northwest corner of the herein described tract, which is also the Southwest corner of a tract described in Deed recorded January 26, 1972, Fee No. 72-2151; thence South 89°50' East 557 feet, more or less, to the Northeast corner of the herein described tract, which is also the Southeast corner of a tract described in Deed recorded August 20, 1976, Fee No. 76-28930; thence South by 160 feet, more or less, to the point of beginning; EXCEPTING that portion lying within public roads.

2



Oregon Water Resources Department

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FORM I

WATER RESOURCES DEPT.
SALEM, OREGON

FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

Primary Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: 26 Acres

Secondary: _____ Acres

List the permit or certificate number of the primary water right: no. _____

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- 1. NURSERY STOCK Full season Partial season (from: _____ to _____)
- 2. _____ Full season Partial season (from: _____ to _____)
- 3. _____ Full season Partial season (from: _____ to _____)
- 4. _____ Full season Partial season (from: _____ to _____)

3. Indicate the maximum total number of acre-feet you expect to use in an irrigation season:

18 acre-feet

(1 acre-foot equals 12 inches of water spread over one acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

- Daily during daytime hours Daily during nighttime hours
- Two or three times weekly during daytime Two or three times weekly during nighttime
- Weekly, during daytime hours Weekly, during nighttime hours
- Other, explain: _____

Application No. G15106
Permit No. _____

Application No. G-15106
Permit No.

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 jurisdictions 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.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for 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 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 WRD. If no land use information is received from you within that 30 day period, 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 WRD's Land Use Coordinator at (503) 378-3739, ext. 241.



For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

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A. Allowed Use

MAR 6 2000

Check the appropriate box below and provide requested information.

WATER RESOURCES DEPT.
SALEM, OREGON

- Land uses to be served by proposed water uses (including proposed construction) allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); 40. Go to section B "Approval" below
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
N/A		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

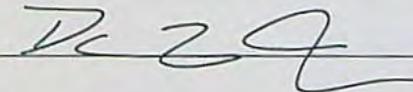
Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

B. Approval

Please provide printed name and written signature.

Name: Dan Johnson Date: 2-14-00

Title: Planner II Phone: (503) 353-4400

Signature: 

C. Additional Comments

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

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)



Oregon Water Resources Department Land Use Information Form

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT fill out this form if water is to be diverted, conveyed, or used only on federal lands.

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: Chris O. + Diane M. Youngblood
 Address: 26810 S. Bolland Rd.
 City: Canby State: OR Zip: 97013 Day Phone: 503-266-8189

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) 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.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
2900	EFV (Farmland)	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
3000	EFV (Farmland)	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
3100	EFV (Farmland)	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
3200	EFV (Farmland)			<input checked="" type="checkbox"/> Used

List counties and cities where water is proposed to be diverted, conveyed, or used. Clackamas

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): Nursery operations
 Briefly describe: water stock plants, b+b plants + greenhouses.

Application No. 615106
Permit No. _____

D. Source

Indicate the source for the proposed water use:

Reservoir/Pond Ground Water Surface Water _____ (source)

E. Quantity

Indicate the estimated quantity of water the use will require:

1 CFS GPM Acre-Feet

4/13/06

TO: WATER RESOURCES DEPT

ATTN: TIMME BRANDT

PLEASE NOTE OUR CHANGE OF ADDRESS:

NEW ADDRESS: RANDY & MARCHE HARRIS
26758 S. BOLLAND RD.

CANBY, OR 97013

PHONE: 503 - 266-8405
WL 503 - 263-4697

PERMIT # G-13885

FILE # G-15106

Thanks!

Marce Harris

RECEIVED

APR 17 2006

WATER RESOURCES DEPT
SALEM, OREGON

26758 S. Bolland Rd
Canby, OR 97013

PORTLAND OR 972

14 APR 2008 PM 1 T



WATER RESOURCES DEPT
725 SUMMER ST NE SUITE A
SALEM, OR 97301-1271
ATTN: TIMME BRANDT

97301+1266 0007



T.4S, R.1E, W.M.

JOHN GRIBBLE D.L.C. NO.38

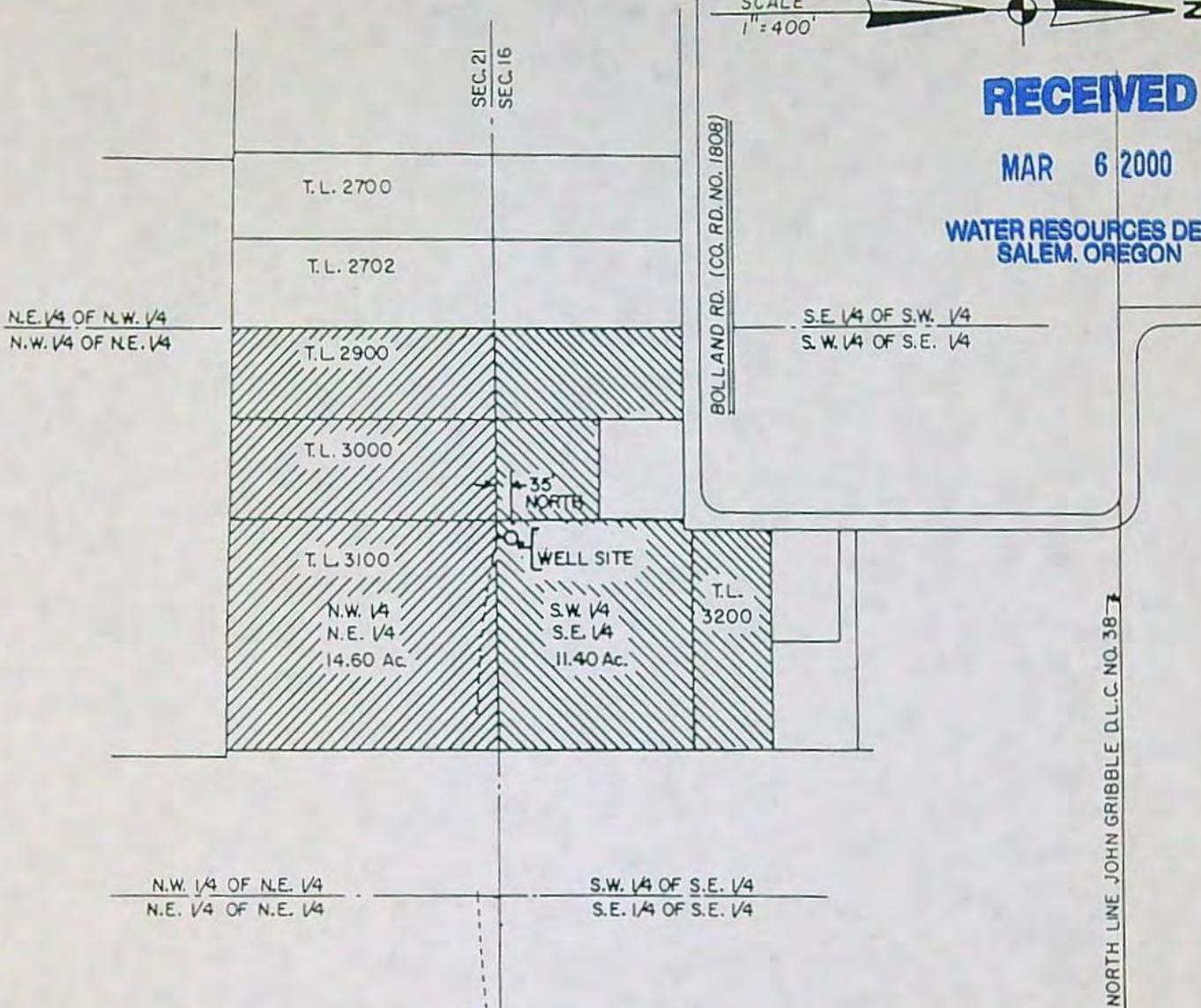
SCALE
1" = 400'



RECEIVED

MAR 6 2000

WATER RESOURCES DEPT.
SALEM, OREGON



N.W. 1/4 OF N.E. 1/4
N.E. 1/4 OF N.E. 1/4

S.W. 1/4 OF S.E. 1/4
S.E. 1/4 OF S.E. 1/4

WEST
2150
SEC. 21
SEC. 16

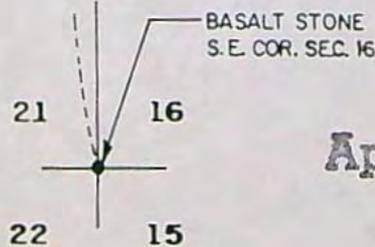
APPLICATION MAP FOR CHRIS YOUNGBLOOD

26810 S. BOLLAND ROAD, CANBY OR. 97013

PH: (503) 266-8189

NOTE:

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



Application No. *G15106*

Permit No. _____

T.4S, R.1E, W.M.

JOHN GRIBBLE D.L.C. NO.38

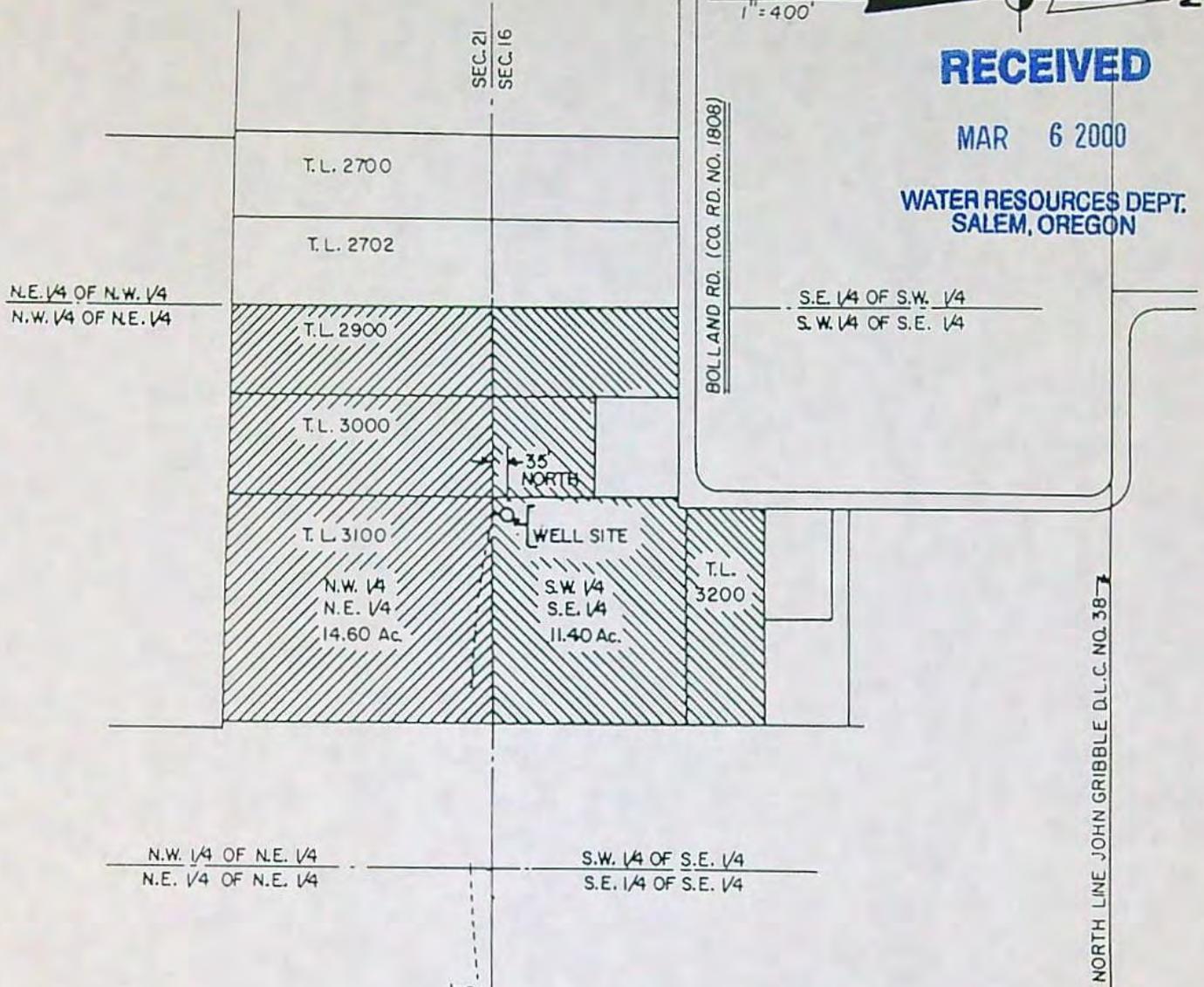
SCALE
1" = 400'



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MAR 6 2000

WATER RESOURCES DEPT.
SALEM, OREGON



N.W. 1/4 OF N.E. 1/4
N.E. 1/4 OF N.E. 1/4

S.W. 1/4 OF S.E. 1/4
S.E. 1/4 OF S.E. 1/4

WEST
2150'

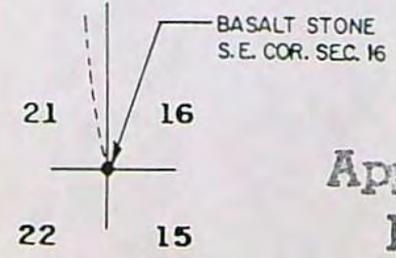
SEC. 21
SEC. 16

APPLICATION MAP FOR CHRIS YOUNGBLOOD

26810 S. BOLLAND ROAD, CANBY OR. 97013
PH: (503) 266-8189

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Application No. G 15106
Permit No.

T.4S, R.1E, W.M.

JOHN GRIBBLE D.L.C. NO.38

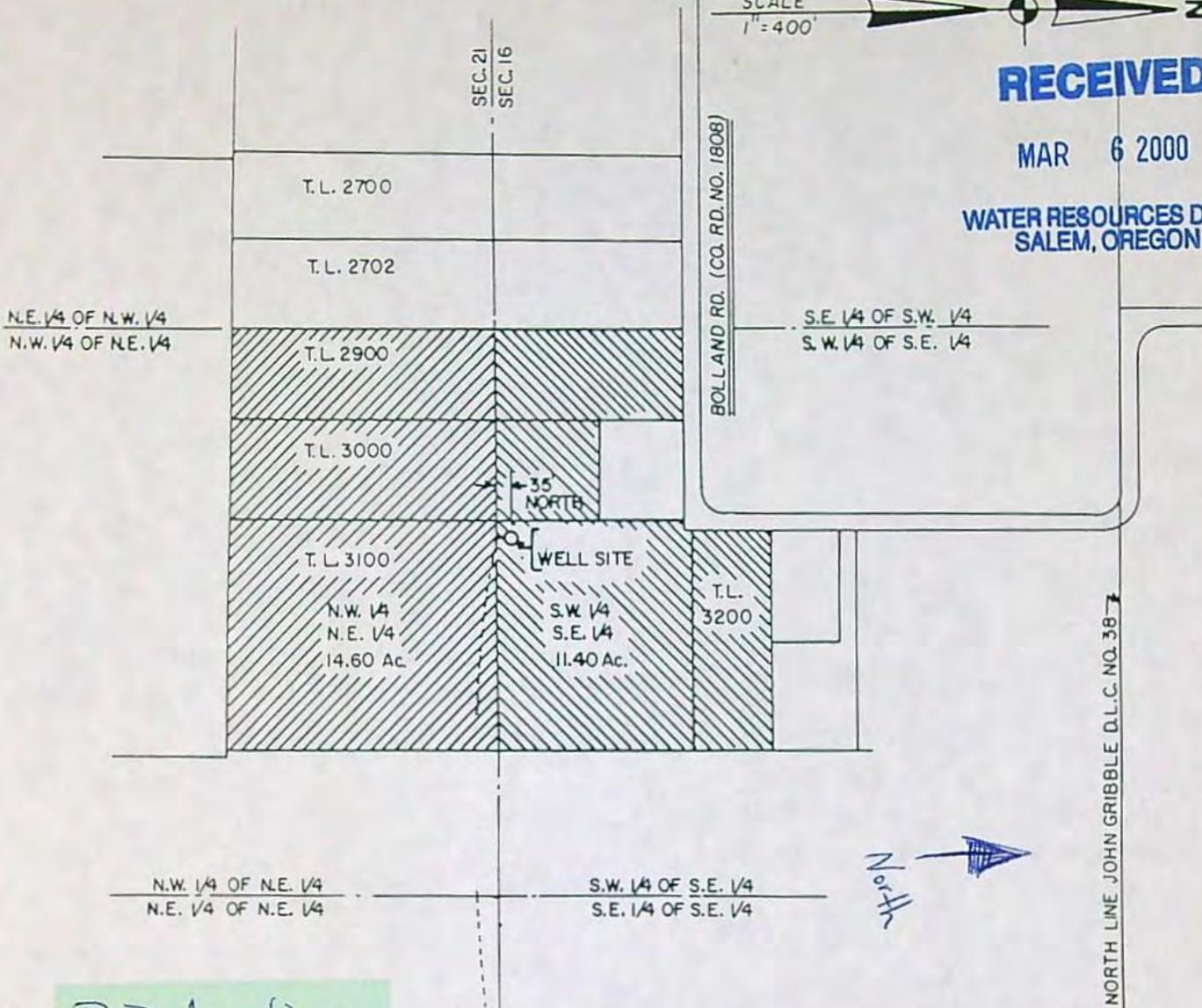
SCALE
1" = 400'



RECEIVED

MAR 6 2000

WATER RESOURCES DEPT.
SALEM, OREGON



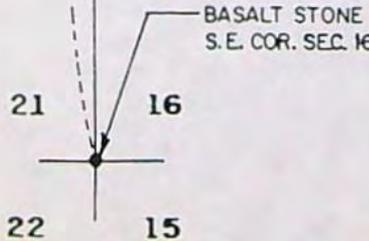
POD location:
35 ft. north &
2150 ft. west
from the SE
Corner of Section 16.

APPLICATION MAP FOR CHRIS YOUNGBLOOD

26810 S. BOLLAND ROAD, CANBY OR. 97013
PH: (503) 266-8189

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Application No. G15106
Permit No.

T.4S, R.1E, W.M.

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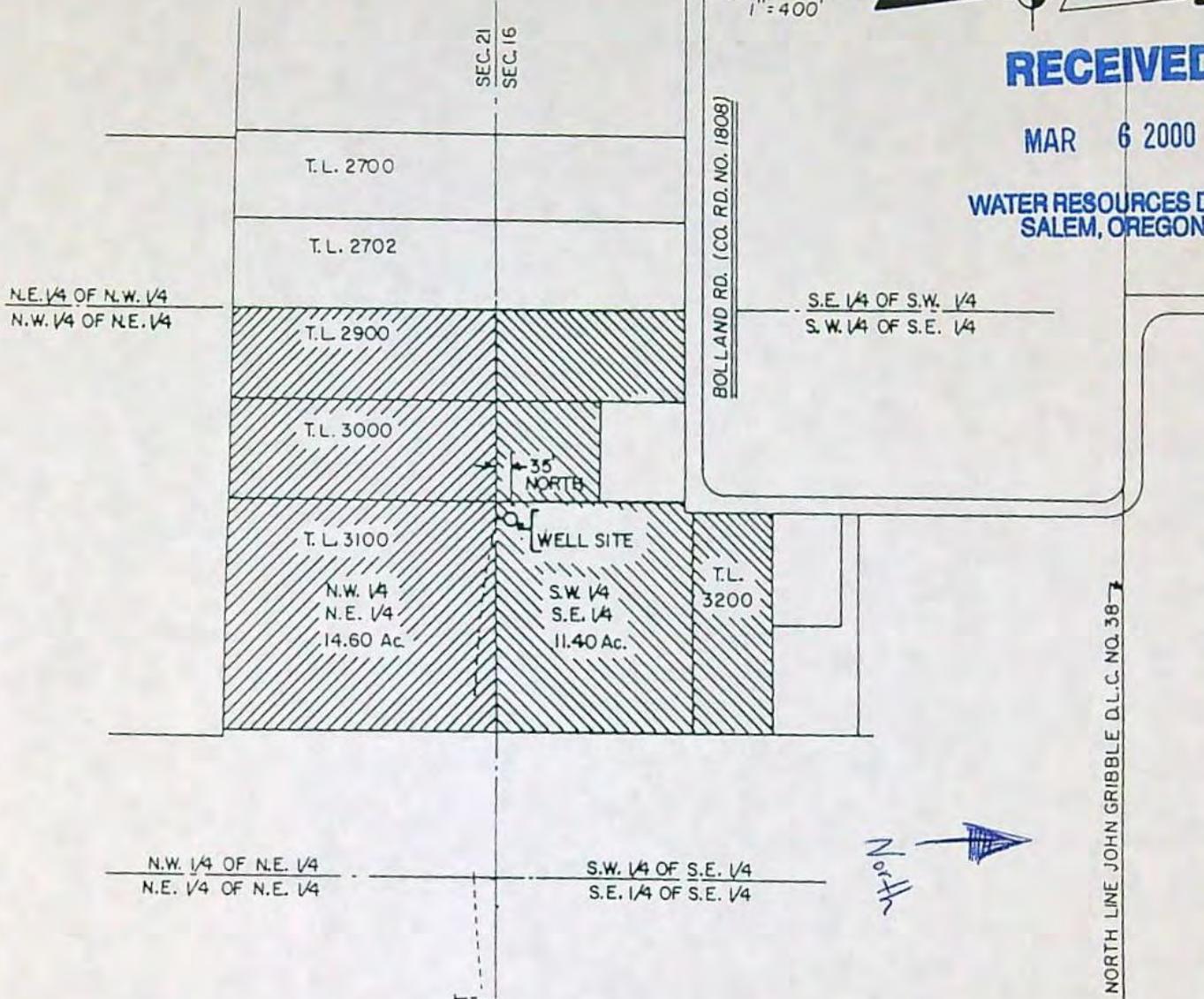
SCALE
1" = 400'



RECEIVED

MAR 6 2000

WATER RESOURCES DEPT.
SALEM, OREGON



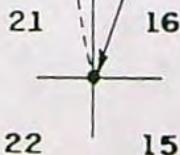
N.W. 1/4 OF N.E. 1/4
N.E. 1/4 OF N.E. 1/4

S.W. 1/4 OF S.E. 1/4
S.E. 1/4 OF S.E. 1/4

WEST
2150'

SEC. 21
SEC. 16

BASALT STONE
S.E. COR. SEC. 16



APPLICATION MAP FOR CHRIS YOUNGBLOOD

26810 S. BOLLAND ROAD, CANBY OR. 97013
PH: (503) 266-8189

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Application No. G15106
Permit No.

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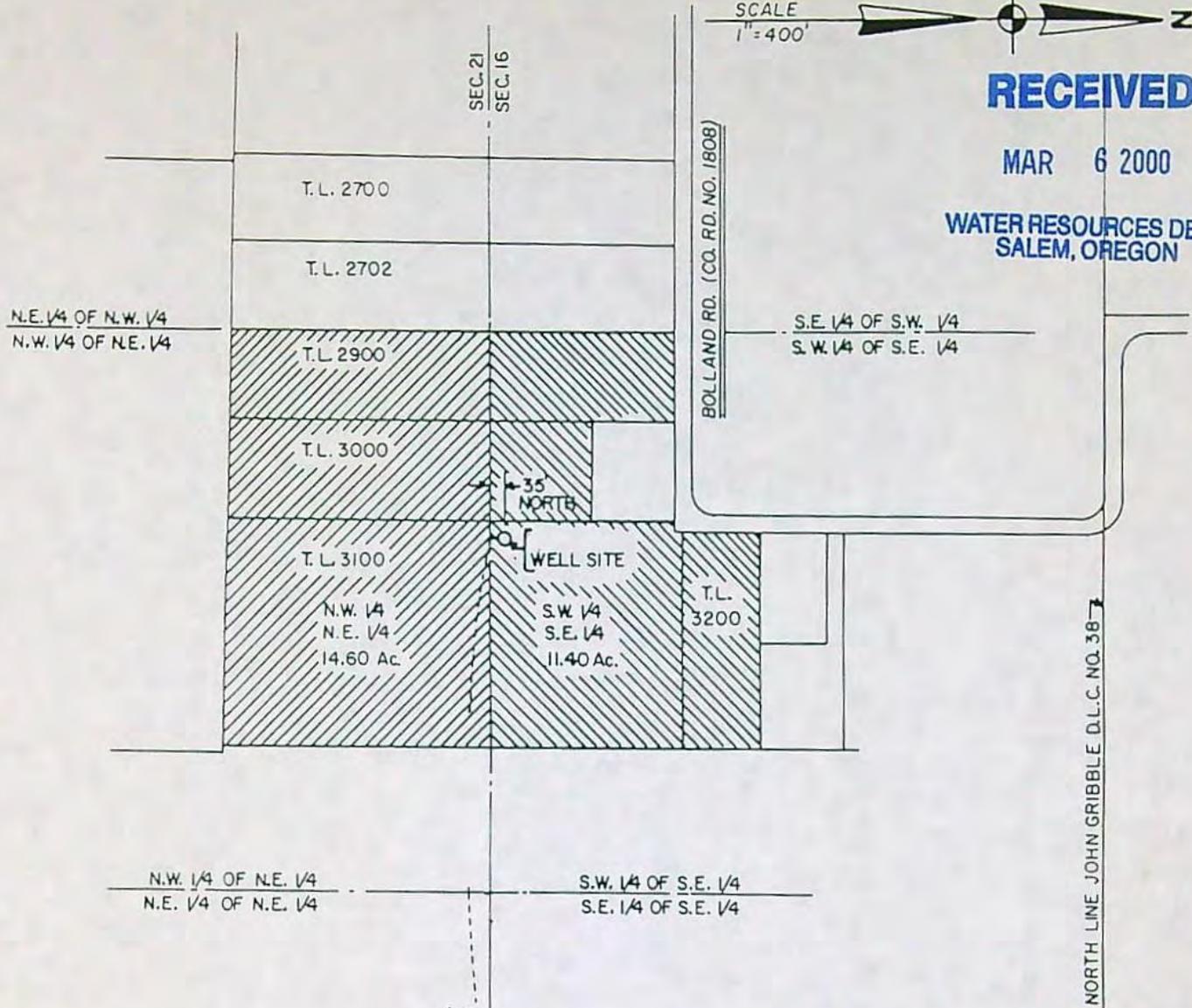
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RECEIVED

MAR 6 2000

WATER RESOURCES DEPT.
SALEM, OREGON

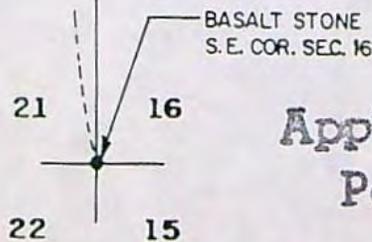


APPLICATION MAP FOR CHRIS YOUNGBLOOD

26810 S. BOLLAND ROAD, CANBY OR. 97013
PH: (503) 266-8189

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Application No. *G-15106*
Permit No. *213885*

Oregon

Water Resources Department

725 Summer St NE Suite A

Salem, OR 97301-1271

ADDRESS SERVICE REQUESTED

NEW APPLICATION ROUTE SLIP

RECEIPTING Done

To  DATA CENTER ✓

GROUNDWATER YES X NO _____
4/21/2000
DWM

(Powerbuilder) cal

FILES _____

DWM

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **36163**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Diane Younghood
BY: _____

APPLICATION	G-15106
PERMIT	
TRANSFER	

CASH: CHECK: # 247518 OTHER: (IDENTIFY)

TOTAL REC'D \$ 400.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT. \$

PCA AND OBJECT CLASS VOUCHER #

0427 WRD OPERATING ACCT

PCA # 66111

MISCELLANEOUS

0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$
(New) TC162 DEPOSIT LIAB. (IDENTIFY)	\$

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE \$	0202 RECORD FEE \$
0203 GROUND WATER	\$ <u>400.00</u>	0204 \$
0205 TRANSFER	\$	0206 \$

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS	\$
-----------------------	----

0467 HYDRO ACTIVITY

LIC NUMBER

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

RECEIPT #

36163

DATED

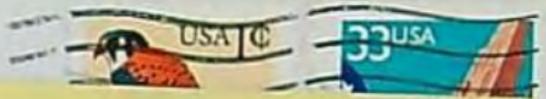
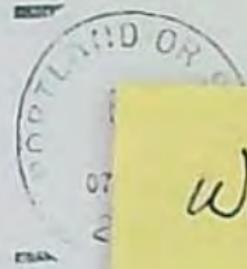
3.6.00

BY

K. Jacobson

WINTERBROOK NURSERY
26810 S. BOLLAND RD.

CANBY, OR 97013



RECEIVED

MAR 08 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Water Resources
158 12
Salem, OR

Water Resources
175.00 Permit
Recording Fee

G-15106

WINTERBROOK NURSERY
26810 S. BOLLAND RD.

CANBY, OR 97013

97013-1172
Attn: Anita Huffman

WINTERBROOK NURSERY
26810 S. BOLLAND RD.

CANBY, OR 97013



RECEIVED

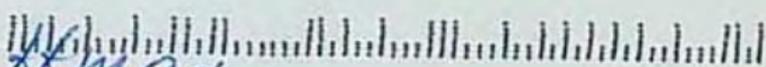
MAR 08 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Water Resources Dept.
158 12th Street NE
Salem, OR 97301-4172

Attn: Anita Huffman

97301-4172



**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **43525**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Winter Brook Nursery
BY: _____

APPLICATION	6-15106
PERMIT	
TRANSFER	

CASH: CHECK: # 24.20 OTHER: (IDENTIFY)

TOTAL REC'D \$ 175.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT. \$

PCA AND OBJECT CLASS _____ VOUCHER # _____

0427 WRD OPERATING ACCT

0407	MISCELLANEOUS	\$
0410	COPY & TAPE FEES	\$
0408	RESEARCH FEES	\$
(New) TC162	MISC REVENUE: (IDENTIFY)	\$
	DEPOSIT LIAB. (IDENTIFY)	\$

PCA # 66111

WATER RIGHTS:		EXAM FEE	RECORD FEE
0201	SURFACE WATER	\$	0202 \$
0203	GROUND WATER	\$	0204 \$ <u>175.00</u>
0205	TRANSFER	\$	0206 \$
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	\$	0219 \$
	LANDOWNER'S PERMIT		0220 \$

0437 WELL CONST. START FEE

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

0539 LOTTERY PROCEEDS

1302	LOTTERY PROCEEDS	\$
------	------------------	----

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

RECEIPT # **43525**

DATED: 3-8-01 BY: S. Henderson

21
C05

Chris Youngblood
FILE#: G

915106
913885
15106

CHRIS YOUNGBLOOD
YOUNGBLOOD, DIANE
26810 S BOLLAND RD
CANBY, OR 97013

