# G11840

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	PROTES TOP	
	Application No. G11840	Date   Amount   Receipt No
ame Iseli Nursery, Inc.	Permit No. G11135	8-16-88 300 55896
Ву	Certificate No. 84209	
Idress <u>30590 S.E. Kelso Road</u>		
Boring, OR 97009	Stream Index, Page No. 2-190	
	Stream Index, Page No. 2-190 NOTIN INK 0	N map pg. C
te filed August 16, 1988		FEES REFUNDED Date   Amount   Check No.
1		
ority <u>Aug. 16, 1988</u>	ASSI	IGNMENTS
tion suspended until	Date To Whom	Address Volume Page
urn to applicant		
te of approval NOV 1 3 1990		
CONSTRUCTION	BI	EMARKS
te for beginning	A- Form 90-sent DFC 03 199	91
e for completion	Pump test approved 1/21/92	2
Extended to	CARD FOR B OCT 1 2 1992	
0.07	CCWRE	
te for application of water UCI 0 1 1993	128 CWRE Sent 11-10-93	
Extended to		
PROSECUTION OF WORK	Pur start an area P 1-21 1000	
m "A" filed	Runyo Test approved 1-21-1992	
rm "B" filed		
rm "C" filed		
FINAL PROOF		
nk mailed		
of received		
te certificate issued June 6,2008		
	SP*70900-119	

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	-
Form C (690-9-77)	£
icon to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee i	S
cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by th dinal proof inspection and survey which will be made in response to the filing of this Form C.	е
TE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until al of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been	1
NOTE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until al of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.	1
Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.	
Application No. G-11840 NOTICE OF COMPLETE APPLICATION OF WATER TO A RENEFICIAL USE	
NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE	
I, ISELI NURSERY, INC., the holder of Permit No. G-11135	1
to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in	
accordance with the terms of said permit, on the $24$ day of $577$ , $1953$	NO
Remarks:	
	-
IN WITNESS WITEDEOF I have been to the head this \$30 have \$507 10.93	•
IN WITNESS WHEREOF, I have hereunto set my hand this 30 day of 5007, 19.53	•
(Signature of Applicant) (Address)	·•
Form B (690-9-77) Application No. 6-11840	
	ι.
NOTICE OF COMPLETION OF CONSTRUCTION	
19 50I, ISELI NURSERY, INC., the holder of Permit No. G-11135	
to appropriate the public waters of the state of Oregon, completed the construction of the works described	4
we appropriate the public waters of the state of Oregon, completed the construction of the works described	
therein on the 16 day of August , 19 93	
Therein on the day of August, 19.93. Remarks: Remarks: Remarks: In the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed develop	K
Remarks: <u>punp</u> , bruied mainluie, 1803 aluge in the permit, or you have definitely abandoned part of the proposed develop	. 9
Remarks: funce mainline irrighter delug in fulled. If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed develop	. 9

30590 SEKelio Rol DRING OR 97009 1-10 (Address) (Signature of Applicant) Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed. Application No. G11840 Form A (690-9-77) NOTICE OF BEGINNING OF CONSTRUCTION Iseli Nursen, INC, the holder of Permit No. G11135 to appropriate the public waters of the state of Oregon, began the actual construction of the works described , 19.87 August Remarks: Drilled well instaling delivery system. The appropriator must state the manner of beginning of construction, the mount of work completed and the type of equipment acquired for the water system up to the date of this statement, and any additional information which shows a substantial beginning of construction as authorized by your permit. IN WITNESS WHEREOF, I have hereunto set my hand this 31 day of December 19 11 Burging Or 97009 (Address) 30590 SEKelso Rd furst (Signature of Applicant) BEY NURSERY Dec. Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is begun. SP\*35567-690



CHECK-OFF LIST Receipt Posted Contents Marked and Stamped File Folder Typed Calendar Card Typed Kardex Typed Register Typed Maps Copied (4 Copies) Acknowledgment Letter Typed Placed on Public Notice Entered in WRIS

RECREESE



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

March 24, 2016

Iseli Nursery 30590 SE Kelso Road Boring, OR 97009

RE: Reclaimed Municipal Water Use Registration RM-207, related to NPDES Permit 102492

Dear Iseli Nursey management:

The Oregon Water Resources Department ("OWRD") received your Registration of Reclaimed Municipal Water Use form on October 30, 2015. The Registration form is complete, signed by all the appropriate parties, and meets the requirements of ORS 537.131 and 537.132. OWRD assigned record <u>RM-207</u> to your Registration, which will be managed as a physical file in Salem and viewable online at: <u>http://apps.wrd.state.or.us/apps/wr/wrinfo\_stage/</u> as an "RM" type Application.

G-11840

This Registration allows the use of reclaimed municipal water under an exemption provided by ORS 537.132 rather than completing the process to obtain a formal water use permit. The Registered exempt use is allowed only while the corresponding Department of Environmental Quality (DEQ) facility discharge permit is in effect, which is currently pending renewal. This Registration must be renewed with OWRD when the DEQ facility discharge permit is renewed again in the future for the exempt use to continue.

If reclaimed municipal water use occurs instead of exercising existing water rights at the same location, ORS 540.610(2)(h) provides protection of those existing water rights from potential forfeiture due to extended non-use. It is prudent to document and maintain a record of your annual use of reclaimed municipal water.

Oregon's *Integrated Water Resources Strategy* encourages additional use of reclaimed municipal water to help keep our streams clean and reduce the demand on limited water supplies. Thank you for putting the strategy into action and using water wisely.

If you have questions regarding this Registration letter, please contact me directly at 503-986-0919, <u>Steve.W.Parrett@wrd.state.or.us</u>, or call 503-986-0900 and ask for the *Water Reuse Coordinator*.

Sincerely,

mm

Steven W. Parrett Water Reuse Coordinator Water Right Services Division

cc: Registration File RM-207 District 18 Watermaster, Jake Constans City of Tigard, 39250 Pioneer Blvd. Sandy, OR 97005 Pat Heins, DEQ NW Region, 811 SW 6<sup>th</sup> Avenue, Portland, OR 97204-1390 Existing Water Right Certificate files 84209, 85571, 85587, 85573, 84209, 55073, and 42886





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Registration of Reclaimed Municipal Water Use Acceptance Letter

Retain For Your Records



G-11840

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

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Boring, OR 97009

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Registration of Reclaimed Municipal Water Use Acceptance Letter

Retain For Your Records

#### STATE OF OREGON

#### COUNTY OF CLACKAMAS

#### CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ISELI NURSERY, INC. c/o GREG PILCHER 30590 SE KELSO ROAD BORING, OR 97009

Confirms the right to use the waters of ONE WELL in the NORTH FORK DEEP CREEK BASIN for NURSERY OPERATIONS on 566.6 ACRES.

This right was perfected under Permit G-11135. The date of priority is AUGUST 16, 1988. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.78 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
6	2 S	4 E	WM	8	NE NW			70 FEET SOUTH & 2003 FEET EAST FROM NW CORNER. SECTION 8

The amount of water used for nursery operations (OAR 690) 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 year. The use of the water for NURSERY OPERATIONS may be at any time of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per year during the irrigation season of each year.

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

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
2 S	3 E	WM	12	NE NE	The second		40.00
2 S	3 E	WM	12	SW NE	10 A 320 MT	No. Contraction	24.70
25	3 E	WM	12	SE NE	1. Alteriol		40.00
2 S	3 E	WM	12	NW SE	1813		21.40
2 S	4 E	WM	7	NW NE	14.5	327 J	25.90
2 S	4 E	WM	7	SW NE	1. 10	Trans 4	10.00

#### NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

Application G-11840.ra

Page 1 of 2

Certificate 84209

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
2 S	4 E	WM	7	NE NW			32.00
2 S	4 E	WM	7	NW NW			40.00
2 S	4 E	WM	7	SWNW			38.20
2 S	4 E	WM	7	SENW			31.40
2 S	4 E	WM	7	NE SW			20.00
2 S	4 E	WM	7	NWSW			15.00
2 S	4 E	WM	7	SW SW			5.00
2 S	4 E	WM	7	SE SW			5.80
2 S	4 E	WM	7	NW SE			28.20
2 S	4 E	WM	7	SW SE			1.30
2 S	4 E	WM	8	SW NE			37.20
2 S	4 E	WM	8	NE NW			8.50
2 S	4 E	WM	8	NWNW			31.50
2 S	4 E	WM	8	SW NW			38.80
2 S	4 E	WM	8	SE NW			37.20
2 S	4 E	WM	8	NE SW			26.80
2 S	4 E	WM	8	NW SW			7.70

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge to determine the water level elevation in the well at all times. When required by the Department, the water user shall install and maintain a weir, meter, or other suitable measuring device and keep a complete record of the amount of ground water withdrawn.

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

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

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

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

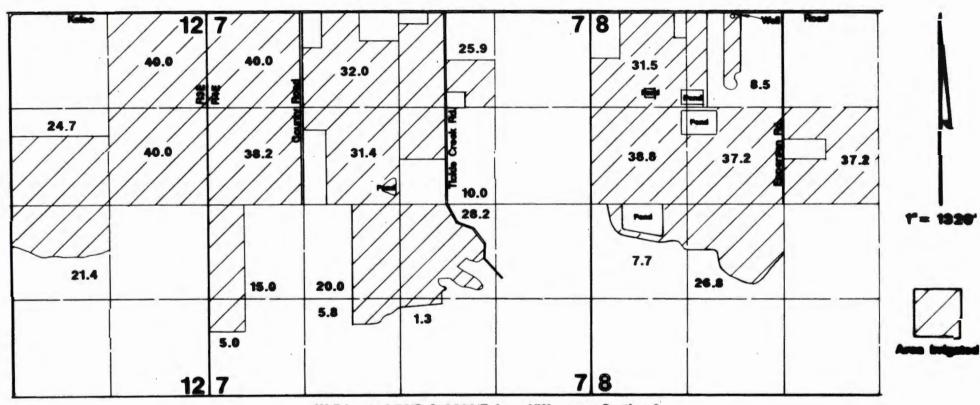
The use of water shall be limited when it interferes with any prior surface or ground water rights.

#### JUN 0 6 2008

Issued

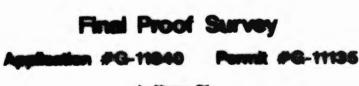
Ward, Director Phillip Water Resources Department

T.2S., R.3 & 4E., W.M.



Well located 70'S & 2003'E from NW corner Section 8.

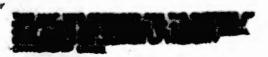
SEP 0 0 199





beli Nursery, Inc.

Surveyed on Suptamber 21, 1884 by Jil Belowille







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

### Date Mailed: June 6, 2008

#### NOTICE OF CERTIFICATE ISSUANCE

The attached certificate confirms the water right established under the terms of a permit issued by this department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within 60 days of the mailing date stated above as specified by ORS 183.484(2).

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

Under ORS 537.260 and 537.270, a water right certificate may be contested before the Water Resources Department within three (3) months of the date it is issued. If a certificate is contested, the qualifying contestant shall be offered an administrative hearing.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years, that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Gerry Clark at 503-986-0811.

### Mailing List for Certificate Scheduled Mailing Date:

Application: G-11840 Permit: G-11135

Certificate: 84209

#### Permit/Certificate Holder:

ISELI NURSERY, INC. c/o GREG PILCHER 30590 SE KELSO ROAD BORING, OR 97009

#### Copies of Final Certificate to be sent to:

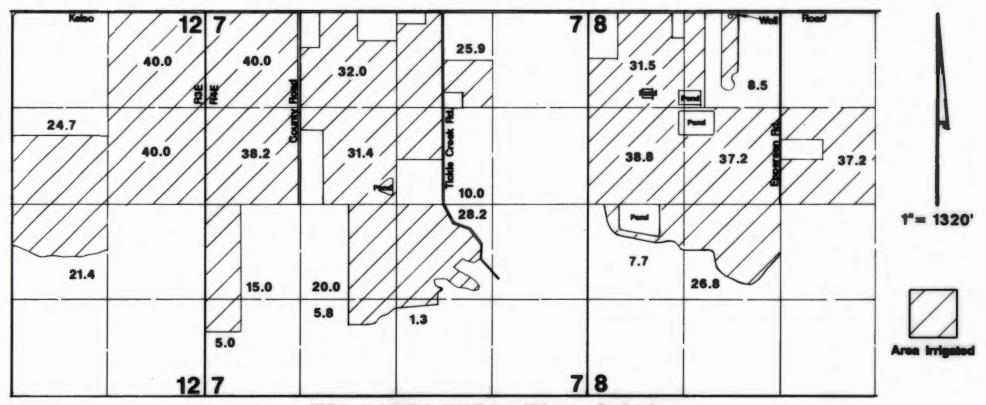
- 1. Watermaster District 20, Sabrina White 🗸
- 2. Data Center (include copy of map) //
- 3. Water Availability 🗸
- 4. Vault
- 5. File

#### Other persons to receive copies: (include map):

- Applicant's Representative: Adam Sussman, CWRE GSI Water Solutions, Inc. 1600 Western Blvd., Suite 240 Corvallis, OR 97333
- 2. Ted Ressler, CWRE
- 3. Jim Schutte, CWRE V

**Copies Mailed** by: Connie Care (STAFF) on: 6/6/2008 (DATE)

# T.2S., R.3 & 4E., W.M.



Well located 70'S & 2003'E from NW corner Section 8.

RECEIVED

SEP 3 0 1994 WATER RESOURCES DEP ISALEM, OREGON

THE MENTION THE LOCATION OF A WATER ANALY ONLY AND IS NOT LOCATION OF A WATER ANALY ONLY AND IS NOT INTENDED TO A MADVIE LIGAL DIMENSIONS ON LOCATION OF PROPERTY

### Final Proof Survey

Application #G-11840 Permit #G-11135

In Name Of

# Iseli Nursery, Inc.

Surveyed on September 21, 1994 by JM Schuette





May 30, 2008

Gerry Clark Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, OR 97301

RE: Proposed Certificate – Permit G-11135 (Application G-11840) in the name of Iseli Nursery, Inc.

Dear Mr. Clark:

Iseli Nursery, Inc. has reviewed the proposed certificate for permit G-11135, which was mailed on May 28, 2008. We agree with the proposed certificate and request that the certificate be issued at your earliest convenience.

Thank you for your efforts to review the Claim of Beneficial Use and develop the certificate. We look forward to receiving the certificate.

Sincerely,

Greg Pilcher President/General Manager Iseli Nursery, Inc.

Cc: Adam Sussman GSI Water Solutions



#### STATE OF OREGON

#### COUNTY OF CLACKAMAS

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]	Г <b>wр</b> 2 S	2S 4E					

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2 S	4 E	WM	7	NW NE			25.90
2 S	4 E	WM	7	SW NE			10.00

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2 S	4 E	WM	8	NE SW			26.80
2 S	4 E	WM	8	NW SW			7.70

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge to determine the water level elevation in the well at all times. When required by the Department, the water user shall install and maintain a weir, meter, or other suitable measuring device and keep a complete record of the amount of ground water withdrawn.

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

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

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

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

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

Issued \_\_\_\_\_.

Phillip C. Ward, Director Water Resources Department

Application G-11840.ra





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

#### DATE MAILED: May 28, 2008

#### NOTICE

Reference: Permit G-11135, Application G-11840

Enclosed is a <u>proposed certificate</u> of water right and a map which illustrates the location of the right. The map and proposed certificate represent the extent water was used within the terms of the permit based upon a survey and inspection.

If you do not agree with the proposed certificate or the map, Oregon Administrative Rule 690-330-010 (2) allows the permittee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If you agree with the proposed certificates and map and wish to have the certificate issued before the 60 day period described above expires, please notify the Department by letter, fax or e-mail. If you do not contact the Department, sometime after the 60 day period has expired, the recorded certificate of water right will be mailed to the permit holder.

If you have any questions please contact Gerry Clark at 503-986-0811.

Sincerely,

Dwight/French Administrator Water Rights Division

#### STATE OF OREGON

#### COUNTY OF CLACKAMAS

#### CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ISELI NURSERY, INC. c/o GREG PILCHER 30590 SE KELSO ROAD BORING, OR 97009

Confirms the right to use the waters of ONE WELL in the NORTH FORK DEEP CREEK BASIN for NURSERY OPERATIONS on 566.6 ACRES.

This right was perfected under Permit G-11135. The date of priority is AUGUST 16, 1988. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.78 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
6	2 S	4 E	WM	8	NENW			70 FEET SOUTH & 2003 FEET EAST FROM NW CORNER, SECTION 8

The amount of water used for nursery operations (OAR 690) 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 year. The use of the water for NURSERY OPERATIONS may be at any time of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per year during the irrigation season of each year.

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

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
2 S	3 E	WM	12	NE NE			40.00
2 S	3 E	WM	12	SW NE			24.70
2 S	3 E	WM	12	SE NE			40.00
2 S	3 E	WM	12	NW SE			21.40
2 S	4 E	WM	7	NW NE			25.90
2 S	4 E	WM	7	SW NE			10.00

#### NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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Application G-11840.rd

Page 1 of 2

Certificate \*\*\*\*\*

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
2 S	4 E	WM	7	NENW			32.00
2 S	4 E	WM	7	NW NW			40.00
2 S	4 E	WM	7	SWNW			38.20
2 S	4 E	WM	7	SENW			31.40
2 S	4 E	WM	7	NE SW	•		20.00
2 S	4 E	WM	7	NW SW			15.00
2 S	4 E	WM	7	SW SW			5.00
2 S	4 E	WM	7	SE SW			5.80
2 S	4 E	WM	7	NW SE			28.20
2 S	4 E	WM	7	SW SE			1.30
2 S	4 E	WM	8	SW NE			37.20
2 S	4 E	WM	8	NENW			8.50
2 S	4 E	WM	8	NWNW			31.50
2 S	4 E	WM	8	SWNW			38.80
2 S	4 E	WM	8	SE NW			37.20
2 S	4 E	WM	8	NE SW			26.80
2 S	4 E	WM	8	NW SW			7.70

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge to determine the water level elevation in the well at all times. When required by the Department, the water user shall install and maintain a weir, meter, or other suitable measuring device and keep a complete record of the amount of ground water withdrawn.

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

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

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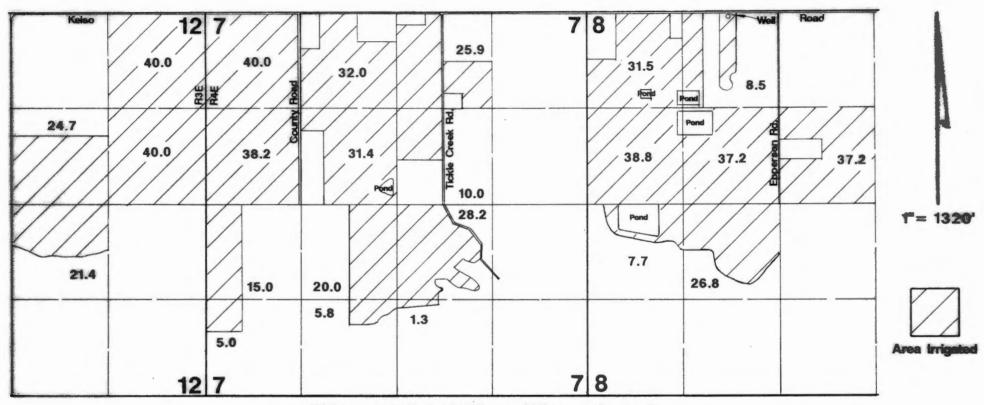


Water Resources Department

Application G-1 Page 2 of 2

Recorded in State Records of Water Right Certificates numbered \*\*\*\*\*

T.2S., R.3 & 4E., W.M.



Well located 70'S & 2003'E from NW corner Section 8.

tified Water Right F.

#117

James M Schuette Nov. 19, 1987

E OF OREGO

SEP 2 0 1994

Final Proof Survey

Application #G-11840 Permit #G-11135

In Name Of

# Iseli Nursery, Inc.

Surveyed on September 21, 1994 by JM Schuette

AND AND PREPARED FOR THE PURPOSE OF A STOCKION OF A WATER RIGHT A STOCKION OF A WATER RIGHT A STOCKION OF PROVIDE LEGAL OWNERSHIP ENESS

# Mailing List for Certificate Scheduled Mailing Date:

Application: G-11840

Permit: G-11135

Certificate: \*\*\*\*\*\*

#### **Permit/Certificate Holder:**

ISELI NURSERY, INC. c/o GREG PILCHER 30590 SE KELSO ROAD BORING, OR 97009

#### Copies of Final Certificate to be sent to:

- 1. Watermaster District 20, Sabrina White
- 2. Data Center (include copy of map)
- 3. Water Availability
- 4. Vault
- 5. File

#### Other persons to receive copies: (include map):

- 1. Applicant's Representative: Adam Sussman, CWRE GSI Water Solutions, Inc. 1600 Western Blvd., Suite 240 Corvallis, OR 97333
- 2. Ted Ressler, CWRE<sup>V</sup>
- 3. Jim Schutte, CWRE V

**Copies Mailed** bv (DATE)

# **Reimbursement Authority Time Tracking Sheet**

### Project Name: PERMIT G-11135, ISELI NURSERY, INC

Date	Individual	Time	Task
3308	Gerry Clark	,5	Review materials tosend contractor
3 3 08	Jerry GAINey	1	Memo prep
3/4/08	C.U. 1	.1	photo copying 17 copies
3/4/08	Lisa P.	.1	Mailin of Copies
4/16/08	Geing C	2 hours	Review Clelivenblas - Research
9 23/08	Jerry G	.3	Peer Review
5/27/08	being C	a	Document Clean up
5/28/08	Genn C	.2	Mailun Proposel Cert
( /	1		/ /

(Log time in 6 minute increments (0.1 hour increments))

#### STATE OF OREGON

#### COUNTY OF CLACKAMAS

#### CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ISELI NURSERY, INC. c/o GREG PILCHER 30590 SE KELSO ROAD BORING, OR 97009

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This right was perfected under Permit G-11135. The date of priority is AUGUST 16, 1988. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.78 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
6	2 S	4 E	WM	8	NENW			70 FEET SOUTH & 2003 FEET EAST FROM NW CORNER, SECTION 8

The amount of water used for nursery operations (OAR 690) 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 year. The use of the water for NURSERY OPERATIONS may be at any time of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per year during the irrigation season of each year.

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

	-IRRIGATION Delete												
Тwp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres						
2 S	3 E	WM	12	NE NE			40.00						
2 S	3 E	WM	12	SW NE			24.70						
2 S	3 E	WM	12	SE NE			40.00						
2 S	3 E	WM	12	NW SE			21.40						
2 S	4 E	WM	7	NW NE			25.90						

#### NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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Jerry Please perientes perientes

TRRIGATION										
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres			
2 S	4 E	WM	7	SW NE			10.00			
2 S	4 E	WM	7	NENW			32.0			
2 S	4 E	WM	7	NWNW			40.00			
2 S	4 E	WM	7	SWNW			38.2			
2 S	4 E	WM	7	SENW			31.4			
2 S	4 E	WM	7	NE SW			20.0			
2 S	4 E	WM	7	NW SW			15.0			
2 S	4 E	WM	7	SW SW			5.0			
2 S	4 E	WM	7	SE SW			5.8			
2 S	4 E	WM	7	NW SE		-	28.2			
2 \$	4 E	WM	7	SW SE			1.3			
2 S	4 E	WM	8	SW NE			37.2			
2 S	4 E	WM	8	NENW			8.5			
2 S	4 E	WM	8	NWNW			31.5			
2 \$	4 E	WM	8	SW NW			38.8			
2 S	4 E	WM	8	SE NW			37.2			
2 S	4 E	WM	8	NE SW			26.8			
2 S	4 E	WM	8	NW SW			7.7			

alter

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

#### Delete line

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

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

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

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

Issued

Phillip C. Ward, Director Water Resources Department



Page 2 of 2

Recorded in State Record of Water Right Certificates numbered \*\*\*\*\*

# Mailing List for Certificate Scheduled Mailing Date:

£

Application: G-11840

Permit: G-11135

Certificate: \*\*\*\*\*\*

#### Permit/Certificate Holder:

ISELI NURSERY, INC. c/o GREG PILCHER 30590 SE KELSO ROAD BORING, OR 97009

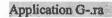
Co	pies Mailed
by:	(STAFF)
on:	
(DATE)	

#### Copies of Final Certificate to be sent to:

- 1. Watermaster District 20, Sabrina White
- 2. Data Center (include copy of map)
- 3. Water Availability
- 4. Vault
- 5. File

#### Other persons to receive copies: (include map):

- 1. Applicant's Representative: Adam Sussman, CWRE **GSI** Water Solutions, Inc. 1600 Western Blvd., Suite 240 Corvallis, OR 97333
- 2. Ted Ressler, CWRE
- 3. Jim Schutte, CWRE



Page 3 of 2

Certificate \*\*\*\*\*\*

to art CC: Ageni CURE STATE OF OREGON COUNTY OF CLACKAMAS PERMIT TO APPROPRIATE THE PUBLIC WATERS THIS PERMIT IS HEREBY ISSUED TO ISELI NURSERY, INC. ¥ 30590 SE KELSO ROAD 503-663-3822 BORING, OREGON 97009 K to use the waters of ONE WELL in the NORTH FORK DEEP CREEK BASIN for NURSERY OPERATIONS ON 662.9 ACRES. This permit is issued approving Application G-11840. The date of priority is AUGUST 16, 1988. The use is limited to not more than 0.78 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well. The well is located as follows: 1940 NE 1/4 NW 1/4, SECTION 8, T 2 S, R 4 E, W.M.; 70 FEET SOUTH AND 2003 FEET EAST FROM NW CORNER, SECTION 8. The amount of water used for Nursery Operations (OAR 690) is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation Cof containerised 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 at any time of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. A description of the proposed place of use under the permit is as follows: the second is NE 1/4 NE 1/4 40:00 ACRES SW 1/4 NE 1/4 24.70 ACRES SE 1/4 NE 1/4 39.10 ACRES - Mapsays 40 AC NW 1/4 SE 1/4 24.70 ACRES - Map says 20.4 AC SECTION 12 TOWNSHIP 2 SOUTH, RANGE 3 EAST, W.M. NW 1/4 NE 1/4 26.40 ACRES MAD 25.9 AC SW 1/4 NE 1/4 10.00 ACRES EC NE 1/4 NW 1/4 30.40 ACRES Map 32 AC NW 1/4 NW 1/4 40.00 ACRES/ SW 1/4 NW 1/4 39.30 A CRES MAP 36 2 MC SE 1/4 NW 1/4 32.30 A CRES MAP 31. 4 AL 6 2008 APR 20.00 ACRES NE 1/4 SW 1/4 WATER RESUURCES DEPT 15.00 ACRES NW 1/4 SW 1/4 SW 1/4 SW 1/4 5.00 ACRES SALEM DREGON 5.00 ACRES mag 5.8 AL SE 1/4 SW 1/4 PERMIT G-11135 Application G-11840 Water Resources Department

PAGE TWO

NE 1/4 SE 1/4 0.70 ACRE Mug DAL NW 1/4 SE 1/4 (30.20 ACRES map 28.2 pc SW 1/4 SE 1/4 1.40 ACRES map 1.3 Ac SECTION 7 Township 2 South Range + East, WM SW 1/4 NE 1/4 38.90 ACRES my 37.2 pc SW 1/4 NE 1/4 (38.90 ACRES WW 8.5 AC NE 1/4 NW 1/4 (19.90 ACRES WW 8.5 AC NW 1/4 NW 1/4 (32.30 ACRES WW 3).5 M SW 1/4 NW 1/4 (39.10 ACRES WW 3).5 M SE 1/4 NW 1/4 (39.10 ACRES WW 3).5 M NE 1/4 SW 1/4 (40.00 ACRES WW 3).7 H NE 1/4 SW 1/4 (40.00 ACRES WW 3).6 M NW 1/4 SW 1/4 (40.00 ACRES WW 7.7 H SW 1/4 SW 1/4 (40.00 ACRES WW 7.7 H SW 1/4 SW 1/4 (8.50 ACRES WW 7.7 H) SW 1/4 SW 1/4 (8.50 ACRES WW 7.7 SW 1/4 SW 1/4 (8.50 ACRES MAD ONL SE 1/4 SW 1/4 20.00 ACRES map ORC. SECTION 8

TOWNSHIP 2 SOUTH, RANGE 4 EAST, W.M.

maintaine

CThe well 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. When required by the department, the permittee shall install and maintain a weir, meter, or other Csuitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

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.

Actual construction work shall begin on or before November 13, 1991, and shall be completed on or before coctober 1, 1992. Complete application of the water shall be made, on or before October 1, 1993.

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 beneficial use of water without waste. The water user is advised that new regulations may require use of best practical Atechnologies or conservation practices to adhieve 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. in The

Issued this date, November 13, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Department William H. Young Director

APR 1 6 2008

RECEIVED

WATER RESOURCES DEPT SALEM OREGON

Application G-11840 Water Resources Department PERMIT G-11135 District 16 Volume 23A North Fork Deep Creek Wells Basin 2 G-11840.

#### **Gerry Clark**

From:Andrew Harvey [andrew\_harvey@pbsenv.com]Sent:Friday, April 11, 2008 1:40 PMTo:Gerry Clark

Subject: deliverables for Iseli Nursery Certificate G-11840

Attachments: G-11840 Deficiency letter - draft.doc; G-11840 certificate and mail list - draft.doc

#### Gerry,

Attached are the deliverables for the Iseli Nursery certificate application. These are for application number G-11840. I have also attached a draft deficiency letter for the application. The paper copies of the deliverables, including the COBU Checklist and platcard copies, will be mailed to you today. Please note the items marked in yellow in the proposed certificate. The number of acres on the proposed certificate matches those on the application, but are less than those on the Permit. Also the POU acres are those shown on the Final Survey Proof map, and are different than those listed on the Permit. I have also marked the well location distance from the section corner which appears to be slightly less than described in the Permit. These might be cleared with information from the applicant or CWRE.

Please call me if you have questions or need any other information on this project.

Drew

Andrew F. Harvey, RG, CWRE Senior Geologist andrew\_harvey@pbsenv.com 503.417.7693

PBS Engineering + Environmental Engineering | Natural Resources | Environmental | Health and Safety www.pbsenv.com 4412 SW Corbett Ave. Portland OR, 97239 Main ph: 503.248.1939 ; fax: 503.248.0223

DISCLAIMER:

This message and any attachments are considered privileged and confidential and are intended for the sole use of the individual or entity to whom the message is addressed. If you have received this message in error, please immediately advise the sender and permanently delete the message and any attachments.

#### STATE OF OREGON

#### COUNTY OF CLACKAMAS

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Ţwp	Bing	Mer	Sec	Q-Q	GLot	DLC	Acres
2 \$	31	WM	12	NE NE	/		40.00
2\$	3 E	WM	12	SW NE	1		24.70
2\$	3 E	WM	12	SE NE			40.00
2\$	3 E	WM	12	NW SE /			21.40

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Application G-1\840!ra

IRRIGATION								
Twp	Rng	Mer	Sec,	Sec Q-Q		DLC	Acres	
25	4 E	WM	71	NW NE	,		25.90	
2 S	4 E	WM	7	SW NE	/		10.00	
2 S	4 E	WM	7	NE NW /			32.00	
2 S	4 E	WM	7	NW NW			40.00	
28	4 E	WM	7	SW NW			38.20	
28	4 E	WM	7	SE NW -			31.40	
28	4 E	WM	7	NE SW /			20.00	
28	4 E	WM	7	NW SW /	-		15.00	
28	4 E	WM	7	SW SW /	/		5.00	
28.	4 E	WM	7	SE SW /			5.80	
2\$	4 E	WM	7	NW SE /			28.20	
2\$	4 E	WM	7	SW SE /			1.30	
2\$	4 E	WM	8	SW NE	2		37.20	
28	4 E	WM	8	NE NW			8.50	
25	4 E	WM	8	NW NW -	-		31.50	
28	4 E	WM	8	SW NW			38.80	
28	4 E	WM	8	SE NW -			37.20	
28	4 E	WM	8	NE SW -	/		26.80	
25	4 E	WM	8	NW SW -	/		7.70	

cond. fromit

Measurement, recording and reporting conditions:

- A. The Department may require the water user shall install and maintain a weir, meter or other suitable measuring device, and shall keep a complete record of the amount of groundwater used.
- B. The water user shall allow the watermaster access to the meter or measuring device, if required to be installed; 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 water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The Director will require a static water level measurements on the ten- year anniversary of the pump test on Well 6. The pump test for Well 6 has been reviewed and approved by the Department.

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

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

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

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

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

Issued

Phillip C. Ward, Director Water Resources Department

### Mailing List for Certificate Scheduled Mailing Date:

Application: G-11840

Permit: G-11135

Certificate: \*\*\*\*\*\*

#### Permit/Certificate Holder:

**ISELI NURSERY, INC.** c/o GREG PILCHER 30590 SE KELSO ROAD BORING, OR 97009

#### Copies of Final Certificate to be sent to:

- 1. Watermaster District 20, Sabrina White
- 2. Data Center (include copy of map)
- 3. Water Availability
- 4. Vault
- 5. File

#### Other persons to receive copies: (include map):



1. Applicant's Representative: M Ted Ressier, CWRE 49. GSI Water Solutions, Inc. 1600 Western Blvd., Suite 240 Corvallis, OR 97333 Fed Resaler Jen Schutte

pies Mailed
(STAFF)
(DATE)

April 10, 2008

Iseli Nursery c/o Greg Pilcher 30590 SE Kelso Road Boring, OR 97009

#### REFERENCE: Application G-11840, Permit G-11135

Dear Mr. Olsen:

We are examining the Site Report and Claim of Beneficial Use submitted in support of a Certificate of Water Use under Permit G-11135. The report was prepared by Mr. James M. Schutte, CWRE, and received by the Department on September 30, 1994. The Oregon Water Resources Department received a Reimbursement Authority application from Adam Sussman, the listed Applicant's Representative. There are some problems that need to be resolved before we can continue processing the application.

- 1. Problems were found on the COBU Report Final Proof Survey Map:
  - a. The well location plotted for Well #6 on the Final Proof Survey Map, dated September 21, 1994, has a different measurement than described in the Permit and the Site Report and Claim of Beneficial Use. The described location is 2003 feet east of the NW corner of Section 8. The location plotted on the map is approximately 1940 feet east of the NW corner of Section 8. Copy of the map is enclosed.
  - b. Conveyance structures are not shown on the Final Proof Map.
  - c. The acres irrigated shown on the Final Proof map do not match the acres in the Permit.

You need to have your CWRE resolve these and revise the Final Proof Survey Map. Then submit to the Department an original print of the revised map with the CWRE's seal and signature.

- 2. Discrepancies were found on the Site Report and COBU application document:
  - a. The application states that 566.60 acres are being used for irrigation. The Permit shows 662.9 acres used for irrigation.
  - b. The pump serial number is not shown in the application.
  - c. No calculations are presented for the system capacity.
  - d. The date of the pump test reviewed and approved by the Department is not stated.
  - e. The condition requirement for static water level measurement on the 10-year anniversary date of pump test is not stated in the application.

Please submit the revised map and additional Report information **by [date]** to Gerry Clark, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you have any questions, please call me at 503-986-0811.

Sincerely,

Gerry Clark Water Rights Specialist

Applicant's Representative: cc: Ted Ressler, CWRE GSI Water Solutions, Inc. 1600 Western Blvd., Suite 240 Corvallis, OR 97333

Enclosures: Final Proof Survey Map, dated September 21, 1994



May 23, 2008

### RECEIVED

Gerry Clark Water Rights and Adjudication Division Oregon Water Resources Division 725 NE Summer St., Suite A Salem, OR 97301 MAY 22 2008

WATER RESOURCES DEPT SALEM. OREGON

RE: COBU for Permit G-11135, in the name of Iseli Nursery, Inc.

Dear Mr. Clark;

As you are aware, Iseli Nursery, Inc. (Iseli) has submitted a claim of beneficial use (COBU) and an addendum requesting a certificate for its permit G-11135. As part of your review of this request, you have inquired whether any property that was identified as a place of use in permit G-11135, but is not included in our COBU, is owned by anyone other than Iseli. This letter is intended to respond to that inquiry.

When Iseli submitted application G-11840, the intention was to include in the requested place of use only property that was owned or leased by Iseli. The application map submitted with application G-111840 roughly follows the property lines for lots that were owned or leased by Iseli at the time of the application, although not as accurately as we would wish. Any minor differences on the map between the intended place of use and Iseli's property are mapping anomalies.

There are several areas on the application map that Iseli intended to include in the proposed place of use, but which are not included in the COBU. All of these areas not included in the COBU map are currently owned by Iseli.

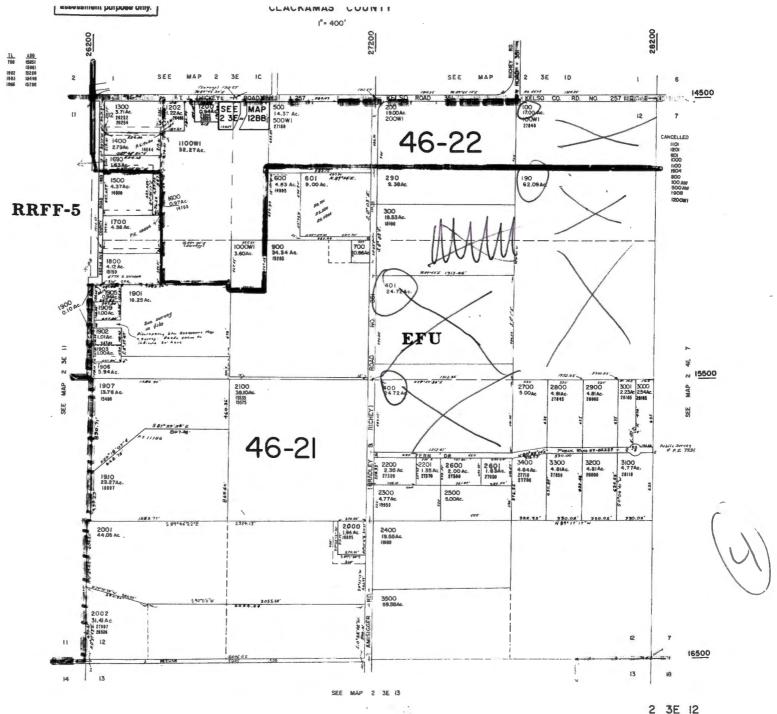
Please contact either Adam Sussman or me if you would like any additional information regarding this COBU.

Thank you for your prompt attention to Iseli's COBU. We look forward to obtaining a water right certificate for permit G-11135.

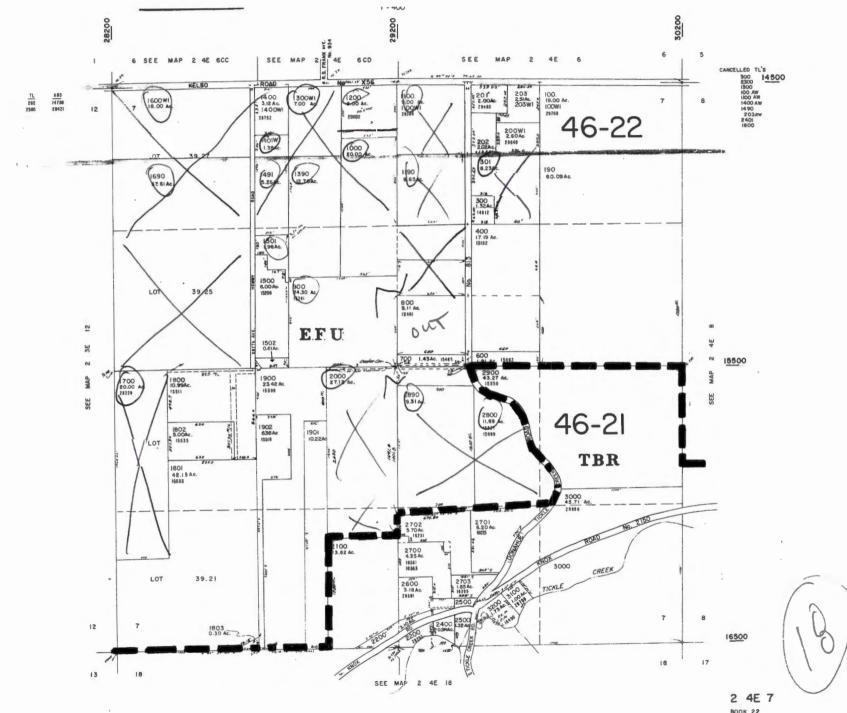
Regards,

Greg Pilcher President/General Manager

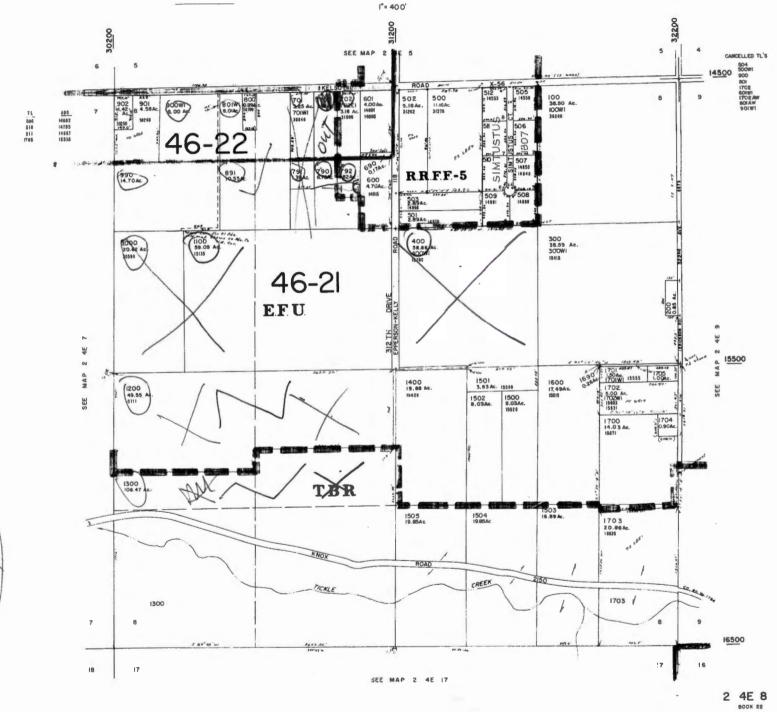
Cc: Adam Sussman



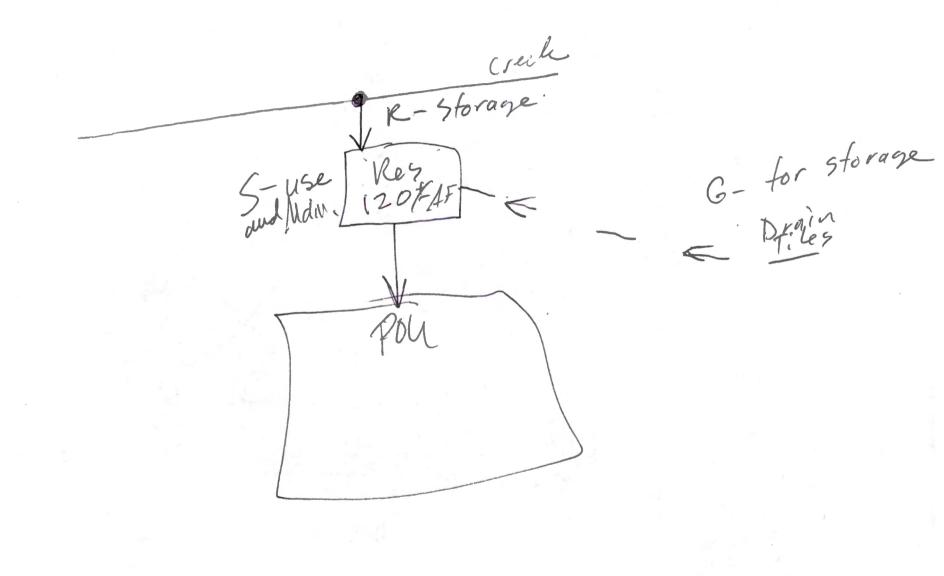
BOOK 20



BOOK 22



a 0/2/54



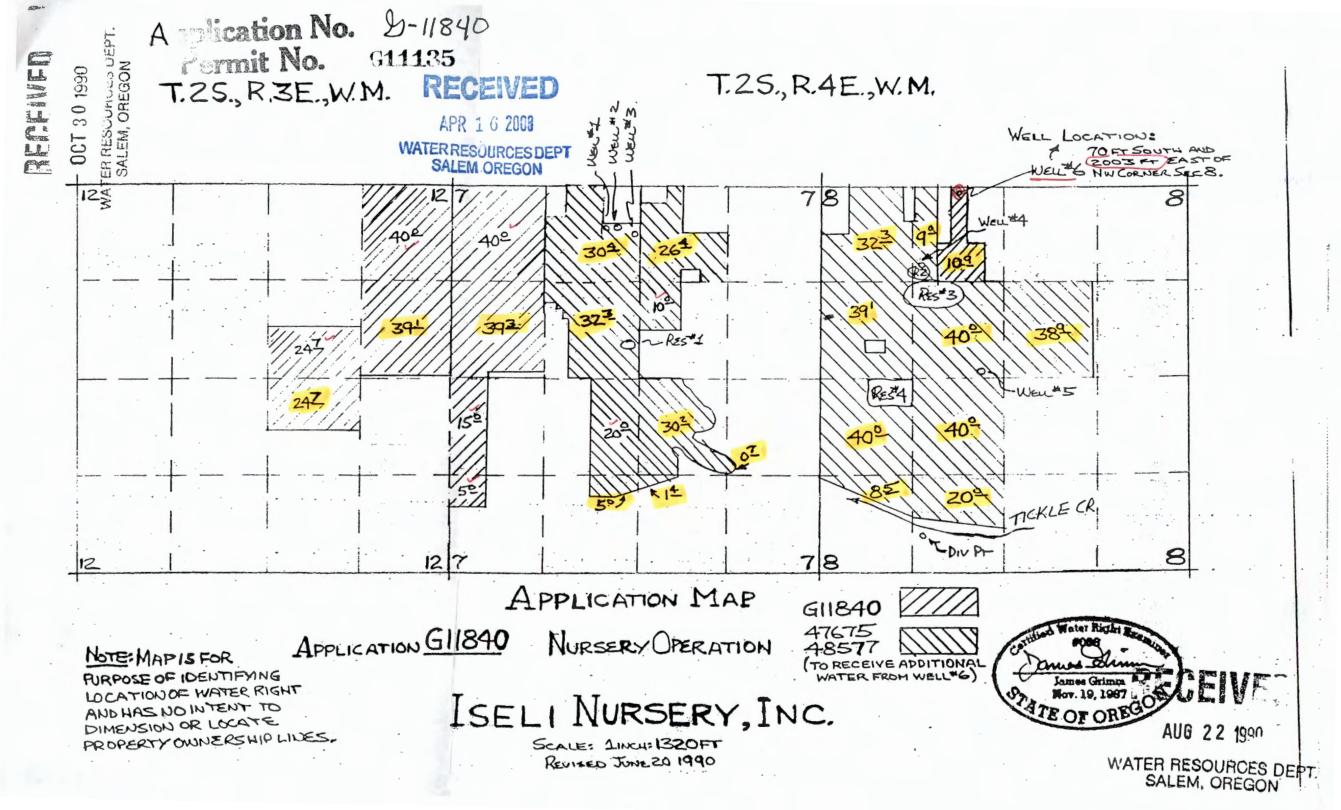
Map Review (check map for the following features/items): X05 Permanent quality map (mylar or linen) Mes\_CWRE stamp and signature ALS. Disclaimer Application & permit #; or transfer # NKS. XLS North arrow NS Township, range and section Appropriate scale (1'' = 1320', 1'' = 400', or scale of assessor's map)tes Source Well Tes Point(s) of diversion \_Point(s) of diversion (coordinates) \* check with scale - Easting as plotted is "10' shorter. CLA No Conveyances (pump, pipelines, ditches, etc.) Permanent features shown? No pipe locations Place of use (1/4 1/4,)DLC, or Gov Lot; if irrigation, # of acres in each legal government subdivision) - # ares are different between punit + LOBU Mup Tax lot lines and numbers (required for claims submitted on or after January 31, 1996) **Report Review:** Appel, No. G-11840, Cermit G-11135 Yes Application & permit #; or transfer # Jes CWRE stamp and signature A: 11/15/91, B: 10/1/92. C: 10/1/93 V Vyes Permittee's signature Yes Time limits Tes Date of survey Sept. 21, 1994 125 Type of use, irrigation. Addendum also lists temperature control, sail LA Extent of use - > Permit is for 662, gainer: claim of plication lists 566, 60 acres Ves Source(s) of water / well, Application duty = 0.78 cfs. Permit = 0.78 cfs Rate and Duty luse; I source Yes Diversion rate for each use Mes Description of conveyances system (from POD to POU) Jes Diversion works description (pump make, serial model, capacity, and description) France test approved by WRD. Test info hat inchroked with App). DEF System capacity No Calculated capacity of system (required) No Measured amount of use (optional) No metar. DEF Permit conditions NA Fish screening No Meter/measuring device - Not requested by WRD. Water use reporting Water use reporting Dother conditions. Static notes level mesumements required lumo TEST on 10 year anniversary of pump test date. fundTest Other: Potential conflicts, See marked Plateard Report, Conflict Check Some one due to differences in reported occesse in RECEIVED APR 1 6 2008 WATER RESOURCES DEPT

SALEM ORFGON

heck 660s

check County Assossor's Office for current owneasing.

Run Pung Calc





* to cert		
	_	nr. Josent
TIOW	STATE OF OREGON	CC: Agent CWRE#117 CWRE#78185
	COUNTY OF CLACKAMAS	CURE #78189
PERM	IT TO APPROPRIATE THE PUBL	IC WATERS
THIS PERMIT IS HEREE	BY ISSUED TO	
ISELI NURSERY, INC.		
X 30590 SE KELSO ROAD BORING, OREGON 9700	99	503-663-3822
to use the waters of NURSERY OPERATIONS OF	f ONE WELL in the NORTH F DN 662.9 ACRES.	ORK DEEP CREEK BASIN for
priority is AUGUST 1	ued approving Application 16, 1988. The use is limit 1D, or its equivalent in ca	ted to not more than 0.78
The well is located	as follows:	
FEET EAST FROM NW CO	CTION 8, T 2 S, R 4 E, W.M DRNER, SECTION 8.	.; 70 FEET SOUTH AND 2003
cubic foot per secon year. The use of way year that the use is the amount of water	NOPOTT	2.5 acre feet per acre per may be at any time of the gation of <b>any other crop</b> , NE-EIGHTIETH of one cubic
The use shall confe ordered by the prope		otation system as may be
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ordered by the prope A description of the follows:	er state officer.	
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PAGE TWO NE 1/4 SE 1/4 0.70 ACRE NW 1/4 SE 1/4 30.20 ACRES SW 1/4 SE 1/4 1.40 ACRES SECTION 7 SW 1/4 NE 1/4 38.90 ACRES NE 1/4 NW 1/4 19.90 ACRES NW 1/4 NW 1/4 32.30 ACRES SW 1/4 NW 1/4 39.10 ACRES SE 1/4 NW 1/4 40.00 ACRES NE 1/4 SW 1/4 40.00 ACRES NW 1/4 SW 1/4 40.00 ACRES SW 1/4 SW 1/4 8.50 ACRES SE 1/4 SW 1/4 20.00 ACRES SECTION 8 TOWNSHIP 2 SOUTH, RANGE 4 EAST, W.M. maintaines The well shall be constructed in accordance with the General Standards  $\lambda$  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. When required by the department, the permittee shall install and maintain a weir, meter, or other Usuitable measuring device, and shall keep a complete record of the amount of ground water withdrawn. Prior to receiving a certificate of water right, the permit holder shall submit the results of a num test motion of 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. Actual construction work shall begin on or before November 13, 1991, Wand shall be completed on or before loctober 1, 1992. Complete Complete application of the water shall be made on or before October 1, 1993. 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 beneficial use of water without waste. The water Auser is advised that new regulations may require 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 frompliance with statewide land-use goals and any local acknowledged land-use plan. The use of water shall be limited when it interferes with any prior surface or ground water rights. Issued this date, November 13, 1990. /s/ WILLIAM H. YOUNG Water Resources Department William H. Young Director PERMIT G-11135 Application G-11840 Water Resources Department Volume 23A North Fork Deep Creek Wells District 16 Basin 2 G-11840.

1-21-1992

## **Final Deliverables Cover Sheet** for Certificates

Application #: <u>G-11840</u> Permit #: G-11135

Project Name: Iseli' Nursery

The following items are enclosed:

H The completed Reimbursement Authority COBU Checklist including the conflict check printout;

9 If applicable, a copy of any letter requesting additional/missing information;

- P Marked up copy of permit or transfer final order identifying the extent of development and any notes documenting your determination regarding the extent of beneficial use;
- 9 The completed proposed certificate and mailing list;

1 In addition to the paper copies listed above, provide an electronic copy\* of: -Proposed certificate and mailing list; Letter requesting additional information. P

\*NOTE: WRD will only accept electronic copies in the following programs: a. WordPerfect, or b. MS Word - "rich text" format only

Date: 19 . 11, 2008 Signature of Contractor: PBS Engineering + For WRD use only: WRD approval by: Date: APR 1 6 2008 Page 1 of 1

WATER RESOURCES DEPT SALEM OREGON



Engineering + Environmental

## TRANSMITTAL

DATE: April 11, 2008

TO: Gerry Clark Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, OR 97301-1271

FROM: Andrew Harvey

PROJECT NO: 18774.008

RE: Deliverables for Iseli Nursery Certificate Application G-11840 WRD Reimbursement Authority

Gerry,

Enclosed are the final deliverables for the certificate application for Iseli Nursery. We are sending original paper copies of the draft deficiency letter, RA COBU Checklist, and Consultant Review Worksheet. Also enclosed are the marked-up review copies of the COBU applications and maps. The draft deficiency letter, draft certificate, and mailing list were also sent to you by email on April 11, 2008.

Please contact me (503-417-7693) in our Portland office if you have questions.

Ander Honey



APR 1 6 2008 WATER RESOURCES DEPT SALEM OREGON

Bandon Bend Boise Eugene Portland Seattle Tri-Cities Vancouver

4412 SW Corbett Avenue, Portland, OR 97239 503.248.1939 Main 503.248.0223 Fax 888.248.1939 Toll-Free www.pbsenv.com

## Reimbursement Authority COBU Checklist (CWRE) — Pre-July 1, 2004 Claims



Application # G-11840 Permit # G-11135 Transfer # Contractor's Name PBS Engineering + Environmental

This purpose of this checklist is to document the extent the completeness of the referenced file. This worksheet represents the review performed by a contractor. OWRD staff will perform a review and make a recommendation to the Director concerning the extent of beneficial use if any.

**Review Results:** 

My review indicates that the use has been developed to the full extent as described in the permit or transfer order.

\_\_\_\_\_ My review indicates that the use has <u>not</u> been developed to the full extent as described in the permit or transfer order and I would recommend the following limitations: Limit irrigotion right to number of acres and locations shown on the Final Proof Map. These are less than the acres on Permit.

A copy of the marked up permit or transfer final order identifying the extent of development and any notes documenting the determination regarding the extent of beneficial use.

My review indicates that the use has <u>not</u> been developed as described in the permit or transfer order for the following reasons:

## **Proposed Actions:**

Send letter recommending extension to cure deficiencies (attach draft copy of letter to this document in addition to an electronic copy submitted to WRD):

Other:



APR 1 6 2008 WATER RESOURCES DEPT SALEM OREGON

## Pump Capacity Calculator using Department designed formula:

(hp)(efficiency) / (lift + psi head) = capacity in cfs

Efficiency:

Centrifugal = 6.61 Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 50Efficiency = 7.04 Lift = 315 PSI = 40

#### **Results Calculated**

(hp)(efficiency) =	352	
Head based on psi =	101.6	
Total dynamic head =	416.6	
(head + lift)	$\frown$	
	1	
Pump Capacity =	0.845 cubic feet per second	.1
		91
		11

Al 1/17/08

## Pump Capacity Calculator using Department designed formula:

(hp)(efficiency) / (lift + psi head) = capacity in cfs

Efficiency:

Centrifugal = 6.61 Turbine = 7.04

## Data Entry (fill in underlined blanks)

HP = 50Efficiency = 7.04
Lift = 315
PSI = 0

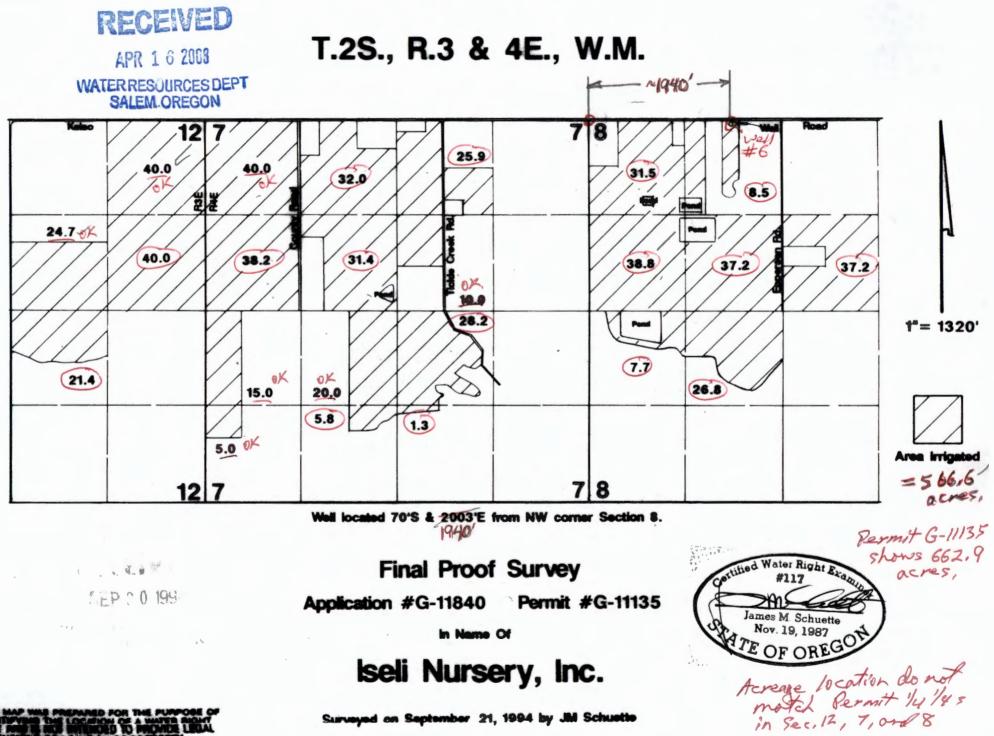
## **Results Calculated**

(hp)(efficiency) =	352
Head based on psi =	0.0
Total dynamic head =	315.0
(head + lift)	
Pump Capacity =	1.117 cubic feet per second

Map Review (check map for the following features/items): Nes Permanent quality map (mylar or linen) Wes CWRE stamp and signature 25 Disclaimer Application & permit #; or transfer # North arrow UKS Township, range and section Appropriate scale (1'' = 1320', 1'' = 400', or scale of assessor's map)415 Source Well 445 Point(s) of diversion CLA Point(s) of diversion (coordinates) \* check with scale - Easting as plotted is ~60'shorter. No Conveyances (pump, pipelines, ditches, etc.) Permanent features shown? No pipe locations Place of use (1/4 1/4, DLC, or Gov Lot; if irrigation, # of acres in each legal government subdivision) - # area are different between punit + LOBU Mup Tax lot lines and numbers (required for claims submitted on or after January 31, 1996) NA **Report Review:** Appel, No. G-11841, Comit G-11135 Yes Application & permit #; or transfer # Ks CWRE stamp and signature Yes Time limits A: 11/15/91, B: 10/1/92, E: 10/1/93 Tes Date of survey sept. 21, 1994 <u>125</u> Type of use, irrigation. Addendum also lists temperature control, soil <u>CLA</u> Extent of use - premit is for 662, gacres, claim application lists 566, 60 acres Xes Source(s) of water 1, well ks Source(s) of water 1 well, Application duty = 0.78 cfs. Remait = 0.78 cfs Tes Rate and Duty Yes Diversion rate for each use / use; / source Yes Description of conveyances system (from POD to POU) No seria - <u>Mes</u> Diversion works description (pump make, <u>serial model</u>, capacity, and description) Pump test approved by WRD. Test info hat included with Apple DEF System capacity No Calculated capacity of system (required) No Measured amount of use (optional) No meter DEF Permit conditions NA Fish screening No Meter/measuring device - Not requested by WRD. \_\_\_\_\_ Water use reporting \_\_\_\_\_ Other conditions. Static water level mesumements required on 10 year and versary of pumps test date. Water use reporting

**Other:** Potential conflicts. See marked Plateard Report Some are due to differences in reported accesse inigoted, Conflict Check RECEIVED

APR 1 6 2008 WATER RESOURCES DEPT SALEM OREGON



April 10, 2008

Iseli Nursery c/o Greg Pilcher 30590 SE Kelso Road Boring, OR 97009

#### REFERENCE: Application G-11840, Permit G-11135

Dear Mr. Olsen:

We are examining the Site Report and Claim of Beneficial Use submitted in support of a Certificate of Water Use under Permit G-11135. The report was prepared by Mr. James M. Schutte, CWRE, and received by the Department on September 30, 1994. The Oregon Water Resources Department received a Reimbursement Authority application from Adam Sussman, the listed Applicant's Representative. There are some problems that need to be resolved before we can continue processing the application.

- 1. Problems were found on the COBU Report Final Proof Survey Map:
  - a. The well location plotted for Well #6 on the Final Proof Survey Map, dated September 21, 1994, has a different measurement than described in the Permit and the Site Report and Claim of Beneficial Use. The described location is 2003 feet east of the NW corner of Section 8. The location plotted on the map is approximately 1940 feet east of the NW corner of Section 8. Copy of the map is enclosed.
  - b. Conveyance structures are not shown on the Final Proof Map.
  - c. The acres irrigated shown on the Final Proof map do not match the acres in the Permit.

You need to have your CWRE resolve these and revise the Final Proof Survey Map. Then submit to the Department an original print of the revised map with the CWRE's seal and signature.

- 2. Discrepancies were found on the Site Report and COBU application document:
  - a. The application states that 566.60 acres are being used for irrigation. The Permit shows 662.9 acres used for irrigation.
  - b. The pump serial number is not shown in the application.
  - c. No calculations are presented for the system capacity.
  - d. The date of the pump test reviewed and approved by the Department is not stated.
  - e. The condition requirement for static water level measurement on the 10-year anniversary date of pump test is not stated in the application.

Please submit the revised map and additional Report information **by [date]** to Gerry Clark, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you have any questions, please call me at 503-986-0811.

Sincerely,

Gerry Clark Water Rights Specialist



APR 1 6 2008 WATER RESOURCES DEPT SALEM.OREGON cc: Applicant's Representative: Ted Ressler, CWRE GSI Water Solutions, Inc. 1600 Western Blvd., Suite 240 Corvallis, OR 97333

Enclosures: Final Proof Survey Map, dated September 21, 1994



APR 1 6 2009 WATER RESOURCES DEPT SALEM OREGON

#### STATE OF OREGON

#### COUNTY OF CLACKAMAS

#### CERTIFICATE OF WATER RIGHT

#### THIS CERTIFICATE ISSUED TO

ISELI NURSERY, INC. c/o GREG PILCHER 30590 SE KELSO ROAD BORING, OR 97009

Confirms the right to use the waters of ONE WELL in the NORTH FORK DEEP CREEK BASIN for NURSERY OPERATIONS on 566.6 ACRES.

This right was perfected under Permit G-11135. The date of priority is AUGUST 16, 1988. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.78 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
6	2 S	4 E	WM	8	NE NW			70 FEET SOUTH & 2003 FEET EAST FROM NW
						12		CORNER, SECTION 8

The amount of water used for nursery operations (OAR 690) 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 year. The use of the water for NURSERY OPERATIONS may be at any time of the year. That the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per year during the irrigation season of each year.

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

IRRIGATION											
Тwp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres				
2 S	3 E	WM	12	NE NE			40.00				
2 S	3 E	WM	12	SW NE			24.70				
2 S	3 E	WM	12	SE NE			40.00				
2 S	3 E	WM	12	NW SE			21.40				

#### NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

Application G-11840.ra

Page 1 of 3



Certificate \*\*\*\*\*\*

WATER RESOURCES DEPT SALEM OREGON

APR 1 6 2008

IRRIGATION											
Тwp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres				
2 S	3 E	WM	12	NW SE			21.40				
2 S	4 E	WM	7	NW NE	25.90						
2 S	4 E	WM	7	SW NE			10.00				
2 S	4 E	WM	7	NE NW		-	32.00				
2 S	4 E	WM	7	NW NW			40.00				
2 S	4 E	WM	7	SW NW			38.20				
2 S	4 E	WM	7	SE NW			31.40				
2 S	4 E	WM	7	NE SW			20.00				
2 S	4 E	WM	7	NW SW			15.00				
2 S	4 E	WM	7	SW SW			5.00				
2 S	4 E	WM	7	SE SW			5.80				
2 S	4 E	WM	7	NW SE		-	28.20				
2 S	4 E	WM	7	SW SE			1.30				
2 S	4 E	WM	8	SW NE			37.20				
2 S	4 E	WM	8	NE NW			8.50				
2 S	4 E	WM	8	NW NW			31.50				
2 S	4 E	WM	8	SW NW			38.80				
2 S	4 E	WM	8	SE NW			37.20				
2 S	4 E	WM	8	NE SW			26.80				
2 S	4 E	WM	8	NW SW			7.70				



Measurement, recording and reporting conditions:

- A. The Department may require the water user shall install and maintain a weir, meter or other suitable measuring device, and shall keep a complete record of the amount of groundwater used.
- B. The water user shall allow the watermaster access to the meter or measuring device, if required to be installed; 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 water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The Director will require a static water level measurements on the ten- year anniversary of the pump test on Well 6. The pump test for Well 6 has been reviewed and approved by the Department.

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

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

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

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

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

Issued \_\_\_\_\_.

Phillip C. Ward, Director Water Resources Department



APR 1 6 2008 WATER RESOURCES DEPT SALEM OREGON

Page 3 of 3 Recorded in State Record of Water Right Certificates numbered \*\*\*\*\*\*.

## Mailing List for Certificate Scheduled Mailing Date:

Application: G-11840 Permit: G-11135 Certificate: \*\*\*\*\*\*

Permit/Certificate Holder:

ISELI NURSERY, INC. c/o GREG PILCHER 30590 SE KELSO ROAD BORING, OR 97009

#### Copies of Final Certificate to be sent to:

- 1. Watermaster District 20, Sabrina White
- 2. Data Center (include copy of map)
- 3. Water Availability
- 4. Vault
- 5. File

#### Other persons to receive copies: (include map):

1. Applicant's Representative: Ted Ressler, CWRE **GSI Water Solutions. Inc.** 1600 Western Blvd., Suite 240 Corvallis, OR 97333

(STAFF)
(DATE)

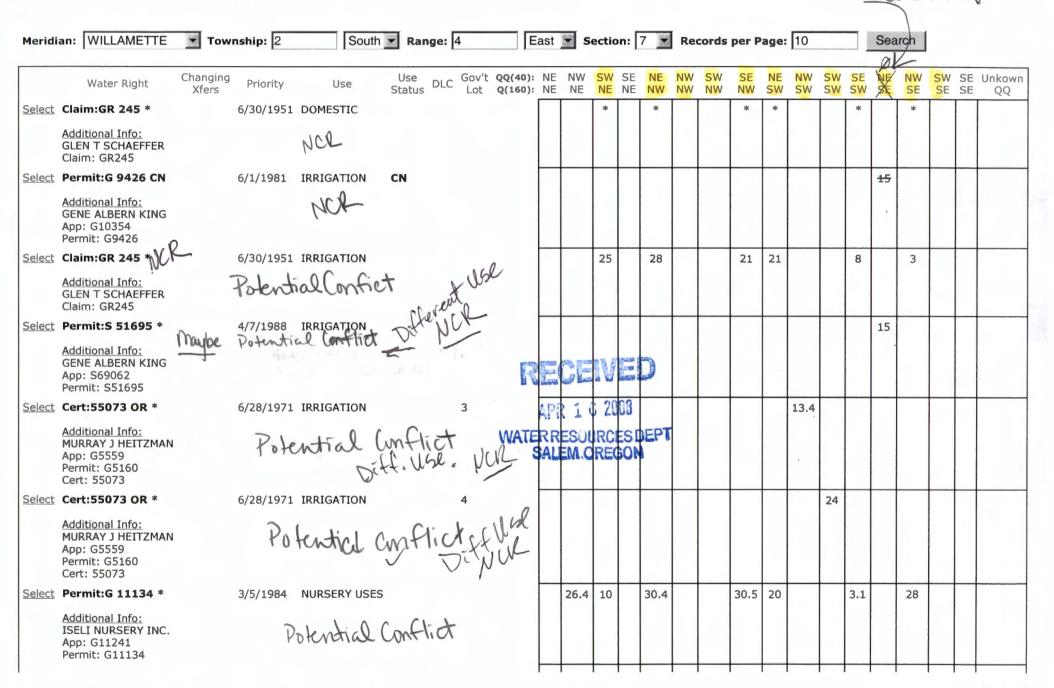


APR 1 6 2008 WATER RESOURCES DEPT SALEM OREGON

# **Water Rights Platcard Report**

This Acreage was omitted in the LOBU map.

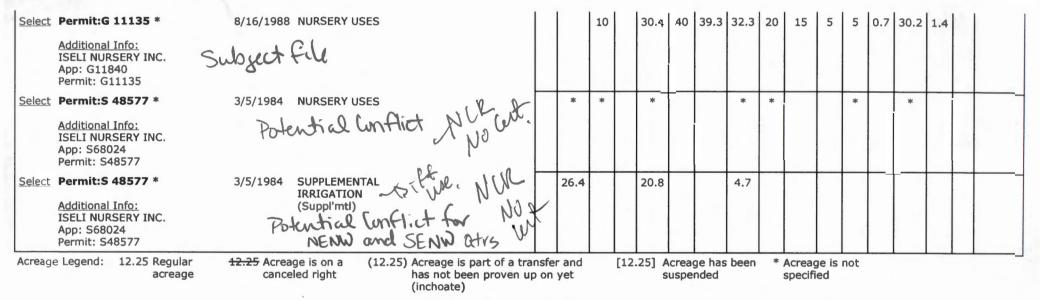
Page 1 of 2



http://apps2.wrd.state.or.us/apps/wr/wrinfo/wr\_platcard.aspx



4



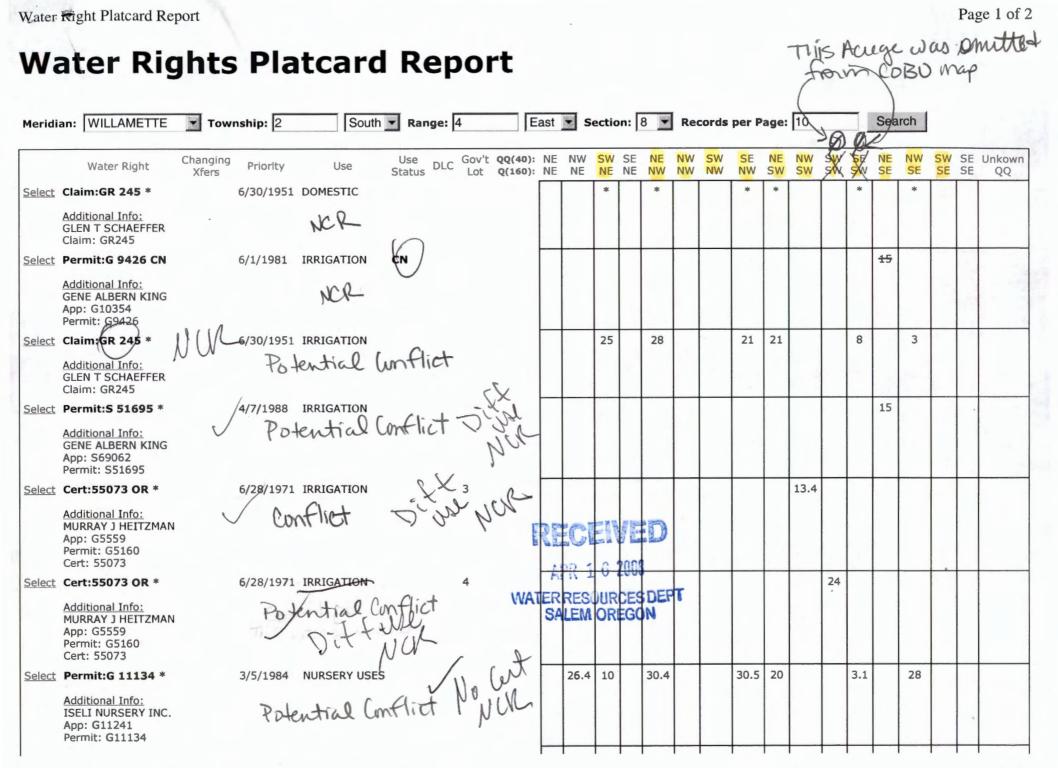


WATER RESOURCES DEPT SALEM OREGON

# Water Rights Platcard Report

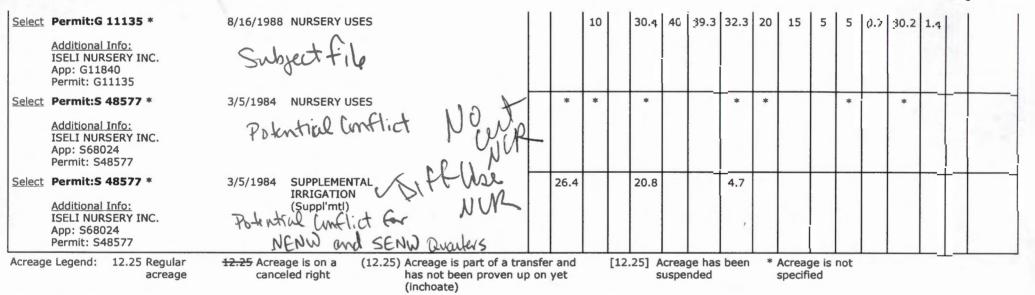
No Conflicts	
--------------	--

	Water Right	Changing Xfers	Priority	Use	Use Status DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW				NE SW				NW SE	SW SE		Unkow QQ
elect	Claim:GR 43 *		12/31/1947	DOMESTIC								*	*	*	*								
	<u>Additional Info:</u> W H MARKHAM Claim: GR43																						
Select	Claim:GR 43 *		12/31/1947	IRRIGATION								10	20	6	4.6								And the second second
	Additional Info: W H MARKHAM Claim: GR43																						
Select	Permit:G 13298 *		11/8/1996	IRRIGATION											28								
	Additional Info: R D BITHELL App: G14412 Permit: G13298			AND DOMESTIC																			
elect	App:S 86203 *		3/22/2005	MUNICIPAL									*	*			*						
	Additional Info: SUNRISE WATER AUTHO App: S86203	RITY		USES															-				
Select	Permit:G 11135 *		8/16/1988	NURSERY				40	26.4	24.7	39.1									24.7			
	Additional Info: ISELI NURSERY INC. App: G11840 Permit: G11135	Subject	File	0323	$\bigcirc$																		
Select	Permit:G 11941 CN		2/16/1993	NURSERY	CN				<del>20</del>														
	Additional Info: DEAN W BREDENKAMP App: G13292		NCK	USES								W		0									
alact	Permit: G11941 App:P 82852 *		1/14/1997	STORACE						APR	10	20	HK					 *				-	_
Jeleut	Additional Info: GENE A SCHIEDEL App: P82852		1/14/199/	STURAGE				V	VATE	RRE	ISOU M.O	RCE	SD	EPT	Γ			Ŧ					



http://apps2.wrd.state.or.us/apps/wr/wrinfo/wr\_platcard.aspx

## Water Right Platcard Report





http://apps2.wrd.state.or.us/apps/wr/wrinfo/wr\_platcard.aspx

Oregon

W A T E R R E S O U R C E S D E P A R T M E N T

December 6, 1994

JAMES M SCHUETTE, CWRE -1810 LANA AVENUE NE #1 SALEM OR 97303

REFERENCE: File G-11840

On <u>SEPTEMBER</u> 30, 1994, we received the Claim of Beneficial Use and map you submitted for Permit G-11135 in the name of ISELI NURSERY, INC.

If you have any questions, please call the Water Rights Section at 378-3739.

Sincerely,

TR

DALLAS S. MILLER Water Rights Specialist

DSM:tcb

cc: ISELI NURSERY, INC. 30590 SE KELSO ROAD BORING, OR 97009



APR 1 6 2008 WATER RESOURCES DEPT SALEM OREGON



Commerce Building 158 12th Street NE Salem, OR 97310-0210 (503) 378-3739 FAX (503) 378-8130

### Site Report and Claim of Beneficial Use Application G-11840 Permit #G-11135

Iseli Nursery 30590 SE Kelso Road Boring, Oregon 97009 Tele #663-3822

RECEIVED

WAIER RESOURCES DE SOURCE: Irrigation water is obtained from one Well PREGON dia x 485' deep) located 70'S & 2003'E from NW corner of Section 8. (ties obtained from field measurements and aerial photo). (not included)

> Well pump is a 50HP Berkeley 7S3L8 (350GPM) submersible turbine. Pump piping is equipped with pressure gauges. An access port is available to measure static and pumping water levels. No flow meter or other flow measuring device is present. Well head is approximately 12" above pump house floor.

PIPE:

Irrigation water is transported from the well head through a buried 8" line to a drip irrigation line and open discharge into a pond. From the pond it is then re-pumped for irrigation. Although no meter is present, pump curves and previous test pumping verify pump capacity @ 350.0 GPM.

(Water used to full permitted duty of 0.78 CFS)

LIFT:

Topography the of area being irrigated is slightly rolling. Measured from the top of casing USGS) ... static (approx. 575.0 water level...is 215'; pumping level is approximately 300'. (as per well log and test pump results). Pond water level is approx. 590.0 USGS.

> APR 1 6 2008 WATER RESOURCES DEPT SALEM OREGON

USES:

System was operating at the time of my site visit. Water was being used for irrigation of container stock and in-ground plantings.

Note:

Total verified acreage irrigated for nursery operations under this final proof survey is 566.60 acres.

The final proof survey and inspection of use was found to be completed under the terms and conditions of Permit #G-11135. This final proof survey and inspection was completed by me on September 21, 1994 and the facts contained in this report and accompanying final proof map are correct to the best of my knowledge.



We, being Iseli Nursery, agree to the findings of the Certified Water Rights Examiner and do submit this site report and map as our Claim of beneficial Use of the water as provided under the terms and conditions of Permit #G-11135.

LICE PRES ISELI NUSSERY IN

SEP 3 0 1994 WATER RESOURCES DEP MALEM, OREGON

Permit Los 662, 9 acres,

APR 1 6 2008 WATER RESOURCES DEPT SALEM OREGON



## RECEIVED

FEB 2 5 2008

WATER RESOURCES DEPT SALEM, OREGON

February 13, 2008

Gerry Clark Water Rights and Adjudication Division Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, OR 97301

RE: Addendum to Claim of Beneficial Use for Permit G-11135 (Application G-11840) in the name of Iseli Nursery, Inc.

Dear Mr. Clark:

This addendum is submitted on behalf of Iseli Nursery, Inc. to provide additional information to supplement and clarify the Claim of Beneficial Use (COBU) report for Permit G-11135 submitted to the Oregon Water Resources Department on September 30, 1994.

Based on information provided by Iseli Nursery, the use of water under this permit prior to the "C date" (October 1, 1993), and since that time, has been for year-around nursery operations. This use of water has included temperature control, soil preparation, and application of chemicals and fertilizers, in addition to irrigation of containerized and in-ground plants.

Respectfully submitted,

Les Chule

Ted Ressler, CWRE GSI Water Solutions, Inc.



The facts contained in this addendum to the Claim of Beneficial Use report for Permit G-11135 are correct to the best of my knowledge.

Please send all communications regarding the COBU to me and to Ted Ressler, at GSI Water Solutions, Inc.

- 2/14/08

Greg Pilcher Iseli Nursery, Inc.

APR 1 6 2008 WATER RESOURCES DEPT SALEM OREGON

1600 Western Blvd., Suite 240 Corvallis, OR 97333 P: 541.753.0745 F: 541.754.4211 info@gsiwatersolutions.com www.gsiwatersolutions.com



WATER

RESOURCES

DEPARTMENT

January 21, 1992

Greg Pilcher, Vice President Iseli Nursery, Inc. 30590 SE Kelso Road Boring OR 97009

USER-ID: 9648

Dear Mr. Pilcher,

With regard to the pump test requirements for the following wells and associated water rights:

POD-ID	Well	Application	Permit	Certificate	Status
23191	Well 3	G-11241	G-11134	0	Approved
23194	Well 6	G-11840	G-11135	0	Approved
23189	Well 1	G-11241	G-11134	0	Exempted
23190	Well 2	G-11241	G-11134	0	Exempted
23192	Well 4	G-11241	G-11134	0	Due 3/5/94
23193	Well 5	G-11241	G-11134	0	Due 3/5/94



The Water Resources Department has reviewed and accepted your request to substitute the pump test conducted in 1984 for Well 3 for the required test for Wells 1 and 2. Also, the pump test for Well 6 has been reviewed and accepted. The Department requires no further testing of these wells at this time. However, you will be required to submit static water level measurements of the wells on the ten-year anniversaries of the tests conducted on Wells 3 and 6.

There are enough local changes in the facies of the aquifer unit and the tectonic structures that the accepted tests do not reflect aquifer conditions at Well 4 and 5. Therefore, pump tests will be required for Wells 4 and 5.

We appreciate your cooperation in this program. If you have any questions, please contact Sam Allison or Bill Ferber at the address below or by calling 378-8455.

Sincerely,

Sam aller

FRED LISSNER, Manager Groundwater/Hydrology Section

cc: Water Rights Section



APR 1 6 2008 WATER RESOURCES DEPT SALEM OREGON



3850 Portland Rd NE Salem, OR 97310 (503) 378-3739 FAX (503) 378-8130

STATE OF OREGON

#### COUNTY OF CLACKAMAS

#### PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ISELI NURSERY, INC. 30590 SE KELSO ROAD BORING, OREGON 97009

APPONEStur

Final Proof mog has distance of approver, 1940 503-663-3822

to use the waters of ONE WELL in the NORTH FORK DEEP CREEK BASIN for NURSERY OPERATIONS ON 662.9 ACRES.

This permit is issued approving Application G-11840. The date of priority is AUGUST 16, 1988. The use is limited to not more than 0.78 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

#### The well is located as follows:

NE 1/4 NW 1/4, SECTION 8, T 2 S, R 4 E, W.M.; 70 FEET SOUTH AND 2003 FEET EAST FROM NW CORNER, SECTION 8.

The amount of water used for Nursery Operations (OAR 690) 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 at any time of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

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

A description of the proposed place of use under the permit is as follows:

NE 1/4 NE 1/4 40.00 ACRES SW 1/4 NE 1/4 24.70 ACRES SE 1/4 NE 1/4 39.10 ACRES NW 1/4 SE 1/4 24.70 ACRES SECTION 12 TOWNSHIP 2 SOUTH, RANGE 3 EAST, W.M.

 NW 1/4 NE 1/4
 26.40 ACRES

 SW 1/4 NE 1/4
 10.00 ACRES

 NE 1/4 NW 1/4
 30.40 ACRES

 NW 1/4 NW 1/4
 39.30 ACRES

 SW 1/4 NW 1/4
 39.30 ACRES

 SE 1/4 NW 1/4
 32.30 ACRES

 NE 1/4 SW 1/4
 20.00 ACRES

 NW 1/4 SW 1/4
 15.00 ACRES

 SW 1/4 SW 1/4
 5.00 ACRES

 SW 1/4 SW 1/4
 5.00 ACRES

WATER RESOURCES DEPT SALEM OREGON

APR 1 6 2008

PERMIT G-11135

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PAGE TWO	
NE 1/4 SE 1/4 0.70 ACRE NW 1/4 SE 1/4 30.20 ACRES SW 1/4 SE 1/4 1.40 ACRES SECTION 7 SW 1/4 NE 1/4 NW 1/4 19.90 ACRES NW 1/4 NW 1/4 19.90 ACRES NW 1/4 NW 1/4 32.30 ACRES SW 1/4 NW 1/4 39.10 ACRES SW 1/4 NW 1/4 39.10 ACRES SE 1/4 NW 1/4 40.00 ACRES NE 1/4 SW 1/4 40.00 ACRES NE 1/4 SW 1/4 40.00 ACRES NW 1/4 SW 1/4 40.00 ACRES SW 1/4 SW 1/4 8.50 ACRES SW 1/4 SW 1/4 8.50 ACRES SE 1/4 SW 1/4 S.50 ACRES SE 1/4 SW 1/4 S.5	
The well 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. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.	
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.	
Actual construction work shall begin on or before November 13, 1991, and shall be completed on or before October 1, 1992. Complete application of the water shall be made on or before October 1, 1993.	
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 beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.	
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.	
The use of water shall be limited when it interferes with any prior surface or ground water rights.	
Issued this date, November 13, 1990.	
/s/ WILLIAM H. YOUNG	
Water Resources Department William H. Young Director	
Application G-11840 Water Resources Department PERMIT G-11135 Basin 2 Volume 23A North Fork Deep Creek Wells District 16 G-11840.	

÷

RECEIVED

APR 1 6 2009 ATER RESOURCES DEPT SALEM OREGON

312 stree	+ Native Plants	ISEL.1
STATE OF OREGON	HECH	FIVEN
PLEASE TYPE o	or PRINT IN INK	12 1990 Ju
(1) OWNER:		JE 1330 0
Name RONALD JOHNES	(10) LOCATION OF WATER RESC	JUNCES DEPT
Address 2547 OAK Creek Circle	SW 4 NE 4 Section 8 T. 25	RACON W.M.
City State 4 [2]4	Tax Lot # Lot Blk	Subdivision
(2) TYPE OF WORK (check):	Address at well location:	~
New Well Deepening Reconditioning Abandon I If abandonment, describe material and procedure in Item 12.	(11) WATER LEVEL: Completed w	vell.
(3) TYPE OF WELL: (4) PROPOSED USE (check):	Depth at which water was first found 2.55	ft.
		land surface. Date 1114 53
Rotary Air     Driven     Domestic     Industrial     Municipal       Rotary Mud     Dug     Irrigation     Test Well     Other	Artesian pressure lbs. p	er square inch. Date
Cable Dered Derenal: Withdrawal Reinjection		casing
(5) CASING INSTALLED: Steel Plastic		completed well 400 ft.
Threaded $\Box$ Welded $\Box$ 	Formation: Describe color, texture, grain size and str thickness and nature of each stratum and aquifer pen for each change of formation. Report each change in and indicate principal water-bearing strata.	strated, with at least one entry
LINER INSTALLED:	MATERIAL	From To SWL
( "Diam from 300 ft to 400 ft Gauge 200 PS1 PVL	SOIL AND SAW DUST	C 3
	CLAY BROWN	3 19
(6) PERFORATIONS: Perforated? ≜ Pes □ No Type of perforator used RotARY STAR AND AU	CEMENTED GRAVEL WITH	
Size of perforations $1/4 \times 1/4$ in by $5 \times 1/6$ in.	LAZOF BOULVERS	19 126
900 perforations from 2.50 ft. to 2.55 ft.	CLAY GRAY	128 144
350 perforations from 305 ft. to 3 90 ft.	CEMENTED GRAVEL	144 236
perforations from	SAND FINE	235 247 .2.2.
(7) SCREENS: Well screen installed? Ves	CEMENTED GRAVEL	747 295 152
Manufacturer's Name	SAND TONE BROWN	298 337 152
Type	CLAY BLUE	327 345
Diam. Slot Size	SANDSTONE	258 314 152
Diam. Slot Size	CLITY GRAY	374 404
(8) WELL TESTS: Drawdown is amount water level is lowered below static level	DECENTER	
Was a pump test made?  Yes No If yes, by whom?	B Bland & Ban & W Bars Mark	
Yield: gal/min. with ft. drawdown after hrs.	APR 1 6 2008	<b>↓</b>
Air test 50+ gal/min. with drill stem at 350 ft. 1 hrs.	Para C Leve	
Bailer test gal./min. with ft. drawdown after ; hrs.	WATER RESOURCES DEPT	
Artesian flow g.p.m.	SALEM OREGON	
Temperature of water Depth artesian flow encountered ft.	Work started (e 176 19 3 Complet	ed 11125 1955
(9) CONSTRUCTION: Special standards: Yes D No D	Date well drilling machine moved off of well	1118 19.3
Well seal-Material used CEMENT	(unbonded) Water Well Constructor Certif	ication (if applicable):
Well sealed from land surface to	This well was constructed under my direct and information reported above are true to my	
Diameter of well bore to bottom of seal	and information reported above are true to my l	best knowledge and belief.
Diameter of well bore below seat	[Signed] Laurel U. (12)	Date
Number of sacks of cement used in well seal	<b>Bonded Water Well Constructor Certificat</b>	
How was cement grout placed?	Bond Issued by: Su	North Contract North
	This well was drilled under my jurisdiction	n and this report is true to
Was pump installed?	This well was drilled under my jurisdiction the best of my knowledge and belief.	
Was pump instance:	Name	(Type or print)
Did any strata contain unusable water?  Ves C No	Address	
Type of Water? depth of strata		
Method of sealing strata off	[Signed]	plor
Was well gravel packed? Ves ANO Size of gravel:	. Date	25,1987
Gravel placed from ft. to ft.	7	
NOTICE TO WATER WELL CONSTRUCTOR	WATER RESOURCES DEPARTMENT,	SP*45292-690

The original and first copy of this report

within 30 days from the date of well completion



RECEIVED

DEC 21 1990 OF

December 18, 1990

Water Resources Department 3850 Portland Road, N. E. Salem, OR 97310

Re: File 11840

Sirs:

As suggested at your offices last week, we herewith submit a revised application map and a well log. Both describe an existing well on recently acquired land adjacent to our nursery.

Please include this well in our file and on our final proof survey as well #7, to provide 350 gpm to the nursery operation described in Application Number G11840.

Yours truly,

Greg Pilcher Vice President

GP:cb Encl.

RECEIVED

not or maps,

which is the map?

APR 1 6 2008

WATER RESOURCES DEPT SALEM OREGON

312 stree	+ Native Plants	ISELI	
WATER WELL REPORT			
STATE OF OREGON	122 <b>NEG</b>	EIVED	
PLEASE TYPE	or PRINT IN INK State Permit No.		)
	1414 on maps DEC	21- 1990	u
(1) OWNER:			
0 11 1 1 1	(10) LOCATION OF WATER RES	OURCES DE	PT.
Name KONDIG JOHNES Address 2547 OFTK Creek CIrcle	SUL 4 NE 4 Section 8 T. 25	CARGON	W.M.
City STAIDY State UT274	Tax Lot # Lot Blk	Subdivision	
(2) TYPE OF WORK (check):	Address at well location:		~
	·		
New Well Deepening Reconditioning Abandon I If abandonment, describe material and procedure in Item 12.	(11) WATER LEVEL: Completed v	well.	
······································	Depth at which water was first found 2.38		ft.
(3) TYPE OF WELL: (4) PROPOSED USE (check):	Static level 152. ft. below	land surface. Date ' j	114/83
Rotary Air     Driven     Domestic     Industrial     Municipal       Rotary Mud     Dug     Irrigation     Irrigation     Test Well     Other	Artesian pressure lbs.	per square inch. Date	
Cable D Bored D Thermal: Withdrawal Reinjection D	(12) WELL LOG: Diameter of well below	w casing	
(5) CASING INSTALLED: Steel Plastic		of completed well 4/C	
Threaded 🗇 Welded	Formation: Describe color, texture, grain size and st thickness and nature of each stratum and aquifer pen		
10" Diam. from	for each change of formation. Report each change in and indicate principal water-bearing strata.		
5 Diam from			
LINER INSTALLED:	MATERIAL	From To	SWL
	SOIL AND SAW DUST	7 19	<u>in </u>
(6) PERFORATIONS: Perforated? Perforated?	CLAY BROWN	3 19	
Type of perforator used ROTARY STAR AND TALL	LARGE BOUNDERS	19 126	
Size of perforations 1/4×/4 in by 5×1/6 in.	CLAY GRAY	128 144	
	CEMENTED GRAVEL	144 238	
	SAND FINE	235 247	
perforations from	CEMENTED GRAVEL	747 295	152
(7) SCREENS: Well screen installed? □ Yes	SANDSTONE BROWN	298 337	152
Manufacturer's Name	CLAY BROWN	337 345	
Type	CLAY BLUE	345 358	
Diam.         Slot Size         Set from         ft. to         ft. '           Diam.         Slot Size         Set from         ft. to         ft. '	SANDSTONE	Contraction of the local division of the loc	157
(8) WELL TESTS: Drawdown is amount water level is lowered below static level	CLITY GRAY	374 404	
	THE PART OF THE R D. P. LEWIS CO.		
Was a pump test made?     Yes     No     If yes, by whom?       Yield:     gal/min. with     ft. drawdown after     hrs.			
Air test S(1) + gal/min. with drill stem at 350 ft.   hrs.	APR 1 6 2003		+
Bailer test gal./min. with ft. drawdown after hrs.	WATERRESOURCESDEPT		-
Artesian flow g.p.m.	SALEM ODECON		
Temperature of water Depth artesian flow encountered ft.	Work started (p 7 ( 19 3 Comple	ted 11125	1933
(9) CONSTRUCTION: Special standards: Yes D No D	Date well drilling machine moved off of well	1/18	19.3
Well seal-Material used CEMENT	(unbonded) Water Well Constructor Certi	fication (if appli	cable):
Well sealed from land surface to	This well was constructed under my direct and information reported above are true to my		
Diameter of well bore to bottom of seal .1.4.1	and information reported above are true to my	best knowledge an	d belief.
Diameter of well bore below seal	[Signed] Douvel U. (1)	Date	, 19.00
Number of sacks of cement used in well seal .3.2. sacks	Bonded Water Well Constructor Certifica	tion:	
How was cement grout placed?	Bond Issued by:	urety Company Name	
	This well was drilled under my jurisdiction		is true to
Was pump installed? Type	the best of my knowledge and belief.		
Was a drive shoe used? PYes  No Plugs	Name	(Type (	er print)
Did any strata contain unusable water? 🗆 Yes 🖆 No	Address		
Type of Water? depth of strata	[Signed]		
Method of sealing strata off	[Signed]	ugor C	~ ~
Was well gravel packed?  Yes ANO Size of gravel:	Date	25	, 19.
Gravel placed from	/		
NOTICE TO WATER WELL CONSTRUCTOR	WATER RESOURCES DEPARTMENT,	SP	+45292-690

The original and first copy of this report are to be filed with the wATER RESOURCES DEPARTMENT, SALEM, OREGON 97310 within 30 days from the date of well completion August 15, 1994

W A T E R R E S O U R C E S D E P A R T M E N T

ISELI NURSERY INC 30590 SE KELSO RD BORING OR 97009

REFERENCE: File G-11704 & G-11840

This letter is in regard to your water use Permit G-11025 and G-11135. As we pointed out to you in our letter of November 9, 1993, your claim of beneficial use must be received in this office by October 1, 1994.

Oregon Administrative Rule 690-14-190 states: "The claim of beneficial use shall be submitted to the Department within one year after the use was reported..as being complete...Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260."

The "claim" consists of a site report and map of the developed use prepared by a Certified Water Right Examiner. A request from the permittee for issuance of a certificate of water right must accompany the claim.

You are hereby notified that unless your claim is received on or before October 1, 1994, your permit will be cancelled without further notice.

If you have questions, please contact Tom Shook, Water Resources Department, at 1-800-624-3199 or 1-503-378-3739.

Sincerely,

A. REED MARBUT Water Rights/Adjudication Division

ARM/jh

cc: Watermaster CWRE

CERTIFIED - RETURN RECEIPT REQUESTED



FCEWED

APR 1 6 2008

WATER RESOURCES DEPT SALEM OREGON

> Commerce Building 158 12th Street NE Salem, OR 97310-0210 (503) 378-3739 FAX (503) 378-8130

#### MEMORANDUM

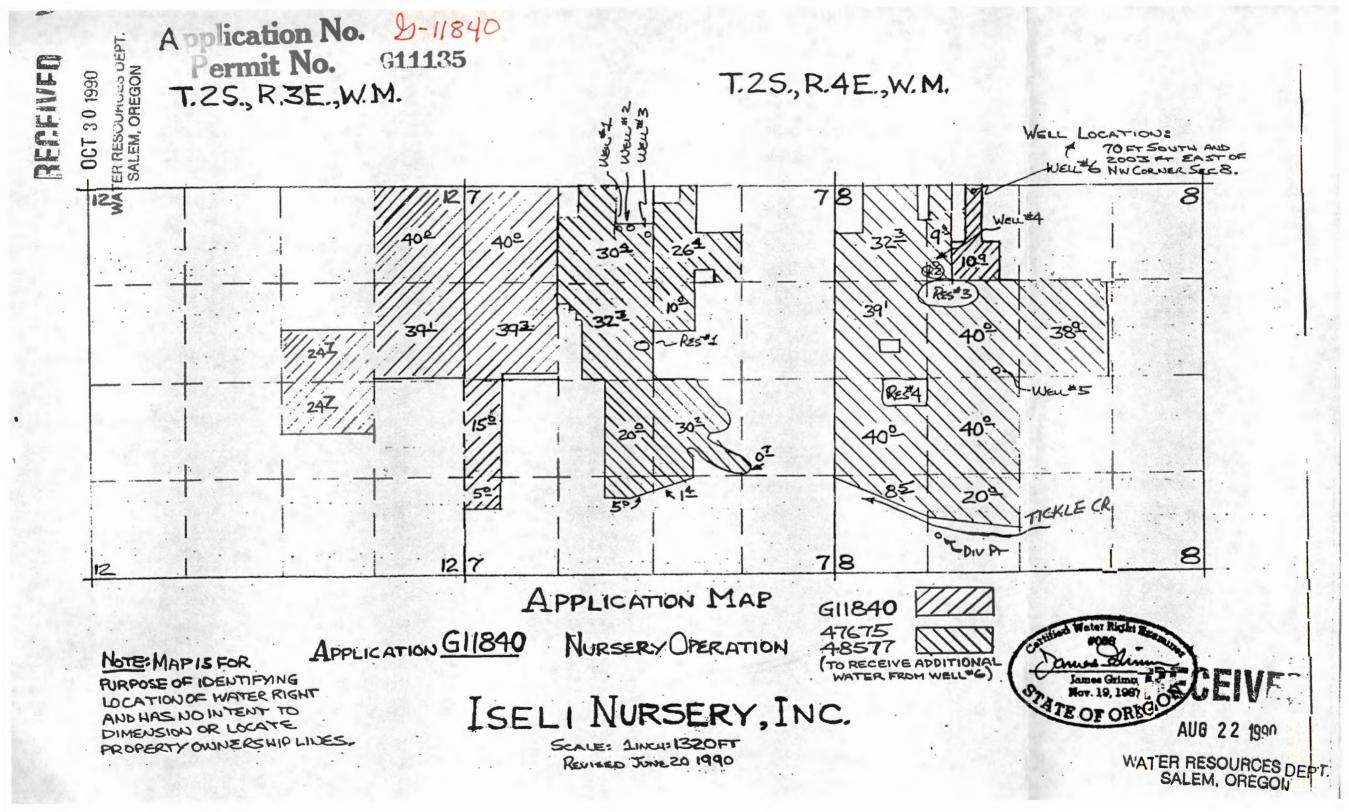
TO:	ANDREW HARVEY, PBS
FROM:	GERRY CLARK
SUBJECT:	REIMBURSEMENT AUTHORITY CERTIFICATE PROJECT FOR
	APPLICATION G-11840, PERMIT G-11135 (ISELI NURSERY, INC.)
DATE:	3/3/2008

Additional project information:

- 1. The original map is on mylar.
- 2. If a positive determination is made, the certificate must be in the same format as the permit. An electronic template/example will be provided upon request.

EWED

APR 1 6 2008 WATER RESOURCES DEPT SALEM OREGON



Site Report and Claim of Beneficial Use Application G-11840 Permit #G-11135

Iseli Nursery 30590 SE Kelso Road Boring, Oregon 97009 Tele #663-3822 SEP 3 0 1994 WATER RESJUNCES DEP

SOURCE: Irrigation water is obtained from one Well PREGON dia x 485' deep) located 70'S & 2003'E from NW corner of Section 8. (ties obtained from field measurements and aerial photo).

> Well pump is a 50HP Berkeley 7S3L8 (350GPM) submersible turbine. Pump piping is equipped with pressure gauges. An access port is available to measure static and pumping water levels. No flow meter or other flow measuring device is present. Well head is approximately 12" above pump house floor.

PIPE: Irrigation water is transported from the well head through a buried 8" line to a drip irrigation line and open discharge into a pond. From the pond it is then re-pumped for irrigation. Although no meter is present, pump curves and previous test pumping verify pump capacity @ 350.0 GPM.

(Water used to full permitted duty of 0.78 CFS)

LIFT: Topography of the being irrigated is area slightly rolling. Measured from the top of casing 575.0 USGS) static water level...is (approx. 215'; pumping level is approximately 300'. (as per well log and test pump results). Pond water level is approx. 590.0 USGS.

<u>USES:</u> System was operating at the time of my site visit. Water was being used for irrigation of container stock and in-ground plantings.

Note: Total verified acreage irrigated for nursery operations under this final proof survey is 566.60 acres.

The final proof survey and inspection of use was found to be completed under the terms and conditions of Permit #G-11135. This final proof survey and inspection was completed by me on September 21, 1994 and the facts contained in this report and accompanying final proof map are correct to the best of my knowledge.

ilied Water Right Nov. 19, 1987 SOFORE

RFCI

SEP 3 0 1994

WATER RESOURCES DEP-SALEM, OREGON

We, being Iseli Nursery, agree to the findings of the Certified Water Rights Examiner and do submit this site report and map as our Claim of beneficial Use of the water as provided under the terms and conditions of Permit #G-11135.

LICE PRES ISELINUPStry Duc

Application No. 6 - 11840

Permit No.

### STATE OF OREGON WATER RESOURCES DEPARTMENT

# RECEIVED

AUG 1 6 1988

Application for a Permit to Appropriate	Groundwater
Abbuernen en en enne te abbrehiere	WATER RESOURCES DEPT.
	CALEN OBEOON

Applicant:	Iseli Nurser	y, Inc.		SALEM, UMEGU
Mailing address:	30590 S. E.	Kelso Road		
City	Boring	Oregon State	97009 Zip	663-3822 Phone No.
hereby make applie	ation for a permit to app	propriate the following descr	ribed groundwaters o	f the State of Oregon:
. THE DEVELO	PMENT (number of we	ells, tile lines, infiltration ga	lleries, etc.):	
One well	02.1140.0230.	0130.030		
		include 350 GPM for		Nursery Stock us
and	350 GPM for relat	ed Nursery use (field	1).	
Amour	nt of water:780		or	350
Diameter of well:	8 inch	(cubic feet per second) Depth in fee	4.95	(gallons per minute)
Type and size of well	l casing:steel		No.	of feet:
Estimated depth to u	vater: 216			
Type of access port o	or measuring device:	airline		
Wells to be drilled by	. Pulliam Well D	rilling/Olsen Well D	rilling	
Address	. Oregon City	Ore	gon 9	7045
		State your water control and con		z <sub>ip</sub> ater is pump
to drip lines	and open discharge	into a pond, then p	umped again to	irrigation lines
		Station In Pro-		
			•	

If development is less than 1/4 mile from a natural stream, give the following:

Distance from development to stream:

Elevation difference between streambed and development: \_

Note: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells.

2. LOCATION (if there is more than one well or source, describe on another sheet):

70	feetsouth	- 9)	and 2003	feet	east (E or W)
	The structure over sec.				(B or W)
from the <u>north</u>	NS	NW	tion 8 (Public)	Land Survey Corner)	
located within the _			_ 1/4 of Section	8	
Township	25	_, Range _	4E	, WM.	Tax Lot _700,790
in Clackamas	County				

#### 3. PLACE OF USE (attach additional sheets, if necessary):

Township	Range	Section	4 4 Section	Tax Lot No.	Use	Use or acres to be irrigated
SEE ATT	ACHED	SHEET				
		1.1.1	A ANT ALL A			
		1				
				U		
						•
	1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.		and a second	000 (170		
	82.1		proceined Nursery			
	Nu:	anth anna a	ELENT CONTRACTOR	P31 910 159	Containstream	workerg office hae
			ANTICIA S	Sec. Subsec	and the second second	Merce and State
Tre-man and		The second			·····	
The state of the		-		migue (s.	- start a state of an	And water and
			and the second			

#### 4. DESCRIPTION OF WATER-DELIVERY SYSTEM:

Length and dimensions of supply ditch or pipeline: <u>1700 feet of 8 inch PVC pipe</u>

Size and type of pump and motor: \_

7 inch, submersible, 50 horsepower

Type of irrigation system (check appropriate box): 🛛 Flood 🛛 Wheel line
Hand line A Drip A Other Overhead set line
Other systems:
Proposed date construction will begin:
Proposed date of completion of system:July 1988
Proposed date water use will be completed: <u>July 1988</u>
Is this groundwater source supplemental to another supply?
If so, identify the supply and the existing water right:
Comments:Application 68024 Permit 48577
Application 65054 Permit 47675
Application R-68128 Permit R9901
Application R-69175 Permit R10837
Well to provide additional water for lands covered by above listed permits and
water for new lands in this application.
quitte
Signature of Applicant Iseli NURSUNY. Dur,
GREG PILCHER V.P.

**NOTE:** This permit, when issued, is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Application No. G-11840

Permit No.

	(DO NOT WRITE IN THIS SPACE)
Dear Applicant:	
certify that I have examined	the foregoing application, together with any accompanying information. I
returning it to you for the follow	ning reason(s):
In order to retain your priority,	you must return this application with the requested corrections or additions of
before	, 19
	n this application. '10
Well to provide addit	ional water for lands covered by above listed permits and
	By:
	Ву:
	Ву:
	By:
	By:
	By:
	<i>By</i> :
	<i>By</i> :
	<i>By</i> :
	<i>By:</i>

K

Application No. G-11840

Permit No. \_

#### **Gerry Clark**

From:Gerry ClarkSent:Friday, April 11, 2008 3:38 PMTo:'Andrew Harvey'Subject:RE: deliverables for Iseli Nursery Certificate G-11840

Drew,

Thanks.

We will review the proposed certificate and deficiency letter once we receive the deliverables.

Thanks for your work on this project.

Gerry

Gerry Clark Water Rights Specialist/Certificates 725 Summer St. NE, Ste. A Salem, OR 97303

Phone: 503-986-0811 Fax: 503-986-0901

http://www.wrd.state.or.us/

From: Andrew Harvey [mailto:andrew\_harvey@pbsenv.com] Sent: Friday, April 11, 2008 1:40 PM To: Gerry Clark Subject: deliverables for Iseli Nursery Certificate G-11840

Gerry,

Attached are the deliverables for the Iseli Nursery certificate application. These are for application number G-11840. I have also attached a draft deficiency letter for the application. The paper copies of the deliverables, including the COBU Checklist and platcard copies, will be mailed to you today. Please note the items marked in yellow in the proposed certificate. The number of acres on the proposed certificate matches those on the application, but are less than those on the Permit. Also the POU acres are those shown on the Final Survey Proof map, and are different than those listed on the Permit. I have also marked the well location distance from the section corner which appears to be slightly less than described in the Permit. These might be cleared with information from the applicant or CWRE.

Please call me if you have questions or need any other information on this project.

Drew

Andrew F. Harvey, RG, CWRE Senior Geologist andrew\_harvey@pbsenv.com 503.417.7693

4/11/2008

PBS Engineering + Environmental Engineering | Natural Resources | Environmental | Health and Safety www.pbsenv.com 4412 SW Corbett Ave. Portland OR, 97239 Main ph: 503.248.1939 ; fax: 503.248.0223

DISCLAIMER:

This message and any attachments are considered privileged and confidential and are intended for the sole use of the individual or entity to whom the message is addressed. If you have received this message in error, please immediately advise the sender and permanently delete the message and any attachments.

#### **UPS Internet Shipping: View/Print Label**

- 1. **Print the label(s):** Select the Print button on the print dialog box that appears. Note: If your browser does not support this function select Print from the File menu to print the label.
- 2. Fold the printed label at the dotted line. Place the label in a UPS Shipping Pouch. If you do not have a pouch, affix the folded label using clear plastic shipping tape over the entire label.
- 3. GETTING YOUR SHIPMENT TO UPS
  - **Customers without a Daily Pickup**
  - Schedule a same day or future day Pickup to have a UPS driver pickup all of your Internet Shipping packages.
  - Hand the package to any UPS driver in your area.
  - Take your package to any location of The UPS Store<sup>®</sup>, UPS Drop Box, UPS Customer Center, UPS Alliances (Office Depot<sup>®</sup> or Staples<sup>®</sup>) or Authorized Shipping Outlet near you. Items sent via UPS Return Services<sup>SM</sup> (including via Ground) are accepted at Drop Boxes.
  - To find the location nearest you, please visit the 'Find Locations' Quick link at ups.com.

#### **Customers with a Daily Pickup**

Your driver will pickup your shipment(s) as usual.

FOLD HERE



#### MEMORANDUM

TO:ANDREW HARVEY, PBSFROM:GERRY CLARKSUBJECT:REIMBURSEMENT AUTHORITY CERTIFICATE PROJECT FOR<br/>APPLICATION G-11840, PERMIT G-11135 (ISELI NURSERY, INC.)DATE:3/3/2008

Additional project information:

- 1. The original map is on mylar.
- 2. If a positive determination is made, the certificate must be in the same format as the permit. An electronic template/example will be provided upon request.

Cova Menno- - Time Menno 5 hour 1 hour meno
-Time Meno
5 hour
1 hour meno

#### MEMORANDUM

TO:ANDREW HARVEY, PBSFROM:GERRY CLARKSUBJECT:REIMBURSEMENT AUTHORITY CERTIFICATE PROJECT FOR<br/>APPLICATION G-11840, PERMIT G-11135 (ISELI NURSERY, INC.)DATE:3/3/2008

Additional project information:

- 1. The original map is on mylar.
- 2. If a positive determination is made, the certificate must be in the same format as the permit. An electronic template/example will be provided upon request.

#### 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):

REQUEST	TYPE	FILE NUMBER
	Transfer Application	
	Certificate Request	(permit) G-11135
	Extension of Time Request	

	Applicant Information	Applicant's Representative/Contact
Name: (Please Print)	Iseli Nursery, Inc. Attn. Greg Pilcher	Adam Sussman, GSI Water Solutions, Inc.
Address:	30590 SE Kelso Rd.	1600 Western Blvd., Suite 240
	Boring, OR 97009	Corvallis, Oregon 97333
Phone:	1-800-777-6202	541-753-0745
Fax	503-663-0202	541-754-4211
E-Mail Address:	gpilcher@iseli-nursery.com	asussman@gsiwatersolutions.com

I understand the following:

- There is a non-refundable application fee of \$125.00 per request.
- That upon receipt of my non-refundable application fee in the amount of <u>\$ 125.00</u>, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
- That this fee covers the copying, the mailing cost, as well as the cost for the contractor to evaluate and provide the estimate for processing of the request.
- That OWRD will provide all pertinent information to the assigned contractor within three (3) business days.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimates I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

#### OWRD – Reimbursement Authority Program 725 Summer St. NE, Suite A Salem, OR 97301-1266.

I certify that I am the (check one) Applicant Applicant's Representative Other (Please specify)

Signature:	n A	Name: Alam Sussman,
OWRD USE ONLY Contractor Assigned:	PRC	Name: <u>Adam</u> Sussman GSI Water Stutions Total Amount Paid: \$ 125
OWRD Approval:	100	
3/4/08 C.U.		Revised: 6/21/2004



## RECEIVED

FEB 2 5 2008

WATER RESOURCES DEPT SALEM, OREGON

February 13, 2008

Gerry Clark Water Rights and Adjudication Division Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, OR 97301

RE: Addendum to Claim of Beneficial Use for Permit G-11135 (Application G-11840) in the name of Iseli Nursery, Inc.

Dear Mr. Clark:

This addendum is submitted on behalf of Iseli Nursery, Inc. to provide additional information to supplement and clarify the Claim of Beneficial Use (COBU) report for Permit G-11135 submitted to the Oregon Water Resources Department on September 30, 1994.

Based on information provided by Iseli Nursery, the use of water under this permit prior to the "C date" (October 1, 1993), and since that time, has been for year-around nursery operations. This use of water has included temperature control, soil preparation, and application of chemicals and fertilizers, in addition to irrigation of containerized and in-ground plants.

Respectfully submitted,

by & Pulle

Ted Ressler, CWRE GSI Water Solutions, Inc.



The facts contained in this addendum to the Claim of Beneficial Use report for Permit G-11135 are correct to the best of my knowledge.

Please send all communications regarding the COBU to me and to Ted Ressler, at GSI Water Solutions, Inc.

- 2/14/08

Greg Pilcher Iseli Nursery, Inc.

8-15-31-5008 20 Lutility 2-6-08

Oregon

January 21, 1992

Greg Pilcher, Vice President Iseli Nursery, Inc. 30590 SE Kelso Road Boring OR 97009 W A T E R R E S O U R C E S D E P A R T M E N T

USER-ID: 9648

Dear Mr. Pilcher,

With regard to the pump test requirements for the following wells and associated water rights:

POD-ID	Well	Application	Permit	Certificate	Status
23191	Well 3	G-11241	G-11134	0	Approved
23194	Well 6	G-11840	G-11135	0	Approved
23189	Well 1	G-11241	G-11134	0	Exempted
23190	Well 2	G-11241	G-11134	0	Exempted
23192	Well 4	G-11241	G-11134	0	Due 3/5/94
23193	Well 5	G-11241	G-11134	0	Due 3/5/94

The Water Resources Department has reviewed and accepted your request to substitute the pump test conducted in 1984 for Well 3 for the required test for Wells 1 and 2. Also, the pump test for Well 6 has been reviewed and accepted. The Department requires no further testing of these wells at this time. However, you will be required to submit static water level measurements of the wells on the ten-year anniversaries of the tests conducted on Wells 3 and 6.

There are enough local changes in the facies of the aquifer unit and the tectonic structures that the accepted tests do not reflect aquifer conditions at Well 4 and 5. Therefore, pump tests will be required for Wells 4 and 5.

We appreciate your cooperation in this program. If you have any questions, please contact Sam Allison or Bill Ferber at the address below or by calling 378-8455.

Sincerely,

Sam aller For

FRED LISSNER, Manager Groundwater/Hydrology Section

cc: Water Rights Section



3850 Portland Rd NE Salem, OR 97310 (503) 378-3739 FAX (503) 378-8130

WATER RESOURCES DEPARTMENT

December 6, 1994

JAMES M SCHUETTE, CWRE 1810 LANA AVENUE NE #1 SALEM OR 97303

#### REFERENCE: File G-11840

On SEPTEMBER 30, 1994, we received the Claim of Beneficial Use and map you submitted for Permit G-11135 in the name of ISELI NURSERY, INC.

If you have any questions, please call the Water Rights Section at 378-3739.

TA

Sincerely,

 $||_{i}/|$ 

DALLAS S. MILLER Water Rights Specialist

DSM:tcb

cc: ISELI NURSERY, INC. 30590 SE KELSO ROAD BORING, OR 97009



Commerce Building 158 12th Street NE Salem, OR 97310-0210 (503) 378-3739 FAX (503) 378-8130

#### STATE OF OREGON

and a manufacture of an and a set of the set

#### COUNTY OF CLACKAMAS

#### PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ISELI NURSERY, INC. 30590 SE KELSO ROAD BORING, OREGON 97009

503-663-3822

to use the waters of ONE WELL in the NORTH FORK DEEP CREEK BASIN for NURSERY OPERATIONS ON 662.9 ACRES.

This permit is issued approving Application G-11840. The date of priority is AUGUST 16, 1988. The use is limited to not more than 0.78 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE 1/4 NW 1/4, SECTION 8, T 2 S, R 4 E, W.M.; 70 FEET SOUTH AND 2003 FEET EAST FROM NW CORNER, SECTION 8.

The amount of water used for Nursery Operations (OAR 690) 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 at any time of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

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

A description of the proposed place of use under the permit is as follows:

NE 1/4 NE 1/4 40.00 ACRES SW 1/4 NE 1/4 24.70 ACRES SE 1/4 NE 1/4 39.10 ACRES NW 1/4 SE 1/4 24.70 ACRES SECTION 12 TOWNSHIP 2 SOUTH, RANGE 3 EAST, W.M.

 NW
 1/4
 NE
 1/4
 26.40
 ACRES

 SW
 1/4
 NE
 1/4
 10.00
 ACRES

 NE
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 NW
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 ACRES

 NW
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 ACRES

a a ca se se ca constante a

Application G-11840 Water Resources Department

PERMIT G-11135

PAGE TWO

NE	1/4	SE	1/4	0.70	ACRE	
NW	1/4	SE	1/4	30.20	ACRES	
SW	1/4	SE	1/4	1.40	ACRES	
SW	1/4	NE	1/4	38.90	ACRES	
NW	1/4	NW	1/4	32.30	ACRES	
SW	1/4	NW	1/4	39.10	ACRES	
SE	1/4	NW	1/4	40.00	ACRES	
NE	1/4	SW	1/4	40.00	ACRES	
SW	1/4	SW	1/4	8.50	ACRES	
SE	1/4	SW	1/4	20.00	ACRES	
SHI	P 2 4	SOU	TH, R	ANGE 4	EAST,	W.M.
	NW SW SW NE NW SW SE NW SW SE	NW 1/4 SW 1/4 SW 1/4 NE 1/4 SW 1/4 SE 1/4 NW 1/4 SW 1/4 SW 1/4 SE 1/4	NW 1/4 SE SW 1/4 SE SE SW 1/4 NE NE 1/4 NW NW 1/4 NW SW 1/4 NW SE 1/4 SW NW 1/4 SW SW 1/4 SW SW 1/4 SW SE 1/4 SW SE 1/4 SW	NW 1/4 SE 1/4 SW 1/4 SE 1/4 SECTION SW 1/4 NE 1/4 NE 1/4 NW 1/4 NW 1/4 NW 1/4 SW 1/4 NW 1/4 SE 1/4 NW 1/4 NE 1/4 SW 1/4 NW 1/4 SW 1/4 SW 1/4 SW 1/4 SE 1/4 SW 1/4 SE 1/4 SW 1/4	NW 1/4 SE 1/4         30.20           SW 1/4 SE 1/4         1.40           SECTION 7           SW 1/4 NE 1/4         38.90           NE 1/4 NW 1/4         19.90           NW 1/4 NW 1/4         19.90           NW 1/4 NW 1/4         39.10           SE 1/4 NW 1/4         39.10           SE 1/4 NW 1/4         40.00           NE 1/4 SW 1/4         40.00           NW 1/4 SW 1/4         40.00           SW 1/4 SW 1/4         8.50           SE 1/4 SW 1/4         8.50           SE 1/4 SW 1/4         20.00           SECTION 8         8	SW 1/4 NE 1/4 38.90 ACRES NE 1/4 NW 1/4 19.90 ACRES NW 1/4 NW 1/4 32.30 ACRES SW 1/4 NW 1/4 39.10 ACRES SE 1/4 NW 1/4 40.00 ACRES NE 1/4 SW 1/4 40.00 ACRES NW 1/4 SW 1/4 40.00 ACRES SW 1/4 SW 1/4 8.50 ACRES SE 1/4 SW 1/4 20.00 ACRES

The well 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. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

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.

Actual construction work shall begin on or before November 13, 1991, and shall be completed on or before October 1, 1992. Complete application of the water shall be made on or before October 1, 1993.

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

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

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

Issued this date, November 13, 1990.

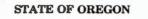
/s/ WILLIAM H. YOUNG

Water Resources Department William H. Young Director

Application G-11840Water Resources DepartmentPERMIT G-11135Basin 2Volume 23A North Fork Deep Creek WellsDistrict 16G-11840.District 16

#### WATER WELL REPORT

312 street Native Plants . CIAC 5422



PLEASE TYPE or PRINT IN INK



ISEL1

And the second		
(1) OWNER:	(10) LOCATION OF WELLA RESC	
Name RONALD JOHNES	County (LACKAMAS Sprillerayed	JUHCES DEPT
Address 2547 OAK Creek CIrcle	SW 4 NE 4 Section 8 T.	RACON W.M.
City STUDY State UT274	Tax Lot # Lot Blk	Subdivision
	Address at well location:	
(2) TYPE OF WORK (check):		
New Well Deepening Reconditioning Abandon	(11) WATER LEVEL: Completed w	vell.
If abandonment, describe material and procedure in Item 12.	Depth at which water was first found 2.58	#
(3) TYPE OF WELL: (4) PROPOSED USE (check):		land surface. Date 1/14/83
Rotary Air Driven Domestic Dindustrial Municipal		er square inch. Date
Rotary Mud     Dug     Irrigation     Test Well     Other       Cable     Bored     Thermal:     Withdrawal     Reinjection		
		casing
(5) CASING INSTALLED: Steel Plastic	Depth drilled (1)4 ft. Depth of Formation: Describe color, texture, grain size and str	completed well 400 ft.
Threaded Welded	thickness and nature of each stratum and aquifer pen	etrated, with at least one entry
10. "Diam from + 2. ft. to .1.3.9. ft. Gauge , 250.	for each change of formation. Report each change in and indicate principal water-bearing strata.	position of Static Water Level
	and indicate principal water-bearing strata.	
LINER INSTALLED:	MATERIAL	From To SWL
U. "Diam from 300 ft to 400 ft Gauge 2010 FS1 PVC	SOIL AND SALU DUST	C 3
(6) PERFORATIONS: Perforated? Perforated?	CLAY BROWN	3 19
Type of perforator used RotARY STAR AND TAL	CEMENTED GRAVEL WITH	
Size of perforations $1/4 \times 1/4$ in by $5 \times 1/15$ in.	LARGE BOULVERS	19 126
200 perforations from 2.50 ft to 2.55 ft.	CLAY GRAY	128 144
ESO perforations from 305 ft to 3.90 ft	CEMENTED GRAVEL	144 238
perforations fromft. toft.	SAND FINE	235 247 .52.
	CEMENTED GRAVEL	747 295 152
(7) SCREENS: Well screen installed?  Yes	SAND TONE BROWN	298 337 152
Manufacturer's Name	CLAY SKOUN	337 345
Type	CLAY ISLUE	345 358
Diam	SANDSTONE	256 314 152
Diam. Slot Size	CLITY GRAY	374 404
(8) WELL TESTS: Drawdown is amount water level is lowered below static level		
Was a pump test made?  Yes No If yes, by whom?		
Yield: gal/min. with ft. drawdown after hrs.	• •	
Air test (1) + gal/min. with drill stem at 350 ft. 1 hrs.		
Bailer test gal./min. with ft. drawdown after thrs.		
Artesian flow g.p.m.		
Temperature of water Depth artesian flow encountered ft.	Work started ( 176 19 3 Complet	ted 1115 1953
(9) CONSTRUCTION: Special standards: Yes D No	Date well drilling machine moved off of well	11/18 19.3
Well seal-Material used CEMENT	(unbonded) Water Well Constructor Certif	figation (if applicable)
Well sealed from land surface to	This well was constructed under my direct	
Diameter of well bore to bottom of seal	and information reported above are true to my	best knowledge and belief.
Diameter of well bore below seal	[Signed] Laurel U. L.	Date 8/10 , 1963
Number of sacks of cement used in well seal .5.2. sacks	Bonded Water Well Constructor Certifica	
How was cement grout placed?		lion:
	(number) St	arety Company Name
	This well was drilled under my jurisdiction	n and this report is true to
Was pump installed? Type HP Depth ft.	the best of my knowledge and belief.	•
Was a drive shoe used? PYes D No Plugs	(Person, firm or corporation)	(Type or print)
Did any strata contain unusable water?  Yes  No	Address	
Type of Water? depth of strata		
Method of sealing strata off	[Signed]	igtor
Was well gravel packed?  Yes No Size of gravel:	Date	25,1987
Gravel placed from ft. to ft.	1	
NOTION BO WARDD WERE CONCERNED		

August 15, 1994

W A T E R R E S O U R C E S D E P A R T M E N T

ISELI NURSERY INC 30590 SE KELSO RD BORING OR 97009

REFERENCE: File G-11704 & G-11840

This letter is in regard to your water use Permit G-11025 and G-11135. As we pointed out to you in our letter of November 9, 1993, your claim of beneficial use must be received in this office by October 1, 1994.

Oregon Administrative Rule 690-14-190 states: "The claim of beneficial use shall be submitted to the Department within one year after the use was reported..as being complete...Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260."

The "claim" consists of a site report and map of the developed use prepared by a Certified Water Right Examiner. A request from the permittee for issuance of a certificate of water right must accompany the claim.

You are hereby notified that unless your claim is received on or before October 1, 1994, your permit will be cancelled without further notice.

If you have questions, please contact Tom Shook, Water Resources Department, at 1-800-624-3199 or 1-503-378-3739.

Sincerely,

A. REED MARBUT Water Rights/Adjudication Division

ARM/jh

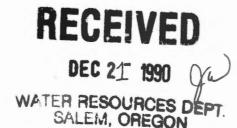
cc: Watermaster CWRE

CERTIFIED - RETURN RECEIPT REQUESTED



Commerce Building 158 12th Street NE Salem, OR 97310-0210 (503) 378-3739 FAX (503) 378-8130





December 18, 1990

Water Resources Department 3850 Portland Road, N. E. Salem, OR 97310

Re: File 11840

Sirs:

As suggested at your offices last week, we herewith submit a revised application map and a well log. Both describe an existing well on recently acquired land adjacent to our nursery.

Please include this well in our file and on our final proof survey as well #7, to provide 350 gpm to the nursery operation described in Application Number Gl1840.

Yours truly,

Greg Pilcher Vice President

GP:cb Encl.



WATER WELL REPORT

1.1

STATE OF OREGON

312 street Native Plants



PLEASE TYPE or PRINT IN INK

CLAC, 5022

(1) OWNER: Name RONALD JOHN Address 2 547022 State 4 City 27 Ald (2) TYPE OF WORK (check): New Well Reconditioning Abandon 🗆 If abandonment, describe material and procedure in Item 12. (4) PROPOSED USE (check): (3) TYPE OF WELL: Industrial Municipal Rotary Air Driven Domestic Rotary Mud Irrigation Test Well Other Dug C Reinjection Cable Bored Thermal: Withdrawal (5) CASING INSTALLED: ú Plastic Steel Threaded Welded LINER INSTALLED: ( "Diam from 300 ft to 400 ft Gauge 200 FS1 PVC (6) PERFORATIONS: Perforated? Pes D No Type of perforator used ROTARY STAR AND SAW Size of perforations 11/4×1/4 in by 5×1/8 in. 900 perforations from 2.50 ft. to 2.55 ft. 350 perforations from 305 ft. to 3.90 ft. Well screen installed? 
Yes (7) SCREENS: Manufacturer's Name Slot Size ...... Set from ..... ft. to ..... ft. Diam. Drawdown is amount water level is lowered (8) WELL TESTS: below static level Was a pump test made? 
Yes No If yes, by whom? Yield: ft. drawdown after gal./min. with hrs. \*00+ gal./min. with drill stem at 350 ft. Air test hrs, Bailer test gal./min. with ft. drawdown after hrs. Artesian flow g.p.m. Depth artesian flow encountered ...... ft. Temperature of water (9) CONSTRUCTION: Special standards: Yes D No Well seal-Material used CEMENT 24 Well sealed from land surface to ..... Number of sacks of cement used in well seal .5.2 sacks Was pump installed? ...... Type ....... HP ...... Depth ...... ft. Was a drive shoe used? Pres DNo Plugs ...... Size: location ...... ft. Did any strata contain unusable water? 🗆 Yes 🖆 No Type of Water? depth of strata Method of sealing strata off Was well gravel packed? Ves Size of gravel: ..... Gravel placed from ...... ft. to ..... ft.

	DEC 2	1 190	nt	u
(10) LOCATION OF WELL	BESC			
County (LACKAMAS SD	iller's well	NIE	ES DE	PT.
	いとや	21125	<b>W</b> N	W.M.
Fax Lot # Lot	Blk	Su	bdivision	
Address at well location:			3 m	-
(11) WATER LEVEL: Compl		ell.		
Depth at which water was first found				ft
Static level 152.	ft. below l	and surfac	ce. Date	114/5.
Artesian pressure	lbs. p	er square i	inch. Date	19 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
(12) WELL LOG: Diameter of	well below	casing	0	
	Depth of			00 ft
thickness and nature of each stratum and at for each change of formation. Report each and indicate principal water-bearing strata	change in			
MATERIAL		From	То	SWL
SOIL AND SAW DUST	1	C	3	-
CLAY BROWN		3	19	
CEMENTED GRAVEL WI	++			and the second
LARGE BOULDERS		15	126	
CLAY GRAY		128	144	Chi e ce le c
CEMENTED GRAVEL	1	144	238	
SAND FINE		233	2.47	152.
CEMENTED GRAVEL		747	295	152
SANDSTONE BROWN	-	295	337	152
CLAY EROUN		337	345	
CLAY BLUE		345	358	
				157
SANDSTONE		358	314	10 hora
SANDSTONE Slipy GRAY		358	3/4	104-
		Transfer States		154-
	· · · · · · · · · · · · · · · · · · ·	Transfer States		154-
		Transfer States		
SLIFY GRAY		Transfer States		152
SLIFY GRAY	· · · · · · · · · · · · · · · · · · ·	Transfer States		194.
SLIFY GRAY		Transfer States		
SLIFY GRAY		Transfer States		
CLIFY GRAY	Comela	374	404	
SLIFY GRAY	Complet	374		192- 193- 193-

and information reported above are true to my best knowledge and belief. [Signed]

Bonded Water Well Constructor Certification:
Bond \_\_\_\_\_\_ Issued by: \_\_\_\_\_

(number)	Surety Company Name		
This well was drilled under my jun the best of my knowledge and belief.	risdiction and this report is true to		
Name(Person, firm or corporation)	(Type or print)		
Address			
[Signed]			
Water W. Date	ell Constructor		
	1		

NOTICE TO WATER WELL CONSTRUCTOR The original and first copy of this report WATER RESOURCES DEPARTMENT, SALEM, OREGON 97310 within 30 days from the date of well completion SP\*45292-690

OGT 1 2 1990

RECEIVEN



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

OCT 3 0 1990 WATER RESOURCES DEPT SALEM, OREGON PHONE 378-3066

October 11, 1990

Iseli Nursery, Inc. 30590 S.E. Kelso Rd. 97009 Sandy, OR

REFERENCE: File G-11241 & G-11840

Your Applications G-11241 and G-11840 for permits to use the public waters together with the supporting maps have again been reviewed. We can proceed towards considering approval of the applications. Based on the information supplied on the applications and supporting maps, we have prepared "draft" permits.

These "draft" permits are enclosed for your consideration. In there preparation, our staff has considered any public or agency comments received, as well as all pertinent Oregon laws, administrative rules and Commission policies.

We are now ready to issue permits approving your request to use water. The draft permits enclosed contains all of the conditions and limitations that would appear on your permits, if issued.

Please review the draft permits carefully. If you are satisfied that the drafts adequately describe your proposed use of water, and the terms are acceptable to you, please sign the draft copies in the spaces provided and return them to us within 30 days. When we receive your signed drafts, we will issue the permits as quickly as possible.

If you do not agree with, or cannot accept one or more of the terms or conditions as stated in the enclosed drafts, you should advise us immediately. In this event, we will then advise you of any options which may be available to you.

If you have any questions, please contact the Applications & Permits Section at 378-3066.

Sincerely, - Ale

WAYNE J. OVERCASH Senior Water Rights Specialist

G-11840 NE 1/4 of NW 1/4 Sec. MAP AccurENTERY SHOWS 10.9 acres AREA BUT LISTS 4.9 MAP\$ NOTE CHAMPED THANKYOU

Enclosures

WJO



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

October 11, 1990

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WAYNE J. OVERCASH Senior Water Rights Specialist

WJO

Enclosures

PAGE TWO

NE 1/4 SE 1/4 0.70 ACRE NW 1/4 SE 1/4 30.20 ACRES SW 1/4 SE 1/4 1.40 ACRES SECTION 7 SW 1/4 NE 1/4 38.90 ACRES NE 1/4 NW 1/4 13.90 ACRES NW 1/4 NW 1/4 32.30 ACRES

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 ACRES

 SECTION
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TOWNSHIP 2 SOUTH, RANGE 4 EAST, W.M.

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

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

Issued this date, .

Water Resources Department William H. Young Director

I, \_\_\_\_\_, acting for Iseli Nursery, hereby understand and agree that this draft permit describes the full extent of water use that will be allowed approving Application G-11840. By signature below, I agree to the proposed terms and conditions for this draft permit.

Signature

Title

Application G-11840Water Resources DepartmentPERMIT G-XXXXXBasin 2Volume 23A North Fork Deep Creek WellsDistrict 16G-11840.G-11840.District 16



Date

## DRAFT

#### STATE OF OREGON

#### COUNTY OF CLACKAMAS

#### PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ISELI NURSERY, INC. 30590 SE KELSO ROAD BORING, OREGON 97009

503-663-3822

to use the waters of ONE WELL in the NORTH FORK DEEP CREEK BASIN for NURSERY OPERATIONS ON 736.2 ACRES.

This permit is issued approving Application G-11840. The date of priority is AUGUST 16, 1988. The use is limited to not more than 0.78 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE 1/4 NW 1/4, SECTION 8, T 2 S, R 4 E, W.M.; 70 FEET SOUTH AND 2003 FEET EAST FROM NW CORNER, SECTION 8.

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

A description of the proposed place of use under the permit is as follows:

NE 1/4 NE 1/4 40.00 ACRES SW 1/4 NE 1/4 24.70 ACRES SE 1/4 NE 1/4 39.10 ACRES NW 1/4 SE 1/4 24.70 ACRES SECTION 12 TOWNSHIP 2 SOUTH, RANGE 3 EAST, W.M.

> NW 1/4 NE 1/4 26.40 ACRES SW 1/4 NE 1/4 10.00 ACRES NE 1/4 NW 1/4 30.40 ACRES NW 1/4 NW 1/4 40.00 ACRES SW 1/4 NW 1/4 39.30 ACRES SE 1/4 NW 1/4 32.30 ACRES NE 1/4 SW 1/4 20.00 ACRES NW 1/4 SW 1/4 15.00 ACRES SW 1/4 SW 1/4 5.00 ACRES SE 1/4 SW 1/4 5.00 ACRES

Application G-11840

Water Resources Department

Li-Au 1

PERMIT G-XXXXX

#### MEMORANDUM

DATE:	9-24-90	
-------	---------	--

Application/ Permit Section TO:

Groundwater Section by \_\_\_\_ FROM: signature)

SUBJECT: Application # G-11840

The application referenced above and available data has been reviewed under the guidelines of the Director's policy . memo of October 19, 1989.

ite

We find that the proposed groundwater use falls within the following category:

CATEGORY 1A -The proposed well will be located less than 1/4 mile from the nearest stream, and significant surface water interference will exist.

- X CATEGORY 1B The proposed well will be located less than 1/4 mile from the nearest stream, but significant surface water interference will not exist.
  - CATEGORY 2A -The proposed well will be located more than 1/4 mile from the nearest stream, and significant surface water interference will not exist.
- CATEGORY 2B The proposed well will be located more than 1/4 mile from the nearest stream, but significant surface water interference will exist at the nearest point on the stream.

REMARKS:

#### MEMORANDUM

TO: KEN LITE DATE: August 23, 1990 FROM: WAYNE OVERCASH RE: REVIEW OF APPLICATIONS G-11840 & G-11836 Please have a diack review completed. 0044

## RECENTED

### MAY 31 1990

WATER RESOURCES DEPT. SALEM, OREGON

30840 S.E. Kelso Rd. Boring, Oregon 97009 May 25, 1990

Weisha Mize, Water Resources Department 3850 Portland Road NE Salem, Oregon 97310

Dear Ms. Hize:

I am sorry that T haven't responded to your correspondencesooner. After we talked I became ill. I was hospitalized and had two major surgeries. Recovery has been a long, slow process.

My husband and I have discussed the well petitions. At this time we do not have hard evidence to show that the wells in question are directly affecting our well, so we wish to withdraw our names from the petition.

I will try to get you a legible list of the other signers on the petition. Marilyn Hansen has returned from Arizona, so I may return all of the materials to her.

Although we are withdrawing, we hope that the Water Resources Department will continue to closely moniter the water use and water tables in our area and that fair guidelines will be established to conserve this already limited vital resource. Please let me know if there are any forms that need to be signed to formally withdraw from the peition.

Sincerely,

y Nakaal Kathy Nakvasi

#### BEFORE THE WATER RESOURCES DEPARTMENT OF OREGON

IN THE MATTER OF PROTESTED APPLICATION)	ORDER DISMISSING
G11840 IN THE NAME OF ISELI NURSERY )	
FOR USE OF WATER FROM WELL #6.	PROTEST

A protest against application G11840 was filed by Marilyn Hansen on behalf of herself and a number of other individuals on September 13, 1988. An additional 22 individuals were added to the existing protestants by letter of Ms. Hansen dated November 1, 1988.

An aquifer pump test was conducted on Iseli Well #6 in the spring of 1989 by employees of the Water Resources Department. The results of that test were provided to the applicant and protestants.

The test showed that no response was observed in the shallow aquifer. Well #6 is located in the deep aquifer. Slight effects on deep aquifer observation wells within proximity of one-half mile of Well #6 were observed during the aquifer pump test, but were not sufficient to bring the effects to the level of substantial interference. The Department concludes, by inference from the test results, that there would not be substantial interference with other deep aquifer wells in the area.

Long-term water level monitoring in the Sandy-Boring area, in which protestants' wells are located, shows that the decline in those protestants' wells known to be located in the deep aquifer appears to be a general, long-term decline as a result of use by a number of users, some substantial irrigators, with wells in the deep aquifer.

Attempts were made to have protestants' representative provide addresses and complete names for some protestants, clarify who remained as protestants, and identify the depth of each remaining protestant's well. Protestants' representative failed to respond to these requests, or to take further action on the protest.

Based on the results of the aquifer pump test performed on Well #6 as reported by the Department's Groundwater Section, and based further on the protestants failure to actively pursue the matter or respond to inquiries necessary for the further processing of this matter, the protests against application G11840 are dismissed.

DATED this  $24^{14}$  day of May, 1990.

Weisha Mize Hearings Referee

CERTIFIED MAIL -- RETURN RECEIPT REQUESTED



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

April 23, 1990

Kathy Nakvasil 30840 SE Kelso Rd. Boring, OR 97009

RE: Protests on Applications G11840, G11241

Dear Ms. Nakvasil:

I have made two inquiries, the first on December 1, 1989 and the second on February 9, 1990, regarding whom among the many protestants against the above applications intended to go forward with their protest, on which application, and a request that you provide addresses and complete names for some of the protestants.

You have made no response to either of these inquiries.

I have also provided you with information regarding well interference between some of the protestants wells (those on which the Department had information) and the wells under the protested applications. The data appears to indicate that there is no potential for interference between protestants' wells and those of the applicant, as they are in different aquifers. The decline of static level originally complained about appears to be, from the data collected by the Department, a long-term trend resulting from use and potential overdraft in the shallow aquifer, due to the number of users.

Since you have failed to respond to my inquiries, and as the wells applied for appear to present no opportunity for harm to the protestants well, based on information available, I intend to dismiss the protests and direct approval of the above applications. An order dismissing the protests will be entered unless the information requested is provided no later than May 1, 1990.

Sincerely

Weisha Mize Hearings Referee

cc: Becky Kreag Ken Lite Steve Applegate Jean DeFond



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

February 9, 1990

Kathy Nakvasil 30840 SE Kelso Rd. Boring, OR 97009

Dear Ms. Nakvasil:

I last wrote you in December 1, 1989 asking that you resolve the question of who among the protestants intends to go forward with the protest against application G11840. Included was information on determining in which aquifer wells are located. I have not heard from you since then. It is time to move forward in this matter.

Enclosed please find a list of all known protestants' names. Some names are marked with an A or B. Unmarked names are those individuals whose names appear on protests for both G11840 and G11241. An asterisk indicates those individuals which are listed on the mailing list provided by Doug Foley, but who were not on the protest against G11241, which is the protest that Mr. Foley was originally thought to be handling in 1984.

Names marked with A are those individuals who appear only on the protest against G11840. Those marked with B are those individuals who appear only on the protest against G11241.

Please clarify, by the end of February, which individuals are still involved in these protests, and with which protest they are associated. As to those marked with an asterisk, I would like to know how it is that some folks who did not protest G11241 ended up on this list. I also need addresses for all persons marked with an A but not an asterisk, and some connections made between a few individuals; those questions are shown on the list.

Thank you for your prompt attention to these matters. I look forward to hearing from you no later than the end of February.

Sincerely,

Weisha Mize Hearings Referee

encl. cc: Jean DeFond Spears, Lubersky, et al 520 SW Yamhill St., Suite 800 Portland, OR 97204

Doug Foley Bullivant, Houser et al 1400 Pacwest Center 1211 SW Fifth Ave. Portland, OR 97204 A. Abelein, Susan A Anderson, Karen \* Aschoff, Carl and Margaret Baillie, Fred and Betty \* A Bateman, Sandra (Mrs. Thomas Bateman??) A B Bateman, Thomas and Mrs. A Bernhardt, D. Bernhardt, David (same address as Debbie or Mary?) B B Bernhardt, Debbie Bernhardt, Mary A A Bertram, Mark (is he with Kim?) A Bertram, Kim A Biaser, Leo Boring, Willard and Frances A B Boyles, John Boyles, John and Nancy \* (Same as John Boyles?) A A Campbell, Patti A Carey, Gloria \* Carr, Genevieve B Chianello, Louise Cissna, Deborah and Eugene \* A Compton, Karen A Davies, U.E. and Reba Jo Davis, Hubert A Enz, Harold \* A Erickson, Irene Fadness, Quenton and Dorothy Fischer, Ronald \* A Foley, Fred and Mildred Fylan, Kris A A Gordon, James Haley, Pat B Hansen, Marilyn Hayes, Ruth A A Hershberger, Mike B Hoffmeister, William B Hopkins, Neil and Mrs. A Jackson, Bryon B Juhr, Don and Mrs. B Kane, Jack and Mrs. A King, Gene and Lorie \* King, Lee and Helen Kociemba, Eva A Lamon, Shirley and Gloria \* Layng, George and Marilyn \* A B Leedy, Donald B Long, Jack and Mrs. A Maes, Thomas, Carol and Wendy \* B Mazil, Frank and Mrs. A Merrill, Jim \* A Mitchell, Jack Morser, Alan A

Α	O'Quinn, Vicki
B	Olsen, Harold
В	Olsen, Donna (any connection to Harold or Lenard?)
Α	Olsen, Lenard
A	Parris, Ruth and Lester
Α	Pastor, D.
A	Paul, Robert *
	Paulsen, Connie
В	Perisich, Thomas and Mrs.
	Ponting, Jerry and Marilyn
В	Posey, William and Mrs.
A	Prescott, Dennis and Janet
A	Riser, Carol
Α	Schaffer, Kathy
Α	Schrock, Diana (is she with Harold?)
В	Schrock, Harold (any connection to Diana?)
A	Shaw, William
A	Sleetman, Richard
A	St. John, Karen
В	Stone, Joan
A	Tallon, Victor *
В	Taylor, Mike and Mrs.
A	Tiltman, Ron
	Turner, Janis
В	Venable, Paul
	Weihe, Irvin and Leotta
В	Whitford, Lois
A	Williamson, Steven
A	Williamson, Rankin (same address as Steven?) *
В	Wilson, Eugene
	Witt, Duane and Carole
B	Young, Thomas



# Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-8456

Marilyn Hanson 30971 SE Kelso Road Boring, Or 97009

Re: Application G-11840, Iseli Nursery

An aquifer pumping test was conducted at the Iseli #6 (Pelcher) Well last spring by Hydrogeologists from the Oregon Water Resources Department. The test was designed to provide information about various aquifer characteristics in the area where the well is located, and to evaluate the effects on nearby wells caused by pumping the Iseli #6 Well. Pumping effects were measured in both observation wells completed in a deep water bearing zone, while no response was observed in a nearby well completed in a shallow water bearing zone.

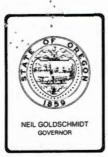
I am providing you with a copy of the test results that were forwarded to the owners of the wells that were used during the test. Please make the test results available to the other persons protesting Application G-11840. Our hearings officer, Weisha Mize, would like to know if any of the protest participants still wish to pursue their protest after reviewing the new information.

If you have any questions about the information provided, please contact me. If you have questions about the hearings process, please contact Weisha Mize at the same address or call 378-8509.

Sincerely,

Kenneth E. Lite Jr. Hydrogeologist

cc: Weisha Mize Iseli Nursery Encl.



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

November 14, 1989

Greg Pilcher Douglas Foley Iseli Nursery Bullivant, Houser, Bailey et al. 30590 SE Kelso Rd. 1400 Pacwest Center Boring, OR 97009 1211 SW 5th Avenue Portland, OR 97204

Laurence Jansenn 800 Pacific Building Marilyn Hanson 520 SW Yamhill St. Portland, OR 97204

30971 SE Kelson Rd. Boring, OR 97009

RE: Protested applications G11241 and G11840

Gentlemen and Ms. Hanson:

I am in the process of determining what issues remain and what next steps should be regarding the above-referenced protested applications. In order to do this I will need some answers and assistance from you.

Mr. Foley represents the 40 protestants (married folks considered as one protestant) against application G11241, or it at least appears that he did through August 1984, the date of our last communication with him. Mr. Jansenn likewise represented the applicant at that time. Messrs. Foley and Jansenn, please let me know whether you are still counsel for these parties.

Secondly, in April of this year, Mr. Pilcher informed Jerry Grondin of the Department that Iseli Nursery had reached an agreement with the protestants against G11241, and that he would be contacting Mr. Foley to close this protest. We have nothing in our files to indicate that such an agreement was reached or that the protest was withdrawn. Please indicate the status of this matter.

I enclose lists of the protestants on G11241 and Thirdly, G11840. I note that many of these protestants are the same on both protests. Assuming the protest against G11241 is withdrawn, will Ms. Hanson continue to represent all the protestants against Additionally, I find one letter in December 1988 to a 11840? Ms. Jean DeFond, also of Spears, Lubersky et al, transmitting a copy of application G11840 and the multiparty protest. Has Ms. DeFond replaced Mr. Jansenn in this matter?

Fourth, I enclose for Messrs. Foley and Jannsen copies of the aguifer test results involving the well under G11840 and the surrounding wells of the protestants. As noted in our letter to

Ms. Hansen and Iseli Nursery, there was no response measured in wells completed in the shallow water bearing zone. As there is a substantial overlap of protestants involved in these two protests, I will ask Mr. Foley the same question put to Ms. Hansen: based on a review of the aquifer pump test results, do any of the protestants still wish to pursue their protest? As I have not yet had a response from Ms. Hansen regarding this inquiry, I cannot say what the protestants on G11840 wish to do.

Lastly, I would certainly appreciate if Ms. Hansen could indicate, beyond those assumptions I have made, which protestants are married and/or in the same household, as I notice a number of protestants with the same address and last name but not shown together, and if she will correct names that are unclear.

I recognize that this is a complex matter, particularly given the six wells and number of protestants involved. I do appreciate your attention to these questions and your anticipated response to them no later than December 1st. Thanks again.

Sincerely,

Dusha

Weisha Mize Hearings Referee

encl.

cc: Ken Lite, WRD Applications and Permits Section File

#### Protestants on G11840

Kathleen Nakvasil Lynn Marie Nakvasil Dick Nakvasil Eva Kociemba Frederick Foley Mildred Foley Cathy Foley Margaret Aschoff Carl Aschoff Willard Boring Frances Boring Mary Bil?? Vicki O'Quinn Quinton and Dorothy Fadness Irvin and Leotta Weihe Gene and Lorie King Janis Turner Fred and Betty Baillie Richard Sleetman Carol Riser Marilyn Hansen Connie Paulsen George and Marilyn Layng Susan Abelein John and Nancy Boyles Sunnie Johnson James Gordon Shirley Ga??? Thomas, Carol and Wendy Maes Leo Biaser Dennis and Janet Prescott Kim Bertram Irene Erickson Gloria Carey Harold Enz Lee and Helen King Jim Merrill Kathy Schaffer Ronal Fischer Victor Tallon B. She??? Sherman? Shaw? Karen Anderson Rankin Williamson Mary Bernhardt D. Bernhardt D. Pastor

Steven Williamson **Kevan Hamany??** Karen St. John Marilyn & Jerry Ponting Hubert Davis Morris Tu???? Duane and Carole Witt Ron Tiltman Kris Fylan **Robert Paul** Alan Morser U.E. and Reba Jo Davies Bryon Jackson Jack Mitchell Karen Compton Ruth and Lester Parris Diana Schrock **Ruth Hayes** Mark Bertram Patti Campbell Sandra Bateman Lenard Olsen Shirley and Gloria Lamon Mike Hershberger Deborah and Eugene Cissna

#### Protestants against G11241

Mr. and Mrs. Carl Aschoff Irene Erickson Lois Whitford Mr. & Mrs. Irvin Weihe Mr. & Mrs. Thomas Perisich Debbie Bernhardt David Bernhardt Genevieve Carr Mr. & Mrs. Thomas Bateman Marily Hansen William Hoffmeister Connie Paulsen Paul Venable John Boyles Marilyn Ponting Dick Nakvasil Mr. & Mrs. Bill Posey Mr. & Mrs. Mike Taylor Mr. & Mrs. Jack Long Eugene Wilson

· visitor ..

Eva Kociemba Donna Olsen Louise Chianello Mr. and Mrs. Quinton Fadness Mr. & Mrs. Frank Mazil Joan Stone Mr. & Mrs. Frederick Foley Harold Olsen Mr. and Mrs. Lee King Donald Leedy Harold Schrock Thomas Young Karen Compton Duane Witt Pat Haley Janis Turner Mr. & Mrs. Don Juhr Mr. & Mrs. Jack Kane Mr. & Mrs. Neil Hopkins William Shaw

TO: Jim Carver

9 February 1989

FR: Jerry Grondin

RE: Iseli Nursury: Ground Water Applications G11241 and G11840

The neighbors of Iseli Nursery have protested two ground water applications (G11241 and G11840) submitted by the nursery in 1984 and 1988 respectively. Application G11840 proposes withdrawing additional ground water from a new well drilled for Greg Pelcher in 1987.

Ken Lite and I are completing our ground water resource assessment field work in the Sandy/Boring area this Spring. We should have enough information to contribute to both protest processes by May.

We plan to meet with Iseli Nursery management this month to share data, analyses and interpretations we have or have not completed to date. We need more information to determine whether Pumping the Pelcher well interferes with water levels in shallower wells in an apparently different aquifer. We will ask permission to conduct an aquifer test in March using the Pelcher well.



# Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

December 12, 1988

Jean M. De Fond Attorney at Law 800 Pacific Building 520 SW Yamhill Street Portland, OR 97204

Re: Application G-11840

Dear Ms. De Fond:

The requested copies of Application G-11840 in the name of Iseli Nursery, Inc. and the multiparty protest against approval of the application are enclosed.

Sincerely, mes , W. Car Hearings Supervisor



# Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

November 8, 1988

Marilyn Hansen 30971 SE Kelso Road Boring, OR 97009

Re: Application G-11840, Iseli Nursery, Inc..

Dear Ms. Hansen:

This will acknowledge your letter of November 1, 1988, transmitting an addendum to the protest you filed on September 14, 1988, against approval of pending Application G-11840 in the name of Iseli Nursery, Inc. for a permit to appropriate ground water by means of a 485-foot deep well for nursery operations. Proof of service of a copy of the addendum on the applicant was also received.

Sincerely, James W. Carver, Jo

Hearings Supervisor

cc: Iseli Nursery, Inc.

# RECEIVED

NOV - 2 1988 WATER RESOURCES DEPT. SALEM, OREGON

30971 SE Kelso Rel Boring One 97009 Nov. 1, 1988

William H. Young, Water Resources Director JAMES W. CANVER, Jr., Hearing Supervisor Water Resources Department 38050 Portland Road N.E. Solem, Qragon. 97310

Gentlemen :

Re: Application G-11840

Enclosed you will find an Addendum regarding the Application of Iseli Nursery, Inc., G-11840. Containing twenty-Two signatures, and our true corps of Service on Iseli Nursery. Inc.

> Very Truly Yours Marilyn HANSEN

Marilyn House

## <u>PROOFOF</u><u>SERVICE</u>

I, <u>MARILYN HANSON</u>, being first duly sworn, depose and say that on the date of <u>November</u> 1, 19<u>55</u>, I did Addendum mail a copy of the attached protest/to the applicant by regular mail by placing it in an envelope addressed to:

Fseli Nursery, Inc. (name) 30590 SE. Kelso Rd. Boring Quegon 97009 (Atv) (state) (zip)

and depositing it in the United States Mail with sufficient postage prepaid thereon.

In Witness Whereof, I have hereunto set my hand this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_.

Marilyn J. Hanc

Subscribed and sworn to before me this 1st day of November 1988.

arlene The hall Notary Public for Oregon

My commission expires 5-10-92

(Notarial Seal)

Addendum: -Qrig.

WE THE UNDERSIGNED DO HEREBY PROTEST THE APPROVAL OF PENDING APPLICATION NUMBER <u>G- 1184</u> IN THE NAME OF <u>ISELI NURSERY, INC.</u> PERTAINING TO USE OF WATER FROM <u>GROUNDWATER</u> OUR WATER RIGHTS WOULD BE ADVERSELY AFFECTED. THEREFORE, WE REQUEST THE WATER RESOURCES DIRECTOR TO <u>DENY</u>

APPROVAL OF APPLICATION # G-#1840 WE RECOUNTE THAT IT MAY BE NECESSARY TO PRESENT TESTIMONY AND EVIDENCE IN AN ADMINISTRATIVE HEARING BEFORE THE WATER RESOURCES DIRECTOR, IN SUPPORT OF THE ALLIEGATIONS MADE IN THIS PROTEST.

SIGNATURE. DATE ADDRESS NAME TELEPHO 16231 S.E. TICKLE LERD chael) 10/16/88 m 663-217 16231 S.S. TICKLECERD 2/16/88 Unthia -OX 663212 ho 381 SE. Tickle cr. Rd 0/16/88 6423-757 16225 SE Tickle Creek for 663-062 Smith A DENNIS 663-751 16381 SE TICKLE Grk. Ro Rita meye 10/16/88 6226SETickle Cr. Rd. 663-14 Melinda Smith 10/16/88 663-63: 29391 SE Know Rd. 0/22/88 GARULINDGUIST 663-936 29421 S.E. Kn. xRQ. FRANCES GAbber Frances Habbey 0/22/88 29202 CI.C. Knox Ed. n/a Dorma Narin Donnatoser Dema Vaxa 0/22/88 n/a 29202 SE KNOX Rd William Jose Toser 0/22/88 Willian 28880 SEKha 463 -0/22/88 Kay 6 Rai Beel Va an 5842 28800 SE Know per 669-42 D. marie & marie Wilson 10/22/88 28860 SE KOA Rb 663 423 wils Engene W le 27295 S.E. Kudd Kel 663-61 Kore Man 10/22/88 66360 27295 SE KNCXRD 0/22/58 663598 27850 SE KNOK RO huhr 10/23/88 28881SE KNORRA 663-35 10/23/88 66359 Juhr 27850 SE Knox 0/25/88 das-3527 28181 SE Knook Kocp Lenda Long 0/288 274 JO SE KAN RO 663-646 Jacour C. Saylor 10/27/88 663-6464 27450 SE Knax Rd Mike Taylor 10/27/88 663-640 27535 SE KNOX RD. G. Shaw. Talet 0/27/88 Mak Thay



# Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

September 16, 1988

Marilyn Hanson 30971 SE Kelso Road Boring, OR 97009

Re: Application G-11840, Iseli Nursery

This will acknowledge your letter of September 13, 1988, transmitting a protest signed by you and 86 other persons against approval of pending Application G-11840 in the name of Iseli Nursery, Inc. The application proposes to appropriate ground water by means of a 485-foot deep well located 70 feet south and 2003 feet east from the Northwest Corner of Section 8, Township 2 South, Range 4 East, WM, Clackamas County, Oregon, for nursery operations.

Proof of service of a copy of the protest on the applicant and two checks in payment of the protest filing fee were also received. Our Receipts 56117 and 56118 are enclosed.

We will hold the application and protest without action for a reasonable time to allow opportunity for the necessary information to be obtained in regard to ground water availability, and for the parties to discuss and perhaps reach some agreement on the issue raised by the protest.

If it is found that the matter cannot be resolved by an agreement between the parties, a fact finding hearing will be scheduled at the request of the applicant.

Sincerely, ames W. Carver, Hearings Supervisor

cc: Watermaster Division 1

# RECEIVED

## SEP 1 4 1988

WATER RESOURCES DEPT. SALEM, OREGON

30971 S.E. Kelso Road Boring, OR 97009 September 13, 1988

VIA REGISTERED MAIL

William H. Young, Water Resources Director James W. Carver, Jr., Hearing Supervisor Water Resources Department 3850 Portland Road, N.E. Salem, OR 97310

Gentlemen:

Re: Application G-11840.

We, the petitioners, feel we have sufficient cause and are entitled to relief by having the pending application G-11840 denied.

Water has been diverted from our wells to our neighbors' homes for minimal household, sanitary, and health-related uses. Personal showers and laundry uses have been curtailed to conserve the water in our wells. Water pressure becomes low, sand and air are apparent periodically. Vegetable gardens are becoming a past memory, and many of our lawns are brown and dry.

Many of us cannot afford to dig deeper wells, nor do we feel this is the answer. The value of our property could become worthless, our ground useless for livestock and exclusive farm use. Without water from our wells, our futures are uncertain.

We are in a crucial situation in this area. It has become more critical in the past four to five years and is worsening. The drought and continuing hot and dry weather is a factor we cannot control, but we hope to get relief from more wells being approved in this area for other than domestic use at this time.

Another well in this area (G-11840) of this dimension, for the intended use, seems unfair to us. We are asking for our equal and fair share of water from our wells. Water Resources Department Page 2 September 13, 1988

The following documents are enclosed for your information and files:

THA FIVE

**Dura**: separate signature sheets of the petitioners' protest of the approval for application G-11840 which is in the name of <u>Iseli Nursery</u>, Inc.

A true copy of service on <u>Iseli Nursery</u>, <u>Inc.</u>, and two checks containing a total amount of \$25.00 for the statutory filing fee.

Very truly yours,

Petitioner

Marilyn Hansen

Marily Hansen

MGH:sn

Enclosures

M.J. HANSEN 30971 S.E. Kelso Rd. Boring Onegon 97009

# RECEIVED

SEP 1 4 1988

WATER RESOURCES DEPT. SALEM: OREGON

## <u>PROOF OF SERVICE</u>

I, <u>MARILYN HANSEN</u>, being first duly sworn, depose and say that on the date of <u>Sept</u> 13, 1988, I did *RetitioneRS* mail a copy of the attached Aprotest to the applicant by regular mail by placing it in an envelope addressed to:

Iseli Hursery Inc. (name) 30590 S.E. Kelss Rd Boring, Oregon 97009 (city) (state) (zip)

and depositing it in the United States Mail with sufficient postage prepaid thereon.

In Witness Whereof, I have hereunto set my hand this 1/2 day of <u>SEPTEMBER</u>, 1988.

Marily Hamen

Subscribed and sworn to before me this <u>13</u> day of <u>SEPTEMBER</u> 1988.

Dally & Neuman Notary Public for Oregon

(Notarial Seal)

My commission expires 4-23-91

WE THE UNDERSIGNED DO HEREBY PROTEST THE APPROVAL OF PENDING APPLICATION NUMBER <u>G- 11840</u> IN THE NAME OF <u>ISELI NURSERY, INC.</u> PERTAINING TO USE OF WATER FROM <u>GROUNDWATER</u> OUR WATER RIGHTS WOULD BE ADVERSELY AFFECTED. THEREFORE, WE REQUEST THE WATER RESOURCES DIRECTOR TO <u>DENY</u>

APPROVAL OF APPLICATION # G-11840 WE RECONNIZE THAT IT MAY BE NECESSARY TO PRESENT TESTIMONY AND EVIDENCE IN AN ADMINISTRATIVE HEARING BEFORE THE WATER RESOURCES DIRECTOR, IN SUPPORT OF THE ALLIEGATIONS MADE IN THIS PROTEST.

ADDRESS DATE SIGNATURE TELEPHON NAME Kathlen a. natives 30840 SE Kelos Kd Kgthleen A. Nakvasil 668-5341 128/88 Eve Rocemba 38752 SE Keloo ld. 663-3194 EUA Kociemba 129/88 15500 SE. 287 663-314 FRORICIC WIM FOLOM 7-28-18 15500 SE 287 th 663314 3888 M dred M Folecy mildred goled 15510 SE 287th 15555 SE 287th an. 423-17: 428-7 achir 663-552; MARGARET ASCHOFF 8-288 a parket use 663552 15555 54, 787 doand 6-2462 asho Call ascho 8-38-89 63-4244 lord Diama 28475 SE Kelso Rd. iller Doring 663-4201 28475 SE Keles QJ 3-30-88 Trances M. nces parlo 463-6182 28355 SE Kelso Rd. Mary Billey 830-88 Billed 668-3882 30840BSE-Kelsokd Vicki OQuinn 1)8-30 10 668-531 Lynn Marie Nakua Sil 30840 SE Kelso Rd 9-1 in Marce Nakerosi Quintent 663-599 1-10tow pernes 15401 SE. TICKLE CR RD Tiness 15401 SE Tickle Gr. Rd Donothy J. Fadness 663-598 other Jadness 7-10 TRUCK NWRIDE 15182 SETickleCrdRd 15182 S.E.Tickle Cr. Rd 663-396 9-11 Leota M. Weihe Gota M. Heihe 9-11 15550 55 Tickle Creeked 663-3377 GENE A. KING eneA Kmz 7/11 15550 Tickle Gr. Rd 663-3377 LORIE KING DICK NAKVASIL Dick Makvard 30840 SE KELSRDI 9/11 668-534

19

WE THE UNDERSIGNED DO HEREBY PROTEST THE APPROVAL OF PENDING APPLICATION NUMBER G- 1184° IN THE NAME OF ISELI NURSERY, INC. PERTAINING TO USE OF WATER FROM <u>GROUNDWATER</u> OUR WATER RIGHTS WOULD BE ADVERSELY AFFECTED. THEREFORE, WE REQUEST THE WATER RESOURCES DIRECTOR TO <u>DENX</u> APPROVAL OF APPLICATION # G-1184° WE RECOGNIZE THAT IT MAY BE NECESSARY TO PRESENT TESTIMONY AND EVIDENCE IN AN ADMINISTRATIVE HEARING BEFORE THE WATER RESOURCES DIRECTOR, IN SUPPORI OF THE ALLIEGATIONS MADE IN THIS PROTEST.

DATE SIGNATURE NAME ADDRESS **I ELEPHO** 30971 S.E.Kelso Rd. Jamis Turner 668-632 8/31/88 14217 SE. 3/274 668-607 142.17 8.8. 312 # 668-67: n. Sallie BAilli Bettyll 7/3/88 14065 SE 312th 668-659 Kichard Steetman 1/12/88 68-584 14054 5 312 Carol Rises Carol Riser 9/12/88 30971 SE Kelso Rd. 668-632 Marilyn Hans MARILYN HANSEN 7/12/88 14025 SE 317 Berng 668673 Connie Poulsed Conne Paulsen 9/12/58 George Layna 1/12/88 marilyn Layng 14350 S.E. Frank Boring, One. 97009 663-517 1/12/88 Marilyn Layng Susan & abelin 13711 SE 312 Boung 668-78 Susan L. Abelein -12-88 Rancy C. Boyles 13711 5E3/2th Boxing 448-855 Nancy C. Boyles /12/88 1373/ 5E-312 13Boeing 468-855 John Bayle John E. Boyles 9/12/88 13839 SE 312" BOXING 668-371 9/12/88 Summie R. Johnson nne Robers 13841 SE 312 BORING 668-19 no york ms a Gordon 7/12/85 13+57 5.3 312 BOKNY 66+-532 Shule, Yaan 1/12/88 Shully Jaan

WE THE UNDERSIGNED DO HEREBY PROTEST THE APPROVAL OF PENDING APPLICATION NUMBER <u>G-11840</u> IN THE NAME OF <u>ISELI NURSERY. INC.</u> PERTAINING TO USE OF WATER FROM <u>GROUNDWATER</u> OUR WATER RIGHTS WOULD BE ADVERSELY AFFECTED. THEREFORE, WE REQUEST THE WATER RESOURCES DIRECTOR TO <u>DENY</u> APPROVAL OF APPLICATION # G-#1840 WE RECOGNIZE THAT IT MAY BE NECESSARY TO PRESENT TESTIMONY AND EVIDENCE IN AN ADMINISTRATIVE HEARING BEFORE THE WATER RESOURCES DIRECTOR, IN SUPPORT OF THE ALLIEGATIONS MADE IN THIS PROTEST.

DATE SIGNATURE ADDRESS TELEPHON NAME 14908 SE 312, BORING 668-729 THOMAS MAES 1-1-88 14908 SE 312, BORING CAROL MAES -1-88 668-7297 mals -1.88 14908 SE 312 Boring 1)ende Maes 668-729 Dollar Marie 14970 SE 312 BORING 19.158 -1-89 LED BIASER 68981 -1-59 Prescott 15 50 0 55 312 Doning 468-9R1 1-1-88 rescatt 32252 S.E. Kolsored Boring 667630 1-7-88 rem Derham Rem Bertion IRENE I. ENickson 15342 S.E. 322 and 1-8-88 15313 S.E. 322 ave. Borin Gloria F Carey 7-8-88 15515 SE 372 AV Bonie 7-8-88 LEF 15415 5E 322 AV BORINE 66 846 15415 S.E. 322aul 668 7-8-88 Helen King 668-400 14553 SIZ SIMITUSTUS 1-10-88 Jun Mercal 14687 S.E. Simtustus 668-854 7-10-88 668624 47955E SIMTUSTUS CT 7~10.88 668-783 14881 SIE SIMTUSTIS 1-10-08 DICION Allow all 9-10-82 Why to S.E.S.M 64 -10-98 Borna, Oregon K anderson 6684691 Williamon 4692 Simousous 10-88 let Wald 8-53 20 hardt 771265 10.80 Mary 668-623 7-10-88 158713E322am D. Gasta 1/10/81 D. 19AST 15770 SE. 3224 668-374 22

WE THE UNDERSIGNED DO HEREBY PROTEST THE APPROVAL OF PENDING APPLICATION NUMBER G- 1184° IN THE NAME OF ISELI NURSERY. INC. PERTAINING TO USE OF WATER FROM <u>GROUNDWATER</u> OUR WATER RIGHTS WOULD BE ADVERSELY AFFECTED. THEREFORE, WE REQUEST THE WATER RESOURCES DIRECTOR TO <u>DENY</u> APPROVAL OF APPLICATION # G-1/84° WE RECOGNIZE THAT IT MAY BE NECESSARY TO PRESENT TESTIMONY AND EVIDENCE IN AN ADMINISTRATIVE HEARING BEFORE THE WATER RESOURCES DIRECTOR, IN SUPPORT OF THE ALLIEGATIONS MADE IN THIS

WATER RESOURCES DIRES PROTEST.

DATE SIGNATURE ADDRESS TELEPHON NAME A Willia 31265 SE Hamlet Dr 668-52 530-88 Steven S. Williamson 668 8755 31756 SE HAMLET PR 5-30 38 KENDN HAMANY 31300 & Hamlet Dr. 668-672 -30-88 St Naren 31400 SE. Hamlet Dr 62-8381 -30.88 MARILYA , Concluse PONTONG 31400 SE. Henlet De 668-8388 30.88 PONTRAG JERRY 31411 GE Handet DA 668 945 -3088 Doves 668385 31-14330 SE BORIN Jun 2 6684901 8 Onis 14363 BF 312th tionel Well 268 Latte 63-41 Witt h 130/88 ane-14090 ulman 668-4906 130 14363 S.E. 312th 468-700 arole 14131 SE 312th 668-9826 14130 SE 312th Knis Fylan 30/88 668-738 14171 SE 312th Robert Paul 3 30 88 668-9534 314 75 SE HAMLET DR. nor V E. MORSER :/30/88 nous Jo DAVIES 668-9539 31475 SE HAMletOr 130 / 88 avis 668-5651 31450 SE. Hamlet Dr. love, 120/88 Brim Jackson Brison 30/88 668-9208 13951 5. E. 312th AVE acl MITCHELL 130 188 JA 140205E 312th AVE 668-596 KARENL COMPTON 130 188 atens 668-5571 31030 SE Kelso Kd. VARRIS KUTH 668-5571 \$ 30/88 31030 SF Keles Ad 1442158327 68-6281 Lylan 73018 DIANA E SOHROCK hock 131/88 140205.8. 3124 668-596 14020 1Yayıs

WE THE UNDERSIGNED DO HEREBY PROTEST THE APPROVAL OF PENDING APPLICATION NUMBER G- 1184° IN THE NAME OF ISELI NURSERY, INC. PERTAINING TO USE OF WATER FROM <u>GROUNDWATER</u> OUR WATER RIGHTS WOULD BE ADVERSELY AFFECTED. THEREFORE, WE REQUEST THE WATER RESOURCES DIRECTOR TO <u>DENY</u> APPROVAL OF APPLICATION # G-1184° WE RECOGNIZE THAT IT MAY BE NECESSARY TO PRESENT TESTIMONY AND EVIDENCE IN AN ADMINISTRATIVE HEARING BEFORE THE WATER RESOURCES DIRECTOR, IN SUPPORT OF THE ALLIEGATIONS MADE IN THIS PROTEST.

DATE NAME 7/9/88 MARK BERTRAM Pathi Campbell 119/88 19-88 Sandra R'Bateman Terond 188 Shirly 7 Famor Mike Hundling 7/10/98 Jebrah Cissna 1088 H Engene 3/10/88

SIGNATURE ADDRESS TELEPHON Mark Buten 32252 SE KELSD RD. 688-630 n Campben 13830 SE 322nd 668-371 Sandra R. Bateman 31855 SE Daphne ct. Inard alson 32252 SE Kelvo Rd Shirby I Lema 31837 SE Kelvo Kd 668-5275 668-6304 668.677. Gloria Mit among 31833 S.E. Keles Rd 668-677 Mike Herschburger 14303 S.E. 312th 668-5665 Deborah Cisona 32768 SE Kelso Rd 468-381 HEigene asong 32768 SE: KEISORd 668-3869



# Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

September 2, 1988

Greg Pilcher Iseli Nursery, Inc. 30590 SE Kelso Road Boring, OR 97009

REFERENCE: File G-11840

We received the application you submitted for Iseli Kursery, Inc. on August 16, 1988, describing the proposed use of 350 gallons per minute of water from one well for Nursery Operations. The supporting data and fees were also received. Our Receipt 55896 was handed to Jim Grimm, Certified Water Rights Examiner. The application has been filed, assigned number G-11840 and will be reviewed in detail as time permits.

Applications which are received in proper form with required maps, supporting data and fees, can be considered for approval by issuance of a permit after the 30-day waiting period. Applications which are defective, conflict with existing rights or require additional information will, if necessary, be returned for correction and/or completion. Due to the present backlog of applications and other matters needing attention we have been unable to process applications as rapidly as would be liked. If you feel that a delay in the processing of the application will cause a hardship, please advise.

The permittee is required to hire a Certified Water Right Examiner to survey the extent of use of water perfected under the terms of a permit that may be issued approving the application. Within one year of application of water to beneficial use or the date to make complete application of water allowed in the permit, the permittee shall submit a map of the survey prepared by the Certified Water Right Examiner.

If the application is approved, the permit authorizing the project described in the application would be subject to prior rights and require that the well be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Greg Pilcher Iseli Nursery, Inc. September 2, 1988 Page two

Oregon. The permit would also require that a weir, meter, or other suitable measuring device be installed, if required by the Watermaster, and a log be kept recording the amount of ground water withdrawals. If you have any questions regarding these provisions or the Well Standards, please contact this office.

We will hold action on this application until receipt of the map stamped by the Certified Water Right Examiner.

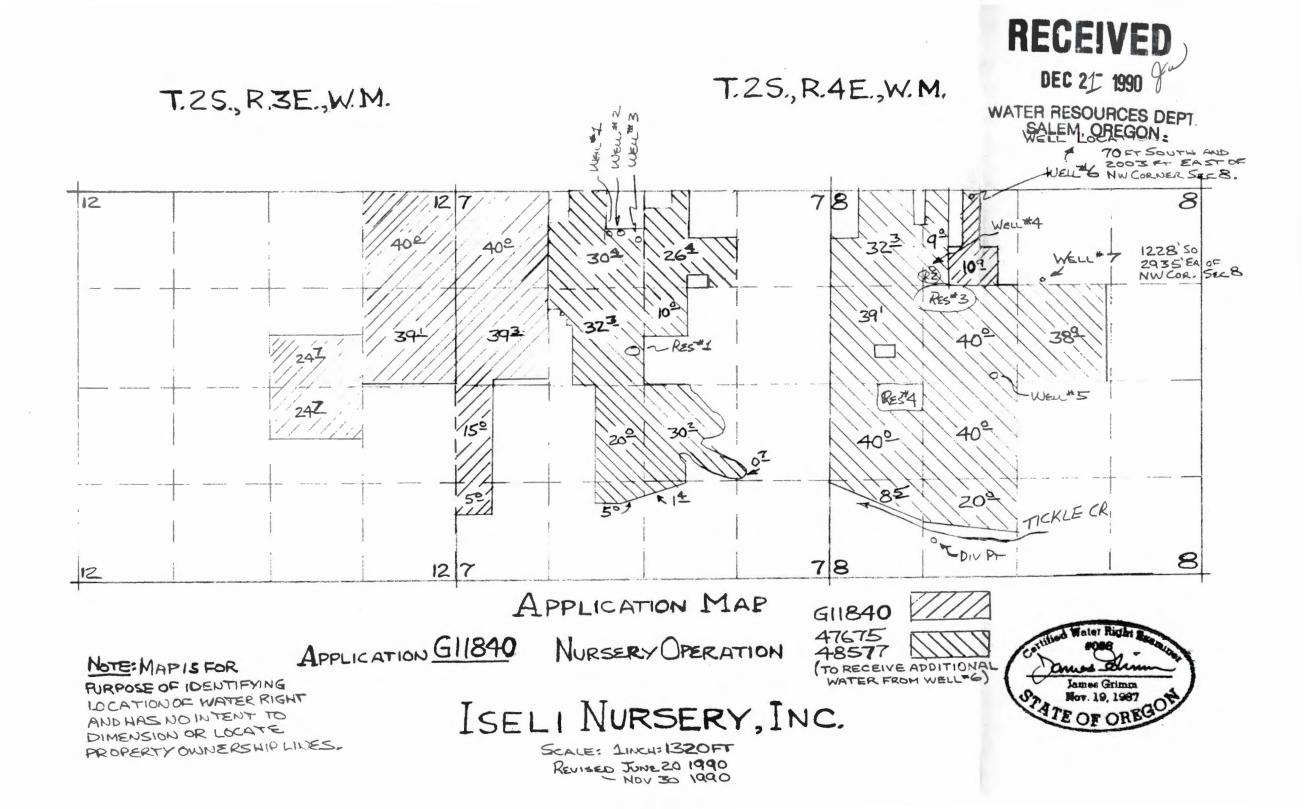
Sincerely,

WAYNE J. OVERCASH Water Rights Specialist Application/Permit Section

WJO:tcb

Enclosure

cc: Jim Grimm, CWRE



Oregon

W A T E R R E S O U R C E S D E P A R T M E N T

November 9, 1993

ISELI NURSERY INC 30590 SE KELSO RD BORING OR 97009

REFERENCE: File G-11704 & G-11840

We have received your notice that complete application of water has been made under Permit G-11025 and G-11135.

In order to obtain a certificate of water right, you are required by law to hire a certified water right examiner to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before October 1, 1994. A list of certified examiners is enclosed for your information.

The Department requires that the CWRE has a copy of the permit or transfer order to compile the claim of beneficial use. All permit conditions need to be addressed in the claim and map you submit.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

In the meantime, the permit you hold is valid evidence of your right to use the water.

If you have any questions, please contact the Water Rights Section at 378-3739.

TES:jh

enclosure



3850 Portland Rd NE Salem, OR 97310 (503) 378-3739 FAX (503) 378-8130

# STATE OF OREGON

DRAFT

7. 3

#### COUNTY OF CLACKAMAS

# PERMIT TO APPROPRIATE THE PUBLIC WATERS WATER RESOURCES DEPT.

THIS PERMIT IS HEREBY ISSUED TO

ISELI NURSERY, INC. 30590 SE KELSO ROAD BORING, OREGON 97009

---

to use the waters of ONE WELL in the NORTH FORK DEEP CREEK BASIN for NURSERY OPERATIONS ON 736.2 ACRES. 662.9

This permit is issued approving Application G-11840. The date of priority is AUGUST 16, 1988. The use is limited to not more than 0.78 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE 1/4 NW 1/4, SECTION 8, T 2 S, R 4 E, W.M.; 70 FEET SOUTH AND 2003 FEET EAST FROM NW CORNER, SECTION 8.

The amount of water used for Nursery Operations (OAR 690) 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 at any time of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

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

A description of the proposed place of use under the permit is as follows:

> NE 1/4 NE 1/4 40.00 ACRES SW 1/4 NE 1/4 24.70 ACRES SE 1/4 NE 1/4 39.10 ACRES NW 1/4 SE 1/4 24.70 ACRES SECTION 12 TOWNSHIP 2 SOUTH, RANGE 3 EAST, W.M.

> > NW 1/4 NE 1/4
> >  26.40 ACRES
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> >  SW 1/4 NE 1/4
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Application G-11840 Water Resources Department

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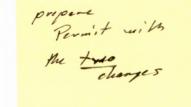
PERMIT G-XXXXX

RECEIVED

DCT 3 0 1990

SALEM, OREGON

503-663-3822





#### STATE OF OREGON

#### COUNTY OF CLACKAMAS

# PERMIT TO APPROPRIATE THE PUBLIC WATERS WATER RESOURCES DEPT.

DCT 3 0 1990

SALEM, OREGON

RECEIVED

THIS PERMIT IS HEREBY ISSUED TO

ISELI NURSERY, INC. 30590 SE KELSO ROAD BORING, OREGON 97009

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503-663-3822

to use the waters of ONE WELL in the NORTH FORK DEEP CREEK BASIN for NURSERY OPERATIONS ON 736.2 ACRES.

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

A description of the proposed place of use under the permit is as follows:

> NE 1/4 NE 1/4 40.00 ACRES SW 1/4 NE 1/4 24.70 ACRES SE 1/4 NE 1/4 39.10 ACRES 40.00 ACRES 39.10 ACRES NW 1/4 SE 1/4 24.70 ACRES SECTION 12 TOWNSHIP 2 SOUTH, RANGE 3 EAST, W.M.

> > NW 1/4 NE 1/4 26.40 ACRES SW 1/4 NE 1/4 10.00 ACRES NE 1/4 NW 1/4 NW 1/4 NW 1/4 30.40 ACRES 40.00 ACRES SW 1/4 NW 1/4 39.30 ACRES SE 1/4 NW 1/4 32.30 ACRES NE 1/4 SW 1/4 20.00 ACRES NW 1/4 SW 1/4 15.00 ACRES SW 1/4 SW 1/4 5.00 ACRES SE 1/4 SW 1/4 5.00 ACRES

Application G-11840 Water Resources Department

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PERMIT G-XXXXX

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## OCT 3 0 1990

WATER RESOURCES DEPT. TWO SALEM, OREGON

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The well 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. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

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.

Actual construction work shall begin on or before , and shall be completed on or before October 1, 1992. Complete application of the water shall be made on or before October 1, 1993.

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

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

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

Issued this date, .

Water Resources Department William H. Young Director

GREG Pilcher I, acting for Iseli Nursery, hereby understand and agree that this draft permit describes the full extent of water use that will be allowed approving Application G-11840. By signature below, I agree to the proposed terms and conditions for this draft permit.

my del Signature VICE PRES.

10-29-90

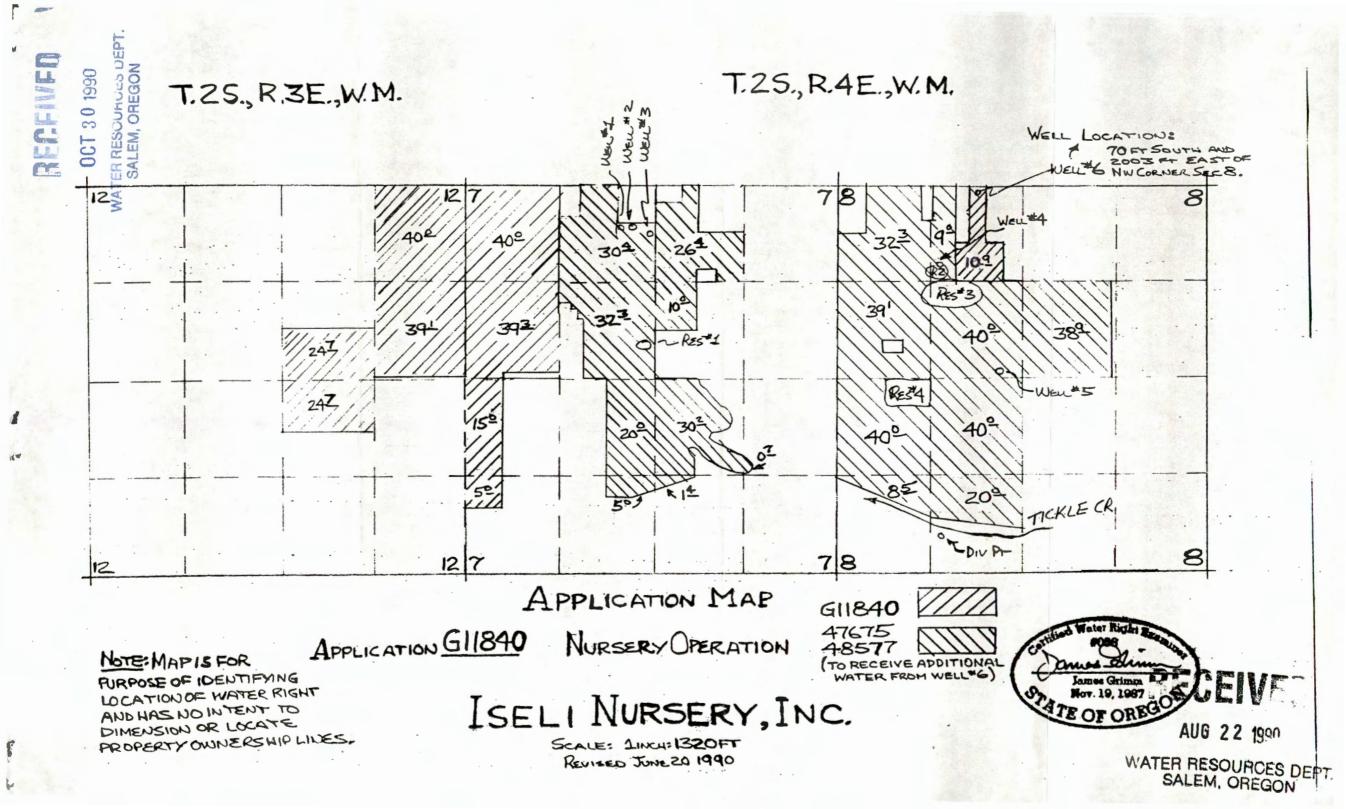
Date

Title

Application G-11840 Water Resources Department Volume 23A North Fork Deep Creek Wells Basin 2 G-11840.

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PERMIT G-XXXXX District 16



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WATER RESOURCES DEPT. SALEM, OREGON. -7 ..... Succel 1913

#### ATTACHMENT A

Sinclair & Kehrli/Iseli Nursery, Inc. Agreement of February 16, 1988

#### PARCEL A:

Beginning at a point on the north and south center line thru Section 12. Township Two Sourn, Range Three East of the Willamette Meridian, said beginning point bearing outh 0° 03' east a distance of 1657.56 feet from the quarter section corner on the north side of said section 12; thence from the above described beginning point morth 89° 43' east a distance of 1313.46 feet to a point on the east line of the west half of the northeast quarter of said Section 12; thence south 0° 61° east following the cirt line of said west half of the northeast quarter of said section 12 a distance of 984.34 feet to the south line of the northeast quarter of said section 12, thence morth 89° 57 1/3' wast and tracing the east and west center line thru said section 12, a distance of 1312.85 feet to the center of said section 12; thence north 0° 03' west a distance of 976.82 feet to the place of beginning. 14

#### PARCEL B

Beginning at the center of Section 12, Township Two South, Range Three East of the Willamette Meridian, and from such beginning point an iron stake bears north 89° 57' west a distance of 30 feet; thence from said beginning point south 0° 03' east tracing the north and south center/line thru said section 12, a distance of 683.07 fust to a point; thence south 89° 59' east following the present fence line a distance of 1212.41 feet to a point; thence north 0° 01' west a distance of 631.63 fanc to the southeast corner of the west hal. of the northeast qualter of said section 12; thence morth 89° 57 1/3 min. west along the east and west conter line thru said section 12 a distance of 1312.85 feet to the place of beginning.

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Contra la

D.F.K. 2-20-88 Date



#### LAND SALE CONTRACT

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WATER RESOURCES DEPT. SALEM, OREGON

ILUCIVEL

The parties to this agreement are THE ESTATE OF FLORIAN HEMMY, DECEASED, by Katherine M. Meyer, Personal Representative, hereafter called "Seller", and ANDRÉ W. ISELI and ISELI NURSERY, INC., hereafter called "Buyer". The effective date of this agreement is June  $15^{44}$ , 1983.

#### PROPERTY DESCRIPTION

1.1 Seller agrees to sell to Buyer and Buyer agrees to purchase from Seller for the price and on the terms and conditions set forth below, that certain real property, and all improvements thereon situated in Washington County, State of Oregon, described as follows:

The West half of the Northwest quarter of Section 7, Township 2 South, Range 4 East of the Willamette Meridian and the East half of the Northeast quarter of Section 12, Township 2 South, Range 3 East of the Willamette Meridian, Clackamas County, Oregon. Save and except from all the above described tracts, public roads and highways.

#### TAX STATEMENTS

2.1 Until a change is requested, all tax statements

shall be sent to the following address: André W. Iseli, 3/8858 123 E. POWELL BOULEVARD, GRESHAM, OREGON 97030 Pignger Boulevard,/Sandy/ Oregon/ 87,055.

#### PURCHASE PRICE - ADDITIONAL PAYMENTS

3.1 Buyer promises to pay as the total purchase price for the property the sum of \$500,000.00. Such amount shall be paid as follows:

3.2 The sum of \$1,000,00 has previously been paid as earnest money, the receipt of which is hereby acknowledged and the further sum of \$124,000.00 is to be paid upon execution of this agreement, the receipt of which is also hereby acknowledged.

3.3 The remaining balance of \$375,000.00 shall be paid in annual installments of not less than \$20,000.00 each on the

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NOV 0 2 1988 WATER RESOURCES DEPT. SALEM, OREGON

ARCEL B:

Beginning at the one-quarter section corner on the west line of Section 7, Township 2 South, Range 4 East, of the W. M.; running Thence East along the line dividing said Section 7 into north and South halves, a distance of 30 rods; thence South parallel with the Section 7, a distance of 106.68 rods; Thence West 30 rods to the west line of said Section 7; thence Forth along the west line of said Section 7, a distance of 106.68 Tods to the place of beginning.

OGETHER WITH a right-of-way for road purposes 20.0 feet wide, eginning at the northeast corner of the property above described and running thence east along the north end of the southwest onemarter of Section 7, Township 2 South, Range 4 East, of the W. M., a point 16.0 feet from the east line of the west one-guarter of the southwest one-guarter of said Section 7.



RECEIVED NOV 0 2 1988 WATER RESOURCES DEPT SALEM, OREGON

in that certain real property with the tenements, hereditaments and appurtenances wise appertaining, situated in the County of Clackamas......, State of Oreg.

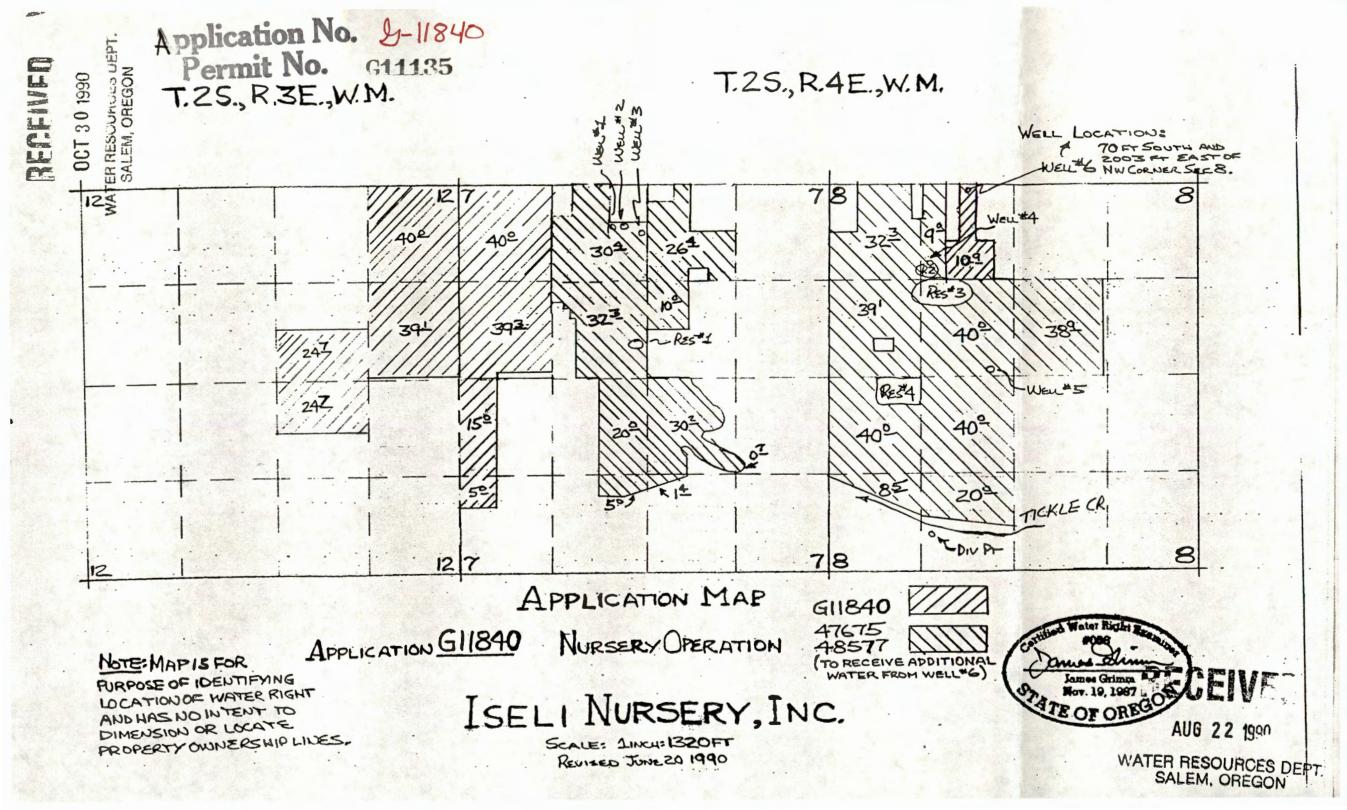
#### EXHIBIT "A"

A tract of land situated in the North one-half of the Northwest onequarter of Section 8, Township 2 South, Range 4 East of the Willamette Meridian in the County of Clackamas and State of Oregon, more particularly described as follows:

Commencing at the Northwest corner of said Section 8; thence East along the North line of said Section 8, a distance of 2300.54 feet to the Northeast corner of that certain tract of land described in the Contract of Sale recorded in Book 567, Page 509, Clackamas County Recorder; thence South 0°39'22" West parallel with the West line of said Section 8, a distance of 1021.64 feet to the point of beginning of the tract herein to be described; thence continuing South 0°39'22" West parallel with said West line a distance of 299.20 feet to a point in the South line of the North one-half of the Northwest onequarter of said Section 8; thence South 89°46'02" West along said South line a distance 658.99 feet to the Southwest corner of that certain tract of land described in said Book 567, Page 509; thence North 0°39'22" East parallel with the West line of said Section 8, a distance of 391.13 feet to a point; thence East parallel with the North line of said Section 8, a distance of 219.65 feet to a point; thence North 0°39'22" East parallel with the West line of said Section 8, a distance of 902.39 feet to a point in the South line of Kelso Road; thence East along said South line, a distance of 219.66 feet to a point; thence South 0°39'22" West parallel with the West line of said Section 8, a distance of 991.64 feet to a point; thence East parallel with the North line of said Section 8, a distance of 219.66 feet

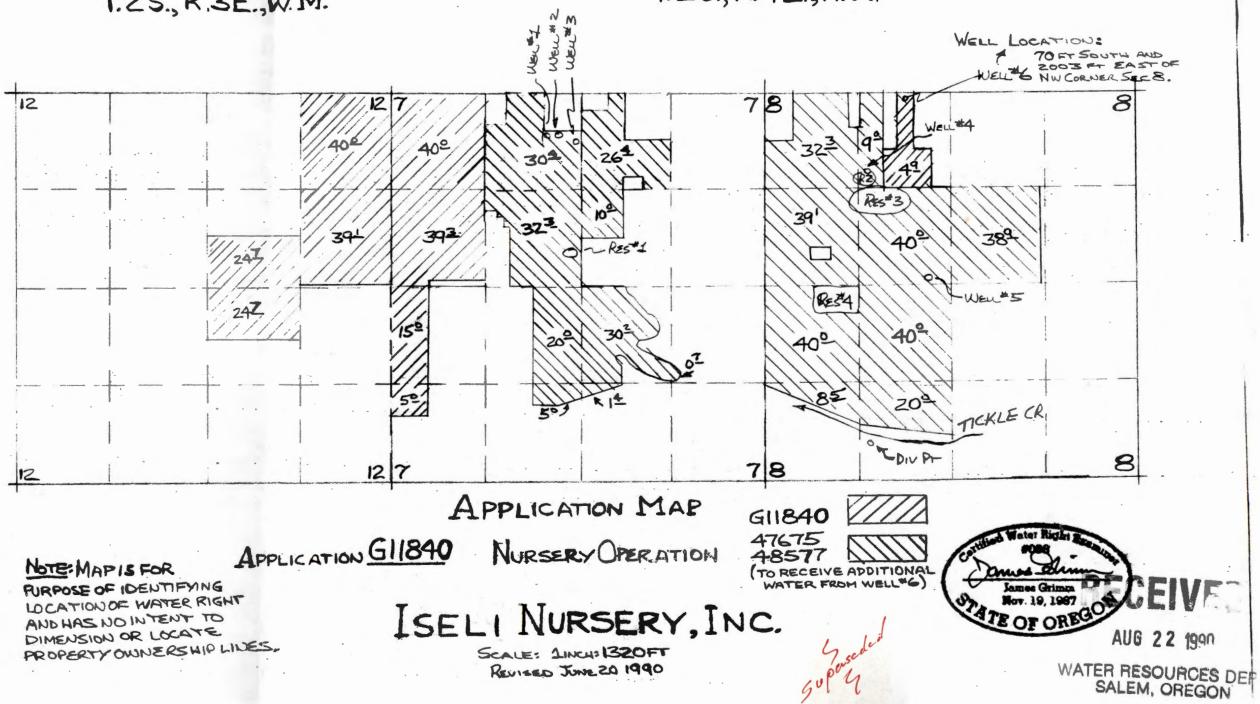
To Have and to Hold the same unto the said grantee and grantee's heirs, succes

The true and actual consideration paid for this transfer, stated in terms of de <sup>(1)</sup>However, the actual consideration consists of or includes other promoter the whole - consideration (indicate which).<sup>(1)</sup>(The ----



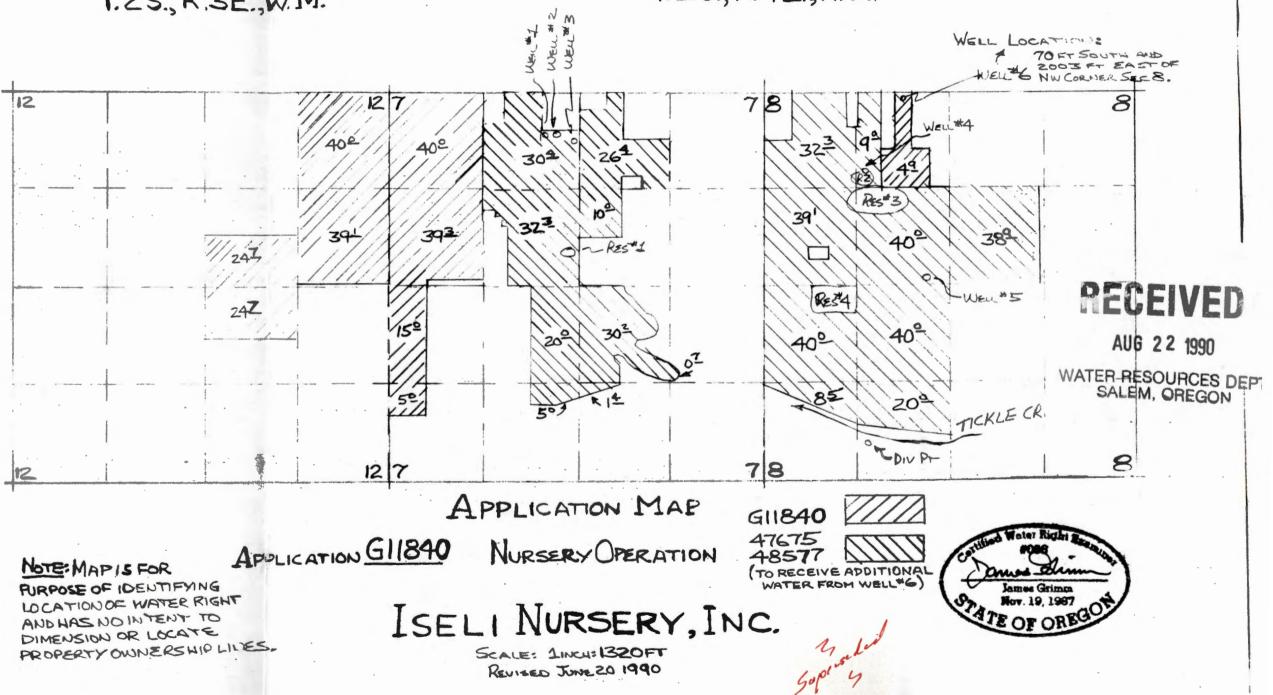
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		SE	NE	NW	SW	SE	NE	NW	sw	SE	NE	NW	sw	SE	APPLICATION	PERMIT	CERTIFICATE
						SHOWN	01 60	VERNN	ENT PL	AT. IF	OTHER	THAN	40 ACR	ES	NUMBER	NUMBER	NUMBER
REAGE	IN LOT	ORL	EGAL SU	BUIAIS											6 - 100		1
					72	303	240-	118									42886
			Ň												6.5392	65319	
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	6		Con	tain	1.200	270				270					G-11241		
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	NUP		N	UR		A	u	es.	CK	y					G.11840		3
	289		132	323	39-	40	40	40	85	20	2						
	00-		12											-			
			-														
	N NW	N E NW SW REAGE IN LOT 40 <sup>-</sup> 40 <sup>-</sup>	N E NW SW SE REAGE IN LOT OR LI 40 <sup>-</sup> 40	N E NW SW SE NE REAGE IN LOT OR LEGAL SI 40° NI 40° NI 40	N E N NW SW SE NE NW REAGE IN LOT OR LEGAL SUBDIVIS 40°	N E N W NW SW SE NE NW SW REAGE IN LOT OR LEGAL SUBDIVISION AS 10 72 10 772 10 777 10 77	N E         N W           NW         SW         SE         NE         NW         SW         SE           REAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN         72 303         72 303         72 303         72 303           40         II-         72 303         72 303         72 303         72 303           40         II-         72 303         72 303         72 303         72 303           40         II-         72 302         70 10 10 10 10 10 10 10 10 10 10 10 10 10	N E         N W           NW         SW         SE         NE         NW         SW         SE         NE           NW         SW         SE         NE         NW         SW         SE         NE           REAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON G         72         30 <sup>3</sup> 24 <sup>9</sup> 40         11-         72         30 <sup>3</sup> 24 <sup>9</sup> 40         11-         32.6         40 <sup>-</sup> 10 <sup>-</sup> 10 <sup>-</sup> 40         11-         32.6         40 <sup>-</sup> 10 <sup>-</sup> 10 <sup>-</sup> 40         11-         32.6         40 <sup>-</sup> 10 <sup>-</sup> 10 <sup>-</sup> 10 <sup>-</sup> 40         11-         32.6         40 <sup>-</sup> 10 <sup>-</sup> 10 <sup>-</sup> 10 <sup>-</sup> 40 <sup>-</sup> 11-         32.6         40 <sup>-</sup> 10 <sup>-</sup> 10 <sup>-</sup> 10 <sup>-</sup> 40 <sup>-</sup> 11-         32         39 <sup>2</sup> 37 <sup>2</sup> 40 <sup>-</sup> 10 <sup>-</sup> 40 <sup>-</sup> 11-         32 <sup>-</sup> 39 <sup>2</sup> 37 <sup>2</sup> 40 <sup>-</sup> 10 <sup>-</sup>	N E         N W         S           NW SW SE         NE         NW         SW         SE         NE         NW           REAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNM         72 $30^3$ $24^\circ$ 11.8           40         11- $32.6$ $40^ 40^ 40^ 10^-$ 40         11- $32.6$ $40^ 40^ 10^ 11^\circ$ 40         11- $32.6$ $40^ 40^ 10^\circ$ $11^\circ$ 40         11- $32.6$ $40^ 40^ 10^\circ$ $11^\circ$ 40         11- $32.6$ $40^ 40^\circ$ $10^\circ$ $10^\circ$ $40^\circ$ 11- $32.6$ $39^\circ$ $37.2^\circ$ $40^\circ$ $40^\circ$ $40^\circ$ 11- $32^\circ$ $39^\circ$ $37.2^\circ$ $40^\circ$ $40^\circ$ $40^\circ$ 11- $32^\circ$ $39^\circ$ $37.2^\circ$ $40^\circ$ $40^\circ$ $40^\circ$ 11- $32^\circ$ $39^\circ$ $37.2^\circ$ $40^\circ$	N E         N W         S W           NW         SW         SE         NE         NW         SW           NW         SW         SE         NE         NW         SW         SE         NE         NW         SW           NW         SW         SE         NE         NW         SW         SE         NE         NW         SW           Reader In         Lot OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PI         PI	N E         N W         S W           NW         SW         SE         NE         NW         SW         SE         NE         NW         SW         SE         NU         SW         SE         NU         NU	N E         N W         S W           NW         SW         SE         NE         NE	N E       NW       SW       SE       NE       NW       SW       SE       NE       NW         NW       SW       SE       NE       NW       SW       SE       NE       NW       SW       SE       NE       NW         NW       SW       SE       NE       NW       SW       SE       NE       NW         Reade       IN       LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT. IF OTHER THAN       72 $30^3$ $24^9$ ///#	N EN WS WS ENWSWSENENWSWSENENWSWSWSENENWSWSENENWSWSENENWSWREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT. IF OTHER THAN 40 ACR72303242118II	N EN WS WS ENW SW SENENW SWSENENW SWSENW SW SENENW SWSENENW SWSEREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT. IF OTHER THAN 40 ACRES $72 30^3 24^0 //8$	NE         NW         SW         SE           NW         SW         SE         NE         NW         SW         SE         NUMBER         SE         SE	N E       N W       S W       S E         NW       SW       SE       NE       NW       SW       SE       NPLICATION       PERMIT         REAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT. IP OTHER THAN 40 ACRES       72       30 <sup>3</sup> 24 <sup>2</sup> 1/8       G       G       -24'27       G       -24'39         40       11-       32.*       40'       40'       40'       10''       10'''       SE       53/9       53/9         40'       11-       32.*       40''       40'''       10'''''       10''''''''''''''''''''''''''''''''''''

	N	E			N	W		S	W		S	E				
		IN LOT					SE		SW		_	SW S		APPLICATION NUMBER	PERMIT NUMBER	Certificat Number
						62	45							GR-43	GR-37	
she	2-			in										G-5392	65319-	
					05									64943	47490	2
uh		N	<i>cR</i>								Nur			G:11-840		
D	1	242	39-								24]					
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										-			-			

3.	Place	of	Use:
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		and the second se			
2S 4E	8	SW/NE	400	Field Irrigation	38.86
		NE/NW	700	Field "	3.18
			790	11 11	1.73
			891	Container	5.0
			801	Container	4.0
		SE/NW	1100	Container	40.0
		SE/NW	1100	Container	19.09
			1000	Container	20.62
		NW/NW	990	Container	14.7
			900	Container	8.0
			801	Container	4.01
			891	Container	5.55
		NE/SW	1200	Container	19.55
			1300	Container	20.45
		SE/SW	1300	Container	20.00
		SW/SW	1300	Container	8.50
		NW/SW	1200	Container	30.0
			1300	Container	10.0
2S 4E	7	NW/NE	301	Field	8.23
			1100	Field	8.0
			1190	Field	9.65
		SW/NE	900	Container	5.0
		011/112	1000	Container	5.0
-		SE/NW	900	Container	19.3
2 - 1		DL/ IIW	1500	Field	3.0
12 Work used			2000	Field	5.0
fi l'ou lan		NW/NE	2000	Field	10.0
women show		NW/NW	1600	Field	18.0
away		NW/ NW	1690	Field	22.0
on ap		SW/NW	1690	Field	35.61
It Promet & repared based on aureque strongen			1700		15.0
		NW/SW		Field/Container	
		SW/SW	1700	Field	5.0
		SE/SW	2000	Container	5.0
		NE/SW	2000	Container	20.0
		NW/SE	2000	Container	2.34
			2890	Container	18.0
		au / an	2800	Container	9.9
		SW/SE	2890	Container	1.31
			2800	Container	.1
	~	NE/SE	28()0	Contailner	•59
2S 3E	12	NE/NE	100	Field	17.0
			190	Field	23.6
		SE/NE	190	Field	39.09
		SW/NE	401	Field	24.72
		NW/SE	400	Field	>24.72
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WATER RESOURCES DEPT. SALEM, OREGON

Fownship Ra	ange	Section	$\frac{1}{4}$ $\frac{1}{4}$ Section	Tax Lot	Use	Acres
2S /	4E	8	SW/NE	400	Field Irrigation	38.86
			NE/NW	700	Field "	3.18
				790		1.73
				891	Container	5.0
				801	Container	4.0
			SE/NW	1100	Container	40.0
			SE/NW	1100	Container	19.09
				1000	Container	20.62
			NW/NW	990	Container	14.7
				900	Container	8.0
				801	Container	4.01
				891	Container	5.55
			NE/SW	1200	Container	19.55
				1300	Container	20.45
			SE/SW	1300	Container	20.00
			SW/SW	1300	Container	8.50
			NW/SW	1200	Container	30.0
				1300	Container	10.0
2S	4E	7	NW/NE	301	Field	8.23
			1111/112	1100	Field	8.0
				1190	Field	9.65
			SW/NE	900	Container	
			5W/ NL			5.0
			SE/NW	1000	Container	5.0
			SE/INW	900	Container	19.3
				1500	Field	3.0
			NTI /NE	2000	Field	5.0
			NW/NE	2000	Field	10.0
			NW/NW	1600	Field	18.0
			011/011	1690	Field	22.0
			SW/NW	1690	Field	35.61
			NW/SW	1700	Field/Container	15.0
			SW/SW	1700	Field	5.0
			SE/SW	2000	Container	5.0
			NE/SW	2000	Container	20.0
			NW/SE	2000	Container	2.34
				2890	Container	18.0
				2800	Container	9.9
			SW/SE	2890	Container	1.31
			0.8.1	2800	Container	.1
		-	NE/SE	2800	Container	.69
2S	3E	12	NE/NE	100	Field	17.0
				190	Field	23.6
			SE/NE	190	Field	39.09
			SW/NE	401	Field	24.72
CENT			NW/SE	400	Field	>24.72
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WATER RESOURCES DEPT. SALEM, OREGON

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Application No. Permit No.

### 3. Place of Use:

# 3. Place of Use:

wnship	Range	Section	1/4-1/4 Section	Tax Lot	Use A	<u>cres</u>
25	4E	8	SW/NE	400	FIELD	38.8
23	72		NE/NW	700	FIELD	3.1
				790	FIELD	1.7
				891	CONTAINER	5.0
				801	CONTAINER	4.0
			SE/NW	1100	CONTAINER	40.0
			SW/NW	1100	CONTAINER	39.0
			NW/NW	990	CONTAINER	14.7
			and a second second	900	CONTAINER	8.0
				801	CONTAINER	4.0
				891	CONTAINER	5.5
			NE/SW	1200	CONTAINER	19.5
			The second s	1300	CONTAINER	20.4
			SE/SW	1300	CONTAINER	20.0
			SW/SW	1300	CONTAINER	8.5
			NW/SW	1200	CONTAINER	30.0
				1300	CONTAINER	10.0
			NE/NW	1000	FIELD	10.0
			NW/NE	1300	FIELD)	20.8
				1390	FIELD	
				1490	FIELD	
				301	FIELD	8.2
				1100	FIELD	8.0
				1190	FIELD	9.6
			SW/NE	900	CONTAINER	5.0
			A THE REAL PROPERTY OF	1000	CONTAINER	5.0
			SE/NW	900	CONTAINER	19.3
			UL / III	1500	FIELD	3.0
				1000	FIELD	5.0
			NW/NW	1600	FIELD	18.0
				1690	FIELD	22.0
			SW/NW	1690	FIELD	39.2
			NW/SW	1700	FIELD & C	15.0
			SW/SW	1700	FIELD	5.0
			SE/SW	2000	CONTAINER	5.0
			NE/SW	2000	CONTAINER	20.0
			NW/SE	2000	CONTAINER	2.3
			NW/ DL	2890	CONTAINER	18.0
				2800	CONTAINER	9.9
			SW/SE	2890	CONTAINER	1.3
			SW/ SE	2800	CONTAINER	.1
			NE/SE	2800	CONTAINER	.6
A State						
	3E	12	NE/NE	100	FIELD	17.0
				190	FIELD	23.0
			SE/NE	190	FIELD	39.0
			SW/NE NW/SE	401 400	FIELD	24.7
				100	LILEN	

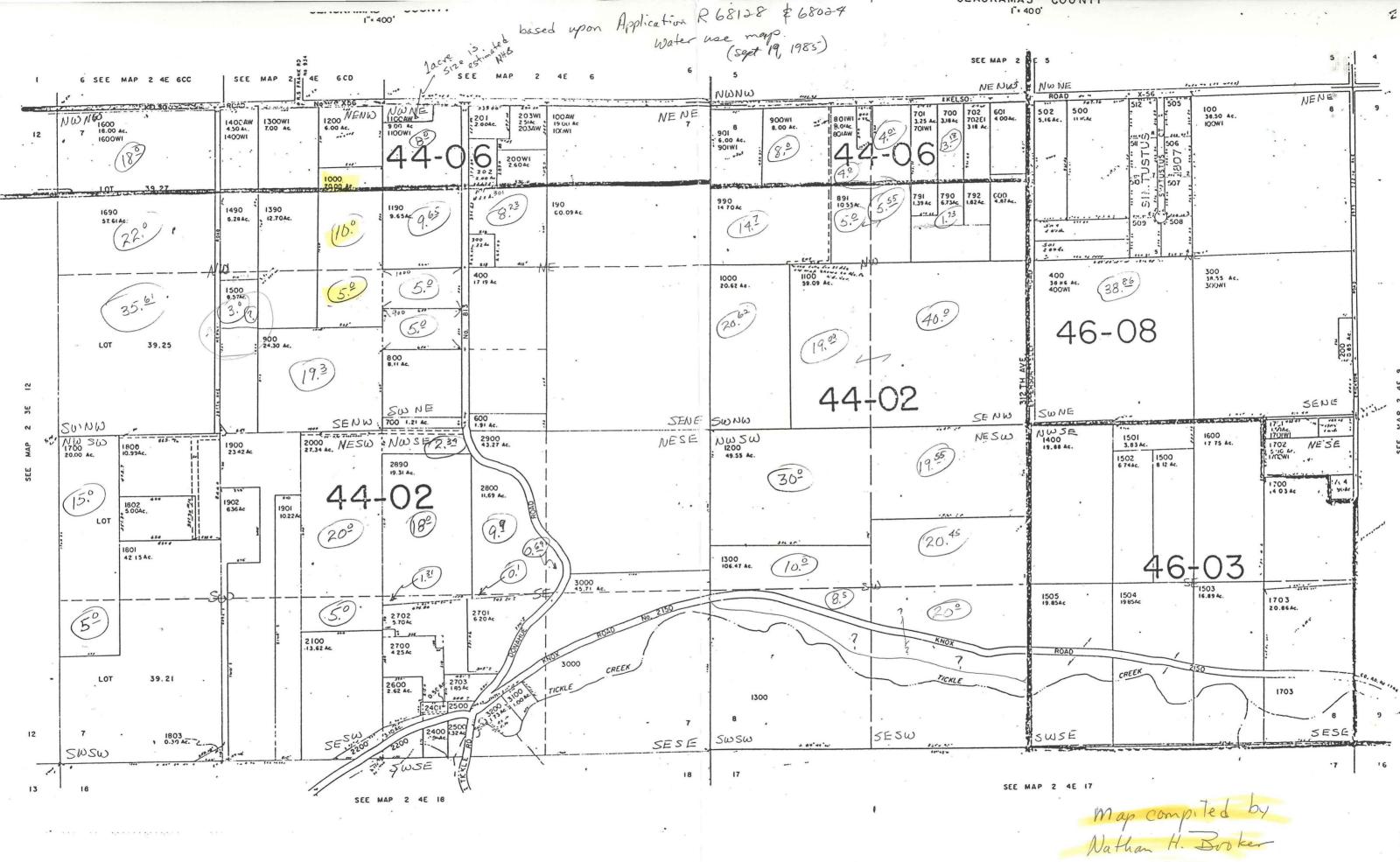
3. Place of Use:	3.	Place	of	Use:
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Township	Range	Section	1/4-1/4Section	Tax Lot	Use	Acres
28	4.选	8	SW/NE	400	Field Irrigation	38.86
			NE/NW	700	Field Irrigation	3.18
				790	Field Irrigation	1.73
				891	Container	5.0
				801	Container	4.0
			SE/NW	1100	Container	40.0
			SW/NW	1100	Container	39.09
			54/14	1000	Container	20.62
			NW/NW	990	Container	14.7
			NW/NW	900		8.0
					Container	
				801	Container	4.01
			the law	891	Container	5.55
			NE/SW	1200	Container	19.55
				1300	Container	20.45
			SE/SW	1300	Container	20.0
			SW/SW	1300	Container	8.5
			NW/SW	12000	Container	30,0
				1300	Container	10.0
5	4書	7	NW/NE	301	Field	8.23
				1100	Field	8.0
				1190	Field	9.65
			SW/NE	900	Container	5.0
				1000	Container	5.0
			SE/NW	900	Container	19.3
				1500	Field	3.0
				2000	Field	5.0
			NW/NE	2000	Field	10.0
			NW/NW	1600	Field	18.0
			TAMA TAM	1690	Field	
			SW/NW			22.0
			NW/SW	1690 1700	Field	39.25
					Field/Container	15.0
			SW/SW	2000	Field	5.0
			SE/SW	2000	Container	20.0
			NE/SW	2000	Container	20.04
			NW/SE	2000	Container	12.54
				2890	Container	18.0
				2800	Container	9.91
			SW/SE	2890	Container	1.31
				2800	Container	.1
			NE/SE	2800	Container	.69
3	3 <b>B</b>	12	NE/NE	100	Field	17.0
				190	Field	23.0
			SE/NE	190	Field	39.09
			SW/NE	401	Field	24.72
			NW/SE	400	Field	24.72

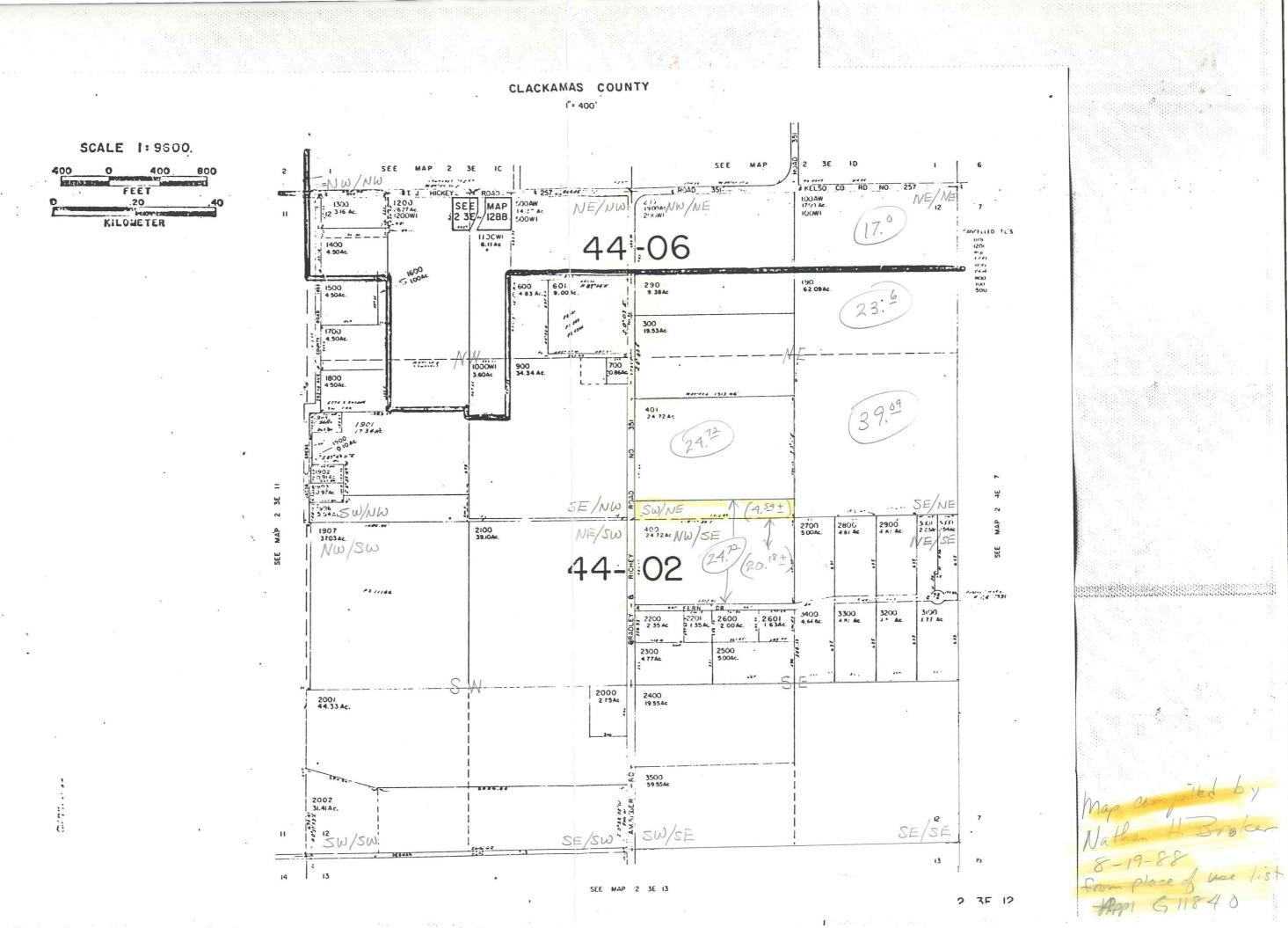
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8-19-88 from place of use list in Appl G 11840



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